



## PORT COMMISSION OF THE PORT OF EDMONDS

### MINUTES OF REGULAR MEETING

January 11, 2016

#### COMMISSIONERS PRESENT

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

#### STAFF PRESENT

Bob McChesney, Executive Director  
Marla Kempf, Deputy Director  
Tina Drennan, Finance Manager  
Megan LeBlanc, Administrative Assistant

#### OTHERS PRESENT

Michael Kvistad, Port Attorney

#### 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 ORVIS MOVED THAT THE CONSENT AGENDA BE APPROVED TO INCLUDE THE FOLLOWING ITEMS:**

- A. APPROVAL OF AGENDA**
- B. APPROVAL OF DECEMBER 28, 2015 MEETING MINUTES**
- C. APPROVAL OF PAYMENTS IN THE AMOUNT OF \$399,061.87**
- D. RESOLUTION NUMBER 16-02, RECONFIRMING SCHEDULE AND LOCATION OF PORT COMMISSION MEETINGS**

**COMMISSIONER PRESTON 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.

#### SALISH SEA EXPEDITIONS (SSE)

Mr. McChesney introduced Seth Muir, the Executive Director of SSE, which is involved in promoting youth in boating, training and environmental education. He recalled that the Commission has had a long-standing interest in promoting youth in boating and is very much interested in hearing more about the programs.

**Seth Muir, Executive Director, Salish Sea Expeditions**, explained that SSE is in the business of inspiring students to pursue marine and STEM (science, technology, engineering and math) careers. They use sailboats, motor vessels, rowboats, inflatables, waders, etc. to get students into the Puget Sound to inspire them to pursue hands-on science

and active positive lives on boats. Their goal is to offer the programs to every student in Washington State before they graduate from high school. SSE is a small non-profit organization that has been around for almost 20 years because it gives the students a chance to become scientists and mariners rather than just talking about it. He provided a brief explanation of how the program operates and advised that SSE has an 80% return rate with participating schools. More than 15,000 students and over 1,000 teachers have participated in the program in the past 20 years. SSE has an active fundraising regime and promotes diversity by offering scholarships in 40% of its programs. It also has a commitment that 35% of the participating schools must be public, and the intent is to emphasize the career opportunities in maritime by offering hands-on experiences.

Mr. Muir said SSE has operated for the past 20 years on a 61-foot vessel, the Carlyn, which has been in and out of the Port of Edmonds many times, and participation in the program has grown every year. In addition, SSE recently took ownership of an 85-foot vessel, the Electra III, that was originally designed to demonstrate science research and navigation equipment and has large, indoor spaces that will enable SSE to program year round. They are interested in mooring the boat at the Port of Edmonds and the intent is to run it as a high-tech science boat for students. It will operate 300 days a year as a community outreach and introductory program, and students can graduate onto the Carlyn. He briefly described the programs that would be offered on the Electra III vessel.

Mr. Muir said SSE's partners are excited about the new vessel because not only will it offer branding opportunities, but real hands-on workboat application. SSE looks forward to working more with partnerships to develop opportunities for students. He provided a brochure that describes SSE's program and briefly described the fundraising efforts that occur to support the program. He offered to do a showcase event at the Port of Edmonds to inspire students to be on the water.

Commissioner Block commented that the program is very inspiring and a great opportunity for students. Commissioner Gouge agreed and asked what the Port could do to support and showcase SSE's programs. Mr. Muir said SSE's biggest challenge is recruiting, which is not a function of the quality of the program, but school budgets are in decline. The program costs about \$100 per student per day. While SSE offers some scholarships, schools with very limited budgets are unable to participate. SSE is willing to help schools out, and it also offers an open enrollment program that any student in grades 5 through 12 can participate in. He referred to SSE's website, which provides information about the programs and how volunteers can become involved.

