

The Port
OF PORT TOWNSEND
SERVING ALL OF JEFFERSON COUNTY

**Port of Port Townsend
2nd Monthly Meeting Agenda
Wednesday, February 28, 2018, 5:30 p.m.
Port Commission Building
333 Benedict Street
Port Townsend, WA**

- I. Call to Order / Pledge of Allegiance
- II. Approval of Agenda
- III. Public Comments (not related to Agenda)
- IV. Consent Agenda
 - A. Approval of Public Workshop Minutes – February 14, 2018.....1-2
 - Approval of Regular Meeting Minutes – February 14, 2018.....3-7
 - B. Resolution No. 676-18 – Authorizing Sale of Abandoned Vessels.....8
 - C. Approval of Warrants
- V. Second Reading
 - A. Meeting Procedures Resolution No. 675-18 and Policy.....9-16
- VI. First Reading
- VII. Regular Business
 - A. Proposed Policy Calendar for 2018.....17-20
 - B. January 2018 Financials.....21-29
 - C. WA Department of Fish & Wildlife Lease Renewal.....30-37
- VIII. Staff Comments
- IX. Public Comments
- X. Commissioner Comments
- XI. Next Public Workshop / Regular Meeting:
Wednesday, March 14, 2018: Workshop at 9:30 am, Meeting at 1:00 pm
Port Commission Building, 333 Benedict Street, Port Townsend, WA
- XII. Executive Session
- XIII. Adjournment

PORT COMMISSION PUBLIC WORKSHOP – February 14, 2018

The Port of Port Townsend Commission met for a Public Workshop in the Port Commission Building, 333 Benedict Street, Port Townsend, WA

Present: Commissioners Tucker & Putney
Executive Director Gibboney
Auditor Berg
Director of Operations & Business Development Englin
Recorder Nelson

Present by Telephone: Commissioner Hanke

I. CALL TO ORDER:

Commissioner Tucker called the Workshop to order at 9:30 a.m.

II. AGENDA:

Refer to attached workshop agenda for items discussed.

IV. ADJOURNMENT:

The Workshop adjourned at 11:04 a.m.

ATTEST:

Stephen R. Tucker, President

William W. Putney III, Secretary

Peter W. Hanke, Vice President

**Port of Port Townsend
Public Workshop
Wednesday, February 14, 2018, 9:30 am
Port Commission Building
333 Benedict Street
Port Townsend, WA**

AGENDA

- **BUSINESS PRACTICES AND POLICIES**

Review and discussion of 2018 business practices and policies.

Note: This is a Public Port Commission Workshop. Workshops are for information sharing only and no decisions will be made during the session. Public input may be taken at the Commissions' discretion.

PORT COMMISSION REGULAR MEETING— February 14, 2018

The Port of Port Townsend Commission met in regular session at the Commission Building, 333 Benedict Street, Port Townsend, WA

Present: Commissioners – Tucker and Putney
Executive Director Gibboney
Auditor Berg
Director of Operations & Business Development Englin
Attorney Lake
Minutes – Nelson

Present by Telephone: Commissioner Hanke

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Commissioner Tucker called the meeting to order at 1:00 p.m.

II. APPROVAL OF AGENDA:

Added to agenda – XII, Executive Session A) Litigation, pursuant to RCW 42.30.110 (i).
Duration of five minutes with potential action.

Commissioner Tucker moved to approve the Agenda as amended.

Commissioner Putney seconded the motion.

Motion carried by unanimous vote.

III. PUBLIC COMMENTS (Not related to agenda):

IV. CONSENT AGENDA (1:57):

Commissioner Tucker stated Chris Sanok requested a change to the January 24, 2018 Commission Meeting minutes, Section IV Public Comments. Chris Sanok “offered to correct and apologize” for an earlier remark he made at the previous workshop.

Commissioner Hanke made a correction to the January 24 Commission Meeting minutes, Section I – “Commissioner Tucker called the meeting to order at 5:30 pm.”

A. Approval of Public Workshop Minutes – January 24, 2018

Approval of Regular Meeting Minutes – January 24, 2018

Approval of Special Meeting Minutes – January 31, 2018

Approval of Public Workshop Minutes – February 7, 2018

B. Approval of Warrants

Warrant #058722 through #058733 in the amount of \$65,545.01 for Payroll & Benefits

Electronic Payment in the amount of \$111,862.50 for Payroll & Benefits

Warrant #058734 through #058802 in the amount of \$172,163.93 for Accounts Payable

Electronic Debit in the amount of \$3,614.33 for WA State Dept. of Revenue Combined

Excise Tax Return for January 2018

Commissioner Tucker moved to approve the Consent Agenda with amendments to the January 24, 2018 meeting minutes as discussed.

Commissioner Putney seconded the motion.

Motion carried by unanimous vote.

V. SECOND READING (Action Items):

VI. FIRST READING (Discussion Only):

A. DRAFT Resolution No. 675-18, Meeting Procedures (3:10):

Commissioner Tucker stated there are problems with holding only one commission meeting a month (as adopted in Resolution No. 674-18), since warrants need approval twice a month. He proposes moving meetings back to the twice a month schedule. Commissioner Tucker noted he prefers receiving comments by email or in writing, prior to meetings. He briefed on an email received from Pete Langley, who would like to go back to two meetings a month.

Commissioner Tucker discussed his ideas on the public comment period.

Commissioner Putney read from his typed list of suggestions for changes to meeting procedures.

Commissioner Hanke discussed additions he would like to see under the public comment section.

Commissioner Tucker stated the resolution would return as a second reading item at the next meeting. He again stated that he prefers to receive public comments by email, so that when appropriate, the commission can respond.

VII. REGULAR BUSINESS:

A. Rate Survey Scope of Work – WWU (13:48):

Director Gibboney referenced the "Potential Study Methodology Comparison Matrix" handout. She stated the commission's original direction was to move forward with the Western WA University (WWU) study, but she wanted to provide the commission with a comparison showing the WWU study, a Rent Survey and the IPG (Integrated Planning Grant). She reminded of the IPG, where she and Commissioner Tucker asked for Port of PT consideration, and stated that \$200K was awarded for the Boat Haven. She added the IPG is similar to a Brownfields Program. There is reason to suspect metal contamination in Boat Haven properties, which is why the grant money would be applicable.

Discussion included the possibility that both the rent survey and the soil study might qualify for grant money; the cost of the different surveys; differences in the scopes; using the small works roster if rent survey method chosen – no roster needed if using the WWU study since it is considered Inter-agency; the commissioner's preferences and reasons they prefer Kidder Matthews; and a time-line of the survey.

Commissioner Tucker moved to direct staff to move forward with a rent survey, within the Executive Director's authority, to select (a firm) and move forward with a contract, expeditiously.

Commissioner Putney seconded the motion.

Motion carried by unanimous vote.

B. 2018 Olympic Peninsula Salmon Derby (52:03):

Commissioner Tucker had asked staff to learn of the direct benefit to Jefferson County for the ramp fee waiver. He stated staff learned that the money goes to community emergency response teams in Gardiner and Diamond Point and a Sequim High School scholarship. The distribution of funds changes yearly, Commissioner Tucker added that our community benefits from the number of sports fishers who use our ramp. He would like to see a note to next year's derby organizers that we expect to see some (targeted) benefit to Jefferson County in exchange for the waiver. Director Gibboney added that ports have the authority to provide this type of waiver, as it falls under Tourism and Promotion.

Commissioner Tucker moved to waive the ramp fee for the 2018 Olympic Peninsula Salmon Derby and to request clarification on how funds are spent.

Commissioner Putney seconded the motion.

Motion carried by unanimous vote.

C. 2018 Special Event Opportunities (59:34):

Director Gibboney directed attention to the 2018 Jefferson County events calendar (included in the packet). She asked if the commission had interest to participate, either as an individual or as a whole. Commissioner Hanke stated he does not wish to commit. In summary, Commissioners Tucker and Putney expressed interest in participating in the Rhody Parade, the Jefferson County Fair, the All-County picnic, Wooden Boat Festival and Dock Lights.

