

PORT COMMISSION OF THE PORT OF EDMONDS

MINUTES OF REGULAR MEETING

September 26, 2016

COMMISSIONERS PRESENT

Bruce Faires, President
Fred Gouge, Vice President
Jim Orvis, Secretary
Steve Johnston
David Preston

STAFF PRESENT

Bob McChesney, Executive Director
Marla Kempf, Deputy Director
Tina Drennan, Finance Manager

OTHERS PRESENT

Bradford Cattle, Port Attorney
Karin Noyes, Recorder

CALL TO ORDER

Commission President Faires called the regular meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

All those in attendance participated in the Pledge of Allegiance to the American Flag.

CONSENT AGENDA

COMMISSIONER ORVIS MOVED THAT THE CONSENT AGENDA BE APPROVED TO INCLUDE THE FOLLOWING ITEMS:

- A. APPROVAL OF AGENDA**
- B. APPROVAL OF SEPTEMBER 12, 2016 MEETING MINUTES**
- C. APPROVAL OF PAYMENTS IN THE AMOUNT OF \$218,892.74**

COMMISSIONER JOHNSTON SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

PUBLIC COMMENTS

There were no public comments.

COCKER-FENNESSY PUBLIC RELATIONS CONTRACT

Mr. McChesney reviewed that over the past several months, the imperative to engage and inform the residents and stakeholders of the broader Edmonds/Woodway communities about the Port's commitment to environmental stewardship in the operations, management and future development of Port properties has become ever more important. He emphasized that environmental stewardship is part of the Port's Mission Statement, but it has become increasingly apparent that many in the community do not recognize or comprehend the Port's role in promoting environmental stewardship in the past, present or future. The Port's basic narrative is not well disseminated in the community at large. To that end, the Port has engaged in preliminary discussions with a professional public relations firm to provide assistance and help the Port tell its story. He cautioned that the objective is not to argue against those who would otherwise have a tendency to overlook the Port's interest. Rather, it is to inform the public

and enrich the debate on issues by reflecting on the many excellent environmental outcomes made possible by the Port's involvement and investment. The goal is to get the word out.

Again, Mr. McChesney emphasized that the Port's strategic purpose includes environmental stewardship and communicating openly, frequently, and consistently with Port District residents and Port tenants. He recommended the Commission approve the contract with Cocker-Fennessy for public relations in an amount not to exceed \$10,000.

Commissioner Gouge expressed his belief that the public relations project is a good idea, and he likes the proposal that was presented by staff. His main concern is that the Commission is kept informed throughout the process. Mr. McChesney said he is confident that will happen. At this time, the project is in the "information gathering" phase. The Port's environmental efforts go back decades. Commissioner Gouge agreed and said it is important that the effort provide a history and timeline of the companies that were previously located along the marsh that are no longer there. It is also important to clarify the Port's role in these changes. Having been an environmental consultant, Commissioner Johnston felt the proposal was a very reasonable package.

COMMISSIONER PRESTON MOVED THAT THE COMMISSION APPROVE THE CONTRACT WITH COCKER-FENNESSY TO PREPARE AND DELIVER A PUBLIC RELATIONS PROGRAM ON ENVIRONMENTAL ISSUES FOR A COST NOT TO EXCEED \$10,000. COMMISSIONER ORVIS SECONDED THE MOTION.

Commissioner Faires said he supports the motion, but he believes the effort is behind the power curve a bit. The Port is moving forward with the project in the context of the City's current Shoreline Master Program (SMP) update, which in the Port's view, is not in the long-term best interest of the community. The Port has not done a good job over the last ten years of communicating to its constituents the environmentally related steps and improvements the Port has made on Port property and in within the Port District.

THE MOTION CARRIED UNANIMOUSLY.

2017 WATERFRONT FESTIVAL

Mr. McChesney reviewed that the Noon Rotary Club is the primary sponsor and promoter of the Edmonds Waterfront Festival, and the Port has worked with the club for a number of years to ensure the festival is successful and reflective of the values of the community at large. Over the past few years, there has been some discussion about how to change the festival to make it more water related, and a good effort was made to implement changes at the 2016 festival. The club is now seeking a contract with the Port for the 2017 festival, and there are still some issues that are unclear. The club has requested an opportunity to meet with the Commission to discuss and address these remaining concerns.

