

Port of Silverdale
Minutes of Regular Meeting
June 18, 2020

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

1. CALL TO ORDER

Commission Chairman Henry Aus called the meeting to order at 7:02 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 of Kitsap Sailing and Rowing Foundation (KSRF); Steve Rice of Rice Fergus Miller (RFM); Port tenants: Cheryl Bouck and Sarmila Basu; E. Carpenter; Randy and Marvel Hunt; Bob Hunter; and Carla Larson.

2. CONSENT AGENDA

Commissioner Reese moved to approve the Consent Agenda: June Meeting Agenda as amended; May 21, 2020 Regular Meeting minutes as submitted; June 2, 2020 Special Meeting minutes as submitted; the June 18, 2020 checks numbering 12440 through 12466 totaling \$63,630.36 as outlined in the attached Voucher Approval; and the authorization for electronic transfer of payroll taxes in the amount of \$1,977.42; second by Commissioner Scholfield; approved unanimously.

3. SIGNING OF DOCUMENTS

Commissioner Aus explained that he is going to be out of town in the early morning, so will not be able to sign documents. Commissioners Reese and Scholfield will

individually stop by the Port office tomorrow to sign documents.

4. UNFINISHED BUSINESS

4.6 Waterfront Center Predesign Project was moved to be discussed first under Unfinished Business. Steve Rice explained that RFM had scheduled a series of four public workshops, two of which have been completed. He asked if the Commissioners wish to move forward with the final two workshops. He has heard that the County will be applying to be in the Phase III reopening, which would allow gatherings of up to fifty people. He said that the first two workshops averaged about sixteen attendees. Commissioner Scholfield said that we will first need to find a new meeting space as the Jenne-Wright building is not available. He offered to check with Central Kitsap Fire and Rescue (CKFR). Commissioner Reese said that the County Commissioners are scheduled to meet tomorrow to determine if they will be applying for Phase III. Mr. Rice said that once the Port gives word RFM is ready to go.

4.1. Marine Architectural Design – a Request for Qualifications notice was published in the Kitsap Sun. The following architectural firms replied: Art Anderson Associates (AAA); Moffatt and Nichol (MN); PND Engineers, Inc. (PND); and Sitts and Hill Engineers, Inc. (SHE) The Commissioners were electronically provided the qualification replies from each of the companies earlier today along with a selection criteria rate sheet. Commissioner Aus said that all of the companies that applied are very similar. He did rank them and although they were all closely ranked the one that scored the highest for him was AAA. Commissioner Scholfield agreed that he ranked AAA higher than the other three because he felt AAA's expertise was a bit higher and liked the fact that they will provide everything in house instead of subcontracting items. He also noticed that the other three companies had very little electrical background, which is a large portion of the

project. It was agreed that since AAA is a local company out of Bremerton they are favored; whereas, MN and PND are out of Seattle and SHE is out of Tacoma. Commissioner Reese said that initially he liked the fact that AAA could take care of everything in house, but then he questioned if that was good or bad. Commissioner Scholfield said that usually there is a ten to fifteen percent increase for consulting fees, so it is definitely good. Commissioners Aus and Scholfield said that they both ranked AAA number one. Commissioner Reese said that all the firms seem like they would be more than capable to handle the project, but he agreed that he too ranked AAA highest mainly because of their location, not only for less travel costs but also because they would have more knowledge of the local waters around Kitsap County. Phil explained that once the firm is decided upon an agreement will be negotiated. If the Port doesn't agree with fees then another firm can be selected. *It was agreed to request Art Anderson Associates provide an agreement for negotiation* (motion by Reese; second by Scholfield). Discussion: Commissioner Scholfield asked Commissioners Aus and Reese to drop off the rate sheets they used to make their decision at the Port office for retention. *The motion carried unanimously.* Phil said that he will notify AAA, but setting up a time to negotiate might be difficult. Commissioner Scholfield asked Phil to have AAA send their fee schedule and the percentages they anticipate being charged to the Port. Phil agreed and said he will ask for a fixed amount cap and the hourly rate with an estimate of hours. Once he receives the information, he will pass it along to the Commissioners for review and individual feedback as this needs to move along somewhat quickly.

