

**Minutes of Everett Port Commission  
Special Meeting  
September 21, 2021**

<b>PRESENT:</b>	Tom Stiger	President
	Lisa Lefeber	Executive Director
	Eric Russell	Chief Finance Officer
	Jordan Stephens	Port Attorney
<b>ZOOM:</b>	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 August 10, 2021
- Approval of Bills for August 2021

Commissioner David Simpson moved that the Commission approve the items on the consent agenda for September 21, 2021, including the Regular Meeting Minutes of August 10, 2021 and Approval of the Bills for August 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.

**Commission President's Report**

Commission President Tom Stiger commented on the meeting that morning with Governor Inslee at Norton Terminal along with several Port Staff members. CEO/Executive Director Lisa Lefeber and Director of Environmental Programs Erik Gerking went over the plans for the property with the Governor. Commissioner Stiger also thanked Government Affairs Manager Adam LeMieux for making the arrangements with the Governor's office.

**Commission Discussion**

Commissioner David Simpson reminded everyone about Commissioners Corner taking place on Wednesday, September 22, at 5:00pm.

Commissioner Glen Bachman thanked Staff for their great work on budget planning. Commissioner Bachman also attended the WPPA Legislative meeting and one of the striking things that came up was the Association of Washington Business has made commercial and residential organizations aware that there is some potential of trying to eliminate the use of natural gas.

**Citizen Comments**

Emory & Molly Cole submitted a letter for public comment via email regarding the Mukilteo Waterfront, attached hereto.

**CEO/EXECUTIVE DIRECTOR'S REPORT**

CEO/Executive Director Lisa Lefeber echoed Commissioner Stiger's comments, it was very exciting to have the Governor at the Port and to see all the positive environmental and economic development that the Port

is doing with the new Norton Terminal and Seaport Modernization efforts. Lefebber appreciates the Commission's vision and leadership in having that move forward.

Lefebber reported breaking news from the Maritime Administration during the meeting, that today, the Port of Everett has been officially designated a strategic commercial seaport. The Port has been working on this since 2009 by adding dock length, rail infrastructure, and capacity. The Norton Terminal was the last puzzle piece to make it a reality and all the work has paid off. The Port is now one of only two seaports in the entire state of Washington that is able to accept and handle military sealifts.

#### **Commission Meeting Dates**

Lefebber reported October 5 and October 12 are on track for the regular commission meetings. Given the fact that the Emergency Declaration is still in effect, Lefebber expects the meetings will continue at noon through the end of the year and the schedule will be revisited in January 2022. Staff is looking at cancelling November 2 commission meeting and moving the November meetings to November 9 and November 16. Lefebber proposed to only have one commission meeting in December on December 7.

#### **CHIEF FINANCE OFFICER'S REPORT**

##### **2022 Budget Process Overview**

Chief Financial Officer Eric Russell gave an overview of the 2022 budget process. Russell touched base on Commission schedule and the proposed 2022-2026 new CIP projects which included the fuel dock, Port Gardner Landing, marina dredging at the boat launch and continuing planning on other projects. The ongoing projects for 2022 included Norton Terminal, A8 which includes two tenant restaurant space in Fisherman's Harbor, A17 which includes three tenant retail spaces and restroom west of Hotel Indigo and the Mill-A clean. Russell finished his overview with the outlook on 2022 operating budget.

#### **DEPARTMENT REPORTS**

##### **Properties**

##### **Mukilteo Waterfront Update**

CEO/Executive Director Lisa Lefebber gave an update on the Mukilteo Waterfront. NOAA is in tribal consultations on the demolition plans for the structures and infrastructure on the site. That is a prerequisite of the transfer along with the environmental cleanup that is required by the Department of Ecology. The Port plans to retain the pier that is on the NOAA site for overwater coverage because that allows for potential overwater use in that area. Lefebber expects, based on the information received from NOAA, that the property will be available for transfer at the end of 2021.

