

## **PORT COMMISSION OF THE PORT OF EDMONDS**

### **MINUTES OF REGULAR MEETING**

**March 30, 2009**

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#### **Commissioners Present**

Bruce Faires, President  
Mary Lou Block, Vice President  
Marianne Burkhart, Secretary  
Jim Orvis

#### **Staff Present**

Chris Keuss, Executive Director  
Marla Kempf, Deputy Director  
Tina Drennan, Finance Manager

#### **Others Present**

Bradford Cattle, Port Attorney  
Theresa Ocfemia, Student Rep.  
Karin Noyes, Recorder

#### **Commissioner Absent**

Fred Gouge

#### **CALL TO ORDER**

Commission President Faires called the meeting to order at 7:00 p.m.

#### **PLEDGE OF ALLEGIANCE**

All those in attendance participated in the Pledge of Allegiance to the American Flag.

#### **CONSENT AGENDA**

The Commission pulled Item A (Approval of Agenda), Item B (Approval of March 5, 2009 Special Commission Meeting Minutes) and Item C (Approval of March 9, 2009 Commission Meeting Minutes).

**COMMISSIONER BURKHART MOVED THAT THE REMAINDER OF THE CONSENT AGENDA BE APPROVED TO INCLUDE THE FOLLOWING ITEMS:**

- D. APPROVAL OF \$128,819.54 FOR FEBRUARY ELECTRONIC TRANSFERS**
- E. APPROVAL OF VOIDED CHECK NUMBER 67516 IN THE AMOUNT OF \$35.00 FOR ACCOUNTS PAYABLE**
- F. APPROVAL OF CHECK NUMBERS 67549 THROUGH 67572 IN THE AMOUNT OF \$38,861.29 FOR PAYROLL**
- G. APPROVAL OF CHECK NUMBERS 67573 THROUGH 67635 IN THE AMOUNT OF \$60,661.16 FOR ACCOUNTS PAYABLE**
- H. APPROVAL OF CHECK NUMBERS 10891 THROUGH 10909 IN THE AMOUNT OF \$49,453.69 FOR HARBOR SQUARE ACCOUNTS PAYABLE**

- I. APPROVAL OF HARBOR SQUARE OFFICE 106A CARPET CONTRACT**
- J. AUTHORIZATION FOR EXECUTIVE DIRECTOR TO WRITE OFF \$4,368.20 AND SEND ACCOUNT TO COLLECTIONS**
- K. AUTHORIZATION TO PURCHASE SPRING/SUMMER FLOWERS**

**COMMISSIONER ORVIS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF AGENDA (Item A on the Consent Agenda), MARCH 5, 2009 SPECIAL COMMISSION MEETING MINUTES (Item B on the Consent Agenda) AND MARCH 9, 2009 COMMISSION MEETING MINUTES (Item C on the Consent Agenda)**

Commissioner Faires requested the agenda (Item A on the Consent Agenda) be modified to add “Status Report on the Recruiting Process for the New Executive Director” as Item VII.B.

Commissioner Burkhart referred to the 5<sup>th</sup> bulleted item on Page 3 of the March 5, 2009 Special Commission Meeting Minutes (Item B on the Consent Agenda) and recalled that the Commission talked about decreasing the amount of office space at Harbor Square redeveloped property to very little since Edmonds has too much office space already. Commissioner Faires reminded the Commission that they also discussed the need to have some office space available at Harbor Square to accommodate the needs of the tenants who would live in the residential units. The Commission agreed not to change the numbers identified for office space at this time. However, it was noted that the term “300 and 600” should be changed to “300 to 600.”

Commissioner Burkhart referred to the last sentence in the second to the last paragraph on Page 4 of the March 9, 2009 Commission Meeting Minutes (Item C on the Consent Agenda) and said she does not recall making the statement to encourage the Port Attorney to make sure the lease agreement language still requires the Edmonds Yacht Club to post a performance bond. She asked that this sentence be struck from the minutes, and the remainder of the Commission concurred.