4.2. Port Programs

a. Sailing – John Bouck explained that they plan to get out on the water during Phase III with summer camps, which will be highly modified to adhere to the social distancing

guidelines. He said that as of today, if you see sails on the water it shouldn't be any KSRF members or the Port equipment being used. Commissioner Scholfield said that he has seen several boats being used from the public non-motorized boat storage area. Mr. Bouck said that KSRF's liability insurance is currently on hold in an effort to save some money, so there definitely should be no one using the program equipment.

b. Rowing – Bridget Burke thanked Tim and Lee of TIKAR Services for assisting CIR in moving and installing one of their rowing shell racks and the oars. CIR plans to start the Junior's program with four kids at a time in single shells. Ms. Burke asked if they could have permission to install a rolling gate in the new boatyard. She explained that it would make a lot more sense because currently the gate opens up into traffic. CIR would purchase the rolling gate, but would need to sink a post on the McConnell side of the boatyard. Commissioner Scholfield said that before any digging takes place, they will need to insure it is not on the County right-of-way. Ms. Burke was pretty certain it was not in the right-of-way but suggested she mark it with spray paint and asked Commissioner Scholfield to verify. Commissioner Scholfield added that whoever digs the hole will need to first call for a locate. Ms. Burke made note. She said that she believes the new Port Host, Danny, keeps locking the boat trailer gate. Commissioner Scholfield said that he had asked Danny if he had locked the gate and Danny said he didn't. Commissioner Scholfield said that he would talk more to Danny about it. Ms. Burke said that Danny really does a good job from what she has experienced. She explained that recently when CIR members were in the boat yard, they witnessed a car being driven erratically in the vehicle/boat trailer lot. Ms. Burke said that it was the worst she has seen thus far as individuals were even hanging out of the windows during it. There was a verbal confrontation between the individuals in the car

and a CIR member. It was agreed that members should not engage, but rather call 9-1-1. Ms. Burke said that they did call 9-1-1 but by the time there was a response the car was gone. Commissioner Scholfield said that a lot of times these erratic drivers have access to a scanner and know when the police have been called. He suggested when talking to the 9-1-1 dispatcher that it be explained, so that dispatch can instead of radio it in, deputies can be notified by other means. Ms. Burke said that she notices people drive the wrong way in the vehicle/boat trailer lot and asked that once the lot gets striped maybe something could be added to help with that. Commissioner Scholfield said that he has another "Wrong Way" sign to install. Ms. Burke said that since there are now a lot of people going out in the single shells, it is really hard with one person to lock/unlock the gate and there is no place to safely place the shell. She asked if they could place a permanent sling, which is almost like a bike rack, in the grass median right across from the boatyard, just to be used as a resting place for the shells. Commissioner Scholfield said that would create landscaping issues there. He suggested they just place a movable sling in that area when they go out on the water. An e-mail dated June 17, 2020 from CIR Juniors Coach, Ellen Strong, was received. Ms. Strong explained that individuals are having to carry singles by themselves in order to be compliant with the social distancing guidelines. They do use wheeled carts for assistance, but they are having problems getting the wheeled carts over the curb. Ms. Strong asked that the Port lessen the curb possibly by adding some pavement patch to it to create a ramp. Ms. Burke said that if there was just a little ramp, it would help so much. Commissioner Scholfield said that it would create a liability issue for the Port as some might mistake it for wheelchair accessibility. Ms. Burke said that it would only need to be about two feet wide, which wouldn't accommodate a wheelchair and CIR would pay for it. Commissioner Reese said that he could see a motorcyclist using it for beach access.

Commissioner Scholfield suggested CIR participants have a portable wedge that can be stored in the shell while out on the water. Ms. Burke said that it would just be one more item members would have to carry, which really isn't possible.

