

MINUTES OF EVERETT PORT COMMISSION COMBINED MEETING
March 13, 2012

PRESENT:

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

CALL TO ORDER: The meeting of March 13, 2012 was called to order at 5:00 p.m. by Commission President Troy McClelland.

CONSENT AGENDA:

- Approval of Work Session Minutes of February 7, 2012 and Regular Meeting Minutes of February 14, 2012
- Approval of Bills for February 2012

Commissioner Michael Hoffmann moved to approve the items of the Consent Agenda for March 13, 2012. Commissioner Tom Stiger seconded the motion. A vote was called for:

Vote: 3-0

Yes: Hoffmann, Stiger, McClelland

No: None

Abstained: None

Motion carried.

1. EXECUTIVE DIRECTOR'S REPORT

Commission Retreat

Executive Director John Mohr reminded the Commission and public that the Commission Retreat will be held March 27 and 28, 2012 from 9am to 5pm each day in the Blue Heron Conference Room of the Waterfront Center facility.

Commissioner Tom Stiger said he had several items that he may want to submit for the agenda. Commissioner McClelland asked Commissioner Stiger to submit his agenda items at his earliest convenience as Staff is trying to finalize the agenda for publication. John Mohr commented that if any of the Commissioners have items for the agenda to please submit them to the Executive Department as soon as possible so that Staff is properly prepared to present.

2. CHIEF ADMINISTRATIVE OFFICER'S REPORT

2012-2014 ILWU Local 32A Maintenance Contract

Chief Administrative Officer Les Reardanz reported that the Port and the ILWU Local 32A (Maintenance Unit) have completed negotiations for the 2012 – 2014 bargaining unit contract period. Changes to the Maintenance Unit contract are limited to relatively minor clarifying edits to the contract language. The larger issue to negotiate was the pay rate changes. As a result of the negotiations, Staff recommends a pay rate increase of 2.7% in 2012, 3.9% in 2013, and 3.9% in 2014 for the Maintenance Unit contract.

The Port has also had discussions with the Union about establishing regular committee meetings going forward so that issues can be discussed as they come up rather than waiting until contract negotiations. The negotiations were very cordial and professional and there were some good discussions about how to maintain and sustain the Port long term.

Les Reardanz recommended that the Commission authorize staff to enter into the agreement with the Union.

Commissioner Stiger commented that both parties – Port staff and the Union representatives – put a lot of time and effort into this round of negotiations and he looks forward to the partnership continuing in good faith.

Commissioner McClelland commended both the Union representatives and Port staff for their hard work on this agreement.

Commissioner Tom Stiger moved to approve the 2012 – 2014 Collective Bargaining Agreement between the Port of Everett and the International Longshore and Warehouse Union, Local 32A (Maintenance Unit). Commissioner Hoffmann seconded the motion.

A vote was called for:

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

Motion carried.

3. DEPARTMENT REPORTS

Operations Report - Marina Fees – 2012

Chief Operating Officer Carl Wollbek reported that Port staff had budgeted for an overall moorage rate increase of two percent for 2012 to become effective May 1, 2012; however, upon review of the overall marina market in Puget Sound and the local economy, Staff has determined that an overall moorage increase in 2012 would not be prudent. Carl Wollbek stated that this will be the third consecutive year that overall moorage rates have not been increased at the Port of Everett. A two percent increase had also been budgeted for 2011. Preliminary, unaudited financial figures for 2011 show that the Marina achieved its budget forecast without overall increases in moorage rates.

Similar to 2011, Port staff will be adjusting certain user fees effective in 2012. The fee adjustments are attached as part of the record. The fee adjustments are based on a market analysis of competing marinas and services and keep the Port of Everett within the competitive range. Port staff is confident that the user fee adjustments together with higher occupancy rates for 2012 will enable the Marina to be on budget at the end of 2012.

Projects Update

Environmental Review – Peer Review Process

Erik Gerking, the Port's Environmental Cleanup Administrator, reported that in accordance with the Commission approved Environmental Cleanup Consultant Contract process, Port staff is seeking Commission approval for the scope of a peer review to be performed on the pending modification of the Everett Shipyard Site Engineering Contract.

