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**Port of Port Townsend
1st Monthly Meeting Agenda
Wednesday, January 14, 2015, 1:00 PM
Port Commission Building
333 Benedict Street, Port Townsend, WA**

- I. Call to Order / Pledge of Allegiance
- II. Approval of Agenda
- III. Election of Officers
- IV. Consent Agenda
 - A. Approval of Meeting Minutes –December 22, 2014.....1-2
 - Approval of Public Workshop Minutes – December 22, 2014.....3-4
 - B. Operations Reports – December 2014.....5-8
 - C. Approval of Warrants
- V. Public Comments (not related to Agenda)
- VI. Recess to a Meeting of the Industrial Development Corporation of the Port of Port Townsend.....9
 - A. Election of IDC Officers.....10
 - B. Approval of IDC Meeting Minutes – January 8, 2014.....11
- VII. Second Reading
 - A. Point Hudson Breakwater.....12
 - B. Lease with Todd Flye.....13
 - C. Stormwater V1 Sandfilter Contract.....14-15
 - D. Commission Meeting Dates, Location and Procedures-Resolution No. 624-15.....16-21
 - E. Engineering Services Discussion.....22
- VIII. New Business
 - A. Executive Director’s Delegation of Authority-Resolution No. 623-15....23-24
 - B. Executive Director’s Report on 2014 Changes to the Port’s Rules, Regulations, and Procedures.....25-28
 - C. Committee Assignments.....29-31
 - D. WPPA Trustee Appointments.....32
- IX. Staff Comments
- X. Public Comments
- XI. Commissioner Comments
- XII. **Next Meeting: Wednesday, January 28, 2015 at 5:30 PM, Port Commission Building, 333 Benedict Street, Port Townsend, WA**
- XIII. Executive Session (if called):
- XIV. Adjournment

PORT COMMISSION MEETING– December 22, 2014

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

Present: Commissioners – Tucker, Clinefelter and Hanke
Executive Director – Crockett
Deputy Director - Pivarnik
Auditor – Khile
Attorney – Goodstein
Minutes – Nelson

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Commissioner Tucker called the meeting to order at 1:00 PM.

II. APPROVAL OF AGENDA:

Commissioner Tucker moved to approve the Agenda as presented.
Commissioner Hanke seconded the motion.
Motion carried by unanimous vote.

III. CONSENT AGENDA:

- A. Approval of Meeting Minutes – December 8, 2014
Approval of Special Meeting Minutes – December 17, 2014
 - B. Approval of Warrants
Warrant #053903 through #053916 in the amount of \$66,628.12 for Payroll & Benefits
Warrant #053917 through #053947 in the amount of \$25,763.79 for Accounts Payable
Warrant #053885 as a VOID
Electronic Debit to Union Bank in the amount of \$3,918.16 for Washington State
Department of Revenue Combined Excise Tax Return for November 2014
- Commissioner Clinefelter moved to approve the Consent Agenda as presented.**
Commissioner Hanke seconded the motion.
Motion carried by unanimous vote.

IV. PUBLIC COMMENTS (Not related to agenda)

V. SECOND READING (Action Items):

VI. FIRST READING (discussion only)

A. Lease Request from Mr. Todd Flye (1:01):

Mr. Pivarnik reported on the letter from Mr. Flye requesting a lease on the satellite shelter that is adjacent to Scow Bay Boats (formerly Day Boats). When Scow Bay took over the lease from Aaren Day he did not need the shelter. Mr. Day has one year left on the lease. Mr. Pivarnik explained the different rate structures for storage space in the yard. The question for the commission is do they wish to continue allowing shelters in prime space; purchase the shelter to lease out; or move the shelter to another location. Commissioner Tucker said he would like to learn more about the different rates charged in the yard.

Mike Galmukoff and Commissioner Hanke both spoke highly of Mr. Flye's work. After asked his opinion, Mr. Flye said he would like to purchase the shelter, but it all depends on the lease rate and where the shelter would be located.

Mr. Pivarnik recommended the Port purchase the shelter and lease the space to Mr. Flye. Mr. Pivarnik added he would come up with three different scenarios for the commission to review.

B. 2015 Commission Meeting Dates (23:37):

Mr. Crockett explained that due to holidays and WPPA conference dates in 2015, it would be a good idea to reschedule those meeting dates to include into the meeting resolution, which is adopted in January. This way, he added, the meetings would stay as "regular" and not be changed to "special meetings". Mr. Crockett asked the commission to review the suggested date changes for adoption in the meeting resolution at the January commission meeting.

VII. POTENTIAL IMMEDIATE ACTION ITEMS):

A. Lease Extension for Pygmy Boats (26:06):

Mr. Pivarnik said Pygmy has been a tenant for almost twenty years and it is time to renew their lease. They would like to have a five-year lease with a five-year option.

Commissioner Hanke moved to approve the Pygmy Boat lease for a five-year term, with a five-year option.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

B. Lease Extension for Commander's Beach House (28:03):

Mr. Pivarnik explained this is the same as the Pygmy lease, with one exception: if the Oldroyds sell their business, there is a provision in the lease that the Port would negotiate a new lease with the new owner.

Commissioner Tucker moved to approve the Commander's Beach House lease for a five-year term, with a five-year option.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

C. Lease for Admiral Ship Supply (30:59):

Mr. Pivarnik explained that David Carruthers found a new buyer for Admiral Ship Supply-Robert Frank. Kitsap Bank is requiring a long-term lease for financing.

Commissioner Hanke move to approve the lease with Mr. Frank as presented.

Commissioner Tucker seconded the motion.

Motion carried by unanimous vote.

VIII. STAFF COMMENTS (34:31):

Attorney Goodstein commented on the lease with Mr. Flye stating that, "removal of structure upon end of lease" is included in the lease language.

IX. PUBLIC COMMENTS (36:02):

Vigo Anderson asked why the Coast Seafoods lease has never moved forward. Mr. Pivarnik explained that staff is waiting for a property survey to be completed. Once that has been done, the lease will be brought back to the commission.