Commissioner Preston said his objective for 2016 is to tie the Sea Scout Program in with other players and programs to increase participation and provide more opportunities for students to get out on the water. Mr. Muir commented that the Sea Scout Program produces a lot of capable, quality student mariners with great skills. He suggested that SSE could partner with the scouting program by providing various science programs that accompany the maritime training. Commissioner Gouge stressed the importance of pointing out the career opportunities in the maritime industry. He encouraged Mr. Muir to work with Port staff to discuss opportunities for the Port to support the program, and Mr. Muir said he is very interested in partnering with the Port. Commissioner Faires added that the Port would like to partner with SSE and similar programs to provide a better future and environment for children.

### **WATERFRONT FESTIVAL DISCUSSION**

Mr. McChesney reviewed that the Port has had a long-standing partnership with the Edmonds Noon Rotary Club, which sponsors the annual Waterfront Festival. The festival has grown into an elaborate three-day event, which requires months of planning and intricate organization. In preparation for the 2016 Waterfront Festival, staff felt this would be a good opportunity to have an in-depth discussion between the Rotary Club and the Commission about the future of the festival. He recalled that recurring issues include how to put more "waterfront" emphasis into the festival and how the proceeds are used. The Rotary Club has been invited to make a presentation relative to the festival as a starting point in the discussion. The goal is to ensure that the festival continues as a successful event to benefit the Edmonds community, as well as provide an opportunity for the Port to demonstrate how it can promote economic development.

**Scott James, Rotary Club Member and City of Edmonds Finance Director**, reviewed that the Port has collaborated with the Noon Rotary Club for a number of years on the Waterfront Festival, which was actually started by the Port of Edmonds in 1990. He expressed his belief that the Waterfront Festival is consistent with the Port's Mission Statement, which calls for providing opportunities in economic development through public and private

partnerships that promote the Port as a destination. The 3-day festival draws over 20,000 visitors, many of whom live outside the community. He briefly described just some of the services and funding provided by the Rotary Club including a scholarship program, Student of the Month Program, new playground equipment at Trinity Place, a Nutcracker performance, Edmonds Museum, Edmonds Center for the Arts programs, Coats for Kids program, and Edmonds Food Bank. The club also has social events, including a meeting every Tuesday at 11:30 a.m. for lunch and a short program. However, their main goal is to give back to the community and the Waterfront Festival is a huge source of funding for the club.

Commissioner Preston said he is curious to know about the details of the club's inner workings, how it benefits the community, and the pros and cons of the festival. In light of the many volunteer hours required for the Waterfront Festival, he previously suggested that the club members consider alternative fundraising opportunities that might result in more money. Mr. James said club members have had discussions about other avenues for raising funds, but the Waterfront Festival is currently their major source of funding.

Commissioner Preston commented that the Commission has discussed that perhaps the physical layout of the festival could be different and more water-related events could be included. Commissioner Gouge said he would like the Rotary Club to consider additional events for the festival rather than doing the same thing over and over again. Mr. James agreed that other options should be considered. For example, he recently attended an antique boat show in Port Orchard. In addition to a number of booths along the waterfront, guests were invited to tour the beautiful boats.

Commissioner Gouge voiced concern that the Waterfront Festival occurs at the same time as the short ling cod season, and people become frustrated because they cannot launch boats during the festival. In addition, the tenants have also voiced concern about the impacts created by the festival, particularly related to parking and accessing their boats. He asked what would happen if the Port decided to expand its facilities north into the area that is currently used for the festival. In addition to reshaping the content of the festival to include more waterfront elements, he suggested that the location may need to be shifted. Mr. James acknowledged there is not a perfect answer, but the Rotary Club would be willing to consider a different weekend or different configuration. They would like the Port to continue to support the event into the future.