On February 7, 2012 the Commission authorized the final settlement with ESY, Inc. On February 14, 2012, the Commission approved the Port to enter the cleanup Consent Decree with Ecology. With these two agreements now in place, the Port is responsible for and is required to carry out the terms of the cleanup Consent Decree. In order to complete the terms of the Consent Decree, the Port's Engineering Contract must be modified. The modification will include the following required tasks:

- Pre-design Soil and Sediment Investigation
- Engineering Design Reports
- Construction Plans and Specifications
- Construction Permitting
- Environmental Permitting

The Port's current consultant has developed a scope of work and budget for implementing these tasks. As part of the due diligence process for the environmental cleanup consultant contracts, the Port will conduct a third-party peer review of the consultant's scope of work. This will be done to evaluate whether the proposed scope and budget are appropriate for the regulatory requirements of the project and consistent with what would be expected from other qualified consultants practicing in this area.

Erik Gerking asked the Commission to approve the scope of a peer review for the proposed Environmental Engineer Contract associated with the Everett Shipyard cleanup project.

Commissioner Stiger commented that Port staff provided a briefing to him last Friday on this process. Given the fact that it does involve the Everett Shipyard area and adjacent property, and the need to get moving on this, he would support the process. Having said that, Commissioner Stiger suggested that the Port needs to review these projects and wherever possible have the Staff do the work that is being proposed. Erik Gerking reported that the peer review costs are in the range of \$2,500 - \$3,500, and the Port receives Ecology grant funding to cover 50 percent of that cost.

Commissioner Hoffmann moved that the Commission approve the scope of the peer review for the proposed Environmental Engineering Contract associated with the Everett Shipyard cleanup project. Commissioner Stiger seconded the motion. A vote was called for:

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

Motion carried.

Marina District Master Plan Update

Chief Administrative Officer Les Reardanz provided the monthly update on the status of the Marina District Master Plan to the Commission. Efforts for the Marina District Master Plan have been moving forward with market research, community stakeholder meetings and economic analysis. The Public Involvement Plan was one of the first deliverables that Staff wanted to provide to the Commission to review. As Staff has been moving forward with the project, there will have been 18 focus group meetings along with numerous individual interviews. The Public Involvement Plan includes public meetings, web sites, media, individual meetings, stakeholder meetings and neighborhood meetings; and the design of the plan is to reach a broad audience and to understand what that input is and to have a dialogue with these various groups.

The first public meeting is scheduled for April 5, 2012 at 5:30pm in the Blue Heron Conference Room. The meetings are designed to be interactive to provide feedback and discussion. Some of the meetings also will have charette type designs to them to provide feedback. Throughout this process, it is important to point out that the project builds off of the work done previously to ensure that it meets the values of the Commission and the community going forward.

The Dykeman team members, who are managing the Marina District Master Plan, will be present at the Commission Retreat on March 27 to review their efforts and have a more in-depth conversation as to how things are going and where things are headed.

Commissioner Stiger said he liked the logo and the notices are well publicized. Commissioner McClelland said it looks like a good plan and very broad, and is pleased to see the schedule as well.

COMMISSION PRESIDENT'S REPORT

Commissioner McClelland appointed Commissioner Stiger to the Puget Sound Partnership Leadership Council. Commissioner Stiger agreed to the appointment.

COMMISSION DISCUSSION

There was no further Commission discussion.

CITIZEN COMMENTS

There were no citizen comments.

No Executive Session was held.

THE REGULAR COMMISSION MEETING WAS ADJOURNED at 5:26 p.m.

APPROVED: this 10th day of April, 2012.

