LUMMI ISLAND FERRY ADVISORY COMMITTEE (LIFAC)

Fifteenth Meeting

April 29, 2014

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

ROLL CALL
Present: Mike McKenzie, Greg Brown, Charles Antholt, Robert Busch, Stu Clark and Byron Moye.
Absent: Chris Colburn

FLAG SALUTE

MINUTES CONSENT
1. Approve minutes of April 1, 2013 LIFAC Meeting.

ANNOUNCEMENTS / SPECIAL PRESENTATIONS

Mike McKenzie, Chair –
• Welcomed the Byron Moye as the newest member of the Lummi Island Ferry Advisory Committee.
• Introduced Councilmember Barbara Brenner to the meeting and she introduced one of her interns from WSC, Oscar Aguirre (sp).
• Welcomed James Lee from Public Works
  o Will move James to the beginning of the Agenda as he has to catch the 7:50 and will limit the interaction with him until we see if we have time.
  o Per E-mail (attached) from McKenzie there are 5 things James will address:
    ▪ Where the County Stands on the Ferry HIYU
    ▪ A Special Announcement
    ▪ Update on Dolphin replacement
    ▪ Response to Question raises at the last meeting by Jansen Pierce regarding the Ferry Budget
    ▪ Far View of the next round-a-bout for Haxton Rd.

James Lee – Public Works Bridges and Ferries
• Updated status of his position with the county in respect to working with LIFAC. A new position has been created in PW called “Ferry Program/Special Projects Manager”. This position will deal primarily with managing the Ferry Program as well as special projects that may arise. The position is being advertised internally at this time with a May 14th closing time. If filled internally it will move fast, but if not it will take some time.
• The Dolphin Replacement Project permits have been approved and the design is complete. So a bid package was put out with a bid opening date of May 6th. He pointed out that they did not have all of the construction funds in this year’s budget so there will be a supplemental budget request ($850,000) at the May 6th and/or May 20th WCC Mtg. James passed out copies of the Gooseberry Point Terminal Dolphin Replacement CRP No.
914001. If there are question after this presentation he can be contacted at any point
down the road for the next few days or whatever. He said that the design is very similar
to the wing wall project that was done last year. The consistency in design should make
repairs easier in the future.
• James affirmed that the Lummi Tribe will be perusing a round-a-bout at the Haxton Way
and Smokehouse Road intersection. This may actually go into construction this summer.
This will only affect the County as the Tribe will be applying for a multiple encroachment
permit for the County Right-Of-Way.
• Questions raised by Jansen: (James had an expense report for ferry operations)
  o Equipment Rental for $600,000: All the fuel for the Ferry, misc. oils.
  o Line item for Fuel $12,500: Fuel for Passenger Only Vessel during dry dock
  o Professional Services: Elliot Bay Design Group for technical assistance for dry dock
    bids
  o James will sit down with Jansen and review other questions at a later time.
• The State Ferry HIYU will come up for Surplus likely in June of 2015. The county has talked
to the state about it and at this point in the County’s perspective, and been added to the
State’s “interested parties” list. So when any information regarding the HIYU is put out
by the State, Whatcom County will be e-mailed. This is the level of county involvement
to date.
• Committee Questions:
  o Brown asked if James was interested in the Ferry Manager Position and James
responded that although he enjoyed getting to know all of the Committee and
the ferry crews, he will most likely stay with the PW Bridges group. He will
continue to be somewhat involved as the ferry capital work is part of the bridge
job in that capacity.
  o Brown reported that in regard to Pierce’s questions LIFAC have tried to get the
budget information James reference in order to evaluate the operations costs for
the ferry. LIFAC wanted more that the roll-up budget provided on the web site.
A LIFAC goal was to look at those numbers in order to better understand and
respond to 55/45 issues. LIFAC would like an itemized budget. James responded
that the Accounting Group had already sent this information to LIFAC. There was
a public disclosure request from PLIC. After further discussion James said that he
would talk to Chantel and get LIFAC that information.
• Additional Questions for James Lee (from later in the meeting)
  o Dickenson commented regarding the Dolphin moving that there are only 3
possible ferries in public domain that could be used as an emergency ferry. One
is the HIYU (that may go away or come here), the other is one or the other of the
Pierce County Ferry’s most likely the Christine Anderson. Moving one dolphin
about 6’ would address all of these ferries and should not affect the Whatcom
Chief. The next issue is he felt that from his research that during dry dock it would
take the county at least 8 hours to engage another form of transportation in order
to heavy equipment to fight a wild fire in September. He feels that this is
important in moving towards the HIYU as quickly as we can. He would like to see
the Ferry Trek used during the weeks of dry dock to prevent the regular damage
done to businesses. In some ways the Trek is superior to the Chief on moving
large equipment to the island.
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- **James Lee** updated the Trek info by saying that Elliot Bay Design Group is working on feasibility assessment for the Trek and they are also doing parallel assessment with Skagit County for the Trek because there is one set of modification to the Trek that would allow it work at both location. It is doubtful that work and contracts can be ready for this year’s dry dock. The passenger ferry is available and the dry dock should only be two weeks this year.
- **Jansen Pierce** commented about the timing for dry dock and maybe backing it up one week.
- **Antholt** asked about if there was any benefit to lengthening the nose of the Ferry HIYU. Dickenson said it was not necessary and James Lee had no information.
- **Dickenson** commented that he talked to Dave Maser who owns the Trek and said with the modification required he could still have it available here before September