**COMMISSIONER BURKHART MOVED THE COMMISSION APPROVE THE AGENDA (ITEM A ON THE CONSENT AGENDA), THE MARCH 5, 2009 SPECIAL COMMISSION MEETING MINUTES (ITEM B ON THE CONSENT AGENDA) AND THE MARCH 9, 2009 COMMISSION MEETING MINUTES (ITEM C ON THE CONSENT AGENDA) AS MODIFIED. COMMISSIONER ORVIS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF HARBOR SQUARE OFFICE 106A CARPET CONTRACT (Item H on the Consent Agenda)**

Commissioner Burkhart asked if staff requested bids from carpet suppliers located within Snohomish County. Ms. Drennan explained that the Port’s policy requires them to use contractors from the Small Works Roster for projects that cost less than \$100,000. Commissioner Faires said it would have been beneficial to solicit bids from suppliers within the area so the sales tax would help the local economy. Ms. Drennan clarified that the sales tax goes to the jurisdiction where the merchandise was delivered. Mr. Keuss pointed out that the lease agreement required bids be submitted in a short timeframe and staff had very little time to get the space ready.

**PUBLIC COMMENTS**

**Mike Jones** said that he attended the Electrolysis Seminar that was recently sponsored by the Port. He said the seminar was well done and he thanked the Port for offering the program. Ms. Kempf added that 24 tenants and 5 staff members attended the program, which is held on an annual basis.

**EDMONDS YACHT CLUB (EYC) AGREEMENT – ASSIGNMENT OF LEASE**

Mr. Keuss reminded the Commission that the Agreement RE Assignment of Lease would establish a loan agreement between the primary parties, Prime Pacific Bank, the Edmonds Yacht Club, and a third party (Port of Edmonds) as the landlord. He recalled that for the past few weeks, the Port Attorney and Port staff have been working with Prime Pacific Bank to negotiate language that protects the Port's interest as the landowner. However, not all of the issues of concern have been addressed at this point in time.

Mr. Cattle reported that Prime Pacific Bank has responded to some of the changes that he indicated were required, but there are still some unresolved points. He provided a status report on the following unresolved issues:

- **Section 4.02** – Mr. Cattle explained that should the bank foreclose, the Port should not allow them to effectively become a lessee without an obligation to maintain the lease premises. Therefore, the Lease Security Agreement should require Prime Pacific Bank to become obligated to repair and maintain the property if it acquires the EYC's estate in the lease. He said he has had several discussions recently with the bank's attorney to point out provisions in the existing Lease Agreement, and the bank's attorney agreed to share these provisions with the bank and attempt to resolve the concerns.
- **Section 4.03** – Mr. Cattle advised that if there is a foreclosure or assignment by the lender, by virtue of a deed in lieu of foreclosure, the Lease Agreement requires that the rent be adjusted to a fair market rate. The bank's current Security Agreement specifically negates this provision. He said he has informed the bank's attorney that the Port would not change the Lease Agreement provisions.

Mr. Cattle reported that he attempted to contact the bank's attorney just prior to the meeting to find out the status of his efforts, but he was unable to get in touch with him. Since the Commission has already scheduled a special meeting on April 3<sup>rd</sup> to interview Executive Director candidates, he suggested they also hold a short business meeting to consider the Agreement RE Assignment of Lease if all of the changes have been made to satisfy the terms and conditions of the current Lease Agreement.

Commissioner Burkhart referred to the Agreement RE Assignment of Lease and requested clarification regarding the intent of Item 2 (Page 2) and Item 8 (Page 3). Mr. Cattle clarified that Item 2 stipulates that the EYC would essentially give the lease to the bank as security for their loan. Item 8 recognizes that the Port's interest is subordinate to the bank's security interest, which means the EYC is offering their lease interest as collateral for the loan.

Commissioner Block referred to Item 4.03 on Page 1 of Mr. Cattle's memorandum to the Commission and noted there is no Item 4.03 in the proposed agreement. Mr. Cattle explained that Item 4.03 references a subsequent version of the lease agreement. Rather than using the same document to identify the changes, the bank chose to create a new document. This resulted in two documents running parallel with each other.

