

PORT COMMISSION MEETING – December 8, 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
Planning Analyst - Toews
Attorney Harris, (Attorney Lake via conference call) – 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:

The agenda was amended to reflect the addition to Old Business, **Item E-Schooner Martha Lease.**

Mr. Crockett added that an Executive Session will be held regarding a legal issue, with duration of approximately 20 minutes, with a possible decision.

Commissioner Collins moved to approve the Agenda as amended.

Motion carried by unanimous vote.

III. CONSENT AGENDA (1:45):

A. Approval of Minutes – November 22, 2010

B. Resolution No. 551-10 – Decreasing the Amount of the Auditor’s Revolving Fund to \$2,200.00. (Amends Res. No. 496-07)

C. Operations Reports – November 2010

Commissioner Thompson moved to approve the Consent Agenda as presented/amended.

Commissioner Erickson seconded the motion.

Motion carried by unanimous vote.

IV. PUBLIC COMMENTS (Not related to agenda) (2:15):

None

V. OLD BUSINESS:

A. Make Waves – Letter of Intent (LOI) (3:19):

Mr. Crockett talked about the December 28, 2009 LOI to Make Waves, signed by the Port. He explained that the LOI expires on December 31, 2010. Paragraph six of the letter, allows for an extension if both parties agree. Staff recommends this extension.

Attorney Lake explained that in response to her Public Records Requests to various agencies, she has received a large stack of paperwork to finish reviewing. She plans to complete this task by the December 22, 2010 Commission meeting. Mr. Crockett added that the Kah Tai issues need to be resolved soon.

Commissioner Thompson moved to approve the extension on the Make Waves Letter of Intent to December 31, 2011.

Commissioners Collins and Erickson both agreed that they would like to see the complete report from the Port attorney prior to making this decision, and so it was decided to postpone this decision until the results have been received from Attorney Lake.

Motion died for lack of a second.

PUBLIC COMMENT ON MAKE WAVES LOI AGENDA ITEM:

Karen Nelson, President of Make Waves, spoke in support of the LOI extension.

Harriet Capron spoke in favor of the LOI extension.

Ben Shane supports natural land preservation and spoke in favor of the LOI extension.

Rich Jahnke read from his statement, and is against the LOI extension.

Jeff Kelety believes the Make Waves pool proposal is “the right pool, in the wrong place”.

Jill Silver agreed with Mr. Kelety.

Todd Wexman explained he is “pro-park” and is against the LOI extension.

Robert Komishane believes also, “the right pool, in the wrong place”.

Herb Cook, a competitive swimmer, spoke in support of the LOI extension.

Leslie Cox spoke his views and supports the LOI extension.

George Yount, a former Port of Port Townsend manager, recollected how he was involved in the Kah Tai talks back in the ‘80’s, and believes the pool facility is not meant for the Kah Tai. He spoke against the extension of the LOI.

Dr. Alan Greenwald, a surgeon in Port Townsend, believes the location – near the transit and park & ride, is a favorable one, and would be convenient to medical patients who need water therapy. He spoke in favor the extension of the LOI.

Jamie Barnes spoke in favor of the LOI extension.

Cameron McPherson, a local boater, spoke in favor of the LOI extension.

Jim Todd expressed his views against the LOI extension.

Rosemary Sikes, President of the local chapter of the Audubon Society, read from her statement and spoke against the LOI extension.

Mike Kenna, a former Port Townsend City Councilman, explained that he was also involved with the Kah Tai talks back in the 80's and spoke in favor of the LOI extension.

Melanie Bozak expressed her views and supports the LOI extension.

Julie Jaman would like to have a “community conversation” and spoke against the extension of the LOI.

Sam Shoen explained he has been involved with Make Waves for three years, added that cooperation is the key, and he fully supports the LOI extension.

Nora Regan expressed her concerns with loud noise and bright lights and spoke against the LOI extension.

Selden McKee expressed her beliefs and spoke against the LOI extension.

Joanne Busé believes the proposed pool's location to transit would be a great convenience for senior citizens and students. She spoke in favor of the LOI extension.

Linda Spurgeon said it would be nice if the wildlife in the park could be here to speak for themselves.

Phil Dinsmore expressed his views against the LOI extension.

Margaret Takaki asked, “Where is the environmental study and the wetland impact study?”

Forest Shomer volunteered, beginning in 1981, with the Port Townsend City Parks Committee, and did so for four years. He spoke of issues then and now with the Kah Tai. He supports the park and the recreational facility and is in favor of the LOI extension.

There being no further public comment, Commissioner Collins told the audience he appreciated the comments and explained that the Port needs to await further information from the Port attorney.

Mr. Crockett added he appreciated the respectfulness of the speakers and agrees it best to wait for the report from the Port's legal counsel before the decision is made.

B. Airport Eco-Industrial Park RFQ (1:02:34):

Mr. Crockett reminded that the Federal grant for the airport feasibility study needed to be spent by the end of September 2011. He, Mr. Pivarnik, Mr. Toews, and Commissioners Collins and Thompson interviewed the top two consultant choices on December 6. They were AECOM and Maul, Foster & Alongi. Mr. Crockett reported the scoring results and AECOM was the top choice amongst all interviewers. He also explained scores are based on qualifications only.

Commissioner Collins moved to authorize staff to negotiate a contract with AECOM.

Mr. Crockett added that the negotiated contract would be brought to the Commission for approval, possibly the first meeting in January of 2011.

Commissioner Thompson seconded the motion.

Motion carried by unanimous vote.

