

Port of Silverdale

Minutes of Regular Meeting
August 19, 2021

The Port meeting was held in person and the public was also allowed to attend via ZOOM. The link to the meeting was posted on the Port's website - portofsilverdale.com.

The start of the meeting was delayed as there were technical difficulties in connecting to the internet to allow for ZOOM access.

1. CALL TO ORDER

Commissioner Caleb Reese called the meeting to order at 6:26 PM. Others who were attending in person were: Commissioner Ed Scholfield; Attorney Phil Best arrived at 6:29PM; Administrator, Theresa Haaland; Lee Knapp of TIKAR Services and Marvel Hunt. Those attending via ZOOM were: Julie Jablonski and Greg Jacobs of Kitsap Sailing Foundation (KSF); Bridget Burke of Clam Island Rowing (CIR); Ron Gillespie; Randy Hunt; Carla Larson; and Joyce Merkel.

2. PLEDGE OF ALLEGIANCE – those in attendance stood and recited the pledge.

3. CONSENT AGENDA

It was agreed to approve the following Consent Agenda items as submitted: August Meeting Agenda as amended; July 15, 2021 Regular Meeting minutes; July 26, 2021 Special Meeting minutes; July 26, 2021 Kitsap All Ports Meeting minutes; Authorization for Electronic Transfer of Payroll Taxes #2021-08 to the U.S. Treasury in the amount of \$2,882.46; the August 19, 2021 Voucher Approval for checks numbering 12802 through 12829 totaling \$77,028.14, which is attached to these minutes; and Excusing

Commissioner Kitchens' absence. (motion by Scholfield; second by Reese; unanimous).

4. EXCUSE COMMISSIONER KITCHEN' ABSENCE was included within the Consent Agenda.

5. GUESTS THA REQUESTED TO BE ON THE AGENDA – None

6. UNFINISHED BUSINESS

6.1. Waterfront Center Predesign Project/Pump Station #3 – Commissioner Reese reported that the boring samples have been completed with the preliminary report due September 3rd. A meeting is scheduled for September 9th with Patano, Leon Environmental, Landau and County personnel to go over the findings in the report. There is also a meeting scheduled next Tuesday, August 24th, to discuss permitting for the pump station building. Patano's contract amendment to extend the Phase 1 deadline and include the boring costs has not yet been received.

6.2. Grants/Projects – according to an email dated August 12, 2021 from Kathleen Byrne-Barrantes the Recreation Conservation Office (RCO) should be reaching out to the Port any time now to negotiate the agreement for the Aquatic Lands Enhancement Account (ALEA) grant and the Boating Facilities Program grant. Within the email Ms. Byrne-Barrantes also explained that her contract with the Port has expired so an addendum should be generated to extend the previous contract for an additional year. Commissioner Scholfield said that with the Waterfront Activities Center on the horizon, the Port needs someone on board that has experience in getting money for such

projects, either Ms. Byrne-Barrantes or Carla Sawyer a funding specialist who was successful in obtaining money for Kitsap Transit's Fast Ferry program. Phil explained that moving the floating moorage facility to the south may impact the grants as the RCO will need to be informed of the changes and since it differs from what the grant description outlined, it may cause an issue with receiving the grants. Phil said that he was hesitant to contact the RCO about the agreement until a decision about moving the floating moorage facility has been made. Art Anderson Associates (AAA) emailed the Marina Relocation Alternatives Analysis dated July 30, 2021, which included the costs of each alternative. Commissioner Reese explained that one of the alternatives was to use the new non-motorized float as an extension to the motorized float moved to the south. He said that he didn't think that was a good design as the non-motorized dock should be completely separate from the motorized floats. Julie Jablonski agreed. Commissioner Scholfield said that if the Port decides to move forward with the dredge, it will buy us some time. Phil said that he can contact the RCO to see how flexible they are with the grants. Commissioner Reese said that he sees this as two separate items that need to be done in the proper order. The non-motorized float won't change other than location. Ms. Jablonski explained that KSF wants to be involved in the design of the float. As KSF members had discussed in previous meetings KSF wants to grow the program and to do that they must make sure there is adequate dock space for more sailboats. It was explained that AAA isn't at that point yet, but it is part of their scope-of-work to reach out to the user groups. Ms.