D. Discussion of Guest Perspective for Port Townsend Leader (1:06:48):

Director Gibboney stated Allison Arthur of The Leader invited the Port (either the commission or the Executive Director) to write a "Guest Perspective" to be published in their paper. The commissioners agreed to collaborate with staff on writing a guest perspective.

Commissioner Tucker moved to write a prospective piece for The Leader, in collaboration with both the commission and staff (headed up by Ms. Matej).

Commissioner Putney seconded the motion.

Motion carried by unanimous vote.

VIII. STAFF COMMENTS (1:11:15):

Director Gibboney explained she is tardy on getting the Status Report out, since she was out of town last week, and said would have it ready this afternoon. Next, she briefed on a recent visit from a Department of Ecology regulatory team. She indicated results from the small yard are meeting benchmarks. The shipyard and the RX systems are not yet meeting benchmarks. Ms. Gibboney reported that there would be some fairly low costs associated with additional treatment that is needed to achieve the benchmarks.

Mr. Englin reported the shipyard and boatyard have received Coast Guard certification, which allows marine trades to bid on Coast Guard projects.

Ms. Berg reported on the new marina software, in which staff is scheduled to start training on March 19. She also reported on getting a new ISP for the Boat Haven and Point Hudson. Ms. Berg announced the consolidation of moorage and yard staff into one

building-the yard office, which the maintenance staff is remodeling to accommodate this change.

Ms. Nelson stated approximately 4.5 Records Requests were fulfilled last week and approximately another 5.5 are pending. She also reported on an application she is working on for a Records Grant.

IX. PUBLIC COMMENTS (1:27:04):

Ron Hayes asked about the capabilities of the new marina software.

Ernie Baird expressed gratitude to the commission for the motion on the rate study. He also suggested the commission direct staff to lower haulout and lay-day rates. He complimented staff on shipyard occupancy.

Chris Sanok stated he just read up on the WA Public Ports Association Personal Service Contracting manual (in reference to the rent survey).

Melinda Bryden asked about an expected date for the rate survey.

In reference to Mr. Baird's comments on shipyard occupancy, Director Gibboney read occupancy numbers in the boatyard that are in-line with past years, and said it may look emptier due to the large number of derelict vessels that were destroyed or removed from the yard.

X. COMMISSIONER COMMENTS (1:35:07):

Commissioner Putney stated he met with EDC Team Jefferson about a presentation for the NW Aviation Show in Puyallup February 24-25. He also met with EDC on Broadband issues. Commissioner Putney reported he attended a Port of Port Angeles Commission Meeting yesterday. He announced that he would be a guest, along with Director Gibboney, Mr. Englin and Scott Wilson on KPTZ's "Tossed Salad" this Friday from 2:00-3:00 pm. Last, he commented on the need for a good sound system for meeting recordings.

Commissioner Hanke agreed with Commissioner Putney on the need for a sound system. He then stated that the commission talked about the need for a comprehensive marketing plan and the need for strategic goals. He added there is still a need to fill the boatyard and the goal should be a higher occupancy rate than the numbers Ms. Gibboney reported.

Commissioner Tucker reported he attended an MRC meeting. He stated he is impressed with the number of folks in the community who volunteers their time, such as with the MRC and with Port issues. He then added his goal (as Commission President) is to provide staff with clear direction and to eliminate "ambiguous motions".

XI. NEXT PUBLIC WORKSHOP / REGULAR MEETING:

Wednesday, February 28, 2018. Workshop at 3:00 pm, meeting at 5:30 pm, in the Port Commission Building, 333 Benedict St, Port Townsend.

XII. EXECUTIVE SESSION:

The regular session recessed into Executive Session at 2:41 pm for a litigation matter, pursuant to RCW 42.30.110 (i), duration of fifteen minutes with potential action.

XIII. RECONVENE & ADJOURNMENT:

The meeting reconvened at 2:47 pm.

Commissioner Tucker moved to ratify the acceptance of the Enduris legal fee compensation for the Landry case.

Commissioner Putney seconded the motion.

Motion carried by unanimous vote.

There being no further business to come before the Commission, the meeting adjourned at 2:48 pm.

ATTEST:

Stephen R. Tucker, President

William W. Putney, III, Secretary

Peter W. Hanke, Vice President

RESOLUTION NO. 676-18

A Resolution of the Commission of the Port of Port Townsend

RESOLUTION AUTHORIZING THE SALE OF ABANDONED VESSELS

WHEREAS: The Port of Port Townsend has in its possession six (6) boats described as follows:

<u>VESSEL</u>	<u>OWNER</u>	<u>ACCOUNT #</u>
Kwula - 28 ft S/V	Gary Hooten	365
El Dorado – 53 ft P/V	Frank DuFrain	38956
Miss Olivia – 31 ft P/V	Andrea Nix	38809
Gratitude – 53 ft P/V	Julie Rayson	30749
Pacemaker – 42 ft P/V	Doug Richardson	39925
Jubilee – 32 ft P/V	Alex Matthew Sprenger	20722

WHEREAS: efforts have been made to locate the true owner of the said vessel, and proper notices have been sent to the person believed to be the true owner, or to anyone who might claim an ownership interest in the boat and no person or persons or entity has responded claiming ownership and willingness to pay the charges owing for storage, and ninety (90) days have elapsed since the sending of such notices,

NOW, THEREFORE BE IT RESOLVED:

1. That the above designated vessels are declared to be abandoned; and
2. The Port Director is directed to sell the said boats at public sale to the highest and best bidder for cash pursuant to the procedures set forth in RCW 53.08.320 (5); and
3. That the date of public auction shall be March 21, 2018 at 10:00 AM
4. Auction to be held at the Port of Port Townsend Work Yard located at 2790 Washington Street, Port Townsend, Washington for five boats and at 2601 Washington Street, Moorage dock A-050, Port Townsend, Washington for one boat.

ADOPTED this 28th of February 2018 by the Commission of the Port of Port Townsend and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission duly affixed.

ATTEST:

William W. Putney III, Secretary

Stephen R. Tucker, President

Peter W. Hanke, Vice President

APPROVED AS TO FORM:

Port Attorney

PORT OF PORT TOWNSEND

AGENDA COVER SHEET

MEETING DATE	February 28, 2018
AGENDA ITEM	<input type="checkbox"/> First Reading <input checked="" type="checkbox"/> Second Reading <input type="checkbox"/> Regular Business
AGENDA TITLE	V. A) Meeting Procedures Resolution No. 675-18
STAFF LEAD	Staff
REQUESTED	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Discussion
ATTACHMENTS	A. Info Memo B. Resolution No. 675-18 C. Appendix "A"

PORT OF PORT TOWNSEND

INFORMATIONAL MEMO

DATE: 2/28/2018
TO: Port Commissioners
FROM: Port Staff
CC:
SUBJECT: Meeting Procedures – Resolution No. 675-18

ISSUE

At the February 14th, 2018 commission meeting, Commissioners Tucker and Putney proposed the following changes to Meeting Procedures Resolution No. 674-18, which was adopted at the January 24, 2018 meeting.

- Returning back to the original schedule of two meetings per month; the second Wednesday of the month at 1:00 pm, and the fourth Wednesday of the month at 5:30 pm.

“Transaction of Business”:

- Eliminating public comment during discussion of any agenda item.
- Item III – Public Comments: allowing comment on items related to/not related to agenda, limited to a total of thirty (30) minutes; three (3) minutes per person.
- Item IX Public Comments – eliminate this second public comment period.

