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**Port of Port Townsend  
2<sup>nd</sup> Monthly (Special) Meeting Agenda  
Tuesday, June 23, 2015, 5:30 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 – June 10, 2015.....1-3
  - Approval of Workshop Minutes – June 10, 2015.....4-5
  - B. Approval of Warrants
- IV. Public Comments (not related to Agenda)
- V. Second Reading (action items)
  - A. Townsend Bay Lease Termination Agreement.....6
- VI. First Reading (discussion only)
  - A. Resolution No. 626-15 – Appointing Investment Officer.....7-8
  - B. Resolution No. 627-15 – Appointing Auditing Officer.....9-10
  - C. Resolution No. 628-15 – BIG Authorizing.....11-13
  - D. Boat Ramp Bid Results.....14
- VII. Potential Immediate Action Items (unanimous Commission approval required)
- VIII. Staff Comments
- IX. Public Comments
- X. Commissioner Comments
- XI. **Next Meeting/Workshop: Wednesday, July 8, 2015 at 1:00 PM, Workshop – TBD, Port Commission Building, 333 Benedict Street, Port Townsend, WA.**
- XII. Executive Session – (if called)
- XIII. Adjournment

**PORT COMMISSION MEETING– June 10, 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  
Attorney – McCarthy  
Minutes – Nelson

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

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

II. APPROVAL OF AGENDA:

Amendments to the Agenda include: **VI – First Reading, Item B – Monthly Moorage/Marine Trade In-water Work**; **VII – Potential Immediate Action – June 24, 2015 Commission Meeting Date Change**; and, **XII - Executive Session on Real Estate and Personnel**, 25 minutes with no action.

**Commissioner Tucker moved to approve the Agenda as amended.**

**Commissioner Clinefelter seconded the motion.**

**Motion carried by unanimous vote.**

III. CONSENT AGENDA (1:36):

- A. Approval of Meeting Minutes – May 27, 2015  
Approval of Special Meeting Minutes – May 26, 2015
- B. Operations Reports – May 2015
- C. Approval of Warrants

Warrant #054626 through #054642 in the amount of \$94,667.35 for Payroll & Benefits

Electronic Payment in the amount of \$39,495.19 for Payroll & Benefits

Warrant #054643 in the amount of \$18,105.70 for Deposit Refund

Warrant #054644 through #054704 in the amount of \$101,069.61 for Accounts Payable

**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) (1:46):

Linda Herzog invited commissioners and staff to the fifth annual Quilcene beach party on June 12. She explained the history behind the beach celebration.

She handed out before and after photos of the Quilcene beach. Volunteers cleaned up the beach, and the community paid out \$90 to a landscaping team to do the heavy work.

Lastly, Ms. Herzog asked for the Port's support of economic development in Quilcene and the south county.

Bertram Levy asked questions and for clarification on commission and staff expenses at the WPPA Spring Meeting in Spokane.

Connie Gallant, representing the Olympic Forest Coalition, which she explained is dedicated to the protection of forest and aquatic systems on the Peninsula. She discussed pollutants, which she said come from three shellfish companies located in the area. She discussed the effects of this pollution on marine and bird life. She requested the Commission use discretion on the use of Quilcene bay.

V. SECOND READING (Action Items):

A. Coast Seafoods Lease (11:25):

Mr. Pivarnik explained the Port worked with Coast for six months to consolidate their three leases into one 25-year lease. This included a detailed land survey, performed by Clark Survey. He explained there are no rate changes or increases to the size of leased property in this consolidated lease.

Commissioner Clinefelter asked to see the Hazardous Substances Warranty and Agreement, which was not included with the proposed lease as stated. He said he would like time to review this document before approving the lease, "considering the sensitive nature of this area".

(Ms. Nelson left to get copies of the agreement, as requested.)

Mr. Pivarnik explained this is the same agreement that has been included in all Port leases, and it is no different from any other.

Mr. Crockett suggested tabling this item until Ms. Nelson returns with the agreement.

VI. FIRST READING (Discussion Only):

A. Commercial Fish Buying and Loading Operations (15:30):

Mr. Crockett stated Commissioner Tucker requested this as an agenda item. He explained the Port has seen an increase in fish buying trucks, and it fluctuates year to year, depending on the fishing seasons/allotments. Mr. Crockett explained the fish buying trucks park at the head of the ramp to look over the catch, weigh, purchase and then load their trucks, which is time consuming and backs up launching of other boats waiting to get in the water. He stated he checked with RCO to see if the Port is allowed to charge a fee to commercial buyers and the answer was yes.

Commissioner Tucker explained his reasons for placing this on the agenda.

Mr. Crockett informed he would research what others charge commercial buyers who use their boat ramps.