The Commission agreed it would be appropriate to consider the Agreement RE Assignment of Lease at a special business meeting on April 3<sup>rd</sup> if the Port Attorney is able to resolve all of the remaining issues to be consistent with the terms and conditions in the Lease Agreement prior to 12:00 p.m. on Thursday, April 2<sup>nd</sup>. Mr. Cattle agreed to disseminate a copy of the new agreement to each of the Commissioners via email prior to the special meeting.

#### **EDMONDS YACHT CLUB (EYC) LEASE – PARKING AMENDMENT**

Mr. Keuss reminded the Commission that they did not want to consider amendments to the parking provisions until the Agreement RE Assignment of Lease has been signed. He noted there was no new information to report.

#### **EDMONDS YACHT CLUB (EYC) – UPDATE ON PROJECT**

**Ernie Collins, EYC**, reported that the project is going extremely well, and the EYC is confident that everything will work out satisfactorily. They have selected a general contractor, Halverson, who is ready to move forward with the

project. He noted that invitations have been sent to all Commissioners inviting them to a ground breaking ceremony April 6<sup>th</sup>. He further reported that they are in the final stages of working with various City departments to answer the few remaining questions, and all but one are extremely minor in nature. They were informed by the Edmonds Wastewater Treatment Department that because it is possible that over the life of the building the anchor tenant could change, the EYC would be required to install a grease interceptor rather than a grease trap. The EYC has agreed to make this design change.

Mr. Collins advised that the design team would meet briefly with the contractor to finalize the minor changes required by the City. For example, the spire on top of the light house would exceed the City's height limit and would have to be removed from the design. The design team has also considered alternatives for the foundation of the building. He reported that the City hired a contractor to conduct an independent peer review of the EYC's geotechnical study. Questions were raised, and it appears they have all been answered. However, the design team has come up with a fall back plan, if necessary. In spite of all the challenges, Mr. Collins summarized that the EYC has received a commitment from the contractor that the building would be ready for occupancy by the end of 2009 if the project is started sometime in April.

Commissioner Orvis observed that the Port has been required to spend a significant amount on attorney fees to resolve issues with the EYC's lender, Prime Pacific Bank. Mr. Collins agreed and said he appreciates all the assistance the Port Attorney has provided to the EYC.

### **HARBOR SQUARE SHORT/LONG RANGE PLANNING**

Mr. Keuss recalled that the Commission met on March 5<sup>th</sup> for a special meeting to review options for redevelopment of the Harbor Square Business Complex. Mark Hinshaw, LMN Architects, was present to help the Commission through the process and remind them of the history of redevelopment plans that were created previously. The Commissioners discussed the various options, including development that might take place and still keep the hotel and athletic club in their existing locations. The Commission asked staff to put together a timeline showing the master planning effort, along with the comprehensive plan application and update with the City of Edmonds. The Commission also asked staff to include a fiscal/economic analysis of the plan as one step in determining the fiscal viability of redevelopment.

Mr. Keuss referred the Commission to the timeline spreadsheet, which Mr. Hinshaw helped him prepare. They attempted to realistically recognize that often things take longer than anticipated to accomplish. He expressed his belief that the proposed timeline represents a fairly realistic approach. He reviewed the three elements of the timeline as follows:

- **Master Planning** – Mr. Keuss explained that this phase consists of revising the current plan and conducting the fiscal/economic analysis. He reminded the Commission that they discussed the option of hiring a consultant to help them update their existing master plan and a consultant to complete the fiscal/economic analysis. Staff estimates it would take approximately five months to complete this phase of the project, with the master plan revision overlapping somewhat with the fiscal/economic analysis.
- **Development Partnering** – Mr. Keuss explained that this phase of the process includes requests for interest, qualifications and proposals. He expressed his belief that the request for interest and request for qualifications would go fairly quickly, but the request for proposals and the review of proposals and final selection would take more time to complete (up to 5 months). He noted that two additional months were added to this phase to allow the Commission an opportunity to engage the public in the process. The timeline indicates it would take the Commission up to 12 months to approve a final Master Plan.
- **Comprehensive Plan Application** – Mr. Keuss reminded the Commission that the Port's updated Master Plan must eventually be adopted into the City of Edmonds Comprehensive Plan, which would require the Port to complete a State Environmental Protection Act (SEPA) checklist. The City would be responsible for making a

