



## PORT COMMISSION OF THE PORT OF EDMONDS

### MINUTES OF REGULAR MEETING

March 28, 2016

---

---

#### COMMISSIONERS PRESENT

Bruce Faires, President  
Fred Gouge, Vice President  
Jim Orvis, Secretary  
David Preston

#### STAFF PRESENT

Bob McChesney, Executive Director  
Marla Kempf, Deputy Director  
Tina Drennan, Finance Manager

#### OTHERS PRESENT

Bradford Cattle, Port Attorney  
Karin Noyes, Recorder

#### COMMISSIONERS ABSENT

Mary Lou Block

#### CALL TO ORDER

Commission President Faires called the regular 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

**COMMISSIONER GOUGE MOVED THAT THE CONSENT AGENDA BE APPROVED TO INCLUDE THE FOLLOWING ITEMS:**

- A. APPROVAL OF AGENDA**
- B. APPROVAL OF MARCH 14, 2016 MEETING MINUTES**
- C. APPROVAL OF PAYMENTS IN THE AMOUNT OF \$273,813.85**

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

#### PUBLIC COMMENTS

No one in the audience indicated a desire to address the Commission during this portion of the meeting.

#### FISHING PIER – CITY OF EDMONDS

Mr. McChesney introduced Henry Schroder, Capital Projects Manager for the City of Edmonds, who is responsible for the fishing pier renovation. He shared some of his background and experience for the Commission's information.

**Henry Schroder, Capital Projects Manager, City of Edmonds,** advised that the main thrust of the renovation project is to repair the concrete on the pier, which was damaged by significant spalling delamination. The project will also include replacement of most of the facilities on the existing pier, including the benches, shelter, fish

cleaning station sinks and roof, light fixtures and wood railings. In addition, the water line that supplies the fish cleaning station will be replaced and a kiosk will be added at the main pier. A new weather station and heating system will be installed in the restroom facility, along with minor electrical updates.

Commissioner Faires asked how the weather station at the restroom facility would differ from the Port's weather station, which was recently updated. Mr. Schroder said he imagines the two stations will provide similar, basic weather data. Commissioner Faires noted that the weather station at the fishing pier would likely focus on a different demographic than the Port's weather station.

Mr. Schroder advised that funding for the project came from an \$800,000 grant from the Recreation and Conservation Office (RCO), \$500,000 from the Aquatic Lands Enhancement Account, and \$100,000 from the City's Parks, Recreation and Open Space budget. Seven contractors bid on the project, and the low bidder was RAZZ Construction from Bellingham. The bid was nearly \$200,000 under the engineer's estimate, which allowed the City to exercise many of the bid alternatives.

Commissioner Faires observed that five years ago, it was not uncommon for a bid to come in significantly below the engineer's estimate. He asked Mr. Schroder to share more information about the bids that were submitted for the project. Mr. Schroder said the low bid was about \$100,000 below the second lowest bid, and the rest of the bids were clustered around the engineer's estimate.

Mr. Schroder announced that the project was started on March 14<sup>th</sup>, and most of the demolition work above the pier has been done. The contractor is currently in the process of getting the work platforms in place to do the concrete portion of the project. He provided numerous pictures to illustrate the existing conditions of the pier, particularly the spalling delamination that was caused by the marine environment. He explained that the consultant, Berger Abam, has suggested that part of the reason for the damage is that the original construction may not have had the minimum coverage in every area that was called for in the original plans. The intent is to cut out the damage until they reach sound concrete.

Commissioner Faires asked if it would be possible to put an adhesive layer under the pier to prevent intrusive moisture in the future. Mr. Schroder said anodes would be added to the pier in multiple places. While moisture will still get in, the anodes will prevent corrosion from happening in the future.

Commissioner Orvis asked when the fishing pier was initially constructed, and Mr. Schroder answered that it was built in the late 1970s. He provided pictures to illustrate the demolition work that has occurred to date.

Upon Mr. McChesney's request, Mr. Schroder advised about the permits required for the project. Mr. McChesney asked if any mitigation was required, and Mr. Schroder answered that no mitigation was required because the footprint of the pier would not be changed. Commissioner Faires asked if the project must be completed within the fish window, and Mr. Schroder answered that the fish window requirement would not apply to the project.

