

**PORT OF POULSBO  
MEETING AGENDA OF  
May 19, 2011**

**1. OPEN MEETING**

**2. OPEN MEETING TO PUBLIC COMMENTS (LIMIT 3 MINUTES)**

**3. COMMISSIONER COMMENTS**

**4. CONSENT AGENDA ITEMS**

(Next Res. 2011-08)

All matters listed within the Consent Agenda have been distributed to each member of the commission for reading and study, are considered to be routine and will be enacted by one motion of the commission with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by a Commission member or by citizen request.

A. Approve meeting minutes of May 5, 2011

B. Warrants: 10788-10811, P10367-P10373, & ACH-05/13/11 in the amount of \$32,901.46

**5. OLD BUSINESS ITEMS**

A. Armory Parking Lot Project – Port Manager

B. West Poulsbo (DNR) property – Scott Pascoe, Greater Peninsula Conservancy

**6. NEW BUSINESS ITEMS**

A. Items for public comments/motions/discussions

B. Accountants Report – Carol Tripp/ Accountant/ Staff Auditor

C. Managers/Maintenance Report – Port Manager

**7. OPEN TO PUBLIC COMMENTS: (LIMIT 3 MINUTES EACH)**

**8. COMMISSIONER COMMENTS**

**9. ADJOURN MEETING**

PORT OF POULSBO  
BOARD MEETING MINUTES  
MAY 19, 2011  
7:05PM

ATTENDEES: COMMISSIONER BOCKUS; COMMISSIONER GILBERT; PORT ATTORNEY GREG NORBUT; PORT MANAGER, KIRK STICKELS; PORT ACCOUNTANT AND AUDITOR, CAROL TRIPP; PORT SECRETARY, ANDREA NIX.

PUBLIC ATTENDEE: DAVID MUSGROVE.

1. Meeting Chairman, Commissioner Bockus called the meeting to order at 7:05pm.

2. Public Comments -

Dave Musgrove: I enjoyed your attendance at the City Council meeting last night, and look forward to more joint meetings between the Port and the City in the future. In my view, more communication and opportunities like this will make things GO easier.

Commissioner Bockus: This was our third meeting together and it is a step forward in cooperation between the two entities. It would be nice to do these more than once a year.

David Musgrove: I agree. The long time between meetings makes it more difficult to communicate and cooperate.

3. Commissioner Comments -

Commissioner Bockus: We went to the City council meeting last night. We were able to discuss some of the issues, such as the deed and garbage pick-up.

4. Consent Agenda -

All Commissioners approved Consent Agenda items A & B.

5. Old Business Items -

A. Armory Parking Lot -

Kirk Stickels: 1. I met with the planning director and we had a discussion last night during the meeting. What came from there, and as a result of the meeting with the counsel is that we'll move forward from here until we can clarify with the State as to the total ownership of the old property of the Armory. The planning director has agreed to keep moving the project forward, as long as we can get an affidavit or

certified letter from the State saying that the Armory did own the two properties. They were both sold to the Port, and one had not been recorded correctly. One portion of the old Armory property, a ten foot easement, is in question because it had not been passed forward. It may not have been recorded as far back as when it was a car lot. We've been emailing the State since Tuesday to see if we can get a letter so that we can keep the project moving, and get it done by the end of the summer. If we had to wait until we got the research and legal description to get it recorded we would probably miss most of the summer. 2. We did not get a chance to talk in depth about the setback. If we do or don't have the setback it will not make a difference in the number of parking spaces available. The reduced setback to five feet will allow us to take the enclosed parking area and move it closer to Jensen Way, and that will allow us to build a better slope on the bank of Martha and Mary and Dr. Mumford's side. If we have to have to full ten feet, it places the parking area back into the corner, the slope angle changes, and, as a result, the retaining wall will be higher and more difficult to engineer. It will also be more expensive. I think we can look at that and talk about it with the planning director, because that's a call he could make. So, right now, I'm still looking at the project with the planner assigned to it, Linda Mueller. We'll keep moving, but it will come down to that five vs. ten feet, landscaping or none, and may be a call the planning director will make.

Commissioner Bockus: The way Barry was talking at the meeting it seemed that he had not seen the plans and the way we want to configure the parking. He was talking about putting the wheel stops in so the front of the vehicle did not overhang the landscaping or sidewalk, but we are planning to park the cars parallel to the curb.

Kirk Stickels: Right, so there's no way we are going to infringe on that. I need to talk through that part of it again with the planning director. I think he has had time by now to look at the plan. To this point, it has been with the assigned planner. I believe the Public Works is looking now to see whether we need a SEPA process. Initially, when I looked at the requirements for the permit, we were not going to need that, so I think they are just dotting i's and crossing the t's, at this point. There was one public comment from Dr. Mumford's office. They are concerned about managing the bank in a similar matter to the way that it was when the structure was built there. They would like to be kept informed.

Greg Norbut: I am also the attorney for Dr. Mumford. I have not consulted with him, but I would hope that we could work this out if it appears that there should be a problem.

Kirk Stickels: I don't anticipate a problem.

