

Port of Silverdale

Minutes of Regular Meeting

November 19, 2020

Due to the COVID-19 Virus and Governor Inslee's Proclamation 20-05 the meeting was being held virtually through the ZOOM application. The link to the meeting was posted on the Port's website – portofsilverdale.com.

1. CALL TO ORDER

Commission Chairman Henry Aus called the meeting to order at 7:00 PM. Also in attendance were Commissioner Caleb Reese; Commissioner Ed Scholfield; Attorney Phil Best; Administrator, Theresa Haaland; Lee Knapp of TIKAR Services; Bridget Burke of Clam Island Rowing (CIR); John Bouck and Greg Jacobs of Kitsap Sailing Foundation (KSF); Ron Easterday and Steve Rice of Rice Fergus Miller (RFM); Hank Anderson; Andrew Graham; and Carla Larson.

2. CONSENT AGENDA

Commissioner Reese moved to approve the Consent Agenda: November Meeting Agenda as submitted; October 15, 2020 Regular Meeting minutes as submitted; the October 20, 2020 Special Meeting minutes as submitted; the authorization for electronic transfer of payroll taxes #2020-11 to the U.S. Treasury in the amount of \$2,134.12; and the November 19, 2020 checks numbering 12576 through 12599 totaling \$80,323.45 as outlined in the attached Voucher Approval; second by Commissioner Scholfield; approved unanimously.

3. SIGNING OF DOCUMENTS

All three Commissioners plan to individually stop by the Port office tomorrow to sign documents.

4. UNFINISHED BUSINESS

4.1. Waterfront Center Predesign Project/Pump Station #3

– after last month's meeting it was determined that the County would be willing to abandon the easement that goes through the grassy area in the area that the Waterfront Center building will be constructed.

Commissioner Aus said that he doesn't see the abandonment of the easement changing anything that has been decided upon.

Commissioner Scholfield agreed. Steve Rice said that they too feel the same way as the majority of the designs that were presented didn't even take into consideration that there was an easement because it wasn't discovered until halfway through the project. The F-2 design that has been decided upon keeps the waterfront open and he believes is the best scheme thus far. Commissioner Scholfield estimated the costs to reroute the sewer to be anywhere from \$500,000 to \$750,000 and he suspected the County would do it if the Port was going to pay for it. Commissioner Reese said that he and Phil attended a video conference with Dave Tucker, Stella Vakarcs and Barbara Zaroff all of Kitsap County Public Works. From the meeting it was his understanding that the County would agree to vacate the easement without costing the Port anything as that was already part of the plan. Commissioner Scholfield asked Phil to make sure that is included in the contract between the Port and the County. Commissioner Reese said that the removal of the easement does provide more flexibility in the design of the building. Phil read a portion of the draft Interlocal Agreement (IA) that did include the County abandoning the current sewer easement in exchange for any sewer easements necessary to meet County

construction, operation, maintenance and funding source requirements; and the Port will convey an easement to the County for PS3 access and operations. There was also a paragraph that stated if the Port is not ready to start construction of the joint-use building by July 30, 2022, the County shall have the right to construct the sewer pump lift station portion of the building within the agreed upon easement. Another paragraph stated that if the County is not ready to start construction of the sewer pump lift station portion of the building by July 30, 2022, the Port shall have the right to construct the remainder of the building for Port purposes. The Commissioners agreed with the wording in the IA. Phil plans to send it to the County telling them that the Port approves it. The Port will be asked to sign after the County signs off on it. Phil read a portion of the Request for Qualifications (RFQ) that he had also emailed to the Commissioners earlier. Commissioners agreed it also sounded good.

Mr. Rice and Ron Easterday gave a presentation of the cost estimate for Design F-2. A simplified version of the costs was provided and broken down into three sections: Building 1 - Boating Center; Building 2 - Meeting/Support/Pumpstation; and Sitework. Mr. Rice explained that the simplified version of costs breaks things down between hard costs, which is construction and soft costs, which includes: architecture, engineering, State sales tax, permitting fees, etc. It also includes a contingency since the project wouldn't be going out to bid today costs may be much higher two to three years from now. The total cost for Building 1 totaled \$1,892,901. The total cost for Building 2 totaled \$3,795,277. The total

