

**MINUTES OF THE PORT OF BELLINGHAM
COMMISSION MEETING
HELD TUESDAY JANUARY 8, 2019
HARBOR CENTER ROOM
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

Present:	Commissioners:	
	President	Bobby Briscoe
	Vice President	Ken Bell
	Secretary	Michael Shepard
Staff:	Rob Fix	Executive Director
	Don Goldberg	Economic Development Director
	Brian Gouran	Environmental, Planning Director
	Sylvia Goodwin	Engineering Director
	Tamara Sobjack	Finance Director, Auditor
	Elizabeth Monahan	Human Resources Director
	Shirley Mc Fearin	Real Estate Director
	Mike Hogan	Public Affairs Administrator
	Gina Stark	Econ Development Project Manager
	Frank Chmelik	Port Legal Counsel
	Diane McClain	Executive Secretary

OPEN PUBLIC MEETING ROLL CALL AND IMMEDIATELY RECESS TO CLOSED EXECUTIVE SESSION At approximately 2:05 PM, the regular meeting was opened and immediately recessed to executive session. The purpose of the executive session was to discuss pending litigation and potential real estate transactions pursuant to RCW 42.30.110(1 (i)(c). The executive session was expected last approximately 2.5 hours with no formal action taken by the Commission during the executive session.

4:30 RECONVENE PUBLIC MEETING, ROLL CALL- At approximately 4:30 p.m., Commission Vice President Bell opened the public meeting, filling in as chair for President Briscoe, joining the meeting via teleconference. Commissioner Shepard (Secretary) was also in attendance.

PUBLIC COMMENT PERIOD-

Keith Johnson, a long-time Squalicum moorage and weblocker customer voiced his strong displeasure at receiving a letter recently from the Port informing non-Active Commercial Fishing web locker tenants of the Port's requirement to provide proof of active fishing status such as fish tickets obtained within the last two years. Mr. Johnson reported he is no longer fishing and objects to the Port's requirement and the sending out of such letters. Commissioner Bell responded that the subject would be brought up for discussion later in the meeting under Other Business on the agenda.

Atul Deshmane, newly elected Whatcom County PUD Commissioner spoke in support of the fiber/broadband items on the agenda.

CONSENT AGENDA

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Motion: Approve Consent Agenda items A-O.

- A. Approve the minutes of the November 20, 2018, and December 11, 2018 regular Commission meeting minutes.
- B. Approve Resolution No. 1106-U, delegating certain administrative powers and duties to the Executive Director.
- C. Authorize the Executive Director to execute Amendment No. 4 to the Personal Services Agreement with David Brown, Owner, Spinner LLC of Bellingham, Washington in the amount of \$11,920 for video recording of 2019 Port Commission regular meetings/streaming to the Web services, and video recording of Port All Employee meetings.
- D. Authorize the Executive Director to extend the existing contract for the period of February 1, 2019 thru January 31, 2020 with 5 Star Services in the amount of \$315,276.98 plus a contingency of \$40,000 for a total authorized contract amount of \$345,276.98.
- E. Notification purposes only, per Resolution No. 1358A Small Works Roster: Fairhaven Marine Industrial Park (FMIP) Bldg. 6 Fire Exit and Fairhaven Station Interior Painting.
- F. Authorize the Port's legal counsel to enter into contracts with Anchor QEA, LLC and other consultants for technical expertise in support of legal work related to the Port's Environmental Division up to a total of \$159,649.
- G. Authorize the Executive Director to execute Amendment No. 2 to the Professional Services Agreement with EA Engineering, Science and Technology Inc. to extend the term and increase the scope and budget by \$4,870 for a new authorized total of \$33,865.
- H. Authorize the Executive Director to execute Amendment No. 3 to the Professional Services Agreement with RMC Architects for the next phase of design & permitting assistance for the Blaine Webhouse No. 1 project in the amount of \$17,500 plus a 10% contingency for a total contract amount of \$346,618.50.
- I. Authorize the Executive Director to execute a Purchase Order with ATS Automation, Inc. for the Bellwether Building HVAC system equipment and software programming support in the amount of \$35,090.53 plus a 10% contingency for a total cost of \$43,094.22.
- J. Authorize the Executive Director to execute Amendment No. 2 to the Professional Services Agreement with BergerABAM, Inc. to provide design & permitting services for the Blaine Harbor Marine Industrial Peninsula Bulkheads Repairs project in the amount of \$199,215 plus a 5% contingency for a total authorized amendment amount of \$209,175.75 and a total authorized contract amount of \$264,147.15.
- K. Approve a Settlement and Release of all Claims Agreement between the Port of Bellingham and Ginkgo Trading, LLC.
- L. Approve Esplanade Dock License(s) for NW Explorations LLC and Pacific Northwest Cruises LLC, for upland area(s) located in Squalicum Harbor.

