

PORT COMMISSION MEETING – November 10, 2009

The Port of Port Townsend Commission met in regular session in the Commission Chambers, 375 Hudson St, Port Townsend, WA

Present: Commissioners – Beck, Collins, Thompson, (Collins via Conference Telephone Call)
Executive Director – Crockett
Deputy Director – Pivarnik
Auditor – Taylor
Attorney – Goodstein
Senior Accountant/Recorder – Hawley

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

The meeting was called to order at 1:00 PM.

II. APPROVAL OF AGENDA:

**Commissioner Thompson moved to approve the Agenda as presented.
Motion carried by unanimous vote.**

III. CONSENT AGENDA:

A. Approval of Minutes – October 28, 2009
Commissioner Collins noted a minor correction to the October 28, 2009 minutes: New Business, Item B – Department of Ecology Economic Study, line six the word “so” needed to be inserted “...Mr. Crockett had done so (on behalf of the Port)...”
**Commissioner Thompson moved to approve the Consent Agenda, as amended.
Motion carried by unanimous vote.**

IV. PUBLIC COMMENTS (Not related to agenda):

Rick Nelson associated with Kris Nelson and Sirens Restaurant, reminded that they had talked with the Port two years ago regarding the Landfall Restaurant site and their ideas for the site, but that a number of unresolved issues had prevented them from moving forward with their ideas. Mr. Nelson briefly described an idea of constructing a two-story structure with Sirens on the top floor and some kind of retail business on the lower floor to help bring in a steady revenue stream. He asked that the Port keep them in the informational loop presently as ideas and discussions moved forward with finding a creative solution to the Landfall Restaurant site issue.

Mr. Pivarnik provided a short briefing on the recent Landfall Restaurant Committee meeting in which various community members had voiced ideas/suggestions/thoughts about the Landfall Restaurant and the future of the site.

V. OLD BUSINESS

A. Adoption of 2010 Tax Levy Limit Factor, 2010 Tax Levy Amount and 2010 Operating Budget:

Resolution No. 525-09 Year 2010 Property Tax Limit Factor

A Resolution adopting the limit factor for property tax increases for the Port of Port Townsend year 2010 Budget.

Commissioner Beck moved approval of Resolution No. 525-09.

No public comments were offered regarding the topic.

Motion carried by unanimous vote.

Resolution No. 526-09 Year 2010 Property Tax Amount

A Resolution fixing the amount of tax to be levied, and levying the tax upon taxable property in the Port of Port Townsend district, both real, personal and utilities to meet expenses of said Port of Port Townsend for the year 2010.

Commissioner Beck moved approval of Resolution No. 526-09

There were no public comments offered

Motion carried by unanimous vote.

Resolution No. 527-09 Year 2010 Operating Budget

A Resolution establishing the year 2010 Operating Budget, and authorizing certain disbursements to meet expenses of the Port of Port Townsend for the year 2010.

Commissioner Thompson moved approval of Resolution No. 527-09.

There were no public comments offered.

Motion carried by unanimous vote.

Mr. Crockett reminded that a formal Public Hearing (preceded by all the necessary advertising) on the proposed 2010 Operating Budget had been held on October 28, 2009 and that no public comments had been received.

B. Airport Industrial Park Update:

Mr. Crockett provided an update on the subject by advising that he and Mr. Pivarnik had attended the Jefferson County Planning Commission meeting on Wednesday, October 21, 2009. During the meeting, the Committee members discussed the Airport Industrial Park Rezone. One of the Planning Commission members, stated Mr. Crockett, who had originally voted in favor of the project asked about the rules to rescind his vote. After a thorough discussion between Al Scalf and members of the Planning Commission regarding meeting guidelines listed in Roberts Rules of Order, the Commission voted again. The outcome of that vote was that, once again, the Planning Commission recommended approval of the proposed Airport Rezone project.

The next phase of the process, informed Mr. Crockett, was that the Planning Commission would formally recommend approval of the Airport Rezone to the Jefferson County Board of County Commissioners (BOCC). The topic most likely would be scheduled for review and discussion during the November 16, 2009 Jefferson County Commission Meeting. He advised that the BOCC could either vote on the measure at that meeting (and approve it based on the Planning Commission recommendation) or decide to hold a formal Public Hearing to hear additional community input and thereby delaying the final decision.

Responding to Commissioner Collin's inquiry regarding the Port drafting a Resolution (as had been discussed during the November 10, 2009 Commission Meeting) which would state that the Port did not intend to do anything at the airport, should the rezone be approved, for a couple of years, Mr. Crockett advised that Eric Toews had agreed to prepare a Resolution to that effect. One concern, he advised, was that the Resolution needed to have an "end date" as it should not be open ended. It also needed to address the fact that if a grant were found, the proposed new fire station at the airport would move forward.

To finalize, Mr. Crockett advised that the Port needed the rezone in order to acquire grant monies (if available) to enable it to move forward with the Light Industrial Park at the airport, the feasibility study, etc. Otherwise, with all the other projects the Port was trying to do, it would not have enough funds available to pursue the proposed project.