Commissioner Faires proposed that the club be invited to make its presentation, followed by a Commission discussion relative to the issues that have been raised and the overriding concerns. The Commission could then entertain a back-and-forth discussion with the club; not to negotiate, but to exchange perspectives.

Doug Lofstrom, President, Edmonds Noon Rotary, expressed appreciation for the Port's continued support of the festival and said the club is seeking to have a contract agreement with the Port by October 14th.

Pat Shields, Club Administration Chair, Edmonds Noon Rotary, announced that the 2017 event will mark the 30th Anniversary of the Edmonds Waterfront Festival, and the club is excited to continue to work with the Port Commission and answer their questions. He explained that the October 14th deadline is important because it will allow the club to finalize agreements with sponsors. They understand the Commission's desire that there be more marine-oriented merchants and suppliers at the festival, and having the contract in place by October 14th will allow the club to find vendors and sponsors that the community can be proud of.

Valerie Claypool, Community Services Chair, Edmonds Noon Rotary, said that 2017 will be her third year of organizing the Edmonds Waterfront Festival, and she agrees with a lot of the comments made by the Commissioners. Along with the club and Waterfront Festival Committee, she wants to make the event more

waterfront oriented and have more vendors that pertain to the waterfront. She would also like to eliminate the commercial vendors that are not water related. In order to do so, it is important to have a contract with the Port in place by October 14th. She explained that most businesses who plan to sponsor for the following year want to finalize their agreements by the end of October. If the contract is not finalized until November or later, the club will miss out on opportunities for sponsorship of the 2017 festival.

Ms. Claypool said she would like to see better vendors, and she supports eliminating the carnival atmosphere. However, it is still important to provide activities for the children, and these activities could be more water related, as well. She summarized that she wants the festival to be something that the Rotary Club, the Port and the Community can be proud of.

Scott James, Vice President, Edmonds Noon Rotary, said he initiated the most recent discussions with the Port Commission, where there has been a round robin of questions and responses. It is important to continue this open dialogue and start to iron out the remaining issues such as access to the public launch during the festival and extending the festival hours. He encouraged the Port to take action on the 2017 contract soon and noted that a list of questions was previously forwarded to the Port Commission.

Commissioner Gouge said he and Commissioner Preston have had discussions with the club for the past three months and he thought they were getting close to agreeing on most of the issues. Port staff prepared a list of bullet points that are important to the community and the Commission that represents the Port District residents. From his perspective, the festival should become a community event that the Port District residents want to enjoy. They need to consider the current demographics of the City and encourage opportunities for youth to participate in boating and other waterfront activities. That is where he thought the discussions were headed, and the Commission was going to provide direction for the Port's Executive Director to negotiate a contract with the club.

Commissioner Gouge commented that it is important to consider how the Port property will be changing in the future as more property is made available for redevelopment and parking becomes more of an issue. They must also consider how the festival impacts the Port's tenants and find ways to provide access to the slips during the event. The boardwalk should also remain available for community use during the event. He said the loud music at the beer garden is not his idea of a waterfront festival. While it may be okay for one night, allowing it to take place for two or three nights ends up driving the local constituents away.

Commissioner Johnston said he attended the festival many years ago, but didn't go back because it didn't appeal to his family's demographics. He said he is torn on the issue because the festival provides funding for a number of community programs. At the same time, there are other festivals in the Edmonds that do well but are tamer. He can see where there is room for change, and he is a strong supporter of returning the event to a waterfront focus. He said he would like change to occur, but he recognized that it would take time.

Commissioner Orvis said it is important to keep in mind that real estate available for the festival has been significantly diminished over the years. For example, they can no longer use the northeast parking lot for the carnival, and other properties have been developed. He also understands that providing more waterfront events will require the club to provide free space or, in some cases, even have to pay for it. That is not really compatible with the club's goal. In addition to considering ways to make the festival more water oriented, the club should also carefully consider whether or not the event can remain viable. Will the club make enough money from the event to make it worth its time and energy and the interruption of Port provided services? Access to the park must be maintained, and the fire lane must remain open, as well. He summarized that they are dealing with an entirely different environment than 10 years ago, and perhaps the club is at a crossroads. The club needs to consider if there are better places to invest their time and energy in order to create the resources for their programs. Perhaps it will be decided that the Waterfront Festival no longer fits. While he does not know the answer to this question, he believes that changes are needed if the festival is to remain successful.