4.3 Port Facilities

a. Closure – the County is currently in Phase II of the State's reopening plan and is said to be ready to apply for Phase III any day. Phase III allows outdoor group activities of up to fifty people. It was questioned if the pier will be opened at that time. Commissioner Scholfield said that in order for the Port to do that a plan would need to first be filed with the Kitsap Health Department showing how the Port is monitoring it. An individual stopped by the Port office today stating that he noticed that the kid's playground at the Silverdale Waterfront Park was open and he asked when the pier would be opened to non-boaters. Commissioner Reese said that he would rather lean towards the side of caution and wait until the County is in Phase IV. Everyone agreed.

b. Olympic Outdoor Center – An e-mail dated June 5, 2020 from John Kuntz was received. Within the e-mail Mr. Kuntz explained that OOC is only planning to open for July and August this season. OOC paid the off-season rate of \$100 for June. Mr. Kuntz was notified that since not opening in June is due to the COVID-19 pandemic, OOC would qualify for the 75% rent reduction that the Commissioners approved unless OOC has received other financial governmental assistance. This is the last season of OOC's agreement with the Port. It was agreed that a discussion with Mr. Kuntz about his future plans and the concession stand on the pier needs to take place.

The ZOOM meeting abruptly ended. All three Commissioners were able to re-attend along with Attorney Phil Best, Administrator Theresa Haaland, Lee Knapp of TIKAR Services, Port

tenant Cheryl Bouck, Randy Hunt, Bob Hunter, and Carla Larson.

c. Dredge – Commissioner Reese said that the last letter the Port received basically stated that the Port couldn't do any dredging except straight out from the boat ramp. Phil explained that since this is now in litigation it should be discussed during Executive Session.

d. Utilities – Lee reported that the water is out on the main section of the pier. The finger piers have no water. TIKAR discovered there were serious problems with the hoses that go out to the finger piers, so have ordered new potable hoses from Belfair Hose. They recommend that the hoses be removed during the winter months as it is believed the rough waters break the hose connections. Commissioner Reese asked when this will be fixed. Lee estimated it will be completed by next meeting. Waste Management is now servicing the Port's dumpster twice a week adding a Saturday service along with the normal Wednesday service. The power will continue to be off for the foreseeable future and is included in the Recreation Conservation Office (RCO) grant application. CIR had sent an e-mail informing that the camera showing the pier isn't working via the website. Commissioner Scholfield said that they were working as of this morning. Apparently, in August the County will be contacting the Port to discuss the Bayshore/Washington project and the trench they need to dig on Port property, which will disrupt service of the cameras. Commissioner Scholfield said that in the meantime, a high-speed wireless connection is ready to get installed. He asked Lee if TIKAR could install the antennas in the near future and maybe at the same time use the lifting equipment to remove the rest of the sign on the Old Town Pub building. Lee agreed.

e. Reservations – the Northwest Steam Society Inc. has requested a refund of their \$75 reservation fee since they decided to

cancel their August 7 – 9, 2020 reservation due to COVID-19. *It was agreed to refund the Northwest Steam Society, Inc. the \$75 reservation fee* (motion by Reese; second by Scholfield; unanimous).

4. Port Properties

a. Reduction in Rent – with the County continuing in Phase II the majority of businesses are unable to open at this time. *It was agreed to continue the seventy-five percent rent reduction for July to tenants that qualify* (motion by Scholfield; second by Reese; unanimous).

b. 3295 Lowell/Abeel Studios – Lee reported that the material to repair the outer south wall of the building has been ordered.

c. 3215 Lowell/Suite 191/Deborah Lyons a payment from the estate in the amount of \$1,965 was received, which leaves an amount owing of \$935. The estate lawyers are aware and are working to get the final payment approved.

d. 3421 Byron Street/Bilingue – it was reported last month that the tenant, Cheryl Bouck, was not going to continue her lease once it expired on June 30th. Ms. Bouck said that she has since reconsidered, but with all the unknowns she asked if she could continue on a month-to-month basis. The Commissioners agreed. Commissioner Reese asked Ms. Bouck that once she does make her decision, she let the Port know as soon as possible. Ms. Bouck agreed. Phil explained that there is a clause in the lease that automatically extends it to a month-to-month.

