



**Port of Port Townsend  
2<sup>nd</sup> Monthly Meeting Agenda  
Tuesday, January 26, 2022, 5:30 p.m.**

Via <https://zoom.us/> – or call (253) 215-8782 – and use Webinar ID: 862 6904 3651, Password: 911887  
*This meeting will only be accessible remotely, as per Governor's Proclamation 20-28.*

**Agenda**

- I. Call to Order / Pledge of Allegiance
- II. Approval of Agenda
- III. Public Comments
- IV. Consent Agenda
  - A. Approval of Workshop & Business Meeting Minutes from January 12, 2022.....1-7
  - B. Approval & Ratification of Warrants .....8-17
- V. Second Reading ~ none
- VI. First Reading ~ none
- VII. Regular Business
  - A. Resolution 762-22 Delegation of Authority to the Executive Director .....18-29
  - B. Future Agenda Topics for 2022 .....30-31
- VIII. Staff Comments
- IX. Commissioner Comments
- X. Next Regular Business Meeting: Wednesday, February 9, 2022  
Workshop at 9:30 a.m. & Meeting at 1:00 p.m., via Zoom
- XI. Executive Session – none as of 01/21/2022
- XII. Adjournment

The Port welcomes your comments in writing before the meeting (which will be presented to the commission and made available and part of the record) or live - you can 'raise your hand' electronically during our Zoom meeting.

---

<b>Informational Items .....</b>	<b>32</b>
• Lease Briefing.....	33
• Contracts Update.....	34
• JCIA 2023-2027 Capital Improvement Plan (CIP).....	35

PORT COMMISSION PUBLIC WORKSHOP – January 12, 2022

The Port of Port Townsend Commission met for a Public Workshop online via Zoom

Present: Commissioners Hasse, Hanke & Petranek  
Executive Director Berg  
Deputy Director Toews  
Finance Director Berg  
Port Engineer & Director of Capital Projects Klontz  
Recorder Erickson

I. CALL TO ORDER:

Commissioner Hanke opened the Workshop at 9:36 a.m.

II. AGENDA:

- Ceremonial Swearing in of Commissioner Hasse with former Commissioner Putney
- 2022 Organizational Topics
  1. Election of Commission Officers
  2. Committee Assignments
  3. Resolution 762-22 Delegation of Management Authority to the Executive Director
  4. Resolution 763-22 Commission Meeting Procedures
  5. Commission Annual Retreat
- Commission Roundtable Discussion

III. ADJOURNMENT:

The Workshop adjourned at 11:52 a.m.

ATTEST:

---

Pamela A. Petranek, President

---

Peter W. Hanke, Secretary

---

Carol Hasse, Vice President

PORT COMMISSION REGULAR BUSINESS MEETING – Wednesday, January 12, 2022

The Port of Port Townsend Commission met for a regular business session via Zoom online.

Present via Zoom online video: Commissioners Petranek and Putney  
Executive Director Berg  
Deputy Director Toews  
Director of Finance & Administration  
Director of Capital Projects and Port Engineers Love & Klontz  
Port Recorder Erickson  
Port Attorney Woolson

I. CALL TO ORDER (00:00:42)

Commissioner Petranek called the meeting to order at 1:03 p.m. Commissioner Hanke said he was very proud that at 97 years old the Port not only has had Ms. Petranek as Commissioner for two years but now has Carol Hasse coming in as our new Commissioner. He said this was 97 years too late, and he was looking forward to his next term of four years working with these two women.

II. APPROVAL OF AGENDA (00:04:10)

**Commissioner Hasse moved to accept the Agenda as printed; motion passed unanimously.**

III. PUBLIC COMMENTS (00:05:55)

Erin Inclan wrote an email urging the Port, the City and PUD to reconsider the decision to destroy the poplar trees on Sims Way.

Kaci Cronkhite emailed to comment that she appreciates staff and Commissioners' efforts to collaborate with City, County, and PUD, supports parts of the Sims Way project, but that there are still too many unanswered questions regarding the poplar trees and Port costs to support removal of them.

Julie Jaman, a 40-year resident and supporter of marine trades, emailed as a representative of the Olympic Environmental Council, Friends of Kah Tai, and the Gateway Poplar Alliance to comment that the Sims Way Project plan is more of an outline and before any work begins, a thorough and well-tuned plan is needed that includes costs and impacts to the community.

Eric Taylor emailed the commission regarding the airport.

George Yount (former Executive Director at the Port) commented live at the meeting thanking the Commissioners for stepping up to serve the Port of Port Townsend, a tremendous institution for our community.

IV. CONSENT AGENDA (00:08:28)

A. Approval of Workshop & Regular Business Meeting Minutes from December 8, 2021.

B. Approval of Warrants

Electronic Debit for \$6,336.74 to WA State Dept. of Revenue for Combined Excise Tax Return Warrant #s 063242 (\$325.09), 063295 (\$139.78), 063458 (\$161.19), 063518 (\$105.98) are declared void. Warrant #064578 in the amount of \$11,173 for Accounts Payable.

Warrant #064582 through #064586 in the amount of \$10,017.07 and Electronic Payment in the amount of \$86,559.36 for Payroll & Benefits.

Warrant #064587 through #064641 in the amount of \$92,598.71 for Accounts Payable.

Warrant #064642 through #064649 in the amount of \$33,380.88 and Electronic Payment in the amount of \$158,716.58 for Payroll & Benefits.

Warrant #064650 in the amount of \$397,964.34 for Accounts Payable.

Warrant #064651 through #064703 in the amount of \$210,322.57 for Accounts Payable.

C. Authorization for Sale of Abandoned Vessels – Resolution 761-22

D. FAA Grant Authorization Resolution 764-22

E. E.O. 2021-03 - 300 Ton Marine Travelift Emergency Repair

**Commissioner Petranek moved to accept the Consent Agenda; motion passed unanimously.**

## V. SPECIAL PRESENTATION: State Audit Exit Conference (00:09:09)

Cheryl Friesen, Assistant Audit Manager and Timothy Trail, Audit Lead, from the State Auditor's Office shared the results of the Port's most recent audits for the period of 1/1/2020 to 12/31/2020.