C. Point Hudson Parking Policy:

Mr. Crockett reminded that the topic was on-going and that staff did not seek action on the part of the Commission at present, but, in his opinion, a Point Hudson Parking Policy did need to be developed and in place before the busy spring/summer season.

Mr. Pivarnik related that he had received a telephone call from the Maritime Center in which they asked for information regarding the possibility of renting parking space in the "back 40" for a large wedding planned for the spring of 2010. Mr. Pivarnik expressed concerns because, currently, there was no formal parking policy on record. The event, he stated, was scheduled at the beginning of the busy season, which would coincide with Pete Hanke's whale watching tours, and the increased tourist visits to the Point Hudson restaurants and advised that there were more events scheduled throughout the summer season. In his opinion, it was time to seriously think about development of a parking policy, how much it would cost to rent the back acreage, how to charge for the parking (event based or per vehicle) and how to implement the policy, control and regulate it.

Discussion followed regarding possible scenarios i.e. an "iron ranger", cost per vehicle or per event (concerning the Maritime Center) and possible time limits (i.e. \$4.00 for eight hours). Also discussed was that the 1.5 acres called the "back 40" would need to be laid out more formally with designated parking spaces so that there was no guess work about where to park.

The consensus of agreement was that the topic needed further discussion in the future.

D. PND Contract Amendment:

Mr. Pivarnik informed that the paperwork provided for Commission review was comprised of two things: a contract to start the design work for the proposed new travelift pier (since there was agreement on a conceptual drawing) and additional language to amend the A/B Dock design contract, which encompassed changes to the original design. PND had suggested, and staff believed it to be a good idea, that an addendum or amendment to the current contract covering the necessary changes would be more efficient than a new contract. The PND addendum to the original

contract, Mr. Pivarnik stated, was for \$166K - \$95,600 for the engineering design of the travelift pier and \$70,400 for the changes to A/B Dock that were needed to proceed through permitting.

Commissioner Collins moved approval of the addendum to the PND Contract, as presented.

There were no comments.

Motion carried by unanimous vote.

VI. NEW BUSINESS:

A. Approval of Warrants:

Warrant #043101 through #043129 in the amount of \$39,310.21 for Payroll

Warrant #043130 through #043138 in the amount of \$55,138.66 for Payroll Benefits

Warrant #043139 through #043192 in the amount of \$36,028.66 for Accounts Payable

Commissioner Thompson moved to approve the warrants as presented.

Motion carried by unanimous vote.

VII. STAFF COMMENTS:

Mr. Pivarnik briefed the Commission on a citation for \$320. from the Washington State Department of Labor and Industries to the Port regarding the New Day Fisheries fish transfer pier. He reminded that the issue had been addressed in 2008 when the Department of L&I had issued a warning advising that they thought the pier should be condemned to vehicle, crane and off-lift traffic unless the Port could have an engineering report that certified the pier would hold 24-tons. Mr. Pivarnik had not been able to find an engineering firm willing to vouch for the pier, believing that the pier had outlived its useful life. Staff, advised Mr. Pivarnik, at this point did not know how to rectify the situation as to rebuild or repair would cost a lot of money, plus permitting (time and costs). He advised that the pier only serviced New Day Fisheries and that the Port did not rent the pier to them, they had use of the pier. Staff, he advised, would schedule a meeting with New Day Fisheries to discuss options.

Mr. Crockett advised that, in his opinion, estimates to rehab the current pier could cost in excess of \$250K and a re-do could easily cost \$750K and that, currently, with the proposed A/B dock moving forward as well as the proposed Travelift Pier, he believed the Port needed to be realistic about what could and could not be done with the facility.

A short discussion followed regarding the pier and possible scenarios.

Mr. Crockett informed that he would be attending the Washington Boating Alliance meeting on Thursday, November 12, 2009 and would not be available to meet with the delegate coming over to assess the Port regarding the Clean Marina designation sought for several months for both Boat Haven and Point Hudson. Mr. Taylor, he informed, would act as the management representative along with Harbor Master, Tami Ruby for the on site visit.

He informed that he, Mr. Pivarnik and Yard Manager, Doug Lockhart (along with PND engineers) would be gone on Friday, November 13, 2009 to visit the Port of Everett and the Port of Skagit to look at the new lift piers in the 70 – 80 ton range they've recently installed to get a better feel for what we need here.

VIII. PUBLIC COMMENTS:

None

IX. COMMISSIONER COMMENTS:

Commissioner Collins offered an apology for not attending the meeting due to illness.

X. NEXT MEETING: Next regular meeting will be held *Monday November 23, 2009* at 6:30 PM in the Port Commission Chambers, 375 Hudson St, Port Townsend.

XI. ADJOURNMENT:

The regular meeting adjourned at 1:33 PM there being no further business to come before the Commission.

ATTEST:

Herbert F. Beck, President

David H. Thompson, Secretary

John N. Collins, Vice President