determination on the SEPA checklist. While a full-blown Environmental Impact Statement (EIS) may not be required, time was allocated in case it is. Before the Port's updated Master Plan could be adopted into the City's Comprehensive Plan, it must be reviewed by the Edmonds Planning Board, who would conduct a public hearing and forward a recommendation to the City Council. The City Council would make the final decision. It is estimated it could take up to seven months to complete this phase of the project.

Mr. Keuss advised that he contacted the City's Planning and Development Services Department for more information about the process for incorporating the Port's updated Master Plan into the City's Comprehensive Plan. He was informed that in order for the Master Plan to be adopted into the City's Comprehensive Plan in 2010, the Port must submit a letter of intent to the City by the end of 2009, asking that the document be docketed as a 2010 Comprehensive Plan amendment. He emphasized that the Port would not be required to submit their final updated Master Plan to the City until later in 2010, and the Comprehensive Plan amendments would not likely be adopted until late 2010.

Mr. Keuss said Commissioner Gouge contacted him prior to the meeting indicating his desire to shorten the first two phases of the timeline by several months. Commissioner Burkhart expressed her belief that the proposed timeline is realistic. She pointed out that, depending on the final Master Plan, it might take longer to complete the process. Commissioner Block pointed out that some of the elements could run concurrently, which would result in a quicker process. Commissioner Faires said the Commission must also keep in mind that a new Executive Director would come on board during the first phase of the project.

Mr. Hinshaw expressed his belief that the proposed timeline for Phase 1 of the project is realistic. It would likely take the City a few months to complete the draft Master Plan and an additional three months to complete the fiscal/economic analysis. He explained that a certain amount of the Master Plan work must be done before the consultant would be able to start the fiscal/economic analysis. However, the Master Plan work does not need to be completed before the analysis can start. The economic analysis consultant could start to identify impacts and benefits of the plan as soon as basic numbers have been provided, and then the master plan consultant could work with the Commission to further refine the Master Plan at the same time as the consultant is working on the economic analysis. He summarized that a certain amount of overlap would be appropriate, since the economic analysis numbers could be used to indicate whether or not the use ratios in the proposed Master Plan are reasonable and supportable.

Mr. Hinshaw pointed out that the fees involved with the master plan and financial analysis process would likely be below the level that would require the Port to go out to bid for the consultant contracts. Instead, the Port could use a fairly simple and expeditious selection process of asking for qualifications and selecting from the list of qualified candidates.

Commissioner Orvis said that while he understands the Commission's desire to move the Master Plan process forward as expeditiously as possible, they must keep in mind that other property owners along the waterfront have already indicated their plans to move forward with redevelopment, and this could have a significant impact on the Port of Edmonds. In addition, before a feasible Master Plan could move forward, the Port must obtain public support for additional height. Without the public's support, the effort would result in just another study. He reminded the Commission that numerous studies have been conducted for the downtown waterfront area, and they have all said the same thing. However, the City's elected officials have chosen not to follow the direction identified in the studies. No matter what amenities the Port proposes as part of their Master Plan, it would not likely receive community support if it requires a greater height than 35 feet. He summarized that members of the community have gone on record repeatedly that they do not want change.

Commissioner Burkhart suggested that the community consensus is likely to change in the near future as a result of the City's current economic situation and their failure to do long-term financial planning years ago. She noted there was a huge outcry at the last City Council Meeting because the City Council proposed to close Yost Pool. Redevelopment of Harbor Square is one way to bring additional revenue into the City via property and sales tax. She summarized that the purpose of the master planning process is to identify a plan that would be economically feasible

and attract potential developers. She emphasized that people who are emphatic about maintaining the 25-foot height limit are not the majority; they are just the loudest. A lot of other citizens are starting to get involved as a result of the need to come up with new revenue streams for the City.

