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**Port of Port Townsend
1st Monthly Regular Meeting Agenda
Wednesday, December 9, 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. Consent Agenda
 - A. Approval of Meeting Minutes – November 24, 2015.....1-2
 - B. Resolution No. 636-15 – Declaring Certain Items Surplus.....3-4
 - C. Operations Reports – November 2015.....5-7
 - D. Approval of Warrants
- IV. Public Comments (not related to Agenda)
- V. Second Reading (Action Items)
 - A. Quilcene Wastewater Update.....8
 - B. Boat Ramp Update.....9
- VI. First Reading (discussion only)
 - A. 2016 Miscellaneous Rates.....10-11
- VII. Potential Immediate Action Items (unanimous Commission approval required)
 - A. Sandoz Hangar Assignment.....12-14
- VIII. Staff Comments
- IX. Public Comments
- X. Commissioner Comments
- XI. **Next Meeting:** *Tuesday*, December 22, 2015 at 1:00 PM in the Port Commission Building, 333 Benedict Street, Port Townsend, WA.
- XII. Executive Session (if called)
- XIII. Adjournment

PORT COMMISSION MEETING– November 24, 2015

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 – Berg
Minutes – Nelson
Attorney – O’Malley

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

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

II. APPROVAL OF AGENDA:

Proposed as an addition to the Consent Agenda, correction to the October 14, 2015 Minutes (Public Comment from Ron Hayes was misinterpreted in original minutes.)

Commissioner Tucker moved to approve the Agenda as amended.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

III. CONSENT AGENDA:

A. Approval of Meeting/Budget Hearing Minutes – November 9, 2015

Approval of Public Workshop Minutes – November 9, 2015

B. Resolution No. 635-15 – Authorizing Sale of Abandoned Vessel

C. Approval of Warrants

Warrant #055383 through #055395 in the amount of \$48,770.22 for Payroll & Benefits

Electronic Payment in the amount of \$18,261.59 for Payroll & Benefits

Warrant #055396 through #055439 in the amount of \$29,803.60 for Accounts Payable

Electronic Debit in the amount of \$7,149.29 for WA State Dept. of Revenue Combined

Excise Tax Return for November 2015

Commissioner Tucker 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) (3:25):

Eric Taylor, pilot, commented on paving at Jefferson County International Airport.

Bertram Levy, moorage tenant, commented on the last commission meetings and workshops regarding the budget.

V. SECOND READING (Action Items):

A. Dog Park (11:03):

Mr. Crockett introduced Rick Jahnke, who a few months ago briefed the commission on the concept of creating a dog park, analyzing a ten acre parcel near the airport. Mr. Crockett explained this is Port property next to the airport, that at one time had a residential home, which the Port rented out.

Mr. Jahnke informed that “D.R.O.P” (Dog Recreation on the Peninsula) is now a registered non-profit, with the 5013c in process. He explained this would be a fenced, off-leash dog park. He added there are no immediate residential neighbors and it is located near the transit facility for easy access. As a next step, Mr. Jahnke is requesting Port and County staff to meet with D.R.O.P. and come up with a draft agreement. He explained the non-profit is responsible for fund-raising, establishing and maintaining the park, adopting and posting rules and providing dog waste bags.

Mr. Crockett recommended commission approval to authorize staff to begin meetings with the County and D.R.O.P., working towards creation of the dog park.

Commissioner Hanke moved to authorize staff to explore the possibilities of a dog park adjacent Jefferson County International Airport, as discussed.

Commissioner Tucker seconded the motion.

Motion carried by unanimous vote.

B. Boat Ramp Update (20:48):

Mr. Crockett informed the boat ramp contractor mobilized last Friday and began digging today. Mr. Pivarnik stated contract work is on schedule. He added the contractor located the fuel lines and the crew is determining how to work around the lines. Mr. Pivarnik

added the project should take approximately six weeks to complete, with minimal ramp closures.

Commissioner Clinefelter asked if the fuel line issue could result in a change order. Mr. Pivarnik replied, yes. Commissioner Clinefelter requested a copy of the “as-builts”.

C. Quilcene Wastewater Update (23:02):

Mr. Crockett discussed a meeting he attended at the County with Commissioner Hanke a month or so ago, where it was determined the Port would run the project, and Port staff time would be reimbursed from the \$100K County PIF fund. Mr. Crockett added a Request for Qualifications was published, resulting in one more interview with a firm on Tuesday. He plans to bring Port staffs’ rankings and recommendation to the next commission meeting. He explained consulting work would probably begin after the first of the year, with the work taking approximately six to seven months.