cost for Sitework totaled \$895,587. The total costs for all phases totaled \$6,583,765. Mr. Rice explained that the contingency provides built in protection and that the cost estimate is conservative yet realistic. The solid estimates are necessary so that when grants are awarded the work can begin. He explained that there is something called the "Seattle Factor", which affects the costs of labor and materials in surrounding areas including Kitsap County, but again the cost estimate has the built-in protection even in regards to the Seattle Factor. Commissioner Aus questioned that if the Port was going start with construction of Building 2, the cost would be the total less the amount for Building 1 because regardless the sitework would need to be completed. Mr. Rice said basically that is true, but there would be some flexibility as to how much site work would be needed. Phil asked if RFM talked to anyone in the County about the project in regards to the County's Shoreline Master Program since it is within 200 feet of the water. Mr. Rice said they did not, but it shouldn't be an issue as there are three requirements: water dependent, water related, and water enjoyment. In his opinion the entire facility will be water dependent and since the Port will be working with the County to move the pump station, he doesn't see there being any issues. Mr. Rice said that it has been an interesting journey for RFM to get to this place. They have been working with the Port for several years now. He added that it is going to take a heck of a lot of work to bring a compelling case to the State and County authorities, but RFM is interested in it. He thanked the Commissioners for allowing RFM to take the second step for the design and he looks forward to future work with the Port, if they are

so fortunate. Greg Jacobs asked if local contractors could be used to save money or is prevailing wage required to be paid. Mr. Easterday said that travel and distance hasn't been much of a factor in what he has seen. If companies need work and want the work they will travel. The average worker on site has a choice to take a prevailing wage job that requires travel time. Mr. Rice said that it has been a couple crazy years with regards to the Seattle Factor. The prevailing wage basically has had to be paid just to keep workers from going elsewhere. The law requires that workers be paid prevailing wages when employed on public works projects. Phil said that in-kind services can be used as matching funds towards grants, so that is something to consider. Mr. Rice said that currently projects within the \$5,000,000 to \$10,000,000 range have a lot of competition which is a good sign, although by 2022 conditions will obviously be different. He said that he did some figuring and if the job was bid out today it would cost closer to \$4,940,000. Mr. Jacobs asked if private money could be used to cover part of the project like maybe furnishings or equipment? Commissioner Scholfield asked how it would work if the sailing and rowing clubs bought racks and had them installed. Mr. Easterday said that the installer would need to be paid the prevailing wage. Mr. Rice said that the project needs to be thought of as a marketing exercise and the County's contribution to the pump station could be leveraged as local support. Going into a project with local support is a good first step. Mr. Easterday cautioned everyone that donations and grants many times come with conditions. So, one must be careful when accepting money for a project and weigh the

costs. Phil said that the Port is well aware of that as several Port projects have partially been paid with Recreation Conservation Office (RCO) grants. Commissioner Reese asked if cost estimates could easily be figured for Building C or D, since one of them was already a less expensive design. Mr. Rice said that no those figures wouldn't be readily available, but they could prepare something. Mr. Easterday agreed and said that it probably wouldn't cost the Port too much for them to provide those costs. Commissioner Reese said no, not at this point. He just thought if they were available, but wouldn't want extra work to be conducted to provide the costs. Bridget Burke said that the Bainbridge Island Rowing Center is completing their building in phases and asked if that would be possible for Building 1. Commissioner Reese said that at this point the Port must move forward with at least the portion of Building 2 that will house the pump station.

4.2. Recreational Conservation Office (RCO) Grants – the Boating Facilities Program (BFP) application was submitted and the RCO technical review presentation was completed on November 17th via ZOOM. Commissioner Scholfield attended the presentation along with Phil and Kathleen Byrne-Barrantes. It seemed to have gone well. The Board provided some constructive criticism. Ms. Byrne-Barrantes submitted a bill for her work on the BFP grant. She was asked about a possible credit for the dredging portion of the previous grants since the dredge was not permitted and also since it seemed the electrical was being billed twice. She explained that neither of those two items would have affected her previous costs or the costs related to the BFP, but in good faith and

to keep a good working relationship she reduced her current bill by \$1,500.

4.3. County's Bayshore/Washington/Byron Street Project – since the tree that was on Port property along Washington Avenue was cut down by mistake it was thought the County should be required to plant a new tree in its place. It was agreed it wouldn't be prudent to have one planted now, but wait until Ceccanti has completed the project in that section of Washington Avenue. Commissioner Scholfield requested Phil to get some agreement with the County that the Port won't pursue the full costs of the tree that was cut down if they agree to plant a new tree at the end of the project. Phil said that in order to determine the costs of the tree that was cut down he will need to contact an arborist. He will work on getting that estimate.