B. Monthly Moorage / Marine Trades In-water Work (23:56)

Mr. Crockett reminded this was brought up at the last meeting. (He handed to the commission the current guest moorage policy along with a list showing current monthly guests and length of time they have been here.)

Mr. Crockett stated he discussed with Harbormaster Ruby, the issue posed at the last meeting of guest monthly boaters being asked to leave after the ninety day stay. She explained she had never asked a guest monthly tenant to leave after ninety days.

Commissioner Clinefelter explained a situation brought to his attention by a boater.

Discussion ensued on reasons why a boater needs more than ninety days to complete an in-water project, and how these long projects can slow down the clearing of the waitlist process.

Mr. Crockett suggested that if anyone is asked to vacate after ninety days and have an issue with it, they are welcome to come and talk with him.

V. SECOND READING (continued):

A. Coast Seafoods Lease (34:00):

(Ms. Nelson returned with the agreement, commissioners reading over document.)

Commissioner Clinefelter pointed out the agreement was signed in 1993.

Mr. Crockett suggested the commission approve the lease, contingent on the signing of the Hazardous Substance Agreement.

Commissioner Clinefelter explained he would like more time to review and may have the need to discuss the agreement with counsel. He stated again the importance of a review of this document due to the environmentally sensitive area.

**Commissioner Hanke moved to approve the Coast Seafoods lease as presented.**

**Commissioner Tucker seconded the motion.**

**Motion passed with two votes for; Commissioner Clinefelter opposed.**

Mr. Crockett stated he would have the Port attorney look over the Port's hazardous material agreement and warranty format.

VII. POTENTIAL IMMEDIATE ACTION ITEMS:

A. June 24, 2015 Commission Meeting Date Change (40:07):

Mr. Crockett explained the City is hosting a Town Meeting on the Comp Plan the evening of June 24, 2015. He informed he sits on the City Comp Plan committee and Commissioner Tucker is involved with the County Comp Plan. Both he and Commissioner Tucker would be attending this meeting, therefore he requests rescheduling the regular meeting. After discussion, suggested date for meeting was Tuesday, June 23, 2015 at 5:30 PM.

**Commissioner Hanke moved to place this item under Potential Immediate Action.**

**Commissioner Clinefelter seconded the motion.**

**Motion carried by unanimous vote.**

**Commissioner Tucker moved to approve the rescheduling of the June 24, 2015 regular meeting to June 23, 2015 at 5:30 PM.**

**Commissioner Hanke seconded the motion.**

**Motion carried by unanimous vote.**

VIII. STAFF COMMENTS (42:52):

Mr. Pivarnik reported he has had a good response from interested contractors for the boat ramp RFP. Proposals are due June 19.

Mr. Crockett announced he would attend Jefferson Transit's Grand Opening at their new facility on Friday, and immediately will drive to Quilcene for the End of School Beach

Party. Tomorrow at 10 AM, he reported he would attend the Change of Command ceremony at Indian Island.

IX. PUBLIC COMMENTS (43:40):

Connie Gallant discussed the year Coast Seafoods signed the Hazardous Agreement and how they were just a “mom & pop organization” then and are now a large corporation. She asked the commissioners to consider this.

Linda Herzog stated she believes the size of Coast Seafoods operations has nothing to do with the Hazardous Materials Agreement issue. She said Coast also wants clean waters and suggested for anyone to look at the science.

George Yount thanked the commission for the earlier workshop, which he said was effective. He pointed out the Port’s mission of economic development incorporates the entire county, not just the marina.

X. COMMISSIONER COMMENTS (47:13):

Commissioner Clinefelter asked a question of today’s Executive Session.

XI. NEXT MEETING: Next regular meeting will be held *Tuesday, June 23, 2015* at 5:30 PM in the Port Commission Building, 333 Benedict St, Port Townsend.

XII. EXECUTIVE SESSION:

The regular session recessed into Executive Session, at 1:48 PM to discuss real estate and personnel, pursuant to RCW 42.30.110(c) and 42.30.140(b), duration of twenty-five minutes with no action.

XIII. RECONVENING AND ADJOURNMENT OF REGULAR MEETING:

The meeting reconvened and adjourned at 2:13 PM there being no further business to come before the Commission.

ATTEST:

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Stephen R. Tucker, President

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Peter W. Hanke, Secretary

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Brad A. Clinefelter, Vice President

**PORT COMMISSION PUBLIC WORKSHOP – June 10, 2015**

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  
Planning Analyst - Toews  
Minutes Nelson

Guest Speakers: David Goldsmith, Moderator of Commission Retreat

I. CALL TO ORDER:

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

II. AGENDA:

Refer to attached Workshop agenda for items discussed. Due to lengthy discussions on the Strategic Plan/Mission Statement, the Monthly Moorage/Marine Trade In-water Work item was moved for placement on the regular meeting agenda.

III. ADJOURNMENT:

The Workshop adjourned at 12:02 PM.