Commissioner Preston said he understands that the club is currently working on the 2017 festival, and he provided a list of about 50 ideas for them to consider. However, these ideas all came from the Port and not from the club. He expressed his belief that the DNA of the festival has not changed over the past 10 years. He would like the club to throw out ideas for potential changes, as well. He summarized that this is a great opportunity to create something new based on the ideas that both sides come up with.

Commissioner Faires said that while all of the Commissioners want to support the club's efforts, they feel that what has gone on over the last five to ten years isn't something they want to continue to be involved with. They want to guide the festival away from what it has been in past years. He pointed out that the Edmonds Arts Festival is a successful community event that does not suffer some of the objectionable features that the Waterfront Festival has grown into. The two sides need to figure out a way for the festival to become something that is consistent with the community values and the character of the Edmonds waterfront. He pointed out that the community values the arts, and art could be worked into some aspects of the festival. He encouraged the club to transition the festival into something that is more desirable to the community, but still meets the needs of the Rotary Club to make money. While he does not think that all of the transition needs to occur in time for the 2017 festival, the changes should be accomplished over a short time period of three to four years. He concluded that the festival has value to the community and they need to find a way to create a different vision from what it has been (something that produces the maximum revenue) into something that more nearly reflects what the community is but also provides the funding needed to support the club's scholarship programs. The Edmonds Arts Festival can be used as a good model.

Ms. Claypool said that has been her goal, and she likes the idea of starting with a clean slate. She recalled that she worked within the limited time she had to implement changes in the 2016 festival, and she has been working with the idea that more change would be implemented in 2017. She wants the festival to be something that is unique and waterfront related. Many of the food vendors and other vendors go from festival to festival, and she wants the Waterfront Festival to be something different and unique. That is the goal, but she recognized that it will take a few years to get there. One idea that will be implemented in 2017 is using golf carts to transport Port tenants from the parking areas to their slips. The club recognizes it is important to make the tenants and Port District residents happy. Commissioner Faires commented that Port tenants are very important, but they do not own the Port. The people who live in the Port District own the marina, and that is who they must respond to first. The Commission is charged with making decisions on behalf of the owners, and they try to maintain a good relationship with customers. It does not really bother him too much to displace or make customers unhappy for a few days during the event. Anything the club can do to ameliorate impacts to customers would be helpful, but is not a major obstacle in his viewpoint.

Commissioner Gouge said he does not mind that tenants have to park further away from their slips for a few days, but some customers will need help getting to their slips. Making access more convenient will be a win/win for everyone. He said he is also concerned that the launcher cannot be used during the event.

Commissioner Faires emphasized that one issue that is not negotiable is maintaining the fire lane. This must be addressed for the 2017 festival. Ms. Claypool agreed and noted that eliminating the children's slide will open the fire lane as required. The intent is to eliminate the bouncy houses, too. The goal is also to have better vendors and make people more excited to attend the event.

Ms. Claypool stressed the need to have a contract in place for the 2017 festival by October 14th. She noted that the Northwest Marine Trade Association has agreed to provide her with a list of potential vendors, and she plans to attend the Seattle Boat Show, as well.

Commissioner Faires cautioned that it is not the Commission's intent to get involved with the club's process of planning the event. He suggested the Commission come up with a policy statement of what they want the festival to be, and then let the club fill in the blanks and decide how best to implement the policy. Commissioner Gouge recalled that, at their last meeting, the Commission had agreed to give the Executive Director authority to put together a proposal for the Commission to consider.

Mr. McChesney summarized that there appears to be general consensus amongst the Commissioners that the 2017 festival is a go. What they have to do now is craft a contract that reflects the policies and objectives identified by the Commission. He felt this could be done, even if the contract contains built-in contingencies. Perhaps a corollary to the 2017 contract could be a Memorandum of Understanding that talks about what will happen in 2018 and 2019 in order to avoid the year-to-year conflict. He said he is confident the Commission can work with the Rotary Club to get a contract signed by October 14th or the end of October at the latest.