Commissioner Gilbert: Our intention is to protect Dr. Mumford's property. What about his normal drainage? They had a wall before, but now it's gone. Where does his drainage go?

Greg Norbut: I know that there is no liability for the natural flow of surface water, but when someone artificially changes that, and it causes damage, there is liability. So it's running in its natural course at this point, then we shouldn't have anything to be concerned about. It's probably a very good idea to get rid of the bulkhead, if I'm correct in assuming that would have averted the water.

Commissioner Gilbert: I would expect that we would replace the wall. That wall was the entire wall of the building.

Commissioner Bockus: So water was being diverted.

Commissioner Gilbert: If we build that wall up higher than it was, then it will maintain wherever the water's been going.

Kirk Stickels: The wall came back most of the way past Dr. Mumford's. There was a sump pump there. Water from the backend of the property was pumped up through a pipe, around the front, and dropped into a storm water drain in front of their building. According to our civil plans, as we've presented them, we will put in place curtain drains, and cover the site with a porous asphalt surface. We will cover the entire site so there is no net loss of water off the site. The clay in the surface will come off, and the area will be filled, to varying depths, with course rock. There will be a certain amount of retention and any slight migration of water will come down to a ground recharge system, to a filter drain, and then to the existing storm drain.

Greg Norbut: Do you need to have the parcel that you were referencing earlier, in order to make this plan work?

Kirk Stickels: Yes.

Carol Tripp: I have saved the voicemail message from Stephanie Fuller that says that the title was not transferred correctly. She was going to pursue it. She said there was a property line adjustment done that included that piece of the property. They are not disputing it.

B. West Poulsbo Property -

Commissioner Bockus: Scott Pascoe from the Greater Peninsula Conservancy did not show, but let's talk about the property.

Greg Norbut: I advised the DNR that the Port had passed a resolution that would authorize the assignment of the lease provided that the consent of the DNR was obtained first. I was advised by the DNR that their procedure requires that they get the Commissioner of the DNR to approve it and then they would circulate it for our signatures. I told her that we had grave concerns about that given that the terms of the lease require that prior consent is provided. At that point, I was advised that they would ask the Commissioner if they could use the different procedure and have

him approve it first. I have not heard back from them in that regard yet. I have only heard from Phil Best that the Port of Silverdale was concerned that the option may not be included in the lease.

Commissioner Bockus: So, if we sign this lease now there is a question as to whether either Port would be able to purchase it for \$30,000?

Greg Norbut: Yes. That is correct.

Commissioner Gilbert: You wrote a letter that stated that if he did not sign it, our signatures would be null and void?

Greg Norbut: I advised him that we felt we could not sign it unless prior authorization was obtained from the DNR, because the lease itself required prior written consent.

Commissioner Gilbert: So, the way they want to do it doesn't protect us at all?

Greg Norbut: That's right.

Commissioner Gilbert: The last communication you had with them was over the phone, nothing in writing?

Greg Norbut: Correct. I don't know what is going to happen.

Commissioner Gilbert: As much as I hate to go against the Port of Silverdale, I say we wash our hands of it.

Commissioner Bockus: I second that.

Commissioner Gilbert: Do we need anything in the way of a resolution?

Greg Norbut: I think we have done all that we have to, at this point. I doubt that this matter of the option will come before the Commissioner of Public Lands before termination date that we had at the end of June. I just don't think it's a priority for the Commissioner.

Commissioner Bockus: I think a letter from Greg to Mr. Best, the Port of Silverdale, and the Greater Peninsula Conservancy should say that we are out of it.

Commissioner Gilbert: And that is due to lack of cooperation from the State and the DNR.

6. New Business Items -

A. Accountant's Report -

Carol Tripp: You have the Summary of Financial statements for the four months ending April 30, 2011. For the month of April we had a net gain of \$81,151.34, which gives us a year to date net loss of \$83,648.71. During April we received \$84,999.43 in property and personal taxes.

Commissioner Gilbert: I take it our capitol expenditures for the high dock, and other things, is what has caused the losses?

Carol Tripp: Yes. And there will be more spending in the next month or two with C dock ramp and landing restoration and for the sewer connection. The large project is going to be C dock.

Commissioner Bockus: Does that include the transformer?

Carol Tripp: That will probably be part of it.

Commissioner Gilbert: Was the \$30,000 to the DNR part of the budget?

Carol Tripp: Yes. I will take that out.

#### B. Manager's Maintenance Report -

Kirk Stickels: We have come full circle on this. I discussed a few months ago leaving the transformer in place.

Commissioner Bockus: While you were gone we talk to Shane and he was drawing up a plan as to how it would best be done. There are certain codes we must adhere to.