Commissioner Orvis said he has been concerned for a number of years about the tenants' inability to access their parking and slips during the festival. He noted that in past years, Marina Beach Park has not been part of the festival and has remained open for park visitors. This results in significant congestion on Admiral Way, which impacts tenants' ability to access their slips. At the very least, he suggested the Rotary Club should approach the City with a request for some sort of accommodation that relieves the Port and the Rotary Club of the need to keep that particular end of the park open during the festival. He suggested that logistical changes could make the festival work a lot better and accommodate not only the Port tenants, but the festival attendees.

Valerie Claypool said she was hired by the Rotary Club to organize the Waterfront Festival. She said she recently approached the City's Parks, Recreation and Cultural Services Department staff with this idea and was informed that Marina Beach Park was purchased with grant funding that stipulated that the park would never be closed. Therefore, the City cannot restrict the roadway that provides access to the park, and they cannot allow the festival to expand into the park. Commissioner Preston suggested that perhaps the waterfront at Marina Beach Park could be used to launch. Ms. Claypool said she previously asked if it would be possible for Native Americans to bring their canoes to Marina Beach Park during the festival and was informed that the beach could not be blocked off for that specific purpose. Mr. James agreed to review the park restrictions and approach the City Council and Mayor to discuss options.

Commissioner Gouge pointed out that the public launcher was funded with grant dollars and should also be open to the public at all times. Mr. James agreed to consider reconfiguration options that would allow the launcher to remain open during the festival.

Commissioner Faires acknowledged that the Rotary Club does good work for the community, and the Port is charged with running a viable marina, supporting economic development and providing public amenities. He said the Waterfront is an important public amenity and it would be interesting to quantify the festival's value to the local economy. He recognized that there are issues that need to be discussed and both the Rotary Club and the Port need

to be somewhat flexible, but there is enough good created that he would like the two parties to continue to work to resolve the issues. He summarized that it is important for the Port Commission to see how the money from the festival is allocated, and perhaps the Rotary Club would be amenable to providing some scholarship funding for marine-related opportunities such as the Salish Sea Expeditions program. The Port should continue to recognize its role as a provider of public amenities and as a stimulus for economic development in the community, and the Rotary Club should recognize that the Port loses something by imposing on its tenants. In addition, the Port Commission is interested in a more marine-related set of activities. He stressed the importance of finding a way to maintain the Waterfront Festival as an event that the community benefits from.

Commissioner Orvis expressed his belief that, short of closing the park, the City has the ability to make some accommodations if there is a will to do so. If they decide it cannot be done, he would like a better explanation as to why.

Mr. McChesney pointed out that planning for the 2016 Waterfront Festival is well underway. Rather than getting hung up on a long discussion of the many issues, he suggested that the Port move forward with the 2016 agreement, recognizing that there may be some modifications and/or stipulations. Commissioner Orvis said that while he supports moving forward with the 2016 agreement, the issues need to be resolved before he can continue to support a similar agreement in 2017. Commissioner Faires suggested that a committee be formed, with participants from the Rotary Club and the Port, to discuss the issues that need to be addressed before a 2017 agreement can be signed.

Ms. Claypool welcomed the opportunity to begin discussions relative to the 2017 festival. She also shared the various actions she has taken to bring more water-related activities to the festival and invited the Port Commissioners to submit their ideas, as well. Commissioner Faires suggested it would be appropriate to offer a booth at the festival to the Salish Sea Expedition Program. Commissioner Block added that the Woodway City Council is having a "Living with Wildlife" discussion on January 19<sup>th</sup> at 7:00 p.m. at the Woodway City Hall. The intent is to help citizens live with the conflicts associated with having wildlife in an urban setting, and perhaps this would be appropriate information to make available at the Waterfront Festival, as well. Commissioner Gouge suggested that the seal program sponsored by the City's Beach Rangers could be an important element. Commissioner Preston suggested that a chowder cook-off might also be fun.