VI. FIRST READING (Discussion Only):

VII. POTENTIAL IMMEDIATE ACTION ITEMS):

VIII. STAFF COMMENTS (26:04):

Ms. Berg reported she would deliver the 2016 Operating Budget to the County this week. She also provided an update to the commission on a summary of work completed by ESD, the Port’s IT contractor. Ms. Berg informed that fiber optics will be installed at Point Hudson on December 10 and at Boat Haven on January 18.

Mr. Pivarnik briefly discussed the VHF radio status at the airport and introduced Bill Putney who provided a briefing, which included the history and a proposed remedy for wider reception coverage.

Mr. Crockett said he attended a good WA Public Ports Association Annual Conference last week where he picked up a number of policy samples. He explained he would use some of this information in a paper he is putting together for the January workshop. Mr. Crockett said he learned some good information from the Port of Anacortes and how they work with live-aboards, which he will also include in that same paper.

IX. PUBLIC COMMENTS (40:44):

Jackie Aase discussed the subject of selling Port-owned properties and improving the audio recording system used at the meetings.

X. COMMISSIONER COMMENTS (43:10):

Commissioner Clinefelter asked how staff was coming on the Capital Facilities Plan. Mr. Crockett answered that a copy of the first draft was provided to him this morning and the Plan would be presented at the December public workshop.

Commissioner Hanke said he is excited to see the Quilcene Wastewater project finally move forward. (This prompted more discussion the project.)

Commissioner Tucker informed the busy conference season has finally ended. He reported on the valuable information he receives at all the Port-related conferences he has attended.

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

XII. EXECUTIVE SESSION:

XIII. ADJOURNMENT OF REGULAR MEETING:

The meeting adjourned at 1:48 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

RESOLUTION NO. 636-15

A Resolution of the Commission of the Port of Port Townsend

**RESOLUTION DECLARING CERTAIN ITEMS SURPLUS AND
AUTHORIZING THEIR SALE AND/OR DISPOSAL**

WHEREAS: The Port of Port Townsend has in its possession an old, outdated, and/or non-operable 1978 Dodge dump truck, as described in Exhibit A and attached to this resolution; and

WHEREAS: due to continual usage and age, this truck is of little or no value, and is no longer needed for Port purposes; and

WHEREAS: such property having been certified in writing as not needed for Port purposes by the Executive Director, its managing official, a copy of said certification is marked Exhibit A and attached to this Resolution,

NOW, THEREFORE BE IT HEREBY RESOLVED by the Port Commission of the Port of Port Townsend that the said property be declared surplus, and that the Executive Director is authorized to sell or dispose of the property in the best manner which he, in his discretion, shall determine, including by negotiation or informal bidding from members of the public, or direct disposal.

ADOPTED this 9th day of December 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:

Pete Hanke, Secretary

Steve Tucker, President

Brad Clinefelter, Vice President

APPROVED AS TO FORM:

Port Attorney

EXHIBIT "A"

CERTIFICATE

THAT CERTAIN PORT DISTRICT PROPERTY IS SURPLUS

The undersigned, Larry C. Crockett, Executive Director, the managing official of the Port District of the Port of Port Townsend, hereby certifies that the following property is surplus and is not needed for Port District purposes.

EQUIPMENT TO SURPLUS:

<u>Location</u>	<u>Description</u>	<u>Make</u>	<u>Model</u>	<u>Serial Number</u>
Maint Shop	1978 One-Ton Dump Truck	Dodge	D 300	D31BJ8S271208

DATED this 9th day of December 2015.

Larry C. Crockett
Executive Director

BOATHAVEN OPERATIONS REPORT/MOORAGE

MONTH: NOVEMBER 2015

DATE: 12/2/2015

MONTHLY PERMS: 353

MONTHLY GUESTS: 21

# OF SLIPS BY SIZE	OCCUPIED	empty	% occ.
25' <u>35</u>	<u>33</u>	2	94%
27' <u>11</u>	<u>10</u>	1	91%
30' <u>105</u>	<u>103</u>	2	98%
35' <u>24</u>	<u>23</u>	1	96%
40' <u>44</u>	<u>42</u>	2	95%
45' <u>41</u>	<u>40</u>	1	98%
50' <u>32</u>	<u>31</u>	1	97%
OVER 52' <u>7</u>	<u>7</u>	0	100%
TOTAL: <u>299</u>	<u>290</u>	10	AVG: 96%

