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**Port of Port Townsend
2nd Monthly Meeting Agenda
Wednesday, February 27, 2019, 5:30 p.m.
Port Commission Building
333 Benedict Street
Port Townsend, WA**

- I. Call to Order / Pledge of Allegiance
- II. Approval of Agenda
- III. Public Comments
- IV. Consent Agenda
 - A. Approval of Public Workshop Minutes – February 13, 2019.....1-2
 - Approval of Regular Meeting Minutes – February 13, 2019.....3-7
 - B. Approval of Warrants
- V. Second Reading
 - A.
- VI. First Reading
 - A. Restroom Management.....8-9
 - B. Parking Resolution.....10-12
- VII. Regular Business
 - A. JCIA Phase III Project Timing.....13-15
- VIII. Staff Comments
- IX. Commissioner Comments
- X. Next Public Workshop and Regular Business Meeting:
Wednesday, March 13, 2019: Workshop at 9:30 am, Meeting at 1:00 pm
Port Commission Building, 333 Benedict Street, Port Townsend, WA
- XI. Executive Session
- XII. Adjournment

PORT COMMISSION PUBLIC WORKSHOP – February 13, 2019

The Port of Port Townsend Commission met for a Public Workshop in the Port Commission Building, 333 Benedict Street, Port Townsend, WA

Present: Commissioners Putney, Hanke & Tucker
Interim Executive Director Pivarnik
Port Auditor Berg
Deputy Director Toews
Recorder Nelson

I. CALL TO ORDER:

Commissioner Putney called the Workshop to order at 9:30 a.m.
Mr. Pivarnik asked the Commission if they would like to briefly relocate the Workshop so that the Commission and staff could walk to the Heavy Haulout area for a Boat Haven/Yard group photo, an invitation received from the marine trades. The Commission agreed. (Approximately a twenty minute duration.)

II. AGENDA:

Refer to attached workshop agenda for items discussed.
The Commission began the workshop with the Department of Fish & Wildlife Update (third item on agenda).
At 9:48 am the workshop was relocated to the photoshoot in the Yard and returned to the Commission Building at 10:13 am. (No audio recording between 9:48-10:13 am.)

IV. ADJOURNMENT:

The Workshop adjourned at 11:24 a.m.

ATTEST:

William W. Putney III, President

Stephen R. Tucker, Secretary

Peter W. Hanke, Vice President

**Port of Port Townsend
Public Workshop
Wednesday, February 13, 2019, 9:30 am
Port Commission Building
333 Benedict Street
Port Townsend, WA**

AGENDA

➤ **Capital Budget**

This is a review of the revised 2019 Capital Budget. Many changes have been made since our last review to address new priorities since our retreat. Staff is prepared to go through each change in detail in the workshop environment. We have also put this on the regular agenda should the Commission choose to adopt.

➤ **Restrooms/Laundry Room**

The Boat Haven restroom project is now complete, and the transformation is very evident. New ventilation has been added and the entire system has been serviced. New paint and several new fixtures have given the restroom a new fresh appearance. Our maintenance staff has done an outstanding job. What we would like to discuss now is since all of this work has been completed, is this the time where we lock the restrooms and make them only accessible to our tenants?

➤ **Department of Fish & Wildlife Update**

We are still working with Washington State Fish and Wildlife on finalizing their lease at Point Hudson. We remain at an impasse about the creosote mitigation and their option to terminate the lease if the mitigation is not to their liking. This is a real stumbling block because they are asking us to spend up to \$200,000 with no long-term commitment.

Note: This is a Public Port Commission Workshop. Workshops are for information sharing only and no decisions will be made during the session. Public input may be taken at the Commissions' discretion.

PORT COMMISSION REGULAR BUSINESS MEETING – February 13, 2019

The Port of Port Townsend Commission met in regular session at the Commission Building, 333 Benedict Street, Port Townsend, WA

Present: Commissioners –Putney, Hanke & Tucker
Interim Executive Director Pivarnik
Auditor Berg
Deputy Director Toews
Minutes – Nelson
Attorney Chmelik (via Skype audio/visual)

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Commissioner Putney called the meeting to order at 1:00 p.m.

II. APPROVAL OF AGENDA:

Commissioner Hanke proposed to move First Reading, Item A - Restroom Policy to Regular Business, Item D and to change the title to “Restroom Access”.

Commissioner Putney proposed to add to Regular Business, Item E – Boat Ramp Fee Solution.