e. 3425 Byron Street/Kitsap Art Center – an e-mail dated June 15, 2020 from tenant, Sarmila Basu who was in attendance prior to the meeting abruptly ending, had been received. Ms. Basu explains that the storage room that they use is causing damage to their stored items especially in the winter. She asked if some sort of flooring could be installed

to help alleviate the dampness and also if a wall outlet and light switch could be installed as it is very dark. Commissioner Scholfield questioned if that area is actually part of the lease. He explained that when Kitsap Art first started using the storage area, it was just used to hold some extra chairs. The storage area is basically a lean-to between the Kitsap Art building and the adjacent Port-owned building. Phil said that the lease covers the entire legal description of the property. Although the rent amount is determined upon the square footage of the building and the storage area is not part of that equation. Commissioner Reese said that he would be concerned about installing an outlet in that storage area. It was thought that obtaining a permit would not be possible. It was agreed that Ms. Basu can hire a company to improve the storage area, but the Port will not pay for it to be improved. Phil said that he was able to review the lease and it is for lots 2 and 3. He said that Ms. Basu obviously thought that the extra storage area was part of her lease. Commissioner Scholfield said that the problem is that the entire parcel is just one big lot. The Port would have to get AES to survey it. Commissioner Reese questioned if it would be an improvement or maintenance. If the storage area has always been in that shape then it would be an improvement. It apparently has always been in that shape including use of a piece of plywood to access it. It was never meant for permanent storage of anything of value. Commissioner Scholfield said that the storage space was more to be used as an at your own risk area. If Ms. Basu would like to pay to improve it, she can hire a contractor, but again permitting will more than likely not be possible.

f. 3473 Byron Street/Old Town Pub – there was a report of loose roofing on top of the building causing a possible safety hazard. TIKAR was called and took care of it. Lee reported that the condition of the roof in that area is not good and although he couldn't see the other side, he imagines it is just as bad.

g. Paving of Alley – Lee reported that he has tried to make contact numerous times with County right-of-way personnel. Commissioner Scholfield asked that if the original lease was cancelled would the Port receive credit to apply towards a new permit. Lee said that is not possible. That money would be lost. Lee said that he has heard that the County has a two-month back-log for permitting. He has another point-of-contact he plans to reach out to.

5. Grant funding – the RCO grant presentation via ZOOM is scheduled for June 29, 2020. The time is unknown. Commissioner Scholfield plans to attend representing the Port along with the Port's grant writer Kathleen Byrne-Barrantes of Grant Solutions. The full payment to Grant Solutions in the amount of \$22,295 has been processed for approval at tonight's meeting.

6. Waterfront Center Predesign Project – discussed earlier.

7. Small Claims – Kitsap County Sheriff's Department served the defendant, John Gotschall, the Notice of Claim. The court date is set for July 8, 2020 at 8:30AM. Commissioner Scholfield plans to attend. He has e-mailed the official copy of the pdf that the Kitsap Fire and Rescue created regarding the incident.

8. U. S. Navy – last month a request from the Navy to use the Port facilities for training purposes was discussed. Phil explained that he hasn't finished discussing the re-wording of the Right of Entry Agreement. He plans to make contact with them prior to their July 15, 2020 deadline.

9. Port computer was replaced after it stopped working and it was determined it wouldn't be possible to fix it.

10. Olympic Photo Group (OPG) the neighboring business to the Port office, personnel stopped by the Port office and

requested that the vegetation between the two buildings be trimmed. He also asked if the Port would allow OPG to park their trailer in that area and in exchange they would maintain the area. It was thought that since CIR is no longer using that area the Port will now have it available to be used as a staging area. At times OPG has been allowed to park their trailer in the Port area across the street from the Port office. Commissioner Scholfield said that OPG has always been quick to comply with moving it when necessary so he is in favor of allowing them to park the trailer between the two buildings as long as they agree to move it when needed and in exchange for maintaining that area. Everyone agreed.

5. TABLED ITEMS

5.1. Port Facilities

a. Department of Natural Resources (DNR)

b. Benches

2. Benefits

6. NEW BUSINESS

6.1. An e-mail dated May 22, 2020 from Nick Reynolds of the band "Redemption" was received. Mr. Reynolds had asked the Commissioners to reconsider their decision from last month to allow his band to play on the Port's finger pier during the summer. It was thought Mr. Reynolds was going to attend tonight's meeting. Commissioners stand by their original decision.