LINEAR SPACE/FT	OCCUPIED	% OCCUPIED
LIMITED ACC. <u>1455</u>	<u>1351</u>	93%
TOTAL: <u>3806</u>	<u>3626</u>	AVG: 96%

	CURR	PREV MO	YTD
NIGHTLY GUESTS:	287	206	4949
CREDIT SYSTEM:	22	21	330
TEMP TIE UP:	2	14	180
FREE NIGHTS:	0	0	10
PTYC:	3	15	184
RAMP/DAILY:	36	26	1062
RAMP/ANNUAL:	3	2	417
RAMP NOT PAID:	10	2	54

WAIT LISTS	
25' PLEA:	<u>20</u>
27' PLEA:	<u>0</u>
30' PLEA:	<u>58</u>
35' PLEA:	<u>33</u>
40' PLEA:	<u>51</u>
45' PLEA:	<u>21</u>
50' PLEA:	<u>22</u>
OVER 52':	<u>10</u>
OVERWID	<u>0</u>
30' COMM.	<u>0</u>
40' COMM.	<u>0</u>
50' COMM.	<u>0</u>

TOTAL OCCUPANCY %: 97%

Port of Port Townsend

POINT HUDSON MARINA & RV PARK

MONTHLY OCCUPANCY REPORT

2015

& 5 YEAR COMPARISON

MARINA NIGHTLY GUEST NIGHTS											
	2011		2012		2013		2014		2015		
	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	
JAN	32	32	28	28	58	58	53	53	83	83	JAN
FEB	77	109	96	124	80	138	57	110	104	187	FEB
MAR	178	287	73	197	95	233	77	187	101	288	MAR
APRIL	180	467	240	437	159	392	209	396	163	451	APRIL
MAY	618	1085	541	978	605	997	585	981	619	1070	MAY
JUNE	582	1667	749	1727	606	1603	520	1501	537	1607	JUNE
JULY	1079	2746	1035	2762	1089	2692	993	2494	1018	2625	JULY
AUG	1131	3877	1178	3940	1188	3880	996	3490	1033	3658	AUG
SEPT	838	4715	831	4771	899	4779	778	4268	958	4616	SEPT
OCT	154	4869	175	4946	214	4993	120	4388	221	4837	OCT
NOV	58	4927	86	5032	138	5131	114	4502	73	4910	NOV
DEC	54	4981	65	5097	64	5195	52	4554			DEC

RV NIGHTLY GUEST NIGHTS											
	2011		2012		2013		2014		2015		
	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	
JAN	173	173	176	176	180	180	285	285	304	304	JAN
FEB	214	387	221	397	261	441	150	435	291	595	FEB
MAR	239	626	229	626	359	800	249	684	244	839	MAR
APRIL	341	967	445	1071	209	1009	546	1230	652	1491	APRIL
MAY	717	1684	638	1709	637	1646	706	1936	955	2446	MAY
JUNE	713	2397	645	2354	910	2556	1015	2951	1036	3482	JUNE
JULY	1215	3612	1247	3601	1275	3831	1169	4120	1202	4684	JULY
AUG	1257	4869	1300	4901	1293	5124	1228	5348	1287	5971	AUG
SEPT	1062	5931	1076	5977	1079	6203	1120	6468	1072	7043	SEPT
OCT	501	6432	580	6557	694	6897	796	7264	771	7814	OCT
NOV	258	6690	290	6847	352	7249	432	7696	403	8217	NOV
DEC	176	6866	246	7093	165	7414	269	7965			DEC

PERMANENT & SEASONAL TENANT SUMMARY					
	AVAIL/GOAL		OCCUPIED		%
LTD ACCESS MOORAGE	40	SLIPS	30	30	75%
COMMERCIAL MOORAGE	850	FEET	745	745	88%
SEASONAL MOORAGE	32	SLIPS	27	27	84%
SEASONAL RV'S	10	SITES	9	9	90%
UNDESIRABLE	3	SLIPS		0	0%