Commissioner Reese moved to have the Request for Qualifications be sent to architectural firms so that a selection can be made at the next Port meeting. Phil suggested that a Special Meeting be called in the daytime as each applicant will be interviewed individually and it will take some time to do a thorough interview. Commissioner Reese said that there needs to be expediency because the County wants to start in January. Phil said that the County will be working with their technical design team and they do want to work with the Port's architect. He cautioned the Commissioners not to sacrifice quality for speed. The County belongs to the Municipal Research and Services Center (MRSC) and provided Phil with a list of architects although most are located in Seattle, but he plans to send out RFQ's to firms via email. Phil suggested the application submittal deadline be December 21st and then about a week later hold the Special Meeting for interviews and to select the top three firms. It was agreed to hold the Special meeting on December 28th via ZOOM. *Commissioner Reese amended his motion to authorize Phil to send out the Request for*

Qualifications to architectural firms via email and also place an ad in the Kitsap Sun informing that RFQ's are being accepted through December 21, 2020 and a decision narrowing down the top three candidates will be made at a Special Meeting to be held on December 28, 2020 at 10:00AM via Zoom with the final decision being made at a Special Meeting to be held on January 5, 2021 at 10:00AM also via ZOOM. Commissioner Scholfield second the motion. It carried unanimously.

Phil told Mr. Bouck, Ms. Burke and Mr. Jacobs that if they know of any firm that has built a nice rowing or sailing center to let them know that the Port will be accepting RFQ's.

4.4. Port Programs

a. Sailing – John Bouck reported that the program is officially shut down for the winter. They hope to start back up at the end of February or when it is safe to do so. He plans to take the two chase boats to Aqua Tech and upon completion of the winterization the Port will pay Aqua Tech. Mr. Bouck explained that the trailers are getting pretty rusty. He is concerned as they use the trailers to take the chase boats to various regattas, which can be a somewhat far distance. He suggested the trailers be examined. Commissioner Scholfield said that he has looked at them and was thinking of purchasing a couple of new axels and tires. Mr. Bouck said that if it is going to cost hundreds of dollars to bring them up to a mediocre repair, it might be money better spent on a new trailer for long distance driving. Commissioner Scholfield said that he will look further into it. Commissioner Reese asked that the two programs have something put on the chase boats and trailers to easily identify which program they are assigned to. Even if it was just an "S" or an "R". Ms. Burke said that she can have CIR's logo put on the back of the rowing teams chase boats. Commissioner Reese suggested to have it put right by the "Port of Silverdale" wording. Ms. Burke said

she will talk with Mr. Bouck more about what they should do to make it easily distinguishable.

b. Rowing – Ms. Burke concurred that the trailers should be looked at by the Port. They have been being used for the past seven years and although CIR does rinse them down after each salt water launch or retrieval, they are getting very rusty. She reported that one of CIR's chase boats, the smaller Boston Whaler, is in Keyport where the console is being replaced. Ms. Burke said that a few rowers are continuing to go out on the fair-weather days. They have some safety regulations in place for individuals wanting to go out on the water by themselves. She asked that she be contacted if anyone ever notices a shell off of a rack within the boatyard. The wind in that area can be pretty fierce. A fence blew down last year. She said that there are a group of members that get together about three times a week at CIR's Kitsap Mall location to exercise on the ergs. They have purchased another double and are hoping to have a fundraiser by the end of the year. Ms. Burke recommended everyone watch an Amazon movie called "A Most Beautiful Thing". It's the story of the first all-black rowing team from Chicago. It tells the history of how rowing impacted the community through the high school rowing team. She said it reinforces how much of a positive impact rowing can have on the lives of young people and communities as a whole. Ms. Burke said that a few of the teen rowers are hoping to be added to the Port's December agenda as they would like to address the Board.

Mr. Bouck hasn't yet submitted the paperwork and check for the boat that was sold, but plans to soon.

