

**ITEM FOR CONSIDERATION  
BY THE  
BOARD OF PORT COMMISSIONERS**

**March 8, 2019**

**SUBJECT: John Wayne Marina – Final Request for Information**

**PRESENTED BY: Karen Goschen, Executive Director  
John Nutter, Director of Properties, Marinas and Airports**

**RCW REQUIREMENTS**

Per RCW 53.08.090 “A port district may sell and convey any of its real or personal property valued at more than ten thousand dollars when the port commission has, by resolution, declared the property to be no longer needed for district purposes, but no property which is a part of the comprehensive plan of improvement or modification thereof shall be disposed of until the comprehensive plan has been modified to find the property surplus to port needs. The comprehensive plan shall be modified only after public notice and hearing provided by RCW 53.20.010.”

Per RCW 53.08.08 Lease of Property, a district may lease all lands, wharves, docks and real and personal property upon such terms as the port commission deems proper. No lease shall be for a period longer than fifty years with option up to an additional thirty years.

**BACKGROUND:**

1. Public Process – The Port accepted public comment at regular commission meetings and held the following formal public meetings and accepted public comment during 2018:
  - a. June 7 – Information Gathering session to inform the commission around the long-term plan for JWM and to share a baseline set of data
  - b. July 2 - District Meeting sessions where held in each district and was facilitated by Crossroads Consulting to review JWM information and gather stakeholder input
  - c. July 12 – Recap of district meeting and direction from the commission
2. Commission Direction – At the July 12, 2018 meeting, the Board of Commissioners of the Port of Port Angeles directed the Port’s Executive Director to contact local governments, area tribes, and appropriate not-for-profit entities to solicit their interest in acquiring the marina, and to advise any for-profit potential purchasers of the marina that the Port will not entertain any offers for the purchase of the marina by any for-profit entity.

3. Commission Direction – At the December 11, 2018 meeting, the Commission and staff discussed next steps in the process. The direction was given to create a Request for Information (RFI) to solicit conceptual models for the future management and/or ownership of the marina that best meet the needs of the Port, community, and other stakeholders. That draft RFI is being presented today for review and comment by the Commission.
4. Commission Direction – At the February 27, 2019 meeting, the draft RFI was presented to the Commission and public with a planned 2-week time period for stakeholders and interested parties to review and provide comment. The only comment received was from the Jamestown S’Klallam Tribe which provided a short narrative regarding tribal considerations which was incorporated into the document. The only other change was the addition of 3 additional objectives that responses should address. Those additional considerations are how the respondent would collaborate with the City of Sequim, The Jamestown S’Klallam Tribe, and how they would support the ecological health of Sequim Bay and the surrounding habitats.
5. Transparency – The Port maintains a website for John Wayne Marina Public Information at <https://www.portofpa.com/385/John-Wayne-Marina-Public-Information> Documents, emails, and correspondence related to this process are posted there for review by any interested party.

### **ANALYSIS:**

This is an important decision that the Port will make, and all options should be looked at before selecting any option for further consideration. Given the level of community interest in the long-term plans for JWM, this process will be conducted in a slow, deliberate, and transparent manner.

Due to the following considerations, it is important to provide sufficient time for research, meetings and discussions to inform the due diligence process undertaken by interested parties:

- complexities of transactions that contemplate ownership changes or long-term facilities lease with third-party capital investments
- the importance of honoring John Wayne’s initial gift and potential agreement to license or not-license the John Wayne name
- compliance with local and state shoreline regulations, ensuring public access
- outreach to stakeholders

### **RFI PROCESS**

1. Preliminary Presentation Due Date December 10, 2019: This due date has been set several months into the future so that interested parties can plan accordingly and not be rushed through their process. All interested parties should be given time to perform their due diligence to support the development of a conceptual

model for operating the marina and for investing in future marina infrastructure. Based on discussions to date and the workloads of various parties, staff believes the extended time would be appropriate to allow any interested parties to complete their due diligence.

2. Continue Posting Information on Website: Interested parties may contact Port staff if additional information is needed. The Port will continue to add information to the website so all parties have the same data.
3. Iterative Process: Port staff will be available to meet with any interested party to review their ideas, work through concerns and facilitate meetings with stakeholders as needed. It is important for the conceptual model to be as complete as possible before presenting it in public to the Commission. Port staff does not anticipate coming into possession of draft or final documents on the conceptual model before the public presentation to the Commission. If the Port receives any final substantive documents, they will be posted to the website.
4. 1st Meeting: Public presentation of proposals to Port Commission at 9am on December 10, 2019. Port Commission and staff will develop follow-up questions as needed.
5. 2nd Meeting (or series of meetings): Port Commission hears responses to their requests for additional information, hears public comments on the options, and determines if additional information is needed. This step is repeated as necessary.
6. 3rd Meeting: Once no further information is needed, Port Commission deliberates on the options presented, and if appropriate, directs staff to pursue further discussions with one or more interested parties to develop a detailed proposal.

**Commission Action Requested:**

Review the final RFI and provide any comment or suggestions prior to it being released in its final version.