



Port of Skagit

Regular Meeting of the Port Commission

Monday, June 11, 2018 – 2:00 PM

Port of Skagit Hearing Room – 15400 Airport Drive, Burlington, WA 98233

MINUTES

PRESENT: Commission - Kevin Ware, Bill Shuler, Steve Omdal absent

Staff - Sara Young, Scott Peterson, Karmen Hardy, Darla Pyke, Jodee Peace, Sarah Hastings, Brady Rowe and Debbie Hamilton

Others - None

CALL TO ORDER

Kevin Ware called to order the June 11, 2018 regular meeting of the port commission.

The commission made no changes to the June 11, 2018 Agenda.

PUBLIC HEARING

The commission opened a Public Hearing at 2:03 p.m.

The purpose of the public hearing is to surplus property and modify the Port's Comprehensive Plan.

Sara Young reported that the purpose of the public hearing is to surplus and transfer Port property commonly known as the Pond Area to the City of Sedro-Woolley and amend the Port of Skagit County Comprehensive Scheme of Harbor Improvements to reflect the surplus and transfer of the property.

The public hearing was then open for public comments.

Pola Kelley of the Sedro-Woolley Chamber of Commerce mentioned the great collaborative partnership and is in support of the pond property transfer as it is within the City of Sedro-Woolley's jurisdiction to run the property as a park.

Hearing no further comments, the commission closed the public hearing at 2:10 p.m.

CONSENT AGENDA

Public Communications

May 14, 2018 Regular Meeting Minutes

May 15, 2018 Joint Special Meeting Minutes POS/PUD

Fiscal Report

MARINA: Monthly Occupancy Report; Month Ending May 31, 2018

The following voucher/warrants/electronic payments are approved for payment:

Payroll Warrants

Warrant #048618 through #048620 in the amount of \$5,495.89 for a pay date of April 6, 2018.

Warrant #048638 through #048640 in the amount of \$5,127.21 for a pay date of April 20, 2018.

Payroll direct deposit D4061801 through D4061828 in the amount of \$54,974.57 dated April 6, 2018.

Payroll direct deposit D4201801 through D4201829 in the amount of \$54,289.82 dated April 20, 2018.

General Fund Accounts Payable Warrants

Warrant #080984 through #081014 in the amount of \$41,318.80 for a pay date of April 6, 2018.

Warrant #081015 through #081059 in the amount of \$182,692.27 for a pay date of April 13, 2018.

Warrant #081062 through #081108 in the amount of \$310,587.92 for a pay date of April 20, 2018.

Warrant #081109 through #081148 in the amount of \$110,167.75 for a pay date of April 27, 2018.

Wire Transfer Payments

Grand total of approved warrants issued through April 30, 2018 is in the amount of \$764,654.23.

NEW BUSINESS

ADMIN: Surplus and Transfer of Port Property Commonly Known as the Pond Area (identified as Tract B on Master Binding Site Plan) (2018) – Approve Resolution

Sara Young reported that a public hearing has held to surplus property and modify the Port's Comprehensive Plan.

The real property situated within the Port of Skagit County described as a portion of the SWIFT Center, commonly known as the Pond Area, has been declared surplus. The property shall be transferred to the City of Sedro-Woolley.

COMMISSION ACTION: Commissioner Shuler moved to adopt Resolution 18-12 which will transfer a portion of the SWIFT Center, commonly known as the Pond Area to the City of Sedro-Woolley and amend the Port of Skagit County Comprehensive Scheme of Harbor Improvements. The Port's Executive Director is authorized to sign on behalf of the Port of Skagit and all documents necessary to conclude the aforementioned transfer. Port staff is authorized to take all necessary steps and actions to carry out the intent of this resolution. Commissioner Ware second. Motion carried unanimously.

ADMIN: (2017) Community Broadband Project; Approve 10-year IRU Purchase – Approve IRU

Sara Young reported that staff along with Skagit County, EDASC, Skagit PUD and cities and towns throughout the county completed a strategic plan for broadband in the Spring of 2017.

In support of this countywide network, the Port has identified the need for a new network connection into the county from the primary telecommunications infrastructure located along the I-5 corridor. This new connection would provide needed redundancy and security to the countywide network.

Staff has prepared a draft agreement with TCXnet, LLC, to provision two dark fiber channels for data transmission to serve the countywide fiber optic backbone. The agreement is in the form of a 10-year indefeasible right of use (IRU). The purchase price of the IRU is \$1.7 million.

