

FRIDAY HARBOR PORT DISTRICT
Port Commission Meeting at Skagit Valley College Community Room
221 Weber Way, Friday Harbor WA 98250
April 10, 2019

Minutes

Port Commissioners Present: Greg Hertel
Graham Black
Barbara Marrett

Port Staff Present: Todd Nicholson, Executive Director
Phyllis Johnson, Auditor
Shane Krause, Executive Assistant

Public Present: Will Hamilton
Jackie Hamilton
Frank Bruch

Commissioner Hertel brought the meeting to order at 4:02 pm.

1. Citizen comments/requests:

- A. Frank Bruch presented a request for electrical infrastructure improvements at the Jensen marina to the Commissioners. The Staff and Commissioners discussed the condition of existing improvements and the current plan of action.

2. Presentation

- A. **Yutong Du and Rain Gao will give a presentation on a mural they are creating to be installed on Island Air's building**

Commissioner Hertel noted that Yutong Du and Rain Gao were not present and proceeded to discussion items.

3. Discussion Items

- A. **Discuss proposal from Yutong Du and Rain Gao for a mural to be installed on Island Air's building**

The Staff and Commissioners discussed a written proposal from Yutong Du and Rain Gao describing the mural. Jackie and Will Hamilton from Island Air participated in the discussion, and the Commission agreed to defer approval to the Town of Friday Harbor prior to the Commission granting final approval.

- B. **Discuss proposal from Jim Slocum for discounted moorage for veterans and senior citizens**

The Staff and Commissioners discussed a memo from the Port's Attorney regarding the Washington State statute on gift of public funds and agreed that the Port cannot consider the proposal.

- C. **Discuss proposal from Economic Development Council to conduct a boat restoration course in cooperation with the Port of Friday Harbor**

The Staff and Commissioners discussed the proposal from the Economic Development Council to conduct a boat restoration course using Port facilities. The fire house located behind the airport tower was proposed as a location for the course to be held. Staff will draft an interlocal agreement for use of the facility to be approved by the Commission at a future meeting.

- D. **Discuss letter from Maurice Liebman regarding moorage account security deposits**

The Staff and Commissioners discussed Maurice Liebman's letter disputing the Port requiring a security deposit equivalent to one month's moorage rate from moorage customers at the Jensen marina and the quoted RCW, noting that it allows the Port Commission to require a security deposit on agreements for use of Port facilities. The Port Auditor noted the Washington State Auditor's office has recommended the Port require such security deposits. The Harbormaster noted staff have allowed a 3 month grace period to affected customers for establishing their security deposit.

4. Action Items

A. Approve Purchase & Sale Agreement for Unocal parcel to Friday Harbor House

The Executive Director and Commissioners discussed the Unocal parcel including the history of prior contamination and environmental cleanup actions, and the restrictive covenant on the parcel limiting the height of any improvements. Terms of the Purchase & Sale Agreement regarding the included view corridor license was discussed, and the Commissioners discussed changes to those terms to clarify how and where the view corridors will be established and maintained. Frank Bruch commented regarding why the Port is considering sale of the parcel over leasing. Commissioner Hertel noted the revenue generated from the lease would be minimal, and revenue from the sale would benefit the Port to a much greater extent by investing it elsewhere. The Executive Director requested authorization to execute the Purchase & Sale Agreement with changes to the view corridor license as discussed.

Commissioner Marrett moved to approve the Purchase & Sale Agreement for the Unocal Parcel to Friday Harbor House with amendments to the view corridor license as discussed. Commissioner Black seconded, and requested clarifications be made to the view corridor license to include fixed locations and elevations. The Executive Director discussed the amendments with the Commissioners and the Commission approved the motion unanimously with the amendments to be made by Commissioner Black and the Executive Director with a 3-0 vote.

B. Approve Assignment of land lease for Hangar K-3 from Williams/Devlin to Juliet Tango Flying Services LLC

The Executive Assistant presented an assignment of land lease for Hangar K-3 from Williams/Devlin to Juliet Tango Flying Services LLC for Commission Approval.

Commissioner Black moved to approve the Assignment of land lease. Commissioner Marrett seconded and the motion passed unanimously with a 3-0 vote.

5. Regular Business:

Minutes for the March 27th regular meeting approved with 3-0 vote.

Vouchers #018238 for \$17,212.00 and 018239-018271 for \$155,734.66 and payroll approved with 3-0 vote.

6. Staff Reports:

- A.** The Harbormaster updated the Commissioners on an impounded Catalina sailboat which ended up selling for \$1.
- B.** The Harbormaster noted she and the Executive Director are applying for a grant to remodel the marina showers.
- C.** The Harbormaster shared discussion with the San Juan Island Yacht Club regarding their rules and rates for use of the club's slip by their members and reciprocal club members.
- D.** The Executive Director shared status of the Airport Master Plan Update, noting the Seattle FAA Airport Development Office is interpreting the proposed non-aeronautical land use as prohibited which contradicts all published FAA documentation. He noted meeting with Congressman Larson who is supporting the Port through their engineering project manager.

