

**Minutes of Everett Port Commission
Regular Meeting
February 7, 2023**

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

CALL TO ORDER: Commission President Glen Bachman called the meeting to order at 12:00 p.m.

Commission President's Report

Commission President Bachman commended Port Staff for the latest edition of the Portside. He felt it captured the activities of the Port and provided information to the public very effectively.

President Bachman reported that he recently was in Olympia with the Port's legislative liaison Adam LeMieux and attended several sessions in the continuing effort to educate the legislators about the many beneficial purposes of Washington's port districts.

Commission Discussion

Commissioner Tom Stiger reminded the public that the Seattle Boat Show is underway through February 12, 2023. He encouraged the public to visit the Port's booth.

Commissioner David Simpson reported that he attended the Puget Sound Regional Council (PSRC) Operations Committee and Executive Board meeting on January 26 and said both meetings went well. Commissioner Simpson thanked both CEO Lisa Lefeber and Adam LeMieux for their continuing communications with the legislators on behalf of the Port of Everett, and specifically mentioned HB1371 and SB5494 as they relate to Port Districts.

Citizen Comments

Larry Balogh, Everett, Marina Tenant North E5, provided comments about the difficulties he was having in communicating with Laz Parking about the parking issues at the Marina. Mr. Balogh's comments are attached hereto as part of the record.

CEO/EXECUTIVE DIRECTOR'S REPORT

CEO/Executive Director Lisa Lefeber thanked Mr. Balogh for his comments and indicated she did not disagree with him that trying to reach Laz Parking on-site was challenging given its location. Port Management is working with Staff to relocate Laz Parking to a more accessible location next to the Marina office which should streamline any issues with the parking management system. Parking management is necessary to manage all competing interests at the Port. Port Management is continuing to work on and improve the parking experience at the Port, and it is believed that having the Laz office by the Marina office will streamline things for the customers.

2023 Commission Retreat – March 7 & 8

The Commission Retreat is scheduled for March 7 & 8 and a robust agenda has been developed; however, there is a hard stop at 1pm on March 8. Representatives from the Maritime Administration will be doing a site walk of the infrastructure investments that their resources have helped the Port to develop with the new Norton Terminal, as well as the South Terminal modernization. A draft agenda will be forthcoming from Staff.

Interlocal Purchasing Agreement – Port of Vancouver

Maija Lampinen, Procurement & Contracts Manager, informed the Commission that the Port of Vancouver was interested in establishing an Intergovernmental Cooperative Purchasing Agreement with the Port of Everett which would allow the agencies to use each other's eligible contracts.

RCW 39.34 requires that the originating entity competitively bid the contract and include language allowing for other entities to utilize the contract. Cooperative contracts extend the same pricing and terms of the originating agencies contract to the agency piggybacking on the contract. Benefits of cooperative purchasing include leveraging volume (economies of scale), delivery and supply chain advantages, reduction of administrative time and expense, and it is considered a best practice.

The Procurement Department will obtain copies of the solicitation documents, advertisements, award documentation and contract to ensure that it meets the Port's contracting requirements prior to utilizing a particular contract. Once the contract has been approved for use, the Port would then work directly with the vendor to place the order.

Lampinen said it was Port Staff's recommendation that the Commission approve the Interlocal Cooperative Purchasing Agreement with the Port of Vancouver and authorize the Executive Director to sign the agreement.

Upon discussion, Vice President Tom Stiger moved that the Commission approve the Interlocal Cooperative Purchasing Agreement with the Port of Vancouver and authorize the CEO/Executive Director Lisa Lefeber to sign the Agreement. Secretary David Simpson seconded the motion. A vote was called for :

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

Motion carried.

City of Everett: Hotel-Motel Tax Fund Grant Application – Ratify

Communications & Marketing Director Catherine Soper reported that each year the city of Everett accepts applications for Hotel-Motel Tax Fund grants from public and nonprofit agencies for projects that assist tourism development and promotion in the city of Everett. Funds may be used for marketing, promotions and operations. The program is funded through the taxes imposed on hotel and motel room rentals in the city of Everett. Funds are awarded on a competitive basis to applicants who can complete their proposed projects by December 2023. The city of Everett requires that the Commission approve the application for funds.

Soper added that the Port applied for a 2023 city of Everett Hotel-Motel Tax Fund grant to go toward the operation and promotion of Waterfront Place winter festivities, including the Port's annual Holiday

on the Bay festival, the seasonal Pacific Ice Outdoor Community Ice Rink, and expansion of the Port's winter lighting displays. The Port's grant application seeks \$100,000 to help offset the operation and promotional costs of these winter season attractions.

Soper said it was Port Staff's recommendation that the Commission ratify the grant application for the city of Everett Hotel-Motel Tax Funds in the amount of \$100,000 to help offset the operation and promotional costs of Waterfront Place winter festivities.

Vice President Stiger inquired if the city of Mukilteo qualified for this program. Executive Director Lefeber said that Port staff just learned that the city of Mukilteo does have their own LTAC grant fund program.