### **CITY OF EDMONDS CHANGES TO COMPREHENSIVE PLAN AND CRITICAL AREAS ORDINANCE (CAO)**

Mr. McChesney reported that he and Commissioners Faires and Gouge met last week with City staff to discuss recent amendments to the City's CAO, which were approved by the City Council on December 15<sup>th</sup>. Specifically, the Port is concerned about amendments related to buffers, and how the CAO will be implemented in already developed areas that are physically separated and functionally isolated from the protected areas. In addition, the Port is concerned about amendments related to flood plains, which will impact how building heights are measured.

As an example of the Port's concerns, Mr. McChesney referred to the Jacobsen's Marine project, which is separated from the marsh by the railroad tracks. Clearly, this property would pass the test of being physically separated and functionally isolated from the marsh, and the project had no measurable impact to the marsh. However, because the existing CAO lacks an exemption for these types of projects, the Port was required to pay \$11,000 in mitigation to the City. This requirement becomes an impediment to economic development in certain situations.

Mr. McChesney explained that the CAO ordinance, itself, has not been formally adopted by the City Council. To date, they have only voted on some amendments. The actual ordinance is scheduled for final approval on January 19<sup>th</sup>, and he recommended the Commission ask the City Council to reconsider the previously approved amendments prior to final approval of the CAO.

Commissioner Gouge reported that he, Commissioner Faires and Mr. McChesney met with representatives from the City to discuss the amendments. He voiced particular concern about the amendment that requires the floor plate of a building to be two feet above sea level. Because the amendment did not also change the way that building height is measured as recommended by City staff, the new requirement would effectively reduce building heights at Harbor Square from 35 to 33 feet and result in a significant economic impact to the Port. In addition, the change will

require a significant amount of floor area to accommodate the Americans with Disabilities (ADA) access into any new or significantly remodeled building.

Mr. McChesney pointed out that the amendment that raised the floodplain two feet is also a concern to the Senior Center's development plans. Commissioner Orvis clarified that the City Council voted to exempt the Senior Center from this requirement to accommodate their proposed project. In his mind, if they are going to hold this as a requirement, it needs to be all inclusive. Mr. McChesney suggested that the Commission forward a letter to the City Council specifying their objections and requesting the City Council reconsider the amendments before the ordinance goes forward for adoption on January 19<sup>th</sup>. Commissioner Faires agreed to work with Mr. McChesney to draft the letter, which would be forwarded to all Commissioners for approval before it is forwarded to the City Council a few days before the January 19<sup>th</sup> meeting.

Commissioner Orvis asked if there would be additional opportunities for the Port to comment on the CAO. Mr. McChesney answered that, once adopted, the City Council's process is complete. However, he believes there is a process for appeal to the Department of Ecology.

Commissioner Gouge pointed out that the economic vitality of the community would also be significantly impacted by the amendments that pertain to buffers. He noted that the Port has discussed the idea of constructing a parking garage or building on the gravel lot that is currently used for parking. This would no longer be an option as per the amendments that were recently approved by the City Council. Commissioner Orvis questioned why the City Council would be in favor of maintaining the gravel lot when it could be redeveloped into something that would provide better stormwater control and better meet the needs of the critical area. Commissioner Gouge voiced concern that the amendments came forward late in the process after the City Council and staff had already had several discussions and public hearings. The public did not have an opportunity to comment on the amendments before they were adopted.

#### **2016 COMMITTEE ASSIGNMENTS**

Commissioner Faires referred to the draft 2016 Committee Assignments and invited the Commissioners to share their comments and suggestions. Commissioner Preston suggested that the United Way assignment could be eliminated. Commissioner Orvis pointed out that the Port Commission cannot rotate the Economic Alliance Snohomish County Board Member position, and the other Economic Alliance Snohomish County assignment was eliminated.

The Commissioners accepted the assignments as proposed and amended.

