

## PORT OF SKAGIT COUNTY

Regular meeting of the Port Commission

Tuesday, March 17, 2009 5:00 PM

### MINUTES

PRESENT: Commission - Glenn Allen, Jerry Kaufman and Kevin Ware  
Staff - Patsy Martin, Kristin Garcia, Paul Stannert, Sara Young and Debbie Hamilton  
Others - See sign in sheet

### Changes or additions to the agenda as follows:

AIRPORT: Taxiway F; Agreed Order Process (2009) – Approve Agreed Order

### **Public Communications**

Published articles noted by commission.

### **Approval of Minutes**

**COMMISSION ACTION:** The commission unanimously approved the minutes of the February 17, 2009 regular meeting.

### **Fiscal Matters**

**COMMISSION ACTION:** The commission unanimously approved March 2009 vouchers as presented.

### **Open Forum**

No comments from the public.

### STAFF REPORTS

#### MARINA: Use Permits; La Conner Chamber of Commerce; Cadillac Car Show (2009)

Paul Stannert reported that the La Conner Chamber of Commerce has requested the use of the south basin pay parking lot to stage the Cadillac Car Show on Saturday, July 18, 2009.

Jerry Willins, representing the La Conner Chamber of Commerce was present to report on the event.

**COMMISSION ACTION:** The commission unanimously approved the use of the south basin pay parking lot to stage the Cadillac Car Show at no charge. This event promotes tourism and economic development for the Town of La Conner and the Port of Skagit County.

**ADMIN: BNSF Bridge Replacement Letter of Support**

Patsy Martin reported that the City of Burlington is requesting commission support in a letter to Senator Patty Murray, Senator Maria Cantwell and Representative Rick Larsen to support a community partnership to replace the BNSF Skagit River bridge. During a large Skagit flood event the BNSF Skagit River bridge backs up water upstream to Sedro-Woolley closing SR-20, thereby increasing flood risk in Burlington and Mount Vernon, and increasing the risk of flooding I-5. Studies indicate the economic loss is \$8 million per day if either the BNSF Bridge or I-5 closes.

**COMMISSION ACTION:** The commission unanimously approved participating in a letter to Senator Patty Murray, Senator Maria Cantwell and Representative Rick Larsen in support of the BNSF Skagit River Bridge replacement project.

**AIRPORT: Fly In & Airshow (2009) - Update**

Debbie Hamilton reported that Skagit Regional Airport will be the site for the Skagit Tulip Fly-In and Airshow on Saturday, April 25, 2009 from 10:00 a.m. to 4:00 p.m. The event is free and open to the public. Skagit Airport Support Association (SASA) taking the lead in organizing this event with port staff support.

**PUB AGEN: EDASC Economic Forecast Dinner (2009) – Event Report (Oral)**

Kristin Garcia reported on the Economic Forecast Dinner. She felt the keynote speaker had a message of optimism. He believes fear is driving the market and that his study of financial indicators show today's economic situation is better than the 1980's recession. The speaker's prediction is that the economic downturn will hit bottom and begin to stabilize by the fourth quarter of 2009 and begin to improve by 2010.

**PUB AGEN: EDASC Schmooze Fair (2009) - Update**

Debbie Hamilton reported that it is time for the annual EDASC Schmooze Fair. It will be held Thursday, April 16, 2009 at the VanZyverden Warehouse and will run from 4:00 p.m. to 8:30 p.m. The port booth will highlight the marina, various tenants, Fly-In and Airshow and the port mission: Jobs for Our Community.

### **PUB AGEN: PNWA Mission to Washington D.C. – Event Report (Oral)**

Patsy Martin reported she was able to meet with our congressional delegation and extend our gratitude for obtaining funding for the Swinomish Channel dredging while in Washington, D.C. in early March.

### **MARINA: Monthly Occupancy Report; Month Ending March 15, 2009**

Paul Stannert reported on the Marina Occupancy Report for month ending March 12, 2009. He stated there is a net gain from last month of 9 customers. He reported the marina has gained a total of 46 customers from the promotions.

### **MARINA: Swinomish Channel; Corps Maintenance Dredging (2009) – Update**

Patsy Martin reviewed with the commission the port's efforts to pursue the continued dredging of the Swinomish Channel. The port was successful in obtaining funding for the Corps to dredge the channel in 2008. Staff plans to continue educating its congressional delegation as to the importance of the channel in our region to secure funding again in 2011.

### **NEW BUSINESS**

#### **ADMIN: Personnel Policy – Approve Updates**

Kristin Garcia reported that in November 1998 the port adopted a personnel policy handbook. The policy was updated in January and October 2001. Since that time, changes have taken place which prompted staff to update the current policy. The proposed changes result from updates in legal requirements, incorporating existing policies, and comments from legal counsel.

Discussion.

**COMMISSION ACTION: The commission unanimously adopted Resolution 09-07 amending the Port's Personnel Policy effective April 1, 2009.**

#### **ADMIN: Snow and Ice Emergency Plan (2009) – Adopt Resolution**

Patsy Martin reported that staff developed a snow and ice emergency plan to improve efficiency in providing for the welfare and safety of port customers during a snow/ice event.

