LUMMI ISLAND FERRY ADVISORY COMMITTEE (LIFAC)
Ninth Meeting
April 02, 2013

CALL TO ORDER
Committee Chair Mike McKenzie called the meeting to order at 6:30 p.m. in the Lummi Island Fire Hall, Bellingham, Washington.

ROLL CALL
Present: Charles Antholt, Greg Brown, Robert Busch, Stu Clark, and Crispin Colburn.
Late Arrivals: Mike McKenzie (0635), and Josh Zender (0636).

FLAG SALUTE

MINUTES CONSENT
1. Approved minutes of March 5, 2013 LIFAC Meeting (Work Session)

ANNOUNCEMENTS / SPECIAL PRESENTATIONS

OPEN SESSION (There was 1 members of the public attending the meeting – see the sign-in sheet)
(During open session, audience members can speak to the council on any issue. Each speaker should state his or her name for the record and will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.)
At this time in the meeting there were no members from the community in attendance. Wynn Lee arrived at the fire hall about 30 minutes into the meeting.
Wynn Lee commented late in the meeting that the last time the County made a proposal for a new ferry it was one that had serious problems because it had not been brought to the public. She commented that the total cost for the planning and design at that time was somewhere in the neighborhood of $500,000. She hopes that she would not see the effort dragged out again. She requests that LIFAC finds out about the rumor of a new ferry.

OLD BUSINESS
1. 45/55 Formula. McKenzie started out talking about the presentation by Public Works Director Frank Abart at the March 26, 2013 Whatcom County Public Works, Health and Safety Committee Meeting. Brown commented that he had an audio recording of the meeting if the members would be interested in listening. The members chose not to use meeting time to listen. McKenzie, Brown, Antholt (most) and Bill Lee attended the Council Committee Meeting. Brown also brought a downloaded copy of Director Abart’s PowerPoint presentation and the members chose to review some of the information.
   a. McKenzie commented that Abart’s push was to get the Ordinance approved that Abart introduced last August/September. LIFAC has said that is would approve the
ORDINECE for 2013, but would be requesting more information before approving for 2014.

b. Members asked if the PowerPoint was available to the public and it was pointed out that it was available on the County Website and on Plicferry.org.

c. Antholt asked if there were any comments regarding the reduction in ridership in regard to the surcharge?

d. Brown commented that Abart said that he believed that ridership and vehicle loading had all leveled off.

e. Brown commented that Councilmember Crawford asked about the surcharge i.e. maybe it should just become part of the official fare cost.

f. McKenzie commented that Councilmember Brenner asked if the ridership was going down to a lot more people are carpooling? McKenzie commented that 11 families have left the Island and have certified that it was due to increased ferry fares. He also commented that there were only 15 properties sold on the Island last year.

g. McKenzie again commented on Councilmember Crawford’s remarks saying that Abart said if the Council wanted to transfer the surcharge to the permanent fare, it was easily done if the Council requested it.

h. McKenzie stated that LIFAC has been directed to look at the fare structure and for the council to leave it alone at this time.

i. Antholt asked if LIFAC could send the Council a letter saying that its members did not think making the surcharge permanent was a good idea.

j. McKenzie responded saying he had a better way to respond and would bring it up under new business.

k. McKenzie brought up the discussion on the reserve fund. Abart has been working to attain $1.587 million for the past 8 years. LIFAC has suggested $1.2 Million. The members discussed the reason for the reserve and how they had come up with the figures. It was suggested that this information could be on the “taskforce ferry report”. McKenzie is saying that Abart is asking LIFAC to tell him what the reserve fund should be and Antholt suggests that LIFAC send a letter to the Council stating that it believes that $1.2 million is the correct reserve and then let the Council and Abart sort it out.

l. Antholt asked if there was any discussion after Abart’s presentation to the Council.

Brown commented that Councilmember Kershner was asking if LIFAC agreed with the Ordinance and was trying to let McKenzie speak at the podium. McKenzie said that the status was that the County Council asked LIFAC to investigate the 45/55 Ordinance and make a recommendation. LIFAC’s recommendation is for 2013 to pass the Ordinance and let’s get going with the following exception. Zender recommends that for 2014 LIFAC would like the budget expenditures to be classified by object code so we would know precisely what constitutes items such as “miscellaneous ferry revenues” and other ambiguous terms. LIFAC would like Public Works to come to us with how the currently budget for the ferry. There was discussion about why LIFAC had not already done this and it was stated that it had been verbally communicated, but not in written format.

m. McKenzie will send the letter prior to the next LIFAC Meeting.

