

**Port of Anacortes**  
**Regular Commission Meeting**  
**August 4, 2011**

The Port Commission of the Port of Anacortes held its regular business meeting at 7:00 P.M. on the evening of August 4, 2011. This was a regularly scheduled Commission Meeting held in the Commission Meeting Room of the Port Main Warehouse Building, 1<sup>st</sup> & Commercial Avenue, Anacortes, Washington.

In Attendance: Commission President Rubin, Commission Vice-President Mooney, Commission Secretary Niver, Commissioner Hopley and Commissioner Short.

Also in attendance: Executive Director Hyde, Director of Finance & Administration Johnson, Director of Operations & Facilities Hachey, Marina Manager Fowler, and Executive Assistant Lindsey.

CALL TO ORDER

At 7:00 P.M. Commission President Rubin called the regular meeting of August 4, 2011, to order and welcomed all in attendance.

PUBLIC COMMENT PERIOD

Commissioner Rubin opened the floor for public comment pertaining to items on the regular agenda. Hearing none, the floor was closed.

CONSENT AGENDA

Commissioner Rubin read the consent agenda items: Approval of Minutes of the Regular Meeting of July 7, 2011, and the Regular Meeting/Work Study Session of July 21, 2011; Approval of Vouchers No. 8-1 through 8-153 totaling (\$2,140,453.06); and Approval of the July 2011 Treasurer's Report totaling \$17,160,186.90. Commissioner Rubin called for any objections to the consent agenda. Hearing none, he called for a motion for approval. Commissioner Short moved to approve the consent agenda. Commissioner Mooney seconded the motion. Commissioner Rubin called for a vote on the motion, which carried unanimously.

REGULAR AGENDA

ACTION ITEMS

Authorizing Commission Support for Washington Public Ports Association Building Purchase –

This item outlined for Commission authorization, support for a real estate purchase by the Washington Public Ports Association (WPPA). Executive Director Hyde reviewed the item, explaining the Port has received a letter from WPPA Executive Director Eric Johnson and a memo from WPPA President Scott Walker and the Executive Board requesting support for the building purchase. The purchase had been discussed at length during the WPPA Spring Meeting and trustees had voiced their approval for the WPPA staff to investigate and negotiate purchase of the building in which WPPA offices are located in Olympia. WPPA would assess each member Port on the same scale as dues are assessed for help in paying the down payment for the building. A

special meeting of the WPPA Board of Trustees to vote on the purchase is scheduled for August 19, 2011.

Commissioner Rubin opened discussion on whether the Commission wished to support or oppose the building purchase and who would attend in his place as he was not available on that date.

Commissioner Niver noted that WPPA would need to change its bylaws in order to own property. He pointed out that the down payment amount for the building was \$463,000. WPPA had approximately \$600,000 in reserves and should pay the down payment from those reserves rather than from an assessment to member ports to replenish reserve funds. He pointed out WPPA will also collect rent from others who lease space in the building.

Commissioner Hopley voiced some reservations as well, although he understood the Association's desire to replenish its reserves. He observed WPPA had not provided spreadsheets to show the revenues breakdown. Commissioner Hopley noted the presentation felt as though the Commission's vote was simply a formality. He wished to see better due diligence and information.

Commissioner Mooney inquired about payback schedules for the Port's assessment. He noted that if WPPA were to sell the building, the funds stay with WPPA. However, if WPPA were to cease to exist, then those contributing member ports would be reimbursed their assessment from building sales proceeds.

Commissioner Short noted that WPPA was protecting their prime location with the building's purchase, instead of having it purchased by another entity. He had no problem with the assessment, but noted not much information was provided regarding the particulars of the building purchase. He noted the Executive Board of the WPPA were elected by the Trustees to make decisions such as this one and he felt the Commission should support them moving ahead.

Commissioner Rubin noted the Executive Committee would take that up in their discussions on August 19<sup>th</sup>.

Commissioner Hopley inquired whether there would be any financial liabilities for the ports. He also observed that no information to detail the revenues involving the building were present in the materials provided by WPPA.

Additional discussion ensued. Commissioner Rubin observed that the Commission would like to obtain additional information on several points regarding financial details, any risk to member ports, and the possible conditioning or explicitly stating how member contributions would come back to member ports down the road. In light of this, he announced the Commission would not take action on the item today, and would instead remove it and place it on the August 18, 2011 meeting agenda.

#### Resolution No. 1237 – Authorizing Auction of Abandoned Vessels –

Director of Finance & Administration Johnson reviewed this item for the Commission. The Port has three vessels for which all means available for collection of past due charges have been exhausted. The owners of the vessels have received notice of the port's intent to proceed with auction of their vessels to satisfy the unpaid charges at Cap Sante Boat Haven, under guidelines as set forth by the State of Washington. The vessels are as follows:

- The first vessel, a 20-foot Buccaneer sailboat, WA Reg #WN7472JA, belongs to Taylor Wade of Anacortes, WA. This vessel has been moored in the marina since September 2010 and has been delinquent since November 2010. All attempts to collect this debt, which now stands at \$3,392.65, have been unsuccessful.
- The second vessel, a 23-foot Bayliner, WA Reg #WN95BC, belongs to Steven Slogoske of Anacortes, WA. This vessel has been moored in the marina since July 2010 and has been delinquent since October 2010. All attempts to collect this debt, which now stands at \$2,878.76, have been unsuccessful.
- The third vessel, a 31-foot Columbia, WA Reg #WN7153KD, belongs to Carl Abadie of Anacortes, WA. This vessel has been moored in the marina since July 2009 and has been delinquent since April 2011. All attempts to collect this debt, which now stands at \$8,007.94, have been unsuccessful.