After further discussion, Secretary David Simpson moved that the Commission ratify the Port's grant application for City of Everett Hotel-Motel Tax Funds in the amount of \$100,000 to help offset the operation and promotional costs of Waterfront Place winter festivities. Vice President Tom Stiger seconded the motion. A vote was called for:

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

Motion carried.

SEAPORT MODERNIZATION

Norton Terminal Update

Executive Director Lefeber reported that Norton Terminal opened in December 2022. Having received Customs approval, the Port is now able to move cargo through the Terminal. Currently, Staff is working on punch list items including the Longshore restroom, breakroom facilities, testing of different systems and adjustments to the lighting.

Mill-A Update

Erik Gerking, Director of Environmental Programs, provided an update on the Mill-A Cleanup Site to the Port Commission. The site is located between Pier 1 and South Terminal and has been broken into two separate areas – the marine area and upland area. The center of the cleanup is by the north side of the South Terminal which contains a large mound of contaminated wood debris.

Port Staff has integrated the Port's economic strategy with the cleanup strategy consistent with the Model Toxics Control Act (MTCA), because the result should be a clean environment and would be an operational asset for the Port's uses. Consistent with this the Port leads the cleanup projects for efficiency and effectiveness. The current challenge continues to be Weyerhaeuser as they terminated the Cooperation and Cost Sharing Agreement in 2017. As a result, the Port is working independently of Weyerhaeuser and directly with Ecology, while allowing Weyerhaeuser to review the documents.

In terms of cost control, the Port has been leveraging its funding strategies through the State via a grant and loan combination which made up the shortfall when Weyerhaeuser terminated the cost sharing agreement. Also, the Port recently entered into an extended grant agreement with the State. The grant agreement places the Port as the number one funding priority for Ecology, and it is designated for projects that are over \$20 million in project costs and extend over multiple biennium's.

For 2023, the Port's primary goal is to achieve an Ecology approved Feasibility Study which has the selected preferred remedial cleanup alternative. The study has been submitted and is under review by Ecology, Weyerhaeuser, DNR and the Tribes. The approved Feasibility Study is an extremely important process because it selects the cleanup remedy.

Additional action for 2023 is to develop a Mitigation and Restoration Study, considering the whole waterfront for opportunities to help mitigate the impacts of the cleanup. The Port is planning to use Blue Heron Slough as a mitigation source, but there are some impacts with the project that Blue Heron Slough cannot mitigate so other remedies will be reviewed. Another area of review is to begin the permitting of the toe-wall in front of the South Terminal, which is a known portion of a cleanup alternative .

The Port is still in the remedial investigation phase for the upland area unit.

Gerking said that next steps include continuing to engage with the parties that are reviewing the Feasibility Study, provide assistance and respond to comments and then start the mitigation/restoration opportunity analysis. Staff will report back to the Commission to provide updates as necessary.

WATERFRONT PLACE

Fisherman's Harbor Fire Damage Pavement Repairs – JOC Contract Authorization

Engineering Project Manager Brandon Whitaker provided an overview of the proposed scope of work for Fisherman's Harbor pavement repairs as a result of the fire to the south apartment building in 2020.

This construction project with the Port's JOC contractor, FORMA, will include the removal of existing asphalt and placement of new pavement on Seiner Drive, stretching from 14th Street south to nearly West Marine View Drive, demolition and replacement of three concrete crosswalks and roadway and parking stall striping.

The repair work is being split into two phases to lessen the impact to the public. The remainder of the fire damage repairs, including sidewalks, landscaping, irrigation and lights are currently out to bid. Staff expects to bring that contract to the Commission for consideration and award on February 14, 2023.

After discussion, Vice President Tom Stiger moved that the Commission authorize the CEO/Executive Director to sign a JOC job order with FORMA Construction to perform the Fisherman's Harbor Fire Damage Pavement Repairs work for \$367,719.76, including applicable Gordian fees. Secretary David Simpson seconded the motion. A vote was called for:

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

Motion carried.

Executive Session

Commission President Glen Bachman recessed the meeting into Executive Session at 1:15 p.m. for approximately 15 minutes – to conclude by 1:30 p.m.

The purpose of the Executive Session was pursuant to RCW 42.30.110(1)(b) to consider the acquisition of real estate by lease or purchase as public knowledge of such consideration would cause a likelihood of increased price.

At 1:30 p.m. in open session, Port legal counsel Jordan Stephens announced that the Executive Session would be extended an additional 5 minutes – to conclude by 1:35 p.m.

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 1:35 p.m.

APPROVED this 14th day of March, 2023.

EVERETT PORT COMMISSION

By: 

Glen Bachman, President

By: 

Tom Stiger, Vice President

By: 

David Simpson, Secretary

Emily Monts

From: Larry Balogh <larrybalogh@gmail.com>
Sent: Monday, February 6, 2023 2:54 PM
To: Emily Monts
Subject: Concerns about managerial responsibility

I have had numerous conversations with the marine's management over the last couple of years. I do not feel that they have accepted ultimate responsibility for services that have been out-sourced. I am not alone in my feelings, everyone I talk with has similar issues.

- New parking - LAZ.
- Full Mail Box

Citizen comment