“Order of Business”

- Changes/additions to Item 4, d-h

ATTACHMENTS

- Draft Resolution No. 675-18
- Appendix “A”

RESOLUTION NO. 675-18
A Resolution of the Commission of the Port of Port Townsend

READOPTING COMMISSION MEETING PROCEDURES

WHEREAS, The Port of Port Townsend did establish and approve, in public session, "Commission Meeting Procedures" by Resolution No. 42-87 dated November 18, 1987, and;

WHEREAS, The Port of Port Townsend did rescind Resolution No.42-87, and adopted new Commission Meeting Procedures which were more efficient and beneficial for both the Commission and participating public, by Resolution No. 326-00 on July 26, 2000, and which was subsequently amended by Resolution No 344-01 on March 14, 2001, by Resolution No. 363-02 on February 27, 2002, by Resolution No. 367-02 on March 27, 2002, by Resolution No. 390-03 on January 22, 2003, Resolution No. 392-03 on April 9, 2003, by Resolution No. 471-06 on July 26, 2006, by Resolution No. 487-07 on April 25, 2007, by Resolution No. 532-10 on January 27, 2010, by Resolution No. 553-11 on January 12, 2011, by Resolution No. 558-11 on March 23, 2011, by Resolution No. 561-11 on June 8, 2011, by Resolution No. 594-13 on May 8, 2013, Resolution No. 604-14 on January 22, 2014, by Resolution 624-15 on January 14, 2015, Resolution No. 639-16 on January 27, 2016, by Resolution No. 654-17 on January 11, 2017, and by Resolution No. 674-18 on January 24, 2018; and

WHEREAS, the Port Commission wishes to modify the meeting procedures established on January 24, 2018 via Resolution No. 674-18.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Port Commission of the Port of Port Townsend, that Resolution No. 674-18 shall be rescinded, and the Commission Meeting Procedures, as shown in the attached "Appendix A", shall be adopted in their place.

ADOPTED this 28th day of February 2018, by the Commission of the Port of Port Townsend and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission duly affixed.

ATTEST:

William W. Putney III, Secretary

Stephen R. Tucker, President

Peter W. Hanke, Vice President

APPROVED AS TO FORM:

Port Attorney

APPENDIX A

The Policy and Procedures on pages 1-4 have been adopted by Resolution 675-18, amending Resolutions 326-00, 344-01, 363-02, 367-02, 390-03, 392-03, 471-06, 487-07, 532-10, 553-11, 558-11, 561-11, 594-13, 604-14, 624-15, 639-16, 654-17, and 674-18. Any changes or deletions will require an amendment to the Resolution.

COMMISSION MEETINGS

TIME AND LOCATION OF MEETINGS

1. Effective March 1, 2018, with the exception of the December schedule outlined in paragraph 2 immediately below, regular meetings of the Port of Port Townsend will occur **twice** a month - on the **second** Wednesday of each month at **1:00 p.m.** and on the **fourth Wednesday of each month at 5:30 p.m.** in the Port Commission Building, 333 Benedict Street, Port Townsend, Washington. ~~Two workshops will occur each month — the first workshop on the second Wednesday of the month at 9:30 a.m., and the second workshop on the fourth Wednesday of the month at 1:00 p.m.~~ Public Workshops to be called as needed.
2. To accommodate the December holiday schedule, only one regular meeting will be held in December on the second Wednesday of the month, December 12, 2018 at 1:00 p.m.

RULES OF TRANSACTION OF BUSINESS

1. Order of Business shall be as follows:
 - I Call to Order
 - II Approval of Agenda
 - III Public Comments ~~(Not related to Agenda items and or Guest Presentations)~~
(limited to total of thirty (30) minutes; three (3) minutes per person)
 - IV Consent Agenda
 - V Second Reading (Action Items)
 - VI First Reading (Discussion Only)
 - VII Regular Business
 - VIII Staff Comments
 - ~~IX Public Comments~~
 - IX Commissioner Comments
 - X Next Meeting
 - XI Executive Session, (If called)
 - XII Adjournment
2. All matters which, in the judgment of the Commission, are of a legislative character and shall be embodied in the form of Resolutions. Resolutions shall be numbered consecutively, and the original copy shall be signed by the President and Vice President and attested by the

Secretary in open session. Resolutions shall be filed by the Executive Assistant and shall be recorded in a book or books kept for such purpose, which shall be public records.

3. Organization of Workshops:

- a. Shall have an agenda at the beginning of the workshop.
- b. Will have minutes recording topics discussed either in written and/or audio format.
- c. Will be used for discussion only, with no binding decisions made by the Commissioners.
- d. Rules governing written and spoken input from members of the public for business meetings will not apply to workshops.

4. Organization of Regular Business Meetings:

- a. Shall have an agenda approved at the beginning of the meeting.
- b. Will begin with the Pledge of Allegiance.
- c. Will have minutes recording topics discussed and actions taken either in written and/or audio format.
- d. Will make any information to be presented before the Commission for consideration to the public in advance of the meeting. This information will be part of the agenda and meeting packet posted on the Port's website pursuant to RCW 42.30.077.
- e. Will allow presentations by each member of the public indicating a desire to address the Commission, of no more than **three (3) minutes**, on any **appropriate** topic ~~not related to the agenda~~. Each speaker must state their name and the subject of their comment before beginning. Written comments are encouraged.
- ~~e. Will allow presentations by each member of the public indicating a desire to address the Commission on any agenda item. Such presentations shall be heard during discussion of the subject agenda item, at a point in the discussion determined by the presiding officer, for a uniform maximum length of time announced by the presiding officer, at his or her discretion, to make additional presentations once all who want to be heard have made their presentation.~~
- f. When, in the opinion of the Commission's presiding officer, significant information has been presented to the Commission which was not made available to the public in advance, the presiding officer may allow additional public comment at a time and limited in a fashion the presiding officer will make clear.

- g. No public comment will be entertained once a motion for action has been called and the Commission's deliberation has begun.
- h. Public comments and presentations shall adhere to common norms of civility and may be cut off by the presiding officer if in his or her judgment these norms of civility are violated. Disruptions of Port Commission meetings are prohibited. Disruptions include, but are not limited to the following:
 - i. Failure of a speaker to comply with the allotted time established for the individual speaker's comment;
 - ii. Addressing the audience, rather than the commission, by a member of the public who has been recognized by the presiding officer for public comment;
 - iii. Outbursts (e.g., clapping, shouting, cheering) from members of the public who have not been recognized by the presiding officer for public comment;
 - iv. Holding or placing a banner or sign in the Commission Room in a way that endangers others or obstructs the free flow of meeting attendees or the view of others attending the meeting; or
 - v. Behavior that intentionally disrupts or otherwise impedes the orderly conduct of Commission business.

5. Conduct of Regular Business Meetings:

- a. The Port Commission, as a governing body, is charged with making decisions that advances the mission of the Port and which are based on sound information and analysis, respect for views of the public, and each Commissioner's best disinterested judgment.
- b. With only 3 elected Commissioners, the Commission can operate with a high degree of informality and need not be bound to all the provisions spelled out in standard codes of parliamentary procedure. However, some formal procedures need to be followed to respect the rights of all 3 Commissioners to participate equally and fully in all Commission business.
- c. Some fundamental principles for conducting Commission meetings include (taken from The Standard Code of Parliamentary Procedure, by Alice Sturgis):
 - i. All Commissioners have equal rights, privileges, and obligations.
 - ii. The majority vote decides.
 - iii. The rights of the minority must be protected.
 - iv. Full and free discussion of every proposition presented for decision is an established right of the members.
 - v. Every member has the right to know the meaning of the question before the Commission and what its effect will be.
 - vi. All meetings must be characterized by fairness and by good faith.
- d. Routine and ordinary business may be approved and/or rejected by the Commission by

placing it on either the Consent Agenda, or as an item of "Regular Business". Examples of items typically placed on the consent agenda are approval of warrants and meeting minutes.

Examples of items considered as "Regular Business" include lease agreements, contracts, and grant agreements.

