

Port of Silverdale

Minutes of Regular Meeting
September 15, 2022

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.

1. CALL TO ORDER

Commissioner Caleb Reese called the meeting to order at 6:00PM. Others attending in person were: Commissioner Doug Kitchens; Commissioner Ed Scholfield; Administrator, Theresa Haaland; Elizabeth Barnes tenant of 9020 Washington Avenue; Sarmila Basu and Kristy Gumpert tenants of 3425 Byron Street; Marvel Hunt; Carla Larson; and Tim Knapp arrived at 6:35PM.

Those attending via ZOOM were: Donna Moore of Clam Island Rowing (CIR); John Bouck, Julie Jablonski and Greg Jacobs of Kitsap Sailing Foundation (KSF); Hank Anderson; Monica Downen; and Briene Wagner.

2. PLEDGE OF ALLEGIANCE was recited.

3. CONSENT AGENDA

It was agreed to approve the following Consent Agenda items: September Meeting Agenda; August 18, 2022 Regular Meeting minutes; Authorization for Electronic Transfer of Payroll Taxes #2022-09 to the U.S. Treasury in the amount of \$2,917.42; and the September 15, 2022 Voucher Approval for checks numbering 13149 through 13172 totaling \$78,481.17, which is attached to these minutes (motion by Kitchens; second by Scholfield; unanimous).

4. ATTENDEES WHO ASKED TO BE PLACED ON THE AGENDA – Sarmila Basu

explained that when she first rented the building at 3425 Byron Street from the Port it included a wall-mounted air conditioning unit that lately has not been functioning well. She said that she would be happy to invest in buying a new unit and would be willing to leave the unit in place upon her business moving out of the premises although she has no plan of doing that anytime soon. She requested that the Port pay to have the unit installed properly. Commissioner Reese asked the status of the current wall unit. Kristy Gumpert said that it's an older unit and about two years ago the cooling stopped and now it acts more like a fan blowing air. *Commissioner Kitchens made a motion to pay for the installation of a new air conditioning unit at 3425 NW Byron Street; second by Scholfield.* Discussion: Commissioner Scholfield said that there is no guarantee that whatever unit is installed will actually cool the entire space. Ms. Basu said that she will get the best unit possible. *The motion carried unanimously.* Ms. Basu explained that she was hoping for some guidance on the purchase. It was agreed that TIKAR will be asked to coordinate and an electrician will need to be hired to install a 20-amp receptacle.

Roy Sahali explained that he was hoping to set up his food truck on Port property as he has done in the past. He would like to park it in the farthest stall in the vehicle/boat trailer overflow lot. He is hoping to start selling this fall and anticipated setting up his truck at least three days a week preferably to include weekends. He said that in the past, he had an agreement with the Port allowing him to have the grassy area available to other vendors. The agreement between the Port and Mr. Sahali that was in place in 2018 was reviewed. Commissioner Kitchens explained that he

would like more time to review the previous agreement and make some suggestions. Commissioner Scholfield said that in the past the Port had a limit of two parking stalls being used in total. Commissioner Kitchens offered to meet with Mr. Sahali outside of a meeting to work on the agreement.

Elizabeth Barnes explained that she is looking to expand her business and heard that the neighboring tenant, the DRC, at 9004 Washington was considering moving. She met with DRC personnel and toured the building and determined that she would like to lease the building from the Port upon the DRC's move and wanted to start negotiations to renovate now. She said that the flooring needs to be replaced as well as possibly some structural items and electrical. She explained that the color of her current rental is actually a signature color, so she is planning to pay to have the building painted prior to her move and then repaint the 9004 Washington building the signature color. Mike Vasquez, who is a good friend of Ms. Barnes and former contractor to the Port, has offered to provide her with some plans that were drawn up years ago when the DRC was considering working with the Port to remodel the building. Commissioner Kitchens reported that he spoke with Mary Hancock of the DRC last week. Ms. Hancock had told Commissioner Kitchens that the DRC doesn't have an exact move out date, but worst-case scenario it will be in September 2023. Ms. Barnes said that at one point she had purposed to the DRC that they switch buildings with her sooner as it seems the majority of their work is done remotely, rarely using the building. Ms. Barnes explained that she is willing to help the DRC transition any way possible. Commissioner Kitchens suggested