Commissioner Gouge pointed out that the existing railings had numerous notches in them, which were put there by fisherman. He asked if the same could happen to the new plastic railings. Mr. Schroder answered that this was taken into consideration and addressed in the project design. Commissioner Gouge voiced concern about the materials proposed for the railings and light poles given the Department of Ecology's (DOE) current concerns about high zinc levels in the water. Mr. Schroder advised that the DOE and the Department of Natural Resources (DNR) have both approved the carbon steel materials that will be used for the railings and light poles.

Ms. Kempf asked if power would be provided on the fishing pier to address the needs of squid fishermen. Mr. Schroder said coin-operated power outlets were considered as part of the original design, but they were later eliminated. However, the Parks, Recreation and Cultural Services Director has indicated a desire to revive the concept as a potential element of the project. While it would not happen as part of the current project, it will be considered for future installation. However, he acknowledged that numerous issues would need to be addressed. Commissioner Faires encouraged the City to keep power off the fishing pier because it would cause a variety of maintenance issues. Commissioner Orvis agreed that providing lighting on the docks would create safety and maintenance issues. Commissioner Preston asked if it would be possible to place coin-operated lights under the docks to accommodate fisherman. Mr. Schroder agreed that is one option the City could consider.

Commissioner Gouge asked about the project timeline, and Mr. Schroder answered that the contract indicates that the pier must be open by June 3<sup>rd</sup>. However, the contractor will need additional days after that, and it might be possible to cordon off portions of the pier to do this work and leave the rest of the pier open to the public. Another option would be delay the grand opening until the entire project has been completed.

Commissioner Gouge noted that the parking lot is set aside for the fishing pier is currently closed and being used for staging of construction equipment. He voiced concern about how this parking lot closure could impact the Waterfront Festival if the project is not completed by June 3<sup>rd</sup>. Mr. Schroder explained that if the project is still in process, it is likely the contractor will be using a much smaller footprint of the parking lot as a staging area by that time. Mr. McChesney explained that the City and Port share ownership of the parking area, but there is no delineation. The Port will only need its half of the parking lot to accommodate the parking needs for the Waterfront Festival, and Mr. Schroder has worked with the contractor to resolve the Port's concern.

Commissioner Preston asked if work would be done below the waterline, and Mr. Schroder answered no and said that may have been why fewer permits were needed. Commissioner Preston asked if the City plans to remove the tires that were installed below the water to attract fish, and Mr. Schroder answered no. He said that a divers club has taken preconstruction footage under the pier to help note any environmental changes that might occur as a result of the project.

**Jack Bevan, Edmonds**, requested information related to funding for the original project. Mr. Schroder said the majority of the initial project was funded by the Department of Fish and Wildlife.

**Edmonds City Council Member Teitzel** asked how many more years of useful life the project is anticipated to add to the fishing pier, and Mr. Schroder said he anticipates the life of the pier will be extended by 30 to 40 years.

### **BOATYARD GENERAL PERMIT**

Ms. Kempf reviewed that the Port operates its own boatyard under the Boatyard General Permit issued by the Washington State Department of Ecology (DOE). The current permit was issued on March 2, 2011. It was effective on June 1, 2011 and expires on May 31, 2016. She reminded the Commission that the Port employs Best Management Practices (BMPs) in compliance with those outlined in the permit. In addition, the Port collects water samples, which are sent to a lab, and the results are reported to the DOE in accordance with the permit requirements. She advised that water samples are collected as follows:

- A grab sample is taken for the **Pressure Wash Wastewater** and sent to the lab four times each year in June, July, August and September. The parameters are 2.4 mg/L for copper and 3.3 mg/L for zinc. For the pressure wash water being treated and sent to a municipal sanitary sewer these are effluent limitations (the highest allowable daily discharge for the reporting period).
- Stormwater samples for the **Boatyard** are taken once per month in October, November, January, April and May. There are seasonal benchmarks of 50 ug/L for copper and 85 ug/L for zinc. The maximum daily benchmark is 147 ug/L for copper and 90 ug/L for zinc. Benchmarks, as used in the permit, are said to allow a period of adaptive management with increasing levels of effort or treatment to comply with the permit values.