2. Work Session Format. Clark said that in his experience there was a large table for the work sessions and that the public could be at the table. The Chairman or leader keeps the
discussion in control. Notes are kept, but minutes are not kept. The purpose of the work
session is to gather information so that the committee can move forward with issues at
their regular meeting. Brown commented that he felt that the Open Meeting Act would
require that minutes be kept and that any time the members met as a quorum that minutes
were required. Antholt commented that we had to have public participation, but that we
could not all set at the table because we would never get any work done. Brown
commented that the Council Committee Meetings are actually work session. The public is
only allowed to participate as requested by the Chair or if time permits. Zender said that he
would just like the work sessions to be informal, specify the topic(s) in the session, and not
open the floor to other topics and issues. The group finally agreed that the way we had run
our first work session was good and that we would continue with the same format.
3. LIFAC Meeting Schedule – The scheduled was approved by unanimous consent of the
Committee and is as follows:

Work Sessions and Meetings are to be held at the Lummi Island Fire Hall on Tuesdays at
6:30PM:

--May 7th, 6:30-7:40, work session
--June 4th, 6:30-7:40, business meeting
--July 2nd, 6:30-7:40, work session
--August 6th, 6:30-7:40, business meeting

Meeting dates are subject to change with appropriate notice. LIFAC will set the remaining
meeting dates for 2013 at the next LIFAC Meeting

Brown identified the following remaining Whatcom County Council Meeting Dates:

- September 10, 24
- October 8, 22
- November 12, 26
- December 10

4. Reports from 3/5/13 LIFAC Work Session Action Items:

a. McKenzie – Reported that that he had asked for 10 years of drydock reports and
what he got back from Public Works was last year’s data and by next Friday (3/5)
that he would have data for 7 years which is that is required to be kept. PW said
that they think they have 10 years. McKenzie said that as soon as he gets this
information he will post it. Antholt stated that statistically that 7 years would work.
McKenzie still needs to report on the following:

1. A condition assessment to include all prior work orders, findings,
repairs recommendations and costs for the Whatcom Chief. Obtain
maintenance reports
2. Firm price fuel utilization and curl costs of the last 5 years for the
Whatcom Chief
3. Accident Claims history for the Whatcom Chief. And
4. Data to verify if the current ferry docks will be sufficient for the
longer ferry.

b. Colburn/Zender – Reported on a Risk Matrix and Bonding.
i. Colburn passed out copy (attached) of a simple risk matrix intended as an example of how we look at potential events and what effect they would have. Clark commented that this was an excellent start and that risk matrix can be a way to break into more individualized risk matrix sub categories. Brown suggested that each of the members review and add to the matrix and report at our next work session. Zender suggested that we may want to develop a risk matrix for the Plattsburgh. There was more discussion and Antholt brought up the idea and possible need for a decision tree for the matrix, i.e. if this happens that this needs to happen. Clark added that at this time the matrix suffers from lack of data. We need to complete our reports in order to really develop the matrix. Colburn commented that the drydock information may provide enough date to help develop the matrix.

ii. Zender (data attached) did research on municipal bonds over the last 10 years. He summarizes by say that if we bonded a new ferry today that we would be looking somewhere between 2.75% and 3.50%. He also stated that he knows someone from DA Davidson who is often involved in underwriting such bonds and would be willing to provide us with a more accurate estimate when and if we are ready. In summary, the 3% number used in our estimates is in the ballpark.

c. Busch – Reported that he would report on emergency response when the members had the time. The members thought this to be a special topic for our next work session.

d. Fox was to review the Federal Register for non-compliance and ADA issues relating to the Whatcom Chief. Brown was provided information (attached) from Fox from the Register "that the paragraph on 'stowage of vehicles' is not prescriptive with hard definitions, but written with words like 'freely' and 'insufficient', which automatically make it subjective ad interpretive." If passengers can't get out of vehicles freely due to insufficient clearance then they must leave the vehicle and "occupy other spaces reserved for them during the crossing."

e. Brown –

i. Reported on the verification of the cost for the required modifications of, and the delivery of the Plattsburgh to Lummi Island. Correspondence between Brown and Jerry Gilligan, Marine Engineer, of Gilbert Associates (Boston) regarding the modifications has been taking place. Estimates are expected soon and will be available for our next work session. Names of those providing the current delivery estimates will also be available at the next meeting.

ii. Reported on the fuel utilization but had not obtained fuel costs for the last 5 years for the Plattsburgh. The spec sheet for the Plattsburgh say 18 GPH but does not provide any average operation numbers.

iii. Was unable to provide a financial report to give a better estimate of the maintenance, operations and repair costs associated with the Plattsburgh.

iv. Antholt provided an estimate for the ferry landing improvements for a new ferry from Fred Kinney. It is noted that this work has already been completed on the Island side and it is unsure how much would actually be
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5. Revisions of Slide Presentation - Brown did a quick review of changes he had made to a couple of the presentation PowerPoint slides.

