

RESOLUTION R - 3393

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO OPERATION POLICIES FOR HARBORTOWN TOUR DOCK, ACCEPTING IN PRINCIPAL A DRAFT PROPOSAL AND DIRECTING PREPARATION OF OPERATING POLICIES IN FINAL FORM FOR FUTURE CONSIDERATION BY THE CITY COUNCIL.

Whereas, during its regular study meeting on May 26, 1987 the City Council did review and discuss a preliminary draft for proposed operating policies for Harbortown Dock, as presented and recommended by the Department of Parks and Recreation, now, therefore,

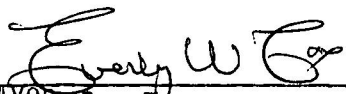
Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The City Council accepts in principal the proposed operating policies for Harbortown Dock, presented to the City Council in draft form by the Kirkland Department of Parks and Recreation.

Section 2. The Department of Parks and Recreation is hereby directed to further refine said operating policies in accordance with the discussion of the City Council during its May 26, 1987 study meeting. The Department of Parks and Recreation is further directed to prepare in final form operating policies for the Harbortown Dock, to be presented to the City Council for its future review and adoption.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 15th day of June, 1987.

Signed in authentication thereof this 15th day of June, 1987.


MAYOR Pro Tem

ATTEST:


City Clerk

DRAFT - For Discussion PurposesCITY OF KIRKLAND
DEPARTMENT OF PARKS AND RECREATION

M E M O R A N D U M

TO: Terry Ellis
Lynn Stokesbary

FROM: Andy Barton *Andy*

DATE: June 8, 1987

SUBJECT: PRELIMINARY DRAFT FOR DISCUSSION PURPOSES -
PROPOSED OPERATING POLICIES FOR HARBORTOWN DOCK

DRAFT

This report summarizes preliminary staff recommendations for the development of operating policies relating to the Harbortown tour dock. The policies are broken into the following categories: General Operating; Moorage Fees and Scheduling; and Parking. A summary of the proposed policies is attached for your information.

As the Council is aware, the Harbortown tour dock concept was developed over two years ago with the following objectives in mind:

- Strengthening of Kirkland's downtown business district;
- Creation of new jobs and business opportunities;
- Promotion of tourism throughout the Eastside, and the Port District;
- Improvement of the quality of the downtown as a destination for both visitors and local residents.

The Harbortown concept appears to be unique. The staff's research failed to yield any examples of municipally operated (transient moorage) commercial tour boat docks either in the State of Washington or elsewhere on the West Coast. Consequently, no operational models appear to exist. Thus, the operational policies will be unique and specifically tailored to Kirkland's needs and situation.

The draft policies have been reviewed and endorsed by the Harbortown Steering Committee (comprised of City representatives and the Greater Kirkland Chamber of Commerce). Subsequent to Council review and approval, a copy of the operating policies will be forwarded, for information, to the Port of Seattle staff.

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A. GENERAL OPERATING POLICIES:

1. The Parks and Recreation Department would be responsible for overall maintenance and operation of the facility.
2. The Harbortown Center Marina would only be used by licensed commercial tour or charter boats. All boats using the dock should, at a minimum:
 - a. Have a valid identification permanently affixed to the hull and be visible from the outside.
 - b. Prominently display Coast Guard numbers and decal.
 - c. Have proof of State licensure as a registered charter boat.
 - d. Carry liability insurance in amounts acceptable to the City.

The Parks and Recreation Department would ensure that these requirements are fulfilled prior to allowing vessels to moor at the Harbortown dock; failure to meet any requirements would be cause to refuse moorage.

Use of the tour dock for recreational or unlicensed charter boat operators would also be prohibited. The tour dock would be appropriately signed to reflect all regulations and restrictions as well as joint Port of Seattle/City of Kirkland partnership in the facility.

3. The tour dock would be kept open on a year-round basis and used primarily for transient moorage (i.e., loading and unloading of passengers).

It is recommended that the daily operational hours of the tour dock be specified (and limited) to enable the City greater regulatory control over its use. It is suggested that normal hours of operation be from 7 a.m. to 10 p.m. As a practical matter, it is unlikely that commercial tour boat operators coming to Kirkland would be interested in arriving in Kirkland prior to 7 a.m., or departing from Kirkland later than 10 p.m.

