

**Minutes of Everett Port Commission  
Commission Retreat Meetings  
April 13, 2021**

<b>PRESENT:</b>	Tom Stiger	President
	David Simpson	Vice President
	Glen Bachman	Secretary
	Lisa Lefebber	Executive Director
	Eric Russell	Chief Finance Officer
<b>ZOOM:</b>	Brad Cattle	Port Attorney

**RE-ADJOURN:** Commission President Tom Stiger re-adjourned the meeting to order at 9:00 a.m.

**Commission President's Report**

There was no Commission President's Report.

**Commission Discussion**

There was no Commission Discussion.

**Citizen Comments**

Howie Bargreen submitted a written comment to the Port Commission regarding the color of the cranes and the Port's photo lighting that makes them look bluer than green. He reiterated his position that the Port should have painted the cranes blue. He also said the Port needs a 5-member commission.

**CONSENT AGENDA**

- Approval of Regular Meeting Minutes of March 2, 2021; and Regular Meeting Minutes of March 9, 2021
- Approval of Bills for March 2021

Commissioner David Simpson moved that the Commission approve the items on the consent agenda for April 13, 2021 including the Regular Meeting Minutes of March 2 and March 9 as well as Approval of the Bills for March 2021. Commissioner Glen Bachman seconded the motion. A vote was called for:

Vote:	3-0
Yes:	Simpson, Bachman, Stiger
No:	None
Abstained:	None

Motion carried.

**Executive Session**

Commission President Tom Stiger recessed the meeting into Executive Session at 9:05 a.m. for approximately 30 minutes – to conclude by 9:30 a.m. The purpose of the Executive Session is to discuss with legal counsel some potential land acquisition opportunities.

At 9:30 a.m. in open session, Port legal counsel Brad Cattle announced that the Executive Session would be extended an additional 30 minutes – to conclude by 10:00 a.m.

At the conclusion of the Executive Session, there was no action taken by the Commission and there were no announcements. The Commission Retreat meeting agenda was continued at the conclusion of the Executive Session.

## **DEPARTMENT REPORTS**

### **Projects**

#### **Jetty Landing Restroom Replacement**

Project Manager Brandon Whitaker reported the Port of Everett, with its partners Snohomish County and the City of Everett, received a Recreation and Conservation Office (RCO) grant of \$584,500 in 2019 to replace the aging Jetty Landing Restroom with a new and larger facility. In this tri-party agreement, each entity has cost sharing responsibilities, with the Port serving as the lead entity administering the project while providing updates on its progress to the partners.

There are three total contracts that relates to the construction and completion of this project. Those contracts are:

1. CXT, Inc. contract to purchase and deliver the new prefabricated restroom, as referenced above (Commission action required).
2. Small Works bid contract (Commission action not required) to demolish the existing restroom and complete electrical infrastructure.
3. JOC Site Civil work order with FORMA Construction (Commission action required) to provide foundation, utility connections, new landscaping, irrigation, and concrete flatwork.

#### **Precast Building – Award to CXT**

On November 3, 2020, the Commission authorized a Not to Exceed (NTE) contract with CXT Inc. (CXT) in the amount of \$350,000 for the manufacture and delivery of a new prefabricated restroom. CXT is the largest manufacturer of prefabricated concrete restroom buildings in the country and were selected off the Sourcewell Cooperative contract. The Port has not officially entered into a contract with CXT yet. In the time since this Commission approval, it became clear the approved amount would not cover the essential needs and costs of the restroom. The reasons for this revised contract action request are the increased cost with restroom purchases and furnishing options through CXT. Costs have increased for restroom units, options, finishes, and more since earlier budgeting efforts. Also, the desire to have a more robust, secure, and resilient restroom that will last the next 40 to 50 years required additional options be included in the order. This included anti-graffiti coating, a frost proof hose bib, extra corrosion prevention, marine grade skylights, and an electric security locking system. Staff considers these features necessary for long term durability. The revised cost for the CXT prefabricated concrete restroom is \$470,019.76.

Since the Port did not officially sign the earlier contract, Staff respectfully requests a revised action to the previous approval, revising the contract amount to \$470,019.76. This action will supersede the November 3, 2020 approval.

As a revised action to the November 3, 2020 contract approval, Commissioner Glen Bachman moved the Commission authorize the Executive Director to sign the previously approved contract with CXT for a revised amount of \$470,019.76, including Washington State Sales Tax. This revised action supersedes the prior action. Commissioner David Simpson seconded the motion. A vote was called for:

Vote:	3-0
Yes:	Bachman, Simpson, Stiger
No:	None
Abstained:	None

Motion carried.