#### **RESTROOM PROJECT REPORT AND POSSIBLE CHANGE ORDERS**

Mr. McChesney reported that the restroom process is more behind schedule than anticipated due to weather and change orders. The last hold up has to do with a change order that is driven by the Snohomish County Public Utility District (PUD). He recalled that in previous reports, staff was very encouraged that the PUD would grant a variance to connect power to the existing transformer outside of Anthony's Restaurant as long as the Port provided a step-down transformer to make the voltages compatible. The Port proceeded with the step-down transformer only to learn later that a 3-phased meter base would also be required. He recommended the Commission approve a change order in the amount of \$7,539.38 to accommodate the 3-phased meter base.

**COMMISSIONER PRESTON MOVED THAT THE COMMISSION APPROVE CHANGE ORDER COP-009 IN THE AMOUNT OF \$7,539.38 TO COMPLETE THE ELECTRICAL PORTION OF THE RESTROOM PROJECT. COMMISSIONER GOUGE SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

Mr. McChesney advised that the 3-phased meter base will require approximately three weeks lead time. Once the meter base is installed, the project should be completed.

## **RESOLUTION 16-03, DESIGNATING THE OFFICIAL PORT NEWSPAPER**

Ms. Drennan advised that the Port has been using *THE EDMONDS BEACON* as its official newspaper for over 10 years. As per the Revised Code of Washington (RCW), the Port is required to advertise meeting agendas, public work notices, auction notices and other legal documents in the official paper. *THE EDMONDS BEACON* is only published once a week, and the deadline for advertising is the Friday before publication on the following Thursday. As the Port is unable to meet the deadline due to the difficulty of putting together Commission meeting agendas so far ahead of the meeting, the Port has negotiated with *THE EDMONDS BEACON* to push the Commission meeting agenda deadline to the Tuesday before the meeting. However, this deadline is not consistent. Sometimes, the newspaper staff wants to print the paper early, and they unexpectedly request the agenda on Friday or Monday. In addition, the Port advertises public work notices in the official paper, which means that staff has to factor in an additional week in the project timeline to accommodate the deadline. Advertising public work notices is not effective, as contractors are not likely to look for projects in a small weekly newspaper.

Ms. Drennan reported that the Port recently had an issue where *THE EDMONDS BEACON* published the 2016 budget hearings in the wrong weeks and Port staff had to scramble to ensure that the Port was in compliance with the RCW regarding budgets by advertising in *THE EVERETT HERALD*. She pointed out that *THE EVERETT HERALD* publishes daily, deadlines are two days before publication, and contractors are more likely to look for projects in *THE EVERETT HERALD* than in *THE EDMONDS BEACON*. She recalled that, at one time, the Port advertised its Commission meetings in both papers, but this was discontinued because costs were doubled.

Ms. Drennan said that in addition to advertising Commission meetings in *THE EVERETT HERALD*, staff is proposing to advertise the Commission agendas and other appropriate notices on *MY EDMONDS NEWS* at a cost of \$50 per month. This proposed change meets the strategic purpose of communicating openly, frequently and consistently with Port District residents and tenants. Port staff recommends the Commission approve the resolution designating the official Port newspaper and authorizing staff to advertise Commission meetings and other appropriate notices in *MY EDMONDS NEWS*.

Commissioner Gouge voiced concern about the proposed change since citizens have been looking for notices in *THE EDMONDS BEACON* for a long time, and many Port District residents do not subscribe to *THE EVERETT HERALD*. Commissioner Orvis observed that *THE EDMONDS BEACON* has a very faithful but limited following of people. He voiced his opinion that advertising for bids for Port projects in *THE EDMONDS BEACON* is a waste of money. If notices are placed in *MY EDMONDS NEWS*, they will likely get more response. He said he supports the proposed change to advertise in a regional newspaper.