X. COMMISSIONER COMMENTS (36:41):

Mr. Hanke commented that the WPPA Annual Meeting was a great one.

Mr. Tucker discussed insurance inventory that he and Mr. Crockett learned about at the CLE class at the WPPA meeting. He also reported on a Jefferson Energy Lunch Meeting where Senator Hasagawa spoke on state banking. This is something Commissioner Tucker would like to see discussed amongst the WPPA.

XI. NEXT MEETING/PUBLIC WORKSHOP: Next regular meeting will be held Wednesday, January 14, 2015 at 1:00 PM, with the workshop preceding at 9:30 AM in the Port Commission Building, 333 Benedict St, Port Townsend.

XII. EXECUTIVE SESSION:

XIII. ADJOURNMENT:

The meeting adjourned at 1:41 PM there being no further business to come before the Commission.

ATTEST:

Peter W. Hanke, Secretary

Stephen R. Tucker, President

Brad A. Clinefelter, Vice President

PORT COMMISSION PUBLIC WORKSHOP – December 22, 2014

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

Present: Commissioners Tucker, Clinefelter and Hanke
Executive Director Crockett
Deputy Director – Pivarnik
Finance Director/Auditor – Khile
Planning Analyst - Toews
Attorney - Goodstein
Minutes Nelson
Speaker: Shane Phillips, Coast & Harbor Engineers

I. CALL TO ORDER:

The Workshop was called to order at 9:30 AM.

II. AGENDA:

Refer to attached Workshop agenda for items discussed.

III. ADJOURNMENT:

The Workshop adjourned at 11:19 AM.

ATTEST:

Stephen R. Tucker, President

Peter W. Hanke, Secretary

Brad A. Clinefelter, Vice President

**Port of Port Townsend Public Workshop
Monday, December 22, 2014, 9:30 AM
Commission Building
333 Benedict Street
Port Townsend, WA**

AGENDA

➤ **Point Hudson Breakwater Update**

Coast & Harbor Engineers will provide an update on the breakwater project.

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.

BOATHAVEN OPERATIONS REPORT/MOORAGE

MONTH: DECEMBER 2014

DATE: 1/7/2015

MONTHLY PERMS: 353

MONTHLY GUESTS: 17

# OF SLIPS BY SIZE	OCCUPIED	empty	% occ.
25' 35	32	3	91%
27' 11	10	1	91%
30' 105	100	4	95%
35' 24	24	0	100%
40' 44	43	1	98%
45' 41	39	2	95%
50' 32	31	1	97%
OVER 52' 7	7	0	100%
TOTAL: 299	287	12	AVG: 96%

LINEAR SPACE/FT	OCCUPIED	% OCCUPIED
COMMERCIAL 365	365	100%
RECREATIONAL 1986	1836	92%
LIMITED ACC. 1455	1440	99%
TOTAL: 3806	3641	165 AVG: 97%

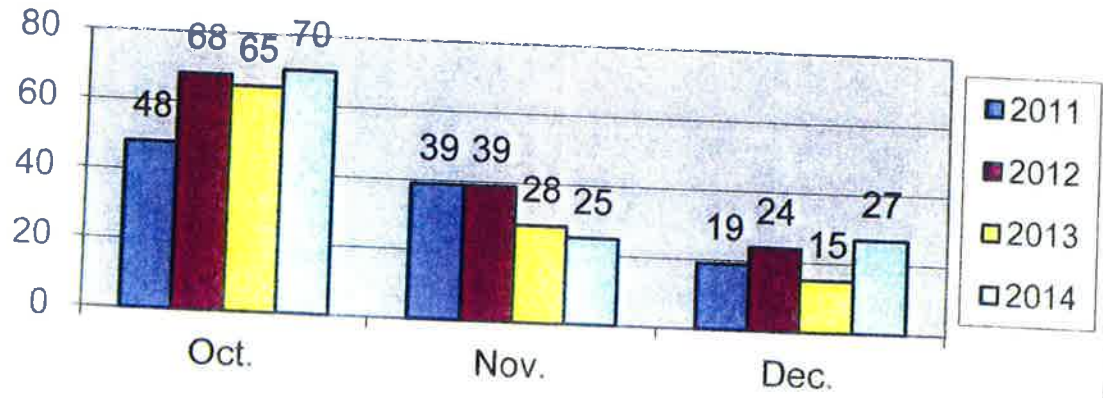
	CURR	PREV MO	YTD
NIGHTLY GUESTS:	87	156	4953
CREDIT SYSTEM:	25	22	344
TEMP TIE UP:	1	2	220
FREE NIGHTS:	0	0	1
PTYC:	1	6	195
RAMP/DAILY:	22	14	1015
RAMP/ANNUAL:	14	1	473

WAIT LISTS	
25' PLEA:	8
27' PLEA:	0
30' PLEA:	38
35' PLEA:	36
40' PLEA:	41
45' PLEA:	19
50' PLEA:	16
OVER 52':	8
OVERWID	0
30' COMM.	0
40' COMM.	0
50' COMM:	0

