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**Port of Port Townsend
2nd Monthly Meeting Agenda
Wednesday, July 22, 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 – July 8, 2015.....1-3
 - Approval of Public Workshop Minutes – July 8, 2015.....4-5
 - B. Approval of Warrants
- IV. Public Comments (not related to Agenda)
- V. Second Reading (action items)
 - A. 2016 Seattle Boat Show.....6
 - B. Best Management Practices (BMPs).....7
 - C. Revised 2016 Budget Schedule.....8-9
- VI. First Reading (discussion only)
 - A. Travel Reimbursement Resolution.....10-13
- VII. Potential Immediate Action Items (unanimous Commission approval required)
- VIII. Staff Comments
- IX. Public Comments
- X. Commissioner Comments
- XI. **Next Meeting/Public Workshop: Wednesday, August 12, 2015 – meeting at 1:00 PM, public workshop at 9:30 AM, Port Commission Building, 333 Benedict Street, Port Townsend, WA.**
- XII. Executive Session – (if called)
- XIII. Adjournment

PORT COMMISSION MEETING-- July 8, 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
Environmental Compliance Officer - Cairns
Attorney – O'Malley
Minutes – Nelson

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

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

II. APPROVAL OF AGENDA:

Added to the agenda to Section VII – Potential Immediate Action, Item A – Townsend Bay Marine Documents, and Section XII – Executive Session, Item A – Personnel (Commission and Legal Counsel only) duration of fifteen 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 (1:38):

A. Approval of Meeting Minutes – June 23, 2015

B. Operations Reports – June 2015

C. Approval of Warrants

Warrant #054762 through #054778 in the amount of \$96,715.30 for Payroll & Benefits
Electronic Payment in the amount of \$39,148.83 for Payroll and Benefits

Warrant #054779 through #054824 in the amount of \$90,157.56 for Accounts Payable

Commissioner Tucker moved to approve the agenda as presented.

Commissioner Hanke asked for clarification on the operations report.

Commissioner Hanke seconded the motion.

Motion carried by unanimous vote.

IV. PUBLIC COMMENTS (Not related to agenda):

None

V. SECOND READING (Action Items):

A. Resolution No. 627-15 – Appointing Auditing Officer (3:58):

As discussed at the previous commission meeting, Mr. Crockett recommended the appointment of S. Abigail Berg as Auditing Officer for the Port of Port Townsend.

Commissioner Tucker moved to adopt Resolution No. 627-15, appointing S. Abigail Berg as Auditing Officer for the Port.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

B. Commercial Use of Boat Ramps/Facilities (4:34):

Commissioner Tucker proposed a meeting with the tribes to discuss possible commercial user ramp fees and volunteered to attend these meetings.

Mr. Crockett stated he has not found many ports that charge a commercial user ramp fee. He then reminded that RCO would allow charging a fee as long as that money is used towards ramp maintenance.

Commissioner Clinefelter suggested that in deciding the fee, to keep in mind that Penn Cove uses the Quilcene ramp daily, year-round. Mr. Crockett said that in this situation, that could be taken into consideration as an addition to their lease.

Discussions will resume following meetings with the tribes.

VI. FIRST READING (Discussion Only):

A. 2016 Seattle Boat Show (7:41):

Mr. Crockett informed that staff recently received the 2016 Seattle Boat Show application. He said that although the show isn't until January, participants are required to submit the application and 50% deposit by the end of August 2015. Discussion ensued on the attached 2015 show-related expenses to the Port. Commissioner Clinefelter asked about the history on the raffle items the Port offers and if those customers actually return because of their win. Discussion ensued on the Port's role at the show.

B. Best Management Practices (BMPs) (15:34):

Mr. Crockett reported on the second meeting session held last week with local marine trades on the BMPs. He asked for guidance from the commission on two items: First, a rate-fee schedule and at which offense (first or second) to begin charging a fee for violations. Second, who should be the responsible party – the boat owner or the person who signs the boat in for work.

Mr. Cairns discussed the draft BMP agreement and how it was created with feedback from the marine trades. He said the current adopted BMP allows up to three gallons of flammables to be stored under boats, but the focus of the draft is on the real goal, which is keeping pollutants out of the stormwater. It is also a new FEMA requirement for flood-prone areas. Mr. Cairns displayed a 45-gallon tote, of which he has ordered 100. These totes would be loaned out to haulout customers at no charge, for storage of their flammable and toxic products. If the tote were returned damaged, there would be a fee. Much discussion ensued on when to begin charging the fee and if the fee could be waived by staff on first offenses, and who should be designated as the responsible party. Also discussed were the proposed fee amounts. Commissioner Hanke asked if it was fair to charge the same fee to a small boat in the workyard as the shipyard customer.

PTMTA rep, John Zimmer (in audience) expressed support for the proposed fees presented by staff in a draft BMP Agreement, and in his opinion the person filling out the haulout agreement should be designated as the responsible party.