- An Accountability Audit with a conclusion that Port operations complied with applicable state laws, regulations and its own policies and provided adequate controls over the safeguarding of public resources.
- A Financial Statement Audit to see if the information included in the financial statements can be relied upon to make decisions, and they issued an unmodified clean audit opinion on the Port's financial statements: they are stated fairly and are materially correct, comply with internal control measures, and comply with applicable regulations regarding contracts and grant agreements.
- A Federal Grant Compliance (Single) Audit with an unmodified clean opinion on the Port's compliance with federal grant requirements – no concerns with the Port's process.
- Next Audit is scheduled for Winter 2023 and cover fiscal years 2021 and 2022.

## VI. SECOND READING: none

## VII. FIRST READING ~ none

## VIII. REGULAR BUSINESS (00:28:18)

## A. Clean Vessel Act Grant Authorization Resolution 765-22

Executive Director Berg explained that this resolution would authorize an application to the Clean Vessel Act Grant program for new fixed pump-out equipment, new portable pump-out equipment, equipment to outfit the Port's Munson as a pump-out vessel and three years of operating costs.

He said there were three components to the proposal: buying a couple of carts for dock use, improve the fixed base operations at all three marinas, and the enhancement of adding a pump-out vessel. He said the net cost would be \$15,000 over the course of the commitment, would require additional staff time, but would deliver a higher level of service and would have environmental benefits; therefore, staff recommendation is to proceed with application and try this for three years and see how we do.

Jeff Kelety, who helped put the proposal together, said that as a moorage tenant and cruiser he liked this resource and thought it will be good for Port business. He pointed to Friday Harbor's "Pumpty Dumpty" boat as an example of a pump-out vessel that is working well to keep their harbor clean.

**Commissioner Petranek moved to approve Resolution 765-22 authorizing an application to the Clean Vessel Act Grant program for new fixed pump-out equipment, new portable pump-out equipment, equipment to outfit the Port's Munson as a pump-out vessel and three years of operating costs.**

Commissioner Petranek clarified that the funds would also pay for upgrading existing pump-out facilities at all three marinas (Point Hudson, Boat Haven, and Quilcene), and asked where the sewage goes after being pumped out of the vessels. Jeff Kelety explained that it will go into our normal discharge facilities. Executive Director Berg said that it then goes to the City Sewer.

Commissioner Hasse suggested that we promote this through public outreach and education by having a naming competition at local schools for the Munson (which is the boat brand).

**Vote was taken, and motion passed unanimously.**

## B. 2022 Organizational Topics (00:39:01)

## 1. Election of Commission Officers

**Commissioner Hanke moved to accept the slate of officers suggested at the workshop earlier: Pam Petranek as President, Carol Hasse as Vice President and Pete Hanke as Secretary; motion passed unanimously.**

2. Committee Assignments (00:40:43)  
**Commissioner Hasse moved to accept the list of committee assignments agreed to at the workshop; motion passed unanimously.**
3. Resolution 762-22 Delegation of Management Authority to the Executive Director (00:46:33)  
Executive Director Berg displayed changes made to this part of the packet during the workshop earlier in the day.
  - Paragraph XIV – adding authorization to establish rates for particular dates or seasons (i.e., low season or midweek discounted rates and peak season rates) when the Commission has established rate ranges on approved rate cards.

**Commissioner Petranek moved to amend the delegation of authority to strike the language in II.A. Lease Arrangements, “5. The lease may not be renewed or otherwise extended beyond five years without Commission approval.”** Which she hoped would mean that after a year, the lease would fall into a month-to-month status, with the goal to have a lease that is longer than one year (not 5 one-year leases). After a discussion including input from Port Attorney Woolson, Ms. Petranek asked that the language be changed to “5. The lease may not be renewed without Commission approval.”

Commissioner Hanke suggested a workshop to discuss Lease Policy, as it seemed to be something that should be addressed in there, not the Delegation of Authority. Then, after working on the Lease Policy, any changes could be reflected in the Delegation of Authority. He recommended that the Delegation of Authority be approved today and modify later if needed. Commissioner Hasse asked if it could be addressed at the January 26 meeting to give us time to resolve this issue.

**Vote was taken; motion did not pass.**

**Commissioner Petranek moved to table/postpone the approval of Resolution 762-22 regarding Delegation of Authority until the next meeting on 1/26/2022; motion passed.**

4. Resolution 763-22 Commission Meeting Procedures (00:42:49) *Presented out of order.*  
**Commissioner Hanke moved to adopt Resolution 763-22 readopting commission meeting procedures with changes made (typos and corrections) to Appendix A during the Workshop session earlier in the day; motion passed unanimously.**
5. Commission Annual Retreat (01:06:30)  
Executive Director Berg said that staff had received ample feedback on this at the workshop. He stated for the record that the decision was to assess the COVID-19 situation by end of first quarter, plan a retreat for April or May with a strong preference to have an in-person component.

C. November 2021 YTD Financials (01:07:07)

Finance Director Berg referred to page 113, starting off with Capital Projects, which year-to-date shows that the Port has done a lot of work – 16 projects, of which 6 were mostly worked on by Port maintenance staff. She reviewed cash balances and compared year-to-year, the reserves have gone up significantly and ending unreserved cash is almost exactly the same as the prior year for the same month.

Commissioner Hasse asked what “unreserved” cash investments are. Ms. Berg said that it meant that the funds were not obligated either through grants or resolution. She went on to say that debt service in November is unchanged from October, but that the Port had made a \$400,000 debt service on December 1<sup>st</sup>. Ms. Berg also said that remaining outstanding debt is according to amortization schedules and does not reflect the hope to pay off early in 2027. Also, revenues are up 15% as compared to 2020 and the budget, whereas expenses are up 9% compared to last year and 3% compared to budget. Clearly, it continues to be a strong year, and it’s a good way to enter a new year.

Commissioner Hasse congratulated Ms. Berg on her ability to budget so conservatively and asked about the deposits and retainage paid. Ms. Berg explained that retainage is for construction projects and deposits are for items such as a vessel coming into the yard that may become abandoned or derelict.; this line item shows when these were paid.

