

PORT COMMISSION MEETING – December 22, 2010

The Port of Port Townsend Commission met in regular session in the Commission Chambers, 375 Hudson St, Port Townsend, WA

Present: Commissioners – Collins, Thompson, Erickson
Executive Director – Crockett
Deputy Director – Pivarnik
Auditor - Taylor
Attorney Lake, Goodstein Law Group
Minutes - Nelson

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Commissioner Collins called the meeting to order at 3:30 PM.

II. APPROVAL OF AGENDA (0:33):

The agenda was amended to reflect the addition of Old Business, **Item C-Port History Book Order.**

Commissioner Collins moved to approve the Agenda as amended.

Motion carried by unanimous vote.

III. CONSENT AGENDA (1:16):

- A. Approval of Minutes – December 8, 2010
- B. Resolution No. 552-10 – Authorizing Sale of Abandoned Vessels
- C. Write-off Register

Commissioner Thompson moved to approve the Consent Agenda.

Commissioner Erickson seconded the motion.

Motion carried by unanimous vote.

IV. PUBLIC COMMENTS (Not related to agenda) (1:32):

Les Schnick, a marine trade business owner, commented on the issue between the Port Townsend Brewing Co. and Taku Marine and encouraged the Commission to support the Marine Trade businesses in the Port who practice work per the Best Management Practices rules.

V. OLD BUSINESS:

A. Make Waves – Letter of Intent (LOI) (6:04):

Commissioner Collins discussed the misunderstanding of the assumption that the Kah Tai has been designated 6F. This has not been determined. The Port is awaiting a report from the Port attorney on the Kah Tai.

Mr. Crockett explained that it is staff's recommendation to extend for one more year, the Letter of Intent (LOI) between the Port and Make Waves, which was adopted 12/28/09. Staff recommends deleting paragraph 3, subparagraph C, which discusses building ownership upon completion of improvements.

Ms. Lake provided new language for paragraph 3, subparagraph C, to include in the LOI: "The parties will negotiate appropriate consideration to be incorporated into the lease."

Commissioner Collins moved to extend the Letter of Intent for one more year, and to amend the LOI, replacing words in paragraph 3, subparagraph C with the above wording provided by Attorney Lake.

Commissioner Thompson seconded the motion.

Motion delayed after hearing Public Comments.

Public Comment received on Old Business, Item A:

Karen Nelson, president of Make Waves, read from her statement and asked for a one year extension on the LOI.

Rick Jahnke read from a statement authored by him, urging the Commission not to give an extension on the LOI.

Paul Richmond, local attorney, opposes the LOI extension.

Marilyn Mueller opposes the LOI extension.

Jim Todd read results compiled from the City of Port Townsend's Park Survey. He believes this summarizes that citizens overall, are against a pool at the Kah Tai.

Rosemary Sikes, president of Admiralty Audubon, read about volunteer hours invested at the Kah Tai in preserving the Kah Tai as a park.

Todd Wexman spoke against a pool at the Kah Tai and against the LOI extension.

Jane Griffith spoke against the LOI extension.

Aleia Waters explained that as an award winning swimmer, she supports a pool and also supports the park, but believes the Kah Tai is not a good place for this pool.

Nora Regan spoke against the LOI extension.

Commissioner Collins closed the comment period and expressed that he also shares concern for wildlife at the Kah Tai, but we need to see actual study results of any impact to wildlife, rather than just hearing concerns.

Commissioner Erickson reminded this is not just a city project, but is also a county-wide project.

Mr. Crockett reiterated the legal status has not yet been established.

Commissioner Collins reintroduced the motion as originally presented, extending the Letter of Intent with added amendment to paragraph 3, Subparagraph C, for one year.

Commissioner Thompson seconded the motion.

Motion carried by unanimous vote.

B. Rates 46:36:

Mr. Pivarnik presented an Excel spreadsheet on the overhead screen on the square footage rate structure that the Port has been discussing. The spreadsheet shows how this rate structure would affect different sized boats.

Discussion followed regarding the effect of this new rate structure to 30' boats.

Commissioner Collins moved to adopt the rate formula based on average slip width x boat/slip length, plus a base fee of \$40 per month, and to implement this new rate structure upon completion of the A/B Dock project.

