

**MINUTES OF THE PORT OF BELLINGHAM
COMMISSION MEETING
HELD TUESDAY MARCH 20, 2018
HARBOR CENTER ROOM
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

Present:	Commissioners:	
	President	Ken Bell
	Vice President	Bobby Briscoe
	Secretary	Michael Shepard
Staff:	Rob Fix	Executive Director
	Sunil Harman	Aviation Director
	Don Goldberg	Economic Development Director
	Brian Gouran	Environmental Programs Director
	Adam Fulton	Facilities Director
	Tamara Sobjack	Finance Director, Auditor
	Elizabeth Monahan	Human Resources Director
	Sylvia Goodwin	Planning Director
	Shirley McFearin	Real Estate Director
	Jon Gibson	Project Engineer
	Brady Scott	Real Estate Representative
	Jon Sitkin	Port Counsel
	Diane McClain	Executive Secretary

4:30 p.m. – OPEN PUBLIC MEETING, ROLL CALL, Commission President Bell called the meeting to order at approximately 4:30 p.m. and noted for the record that all Commissioners were in attendance.

PUBLIC COMMENT PERIOD – None.

CONSENT AGENDA

- A. Approve the minutes of the March 6, 2018 Regular Commission meeting.
- B. Authorize the Executive Director to execute Amendment No. 3 to the Professional Services (PSA) with Ashton Engineering Inc. to provide design and permitting assistance for the I & J Waterway Fit up Pier and Float in the amount of \$67,413 for a revised total authorized amount of \$316,038.
- C. Authorize the Executive Director to execute a Professional Services Agreement (PSA) with the Greenbusch Group to provide design, permitting and estimating support for 3 HVAC projects in the amount of \$98,200 plus a 10% contingency for a total contract amount of \$108,020.
- D. Authorize the Executive Director to execute Amendment No. 12 to the Professional Services Agreement (PSA) with Moffat & Nichol for the Bellingham Shipping Terminal Mooring Capacity Assessment Update in the amount of \$66,000 plus a 10% contingency for a total authorized amendment amount of \$72,600, for a revised total authorized contract amount of \$517,809.50.
- E. Authorize the Executive Director to enter into a grant agreement with the Washington State Parks & Recreation Commission for funding to reimburse costs associated with the

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- purchase of pumpout equipment, associated infrastructure, and annual maintenance costs for pumpout facilities at Squalicum Harbor.
- F. Authorize the Executive Director to enter into an agreement with San Juan Sailing Inc. for the disposal of an abandoned vessel within the San Juan Sailing Inc. moorage area.
 - G. Authorize the Executive Director to execute a grant from the Puget Sound Energy (PSE) Business License Incentive Program for upgrading lighting in Building 3 at Fairhaven Marine Industrial Park (FMIP)
 - H. Approve Consent to Assignment of Lease from Intelligens, LLC to Conversica Inc. for property located at 401 Harris Ave, Suite 325, Bellingham, Washington.
 - I. Authorize the Executive Director to execute a Release and Settlement Agreement with Starr Indemnity & Liability Company and AGCS Marine Insurance Company.

Motion: Approve Consent Agenda items A-I.

Discussion: None.

Motion approved with 3-0 vote.

PRESENTATION

Bellingham Whatcom County Tourism Update

Bellingham Whatcom County Tourism President and CEO Sandy Ward presented a 2017 Whatcom County Tourism year in review and overview of ongoing efforts to support its mission to improve the local economy by attracting more visitors to stay longer. Ms. Ward discussed the economic impacts of tourism on Whatcom County, (ranked 5th in Washington state for total travel spending) and upcoming plans to increase tourism activity through increased marketing, advertising, additional flights (Denver), enhanced visitor services, digital and social media and countywide wayfinding efforts.

PUBLIC HEARING

- **RECESS THE PUBLIC MEETING AND OPEN A TEFRA (Tax Equity and Fiscal Responsibility Act of 1982) PUBLIC HEARING to consider use of private activity financing of equipment for the Bellingham Shipping Terminal.**

Commission President Ken Bell reported the purpose of the Port Commission holding an open public hearing during its March 20, 2018 meeting at the Port offices is to consider the Port's financing of an equipment acquisition under the terms of an installment agreement (the "Agreement") in the principal amount of not to exceed \$2,000,000. The Agreement is expected to provide funds for the acquisition of equipment for use at the Port of Bellingham's Marine Terminal operations situated at 629 and 631 Cornwall Avenue, Bellingham, Washington.

