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**Port of Port Townsend
1st Monthly Meeting Agenda
Wednesday, June 8, 2016, 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 –May 25, 2016.....1-3
 - B. Operations Reports – May 2016.....4-6
 - C. Approval of Warrants
- IV. Public Comments (not related to Agenda)
- V. Second Reading
- VI. First Reading
- VII. Potential Immediate Action Items
- VIII. Other Business
 - A. Public Workshops.....7
- IX. Staff Comments
- X. Public Comments
- XI. Commissioner Comments
- XII. **Next Public Workshop/Regular Meeting: Wednesday, June 22, 2016: Workshop at 3:00 pm, Meeting at 5:30 pm, Commission Building, 333 Benedict Street, Port Townsend, WA**
- XIII. Executive Session:
 - A. Real Estate, pursuant to RCW 42.30.110 (c)
 - B. Litigation, pursuant to RCW 42.30.110 (i)
- XIV. Adjournment

PORT COMMISSION REGULAR MEETING– May 25, 2016

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
Incoming Executive Director - Gibboney
Auditor – Berg
Director Planning, Properties & Environmental – Toews
Attorney – Goodstein
Minutes – Nelson

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Commissioner Hanke called the meeting to order at 5:30 PM.

II. APPROVAL OF AGENDA:

- Proposed additions to agenda: XIII - Executive Session, A - Litigation, duration fifteen minutes, no action; and, VII - Potential Immediate Action, C - Legal Defense & Indemnification.

Commissioner Hanke moved to approve the Agenda as amended.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

III. CONSENT AGENDA (1:40):

- A. Approval of Special Meeting Minutes – May 6, 2016
Approval of Special Public Workshop Minutes – May 9, 2016
Approval of Special Meeting Minutes – May 9, 2016

- B. Resolution No. 646-16 – Commission Code of Conduct

- C. Approval of Warrants

Warrant #056159 through #056168 in the amount of \$13,984.30 for Payroll & Benefits

Electronic Payment in the amount of \$61,061.51 for Payroll & Benefits

Warrant #056169 through #056213 in the amount of \$57,425.89 for Accounts Payable

Commissioner Tucker moved to approve the Consent Agenda as presented.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

IV. PUBLIC COMMENTS (Not related to agenda):

None

V. SECOND READING (Action Items):

A. Professional Services Contract – Boat Haven Boatyard Stormwater System Planning & Conceptual Design (1:56):

Mr. Crockett reminded of the RFQ for the Stormwater Feasibility Study and that four finalists were interviewed. Interview team, consisting of Mr. Toews, Mr. Cairns, Mr. Aase and him, selected Parametrix. The Scope of Work and Contract for \$115,574 are included in the packet. Mr. Toews stated the completed report is due in March of 2017.

(Commissioner Hanke noted that the Port's incoming Executive Director, Sam Gibboney is in attendance and this is Mr. Crockett's last commission meeting. Mr. Crockett then noted that he, Ms. Gibboney, Mr. Toews and Ms. Berg have been in work sessions today, and will continue to do so on Thursday and Friday.)

Commissioner Hanke moved to approve the Scope of Work and Contract with Parametrix as presented.

Commissioner Tucker seconded the motion.

Motion carried by unanimous vote.

B. Gatheringplace Letter of Intent (6:11):

Mr. Crockett reminded that at a previous commission meeting, with unanimous approval, the commissioners authorized the Executive Director to draft a Letter of Intent (LOI) to the Gatheringplace. This letter allows them to move forward with plans to build a structure behind the duplex that would house a kitchen for their dog biscuit baking operations. Mr. Toews explained the LOI conforms to similar LOIs written in the past. He outlined the process required, which would then lead to the execution of a long-term lease. Mr. Toews explained the Port maintenance staff would assist with labor, stubbing in the water and wastewater hookups at the building site. He stated that this work is allowed, per Article 8, Section 8 of the State Constitution, authorizing governments to

help provide assistance to the indigent and infirmed, so it is not a Credit of the State. Mr. Toews added the cost should not exceed \$4,000 in Port labor. Mr. Crockett added that this facility becomes a capital improvement to the Port. Commissioner Hanke stated he would like to see the plans again, as he saw some issues with the first set.

Commissioner Clinefelter moved to authorize the Executive Director to execute the Gatheringplace Letter of Intent as presented.

