

**Minutes of Everett Port Commission
Special Meeting
June 15, 2021**

PRESENT:	Tom Stiger	President
	Lisa Lefebber	Executive Director
	Jordan Stephens	Port Attorney
	Eric Russell	Chief Finance Officer
ZOOM:	Glen Bachman	Secretary
	David Simpson	Vice President

CALL TO ORDER: Commission President Tom Stiger called the meeting to order at 12:03 p.m.

CONSENT AGENDA

- Approval of Regular Meeting Minutes of May 4, 2021; and Regular Meeting Minutes of May 11, 2021
- Approval of Bills for May 2021

Commissioner Glen Bachman moved that the Commission approve the items on the consent agenda for June 15, 2021 including the Regular Meeting Minutes of May 4; and Regular Meeting Minutes of May 11, 2021 and Approval of the Bills for May 2021. Commissioner David Simpson seconded the motion. A vote was called for:

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

Motion carried.

Commission President's Report

There was no Commission President's Report.

Commission Discussion

Commissioner Glen Bachman mentioned he tried to get reservations down at the waterfront restaurants on Saturday and they were all booked up but was happy to see that the restaurants are getting back to normal.

Citizen Comments

There were no citizen comments.

CEO/EXECUTIVE DIRECTOR'S REPORT

South Terminal Opening Plaque Presentation

Chief of Operations Carl Wollebek presented plaques to commemorate the April 7, 2021 opening of the South Terminal Wharf. It took many years to get the permits, complete construction, installing the cranes, upgrading the drive systems and finally having the facility working. Westwood was the first vessel to call the terminal. Westwood has been calling the Port of Everett since 2005. The Port started out with Westwood doing the Boeing cargo and have grown with them to do other freight as well. The Port was very fortunate to have the President, Jack Mahoney in person, and Vice President of

Operations and Safety Mike Ross was there as well. Last July, the Port started exporting pulp and had a joint visit to British Columbia to meet with a pulp customer. Two other key partners were recognized with plaques as well. Ken Hudson of ILWU Local 32 and SSA Marine Kyle Shirk from Seattle and Tom Colebourn from Everett. Wollebek thanked everyone for coming and asked Commissioner Tom Stiger to present the plaques. CEO/Executive Director Lisa Lefeber thanked everyone on behalf of the Port of Everett. The success of the Port is because of these partnerships.

Mukilteo Fishing Pier and Guest Moorage Ribbon Cutting

CEO/Executive Director Lisa Lefeber reported the Mukilteo Fishing Pier grand opening will be held on June 23 at 10:00 a.m. There will be visitors and guests from Washington State Ferries and the City of Mukilteo. Staff is still trying to work out the parking situation. Staff is also working on a plaque for the pier to commemorate the grand opening.

Legal Service RFP Update

Procurement and Contracts Manager Maija Lampinen reported Staff issued a Request for Proposals (RFP) for Legal Services on June 10. The submittals are due by July 13 and there will be a team of evaluators for evaluations and interviews. The highest-ranking firm will then have one-on-ones with the other two Commissioners. Commissioner Tom Stiger is apart of the evaluation team. The goal is to have a firm selected by the fall and allow for the implementation through the end of the year.

Resolution No. 1176 (2021) – Apprenticeship Program

Procurement and Contracts Manager Maija Lampinen reported that in 2004 the Port adopted a resolution promoting the use of apprentices on public works projects exceeding \$1 million. That resolution sunsetted in 2009. Since public agencies regularly construct public works projects, by providing for apprenticeship utilization efforts on certain public works projects agencies can create opportunities for training and experience that will help assure that a trained workforce will be available in sufficient numbers in the future for the construction of public works. The Port does not have a statutory requirement to implement an apprenticeship utilization goal, however; the Port is voluntarily implementing a goal to ensure that there are good career pathways into the construction trades.

The Program requires that apprentices must be registered with the Washington State Apprenticeship and Training Council and will apply to public works contracts over \$1M (unless modified or waived by the CEO). There is a sliding scale for apprenticeship labor hour's goal, depending on the estimated cost of the project. The Program encourages contractors and subcontractors to utilize apprenticeship labor from Snohomish County and also encourages contractors and subcontractors to recruit apprentices from pre-apprenticeship pathways, such as Sno-Isle Skill Center, Regional Apprenticeship Pathways (RAP) and the TERO Vocational Training Center. This Resolution will be effective January 1, 2022 and valid for five years, at which time staff and commission will review the program and determine the next steps. Staff will provide updates on the program over the next five years and will encourage apprenticeship on projects advertised between now and the effective date of the resolution.

