

PORT OF OLYMPIA COMMISSION MINUTES OF REGULAR MEETING

February 9, 1998

CALL TO ORDER

President Pottle called the meeting of February 9, 1998, to order at 6:40 PM in the Port of Olympia Conference Room B. Commissioner Van Schoorl and Commissioner Dickison also attended.

Staff in attendance were: Executive Director Nick Handy, Deputy Director Wendy Holden, Director of Engineering and Planning Dick Malin, Director of Finance and Administration George Fox, Property Development Manager Heber Kennedy, Marine Terminal General Manager Bill Dahlstrom, Crane and Maintenance Mechanic Mike Crawford, and Executive Assistant Jeri Sevier.

EXECUTIVE SESSION

President Pottle reported the Commission had been in executive session discussing matters relating to property and personnel. No decisions were forthcoming. The Commission also attended a business function before convening Executive Session. The Oriente Sky log ship was on its maiden voyage and first port of call was Olympia. The Port of Olympia presented a plaque to the ship captain.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT

No public comment was presented for items not on the agenda.

COMMISSIONERS REPORTS

President Pottle reported the Commission participated in a special meeting with the Tumwater City Council on Monday, February 2. The minutes are on the agenda for approval. President Pottle reported he attended a military breakfast at Indian Summer this week.

CONSENT CALENDAR

Minutes. The minutes of December 8, 1997, January 26, 1998, and February 2, 1998, were unanimously approved as published with one correction in the December 8, 1997, page nine, line 9, "further any" should be reversed.

Nick Handy noted the minutes for the December 8, 1997, and the January 26, 1998 were more detailed than usual due to the public interest in both meetings. Mr. Handy said that this would not be common practice to submit such detailed minutes.

Commissioner Van Schoorl asked legal council what the obligation of the Port was to provide public citizens with requested documents. Sandy Mackie, representing Port of Olympia legal council replied that the Port is not required to create a public document if no such document exists.

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ACTION CALENDAR

Lease Language Amendments.

Executive Director Nick Handy reported that the Port of Olympia staff has been working with Port counsel and changes to the lease language were recommended for leases for multiple tenants.

Heber Kennedy reported he has been working with Sandy Mackie, Port counsel on suggested changes to the lease language for multiple tenants. Port counsel recommended the amendments to the lease.

Commissioner Dickison asked if the changes make the leases more complex or more streamlined. Port Council responded the amendment gives the Port the ability to deal with more complex issues.

Commissioner Dickison moved to approve the lease language amendments. Commissioner Van Schoorl seconded the motion. The motion passed unanimously.

Container Handling Equipment.

Executive Director Nick Handy reported that Port of Olympia Commission has not adopted the Capital Budget that includes funding for a used top-pic. The Port currently owns two used top-pics. When one of the machines is down, we have been renting a used machine from Jones Stevedoring. We believe the Port needs to own an additional machine to improve service and reduce costs of operation. We have not been able to locate a suitable used machine, and currently a new machine is available. We are requesting authorization to purchase a third top-pic.

Deputy Director Wendy Holden said the Port has been bidding for a used machine and has not been successful at being awarded the highest bid. The bidding for a used top-pic has been between \$175,000 and \$225,000. We have just become aware of a cancelled order and would be able to obtain a new top-pic in four to six weeks.

Commissioner Van Schoorl moved to authorize the purchase of the Hyster 1050E top-pic in the amount recommended by staff. Commissioner Dickison seconded the motion. The motion was passed unanimously.

Executive Director Compensation Agreement.

Sandy Mackie presented the Executive Director Compensation Agreement to the Commission as requested by the Commission to offer an incentive for the Executive Director to remain over a significant period. If Mr. Handy remains Executive Director for the Port until December 31, 2003, he will have earned and will become entitled to compensation to be paid as provided in the contract. Mr. Mackie submitted the agreement for Commissions approval.

Commissioner Dickison said the Commission's interest is to avoid an employment contract with clauses that could result in a severance agreement. It is in the interest of the Port to create an incentive for long term employment with the Executive Director and avoid pitfalls that have been in some contracts in the past.

Mr. Mackie said the agreement in no way give rise to a liability for the Port for any "excess compensation" liability as defined in RCW 41.50.150. This language is reflected in the agreement in both paragraphs 10 and 15.

Commissioner Dickison moved approval of the Executive Director Compensation Agreement. Commissioner Van Schoorl seconded the motion. The motion was approved unanimously. President Pottle was authorized to sign the compensation agreement on behalf of the Port.

Mr. Handy thanked the Commission for the vote of confidence.

ADVISORY CALENDAR

Odyssey Grant Program Guidelines.

Mr. Handy submitted criteria guidelines for the Odyssey Grant Program. Mr. Handy noted that the Center would not open until July. The soonest a school could use the grant would be in September. Mr. Handy suggested the Port provide 80 percent of the funding for a requested trip. The school or school district would have to fund 20 percent of the field trip. Mr. Handy said that it costs approximately \$230 for a bus and driver to transport approximately 30 students. The \$5,000 the Commission has authorized per year will transport more than 1,000 Thurston County students to the Maritime Center.

Commissioner Van Schoorl said the grant program would only be available to those schools located in Thurston County. Commissioner Dickison suggested that those schools not obtaining a grant the first year, would then have first priority in

the second year.

The Port Commission requested Mr. Handy proceed with the guidelines consistent with commission discussions.

Visitor Moorage.

Dick Malin notified the Commission of the intent to go out for bid on the Port Plaza Tuesday, February 10, 1998. Mr. Malin said the staff would present the results of the bid to the Commission at a meeting in March. Mr. Malin expects the project to cost \$400,000. The Port has budgeted \$200,000 for the project and the IAC will match the Port funding.

Cascade Pole.

Dick Malin updated the Commission on the projects underway with Cascade Pole. Mr. Malin noted we are ready to make the final alignment of Marine Drive through the Cascade Pole site, weather permitting. Mr. Malin also noted it is in the Port's interest to hire a full time contract manager to oversee the multi-million dollar remediation project to coordinate agencies and contractors. Staff is also working with the Department of Ecology on issues pertaining to Cascade Pole and the cleanup efforts.

Commissioner Van Schoorl suggested a sign be placed at the site indicating the history and the efforts being done while it is under construction.

Commissioner Retreat.

The Commission has scheduled a one-day retreat on February 27, 1998 at Huber's Gasthaus to discuss capital budget, comprehensive plan, and Commission goals and objectives.

ADJOURNMENT

The regular Commission meeting of February 9, 1998 was continued to an executive session on personnel issues. President Pottle adjourned the meeting at 7:55 p.m.

PORT OF OLYMPIA COMMISSION

President

Vice President

Secretary-Treasurer