D. 2022 Rates for Herb Beck Marina (01:12:33)

Executive Director Berg said the Commissioner-approved rate cards for the Herb Beck Marina included a number of adjustments that are important in aligning marina operations from Point Hudson to Boat Haven to Quilcene. However, in the process of implementing these adjustments, we noted there were changes that would dramatically affect Quilcene tenants during a time that we're also working with the Quilcene community to re-envision this facility. Staff proposes a 3% change for permanent moorage, 5% increase for nightly, and no changes for electric, which is what we've done at other marinas. He said that although this is still inconsistent overall, these rates can be addressed when we update the Herb Beck Marina.

Finance Director Berg asked that in the motion to adopt, that an effective date be noted.

**Commissioner Hasse moved to adopt the 2022 rate schedule for the Herb Beck Marina, Quilcene, affective February 1, 2022; motion approved unanimously.**

IX. RECESS TO A MEETING OF THE INDUSTRIAL DEVELOPMENT CORPORATION OF THE PORT OF PORT TOWNSEND. (01:20:22)

Commissioners elected Year 2022 IDC Officers, approved January 13, 2021, IDC Minutes, and reviewed the IDC Financial Report for fiscal year ending December 31, 2021, with a net increase in cash and investments of \$1.18 to \$5,020.45.

X. STAFF COMMENTS (01:25:57)

Executive Director Berg commented on the following:

- The Port is continuing to prepare for Terry Khile's retirement at the end of February, along with staff restructuring as a result (implementing the approved Organizational Chart). Starting on January 16<sup>th</sup> Chris Sparks will take on the new role of operations manager, overseeing the united yard operations and maintenance functions. Next week the Port will implement the promotion of our Customer Service Representative III / Harbormaster position, and following that effective February 1, our CSR II positions that will oversee functional areas in the marina offices and a lead in both the yard and maintenance, as well.
- On the question of operating setbacks between our Travelifts and 115 kV powerlines, he has reached out to Labor & Industries with an inquiry. The answer so far has not been clear.
- We're stepping up our communication efforts this year, and Scott Wilson will produce a Hot Sheet – a single page, quick recap of what's happening at the Port, with the primary target our tenants and Port watchers.
- We started the year with a water main break, a boat on the beach, and an aircraft incident.

Commissioner Hasse asked Scott Wilson if what he'll be writing would appear in the local papers.

Mr. Wilson responded that if the papers pick up these news items, then we'd get good coverage, and if not, then he and Port staff would work on press releases.

Deputy Director Toews said that this week Port staff would be meeting with County staff on the Moderate Risk Waste facility and its future here, in preparation for a county workshop meeting on Monday the 24<sup>th</sup>. He said he is planning a presentation to the Community Economic Revitalization Board (CERB) next week, where the Port will be requesting approval of our planning grant application to help fund site design, planning and preliminary permitting of the 3.7-acre westward expansion to Boat Haven boatyard.

Port Engineer Klontz said the statement of qualifications for the airport engineering services are due January 21, and after an evaluation process, will likely enter into an agreement with a consulting firm to help us with projects at JClA. He said he is also advertising for engineering services related to coastal

or harbor work to help us with some efforts in Quilcene and the Gardiner Boat launch. He will give the MRC an update on the Point Hudson project at their next meeting in early February.

Commissioner Hasse mentioned that she had learned from climate studies and the NW Straits Alliance that Ports shouldn't plan anything without first considering sea-level rise and climate change. With this in mind, she commented that the boatyard expansion is an opportunity to plan for it to be on a higher grade than the rest of the boatyard. Port Engineer Klontz acknowledged that and said that the Port also experienced a high-tide event the previous week where the water overtopped the bulkhead at Boat Haven and entered the street—an opportunity to observe some of our potential weak spots.

Finance Director Berg commented that she was pleased that the audit went smoothly, and we had great results. She said we've filled the Environmental Specialist position; her name is Kimberlie Webber, and she will start January 22 and work with Terry Taylor for about a month. She said the Port is interviewing Security Officers this week, and she was glad that we had some good candidates. She reported that the Port had received its three new trucks this week—they're getting geared up for Port use by maintenance staff—the new Gators are expected later this week, and the Travelift is scheduled to arrive next month.

Executive Director Berg thanked Ms. Berg for all the hard work she and her team put in for the audit.

#### XI. COMMISSIONER COMMENTS (01:41:05)

Commissioner Hasse commented that it was thrilling to be involved with fellow commissioners who are long-time friends and colleagues she respects immensely, and she was excited for all that they could accomplish together. She said she has very much to learn and she's grateful for the patience and grace that is given during her learning time. She said it is a very great time to be on the commission, when we are working together with other governing bodies from the city and county and address the problems that are not just Port Townsend's but are global issues for the well-being of our citizenry.

Commissioner Hanke commented that Finance Director Abigail does a remarkable job and pointed to page 114 of the packet, "2021 Summary of Fund Resources & Uses with Comparison to Prior 2 Years and Budget" which states how complex this page is. He said he'd watched the page evolve yearly for 8 years, and he's always amazed at how much goes into this page; Ms. Berg does a great job and it's great to see at a glance what's going on. Mr. Hanke commented that his favorite part of WPPA conferences is when three Ports are picked to report on what they do. He proposed that all of us think about our Port that way and think if you were giving such a presentation, what would you highlight? He would talk about the heavy haulout, which is wearing out. He said he wanted to keep an eye on it and make plans to replace it. At 30' wide, this slot is narrow for boats, and we're losing some business, so with a new Travelift, we may want to think about ways to engineer the slot to accept wider boats. Finally, he spoke of projects in the county, particularly farm projects that would be cool to have on the list of things we do—if there are areas that we can help expand, we could be helping food sustainability, or local entities that provide for the county.

Commissioner Petranek commented on meetings she had attended:

- 1) She attended the Marine Resource Committee (MRC) meeting where the City engineer, and the City Manager John Mauro spoke about the North Beach sewer outfall pipe.
- 2) She's been doing some boatyard tours with Executive Director Berg—one with County Commissioner Brotherton and one with City Council member Amy Howard, and there are more planned.
- 3) She attended the EDC Team Jefferson board meeting last week and they made it through 3 out of 20 items on their agenda. One of the things they got stuck on were nominations—they had four applicants from District 3 to be on the board. One applicant has been invited to appear on the board – Mark Knudson, who's been helping with the Quilcene Community meetings. The other sticking point was the multi-party agreement; they plan to meet outside the board meeting to try to iron that out before the next meeting.