**Jetty Landing Restroom Replacement Site Civil – Award to FORMA**

This requested action authorizes a JOC job order with FORMA Construction. This Commission action will allow FORMA to perform the following activities; build new foundation for future restroom, perform final utility connections to the new restroom, install new landscaping and irrigation, and construct new concrete sidewalk and curb around restroom. Upon completion of this JOC work order by FORMA, the new restroom will be open for the public in Spring 2022.

Commissioner Tom Stiger stated that it was mentioned that the City and the County are participating in this project, is it split three ways? CEO/Executive Director Lisa Lefebber explained that the Port did receive a grant for this restroom. At the time of receiving the grant, the City, the Port, and the County agreed to match the grant which was approximately \$67,000 per agency. The cost overruns are obviously more than the \$67,000 and the Interlocal Agreements might have to be re-opened to cover the additional costs. Lefebber is in discussions on how much the City and the County can contribute without re-opening all the agreements. The Interlocal Agreement does not provide for additional resources, so the City and the County are doing this in support of the project, but the Interlocal Agreement essentially says whatever cost overruns happen, the Port pays.

Commissioner Glen Bachman moved that the Commission authorize the Executive Director to sign a JOC job order with FORMA Construction for \$471,419.13, including Washington State Sales Tax to perform the Jetty Landing Restroom Replacement Site Civil construction work. Commissioner David Simpson seconded the motion. A vote was called for:

Vote:	3-0
Yes:	Bachman, Simpson, Stiger
No:	None
Abstained:	None

Motion carried.

**MARINA RECAPITALIZATION STRATEGY**

Chief of Marina Operations Jeff Lindhout gave a marina historical overview, from where the Port was in the early 1980's to where the Port is now in 2021. Lindhout also went over a few high-level goals, including creating demand to encourage smaller vessel owners to maintain year-round moorage, reduce staff time in signing up seasonal moorage holders, reduce wait list times for larger vessel moorages, improve boater experience by replacing aging facilities, balance upland and in-water uses, increase net profit, and create a vibrant and inviting atmosphere.

**Slip Mix-Accommodating Larger Boats**

Lindhout stated the goal for moorage occupancy is to achieve 100% permanent moorage by an increase in the number of 35 foot and up moorages to reduce the wait list and as reduction in the number of 28 feet and under moorages by 14%. The goal for the south docks is to replace aging infrastructure and improve the slip mix. The plan would be to replace docks A through H, thereby reducing the number of smaller moorages and increasing the number of larger moorages.

**Fuel Dock Recapitalization Project**

Lindhout stated the goal for the new fuel dock is to improve vessel fueling experience and create larger moorages. In order to meet this goal, the Port plans to rebuild and relocate the fuel dock in the Central Marina further away from the river current and create larger vessel moorages. This would be a phased project; phase 1 will demo and dredge A and B dock area, phase 2 will construct a new fuel dock and fuel shack, phase 3 will demo existing fuel dock and dredge old fuel dock area, and phase 4 will construct new A dock.

The current challenges now are the aging facility and extensive maintenance requirements, the high cost of recapitalizing facilities, the regulatory environment, creating the optimal slip mix, and positioning boating as an affordable and sustainable recreational activity that attracts new boaters.

#### **WATERFRONT PLACE INFRASTRUCTURE**

##### **Millwright Loop Road & Second Phase Housing**

Project Manager Brandon Whitaker presented an overview on Waterfront Place Central (WPC); the accomplishments, current progress and future opportunities, which include Millwright Loop Road and second phase housing. Since 2014, the Port has invested \$37.9 million for construction in WPC and supporting Marina projects, resulting in nearly \$100 million in private investment.

The current WPC focus is on parcel A8 which is an approximately 7,600 square foot commercial building and will accommodate two tenants; the A17 tenant building will accommodate three boating related tenants and restroom support for boaters and public; and The Port Gardner Landing Building will possibly be a 2,000 square foot lease space for one tenant. We are also looking into multiple tenant options.

Other projects in WPC are mostly in Opportunity Funding Phase 2 and 3 projects' which include the future Fisherman's Harbor restaurant parcels A7 and A12, interior roadways, public access trails and commercial and retail buildings. Two projects that are in the current CIP budget are Millwright Loops South and West, construction in 2022-2023 and Boxcar Park, construction in 2023-2024.