Commissioner Hanke seconded the motion.

Motion carried by unanimous vote.

VI. FIRST READING (Discussion Only):

VII. POTENTIAL IMMEDIATE ACTION ITEMS):

A. Kimmel's Crab Shack Lease (14:57):

Commissioner Tucker announced he is not comfortable with approving a fifty-year lease, so would not vote to approve immediate action on this item. Mr. Crockett explained the long-term lease justifies Mr. Kimmel's financing. He explained fifty-year leases have been done at the airport. Commissioner Tucker said he also is apprehensive to approve the lease with spaces left blank in the Haz Mat Rider. Commissioner Hanke said he too, is not comfortable with approving a fifty-year lease on the waterfront. Commissioner Clinefelter said he found the lease to be quite thorough. Commissioner Tucker said he is comfortable moving ahead with Immediate Action for the other two items, but not this one. Mr. Toews stated he would bring back another draft of the lease at the next meeting as a second reading. Commissioner Clinefelter asked for clarification on certain sections of the LOI.

Commissioner Tucker moved for Immediate Action on Item B – Executive Director Contract, and Item C – Legal Defense & Indemnification.

Commissioner Hanke seconded the motion.

Motion carried by unanimous vote.

B. Executive Director Contract:

Commissioner Clinefelter moved to approve the contract for the new Executive Director.

Commissioner Tucker seconded the motion.

Motion carried by unanimous vote.

C. Legal Defense & Indemnification Authorization Request Pursuant to Resolution No. 644-16:

Mr. Toews explained the resolution came about from the lawsuit filed by Mr. Marc Landry back in April. Resolution No. 644-16 authorizes the commission to approve the defense and indemnification of Port employees as individuals acting as employees of the Port. He explained Jim Pivarnik is named as an individual in the April lawsuit and Mr. Crockett is named on another filed in the past week.

Commissioner Clinefelter moved to approve the Legal Defense and Indemnification Authorization Request.

Commissioner Hanke seconded the motion.

Motion carried by unanimous vote.

VIII. OTHER BUSINESS:

A. Changes to the Liveaboard Rules and Regulations (30:19):

Mr. Crockett explained that at the WA Public Ports winter meeting, the Port of Anacortes presented their marinas updated liveaboard rules. He explained the reason for the change to our Port's policy is that a recently evicted liveaboard sold his vessel to an individual who is requesting to be a liveaboard. He noted that this person happens to be well known to our local police. Mr. Crockett stated the new liveaboard application would require a background and credit check, the same as when a person applies to rent a home. He added current liveabords would be grandfathered in. Mr. Crockett stated this comes under his Delegation of Authority. He informed that the marina cannot exceed 10% in liveaboard slips. In response to questions posed by Commissioner Hanke, Attorney Goodstein said criteria would be required to determine the acceptance/denial of a liveaboard. He added this is a workable policy. Mr. Crockett stated staff would develop a form and have the legal team review it. Both Commissioners Hanke and Clinefelter felt this policy is a good idea.

B. Personnel Policy Manual (37:17):

Ms. Berg explained she has been updating and revising the manual for the past six months. She added she is updating the 2013 version, as the 2014 policy was never memorialized at a commission meeting. She stated staff and Enduris have both reviewed the manual. She discussed some of the changes and explained she is presenting the manual to the commission to provide them an opportunity to review.

VIII. STAFF COMMENTS (40:27):

Ms. Berg thanked Mr. Crockett for the past year she has worked with him and welcomed Ms. Gibboney.

Ms. Nelson thanked Mr. Crockett for keeping her employed as his assistant the past fifteen years.

Mr. Toews gave his thanks to Mr. Crockett.

Mr. Crockett welcomed Sam Gibboney and thanked Port staff and the commission. He added he has attended 1,111 meetings directly related to Port business.

IX. PUBLIC COMMENTS (43:36):

Bill Putney welcomed Ms. Gibboney.

X. COMMISSIONER COMMENTS (43:54):

Commissioner Tucker thanked Mr. Crockett for his service and accomplishments.

Commissioner Clinefelter asked for an update on the meeting with Coast & Harbor (now Mott McDonald). Mr. Crockett explained they have six options for a band aid fix to the Point Hudson breakwater, which they would present at the June 8 Commission Workshop. (Some of the options were discussed briefly by commission and staff.)