Ms. Kempf advised that in preparing for the issuance of the new permits, the DOE sponsored two listening sessions in July of 2015 to present their plan and to solicit suggestions for the new permit from current permit holders and other interested parties. James Maroncelli, the new permit contact with the DOE, was the presenter at the sessions. At the sessions he indicated that the DOE's intent is to stay on course with no major substantive changes, reorganize all general permits to make them consistent and less confusing, define terms consistently, clarify goals and methods for monitoring, state the universal requirements consistently, and correct errors and clarify some ambiguities.

Ms. Kempf reported that Port staff, with the assistance of Landau Associates, submitted a Notice of Intent to renew its General Boatyard Permit as required on December 2, 2015. On March 16, 2016, the DOE published its proposed draft permit and announced the public comment period and hearings (Attached to Staff Report). It also created a

summary of changes between the 2011 Boatyard Permit and the 2016 Draft Boatyard Permit (Attached to Staff Report). She introduced Joe Kalmar, who was present to provide an update on the Boatyard General Permit that covers the Port's stormwater discharge. Mr. Kalmar will discuss the Port's status under the current permit and where the new permit is taking them. She advised that Mr. Kalmar is a Principal Chemical Engineer with Landau Associates and has worked there for 19 years. He specializes in stormwater treatment and permit compliance and has worked with dozens of different boatyards and industrial facilities to help them achieve stormwater permit compliance. He is very familiar with the Port's boatyard and had a big part in the creation and evolution of the Port's oyster shell filtration system. He also assisted the Port with its required submittals to the DOE.

Commissioner Gouge recalled that the Commission was just informed that zinc was not a problem with the proposed fishing pier project, which was approved by the DOE and the DNR. He voiced concern that this runs contrary to what the Port is required to do based on the boatyard permit. Ms. Kempf said she also found it interesting that the DOE approved the galvanized metal that will be used for the fishing pier fencing, particularly because it will be located above the water. She explained that zinc is one of the metals the Port must test for. While samples taken at the boatyard are quite low, the numbers increase substantially by the time the water reaches the outfall. Mr. Kalmar pointed out that the boatyard permit requirements are more stringent than the permit that applies to municipalities. However, he anticipates that more stringent requirements for municipalities will be put in place in the near future.

Commissioner Orvis said, from his cynical point of view, that the DOE seems to go after the easy targets, which makes it look like they are doing something to improve the situation. He said he anticipates that when people have a better understanding of where the pollutants come from and the requirements start significantly impacting the general public, the problems might not seem so important. Mr. Kalmar explained that municipal permits have three tiers. The largest cities in the State have had to monitor stormwater and have plans in place to improve water quality for some time. The smaller cities are now being required to monitor stormwater, as well.

Mr. Kalmar briefly reviewed the changes that are proposed in the draft permit, noting that most are minor in nature. He advised that none will have a significant impact on the Port. The new permit will retain the existing benchmarks for both copper and zinc. While the zinc benchmarks are less stringent than those of the industrial permit, the copper levels are more limited.

Mr. McChesney asked Mr. Kalmar to review the biological impacts of zinc and copper. Mr. Kalmar advised that aquatic species are sensitive to copper and zinc. For example, exposure to copper can adversely affect olfaction (sense of smell) in fish, and fish rely on their sense of smell to find food, avoid predators and migrate. However, the toxicity of the copper and zinc found in water can vary and is not necessarily based on concentration levels. The permit takes a simple approach of measuring the concentration of the chemical in the water and comparing it to the benchmark value. Exceeding the benchmark does not result in a violation, but it does trigger additional action to meet the benchmark.

McChesney asked about the effect of zinc and copper on human consumption of fish, and Mr. Kalmar explained that copper and zinc cannot bio-accumulate in species and fish. However, it has been shown that the chemicals can impair a salmon's senses. Salmonoids, in particular, can be very sensitive. Mr. McChesney voiced concern that the DOE is establishing benchmarks for chemicals without making it clear why the benchmarks are needed.