STORAGE OPERATIONS REPORT								DATE:	12/2/2015
November-15									
	NOV 2012	NOV 2013	NOV 2014	NOV 2015	2012 YEAR TO DATE	2013 YEAR TO DATE	2014 YEAR TO DATE	2015 YEAR TO DATE	REMARKS
HAUL-OUT									
BOAT YARD - OUT	39	28	25	34	718	709	730	714	
BOAT YARD - IN	28	26	26	29	689	675	719	707	
67% RE-BLOCK	3	5	1	2	39	59	63	52	
40% INSPECTION	2	4	4	1	35	36	36	26	
OTHER	3	0	0	3	37	22	37	45	
SUB TOTAL	75	66	56	69	1508	1501	1585	1544	
SHIP - OUT									
SHIP - OUT	7	10	7	6	128	151	124	119	
SHIP - IN	5	7	4	7	122	130	127	114	
SHIP - RE-BLOCK	2	2	2	1	12	4	13	10	
SHIP-INSPECTION	0	0	0	0	2	6	4	4	
SHIP - OTHER	0	0	0	0	2	6	4	2	
SUB TOTAL	14	19	13	14	266	294	268	249	
TOTAL	89	82	69	83	1772	1795	1853	1793	
STORAGE									
PTBH - START	78	70	71	53					
PTBH - END	71	72	65	60					
PTBH-O.P.P.	27	22	31	20					
SHIP-START	11	20	16	16					
SHIP-END	11	22	18	14					
SHIP-O.P.P.	2	1	3	3					
PERM/FREE	0	0	0	0					PERMS
FREE DAYS	37	23	22						PAID R/T
Longterm (Boats)	24	24	21	29					BOATS
JCIA OPERATIONS REPORT					OFF PORT PROPERTY				
HANGERS	13	13	13	13	GOLD STAR - 0				
TIE DN - PAVED	2	2	2	2	STEPHENS - 0				
TIE DN - GRASS	2	0	0	0	FRY - 1				
TIE DN - NIGHTLY	12	4	0	0	HAVEN - 1				
W/L - HANGERS	0	0	0	0	PT CO-OP - SHIP - 3				
					PT CO-OP - SMALL - 15				
					CRAFTMAN - 1				
					STEELHEAD - 2				

PORT OF PORT TOWNSEND

MEETING OF: December 9, 2015

AGENDA ITEM: V. Second Reading
A. Quilcene Wastewater Update

BACKGROUND:

Staff will update the commission on the consultant interviews for the Quilcene Wastewater Project.

Executive Director's Recommendation:

For discussion and possible decision.

PORT OF PORT TOWNSEND

MEETING OF: December 9, 2015

AGENDA ITEM: V. Second Reading
B. Boat Ramp Expansion Project Update

BACKGROUND:

Staff will update the commission on the progress of the ramp expansion project.

Executive Director's Recommendation:

For discussion.

PORT OF PORT TOWNSEND

MEETING OF: December 9, 2015

AGENDA ITEM: VI. First Reading
A. 2016 Miscellaneous Rates

BACKGROUND:

Staff will present proposed rate changes to the commission.

Executive Director's Recommendation:

For discussion and possible approval.

MISCELLANEOUS CHARGES

Mini-Storage Units	\$ 1.00/square foot per month
Port Labor Rate	\$ 60.00/hr. per person
Overtime Labor Rate	\$ 85.00/hr. per person
Charter Vessel passenger fee	\$.60 per person
Relocate Vessel by Hand	\$ 75.00
Relocate Vessel with Port Skiff	\$ 150.00
Non-Metered Electrical	\$ 1.25 per foot per month
Emergency Pumps	\$ 125.00
Bilge Water	\$.75 per gallon
Best Management Practices (BMP) violation FEE	
1 st offense	\$ 100.00
2 nd offense	\$ 500.00
3 rd offense	\$1,000.00
Chain Up Fee-1 st Offense	\$ 150.00
2 nd Offense	\$ 250.00
3 rd Offense	\$ 400.00
Impound Fee-1 st Offense	\$ 200.00
2 nd Offense	\$ 300.00
3 rd Offense	\$ 500.00
Pet Clean-up	\$ 50.00
Late Charge	\$ 10.00 minimum or 1.5%
Waiting List Fee	\$ 50.00
Waiting List Renewal Fee or Pass Fee	\$ 25.00 per year or per pass
Illegal Garbage Dump Fee	\$ 320.00
Photocopy/page	\$.15
Oversized Copy	Actual cost
Scanning documents/page	\$.10
CD/DVD	\$ 1.00 plus scanning charges
Fax - First Page	\$ 2.50
Each Additional Page	\$ 1.25
Notary Service	\$ 10.00
NSF Check Charge	\$ 50.00 per occurrence
Launch Ramp Fee	\$ 10.00 per day
Annual Ramp Fee**	\$ 70.00 per year
Kayak Rack Rental	\$ 28.00 per month
Work Float Use	\$ 2.00 per ft. per day (2 week max.)