4.5. Facilities

a. Closure – new State restrictions are in place due to the rise in COVID-19 cases. Online meetings will continue.

b. Olympic Outdoor Center (OOC) continues to pay the \$100 off-season rate. Phil will be contacting John Kuntz to discuss his plans for next year.

c. Dredge – Phil reported that there have been two full days of hearings today and yesterday and it continues starting at 1:00PM tomorrow. There is a possibility that a decision will be made before the December Port meeting.

d. Preventative maintenance – Commissioner Scholfield will be working on a new database for preventative maintenance.

e. Boat launch handling pier has been removed for the season. Commissioner Scholfield reported that it is being stored in the main vehicle/boat trailer lot.

f. Lot across from the Port office could use a cleanup. Commissioner Reese said that paving those lots may be something to consider in the future as it doesn't look esthetically appealing. Lee said that they graded the lot some time ago. He suggested any ground work be scheduled for August as TIKAR will have the excavator in the area working on the boat ramp dredge. Commissioner Scholfield suggested screening it off with fencing. Commissioner Reese said at the least the gate needs to be put back on the hinge as it has been off ever since the lot was graded. He said this is something to consider as the improvements to the waterfront take place.

4.6. Port Properties

a. Reduction in Rent – *Commissioner Reese motioned to continue to offer a fifty percent rent reduction for December to tenants that qualify; Commissioner Scholfield second the motion; the motion carried unanimously.*

b. 3295 Lowell/Abeel Studios – Lee reported that the interior south wall repair is complete.

c. Paving of Alley – a check to Lakeside Industries in the amount of \$33,196.86 was approved within the Approval of Expenditures within the Consent Agenda items for the completion of the paving of the alley. Lee reported that Lakeside still hasn't completed the striping. Phil explained that before the check can be released, besides the work being completed, they need to submit the affidavit stating their employees were paid the prevailing wage. Lee said that he informed Lakeside personnel of the necessary paperwork they must submit. *It was agreed that check no. 12595 will be released to Lakeside Industries contingent upon completion of all work outlined within the contract and submission of required paperwork* (motion by Scholfield; second by Reese; unanimous).

Commissioner Scholfield said he would contact Lakeside tomorrow and explain the situation.

Phil said that he saw Ceccanti had a large boom truck down in their work area and thought it could be used to dredge the boat ramp area, since they are using the Port's overflow vehicle/boat trailer lot. Ceccanti has already agreed to reseal the Port's parking areas in exchange for using the Port's overflow vehicle/boat trailer lot. Commissioner Reese reminded everyone that the dredged material has to be trucked to Elliot Bay for disposal and doesn't see this working. The others agreed.

d. 3473 Byron – TIKAR has removed the lower roof on the west side of the Pub and the sign holder that was on the upper north side of the building.

4.7. Small Claims has been postponed until January 27th.

4.8. Ledget Chapman – the certified letter that was sent has since been returned to sender. Mr. Chapman owes the Port \$145.40. Commissioner Scholfield said that the Port may have to take the loss on this one.

4.9. Boats anchored in Dyes Inlet – there is now just one boat anchored out – the black sailboat. Two of the sailboats that were anchored out are now tied up at the Port facility. One is awaiting retrieval from the Department of Natural Resources (DNR) as the owner has agreed to release it as a derelict vessel. The owner of the second sailboat has made payment and plans to remove the vessel by this coming Sunday. There is another sailboat moored at the Port of which moorage fees have not been paid. A vessel search from the Department of Licensing (DOL) was conducted. In an attempt to locate the owner, it was determined that the address used on the DOL report was for a postal box at the UPS Store off of Silverdale Way. The report listed Kitsap Credit Union as the lienholder, so Commissioner Scholfield called Kitsap Credit Union and apparently their repossession department is getting involved.

4.10. 2021 Final Budget – *it was agreed to adopt Resolution 2020-09 Substantial Need for Increased Tax Levy Capacity; Resolution 2020-10 Levy Limit Increase; and Resolution 2020-11 Adoption of the 2021 Final Budget* (motion by Reese; second by Scholfield; unanimous).