Commissioner Faires asked what, if anything, the Port will need to do differently based on the proposed changes. Mr. Kalmar reviewed that the Port has seen great improvements since the oyster shell treatment was put in place. The Port's copper levels are consistently meeting the benchmark limits and seasonal averages. However, the Port's zinc levels have been above the benchmark limits about 50% of the time. As a result, the Port was required to submit a Level 3 Response to the DOE, which has already been done. Under the new permit, the Port may need to consider using another type of media, other than oyster shells, or replacing the oyster shells more frequently. There are more aggressive approaches the Port could consider, as well.

Ms. Kempf reviewed that the Port's strategy has been to figure out if they can get where they need to be by using the oyster shell technology. They started with larger oyster shells, which didn't get the results they needed. The crushed oyster shells improved the numbers for copper enough to meet the benchmarks, but they still only meet the benchmarks for zinc about half the time. She noted that the Port has already turned in a Level 3 Response for the zinc benchmark, and she asked if the new permit would start with a completely new timeframe for testing or if the

previous tests would pass on to the new permit. Mr. Kalmar said the new permit implies that a new cycle would be started for tracking the exceedances of the benchmark. He said he would seek clarification from the DOE at the next meeting he attends relative to the permit.

Commissioner Gouge questioned where the zinc is coming from. Ms. Kempf said the cyclone fence and trenches are galvanized. She explained that the samples taken near the outfall were much higher than the samples taken at the boatyard, which implies that most of the contamination is a result of stormwater runoff from the road and parking lots.

Commissioner Gouge reviewed that the Port has already implemented BMPs, and perhaps it would be appropriate to also prohibit copper bottom paint. Ms. Kempf pointed out that copper bottom paint will not become illegal until 2020, but manufacturers can no longer use the product starting in 2017. Commissioner Faires cautioned that the Port should not be more stringent than the State unless there is no other way to meet the benchmarks. Ms. Kempf suggested the Port could limit what is allowed to be done in the boatyard in order to keep it open for tenants. This could be one option to answer the Level 2 Response. Mr. Kalmar added that another low-cost option would be to change the media that is used for absorption. For example, they could change from oyster shell to bio char.

Mr. McChesney invited Mr. Kalmar to share his thoughts on how the permit requirements have and will continue to impact the boatyard industry. Mr. Kalmar recalled that when the current permit was issued, the DOE commissioned an economic impact analysis. For small boatyards, it is estimated that complying with the permit will cost an average of \$29,500. Mr. McChesney asked if boatyards have generally been able to comply with the regulations. Mr. Kalmar acknowledged that the new permit requirements have forced some boatyards out of business, and it has been challenging for many of the boatyards to meet the permit requirements. Ms. Kempf added that there were 104 boatyards in 2004 and there are only 68 now.

Commissioner Orvis summarized that it appears the proposed changes are primarily administrative, and the benchmarks will not change. The remaining question is whether the timeline for benchmark compliance will start over again. Commissioner Faires added that, with the exception of one reading, the Port has done a great job of meeting the benchmarks for both copper and zinc in recent months. This signifies that the Port's current approach is working. While they need to fix some things, he is encouraged by the Port's progress.

Ms. Kempf advised that the Northwest Marine Trade Association's (NMTA) Boatyard Committee will meet next week to review the changes that have been outlined by the DOE. They are asking for feedback from the boatyards, and she plans to attend and provide comments. At this time, she does not anticipate that the proposed changes will significantly impact the Port.

### **PROCESS FOR SELECTING NEW COMMISSIONER**

Mr. McChesney reminded the Commission that Commissioner Block tendered her resignation a few weeks ago, and it is effective March 31, 2016. It is now imminent that the Commission decide on a process and go forward selecting her replacement.

Commissioner Faires said he has discussed a potential process with the Port's legal counsel. He emphasized that the process should not only meet the requirements of the law, but be as open to the public as possible. As he envisions the process, the Commission will interview each of the applicants in a public meeting. After the interviews are completed, the Commission will meet in executive session to have a non-decision-making discussion with regard to the applicants and interviews. The regular meeting will then be reconvened and the Commissioners will vote on who they might select.

For the Commission's information, Port Attorney, Brad Cattle, reviewed the following language from the Revised Code of Washington (RCW) 42.12.070:

- A(1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.
- A(4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the

county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy.