Commissioner Orvis cautioned that before the Commission gets too enthusiastic, they need to have very real objectives that are designed around not spending huge amounts of money to plan until they get community and City Council support for the additional height necessary to make redevelopment feasible. He reminded the Commission that economic studies have been conducted previously, all of which indicated that development of less than 35 feet would not be feasible, particularly given the tradeoffs the community has indicated they desire. Other than citizens who are concerned about Yost Pool, he said he has not seen a significant move to change the status quo.

Commissioner Orvis said he is not opposed to moving forward with the Master Plan for Harbor Square, but he is concerned that the Commission establish realistic expectations. Commissioner Burkhart agreed the Commission should have a clear understanding that their goal is to obtain sufficient information to make their argument to the community about the need for additional height. She further agreed that the Master Plan should not be refined beyond that point until the Port has obtained the community's support.

Commissioner Block said she supports the concept of planning concurrently with all property owners on the waterfront. However, numerous plans have already been created and subsequently derailed. While there is a lot to be gained by this effort, she is not confident that much will be changed in the end. Commissioner Orvis observed that the City has already lost their opportunity to plan for the entire waterfront area. Commissioner Block agreed that too many things are happening independently for a cohesive master plan to take place at this time. She expressed disappointment about this lost opportunity, and the remainder of the Commission concurred.

Commissioner Faires said that while he is a perennial optimist, there are some realities related to the nature of Edmonds that must be taken into account. He reminded the Commission that the City is planning to move forward with a tax initiative in the fall to fund basic City services. He suggested there may be an opportunity, in the context of the City's current economic reality, to give more traction to the concept of redeveloping the waterfront properties. However, he agreed the Port should not do any more than necessary to create a Master Plan that conveys to the citizens and the elected officials exactly what the Port has in mind. He recalled Commissioner Burkhart's earlier statement about the economic impetus that could be provided to the City via tax revenue, but another positive component is that construction of the project would also bring workers into the community to support local businesses.

The Commission discussed that it is not likely a developer would step forward to redevelop the Harbor Square Property given the current development climate in Edmonds. They agreed that not only is it important to create a master plan that represents viable options for redevelopment; they must also gain the support of the community and the City Council. It was pointed out that although the City's current Comprehensive Plan identifies redevelopment of the Skippers site at a greater height, the City Council determined that they were not bound by the Master Plan.

The Commission noted that the Port does not currently have a Master Plan for Harbor Square. Once again, Commissioner Orvis expressed concern that redevelopment of properties across the street could have a significant impact on Harbor Square and the economic analysis needs to keep these changes in mind. In addition, he suggested that if the Port moves forward with a Master Plan for Harbor Square, they should also provide a plan for what would happen if the City does not allow additional height. Mr. Keuss said that if the Commission hires a consultant to help them revise the Port's Master Plan, they must understand that in order for redevelopment to be feasible, four to six-story buildings must be allowed. The Commission indicated they understood that any feasible redevelopment plan would require four to six-story buildings. They agreed that the Master Plan effort could be suspended if they learn part way through the process that the community will absolutely not support additional height.

The Commission agreed to initiate the Master Plan process as defined in the outline provided by staff. They further agreed they would manage the process throughout to be consistent with the climate for redevelopment that exists amongst the community.

### **MARINA OPERATIONS RESTROOM REMODEL**

Mr. Keuss advised that following the Recreation Conservation Office's (RCO's) decision not to provide grant funding toward a new restroom building at the Port of Edmonds, the Commission decided to delay the project. Instead, they requested that staff look at the cost of remodeling the existing Marina Operations restrooms.