an inspection of the 9004 Washington building take place to determine what needs to be done. Commissioner Scholfield explained that with the length of time the DRC has been in the building, over twenty-two years, there is quite a bit of work that will need to be completed. Commissioner Reese said that any renovation will have to wait until the DRC determines the exact move out date. Ms. Barnes agreed but added that she wants to have the plans in place and the negotiations determined prior to the DRC's move out date, so that permits can be applied for in advance and everyone is on the same page. Ms. Barnes offered to write a check to insure she will have the first opportunity to rent it from the Port. Commissioner Kitchens assured Ms. Barnes that her interest for the building is on record and she is the first in line to rent it. It was agreed that Commissioner Scholfield will coordinate with Tim and create a punch list of the items that need to be changed, repaired or updated. Commissioners agreed that there is no need for Ms. Barnes to submit a deposit at this point. Ms. Barnes explained that she is ultimately just trying to have the least amount of downtime for her business, which will also benefit the Port avoiding a period of vacancy.

5. UNFINISHED BUSINESS

5.1. Waterfront Center Predesign Project – Patano had provided the updates to the thirty-percent design. It included roll up doors on the west side of the shed. Marvel Hunt questioned the material that will be used for the roll up doors and suggested a light penetrating material to lighten up the space. Commissioner Reese plans to contact Chris Patano for the material details. Julie Jablonski asked if the height of the cross beams in the

shed were known as it should accommodate a mast, which is probably close to twenty-five feet plus the height of a dolly. She recalled it being one of the goals for the building talked about all along. Commissioner Reese explained that it hadn't changed since the meeting where Mr. Patano presented the thirty-percent design.

5.2. County's Pump Station #3 Project – an Agreement from Esherick Homsey Dodge and Davis (EHDD) for Architectural Services dated September 15, 2022 was reviewed. As outlined in the agreement EHDD will provide architectural services for the coordination of the Port's Waterfront Center project with Kitsap County's Pump Station project Commissioner Reese explained that there is one change to the agreement under Item E the completion date will be changed to January 1, 2024. The costs are not to exceed \$10,000 as agreed upon at last month's meeting.

5.3. Grants/Projects

a. Non-motorized float – Commissioner Reese explained that he will submit another progress report to the Recreation Conservation Office (RCO) Aquatic Lands Enhancement Account (ALEA) as it is coming due.

b. Marina relocation – Commissioner Reese explained that Art Anderson Associates (AAA) has informed him that a geologist will need to be hired to determine the allowed load for the new pilings. It was agreed that a geologist should be hired through AAA's contract. Commissioner Reese will inform AAA.

c. Outer-water boundary expansion – Commissioner Reese reported that as far as he knows Phil continues to work on this item.

d. Dredge – the status of Sound Action's appeal is unknown. Phil will be contacted for status.

e. Current grants – the sixty percent designs of the non-motorized float and marina relocation were submitted to the RCO.

5.4. County's Bayshore/Washington/Byron project – Commissioner Scholfield reported that one of the test wells was removed from the Port's parking lot. There is another one that is located near the pub and is thought it might be from the Waterfront Center Project. The construction crew is doing a punch list of all their test wells and they should be decommissioned next month. Commissioner Scholfield said that he spoke to the County about the street lights being an issue for KSF members to safely move sailboats with masts from the boatyard to the boat ramp, heading east on Byron. He was informed that for \$200,000 they can perform a study and possibly switch them out. Commissioner Reese informed Commissioner Scholfield that there is a stop sign laying outside of the 3475 Byron Street building along the Byron Street side.

