



*Port of Kingston Board of Commissioners
Regular Meeting*

06/28/2017 1:00 PM
Village Green Community Center - Windermere Room: 26159 Dulay Rd NE
Kingston, WA 98346

Meeting called by: Port of Kingston Commissioners

Type of meeting: Regular Meeting

Meeting Minutes

Commissioners Present

Commissioner Walt Elliott
Commissioner Bruce MacIntyre

Commissioners Excused

Commissioner Mary McClure

Staff Present

Executive Director, Jim Pivarnik
Port Controller, Juanita Gomez
Recording Secretary, Samantha Berger

Counsel Present

Goodstein Law Group LLP, Carolyn Lake

Public in Attendance: 3

1. **CALL TO ORDER: 1:00 p.m.**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
Motion: Approve Agenda as written.
Moved by: Commissioner Walt Elliott
Seconded by: Commissioner Bruce MacIntyre
Action: Passed 2-0
4. **PUBLIC COMMENT: None**
5. **CONSENT AGENDA:**
 - A. Meeting Minutes of, Regular Meeting - May 24th, 2017
Meeting Minutes of, Special Meeting - June 20th, 2017
 - B. Warrants #32341-32372, totaling \$69,013.89 May 31, 2017
Warrants #32373-32405, totaling \$326,882.35 June 15, 2017
Warrants #32406-32430, totaling \$70,571.52 June 28, 2017
Electronic Warrant, \$7,671.36 June 1, 2017 #R46608
Electronic Warrant, \$8,076.06 June 1, 2017 #R46609

Electronic Warrant, \$4,289.65 June 7, 2017 #R46716

Electronic Warrant, \$5,051.46 June 15, 2017 #R47223

Motion: To Approve Consent Agenda as written.

Moved by: Commissioner Walt Elliott

Seconded by: Commissioner Bruce MacIntyre

Action: Passed 2-0

6. FINANCIAL REPORT:

A. Financial Report - May 2017 Financials

Port Controller Juanita Gomez presented the May 2017 Financials as prepared by Hearthstone CPA Group, and reported on the Statement of Revenue and Expenses for the five months ended May 31, 2017.

7. ACTION ITEMS:

A. Marina Host Service Agreement

Executive Director Jim Pivarnik presented the Board with a Draft Marina Host Service Agreement and Marina Host Guide. A discussion was held regarding the benefits of adding the position of Marina Host, which would be an after-hours hosting program utilizing a current marina tenant with Liveaboard status in exchange for a one-hundred-dollar (\$100.00) credit towards that tenant's monthly moorage charges. The Marina Host would act as the eyes and ears of the Port after business hours, perform twice-nightly marina slip inventories/vessel counts and security inspections of adjacent Port areas, provide assistance with incoming boaters' self check-in, and would lock the Toth property/Day-Use Park pedestrian gate at 8:00pm. **For Discussion Only. No Action was taken.**

B. Master Plan Revisions - Part 3

Port Staff distributed Part 3 (pages 13 through 21) of the Master Plan (ver. 2012) for edit updates from the Commission. Port Staff will consolidate changes to date as submitted by the Commission, revise content according to current conditions, and will submit all sections revised to date at the Regular Meeting of July 26th, 2017 for the Board's review, discussion and recommendation. **For Discussion Only. No Action was taken.**

C. Vessel "Kingston Express" - Review of Counter Offer

Executive Director Jim Pivarnik spoke on the offer status of vessel "Kingston Express", stating that the Port had presented Trident LLC a verbal counter-offer of \$375,000.00, at which the buyer balked due to the vessel's expired C.O.I. (USCG Certificate of Inspection). **For Discussion Only. No Action was taken.**

8. OLD BUSINESS (For Discussion Only):

A. Discussion - Update on Welcome to Kingston Sign

Executive Director Jim Pivarnik presented an update on the status and progress of the Welcome to Kingston sign proposed for construction on SR104. Last week, he attended a meeting of the Sign Committee and participated in discussions about the development of rules and regulations for operation and management of the sign. At this time, the contract for construction of the sign has been granted to Hanson Signs, Inc., and the order has been placed with delivery expected in 8 weeks. **For Discussion Only. No Action was taken.**

9. PUBLIC COMMENT:

Mr. Ed Strickland, a member of the public, commented on the sale of the vessel "Kingston Express".

Mr. Ron Karzmar, a member of the public, commented on the status of the vessel's C.O.I., the current barnacle accumulation on the vessel's hull, and made a recommendation that the Port contract for a new vessel survey in order to obtain a more accurate picture of the vessel's value.