- **CLOSE THE TEFRA HEARING AND RECONVENE THE PUBLIC MEETING**

With no responses to the call for public comments on the proposed equipment acquisition under the terms of an installment agreement, President Bell closed the public hearing.

ACTION ITEMS

1. FINANCING FOR EQUIPMENT AT THE BELLINGHAM SHIPPING TERMINAL

Motion: Approve Resolution No. 1370 authorizing the Director of Finance to execute a Master Tax-Exempt Installment Agreement ("Agreement") with U.S. Bank for the purpose of financing equipment purchased for the Bellingham Shipping Terminal.

Discussion: Finance Director Tamara Sobjack reported the Port's approved 2018 budget includes a financing component for the purchase of large equipment for the Bellingham Shipping Terminal and Port staff has worked with U.S. Bank to secure favorable rates and terms for the purchase of the equipment authorized at the March 6, 2018, Commission meeting. Ms. Sobjack further explained the rates and terms of the proposed Agreement.

Motion approved with 3-0 vote.

1. AMENDMENT TO PSA WITH FLOYD/SNIDER FOR HARRIS AVENUE SHIPYARD

Motion: Authorize the Executive Director to execute Amendment No. 14 to the Professional Services Agreement (PSA) with Floyd/Snyder LLC for consulting support at the Harris Avenue Shipyard Model Toxics Control Act (MTCA) cleanup site adding \$248,290 for a revised total authorized budget of \$2,659,755.

Discussion: Environmental Director Brian Gouran provided an overview and initial assessment of the Harris Avenue Shipyard MTCA cleanup site and explained the Port entered into a Professional Services Agreement with Floyd/Snyder in 2008 to perform a Remedial Investigation/ Feasibility Study (RI/FS) under an Agreed Order with the Department of Ecology. During this process involving several amendments, the Port and Ecology developed an Interim Action to address removal of identified contaminants. The scope of work in the proposed amendment will provide the revision and finalization of the RI/FS and development of a Draft Cleanup Action Plan for the site.

Motion approved with 3-0 vote.

2. PSA WITH RMC ARCHITECTS, INC. FOR BLAINE WEBHOUSES AND WALSH MARINE BUILDING

Motion: Authorize the Executive Director to execute a Professional Services Agreement (PSA) with RMC Architects to provide design, permitting, and estimating support services for three projects in Blaine in the amount of \$245,735 plus a 10% contingency for a total contract amount of \$270,308.50.

Discussion: Project Engineer Jon Gibson provided an overview of the three projects and explained the proposed scope of work in the PSA. RMC Architects will provide design, permitting, and estimating support services for the Blaine Webhouse 1 Demolition and Rebuild project, Blaine Webhouses 2 & 3 Pavement Repairs and the Walsh Marine Building construction, also located in Blaine. Of the six submittals to the Port's

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advertised Request for Professional Services (RFPS), RMC Architects was selected as the best qualified.

Motion approved with 3-0 vote.

3. MODIFICATION OF LEASE WITH THE LANDINGS AT COLONY WHARF LLC

Motion: Approve a Third Modification of Lease between the Port of Bellingham and The Landings at Colony Wharf, LLC, for premises at C Street adjacent to the Whatcom Waterway.

Discussion: Real Estate Representative Brady Scott reported the Port and The Landings at Colony Wharf entered into a Harbor Land Lease in May 2014 which was later modified in 2016 and 2017. The proposed third modification will reduce the leased premises by 2,002 square feet and adjust the rent accordingly.

Motion approved with 3-0 vote.

4. MODIFICATION OF LEASE WITH NW EXPLORATIONS

Motion: Approve a Modification of Lease between the Port of Bellingham and Northwest Explorations LLC for premises in the Marina Square building at Squalicum Harbor.

Discussion: Real Estate Representative Brady Scott explained NW Explorations LLC began leasing Port property in 2004. A new commercial lease for premises in the Marina Square Building was approved in January 2018. The proposed modification changes the lease commencement date from January 3, 2018, to March 1 and adjusts the term and rent accordingly.

Motion approved with 3-0 vote.

5:30 p.m. PUBLIC COMMENT PERIOD -

None.

OTHER BUSINESS

Airport Advisory Committee Commissioner Shepard asked about vacancies on the Bellingham International Airport Advisory Committee. Aviation Director Sunil Harman responded that there is currently one opening and applications are being accepted for review by the committee.

ADJOURN

With no further business, the meeting was adjourned at approximately 5:51 p.m.



President



Secretary