Whitaker presented a map of what Millwright Loop Road will look when completed but require a few projects be completed with or prior to the road work, accounting for up to \$4,400,000 of additional work to occur. These projects pave the way for the second phase housing, similar to the Fisherman's Harbor Infrastructure project from 2016-2018.

Lastly, Whitaker presented the second phase housing and how it is dependent on Port capital projects being initiated which provides necessary infrastructure for private investment.

##### **Special Guest Speaker: The Role and History of Pilots Presentation by Captain Eric Von Brandenfels, PS Pilots**

Marine Terminals Director Walter Seidl introduced Captain Eric Von Brandenfels of the Puget Sound Pilots Association. Captain Von Brandenfels started working on a wooden tugboat in Puget Sound in 1977 and began piloting ships as a Puget Sound Pilot in 1995. He has worked on all different types of vessels and knows the area very well. He has worked on various committees within Puget Sound pilot's organization dealing with pilot boat construction, fatigue mitigation amongst pilots and piloting safe practices since 2000. He was the acting President for the Puget Sound Pilots Association from 2017 to January 2021 and continues to do government relations and outreach presentations with the intention of promoting the diversification of maritime job opportunities.

Captain Von Brandenfels presented a PowerPoint of pictures and described his adventures over the years. The Commission was very pleased to meet him and enjoyed his presentation.

##### **MARINA AND LOWER SNOHOMISH RIVER DREDGE STRATEGY**

CEO/Executive Director Lisa Lefeber stated the Port obviously has some dredging needs upriver but most of the Port's issues and concerns have been happening in and around the lower settling basin, the marina and boat launch facilities and within the river.

Planner Laura Gurley presented a strategy for dredging to develop a programmatic approach to maintaining suitable depths at Port facilities and in the Snohomish River in a predictable and cost-effective manner. Dredging is not cheap and it is also not easy to permit, so every element is getting more complicated. There

are also things happening in the river that the Port, in partnership with the Army Corps of Engineers (Corps), are trying to figure out as far as sedimentation.

Some of the challenges that the Port sees is sediment is accumulating more quickly than in the past, both in the channel and around Port facilities. Potential explanations could be upstream farmland erosion and more frequent storm and flood events due to climate change carrying more sediment downstream or other unknown factors. A sandbar is growing on the east side of the river channel from the mudflats south toward the North Marina, impeding access to the boat launch and quickly encroaching into the entrance to the North Marina. A sandbar is also encroaching into the Federal Navigation Channel and the river is scouring east side of Jetty Island. The Port has made unsuccessful attempts to get the Corps to relocate the downstream settling basin in the past to help with these issues.

The Corps has historically dredged every year alternating upstream and downstream. Recently, the Corps has needed to dredge both upstream and downstream in the same year. A sandbar is starting to encroach into Federal Navigation Channel and downstream settling basin and increasing volumes dredged each year means increased costs.

The Port of Everett is the steward of local navigation. The Port maintains the berthing depths in marinas and at the guest docks, the depths for transiting to and from the marinas and facilities including fuel dock, the launch facilities used by Port customers, emergency services, the tribes and others at the boat launch and adequate depths to prevent damage to floating infrastructure. The Port partners with Corps to maintain the depths for commercial traffic in Snohomish River and help manage sediment loads and distribution in Snohomish River.

The Port's historic dredge costs since 2002 to today is \$6,269,100 and that does not include MTCA related dredging. The Port's current dredge needs are at the boat launch, the connector channel and North Guest Dock 8, North Marina West, North Marina entrance and Central Marina West, which is a total of 184,400 cubic yards.

The Port has a few existing dredging permits throughout the marinas. The boat launch permit will expire in June 2021 and South and Central Marinas permits are expiring August 2021. The Port is applying for permit extensions, which are limited to two years.

There are new dredging areas at the Port that include boat launch connector channel, entrance to North Marina, and North Guest Dock 8 that are not included in the current permits. This will require a separate permit process, aquatic vegetation surveys, and compensatory mitigation. The permit review timeline is unknown. The maintenance dredging permits for previously dredged areas used to be fairly straight forward but because of National Marine Fisheries Services (NMFS) has made policy changes recently, even the maintenance dredging areas may require conservation credits and the review timelines are getting longer.

The Port's current dredge needs total 190,300 cubic yards at an estimated cost of \$5,200,000. The volumes represent total max dredge volume for each area, including volumes present within slips and beneath docks. Actual maintenance dredge quantities would be lower, if not combined with dock replacement.