Kirk Stickels: 1. I got the initial draft from Shane late this afternoon, and I will discuss it after I read it. We are looking at a number of options regarding the transformer. The C dock landing ramp is already purchased. The configuration of the float has gone from the concrete one that we purchased to a wooden one, which will meet requirements for shading, is more forgiving in a landing situation, and it will be easier to maintain. The cost of moving the transformer will be less than building a structure off the end of the ramp in order to move the ramp over. Initially, we thought that we could do that, but Shane said he would be more comfortable if we placed two more piles out there. That would require more permits. As it is now, we are replacing same with same and it could be done under our JARPA permit. The enhanced shading in that area will help the fisheries. When it's all said and done, I think we'll be moving the transformer, reconfiguring the hanger on the face of the existing concrete, and have a wooden float below. We'll keep the gatehouse in the approximate configuration that it is now, lending itself to the subletting to the kayak shop. 2. As far as the sewer connection, we have bids now. That would put a

connection to the City 's existing sewer manhole within our parking area, which would come through the concrete retention wall below the cement, then it will come to a Y, and one leg will go to C dock and one to B, and eventually C and B will have the cart shed to hold a pump-out. C dock will get it first. The D dock configuration will be much tighter. A portion of that moorage is Xenos and the City's property. With C dock we may relocate a couple of vessels in very shallow slips.

Carol Tripp: We have already relocated those two boats.

Commissioner Bockus: Right now there hasn't been any security for that one slip. So, if we put all of the slips on the other side of the gate, the security for the whole moorage will be enhanced. We talked with Brad about moving that slip, and one more out to the end of A dock.

Kirk Stickels: Staff discussed additional options for slips, and there are also some on AA dock.

Commissioner Gilbert: We could put a total of four in.

Kirk Stickels: yes. One is already occupied. So we'd be adding a total of three. A timeline and cost for this project will be available by the next meeting.

Commissioner Gilbert: When are the fish windows.

Kirk Stickels: We can't do anything now until probably after mid-July, and we can go to the end of September or mid-October. We can do a lot of this work with our JARPA permit, and we may have to apply for a Hydraulic permit if we have to install a pile. We have to install piles in the same location.

Carol Tripp: I thought it was on the same float. The two you want to pull are on C dock.

Commissioner Gilbert: since we can do up to eighteen, if we are going to pay for the equipment, should we install any other piles at this time?

Kirk Stickels: That gets us into a couple of other projects, such as relocating the floatplane dock. There is removal and putting in some new additional ones, but I would hesitate to stall this project again, for the sake of an additional restaging cost of \$300, or so.

Dave Musgrove: The FAA operates, like other agencies, on a use it or lose it basis. They take what they have left over and give it away so that they can retain what they had for the following year. Congressman Mike Thompson of the US Congress has been trying to get those funds rerouted to local and regional airports. As I'm sure you are aware, this is the only public seaport in the Seattle area. In working with the FAA, and on some of the funding, I've found there would have to be right of

way for the landing, and some of these boats may not be able to moor where they are anchored out based on changes through the FAA, such as signage. You may want to contact the Congressman's office to see if you may be able to obtain some of these funds. I don't know the time frames or funds available.

Commissioner Gilbert: There are a lot of grants out there for mainline airports, but not for seaports.

Kirk Stickels: During last night's meeting, regarding the four foot piece of property next to the Xenos property, we should probably get signatures that we talked about this to save staff in the future from having to go back through the records to determine who owns it.

Greg Norbut: I can put a memorandum together. I've gone back to 1920 when that was owned by the Kitsap Co-op, and was subsequently conveyed to Randall and Ness for the feed storage area. They conveyed title for everything around the building to the City in 1959. I do have a chronology of the property, and think that it is a great idea to show how it came to be owned as it is today.

Kirk Stickels: If Greg can do that I think it's a good step forward for us. The City has agreed to the whole concept. Mike is very helpful. I'd feel a lot better if I go out there, and something is happening that is adversely affecting our walkway, and we can do something about it. In the next couple of days we will be painting steps, highlighting the trip hazards, and putting in some guard railing at the end to keep people from walking into the traffic, and any of those kinds of things that we can see right off the top. If we start out with a letter in place, that will be helpful. 3. There was an unfortunate start to the weekend. The police boat made an arrest out here. There's also been an oil slick floating up and down Liberty Bay. The DNR is trying to pinpoint the source. It looks like diesel that's been out there for several days, but it just got reported recently.

Commissioner Bockus: Is what you are doing on the wooden dock going to interfere with the removable posts for the fishermen?

Kirk Stickels: The majority of damage has been from vehicles driving. We are putting in an additional bollard that will not be removable and vehicles will not be able to get that close to the building or drive down that walkway. We'll be painting the rise and run on the steps. At two points, there is a change in height that will be protected by handrails. We are not encroaching on the fire lane, and the footprint has not changed at all.

Commissioner Gilbert: Speaking of trip hazards, have we come to an agreement about the ownership of this parking area. We need new asphalt there, because there is a trip hazard.