- A(6) As provided in Chapter 29A.24 RCW, each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.

Mr. Cattle summarized, that as per the RCW, the person who is selected will finish Commissioner Block's term. The person could then choose to run as a candidate for the office at the next regular election. Commissioner Orvis said it is his understanding that the Commission would appoint someone to serve until the next election, and then he/she would run in the election for the opportunity to fill the remainder of the term. However, it just so happens that Commissioner Block's term expires at the end of 2017.

Commissioner Gouge asked if there is a time requirement for how long an applicant must be a resident of Edmonds. Mr. Cattle answered that there is no requirement for a minimum length of residency.

To begin the Commission's discussion, Commissioner Faires read the following memorandum into the record:

*"With the official resignation of Commissioner Mary Lou Block, effective March 31, 2016, pursuant to statute the Port Commission is required to appoint her replacement. This must be accomplished within ninety (90) days of the occurrence of the vacancy; or the Commission will lose its authority to appoint, and this will pass on to the Snohomish County Council.*

*There is no statutorily designated process for the selection of the replacement Commissioner. Thus, a process needs to be approved by the Commission that is reasonable, fair and transparent. Since this is an at large position, the potential candidates must reside within the bounds of the Port District and be a registered voter.*

*It would seem prudent to specify an application process and timeline for purpose of discussion, and I suggest there will be an initial period for solicitation and advertising of two (2) weeks. Applications will be received for a period of thirty (30) days, including the solicitation and advertising period."*

Commissioner Orvis suggested it would be prudent to first announce that the position will be open and then develop an actual application before the next Commission meeting. The application could require contact and background information, as well as narrative as to why the person is applying for the position. It could be used as preliminary information to illustrate interest and give the Commission a place to start. Following final approval of the application by the Commission, applicants could have 30 days to submit their materials.

Commissioner Faires said he was the last Commissioner to be appointed 16 years ago. At that time, he was asked to submit an application that contained pertinent information, as well as a resume and application letter outlining other information the applicant deemed appropriate. He said he supports Commissioner Orvis' proposal, which would start the 30-day application period when the Commission has an application package ready to publish.

Mr. McChesney summarized that the Commission is proposing that a general announcement about the vacant position should be advertised immediately, including an announcement that the Commission is working to formalize the application process and more information will be available at a later date. The actual request for applications would not be published until after the Commission's next meeting when an application package has been approved for publication. The Commission would then accept applications for 30 days following the published request for applications.

Commissioner Faires asked that Mr. McChesney prepare a draft application form and a timeline of the process outlined above. The application package could then be finalized at the Commission's next meeting, and they can begin to accept applications three or four days after the meeting.

Commissioner Gouge asked if it is anticipated that the Commission will form a subcommittee to screen the applicants. Commissioner Faires suggested they hold off on this decision. Unless they get a large number of applications, a separate subcommittee will probably not be necessary. He suggested that the process the Commission puts in place at their next meeting should be flexible enough to adapt as necessary.

Mr. Cattle summarized that, prior to their next meeting, the Commission would like to see a proposed application package that includes a draft application and a timeline for the process. At their next meeting, the Commission will finalize the application package and the process they intend to follow. He suggested the Commission invite the audience to share their thoughts on the process, and said it would be particularly helpful to have more information about the City's recent process for appointing Council Members to fill vacant positions.

**Edmonds City Council Member Teitzel** said the process proposed by the Commission sounds logical and consistent with what the City has done in the past. Commissioner Preston noted that the City has an application process for a variety of commissions and boards, which could be used as examples for staff to get started.

The Commission discussed that allowing 30 days for application submittal would provide the Commission with plenty of time to make a decision before the 90-day deadline expires. They agreed to formalize their guidance at the next meeting and start accepting applications on the Friday after the meeting. This would give them time to update the application documents based on their discussion at the next meeting.

The Commission agreed that the notices should be published in *THE EVERETT HERALD, THE SEATTLE TIMES, MY EDMONDS NEWS, AND THE EDMONDS BEACON*. The announcement should also be placed on the Port's website. Again, they agreed that two announcements should be made: a general announcement of the vacant position and a formal announcement requesting applications.