PUBLIC COMMENT:

- **Bill Lee** thanked Mr. Lee for his efforts on behalf of the community and this committee.
- **Councilmember Brenner** asked how much bigger is the state ferry (HIYU) and what kind of changes would it require and Gooseberry Point and Lummi island? Dickenson commented that the HIYU is 162’ long by 63’ wide and roughly 1 ½ times the overall size of the Whatcom Chief. Brenner asked what kind of fixes it would require on the docks. Dickenson responded that on the Lummi Island side it required the moving out of one dolphin and although he is doubtful the County thinks it might fit. Dickenson thinks the dolphins would require re-alignment on the Island side.
- **Nancy Ging** read written comments (attached) Regarding the following:
  - Feels that it is more important to identify alternative ferry dock locations
  - Was shocked at the proposed ferry ordinance (actually a “resolution”) requesting the HIYU as being inappropriate and disrespectful
  - The idea of purchasing a ferry even older that the Chief just because it has been “rebuilt” is counterintuitive. (Antholt commented that the HIYU was actually younger than the Chief)
  - Expressed fear that the Committee (LIFAC) and the community not let themselves be pressure into accepting the idea that the need for a new ferry is dither desperate of dire.
  - Why not spent the money to rebuild the Chief?
- **Mike Shehan** asked James if he PW had a report on the Whatcom improvement program from Gooseberry up to Smokehouse. James commented that there was feedback to the County Planning Department that the Tribe wanted to engage in those improvement and ferry queuing but to this point he was unaware of any real discussion starting. From the County’s perspective they have not started to work on the next phase of the queuing. As follow-up, Mike commented the LIFAC had drafted a resolution requiring the queuing and sidewalk over a year ago and that there has been no action taken. (This was questioned by LiFAC member and none had any real memory of this resolution. On 5/2/14 Charles Antholt reference the LiFAC Meeting Minutes from 11/19/12 where the “LiFAC recommends that Whatcom County Council include review of parallel parking and sidewalk design be included in the alternative analysis for the Lummi Road Improvements. [attached])
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- **Jim Dickenson** (asked to reserve his 3 min for the HIYU discussion and was refused unless there was time at the end). With the draft issue with the HIYU, the Geotechnical report that was brought forth by the County in 2006, the bottom is loose from a minimum level of 16' to a maximum level of 79' and the lane outside is a level of and average of 75' on the Gooseberry side. In the late 1970s, when the brought the Whatcom Chief into the new dock they had to run the propellers and brought the level down about 5'. There is no reason to believe that this could not be done with the HIYU. The HIYU is in beautiful condition and Mr. Brown can attest to that. The State has done a wonderful job maintaining it. It is also built like a fortress and is built like a large state ferry which means it has a great deal service capacity. He commented that based on other surplus state ferries it would be almost free of charges to the County from the State.