Kirk Stickels: The planning director and I talked about that, too. Both of us agree that it will take a long time to get the permit to fix the slope area the way that it needs to be done. Shane and I have ideas for what we can do. In the meantime, it is fortuitous that it goes hand in hand with the Anderson Parkway project. They are trying to mitigate problems from storm water, and they know that affects us down here. They are working on resurfacing. I think a good part of our problems with the slope are tidal related. We talked about slope stabilization, specifically, design and engineering, that would place another storm drain in our parking area. At the same time we could resurface that whole lot. We could slope it to a basin and tie that into an existing storm drain. We are going to be way ahead of them in regards to the cracks that are there now. We should short-term fix it with hot tar. The main water line, the replacement of the fire hydrant, and the electrical cabinet need to be addressed. It was a great idea to put in a hydrant, but it's not the right place for it. Our main water connection, and the back flow, and a significant water valve for all of Front Street are all right there. Part of the problem in replacing the backflow device was that they were going to have to shut everything down on Front Street. It was going to be a short period of time. Initially, we can fill those cracks with hot tar and seams. That will stop our surface water from washing through. We may find that a simple hot flow patch, tamped down by hand, will work where that backflow prevention device is. As far as leveling the whole thing to eliminate all trip hazards, I'm not confident we could do it this year. It is not yet budgeted in the Capitol Projects lists. There is some possibility we could have it done when the crews are here to do the other parking lot. We should work closely with the City to be cooperating during the Anderson Parkway project, and in the meantime, use hot tar and a hot patch.

Commissioner Gilbert: Whose liability is it?

Kirk Stickels: I think both the City and the Port, based on ownership. We should work out the project with the City to see if they want to participate, or if they want us to take the lead. We should work closely with their engineer, so that our work matches up with Anderson Parkway.

Carol Tripp: Andrea and I have gone through the files. I have gone over 95% of a disc with all the documentation on it, and from everything we've looked at, the map that the City presented of ownership of docks E and F is accurate.

Greg Norbut: Based upon the recorded documentation at the auditor's office, the Port owns the area that is in the immediate vicinity of the bathrooms, and that's it. The grid is clearly the City's property. But I believe that the port paid for the installation of that grid years ago. It's been, in effect, a license that the City has given to the port to maintain the grid for public benefit.

Commissioner Bockus: I think that's agreed upon by both entities.

Kirk Stickels: As far as slippage of the bank, I haven't had the chance to talk to Dan Wilson a second time about having the city work here when they do their crack and sealing repair. The design of the sideway and four foot blocks in front causes the water to go down the inside of the blocks and out the bottom.

Commissioner Gilbert: We told them that when they put it in.

Kirk Stickels: We've talked to them about the areas where it's starting to open up significantly up there. They are going to put lines off of it so they can monitor slippage. It will be a big project, and will take a lot of coordination before it's completed.

Carol Tripp: So, based on the findings that the map is correct, will we be signing that this evening?

Commissioner Gilbert: I will need an executive session before I sign it.

Carol Tripp: The city was the lead agency for the building of E and F dock, meaning their money went into it.

Commissioner Bockus: We will wait until Tony comes back to finalize this item.

Kirk Stickels: Regarding charging dinghy's \$5 for four hrs, we have not done that and most marinas don't do it. If the Board wishes us to charge that, my concern is the commitment of staff to monitor it. It will be difficult, especially on a weekend or holiday. We will be trying to explain that there is a charge that's unusual to people on their way to town for dinner, with garbage, or who have had a lot to drink, and it could turn into a great deal of work for the staff.

Commissioner Bockus: I think this came up when I brought up with staff a way of trying to cover costs of garbage brought in by boaters at anchor. A \$5 charge would offset our costs that all that garbage is generating.

Commissioner Gilbert: A lot of that garbage is coming from the park.

Commissioner Bockus: Last year in our restrooms the cans were filled with trash, and that is the boaters. The problem is on holidays when it is wall-to-wall boats out here. I understand, after talking with you and hearing those explanations that it's hard to do logistically.

Kirk Stickels: In Canada, if you pack it in, you pack it out. As close as Roche Harbor, if you go in there and anchor, they tell you that your garbage disposal is \$5.

Commissioner Bockus: How is that enforced?

Kirk Stickels: Not very well. People leave bags of garbage at the cans, and when they're full they leave it anyway. It's a well-known fact, among boaters up there, that you keep it on board so they won't charge you. So, I don't know if we've got a clear solution. A vast majority of the time, we are not full. Maybe we budget each year for additional dumpsters, and try to encourage the other people it effects to do the same.

Dave Musgrove: I think we all need to get together and talk about it, because we all have this garbage problem. We may be able to mitigate some of the costs across the boards for everybody depending on how we handle it.

Kirk Stickels: For this weekend, an additional three dumpsters is \$360 and \$84 to have them picked up. We have maintenance projects we'd like to do, and this is taking money from that. I know the uptown merchants are having problems.

Dave Musgrove: They do have dumpsters included in the permitting process. I don't know if it's a distribution problem. That's why I think we need to watch what is happening and see where the garbage is going to see where there is a need. This could be part of the Anderson Parkway, perhaps by including a space for dumpsters.

7. No Public comments.
8. Commissioner Comments -


Commissioner Bockus: The rock from the Armory that we moved into the park was supposed to have a rededication on Memorial Day. I would like to facilitate that. I have done some preliminary research to find out who is involved. Memorial Day is fast approaching. I've got a call into the VFW and The American Legion.