ATTEST:

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Stephen R. Tucker, President

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Peter W. Hanke, Secretary

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Brad A. Clinefelter, Vice President

**Port of Port Townsend Public Workshop  
Wednesday, June 10, 2015, 9:30 AM  
Commission Building  
333 Benedict Street  
Port Townsend, WA**

**AGENDA**

**Strategic Plan / Mission Statement**

- Staff and David Goldsmith have reviewed the results of our last Commission Retreat and have modified the mission, goals and objectives of the strategic plan based on those results. We will further discuss all this in the workshop and make changes as necessary. Copies of the changes have been provided to the Commission.

**Monthly Moorage / Marine Trade In-water Work**

- At the last commission meeting, the above topic was raised. We will further discuss the current policy and any changes, if needed.

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 OF PORT TOWNSEND**

**MEETING OF:** June 23, 2015

**AGENDA ITEM:** V. Second Reading  
A. Townsend Bay Lease Termination Agreement

**BACKGROUND:**

As you recall, Townsend Bay Marine submitted a termination agreement for consideration at the May 27<sup>th</sup> Commission meeting. Staff has reviewed this document and finds it to be in order. This document, when approved, will be part of the closing documents for the Townsend Bay / Shipwrights Co-op sale agreement.

**Executive Director's Recommendation:**

Authorize the Executive Director to submit termination agreement to the title company.

**PORT OF PORT TOWNSEND**

**MEETING OF:** June 23, 2015

**AGENDA ITEM:** VI. First Reading  
A. Resolution No. 626-15 –  
Appointing Investment Officer

**BACKGROUND:**

To be presented.

**Executive Director's Recommendation:**

To be placed under Item VII – Potential Immediate Action and approval.



**RESOLUTION NO. 626-15**

**A Resolution of the Commission of the Port of Port Townsend**

**RESOLUTION RESCINDING RESOLUTION NO. 597-13  
AND AMENDING RESOLUTION NO. 76-90.**

**WHEREAS:** Resolution No. 76-90 established the purpose of having "Investment Officers", defines the Authority and Duties of such Officers, and appointed Investment Officers and;

**WHEREAS:** Resolution No. 597-13 is the most recent in a series of Amendments to Resolution No. 76-90, appointing Ms. Amy J. Khile as Investment Officer and;

**WHEREAS:** Ms. Amy J. Khile, Director of Finance & Administration/Port Auditor, has resigned from the Port of Port Townsend, and had previously been appointed as an "Investment Officer".

**NOW, THEREFORE BE IT HEREBY RESOLVED:** by the Port Commission of the Port of Port Townsend, that effective June 23, 2015, Resolution No. 597-13 shall be rescinded and Resolution No. 76-90 shall be amended to appoint Ms. S. Abigail Berg, Director of Finance & Administration/Port Auditor, as Investment Officer for the Port of Port Townsend.

**ADOPTED** this 23<sup>rd</sup> day of June 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:

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Peter W. Hanke, Secretary

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Stephen R. Tucker, President

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Brad A. Clinefelter, Vice President

APPROVED AS TO FORM:

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Attorney, Goodstein Law Group, PLLC

PORT OF PORT TOWNSEND

**MEETING OF:** June 23, 2015

**AGENDA ITEM:** VI. First Reading  
B. Resolution No. 627-15 –  
Appointing Auditor Officer

**BACKGROUND:**

To be presented.

**Executive Director's Recommendation:**

For discussion only.

**RESOLUTION NO. 627-15**

**A Resolution of the Commission of the Port of Port Townsend**

**RESOLUTION RESCINDING RESOLUTION NO. 577-12  
AND AMMENDING RESOLUTION NO. 79-90**

**WHEREAS:** Resolution No. 79-90 establishes a need for the position of "Auditing Officer", defining the Authority and Duties of such Officer, and appoints an Auditing Officer, and;

**WHEREAS:** Resolution No. 577-12 is an Amendment to Resolution No. 79-90 appointing Ms. Amy J, Khile as Auditing Officer, and;

**WHEREAS:** Ms. Amy J, Khile resigned from the Port of Port Townsend;

**NOW, THEREFORE:** Effective June 23, 2015, Resolution No. 577-12 shall be rescinded and Resolution No. 79-90 shall be amended to show that Ms. S. Abigail Berg has been appointed as the Auditing Officer of the Port of Port Townsend until further notice.