Ms. Kempf reported that staff contacted Makers Architecture + Urban Design for professional assistance in identifying necessary upgrades and proposing retrofits that would give the existing restrooms a 3 to 5-year life. The estimates provided in the Commission's packet do not include replacement of the floor, but they do include repairing the tile floor. She noted ADA requirements prohibit the Port from changing the design or layout of the facility. In fact, two additional feet would be needed to meet all of the ADA requirements. She said it is possible the City would require the Port to become compliant if they seek permits to upgrade the restrooms. She further stated that the City is aware that the Port has done everything possible to make the restroom facility ADA compliant given the constraints of the square footage.

Ms. Kempf advised that the proposal has been presented to the Commission to give them an idea of what the bottom line cost would be to upgrade the restrooms so they are more user friendly. The proposal would eliminate the coin operated showers and put locks on the outside of the doors. The Port would have the ability to manage when the restrooms are locked and open. She announced that the estimated cost to upgrade the restrooms is \$20,000 each. She reported that Makers indicated the existing flooring is the best available for commercial restrooms, but if they want to do something else, a vinyl material could be used. She suggested the Commission request estimates for replacing the floor rather than re-grouting and trying to match the tile. She invited the Commission to provide direction as to whether they want staff to proceed with the project.

Commissioner Orvis pointed out that any grant funding that would have been available for the Port's new restroom project has been diverted to the State's general fund. Grant funding for projects of this type would probably not be available for a long time. Mr. Keuss said the upgrade project would be considered repair and maintenance so the money would come from the Operating Budget. He reminded the Commission of their previous decision to reduce the 2009 repair and maintenance budget. Commissioner Faures pointed out that approval of the restroom renovation project would assume the Commission would take no further action towards a major restroom construction project for the next several years.

Commissioner Burkhart asked if it would be less costly to remove the tile from the floor and smooth it out with a type of concrete finish. Ms. Kempf answered that Makers indicated a concrete floor would be a very costly option. Commissioner Block expressed concern that it would be difficult to match the existing tiles on the floor, and it might look better to redo all of the tile. Ms. Kempf suggested they put together a bid package that requests estimates for all the improvements, plus replacement of the floor. The Commission agreed to request bids for a new floor and then make a final decision once the bids have been received.

### **COMMISSION MEETING SCHEDULE**

Mr. Keuss reviewed that the April 13<sup>th</sup> meeting agenda includes the following items: awarding the Executive Director contract, a review of the launcher program, a status report on vacant tenant space at Harbor Square, and presentation of a Letter of Intent from Bob Ford to build a new building on the east side of Admiral Way and west of the railroad tracks. The Commission should discuss whether or not they want to place conditions on tenancy to require only marine-related uses. Commissioner Burkhart pointed out the Commission already indicated they do not want to allow any restaurant uses in this location. Mr. Keuss recalled that previous Commission discussion indicated that while they would prefer marine related uses, they would not be opposed to retail or professional office space, either.

Commissioner Block pointed out that the WPPA Environmental Committee's spring seminar is scheduled for October 1<sup>st</sup> and 2<sup>nd</sup>. She asked that staff update the extended agenda to reflect the correct dates for this event.

### **EXECUTIVE DIRECTOR'S POSITION UPDATE**

Commissioner Faires reported that the Interview Panel interviewed six finalists for the Executive Director position on March 26<sup>th</sup>. He summarized that the panel worked well together, with representation from various stakeholders. The panel identified three finalists, whom the Commission will interview on April 3<sup>rd</sup>. He reminded the Commission of their previous agreement to allow the public to ask questions of the finalists. He said Mr. Keuss recommended that citizens and staff be provided with note cards to write their questions on. The Commission could review the questions and ask those that are considered appropriate. Commissioner Faires suggested this process would help the Commission manage the public question period. The Commission agreed this would be an appropriate process for inviting the public to ask questions that are unique to their perspective.

The Commission requested direction from the Port Attorney regarding their ability to hold an executive session to review the qualifications of the candidates. Mr. Cattle explained that the Commission can go into executive session to discuss the qualifications of a candidate for public employment. Commissioner Faires cautioned that although the Commission is permitted to have some discussion in executive session, the majority of their debate should take place in an open meeting. Mr. Cattle said this is a policy decision the Commission must make, but the law allows them to have a more broad discussion in executive session.