Commissioner Faires summarized that the club has heard the Commissioner's viewpoints. He supports authorizing the Executive Director to move forward with negotiation of a clear contract for the 2017 festival, but with less clarity for the ongoing years. This will give the club and Port the opportunity to modify the contract as reality emerges. If adequate direction is provided in the contract, the festival should move clear and closer to the goal with each year.

Commissioner Orvis commented that all that is needed now is a contract for 2017. However, by the first of January there should be a Memorandum of Understanding in place to provide clear direction for the next three or four years. There is no point in holding up the 2017 contract since the Commissioners appear to be in agreement that the 2017 festival should go forward. He suggested that the Commission authorize the Executive Director to negotiate the 2017 contract with the club immediately.

Mr. Scott said his understanding of the Commission's direction is that the festival should be more water related and more unique to the facility and the community. The Club would love to hear more feedback on what that means, and it would be to the club's benefit to consider the ideas put forth by the Commission. Commissioner Preston reminded him that the Commission already presented a list of ideas, and it is now time for the club to add their ideas to the list. Mr. McChesney summarized that the goal is to make the festival better for the community and there is more than one right answer. Both he and the club have heard the Commission's intent, and it is now their responsibility to carry that direction out to the best of their ability without creating an undue burden on the club.

COMMISSIONER ORVIS MOVED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH THE EDMONDS ROTARY CLUB FOR THE 2017 EDMONDS WATERFRONT FESTIVAL BASED ON THE DIRECTION PROVIDED BY THE COMMISSION. COMMISSIONER JOHNSTON SECONDED THE MOTION.

Commissioner Orvis explained that the intent of his motion is to authorize the Executive Director to negotiate a contract with the club for the 2017 Festival without bringing it back to the Commission for final approval. However, his understanding is that a Memorandum of Understanding would follow in early 2017 to provide direction for future festivals beyond 2017.

THE MOTION CARRIED UNANIMOUSLY.

STATE AUDIT REPORT

Mr. McChesney informed the Commission that he was contacted by a reporter from *THE EVERETT HERALD* who took note of the fact that the Port's audit had been completed. The reporter wanted more information about the Management Letter the Port received related to the Port's on-call contracts, and he explained the situation to her.

Ms. Drennan reported that the State Auditor's Office completed its audit of the Port's 2014 and 2015 Financial Statements and the accountability audit report on August 31st; and she, Commissioner Orvis, Commissioner Preston, Mr. McChesney and Ms. Kempf attended the Exit Conference on September 14th. She referred to the results of the audit, which were attached to the Staff Report. She noted that the final report was issued earlier today and an electronic copy was sent to each Commissioner.

Ms. Drennan reviewed that the auditors highlighted the improvements made by the marina staff to the documentation of transactions that were adjusted or deleted. This was the reconciliation of a management letter item from the previous audit. Part of the change involved Port staff asking the Total Marina Package software developer to add a requirement to the system that requires staff to enter a description for account adjustments and transaction deletions. Marina staff has worked hard to include complete descriptions for the adjustments and deletions.

Ms. Drennan also reviewed that there were no misstatements in the audit financial statements and there were no material misstatements in the financial statements that were corrected by management during the audit. The auditors reviewed the Port's internal controls over financial report and did not find any deficiencies in internal controls that they considered material weaknesses. They believe that the financial statements fairly represent the financial positions of the Port of Edmonds at the end of 2014 and 2015.

Ms. Drennan reported that the State Auditor's Office also issued an accountability audit report, which is their report on the compliance and safeguarding of public resources. During that process, they looked at procurement, cash receipting, disbursement (accounts payable and credit cards), financial conditions, educational program agreements, and compliance with the Open Public Meetings Act.

