**Port of Silverdale**

Minutes of Regular Meeting

June 17, 2021

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**
Commissioner Caleb Reese called the meeting to order at 6:03 PM. Also in attendance were Commissioner Ed Scholfield; Attorney Phil Best; Administrator, Theresa Haaland; Lee Knapp of TIKAR Services; Vanessa Allison of Clam Island Rowing (CIR); John Bouck, Julie Jablonski and Greg Jacobs of Kitsap Sailing Foundation (KSF); Hank Anderson; Henry Aus; Bob Kiel; Jim Knapp; and Carla Larson.

**2. CONSENT AGENDA**
***It was agreed to approve the following Consent Agenda items as submitted: June Meeting Agenda; May 20, 2021 Regular Meeting minutes; May 26, 2021 Special Meeting minutes; Authorization for Electronic Transfer of Payroll Taxes #2021-06 to the U.S. Treasury in the amount of $2,999.36; and the June 17, 2021 Voucher Approval for checks numbering 12752 through 12775 totaling $32,441.69, which is attached to these minutes*** (motion by Scholfield; second by Reese; unanimous).

Phil was having technical difficulties and was unable to immediately join the meeting.

**3. SIGNING OF DOCUMENTS** – Both Commissioners agreed to stop by the Port office individually tomorrow to sign documents.

**4. EXCUSE COMMISSIONER KITCHENS’ ABSENCE** – ***Commissioner Kitchens had a pre-existing commitment and therefore is unable to attend tonight’s meeting. It was agreed to excuse Commissioner Kitchens’ absence*** (motion by Scholfield; second by Reese; unanimous).

**5. GUESTS THAT REQUESTED TO BE ON THE AGENDA**

5.1. Embedment testing near the boat launch –

Bob Kiel contacted the Port office asking permission to test-embed four octo-cylinders near the boat launch area. Ultimately, they will be used for a project being performed in Goleta Bay, California. The clay pipe cylinders provide refuge for octopi to take up residence and grow to full size. Mr. Kiel was having technical difficulties and unable to communicate. Within an email dated June 17, 2021 that he sent to the Port he explained that he had contacted the Kitsap County Department of Community Development (DCD) and was told that he didn’t need a permit to conduct the embedment testing, but was urged to contact the landowner, which is the Port. Commissioner Scholfield said that there is no eel grass in that area and thought it would be a good testing site. Commissioner Reese said that his concern is that the Department of Natural Resources (DNR) has not been contacted and it’s actually their land that the Port leases. Commissioner Scholfield said that he will double check with the Department of Fish and Wildlife (DFW) point-of-contact, but he thought that with such a small footprint for the embedment it wouldn’t be an issue. Commissioner Reese said that as long as Mr. Kiel has all of the required permitting and doesn’t block boaters from using the boat launch, it should be okay. Commissioner Scholfield said that he will also try to make contact with Mr. Kiel.

**6. UNFINISHED BUSINESS**

6.1. Waterfront Center Predesign Project/Pump Station #3 – Commissioner Reese reported that Patano Studio Architecture (PSA) provided a concept design preliminary review at the stakeholders meeting held on Thursday, June 10, 2021. This prompted a Special meeting to be called by the Port so that all three Commissioners could review the proposed designs. The Port is awaiting an extended deadline date from PSA for phase 1 of the design.

The addendum to the County/Port Interlocal Agreement (IA) is not yet necessary.

Very little contamination remediation paperwork from years ago was located. What was found was sent to Leon Environmental as requested. Commissioner Reese sent an email to Erik Barr of Patano on May 28th authorizing Leon Environmental to take the lead in all of the delineation with the County’s architect, Landou. Patano is set to pay for the borings and bill the Port. Since Patano recently merged with EHDD there is a delay in receiving the agreement for this, but it is anticipated any day. It is thought the borings will take place within two weeks from the time the agreement is signed.