Commissioner Thompson seconded the motion.

Commissioner Collins amended the motion allowing 30' boats to maintain their current rate and to price boats on the linear dock by the linear foot.

Discussion occurred on reevaluating rates on a quarterly basis.

Commissioner Thompson seconded the motion.

Motion carried by unanimous vote.

C. Port History Book Sales (1:23:15):

Mr. Crockett reported that the deadline for ordering the new Port History books is December 31, 2010. If total number of books ordered is between 5,000 - 10,000, the price will be \$7.75 per book. If the order totals less than 5000, the cost will be \$13.50 per book. Staff and Commission agreed to order 100 of these books for the Port of Port Townsend.

VI. NEW BUSINESS:

A. Approval of Warrants (1:25:30):

Commissioner Thompson read the warrants, as presented:

Electronic Debit to Frontier Bank in the amount of \$2,675.40 for Washington State Combined Excise Tax Report – November, 2010

Warrant #045715 through #045740 in the amount of \$40,098.56 for Payroll

Warrant #045741 through #045744 in the amount of \$16,456.06 for Payroll Benefits

Warrant #045745 through #045810 in the amount of \$1,405,212.21 for Accounts Payable

Commissioner Thompson moved to approve the warrants as presented.

Commissioner Collins seconded the motion.

Motion carried by unanimous vote.

VII. STAFF COMMENTS (1:26:50):

Mr. Taylor informed that the Exit Conference with the State Auditor has been completed and the Port was given a clean audit. The Port has received clean audits the past 16 years (8 audits). Compliments were given by the Commission and staff to Mr. Taylor and the accounting staff on their hard work.

Mr. Pivarnik gave an update on the A/B Dock construction progress; a report on the good results the Port received from the new Stormwater RX; the possible widening of the Boat Haven boat ramp; an addition to the Penn Cove Shellfish lease; and lastly, a Coast Seafoods lease matter.

Mr. Crockett informed that he and Commissioner Collins would be attending a meeting on January 6, 2011 regarding the Joint Economic Strategy. Three public process meetings have been scheduled in January 2011. He recommends the other two Commissioners attend.

He also explained that he, Mr. Pivarnik and Mr. Toews met with Nicole Faghin of AECOM. They reviewed the scope of work and the contract development. They came under budget in their proposal.

Commissioner Collins added that an Executive Session will be held after the public session regarding the Executive Director's evaluation, pursuant to RCW 42.30.110(g).

IX. COMMISSIONER COMMENTS (1:36:27):

Commissioner Thompson stated that he is pleased that the rate formula has been resolved. He is also encouraged with the Make Waves process. He added that he is encouraged about the possible widening of the boat ramp.

Commissioner Erickson agreed with Mr. Schnick's comments on the brewery/marine trades issue; that this is a serious issue for marine trade businesses.

VIII. PUBLIC COMMENTS (1:47:39):

Margaret Lee spoke regarding the LOI and questioned the attorney about the recent large stack of requested records that she recently received. She inquired as to who those were from. Ms. Lake explained a large batch of records was received from the State on December 8 and on December 15, she received another 539 records from them.

X. NEXT MEETING: Next regular meeting will be held Wednesday, January 12, 2011 at 3:30 PM in the Port Commission Chambers, 375 Hudson St, Port Townsend.

XI. EXECUTIVE SESSION (1:50:00):

The regular meeting recessed into Executive Session at 5:20 PM to discuss potential litigation, pursuant to RCW 42.30.110(i) and a personnel issue, pursuant to RCW 42.30.110(g). No action expected. Estimated duration of session, approximately 40 minutes. At the 40 minute mark, Mr. Crockett looked outside to see if any members of the public were waiting the reconvening of the regular meeting. No public was waiting, and the session continued.

XII. RECONVENING OF REGULAR MEETING:

The regular meeting reconvened at 6:21 PM.

XIII. ADJOURNMENT: The regular meeting adjourned at 6:22 PM there being no further business to come before the commission.

ATTEST:

Leif W. Erickson, Secretary

John N. Collins, President

David H. Thompson, Vice President