Commissioner Clinefelter asked for an update on the "Cobb" boat abandoned in the marina. Mr. Crockett answered the owner has responded to our letter to remove the vessel. Mr. Crockett said that if the owner removes the vessel from our marina, the Port would forego his charges. He explained the boat is too large, too heavy and rotten for the Port's 300-ton Travelift.

Mr. Toews announced that if the owner fails to remove the vessel by June 13, the Port gets custody of the vessel. He has already spoken with one potential buyer.

Attorney Goodstein added there are two backup plans if all else fails. Mr. Goodstein then thanked Mr. Crockett for his service.

Commissioner Hanke stated that Mr. Crockett has done an excellent job in guiding the Port for seventeen years. He went on to discuss his successes.

XI. NEXT PUBLIC WORKSHOP/REGULAR MEETING: Wednesday, June 8, 2016: Workshop at 9:30 AM, meeting at 1:00 PM in the Port Commission Building, 333 Benedict St, Port Townsend.

XII. EXECUTIVE SESSION:

The regular session recessed into Executive Session at 6:28 PM to discuss Litigation, pursuant to RCW 42.30.110 (i), duration of fifteen minutes with no action.

At 6:43 PM, Ms. Nelson announced to the public outside the session is being extended another fifteen minutes.

XIII. RECONVENING AND ADJOURNMENT OF REGULAR MEETING:

The meeting reconvened and adjourned at 6:48 PM there being no further business to come before the Commission.

ATTEST:

Brad A. Clinefelter, Secretary

Peter W. Hanke, President

Stephen R. Tucker, Vice President

BOATHAVEN OPERATIONS REPORT/MOORAGE

MONTH: MAY 2016 DATE: 6/2/2016

MONTHLY PERMS: 359

MONTHLY GUESTS: 27

# OF SLIPS BY SIZE	OCCUPIED	empty	% occ.
25' 34	32	2	94%
27' 11	10	1	91%
30' 105	103	2	98%
35' 24	24	0	100%
40' 44	43	1	98%
45' 41	40	1	98%
50' 32	31	1	97%
OVER 52' 7	7	0	100%
TOTAL: 298	290	8	AVG: 97%

LINEAR SPACE/FT	OCCUPIED	% OCCUPIED
LIMITED ACC. 1455	1440	99%
TOTAL: 3806	3626	AVG: 99%

	CURR	PREV MO	YTD
NIGHTLY GUESTS:	548	261	1356
CREDIT SYSTEM:	40	25	137
TEMP TIE UP:	15	16	35
FREE NIGHTS:	0	0	0
PTYC:	20	12	47
RAMP/DAILY:	263	49	424
RAMP/ANNUAL:	49	44	251
RAMP NOT PAID:	10	3	25

WAIT LISTS	
25' PLEA:	21
27' PLEA:	0
30' PLEA:	57
35' PLEA:	34
40' PLEA:	45
45' PLEA:	22
50' PLEA:	22
OVER 52':	9
OVERWID	0
30' COMM.	0
40' COMM.	0
50' COMM.	0

TOTAL OCCUPANCY %: 97%

Port of Port Townsend

POINT HUDSON MARINA & RV PARK

MONTHLY OCCUPANCY REPORT

2016

& 5 YEAR COMPARISON

MARINA NIGHTLY GUEST NIGHTS											
	2012		2013		2014		2015		2016		
	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	
JAN	28	28	58	58	53	53	83	83	70	70	JAN
FEB	96	124	80	138	57	110	104	187	92	162	FEB
MAR	73	197	95	233	77	187	101	288	56	218	MAR
APRIL	240	437	159	392	209	396	163	451	235	453	APRIL
MAY	541	978	605	997	585	981	619	1070	594	1047	MAY
JUNE	749	1727	606	1603	520	1501	537	1607	0		JUNE
JULY	1035	2762	1089	2692	993	2494	1018	2625	0		JULY
AUG	1178	3940	1188	3880	996	3490	1033	3658	0		AUG
SEPT	831	4771	899	4779	778	4268	958	4616	0		SEPT
OCT	175	4946	214	4993	120	4388	221	4837	0		OCT
NOV	86	5032	138	5131	114	4502	73	4910	0		NOV
DEC	65	5097	64	5195	52	4554	60	4970	0		DEC