Discussion.

**COMMISSION ACTION: The commission unanimously adopted Resolution No. 09-08 which adopts the Snow and Ice Emergency Plan dated March, 2009.**

### AIRPORT: Taxiway F; Agreed Order Process (2009) – Approve Contract

Sara Young reported that the port is preparing to enter into an Agreed Order with the Department of Ecology to complete remediation of the former crop dusting hangar site on Taxiway F. Because we are entering into an Agreed Order program, we are eligible for 50 percent match funding depending on Ecology's management of the Model Toxics Control Act (MTCA) Account.

Staff has selected GeoEngineers, Inc. to complete the technical, design and construction oversight phases of the remediation work in an amount not to exceed \$850,000. Staff will proceed as far as funding is available. To date, Ecology has indicated that they are holding \$150,000 for the project in the current biennium. Past costs are also eligible for reimbursement under the grant program.

**COMMISSION ACTION: The commission unanimously authorized entering into a master contract for consulting services with GeoEngineers to a maximum amount of \$850,000 for work in the Taxiway F cleanup process.**

### AIRPORT: T-Hangar Construction; Lots 19 & 20 (2008) – Accept as Complete

Patsy Martin reported that on July 14, 2008 the commission awarded a contract to Faber Brothers Construction for construction of two (2) T-Hangar buildings on Lot 19 and 20 at Skagit Regional Airport. On February 28, 2009, Carletti Architects issued a written report that Faber Brothers had completed the punch list and stated the project was substantially complete.

**COMMISSION ACTION: The commission unanimously accepted the Airport T-Hangars Construction on Lots 19 and 20 as complete in the final contract amount, including change orders of \$2,742,241.92 and authorized staff to execute any necessary closeout documents.**

### ASSOC: City of Mount Vernon; Marketing Campaign Agreement – Approve Interlocal Agreement

Patsy Martin reported that the City of Mount Vernon developed a marketing and economic development campaign and asked the port to join in its marketing campaign. The City also requested that the executive director of the Port become a part of the planning committee and commit to a contribution of \$5,000 per year for three (3) years.

At the December 2, 2008 work session the commission unanimously authorized staff to amend the Targeted Community Partnership Program to include the City of Mount Vernon within the jurisdiction eligible to receive funding and authorized a \$5,000 contribution for participation in the 2009 marketing and economic development campaign and requested the

committee designation to include a staff alternate when the executive director is not available to attend meetings.

**COMMISSION ACTION:** The commission unanimously: 1) amended the commission action on December 2, 2008 to authorize a \$5,000 contribution per year from the Targeted Community Partnership Program with funds being available to other communities upon request, for the years 2009 and 2010; 2) approved the First Amendment to Interlocal Cooperation Agreement between the City of Mount Vernon, Skagit County Public Hospital District No. 1, Mount Vernon School District, Skagit Valley Community College District No. 4, and the Mount Vernon Chamber of Commerce; and 3) authorized commissioners and staff to take such other action as are necessary to carry out the intent of this action.

**ASSOC: Skagit Council of Governments; Puget Sound Energy Conservation Grant (2008) – Adopt Policy**

Sara Young reported that the port entered into an Interlocal Agreement with the Skagit Council of Governments (SCOG) in October 2008 to participate in a Resource Conservation Manager Program. The program is funded by a 3-year grant from PSE as well as contributions from each of the nine (9) participating jurisdictions, including the port. These funds pay for the salary of a Resource Conservation Manager (RCM) who has been hired by the SCOG to develop a Resource Conservation Management Plan for each jurisdiction. The program is intended to assist jurisdictions with lowering their resource usage and associated costs by implementing low-cost or no-cost resource use guidelines recommended by the RCM.

A first year requirement of the grant is the adoption of a resource conservation policy by each participating jurisdiction. The proposed policy expresses the commitment of the organization to lowering daily operational costs and increasing efficiency through implementation of a Resource Conservation Management Plan for Port-owned facilities.

**COMMISSION ACTION:** The commission unanimously adopted Resolution No. 09-09 establishing a resource conservation policy for daily operations.

**BBIP: Industrial Park Pavement Maintenance Project (2008) – Accept as Complete**

Patsy Martin reported a Pavement Inventory and Maintenance Plan was developed for pavement located at the La Conner Marina and Bayview Business & Industrial Park in 2006. From this plan, a project was developed for asphalt improvements to several roadways at the La Conner Marina and Bayview Business and Industrial Park.

In July 2008, the commission awarded the construction contract to Interwest Construction Inc. in the amount of \$1,025,855.67.

The project began on August 11, 2008 and was completed on December 30, 2008. Final total contracted construction cost, including change orders, quantity adjustments and sales tax, is \$703,235.84.