VII. POTENTIAL IMMEDIATE ACTION ITEMS (36:43):

Commissioner Hanke moved to place the Townsend Bay Marine Documents under Potential Immediate Action.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

A. Townsend Bay Marine Documents:

Mr. Crockett informed that the closing of the sale of Townsend Bay Marine has been moved up. He discussed the two draft documents presented to the commission on the subject of default. One is from the Shipwrights Co-op's bank and the other is from Townsend Bay Marine's attorney. Shipwright's Co-op bank claims first position in case of default and the document from Townsend Bay's attorney claims the same. These documents will be re-negotiated so they will not conflict with one another. Final documents will be presented to the commission for approval at a later date.

VIII. STAFF COMMENTS (42:16):

Ms. Berg informed she has invited the County Assessor to speak at the Commission's Public Workshop in September 2015 and is awaiting word back.

Mr. Pivarnik reported staff and Tike Hillman met with MC Squared, engineer for the boat ramp. They came up with some new ideas to reduce the cost of the project. Plans are to rebid the boat ramp project around August 1.

Mr. Crockett discussed upcoming meetings he would attend, with one exception: tomorrow morning's CEO Breakfast; a July 14 session on the drought at Chimacum High School (which he is not able to attend, but the commissioners may be interested); July 28 workshop on the rewriting of the DOE Boat Yard Permit (Mr. Cairns is attending the July 27 workshop); and, next week he would be attending the WA Public Ports Association's Annual Port Directors Conference in Walla Walla.

IX. PUBLIC COMMENTS (46:19):

John Zimmer requested the commissioners try to honor the fact that the marine trades were very involved in the creation of the presented BMP document.

George Yount commented on Seattle Boat Shows the Port participated in back in the 1980's, collaborating with local marine trades. He also praised our "great working Port".

X. COMMISSIONER COMMENTS (48:35):

Commissioner Clinefelter asked for an update on the cleaning of the stormwater system.

Mr. Pivarnik informed that the Port's legal counsel is looking over the legality of how the project went to bid. His interpretation is that cost trumps everything in the bid – which the Port is required to go with the lowest responsible and responsive bidder. Commissioner Clinefelter reported he discussed with legal counsel the ability to have more criteria in the bid request. Mr. Pivarnik explained four excellent proposals were received but staff is waiting to hear from legal counsel before awarding the project.

Commissioner Hanke responded to John Zimmer's earlier comments on the BMPs.

Commissioner Tucker stated there was no MRC meeting this month, however, MRC members have put more buoys in the “No Anchor Zones” and have been re-rigging buoys. MRC has a grant to put out more buoys.

Commissioner Tucker than reported on a trip he and Mr. Cairns made to the Port of Port Angeles to look at their secondary treatment area for stormwater. He thinks if the Port of PT had something similar to this it would cut costs for stormwater treatment over time. However, there would be the cost of creating it. He said this treatment system requires minimal maintenance.

He then discussed a recent fishing trip he made and met “Frank” a Makah tribal member who was partially responsible for the Makah donating 1000 of their salmon catch to Area 9 (our local fishing grounds), which made for a better fishing season in our waters. Commissioner Tucker said he believes it is important to recognize the tribes in their contributions that otherwise aren’t publicized.

Lastly, Commissioner Tucker announced that RCO recognized Larry Crockett in a resolution, for his service from 2008-2015 as an “exemplary fellow”.

XI. NEXT MEETING: Next regular meeting will be held Wednesday, July 22, 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 2:01 PM to discuss a personnel matter, pursuant to RCW 42.30.110, duration of fifteen minutes with no action.

XIII. RECONVENING AND ADJOURNMENT OF REGULAR MEETING:

The meeting reconvened and adjourned at 2:31 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 – July 8, 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 and Clinefelter
Executive Director Crockett
Deputy Director – Pivarnik
Finance Director - Berg
Minutes Nelson
Absent: Commissioner Hanke

I. CALL TO ORDER:

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

II. AGENDA:

Commissioner Tucker reversed the order of agenda items to be discussed, beginning with the Commercial Use of Launch Ramp.

III. ADJOURNMENT:

The Workshop adjourned at 10:12 AM.

ATTEST:

Stephen R. Tucker, President

Peter W. Hanke, Secretary

Brad A. Clinefelter, Vice President

**Port of Port Townsend Public Workshop
Wednesday, July 8, 2015, 9:30 AM
Commission Building
333 Benedict Street
Port Townsend, WA**

AGENDA

2016 Budget

- The purpose is to start our 2016 Budget discussions. Staff will present a proposed calendar leading to the adoption of the 2016 Budget. We will also discuss some of the issues that we will have to deal with during the budget formulation.

Commercial Use of Launch Ramp/Facility

- We have discussed the issues surrounding commercial use of our launch ramp and adjacent parking areas. Staff will present a possible fee structure for review and discussion.

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: July 22, 2015

AGENDA ITEM: V. Second Reading
A. 2016 Seattle Boat Show

BACKGROUND:

Continued discussions from the July 8 commission meeting. A reminder, the deposit for the show is due by the end of August.

Executive Director's Recommendation:

For discussion and a decision on show participation.