Commissioner Tucker moved to approve the Agenda as amended.

Commissioner Hanke seconded the motion.

Motion carried by unanimous vote.

III. PUBLIC COMMENTS (00:01:34):

Carl Berger, Port tenant, commented on Restroom Access.

Chris Sanok, PTMTA, thanked the Commission and staff for participating in the Yard photo shoot earlier in the day.

IV. CONSENT AGENDA (00:04:09):

A. Approval of Regular Business Meeting Minutes – January 23, 2019

Approval of Special Meeting Minutes – February 4, 2019

B. Approval of Warrants

Warrant #060134 through #060147 in the amount of \$67,514.32 for Payroll & Benefits

Electronic Payment in the amount of \$110,384.97 for Payroll & Benefits

Warrant #060148 through #060212 in the amount of \$146,202.45 for Accounts Payable

Commissioner Hanke moved to approve the Consent Agenda as presented.

Commissioner Tucker seconded the motion.

Motion carried by unanimous vote.

V. SECOND READING (Action Items):

A. Capital Budget (00:04:21):

Ms. Berg explained that she reviewed changes to the budget in the earlier workshop, which are highlighted in yellow on the copy included in the packet and are incorporated in the (“clean”) copy of the Capital Budget. She asked the commission if they would like further discussion or had any questions.

Commissioner Hanke moved to adopt the 2019 Capital Budget as presented.

Commissioner Tucker seconded the motion.

Commissioner Tucker noted the budget can be amended depending on circumstances. Commissioner Hanke asked if the airport project would be discussed. Mr. Pivarnik stated that staff has discussed the possibility of deferring the project to next year. Staff would need approval from the Commission to approach the FAA to ask for a deferral to 2020, due to the amount of capital projects on the Port's 2019 calendar. He added if a deferral is denied, the Commission could instead consider applying for airport runway grant funding in the next cycle. He added staff does not know a way to afford a quarter million dollar project this year. Mr. Pivarnik stated he believes the Port is in a good position to ask for 100% funding this year, but he added, it's a long shot.

Motion carried by unanimous vote.

VI. FIRST READING (Discussion Only):

A. Restroom Policy (moved to Regular Business, Item D "Restroom Access")

VII. REGULAR BUSINESS:

A. Marine Surveys & Assessments Lease (00:09:31):

Mr. Toews informed that Amy Leitman has requested a five-year lease of the Cupola House. He added she currently leases space in the building that also houses the Shanghai; her company has outgrown this space.

A lengthy discussion on lease terms was discussed with advice from Attorney Chmelik.

Commissioner Hanke moved to approve the lease with Marine Surveys & Assessments, as presented.

Commissioner Tucker seconded the motion.

Motion carried by unanimous vote.

B. December 2018 Preliminary Financials (00:26:50):

Ms. Berg reported the five-year trend for 2018 has been the best yet in the last five years. She discussed revenue and expense highlights. Commissioner Tucker commented on boat ramp decreased revenue.

Discussion ensued on garbage/dumpster issues, accessibility and expenses. Mr. Pivarnik suggested developing a garbage policy.

Commissioner Tucker also commented on the decreased workyard revenue.

Ms. Berg stated the bottom line is that cash increased by \$60K for 2018. She reminded that beginning in January, the Port is going to a cash basis, so there will be no more accrual reporting.

C. Staff Organizational Chart Revision (00:51:17):

Mr. Pivarnik explained that the staffing situation in Quilcene needs to be determined now, as the busy season is getting closer. Staff met with the Union on this new position and they are on board. He explained it would be a 25-hour per week position during the slow season and 40-hours a week in the busy season, with full benefits. This position would be responsible for check-ins, cash handling, restroom upkeep, lawn care, among other responsibilities.

**Commissioner Hanke moved to adopt the Staff Organizational Chart as presented.
Commissioner Tucker seconded the motion.
Motion carried by unanimous vote.**

D. Restroom Access (00:58:03):

Commissioner Putney informed that the issue of access to the Boat Haven main restrooms/shower facility was discussed at the workshop earlier in the day.

Commissioner Hanke moved to restrict (Boat Haven main) restroom access to only tenants in the Yard and Marina with Port-issued key fobs.

Commissioner Putney asked if the restrooms should be restricted to tenant use only 24/7. Commissioner Hanke agreed and stated it could be reviewed later.