Jablonski reiterated that she hopes KSF and CIR get to provide input for the design. She is concerned that the size might not be good enough for expansion of the program. Commissioner Scholfield explained that they will still have use of the existing sailboat float as it will be anchored out during the season and there will be areas on the new non-motorized float for sailboats as well. Commissioner Reese explained that nothing has changed from AAA's preliminary design of the non-motorized float, what is being discussed at the moment is moving the entire floating moorage facility to the south. Commissioner Scholfield said that he thought we should move forward with the original plan of the dredge, which will buy us more time to determine the best way to move forward. Commissioner Reese said that he hates to spend that money on the dredge around the floating moorage facility, if it could be used to move the facility out to the south and avoid the dredge altogether and future dredging of that area. Commissioner Reese asked Phil if he had the breakdown of the costs for the dredge, separating the dredge around the boat launch and the dredge around the floating moorage facility. Phil said that he hadn't looked into that yet, but will. Commissioner Reese said that the Port will probably need to have a Special Meeting with AAA to further discuss the analysis report and alternatives. Phil explained that we are in an awkward position in regards to the litigation. He said he doesn't think we should try to change it at this point. Phil asked if he should contact the RCO regarding the grant agreements. Commissioner Reese asked him to wait until the RCO contacts the Port. He said that he is concerned with the costs because if there is a large cost to dredge

around the floating moorage facility, he'd rather put that money towards moving the facility. Commissioner Scholfield said that he was looking at alternative 2A on AAA's analysis, but whatever is decided upon, he is against using concrete floats. Commissioner Reese again said that a Special Meeting with AAA will need to take place, but we will first need the dredge costs breakdown Phil is going to obtain and we also need an idea of mitigation costs. An email dated August 2, 2021 from Amy Leitman of MSA Environmental, the Port's dredging permit application consultant, was reviewed. Within the email, Ms. Leitman explains that the impact of potential mitigation by National Oceanic and Atmospheric Administration (NOAA) needs to be considered in the budgetary calculation. She suggested habitat impacts and cement vs. graded material be looked into when determining the best way to move forward. Phil said that he informed AAA of Ms. Leitman's concerns. Phil agreed that the mitigation costs will be part of the overall costs and he will ask Ms. Leitman for an estimate. Once it is known what direction the Port intends to take, Phil will contact the RCO to see if the contract can be amended where necessary. The dredge litigation is scheduled for December 3rd, which is necessary no matter what the decision is regarding moving the floating moorage facility because the litigation affects the dredge at the boat launch also. Phil said that he will work on getting the estimated dredging breakdown costs and mitigation costs and will place a call into AAA to verify they have talked with Ms. Leitman and possibly set up a meeting.

6.3. County's Bayshore/Washington/Byron project – Ceccanti has completed the sealing and restriping of the Port's parking lots as

agreed upon within the Use of Port Property Agreement in exchange for their use of a portion of the Port's vehicle/boat trailer overflow parking lot. It was agreed that the sealing and striping of the lots was satisfactory. Commissioner Scholfield said that there are two dead trees near Ceccanti's baker tanks. Ceccanti is now working down on Bayshore Drive.

6.4. Programs

a. Sailing – John Bouck had sent an email dated August 18, 2021 to the Port explaining that he wasn't going to be able to attend tonight's meeting and provided an update of KSF happenings. Commissioner Reese read the KSF update portion of the email. Summer sailing has concluded and all the boats are off the docks. Fall sailing is scheduled to begin on August 24th and will run through early November, subject to pandemic issues. KSF has raised the cost for the fall program to support paying for some coaching. KSF has agreed to sell the "Flattie" vessel and eventually replace it with another Lightening. They haven't determined a price yet, but will base it on the going rate for similar boats found online. They will formalize any purchase agreement through the Port as the boat they realize the boat is Port property. It is anticipated to be in the hundreds. The boat yard remains packed, but they do not yet have any changes to propose. Julie Jablonski explained that the training the sailing team members obtain is allowing them to receive a level one sailing certificate, which they can then use to apply for summer jobs as sailing instructors. She knows of individuals who have obtained gainful employment in Kingston and Port Townsend because of their experience

with the program. Just another positive aspect of the program for our youth.