Matters of routine and ordinary business may be voted on at the same meeting at which they are introduced. Any one Commissioner may delay the vote on a specific item and request additional information before completing its consideration.

- e. To facilitate sufficient time for reflective consideration of proposals by Commissioners and members of the public and staff, all proposals for policies* which impact members of the public shall be voted on no sooner than the immediate next regular business meeting following introduction of the proposal in the form of a motion moved by a Commissioner. The introduction of a proposal is the "first reading" and the vote is the "second reading". This requirement may be waived by a unanimous vote of the Commission.
 - i. A policy proposal, once moved as a motion, may be discussed at subsequent Commission meetings without a vote required and may be amended at subsequent meetings.
 - ii. At any subsequent Commission meeting, and Commissioner may move "To vote immediately" on the policy proposal. This motion is not debatable and requires a two-thirds affirmative vote.
 - iii. The chair may call for a vote on the policy proposal at any subsequent Commission meeting and may proceed with a vote in the absence of any objections by other Commissioners.

*Examples of policy actions include adoption of the budget, adoption of strategic and/or comprehensive plans.

- f. All motions require a second. In the absence of a second, the motion is declared dead.
 - g. Minor amendments to a motion may be accepted as a "friendly amendment" by the maker of the original motion without a vote on the amendment.
 - h. The presiding officer of the Commission meeting shall have the right to participate fully in the discussion and shall cast a vote on all motions.
 - i. The standard priorities and requirements for main, subsidiary, and privileged motions shall be used.
- 6. The draft agenda may be available by Friday of the week previous.
 - 7. The Executive Director or his designee would be responsible for keeping track of each issue.

8. All public comments and questions should be directed to the Commissioners. If the Commissioners so desire, they may refer the question to the Executive Director, Port Attorney, and/or other Port Staff in attendance.

SMOKING

Smoking is prohibited during the Commission meetings.

MINUTES

1. Additions and or corrections to the Minutes will be recorded and become a part of the revised and approved consent agenda. Minutes are to be available to the Commissioners prior to the meetings.
2. Minutes are recorded according to **RCW 42.32.030**

VOUCHER APPROVAL

It shall be the policy of the Port of Port Townsend Commissioners to approve vouchers for payment and authorize the issuance of warrants by signing a list which will indicate the voucher number, to whom paid, amount and purpose of the payment. Voucher approval is incorporated under "Consent Agenda".

COMMISSIONER'S COMPENSATION

Each Commissioner shall be reimbursed or compensated for actual attendance at general meetings and for performance of other services in behalf of the Commission up to the maximum rate allowed in accordance with **RCW 53.12.260**.

PORT OF PORT TOWNSEND

AGENDA COVER SHEET

MEETING DATE	February 28, 2018
AGENDA ITEM	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading <input checked="" type="checkbox"/> Regular Business
AGENDA TITLE	VI. A) Proposed Policy Calendar for 2018
STAFF LEAD	Sam Gibboney
REQUESTED	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Discussion
ATTACHMENTS	A. Info Memo B. Proposed Calendar

PORT OF PORT TOWNSEND

INFORMATIONAL MEMO

DATE: 2/28/2018
TO: Commission
FROM: Sam Gibboney, Executive Director
SUBJECT: Consideration of Financial Policies

ISSUE

The Commission and staff have been discussing the need for various policies to govern and guide the organization. A proposed schedule for study, consideration and deliberation is attached.

BACKGROUND

The Comprehensive Scheme and Strategic Plan gives guidance to staff and the organization. Still, there is a need for further articulation of operating policies.

DISCUSSION

Staff has examined financial policies from other Port Districts and special purpose governments. Staff proposes to bring to the Commission the following for discussion; first in workshops and then later for formal consideration as part of a policy adoption process:

- Operating budget policy
- Capital improvement budget policy
- Revenue policy
- Operating Rates policy
- Cash reserve policy
- Cash management & investment policy
- Debt policy
- Business practices

A proposed schedule is attached.

FISCAL IMPACT

There is no fiscal impact for developing the policies.

RECOMMENDATIONS

Provide input to staff and then proceed with workshops as per the Commission accepted schedule.

ATTACHMENTS

Proposed schedule.

COMMISSION MEETING	DATE	ISSUES/DECISIONS
Workshop	7/11/2018	POLICY DISCUSSION <ul style="list-style-type: none"> • CASH RESERVES • CASH MANAGEMENT & INVESTMENT • DEBT
Regular Meeting	7/11/2018	
Workshop	7/25/2018	POLICY DISCUSSION <ul style="list-style-type: none"> • OPERATING RATES • REVENUE • BUSINESS PRACTICES
Regular Meeting	7/25/2018	
Workshop	8/8/2018	POLICY DISCUSSION <ul style="list-style-type: none"> • CAPITAL IMPROVEMENT BUDGET • OPERATING BUDGET
Regular Meeting	8/8/2018	
Workshop	8/22/2018	
Regular Meeting	8/22/2018	<ul style="list-style-type: none"> • FIRST READING OF POLICIES
Workshop	9/12/2018	

Regular Meeting

9/26/2018

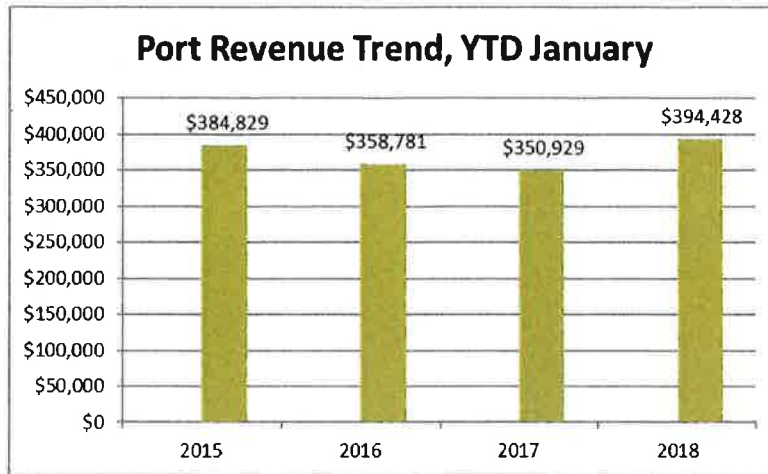
- SECOND READING OF POLICIES
 - DELIBERATION & ADOPTION
-

PORT OF PORT TOWNSEND

AGENDA COVER SHEET

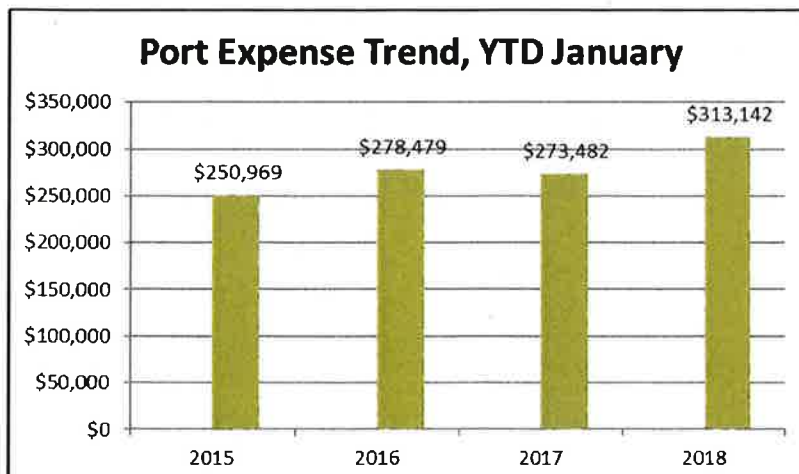
MEETING DATE	February 28, 2018
AGENDA ITEM	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading <input checked="" type="checkbox"/> Regular Business
AGENDA TITLE	VII. (B) January 2018 Financials
STAFF LEAD	Abigail Berg
REQUESTED	<input type="checkbox"/> Motion <input type="checkbox"/> Action <input checked="" type="checkbox"/> Discussion
ATTACHMENTS	A. January 2018 Financials