Commissioner Tucker would like a meeting to be held soon with the County, City and OlyCAP where the Port can inform of the restroom shut down. He suggested signage outside of the restroom that would list public restrooms available within the City.

Commissioner Tucker suggested the EDC organize this meeting.

Mr. Pivarnik recommended, instead, to attend City Council and County Commission meetings to inform of the restroom closure to the public.

(Commissioner Hanke restated his motion):

Commissioner Hanke moved to restrict Boat Haven (main) restroom access to (Boat Haven) tenants and yard tenants, implementing a key fob system for 24/7 access and to create a policy around the key fob system.

Commissioner Tucker seconded the motion.

Motion carried by unanimous vote.

E. Boat Ramp Fee Solution (01:08:08):

Commissioner Putney explained the issue is people using the boat ramp without paying. Commissioner Tucker asked Attorney Chmelik if Port staff would be allowed to chain the two rear boat trailer wheels for customers who bypass paying the ramp fee.

Mr. Chmelik believes the Port would be on solid ground if they passed Rules and Regulations (R&R) that would allow vehicle impounding, with signs clearly posted. Or, he suggested asking the City to adopt the Port R&Rs into the City Ordinance. Mr.

Chmelik discussed different options the Port could inquire about with City Police, including Port staff writing City tickets. Discussion ensued on the safety of Port staff when confronting people who have had their trailers/vehicles chained/ticketed.

Fencing/gating was brought up as another alternative. Mr. Toews commented that there are steps to take that are low cost rather than spend more money on infrastructure. He stated booting, chaining, ticketing is hard on staff and is confrontational. He agreed it is a good idea to discuss with the City. An in-depth discussion on ideas ensued.

Commissioner Hanke suggested staff get cost estimates on a gate system.

Commissioner Tucker suggested staff talk with the tribes, as he believes the abusers of using the ramp without paying are tribal fishers.

Mr. Pivarnik stated he and Mr. Toews would meet with the City Police Chief to discuss options. Staff will also get estimates on a gate system using key fobs.

VIII. STAFF COMMENTS (01:38:37):

Ms. Nelson presented the raffle tickets received at the Seattle Boat Show for the two-night stays at the Point Hudson and Boat Haven Marinas. Commissioner Putney drew the following names: Boat Haven winner: Barbara Busby of Gig Harbor and the Point Hudson winner: Cameron Strong of Seattle.

Ms. Nelson reported on the records storage clean-up, where many staff have been involved in the process.

Ms. Berg provided an update on the FSM (marina software) status.

Mr. Toews reported the issue of the airport AIP and runway grant came up in the morning workshop and staff expressed their concerns about the unanticipated expenses that arose resulting from the December storm and Boat Haven main breakwater repairs that are now needed. He stated the likely Port match for the grant is now out of reach. Staff has been communicating with the FAA about issuing the grant in 2019 and executing construction in 2020, but so far, to no avail. He recommends formal Commission direction explaining to the FAA of the cost of the unexpected breakwater repairs and that the Port does not have the resources for the grant match.

Mr. Pivarnik announced that staff would bring a formal ask for direction on the FAA grant to the Commission at the next meeting. He reported an application for alternative bidding/construction of the Point Hudson Jetty is being submitted this week to the Department of Enterprise Services.

Mr. Pivarnik gave kudos to maintenance staff Shawn Wiles for plowing the snow off the airport runway this past weekend.

Last, Mr. Pivarnik reported he received an inquiry from the Film Festival. They would like to use the Marina Room to show free movies during the festival and request to use it at no cost. He stated it would only be about \$450 in income and asked for Commission comment. He added the Film Festival would fill out the Port's Non-Profit application. The Commissioners agreed to donate the Marina Room to the Festival, as it would be good for the community and the economy.

IX. COMMISSIONER COMMENTS (1:55:54):

Commissioner Putney reported he and Mr. Pivarnik had a great legislative day in Olympia at the WA Public Ports Association "Port Day" in Olympia recently.

Commissioner Putney announced the Port booth at the NW Aviation Conference, Puyallup Fairgrounds, February 23-24.

X. NEXT REGULAR BUSINESS MEETING:

Next regular meeting will be held Wednesday, February 27, 2019 at 5:30 PM in the Port Commission Building, 333 Benedict St, Port Townsend.

XI. EXECUTIVE SESSION:

(Attorney Holly Stafford of Chmelik Sitkin & Davis present for Exec Session.)