The permitting strategy contemplates that for current dredge projects the Port will obtain minimum 5-year permits with possible 2-year extension options, dredge in smaller chunks over multiple years to spread costs out and request to dredge the same location twice under one permit in areas of high sedimentation. This strategy would have the Port dredging every year for the next 5-7 years. The first year would cost \$1.5 million and be the most expensive due to upcoming permit expirations. The following years expenditures would be approximately \$400K-\$750K per year. If implemented, this would meet marina maintenance dredging needs through approximately 2032 – 2037.

The Port's future permitting strategy's goal is to obtain one maintenance dredging permit that covers all Port Marina and Boat launch related facilities, valid for a minimum of 10 years with extension options and flexibility to dredge any location in any given year during in-water work window, and provide flexible material disposal options, either in water or upland. This is an unusual approach and the Port expects challenges with this strategy from regulatory approval, possible large mitigation requirements from NMFS, a need for better understanding of changing sedimentation patterns and rates to plan for appropriate volumes, which requires more sediment sampling upfront, and possibly more frequent bathymetric surveys.

Gurley went over options for future material disposal options, including open water, Jetty Island and Maulsby mudflats, a river structure analysis, a need to analyze the idea of a Port-owned dredge, and possibly consider a new contracting approach.

There is a lot more work to do and a lot of things to consider. The Port has an approach that will help in addressing the immediate dredge needs. While the Port is dredging over the next 5-7 years, the Port will be figuring out the different options for the long-term programmatic approach.

**THE COMMISSION RETREAT MEETING WAS ADJOURNED at 2:43 p.m.**

**APPROVED** this 11<sup>th</sup> day of May, 2021.

**EVERETT PORT COMMISSION**

By:   
Tom Stiger, President

By:   
David Simpson, Vice President

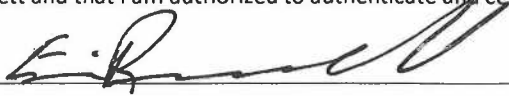
By:   
Glen Bachman, Secretary



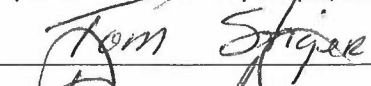
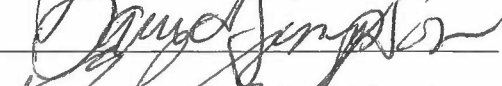

**Port of Everett**  
**Voucher Certification and Approval**  
**for the month of**  
**MARCH**  
**2021**

<b>AP Claims Transactions</b>		<b>Total</b>
Claim Checks Issued	90091 - 90177	\$771,324.80
P-Card Transactions		52,506.22
ACH Transactions	#976 - 1033	1,553,285.77
<b>Total Claims Check Register</b>		<b>2,377,116.79</b>
<b>Electronic Claims Transactions:</b>		
3/8, 3/15, 3/19, 3/25, 3/31	Electronic Transfer - Health Equity/Navia/Guardian/Accrue CMS	\$19,708.97
3/2	Electronic Transfer - Pitney Bowes	\$1,500.00
3/12, 3/30	Electronic Transfer - IRS	195,674.57
3/24	Electronic Transfer - WA St Dept of Rev	39,520.04
3/1, 3/2	Electronic Transfer - U.S. Bank	3,163.38
3/1	Electronic Transfer - U.S. Bank LOC Fees	1,336.90
3/31	Electronic Transfer - Paylocity	1,830.08
<b>Total Electronic Claims</b>		<b>262,733.94</b>
<b>Total Claims</b>		<b>2,639,850.73</b>
<b>Payroll Transactions</b>		
Payroll Checks Issued	Dir Deposit/Check	\$720,826.65
3/2, 3/9, 3/16, 3/23, 3/30	PMA Payroll (Longshore Labor)	305,073.00
<b>Total Payroll</b>		<b>1,025,899.65</b>
<b>Total Payments</b>		<b>3,665,750.38</b>

I, the undersigned, do hereby certify under penalty of perjury that the material have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the Port of Everett and that I am authorized to authenticate and certify to said claim. Authorize signature

Attest:  Port Auditor

We, the undersigned Commissioners of the Port of Everett, Snohomish County, Washington, do hereby certify the following vouchers/warrants have been certified and approved for payment this the 13th day of April, 2021:

 President  
 Vice President  
 Secretary