DATE: February 23, 2018
TO: Commissioners and Directors
FROM: Abigail Berg, Director of Finance & Administration
SUBJECT: Port Operating Results as of January 31, 2018



Revenue Highlights:

- ✓ Started 2018 ahead of 2017 in total Operating Revenues by \$43,500.
- ✓ Total Operating Revenues are ahead of YTD Budget by \$19,137.
- ✓ Marinas & RV Parks revenue lead prior year by \$33,865 and are ahead of budget by \$24,615.
- ✓ Yard revenues are ahead of the prior year by \$10,904, but short of budget by \$2,418.
- ✓ Ship Yard Hoist revenues are ahead of last year by \$2,978.
- ✓ Ship Yard revenues are ahead of last year by \$7,787.
- ✓ Increases in both Ship Yard revenues shows the concerted effort made by staff to bring in business.
- ✓ Work Yard Hoist revenues are less than last year by \$1,229.
- ✓ Work Yard revenues are less than last year by \$4,072, and short of budget by \$5,039.
- ✓ While staff continues to focus on maintaining the various Ship Yard revenues, they are currently also working on increasing Work Yard revenues.
- ✓ Property Leases & Use are less than the prior year by \$3,508 and less than budget by \$4,752. This is primarily due to tenant vacancies at the Cupola House and the Armory Building at Point Hudson.
- ✓ Fuel Sales & Leases are below the prior year by \$1,306 and just under budget by \$500.
- ✓ Ramp revenues, as compared to last year, almost doubled, with an increase of \$2,542, and are just ahead of budget by \$1,347.
- ✓ Utilities Revenue is slightly higher than last year by \$1,004.



Expense Highlights:

- ✓ The year to year comparison of total Operating Expenses is skewed because in January of 2017, the 2nd payroll of the month was posted to February. The actual January 2017 Salaries & Wages totaled \$167,839, or \$10,689 less than in 2018 (*see footnote, next page*). Commission pay was \$3,973 of that year to year increase due to more meeting attendance.
- ✓ Payroll taxes were similarly affected. The actual January 2017 amount payroll tax amount was \$18,240, which is only less than 2018 by \$559. This small variance is due to a 2018 FTE vacancy while there was also pay increases and changes in L&I rates.
- ✓ In February, the Payroll timing issue will resolve when comparing 2017 to 2018, however, when taking these variances into account in January, it would *increase* the 2017 Operating Expenses by \$92,131. This in turn reduces the variance between years to \$39,660, instead of \$131,791 (*see footnote, next page*).
- ✓ Though Operating Expenses increased when comparing to 2017, these were substantially budgeted and most are below budget YTD.
- ✓ Personnel was over budget by \$5,333. Most of this is Commission pay in January (\$5,251 over budget).

Net Operating Income is \$81,286. When including Non-Operating Revenues and Expenses, there is a Net Profit of \$141,730.

Non-Operating Expenses:

It should be noted that the 2018 budget line item titled "Bond Management, Issuance & Misc. Expense" did not include the bond issuance cost since the decision to bond for the Point Hudson South Jetty project got pushed forward into 2018 and was too late to include in the budget in November.

Capital Projects:

This month, the Port expended \$11,973 in WIP (capital project "Work in Progress"). 68% of these expenses are for the Point Hudson South Jetty Project, 25% was for the Stormwater Rx Project, and 7% is related to JCIA Runway Rehab Project.

Cash & Investment balances:

End of month, the cash and investment balances were \$1,565,899. Reserve balances totaled \$882,234 and Unreserved Cash & Investments totaled \$683,665.

Regarding cash balances, it should be noted that the proposed bond issuance of \$3,200,000 includes up to \$500,000 that can be used to re-build Port cash balances used in the Stormwater Rx Project. The Commission passed Resolution #669-17 allowing the Port to reimburse itself from bond proceeds to replenish cash reserves used for that project.

Port of Port Townsend
Summary of Operating & Non-Operating Revenues & Expenses
2018 Activity with Comparison to Prior Year and Budget

	YTD Jan. 2017	YTD Jan. 2018	Variance to prior year - 2017 v 2018		YTD Budget 2018	Variance to Budget YTD
REVENUES						
Marinas and RV Parks	152,782	186,647	33,865		162,032	24,615
Yard Operations	78,933	89,837	10,904		92,255	(2,418)
Property Leases & Use	91,556	88,048	(3,508)		92,799	(4,752)
Fuel Sales & Leases	2,857	1,550	(1,306)		2,050	(500)
Ramp Use	2,955	5,497	2,542		4,150	1,347
Utilities	21,846	22,849	1,004		22,005	844
Total Operating Revenues	350,929	394,428	43,500		375,291	19,137
OPERATING EXPENSES						
Salaries & Wages	74,344	178,528	104,184	(a)	173,195	5,333
Payroll Taxes	12,266	17,681	5,415		24,455	(6,774)
Employee Benefits	41,701	63,746	22,045		64,555	(809)
Uniform Expense	764	-	(764)		760	(760)
Contract Services	8,172	5,143	(3,030)		25,756	(20,613)
Consulting Services	-	-	-		13,750	(13,750)
Legal & Auditing	-	-	-		10,800	(10,800)
Facilities & Operations	36,397	41,842	5,445		60,374	(18,532)
Utilities	4,104	3,982	(122)		52,296	(48,315)
Marketing	2,237	1,900	(337)		1,100	800
Economic Development	-	-	-		-	-
Travel & Training	20	-	(20)		1,234	(1,234)
Cost of Goods - Fuel	1,310	322	(989)		1,300	(979)
Community Relations	35	-	(35)		-	-
Total Operating Expenses	181,351	313,142	131,791	(b)	429,575	(116,432)
Income from Operations w/o Depr	169,577	81,286	(88,291)		(54,283)	135,569
Non-Operating Revenue						
Capital Contributions/Grants	-	1,231	1,231		35,440	(34,209)
Interest	17,640	1,458	(16,182)		500	958
Property & other taxes	80,402	82,188	1,786		83,667	(1,479)
Misc Non-Operating Revenue	2,571	2,095	(476)		2,305	(210)
Total Non-Operating Revenues	100,614	86,972	(13,642)		121,912	(34,940)
Non-Operating Expenses						
Bond Interest	29,722	26,477	(3,245)		27,678	(1,201)
Bond Mgmt, Issuance & Misc Exp	110	50	(60)		40	10
Election Expense	-	-	-		-	-
Total Non-Operating Expenses	29,832	26,527	(3,305)		27,718	(1,191)
Net Non-Operating Income (Expense)	70,781	60,445	(10,337)		94,194	(33,749)
Net Income (Loss)	240,359	141,730	(98,628)		39,911	101,820

Notes:

(a) Actual January 2017 Salaries & Wages were \$167,839; variance to 2018 is \$10,689 less than in 2017.

(b) Actual total Operating Expenses in January 2017 were \$273,482; the variance to 2018 is \$39,660 more than in 2017.

**Port of Port Townsend
2018 Debt Service Schedule
As of January 1, 2018**

Payment Dates	Principal	Interest	
1-Jan-18	\$ -	\$ 57,825	2015 LTGO Bond
1-May-18	\$ 203,229	\$ 6,143	2013 Revenue
1-Jun-18	\$ -	\$ 103,619	2010 LTGO Bond
1-Jul-18	\$ 430,000	\$ 57,825	2015 LTGO Bond
1-Nov-18	\$ 206,278	\$ 3,094	2013 Revenue
1-Dec-18	\$ 235,000	\$ 103,619	2010 LTGO Bond

Total \$ 1,074,507 \$ 332,124

Total Principal and Interest \$ 1,406,631

Purpose of Bonds

2010 LTGO Bond - Reconstruction of A/B Dock (83%) and 75 ton lift pier (17%)

2013 Revenue Bond - Construction of Boat Haven Administration Building

2015 LTGO Bond - Refunding of 2005 LTGO Bonds used for Point Hudson Marina Reconstruction

Estimate of Proposed Wrapped 2018 LTGO Bond of \$3.2m for Point Hudson South Jetty

(these numbers are included in the 2018 budget.)

