

MINUTES OF EVERETT PORT COMMISSION REGULAR MEETING

January 12, 2010

PRESENT:

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

CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Commission President Michael Hoffmann.

APPROVAL OF MINUTES:

Commissioner Mark Wolken moved to approve the Regular Meeting Minutes of November 10, 2009; Work Session Minutes of December 1, 2009, and Regular Meeting Minutes of December 8, 2009. 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.

Commissioner Mark Wolken clarified that even though he was not in attendance at one of the meetings, and Commissioner McClelland was not in attendance at two of the meetings, Roberts Rules of Order allows the Commission to vote on the approval of the minutes.

1. COMMISSION PRESIDENT'S REPORT

Commissioner Michael Hoffmann asked the Commission to consider available dates to hold the Commission Retreat during the week of February 8th. The Commission concurred.

2. EXECUTIVE DIRECTOR'S REPORT

Martin Luther King Holiday

Executive Director John Mohr reported that the Port offices will be closed on January 18, 2010 in commemoration of the Martin Luther King holiday.

3. CHIEF ADMINISTRATIVE OFFICER'S REPORT

Small Works Roster Annual Report

Contracts Administrator Charlotte Walther provided the annual report listing the projects that the Port awarded during 2009 using the Small Works Roster process.

The listing of the contracts is attached hereto for the record.

12th St. Marina Redevelopment MOA

Chief Administrative Officer Jerry Heller provided an update on the 12th St. Marina Redevelopment Memorandum of Agreement (MOA) to the Commission. He reported that the State Historic Preservation Officer had previously sent a letter to the Corps of Engineers requesting that the Corps reinstate the entire permitting process because they had failed to comply with requirements of consultation under the Section 106 process. The Corps' response on January 6, 2010 concluded that the Corps had complied with the necessary requirements of their consultation process.

On October 29, 2009, Washington Trust for Historic Preservation filed a request for dispute resolution with the Corps of Engineers. The Corps requested clarification from Washington Trust as to the basis for their request on December 11, 2009. Last week, the Corps sent an email to Washington Trust asking that they respond within the required 30-day response time. On January 11, 2010, Washington Trust filed their response with the

ORIGINAL

Corps for their consideration. The Port is waiting for additional information and possibly a decision from the Corps of Engineers. The decision could take up to six weeks.

4. CHIEF FINANCE OFFICER'S REPORT

Asset Capitalization Policy

Chief Finance Officer Karen Clements reported that the Port of Everett has been following an asset capitalization policy whereby capital assets are acquisitions of significant value (greater than \$1,000.00) and having a useful life extending beyond two years, which are recorded at cost. Capital assets acquired with contributed funds are also capitalized.

Karen Clements reported that the Port has recently received a number of federal grants that require a capitalization policy using a value of \$5,000.00 or greater and a useful life extending beyond one year, and recommended rather than having two policies, the Commission adopt a change in the Port's existing capitalization policy to an asset value of \$5,000 or greater, and a useful life extending beyond one year effective January 2010.

Commissioner Mark Wolken moved to change the Port's Capitalization Policy to an asset value of \$5,000.00 or greater, and a useful life extending beyond one year effective January 2010. Commissioner Troy McClelland seconded the motion. A vote was called for:

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

Motion carried.

5. OPERATIONS REPORT

Marina Report

Marina Director Cyndy Olson reported that in October 2009, the Port began adding supplemental floatation and performing concrete float surface repairs on A, B and C docks in the South Marina. Currently work is occurring on B dock, and the contractor will then proceed to C dock which will be the final phase of the project. Boaters moored on the impacted docks have been provided moorage accommodations on J dock at the 12th St. Marina. During the final phase on C dock, the Port will be relocating vessels again to J dock and also to other available slips throughout the Marina. Port staff has been in contact with all impacted moorage holders to prepare them for this temporary transition.

The Corps of Engineers has started dredging work in the lower settling basin of the Snohomish River Federal Navigation Channel. This project started on January 4, and will continue through February 14, 2010 on a 24/7 basis. The Corps awarded the contract to General Construction of Seattle. The dredge barge is monitoring channel 66 on the VHF radio for the duration of the project. They are displaying lighting at night, and boaters have been cautioned regarding the dredging activities. A notice to mariners has been requested from the Coast Guard and will be published on or before January 15, 2010.

The North and South Marinas are 73 percent full which reflects a 2 percent decrease from the same time last month. The bulk of the vacancies are within the smaller slips that are 32 feet and under. Many of these vessels have alternate moorages available to them during the offseason when the vessels are not in use. Out of the total 491 available slips in the North and South Marinas, 353 are for 32 feet and under. This accounts for 72 percent of all the available slips in this area. The 12th St. Marina is 74 percent full, which is one percent lower than last month.

The Port will have a booth at the Seattle Boat Show, which runs from Friday, January 29 through Saturday, February 6, 2010. The Seattle Boat Show web site is offering Boat Show tickets at a special discounted rate. The web site is www.seattleboatshow.com/portofeverett. Online purchasers will be eligible to receive a free one-year subscription to one of four boating related magazines when purchasing tickets.

Commissioner Wolken inquired if there was a marketing plan in place to fill the vacancies for the smaller slips. Cyndy Olson responded that Staff is currently exploring marketing promotions.

Commissioner McClelland asked Marina staff to provide further information at the next meeting on vacancy numbers for the slips and marketing efforts to fill them.