As it relates to the parklet and Ivar's, the Port and Ivar's were unable to secure use of the parklet and outdoor dining this summer but moving forward, with the Port on the lead, expects to be able to permit and entitle the site to serve as a public space as well as outdoor dining but doing it in a way that is more permanent and attractive. The Port is in the process of hiring HBB Architects to do the design for the parklet, as well as integrating the outdoor dining as part of Ivar's. The Port has also engaged Landau Associates to help with the permitting. There are potential flood plain permits required to be able to allow for that use. The hope is to have a conceptual design and be able to get some buy in on that and get permits submitted in the October timeframe so the Port can make sure the improvements are made and the facility is opened, hopefully, before Memorial Day weekend 2022.

In terms of the NOAA site itself, the Port is in the process of entering into a Personal Services Agreement with NBBJ Architects for how the NOAA facility relates to adjacent waterfront properties, to make sure the Port creates a consistent use with neighboring properties. There will be a public process tied to that on guiding principles for the development of the site as it relates to the community. There will also be an engagement

with the Tulalip Tribes as it relates to the properties that they own and hopefully, address the parking issues, as well.

One thing the Port is looking at, and this is one of the reasons the Port engaged NBBJ, is to identify if there are some portions of the building that need to remain intact to be able to keep the building footprint where it is to be able to maximize the use of the site.

### Marina

#### **Summer Event Recap**

Chief of Marina Operations Jeff Lindhout gave a marina summer event recap. The events schedule was getting back to a little normal this year, being back up to 61 plus events total so far. Food Truck Wednesday came back this year down at Riverside Business Park, Rock the 4<sup>th</sup> Concert at Boxcar Park was well attended, and the return of Jetty Island Days. The hybrid model of Sail-in Cinema was continued this summer and worked out great. Lindhout gave a shoutout to the Sea Scouts, they really helped this event to occur; they do a great job every year and he really appreciates the help that they provide. A new event that happened this summer was sponsored by NMTA, PonTunes floating concert. A few more returning events included Everett at Sea program, Harbor Tours, Music at the Marina at a new location, Fresh Paint Arts Festival, Salmon for Soldiers Fishing Derby, Marina Customer Connect, and Wheels on the Waterfront which was the biggest show that they've had yet with the most cars and they had the largest donation to a local non-profit. A few upcoming events for the rest of 2021 included Everett Coho Derby, Walk to End Alzheimer's, Out of the Darkness Walk, Pacific Ice Seasonal Ice Rink and Holiday on the Bay.

### Projects

#### **Blue Heron Slough – Construction Status**

Director of Environmental Programs Erik Gerking gave a brief update on the Blue Heron Slough construction. Gerking recapped the background history to set the context, showed a few pictures of what the slough looks like today and went over the look ahead through 2023. The Commission asked for a report early next year on the range of revenue to anticipate from the bank.

### Executive Session

No Executive Session was held.

**THE SPECIAL MEETING WAS ADJOURNED at 1:07 p.m.**

**APPROVED** this 12<sup>th</sup> day of October, 2021.

#### **EVERETT PORT COMMISSION**

By:   
Tom Stiger, President

By:   
David Simpson, Vice President

By:   
Glen Bachman, Secretary



Port of Everett

ORIGINAL

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

Table with columns for transaction type, date, and total amount. Includes sections for AP Claims Transactions, Electronic Claims Transactions, Payroll Transactions, and Total Payments.

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: [Signature] 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 21st day of September, 2021:

[Signatures of Tom Stigee, David Simpson, and [Name]]
President
Vice President
Secretary

Emory & Molly Cole  
1547 Mukilteo Lane Mukilteo, WA 98275  
Email: emory.cole@gmail.com / Phone: 425-232-8809

September 20, 2021

TO: Port of Everett Commissioners  
FROM: Emory and Molly Cole  
RE: Mukilteo Waterfront

We noticed on your September 21<sup>st</sup> agenda you are engaging in a conversation about the Mukilteo waterfront, and public comments must be submitted via email. We can't begin to express how disappointed we are about what has happened to the potential of Mukilteo's waterfront since the Port of Everett was chosen as the "lead agency" to determine the eventual fate of approximately 21 acres of prime waterfront land after the Federal Government decided to surplus the land previously occupied by the Department of National Defense fuel tank farm.