Director Johnson explained that Port staff go through a specific process and check list of requirements from the State of Washington and also review with legal counsel. All possible efforts are made to work with moorage customers to avoid auction. In some cases the owners cannot be contacted. Any proceeds from the auction above what is owed would go to the owner, or if not able to locate them, or to the State.

With discussion concluded, Commissioner Rubin called for a motion. Commissioner Mooney moved to authorize approval of Resolution No.1237, authorizing Port staff to begin auction procedures, if appropriate, for the above vessels to satisfy payment of delinquent Port charges. Any remaining balance on customer accounts after auction shall be assigned to collections and written off after one year from the date of the assignment.” Commissioner Short seconded the motion. Commissioner Rubin called for a vote on the motion, which carried unanimously.

#### Resolution No. 1238 – Adopting a Memorial Policy –

Executive Director Hyde reviewed that during their meetings of July 7 and July 21, 2011, the Commission discussed establishing a policy for the placement of memorials on Port property. At their July 21<sup>st</sup> meeting, the Commission reviewed a draft resolution and recommended some minor changes, primarily a change from having the policy be specific to memorial benches to being more general and include other items such as pieces of art and items with a nautical theme. Execution of the policy will be under the administrative authority of the Executive Director. The Port reserves the right to move or remove the memorials if needed.

Following a brief discussion, Commissioner Rubin called for a motion. Commissioner Short moved to adopt Resolution No. 1238, establishing a memorial policy and delegating administrative authority to the Executive Director for execution. Commissioner Niver seconded the motion. Hearing no further discussion, Commissioner Rubin called for a vote on the motion, which carried unanimously.

#### COMMISSION DISCUSSION

Commissioner Rubin opened the floor for items of discussion by the Commission. He noted that At the Commission’s last meeting, Ms. Evelyn Adams of Transition Fidalgo had addressed the Commission, to explain the Transitions movement to prepare people and communities for life beyond fossil fuels, which are rapidly being depleted. Ms. Adams had reported that across the country and around the world, Transition communities are building future resilience by growing

their own food, re-learning basic skills, localizing economies, re-thinking transportation, installing solar panels, all while reducing reliance on fossil fuels and promoting the use of clean energy. Commissioner Rubin presented the Commission with copies of an article with related themes he had found titled “Crash Course in Resilience.”

Commissioner Short requested clarification of a term used in the voucher list, with a \$4,000 amount paid to Port of Tacoma for Puget Sound Emission Inventory. Director Johnson explained the Port has two separate contractual arrangements with the Port of Tacoma, one for an Environmental Protection Agency staff expert and the other for environmental monitoring.

Commissioner Mooney inquired whether Aeronautical Services was content with their month-to-month lease. Executive Director Hyde acknowledged that they were.

### COMMUNICATIONS

Marine Terminal Tariff Rate Increases – Executive Director Hyde reported that the Port would increase the tariff across the board by 2.5%. Most of the revenues received by the marine terminal are under contract or lease and tariffs are not used for those contracts or agreements.

Community Tour – The next tour of Port projects will be held August 8<sup>th</sup>, starting at 4 p.m. at the Cap Sante Boat Haven Harbormaster’s office at 1019 Q Avenue. The tour will include the Marina and facilities.

Also at the Cap Sante Boat Haven – Announcements from Town Crier, Richard Riddell, accompanied by a cannon blast from Lee Dawes of Fidalgo Artillery, can be heard each Saturday at 5 p.m. at the Central Pier. The Central Pier hosts performances every Saturday and Sunday from 12-2:00 p.m. by a variety of talented local performers.

Summer Concert Series – The Port’s Summer Concert Series, held in conjunction with the Snohomish Artists Guild (SAG), continues this summer at Seafarers’ Memorial Park. Five concerts, one each Friday evening will be held at the Park, free of charge to the public.

The Port sponsored 3<sup>rd</sup> Annual Anacortes Workboat Races and Pirate Faire will be held August 27<sup>th</sup> at Pier 1. There will be a kick-off dinner to benefit the Seafarers’ Memorial Fund on August 26<sup>th</sup> at the Elks Lodge.

The Anacortes Arts Festival will have its annual fine art show in the Transit Shed for the next weekend through the Festival.

### UPCOMING MEETINGS

Executive Director Hyde reviewed the Commission’s upcoming meeting schedule. The second regular meeting in August will be August 18<sup>th</sup>. The first regular meeting in September is scheduled for September 1<sup>st</sup> at 7:00 p.m.

### PUBLIC COMMENT PERIOD

Commissioner Rubin opened the public comment period for items not on the regular agenda. Hearing no one with a desire to address the Commission, the public comment period was closed.

ADJOURNMENT

With no further business to come before the Commission, Commissioner Mooney moved to adjourn, which was seconded by Commissioner Short. Commissioner Rubin called for the vote on the motion, which carried unanimously and at 7:49 P.M. the meeting adjourned.

**Attest:**

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Keith Rubin, President

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Pat D. Mooney, Vice-President

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Ray Niver, Secretary

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Steve Hopley, Commissioner

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William L. Short, Commissioner

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Julie Johnson Lindsey, Executive Assistant  
August 4, 2011