

PORT OF BELLINGHAM

MAC (MARINA ADVISORY COMMITTEE) MEETING
WEDNESDAY, NOVEMBER 12, 2014
HARBOR CENTER CONFERENCE ROOM
BELLINGHAM, WASHINGTON

Minutes

Committee Members Present:

Elizabeth Kilanowski
Jerry Writer
Jim Young
Doug Sterrett
Brian Pemberton
Ron Kleinknecht
Jim Kyle

Committee Members Absent:

Port Representatives Present:

Andy Peterson
Dan Stahl
Pam Taft

Committee Members Excused:

Bill Douglass
Ian Puchlik
Peter Border

Visitors/Guests:

Burt Rubash
Paul Burrill

Roll Call

The meeting was called to order at 6:00 pm.

October 14 Minutes

The October 14, 2014 Minutes were approved unanimously. The motion to approve the minutes was made by Elizabeth Kilanowski and seconded by Doug Sterrett.

Public Comment

No Public Comment was offered.

Dockside Feedback

Elizabeth Kilanowski wanted to thank Andy for getting some additional bike signs up at Squalicum Harbor. She thought that it was effective in helping people to not ride their bikes on the docks, which has been a persistent problem.

Compliance Requirement for SSHB- 2457

Dan gave an overview of the recent legislation regarding derelict vessels and insurance requirements. The new requirements were adopted by the Washington State Legislature in June 2014 to address derelict and abandoned vessels in Washington State waters.

Dan then turned the floor over to Pam Taft who reviewed the changes the Port will be making to our Moorage Agreements to make sure that the Port complies with the new legislation.

Pam explained the agreement has been reformatted. It has a different look than what's currently being used. The new agreement will ask for additional information, such as;

- email address,
- more detailed information for company or partners if there are any,
- more detailed information required on vessel registration and vessel insurance which relates directly to SSHB-2457,
- some additions to the administrative side of the agreement for staff use

A big change to this agreement from the current version is now there are two and a half pages of terms and conditions spelled out before the customer signature block. The terms and conditions that we spell out are on:

- billing terms for the agreement
- prior account delinquency preventing moorage
- vessel registration and insurance requirements relating to HB 2457
- state requirements for transfer of ownership for vessels >65' and more than 40 years old
- Vessel Seaworthiness as defined in the Rules & Regs
- Best Management Practices-as an addendum to the moorage agreement
- then the waiver of responsibility and hold harmless language

Dan then reminded the MAC of the upcoming time line regarding this issue. Staff will take discussions from this evenings meeting and make additional improvements to our documents. We will return those back to the MAC in December looking for a recommendation to move ahead. Staff would then present this item to the Port Commission at their January 6th meeting to take action to adopt new moorage and storage agreements, as well as the required changes to the Harbor Rules and Regulations.

There was significant ongoing discussion with the MAC about the implications of this. Jim Young pointed out that based on the insurance that he carries on his vessel (a 28' power boat) he won't have to do anything. Other MAC members suggested that they may need to get new insurance based on requirements for oil pollution coverage. Jim Kyle asked about vessel owner liability, based on past occurrences at Gate 5. Staff will review the language in the moorage agreement to see how this might affect moorage customers. Brian Pemberton made the suggestion that there be another public meeting, perhaps under a different forum to insure that the word gets out so that the boaters understand the changes that are coming and have time to get into compliance with state law.

Gate 3 Pressure Line Bid Award

Andy Peterson reviewed the history on this long-standing capital project. The MAC has had significant input in discussion regarding this item over the past year and a half. Andy recapped that the current budget for the fire line improvements at \$926,000 in total project costs. The Port recently took this project out to a public bid. The lowest responsive bid for construction cost only was Razz Construction of Bellingham for a total of \$938,516. Design and Engineering add another \$180,000. The fees to the City of Bellingham totaled \$20,000. Construction oversight is estimated at \$85,000. The project is currently carrying a contingency of 10% or \$86,000. Therefore the total amended budget all in is \$1,326,073. The increase of \$400,000 over the existing budget was a significant disappointment to many on the MAC, although nobody suggested that the project be put on hold.