Carla Larson said that Mr. Kiel needs to keep in mind that Whaling Days falls on July 23rd through the 25th this year, so he will not be able to launch a vessel from the Port’s boat launch that weekend. Commissioner Reese explained that Mr. Kiel provided two separate preferred dates and one did fall on Whaling Days weekend with the other on July 9th through the 11th, which would be the better choice. John Bouck said that if Mr. Kiel had any extra time KSF will be having a kids’ summer camp and he is sure the kids would be interested in learning about the octo-cylinders.

6.2. Grants/Projects – The RCO is scheduled to officially announce the grant recipients in mid-July.

There hasn’t been a status update from Art Anderson Associates’ (AAA) for their work on the gangway/non-motorized float and the possibility of relocating the floating moorage facility. Mr. Bouck said that he hadn’t heard anything from AAA about the design of the non-motorized float. He had thought that they would be reaching out to KSF and CIR for input. Commissioner Reese said that within AAA’s scope-of-work it states that they will be meeting with the stakeholders to determine the wants and needs of the users of the float. Once the Port is told that AAA is ready to meet with the stakeholders, KSF and CIR will be notified.

The new trial date for Sound Actions appeal will be determined on August 6th.

Lee said that he has the drawings and detailed information for the bid package for the Boat Ramp Access Repair project. He explained that instead of an epoxy-coated rebar, the bid is for a fiberglass rebar, which is stronger and less expensive as it requires less additives to the concrete. Commissioner Scholfield questioned if the design consists of enough slope in the center to ensure that everything gets to the drain leaving no puddling in that area. He said that there needs to be better drainage than what is currently there. Lee said that he will update the slope information.

Mr. Kiel was able to connect to the meeting from a different device. He explained that Scott Diener, the Development Services and Engineering manager at Kitsap County DCD, implied that the permissions to conduct the embedment testing are basically done. Mr. Kiel said that he does like the idea of checking with DFW, but in talking with Mr. Diener he thinks it’s unnecessary as they would have run it past DFW, if needed. Commissioner Reese informed Mr. Kiel that Whaling Days, a big community festival, is scheduled for one of the weekends that he had listed as possible test dates and the boat launch will be closed that weekend. The weekend of July 9th would be preferable. Commissioner Reese asked that Mr. Kiel first check with DFW to make sure it is okay and informed Mr. Kiel that the property he wants to complete the embedment testing on is actually DNR land, which is leased by the Port. Commissioners Reese and Scholfield agreed that there wouldn’t be a problem with it as long as it is okayed through DFW and it doesn’t interfere with boaters using the boat ramp. Commissioner Scholfield suggested Mr. Kiel test in the area west of the boat ramp as there is a lot of woody debris on the eastside. Mr. Kiel said that he plans to visit the site at the next low tide to scope it out and take GPS coordinates. He asked for a picture showing the Port area. Commissioner Scholfield said that there is a low tide tomorrow afternoon and he would be willing to meet Mr. Kiel onsite. Commissioner Reese suggested Mr. Kiel contact the Port office when he knows the details of when he will be in the area. Mr. Kiel said that he would be more than happy to talk to the kids about how they are trying to restore balance to the ecosystem. Commissioner Reese informed Mr. Kiel that the Port actually has two programs – sailing and rowing that may be interested. Maybe a time could be set up with both groups being able to participate. Vanessa Allison said that Bridget Burke, the Director of CIR, is a marine science instructor and would more than likely really enjoy this and the opportunity to have the kids involved. Mr. Kiel said that the more people he talks to about the program the more interest is generated. He thanked the Commissioners for their time.

6.3. County’s Bayshore/Washington/Byron Street project – Commissioner Scholfield discovered an oak tree start near where the tree was erroneously cut down. He plans to try and save it and replant it in that area.

Ceccanti’s fencing is surrounding about six of the Port’s vehicle/boat trailer stalls in the overflow lot.

Commissioner Scholfield said that he has a call into BoomTown Services, LLC to get an estimate for the sealing and striping of the Port’s parking lots, which will be forwarded to Ceccanti.