Payment Dates	Principal	Interest	
1-Jan-18	\$ -	\$ 57,825	2015 LTGO Bond
1-May-18	\$ 203,229	\$ 6,143	2013 Revenue
1-Jun-18	\$ -	\$ 103,619	2010 LTGO Bond
1-Jul-18	\$ 430,000	\$ 57,825	2015 LTGO Bond
1-Nov-18	\$ 206,278	\$ 126,011	2013 Revenue & 2018 LTGO Bond*
1-Dec-18	\$ 235,000	\$ 103,619	2010 LTGO Bond

Total \$ 1,074,507 \$ 455,041

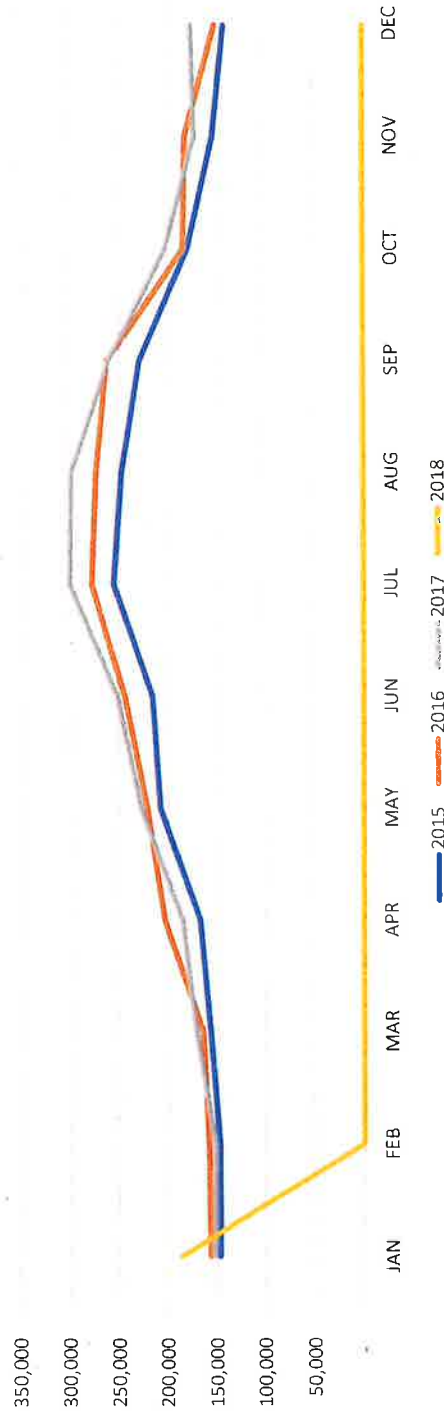
Total Principal and Interest \$ 1,529,548

**Note: this includes estimates of an interest only payment for the proposed 2018 bond issuance in the amount of \$122,917. Whether or not there is any debt service for the proposed issuance during 2018 will not be determined until Commission approves which bond option they choose.*

**4 Year Trend of Marinas & RV Parks Revenue
Monthly as of January 31, 2018**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
2015	147,223	147,807	157,043	167,880	208,212	216,181	255,773	247,654	229,114	179,008	153,353	141,406	2,250,653
2016	157,265	158,331	163,963	203,332	220,872	244,026	277,638	273,082	261,784	183,088	181,166	150,375	2,474,924
2017	152,782	152,116	171,046	185,589	227,879	252,290	300,140	298,660	260,479	202,271	171,786	174,849	2,549,888
2018	186,647	-	-	-	-	-	-	-	-	-	-	-	186,647

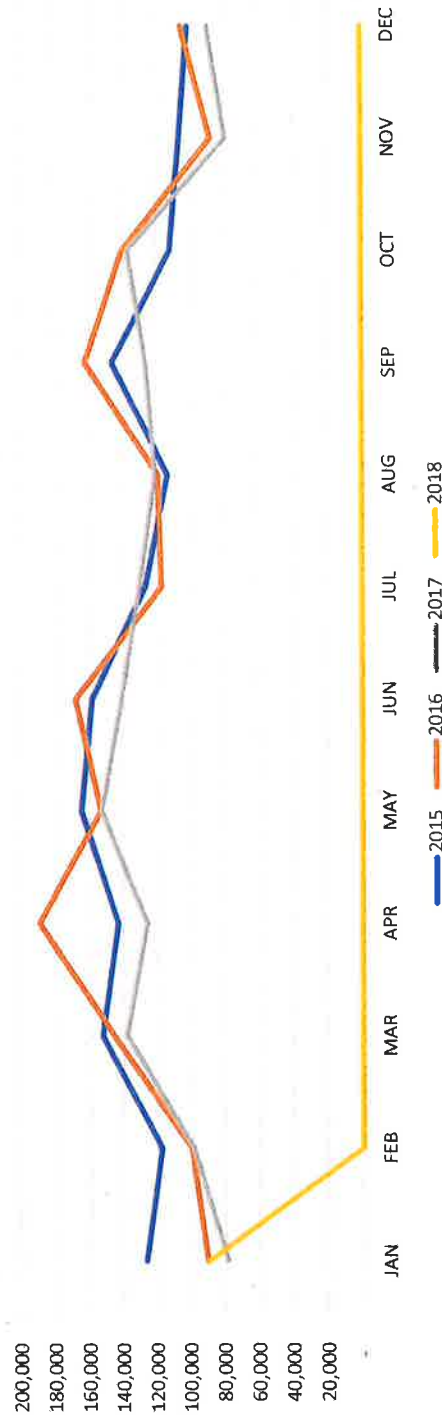
Marinas & RV Parks Revenue



**4 Year Trend of Yard Operations Revenue
Monthly as of January 31, 2018**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
2015	127,251	117,863	152,896	143,637	165,218	159,055	127,153	113,746	146,730	111,944	106,145	101,239	1,572,877
2016	90,417	99,886	145,797	189,397	153,684	168,270	117,066	119,277	162,539	140,141	87,340	105,067	1,578,880
2017	78,933	98,866	138,350	126,487	153,294	141,390	130,648	121,164	126,737	137,261	79,024	89,555	1,421,708
2018	89,837	-	-	-	-	-	-	-	-	-	-	-	89,837