Discussion.

COMMISSION ACTION: Commissioner Shuler moved that the commission authorize entering into a 10-year lease agreement with TCXNET, LLC for a purchase price of up to \$1,700,000 subject to availability of funding and completion of final legal and financial review. Commissioner Ware seconded. Motion carried unanimously.

ADMIN: (2017) Community Broadband Project; Approve Operating Agreement – Approve Agreement

Sara Young reported the Port of Skagit, in partnership with Skagit County, EDASC, the Skagit PUD, and cities and towns throughout the county, completed a strategic plan for broadband in the Spring of 2017. The plan calls for construction of a countywide fiber optic backbone network that connects every city and town throughout the county; this backbone is to be constructed in six segments over three years.

In support of this countywide network, the Port has identified the need for a new network connection into the county from the primary telecommunications infrastructure located along the I-5 corridor. This new connection would provide needed redundancy and security to the countywide network.

Staff has prepared a draft operating agreement with ServedByNet, LLC, to light the fiber and provide internet services across the two dark fiber channels provisioned by TCXnet, LLC. ServedByNet will lease the dark fiber channels on a wholesale basis from the Port and sell lit fiber services to internet service providers and licensed exchange carriers, who will provide services to end users.

Discussion.

COMMISSION ACTION: Commissioner Shuler moved to authorize entering into an operating agreement with ServedByNet, LLC, subject to review by Port legal counsel. Commissioner Ware seconded. Motion carried unanimously.

ADMIN: Northern State (SWIFT Center); Agreement to Assign and Assume Interagency Agreement (2018) – Approve Agreement

Sara Young reported that the State of Washington, DES, pursuant to a competitive procurement, contracted with the City of Sedro-Woolley in 2009 to provide fire protection services for SWIFT Center. This contract is good until December 31, 2022. The State and Port have entered into an Agreement to Transfer. The Transfer will be complete by July 1, 2018. The State desires to assign all its right, title and interest in the Interagency Agreement to the Port and the Port desires to assume the State's obligations under the Interagency Agreement.

Discussion.

COMMISSION ACTION: Commissioner Shuler moved to approve an agreement to assign and assume Interagency Agreement for Fire Protection Services subject to and concurrently with the consummation of the Transfer Agreement, namely July 1, 2018. Commissioner Ware Second. Motion carried unanimously.

ADMIN: Northern State (Swift Center); CC&R's & Rules and Regulations (2018) - Approve

Sara Young reported the commission elected to take transfer of the Former Northern State Hospital Property (SWIFT Center) at its March 26, 2018 Regular Commission Meeting.

In preparation for transfer, port staff has developed a Declaration of Covenants, Conditions and Restrictions as well as Rules and Regulations affecting the SWIFT Center Property and its Tenants. Staff provided a copy of the CC&R's and Rules and Regulations for commission review.

Discussion.

COMMISSION ACTION: Commissioner Shuler made a motion for the commission to adopt the Declaration of Covenants, Conditions and Restriction, Rules and Regulations and authorize staff to take any and all steps necessary to carry out the intent of this action. Commissioner Ware seconded. Motion carried unanimously.

ADMIN: Northern State (SWIFT Center); Master Binding Site Plan (2018) – Approve Plan

Sara Young reported that staff is preparing a Master Binding Site Plan (MBSP) for the SWIFT Center. The MBSP will subdivide the property into Divisions and Tracts to coordinate the Subarea Plan adopted by the City of Sedro-Woolley and allow for further subdivision into Lots so the Port can easily lease portions of property in the future.

Discussion.

COMMISSION ACTION: Commissioner Shuler moved to approve the Master Binding Site Plan for the Swift Center subject to final staff review and approval. Commissioner Ware seconded. Motion carried unanimously.

ADMIN: Northern State (SWIFT Center); Public Access Plan (2018) – Approve Plan

Sara Young reported the Port of Skagit contracted with Patrik Dylan of eccosDesign, LLC to develop a public access plan for the SWIFT Center campus in coordination with long-term campus tenants to ensure implementation of the vision is compatible with tenant security and safety concerns.

The commission had the opportunity to review the Final Plan dated 5/31/18.

Discussion.

COMMISSION ACTION: Commissioner Shuler moved that the commission approved the final plan for Public Access, dated 5/31/18 at the SWIFT Center and authorize the executive director and staff to take any steps necessary to carry out the intent of this action. Commissioner Ware seconded. Motion carried unanimously.