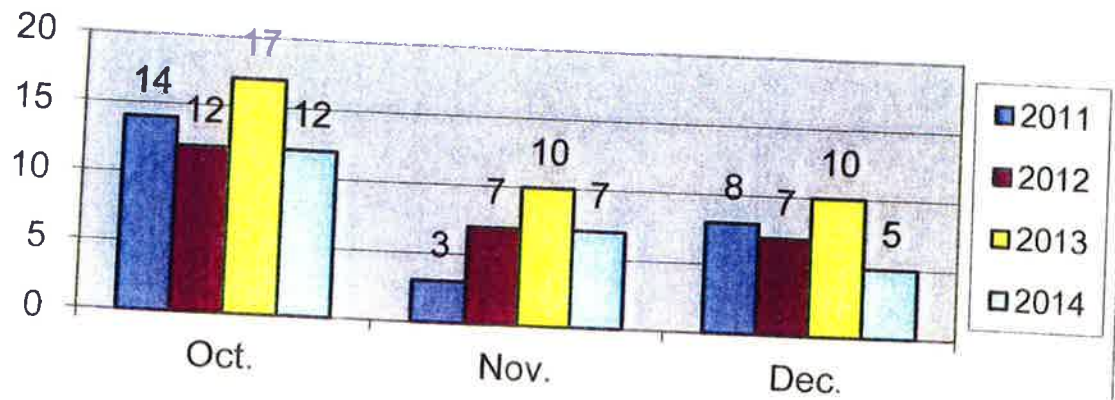
TOTAL OCCUPANCY %: 97%

STORAGE OPERATIONS REPORT					DATE: 1/7/2015				
	DEC 2011	DEC 2012	DEC 2013	DEC 2014	2011 YEAR TO DATE	2012 YEAR TO DATE	2013 YEAR TO DATE	2014 YEAR TO DATE	REMARKS
HAUL-OUT									
BOAT YARD - OUT	19	24	15	27	714	742	724	757	
BOAT YARD - IN	18	27	18	24	722	716	693	743	
67% RE-BLOCK	6	6	6	7	82	45	65	70	
40% INSPECTION	3	3	2	3	46	38	38	39	
OTHER	0	2	1	0	35	29	23	37	
SUB TOTAL	46	62	42	61	1599	1570	1543	1646	
SHIP - OUT	8	7	10	5	116	135	161	129	
SHIP - IN	11	6	7	8	110	128	137	134	
SHIP - RE-BLOCK	3	0	0	1	12	12	4	14	
SHIP-INSPECTION	0	2	1	0	5	4	7	4	
SHIP - OTHER	1	1	0	0	4	3	5	0	
SUB TOTAL	23	16	18	14	247	282	314	281	
TOTAL	69	78	60	75	1846	1852	1857	1927	
STORAGE									
PTBH - START	59	71	72	65					
PTBH - END	57	66	69	64					
PTBH-O.P.P.	22	26	24	30					
SHIP-START	19	11	22	18					
SHIP-END	14	13	22	16					
SHIP-O.P.P.	2	2	2	3					
PERM/FREE	0	0	0	0					PERMS
FREE DAYS	16	20	8	15					PAID R/T
						OFF PORT PROPERTY			
PTBH lineal feet	2316	2845	2823	2851		GOLD STAR - 13			
SHIP lineal feet	994	1040	1676	1096		DAY BOAT - 1			
Longterm Storage	23	25	24	21		STEPHENS - 1			
LONGTERM linear	898	950	932	822		PT CO-OP - 6			
						TBM - SHIP - 3			
						TBM - SMALL - 7			
						HAVEN - 2			
JCIA OPERATIONS REPORT									
HANGERS	11	13	13	13					
TIE DN - PAVED	2	2	2	2					
TIE DN - GRASS	0	0	0	0					
TIE DN - NIGHTLY	3	2	0	0					
W/L - HANGERS	0	0	0	0					

Round Trip Hoists 70/75 Ton



Round Trip Hoists 300 Ton



Port of Port Townsend

POINT HUDSON MARINA & RV PARK

MONTHLY OCCUPANCY REPORT

2014

& 5 YEAR COMPARISON

MARINA NIGHTLY GUEST NIGHTS

	2010		2011		2012		2013		2014		
	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	
JAN	63	63	32	32	28	28	58	58	53	53	JAN
FEB	101	164	77	109	96	124	80	138	57	110	FEB
MAR	106	270	178	287	73	197	95	233	77	187	MAR
APRIL	199	469	180	467	240	437	159	392	209	396	APRIL
MAY	616	1085	618	1085	541	978	605	997	585	981	MAY
JUNE	601	1686	582	1667	749	1727	606	1603	520	1501	JUNE
JULY	1170	2856	1079	2746	1035	2762	1089	2692	993	2494	JULY
AUG	1255	4111	1131	3877	1178	3940	1188	3880	996	3490	AUG
SEPT	1008	5119	838	4715	831	4771	899	4779	778	4268	SEPT
OCT	130	5249	154	4869	175	4946	214	4993	120	4388	OCT
NOV	57	5306	58	4927	86	5032	138	5131	114	4502	NOV
DEC	34	5340	54	4981	65	5097	64	5195	52	4554	DEC

RV NIGHTLY GUEST NIGHTS

	2010		2011		2012		2013		2014		
	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	
JAN	175	175	173	173	176	176	180	180	285	285	JAN
FEB	286	461	214	387	221	397	261	441	150	435	FEB
MAR	338	799	239	626	229	626	359	800	249	684	MAR
APRIL	403	1202	341	967	445	1071	209	1009	546	1230	APRIL
MAY	628	1830	717	1684	638	1709	637	1646	706	1936	MAY
JUNE	654	2484	713	2397	645	2354	910	2556	1015	2951	JUNE
JULY	1256	3740	1215	3612	1247	3601	1275	3831	1169	4120	JULY
AUG	1228	4968	1257	4869	1300	4901	1293	5124	1228	5348	AUG
SEPT	1051	6019	1062	5931	1076	5977	1079	6203	1120	6468	SEPT
OCT	501	6520	501	6432	580	6557	694	6897	796	7264	OCT
NOV	241	6761	258	6690	290	6847	352	7249	432	7696	NOV
DEC	157	6918	176	6866	246	7093	165	7414	269	7965	DEC

PERMANENT & SEASONAL TENANT SUMMARY

	AVAIL/GOAL	OCCUPIED	%
LTD ACCESS MOORAGE	40 SLIPS	25	63%
COMMERCIAL MOORAGE	850 FEET	745	88%
SEASONAL MOORAGE	32 SLIPS	28	88%
SEASONAL RV'S	10 SITES	8	80%
UNDESIRABLE	5 SLIPS	0	0%

MAY SLOOP TAVERN RACE - NOT COUNTED

120

INDUSTRIAL DEVELOPMENT CORPORATION OF
THE PORT OF PORT TOWNSEND
Port Commission Building
333 Benedict Street, Port Townsend

January 14, 2015
1:00 PM

- I. Call to Order
- II. Election of Officers
- III. Approval of Minutes – January 8, 2014
- IV. New Business – None
- V. Next Meeting – Called as needed
- VI. Adjournment

**INDUSTRIAL DEVELOPMENT CORPORATION OF
THE PORT OF PORT TOWNSEND**

MEETING OF: **January 14, 2015**

AGENDA ITEM: **Annual Election of Officers**

BACKGROUND:

Current Officers:

President:	Stephen R. Tucker
Vice-President:	Brad A. Clinefelter
Secretary:	Peter W. Hanke

RECOMMENDATION:

Elect Officers for the year 2015.