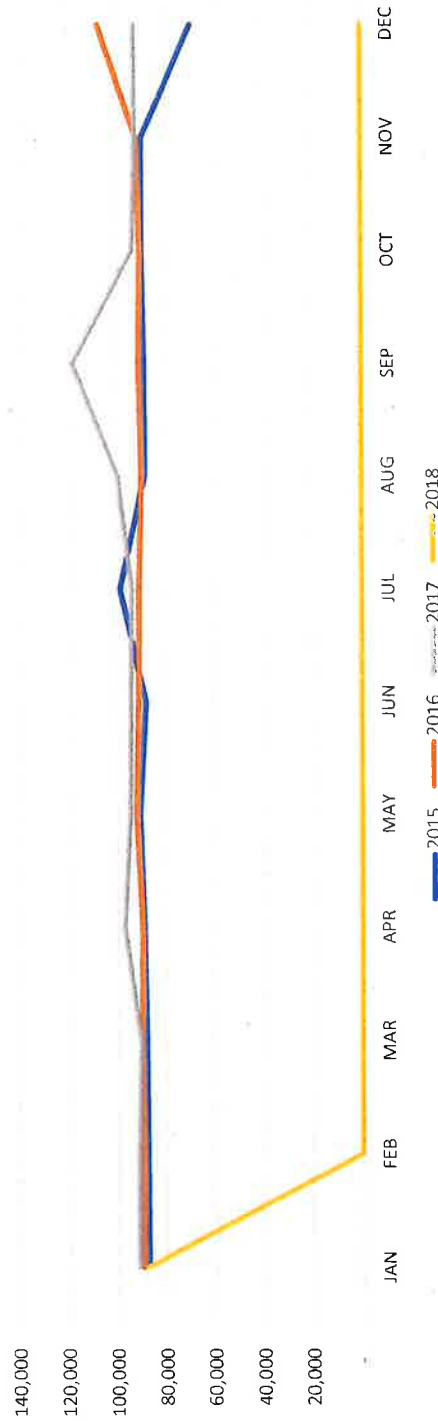
Yard Operating Revenue



4 Year Trend of Property Lease & Use Revenue Monthly as of January 31, 2018

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
2015	87,810	88,194	88,643	89,442	91,186	88,736	99,242	89,007	89,305	90,179	90,171	69,730	1,061,642
2016	89,711	89,635	90,229	90,033	92,443	91,418	91,229	90,283	91,269	90,832	92,128	108,091	1,107,302
2017	91,556	91,567	90,785	97,382	95,026	94,826	94,386	100,135	118,635	93,935	92,896	93,218	1,154,349
2018	88,048	-	-	-	-	-	-	-	-	-	-	-	88,048

Property Leases & Use Revenue



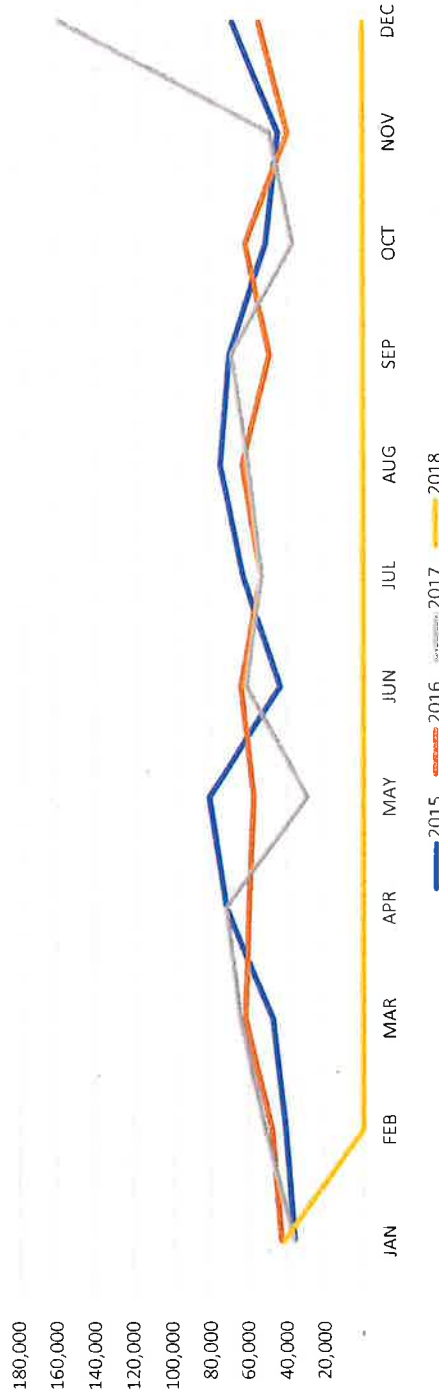
Notes:

1. The spike in September 2017 is related to use of Port property for the Wooden Boat Festival.
2. The December decrease in 2015 is related to the bankruptcy of Goldstar Marine.
3. The December increase in 2016 is related to the signing of the US Coast Guard lease renewal (three months were accrued in Dec.)

4 Year Trend of Facilities & Operations Expenses Monthly as of January 31, 2018

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
2015	36,245	41,069	47,666	72,576	81,413	43,890	63,676	75,664	70,823	51,195	44,727	68,942	697,886
2016	43,158	47,960	61,900	60,036	57,397	64,456	53,711	63,541	49,065	61,925	39,658	54,646	657,453
2017	36,397	51,607	64,959	72,566	29,450	61,584	53,492	60,565	69,786	37,229	49,229	158,891	745,755
2018	41,842	-	-	-	-	-	-	-	-	-	-	-	41,842

Facilities & Operations Expense Trends



Notes:

- December 2017 has a sharp increase in this expense line item as the result of the Bad Debt written-off by the Commission in December in the amount of \$97,075. Without this write off, the total line item would be \$648,680 for 2017. The 2017 Bad Debt write-off relates to Revenues recognized in previous years that was identified as uncollectible. The breakdown by year is as follows:

	2014	2015	2016	2017	Total
	\$ 16,568	\$ 67,315	\$ 6,083	\$ 7,109	\$ 97,075

PORT OF PORT TOWNSEND

AGENDA COVER SHEET

MEETING DATE	February 28, 2018
AGENDA ITEM	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading <input checked="" type="checkbox"/> Regular Business
AGENDA TITLE	VII. C) WA Department of Fish & Wildlife Ground Lease
STAFF LEAD	Greg Englin
REQUESTED	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Discussion
ATTACHMENTS	A. Info Memo B. State of WA Dept. of Fish & Wildlife Delegated State Rental Agreement

PORT OF PORT TOWNSEND

INFORMATIONAL MEMO

DATE: 2/28/2018
TO: Port Commissioners
FROM: Greg Englin
SUBJECT: WA State Department of Fish & Wildlife (WDFW) Ground Lease

ISSUE

WDFW requested a new lease for ground space of 200 square feet at Point Hudson.

ATTACHMENTS

State of WA Department of Fish & Wildlife Delegated State Rental Agreement

STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
DELEGATED STATE RENTAL AGREEMENT

*Effective 1/9/03, 8/18/2003, 6/9/2005, 10/31/2005, 6/1/2007, 10/22/2007, 7/18/2013, 12/10/2015,
3/8/2016, 10/24/2016, 12/7/2016 1.18.2017*

1. This RENTAL AGREEMENT is made and entered into between **Port of Port Townsend** whose address is **P.O. Box 1180, Port Townsend WA 98368** for its heirs, executors, administrators, successors, and assigns, hereinafter called the Landlord, and the State of Washington, **Department of Fish and Wildlife (WDFW)**, hereinafter called the Tenant, acting under a delegation of authority from the Department of Enterprise Services or its successor Washington state government entity, in accordance with RCW 43.82.010.

WHEREAS, the Department of Enterprise Services is granted authority to lease property under RCW 43.82.010;

WHEREAS, the Director of the Department of Enterprise Services is also granted authority to delegate the leasing function to agencies;

WHEREAS, the Director has so delegated the authority for this Rental Agreement;

WHEREAS, the Landlord and Tenant deem it to be in the best public interest to enter into this Rental Agreement;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained herein, IT IS MUTUALLY AGREED AS FOLLOWS:

2. The Landlord hereby rents to the Tenant the following described premises:

Tax Parcel Number:

Common Street Address:

Approximately ^{200 SQUARE FEET} exterior storage space located at 375 Hudson St., Port Townsend.

USE

3. The premises shall be used by the WDFW and/or other state agencies for the following purpose(s): **equipment storage**.

TERM

4. This Rental Agreement, which CANNOT EXCEED TWO YEARS, shall be effective from **January 1, 2018 through December 31, 2020**.

RENTAL RATE

5. The Tenant shall pay rent to the Landlord for the premises at the following rate:

Two hundred & Fifty dollars w/zero cents

\$ 250.00 per month

Payment shall be made at the end of each month upon submission of properly executed vouchers.*

*In lieu of submitting a monthly invoice a Landlord may sign & submit a Payment Voucher form (WDFW A/19-2) thus negating the need for a monthly invoice. Using the A/19-2 the lease payment will be an automatic payment through the term of the lease.