5.5. Programs

a. Sailing – the KSF Report dated September 2022 submitted by John Bouck was read:

Fall Programs

- Fall racing program is underway - practices have been three times a week. Our first regatta is Sept 24 at Sail Sand Point (Lake Washington).

Fleet

- No updates or changes to the fleet.

Maintenance/repairs from the summer program continues.

Facilities

- We look forward to re-arranging the yard when fencing is decided upon.

Commissioner Scholfield explained that he has been playing phone tag with Puget fencing for an estimate. Commissioner Kitchens said that in the past when rearranging the boat storage area was discussed, there had been talk about taking away parking for the two tenants in that area. It was explained that the tenant of 3475 Byron Street, Belinda Closser, stopped in the Port office today and outlined a couple of suggestions she had to insure continued adequate and safe parking for her customers. John Bouck explained that they are flexible in the design, if it would be better to swap the parking area with sailings storage area. Commissioner Kitchens said that normally the required amount of parking stalls for a business is listed on the Occupancy Permits, so that should be determined prior to the design. Commissioner Reese assured that there will be plenty of parking for the tenants and he plans to include the tenants in the discussions about the design.

Tim asked the last date of use for the sailboat float for the season. Mr. Bouck thought November 15th, but wasn't sure. He will verify and contact the Port office. It was mentioned that the 15th is rather late in the month for the removal.

b. Rowing – the Clam Island Rowing (CIR) Report dated September 2022 submitted by Donna Moore was read:

Programs:

Masters

16 active adult members.

Great rowing this summer and lots of fun at the Bill Richards Regatta in Poulsbo.

Junior rowers are in full swing, 13 rowers and having two chase boats allows one driver to work with the 8 rowers in the sweep boat and the other chase works with the scullers.

Steven Saylor is back from Olympic Development Camp, and hopes to go to rowing development camp again in the future. Olivia who rowed with us in the past helps out with coxing or crew as needed.

Equipment:

Theresa provided a current list of boats to us and we will add the three new boats that CIR will donate to the port. We have a list of boats to be sold. The Eckman boat previously priced at \$1.00(to be sold, it is not rowable) may be kept to help keep boats below it on the rack protected from the elements to an extent.

Chase boats keys and combination to all locks were provided to Theresa.

Rent for the boats will be paid for the calendar year of 2022, \$75.00 for each boat (based on the calculation provided.) CIR will pay the rent for the two boats owned by the coaches stored in the lot.

We await word from the port as to whether there is room to store the 3 sculls in the CIR boat yard in the soon to be re-configured port rental storage boat yard.

Commissioner Reese explained that once the boat storage area rearrangement is complete there will be room for the three additional rowing shells. Room could be made now, but it was thought it would be easier to just keep them where they currently are with the agreements in place. He thanked Donna Moore for taking care of the personally-owned shells. Ms. Moore explained that she talked to the Port's insurance agency, Enduris, and

offered to have a more detailed discussion with Commissioner Reese outside of a meeting at a later date.

We will sign out all chase boats that leave the boat yard.

Safety:

Two fire extinguishers were purchased for the chase boats and will be installed soon.

Boat Maintenance: The port sticker was placed on the Whaler. No bilge pump yet.

As always, we are thankful for the Ports support for rowing and the program continues to attract new members.

c. Non-motorized boat storage area - discussed under 5.6.a. Sailing.

5.6. Facilities

a. Restroom overhaul – the contract between the Port and Quality Coating Enterprises, LLC has been signed. The deadline for work completion is October 31, 2022. It was verified that the Intent to Pay Prevailing Wage has been submitted to the State. Tim explained that the work is to begin Tuesday September 20th and provided sample colors for Commissioner approval, all of which were very similar to the original colors. Commissioners agreed the colors looked good. Tim said that the restrooms will need to be closed for up to two weeks. Installing a porta-potty was discussed. It was decided to post a sign directing people to the Waterfront Park restroom facility. If many complaints are received about the restrooms being closed a port-a-potty may be ordered.