**INDUSTRIAL DEVELOPMENT CORPORATION OF
THE PORT OF PORT TOWNSEND
Wednesday – January 8, 2014**

The meeting of the Industrial Development Corporation of the Port of Port Townsend was held in the Port Commission Building, 333 Benedict Street, Port Townsend, WA

Present: 2013 Directors: Stephen R. Tucker, President
Not Present (Terms Expired): David H. Thompson, Vice President
Leif W. Erickson, Secretary

New Commissioners as of January 1, 2014:
Brad A. Clinefelter
Peter W. Hanke

Port of Port Townsend Staff:

Executive Director - Crockett
Deputy Director – Pivarnik
Auditor – Khile
Planning Analyst - Toews
Attorney - Harris
Recorder – Nelson

I. CALL TO ORDER

Commissioner Tucker called the meeting to order at 1:30 PM.

II. ELECTION OF OFFICERS:

Mr. Crockett described the purpose of the IDC for the benefit of those present and advised that the finance option was made available as a means of promoting economic development opportunities to our community, “for truly industrial activities”. He explained that state law requires the IDC to meet once a year to keep it legal and viable. He informed that the last time the IDC was used was for a Port Townsend Paper Mill project in 1998.

Commissioner Tucker moved to approve the following slate of officers for 2014: Commissioner Tucker – President, Commissioner Clinefelter – Vice President and Commissioner Hanke – Secretary.

Commissioner Hanke seconded the motion.

Motion carried by unanimous vote.

III. APPROVAL OF MINUTES – January 9, 2013:

Commissioner Tucker moved for approval of the Minutes of the January 11, 2012 meeting of the IDC as presented.

Commissioners Thompson and Erickson not present as Commission terms expired December 31, 2013.

Motion carried.

IV. NEXT MEETING:

The next meeting of the IDC will be called as needed.

V. ADJOURNMENT:

There being no further business to come before the Directors, the meeting was adjourned at 1:36 PM.

Stephen R. Tucker, President DATE

Peter W. Hanke, Secretary DATE

Brad A. Clinefelter, Vice President DATE

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VII. Second Reading
A. Point Hudson Breakwater

BACKGROUND:

Last workshop, Mr. Shane Phillips from Coast and Harbor Engineering made a presentation to the Commission on appropriate ways forward with the Point Hudson Breakwater project. Staff needs direction as to next steps we should take on this important project. We have not started the permitting process, which could take at least a year and a half to complete.

During the presentation there were questions on only repairing the breakwater and not to re-build it at this time. Staff believes that because "time is of the essence" we need to get started with permitting ASAP. We can further discuss which options to take over the next few months but we feel that permitting a complete rebuild would be the most prudent at this time.

Executive Director's Recommendation:

Authorize Executive Director to prepare and submit permits for a full re-build of the Point Hudson Breakwater.

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VII. Second Reading
B. Lease with Todd Flye

BACKGROUND:

Staff has met with Mr. Flye since our last meeting and has come to an agreement that staff will recommend to the Commission, leasing the area adjacent to Scow Bay Boats, consisting of 2200 sq. ft. The rate that he will pay is the miscellaneous storage rate of \$.25 per foot per month, which equals \$622.31 per month.

Mr. Flye is requesting a five-year lease with a five-year option on this property. Staff has checked with Arren Day (the present owner of the shelter located on this property) and he is in agreement to sell to Mr. Flye the shelter and have the property transferred to him on February 1, 2015, pending Commission approval.

Executive Director's Recommendation:

Authorize Executive Director to approve a lease with Todd Flye.

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VII. Second Reading
C. Stormwater V1 Sandfilter Contract

BACKGROUND:

The Commission approved the Level 3 stormwater response budget in August of last year, prepared by Al Cairns. Since that date staff and our engineers have worked with the Department of Ecology to design a V1 sandfilter that would produce the desired results and not disrupt yard operations. The results of that were very competitive bids from four contractors.

Port Townsend's Seton Construction was the only local bidder and also the lowest bidder. We have placed in your Dropbox a draft contract for the amount of \$62,959 for Seton Construction.

We might add that due to the hard work of Al Cairns, Larry Aase and Reid Middleton the bids were less than half of the engineer's original estimates.

Executive Director's Recommendation:

Authorize Executive Director to sign contract with Seton Construction.



RECEIVED

DEC 29 2014 3:30 pm

Port of Port Townsend
Administration Office

Opened @ 4:01 pm

Contractor's Name: Seton Construction Inc.

Port of Port Townsend Boatyard Stormwater Rehabilitation Project
Port Townsend Boat Haven

Base Bid: Stormwater V1 Sandfilter	
Lump Sum as per plans	\$ 57,760.55
Plus sales Tax (9%)	\$ 5,198.45
Total Bid Price	\$ 62,959.00

Signature of authorized representative:

12-29-2014
GENERAL MANAGER

Initial that you have reviewed specifications and Addendum #1::

Rick

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VII. Second Reading
D. Commission Meeting Dates, Location and
Procedures, Resolution No. 624-15

BACKGROUND:

RCW 42.30.070 requires that the commission set the time and place of the regularly scheduled meetings for the year. This was discussed at the last commission meeting. Dates in 2015 that conflicted with the second and fourth Wednesday were highlighted and have been noted in this year's resolution with appendix. The only other change has been the deletion of a second "public comment", as it was redundant.

Executive Director's Recommendation:

Approve Resolution No. 624-15 with the attached Appendix A.

