

PORT OF BELLINGHAM

MAC (MARINA ADVISORY COMMITTEE) MEETING
TUESDAY, FEBRUARY 12, 2013
SQUALICUM HARBOR OFFICE
BELLINGHAM, WASHINGTON

Minutes

Committee Members Present:

Elizabeth Kilanowski
Gene Knutson
Jim Kyle
Brian Pemberton
Ian Puchlik
Doug Sterrett
Jerry Writer
Jim Young

Committee Members Absent:

Port Representatives Present:

Dan Stahl
Chris Tibbe

Committee Members Excused:

Peter Border
Bill Douglas
Ron Kleinknecht

Visitors/Guests:

Bob Hollingsworth
Bill Dodge

Roll Call

The meeting was called to order at 6:00 pm. The four new members of the MAC, approved by the Port Commission, were officially and warmly welcomed. The new members are Jim Kyle – a commercial fisherman, Elizabeth Kilanowski - a live aboard at Squalicum Harbor, Bill Douglas - a sailboater from Squalicum and a career merchant mariner, and Ian Puchlik - a CPA with moorage in Blaine.

January 15, 2013 Minutes

The January 15, 2013 minutes were approved unanimously. The motion to approve the minutes was made by Doug Sterrett and seconded by Jim Young.

Public Comment

Mr. Bob Hollingsworth came back to the MAC after the previous meeting's presentation to tell the MAC that he had been successful in obtaining moorage at the Bellingham Yacht Club for the vessel involved in the Sea Scout program. Nevertheless, he wanted to petition

the MAC for their support in his desire to change the Washington State Constitution to allow a gifting of public funds for youth related maritime programs. Significant discussion ensued. Although the MAC as a group was completely sympathetic with Bob's cause and was appreciative of his enthusiasm and tenacity, it was decided that his request was outside the scope of initiatives that the MAC was willing to engage in. Bob was thanked for his presentation and encouraged to contact other service clubs or non-profits for additional support for his programs.

Dockside Feedback

Elizabeth Kilanowski once again brought up the issue of dog feces on the Gate 3 docks. Apparently this continues to be a significant problem. The MAC brainstormed options that might be effective in curbing this inconsiderate behavior by dog owners. Elizabeth pointed out that there is a health risk to the marine environment, in general, and marine mammals, in particular, with dog feces being deposited into the harbors. Staff agreed to add additional coverage for this issue in the newsletter and Chris Tibbe said that he would review signage at the head of the Gate 3 area. Tenants offered that they would be supportive of some additional signage as well.

Report from the Condo-Style Boathouse Sub-Committee

Doug Sterrett, the MAC member who has volunteered for the sub-committee, recounted the sub-committee's recent progress. The third meeting of the sub-committee was held on Monday, February 11. Doug reminded the MAC that the sub-committee is made up of the following owners: Ken Culver, Bob Tull, Bill Dodge, Brian Pemberton and himself. They attended the last meeting in addition to Port staff. Doug recounted the highlights from the meeting on Monday. The group had a lengthy discussion of the proposed changes to the Harbors' Rules and Regs. Three significant policy issues emerged from the sub-committee.: 1) providing a draft organizing agreement for the boathouses (being done by the boathouse owners); 2) clarification of City of Bellingham required upgrades due to the new fire ordinance; and 3) clarification of issues regarding Port required insurance.

Organizing Agreement: The draft boathouse policy will require the owners of the condo-style boathouses to form and maintain a Boathouse Organization (i.e. partnership, association, LLC, etc.) and on behalf of the sub-committee, Bob Tull has agreed to draft an agreement for the condo-style boathouse owners to review. It was hoped that there would be an update at the meeting on Monday, but unfortunately, this did not happen. Bob Tull has agreed to try to have a draft prepared sometime in mid-March.

Insurance: Ken Culver has raised a number of questions regarding Port insurance requirements. Additional meetings are scheduled for the first week in March.