4.11. Staging area lot on the east side of the Port office – the neighbor to the northeast side of the lot, Bruce Weaber, was contacted as he has been parking two vehicles on the north end of the lot for many years. The lot is included within the Port's current lease, so technically the Port has control over that area. Mr. Weaber was contacted as a courtesy as the Port plans to begin using the lot as a staging area for equipment and material. An email dated October 29, 2020 from Mr. Weaber was

reviewed. Mr. Weaber proposed that a rental agreement be generated allowing him to continue to use the two parking stalls and in exchange he will pay to help offset the rent the Port pays. The Port had agreed to allow Olympic Photography Group (OPG), the neighbor on the southeast side of the lot, to park their trailer at the south end of the lot in exchange for maintaining/weeding the lot. Lee said that in order to change the lot into a true storage area, some sort of gate would need to be installed. He said if cars are parked on the north end and the trailer on the south end, they won't be able to access the lot. Commissioner Scholfield said that once all the items are cleaned up near where Mr. Weaber parks it will free up a lot of room for access. He told Lee that if they ever need to access the lot from the Byron side to just go into OPG's office as they are willing to move their trailer whenever needed. *It was agreed to offer Mr. Weaber the option to continue to park up to two vehicles at the north end of the Port's staging area lot, adjacent to the Port office building, for \$50 per month.* (motion by Reese; second by Scholfield; unanimous).

4.12. Commissioner Aus' resignation – Commissioner Aus submitted his resignation letter effective January 1, 2021. Commissioner Aus has duly served the Port since January 22, 2009. He will be missed. A letter to the editor of the Kitsap Sun will be generated informing the public of the vacancy and how those interested may apply. The applications will be due by January 15th for consideration at the Port's January 21, 2021 regularly scheduled Port meeting.

5. TABLED ITEMS

5.1. Port Facilities

- a. Department of Natural Resources (DNR)
- b. Benches

5.2. Benefits

6. NEW BUSINESS

6.1. Redistricting – a voice message was received from Greg Englin the Executive Director of the Port of Kingston explaining that he had recently attended a WPPA seminar regarding redistricting and he thought in an effort to save money a group of the smaller Ports may want to join together in hiring a company to complete the required task of redistricting that will be due next year. Commissioner Reese also attended the virtual seminar. He explained that there are several companies that have special software for redistricting. Phil explained that redistricting is required every ten years after the census data is made available. Phil has completed the task for the Port the last two times and plans to do it once again, unless the Commissioners plan to use a contractor. Phil said that the Port will be provided the census data and map and although a bit time consuming, it really isn't that difficult. It was agreed that this should be added to the next Kitsap All Ports meeting agenda, although the Port of Silverdale will not be joining with other Ports as Phil is more than capable of completing the task for Silverdale.

6.2. Squid fisherman John Krache was provided with an updated letter giving him access to the dock after hours to squid fish. Mr. Krache was informed that he will need to have the letter on him if he is at the Port facility after hours; otherwise, he may be asked to leave by a Safe Security guard. Safe Security was notified.

6.3. Kitsap Sun – there was a nice article published November 16th about the Port's efforts for the new waterfront center and the non-motorized dock. Commissioner Reese was interviewed for the article. He said that he was misquoted a bit, but overall it was a good article.

7. SAFETY/SECURITY

7.1. Safe Security – a gentleman came into the Port office on November 6th to give thanks to

the Safe Security guard who was on duty the night before as he deescalated a situation that could have gotten out of hand quickly. He was being followed by an erratic driver going down Byron Street towards the boat launch parking lot. He confronted the driver of the vehicle and several young men approached him in a threatening manner. Thankfully the security guard was nearby and intervened. The young men quickly left once the guard threatened to call the police due to their vulgar and threatening words. Christine Scott of Safe Security was informed and thanked, she planned to pass the word on to the security guard. Commissioner Scholfield said that the lot may need to be closed off earlier within the day. He has noticed large groups of individuals congregating down there with loud music and cars. Just today Kitsap County Sheriffs deputies and State Patrol officers were down there investigating a stolen vehicle that was parked behind the Pub. Commissioner Scholfield was called to unlock all the restrooms as they thought the individual might be hiding in one, but no one was found.

8. PUBLIC INPUT VIA EMAIL

Carla Larson said that it is nice to see that the plans for the Waterfront Center building and to know it is moving forward. She said several people have asked her the status. She also was approached after the Kitsap Sun article was published, as it raised questions and people thought the boat launch was going to be moved. She asked that everyone support the Old Town businesses as much as possible, between COVID-19 and now all of the construction they are bound to be feeling the effects.


9. EXECUTIVE SESSION

None


10. ADJOURN

At 9:23PM the meeting adjourned (motion by Scholfield; second by Reese; unanimous).

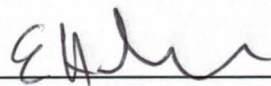
Approved:



Commissioner



Commissioner



Commissioner