6.4. Programs

 a. Sailing – Commissioner Reese summarized the Sailing Update report from KSF prepared by John Bouck dated June 14, 2021. It is attached to these minutes for the record. Item 9 on the report regarding the lock that is falling apart on the locker on the dock was discussed. Commissioner Scholfield will take a look at it. Mr. Bouck said that the shift levers on the boat motors have a lifespan that is coming close to the end. They will more than likely need to be replaced at the end of the fall season.

 b. Rowing – the equipment has yet to be labeled with the Port inventory labels. The Port paid $1,094.58 for the annual maintenance of the chase boat motor. It was later determined that $567.56 of the costs were attributed to re-rigging the boat, which is outside of the annual maintenance. CIR has been asked to reimburse the Port the costs. CIR was asked to move the chase boat to the north end of the sailboat float. Ms. Allison explained that they did move the chase boat to the north end of the sailboat float. Now that school is coming to a close, Ms. Burke will have available time to meet with Port staff to adhere the Port inventory stickers to the equipment. Ms. Allison reported that the Juniors went to a regatta in Vancouver, Washington and a couple of the teams placed. Five weeks of one-week camps are scheduled to start in late June and will include ten rowers per camp per week. In July they have an adult “learn-to-row” planned. They lost a lot of rowers due to the COVID19 pandemic and are having a bit of trouble rebuilding the program. Last Saturday they had a great work party in the boatyard, where thirteen individuals showed up and performed approximately fifty-one volunteer hours. Ms. Allison gave a little history about the chase boat that was recently serviced at Aquatech. She explained that Ms. Burke had the boat out when the entire console fell apart. CIR volunteers spent $600 on materials and a lot of hours putting the console back together, but when it came to the point that it needed to be re-rigged no one felt comfortable doing that part. Ms. Allison said that the language within the agreement isn’t really clear as it basically states that the Port is responsible for the boats and trailers except for if the damage is caused by CIR. Ms. Allison said that this damage wasn’t caused by CIR. She said that it needs to be put in writing who is responsible for what. Commissioner Reese agreed that there needs to be clarity within the contract. He said that it was originally agreed that the Port would maintain the motors and “winterization” of them. He reminded everyone that the reason it was agreed to was because, at the time, both CIR and KSF owed back leasehold/excise tax that they didn’t have the funds to pay and with the Port taking over the costs of the winterization it freed up funds for the programs to pay the outstanding leasehold/excise tax. Commissioner Reese said that on the Aquatech invoice he noticed that the boat went to be serviced without a battery or a fuel tank. It seems that the CIR volunteers took the boat apart and lost parts. Ms. Burke didn’t mention anything about the Port paying for re-rigging the boat at last month’s meeting, but just reported that it was going to Aquatech for the winterization. The bill was paid and later determined that it included work that was not authorized to be paid for by the Port. Ms. Allison said that in talking with Ms. Burke she was told that the agreement needs to have clarity on who pays for what. Commissioner Reese said that the Port has already met in the middle with the agreement to pay for the winterization and anything beyond that would need to be brought up at a meeting and authorized by the Board. Ms. Allison said that Port staff, Theresa Haaland, could have just paid for the “winterization” portion of the bill and then KSF would have run a check over to Aquatech for the remaining balance. It was agreed that was a mistake that likely won’t happen again.

Phil was able to join the meeting from another device.

6.5. Facilities

 a. Closure – Washington State is set to fully reopen on June 30th. The Commissioners agreed that since the State will be opened, that the Port facilities should also be reopened to non-boaters. It was also agreed to hold the July Port meeting in person. Mr. Bouck said that he really appreciates the option of attending the meeting via Zoom. Commissioner Scholfield said that he will work on getting set up to hold the meeting in person with an option to attend via Zoom. An email dated May 25, 2021 from Michael Braun was reviewed. Mr. Braun complained about the pier being closed to the non-boating public and questioned it, since the Port of Poulsbo’s facilities were open to all public.