- **Candy Jones** (see attached) comments that she chaperones her grandchildren (children can’t board unsupervised) and while not even leaving the ferry, must pay for the return trip to the Island. Why? Her second question is are “we” working on the unsafe queuing on the Gooseberry side?

- **Jansen Pierce** also commented on the queuing and thought there was supposed to be some markings on the roadway and signs to prevent the backing up of a second lane into the Lummi roadway. James Lee commented that he could take the request to the road crew. McKenzie commented that LIFAC had sent a request to the Council and thought that he had seen a new sign back by the grocery. Jansen then asked if the dolphins were going to be put in to accommodate a larger vessel. James Lee answered that for right now they were being designed for the Whatcom Chief, as that is the boat we have and we have no design for the boat of the future. Not say that things can’t be tweaked, but right now we have the Whatcom Chief, we don’t know what another boat by look like in the future so we are designing it for the boat we have now. Pierce commented that when the put a new highway in or a new bridge you design for the future. James responded that these dolphins are designed for the Chief to provide safe berthing in the event of lack of steerage or power and will contain the boat and protect the facilities. **Busch** commented that in terms of the “tweaking” it is not often done easily or cheaply. He recalled that it was about $10,000 per stick to have the dolphins put there and with the increased amount of piling this would be expensive. And, with in inflation wouldn’t this be about 1 1/2 times more by now? Pierce’s last comment was that he understood that the work needed to be done, but he felt they should be designed with the future in mind. James responded that the 12” piling can be moved fairly easily, but the 3” backing piles will be much more challenging, so the message they are putting out know they can’t plan for a future ferry so the design will be for the Chief.

- **Antholt** commented that LIFAC had sent copies of options to James and the Council. He would be glad to send a second copy. If James would call him to remind him, Antholt would send the information. Strangers who come in the summer months don’t know enough and they double up the traffic onto the road.

- **Kevin Swanson** said that he understands that getting the vehicle-passenger ferry for the upcoming dry dock may be out of the question that he would like to have a plan if there was some type of disaster, i.e. a major fire in the mountain, some kind of disaster anywhere on the Island. What kind of a plan has been done to get crews over here if we have to use a passenger only ferry? James commented that he would have to follow up on those details, but they do coordinate with Lummi Fire, Police and medical services for the Island. There are protocols in place. **Busch** commented that there are plans for such an event at the fire hall and they can be referenced there. Antholt commented that this is a good question, but it is not just dry dock time. What about if you had a dock to out for an extended period of time?
OLD BUSINESS

- Resolution for Washington State Ferry HIYU
  - McKenzie commented that at the end of the last meeting a motion was made in regard to the State Ferry HIYU by Brown and was tabled. McKenzie asked if Brown wished to restate the motion.
  - Brown stated that what he left the Committee with last meeting was a resolution, not an ordinance (as implies by those in the audience) which was the result of physically touring the HIYU and after that writing of a letter to James Lee requesting that maybe the County would be interested in looking into this. James responded that it would be helpful if I engaged LIFAC on this so it came from the group. The resolution was a request for the County to look at the HIYU, it was not a demand. This issue has grown on the outside of this meeting into a disaster, as most things do with this Committee. Rather than looking at this resolution as an option for the island community to get to the county to look at a different option on a formal basis it was attacked by this committee as being a no-go, and we will just destroy every question presented and do so that it turns into the same match we had with the Plattsburgh. So my comment is rather than anyone looking at this resolution as an option to take to the County, it has just become another battleground situation and that is not for us to do here. This resolution was to send to the County to say, he, there is this ferry down there that may be a great option for this community to look at. Will you please look at it? It is not for LIFAC to sit and argue about it. The county can come to us for advice and information, not to spend hour and hours in the meeting discussing and investigating like we did the Plattsburgh.
  - McKenzie responded that at the end of the last meeting the resolution was opened and during discussion it was tabled. That is now where we are, open discussion.
  - Antholt commented that he thinks for one the resolution is poorly written in insulting and we should have nothing to do with it. The idea of looking at the HIYU seems to be moot based on James Lee's comments this evening. When it comes up the County will be informed and it seems to him that this solves the problem. The County is already doing this and we don't have to tell them what and how to do their work. They have already taken action.
  - Brown the James Lee told us that the County would be notified when and if the HIYU comes available and that is fine. The point is that there is time between now and then to decide if we even care about it. Is it going to work or not work? The Council knows nothing about this so we are leaving it the hands of public works. Brown suggests that if the Council does not know what PW is doing than PW can do whatever they want. This needs to go to the Council.
  - Clark comments that his first question is what action is going to be required of the Council one they have been notified the HIYU is available. What does Council have to do next? He was not really looking for an answer. Clark says his experience with political bodies is that it may be a year before we get notification, but it might be a good idea for somebody to be prepared with an answer in order act when the notification comes. He agrees with Antholt that the resolution may somewhat of an overkill but he agrees with Brown that we need to "get of the pot". We have been sitting around here doing a lot of things for too long and I believe that a gentle nudge to investigate prior to the state notification.
could be presented to get Council to start thinking about this option. The reason that he is very concerned about further delay is that interest rates are going to start climbing and they are going to climb fast. The Public is going to be hurt if we fail to take advantage of good opportunities when they occur. We failed once already and we should not fail again.