b. Rowing – Bridget Burke provided a memo dated August 2021. Commissioner Reese read through the memo. CIR participated in Whaling Days and thirty-seven individuals signed up for information with over a dozen individuals participating in the “Try Rowing” experience in an eight-person shell. The Irma and the Francis are being painted this month. The Port’s inventory stickers will be added to them once painting is complete. The decals are on the oars now. They repaired the Laser and have decided not to sell it. With regards to the four non-Port owned shells that are being stored in the boatyard for program participants to borrow, the owners have been told that their insurance needs to cover the shells. Ms. Burke owns one of the shells and she asked to have the shell added to her insurance but was told that since it is not worth \$2,000, they would not specifically add it. She plans to meet with Phil to further discuss the terms of the contract. CIR has sent plans out to a fabricator for a new metal rack, which will hold fours. Within the memo Ms. Burke again requested that the damaged window on the south side of the Old Town Pub be boarded and that the grass on the west side of the building be cut. CIR holds four different classes: Adult Learn to Row, which just ended with ten new rowers; Masters Sculling, which continues through summer; Master Sweep, held on Monday and Thursday evenings; and Juniors, the high school rowing team which will begin in September.

6.5. Facilities

a. Shop cleanup – Commissioner Scholfield said that things are moving around back there.

b. Restroom overhaul – Commissioner Scholfield said that he will help prepare a Request for Quotations (RFQ) using the Sherwin Williams information provided by Lee.

c. Department of Natural Resources (DNR) – Phil said that he received the updated legal description from AES Consultants. It was apparently prepared some time ago.

d. Benches – a list of Commissioners through the years was provided along with several sample plaques that were found online. Marvel Hunt suggested to hold off on the plaques for the benches since there is going to be so many changes in the area in the future. Commissioner Scholfield said that one could be placed near the life jacket stand. Phil said that Ms. Hunt brings up a good point and that maybe this should be explained to the architects that this is something the Port would like to be included with the Waterfront Activities Center. Ms. Hunt said that if the Port has an observation deck, it would be a good place for a couple of benches with plaques. Commissioner Scholfield said that the benches are portable, so really could be done at any time and there is also the area at the end of Lowell Street to consider. Ms. Larson said that she thought this was on hold until the construction of the proposed Waterfront Activities Center building was set, but the Lion’s Club is willing to pay for theirs at any time. Ms. Jablonski said that the KSF would be interested in honoring one of their donators with a bench and plaque. Commissioner Scholfield said that benches aren’t in the plan yet and there is no permanent location for them. Ms. Jablonski explained that down in Olympia along the boardwalk she saw some really cool benches, she said she will send pictures of them to the Port office.

Commissioner Scholfield said that the Port is in possession of all the material for additional benches, so if/when the Lion's Club and or KSF wants to purchase one they are available. It was mentioned that Mike Vasquez and Tim were going to purchase one in honor of former Port Commissioner Harry Knapp.

Commissioner Scholfield said that we may want to consider a large plaque honoring all of the past Port Commissioners be placed on the new building. It was agreed that would be a nice tribute and that this should be taken off of the agenda. Commissioner Scholfield mentioned the placement of the garbage cans. Commissioner Reese requested that any old worn garbage cans be replaced with new garbage cans that are currently being stored in the Port's shop. Lee took note.

Gate at the top of the gangway has been installed. Phil questioned the purpose of the gate. It was explained that it will be used when the floats are closed for maintenance and also during events such as Whaling Days for control purposes.

In-water window for maintenance is open during August. Lee reported that they are cleaning the boat ramp and underneath it.

Tender-out fee – Commissioner Scholfield said that a lot of other Ports have a four-hour grace period. This will be taken off of the agenda.