- E. The Executive Assistant shared a request from Aeronautical Services to have Centurylink install fiber between Franklin Drive and their building at the airport.
- F. The Executive Assistant noted the former Animal Protection Shelter building has been leased to Elben Electric on a month-to-month lease.
- G. The Port Auditor shared details of a new FAA application being prepared for Passenger Facility Charges, noting the prior application is already halfway through collection.
- H. The Port Auditor noted a planned call with Duncan Brown with Pacific Financial Management to discuss the Port's debt capacity. Commissioner Black asked about the Port's ability to collect additional tax revenue, which the Staff and Commissioners discussed and agreed that they do not want to pursue that option at this time.

7. Public Hearing:

Commissioner Hertel opened a public hearing at 5:00pm on the following:

- A. Friday Harbor Marina Rules & Regulations
- B. Jensen Marina Rules & Regulations
- C. Business Moorage Policy
- D. Jackson Beach Use Policy

The Staff and Commissioners discussed the Jackson Beach Use Policy section on reservations for events and agreed to modify the sentence regarding fees to state a fee may apply per the schedule of fees and charges.

8. Action Items

- A. Adopt the revised Friday Harbor Marina Rules & Regulations

Commissioner Marrett moved to adopt the Friday Harbor Marina Rules & Regulations. Commissioner Black seconded and the motion passed 3-0.

- B. Adopt the revised Jensen Marina Rules & Regulations

Commissioner Hertel recused himself. Commissioner Black moved to adopt the Jensen Marina Rules & Regulations. Commissioner Marrett seconded and the motion passed 2-0.

- C. Adopt the revised Business Moorage Policy

Commissioner Black moved to adopt the Business Moorage Policy. Commissioner Marrett seconded and the motion passed 3-0.

- D. Adopt the revised Jackson Beach Use Policy

Commissioner Marrett moved to adopt the Jackson Beach Use Policy with modifications to the reservation sections as discussed. Commissioner Black seconded and the motion passed 3-0.

9. Discussion Items (continued)

- E. Commissioner Hertel opened a discussion on the Sea Scouts past request for moorage in relation to the memo from the Port's Attorney regarding the Washington State statute on gift of public funds. The Staff and Commissioners discussed the services proposed by the Sea Scouts to be provided in trade for moorage, insurance requirements, benefits of establishing an agreement between the Sea Scouts and the Port, and how the Sea Scouts support the Port's mission statement.

10. Port Commissioner and Committee Reports:

- A. Commissioner Marrett noted the San Juan Pilots Association recognition event on April 27th and a potluck at the Mullis Fire Station on April 11th. The Executive Assistant noted only one Commissioner

may attend the potluck due to insufficient time to announce a special meeting, and it was decided that only Commissioner Marrett will attend the potluck. Commissioners Marrett and Hertel will attend the recognition on April 27th in a special meeting. Commissioner Marrett noted the combined Port and Town Commission meeting on April 18th which all 3 Commissioners will attend in a special meeting. Commissioner Marrett also noted the Economic Development Council's luncheon on May 8th, which Commissioners Marrett and Black will attend in a special meeting.

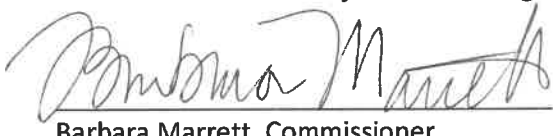
- B. Commissioner Hertel asked about the annual fishing derby's moorage arrangement, and the Harbormaster clarified that they do pay moorage but as a group instead of individuals.

11. Staff Reports (continued)

- I. The Harbormaster noted a Security staff member has resigned to take a new position on Brown Island as Caretaker, so she has a part-time Security position available. She added the Assistant Harbormaster is resigning at the end of May to train with Washington State Ferries, and she has hired a new Assistant Harbormaster who has started training.
- J. The Executive Director updated the Commissioners on the Fairweather park water feature design work. The Staff and Commissioners discussed details and extent of the redesign.
- K. The Executive Director shared project cost estimates for the Jensen Marina redesign. He and the Port Auditor will investigate funding options.
- L. The Executive Director noted undesirable activity at Jackson Beach, and Staff discussed additional patrols including San Juan County Sheriffs as well as establishing security cameras.
- M. The Executive Director updated the Commissioners on the 2019 Fly-In planning efforts.
- N. The Executive Director noted hiring a new Custodial staff member who starts April 15th.
- O. The Staff and Commissioners continued discussion about the undesirable activities at Jackson Beach and past activities that occurred elsewhere on Port property.

12. Citizen comments/requests: None

Commissioner Hertel adjourned the Regular meeting at 5:42 pm.



Barbara Marrett, Commissioner



Greg Hertel, Commissioner



Graham Black, Commissioner