- Antholt generally agrees with Clark and we do need to look ahead, but to tell the Council, PWD to "drop dead" and this is you #1 priority, He just thinks this is out. To do what (Clark) you are suggesting, you have to look at three options: you have to look at keeping the chief; you have to look at the HIYU; and, we need to seriously consider a new boat at the same time. You can't do one or the other, you have to do three option and we have the tools to do it.

- Clark comments that he got the impression from previous discussions that it was the feeling of the Committee that we should no longer be involved in making technical evaluations on possible alternatives but that should be PW.

- Brown comments that the only way make a request is through a resolution officially, and so if you think this is a "demand" he is sorry. I you don't like what was written you are more than free to actually try to correct it rather than just destroy it. LIFAC spent 6-9 months or more trying to address the three alternatives for the Plattsburgh and ultimately we determined that the numbers we could not get would have to be given by the County. We need to move the HIYU to the County so let's do a simple resolution instead of wasting our time going round and round with no result.

- McKenzie reads his comments as typed out (attached). Prior to starting reading he comments to Brown that he appreciated much of the content of the resolution, but not the emotion. Some items not in the printed comments were brought up:
  - III - undertraining is not in the current budget has been avoided totally and according to PW sources, more than one, would be very costly to undertake. Related to that is that we learned recently is that Skagit County (Guemes Ferry) is undertaking and paying for the very detail study we are asking for. Also, James Lee reported at our last meeting that PW is communication constantly with ferry operations in Skagit and learning or borrowing from each other. I essence, what we are asking to be done in this resolution is being done by other counties and would be of access to us when done. When asked if correct, James responded that Skagit is doing or has done and vessel replacement study (not investigation of the HIYU). McKenzie says it is not appropriate to do this investigation at this moment although it may become appropriate when the ferry is up for action or notified it is available.
  - iv- thank Jim Dickenson for his amazing report on the HIYU. That information keeps coming up and it is just not necessary. We are not here to sell that the HIYU is the right ferry, we are here to determine if the County Council or PW wants to determine that. McKenzie comments that Dickenson presented the report to the Council, to the Executive and to PW without LIFAC involvement. Brown questions what report is being referred to and Dickenson responds that it was not a very thorough report. McKenzie closed making the point that Dickenson brought the awareness of this boat to the County and they acted upon it, and there is no additional action to take. Antholt agrees that if not for Dickenson we would not know about the HIYU and with Brown that if we wait for the HIYU to be announced or available we will not have our ducks in order. WE
won't know and we will not have evaluated the 3 option that are out there. McKenzie responds that from his sources at PW this is incorrect because we would have ample time to accomplish this. Antholt responds again that it takes preliminary information on the 3 options from someone with reasonable experience that we don't have, and to get some reasonable good numbers, but might not provide enough time to investigate a new ferry. James Lee responds saying that when the County is informed by the state, he really does not know how things go from there or what the timeline would look like. McKenzie responds that his information is from a different source. Antholt again comments that we need to get our ducks in order, but this resolution does not do that.