Embedment testing – an email dated August 15, 2021 from Bob Kiel was received. Within the email Mr. Kiel explains that per permit instruction, embedment testing will take place during the late afternoon on Saturday August 21, 2021 during rising tide and removal will take place the next day, August 22, 2021 during low tide. All holes will be filled to level of seafloor plane afterwards.

Non-payment of moorage for vessel WN4885MD – David and Teresa English who

owe the Port \$200 in unpaid moorage fees and made a complaint to Kitsap1 about the Port were again tied up to the moorage facility. A notice of non-payment was prepared, but by the time it was taken down to be posted on the boat, the boat was gone. The County was notified via email of the status.

Whaling Days – TIKAR has billed the Port for the grease/oil cleanup costs left in the Port's parking lot by some of the Whaling Days food vendors. Whaling Days will be billed. Ms. Larson said to send the bill to Vicky Webb.

4.6. Port properties

a. Paint prep of properties – Lee reported that an area of the 3423 Byron Street property had significant rot. They took care of it and ended up having to install a new window. The siding of the 3425 Byron Street property should be completed tomorrow.

b. Painting – an RFQ was sent to five painting businesses that were listed on the Small Works Roster (Action Maintenance & Painting; Coatings Unlimited, Inc.; Quality Coating Enterprises, LLC; Sabelhaus West, Inc.; T&J Painting, Inc.). The buildings to be painted were 3421, 3423 and 3425 Byron Street and the trim of the 3215 Lowell Street building and garage. One bid was received from T&J Painting, Inc. in the total amount of \$56,489.25. Commissioner Scholfield said that the bid seemed high. He suggested having TIKAR come in and pressure wash the buildings and he will paint them. He added that there seems to be an issue with paint being in stock so that could be problematic. Phil asked if the bid from T&J Painting is being rejected. The Commissioners replied yes.

c. 3425 Byron/Kitsap Art – Lee reported that the window in the breezeway has been repaired. The sink that needs to be replaced is an unusual size and they are trying to find an

adequate replacement. TIKAR also removed a wasp nest that was near the building.

d. 3475 Byron/Old Town Pub – Lee reported that the broken window reported by CIR has been boarded.

e. Paving – Phil said that he is working on getting the right people at Kitsap County Public Works to give their okay for the vacation of the area between 3255 and 3215 Lowell Street.

6.7. Old Town Parking the Templeton building at the end of Byron Street was sold some time ago. The previous building owner allowed for the parking area to be used by the public during the weekends, but apparently it is no longer allowed.

6.8. Redistricting – an email dated August 17, 2021 from the Washington State Redistricting Commission was received. It outlined important dates regarding redistricting. The mapping tool with the official Census Bureau redistricting data is anticipated to be live towards the end of August.

6.9. Tender out fee – already discussed.

6.10. Interlocal Agreements for the Port of Silverdale to contract Administrative Services to other Ports was reviewed. Phil questioned the Port's liability if Port staff missed a deadline or made errors on work being conducted for one of the contracted Ports. He suggested the Port's insurance company, Enduris, be contacted to verify the Port would be covered. Currently Port of Silverdale employee, Theresa Haaland, holds contracts with the Ports of Illahee and Tracyton to provide administrative services. She had thought that since the Port of Silverdale is discussing hiring additional Port staff it would be beneficial for the Port of Silverdale to enter into agreements with the other Ports directly so that all Port staff can complete the tasks for all three Ports. Phil

questioned the fees outlined within the Interlocal Agreement and asked if they are the same amount that Ms. Haaland currently charges the other Ports. It was explained that the costs within the Interlocal Agreement include a \$15 per hour increase from what Ms. Haaland currently charges. It was thought the increase would more than cover any overhead that the Port would incur. Commissioner Reese said that he wants to look into the overhead further to make sure the fees would cover everything.

6.11. Hiring additional Port staff – there was nothing to report other than Ms. Haaland reminded the Commissioners that additional staff is needed.

6.12. Long term health care – Washington State has passed a new law mandating public long-term care benefits for Washington residents. Paid for by a 0.58% tax on employee wages. *It was agreed the Port would cover the costs of the long-term care tax once it's in affect* (motion Scholfield; second by Reese; passed).