The regular session recessed into Executive Session at 2:57 pm (session began at 3:00 pm, once room was cleared of the public) to discuss Potential Litigation, pursuant to RCW 42.30.110 (1) (ii), duration of twenty minutes with no action.

At 3:21 pm, Ms. Nelson announced the meeting was extended ten minutes.

XII. ADJOURNMENT:

The meeting reconvened and adjourned at 3:31 pm, there being no further business to come before the Commission.

ATTEST:

Stephen R. Tucker, Secretary

William W. Putney III, President

Peter W. Hanke, Vice President

PORT OF PORT TOWNSEND AGENDA COVER SHEET

MEETING DATE	February 27, 2019
AGENDA ITEM	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading <input type="checkbox"/> Regular Business
AGENDA TITLE	VI. A) Restroom Management
STAFF LEAD	Jim Pivarnik, Interim Executive Director
REQUESTED	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Discussion
ATTACHMENTS	A. Info Memo

PORT OF PORT TOWNSEND

INFORMATIONAL MEMO

DATE: 2/27/2019
TO: Commission
FROM: Jim Pivarnik, Executive Director
SUBJECT: Restroom Management Direction

BACKGROUND

At the February 13th Commission Meeting the Commission directed staff to close the main restrooms to non-patrons 24 hours a day and research hardware that would allow for better restroom control. Staff has completed that research and are ready to implement a new computer controlled locking system with an integrated entry camera system.

DISCUSSION

Since locking the restrooms down on the 15th of February there has been positive reports from all sectors of our business. The moorage tenants that I talked to as well as the marine trades have voiced support for the Commission's decision.

Guardian Security System has been selected from the small works roster to design a system that will give the Port the best service and equipment for this application. This is a fob-based system with integral camera that will allow staff to control access. This system will allow issuing key fobs to our permanent tenants and smart phone access for our visitors. There will also be an electronic key pad if we need to give limited code access to the doors.

Technology has come a long way in the last few years to provide safe access to public spaces. The question for the Commission is to whom we will provide access. Staff believes that all permanent patrons including marine trades and annual ramp users should have access but there has been talk of providing access to trailer boaters without annual passes. Although possible, this type of system will increase the complexity and costs of this system.

The system we are looking at is expandable and staff feels that we might try a smaller system and expand its capabilities if needed in the future.

RECOMMENDATION

Authorize Executive Director to implement new restroom control system.

ATTACHMENTS

None

PORT OF PORT TOWNSEND AGENDA COVER SHEET

MEETING DATE	February 27, 2019
AGENDA ITEM	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading <input type="checkbox"/> Regular Business
AGENDA TITLE	VI. B) Parking Resolution No 697-19, Draft
STAFF LEAD	Jim Pivarnik, Interim Executive Director
REQUESTED	<input type="checkbox"/> Motion <input type="checkbox"/> Action <input checked="" type="checkbox"/> Discussion
ATTACHMENTS	A. Draft Resolution 697-19

RESOLUTION NO. 697-19

A Resolution of the Commission of the Port of Port Townsend

AUTHORIZING THE IMPOSITION OF ADDITIONAL FEES UPON PORT PATRONS USING PARKING FACILITIES WHO HAVE FAILED TO MAKE INITIAL PAYMENT

This is a resolution confirming the authority of the Executive Director of the Port of Port Townsend to collect fees for vehicles (and associated boat trailers) using the Boat Haven Boat Ramp Parking Facility and the Point Hudson Paid Parking Facility, and further authorizing the Executive Director to issue tickets and impose additional fees upon patrons parking their vehicles (and associated trailers) without initial payment.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Port of Port Townsend operates parking facilities in Port Townsend at its Boat Haven Boat Ramp and Point Hudson facilities.
2. The Port has designated paid parking areas at both its Boat Haven and Point Hudson facilities to manage parking availability to patrons.
3. The Port Commission is authorized to establish rates and fees, by resolution, for use of Port owned and operated parking facilities.
4. The current Port tariff has established a fee for parking and boat ramp use at Boat Haven, and a fee for parking only at Point Hudson, but does not establish additional fees for facility users who have initially parked without payment.
5. The Port Commission desires to establish such additional fees for patrons who have initially parked without payment, and further wishes to authorize the Executive Director and his/her designee(s) to issue tickets assessing an additional fee, equivalent to three (3) times the base fee to patrons parking their vehicles (and associated boat trailers) who have failed to initially pay for such facility use.
6. Charging such additional fees to patrons that have initially parked without payment is a means of fairly regulating the use of the Boat Haven Boat Ramp and the Point Hudson Paid Parking facilities and is likely to enhance compliance with the base parking fee payment requirements established in the Port's tariff of charges.
7. The public has been provided with an appropriate opportunity to comment on this proposal.