Ms. Drennan advised that the Port received one management letter item on procurement. They found that 6 of the 12 repair projects totaling \$44,006 were non-routine repairs and required competitive bidding. These were repairs on the Dry Storage hydraulic launchers. The Port has bid the hydraulic launcher repair and maintenance contract three times, and has only been able to find one company that can do the work and has the required Longshoreman's insurance. The problem with the bid is that it does not provide a scope of work to identify the specific problem to be fixed. The Auditor's office says that this does not meet public bidding laws and that the Port could use the emergency bidding exemption. Port staff believes that the on-call contract is the proper method as then we have a company contracted to do the work at an agreed upon rate. Without this contract, the company may say that they are too busy to do the work or increase the rate because the Port is in a bind. Also, declaring an emergency is a lot of administrative work and must be done within 14 days. Staff on the ground is often focused on getting the issue fixed and the equipment back up and running and not on paperwork. There was also the repair of the public sling launcher completed under the hydraulic launcher contract.

Ms. Drennan advised that staff is working with other ports and the Washington Public Port Association (WPPA) to get legislation changed that will allow the Port to keep its on-call contracts. She explained that government agencies have a bid threshold under which they do not have to bid public works contracts, but the threshold for ports is currently set at zero. The intent of the legislation will be to set the threshold at \$40,000 to \$50,000. This change is important to the Port's ability to keep its facilities up and running, and it does not have the time to go through the public works contract bid process, which can take 6 to 8 weeks or even longer.

Ms. Drennan reported that the Port received three exit items:

1. **Executive Sessions.** The documentation was not adequate to demonstrate compliance with the Open Public Meetings Act. The auditors noted six instances where the Port did not document the President's public announcement of when the executive session would be concluded prior to entering into executive session. It is mostly likely a documentation issue, as the Port Recorder may not be at the meeting prior to the Executive Session. The auditors suggested that the Port use a form with check boxes for executive sessions. Staff will prepare a form and include check boxes for the allowable purposes under state law with blanks for other information required for documentation purposes.
2. **Disbursements and Travel Expenses.** The auditors found 3 hotel charges totaling \$1,928.85 where Commissioners traveled to meetings within 50 miles of the Port and that were out of compliance with the policy. They also found that hotel charges were not initialed, which is out of compliance with the Port's credit card policy. Lastly, they found that the Port reimbursed for a meal on a day where breakfast, lunch, and dinner were provided at the conference the Commissioner was attending. Port staff will review the travel resolution and credit card policy to determine if changes are needed.
3. **Educational Program Agreements.** The auditor suggested the Port has not been completely enforcing compliance with the contract for the Sea Scouts to provide equitable in-kind services and their annual report for those services. They also noted that the contract had expired. The auditors recommend that the Port enforce compliance of the contract. They also reviewed the Memorandum of Understanding with Salish Sea Expeditions and said they do not believe it is within the Port's legislative authority. They did not include that as an exit item, as the Port has not yet moved forward to complete an agreement.

Ms. Drennan concluded by reminding the Commission that, typically, the State Auditors review findings, management letters and exit items during the next audit. If the entity has not taken action, the item may be mentioned again.

Mr. McChesney referred to the Management Letter pertaining to the Port's on-call contracts and advised that there is nothing the Port can do differently at this time. However, they can work to push forward legislation that provides a

threshold for Ports. It is a significant expense to bid the projects out and the Port customers are inconvenienced and staff cannot work.

Commissioner Orvis reported that the issue was brought up at the WPPA Legislative Committee meeting. Initially, there was not a lot of interest on the part of the WPPA, but that quickly changed when he informed them of the Management Letter. He said that the auditor seemed to agree that the law needs to be corrected, and they were more content when they found that the Port was going to work on legislation. It turns out that a number of other ports have the same problem, and a letter was also sent out to public utility districts informing that they do not have the authority to do on-call contracts, either. It is generally believed that the current law is an oversight, and it does not appear that the legislation will be opposed. However, the WPPA is concerned that if the public utility districts get involved, the issue could become competitive as to who will institute the change. The WPPA will form a subcommittee to make sure the legislation is correctly written, and he suggested that Ms. Drennan offer to serve on the subcommittee.

The Commission offered its consensus that the Port staff should continue to do business with the on-call contracts until further notice.

The Commission discussed the best approach for addressing the second exit item related to disbursements and travel expenses. They agreed that it is within the Commission's prerogative to amend their policy statement. They directed Mr. McChesney to draft policy amendments and present them to the Commission for further discussions.