There had been fencing left behind from the Chamber's Wednesdays' music event that took place in August. Commissioner Scholfield had

moved the fencing to the 3475 Byron Street parking area to get it out of the way. He had thought someone would be picking it up. Tim was tasked to move it to the Port's staging lot adjacent to the Port office.

b. Leveling the docks is on hold until the Hydraulic Project Approval (HPA) permit is renewed, which should be within the next few weeks. Tim said that they plan to begin the work on October 10th.

c. Electrical upgrade near vehicle parking lot – Commissioner Scholfield explained that he still hasn't heard from Bronco Electric. He will reach out to them again and ask them to include the 20amp receptacle at the 3425 Byron Street/Kitsap Art building. Tim was tasked with looking at the existing air conditioning unit and provide the tenant with input on an appropriate new unit. Tim said that he also has a good electrician that is very responsive. He will provide the electrician with the Port email so that he can get his business on the Small Works Roster.

d. Security camera footage on website is not up and running – Commissioner Scholfield said that he is currently in the process of upgrading the network switches

e. HPA permit renewal has been submitted.

5.7. Port Properties

a. 3332 Lowell Street/Monarch – Julia Mora entered into a lease with the Port effective September 1, 2022.

b. New Leases – many leases are through December 2022. A new lease format with some changes has been created. It was questioned if fire extinguisher maintenance

falls under the responsibility of the Port or the tenant. Ms. Hunt explained that from her experience the landlord is required to provide fire extinguishers, smoke detectors, etc. Commissioner Scholfield explained that it is totally different for a commercial lease. Tim added that if there is a shared space in a commercial lease, then yes, it's the landlord's responsibility but other than that it normally falls on the tenant. In the past the Port has maintained some of the fire extinguishers, so moving forward it needs to be clear. Commissioner Kitchens suggested it be included in the lease as the tenant's responsibility. Commissioner Scholfield disagreed as we would need to include many things as the tenant's responsibility including pest control, changing lightbulbs, etc. According to Phil Best, the Port's attorney at the time, the law on commercial leases is different than residential and the Port should just list what they are responsible for, nothing more. Commissioner Kitchens said that from his understanding and years of experience as a commercial real estate agent, anything on the inside of the walls is the tenant's responsibility with everything on the outside of the building being the landlord's responsibility. Commissioner Kitchens said that he will research this further. It was agreed that the maintenance of the fire extinguishers should be the responsibility of the tenants except for the 3215 Lowell Street building since it is shared office space. An email will be sent to all other tenants.

5.8. Events – Walk to End Alzheimer's was held on September 10, 2022. There were no known issues.

5.9. Strategic Planning of Port Organization – the Administrative Assistant job description was slimmed down and hourly rate increased from \$15 to \$20 and the opening was posted with Work Source. The Port has received two resumes from individuals interested in the position. Commissioner Reese plans to call the two individuals next week to set up interviews.

5.10. Derelicts in Dyes Inlet – the Port was informed by attorney Schermetzler that the Pollution Control Board (PCB) ruled in the Port's favor regarding WN3089B.

Commissioner Kitchens reported that there is a massage therapist, who is interested in leasing Suite 231 at 3215 Lowell Street. She is just trying to work out the details.

6. NEW BUSINESS

6.1. Budget Report was reviewed and discussed. Next month the 2023 Preliminary Budget will need to be approved with the 2023 Final Budget up for adoption in November.

6.2. WPPA sponsored Small Ports Seminar in Leavenworth is scheduled for October 20th & 21st. Commissioners Reese and Scholfield said that they would like to attend. Commissioner Kitchens will be out of town. Since the seminar falls on the same day as the regularly scheduled October Port meeting, it was agreed to hold the October meeting on Monday, October 17, 2022 @ 6:00PM at the Port office.