We do not know, specifically, why the Tulalip Tribes were awarded approximately two acres of prime waterfront land in the process. We assume it was a "quid pro quo" for their cooperation in allowing the construction of the new Mukilteo ferry terminal based on their fishing rights along the waterfront. We don't know how that decision was made.

What we do know is the Washington State Department of Transportation (WSDOT) was able to construct a new ferry terminal that included additional capacity for approximately 34 more vehicles than the previous holding area at the former ferry dock. The cost to build the new ferry dock and the infrastructure to support it was, reportedly, about \$182million. However, if you add the "gifting" of the additional two acres of land the Tulalip Tribes received we suggest the actual cost to the taxpayers is more like \$400million. This is assuming that one acre of prime waterfront property is worth, at minimum, \$1million in today's market.

So, what has transpired over the past ten years or more is the City of Mukilteo and the City of Everett have lost most of the Mukilteo waterfront for the benefit of public transportation and the Boeing Company with the Boeing Rail Barge Transfer Facility at the east end of the waterfront. Mukilteo ends up with a pedestrian trail along the waterfront, a "postage stamp" area for a park where Japanese Gulch Creek flows into Puget Sound and a small, inconveniently accessible, fishing pier that has little parking available for public use.

We understand the Port of Everett's primary mission, as identified on the Port's website is the following: **The Port was originally formed by the citizens of Everett in 1918 to create opportunities and protect the waterfront for the community. The Port has a long history of providing marine-related services and appropriate public access to the waterfront. The Port strives to bring quality jobs, business, and tourism opportunities to its local and surrounding communities, and is committed to enhancing, restoring and preserving the overall environmental health of our waterfront.** We suggest the Port of Everett has not complied with its proclaimed mission statement when it comes to Mukilteo. As you also know, a majority of Mukilteo resident pay Port of Everett taxes. Consequently, it appears to us the Port of Everett may be in a serious position of "non-compliance" with their mission statement when it comes to the Mukilteo waterfront.

Mukilteo's Mayor, Jennifer Gregerson, and her administration has been in recent communication with the Tulalip Tribes in regard to the two acres of waterfront the Tribes were gifted. The purpose of communications has centered around how the Tulalip Tribes may develop the land and how traffic might access the waterfront,

including the two acres of Tribal land. Currently, there are two ways to access the Mukilteo waterfront. One way is via SR525 (Mukilteo Speedway). The only other way is via Mukilteo Lane, a substandard, narrow, street accessible at the east end from Mukilteo Boulevard, and from Park Street on the west end by crossing the BNSF railroad tracks at the "Baker Crossing". There is considerable pedestrian traffic along Mukilteo Lane which results in significant public safety issues.

The two acres of land gifted to Tulalip Tribes, as explained to us by Mayor Gregerson, is subject to both Mukilteo and Everett zoning codes and does not include "sovereign status". The two acres appears to be located within both cities' jurisdictions (1/3 Mukilteo and 2/3 Everett, approximately). Based on the Port of Everett's actions to date, we would hope the Port could, perhaps, help convince Tulalip Tribes the best use of their land would be for enhanced public access which would have to include additional public parking.

Currently, there are approximately 40 parking stalls available to the public between Tribal property and the Port of Everett's Rail Barge Transfer Facility. This parking is quickly consumed on most nice spring and summer days with people seeking waterfront recreation (fishing; crabbing; paddle boarding; para-sailing; scuba diving; etc.). The two acres of Tribal land could be of enormous benefit for the "public good" if it was allowed to provide more waterfront access for recreational activities for the surrounding communities. Perhaps the land could be developed to include interpretive kiosks and totems that celebrate the Native American historical presence on the land. Additional fishing piers and floats for visiting pleasure craft would also be a welcome addition.

We would be happy to meet individually with any Port Commissioners who may want to discuss this matter in more detail. Thank you for your consideration.

Sincerely,

Emory Cole, Former Mayor  
Molly Cole, Former Mayor's Boss