EVERETT PORT COMMISSION

By:



Troy McClelland, President



Michael Hoffmann, Vice President



Tom Stiger, Secretary

2012 PORT OF EVERETT - FEE ADJUSTMENTS

***Effective May 1
* Effective June 1
**Effective July 1

Service	Revised Fee	Fee Differential	
Travel-lift Round-trip	Up to 30'	No Change	
	31' - 39'	0.25 *	
	40' - 49'	0.25 *	
	50' - 59'	0.25 *	
	60' and Over	0.25 *	
One-way Hang or Survey	Up to 24'	No Change	
	Over 24'	No Change	
Hang Overnight	Up to 34'	No Change *	
	Over 34'	No Change *	
Move straps while in slings Each way for Third Sling Cancellation "No Show" Fee (1 hour advance notice)	35.00	3.50 *	
	40.00	4.00 *	
	75.00	25.00 *	
	5.00	No Change	
Mast Storage	5.00	No Change	
Washdown: 14th Street, New Policy only POE Employees may washdown boats Washdown: 12th Street, Existing Policy <i>Only POE employees may perform washdowns</i> Wash Down time over ½ hour	2.75	1.45 *	
	2.75	0.15 *	
	10.25	No Change	
Environmental Fee - Boat on Stands <i>Includes POE tarp and storm water monitoring & testing</i>	32.00	2.00 *	
Environmental Fee - Boat on trailer	8.00	1.00 *	
Work Yard Rates	1.25	0.25 *	
Off-season rates November 1 - March 31	9.50	No Change	
Boat on Trailer	20.00	Reduced Fee *	
Covered Work Yard	1.75	No Change	
Boat Stand Adjustment	70.00	7.00 *	
Boom Truck, Forklift, Workboat	150.00	25.00 *	
Emergency Labor	4 hour minimum 1/2 hour minimum 1/2 hour minimum	350.00 per hr. 65.00 per hr. 97.50 per hr.	10.00 * 2.00 * 12.50 *
2012 PORT OF EVERETT - FEE ADJUSTMENTS			
Effective May 15, 2012			
Emergency Pump Out	1 hour minimum	97.50 per hr. 12.50 *	
Insurance Non-Compliance Fee In Water boats only		125.00	
Non-authorized boatwork in storage yard		200.00 per incident	
Shared Moorage Reservation Fee	per reservation	10.00	
Live-Aboard Fee		56.42 per mo.	
Flat unmetered Fee	32' and over	5.00 per wk	
Flat unmetered Fee	24' slips	2.50 per wk	
Preference move fee	after 1 courtsey move	20.00	
Seasonal Moorage Rate Surcharge	June 1 -Oct.	35.00 per mo	
FOB Access Card	Visitor	7.00	
FOB Access Card	Tenant 2nd card	15.00	
Environmental Fee		10.00 per mo	
Base Electric Fee		4.35 per mo	
Visitor Moorage Rate Effective May 1		0.85 per ft	

Owner or representative must be present for all non-emergency Port of Everett Services.

*12.84 % WA State Leasehold Tax assessed against yard fees when total days in work yard equal thirty or more consecutive days.

9.2 % Washington State Sales Tax applicable to all service fees utilizing Port equipment

***Includes 12.84% WA State leasehold tax

Flat Fee 2012 *
25% of LOA in 2011
2.00 *

0.10 ***







Port of Everett

ORIGINAL

**Port of Everett
Voucher Approval List
for the month of
FEBRUARY
2012**

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 13th day of March, 2012:

		Total
Claims Voucher Nos	61677 - 61984	\$2,148,271.11
Claims Wire Transfers:		
2/1, 2/16	Wire Transfer - IRS	\$ 136,227.90
2/27	Wire Transfer - Wa St Dept of Rev	\$ 27,935.81
2/17, 2/27	Wire Transfer - Hirofumi Oshio	\$ 3,592.40
2/13, 2/27	Wire Transfer - Union Bank	\$ 22,619.25
	Total Claims	\$2,338,646.47
Payroll Voucher Nos.	37689 - 37869	\$ 331,693.83
Payroll Wire Transfers:		
2/7, 2/14, 2/22, 2/28	PMA Payroll (Longshore Labor)	\$ 82,795.75
	Total Payroll	\$ 414,489.58
Total Expenditures		\$ 2,753,136.05


 _____ President

 _____ Vice President

 _____ Secretary
 Attest: 
 _____ Port Auditor