The requirement for this project stems from the City of Bellingham's fire ordinance after the March 30, 2012 G-East Boathouse fire, and as such is not a discretionary project for the Port. Although MAC members understood the need to be in compliance with the city requirements, it acknowledged that this was going to be an expensive retro fit project. There was disappointment that the bids came in so much higher than the estimate. There was subsequent discussion on implementation. Andy reported that this project should get underway within 30 days or so and it is anticipated that this project will be done before the start of the 2015 boating season.

G-East Infill Construction Update

Andy reported that the piling work is done. The power and potable water is also done. Staff will begin assigning people off of the berth change request list (BCR) as soon as we get the green light from port engineering staff. There was general excitement and appreciation for being able to get people to move off of the BCR into slips that they have requested for a long time.

Membership

Brian Pemberton reviewed with the MAC our prior discussion on adding some new members to the MAC. Brian reported that both Brian Richards and Matt Harden had expressed interest to him in joining MAC. There was wide spread appreciation for both of these names. After additional discussion it was decided that the MAC would have a deadline of Friday December 5 for new applications. Staff will have copies ready for review at the MAC's December meeting. Based on discussion at that meeting the MAC will make a recommendation of applicants to the Port Commission for their consideration and hopeful adoption on to the MAC. Jim Young requested that a chart of which MAC members represent which constituency be developed and distributed ASAP. Pam will also send an email out to all of the MAC members with a blank application for ease in distribution.

Staff Updates

- Harbor Security Cameras. Dan reported that he had had a lengthy discussion with Gary Dunster about harbor cameras and general theft prevention at the harbors. Gary is a

commercial fisherman with long time moorage in Blaine. Gary has apparently experienced a number of thefts over the years. Dan recounted three separate incidences. Gary has requested that the MAC consider additional cameras as a way to either deter or apprehend people that steal gear out of the harbors. A robust discussion ensued with MAC members recalling prior incidents of theft and prior discussions about the expenditure of capital dollars for security infrastructure. Dan and Andy recounted the current status of cameras in the marinas. Dan added further commentary about cameras that the Port has on the south side in Fairhaven and their general ineffectiveness in either deterring or apprehending people caught on video vandalizing or stealing Port property. Elizabeth Kilanowski made a suggestion that Dan will forward on to Gary about getting a “critter cam”. Elizabeth said that these only cost about a hundred dollars and can be obtained from REI or Yeager’s locally. This might help Gary, and others, in a very cost effective way to apprehend somebody taking things from his vessel or web locker. There was additional discussion about stolen bikes. The general consensus is that vessel owners need to be vigilant about their assets and that fixed cameras are probably not a cost effective either deterrent or effective tool in prosecuting in prosecuting theft. It was also agreed that Andy Peterson would bring this item back at the next meeting with a general discussion about what has been effective in the harbors over time.

- VRBO - Vacation Rental by Owner. This is a trend in people renting out their home on a short term basis to out of town visitors. This has often times resulted in significant complaints by local neighbors for noise and parking issues. It was mentioned that this concept has crept into several local marinas. For instance, Shilshole Marina at the Port of Seattle recently banned this type of use due to safety concerns for the Harbor as well as noise concerns for adjacent boats.
- Dan gave an update on the Harbor Master Recruiting Process. Staff is currently reviewing applications. This is an important hire for the Port, and the position has been advertised as ‘open until filled’. So there has been no arbitrary deadline imposed on this process.
- Pam gave an update on new software that the Port will be installing in the Marinas in the coming month.
- Another Merchant Leaseholder incident was discussed where a recreational slip owner had inappropriately sublet their slip to a Merchant Leaseholder for a lengthy period of time (years). To compound this infraction, the Merchant Leaseholder was using the slip essentially for a mini marina ie - the vessel placed in the slip was neither a charter vessel nor was it for sale. The moorage has been canceled and the Port will make an assignment off the BCR.

With no further business the November 12, 2014 MAC meeting adjourned at 7:20 pm.