6.3. Driftwood removal – a call was received on August 18th from an individual asking permission to remove driftwood from the Port's beach. It was explained that the Port does not allow for this. The individual asked for a copy of the policy that outlines this or something in writing. Since there is nothing in writing it was

decided to add it to the agenda so that it is in the minutes. Commissioners concurred driftwood is an ecosystem on the beach, which should not be disturbed. It was also mentioned that State law prohibits the removal of driftwood.

6.4. Department of Revenue is scheduled to perform the leasehold/excise tax audit, which is conducted every five years, on September 20th.

6.5. Steve Miller, a local resident, had stopped by the Port office to report a large tree stump floating around the west side of Dyes Inlet and he was concerned because of the change in season bringing the inclement weather he anticipated the stump would take out docks in the area and possibly even pose a threat to the Port. At the time it was located under his neighbor's dock. Commissioner Reese said that he spoke to legal counsel about this and was informed it would be the responsibility of the property owner to remove the stump, not the Port. Commissioner Scholfield added that they would also need an HPA permit to legally move it. There is a large stump currently on Port property and Tim was tasked with removing it once the HPA renewal is complete. Mr. Miller had called the Port office yesterday and reported that the stump is no longer located under his neighbor's dock and he isn't sure where it currently is, so he decided not to attend tonight's Port meeting but wanted the Commissioners notified.

7. SAFETY/SECURITY – Ms. Hunt had reported several cars driving erratically in the Port's vehicle/trailer lot to 9-1-1 a couple of weeks ago. She said it has since been somewhat quiet.

Tim provided a drawing of a proposed ramp to be constructed outside of the 9004 Washington building, which will also tie in a ramp to the 9020 Washington building. Commissioner Reese said that he is still concerned about the large madrona tree located in that area because the roots will continue to bust up the concrete. Tim agreed the madrona is going to keep encroaching in that area. It was agreed the tree should be removed. Tim was tasked with contacting J&J Tree removal service to remove it and have the Port billed directly. Once it's gone Tim will get to work on the railing configuration.

Tim explained that he found some matching brick mold to use for the window repair at 3481 Byron Street and plans to start working on that on Monday. He recently received the posts to repair the railing at the 3332 Lowell Street building and the gutter will be put back on the building. TIKAR will also be replacing the rotten beam under the 3423 Byron Street property. A machine will be rented to complete that project. Commissioner Kitchens asked if all of the buildings were painted yet. Tim said they were except for the fascia at the 3215 Lowell Street building. It was questioned if the garage at that building also needs paint. Commissioner Reese said that there is a board on the north side of 9020 Washington that was on the ground that needed to be reattached to the building. Tim took note of it.

8. PUBLIC INPUT – Ms. Hunt reported that there has been a red semi-truck parked in the boat trailer lot several nights in a row. It is also in the area a lot during the day. It seems to be associated with another car.

Briene Wagner said that there is an Old Town Community watch group that has recently been started on Facebook. She offered to drop off a flyer at the Port office. Members are making it a known presence for anyone who shouldn't be down here, especially after dark

Thanks was given to Ms. Hunt as she has been volunteering several hours each week to go through the Port files, archiving and generally cleaning them up. It's a very large and much needed task.

9. EXECUTIVE SESSION – At 7:58PM it was announced the meeting would be going into Executive Session for approximately five minutes to discuss possible litigation.

At 8:03PM the meeting returned to Regular Session.

Commissioners were signing documents and checks.

10. ADJOURN

At 8:07PM the meeting adjourned (motion by Scholfield; second by Kitchens; unanimous).

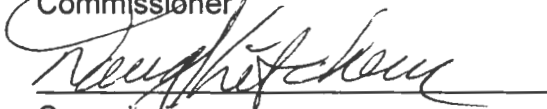
Approved:



Commissioner



Commissioner



Commissioner