**Free with Verified DAV Determination

PORT HADLOCK DOCK – Dinghy/Skiff Tie-up \$ 125.00 annual (dock) - \$75.00 annual (beach)

PORT OF PORT TOWNSEND

MEETING OF: December 9, 2015

AGENDA ITEM: VII. Potential Immediate Action
A. Sandoz Hangar Assignment

BACKGROUND:

Staff will brief the commission on the attached lease assignment.

Executive Director's Recommendation:

For discussion and possible approval.

ASSIGNMENT & ASSUMPTION OF LEASE

THIS ASSIGNMENT AND ASSUMPTION OF LEASE is dated and effective as of **December 9, 2015** by and between the SHIRLEY ANNE SANDOZ LIVING TRUST, "Assignor" and, LARK AIRCRAFT LEASING, INCORPORATED, Assignee, with an address of P.O Box 1469, Port Townsend, WA 98368.

WHEREAS, Assignor is a Tenant under that certain LAND LEASE dated May 2, 2003¹, by and between the PORT OF PORT TOWNSEND, a Washington Municipal Corporation ("Lessor") and Assignor, (as modified from time to time, the "Lease"), respecting certain premises (the "Premises") located at the Jefferson County International Airport, Port Townsend, Washington, as more particularly described therein;

WHEREAS, Assignor desires to assign its interest in the Lease to Assignee and Assignee desires to assume Assignor's obligations under the Lease; and

WHEREAS, Paragraph 16 of the Lease provides that the Assignor's interest in the Lease may not be assigned unless the Lessor grants its written consent to any such assignment,

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee agree, and Lessor consents, as follows:

- 1. Assignment of Lease:** Assignor does hereby transfer, assign, convey and deliver to Assignee its entire right, title and interest in the Lease and the Premises.
- 2. Assumption of Obligations:** Assignee does hereby accept this assignment and, for the benefit of Assignor and Lessor, expressly assumes and agrees to hereafter perform all of the terms, covenants, conditions and obligations of Assignor under the Lease, which accrue from and after the date hereof. Assignee has been furnished with a copy of the Lease, which is attached hereto as Exhibit "A" (including all amendments thereto), has reviewed the Lease, and understands all of the terms of the Lease.
- 3. Indemnity:** Assignor agrees to save, indemnify, defend and hold Assignee harmless from and on account of any claims, demands, actions, losses, expenses and liabilities (including attorneys' fees) of Assignee under the Lease on account of or arising out of any obligations and liabilities of the Lessee thereunder, arising prior to the date hereof.

Assignee agrees to save, indemnify, defend and hold Assignor harmless from and on account of any claims, demands, actions, losses, expenses and liabilities

¹ Said Lease concerns Hangar Site "N North" at the Jefferson County International Airport. The Lease is dated May 2nd 2003, and was approved by the Port of Port Townsend on the 26th of June 2003, although due to a scrivener's error, the Lease incorrectly references May 2nd 2002 as the date of Port approval.

(including attorneys' fees) of Assignor under the Lease on account of or arising out of the obligations and liabilities so assumed.

4. Contingency: Notwithstanding anything to the contrary herein, this Assignment shall be contingent upon the receipt of the consent of the Lessor as evidenced by the execution by the Lessor consent set forth below.

5. Successors and Assigns: This Agreement shall bind and inure to the benefit of the parties hereto and their respective successors and assigns.

Executed as of the date first above written.

ASSIGNOR:

SHIRLEY ANNE SANDOZ LIVING TRUST

Shirley Anne Sandoz, Trustee TRUSTEE

ASSIGNEE:

LARK AIRCRAFT LEASING, INC.

Neil Morrison, Authorized Representative

LESSOR'S CONSENT:

The Port of Port Townsend, as owner and holder of all right, title and interest under the Lease hereby consents to the foregoing assignment.

THE PORT OF PORT TOWNSEND
A Washington Municipal Corporation

APPROVED AS TO FORM:

Larry C. Crockett, Executive Director

Port Attorney