

MINUTES OF EVERETT PORT COMMISSION REGULAR MEETING

March 9, 2010

PRESENT:

Michael Hoffmann	President
Mark Wolken	Vice President
Troy McClelland	Secretary
John Mohr	Executive Director
Karen Clements	Chief Finance Officer
Brad Cattle	Port Attorney

CALL TO ORDER: The meeting was called to order at 5:01 p.m. by Commission President Michael Hoffmann.

APPROVAL OF MINUTES:

Commissioner Mark Wolken moved to approve the Work Session Minutes of February 2, 2010, and Regular Meeting Minutes of February 9, 2010. Commissioner Troy McClelland seconded the motion. A vote was called for:

Vote: 3-0

Yes: Wolken, McClelland, Hoffmann

No: None

Abstained: None

Motion carried unanimously.

1. COMMISSION PRESIDENT'S REPORT

Commissioner Michael Hoffmann reported that he met with representatives of Sustainable Seattle on March 4, 2010 to discuss the community values segment for the Collins Building Review Process public meeting to be held on June 5, 2010.

2. EXECUTIVE DIRECTOR'S REPORT

Collins Building Review Process Update

Executive Director John Mohr provided an overview of the Collins Building Review process. The outreach schedule has been placed on the Port's web site setting forth the times and locations for each of the meetings. The request for proposals for the engineering portion of the process went out Monday, March 1, and the proposals are due by Thursday, March 11. Commissioner Hoffmann, Reid Shockey, and several Port staff met with Sustainable Seattle on March 4 to discuss methods for the community values portion of the review process. Once the method is finalized, it will be presented to the Commission.

John Mohr stated that at this point in the process, Reid Shockey has met with each of the Commissioners and participated in the community values meeting. John Mohr said he did receive an email expressing concern about Reid Shockey acting as the Collins Building Review process facilitator. This was the first comment he received expressing concern, so John Mohr brought the topic to the Commission for further discussion.

Marilyn Boyd, Everett, objected to Reid Shockey facilitating the Collins Building Review process as Reid Shockey has been involved in committees with both the City of Everett and the Port of Everett on many occasions, and because of this, she believed an impartial path would be impossible for him to maintain. The perception is that Reid Shockey would be biased in the role as a facilitator.

Commissioner Hoffmann said he feels the Port needs to further discuss who should fill the role of facilitator for the Collins Building Review process.

Executive Director John Mohr stated that he needed direction from the Commission as to how to proceed. John Mohr reminded the Commission that at the Commission Retreat, he had suggested that Reid Shockey fill the role as facilitator, and asked the Commission if they had any objections or issues. The Commission had no objections.

ORIGINAL

Dave Ramstead, Vice President of Historic Everett, read into the record a letter from Annie Lyman objecting to the appointment of Reid Shockey as facilitator for the Collins Building Review process as follows:

Dear Commissioners and Port of Everett Staff:

Due to conflicts in my schedule, I am not able to attend this meeting. I have asked that my statements be read into the record. In the act of making an official objection from a citizen and resident of the Port District, I submit this request.

I do not approve of the appointment of Mr. Reid Shockey for the job as facilitator for the public meeting scheduled on June 5, 2010. The purpose of this meeting on June 5 is to bring together the different groups in the region that are trying to make a determination about the uses for the Collins Building. I truly believe that the intent of this process is to review the values and appreciation of this structure to the Port and for the public in a non-partial and collaborative atmosphere. Mr. Shockey's previous participation as a facilitator between the Port of Everett and the Alliance to Save the Collins Building group five years ago, and how he guided discussions at that time, as well as statements he has made off the record in the community, leaves me with sincere reservations about his ability to bring a fresh discussion and improved trust to this process. Margaret Lyman

Dave Ramstead said he believed the sentiments expressed in Ms. Lyman's letter are shared by the Board of Historic Everett. Reid Shockey has made many fine contributions to the City of Everett, but generally on the side of develop and growth, not on the side of preservation. The facilitator role needs to be filled by someone who is neutral, and who has not been involved with this project.

John Mohr said he had a discussion with Reid Shockey last week and told him that the Port could continue to engage him on an hourly basis to assist with the background work so that the Port did not fall behind on the timeline in case the Commission decided to make any changes. Reid Shockey could bring forth a report to anyone else who would fill the facilitator position if that is the direction. John Mohr said he was aware of a facilitator out of Lynnwood, but that there may be others available as well.