City of Bellingham Requirements: The requirements from the new fire ordinance took up most of the discussion. Doug reviewed for the MAC the requirements of the new fire ordinance given that the Port is required to update the standpipe at Gate 3 within two years. The Port is well underway in the design of this and will be able to complete construction within the two year window. The ordinance also requires owners of the condo-style boathouses (there are five on Gate 3) to have the boathouses retrofitted with sprinklers within five years. The sub-committee spent significant time talking about how the condo-style boathouse owners are going to acquire the necessary water to feed their new sprinkler system. The owners on the sub-committee have requested that the Port initiate a technical study to determine the best way to provide this water. The cost to the Port (i.e. the marina)

to provide this analysis is on the order of \$15,000 to \$20,000. The argument of the Owners, as articulated by Bill Dodge, is that the Port is in the best position to efficiently provide this analysis as the Port is the owner of the underlying property, the owner of the main lateral on Gate 3, and the coordinator of the other utilities that feed Gate 3, i.e., electrical, potable water, etc. . The port could issue an easement for the Owners to do this, but it would be much more efficient for the Port to undertake this task.

Upon hearing Doug's summary of the sub-committee meeting, a number of the MAC members voiced their strong opposition to the whole marina paying for this work as it is only a requirement of the privately owned boathouse structures at Gate 3. Jim Young raised the question of 'What if the Port was to do this analysis and the condo-style boathouse owners decided that they didn't like it?' Would not that money then be wasted and be borne by the entire marina users as a result?

Despite the concern about who would ultimately pay for this study and the further expense of the eventual construction, the MAC agreed to recommend that Port staff proceed with at least this phase of the analysis. The strong sense of the committee is that improving safety in the harbor is important - so the decision on who will ultimately pay for the study can be suspended temporarily, until we all know more of what the options really are and what they are likely to cost. Staff has agreed that they will move this item forward to the Port Commission at a future meeting.

Election of New Chair and Vice Chair

Dan reviewed for the MAC the election process that has been used in prior years which has been very informal. After some discussion, it was moved by Doug Sterrett to nominate Brian Pemberton as the new chairman for the MAC. The motion was seconded by Jim Young. Jerry Writer then nominated Jim Young for vice chair. The motion was seconded by Gene Knutson. Both motions passed unanimously.

Review of MAC's Rules of Order

Due to the lengthy discussions on the condo-style boathouse sub-committee, this item was tabled until the next meeting. Brian Pemberton requested that the MAC members review the Rules of Order and the underlying Resolution No. 1144 for discussion at the subsequent meeting.

Staff Updates

1. DNR Quicki Lifts – Dan Stahl was happy to report back that the Quicki Lifts, as the MAC knows, were properly disposed of in May of 2012 at a total cost of \$15,160. Dan reported that 90% of this cost will be covered by a grant from the State Department of Natural Resources (DNR). This was met with much appreciation from the MAC from a fiscal perspective.
2. Marine Trades Support - Dan reviewed with the MAC, as previously requested, the program extensions for marine trades support. This was passed by the Commission at the February 5 meeting which will keep the rates for active commercial fishing vessels at \$5.90 (instead of \$6.92) per foot per month and provide additional funding to support promoting local marine trades.
3. Ladders – Chris Tibbe provided an update that the up and out ladders are still in the permitting process at the federal agencies. Despite this delay, Chris will continue to track this and report back when the Port has received the permits which will then be bid out for a purchase and install contract.

4. Harbor Theft – Chris Tibbe talked about the recent escalation of theft in both harbors. This appears to be the work of people who are scrapping materials for resale. Chris recounted that both Blaine and Squalicum have responded to this situation by increasing security alerts, locking gates earlier in the afternoon and communicating with both moorage tenants at affected gates and local tenants.
5. Parking – As requested, Chris Tibbe gave a report on staff review of parking issues for Gate 12. It was suggested that Port real estate staff be invited to a future meeting.

The meeting was adjourned at 8:10 pm.