

*Commissioners' Role
In
Port Planning &
Comprehensive Schemes of
Harbor Improvements*

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The Central Thesis on Planning

- The role of Commissioners in strategic planning and comprehensive schemes of harbor improvements (“CSHI”) is critical and must be done well because the “big issues” are not going away.
- The Commissioners have the legal responsibility to approve the port’s comprehensive scheme(s) of harbor improvements.
- The CSHI and other planning documents are essential to inform the public of the port plans.
- “Those who never change their minds, never change anything.”

Measure of Success for Today's Session

- Step back and take a critical look at your Port and where it will be in 5, 10, 15 or 20 years
- Understand that the CSHI is one of the Port's "Keystone" documents
- Annually review and where necessary and amend the CSHI

The Law

Comprehensive Scheme of harbor Improvements

Required by RCW 53.20.010

It shall be the duty of the port commission of any port district, before creating any improvements hereunder, to adopt a comprehensive scheme of harbor improvement in the port district, after a public hearing thereon, of which notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the port district

No specific legal guidance

The Law

What is the Purpose of a CSHI?

RCW 53.20.010

Required before any expenditure for harbor improvements other the information need to create the plan such as engineering studies, office expenses and salaries

The Washington Supreme Court decisions

The adopted plans are such as to fairly inform the voters of the general nature and extent of the proposed improvement

- Paine v. Port of Seattle (1912)
- Port of Everett v. Everett Improvement Company (1923)
- Hutchinson v. Port of Benton (1963)

The Courts have been deferential to the Port Commissions so long as they meet the standard

Best Practice

What Should Be Included in a CSHI?

A written generalized discussion including:

- Map of the port property
- General statement of objectives of the port district
 - Commission strategic plan
 - Answer the “why” question
- Inventory and description of existing port facilities
- Description of planned improvements
 - Prioritization
 - Timeline
 - Financing plan
- Freight development plans
 - RCW 53.20.055 (2023)

Best Practice

How Often Should the CSHI Be Reviewed and/or Amended?

Reviewed annually

Amended annually if the port adopts a capital budget:

- RCW 53.35.020 -budget adoption
notice shall be published once each week for two consecutive weeks . . . in any newspaper of general circulation in the county, the first publication to be not less than nine days nor more than twenty days prior to the date of the hearing.
- RCW 53.20.020 – CSHI Amendment
at least ten days' notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the port district,

Best Practice

Consult the WPPA Port Governance and Management Guide

- Chapter 8, page 190-222
- Strategic Planning
- Operational Planning
 - Land Use Planning
 - Environmental Planning
 - Emergency Resiliency Planning
 - Communication Planning
 - Financial Planning
- CSHI

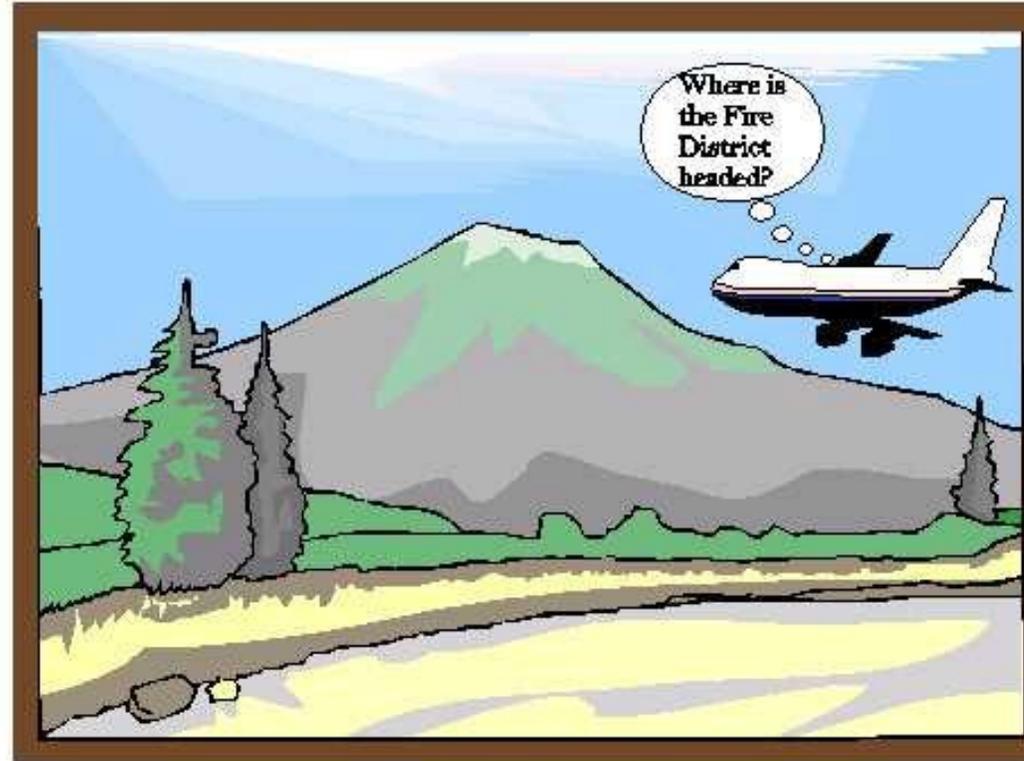
Best Practice

It All Starts With the
Commission



Best Practice

The Commission Sets
the Direction



Best Practice

The Workplan

- Consider a strategic plan
 - 5-10 plan
 - Commission lead
 - Consultant help
 - Public comment
 - Prioritize tasks
 - Financing discussion
- Adopt or adopt a CSHI
 - Revisit the CSHI annually
 - Capital budget
- This is a six month + project

Best Practice

Fight Parkinson's Law

Parkinson's Law:

- Work expands to fill the time available for its completion

And

- The time spent on any item of the agenda will be in inverse proportion to the (dollar) sum involved.

The day-to-day operational issues and limited meeting time for commissioners must be confronted with a year long “Strategic Plan – CSHI Workplan”

- Example
 - Strategic Planning Retreat
 - Draft 1
 - Commission Review
 - Draft 2
 - Public Comment
 - Commission Review
 - Draft 3
 - Public Comment
 - Final Commission Review
 - Final Draft
 - Adoption

On the Horizon

WPPA Tracking Legislative Changes

- “Collaborative Roadmap Process” underway through Washington State Department of Commerce
 - Ports involved
 - Timeline
 - Likely outcome
- Prior attempts at legislative updates

Thank You!

Questions?