The Commission also requested direction from the Port Attorney about whether or not it would be permissible to seek additional information regarding candidates after the interview has started. Mr. Cattle answered that the Commission can seek additional information from any trustworthy source, but it must be shared with all Commissioners.

Mr. Keuss reviewed the finalists as follows:

- Grant Dull, current Executive Director for the Lynnwood Public Facilities District
- Bob McChesney, current Executive Director for the Port of Port Angeles
- Steve Burkett, Partner in a managing consulting firm and former City Manager for the City of Shoreline.

The Commission agreed to use the same checklist that was used by the Interview Panel. They agreed that, in addition to the items on the checklist, the Commissioners could bring forth other issues and questions. They asked Mr. Keuss to provide three copies of the checklist to each Commissioner prior to the interview process.

Mr. Keuss indicated he would contact each of the finalists to inform them of the time of their interview. The Commission agreed that 1 hour would be sufficient time for each interview, with an additional 15 minutes in between. Following the three interviews, the Commission could have a debate and a Commissioner could make a motion to select a particular candidate. The Commission further agreed that while it would be best to have a unanimous vote, only a majority vote would be required to approve the selection. If the Commission cannot reach a consensus on Friday, they could continue their discussion to April 6<sup>th</sup>. They agreed to conduct a poll vote to rank the candidates. The ranked votes would be tallied, and then make a motion to approve the candidate with the most votes.

### **EXECUTIVE DIRECTOR COMMENTS**

Mr. Keuss reported on the following items:

- The Edmonds Yacht Club would have a ground breaking ceremony on April 6<sup>th</sup> at 2:00 p.m.

- The MAX Foundation announced that a reception to unveil the outdoor mural “Blessings of the Land” has been scheduled for April 16<sup>th</sup> from 5:00 to 7:00 p.m.
- Stephen Clifton, Edmonds Community Services Director, provided the Executive Director with some plans for Burlington Northern Santa Fe’s (BNSF) double tracking project. The plans identify how the Port and City property would be impacted. A copy of the plans was provided to each of the Commissioners. He noted the Port would lose two parking spaces at the entrance to the dry stack parking and wash down area and three or four parking spaces would be lost to accommodate the new concrete signal stand. Mr. Clifton said the timeline for the project indicates that planning and grading work would take place in 2010, with construction of the double track in 2011. The City has taken the lead on the project.
- The Commissioners should have received forms from the Public Disclosure Office.
- The Snohomish County Elections Office is hosting a candidate’s workshop on April 29<sup>th</sup> from 6:00 to 8:30 p.m. at the County Administration Building in Everett.
- The Commissioners were provided with a 2009 election information packet. Filing would take place the first week of June, and the primary election would be on August 18<sup>th</sup>. The final election is scheduled for November 3<sup>rd</sup>.
- The Edmonds Hearing Examiner granted approval of the Edmonds Yacht Club’s Substantial Development Permit and Design Review. There were a few mitigating items the EYC was required to follow up on.
- The Pacific Coast Congress of Harbor Masters and Port Managers Spring Conference will be April 14<sup>th</sup> through 17<sup>th</sup> in Newport, Oregon. Mr. Yeager and Mr. Danberg will attend. None of the Commissioners present indicated they would intend the event.
- The Executive Director attended the Greater Edmonds Chamber of Commerce Economic Development Commission meeting where the City of Edmonds Parks, Recreation and Cultural Services staff presented their Cultural Arts Plan, which includes the 4<sup>th</sup> Avenue Arts Corridor. They also presented the master plan for the former Woodway High School Play Fields.
- The Executive Director worked with the Port Attorney to prepare a Hold Harmless Agreement, which was forwarded to Anthony’s Homeport Restaurant’s corporate office. Staff is waiting to hear back from them.
- The Executive Director shared the Port’s environmental programs at the recent luncheon of the Rotary Club of Edmonds.
- The Executive Director would be out of the office on April 17<sup>th</sup> and April 20<sup>th</sup>.