Chip Burgess, NROC Market Representative for LIUNA, thanked the Port and the Commissioners for working on the current apprenticeship language. Apprenticeship utilization language for future port projects shows the Port's commitment to actively lead this community. The Laborer's Union applauds this positive step and look forward to assisting with training and any education for tomorrow's labor workforce. Burgess gave a special thanks to Procurement and Contracts Manager Maija Lampinen, CEO/Executive Director Lisa Lefeber, and the Commissioners for all the efforts that was put forward.

Trevor Smith, Political Director for Labors Local 292, agreed with Burgess and complemented the Commission and Port staff and expressed appreciation to everyone for undertaking this program and looking to create this in the Port. He feels this will create a lot of good opportunities, living wage employment in Snohomish County and opportunities for younger people to get into the trades to learn at the highest level all of the skills they will need for the future.

After discussion, Commissioner David Simpson moved that the Commission approve Resolution No. 1176 (2021) promoting the use of apprenticeship in certain public works projects. Commissioner Glen Bachman seconded the motion. A vote was called for:

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

Department of Emergency Management MOU on Tsunami Sirens

Chief Financial Officer Eric Russell reported the Washington State Military Department Earthquake/Tsunami Program ("State") has agreed to provide two tsunami sirens to the Port. One installation will be on an existing light pole on pier 1 in the Seaport and the other will be installed on a new pole at the boat ramp, inside the fence around the transformer. The State will maintain the siren equipment and the Port is responsible to provide the location and batteries, if needed.

As of December 2020, there were 95 sirens in the Tsunami network. Identified gaps in the network were funded by the state for installation in 2021. The Everett waterfront was identified as one of the gap areas and Everett is one of three locations in Snohomish County (Mukilteo and Edmonds being the others).

Upon the issuance of a TSUNAMI WARNING, the sirens play a wail sound followed by a voice message in English and Spanish instructing listeners to evacuate immediately to high ground.

During a routine TEST of the AHAB tsunami siren system, which is conducted on the first Monday of every month at noon, the sirens play the Westminster Chimes. The sirens are also tested once a year with the actual wail sound on the third Thursday in October in conjunction with the Great Washington ShakeOut. For this yearly test, the wail sound is followed by a voice message in English and Spanish explaining that it is only a test.

CEO/Executive Director Lisa Lefeber added the Port is very fortunate to have these in the Harbor with the different great ShakeOut earthquake events and different planning that has been underway. It has been estimated that a tsunami wave could reach Everett within 30 minutes of a major earthquake. Notifications regarding the siren placement will be sent out by the Public Affairs team.

Upon discussion, Commissioner Glen Bachman moved that the Commission authorize the CEO to sign the ALL HAZARDS ALERT BROADCAST (AHAB) SIREN AGREEMENT with the Washington State Military Departments substantially in the form presented. Commissioner David Simpson seconded the motion. A vote was called for:

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

Abstained: None
Motion carried.

CHIEF FINANCE OFFICER'S REPORT

On-Call Sign Design & Fabrication RFP Approval

Procurement and Contracts Manager Maija Lampinen reported that as the Port continues to develop and grow, so does the need for attractive, clear, and consistent signage. Staff often need to replace signs as they develop infrastructure and as tenants and operational needs change. New signage is needed as the Port implements programs and activities. Currently design and fabrication of signs is being done on an ad hoc basis, which is time consuming for staff. We need a signage company that can assist with signage design, sign placement, fabrication material selection, lighting (as needed), digital components (as needed), permitting assistance, sign fabrication and delivery on an as-needed basis.

This contract would be used for operations as well as capital projects to provide a unified signage program throughout the port. Signage requests would be on a task order basis and charged to the expense account for the department or included as part of a capital project budget. The contract is anticipated to be five years with two one-year renewals to provide consistency in design and fabrication.

After discussion, Commissioner David Simpson moved that the Commission authorize staff to solicit proposals for On-Call Sign Design and Fabrication. Commissioner Glen Bachman seconded the motion. A vote was called for:

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

ADOPTION OF THE AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN

Commissioner Tom Stiger re-opened the public hearing at 12:38 p.m. for the purpose of hearing comments on an Amendment to the Port of Everett Comprehensive Scheme of Harbor Improvement to add the Adoption of the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan.

Director of Planning Laura Gurley confirmed there were no new public comments. Commission President Tom Stiger closed the public hearing at 12:39 p.m.