Commissioner McClelland said he views the facilitator role as facilitation of a process, and to the degree that this person can facilitate, that will define the success of the process. He agreed that retaining Reid Shockey on a hourly basis would be beneficial in terms of keeping the process moving forward, but the Commission needs to come to a conclusion on when the final determination needs to be made.

John Mohr said he felt that Reid Shockey would have the ability to bring forward all points of view on an issue. He stated that he has never known Reid Shockey to be biased on an issue. The role as facilitator is more than introducing people, it is having the ability to pursue points of view and make sure that everybody's position is properly and respectfully communicated, and that the issues are resolved before moving onto the next point.

Commissioner Hoffmann said there has been a request that the Port find someone else as the facilitator and he is interested in building trust within the community.

Commissioner McClelland agreed that the Port should retain Mr. Shockey on an hourly basis to keep the process moving forward, and then decide who will fill the role as facilitator.

Commissioner Wolken said he wants to keep the process moving forward. He is having difficulty with what he perceives to be the issue with Reid Shockey, and trying to come up with someone who doesn't believe that they are potentially biased. Mark Wolken said his biggest concern is finding somebody who can ensure that the process is able to move forward and doesn't get bogged down with issues that are not central to the true discussion. To the extent the Port can find someone else to do that, and if that relieves part of the concern, then it is better for the process.

The Commission directed John Mohr to find another facilitator as expeditiously as possible.

Commissioner McClelland commented that the goal for the facilitator is to move the process forward. The candidate that we had is certainly qualified, but if there is concern, and the Port is able to find another candidate, the Commission should take that into consideration.

AAPA Spring Conference

John Mohr reported that the American Association of Port Authorities Spring Conference will be held March 22 - 24, 2010 in Washington, D.C. Commissioner Wolken and Commissioner Hoffmann will be in attendance. Commissioner Hoffmann will be meeting with Congressman Inslee and Senator Cantwell, and Commissioner Wolken will be meeting with Congressman Larsen and Senator Murray.

Bond Street Construction

John Mohr reported that the City of Everett is undertaking a sewer replacement project outside of the Port's Administration Office on Bond Street. The contractors are going to make the effort to keep the parking lot across the street from the Administration Office open, although they have indicated that there will be a few days that the parking lot may also be closed. Additional parking is available on Federal Avenue.

3. **CHIEF ADMINISTRATIVE OFFICER'S REPORT**

12th St. Marina Redevelopment Project Update

Chief Administrative Officer Jerry Heller reported that the Port is still waiting to receive information from the Advisory Council on Historic Preservation (ACHP) regarding the 12th St. Marina Redevelopment project, and will report back to the Commission once that information is received.

4. **OPERATIONS REPORT**

Boat Auction - Resolution No. 933

Marina Director Cyndy Olson reported that Resolution No. 933 authorizes the Executive Director to administer a public sale of vessels as a result of abandonment or non-payment of moorage fees. Attached as Exhibit A to the resolution is a list of the vessels that are scheduled for auction. An abandoned boat auction has been scheduled for Wednesday, April 14, 2010. Cyndy Olson recommended that the Commissioner consider adoption of Resolution No. 933.

Commissioner Mark Wolken moved to adopt Resolution No. 933 as presented. Commissioner Troy McClelland seconded the motion. A vote was called for:

Vote: 3-0
Yes: McClelland, Hoffmann, Wolken
No: None
Abstained: None

Motion Carried.

Marine Terminals Report

Marine Terminal Director Dave Madill reported that vessel calls were slightly down for the month of February in comparison to the same time last year. Year to date, the Port is down by two vessel calls from last year.

Tonnage is down slightly for February compared to the same time last year.

The Port is up by 24 percent for container traffic from this time last year due to additional Boeing containers and other containerized cargo. There were a total of 189 container moves at Mt. Baker Terminal during February, including 86 inbound containers and 103 outbound containers.