Commissioners MacIntyre and Elliott responded, stating that the vessel is under the contractual obligations of an FTA Grant; with Commissioner Elliott expressing an interest in the Port investigating avenues that can be exploited for relief on the substantial variance on the value of the vessel versus the remaining obligation to the FTA per the governing FTA Grant Circular.

Port Legal Counsel, Carolyn Lake of Goodstein Law LLC, commented that on June 8th, the Washington Supreme Court made a decision that affects the way governing bodies conduct open meetings per the OPMA (Open Public Meetings Act), having narrowed the exception for Executive Sessions as they pertain to the discussion of Real Estate. The new ruling requires that governing body discussions regarding the sale or lease of real property generally must be conducted in open session, and only the price minimums can be discussed privately in Executive Session. This means that price and things that affect price must be discussed in open session first, then a board may recess to Executive Session. Commissioner Elliott commented that this change to the OPMA places limitations on what can be done in Executive Session, and undercuts the ability for Ports to develop strategy.

10. EXECUTIVE DIRECTOR REPORT:

Executive Director Jim Pivarnik updated the Board on current Port activities and projects. He spoke on the Covered Moorage Roof Repair Project and the Port Office Expansion. He provided an update on the Washington Blvd Park Project, informing the Board that some small setbacks have been encountered due to County funding for their portion of the project being pushed back to 2019. He also updated the Board on the progress of the CERB Grant Feasibility study, stating that Heartland LLC

would be presenting their final report at the July 26th, 2017 Regular Meeting. He also spoke on plans and organization for the upcoming 4th of July festivities, and spoke on his conversation with the owner of the property directly adjacent to Port property, stating the owner had a survey completed and it found that the retaining wall was on Port property.

Commissioner Elliott inquired about the status of the Launch Ramp linkage, to which Executive Director Pivarnik responded that repairs had been scheduled for last week, but were placed on hold so as not to interfere with the Tribal fishing opener.

11. COMMISSIONER COMMENTS:

Commissioner Walt Elliott spoke on his attendance of a lecture on Governor Jay Inslee's LEAN Program, saying it could be a potential resource for the Port. Commissioner MacIntyre commented that he thought that Boeing at one point offered LEAN training for free.

Commissioner Bruce MacIntyre spoke on his attendance of the Chamber Meeting, at which there was some discussion on the Welcome to Kingston sign. He commented that at the Chamber Meeting there appeared to be some confusion on the Port's level of commitment.

12. STAFF COMMENTS:

Controller Juanita Gomez presented the Board with the May Statement of Cost Centers and Employee Class Cost analysis, noting that the handouts distributed showed an update to the Kingston Cove Yacht Club Land Lease to include payment, in contrast to what was distributed to the Board via email the day prior.

Port Staff member Samantha Berger presented the Board with the July 2017 Calendar of Events, and it was noted that a correction needed to be made to the list of Public Events for July, striking a second Ferry Advisory Committee Meeting from the list that was entered in error. She updated the Board on the plans for the upcoming 4th of July Parade and notified the Board that the Port is now offering Dock-Side Check-In to incoming boaters. Executive Director Pivarnik added that the film crew that was at the marina last week had commented that they had never seen a marina provide Dock-Side Check-In before, and said that the Port's new promotional videos would be finished and ready for presentation to the Board in 30 days or less.

The Board discussed the scheduling of the Commissioner Work Sessions, and it was discussed that a policy should be established that no Work Session would be held on the Tuesday prior to the recurring monthly Regular Meetings of the Commission, and that should the Board need to meet prior to the Regular Meeting, a Special Meeting be called as per the OPMA.

Mr. Ron Karzmar commented on his concerns over the availability of parking once the fast ferry is up and running, and recommended the Port look at leading a Parking Study.

Mr. Ed Strickland commented in opposition to Mr. Karzmar's position on parking.

13. **NEXT REGULAR MEETING DATE:** Wednesday, July 26th, 2017 at 1:00 p.m.

14. **ADJOURN:**

Motion: To adjourn Meeting at 2:16 p.m.

Moved by: Commissioner, Walt Elliott

Seconded by: Commissioner, Bruce MacIntyre

Action: Passed 2-0

Meeting attested by:



Interim Board Chair, Bruce MacIntyre



Board Secretary, Walt Elliott



Secretary to the Board, Samantha Berger