#### **COMMISSIONER COMMENTS AND COMMITTEE REPORTS**

Commissioner Burkhart reported on her recent attendance at the Sea Scout Meeting, at which it was reported that the scouts completed 40 hours of service in December and January. In addition, the adult leaders completed 30 hours of service at the Port’s booth at the boat show. The scouts are making concrete plans for getting caught up on the work they are supposed to do for the Port in exchange for dock space. Their next meeting is May 1<sup>st</sup>.

Commissioner Burkhart reported that she attended the Woodway Town Council Meeting on March 16<sup>th</sup>, at which their planner, Bill Trimm reviewed the list of design element recommendations that were presented to Snohomish County regarding the draft Environmental Impact Statement for Point Wells. His presentation was oriented towards environmental issues and how to make the environment next to the water pleasurable. She suggested it would behoove the Port to obtain a copy of the document since some of the items on the list were directly related to issues

the Port deals with. The document might be useful in the process of deciding what they want to do with the Harbor Square property.

Commissioner Burkhart reported on her attendance at the Snohomish County Economic Development Council meeting at which Bob Drewel reported that the Puget Sound Regional Council has hired a consulting firm to do a comparative assessment of the how business friendly the State of Washington is compared to other states in the southeast where Boeing might move their airplane assembly work. The assessment would be done very quickly in order to be presented to the State Legislature during this session. He is looking for funding support to pay for the assessment. Participants at the meeting were also invited to tour Boeing's new building where 787 customers can come to pick out the design elements they want in their new planes.

Commissioner Orvis reported that he attended the recent Legislative Day for Ports, where he was able to meet with Representative Marko Liias, who shared some of his ideas related to the State's budget. He indicated he was looking for a place to locate his office, and he invited him to visit Harbor Square as a possible site. He also met with Senator Paull Shin, who only wanted to talk about the possibility of a pass way under the railroad tracks. He reported that he was late to the Governor's Reception, but he found the mansion to be an incredible place. He reported that a lot of ports provided public relation displays in the rotunda area, which were well received. He said the Chair of the Ways and Means Committee shared that none of the legislators would learn what the committee would propose to be cut from the budget until March 26<sup>th</sup>. She indicated that a lot of money is being transferred to and from various accounts. He summarized that the WPPA did a good job organizing the event, and next year they plan to get the talking points memorandum out earlier to participants. It is likely the event would also be held earlier in the legislative session. He concluded that the event was extremely valuable and well attended.

Commissioner Block reported that she attended the Puget Sound Regional Council's (PSRC) Transportation Board Meeting on March 12<sup>th</sup>. They voted on and passed the transportation projects for the stimulus package, which is the first one to be completed in the United States. Staff was pleased because no changes were made throughout the process of review, and the list was adopted as presented. The City of Edmonds received \$1 million for their overlay program. She said she learned that the PSRC has prepared a presentation regarding their 2040 transportation alternatives, and they would be willing to present it to the Commission. The Commission indicated they would like staff to invite the PSRC to make a presentation before the Commission at their May 26<sup>th</sup> afternoon meeting.

Commissioner Block reported that she attended the Greater Edmonds Chamber of Commerce Economic Development Council Meeting, where the 4<sup>th</sup> Avenue Arts Corridor Plan was presented. The master plan for the former Woodway High School Play Fields was also presented.

Ms. Ocfemia reported that students at Edmonds/Woodway High School are devastated about the City's proposal to close Yost Pool. Commissioner Faires asked if the students understand why the City is proposing to close the pool. Ms. Ocfemia said the students understand that the City has financial problems right now. They have also expressed concern that the Edmonds School District is proposing to cut some classes from the curriculum as a result of a lack of funding.

### **EXECUTIVE SESSION**

The regular meeting was adjourned to an executive session at 9:31 p.m. The Commission discussed the possible sale of building/land at Harbor Square and real estate. No action was taken. The executive session adjourned back to the regular session at 10:07 p.m.

### **ADJOURNMENT**

The meeting was adjourned at 10:08 p.m.

Respectfully submitted,

Marianne Burkhart  
Port Commission Secretary