RESOLUTION NO. 624-15
A Resolution of the Commission of the Port of Port Townsend

RESOLUTION AFFIRMING RESOLUTION No. 604-14,
READOPTING COMMISSION MEETING PROCEDURES

WHEREAS, The Port of Port Townsend did establish and approve, in public session, "Commission Meeting Procedures" by Resolution No. 42-87 dated November 18, 1987, and;

WHEREAS, The Port of Port Townsend did rescind Resolution No.42-87, and adopted new Commission Meeting Procedures which were more efficient and beneficial for both the Commission and participating public, by Resolution No. 326-00 on July 26, 2000, and which was subsequently amended by Resolution No 344-01 on March 14, 2001, by Resolution No. 363-02 on February 27, 2002, by Resolution No. 367-02 on March 27, 2002, by Resolution No. 390-03 on January 22, 2003, Resolution No. 392-03 on April 9, 2003, by Resolution No. 471-06 on July 26, 2006, by Resolution No. 487-07 on April 25, 2007, by Resolution No. 532-10 on January 27, 2010, by Resolution No. 553-11 on January 12, 2011, by Resolution No. 558-11 on March 23, 2011, by Resolution No. 561-11 on June 8, 2011; by Resolution No. 594-13 on May 8, 2013; and by Resolution No. 604-14 on January 22, 2014; and

WHEREAS, the Port Commission wishes to affirm the meeting procedures established on January 22, 2014 via Resolution No. 604-14.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Port Commission of the Port of Port Townsend, that Resolution No. 604-14 adopted on January 22, 2014 shall be affirmed and the Commission Meeting Procedures, as shown in the attached "Appendix A" shall be readopted, with minor amendments concerning meeting times, order of business, and voucher approval.

ADOPTED this 14th day of January 2015, 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:

Commission President

Commission Vice President

Commission Secretary

APPROVED AS TO FORM:

Carolyn A. Lake, Goodstein Law Group, PLLC
Port Attorney

APPENDIX A

The Policy and Procedures on pages 1-4 have been adopted by Resolution 624-15, amending Resolutions 326-00, 344-01, 363-02, 367-02, 390-03, 392-03, 471-06, 487-07, 532-10, 553-11, 558-11, 561-11, 594-13 and 604-14. Any changes or deletions will require an amendment to the Resolution.

COMMISSION MEETINGS

TIME AND LOCATION OF MEETINGS

1. With the exception of the dates and meetings times specifically outlined in paragraph 2, immediately below, regular meetings of the Port of Port Townsend will be held on the second Wednesday of each month at 1:00 p.m. and the fourth Wednesday of each month at 5:30 p.m. in the Port Commission Building, 333 Benedict Street, Port Townsend, Washington. The workshop, if called (i.e., workshops are called at the sole discretion of the Commission President), will precede the regular meeting on the second Wednesday of each month at 9:30 a.m.
2.
 - a. The first regular meeting in May will be held on Monday, May 11th;
 - b. The first regular meeting in July will be held on Monday, July 6th;
 - c. The first regular meeting in November will be held on Monday, November 9th;
 - d. The second regular meeting in November will be held on Tuesday, November 24th; and
 - e. The second regular meeting in December will be held on Tuesday, December 22nd.

RULES OF TRANSACTION OF BUSINESS

1. Order of Business shall be as follows:
 - I Call to Order
 - II Approval of Agenda
 - III Consent Agenda
 - IV Public Comments (Not related to Agenda items and or Guest Presentations.
If applicable)
 - V Second Reading (Action Items)
 - VI First Reading (Discussion Only)
 - VII Potential Immediate Action Items (requires unanimous Commission approval)
 - VIII Staff Comments
 - IX Commissioner Comments
 - X Next Meeting
 - XI Executive Session, (If called)
 - XII Adjournment
2. All matters which, in the judgment of the Commission, are of a legislative character shall be embodied in the form of Resolutions. Resolutions shall be numbered consecutively, and the original copy shall be signed by the President and Vice President and attested by the Secretary

in open session. Resolutions shall be filed by the Secretary and shall be recorded in a book or books kept for such purpose, which shall be public records.

3. Organization of Workshops:

- a. Shall have an agenda approved at the beginning of the workshop.
- b. Will have minutes recording topics discussed and actions taken either in written and/or audio format.
- c. Will be used for discussion only, with no binding decisions made by the Commissioners.
- d. Rules governing written and spoken input from members of the public for business meetings will not apply to workshops.

4. Organization of Regular Business Meetings:

- a. Shall have an agenda approved at the beginning of the meeting.
- b. Will be started with the Pledge of Allegiance.
- c. Will have minutes recording topics discussed and actions taken either in written and/or audio format.
- d. Will allow presentations by each member of the public indicating a desire to address the Commission, of no more than 3 minutes, on any topic not related to the agenda.
- e. Will allow presentations by each member of the public indicating a desire to address the Commission on any agenda item. Such presentations shall be heard during discussion of the subject agenda item, at a point in the discussion determined by the presiding officer, for a uniform maximum length of time announced by the presiding officer, at his or her discretion, to make additional presentations once all who want to be heard have made their presentation.
- f. Public presentations shall adhere to common norms of civility and may be cut off by the presiding officer if in his or her judgment these norms are violated.

5. Conduct of Regular Business Meetings:

- a. The Port Commission, as a governing body, is charged with making decisions that advances the mission of the Port and which are based on sound information and analysis, respect for views of the public, and each Commissioner's best disinterested judgment.
- b. With only 3 elected Commissioners, the Commission can operate with a high degree of informality and need not be bound to all the provisions spelled out in standard codes of parliamentary procedure. However, some formal procedures need to be

followed to respect the rights of all 3 Commissioners to participate equally and fully in all Commission business.