Mr. McChesney advised that staff is currently working with the Port Attorney to address the first exit item related to executive session documentation. He summarized that the Port received a clean audit and the auditors were fairly complimentary of the Port's operations, finance and compliance. The things that were brought up as exit items can be characterized as on the quibbling side.

REVIEW OF STRATEGIC PLAN

Communications/Public Relations

Mr. McChesney advised that Commissioner Johnston submitted some draft language for the Communications/Public Relations Element of the Strategic Plan. Commissioner Johnson reminded the Commission that the Strategic Plan is supposed to be brief, and the draft language is only a few paragraphs. However, it will serve to broaden the definition of what the Port feels is reasonable communication to the Port District Residents and the community at large. Mr. McChesney agreed to work with Commissioner Johnston to refine the draft language and incorporate it into the Strategic Plan for the Commission review at their next meeting.

Economic Development

Commissioner Gouge agreed to work with Mr. McChesney to identify potential amendments to the Economic Development Element of the Strategic Plan. The Commission will discuss the proposed changes at their next meeting.

EXECUTIVE DIRECTOR'S REPORT

Mr. McChesney reported that he attended the Snohomish County Tourism Bureau's meeting on September 15th, and advised that they are currently working on their 2017 budget.

Mr. McChesney reported that he and Commissioners Johnston and Preston met with representatives from the Tulalip Tribe and had an open discussion with their natural resources staff. They also visited their Qwuloolt Estuary Restoration Project in Marysville, which is quite impressive and has some interesting similarities to the restoration objectives for the Edmonds Marsh.

Mr. McChesney announced that he attended the Edmonds Citizens Economic Development Commission Meeting on September 21st as proxy for Commissioner Faires. He also attended a tourism marketing forum in Everett on September 22nd. On September 27th, he and Ms. Kempf will meet with Pete Hanke from Puget Sound Express to

talk about their 2017 program and opportunities for change when the Bud's Bait site is vacated in January. They will discuss ways to reorganize the space to get the whale watching vessel closer to the center of the marina. They are also working with the Edmonds Yacht Club to reconfigure their reciprocal moorage. They will meet with representatives from the Yacht Club on September 29th to talk about how they can work together to make the space more efficient and better for everyone.

Commissioner Gouge asked if staff needs the Commission's permission to demolish the bait facility. Mr. McChesney answered no, but said nothing would be done until after January 1st. He explained that the facility is beyond its useful life and rebuilding it or doing deferred maintenance to turn it into another use would not be practical. It is currently located in a prime spot in the marina, and removing it will open opportunities for the Port, the Edmonds Yacht Club and Puget Sound Express.

COMMISSIONER'S COMMENTS AND COMMITTEE REPORTS

Commissioner Preston reported that he, Commissioner Johnston and Mr. McChesney met with the Tulalip Tribe's biologist and toured the Qwuloolt Estuary Restoration Project. It is amazing to see what has occurred at the 400-acre site in just one year. He would like to visit the marsh again in a year to check on progress. He noted that the marsh is located adjacent to private residential homes, so the Tulalip Tribe had to deal with more property owners than what would be necessary for the Edmonds Marsh.

Commissioner Preston said he was contacted by James Thompson from the Washington Public Port Association (WPPA) regarding the Port's interest in moving forward legislation that allows Port's to support programs that encourage youth in boating. He suggested that he could prepare the legislation, but it would need the support of local legislators to move it forward. Both he and Commissioner Gouge indicated they have already talked to local legislators and obtained their support.

Commissioner Preston announced that he would attend the WPPA Environmental Seminar later in the week. Commissioners Orvis and Johnston advised that they would attend the seminar, as well.

Commissioner Preston suggested that the Port's contract with the Rotary Club for the 2017 Waterfront Festival should require a change of at least 50% of the vendors. Mr. McChesney cautioned that this might be too aggressive, but he would work towards that goal.

Commissioner Orvis announced that he would attend the public official's reception on October 27th that is sponsored by the Economic Alliance of Snohomish County. He encouraged other Commissioners to attend, but cautioned that the meeting may need to be advertised if three or more Commissioners plan to attend. The same may be true for the environmental seminar.