RV NIGHTLY GUEST NIGHTS											
	2012		2013		2014		2015		2016		
	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	MNTH.	CUM.	
JAN	176	176	180	180	285	285	304	304	286	286	JAN
FEB	221	397	261	441	150	435	291	595	281	567	FEB
MAR	229	626	359	800	249	684	244	839	392	959	MAR
APRIL	445	1071	209	1009	546	1230	652	1491	634	1593	APRIL
MAY	638	1709	637	1646	706	1936	955	2446	806	2399	MAY
JUNE	645	2354	910	2556	1015	2951	1036	3482	0		JUNE
JULY	1247	3601	1275	3831	1169	4120	1202	4684	0		JULY
AUG	1300	4901	1293	5124	1228	5348	1287	5971	0		AUG
SEPT	1076	5977	1079	6203	1120	6468	1072	7043	0		SEPT
OCT	580	6557	694	6897	796	7264	771	7814	0		OCT
NOV	290	6847	352	7249	432	7696	403	8217	0		NOV
DEC	246	7093	165	7414	269	7965	269	8486	0		DEC

PERMANENT & SEASONAL TENANT SUMMARY					
	AVAIL/GOAL		OCCUPIED		%
LTD ACCESS MOORAGE	40	SLIPS	39	39	98%
COMMERCIAL MOORAGE	850	FEET	745	745	88%
SEASONAL MOORAGE	32	SLIPS	0	0	0%
SEASONAL RV'S	10	SITES	5	5	50%
UNDESIRABLE	3	SLIPS	1	1	33%

DATE: 6/2/2016

STORAGE OPERATIONS REPORT

	MAY 2013	MAY 2014	MAY 2015	MAY 2016	2013 YEAR TO DATE	2014 YEAR TO DATE	2015 YEAR TO DATE	2016 YEAR TO DATE	REMARKS
HAUL-OUT									
BOAT YARD - OUT	97	92	95	87	291	298	323	278	
BOAT YARD - IN	103	90	77	99	271	286	286	270	
67% RE-BLOCK	4	10	0	4	32	36	22	43	
40% INSPECTION	3	1	3	4	14	8	6	17	
OTHER	5	4	9	6	13	22	24	17	
SUB TOTAL	212	197	184	200	622	650	661	625	
SHIP									
SHIP - OUT	23	18	16	16	76	63	55	64	
SHIP - IN	29	23	17	13	65	68	54	58	
SHIP - RE-BLOCK	0	1	1	0	1	5	4	3	
SHIP - INSPECTION	0	0	0	0	3	3	1	4	
SHIP - OTHER	0	0	0	0	3	0	0	2	
SUB TOTAL	52	42	33	29	147	139	114	131	
TOTAL	264	239	217	229	769	789	775	756	

STORAGE

PTBH - START	78	76	79	74
PTBH - END	80	85	86	70
PTBH-O.P.P.	22	25	34	26
SHIP-START	22	22	18	14
SHIP-END	17	17	14	15
SHIP-O.P.P.	1	2	3	4
PERM/FREE				
FREE DAYS				

PERMS PAID R/T

OFF PORT PROPERTY
GOLD STAR - 4
STEPHENS - 0
FLY - 1
HAVEN - 3
PT CO-OP - SHIP - 4
PT CO-OP - SMALL - 14
CRAFTMAN - 1
STEELHEAD - 2
CUNNINGHAM - SM - 1

JCIA OPERATIONS REPORT

HANGERS	13	12	12	12
TIE DN - PAVED	2	2	2	2
TIE DN - GRASS	1	0	0	0
TIE DN - NIGHTLY	5	2	13	11
W/L - HANGERS	0	0	0	0

PORT OF PORT TOWNSEND

MEETING OF: June 8, 2016

AGENDA ITEM: VIII. Other Business
A. Public Workshops

BACKGROUND:

Ms. Gibboney has requested public workshops to be held prior to each meeting for the next three months on the schedule listed below. This corresponds with Resolution No. 639-16 – "...workshops called at the sole discretion of the Commission President".

June 22, 3 PM (regular meeting at 5:30)

July 13, 9:30 AM (regular meeting at 1)

July 27, 3 PM (regular meeting at 5:30)

August 10, 9:30 AM (regular meeting at 1)

August 24, 3 PM (regular meeting at 5:30)

Executive Director's Recommendation:

For discussion and direction.