- c. Some fundamental principles for conducting Commission meetings include (taken from The Standard Code of Parliamentary Procedure, by Alice Sturgis):
 - i. All Commissioners have equal rights, privileges, and obligations.
 - ii. The majority vote decides.
 - iii. The rights of the minority must be protected.
 - iv. Full and free discussion of every proposition presented for decision is an established right of the members.
 - v. Every member has the right to know the meaning of the question before the Commission and what its effect will be.
 - vi. All meetings must be characterized by fairness and by good faith.
 - d. To facilitate sufficient time for reflective consideration of proposals by Commissioners and members of the public and staff, all proposals for policies which impact members of the public shall be voted on no sooner than the immediate next regular business meeting following introduction of the proposal in the form of a motion moved by a Commissioner. The introduction of a proposal is the “first reading” and the vote is the “second reading”. This requirement may be waived by a unanimous vote of the Commission.
 - i. A policy proposal, once moved as a motion, may be discussed at subsequent Commission meetings without a vote required and may be amended at subsequent meetings.
 - ii. At any subsequent Commission meeting, and Commissioner may move “To vote immediately” on the policy proposal. This motion is not debatable and requires a two-thirds affirmative vote.
 - iii. The chair may call for a vote on the policy proposal at any subsequent Commission meeting and may proceed with a vote in the absence of any objections by other Commissioners.
 - e. All motions require a second. In the absence of a second, the motion is declared dead.
 - f. Minor amendments to a motion may be accepted as a “friendly amendment” by the maker of the original motion without a vote on the amendment.
 - g. The presiding officer of the Commission meeting shall have the right to participate fully in the discussion and shall cast a vote on all motions.
 - h. The standard priorities and requirements for main, subsidiary, and privileged motions shall be used.
6. The draft agenda may be available by Friday of the week previous.
 7. The Executive Director or his designee would be responsible for keeping track of each issue.
 8. All public comments and questions should be directed to the Commissioners. If the Commissioners so desire, they may refer the question to the Executive Director, Port Attorney, and/or other Port Staff in attendance.

SMOKING

Smoking is prohibited during the Commission meetings.

MINUTES

1. Additions and or corrections to the Minutes will be recorded and become a part of the revised and approved consent agenda. Minutes are to be available to the Commissioners prior to the meetings.
2. Minutes are recorded according to **RCW 42.32.030**

VOUCHER APPROVAL

It shall be the policy of the Port of Port Townsend Commissioners to approve vouchers for payment and authorize the issuance of warrants by signing a list which will indicate the voucher number, to whom paid, amount and purpose of the payment. Voucher approval is incorporated under "Consent Agenda".

COMMISSIONER'S COMPENSATION

Each Commissioner shall be reimbursed or compensated for actual attendance at general meetings and for performance of other services in behalf of the Commission up to the maximum rate allowed in accordance with **RCW 53.12.260**.

PORT OF PORT TOWNSEND

MEETING OF: **January 14, 2015**

AGENDA ITEM: **VII. Second Reading**
 E. Engineering Services Discussion

BACKGROUND:

Staff and Commission have previously talked about either contracting with or hiring a part time engineer to do a full condition assessment of all Port facilities. This condition assessment would assist the Commission at making priority capital project decisions. Staff has been in contact with several engineers to discuss the merits of employee vs. consultant status. With this information staff can develop a recommendation for the Commission to consider.

We have a meeting scheduled later this month with an engineer that has experience with municipal government projects both, as a consultant and employee, and would like his input before we make a proposal to the Commission.

Executive Director's Recommendation:

For discussion and direction.

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VII. First Reading
A. Executive Director's Delegation of Authority
Resolution No. 623-15

BACKGROUND:

RCW 53.12.270 provides the port commission may "delegate to the managing official of a port district such administrative powers and duties of the commission as it may deem proper for the efficient and proper management of port district operations". A proper delegation of powers resolution can remove items where there is no real need for commission action thereby saving time for issues that need commission attention and direction.

Each January, the Port Commission reviews the director's delegation of authority and makes changes as needed and then readopts for the new calendar year. This must be done through a resolution.

The only change suggested by staff is a new limit for approval of small works projects of up to \$25,000. The current limit is \$15,000. Such work approval must still be reported to the Commission. The Port Maintenance Supervisor and Executive Director feel this will help keep smaller projects moving quicker and help with our ongoing maintenance of port infrastructure.

The revised Delegation of Authority and Resolution will be provided to the Commission prior to the meeting.

Executive Director's Recommendation:

For discussion and approval.

RESOLUTION NO. 623-15

A Resolution of the Commission of the Port of Port Townsend

RESOLUTION DELEGATING AUTHORITY TO PORT MANAGEMENT

WHEREAS: section 53.12.270 of the Revised Code of Washington provides authority to the Port Commission for delegation of powers to Port Management, and;

WHEREAS: the Port Commission has developed a delegation of authority policy requiring annual re-adoption, and;

WHEREAS: the Port Commission has reviewed and discussed the policy in prior public session;

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

Approves the master policy directive of the Port Commission of the Port of Port Townsend dated January 14, 2015 incorporated herein by such reference and attached as Exhibit "A", for the purpose of establishing administrative authority for the Port District Executive Director.

ADOPTED this 14th day of January 2015, 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:

Commission President

Commission Secretary

APPROVED AS TO FORM:

Commission Vice President

Port Attorney

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VIII. New Business
B. Executive Director's Report on 2014 Changes to the Port's Rules, Regulations & Procedures

BACKGROUND:

Section II of the Delegation of Authority adopted via Commission Resolution No. 605-14 specifically authorizes the Port's Executive Director to "*adopt administrative rules and regulations necessary for the efficient operation of the Port so long as such rules and regulations are reported to the Commission and are consistent with Commission policy.*" And further, that all "*amendments to the rules and regulations established therein may hereafter be made by the ED, so long as such amendments do not exceed the authority of the ED, as granted elsewhere herein, and are reported to the Commission in a timely manner.*"

Section 1.03.010 of the Rules, Regulations and Procedures ("the Rules") restates this authority. Section 1.03.020 of the Rules directs the Executive Director to annually compile and maintain a "bill format" version of amendments, clearly depicting the revisions issued by the Director. Section 1.03.020 requires the Director to "*report any revisions to these Rules, Regulations and Procedures at a regularly scheduled Commission Meeting*" and that the "*report should describe the rationales for any such amendments and how the amendments are consistent with adopted Commission policy (if applicable).*"

Three minor rule revisions were made by the Director during 2014, as follows:

- Section 5.02.110 "Refuse disposal - Work areas to be kept clean and orderly" was amended to require that parties responsible for projects generating more than one garbage bag of refuse per week procure a dumpster and disposal service to contain refuse, and arrange for its lawful disposal off-site.
- Section 4.02.090 "Seaworthiness and operability" was amended to expressly prohibit floating homes and floating on-water residences as those terms are defined in RCW 90.58.270 in all Port marinas – consistent with the City's Shoreline Master Program.
- Section 4.08.020 "Fuel truck deliveries" was amended to require coordination with the Port's contract fuel operator, rather than the Harbormaster.

