

**Port of Anacortes**  
**Regular Commission Meeting**  
**August 6, 2009**

The Port Commission of the Port of Anacortes held its regular business meeting at 7:30 P.M. on the evening of August 6, 2009. This was a regularly scheduled Commission Meeting held in the Commission Meeting Room of the Port Main Warehouse Building, 1<sup>st</sup> & Commercial Avenue, Anacortes, Washington.

In Attendance: Commission President Rubin, Commission Vice-President Mooney, Commission Secretary Niver, Commissioner Hopley and Commissioner Short.

Also in attendance: Executive Director Hyde, Director of Operations & Facilities Hachey, Marina Manager Fowler, Accounting Manager Behan, Project Manager Dossen, Project Manager Estvold, Engineering Intern Fakkema, and Administrative Coordinator Lindsey.

Others in Attendance included Port legal counsel, Frank Chmelik.

CALL TO ORDER

At 7:30 P.M. Commission President Rubin called the regular meeting of August 6, 2009, to order and welcomed all in attendance. He stated that following the second public comment period, the Commission would take a short recess and then enter into an Executive Session for the purpose of discussing real estate and litigation matters. The Executive Session was anticipated to last for one hour and Commissioner Rubin noted that action might or might not be taken following the return to the regular meeting.

SPECIAL GUEST

Commissioner Rubin called on Executive Director Hyde to introduce a special guest. Executive Director Hyde introduced Engineering Intern Rebecca Fakkema, a college junior at Washington State University, working on the Scott Site project. An Anacortes resident, Rebecca reported to the Commission regarding her 8 week internship as part of the field management team, noting she had found it to be a very positive experience and praising the mentorship provided by Director of Engineering Elsner and Project Managers Darden and Dossen. Rebecca thanked the Port for the opportunity, which she believed provided her with a better understanding of the legal, business, and governmental elements of engineering, as well as helped her to narrow her choice of engineering majors to either hydraulic or geotechnical. She encouraged the Port to continue the student internship for the Scott Site project.

Commissioner Rubin thanked Rebecca for her report. Commissioner Hopley noted the important take-aways learned from such an internship and their applications for not only engineering but also for other disciplines.

PUBLIC COMMENT PERIOD

Commissioner Rubin opened the floor for public comment pertaining to items on the regular agenda. Hearing no one desiring to address the Commission, the floor was closed.

CONSENT AGENDA

Commissioner Rubin called for any objections to the consent agenda. He requested that regular agenda action items number 3, 4, and 5 be added to the consent agenda and requested Commission input. Commissioner Mooney indicated he had some questions regarding item number 5, but had no objections to adding items number 3 and 4. Hearing no other changes to the consent agenda, Commissioner Rubin read the consent agenda items: Approval of Minutes of the Regular Meeting of July 2, 2009, Regular Meeting Work/Study Session of July 16, 2009, and Special Meeting/Site Tour of July 17, 2009; Approval of Vouchers No. 7-1 through 7-198 totaling (\$2,085,400.93); Approval of the June 2009 Treasurer's Report totaling \$12,512,763.54; and action items for: Adoption of Resolution No. 1203 – Administrative Changes to the Strategic Plan, an Interlocal Cooperative Agreement with the City of Marysville and the City of Anacortes, for Authorization for Consultant Services for 2009 Fidalgo Bay Eelgrass Mitigation Site Survey, and for Warehouse 4 Pile Replacement. Commissioner Rubin called for a motion for approval. Commissioner Short moved to approve the consent agenda. Commissioner Mooney seconded the motion. Commissioner Rubin called for a vote on the motion, which carried unanimously.

### REGULAR AGENDA

#### ACTION ITEM

#### Authorization to Procure Snow Removal Vehicle – 2009 Airport Improvements Project #ARP-16

Executive Director Hyde introduced Director of Operations & Facilities who reviewed the item for the Commission. The items requests authorization for a snow plow for the Anacortes Airport, which will be 97.5% funded by the Federal Aviation Administration (FAA). The Port's cost share is \$1,905 after reimbursement from the FAA. The snow plow equipment, consisting of a Ford F-550 Single cab, Super duty truck with a Myers Snow Plow attachment, a service dump bed, and De-Icer attachment. The truck will be painted in FAA designated chrome yellow for visibility. The truck and equipment could only be used at the Airport.

Commissioner Mooney noted he had asked to keep the item on the regular agenda in order to have clarification of wording used in the action item, noting that the vehicle should be represented as cab and chassis, and after market body. In response to questions from the Commission, Director Hachey explained that the equipment will also be used to pick up debris to clear runways, and spread sand where needed. The truck and equipment will be stored at the Airport.