Some operators have requested occasional overnight moorage to enhance their tour packages. For example, for the past two years Great Pacific Cruise Lines has asked to moor overnight in Kirkland on a once-per-week basis as part of a seven-day tour to the San Juans. Staff suggests that the City allow this type of overnight moorage with a maximum one night stay, so as to take advantage of this type of tour boat business. Tour boat operators wishing to use the

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facility overnight would be required to moor at the tour dock during its normal hours of operation. Precedent for allowing overnight moorage exists with Marina Park Dock and it has not proved to be a problem.

4. The Parks and Recreation Department would assign an existing part-time, seasonal employee to assist with tour dock operations. The employee would assist with tour dock operations and other park-related waterfront activities in a wide variety of ways. For example, the employee could:
 - a. Assist incoming tour boats with moorage.
 - b. Ensure that dock space is available for tour boats that have made reservations.
 - c. Collect moorage and reservation fees from incoming tour boats.
 - d. Ensure that recreational boaters do not use the tour dock.
 - e. Assist arriving passengers in locating the METRO Transit Center, with boarding charter buses, in providing other directions as required, etc.
 - f. Assist charter buses meeting tour boats with parking and with picking up and dropping off passengers in a manner that does not adversely affect CBD traffic.
 - g. Collect moorage from boaters using the existing Marina Park recreational dock facility on an overnight basis.
 - h. Assist recreational boaters with parking, traffic, and launching problems encountered at the boat launch facility.
 - i. Perform other park-related duties in the area, such as litter pickup and restroom cleaning.

Related to this, the Parks and Recreation Department recently hired a part-time, seasonal employee to function as a boat launch monitor. This employee's responsibilities could easily be expanded to encompass all of the identified tour dock-related duties.

5. The City would not allow vending on the tour dock. Doing so might create regulatory and litter problems and draw unnecessary pedestrians to the tour dock during periods of commercial use. This is also consistent with the City's existing policies regarding commercial use of public property. The City should, however, allow pedestrians to walk along the tour dock (or fish from it) as long as this does not interfere with the primary tour boat use.

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6. The City would maintain an information kiosk located on the dock in cooperation with the Greater Kirkland Chamber of Commerce. The kiosk would be stocked with brochures, maps, and other promotional materials regarding "what to do" and "where to go" in Kirkland and the surrounding area. The kiosk would not, however, be utilized as a general purpose community "bulletin board." The City will ensure that the kiosk will only be used to provide information for tourists. Otherwise, the kiosk would quickly become a depository for all types of inappropriate materials.
7. The tour dock will be appropriately signed to discourage recreational boat use, however, the City must have the ability to enforce such regulations in the event of willful noncompliance. The Ordinance currently employed by the City of Kirkland for moorage violations would be applicable to the tour dock with only minor modification. The City would also have the ability to cite any commercial boats which use the City's recreational docks contrary to local regulations. The City's Harbormaster (the Chief of Police) will have the authority to cite any persons who knowingly violate the City's rules relating to recreational or commercial docks. As previously mentioned, signage would also reflect the joint partnership between the Port of Seattle and City of Kirkland in the Harbortown venture.
8. Conversations with other commercial marina operators and with tour boat operators have indicated that City policies regarding the operation of Harbortown should be periodically reviewed and amended, if necessary, to ensure that:
 - a. The facility operates efficiently.
 - b. The facility is not "over-regulated," or so restrictive that it inhibits or discourages tour boat operators from using the dock.
 - c. The facility is not "under-regulated," or so loosely controlled that there are problems associated with moorage, availability of dock space, complaints from area residents and businesses regarding noise, parking problems, etc.

There will be a certain amount of "trial and error" in our first year of operation despite our best attempts to anticipate potential problem areas. Thus, the City should remain flexible with regard to reviewing and amending operating rules and procedures, particularly in the early stages of Harbortown's existence.

9. After initial operating policies are agreed upon by the City Council, the Parks and Recreation Department would develop a pamphlet for distribution to tour boat/motor coach operators which will outline Harbortown's operating policies and procedures in detail.

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10. The City of Kirkland will provide the Port of Seattle with an annual report which will summarize the operational and financial impacts of the Harbortown tour dock. The report will address and summarize: the annual proceeds (less operating and maintenance costs) derived from docking revenues; tour dock utilization (i.e., yearly number of tour boat visits); projections relating to tour dock utilization and revenue for the upcoming year, and recommendations for modification of dock operations (if necessary) to ensure greater operational efficiency and economic viability.