**ADOPTED** this 23<sup>rd</sup> day of June 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:

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Peter W. Hanke, Secretary

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Stephen R. Tucker, President

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Brad A. Clinefelter, Vice President

APPROVED AS TO FORM:

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Port Attorney, Goodstein Law Group, PLLC

## PORT OF PORT TOWNSEND

**MEETING OF:** June 23, 2015

**AGENDA ITEM:** VI. First Reading  
C. BIG Authorizing Resolution No. 628-15

### **BACKGROUND:**

In 2014, the Commission formally authorized staff to prepare an application seeking funding assistance for the Point Hudson Jetty Replacement Project through the Boating Infrastructure Grant (BIG) program administered by the United States Fish and Wildlife Service (USFWS) and the Washington State Recreation and Conservation Office (RCO). The Port was notified in January of this year that \$1,102,811 of its \$1,455,000 requested grant aid had been funded (i.e., approximately 22% of the estimated \$5,000,000 jetty replacement cost).

In May of this year, USFWS amended 50 CFR Part 86 to permit localities to submit BIG funding requests on an annual basis, and permitting the Port to request up to \$1,455,000 in additional funding support in the 2015 grant cycle. BIG Tier II applications (i.e., those exceeding \$100,000) must be submitted by July 1, 2015. The RCO requires that a formal authorizing resolution be included as part of the application submittal.

Staff has prepared a draft of Port Commission Resolution No. 628-15, authorizing application to the State of Washington requesting BIG program funding for the Point Hudson Jetty Replacement Project. Staff anticipates applying for an additional \$1,455,000, 32% of the estimated total project cost. The Port's source of matching funds is the Port of Port Townsend's Operating Reserves Fund.

After application submittal before July 1, RCO will conduct "technical review" in August and provide critical feedback to applicants. Final, revised applications will then be submitted by August 14. Awards are announced in early 2016.

**Executive Director's Recommendation:** Approve the attached Resolution authorizing staff to submit a grant application to the State of Washington Recreation & Conservation Office for BIG program funding support for the Point Hudson Jetty Replacement project.

RESOLUTION NO. 628-15

A Resolution of the Commission of the Port of Port Townsend

**BOATING INFRASTRUCTURE GRANT AUTHORIZING RESOLUTION FOR THE POINT HUDSON JETTY RENOVATION PROJECT.**

This is a resolution that authorizes submitting application(s) for grant funding assistance for Boating Infrastructure Grant project(s) to the Recreation and Conservation Office as provided in 50 Code of Federal Regulations (CFR) Part 86, Boating Infrastructure Grant Program: Final Rule; WAC 286 and subsequent Legislative action.

**WHEREAS**, under the provisions of the Boating Infrastructure Grant (BIG) program, grant assistance is requested to aid in financing the cost of facility development; and

**WHEREAS**, our organization considers it in the best public interest to complete the project described in the application(s);

**NOW, THEREFORE, BE IT RESOLVED that:**

1. The Executive Director of the Port of Port Townsend is authorized to make formal application to the Recreation and Conservation Office for grant assistance;
2. Any grant assistance received will be used for direct costs associated with implementation of the project referenced above;
3. Our organization hereby certifies that our matching share of project funding will be derived from the Port of Port Townsend's Operating Reserves Fund and that we are responsible for supporting all non-cash commitments to this project should they not materialize.
4. We acknowledge that the grant assistance, if approved, will be paid on a reimbursement basis, meaning we will only request payment from the Recreation and Conservation Office after eligible and allowable costs have been incurred and payment remitted to our vendors, and that the Recreation and Conservation Office will hold retainage until the project is deemed complete.
5. We acknowledge that any facility developed through grant assistance from the Recreation and Conservation Funding Board must be reasonably maintained and made available to the general public at reasonable hours and times of the year according to the type of area or facility unless other restrictions have been agreed to by the Recreation and Conservation Office Director or the Recreation and Conservation Funding Board.
6. We acknowledge that any facility developed with grant assistance from the Recreation and Conservation Funding Board must be dedicated for public outdoor recreation purposes, and be retained and maintained for such use for a minimum of 20 years from the date of final project reimbursement unless otherwise provided and agreed to by our organization, the Recreation and Conservation Funding Board, and the US Fish and Wildlife Service.
7. We have read both the federal guidelines and state policies for the BIG program and agree to abide by those guidelines and policies, and as BIG grants are federal funds, our organization must comply with all applicable federal laws.
8. This resolution becomes part of a formal application to the Recreation and Conservation Office for grant assistance; and
9. We provided appropriate opportunity for public comment on this application.

**ADOPTED this 23rd day of June 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:**

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Stephen R. Tucker, President

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Brad A. Clinefelter, Vice President

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Peter W. Hanke, Secretary

**APPROVED AS TO FORM:**

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Eric R. Toews, Port Attorney

**PORT OF PORT TOWNSEND**

**MEETING OF:** June 23, 2015

**AGENDA ITEM:** VI. First Reading  
D. Boat Ramp Bid Results

**BACKGROUND:**

Bids were received and opened on Friday, June 19, 2015 for the Boat Ramp project. Staff will brief the commission.

**Executive Director's Recommendation:**

For review and discussion.