PORT OF POULSBO BOARD MEETING FOR MAY 5, 2011 ADJOURNED AT 8:30PM

  
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COMMISSIONER BOCKUS

  
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COMMISSIONER GILBERT

  
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COMMISSIONER DECARLO

  
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PORT SECRETARY ANDREA NIX

CITY OF POULSBO/  
PORT OF POULSBO  
JOINT MEETING MINUTES  
MAY 18, 2011  
7:00 PM

Commissioner Bockus: Right now there is no place for boaters going on extended trips to park. Likewise, there is no place for boaters with trailers to park their trucks and trailers after launching. That is why we want to proceed with the parking lot.

Barry Berezowsky: I found out about the status of the ownership of the property. I have no doubt that it is a mistake. I am more than happy with the Council's concurrence to direct staff to move the process forward. We will reserve any decision on the application until we have the proper paperwork, but I don't see any need to put the project on hold, because the problem should easily be resolved.

Commissioner Bockus: We have verbal confirmation from the State. So we would appreciate it if we could move forward.

Commissioner DeCarlo: This is the first I've heard about it, but evidently the State had two separate deeds on that piece of property, and they transferred one but not the other?

Kirk Stickels: I don't know if that's what occurred, or that when the State took possession of it many years ago, it wasn't recorded properly at that point. During the tenure of the State of Washington on that property this question has never been raised. In the meantime, we've asked for an affidavit from the State of Washington that we did purchase that in good faith, but no one knows yet where it did not get recorded properly. It showed that there were two parcels there when the State took possession of it and when we purchase the property.

Council Member Lord: I am sure that this is just a mistake, and I urge that the Council support the funding director in terms of expediting this project. I know there is the final approval that we would have to give, with the necessary paperwork, but would hate to see this delayed. I know that you were working in good faith, and it is not your fault. I would hope that the rest of the Council would go along with that.

Mayor Erickson: Do I hear concurrence from the Council on this issue?

All Council Members agreed. The Port may move forward with the engineering and permitting process for the Armory Parking Lot.

Commissioner Gilbert: I have still got a question about the setback requirement. Kirk has talked to them, and we've reduced it down to five, but I still do not see why we should have to have a setback when no other piece of property between here

and the Post Office, except two houses, have any setback. It reduces five or more parking spaces.

Mayor Erickson: This is why we hired the staff at the City of Poulsbo.

Barry Berezowsky: I understand that in downtown Poulsbo we have certain lot lines. The physical buildings can be built up to the property line, but parking lots are dealt with differently in the code. A parking lot that has ten spaces or more is required to have a minimum of a five-foot landscaped buffer. That minimum buffer cannot be overhung by the front or rear end of a vehicle. So if you don't locate your wheel stops in the correct location, you will actually need to increase that buffer to somewhere around ten. You have to maintain five feet. When we look at the site plan, if we said you don't need any landscaping, I don't think you can get any more parking on the site anyway. What we'd be doing is simply maintaining the number of parking spaces you have, but not making the improvement in landscaping. We don't see any opportunity in the code to deviate from that requirement. That code is Sec 18.60.060B2. Also, 0606 does give the decision maker, the planning director, the ability to increase that five-foot minimum, which is where you address that overhang of the car. We want to ensure that while it's a parking lot, it's the best parking lot it can be.

Commissioner Gilbert: King Olaf doesn't have any setbacks or landscaping.

Barry Berezowsky: King Olaf was built a long time ago, and the code has changed over the years. Now parking lots have a five-foot minimum.

Mayor Erickson: I would think that the citizens of Poulsbo would like to see some greenery in the parking lot. If anything needs to be landscaped, it's probably a parking lot.

Commissioner Gilbert: It's an issue of security. That gives somebody a place to hide and jump out of the bushes. We are going to put some lighting in there.

Mayor Erickson: The next subject line is "the availability of funds for waterfront restoration, not just engineering and design, but funding for repairs necessary."

Kirk Stickels: It's been several months since we last looked at the erosion of the bank, and we have had some sloughing, not just in the vicinity of the restrooms at the Port and on the grid, but also much further along, on the area directly adjacent to where the installation went in for Waterfront Park a few years ago, and there is one area in particular, directly out from the restrooms, where, through the winter months, the slope has continued to slide. We now have rock that was placed on that slope all the way out to what we refer to as the floatplane dock. It's continuing to move and, I believe, more dramatically than it was before. The age of the slope or the materials may be a problem, but the sediment that is coming out at the base of the slope has been exacerbated by the work that was done on top with the short wall

and the sidewalk. Previously, that water would come off of the gravel pathway on the lawn, and come through the slope to the bottom. Now it appears as though it's held behind the concrete wall, and is flowing, in a more concentrated fashion, out of the bottom of the slope. There is the waterfront fund that the Port and the City jointly participate in. I have not looked at the amounts there, but to undertake this project and rectify the problem it's going to be significant, in a very short period of time. I think we need to jointly pursue some other funding instead of just what we both put into that fund each year. We have looked at a couple of options with our engineer. Some are acceptable to State agencies, but some aren't. We are going to be dealing with a section that's directly adjacent to our fuel dock as soon as we can, and this area farther out will be shortly after that. We will look at some reestablishment of the toe of the slope, whether it is through rocks or sheet piling, or some other type of engineering approach. It is not going to be a cheap fix. There are multiple agencies to deal with. The permitting process will be significant. In the meantime, Mother Nature is dramatically changing the slope.