The "bill format" version of these amendments, and supporting rationales, has been included within your meeting packets for your information.

Executive Director's Recommendation: Informational report only - no Commission action required.

**EXECUTIVE DIRECTOR'S AMENDMENTS TO THE 10/15/13 VERSION OF THE PORT'S
RULES, REGULATIONS & PROCEDURES:**

Amendment #1 – 5.02.110(A) was amended on 1/15/14 to read as follows:

5.02.110 Refuse disposal - Work areas to be kept clean and orderly.

- A. ~~For large amounts of refuse, owners should request that the Port's dump truck be parked next to the vessel. The owner shall be charged for the dump fee at the Jefferson County dump.~~ For projects that will generate more than one garbage bag of refuse per week, the vessel owner, contractor or responsible party shall procure a dumpster and disposal service adequate to contain the refuse in a sanitary manner or otherwise provide for lawful disposal off-site.
- B. Empty cans, scraps of lumber, paper or other debris shall be placed in containers provided for that purpose. Area shall be left clean and orderly at the close of each day. If the area is not cleaned, the Port may charge the owner for clean-up and disposal.
- C. Prior to re-launching of the vessel, the area around the vessel in the yard shall be left in a clean and orderly condition. If the area is not cleaned, the Port shall charge the owner for clean-up and disposal. *[Reissued by Exec. Dir. 1/15/14; formerly #90.13, #90.18 and #90.21.]*

Rationale for the Amendment: The Port is expressly prohibited from providing this service by the Washington Utilities and Transportation Commission (WUTC). The Port may haul refuse it produces by its own operations to the Jefferson County Transfer Station (or anywhere else it wants) but it cannot provide garbage transportation service for materials generated by another party. Only Waste Connections, doing business as (dba) DM Disposal or dba Murrey's Olympic Disposal can provide such service, as Jefferson County's only WUTC-issued G-Certificate holder.

The Regional Manager for DM has previously given the Port a "pass" on staging the dump truck at the garbage bin area to manage overflow at peak times but it was imprudent to memorialize the practice in the Port's Rules and Regulations, as was the case prior to the amendment issued by the Executive Director on January 15, 2014.

EXECUTIVE DIRECTOR'S AMENDMENTS TO THE 1/15/14 VERSION OF THE PORT'S RULES, REGULATIONS & PROCEDURES:

Amendment #2 – 4.02.090 was amended on 4/1/14 to read as follows:

4.02.090 Seaworthiness and operability.

Vessels moored in the Ports marinas shall be operable and maintained in a seaworthy condition and be of a design suitable for operation on the waters of Puget Sound in a typical range of seas. Vessels which do not meet Coast Guard vessel safety standards or could be hazardous to marina property or to other vessels may not be granted moorage, and may be denied permission to remain in the Port Area. Floating homes and floating on-water residences as those terms are defined in RCW 90.58.270 shall be prohibited in all Port marinas. "Operable" and "Seaworthy" shall be further defined and regulated as follows:

- A. "Operable" means capable of safely maneuvering under its own power from the mooring to another port of call and back to its mooring. In cases where a vessel does not appear to have left its mooring for a long period of time and the question of operability arises, the Harbormaster may require a demonstration of the vessel's operability. At least thirty (30) days advance written notice must be given to the vessel's owner for such a request. Such notice shall be by Certified Mail. In the cases where a vessel is found to be inoperable, the owner shall have ninety (90) days to effect repairs. If after ninety (90) days the boat is still inoperable, the mooring will be forfeited to the Port of Port Townsend. An extension of up to an additional ninety (90) days to complete repairs may be granted if the vessel owner has, in the sole opinion of the Harbormaster, made substantial progress toward completion of repairs. If the vessel is removed from the water to effect repairs, regular credit system policies will apply. This section is not intended to apply to any brief period of repair common to most vessels. The Harbormaster may repeat this request to test operability as needed.
- B. "Seaworthy" shall mean that the vessel's hull, keel, decking, cabin and mast are structurally sound. If a dispute over the seaworthiness of a vessel arises, the opinion of a certified independent marine surveyor may be obtained at owner's expense. If a determination is made that a vessel is not seaworthy, ninety (90) days shall be granted to repair the vessel. If after ninety (90) days the vessel is still not determined to be seaworthy, the mooring of said vessel shall be forfeited to the Port of Port Townsend. An extension of up to an additional ninety (90) days to complete repairs may be granted if the vessel owner has, in the sole opinion of the Harbormaster, made substantial progress toward completion of repairs. If the vessel is removed from the water to effect repairs, regular credit system policies will apply. In cases where determination of operability, design and/or seaworthiness is in dispute, the Harbormaster's decision will be final. *[Reissued by Exec. Dir. 10/15/13; formerly #19.1-19.2]*

Rationale for the Amendment: The Port is expressly prohibited from permitting floating houses under the City's Shoreline Master Program (see DR 8.8.1(c)). Moreover, floating houses clearly

do not meet the seaworthiness and operability requirements set forth above. The new language merely clarifies this plain fact.