- 4) She and Executive Director Berg will be doing a recording of Our Working Waterfront for KPTZ with Chris Bricker to be aired Friday 1/14/22 at noon.
- XI. Next Public Workshop & Regular Business Meeting (01:50:07): Wednesday, January 26, 2022, at 5:30 p.m. via Zoom.
- XII. EXECUTIVE SESSION ~ To discuss potential litigation with legal counsel - RCW 42.30.110(1)(i). Adjourned to Executive Session for approximately 30 minutes with no requested action at 2:55 p.m.
- XIII. ADJOURNMENT: meeting adjourned at 3:43 p.m., there being no further business before the Commission.

ATTEST:

\_\_\_\_\_  
Peter W. Hanke, Secretary

\_\_\_\_\_  
Pamela A. Petranek, President

\_\_\_\_\_  
Carol L. Hasse, Vice President

# PORT OF PORT TOWNSEND

## AGENDA COVER SHEET

<b>MEETING DATE</b>	January 26, 2022
<b>AGENDA ITEM</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> 1 <sup>st</sup> Reading <input type="checkbox"/> 2 <sup>nd</sup> Reading <input type="checkbox"/> Regular Business <input type="checkbox"/> Informational
<b>AGENDA TITLE</b>	IV. B. Approval & Ratification of Warrants
<b>STAFF LEAD</b>	Abigail Berg, Director of Finance and Administration
<b>REQUESTED</b>	<input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Motion/Action <input type="checkbox"/> Discussion
<b>ATTACHMENTS</b>	1. Warrants

As of Commission packet publication time, the 1/21/22 accounts payable warrant run is being input to the accounting system, hence there is no register for this run to include in the Friday packet. The register will be added to the packet on Monday.

The approximate total of the warrant run is \$345,000, which includes the (3) pick-up trucks received the week of January 10<sup>th</sup> for approximately \$93,000 (which includes \$6,375 in added equipment for them), and the quarter 4 Leasehold Excise tax for approximately \$147,000.

Other warrant run registers for this period are attached here.

**New Warrants Register has been added (3:30 PM 1/21/22), pages 17a - 17d.**



PO Box 1180 • Port Townsend, WA 98368

Administration: (360) 385-0656

Operations: (360) 385-2355

Fax: (360) 385-3988

### **ELECTRONIC DEBIT – Kitsap Bank**

We, the undersigned, as Commissioners and Auditing Officer of the Port of Port Townsend, in Jefferson County, Washington, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation of the Port of Port Townsend, that we are authorized to authenticate and certify said claim, and that the Electronic Debit from the Port Checking Account held at Kitsap Bank is approved for payment in the amount of **\$2,480.68 is ratified.**

**Signed and Authenticated** on this **26th** day of **January**, 2022.

For: Washington State, Department of Revenue  
Combined Excise Tax Return – for ***December, 2021*** in the amount of  
**\$2,480.68.**

\_\_\_\_\_  
Commissioner Pam Petranek

\_\_\_\_\_  
Commissioner Carol Hasse

\_\_\_\_\_  
Commissioner Pete W. Hanke

\_\_\_\_\_  
S. Abigail Berg, Director of Finance  
and Administration

**Washington State Department of Revenue**

Your Return has been submitted and your confirmation number is **0-024-282-955**

Below is information from your Monthly Return for the period ending December 31, 2021

<b>Filing Date</b>	January 19, 2022
<b>Account ID</b>	161-000-044
<b>Primary Name</b>	BOAT HAVEN FUEL DOCK
<b>Payment Method</b>	ACH Debit/E-Check
<b>Payment Effective</b>	January 20, 2022
<b>Total Tax</b>	3,370.92
<b>Total Credits</b>	890.24
<b>Total Due</b>	2,480.68



# Combined Excise Tax Return

161-000-044  
BOAT HAVEN FUEL DOCK  
PORT OF PORT TOWNSEND

**Filing Period:** December 31, 2021

**Due Date:** January 25, 2022

**Filing Frequency:** Monthly

## Business & Occupation

Tax Classification	Gross Amount	Deductions	Taxable Amount	Tax Rate	Tax Due
Retailing	25,428.47	0.00	25,428.47	0.004710	119.77
Service and Other Activities (\$1 million or greater in prior year)	34,015.96	0.00	34,015.96	0.017500	595.28
<b>Total Business &amp; Occupation</b>					<b>715.05</b>

## State Sales and Use

Tax Classification	Gross Amount	Deductions	Taxable Amount	Tax Rate	Tax Due
Retail Sales	25,428.47	0.00	25,428.47	0.065000	1,652.85
<b>Total State Sales and Use</b>					<b>1,652.85</b>

## Public Utility Tax

Tax Classification	Gross Amount	Deductions	Taxable Amount	Tax Rate	Tax Due
Water Distribution	1,002.10	0.00	1,002.10	0.050290	50.40
Other Public Service Business	6,479.44	0.00	6,479.44	0.019260	124.79
<b>Total Public Utility Tax</b>					<b>175.19</b>

## Deductions

Tax Classification	Deduction	Amount
<b>Business &amp; Occupation</b>		
Retailing	Motor Vehicle Fuel Tax	0.00
<b>State Sales and Use</b>		
Retail Sales	Motor Vehicle Fuel Sales	0.00

## Credits

	Amount
Main Street Credit	715.05
Main Street Credit	175.19
<b>Total Credits</b>	<b>890.24</b>

**Local City and/or County Sales Tax**

Location	Taxable Amount	Tax Rate	Tax Due
1601 - PORT TOWNSEND	25,428.47	0.026000	661.14
<b>Total Local City and/or County Sales Tax</b>			<b>661.14</b>

**Transient Rental Income**

Location	Income
1601 - PORT TOWNSEND	8,334.68
Total Transient Rental Income	
	8,334.68

**Special Hotel/Motel**

Location	Taxable Amount	Tax Rate	Tax Due
1601 - PORT TOWNSEND	8,334.68	0.020000	166.69
<b>Total Special Hotel/Motel</b>			<b>166.69</b>