6. Recommendations from PLIC Board of Directors on Special Needs discounted fares – McKenzie said that after conversation with Councilmember Kershner that he could tell his public that the special needs fares are not going anywhere, i.e. County Council would not vote to do away with discounted ferry fares.

NEW BUSINESS

1. McKenzie brought up that he understood that in May “the wheels were in motion” to bring a kiosk to the dock in order to start allowing passengers to buy tickets at the dock. Zender commented that although the kiosk would help that a lot more people were doing things online and that you probably need the ability to accept credit cards on the vessel. He wanted to emphasize that the majority of passengers probably live on the island and would be more inclined to pay online or using a pass. Colburn comments that the LIFAC recommendation was an on-board electronic ticketing system. Clark asked about the nature and capabilities of the kiosk. McKenzie said that he did not know anything about it and that the Council has been told that Abart wants in on the Bridge and that it will not accept cash. McKenzie says he wants to talk to Councilmember Kershner giving LIFAC the opportunity to respond to this issue. McKenzie also commented that he understood that the Council wanted people to have paid their way onto the ferry before the got on. Brown brought up the where the money for the kiosk was coming from, i.e. is the money for the kiosk from the project we recommended to provide a ticketing “system”? After further discussion it was asked of Zender to write a letter to Council asking for information about the kiosk and expressing some of LIAC’s questions and concerns. McKenzie that in a conversation that he had with Councilmember Kershner that LIFAC need better, clearer and more consistent lines of communication. McKenzie says that he has asked Abart for regular meetings or some way to improve communication and this has not been addressed. McKenzie said the Councilmember Kershner was going to set up a meeting with LiFAC with Executive Lowes. Colburn asked if anyone would like to see a mobile ticketing system in operation (including crew members). He suggested that someone could come to the WTA base and see a demo on a desk or see it in a bus. LiFAC members agreed that this was a great idea and that in reality the kiosk was money “down a rat hole”. The suggestion to observe the WTA ticketing system would be included in Zender’s letter to Council. It was pointed out by Zender that in a matter of a few days the City had launched a website for boat owners to pay for the boat inspections for AIS on-line, at city hall, through the operations center or even at the point of boat launch to be able to use a credit card.

OTHER BUSINESS
1. **Brown** brought up written correspondence between Jim Dickenson to Jack Lowes dating to February 2012. This letter had prompted Executive Lowes to look into the used ferry Plattsburgh issue and he responded that “we have looked into the purchase of this ferry in the past, possible at your request, about 4 years ago...Based on this assessment, I will not pursue this opportunity any further.” The point of this information is that LIFAC may be playing to an audience that has already made up its mind. We will have to make sure to point out the inaccuracy of data provided at that time and what we have acquired for this presentation.

2. **McKenzie** expressed some concerns about all of the time LIFAC has been spending on the ferry replacement. He wants to know if the ferry replacement is viable, credible and has the possibility of being heard. He believes that at this point it is not creditable in the county right now. We need to take this to Council when it is creditable in every regard. We need to check and verify all of the information presented as fact. After considerable discussion the members it was decided that we must be able to verify the cost of the ferry, the cost to have it delivered and the cost for modifications to make it useable at Lummi. McKenzie also said he had some rumor information that the County may already be looking to State or Federal governments for a “new” replacement Lummi Island Ferry. McKenzie said this leads him again to a couple of items that need to be addressed by Council, Public Works and Executive Lowes:
   a. **A communication Process** – LIFAC has got to have better communication among us.
   b. **LIFAC is on a clock** that before the end of the calendar year they are to recommend what the ferry fare should be and return to some normal/reasonable fare structure.

3. McKenzie commented on the following two Items:
   a. **Lake Gooseberry** – County to check to see if pipe is clear
   b. **Road and Sidewalk Improvement** – Could be about 2 years before improvements will be made to the ferry access

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**TENTATIVE AGENDA FOR THE NEXT WORK SESSION**

The date for the next meeting is **Tuesday May 7th**.

**CALL TO ORDER**

**ROLL CALL**

**FLAG SALUTE**

**MINUTES CONSENT**

**TOPICS**

- Verify Purchase Cost of Plattsburgh
- Verify Delivery Cost of Plattsburgh
- Verify required modifications to Plattsburgh
- Risk Matrix update
- Next Steps

**ADJOURN**
ADJOURN

The meeting adjourned at 8:20 p.m.

The Committee approved these minutes on 6/2/13, 2012

ATTEST:

Michael McKenzie, Committee Chair