Commissioner Orvis reported on his attendance at the WPPA Legislative Committee Meeting where the following was discussed:

- It is close as to which party will control the legislature after the November election. The Legislative Committee plans to meet again near election time since the outcome of the election will have an impact on the legislative agenda.
- Port day will be scheduled soon.
- Work is being done on the Public Records Act to get some relief. However, the process has stalled because a local port currently has a large public records problem going on right now having to do with a significant number of emails.
- Tourism funding has not changed.
- The Port of Whitman County has been running cable and putting terminal boxes at the side of the road to provide internet service to the community. This has resulted in better internet connections than most places in King and Snohomish County. Many young techies are purchasing homes in Whitcom County because they can connect to the internet better than in locations closer to Seattle. Other ports are considering doing the same thing, and this will require them to look very carefully at the private sector, who does not want others involved but doesn't want to do it themselves. Public communications will likely become a more divisive issue.

- The committee is still encouraging the legislature to restore Model Toxic Control Act funding to be used solely for cleanup projects. Commissioners are encouraged to discuss this with their local legislators.
- The Port of Seattle currently has a worker training program, and many smaller communities support the concept as something that ports can and should provide. However, the concept is being opposed by the Port of Tacoma. At this time, there is no real pressure to expand the program.
- There has been discussion about modifying the Growth Management Act to compel local governments to protect industrial lands. This is really important in Seattle where there is a push to do away with much of the port land to create condominiums.
- This is the last legislative session the State has before the REAL ID waiver expires, and the State must require people who get drivers licenses to provide proof of citizenship. The waiver expires on January 1, 2018, and if the legislature does not deal with the issue, people will be unable to board planes using their driver's license. Instead, a passport will be required. Officials at SeaTac Airport are very concerned about this issue, and it appears that the Federal Government will remain firm on the requirement.
- The Legislative Committee is taking steps to address concerns about on-call contracts.

Commissioner Johnston said he also participated in the informative visit to the Qwuloolt Estuary Restoration Project in Marysville and met with the Tulalip Tribe's biologist. He was enthused by their seeming support of the Port's position relative to the Edmonds Marsh. They indicated that tribes deal with the push/pull of development versus environmental protection all the time, and they could become good allies in the Port's efforts. Commissioner Faires suggested that the Port should invite the tribe's biologist to address the Edmonds City Council to voice support for the Port's position, and Commissioner Johnston agreed that is a possibility.

Commissioner Johnston announced that, in addition to attending the WPPA Environmental Seminar, he also plans to attend the annual WPPA Conference and the New Commissioners' Conference.

Commissioner Johnston reported that the Department of Ecology (DOE) is expected to propose new language for the Model Toxic Control Act that would require that excavated soil from an industrial site can only be disposed of offsite if it is below the level of contamination that is present on the new site. The language is still being finalized, but it is anticipated to cause a significant uproar.

Commissioner Gouge said he plans to attend the September 27th City Council Meeting, where the Council will continue its discussion about the Shoreline Master Program (SMP). He suggested that Port staff assist him by providing pictures and other historic information relative to the marsh that he can present as part of the public comment portion of the meeting. Commissioner Preston questioned why the Port has not been invited to speak to the City council and present its point of view.

Commissioner Gouge suggested, and the Commission agreed, that the Port should do something to recognize the owner of Bud's Bait, who has served the Port for over 50 years.

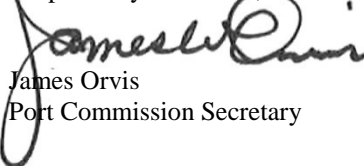
Commissioner Gouge announced that he will attend the next Economic Alliance of Snohomish County meeting. He will also attend the Pacific Coast Congress meeting and the WPPA Small Ports Seminar in October and the annual WPPA Conference in November. He said he plans to raise the issue related to on-call contracts at the Small Ports Seminar.

Commissioner Faires announced that a subcommittee of Commissioners is working on the annual review of the Executive Director's contract.

ADJOURNMENT

The Commission meeting was adjourned at 8:40 p.m.

Respectfully submitted,



James Orvis
Port Commission Secretary