ADMIN: Purchasing Policy (2018) – Adopt Resolution

Sara Young reported that staff has prepared a Purchasing Policy which will establish policies and procedures for Port employees to help ensure purchases are ethical, fair and open, provide good value to the public, comply with federal and state law, and existing port policy.

Discussion.

COMMISSION ACTION: Commissioner Shuler moved to adopt Resolution 18-13 which will adopt a purchasing policy for port employees. Kevin Ware seconded. Motion carried unanimously.

MARINA: 612 Dunlap Street, Suite B; Emergency Roof Repair Project (2018) – Adopt Resolution

Sara Young reported that during repairs to damaged siding and flashing on the K & L building, staff ran into additional leaking issues. Several roofers attempted to diagnose the leak. One of the roofing companies uncovered large holes over a foot in length which rusted through. Staff sought emergency repairs through the small works roster. Skagit Roofing was hired.

Discussion.

COMMISSION ACTION: Commissioner Shuler moved the commission adopt Resolution 18-14 which will approve the emergency contract for the work required due to a failing roof located at 612 Dunlap Street, Suite B La Conner, WA in the amount of \$35,870.10. Commissioner Ware seconded. Motion carried unanimously.

TENANT: Northern State; Janicki Bioenergy, LLC – Approve Lease

Sara Young reported that in May of 2016 the commission approved a land sublease agreement with Janicki Bioenergy, LLC for a portion of the Southern Influence Area and Peripheral Open Space. Janicki and the Port wish to terminate this land sublease agreement with the planned transfer of ownership of the property to the Port effective July 1, 2018.

Staff has developed a land lease agreement, for Janicki Bioenergy, LLC in Division 1 of the Master Binding Site Plan for research and development, manufacturing, administration of new technology in bioenergy and other related uses.

COMMISSION ACTION: Commissioner Shuler moved to:

- 1. Terminate Land Sublease Agreement dated May 16, 2016 between Janicki Bioenergy, LLC and the Port of Skagit; and**
- 2. Approve a Land Lease Agreement with Janicki Bioenergy, LLC and the Port of Skagit for Division 1 of the Master Binding Site Plan for Sedro-Woolley; and**
- 3. Authorize the president and secretary and other appropriate officials to take such other action as is necessary to carry out the intent of this action.**

Commissioner Ware seconded. Motion carried unanimously.

STAFF REPORTS

ADMIN: Commission Meetings; Consent Agenda Approval (2018) – Information Only

Sara Young reviewed consent agenda protocols with the commission. Information only. No action taken.

ASSOC: WPPA Spring Meeting (2018) – Meeting Report (Oral)

Sara Young reported that Scott Peterson, Andrew Entrikin and herself attended. Broadband and fiber optic were discussed at length during the WPPA Spring Meeting.

ASSOC: WAMA Conference (2018) – Meeting Report (Oral)

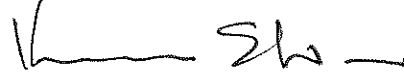
Sara Young, Brady Rowe and Keith Love attended. FAA discretionary funding was covered during the conference.

ADJOURNMENT

The regular commission meeting ended at 2:41 p.m.

ADOPTED IN OPEN SESSION this 9th day of July, 2018 and duly authenticated by the signatures affixed hereto.

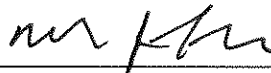
PORT OF SKAGIT COUNTY



Commissioner



Commissioner



Commissioner

**Port of Skagit County
Regular Business Meeting of Port Commission**

Date: June 11, 2018

Name/Organization/Company	Address	Phone Number	Do you wish to speak? Topic?
Sedro-woolley Chamber	810 Metcalf St	360	Y/N
Pola Kelley - Sedro Woolley City Council	Sedro - Woolley via 98084	855-1841	Y/N
Kevin McEnghan	Cascadia Job Corps Academy		Y/N
			Y/N
			Y/N
			Y/N
			Y/N
			Y/N
			Y/N

Consent Agenda Approval Sheet

June 11, 2018 Commission Meeting

CONSENT AGENDA

Public Communications

May 15, 2018 Joint Special Meeting POS/PUD

May 14, 2018 Regular Meeting Minutes

Fiscal Report

MARINA: Monthly Occupancy Report; Month Ending May 31, 2018


PORT OF SKAGIT COUNTY



Kevin Ware, President



Steven Omdal, Vice President



William Shuler, Secretary