- McKenzie asks for any other comments on the resolution.
- Clark comments that the resolution needs to be heavily amended, but we still need a resolution. He is concerned more with the politics and if the Council will take any action or just sit back on their heels and "postpone the inevitable again". He does not agree that we are making a mountain out of a mole hill, but we are trying to determine what the future of the Whatcom Chief is and are exploring what the various options are. There is not point in doing this if it leads to a dead end at the Council.
- Brown comments that he is not tied to this resolution, he just sat down and wrote something. He still thinks LIFAC needs to notify the Council that the HIYU is out there and the Council needs to notify PW that they need to be prepared. McKenzie responds that this can be done with a letter to the Council and it will be redundant because they have already been notified (through Jim Dickenson) and has taken action on it.
- Councilmember Brenner commented that the Council got that (letter) but have had no discussion on it. McKenzie said he know that she has the information, but nothing to act on.
- McKenzie called for the vote on the Resolution
  - Approve – 0
  - Reject – No Count
  - Abstain – No Count
- Antholt asks Councilmember Brenner how LIFAC can best communicate the concerns about the future but was not allowed a response.

**Update on Ferry Fares Model – Questions from Last Meeting**

- Antholt commented that they were trying to simplify the process. There are about 17 rows of information. Looking at the Model and there is about 85% of the revenue that comes from only 5 categories and what you do with the other categories really makes no difference to the overall revenue. Then the question is how you want to do fares. One way is that the most important fare generator is vehicle and passenger. Use this as a standard 100% and then define what the percentage is for each of the other categories. Large vehicles may be 200 or 300 percent. Presently with the existing fares, we are about $70,000 ahead of the projected budget. He believes the goal for surplus is about $150,000 by the end of budget. McKenzie asks if this was ready to out to the island public for comment and Antholt said soon. McKenzie comments that one of the goals of this effort is to find a way to eliminate the “surcharge”. Antholt felt that they would be able to sort this out at the next meeting and then let the public look.
- Brown added that there were two additional questions from the last meeting. To set ticket fares we need to make some assumptions about traffic, so what do we think traffic
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will be in 2014? Antholt responds that we have this and assumes traffic will be similar to 2013 conservatively. He expects the increase from 2012 to be about the same. McKenzie comments that the increase was mostly due to one new business on the Island. Brown said the third question was that in the budgeting, the County has budgeted fare box revenue at $1.5 Million. The County Budget for Operations expenses is $2.5 Million. 55% of $2.5 Million is $1.4 Million roughly. If we are going to look at ticket prices, which number do we shoot at? Antholt answers that we ought to use the 55% of the Budget and for now that is what is in the working model.

- McKenzie commented on a couple of things from the Ferry Task Force Committee that have stuck with him.
  - They showed a chart on the wall three years ago of inflation and the cost of things like crew, fuel and other; and, the ferry fare. Inflation was like this (gesture) and the ferry fares were like this (gesture) and then all of a sudden the ferry fares went oop (gesture) and then it went oop and then oop and then all hell broke loose on the Island. It was painful, but we had to pay for the ferry. We have to keep this in mind.
  - The second item was the 52 recommendations that were made and how they were research based and were based on working for the County and for the Community.

- Ferry Contingency Planning – Review
  - Antholt says as he stated last month that on the Whatcom Chief he does not have an issue with it. The County is well prepared as far as the Chief going out. He says in terms of the Gooseberry and Lummi docks nobody has really systematically addressed those problems or potential problems.
  - Brown commented that he did not agree with the status of the Chief. He felt that what is being said is that the County is prepared to take care for the Chief for a short term issue. We are still back to the question and response when something happens to the Chief and it will not come back of some extended period of time or ever. He feels that there should be a contingency plan for the loss of the Chief not just for a maintenance event.
  - Clark restates his issue that was how we gently nudge the County thinking about the future of ferry service to Lummi island. McKenzie responds that he believe the 6 of 7 Council members he know are ready, willing and want to move forward with LIFAC on issues that are directed towards solution. Councilmember Brenner comments that although she can’t speak for the other councilmembers, but she would like to see more detail on contingency and what’s possible, but except for what they get from Dickson they really haven’t had anything. It would be nice if LIFAC could come to some agreement on some of the steps so they could at least support them in concept. Brown asks Councilmember Brenner how that LIFAC should present the Council information and she responded that it might be some kind of outline, or something as it will ultimately have to go to PW. McKenzie comments that we may be just having semantic problems as we are basically just making recommendations to the County.