 b. Preventative maintenance/facility cleanup – Lee reported that the hazardous material that was in a 50-gallon drum outside of the back of the shop area at the Port office has been disposed. Fencing has also been installed in the staging lot on the eastside of the Port office building. Commissioner Scholfield said that he recently ordered the privacy fencing slats and they should be delivered next week.

 c. Restroom overhaul – Lee reported that a Sherwin Williams representative met with him and Tim at the Port restrooms. The representative wrote up the necessary steps and specific material to be used to recoat the floors and walls. It was thought this information can be used for the Request for Proposal (RFP). Lee will send the information to the Port office and it will be forwarded on to the Commissioners.

 d. Front of boat launch restrooms – Lee reported that he replaced the piece of wood that was put in place of the damaged drinking fountain at the front of the restroom building with a piece of stainless steel.

 e. Port office – Phil reported that the Simons Family Limited Trust and their attorney agreed that he could prepare the lease based on leases he has generated for the Port. Phil has sent it to the Simons Family attorney and it was also passed by Commissioner Kitchens as he has much experience with commercial leases. Commissioner Kitchens requested one minor change.

 Commissioner Scholfield said that the lines at Goodwill are very long. He spent an hour in line waiting to donate personal items. Once it slows down, he will plan to get rid of some of the surplus Port equipment.

 f. Staging lot east of the Port office building – Olympic Photography Group (OPG) and the Port had a verbal agreement that OPG could park two vehicles in the lot in exchange for maintaining the lot. It was noticed that the maintenance was lacking and discussion about the Port hiring Ken Storm, a local landscaper that the Port uses to maintain the 3215 Lowell Street property, to begin maintaining the property. OPG will be asked to enter into an agreement with the Port and charged $50 a month for the two spaces.

 g. Driftwood – during a recent “walk about” meeting a large pile of driftwood was noticed on the beach. It looked like someone was planning a beach bonfire. Lee reported that he removed it.

 h. His Hands, the landscaping contractor for the waterside Port properties, was notified to begin including the maintenance along the westside of the Pub building. This will be monitored.

 i. Water spigot to be installed near the two trash receptacles at the eastside of the boat launch parking area. Lee reported that the “Danger – Do Not Drink – Non-Potable Water” sign has been ordered. Once received, the spigot will be installed. Phil asked how the spigot can be designed to make sure the water isn’t left on. Lee said that they were planning to use a garden hydrant. Commissioner Scholfield said that in over twenty years leaving the water on hasn’t been a problem at the lift station, so doesn’t anticipate it being a problem at the wash down spigot. Commissioner Reese said that if it becomes a problem then we can address it.

 j. Gates are going to be installed at the landside of the pier and at end of the pier at the gangway. Lee reported that the material has been purchased and is at TIKAR’s shop. He asked what type of coating is wanted on the gates. Commissioner Reese said that Tim had mentioned cold-galvanized to begin with and if it works well, it can eventually be hot-galvanized, possibly when there are other items to be hot-galvanized to save on costs. Lee agreed and said that the hot-galvanizing would cost almost as much as building the gates.

 k. Marine growth on the lines under the gangway has been cleaned off according to Lee.

6.6. Port Properties

 a. Reduction in Rent – the tenants that had been paying the reduced rent were notified that there will not be a reduction in rent starting in July.

 b. Paint prep of properties – Lee reported that the paint prep of all of the properties will be completed by the end of June.

 c. Painting – Commissioner Scholfield said that the RFP’s for the painting of the properties should be generated within a week or so in order to send them out to businesses on the Small Works Roster. Phil explained that he has a template that will just need the updated addresses input into it.

 d. 3425 Byron Street/Kitsap Art – the stairs have been replaced. The tenant was informed that the outside vegetation needed some attention. She has since hired Ken Strom to clean up the area. The tenant sent an email dated June 16, 2021 providing the colors they are hoping to be used for the exterior paint (Sherwin Williams: Amazing Gray SW7044 for the walls and Snowbound SW 7004 for the trim). She also asked when the window in the breezeway is going to be fixed. Lee reported that it will be part of the paint prep so completed by the end of June. Within the email the tenant also mentioned that the little sink in the bathroom is rusted out around the top where the enamel has worn off and it is a hazard to the little kids that use it to wash up.