Resolution No. 1175 (2021) – Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan

Upon the closing of the public hearing, Commissioner David Simpson moved that the Commission approve Resolution No. 1175 (2021), which adopts the Port of Everett's Americans with Disabilities Act Self-Evaluation and Transition Plan and amends the Port of Everett's Comprehensive Scheme of Harbor Improvements. Commissioner Glen Bachman seconded the motion. A vote was called for:

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

WATERFRONT PLACE CENTRAL DEVELOPMENT

Fisherman's Harbor Commercial Development (Buildings A8 & A17)

Project Manager Brandon Whitaker reported these projects represents a significant investment into the commercial success of the Fisherman's Harbor district within Waterfront Place Central (WPC). To deliver waterfront commercial in a timely fashion, the Port made the strategic decision to construct these retail buildings. The Port of Everett has completed the infrastructure necessary for commercial and private development to take place, and these projects build on those earlier investments. The projects are being bid as one construction contract to attract more interest from contractors and due to there close proximity to each other. This contract will accomplish the following elements:

1. A8 Restaurant – The future restaurant building on parcel A8 (located immediately south of the Pacific Rim Plaza) will be an approximately 6,000 square foot facility housing two new commercial tenants. These tenants are signed and committed to this future building. A8 will be built to a "gray shell," meaning the interior of the building will be completed to a level that allows the future tenants to immediately begin their interior tenant improvements. Building highlights include outdoor eating courtyards and a two-way outdoor fireplace that patrons can enjoy.
2. Fisherman's Harbor Esplanade Wall – Running south alongside the existing esplanade from the Pacific Rim Plaza to the Guest Dock 5 access pier, this project will build a concrete wall that separates the elevated outdoor eating spaces for restaurant patrons from the pedestrians on the esplanade. The wall will also provide benches for pedestrians and a landscaping shelf on top. This project is necessary for the construction of the A8 building and will also be necessary for future buildings along the esplanade.
3. A17 Restroom/Tenant building – Located west of Hotel Indigo, this dual-purpose building will provide restrooms for Marina tenants and pedestrians enjoying the esplanade and Pacific Rim Plaza as well as provide three tenant office spaces.
4. A17 Site Improvements – This will cover the physical site improvements around the A17 building, including a concrete courtyard, additional concrete finishing work on the 14th Street esplanade, landscaping, electrical, and a flag display area. This project is necessary for the construction of the A17 building.

There have been significant increases in lumber and steel commodity pricing over the last year that have increased construction estimates from the original budgeted estimates for these buildings. The project team continues to monitor this pricing and adjust estimates appropriately. Staff will evaluate the budget and CIP plan and provide recommendations for possible adjustments to the CIP plan once bids are received.

After discussion, Commissioner Glen Bachman moved that the Commission authorize Staff to solicit public works bids for the Fisherman's Harbor Commercial Development Parcels A8 and A17 project. Commissioner David Simpson seconded the motion. A vote was called for:

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

South Marina Beautification Update

CEO/Executive Director Lisa Lefebber reported that Staff are currently working on updating the landscaping and beautification in the south marina so they will be seeing plants being moved and different improvements.

SEAPORT MODERNIZATION

NEW NORTON TERMINAL

BUILD Grant

CEO/Executive Director Lisa Lefebber reported that in September 2020, the Port was awarded \$17,750,000 in grant funding under the FY2020 Better Utilizing Investment to Leverage Development (BUILD) grant program for the Mills to Maritime Cargo Terminal Project (Norton Terminal). This funding is being provided from the U.S. Department of Transportation. The grant agreement obligates the Port to provide a total of \$19,760,000 in match funding, which includes \$7,650,000 in state MTCA funds provided through the Department of Ecology and \$12,110,000 in Port funding. It also obligates the Port to provide cargo volume information to MARAD for three years after construction is complete. This is a federal grant and obligates the Port to federal terms and conditions for procurement of the work. Port staff anticipated federal funding for this project and has been structuring procurement contracts for this project to meet federal eligibility. No costs incurred prior to the last signature on the agreement will be eligible for reimbursement or match under this agreement. This grant will be administered by MARAD, who also was the administrator for our FY2016 TIGER grant for the South Terminal Modernization project. Lefebber was happy to report that earlier in the day, she received a phone call from the federal Maritime Administration that the Port would expect to see the BUILD grant agreement for signature as soon as the afternoon

Commissioner David Simpson stated this was a proud moment in order to support the commitment for economic development.

Upon discussion, Commissioner David Simpson moved that the Commission authorize the Executive Director to sign the FY2020 BUILD Grant Agreement 693JF72140023, in substantially the form as presented, for construction of the Norton Terminal, accepting the \$17,750,000 in federal funding and obligating the Port to \$19,760,000 in match funding. Commissioner Glen Bachman seconded the motion. A vote was called for:

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

Motion carried.

Preload & MTCA 3rd Interim Action Contract Award

Project Manager Steve Hager reported the Norton Terminal Pre-Load & MTCA 3rd Interim Action project will construct a pre-load on approximately six acres of the Port's Norton Terminal in preparation for the larger Norton Terminal Development project. Work includes removal of approximately 2,300 tons of existing crushed rock, used for the crane storage pad at the South Terminal, to construct a haul road and installing another approximately 50,000 cubic yards of crushed rock material for the balance of the pre-load, as well as furnish and installing settlement plates. The purpose of the pre-load (also known as surcharge) is to exert pressure on the underlying soil to remove moisture from the soil and prepare the site for the future development. When the pre-load is no longer necessary, the crushed rock will be re-purposed throughout the site as crushed surface base course.