Amendment #3 – Chapter 4.08 was amended on 4/1/14 to read as follows:

Chapter 4.08
FUEL DOCKS FUELING OF VESSELS

Sections:

- | | |
|----------|---|
| 4.08.010 | Prohibited activities. |
| 4.08.020 | Fuel truck deliveries – Harbormaster permission required. |
| 4.08.030 | Fueling at slips – Vessel owner responsible. |
-
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4.08.010 Fuel docks - Prohibited activities.

The following rules shall apply to all fuel docks at all Port facilities:

- A. The fuel area shall be used only to transfer fuel. Mooring of vessels shall be prohibited.
- B. Smoking is prohibited within the fueling area. Engines shall be turned off before fueling vessel.
- C. Barbecues and open flames shall be prohibited.
- D. No unattended vessels will remain moored in fueling area
- E. Fueling across rafted vessels is prohibited. [*Reissued by Exec. Dir. 4/1/14; formerly Appendix "A", #1-4*]

4.08.020 Fuel truck deliveries - ~~Harbormaster permission~~ Coordination with Port's Contract Fuel Operator required.

No fuel truck deliveries from ramps, loading zones, work docks, yard areas or any Port facilities except fueling dock will be allowed without prior coordination with the Port's Contract Fuel Operator ~~permission from the Harbormaster~~. [*Reissued by Exec. Dir. 4/1/14; formerly Appendix "A", #5*]

4.08.030 Fueling at slips – Vessel owner responsible.

Boat owners are allowed to carry small quantities of fuel to their boats but should exercise due caution while fueling at their slip as they will be responsible for clean-up of any fuel spills and all applicable fines. [*Reissued by Exec. Dir. 10/15/13; formerly Appendix "A", #6*]

Rationale for the Amendment: The Port has executed an agreement which grants exclusive refueling rights at the Boat Haven facility to its contract fuel operator, Port Townsend Fuel Dock, LLC. In order to abide by the terms of this agreement, all refueling of vessels, whether to vessels within the marina or yard areas, must be coordinated with Port Townsend Fuel Dock, LLC. However, the Port's contract operator, at its discretion, may elect to waive this exclusive right and allow another licensed and bonded fuel company to refuel a vessel.

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VIII. First Reading
C. Committee Assignments

BACKGROUND:

Attached is the list of committee reps for the year 2014. Committees need reps assigned for the year 2015. Some agencies require a yearly formal written notice of representatives to their committee.

Executive Director's Recommendation:

For discussion and direction as appropriate.

**PORT OF PORT TOWNSEND
2014 COMMITTEE ASSIGNMENTS**

COMMITTEE NAME	REPS	FREQUENCY
CEO Breakfast Group	Larry Crockett	Monthly
Climate Action Committee	Eric Toews	Quarterly
Chamber of Commerce – Jefferson County	Larry Crockett	Weekly
Chamber of Commerce – North Hood Canal		
East Jefferson Underground Coordinating Council	Larry Aase	As called
East Jefferson Watershed Council-Planning Unit		As called
Fort Worden Advisory Committee	Pete Hanke	Monthly
Healthy Jefferson Steering Committee		No meetings, for now
Hood Canal Coordinating Council	Larry Crockett	As called
Jefferson County Energy Lunch Meeting Committee	Steve Tucker	Monthly
Jefferson Co. Joint Growth Management Steering Committee	TBD, primary TBD, alt	As called
Jefferson Co. Solid Waste Advisory Council	Al Cairns Terry Khile - alt	As called
Jefferson Higher Education Committee	Larry Crockett	Monthly
Jefferson Peninsula Regional Emergency Planning Committee	Larry Crockett Al Cairns, alt	As called
Jefferson Co. Public Infrastructure Fund Committee (PIF)	Steve Tucker Pete Hanke, alt	As called
MRC (Marine Resources Committee)	Steve Tucker Larry Crockett-alt	Monthly
NMTA Boatyard Committee	Larry Crockett Al Cairns, alt	Monthly
NMTA – Marina Committee	Larry Crockett Tami Ruby, alt	Annually
NOP RC&D Council (North Olympic Peninsula Resource Conservation & Development)	Larry Crockett Steve Tucker-alt	Monthly
Pacific Coast Congress of Port Managers & Harbormasters Board	Jim Pivarnik	As called

PDD – Peninsula Development District Committee	Larry Crockett, primary Steve Tucker-alt	Monthly
Port Employees Safety Committee - 2014	Brad Clinefelter (2014 staff TBA)	Quarterly
Port Newsletter Committee	Brad Clinefelter Jim Pivarnik Sue Nelson	3x/year
Port Townsend Marine Trades Association	Brad Clinefelter Larry Crockett	As called
Port Townsend Moorage Tenants Union	Brad Clinefelter Jim Pivarnik	As called
PRTPO – Peninsula Regional Transportation & Planning Organization	Pete Hanke -Policy Brd Brad Clinefelter-alt-PB Larry Crockett, TAC	Monthly
Puget Sound Partnership	Larry Crockett	As called
RCO (Recreation & Conservation Organization) – Boating Facilities Program	Larry Crockett	Twice a year
WAMA – WA Airport Management Association	Larry Crockett Jim Pivarnik	As called
Washington Boating Alliance Committee	Larry Crockett Steve Tucker-alt	Monthly
Washington Finance Officers Association		
WPPA Aviation Committee	Jim Pivarnik	
WPPA - Board of Trustees	Larry Crockett Steve Tucker - alt	
WPPA - Economic Development Committee		
WPPA - Environmental Committee		
WPPA - Finance & Administration Committee	Amy Khile	Annually
WPPA - Legislative Committee	Larry Crockett	Twice a year
WPPA - Marina Committee	Larry Crockett	

PORT OF PORT TOWNSEND

MEETING OF: January 14, 2015

AGENDA ITEM: VIII. First Reading
D. WPPA Trustee Appointments

BACKGROUND:

It is time to appoint a 2015 Trustee and Alternate Trustee for the Washington Public Ports Association. Mr. Crockett was the 2014 Trustee and Commissioner Tucker was the 2014 Alternate.

Executive Director's Recommendation:

Appoint 2015 Trustee and Alternate Trustee.