**COMMISSIONER ORVIS MOVED THAT THE COMMISSION APPROVE RESOLUTION NUMBER 16-03, DESIGNATING THE OFFICIAL PORT NEWSPAPER AS *THE EVERETT HERALD*. HE FURTHER MOVED THAT THE COMMISSION AUTHORIZE PORT STAFF TO ADVERTISE COMMISSION MEETINGS, AGENDAS AND OTHER APPROPRIATE NOTICES ON *MY EDMONDS NEWS*. COMMISSIONER PRESTON SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. McChesney reported that he and Commissioner Faies visited the Washington Public Ports Association (WPPA) Office last week. He also met with City staff in an effort to complete the restroom project and to revisit the issue of street lights on Admiral Way, which have not yet been repaired. He is hopeful the City will provide the necessary resources to correct the deficiency. He also announced that January 27<sup>th</sup> is Washington Public Ports Day in Olympia.

Mr. McChesney said staff has been working hard to communicate with Mr. Makin, the skipper of the Sea Scouts, regarding the need to provide documentation, but they have not received a response. He reminded the Commission that, as per the agreement, the Port provides moorage space for two Sea Scout Vessels in exchange for service to the Port, including the Waterfront Festival. They are also trying to work out issues related to insurance, tax exemptions, vessel registrations, charter agreements, etc. He asked the Commissioners to share their thoughts on the viability of the local Sea Scout ship and how the Port can get the partnership back on an even keel. The Commissioners agreed

that this would be the last year the Port sponsors the Sea Scout Program unless there is a major turnaround that includes parental support and greater recruitment efforts.

**Jim Blossy** suggested that the Port's representative to the Sea Scouts contact the Sea Scout Commodore, Mike Denton, who can provide excellent guidance to resolve the issues.

### **COMMISSION COMMENTS AND COMMITTEE REPORTS**

Commissioner Gouge suggested that the Commission should schedule their annual retreat and identify agenda topics. The Commission tentatively scheduled the retreat for March 1<sup>st</sup> in the Commission meeting room starting at 9 a.m.

Commissioner Orvis recommended that those Commissioners who are able should attend the Washington Public Ports Day in Olympia on January 27<sup>th</sup>. While he would be unable to attend, it would be well worth the time for someone to represent not only the Port of Edmonds' concerns, but the concerns of the WPPA. He suggested that Commissioners who attend should ask Ms. LeBlanc to set up appointments with local legislative representatives. Commissioner Faires suggested it would be appropriate for the Commission to have a short discussion at their January 25<sup>th</sup> meeting regarding the pertinent subjects to discuss with the representatives. Commissioner Preston agreed to represent the Port at the event.

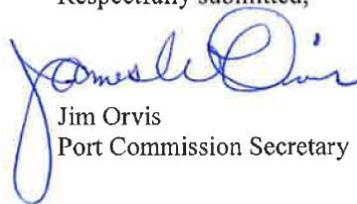
Commissioner Preston reported on his attendance at the January 5<sup>th</sup> City Council Meeting, where they had an unofficial swearing in of new Council Members and the Mayor. The official swearing in took place in December. After the meeting, Phil Williams, Edmonds Public Works Director, informed him that he received the Port's letter regarding street lighting on Admiral Way. There seems to be some misunderstanding on the ownership of the lights and who is responsible for their maintenance. Mr. McChesney said that, by City staff's own admission, one of the three poles on Admiral Way was removed to facilitate a construction project on Dayton Street, and this caused the remaining two lights to become non-operational. He summarized that because the Port did not take out the light that caused the others to fail, it is not relevant to argue over ownership of the light fixture, itself. The Port's position is that Admiral Way is a City street, and the City is responsible for maintaining the lights and ensuring that they are operational. The remainder of the Commission concurred and asked Mr. McChesney to continue to pursue the matter.

Commissioner Faires asked the Commissioners to spend some time thinking about what they would like to do differently in 2017 and discussing the strategic impediments to the Port getting where they want to be.

### **ADJOURNMENT**

The Commission meeting was adjourned at 8:48 p.m.

Respectfully submitted,



Jim Orvis  
Port Commission Secretary