- M. Approve a Renewal of Lease between the Port of Bellingham and Pacific Marine Electric, LLC, for premises located at 1801 Roeder Avenue, Bellingham Washington.
- N. Approve the Consent to Assignment of Lease from The Puget Hound LLC to Rover Stay Over, Inc. for Bellingham International Airport (BLI) Binding Site Plan #3A, located within the Airport Industrial Park.
- O. Approve a Renewal and Modification of Lease between the Port of Bellingham and Northwest Marine Industries, LLC, for premises located at 809 Harris Avenue, Bellingham Washington.

Motion approved with a 3-0 vote.

PRESENTATIONS

2019 Legislative Update –Public Affairs Administrator Mike Hogan explained the ongoing partnership and existing Interlocal Agreement between the Port, City of Bellingham and Whatcom County working with consulting firm, McBride Public Affairs to advocate for shared legislative objectives. Mr. Hogan introduced lobbyist Ben Buchholz from McBride to provide a legislative update and present the key highlights of the upcoming legislative session. Mr. Buchholz discussed recent changes in the House and Senate, items on the Governor's proposed \$54.4 billion budget which includes capital gains, B&O, gas and real estate taxes, allocations for basic education, statewide broadband, housing and the homeless, clean energy, mental health, Model Toxics Control Act (MTCA) funds, and rural airport initiatives. The Commission and senior staff plan to travel to Olympia at the end of the month to meet with Washington Public Ports Association and legislative representatives, The Commission asked Mr. Buchholz and McBride Public Affairs to continue pursuing the Port, City and County's shared list of 2019 legislative objectives and to keep them informed as the session gets underway.

ACTION ITEMS

1. INTERLOCAL AGREEMENT BETWEEN THE PORT OF BELLINGHAM AND THE PORT OF SKAGIT

Motion: Authorize the Executive Director to execute an Interlocal Agreement between the Port of Bellingham and the Port of Skagit for the purpose of working collaboratively to plan and implement a rural broadband network.

Discussion: Economic Development Project Manager Gina Stark explained the purpose of the proposed Interlocal Agreement and presented a brief background of the partnership between the Ports of Bellingham and Skagit addressing grant administration, telecommunications infrastructure planning, construction, ownership and provision of certain telecommunications services pursuant to RCW 39.34.

Motion approved with a 3-0 vote.

2. PERSONAL SERVICES CONSULTANT AGREEMENT WITH ASCENT GIS INC.

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Authorize the Executive Director to execute a Personal Services Consultant Agreement with Ascent GIS Inc. in the amount of \$58,500 to conduct a rural broadband feasibility study.

Discussion: Economic Development Project Manager Gina Stark reported that the Port was awarded \$50,000 in Community Economic Revitalization Board (CERB) grant funds for the purpose of a rural broadband feasibility study. The Port issued a Request for Professional Services (RFPS) and of the two responses; Ascent GIS Inc. was selected as the most responsive firm to produce the scope of work advertised.

Motion approved with a 3-0 vote.

3. IMPLEMENTATION AGREEMENT NO. 2 OF THE INTERGOVERNMENTAL FRAMEWORK AGREEMENT BETWEEN THE LUMMI NATION AND THE PORT

Motion Approve Implementation Agreement No. 2 of the Intergovernmental Framework Agreement between the Lummi Nation and the Port of Bellingham.

Discussion: Executive Director Rob Fix announced at the very beginning of the meeting that this particular agenda item would need to be pulled from the agenda and rescheduled for a later meeting, pending further communication between the two parties. All three Commissioners agreed.

No vote: Item postponed.

-5 Minute Break

PUBLIC COMMENT PERIOD-

No one opted to participate in the second public comment period.

-Advisory Committee Announcements

OTHER BUSINESS

The Commission briefly discussed the following items:

Web Lockers- following up to Keith Johnson's comments in the first public comment period on the letters sent out recently regarding non-active fishing use of weblockers: Next steps: Executive Director Rob Fix recommended staff schedule a post-holiday meeting of stakeholders; continue to gather more input and bring feedback to the Commission for further consideration.

Blaine projects: Weblocker construction – settling of the soil has diminished, goal is to be out to bid in March. Walsh Marine: moving forward with the new building, project to be considered for Whatcom County Council Economic Development Investment (EDI) funding.

Government Shutdown: BLI airport is open and running; non-Port employees continue to work during the government shutdown.

Windstorm: Port fared well, some beach erosion and a hangar door damaged; fortunate compared to neighboring areas.

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ADJOURN

With no further business, the meeting was adjourned at approximately 6:15 p.m.



President



Secretary