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Port Townsend, as follows:

The Executive Director of the Port of Port Townsend and his/her designee(s) is hereby authorized and directed to issue tickets and impose additional fees upon vehicles (and associated trailers) equivalent to three (3) times the base fee established by the Port's tariff for facility patrons that have parked without initial payment.

ADOPTED this 13th day of March 2019, by the Commission of the Port of Port Townsend and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission duly affixed.

ATTEST:

Stephen R. Tucker, Secretary

William W. Putney III, President

Peter W. Hanke, Vice President

APPROVED AS TO FORM:

Port Attorney

PORT OF PORT TOWNSEND AGENDA COVER SHEET

MEETING DATE	February 27, 2019
AGENDA ITEM	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading <input checked="" type="checkbox"/> Regular Business
AGENDA TITLE	VII. A) JCIA Runway Rehabilitation Phase III Project Timing
STAFF LEAD	Eric Toews, Deputy Director
REQUESTED	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Discussion
ATTACHMENTS	A. Info Memo

PORT OF PORT TOWNSEND

INFORMATIONAL MEMO

DATE: 2/22/2019
TO: Port Commission
FROM: Eric Toews, Deputy Director
SUBJECT: JCIA Runway Rehabilitation – Project Timing

BACKGROUND: At the Commission regular meeting of February 13, 2019, staff expressed concern over the Port's ability to meet its 2019 match requirements for Phase 3 (Construction) of the JCIA Runway Rehabilitation Project. Staff indicated that guidance from the Commission would be helpful in communicating the Port's situation to the FAA, and in clearly specifying that the project must be deferred until 2020.

DISCUSSION: The JCIA Runway Rehabilitation Project is presently in the final stages of engineering design (Phase 2), with a likely "bid ready" date in April of 2019. It has long been anticipated that Phase 3 of the project, construction, would occur in the summer of 2019. The estimated cost of Phase 3, including both hard and "soft costs" (i.e., construction phase engineering support and construction management) is approximately \$4,380,000. The Port's likely match requirement would be 5%, or \$219,000, although two other scenarios remain possible:

- The Port's request for supplementary discretionary funding ("100% monies") may yet be granted, thereby reducing the Port's matching share of the project to 0%; or
- The request for 100% monies may be unsuccessful, AND the Port's application for WSDOT Aviation Division grant support (5% of project costs) might also prove unsuccessful.

Thus, the Port's matching share for the project could range from 0% to 10% of overall Phase 3 costs (i.e., from \$0.00 to approximately \$438,000).

As the Commission knows, the Port has a number of other high priority capital projects that must be undertaken in the near-term - during a time of financial fragility. One project in particular has emerged over the past two months that was previously unanticipated: repairs to the Boat Haven Main Breakwater that was significantly damaged during the storm of December 20, 2018. The preliminary estimate for Main Breakwater repairs is in the \$250,000 - \$400,000 range.¹ These repairs must be undertaken before the fall/winter of 2019/2020 to safeguard the Port's Boat Haven operations. Incurring the costs for this breakwater repair will further diminish the Port's cash reserves, and necessitates delaying Phase 3 of the runway project to 2020.

¹ Harold Andersen of QUADRA Engineering will be further assessing the damage and refining the estimated repair costs over the next several weeks.

RECOMMENDATION: Approve a motion in substantially the following form to be communicated by staff to the Seattle ADO of the FAA on behalf of the Commission:

1. The Port Commission believes that rehabilitation of the JCIA Runway is an important capital priority that should be completed as soon as possible;
2. However, the need to undertake emergency capital repairs to other critical Port infrastructure precludes the Port from proceeding to construction of the JCIA project in 2019 unless 100% FAA funding for the project is secured;
3. On-site construction activities that would incur substantial Port costs may not occur in 2019; and
4. The Phase 3 AIP Grant, if timely issued by the FAA in 2019, must be structured to defer on-site construction activities to the spring/summer of 2020 when the Port is anticipated to be in a more favorable financial position to incur the costs of such construction.

ATTACHMENTS

None.