EXPENSES

6. During the term of this Rental Agreement, Landlord shall pay all real estate taxes, all property assessments, insurance, ~~storm water, water, sewer, garbage collection~~, and maintenance and repair as described below, together with ~~natural gas, electricity, elevator service, exterior and interior window washing, landscape and irrigation water, and janitor service. Janitor service includes exterior and interior window washing, restroom supplies, and light bulb replacement.~~

6.1. Tenant shall pay for only _____.

MAINTENANCE AND REPAIR

7. The Landlord shall maintain the premises in good repair and tenantable condition during the continuance of this Rental Agreement, except in case of damage arising from the negligence of the tenant's agents or employees. For the purposes of maintenance and repair, the Landlord reserves the right at reasonable times upon reasonable notice to enter and inspect the premises and to do any necessary maintenance and repairs to the building. ~~Landlord's maintenance and repair obligations shall include, but not be limited to, the mechanical, electrical, interior lighting (including replacement of ballasts, starters and fluorescent tubes as required), plumbing, heating, ventilating and air conditioning systems (including replacement of filters as recommended in equipment service manual), floor coverings, window coverings, elevators, including communications systems, inside and outside walls (including windows and entrance and exit doors), all structural portions of the building (including the roof and the watertight integrity of same), porches, stairways, sidewalks, exterior lighting, parking lot (including snow removal, cleaning and restriping as required), wheel bumpers, drainage, landscaping and continuous satisfaction of all governmental requirements generally applicable to similar office buildings in the area (example: fire, building, energy codes, indoor air quality and requirements to provide an architecturally barrier-free premises for people with disabilities, etc.).~~

7.1 Landlord shall as part of maintenance provide de-icing and snow and debris removal service. At a minimum, Landlord shall remove, before normal business hours and at other times as soon as practical thereafter, debris, snow and/or ice from the parking lot and all sidewalks and entrances. Without prior notice, Landlord shall apply de-icer and/or sand as necessary to any sidewalks and entrances to avoid unsafe conditions.

TERMINATION

8. This Rental Agreement may be terminated by either party giving written notice not less than thirty (30) days prior to the effective date of termination.

ASSIGNMENT/SUBLEASE

9. Except for sublet for use by other State agencies per Paragraph 3 (Use) the Tenant may not assign this Rental Agreement or sublet the premises without the prior written consent of the Landlord, which consent shall not be unreasonably withheld or delayed. Landlord shall respond to approve or disapprove a request for consent within thirty (30) days of receipt of the request. If such response is not received within thirty days, it will be considered approved and Tenant will proceed with subrental. Tenant shall not permit the use of the premises by anyone other than the Tenant, such assignee or sublessee, and the employees, agents and servants of the Tenant, assignee, or sublessee.

FIXTURES

10. The Tenant shall have the right during the existence of this Rental Agreement with the written permission of the Landlord (such permission shall not be unreasonably withheld), to make alterations, attach fixtures, and erect additions, structures or signs, in or upon the premises hereby rented. Performance of any of the rights authorized above shall be conducted in compliance with all applicable governmental regulations, building codes, including obtaining any necessary permits. Any fixtures, additions, or structures so placed in or upon or attached to the said premises shall be and remain the property of the Tenant and may be removed therefrom by the Tenant upon the termination of this Rental Agreement. Any damage caused by the removal of any of the above items shall be repaired by the Tenant.

PREVAILING WAGE

11. Landlord agrees to pay the prevailing rate of wage to all workers, laborers, or mechanics employed in the performance of any part of this Rental Agreement when required by state law to do so, and to comply with the provisions of Chapter 39.12 RCW, as amended, and the rules and regulations of the Department of Labor and Industries and the schedule of prevailing wage rates for the locality or localities where this Rental Agreement will be performed as determined by the Industrial Statistician of the Department of Labor and Industries, are by reference made a part of this Rental Agreement as though fully set forth herein.

PAYMENT

12. Any and all payments provided for herein when made to the Landlord by the Tenant shall release the Tenant from any obligation therefore to any other party or assignee.

COMPLIANCE WITH STATE/FEDERAL LAWS

13. Landlord is responsible for complying with all applicable provisions of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101- 12213) and the Washington State Law Against Discrimination, Chapter 49.60 RCW, as well as the regulations adopted thereunder, with respect to the Leased Premises.

DISASTER

14. In the event the rented premises are destroyed or injured by fire, earthquake or other casualty so as to render the premises unfit for occupancy, and the Landlord neglects and/or refuses to restore said premises to their former condition, then the Tenant may terminate this Rental Agreement and shall be reimbursed for any unearned rent that has been paid. In the event said premises are partially destroyed by any of the aforesaid means, the rent herein agreed to be paid shall be abated from the time of occurrence of such destruction or injury until the premises are again restored to their former condition, and any rent paid by the Tenant during the period of abatement shall be credited upon the next installment(s) of rent to be paid. It is understood that the terms "abated" and "abatement" mean a pro rata reduction of area unsuitable for occupancy due to casualty loss in relation to the total rented area.

NO GUARANTEES

15. It is understood that no guarantees, express or implied, representations, promises or statements have been made by the Tenant unless endorsed herein in writing and it is further understood that the Tenant, a State agency, is acting in compliance with a delegated authority from the Department of Enterprise Services in accordance with RCW 43.82.010. Any amendment or modification of this Agreement must be in writing and signed by both parties.

HAZARDOUS SUBSTANCES

16. Landlord warrants that no hazardous substance, toxic waste, or other toxic substance has been produced, disposed of, or is or has been kept on the premises hereby rented which if found on the property would subject the owner or user to any damages, penalty, or liability under any applicable local, state or federal law or regulation. Landlord shall indemnify and hold harmless the Tenant with respect to any and all damages, costs, attorney fees, and penalties arising from the presence of such substances on the premises, except for such substances as may be placed on the premises by the Tenant.

BINDING AUTHORITY

17. It is further understood that this Rental Agreement shall not be binding upon the State of Washington, WDFW, unless signed by the Tenant's Director, Commissioner, or his/her designee and approved as to form by the Office of the Attorney General.

CAPTIONS

18. The captions and paragraph headings hereof are inserted for convenience purposes only and shall not be deemed to limit or expand the meaning of any paragraph.

INTEGRATED DOCUMENT

19. This Rental Agreement and the exhibits hereto constitute the entire agreement between the parties with respect to the rental of Premises and supersedes all prior and contemporaneous agreements and understandings between the parties hereto relating to the subject matter hereof.

NOTICES

20. Wherever in this Rental Agreement written notices are to be given or made, they will be sent by certified mail to the address listed below unless a different address shall be designated in writing and delivered to the other party.

LANDLORD:

Port of Port Townsend
P.O. Box 1180
Port Townsend WA, 98368

TENANT:

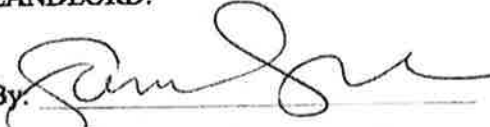
WDFW
600 Capitol Way N.
Olympia WA 98501

AND:

Department of Enterprise Services
Real Estate Services
1500 Jefferson Street S.E., 2nd Floor
Post Office Box 41015
Olympia, Washington 98504-1015

IN WITNESS WHEREOF, the parties subscribe their names.

LANDLORD:

By: 
Title: EXEC. DIRECTOR
Date: 2/21/18

TENANT:

State of Washington, (Agency name)

By: 
Title: **WDFW Facilities Manager**

Date: 2-13-18

APPROVED AS TO FORM:

By: APPROVAL ON FILE
Assistant Attorney General

Date: 11/25/02

PORT OF PORT TOWNSEND / WEDNESDAY

EXHIBIT - BOAT STORAGE ONLY - POINT HUDSON

20054 ≈ 10' x 20'



Path Polygon Circle 3D path 3D polygon

the distance or area of a geometric shape on the ground

er: 60.65 Feet 201.74 Square Feet

use Navigation Save Clear

7