

MAC Meeting Minutes 3/9/2022

PRESENT

Brad Johnson, Terry Nemeth, Greg Dickison, John Sanford, John Richards, Mary LaFleur, Marcus Abbott Skip Dassler, Dan Averill, Corey Joyce, Bud LeMieux, Joe Verdoes, John Dumas

Absent

Greg Mustari
John Ronngren
Dan Worra

Re: Approving the minutes of the meeting, Corey Joyce stated that the minutes did not reflect the recommendations that we had made. It did say there was a first and second all in favor, but he felt it should clearly state that the MAC made a recommendation to have gates put up on B Dock for security. He felt maybe Commissioner's Verdoes and Ronngren would take our recommendations to the commissioner's. There was discussion John Dumas said that the commission would be having committee meeting up dates. So it will now go threw the committee reports. Skip Dassler made a motion to accept the minutes with the change in recommendation. John Richards seconded. All were in favor.

Brad Johnson giving up date on the marina, OPQ year one work window complete. Waiting to hear when they will return should be September of 2022. He attended the Anacortes Waterfront Alliance, B Dock electrical is going well. He contacted tenants they moved on time. All power will be consistent. They kept the lights and cameras were on during power outages. Day and night security added extra time to make sure that the boats were floating, and all was well. We received a quote for keeping the boat launch open and it did not warrant the cost of keeping it open for the 5 days. They will notify people of the closure. Continue monthly reporting to DNR for boats anchored out. There is a new supervisor. Due to significant increase in budget dollars DNR will reimburse at 100% starting July first instead of 90%. Seattle Yachts asked for a ramp on the south door, and they will be paying for the cost. Boat launch remote control will be replaced before the season. Fuel dock rates are increasing, and we might see shortages. I am reviewing applications for 11 dock attendants, 2 fuel dock, boat launch, 2 CSR and are looking for 3 people and 1 custodian. Bought new name plates for B Dock, same size.

John Dumas, reached out to Mantal for security system for B Dock, he should have a cost coming up and design soon. Assessed human factors to stay full time over night, waiting for feed back that is contracted as well. Pricing would be for a stainless steel with key card. It will have to be heavy duty for commercial use. Hopefully in the next week or so they can start the design process.

John Sanford asked if they get statistics on how many thefts or damage in marina. Brad said he does his best to get an incident report filled out but some people do not fill them out. John said that he would like to know how many they are. John Dumas said that there is a system deploying in a month that will start tracking incidences and would have just the marina on this site, not other businesses. The system is called EHS insites. Corey asked if it is going out to bid for the security gates, John Dumas said yes after design is in.

Dan Averill, I approached John Dumas to get the MAC videoed, unlike the port commission meetings they will not be available to anyone but me and Mary. Dan said he felt bad about the last meeting, and he felt like he lost control and anyone speaking would have 3 minutes to speak. Corey felt that it was nice that they could talk, and we could interact with them. Dan wanted to address the last meeting. We had three brokers come and speak about the brokers slip leases. As in the past the slips had transferred to the new business but now there is a wait list for broker slips. It seemed that the everyone was respectful and engaged in the conversation. There was a motion to form a user group, along with port staff to discuss this topic. This group and the Marine Trades put together a survey. It had four questions: Should there be a limit on the amount of slips that any one broker can have, should there be a fee paid for reassigning slips, should there be a waiting list fee, should slips transfer with the office space. Mary LaFleur sent out the results of the survey to the MAC and all commissioners. Tonight, the recommendations may or may not be forwarded to the Commission.

I was encouraged how this all transpired. We had public comment, MAC members had questions and discussion and a user group was formed. The user group provided information to the MAC. It will be up to the MAC if they want to forward their recommendations to the port commission. Then it will be up to the commission if they want to address any recommendations made by the MAC for broker slips and transfers. Regardless of whether the commission takes the recommendations, the MAC has served it's purpose. Thank you to everyone for participating.

I was very disappointed and discouraged by the comments that came out from the last port commission meeting on February 17th. To hear that the MAC came out and pushed an agenda and ambushed the staff, was not what I saw when I watched the meeting. To hear a commissioner, say that there are not people respective to listening to an alternative, is concerning as well. This should not be the attitude of an elected official. As chairman of the MAC, I sincerely apologize to the staff if you felt ambushed during the public comment period. It is my role as chair to make sure all meeting attendance speaking are respectful. I will focus on this in the future. I sent out a request for agenda items to the MAC and did not get any response, so I did not put this on the agenda. I have no more control over the public comment period does the commission during their meetings. The comment that the MAC is not policy makers and that there was a preconceived agenda. We realize the MAC is an advisory committee, nothing more, nothing less. The MAC does have an agenda and that is to make Cap Sante a world class marina for both the people and businesses.