**Jack Bevan, Edmonds**, asked what happens in the meantime if there is a tie vote amongst the four Commissioners. Mr. Cattle answered that in the case of a tie vote, the action item would fail. He also advised that if the Commission fails to appoint a new Commissioner within the 90-day timeframe, they will lose their ability to do so, and the selection will be made by the Snohomish County Council.

#### **APPROVAL OF EMPLOYEE RECOGNITION POLICY**

Mr. McChesney advised that RCW 41.60.150 allows government agencies to recognize employees for accomplishments, including longevity, with recognition awards not exceeding \$200 per award. It is a generally accepted good business practice and common with many public agencies to recognize employees' length of service. He referred to draft policy that would enable the awards and also authorize employee recognition events such as the annual employee recognition event in December. He said he does not anticipate that the program costs will exceed \$6,000 per year, and the strategic purpose of the policy is to allow the Port to recognize employee tenure and hard work. He recommended the Commission approve the Employee Recognition Policy, which will be added to the Employee Personnel Manual.

Mr. McChesney reviewed that, as proposed, Continuous Service Awards would be based on cumulative years of service as follows: 5 years = \$50; 10 years = \$100, 15 years = \$150, and 20 years and every year thereafter = \$200. He explained that, from a morale point of view, the awards would be much appreciated by the hard-working employees of the Port.

Commissioner Preston asked if Mr. McChesney is also proposing that employees be recognized for other things such as employee and team accomplishments. Mr. McChesney answered that, at this time, he is not proposing that the award program be expanded beyond the Continuous Service Awards for longevity. Employee and team accomplishments can be recognized in the merit compensation program that was approved a few years ago.

Commissioner Gouge suggested that the language should specifically exclude Commissioners, and Mr. Cattle noted that Commissioners would automatically be excluded because they are not considered "employees."

**COMMISSIONER ORVIS MOVED THAT THE COMMISSOIN APPROVE THE ATTACHED EMPLOYEE RECOGNITION POLICY. COMMISSIONER GOUGE SECONDED THE MOTION.**

Commissioner Gouge suggested that the dollar amounts of the awards should be bumped up, and Ms. Drennan pointed out that, as per the RCW, \$200 is the maximum amount allowed. Commissioner Gouge suggested that the dollar amounts should be increased to \$100, \$125, \$150 and \$200 and the remainder of the Commission concurred.

Commissioner Faires said his general opinion is that recognition for specific individuals or teams who do something above and beyond is great, and they already have a policy in place to do that. However, his philosophy has been that you recognize good employees by paying them well and providing an environment in which they can excel. He is philosophically opposed to rewarding tenure with specific remuneration. These awards should be saved for specific jobs people do better than average.

Mr. McChesney explained that the Continuous Service Awards are not designed to be incentives or rewards, but recognition. It is a way to demonstrate, from an organizational point of view, that length of service means something to the Port. Commissioner Faires agreed, but said his response would be to recognize employees by paying them more, and the Port does pay its long-term employees more compensation. However, he recognized that the proposal has value, and he will support it.

**COMMISSIONER ORVIS AMENDED HIS MOTION TO INCLUDE CHANGES TO THE DOLLAR AMOUNTS AS RECOMMENDED BY COMMISSIONER GOUGE. COMMISSIONER GOUGE AGREED WITH THE AMENDMENT. THE MOTION TO APPROVE THE EMPLOYEE RECOGNITION POLICY, AS AMENDED, WAS UNANIMOUSLY APPROVED.**

### **EXECUTIVE DIRECTOR'S REPORT**

Mr. McChesney announced that the Pro Alliance Edmonds Orthopedic Center has tendered a letter of intent and are prepared to lease 2,690 square feet of space in Suite 202 of Building 1 at Harbor Square. The 5-year, 5-month lease would commence on May 15<sup>th</sup>, and the tenant would receive 7 months of rent abatement up front in consideration of the needed tenant improvements. The lease includes two, 5-year options to extend, as well as a relocation clause. Commission to the broker will be \$6,920, which was factored into the lease rate of \$13 per square foot on a triple-net basis. He asked the Commission to consider approval for the lease to go forward.