6.13. Airlift Northwest – Commissioner Kitchens will verify if he is eligible for this additional coverage.

6.14. Port Rules and Regulations – Commissioner Scholfield provided a first draft of the Rules and Regulations. He explained that he took the Port of Bremerton's Rules and Regulations and changed them to meet Silverdale's needs, although they are a first draft as there are more changes to be made and also all of the Port's resolutions need to be reviewed and included where appropriate. Phil explained that to adopt the new rules and regulations the Port should provide for public input with possibly creating an advisory committee similar to when the Port created the parking policies. Commissioner Scholfield explained that the rules and regulations aren't

new it is just an attempt to codify the existing policies. Phil said that once the proposed document is ready for adoption, before that happens it should be made available to the public for comment. He said that it is probably a good idea to codify the policies, but there is a process to do this.

6.15. Small Ports Seminar in Leavenworth is scheduled for October 21st and 22nd. Rooms have been reserved for Commissioners and Phil to attend the meeting. The Port's Regular meeting is scheduled for October 21st, so will need to be changed. *It was agreed to move the October 21st meeting date to October 19th* (motion by Scholfield; second by Reese, passed). Commissioner Kitchens will be informed of this change and verified that he will be able to attend.

7. NEW BUSINESS

7.1. Refund of \$75 reservation fee to Port Ludlow Yacht Club is being authorized at tonight's meeting. They decided to cancel their trip to Silverdale due to the construction in the Old Town area.

7.2. Advertising in the Washington Economic Development Guide was discussed. It was decided not to advertise in the guide.

Commissioner Scholfield said that there is a dinghy (BH) that was sunk near the moorage floats. Boaters from Poulsbo pulled the dinghy up onto the Port's floats. It is unknown who owns it. It has been on the floats for a couple weeks now and no one has moved it. It is somewhat of a tripping hazard and there have been complaints about it. It was agreed to have TIKAR remove the dinghy and impound it. Lee took note.

8. SAFETY/SECURITY

Commissioner Reese questioned the incident report that was provided by Safe Security where they discuss asking a group of "divers"

to move. It was thought they may have meant drivers. There was another incident where an individual was smoking marijuana on the Port property.

9. PUBLIC INPUT

Marvel Hunt asked why the Port's boat launch restrooms were closed during Whaling Days. Commissioner Scholfield said that it's just the way it is because the restrooms get overused during the event and part of the agreement with Whaling Days is that they be closed. Ms. Larson said that you don't want them to be open during the festival as it gets disgusting fast. She explained that Whaling Days provides sani-cans that are clean and a lot more sanitary than public restrooms. Ms. Hunt said that another issue she has heard from a boater is that there are electrical problems down on the floating moorage facility and the water is not available. Lee responded that the water is available at the moorage facility although there are a couple of spigots that aren't working properly. Commissioner Scholfield said that some of the electrical receptacles down on the floats do still work, but not all of them. He explained that the line broke probably three years ago and the Port got a bid from Bainbridge Electric and was told that in order to receive a permit for the project the entire electrical system will need to be replaced. At that point the Commissioners decided to apply for a grant to upgrade the entire facility to 50-amp service. Commissioner Reese explained that the power is working down on the floats, just not the entire facility. Commissioner Scholfield said that there is no power out on the far pier. Commissioner Reese said that he has heard that the moorage fee should be reduced since the power isn't available, but when boaters hook up to power, they are

supposed to pay an additional \$2.00 per night so it is already a separate charge from moorage.

10. EXECUTIVE SESSION

At 8:00PM it was announced that the meeting would be going into Executive Session for approximately fifteen minutes to discuss real estate matters.

At 8:19PM the meeting returned to Regular Session.

There was no public waiting in the ZOOM waiting room to reenter the meeting.

Phil and Commissioner Kitchens, if available, were authorized to negotiate the real estate matters discussed during Executive Session (motion by Scholfield; second by Reese, passed).

11. ADJOURN

At 8:20PM the meeting adjourned (motion by Scholfield; second by Kitchens; unanimous).

Approved:

Commissioner

Commissioner

Commissioner