B. PROPOSED MOORAGE FEES AND SCHEDULING

The proposed moorage fees are consistent with current charges imposed by the Port of Seattle for charter vessels using the Shilshole and Fisherman's Wharf Marinas. These fees also formed the basis for the City's proposed financial agreement with the Port. The proposed fee and reservation policy is as follows:

1. Charter vessels using the tour dock for loading and unloading passengers will be charged \$.60 per foot per day moorage, regardless of the time of day taken for loading and unloading.
2. Reservations are mandatory for all vessels using the tour dock. An additional charge of \$25.00 per day will be assessed for advance reservations; all fees are to be paid 24 hours in advance for reserved space.

Scheduling and fee collection would be handled by the Parks and Recreation Department.

Additional reasons for adopting the proposed fee schedule include:

- It is consistent with Port moorage fee policies and what local commercial tour boat operators normally pay to use facilities where guaranteed moorage is available. Harbortown will be the only Eastside commercial tour dock.
- The policy requires all operators to pay the reservation fee, because it is anticipated that additional costs will be incurred by the Parks and Recreation Department to coordinate and manage activities related to scheduling, fee collection, and the rendering of assistance. In fact, administrative costs relative to scheduling would be borne by the City regardless of whether or not the vessel making the reservation arrived (i.e., the cost of "no-shows" would be defrayed through reservation fees).
- The policy is consistent with the data relating to docking and reservation charges which the City included in its proposal to the Port.

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Fees would be collected by mail (in advance) when reservations are made, at the dock upon the boat's arrival (by City personnel), or through use of a mail drop for late arrivals.

As is the case with all operating policies, the Council would reserve the right to adjust moorage rates on an as-needed basis (e.g., in accordance with changes in the rate of inflation or to compensate for changes in prevailing market rates for costs associated with moorage)..

C. PARKING

1. Buses and Vans

Harbortown is designed for use primarily as a tour boat destination point rather than as a point of departure. However, to derive the full benefit from the facility some tour boat departures from Kirkland are highly desirable. Staff recommends, therefore, that some departures be allowed; but only under very specific and controlled conditions and only where it will not have a negative effect on downtown parking.

It is recommended that departures from the Harbortown dock be permitted when the passengers arrive by bus or van. The City could permit bus parking in the Peter Kirk parking lot. Another possibility would be an agreement for the use of the Congregational Church parking lot across the street from City Hall for bus parking. Other options might include use of METRO's Transit Center or Park and Ride lot (subject to METRO's approval). However, it is recommended that buses only be allowed to load and unload passengers in inclement weather or under special circumstances in Marina Park; bus parking would not be allowed in Marina Park under any circumstances. It is important to keep this in its proper perspective however, as the demand for bus parking at any given time is anticipated to be quite minimal (e.g., 2 - 3 maximum), so this should not prove to be a matter of great concern, inconvenience or a logistical problem.

2. Staging - Loading and Unloading of Buses

Harbortown is to be used primarily as a tourist destination. However, in some cases bus connections will be necessary as part of tour packages. Staff recommends that the METRO Transit Center be used as the main staging area for passenger loading and unloading. The most compelling reason for using the Transit Center is that it already has the capability of handling several busloads of passengers without disrupting CBD traffic or parking; it is designed specifically for this purpose. The Transit Center also lends itself to efficient loading and unloading of passengers. A Parks and Recreation Department seasonal employee could render assistance at the Transit Center in facilitating traffic flow and assisting tour boat/charter bus passengers.

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3. Automobiles

As a general rule, it is recommended that Harbortown departures not be permitted where individuals would need to park individual private vehicles in CBD public parking areas.

It is recommended, however, that departures be allowed where a tour operator or downtown merchant is willing and able to arrange for private parking (i.e., leased space) which does not adversely affect the public parking supply in the CBD. A workable example of this is the Flame Restaurant's annual "Husky Boat" operation in which the owner of the Flame Restaurant leases a portion of the GTE parking lot for Husky Boat patrons. In this instance, leased parking is arranged for and monitored by the Flame Restaurant which sponsors the charter. Perhaps most importantly, this approach does not have a discernable negative impact on either CBD parking availability or traffic. Thus, staff recommends allowing conditional automobile parking for Harbortown departures providing that the tour sponsor can arrange for (and monitor and validate) leased or private parking facilities as described above. It should be noted however, that sponsors which make these special departure arrangements for their patrons would still be required to comply with all other rules and procedures pertaining to the tour dock, including reservation requirements and docking fees.