<b>Total Tax</b>	<b>3,370.92</b>
<b>Total Credits</b>	<b>890.24</b>
<b>Subtotal</b>	<b>2,480.68</b>
<b>Total Amount Owed</b>	<b>2,480.68</b>

**Prepared By:** Donna Frary  
**E-Mail Address:** donna@portofpt.com  
**Submitted Date:** 1/19/2022  
**Confirmation #:** 0-024-282-955

**Payment Type:** ACH Debit/E-Check  
**Amount:** \$2,480.68  
**Effective Date:** 1/20/2022



PO Box 1180 • Port Townsend, WA 98368

Administration: (360) 385-0656  
3988

Operations: (360) 385-2355

Fax: (360) 385-

### **WARRANT/ELECTRONIC PAYMENT APPROVAL**

We, the undersigned, as Commissioners and Auditing Officer of the Port of Port Townsend, in Jefferson County, Washington, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claims are just, due and unpaid obligations against the Port of Port Townsend, that we are authorized to authenticate and certify to said claim and that payment of these claims, in Warrant No 064713 through No. 064718 generated on January 18th, 2022 in the amount of \$9,614.21 and Electronic Payment in the amount of \$84,473.58, for a total amount of \$94,087.79 is **ratified.**

**Signed and Authenticated** on this 26th day of January, 2022.

**For: Payroll and Benefits**

\_\_\_\_\_  
Commissioner Pam Petranek

\_\_\_\_\_  
Commissioner Carol Hasse

\_\_\_\_\_  
Commissioner Pete W. Hanke

\_\_\_\_\_  
S. Abigail Berg, Director of Finance  
And Administration



PO Box 1180 • Port Townsend, WA 98368

Administration: (360) 385-0656

Operations: (360) 385-2355

Fax: (360) 385-3988

### **ELECTRONIC DEBIT – Kitsap Bank**

We, the undersigned, as Commissioners and Auditing Officer of the Port of Port Townsend, in Jefferson County, Washington, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation of the Port of Port Townsend, that we are authorized to authenticate and certify said claim, and that the Electronic Debit from the Port Checking Account held at Kitsap Bank is approved for payment in the amount of **\$1,476.01 is ratified.**

**Signed and Authenticated** on this **26th** day of **January**, 2022.

For: Washington State, Employment Security Department for  
WA State Paid Family Medical Leave – for ***Qtr 4, 2021*** in the amount of  
***\$1,476.01***

\_\_\_\_\_  
Commissioner Pete W. Hanke

\_\_\_\_\_  
Commissioner Pam Petranek

\_\_\_\_\_  
Commissioner Carol Hasse

\_\_\_\_\_  
S. Abigail Berg, Director of Finance  
And Administration

## Donna Frary

---

**From:** do\_not\_reply@esd.wa.gov  
**Sent:** Monday, January 10, 2022 8:44 AM  
**To:** Donna Frary  
**Subject:** Payment Confirmation

Thank you for your recent payment to Paid Family & Medical Leave.

Payment Application: Paid Family & Medical Leave Payment Status: Payment completed successfully.  
Confirmation Number: 22011088437073  
Payment Date: 01/10/2022

-----  
Billing Address: Port of Port Townsend  
PO Box 1180  
Port Townsend, WA 98368  
3603795217

-----  
Account Number: x5811  
Routing Number: 125102906  
Account Type: Checking

-----  
Payment Amount: 1476.01 USD  
Total Amount: 1476.01 USD  
-----

DO NOT REPLY DIRECTLY TO THIS EMAIL.



PO Box 1180 • Port Townsend, WA 98368

Administration: (360) 385-0656

Operations: (360) 385-2355

Fax: (360) 385-3988

### **ELECTRONIC DEBIT – Kitsap Bank**

We, the undersigned, as Commissioners and Auditing Officer of the Port of Port Townsend, in Jefferson County, Washington, do hereby certify under penalty of perjury that the obligation described below is a just and unpaid obligation of the Port of Port Townsend, and that the Electronic Debit from the Port Checking Account held at Kitsap Bank is approved for payment in the amount of **\$18,088.16 is ratified.**

**Signed and Authenticated** on this **26th** day of **January, 2022.**

For: Washington State Department of Labor & Industries  
4th Quarter Tax Return for **October - December, 2021** in the amount of  
**\$18,055.16**

\_\_\_\_\_  
Commissioner Pam Petranek

\_\_\_\_\_  
Commissioner Pete W. Hanke

\_\_\_\_\_  
Commissioner Carol Hasse

\_\_\_\_\_  
S. Abigail Berg, Director of Finance  
And Administration



# Washington State Department of Labor & Industries

Quarterly Report  
Submit Date: 1/9/2022  
Confirmation Number: 8441759

## Quarterly Report

PORT OF PORT TOWNSEND  
PO BOX 1180  
PORT TOWNSEND, WA 98368

Account Manager: KEITH CURTISS  
4th Quarter: 10/1/2021 - 12/31/2021

WA UBI: 161000044  
L&I Account ID: 061,069-00  
Phone Number: 3603852355 Ext: 0

### Volunteer Reporting

Class Code	Nature of Work	Number of New Volunteers Reported
6901-00	Volunteers-Excl Law Enf Offrs	0

Class Code	Nature of Work	Gross Payroll	Worker Hours	Rate Per Hour	Amount Owed
4201-02	Port Districts Incl Salesmen	\$392,214.00	10,479	1.6535	\$17,327.03
5306-07	Counties/Tax Dist Adm/CI Offc	\$210,144.00	3,474	0.2139	\$743.09
6901-00	Volunteers-Excl Law Enf Offrs	\$0.00	325	0.0555	\$18.04
<b>Total of Premiums:</b>					<b>\$18,088.16</b>
<b>Grand Total:</b>					<b>\$18,088.16</b>

## Preparer's Information

Preparer: Donna Frary  
Daytime Phone: 360-379-5217  
Email: donna@portofpt.com

## Payment Information

Method of Payment: eCheck  
Payment Amount: \$18,088.16  
Bank Routing Information: 125102906  
Bank Account Information: XXXXXXXXXXXX5811  
Bank Account Type: BusinessChecking  
Scheduled Payment Date: 1/9/2022



PO Box 1180 • Port Townsend, WA 98368

Administration: (360) 385-0656

Operations: (360) 385-2355

Fax: (360) 385-3988

## **WARRANT APPROVAL**

We, the undersigned, as Commissioners and Auditing Officer of the Port of Port Townsend, in Jefferson County, Washington, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claims is a just, due and unpaid obligation of the Port of Port Townsend, that I am authorized to authenticate and certify to said claim and that these claims, in Warrant No 064719 through No. 064761, are approved for payment in the amount of \$345,177.17 on this 26th day of January, 2022.

