

**MINUTES OF THE PORT OF BELLINGHAM  
COMMISSION MEETING  
HELD TUESDAY JUNE 4, 2019  
HARBOR CENTER ROOM  
1801 ROEDER AVENUE, BELLINGHAM, WASHINGTON**

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Present:	Commissioners:	
	President	Bobby Briscoe
	Vice President	Ken Bell
	Secretary	Michael Shepard
Staff:	Rob Fix	Executive Director
	Sunil Harman	Aviation Director
	Don Goldberg	Economic Development Director
	Brian Gouran	Environmental, Planning Director
	Tamara Sobjack	Finance Director, Auditor
	Elizabeth Monahan	Human Resources Director
	Shirley McFearin	Real Estate Director
	Jennifer Noveck	Communications & Research
	Ben Howard	Environmental Project Manager
	Frank Chmelik	Port Legal Counsel
	Diane McClain	Executive Secretary

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**OPEN PUBLIC MEETING, ROLL CALL AND IMMEDIATELY RECESS TO EXECUTIVE SESSION**

At approximately 3:00 PM, the regular meeting was opened, roll was taken and immediately recessed to executive session. The purpose of the executive session was to discuss potential real estate for consideration of sale, purchase or lease pursuant to RCW 42.30.110(1) (c). The executive session was expected to last approximately 1.5 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 President Briscoe closed the executive session, reconvened the public meeting and announced that all 3 Commissioners were present.

**Advisory Committee Announcements**

**PUBLIC COMMENT PERIOD-**

No one participated in the first public comment period.

**CONSENT AGENDA**

- A. Approve the minutes of the May 21, 2019, regular Commission meeting.
- B. For notification purposes only, per Resolution No. 1358A Small Works Roster- BLI Airport Select Tree Removal- Mark White Enterprise, LLC.
- C. Authorize the Executive Director to execute a Purchase Order with All Phase Electric Supply for new lighting fixtures and controls for the Bayview Center Building Ballroom in the amount of \$26,459.
- D. Authorize the Executive Director to execute an amendment to the Local Agency Professional Services Cost Plus Fixed Fee Consultant Agreement with PH Consulting,

May 21, 2019

Page 2

LLC in the amount of \$42,067.35 for a total authorized contract amount of \$124,962.23 for the Harris Avenue Railroad Crossing Modifications.

- E. Authorize the Executive Director to execute the Consent to Sublease Agreement, Subordination and Non-Disturbance Agreement, Trademark Licensing Agreement and any other required documents connected to the Cohanim Bellwether LLC, and Jonathan Rands (a sole proprietor) transaction.
- F. Approve the Restated Joint/ Shared Parking Agreement between the Port of Bellingham, Cohanim Bellwether LLC, Cohanim Bellwether B LLC, Cohanim Bellwether C LLC, and Cohanim Bellwether D, LLC, and the City of Bellingham.
- G. Approve the Consent to Assignment of Airport Ground Lease from Alpha Distributors Inc. to Alpha Technologies Inc., covering certain premises known as No. 22B of the Bellingham International Airport Binding Site Plan.
- H. Approve the Consent to Assignment of Lease for Transfer of a Portion of Company Unit Shares Change of Ownership from OMNI Property Management LLC to Lacey Lutjemeier.
- I. Approve the Consent to Assignment of Lease and Moorage Agreements for Change of Ownership between the Port of Bellingham, Bellhaven Yacht Sales & Charters, Inc. and Bellhaven, Inc.

Motion to approve Consent Agenda items A- I

Discussion: None

Motion approved 3-0 vote.

## **PRESENTATION**

**Port of Bellingham Audit Exit Conference-** Finance Director Tamara Sobjack introduced Julie Styrna and Elizabeth Corcoran from the Washington State Auditor's Office to discuss the results of the recently completed 2018 audit. Accountability Audit- the Port was found to be in compliance with state laws and regulations, and its own policies and procedures. This included a review of tenant leases, commissioner pay, procurement procedures, tracking and monitoring of theft sensitive assets and self-insurance for health and welfare. Financial Statement and Passenger Facility Charges Audit- There were no instances of non-compliance material to the financial statements nor were there any deficiencies reported. Industrial Development Corporation (IDC) Audit assessment found to be in compliance. The full 2018 Port of Bellingham audit report will be published on the Washington State Auditor's website and the next audit is scheduled to happen in Spring 2020.

**Whatcom County Regional Economic Partnership Brochure-** Port Economic Development Research & Communications Coordinator Jennifer Noveck, Ph.D. introduced the newly published Whatcom County Regional Economic Partnership, Regional Strength through Economic Diversity brochure intended to educate and promote Whatcom County. The 12 page brochure provides a wealth of information as to Whatcom County's location and proximity to British Columbia and Seattle, its beauty,

May 21, 2019

Page 3

diverse population, multiple agricultural, educational, industrial, recreational businesses and opportunities, multi- transportation terminals/access, valuable partnerships with and promoting each of the small cities and tribal communities, their history and connections countywide. Dr. Noveck added that additional copies of this new brochure are still available, being widely distributed throughout the county and receiving positive feedback.

## **ACTION ITEMS**

### **1. PSA WITH CRETE CONSULTING, INC. FOR THE I & J WATERWAY CLEANUP SITE**

Motion: Authorize the Executive Director to execute a Professional Services Agreement (PSA) with CRETE Consulting, Inc. to perform remedial design and permitting services for the I & J Waterway Sediment Cleanup Site in the amount of \$699,934 plus a 10% contingency for a total authorized budget of \$769,927.

Discussion: Environmental Project Manager Ben Howard provided an overview of the area identified by the Washington State Department of Ecology as a Model Toxics Control Act (MTCA) site in 2002 and under an Agreed Order with Ecology for the Remedial Investigation/ Feasibility study (RI/FS) in 2005. Since then, the Agreement has been amended twice and the cleanup site separated into 2 units with work to be done in phases. Mr. Howard explained the Port and Bornstein Seafoods cost share agreement and reported that of the seven qualified environmental firms responding to the advertised Request for Professional Services (RFPS), CRETE Consulting was selected by a committee of Port and Bornstein Seafoods staff as the most qualified consultant to perform the scope of work advertised.

Motion approved with a 3-0 vote.

## **PUBLIC COMMENT PERIOD-**

No one participated in the second public comment period..

## **OTHER BUSINESS**


The Commission briefly discussed/announced the following items during Other Business: Common Threads Waterfront and Fishing Industry Forum on May 23, 2019, Blue Green Alliance meeting discussion of Fairhaven Shipyard on May 29, 2019, the 2014 Resolution and Commissioner Code of Conduct and Governance, Commission compensation, use of fire suppression foam materials in the event of an emergency at the airport, upcoming Commission meeting/ budget retreat on June 6 and the recent bond refunding successfully saving the Port approximately \$2.4 million over the next 10 years.

## **ADJOURN**

With no further business, the meeting was adjourned at approximately 5:48 p.m.

May 21, 2019

Page 4

  
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President

  
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Secretary