PORT OF PORT TOWNSEND

MEETING OF: July 22, 2015

AGENDA ITEM: V. Second Reading
B. Best Management Practices (BMPs)

BACKGROUND:

Continue the discussion on BMP enforcement and the associated fees. Staff will discuss various scenarios which staff might encounter.

Executive Director's Recommendation:

Establish a fee schedule for violations of BMPs.

PORT OF PORT TOWNSEND

MEETING OF: July 22, 2015

AGENDA ITEM: V. Second Reading
C. Revised 2016 Budget Schedule

BACKGROUND:

Ms. Berg will present the revised draft budget schedule. Discussions to continue on the budget.

Executive Director's Recommendation:

For discussion and approval of the 2016 Budget schedule.

**Port of Port Townsend
2016 Operating Budget Development Schedule**

DRAFT

7.2.2-15

*	July 8, 2015	9:30	<i>Draft 2016 Budget schedule and budget process discussed at Commission workshop.</i>
*	July 22, 2015	5:30	<i>Revised budget schedule reviewed & approved by Commission.</i>
*	August 12, 2015	9:30	<i>Workshop session - discussion of issues, goals & assumptions, and review preliminary 2015 mid-year operating results.</i>
	August 13-19, 2015	TBD	<i>Individual work sessions with department managers and Port Directors.</i>
*	August 26, 2015	5:30	<i>Regular Commissioners' meeting - budget on the agenda for possible discussion</i>
	September 1, 2015	9:00	<i>Group work session with department managers and Port Directors - as needed.</i>
*	September 9, 2015	9:30	<i>Workshop session - continue discussion of 2016 Budget issues, and review 2016 revenue projections. County Assessor will attend this session.</i>
*	September 23, 2015	5:30	<i>1st draft of Operating Budget and cash flow presented to Commissioners and public.</i>
	September 23, 2015		<i>1st draft of Operating Budget posted on Port web site, for public comment.</i>
*	October 14, 2015	1:00	<i>2nd review of draft Operating Budget and cash flow projection.</i>
	October 14-28, 2015		<i>Advertise budget hearings in Leader & PDN</i>
*	October 28, 2015	5:30	<i>1st public hearing and public comment period on Operating Budget</i>
*	November 11, 2015	1:00	<i>2nd public hearing and public comment period on Operating Budget - if needed. Adoption of budget.</i>
	November 30, 2015		<i>Deadline for filing adopted Operating Budget and Tax Levy request - per RCW.</i>

* Commission Meetings All work shops & meetings held in the Commission Room

PORT OF PORT TOWNSEND

MEETING OF: July 22, 2015

AGENDA ITEM: VI. First Reading
A. Travel Reimbursement Resolution

BACKGROUND:

As required by newly approved Senate Bill 5337, port districts are required to adopt/amend a resolution establishing the basic rules and regulations governing methods and amount of reimbursement payable to port officials and employees for travel and other expenses incurred on behalf of the district. At this writing, staff is developing that resolution, which will be presented.

Executive Director's Recommendation:

For first reading, discussion only.

CERTIFICATION OF ENROLLMENT

SENATE BILL 5337

Chapter 29, Laws of 2015

64th Legislature
2015 Regular Session

PORT DISTRICTS--PER DIEM RATES

EFFECTIVE DATE: 7/24/2015

Passed by the Senate February 4, 2015
Yeas 47 Nays 2

BRAD OWEN

President of the Senate

Passed by the House April 8, 2015
Yeas 88 Nays 9

FRANK CHOPP

Speaker of the House of Representatives

Approved April 17, 2015 11:28 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5337** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

April 17, 2015

Secretary of State
State of Washington

SENATE BILL 5337

Passed Legislature - 2015 Regular Session

State of Washington

64th Legislature

2015 Regular Session

By Senators Fraser and Pearson

Read first time 01/19/15. Referred to Committee on Government Operations & State Security.

1 AN ACT Relating to per diem rates for port district officers and
2 employees; and amending RCW 53.08.176.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 53.08.176 and 1965 c 101 s 2 are each amended to
5 read as follows:

6 Each port district shall adopt a resolution (which may be amended
7 from time to time) which shall establish the basic rules and
8 regulations governing methods and amount of reimbursement payable to
9 such port officials and employees for travel and other business
10 expenses incurred on behalf of the district. The resolution shall,
11 among other things, establish procedures for approving such expenses;
12 set forth the method of authorizing the direct purchase of
13 transportation; the form of the voucher; and requirements governing
14 the use of credit cards issued in the name of the port district. Such
15 regulations may provide for payment of per diem in lieu of actual
16 expenses when travel requires overnight lodging: PROVIDED, That in
17 all cases any per diem payment shall not exceed (~~twenty five dollars~~
18 ~~per day~~) the United States general service administration's per diem
19 rates. The state auditor shall, as provided by general law, cooperate
20 with the port district in establishing adequate procedures for
21 regulating and auditing the reimbursement of all such expenses.

Passed by the Senate February 4, 2015.
Passed by the House April 8, 2015.
Approved by the Governor April 17, 2015.
Filed in Office of Secretary of State April 17, 2015.