For: **Accounts Payable**

\_\_\_\_\_  
Commissioner Pam Petranek

\_\_\_\_\_  
Commissioner Carol Hasse

\_\_\_\_\_  
Commissioner Pete W. Hanke

\_\_\_\_\_  
S. Abigail Berg, Director of Finance  
And Administration

Check Register  
Journal Posting Date: 1/26/2022  
Register Number: CD-000901

Port of Port Townsend (PTA)

Bank Code: W - WARRANTS PAYABLE							
Check Number	Check Date	Vendor	Invoice Number	Invoice Date	Invoice Amount	Discount Applied	Payment Amount
0000064719	1/26/2022	ARR010	Arrow Lumber Port Townsend				Check Entry Number: 001
			78991	12/28/2021	3,375.29	0.00	3,375.29
			78992	12/28/2021	7,626.53	0.00	7,626.53
Check 0000064719 Total:					11,001.82	0.00	11,001.82
0000064720	1/26/2022	BAN005	Bank of America				Check Entry Number: 001
			1/5/2022 STATEMENT	1/5/2022	6,609.70	0.00	6,609.70
0000064721	1/26/2022	BER040	Abigail Berg				Check Entry Number: 001
			1/2022 EXPENSE	1/22/2022	193.59	0.00	193.59
0000064722	1/26/2022	BLA065	Blake Tile & Stone, Inc.				Check Entry Number: 001
			90580	1/11/2022	1,700.11	0.00	1,700.11
0000064723	1/26/2022	CAN040	Canopy World, Inc.				Check Entry Number: 001
			039162	1/6/2022	362.99	0.00	362.99
			039164	1/6/2022	3,813.50	0.00	3,813.50
			039165	1/6/2022	989.41	0.00	989.41
			039166	1/6/2022	1,208.90	0.00	1,208.90
Check 0000064723 Total:					6,374.80	0.00	6,374.80
0000064724	1/26/2022	CEN010	Central Welding Supply				Check Entry Number: 001
			PT 140268	1/12/2022	171.02	0.00	171.02
0000064725	1/26/2022	CEN035	CenturyLink				Check Entry Number: 001
			1/8/22 STATEMENTS	1/8/2022	814.81	0.00	814.81
0000064726	1/26/2022	COA050	Mott MacDonald				Check Entry Number: 001
			100339-27	1/11/2022	16,219.85	0.00	16,219.85
0000064727	1/26/2022	COW020	Cowling and Co. LLC				Check Entry Number: 001
			487	12/31/2021	446.80	0.00	446.80
			488	12/31/2021	1,704.00	0.00	1,704.00
Check 0000064727 Total:					2,150.80	0.00	2,150.80
0000064728	1/26/2022	DAV020	Betsy Davis				Check Entry Number: 001
			REFUND 1/7/22	1/7/2022	444.88	0.00	444.88
0000064729	1/26/2022	DOR040	John Dorsey				Check Entry Number: 001
			REFUND 1/12/22	1/12/2022	309.90	0.00	309.90
0000064730	1/26/2022	END040	enduris Washington				Check Entry Number: 001
			R22-318-4	1/19/2022	804.00	0.00	804.00
0000064731	1/26/2022	FER001	Ferrellgas				Check Entry Number: 001
			5006739713	12/26/2021	80.80	0.00	80.80
0000064732	1/26/2022	GAN060	John Gantz				Check Entry Number: 001
			REFUND 1/20/22	1/20/2022	69.00	0.00	69.00
0000064733	1/26/2022	GLA060	Glass Services Company				Check Entry Number: 001
			52326	1/15/2022	7,570.45	0.00	7,570.45
0000064734	1/26/2022	HRA030	HRA VEBA Trust				Check Entry Number: 001
			1/2022 YA20407	1/26/2022	1,637.62	0.00	1,637.62
0000064735	1/26/2022	JAM040	Jamestown Networks				Check Entry Number: 001
			6812	1/1/2022	548.00	0.00	548.00
0000064736	1/26/2022	LEM040	Lemay Mobile Shredding				Check Entry Number: 001
			4729456	1/1/2022	13.65	0.00	13.65
0000064737	1/26/2022	NOP005	North Olympic Peninsula RC & D				Check Entry Number: 001
			440	1/13/2022	1,500.00	0.00	1,500.00
0000064738	1/26/2022	NOR097	Northsound Auto Group, LLC				Check Entry Number: 001
			MG714555	1/10/2022	28,570.95	0.00	28,570.95
			MG714556	1/10/2022	28,570.95	0.00	28,570.95
			MG714557	1/10/2022	29,561.85	0.00	29,561.85

Run Date: 1/21/2022 2:12:33PM  
A/P Date: 1/26/2022

Page: 1  
User Logon: DLF

## Check Register

Journal Posting Date: 1/26/2022

Register Number: CD-000901

Port of Port Townsend (PTA)