**COMMISSION ACTION:** The commission unanimously accepted as complete the La Conner Marina and Bayview Business & Industrial Park pavement improvement projects in the final contract amount, including change orders quantity adjustments and sales tax, of \$703,235.84 and authorized staff to execute any necessary closeout documents.

**MARINA: Abandoned Vessel – Identification No. RENA1724M761; Surplus Property – Adopt Resolution**

Paul Stannert reported that a vessel described as a 1976 24' Reinell, registration number WN 9766W, was scheduled to be sold at public auction (\$500 minimum bid) pursuant to RCW 53.08.320. The vessel was not sold, resulting in the title reverting to the port pursuant to the above mentioned RCW. The port having no use for the vessel requests surplusing the vessel in accordance with applicable statutes and port policy.

**COMMISSION ACTION:** The commission unanimously adopted Resolution No. 09-10 declaring as surplus personal property an abandoned vessel, described as a 24' Reinell, hull identification No. RENA7124M761.

**MARINA: South Basin Yard Facility (Marina Peninsula Building); (2006) – Accept as Complete**

Patsy Martin reported that on April 15, 2008 the commission awarded a contract to Roosendaal-Honcoop Construction, Inc. for construction of the La Conner Marina Peninsula Building. On February 4, 2009 Carletti Architects issued a written report stating the project was substantially complete.

**COMMISSION ACTION:** The commission unanimously accepted as complete the La Conner Marina South Basin Yard Facility Project in the final contract amount, including change orders, of \$2,427,345.08 and authorized staff to execute any necessary closeout documents.

**PUB AGEN: Skagit County; Higgins Road Way Improvements & Dedication (2007) – Approve Interlocal Agreement**

Sara Young reported the Port entered into an Interlocal Agreement with Skagit County on June 4, 2007, which provided for improvements to the northern portion of Higgins Airport Way in order to bring the road to County standards in preparation for conveyance to Skagit County. At this time, the Port desires to establish all of Higgins Airport Way as a county road. The road

has become a significant connector between Josh Wilson Road to the north, the County transfer station on Ovenell Road, and State Route 20 to the south. The increased volume of non-Port traffic on Higgins Airport Way warrants its establishment as a county road.

Staff and Port counsel have met with representatives from Skagit County and have agreed on a process to dedicate the road to Skagit County.

**COMMISSION ACTION:** The commission unanimously authorized the following:

1. Acceptance of fee-simple ownership via quit claim deed from Skagit County, transferring title of the southern portion of Higgins Airport Way to the Port.
2. Entering into an Easement Agreement with Skagit County conveying and dedicating the entirety of Higgins Airport Way to Skagit County for the purposes of establishing all of Higgins Airport Way as a county road.
3. Amending the Interlocal Agreement with Skagit County (County Contract No. C20070360) to provide for execution of the quit claim deed and easement agreement.

**PUB AGEN: Skagit County; Interlocal Agreement for Pictometry Imagery and Software – Approve Agreement**

Sara Young reported that the Port is preparing to enter into an interlocal agreement with Skagit County for pictometry aerial image and viewing software. The agreement provides access to current aerial images and the software necessary to view and work with the images at a cost-share fee of \$4,000 per year. The County will provide technical expertise and assistance in working with the software.

**COMMISSION ACTION:** The commission unanimously approved an interlocal agreement with Skagit County to establish a cost sharing partnership for pictometry imagery and software in the amount of \$4,000.

**TENANT: Airport; Corporate Air Center, LLC; Fuel Tank Pad Lease, Pad Numbers 1025-01 & 1028-02 – Approve Lease**

Patsy Martin reported the Port Commission budgeted funding in the Capital budget to construct fuel tank farms on both runways of Skagit Regional Airport in 2005. The commission set policy per resolution 05-12, that fuel tanks would only be allowed in fuel tank farms provided by the Port. In addition, Corporate Air Center, LLC meets all the requirements of the Skagit Regional Airport Minimum Standards.

The two fuel tanks have been delivered and placed on each pad and Port staff is working with Corporate Air Center, LLC's electrical contractor to get appropriate power to the fuel tank pads.


**COMMISSION ACTION:** The commission unanimously approved a fuel tank pad lease with Corporate Air Center, LLC for pad numbers 1028-01 and 1028-02 effective February 1, 2009 and ending January 31, 2019. The commission requested staff investigate an appropriate shut-down mechanism to decommission the tanks.

**ADJOURNMENT**

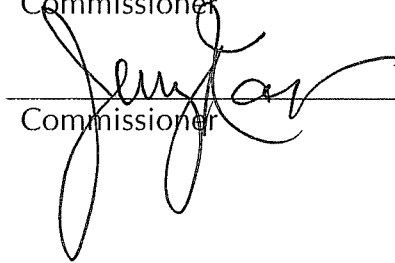
The commission adjourned the regular meeting at 5:58 p.m.

ADOPTED IN OPEN SESSION this 17th day of March, 2009 and duly authenticated by the signatures affixed hereto.

**PORT OF SKAGIT COUNTY**

  
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Commissioner

  
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