C. A/B Dock Update (1:11:00):

Mr. Pivarnik explained that progress is moving along, although the recent winds and winter storms have not helped. The project is still on schedule and within budget, and still has an expected completion date of February 15, 2011. Commissioner Collins asked when Culbertson Marine would begin work on the Quincy Street Dock stabilization. Mr. Pivarnik explained that the storms have delayed the project, but they are possibly looking at a start date of this coming Friday.

D. Landfall Site Update (1:14:28):

Mr. Crockett stated that the RFP is “out on the street” (in the two local papers) and the Port's website. The Port has received out-of-town requests for RFP packets, besides from the locally interested parties.

E. Schooner Martha Lease (1:15:39):

Mr. Pivarnik reported that the draft lease has been renegotiated and is similar to the Cupola House lease. The lease states that the tenants will perform certain renovations to the building in exchange for a reduced rental fee for the first twenty four-months.

VI. NEW BUSINESS:

A. Portside Deli Vacancy (1:16:41):

Mr. Crockett explained that after seventeen years, the Portside Deli closed its doors on November 30, 2010. Recently, Jennifer Takaki and her mother, Port Townsend resident Dr. Margaret Takaki, have asked to lease the vacant space to operate a restaurant, with hopes of obtaining a liquor license and being open on weekends. Staff is recommending approval of the lease.

Mr. Pivarnik added that the lease would begin January 1, 2011 and the Takaki's would have until March 1, 2011 to complete agreed-upon renovations and to bring the building up to code. Particulars have been written in the lease.

Commissioner Erickson asked if the future tenant is aware of fumes coming from local boat shops since the building is located in the middle of a boat/shipyard. Further discussion was held with Dr. Takaki who was in the audience on issues including ventilation and septic.

Commissioner Collins moved to approve the former Portside Deli building lease, as presented, to Jennifer and Dr. Margaret Takaki.

Commissioner Thompson seconded the motion.

Motion carried by unanimous vote.

V. OLD BUSINESS (continued):

E. Schooner Martha Lease (1:26:32):

Commissioner Collins backtracked to Old Business, Item E, Schooner Martha Lease and reminded that a motion needed to be made.

Commissioner Thompson moved to approve the lease, as presented earlier, with the Schooner Martha Foundation.

Commissioner Erickson seconded the motion.

Motion carried by unanimous vote.

VI. NEW BUSINESS (continued):

B. December 22 Meeting & Workshop – Reschedule Time and/or Date (1:27:12):

Due to the Christmas holiday, it was decided to cancel the December 22, 1010 Workshop and reschedule the Meeting time to 3:30 PM.

C. Approval of Warrants (1:28:48):

Commissioner Thompson read the warrants, as presented:

Warrant #045615 through #045643 in the amount of \$42,311.62 for Payroll

Warrant #045644 through #045652 in the amount of \$56,413.37 for Payroll Benefits

Warrant #045653 through #045714 in the amount of \$793,851.77 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 (1:25:39):

Mr. Taylor reconfirmed the time of the Exit Conference with the State Auditor: December 20, 2010 at 1:00 PM.

Mr. Pivarnik informed that Penn Cove Shellfish had contacted him requesting an increase on the amount of land they lease in Quilcene, which is currently 3000 square feet, asking for an additional 3000 square feet. The lease rate would double. Mr. Pivarnik explained that it does take away some parking space during the busy shrimp and crab seasons, but 40,000 square feet of parking space would remain. Mr. Pivarnik received the go-ahead to meet with Penn Cove to discuss this addition to their current lease.

On another note, Commissioner Thompson asked Culbertson Marine to give him an idea of an approximate cost to add a second lane to the boat ramp at Boat Haven. They estimated \$250K. Commissioner Collins suggested looking at the 2011 capital budget after the first of the year to see if this project could be a possibility.

Mr. Crockett informed the Commission that at the beginning of the year he would visit each Port-owned facility and submit a report to them on suggested/needed repairs to Port facilities.

VIII. PUBLIC COMMENTS (1:39:05):

David Griswold of the Port Townsend Marine Trades Association informed that elections were recently held, which brings four new faces to the board. They are Stan Cummings - current Director of the Northwest Maritime Center; Bill Mahler – Director of the Northwest School of Wooden Boat Building, Maude Richards from Port Townsend Sails and MB Armstrong of Puget Sound Voyaging.

Rick Petrykowski is the newly elected President taking over for Mr. Griswold.

IX. COMMISSIONER COMMENTS (1:40:30):

Commissioner Erickson stated that he believed an interesting discussion on the Kah Tai took place this evening. He believes a comment made by a member of the public - ‘not making a hasty decision’, was one of the most important. This issue is a difficult decision.

Commissioner Collins explained that he has learned much on the Kah Tai in the past year and this causes him to be more skeptical of the Port’s role in this project.

Commissioner Thompson reported that he remains enthusiastic about the Port’s role with the Make Waves project and he believes this to be a good location for the facility.

X. NEXT MEETING: Next regular meeting will be held Wednesday, December 22, 2010 at 3:30 PM, in the Port Commission Chambers, 375 Hudson St, Port Townsend. The December Public Workshop has been canceled.

XI. EXECUTIVE SESSION (1:44:09):

The regular meeting recessed into Executive Session at 5:14 PM to discuss a legal issue, with duration of approximately twenty minutes. At 5:35 PM, the meeting was still in session, so Mr. Crockett went outside to see if any members of the public were waiting for the reconvening of the regular meeting. Finding no one, the Executive Session continued.

XII. RECONVENING OF REGULAR MEETING:

The regular meeting reconvened at 5:38 PM.

XI: ADJOURNMENT: The regular meeting adjourned at 5:38 PM, there being no further business to come before the Commission.

ATTEST:

John N. Collins, President

Leif W. Erickson, Secretary

David H. Thompson, Vice President