Andrzej Kasiniak: I think we should have a two-phase approach. We can deal with the water behind the retaining wall right now. We don't want this situation to get any worse. The bigger problem, of course, is the slope. I recall that in 2002 or 2003, when we were finalizing our drawings for Anderson Parkway, an original scope of work at that time included extending the park about ten feet into the water, creating a new retaining wall, and dredging the first slip. I remember we met with a Corp of Engineers representative at that time, and he said that it would be very difficult to permit these two projects together. So, we separated the two projects. We didn't want to delay Anderson Parkway, so we moved forward with building the retaining wall that is there now, and we built it above the water elevation. We eliminated the slope construction and dredging of the slip from the project.

Kirk Stickels: We've done quite a bit of research into previous dredging permits put in place by the Port, but taken out by the City. Our approach has been to look at it as maintenance dredging when we go back to those agencies, such as the Corp of Engineers. The operation itself is going to be difficult. The size and shape of it is going to be significant. There are many small nuances that are involved once we start dredging. Once we get over certain cubic footages, testing the material will be required. We all know that the storm drains run right off the streets and the parking lot into that bulkhead. Once we start moving sediment down there, I have no illusions that the mud won't go to a standard disposal site. It will likely have to go to a landfill inshore somewhere. So, there are a lot of moving parts to this project, but it's one that is going to take some significant time and joint resources to put together. I would hesitate to put a price on it yet.

Council Member Berry-Maraist: Andrzej, would you hazard to guess whether this is primarily erosion cause by the water pushing sediment out from underneath, or wave action, or a combination of both?

Andrzej Kasiniak: A combination would be my guess. This fill was placed thirty or more years ago, and we don't know what kind of a fill it was or how it was compacted, but we know that the water elevation was over this retaining wall, so it is saturated quite often. I'm sure that some flushing from the ground, as well as wave action, caused these problems.

Council Member McGinty: My question has to do with the hydraulic pressure on top. We're looking at putting an LID project in the parking lot, which would, ideally, pull all that water from onsite to offsite. Would that exasperate the problem, or is that something we should look at before we go into it?

Andrzej Kasiniak: We've been looking, but I think that our biggest problem is to clean the water that is coming from our biggest surface, which is Anderson Parkway. As I mentioned before, we are concerned that we have a lot of pollution in our water, so I think it's important that we clean the water from the parking lot properly.

David Musgrove: Do you feel there is any endangerment to the investment that has already been made in the waterfront park? In other words, would the instability of the slope be undermining portions of the park?

Andrzej Kasiniak: We will be looking at it. When we are designing the project we'll be asking that question to make sure that we don't undermine stability of the parking lot. We believe it is a beneficial project to provide water quality treatment in the biggest surface area in the City.

Councilman Berry-Maraist: We had another Westsounds Watershed meeting today, and we talked about getting a consultation from a person who is available and is both, a Fisheries biologist, and an engineer with some specialty background in shorelines and fisheries. I'm wondering if we should ask them to take a look at this project, as well, when they come out. Is there some soft armory that may slow down some of that wave action? I know that permitting, for something like a bulkhead that goes all the way down below the water line, may be very long-term and difficult to ever get approved.

Andrzej Kasiniak: I believe it would be very beneficial. We have these projects on several State and Federal lists. The restoration of our slope is a healthy project to rebuild today, so we'll be looking into it. Hopefully when this shorelines expert comes we can look at the project, we can also show him the issue that the Port has, and he can help us address the issue.

Mayor Erickson: One of the concerns I have is the physical distance between the dock and the slope. It is a very narrow space. I think the soft armory may not fit in that space. I think the solution is that we do have somebody come take a look at it. If this costs money, this will be a joint expense. It's a mutual problem. We won't do anything until we know what the cost analysis will be.

Andrzej Kasiniak: I think this would be an excellent project for Federal and State funding. Especially, if we can work as a team with the Port and Kitsap County, it will be a very strong partnership. We probably can find somebody somewhere on the State and Federal levels that will help us to fund this project. The most important thing, from my perspective, is to find a solution that can be permitted. We could arrive at a good plan, but then meet with the Corp of Engineers and find out the plan cannot be built. So, I think we should work with Kitsap County and the Port, and apply for the Federal and State funds.

Mayor Erickson: The initial legwork in order to find the appropriate plan requires the staff resourcing and funding, hiring those kinds of experts, and a grant application. What I suggest is that we need to do some analysis on Andrzej's information. We can work together and talk about this and find a pathway forward. Even the first steps take money. I understand your concern.

Mayor Erickson: The last item is Public Events: "The impact on Port and City services. Permitting requirements such as additional garbage and restrooms. Who's required to provide these services?"