She asked that it be replaced or repaired. Commissioner Scholfield said that he will take a look at it.

 e. 3330 Lowell/Sugar Studios – Lee reported that the leaky sink is scheduled to be repaired next Tuesday.

 f. 9004 Washington/Dispute Resolution Center (DRC) – the tenant said that they have contacted Ken Storm, the landscaper, to conduct a total cleanup of the property.

 g. 3295 Lowell/Abeel Studios agreed to remove the motor oil containers from the side of the building. They were reminded that hazardous material is not allowed on Port property as outlined within the lease.

 h. Paving – Phil was tasked with contacting the County to discuss the possibility of vacating the area between the two Port properties – 3255 and 3215 NW Lowell Street.

 i. Madrona tree – Lee reported that he installed fifteen-inches of brick to even out the slope from the sidewalk to the DRC ramp. It may have to be reset if the concrete continues to move.

6.7. Breaking Waves patrons continue to park in the Port’s parking lot after hours. It was suggested that the County Department of Community Development (DCD) be contacted and informed that the business doesn’t have adequate parking for its patrons. Commissioner Reese said that he wants to approach it from a different angle. Possibly contacting the County and try to work together to provide more parking in the area. Commissioner Reese first wants to get everything in order before contacting the County.

6.8. Derelict WN3254NN – the hazardous material has been removed and TIKAR has submitted the final bill. The reimbursement paperwork will be generated and sent to the State Department of Natural Resources (DNR) Derelict Removal Program.

6.9 Redistricting is tabled as the necessary Census data is to be received in mid-August.

6.10. Central Kitsap Fire and Rescue (CKFR) – Commissioner Reese reported that he and Phil met with CKFR personnel and CKFR attorney, Ken Bagwell, last Friday morning. Commissioner Reese had his boat and trailer attached to his vehicle so that he could show the issue the Port has with CKFR parking its vehicle and boat trailer along the curb on the eastside of the boat launch parking lot. CKFR agreed that they won’t park along the red curb unless it’s an emergency. If they are in the area for training or a non-emergent situation they will park in the stall. They were trying to be helpful to park at the north end of the curb, but didn’t realize it prohibited boaters from being able to turn right to the exit. If/when they do have to park along the curb they won’t park so far north. Phil said that he sent the proposed agreement to the Commissioners and CKFR’s attorney Bagwell for review. Commissioner Scholfield said that the agreement needs to include a clause that states something to the affect that CKFR is responsible for anything that they tow into the Port that causes the Port additional costs. Phil questioned if this would be appropriate to add to the parking agreement. Commissioner Scholfield said that if CKFR wants to use the Port’s facilities then they need to agree to this. Commissioner Reese said that he wasn’t sure if it should be included along with the parking. Commissioner Scholfield said that they have brought in a derelict boat and a broken sea plane, both of which cost the Port a lot of time and money. Commissioner Reese said that CKFR personnel say that they didn’t tow the plane into the Port boat launch. Commissioner Scholfield said that it was totally under their control until they handed it off to the Port at the boat launch. Phil said that he can add another paragraph to the agreement and resend it to attorney Bagwell.

6.11. Tender out fee – Commissioner Scholfield said that he looked into what some other Ports charge. He saw a few that charge a five-dollar fee after four hours. He said that the group the Port had issues with last fall are back with two boats. The word tender was questioned as it was thought it referred to vessels that were anchored out and temporarily tying up. Commissioner Reese questioned how the Port would control charging a fee for daytime use. He said that he knows that Bell Harbor automatically charges a tender out fee. He suggested the Port of Brownsville be asked how they handle this. Commissioner Scholfield said that boats that are anchored out become a nuisance when they come into the Port for day use and use the power and facilities without having to pay. Commissioner Reese said that more information is needed before anything can be decided upon.

