

PORT OF BELLINGHAM

**MAC (MARINA ADVISORY COMMITTEE) MEETING
TUESDAY, NOVEMBER 13, 2012
HARBOR CENTER CONFERENCE ROOM
BELLINGHAM, WASHINGTON**

Minutes

Committee Members Present:

Jeff Hegedus
Gene Knutson
Brian Pemberton
Doug Sterrett
Jerry Writer
Jim Young

Committee Members Absent:

Port Representatives Present:

Dan Stahl
Andy Peterson
Pam Taft
Chris Tibbe
Frank Chmelik, Port Legal Counsel

Committee Members Excused:

Peter Border
Ron Kleinknecht

Visitors/Guests:

Elizabeth Kilanowski
George Mundell
Bob Tull
Paula Tiscornia
Larry Halgren
Robert Sylvester
Rick Wilson
Bill Dodge
Ken Culver
Byron Richards
Burt Rubash

Roll Call

The meeting was called to order at 6:00 pm. Dan Stahl introduced Chris Tibbe, the Port's new harbormaster for Squalicum Harbor, to both the MAC and the public. Dan recounted the review process and outlined Chris's qualifications for the position which includes significant marina management in a number of different facilities on the west coast as well as his Bachelor of Science degree in economics at the University of San Francisco. Chris

was welcomed by both the MAC and the audience. Dan encouraged people to stop by the Harbormaster's Office and chat with Chris as time allows.

September 11 and October 9, 2012 Minutes

The September 11 and October 9, 2012 minutes were approved unanimously. The motion to approve the minutes was made by Gene Knutson and seconded by Brian Pemberton.

Public Comment (for issues other than the condo boathouse item on the agenda)

Robert Sylvester, a Gate 12 customer, commented to the MAC that parking at Gate 12 has become more and more problematic with most of the parking stalls labeled as "2 Hours Only" which makes it difficult for him to take his boat out for any length of time and comply with the parking regulations. His suggestion to the MAC was to consider some kind of a parking system like Shilshole in Seattle has where boaters are given a sticker for their windshield and then are given dedicated parking. A general discussion ensued with both the MAC and audience. One suggestion was for the Port to keep a simple database of license plates that are attributed to the slips for the moorage tenants at Gate 12. It would then be incumbent on the boat owner to keep the Port current and perhaps the Port would not tow any cars that had a license plate in that database.

Condo Boathouses

Dan Stahl led off with this item thanking the participants who showed up representing the condo style boathouses at Squalicum Harbor. Dan gave a quick recount of the history between the boat fire on March 30, 2012 and the MAC's last meeting at which the MAC talked about the potential requirement for condo boathouses forming some legal structure for the Port to have a relationship with. At the MAC's last meeting, it was decided that before making a recommendation to the Port Commission on this issue, MAC wanted to solicit additional input from the owners. The MAC then recommended that staff send out letters to each of the owners at Squalicum Harbor which staff did attaching Frank Chmelik's recent memo for their reference which brought us to this evening's meeting. Having laid that background, Dan then turned the meeting over to Frank Chmelik, the Port's general counsel.

Frank discussed some of the legal issues relating to boathouse ownership in the context of the recent fire. As Frank was reviewing his memo with the owners, significant discussion ensued. During the discussion Bob Tull, an owner in the E-East boathouse, requested that the MAC consider some additional dialogue with the owners prior to making a recommendation to the Port Commission. Mr. Tull's suggestion was to form a sub-committee with Port staff, interested members of the MAC and a handful of owners in order to dig into this issue further before any recommendation is made to the Port Commission. Mr. Tull emphasized the need to do some additional research on insurance products that may or may not be available to cover the owners of these structures as well as the underlying landlord, the Port.

After further discussion, Brian Pemberton made the following motion: That Doug Sterrett represent the MAC on a sub-committee with Port staff and include the participation of Bill Dodge, Ken Culver and Bob Tull to further research this issue and report back to the MAC as soon as practical. This motion was seconded by Gene Knutson and passed unanimously. It was also suggested that as this sub-committee meets, it should send correspondence to the non-attending Owners so that they stay informed as to the progress in resolving these issues, which may turn out to be expensive.

As this item took a significant amount of time, item 6 (Budget Update) and item 7 (Rules and Regs) will be rescheduled to the next MAC meeting.

Dockside Feedback

Doug Sterrett asked for updates on ladder installations and Gate 3. As the Port has been pushing through the process of researching installing safety ladders at both harbors, it has been informed that it will need to secure a federal permit from the US Army Corp of Engineers for the installation of these ladders. This will slow down installation past the end of the year which is what had been planned as the scheduled completion date. Regarding Gate 3, it appears that the Port will be handed over the final portion of the G-West dock project later this week. Andy Peterson and Chris Tibbe commented that they would be assigning those slips as soon as possible.

Marine Tourism

Dan Stahl reviewed the next agenda item which is a proposed Marine Tourism Bill that is being promoted by the Northwest Marine Trade Association (NMTA). Dan informed the MAC that Peter Schrapen, Director of Government Affairs for NMTA, recently came and made a presentation to Port staff regarding the upcoming Marine Tourism Bill. This bill would change Washington State's law as it relates to vessels that are owned by an entity, for instance an LLC or partnership, as opposed to the same vessel that is owned by a citizen of Washington State. The bill is currently referred to as HB1904. Dan further described the details of the proposed legislation. Discussion ensued with a number of the MAC members who were all in favor of supporting this bill due to the increased spending that it may encourage from large transient pleasure craft in Washington State. If adopted the bill would extend the amount of time that transient boats can be in Washington waters from 60 days to 180 days. The proponents of HB1904 suggest that if vessels are allowed to stay in Washington State waters longer that they will spend more money in haul-out and marine trades which would be good for the local economy in Bellingham as well as other marine communities. Brian Pemberton commented that he has extensive knowledge of this proposed legislation and is in favor of it. Brian recounted some of his discussions and moved that the MAC support this bill and that the recommendation be forwarded to the Commission. The motion was seconded by Jerry Writer and passed unanimously.

Staff Updates

1. Pacific Marine Expo is November 27-29 at CenturyLink Field in Seattle. Dan asked if any MAC members wanted to spend some time in the Port booth as has been done in prior years.
2. Dan informed the MAC that the Gate 8 service area previously occupied with the quicki lifts from Boondocks has been recently leased to NW Explorations. The use of this area is consistent with past uses and the moorage is consistent with rates from the moorage model.
3. Whatcom Business Alliance is a new pro-business group that has formed in Whatcom County. It is made of up of non-government entities. Dan encouraged those business members on the MAC and in the audience to contact them.
4. Dan briefly described the transaction of the City/Port land swap and answered a number of questions from the MAC.
5. Squalicum Yacht Club turned 75 recently. Doug Sterrett, a member of SYC, described some of the history for the MAC of the structure and how it has recently

been renovated and is available for lease. Several members of the MAC members commented that they had used it and it is a lovely facility.

6. Brian Pemberton brought up the idea of adding some new MAC members due to several recent resignations. After additional discussion with the MAC it was decided to request that staff advertise for these open positions in the December newsletter and put this as a docketed item for the MAC to work through in early 2013. This was formalized by a motion by Brian Pemberton, seconded by Doug Sterrett and passed unanimously.

The meeting was adjourned at 8:25 pm.