Kirk Stickels: This has been a seasonal topic for the Port, as well as for other staff in the city. When we have large events, as we understand it, the entities that are putting those events on do it through a permitting process. What we end up doing during these events, is putting up two to three additional dumpsters, hire security staff etc. The cost for these, as well as for overtime for our staff to pick up the garbage, is all expenses. Where do we interject into the permitting process the cost of putting those things on when considering restrooms, garbage, cleaning etc. I estimate that two to four of us are left picking up the garbage the following mornings. We've worked closely with Dan, and they scheduled an extra pick up after the Third of July. What we're looking for is an avenue for the Port to intervene in those permitting processes, and is there a mandate in that process where people putting these events on are required to provide services?

Mayor Erickson: When an event is put on through the City of Poulsbo, such as Viking Fest, we have a special event application process. It is a very detailed application. It is routed to every department in the City to give comment on the plan. It's basically reviewed, and I see no problem with copying the Port on those applications. Some of the events come up with the money, and some don't, so then we do it as a public service.

Commissioner Bockus: I think that would be important. One of the problems that we are seeing now with the garbage is that the boaters that are coming into the city for these events are dropping anchors away from our property. It's property that is either County or City. They are still using the marina to moor their dinghies, and they are dumping their garbage. It definitely is a mutual problem, and we have to work together to solve it, whether it be through the expense of it, or by some other

way of solving the problem. Definitely, it has to be solved. Last year both of our restrooms, which we try to secure, had to be cleaned by our staff. There were piles upon piles of garbage in the restrooms.

Council Member Lord: Isn't it true that you have a security code for the restrooms given only to tenants? Are you thinking that some others are getting access to those facilities?

Council Member Berry-Maraist: I don't think you see more boats in the harbor than on the Third of July. I assume that your facilities are maxed out. Is there any way to track where the garbage is coming from? I don't know how the City can help if it's just a problem in the bathrooms.

Commissioner Bockus: That is a small part of it. The problem that has been observed is that the boats that are at anchor in the bay are bringing their garbage in. The tenants in our marina, and their guests, are generating garbage also, but there are more boats at anchor on the Third of July than there are in the marina.

Mayor Erickson: Commissioner Bockus brought this problem up and Dan Wilson has been communicated with to bring in an extra dumpster for the Third of July. It seems that the Third of July is the real problem, not the Viking Fest, is that correct?

Kirk Stickels: Not entirely. We've hired in two additional dumpsters for this weekend. We fully expect those to be used. The Third of July is above and beyond that. You could have all of the extra dumpsters in the city lined up in the parking lot and they'd be full. Believe me, we spend hours picking up afterwards. I don't believe we can isolate this just to the Third of July. There needs to be a significant number of receptacles out there for garbage.

Dave Musgrove: I think I have a unique perspective on this, and I wonder where does it stop? In our business we estimate that roughly one out of every ten people that goes through to use the restroom is actually a customer. So, it spreads everywhere at these events. I'm not sure what the solution would be.

Commissioner Bockus: These functions are great for the City and for downtown business. There's no doubt about that. They are functions that are city-oriented. The permit processing is through the City. I would think that if we can be part of the processing, and can voice out concerns at that time, we could mutually work together.

Mayor Erickson: What we'll do in the future is make sure that we route those applications to Kirk and Carol. Kirk, it will be your responsibility to share with the Commissioners. Then you can voice your concerns, or at least get it on our radar.

Mayor Erickson: We are going to move on to the City/Port property transfer.


Video Presentation –

Michael \_\_\_\_: There are two properties. The Kitsap County Cooperative Association, which was in operation from 1905 to about 1959-60, deeded one of the properties to the City of Poulsbo. That deed provided that the City should build an earth fill, a bulkhead and a parking lot. That was a 1947 agreement, and it was done in 1959. When the bulkhead and the wharf were again in disrepair the City made a similar agreement with the Port, where the Port would do the repairs. That was done in 1994. The other property belonged to the Randall and Ness Company. In 1955 the Randalls and Nesses dedicated their property to the City. There's subsequently a four-foot strip from the street to the end of the wharf. It did not get dedicated to the Port. Recently, as we know, the Port has done significant repairs to the wharf. The Port is asking that the City pay for those repairs or go ahead and dedicate that portion of the property to the Port. Since that request was made, we were asked to research this, and these are the results of that research. We are only talking about the four-foot strip. Our conclusion is that there is no reason why the City would want to hang on to that piece of property. The one question was whether the Xenoses had made any contribution to the recent repairs. They said they did not. In addition, Mr. Xenos said he had no interest in that property, and that it was much more appropriate for the Port to take over ownership and maintenance. Our recommendation to the City is very similar, that it would be very appropriate to deed that particular portion of the property to the Port and let them take over ownership and maintenance. The Port offered to have their attorney take care of the paperwork. We recommend that they draft up the paperwork for our attorneys to review. There are conditions that must be fulfilled in the original deed to the City, including public access and implied easements for public infrastructural work. We suggest that that kind of language be carried forward in the new deed, and also that you would have the deed come back for your approval before it is signed.