- Subcommittees
  - McKenzie talks about the two subcommittees again and asks Rhayma to expand on hers.
  - Rhayma Blake would like to develop some type of template somewhat like Skagit County did and pull together some planning and maybe do some preliminary work. She said that she would love for a committee to help provide LIFAC with answers to a lot of the
questions and expanding what the Ferry task for did and what they didn’t have time to finish. It might boil down to a ferry replacement plan or something like property growth assumptions, etc. that help to move forward quicker on some of the issues.

- **Antholt** comments that he is a little concerned. Starting a subcommittee is useful but having a scope of work or outline would be advised. He would take a crack at developing one if the Committee wanted. **McKenzie** commented that if no one had a problem with that he would ask him to move forward with that for each subcommittee. McKenzie said that he would type up and put out to everybody what the next steps would be for the subcommittees.

- **Moye** comments on the good work by Dickenson and recommends that everyone read the comments on the LIFAC site on the resolution. (Both Antholt and Dickenson comments attached).

- **Dickenson** commented that he thought his subcommittee could be named the “Replacement Ferry and Infrastructure Subcommittee”.

**NEW BUSINESS**

1. **McKenzie** makes some general comments postponed from the Introduction.
   - **Jim Dickenson** has been appointed to head a subcommittee for research and options for ferries and **Brown** will be the liaison.
   - **Rhayma Blake** will head a subcommittee to undertake research into long-range planning for ferry operations.
   - **We (LIFAC)** is where we are, and it took a long time to get where we are through an election, time to refine the communication process, to now that the County is looking LIFAC to tap and kick the wheels not only on major issues, but items like the school things that **Brown** trivialized earlier. These are important to those who bring them to us and the Council has asked us to address, so “we are not here to wonderful things for the Island, we are here to do wonderful things for Whatcom County and the Whatcom County Council, and use PLIC and other organizations on the Island or individuals and have them bring stuff to us that are of concern to them, like marking lanes and so forth. So we have been charged by Whatcom County Council very specifically and they charge PW very specifically...and bring stuff to us before it gets to them”.

2. **McKenzie** comments that he was approached by the Councilmember Mann and he would like to know as best as we could find out, how the citizenry of Lummi Island would feel about reduced vehicle service and passenger service to Fairhaven. Just a response, not a debate. This would be reduced automobile service to the island and increased passenger service to Fairhaven. With the Committees position, **McKenzie** will determine the best organization to put out such a survey. **Rhayma Blake** commented that PLIC has already discussed this and would like to pass and leave this to LIFAC. After discussion, LIFAC chose to have **McKenzie** tell **Councilman Mann** that we were not interested in taking the time to complete such a survey. (Closed)

3. **McKenzie** was approached by **John Gibbs** (local island business owner) and asked if during the dry dock period if the County could add an additional run for needed business supplies and personnel. The business would be willing to pay for fuel and crew for the extra run. Would **McKenzie** make a query for him? After some discussion most felt that Mr. **Gibbs**
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should ask PW on his own and McKenzie took this under advisement. Dickenson commented that having the Trek during the dry dock would solve all of these issues.

OTHER BUSINESS
There was no other business

TENTATIVE AGENDA FOR THE NEXT WORK SESSION
The date for the next meeting is Tuesday May 27th

CALL TO ORDER
ROLL CALL
FLAG SALUTE
MINUTES CONSENT
PRESENTATION
Mike McKenzie – General Update
James Lee – Public Works

OLD BUSINESS
Update on Ferry Fares Model
Ferry Contingency Planning
Recommendation for Dolphin Replacement
Recommendation for Ferry HIYU Investigation
Recommendation for Ferry Trek
Extra Ferry Run for Dry Dock
Sidewalk Proposal 9-19-12 Mtg

NEW BUSINESS

ADJOURN

The meeting adjourned at 7:46 p.m.

The Committee approved these minutes on 9/2, 2014

ATTEST: Michael McKenzie, Committee Chair