6.2. An e-mail dated June 15, 2020 from Bethany Bauthues asked the Commissioners to consider adding parking spots closer to the boat launch for vehicles without trailers that are used to transport watercraft (i.e. kayaks, paddle boards, etc.). Commissioner Scholfield said that he has seen non-motorized boaters unload at the boat ramp and then move their vehicle to the vehicle-only lot. He said it cannot be done anyway because the grant that was used to pay for the vehicle/boat trailer parking lot was from non-refunded boat gas tax, so the Port is obliged to insure those

parking stalls are available to vehicles with boat trailers.

6.3. Municipal Research and Services Center (MRSC) is a non-profit organization in Seattle that supports local government. It costs \$135 annually to be a member. There had been mention of the Port joining, but nothing official. Phil added that MRSC has a lot of information beneficial to Ports. It was agreed that if it is beneficial to the Port it would be a good investment.

The meeting paused as it was realized that Commissioner Reese was no longer in attendance. Within a couple minutes he was back in attendance.

6.4. Petty cash was used to reimburse Karen Best roughly \$32 for the flowers she purchased and planted in the containers outside of the Port office. Thank you Karen!

6.5. Commissioner Aus had sent an e-mail dated June 17, 2020 explaining that he has been thinking about stepping down from his position. Commissioner Aus said that he would like to continue through the year retiring on December 31, 2020. That way the new Commissioner wouldn't have to come in as the Chairman. Commissioner Reese said that whoever is appointed wouldn't necessarily have to hold the Chairman position. Commissioner Aus explained that he had asked Bob Hunter the Executive Director of the Kitsap Public Utilities Department if he might be interested in filling his position and Mr. Hunter did express an interest. Phil explained that the same process that was used when appointing Commissioner Reese to fill the District 1 position will need to be taken. Some sort of notice will need to be placed in the local paper. To begin the process a resignation letter from Commissioner Aus that includes the date he plans to retire is needed.

A vessel search was ran for the Port of Manchester on the Port's Department of

Licensing vehicle/vessel on-line access account. Commissioner Jim Strode of Manchester called and explained that they were in possession of a derelict vessel and had no information on it. A call was placed to DOL with no reply. This had been discussed at an All Ports meeting as some of the smaller Port Districts have a problem finding the owner information of derelicts.

7. SAFETY/SECURITY

An e-mail dated June 8, 2020 from Tress Renfroe, tenant at the Baybreeze Apartments, was received. Ms. Renfroe informed the Port that it she has noticed individuals in the Port – owned wetlands area in front the apartments having fires every night. Safe Security was notified and have been checking it out nightly, but haven't noticed anything unusual.

The next Waterfront Center Predesign workshop was discussed. Since it is thought the County will soon be in Phase III, the next workshop will be scheduled for July. Phil said that he has talked with Dave Tucker of Kitsap County Public Works. Mr. Tucker explained that even though COVID-19 has impacted County business, the County's timeline regarding the pump station hadn't changed. They need a decision whether they are moving the pump station into a multi-use building owned by the Port or not. Phil plans to invite Mr. Tucker to the next Port meeting for further discussion.

Lee said that TIKAR over ordered materials for the benches that were fabricated for the Port. He asked if the Port would want to purchase the material at cost, which could be used to maintain the current benches. The Commissioners agreed that would be beneficial to the Port to have the material on hand, since it will be bought at cost.

8. PUBLIC INPUT VIA EMAIL

None.

9. EXECUTIVE SESSION

At 8:34PM it was announced that the meeting would be going into Executive Session for approximately five minutes to discuss the dredging appeal.


At 8:39PM the meeting returned to Regular Session.

Commissioner Scholfield said that in order to continue tonight's meeting he upgraded the ZOOM account, which cost \$15 per month. It allows up to 100 people to join the meeting. It was agreed that the July meeting will continue to be held via ZOOM.

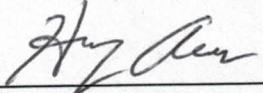
10. ADJOURN

At 8:43PM the meeting adjourned (motion by Scholfield; second by Reese; unanimous).

Approved:



Commissioner



Commissioner

Commissioner