5. **APPROVAL OF BILLS**

For the month of February 2010, Claims Voucher Nos. 54745 - 55028, in the amount of \$2,639,678.20, Claims Wire Transfers, IRS, in the amount of \$134,281.19, Wash. St. Dept. of Revenue in the amount of \$31,034.64, Payroll Voucher Nos. 32570 - 32766, in

the amount of \$335,200.58, and Payroll Wire Transfers, PMA Payroll (Longshore Labor) in the amount of \$94,221.58, with the total amount of \$3,234,416.19, were presented to the Port Commission for approval of payment by Chief Finance Officer Karen Clements.

Commissioner Mark Wolken moved to approve payment of the vouchers for the month of February 2010. Commissioner Troy McClelland seconded the motion. A vote was called for:

Vote: 3-0
Yes: Wolken, McClelland, Hoffmann
No: None
Abstained: None

Motion carried.

- 6. COMMISSIONER COMMENTS
There were no Commissioner comments.
- 7. CITIZEN COMMENTS
There were no Citizen comments.

THE WORK SESSION MEETING WAS RECESSED into Executive Session at 5:33 p.m. for approximately one hour to discuss with legal counsel a pending litigation matter, and consideration of real estate, public discussion of which could disadvantage the Port's negotiation.

At the conclusion of the Executive Session, there were no announcements, and there was no action taken by the Commission.

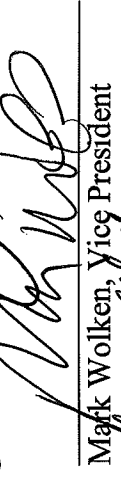
THE WORK SESSION WAS ADJOURNED at 6:40 p.m.

APPROVED: this ___ day of April 2010.

EVERETT PORT COMMISSION

By:


Michael Hoffmann, President

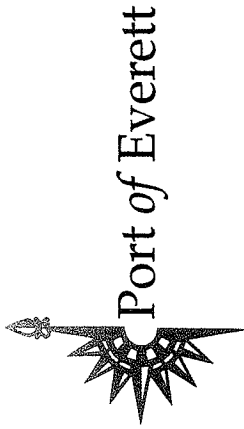

Mark Wolken, Vice President


Troy McClelland, Secretary

Vessles to be listed in April 14 2010 Port of Everett Public Auction

Posted	90 days date	Owner Name	Acct #	Vessel ID	Year	Length	Make	Type	Notes	Misc Items
1	9/21/2009	Unknown	None	None	Unkwn	6'	Sport Yak II	Dinghy		
2	9/28/2009	12/28/2009 McGoldrick, Thomas J	15414	WN-8925-JC	1957	33'	Homemade	Hansen		
3	10/30/2009	1/28/2010 Prieto, Albert	15307	WN-9986-ME	1983	27' (31" oal)	Bayliner	Contessa	Pymt agree pend	
4	11/1/2009	1/30/2010 Keel, Randy	15294	WN-8157-NU	1970	24'	Coronado	Sail		
5	12/2/2009	3/2/2010 Hoskin, Steve	2180	WN-2953-LE	1975	26'	Cal	Sail		
6	12/10/2009	3/10/2010 Boswell, Timothy	15491	WN-2884-KT	1961	30'	Chris Craft	Power		
7	11/2/2009	1/31/2010 Bruegeman, Karl	1983	WN-9075-NG	1995	25'	Bayliner-2252	Power-Classic	Pymt agree failed	Stern Roller

Doc 144664



ORIGINAL

Port of Everett
Voucher Approval List
for the month of
FEBRUARY
2010

We, the undersigned Commissioners of the Port of Everett, Snohomish County, Washington, do hereby certify the following vouchers/warrants have been certified and approved for payment this the 9th day of March, 2010:

Claims Voucher Nos 54745 - 55028		Total	\$2,639,678.20
Claims Wire Transfers:			
2/1, 2/16	Wire Transfer - IRS	\$	134,281.19
2/24	Wire Transfer - Wa St Dept of Rev	\$	31,034.64
	Total Claims		\$2,804,994.03

Payroll Voucher Nos. 32570 - 32766	\$	335,200.58
Payroll Wire Transfers:		
2/2,2/8,2/17,2/23	PMA Payroll (Longshore Labor)	\$ 94,221.58
	Total Payroll	\$ 429,422.16

Total Expenditures \$ 3,234,416.19

 _____ President
 _____ Vice President
 _____ Secretary
 Attest:  _____ Vice President
 _____ Port Auditor

Attest: Karen RA Clemente Port Auditor