6.12. Interlocal Agreements (IA) – at a Special Meeting there was discussion about the Port hiring additional administrative support and the possibility of entering into Interlocal Agreements with the Ports of Illahee and Tracyton to provide administrative services to them. The Port Commissioners for the Ports of Illahee and Tracyton agreed that they would be interested in entering into an IA with Silverdale. This will be further discussed with Phil.

Commissioner Reese confirmed with Phil that the court date for the dredge appeal will be set on August 6th.

**7. TABLED ITEMS**7.1. Port Facilities

a. Department of Natural Resources (DNR)

b. Benches

7.2. Benefits

**8. NEW BUSINESS**

8.1. Long term health care mandate – Commissioner Scholfield said that all employees will be taxed 1.6% if there is no existing long term health care plan in affect. If an employee has long term health care the tax can be waived. It’s similar to the Paid Family Leave Act that the State passed. The Port decided to cover those costs directly. He explained that it is going into effect January 2022. Commissioner Reese said that we will have to figure it out before then.

8.2. Pigeons – a licensed pigeon capturer approached Commissioner Scholfield asking if the Port would allow him to capture pigeons from Port property. The pigeons are apparently used for training. Commissioner Scholfield told the individual he didn’t have any issues with it. Apparently, someone had told him he couldn’t. It was thought it may have been a Safe Security guard. Commissioner Scholfield will talk with Safe Security.

Commissioner Scholfield asked that the tenant at 3332 Lowell Street/Monarch be contacted and reminded that the landscaping of the property is the tenants responsibility. She will also be provided Ken Storm’s number.

 **9. SAFETY/SECURITY**
Commissioner Scholfield reminded Lee to make sure that any of TIKAR’s new employees are meeting the Labor and Industries personal protection equipment (PPE) requirements. Lee thanked Commissioner Scholfield for the reminder.

There is graffiti on one of the pilings at the dock. Lee plans to clean it up.

Commissioner Reese brought up a couple mid-week incident reports that Safe Security had provided where large gatherings of vehicles and teenagers were asked to move from the Port parking lot after hours. Apparently, one of the occasions was a senior sunset viewing party. Commissioner Scholfield said that he had the parking lots closed last Friday night.

**10. PUBLIC INPUT**
Carla Larson said that she has noticed that the new bump-outs, that the County has installed around the sidewalk corners in Old Town, make it hard for boaters with larger vessels to maneuver around. It basically takes them the entire intersection in order to be able to turn into the boat launch area. Commissioner Scholfield said that hopefully boaters will realize it’s easier for them to access the boat launch by going directly down McConnell. Commissioner Reese said that he brought his boat and trailer down and didn’t have a problem with turning. He just had to swing into the other lane a bit. He said that the bump-outs are very common around other boat launches that have been upgraded in the last ten years. It was agreed that it’s not the best design for boaters. Commissioner Scholfield said that it’s a safety issue as it reduces the amount of time individuals spend walking across the roadway.

Commissioner Scholfield reported that the pump-out discharge line was cut during construction, so the pump-out is inoperable and it is not known when it might be back up and running. Commissioner Reese suggested that information be added to the front page of the Port’s website to alert boaters. Phil said that whoever broke the pipe needs to fix it. Commissioner Scholfield said that after Ceccanti sets the next man-hole they plan to pull it back and put the Port’s discharge line into the new man-hole. Ms. Larson said that for the next three weeks the focus of the work is at the waterfront. Ms. Larson asked the status of the Port’s restrooms. Commissioner Scholfield informed Ms. Larson that they are still opened, just the County restrooms and the Port’s showers and laundry facilities are closed.

**13. EXECUTIVE SESSION**
None.

**14. ADJOURN**
***At 7:30PM the meeting adjourned*** (motion by Scholfield; second by Reese; unanimous).

Approved:

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Commissioner

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