6. APPROVAL OF BILLS

For the month of December 2009, Claims Voucher Nos. 54149 - 54456, in the amount of \$1,664,843.16, Claims Wire Transfers, IRS, in the amount of \$207,552.92, Bank of New York in the amount of \$2,800,459.40; Union Bank of California in the amount of \$25,553.56, Wash. St. Dept. of Revenue in the amount of \$36,672.49, Payroll Voucher Nos. 32183 - 32378, in the amount of \$370,998.24, and Payroll Wire Transfers, PMA Payroll (Longshore Labor) in the amount of \$86,686.50, with the total amount of \$5,192,766.27, 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 December 2009. Commissioner Troy McClelland seconded the motion. A vote was called for:

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

Motion carried.

7. COMMISSIONER COMMENTS

There were no Commissioner comments.

8. CITIZEN COMMENTS

Peter Hatch raised concerns about the parking and boat launch fees at the 10th Street Boat Launch. Executive Director John Mohr responded that the Port has subsidized the operation at the launch ramp for many years and needed to find ways to generate the revenue to recapitalize the facility. The revenue generated from the parking fees will assist with this recapitalization effort.

THE MEETING WAS RECESSED to Executive Session at 9:22 a.m. for approximately one hour to discuss with legal counsel two pending litigation matters, and to discuss consideration of real estate, public discussion of which could disadvantage the Port's negotiations.

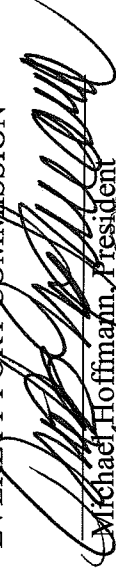
At 10:30 a.m., Executive Director John Mohr announced that the Executive Session would be continued to approximately 11:15 a.m.

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

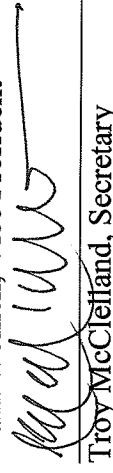
THE REGULAR MEETING was reconvened and adjourned at 11:20 a.m.

APPROVED: this 9th day of February 2010. EVERETT PORT COMMISSION

By:


Michael Hoffmann, President


Mark Wolken, Vice President


Troy McClelland, Secretary

PORT OF EVERETT

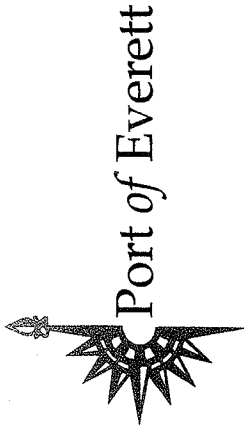
2911 Bond Street, Suite 202, Everett, WA 98201

The following list is provided in accordance with paragraph 2.5(e) of Resolution No. 916. Bid quotations for these contracts are available for public inspection at the Port's administration office located at the above address by following the appropriate procedures for requesting public records.

SMALL PUBLIC WORKS CONTRACTS AWARDED IN 2009

Contract Date	Project No.	Project Description	Contractor	Contract Award w/Tax	W/M*
2/23/09	MR-NM-2009-02	Roof Replacement at Marina P-Q North Restroom	All Weather Rooftop Solutions, Inc. dba Snohomish County Roofing Everett, WA	2,628.12	
4/22/09	MT-CF-2008-09	Chill Building Security Room Ventilation - Re-Bid	CLK Construction LLC Bellingham, WA	8,572.20	
6/1/09	MT-GN-2009-10	On-Call Civil Construction Services 2009	Quilceda Paving & Construction, Inc. Everett, WA	99,000.00 (NTE)	
7/22/09	MR-SM-2009-03	South Marina Laundry, Restroom and Shower Renovation	Bondok Construction Seattle, WA	67,443.01	
7/22/09	PD-VH-2009-03	Weyerhaeuser Building Asbestos Abatement	Environmental Abatement Service, Inc. Mt. Vernon, WA	32,980.58	W/M
11/12/09	MT-RB-2009-16	Mount Baker Terminal Beach Maintenance 2009	Grading & Excavating, Inc. Pt. Townsend, WA	30,473.89	
12/17/09	MR-GN-2009-05	On-Call Civil Construction Services 2009-2010	Quilceda Paving & Construction, Inc. Everett, WA	99,000.00 (NTE)	

*W/M = Women or Minority Owned



ORIGINAL

Port of Everett
Voucher Approval List
for the month of
DECEMBER
2009

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 12th day of January, 2010:

Claims Voucher Nos 54149 - 54456		Total	\$1,664,843.16
Claims Wire Transfers:			
12/1, 12/16, 12/31	Wire Transfer - IRS		\$ 207,552.92
12/1	Wire Transfer - Bank of NY		\$ 2,800,459.40
12/23	Wire Transfer - Bunion Bk of Calif		\$ 25,553.56
12/23	Wire Transfer - Wa St Dept of Rev		\$ 36,672.49
	Total Claims		\$4,735,081.53

Payroll Voucher Nos. 32183 -32378		\$ 370,998.24
Payroll Wire Transfers:		
12/2,12/9,12/15,12/22,12/29	PMA Payroll (Longshore Labor)	\$ 86,686.50
	Total Payroll	\$ 457,684.74

Total Expenditures		\$ 5,192,766.27
	<u><i>James J. Sullivan</i></u>	President
	<u><i>John W. Kelly</i></u>	Vice President
	<u><i>Calvin W. ...</i></u>	Secretary

Attest: Karen R. A. Clements Port Auditor