Attached, is a summary of the preliminary proposed operating policies for discussion purposes.

Attachment

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GENERAL OPERATING POLICIES:

- * PARKS AND RECREATION DEPARTMENT TO BE RESPONSIBLE FOR ADMINISTRATION, MAINTENANCE, AND OPERATION OF THE HARBORTOWN DOCK FACILITY.
- * PARKS AND RECREATION DEPARTMENT TO PREPARE AND DISTRIBUTE PROCEDURAL AND REGULATORY INFORMATION TO ALL HARBORTOWN USERS.
- * TOUR DOCK WILL BE SIGNED AS APPROPRIATE TO REFLECT THE CITY'S OPERATING RULES AND TO INDICATE JOINT PARTNERSHIP BETWEEN THE PORT OF SEATTLE AND THE CITY.
- * ONLY LICENSED TOUR BOATS TO BE ALLOWED TO USE THE FACILITY.
- * FACILITY TO BE OPEN YEAR-ROUND, OPERATING FROM 7 A.M. TO 10 P.M. DAILY.
- * TOUR DOCK TO BE USED PRIMARILY AS DESTINATION FOR TOUR BOATS/TOURISTS; OCCASIONAL DEPARTURES TO BE ALLOWED UNDER SPECIFIC AND CONTROLLED CONDITIONS WHERE THERE IS NO NEGATIVE EFFECT ON CBD PUBLIC PARKING.
- * TRANSIENT MOORAGE TO BE EMPHASIZED, HOWEVER, OVERNIGHT MOORAGE (ONE NIGHT MINIMUM) TO BE ALLOWED.
- * NO VENDING TO BE PERMITTED ON THE TOUR DOCK.
- * PEDESTRIAN WALKING AND FISHING TO BE ALLOWED ON THE DOCK TO THE EXTENT THAT THESE ACTIVITIES DO NOT INTERFERE WITH TOUR DOCK OPERATIONS.
- * VESSELS USING THE TOUR DOCK INAPPROPRIATELY WILL BE CITED.
- * PARKS AND RECREATION DEPARTMENT TO MAINTAIN AND REGULATE USE OF THE TOURIST INFORMATION KIOSK ON THE TOUR DOCK IN COOPERATION WITH THE GREATER KIRKLAND CHAMBER OF COMMERCE; ONLY APPROPRIATE TOURIST-RELATED INFORMATION WILL BE PERMITTED.
- * A PART-TIME PARKS AND RECREATION DEPARTMENT EMPLOYEE WILL BE ASSIGNED TO ASSIST WITH TOUR DOCK OPERATIONS, WHILE PROVIDING ASSISTANCE WITH OTHER PARK DUTIES IN THE AREA.
- * AN ANNUAL REPORT WILL BE PREPARED SUMMARIZING THE OPERATIONS AND FINANCES OF HARBORTOWN, AND A COPY WILL BE PROVIDED TO THE PORT OF SEATTLE.

MOORAGE FEES AND SCHEDULING POLICIES:

- * SCHEDULING AND FEE COLLECTION TO BE HANDLED BY THE PARKS AND RECREATION DEPARTMENT.
- * DOCKING FEE IS TO .60 PER FOOT; RESERVATION FEE IS \$25.00.
- * RESERVATIONS ARE MANDATORY FOR ALL VESSELS.
- * THE CITY WILL PERIODICALLY REVIEW AND REVISE MOORAGE AND RESERVATION FEES AS APPROPRIATE TO ADJUST FOR INFLATION OR CHANGES IN PREVAILING MARKET RATES ASSOCIATED WITH COMMERCIAL MOORAGE.

PARKING POLICIES:

- * BUS AND VAN PARKING FOR DEPARTURES ALLOWED ONLY WHERE PASSENGERS ARE BUSED TO KIRKLAND OR ARRIVE BY VAN.
- * LOADING/UNLOADING (STAGING) OF BUSES TO OCCUR PRIMARILY AT METRO TRANSIT CENTER. DURING PERIODS OF INCLEMENT WEATHER OR UNDER SPECIAL CIRCUMSTANCES, LOADING AND UNLOADING OF BUSES MAY BE ALLOWED NEAR TOUR DOCK.
- * BUSES WILL NOT BE ALLOWED TO PARK IN MARINA PARK.