**COMMISSIONER ORVIS MOVED THAT THE COMMISSION ACCEPT THE LEASE PROPOSED FOR THE PRO ALLIANCE EDMONDS ORTHOPEDIC CENTER FOR BUILDING 1, SUITE 202, AS OUTLINED BY THE EXECUTIVE DIRECTOR. COMMISSIONER GOUGE SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

Mr. McChesney reported that he and Ms. Kempf have been working with Seth Muir, the Executive Director of Salish Sea Expeditions (SSE), to put together a program that encourages youth in boating. They visited SSE's boat in Ballard last week, and their sailing vessel was at the Port of Edmonds on March 22<sup>nd</sup> and 23<sup>rd</sup> to accommodate groups of students from Mariner High School. Although this most recent voyage was not sanctioned or sponsored by the Port, Port staff is interested in scheduling a similar voyage at some point in the future, and likely in the fall of 2016. This will allow sufficient time to develop the program further. He reminded the Commission that the Port is somewhat constrained in its ability to fund the program, so funding must still be worked out.

Commissioner Faires asked if Mr. McChesney has had any preliminary discussions with the Edmonds School District, and Mr. McChesney answered no. He said he plans to meet with representatives from Scriber Lake Schools, Edmonds School District, and SSE to discuss the program further. Commissioner Faires encouraged the Port and SSE to partner with the school district as much as possible. Commissioner Gouge suggested that it would be appropriate to present the program concept to the Edmonds School District School Board. Mr. McChesney said funding is one of the biggest issues that must be addressed. While the Port can waive moorage for the vessel, it is more difficult for the Port to actually sponsor the voyage. The estimated cost of a 1-day voyage is \$1,600. Again, Commissioner Faires commented that the funding issue may be easier to address if the school district is involved. Commissioner Orvis suggested that Mr. McChesney also present the program concept to the Edmonds Educational Foundation, which has funding resources. Mr. McChesney agreed that it will be essential to have other funding partners. Commissioner Gouge agreed to provide contact information for the Edmonds Education Foundation. He also agreed to assist in presenting the program concept to the Edmonds School District Board.

Mr. McChesney reported that the restroom project has still not been completed. The Snohomish County Public Utility District has previously been scheduled to energize the two buildings but has had to cancel on three different occasions. They have promised to complete the work on April 1<sup>st</sup>. The contractor is currently on site doing the

regrading work and was supposed to be finished by April 1<sup>st</sup>. However, it is likely that the work will extend into next week.

### **COMMISSIONER'S COMMENTS AND COMMITTEE REPORTS**

Commissioner Preston noted that the Salish Sea Expeditions (SSE) vessels are fully booked for the spring months, and it was great to see the kids on the boat that visited the Port of Edmonds.

Commissioner Preston said he has met a few times with the Sea Scouts and has provided assistance to the approved point person. He recently learned that the Port of Edmonds owns and controls the Sea Scout vessels. They also have full control over the Sea Scout program.

Commissioner Preston advised that he attended the recent Edmonds City Council Meeting where it was announced that City staff is in discussions with Fire District 1. While he does not know all the details of the discussions, there appear to be some misunderstandings that need to be addressed.

Commissioner Preston reported that he, Mr. McChesney and City Council Members Teitzel and Tibbott met earlier in the month with Keeley O'Connell and Valerie Stewart to discuss issues related to the marsh and stormwater runoff. Mr. McChesney reviewed that Ms. O'Connell and Ms. Stewart and a few others have been exploring an interim method for collecting untreated stormwater from Harbor Square. As interesting as the idea is, he does not believe it would be practical to implement. Essentially, they are proposing to use baker tanks (portable filtration tanks) to collect runoff and sediment. They want to place one at Harbor Square to collect rainwater from the Harbor Square Athletic Club roof.

Commissioner Orvis commented that Harbor Square is the least of the marsh's worries since all of south Edmonds and north Woodway drain into the marsh. Mr. McChesney agreed and said the roof water is actually cleaner than street water, so it is not clear what the advantage would be from a water-quality standpoint. Commissioner Preston said Ms. O'Connell indicated she likes the idea that at least something is being done to improve the situation and maybe homeowners could be required to have some type of infiltration on their homes, as well. Edmonds City Council Member Teitzel recalled that at least part of the intent was to capture runoff in tanks so it can be released gradually to reduce flooding. Commissioner Orvis commented that the City has not done anything significant to address flooding. Commissioner Faires suggested that something needs to be done holistically at Harbor Square rather than trying to address the problem using small projects that do not resolve the larger problems.