				Bank Code: W - WARRANTS PAYABLE			
Check Number	Check Date	Vendor	Invoice Number	Invoice Date	Invoice Amount	Discount Applied	Payment Amount
Check 0000064738 Total:					86,703.75	0.00	86,703.75
0000064739	1/26/2022	OES001	OESD 114				Check Entry Number: 001
			2122000687	1/15/2022	4,029.00	0.00	4,029.00
0000064740	1/26/2022	OLY003	Olympic Springs, Inc.				Check Entry Number: 001
			344364	12/31/2021	17.35	0.00	17.35
0000064741	1/26/2022	PET020	Peters Marine Services				Check Entry Number: 001
			568258	1/10/2022	1,465.97	0.00	1,465.97
0000064742	1/26/2022	PET025	Petrick Lock & Safe				Check Entry Number: 001
			20656	1/10/2022	85.46	0.00	85.46
			20657	1/10/2022	18.00	0.00	18.00
Check 0000064742 Total:					103.46	0.00	103.46
0000064743	1/26/2022	PLA040	PLATT				Check Entry Number: 001
			2J86541	1/7/2022	171.66	0.00	171.66
0000064744	1/26/2022	POR005	Port Townsend Leader				Check Entry Number: 001
			108879	1/3/2022	307.75	0.00	307.75
			198252	12/17/2021	149.00	0.00	149.00
			198713	1/10/2022	129.00	0.00	129.00
Check 0000064744 Total:					585.75	0.00	585.75
0000064745	1/26/2022	PRI001	The Printery				Check Entry Number: 001
			220756	1/19/2022	365.94	0.00	365.94
0000064746	1/26/2022	PUD005	PUD #1 of Jefferson County				Check Entry Number: 001
			1/11/22 STATEMENTS	1/11/2022	34,223.20	0.00	34,223.20
			1/2022	1/11/2022	39.80	0.00	39.80
Check 0000064746 Total:					34,263.00	0.00	34,263.00
0000064747	1/26/2022	QUI010	Quimper Mercantile				Check Entry Number: 001
			107681	12/15/2021	186.38	0.00	186.38
			114282	1/12/2022	279.56	0.00	279.56
Check 0000064747 Total:					465.94	0.00	465.94
0000064748	1/26/2022	SEC010	Security Services				Check Entry Number: 001
			120017	1/1/2022	190.85	0.00	190.85
0000064749	1/26/2022	SHO010	Shold Excavating Inc				Check Entry Number: 001
			65578	1/19/2022	1,000.32	0.00	1,000.32
0000064750	1/26/2022	SOU001	Soundings Publications, Inc				Check Entry Number: 001
			8049349	12/31/2021	84.00	0.00	84.00
0000064751	1/26/2022	SPA070	Chris Sparks				Check Entry Number: 001
			1/2022	1/26/2022	110.54	0.00	110.54
0000064752	1/26/2022	SUN003	Sunshine Propane				Check Entry Number: 001
			019677	12/31/2021	76.37	0.00	76.37
0000064753	1/26/2022	TER030	Terrapin Architecture PC				Check Entry Number: 001
			22-020	1/5/2022	803.75	0.00	803.75
			22-021	1/5/2022	67.50	0.00	67.50
Check 0000064753 Total:					871.25	0.00	871.25
0000064754	1/26/2022	TIM060	Timothy R Manly				Check Entry Number: 001
			1/2022	1/26/2022	1,848.15	0.00	1,848.15
0000064755	1/26/2022	TWI001	Spectra Laboratories - Kitsap				Check Entry Number: 001
			22-00146	1/14/2022	58.00	0.00	58.00
0000064756	1/26/2022	VEN070	VenTek International				Check Entry Number: 001
			130376	1/1/2022	103.65	0.00	103.65
0000064757	1/26/2022	VIR060	Virtower				Check Entry Number: 001

Run Date: 1/21/2022 2:12:33PM

A/P Date: 1/26/2022

Page: 2

User Logon: DLF

**Check Register**

Journal Posting Date: 1/26/2022

Register Number: CD-000901

Port of Port Townsend (PTA)

Bank Code: W - WARRANTS PAYABLE						
Check Number	Check Date	Vendor	Invoice Number	Invoice Date	Invoice Amount	Discount Applied Payment Amount
			1226	1/14/2022	500.00	0.00 500.00
0000064758	1/26/2022	WA0126	Washington State Bar Association			Check Entry Number: 001
			TOEWS 2022	1/26/2022	478.00	0.00 478.00
0000064759	1/26/2022	WA1803	State of Washington			Check Entry Number: 001
			4TH QTR LET 2021	1/26/2022	146,922.45	0.00 146,922.45
0000064760	1/26/2022	WA1901	State of Washington			Check Entry Number: 001
			L146010	1/13/2022	113.10	0.00 113.10
			L146219	1/13/2022	6,220.50	0.00 6,220.50
Check 0000064760 Total:					6,333.60	0.00 6,333.60
0000064761	1/26/2022	WIL036	Jeffrey Wilson			Check Entry Number: 001
			REFUND 1/10/2022	1/10/2022	213.37	0.00 213.37
Report Total:					345,177.17	0.00 345,177.17

# PORT OF PORT TOWNSEND

## AGENDA COVER SHEET

<b>MEETING DATE</b>	January 26, 2022
<b>AGENDA ITEM</b>	<input type="checkbox"/> Consent <input type="checkbox"/> 1 <sup>st</sup> Reading <input type="checkbox"/> 2 <sup>nd</sup> Reading <input checked="" type="checkbox"/> Regular Business <input type="checkbox"/> Informational
<b>AGENDA TITLE</b>	VII. A. Resolution 762-22 Delegation of Authority to the Executive Director
<b>STAFF LEAD</b>	Eron Berg, Executive Director
<b>REQUESTED</b>	<input type="checkbox"/> Information <input checked="" type="checkbox"/> Motion/Action <input checked="" type="checkbox"/> Discussion
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Staff Informational memo</li> <li>2. Draft Res. 762-22 Delegation of Authority to the Executive Director</li> </ol>

# PORT OF PORT TOWNSEND

## AGENDA MEMO

**DATE:** 1/26/2022  
**TO:** Commission  
**FROM:** Eron Berg, Executive Director  
**SUBJECT:** Delegation of Authority Resolution

---

### **ISSUES**

Should the Commission adopt the attached delegation of authority resolution?

### **BACKGROUND**

The current delegation expires on January 31, 2022. This item was on your agenda on January 12, 2022 and was tabled to this meeting to address a new concern/issue raised at the meeting.

### **DISCUSSION**

An updated draft of delegation is attached and includes very minor changes identified in track changes format, including:

II. C. 12 authority to make minor amendments to leases that are consistent with Commission intent

VII. A. authority to approve travel

XIV. C. authority to establish rates within Commission approved rate ranges

The item raised at the meeting related to II. A. 5. *"The lease may not be renewed or otherwise extended beyond five years without Commission approval."* This is the topic that was unresolved at the last meeting and requires more Commission discussion before action on the proposed delegation resolution.