Executive Director Hyde observed that having a dedicated snow plow to clear the runway at the Airport would mean that Port Operations crews would use the Port's other snow removal equipment at the Cap Sante Boat Haven and the Marine Terminal, without having to transport that equipment to remove snow at the Airport.

With discussion concluded, Commissioner Rubin called for a motion. Commissioner Short moved to authorize funding in the amount of \$76,184 to procure a snow removal vehicle associated with the 2009 Airport Improvements Project - #ARP-16. Commissioner Mooney seconded the motion. Commissioner Rubin called for a vote on the motion, which carried unanimously.

### COMMISSION DISCUSSION

Commissioner Rubin called for any discussion by members of the Commission. Hearing none, he requested communications from Port staff.

### COMMUNICATIONS

Executive Director Hyde updated the Commission on construction of the materials handling facility at Pier 2. A large canopy is being erected in preparation for excavation of soils and debris from the Scott Site. The Phase 2 contractor will be mobilizing deliver of materials from the site, mobilizing the last week of August.

The Port had visitors to the Marine Terminal earlier today with State Representative Norma Smith and Mayor Dean Maxwell touring the Dakota Creek Shipyard during the afternoon.

### Upcoming Events

Executive Director Hyde reviewed upcoming events.

The summer free concert series at the Cap Sante Boat Haven continue on August 10<sup>th</sup> and 17<sup>th</sup>. The series wraps up August 21<sup>st</sup> and 22<sup>nd</sup> when the Boat Haven hosts Blues, Brews and Barbeques, with tickets available for upfront concert seats, food and beverages. The concert series is promoted by the Snohomish Artists Guild.

### UPCOMING MEETINGS

Executive Director Hyde reviewed the Commission's upcoming meeting schedule.

The next Regular Port Commission Meeting will be a Work/Study Session on August 20, 2009, at 7:00 P.M. and may include a site tour of Port projects at the Scott Site, Boat Haven, and Marine Terminal.

### PUBLIC COMMENT PERIOD

Commissioner Hopley opened the public comment period for items not on the regular agenda. Hearing none, the public comment period was closed.

Commissioner Mooney inquired about funding for the "O" Avenue Mitigation Site project. Executive Director Hyde explained that the project is funded by JDF grant funds.

### EXECUTIVE SESSION

Commission President Rubin announced that the Commission would take a short recess and then enter into an Executive Session for the purpose of discussing real estate and litigation matters. The Executive Session was anticipated to last for one hour and Commissioner Rubin noted that action might or might not be taken following the return to the regular meeting. The Commission recessed the regular meeting at 7:56 P.M. At 8:00 P.M. the Commission entered into Executive Session. At 9:12 P.M. the Commission came out of Executive Session and resumed the Regular Meeting. Commissioner Rubin called for a motion or motions regarding the real estate and litigation matters discussed.

Commissioner Short moved to authorize the Executive Director to execute a Commercial Lease Agreement with the LaConner School District, in its capacity as financial agent of the Northwest

Career & Technical Academy, for a portion of Parcel 1. Commissioner Mooney seconded the motion. Commissioner Rubin called for any discussion. Commissioners Short and Mooney highlighted benefits to the Community in the form of job training, noting skills learned in Marine fabrication and technology could also be carried over into non-marine trades. Commissioner Rubin described the symbiotic relationship between the Port, School District of La Conner, and Skagit Valley College, and the public benefits derived from the Skills Center, including parking and a conference center. Commissioners discussed whether the lease rate represented the true and fair value of the property, and came to the conclusion that the lease rate set forth did indeed do so. Commissioner Short stated that public property should remain public, noting the Skills Center will provide educational benefits to the public. Commissioner Rubin emphasized the importance of this educational center to the Port District. He asserted that this lease agreement, with all additional direct and indirect benefits, represented the true and fair value for the property. Commissioner Niver stated that although he supported the concept, he still felt Parcel 1 was the wrong location for the Center. However, noting that the public had voiced their support of Parcel 1 as an appropriate venue, he stated he would vote for the acceptance of the Skills Center.

Hearing no other discussion, Commissioner Rubin called for a vote on the motion, which carried unanimously.

#### ADJOURNMENT

With no further business to come before the Commission, Commissioner Short moved to adjourn, which was seconded by Commissioner Mooney. Commissioner Rubin called for the vote on the motion, which carried unanimously and at 9:17 P.M. the meeting adjourned.

#### **Attest:**

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Keith Rubin, President

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Pat D. Mooney, Vice-President

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Ray Niver, Secretary

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Steve Hopley, Commissioner

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William L. Short, Commissioner

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Julie Johnson Lindsey, Administrative Coordinator  
August 6, 2009