Mayor Erickson: The Council would want to make sure that these conditions are maintained and the new deed should account for that.

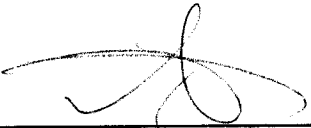
Council moved and approved that the new deed, including the original provisions, be written and returned for their review.

JOINT MEETING OF THE CITY OF POULSBO AND THE PORT OF POULSBO  
ADJOURNED AT 8:15 PM, MAY 18, 2011.

  
\_\_\_\_\_  
COMMISSIONER BOCKUS

  
\_\_\_\_\_  
COMMISSIONER GILBERT

  
\_\_\_\_\_  
COMMISSIONER DECARLO

  
\_\_\_\_\_  
PORT SECRETARY ANDREA NIX



**PORT OF POULSBO**

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA

June 3, 2011

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$37,447.35 and from the General Fund, this 3rd day of June 2011.

  
Antonio DeCarlo, Commissioner

ATTEST:


  
Glenn E. Gilbert, Commissioner

  
Andrea Nix, Recording Secretary

  
Arnold Bockus, Commissioner

Voucher #	Claimant	Amount
10812	Associated Petroleum	22,789.02
10813	Associated Petroleum	239.56
10814	Bank of America	1,193.53
10815	City of Poulsbo	360.00
10816	Coast to Coast Hardware	78.00
10817	Ferguson Enterprises, Inc	276.49
10818	Home Depot	125.66
10819	James Lumber & Ace Hardware	55.40
10820	Kitsap Networking Services	1,157.00
10821	Lab Safety Supply, Inc.	201.07
10822	Marina Accessories	407.25
10823	The Norbut Law Firm	4,147.50
10824	Safe Security	1,035.00
10825	Seattle Injector Co.	78.73
10826	Sound Glass Sales, Inc.	899.06
10827	Staples Advantage	100.94
10828	Robert Fish	184.51
10829	Puget Sound Energy	2,561.51
10830	Edward Jones	1,309.20
10831	Gary Steele	42.50
10832	Carrell L. Stamper	205.42
<b>TOTAL</b>		<b>\$37,447.35</b>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

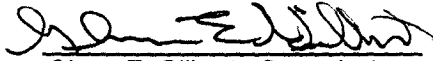
Kitsap County, WA

May 27, 2011

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$8,050.60 and from the General Fund, this 27th day of May 2011.

  
Antonio DeCarlo, Commissioner

ATTEST:


  
Glenn E. Gilbert, Commissioner

  
Andrea Nix, Recording Secretary

  
Arnold Bockus, Commissioner

Voucher #	Claimant	Amount
P10374	Kirk Stickels	\$515.74
P10375	Richard Stice	\$1,481.30
P10376	Brad Miller	\$1,159.09
P10377	Jannese Petersen	\$1,042.96
P10378	Carol Tripp	\$1,698.23
P10379	Melanie Winnett	\$1,105.91
P10380	Charles Schmidt	\$583.45
P10381	Jonathan Davis	\$463.92
	TOTAL	\$8,050.60

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

~~~DIRECT DEPOSIT ADVICES~~~

PORT OF POULSBO

PAYMENT VOUCHER


Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA June 3, 2011

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$1,858.68 and from the General Fund, this 3rd day of June 2011.

  
Antonio DeCarlo, Commissioner

  
Glenn E. Gilbert, Commissioner


  
Arnold Bockus, Commissioner

ATTEST:

  
Andrea Nix, Recording Secretary

| Voucher # | Claimant        | Amount            |
|-----------|-----------------|-------------------|
| P10382    | Arnold Bockus   | \$739.82          |
| P10383    | Antonio DeCarlo | \$257.64          |
| P10384    | Glenn Gilbert   | \$412.11          |
| P10385    | Andrea Nix      | \$449.11          |
| TOTAL     |                 | <b>\$1,858.68</b> |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

~~~DIRECT DEPOSIT ADVICES~~~

PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA

May 27, 2011


We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$2,468.06 and from the General Fund, this 27th day of May 2011.

  
Antonio DeCarlo, Commissioner

ATTEST:

  
Glenn E. Gilbert, Commissioner

  
Andrea Nix, Recording Secretary

  
Arnold Bockus, Commissioner

| Voucher #    | Claimant                    | Amount     |
|--------------|-----------------------------|------------|
| ACH 05/27/11 | US Treasury/Financial Agent | \$2,468.06 |
|              | TOTAL                       | \$2,468.06 |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

~~~ ACH ~~~

PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA June 3, 2011

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$643.11 and from the General Fund, this 3rd day of June 2011.

  
Antonio DeCarlo, Commissioner

ATTEST:

  
Andrea Nix, Recording Secretary

  
Glenn E. Gilbert, Commissioner

  
Arnold Bockus, Commissioner

| Voucher #    | Claimant                    | Amount          |
|--------------|-----------------------------|-----------------|
| ACH 06/03/11 | US Treasury/Financial Agent | \$643.11        |
|              | TOTAL                       | <b>\$643.11</b> |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

~~~ ACH ~~~