This project is funded in part by a federal BUILD grant administered through MARAD. The grant agreement is in its final stages of completion. The Port received permission from MARAD to award a contract before the grant agreement is executed but no physical work may begin until the grant agreement is fully executed. Any work completed prior to the execution of the grant agreement is not eligible for federal funding or as the Port's grant match.

It will be beneficial to have the contract awarded prior to execution of the grant agreement to allow the contractor to begin the submittal process as well as schedule crew and resources. The Port would wait to issue Notice to Proceed on physical work until the grant agreement has been fully executed.

On May 27, 2021, the Port received eight bids for this project. The lowest responsible bidder submitting a responsive bid was SRV Construction Inc. of Anacortes, Washington with a bid in the amount of \$2,697,742.08.

After discussion, Commissioner Glen Bachman moved that the Commission delegate authority to the Executive Director to award a public works contract for the Norton Terminal – Preload & MTCA 3rd Interim Action to SRV Construction Inc., the lowest responsible bidder submitting a responsive bid, in the amount of \$2,697,742.08, including Washington State Sales Tax, provided that the award will not be made unless and until the BUILD Grant Agreement is fully executed and in effect. Commissioner David Simpson seconded the motion. A vote was called for:

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

Motion carried.

DEPARTMENT REPORTS

Marine Terminals

Mitsubishi Crane Motor Acquisition

Chief Operations Officer Carl Wollbek reported the Mitsubishi Cranes at the South Terminal were put into service in April 2021. Due to the age of the motors in the cranes there were motor failures and over three weeks of down time on each crane while the cranes were waiting for repairs. Continuous operation of the cranes is imperative to keep commitments to Port clients, keep cargo moving and to maintain profitability.

The purchase of additional motors will assure the Port will have appropriate spare motors on hand to install immediately if there is a motor failure. Staff intend to purchase six motors: two hoists, two trolleys, one gantry and one boom motor. Typically, these motors are long lead item – three to four months.

There is only one manufacturer of these crane motors (GE) and Staff has been advised if the order is not placed prior to July 1, 2021 the price will increase by 10.6%. Staff have reached out to several re sellers and received proposals from Nidec Industrial Solutions, DMH and Delta Electric Motors. Delta Electric provided the best price. Due to the single manufacturer staff is asking for an exemption from the Port's formal competitive solicitation policy.

Upon discussion, Commissioner Glen Bachman moved that the Commission exempt the Mitsubishi Crane Motor Purchase from formal competitive solicitation and authorize the Executive Director to sign a

contract with Delta Electric Motors for an amount not to exceed \$500,000. Commissioner David Simpson seconded the motion. A vote was called for:

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

Executive Session

Commission President Tom Stiger recessed the meeting at 1:30 p.m. and announced that after a 5-minute break there would be an Executive Session for approximately 10 minutes – to conclude by 1:45 p.m. The purpose of the Executive Session is to discuss the performance of a public employee.

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

THE REGULAR MEETING WAS ADJOURNED at 1:45 p.m.

APPROVED this 13th day of July, 2021.

EVERETT PORT COMMISSION

By: Tom M. Stiger
Tom Stiger, President

By: David Simpson
David Simpson, Vice President

By: Glen W. Bachman
Glen Bachman, Secretary

ORIGINAL



Port of Everett
Voucher Certification and Approval
for the month of
MAY
2021

AP Claims Transactions		Total
Claim Checks Issued	90280 - 90374	\$886,963.18
P-Card Transactions		73,866.00
ACH Transactions	#1098 - 1159	1,851,945.04
Total Claims Check Register		2,812,774.22
Electronic Claims Transactions:		
5/6, 5/10, 5/12, 5/13, 5/20, 5/21, 5/24, 5/28	Electronic Transfer - Health Equity/Navia/Guardian/Accrue CMS	\$21,774.57
5/13, 5/28	Electronic Transfer - IRS	208,905.80
5/25	Electronic Transfer - WA St Dept of Rev	58,919.77
5/3, 5/5, 5/12	Electronic Transfer - U.S. Bank	6,717.30
5/3	Electronic Transfer - U.S. Bank LOC Fees	1,403.71
5/28	Electronic Transfer - Paylocity	1,829.30
Total Electronic Claims		299,550.45
Total Claims		3,112,324.67
Payroll Transactions		
Payroll Checks Issued	Dir Deposit/Check	\$513,808.19
5/4, 5/11, 5/18, 5/25	PMA Payroll (Longshore Labor)	311,762.61
Total Payroll		825,570.80
Total Payments		3,937,895.47

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 15th day of June, 2021:

President

Vice President

Secretary