Corey had a discussion with Joe Verdoes and John Dumas, The MAC was not out to attack anyone. We are here to represent. We had a good discussion. Dan Averill said he was surprised that no one knew these slips transferred. Mary LaFleur , I feel that when an issue goes to a user group and then thru the marine trades and to the MAC, when this process if followed, what ever recommendations are taken, this group would back up the commissioners. Corey stated that he did not understand the survey. Mary LaFleur explained the form. The user group went to the marine trades the marine trades brought this survey to the MAC for them to recommend to the commission. There are 83 broker/charter slips. The group was trying to work not just for its group but also for the port. The survey said that majority agreed that the maximum number of slips one company can have is 16 unless they are a broker/charter or education company also, then 20. The majority agreed that the port should receive a fee for transferring the slips on a sale to the new broker and the fee should be \$500 per slip, this is income the port does

not receive now. The majority agreed that there should be a fee to be on the wait list of \$500. The majority agreed that the slips when a business is sold should transfer to the new broker at an 80% ratio. As per the wait list it must be real. There is a dentist on there that said he "might" charter out his boat. They are divided up by the amount of the slips the broker may need. They desire to have their boats together. These slips have transferred from Skipper Cress to Nordic Tug, to Gateway and will not with Seattle Yachts. There was discussion as to when the wait list came about, and it was noted by Greg Dickison that there is nothing in the lease that states you can transfer the slips. There is no ownership in the slips. John Richards said that he had checked into it himself and found the same thing. He felt that it was a hot item because the brokers brought it to us for a reason. It is a very complicated issue.

Dan Averill said he has gone back and forth on the issue the more he thought about it. He said he is a traditionalist, what if a person sells the business to their son? He feels the commercial side is even more compromised. What if someone sold Island Adventure and they don't have a slip. That is a local business that has brought people to this community. Greg Dickenson said that it would hurt the business selling but if a guy wants to come in new, he should not have to buy out a business. He thinks you should be able to start from scratch and create your own opportunity.

Bud Lemieux asked if there is a wait list available. Mary LaFleur produced it. Mary said that the office space should come with slips as there would be no reason for a broker to take that space. If it is a trinket shop, they would not need the slips but is that what we want in the marina. Dan Averill stated that he would think that some of the slips should transfer. Corey Joyce stated that he wanted to understand why 5 brokers would end up with the marina. Mary said that is why they limited the number a company could have 80% would transfer on a sale and 20% would go back in the pool. We must look at a downturn also. We could end up having vacancies. It has really managed itself over time. John Sanford said that the number of boats is changing all the time. Sometimes you have more and other times you have less. Greg Dickison said that we should start with recommending the fee for the wait list.

Mary LaFleur said that the marine trades has recommended to the MAC the attached recommendations. It was a hardy conversation, and a lot of angles were talked about. John Richards asked if the port was there answering questions, Brad was there but there have been attorneys involved and they don't want to talk about it. John Sanford stated that there is public comment that is relevant.

Dan Averill said that there are positions open. Bill Short no longer has a boat under 40 feet, there is an at large position and a commercial fishing boat. Discussion about sending it to Dan if you know someone. Discussion if Greg Mustari wanted to continue as the broker? If someone misses two meetings in a year, they can be dismissed. Dan Averill said he would reach out to him.

Patrick Harrigan from Seattle Yachts: Thank you for your time and help in the last meeting. Recap from his position. I was quite impressed with the user group and marine trades group. They are in fact the customers of the port. This is not just about us but about the system. Freedom has been here for 2 years, and they have 10 slips. Against the request of the advisor group the slips had to be given up and are being reassigned. I have been trying to get a clear picture of the wait list, they are not being given out that way. We formed a group and made the recommendations, and we would hope you would support them. Dan Averill, where do we go from here, even if we make a recommendation to the commission is there any idea that they will take them, Corey Joyce said that they can discuss it during their retreats. Greg Dickison, Freedom Yachts were able to get slips, there was discussion about the change and why it was made. It only changed because of the wait list. Patrick said that since 2012 there

has been a wait list. John Richards said it was his impression that there has always been a wait list. Mary stated that the wait list should have a fee and people would then get serious as to being on it.

Bud moved that we could make a partial recommendation. Mary stated that the marine trades took a lot of time and worked hard to get through this to make a recommendation. They represent 70 businesses and bring a lot of revenue to the town. Patrick said that he would like to know and have an answer to how the slips are reallocated. Also is turn over good for the port and who does that serve.

Public Comment: Mike Mullenberg stated that I am the little guy he has worked for several businesses. He appreciated all sides trying to work on this, and it was good. Previous policy has been ambiguous previous policy or nonexistent. Now there is new policy it is hard to track why and what benefit there is for all groups. He wanted to know how many brokers were involved, and it is our businesses that are at stake. I do not know how many brokers were involved. All the brokers should be contacted. Mary stated that it went out through the marine trades and went to all the brokers. Mike said he does not want to belong to the marine trades it should go out to a brokers group. Mary did say that all brokers were contacted, and many were there. John Sanford said that Mike was not there and did not know of the circumstances, he proceeded to do a recap of how it all played out. All brokers did have an opportunity to put input. The brokers are the stake holders. Mary again said that Mike could get emails from the marine trades. He again stated he did not want to belong to the group.

Bud stated he would like to get a partial recommendation. That we charge for the wait list. That way the wait list will be more realistic. Dan Averill stated that there are so many layers to this issue. It would be a start. There was discussion and agreement. Bud made a motion to charge \$500 for the wait list to all brokers and charter business. John Sanford Seconded, all were in favor. It is moved that the motion and recommendation go to the commissioners.

We adjourned.