Commissioner Preston reminded the Commissioners that their F-1 forms are due in a few weeks.

Commissioner Orvis announced that he would attend the Community Transit Luncheon on March 29<sup>th</sup>. He advised that Community Transit is currently considering the addition of a new high-speed bus route.

Commissioner Orvis reported on his attendance at the Economic Alliance Snohomish County Economic Forecast event where the latest data for Seattle/Everett/Bellevue was presented. It was noted that Snohomish County is the second fastest growing county in the nation behind a county in Oregon where the Nike facility is located. Despite opposition from some citizens, Snohomish County is growing and changing quickly, not only with aerospace, but biomedical and computer technology businesses. The University of Washington Bothell Campus has been identified as the third best value university in the nation, and the Washington State University campus in Everett is also growing quickly. While there has been significant economic growth in the Seattle/Everett/Bellevue area, it has been much slower in the remainder of the state, nationwide and worldwide. It was also announced that South Snohomish County has become more attractive to millennials who are ready to move from multi-family developments in Seattle into single-family homes where they can raise their families.

Commissioner Gouge announced that he would attend the Puget Sound Regional Council's (PSRC) General Assembly on March 31<sup>st</sup> at the Don James Center.

Commissioner Gouge commented that there will probably not be a fishing season this summer, and the Port should prepare for the resulting impacts to the launcher. They will know more detailed information on April 8<sup>th</sup>.

Commissioner Gouge said he has been contacted by a few tenants who want to know when the Port Commission will resume their discussions relative to the type of fuel that is dispensed at the fuel dock. Commissioner Faires agreed to schedule the discussion on a future agenda. He suggested that once a final decision has been made, an exact date for when the change will occur should be advertised to the tenants.

Commissioner Faires announced that the new Edmonds Citizens Economic Development Commission (CEDC), with nine members in place, will meet on March 30<sup>th</sup>. A representative of the Port has been invited to participate in the group as a non-voting member, and he plans to attend the meeting as the Port's representative. Commissioner Gouge said he would like to see the group establish clear goals and objectives as soon as possible.

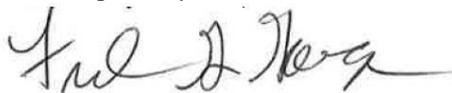
Commissioner Orvis provided an update on the At-Grade Crossing Alternatives Analysis. He reported that the task force has eliminated all of the alternatives that involve trenching under the tracks since this will be too costly and time consuming and will not likely meet environmental requirements. They have also eliminated alternatives that would require relocation of the tracks since Burlington Northern Santa Fe has indicated they will not accept any changes in alignment, either horizontally or vertically. The alternatives associated with Edmonds Crossing were also eliminated, since Washington State Ferries has indicated that the project is not part of their long-range plans and they will not make any changes to the Unocal property until it has been sold. The remaining alternatives were combined into groups of similar proposals for further study. The task force will meet again on April 28<sup>th</sup> to begin their second level evaluation of the remaining alternatives.

Commissioner Orvis briefly reviewed some of the remaining alternatives, which range from pedestrian overpasses that are just wide enough to accommodate an emergency vehicle to overpasses that are wide enough to accommodate vehicles moving both directions. The Commissioners spent some time discussing the pros and cons of a variety of alternatives. It was discussed that it is not likely that Washington State Ferries or Burlington Northern Santa Fe will provide significant funding, since neither have a concern about the current situation. The City of Edmonds is the driving force behind the analysis because citizens have expressed a desire to have emergency access over the tracks. The Commission discussed that even if the analysis does not result in a viable proposal for providing access over the tracks, the \$500,000 will be money well spent to put the issue to rest.

#### **ADJOURNMENT**

The Commission meeting was adjourned at 9:20 p.m.

Respectfully submitted,



Fred Gouge  
Port Commission Secretary