### **FISCAL IMPACT**

None identified herein.

### **ATTACHMENTS**

n/a

### **RECOMMENDATIONS**

Motion to adopt Resolution 762-22 delegating administrative powers and duties to the executive director.

**RESOLUTION NO. 762-22**

**A Resolution of the Commission of the Port of Port Townsend**

**DELEGATING ADMINISTRATIVE POWERS AND DUTIES TO THE EXECUTIVE DIRECTOR AND DESIGNEES,  
REPEALING ALL PRIOR RESOLUTIONS DEALING WITH THE SAME SUBJECT MATTER. (SUPERSEDING  
RESOLUTION NO. 746-21)**

**WHEREAS** RCW 53.12.270 authorizes the Commission to delegate administrative powers and duties to the Executive Director, and

**WHEREAS** the Commission of the Port of Port Townsend has in the past adopted policy directives delegating administrative powers and duties to the Executive Director and designees for the purpose of expeditious administration of the Port, and

**WHEREAS** the Commission has from time to time found it necessary to amend and revise such directives due to changes in law and/or operations of the Port, and

**WHEREAS** the Commission now wishes to provide an updated master policy directive on the delegated administrative powers and duties of the Executive Director and designees and to repeal all prior resolutions dealing with the same subject matter;

**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of Port Townsend as follows:

Section 1. The master policy directive of the Commission of the Port of Port Townsend as set forth herein, is adopted for the purpose of establishing the delegated administrative powers and duties of the Executive Director and designees. This policy directive will remain in effect until January 31, 202~~3~~<sup>2</sup>, unless it is extended prior to that date.

Section 2. All portions of resolutions heretofore approved by the Commission pertaining to the subject matters contained in this resolution are hereby repealed.

Section 3. The Revised Code of Washington 53.08.090 authorizes the Commission to delegate by resolution to the Executive Director the authority to sell and convey Port personal property.

Section 4. The Port Commission hereby delegates to the Executive Director the authority to undertake the management operations of the Port.

Section 5. The following policy directive on the delegated administrative powers and duties of the Executive Director is hereby adopted.

**I. PREAMBLE**

A. The following policy is adopted by the Commission of the Port of Port Townsend for the purpose of establishing the administrative powers and duties of the Executive Director who is responsible for Port operations. The Executive Director may delegate to Port personnel such

administrative authority or reporting requirements herein established as is necessary and advisable in the efficient exercise of the Executive Director's powers and duties.

B. This policy sets forth specific delegations of power and duties from the Commission to the Executive Director. This policy shall not be interpreted to limit the duties or responsibilities of the Executive Director as those duties are determined from time-to-time by the Commission. In case of absence, the Executive Director may designate one or more senior Port staff to act in the place of the Executive Director with regard to the powers and duties herein. Subject to the limits within this delegation, the responsibility for all administration and Port operations of the Port rests with the Executive Director.

C. To implement delegations of authority to Port personnel, the Executive Director shall promulgate policy and procedural manuals, rules and procedures, monetary and budgetary directives and other such documents as personnel position descriptions, affirmative action plans, safety manuals, etc. which shall provide a clear span of authority and responsibility to the designees of the Executive Director.

D. Any Commission directives or initiatives shall be made through the Executive Director and shall be made only by the Commission acting as a body of the whole. Those directives include, but are not limited to, the separately adopted rate schedules, financial guidelines, promotional hosting policy, and standard lease policy.

E. The phrase "administration and Port operations", as used herein, means the regular day-to-day business of the Port, including but not limited to, operating, maintaining, and administering all of its properties, leasehold properties, facilities services and programs; including the implementation of construction work, alterations, repairs, maintenance, and improvements of the Port's real estate and physical facilities; and, the necessary planning incidental thereto; the conduct of financial accounting and legal matters as they relate to the Port's operation; the administration of all other operations which include personnel administration (i.e., hiring, firing, salary and benefits, training, grievance procedures, task and project assignments, employee training and incentive programs, etc.); the execution and administration of contracts; publishing legal notices; moorage agreements, and, all other pertinent functions.

F. The Executive Director shall inform the Commission regarding significant information, incidents, and business transactions by methods agreeable to the Commission. The Executive Director shall report to the Commission those actions as within this delegation. The Executive Director is the managing official of the Port, appointed by the Commission, and holds office as their representative. Nothing herein should be construed in any way as abrogating the duties and responsibilities of the Commission.

## **II. POLICY GOVERNING REAL PROPERTY**

A. Lease Arrangements: All real property when available for lease shall, except as otherwise provided herein below, be leased only under an appropriately written lease instrument, approved by the Commission, and accompanied by a lease bond or other form of security in accordance with the law and the Port's Lease Policy. However, the Executive Director may execute short-term leases (terms of one year or less) subject to all of the following conditions:

1. The appropriate lease surety must be in place consistent with statutory requirements and the Port's standard form of lease, with the exception of State and Federal leases that require the use of the tenant's lease form as long as the content of the lease form does not materially change the Port's intent in its standard lease form.

2. The arrangements for short-term occupancy shall be evidenced by the Port's standard form of lease (except that any clearly inapplicable provision or provisions inconsistent with the policy herein set out shall be deleted from the standard form).

3. The amount of the rental shall be in accordance with the rental revenue standards adopted by the Commission for similar Port property of the same or similar class and type and devoted to similar uses.

4. The use to which the property may be put by the tenant shall be expressly stated and shall be in accordance with the standards of use adopted by the Commission for the same or similar Port property or properties.

5. The lease may not be renewed or otherwise extended beyond five years without Commission approval.

B. Sublease Procedures: Leases, licenses, operating agreements, and related contracts between the Port and its tenants, licensees, and other parties shall include restrictions on the subleasing and require at a minimum the prior written consent of the Port to such subleases. Subject to the provisions of the lease or agreement, the Executive Director is authorized to grant consents to subleases, which for the purposes hereof shall include sub-operating agreements and sub-licensee agreements.

C. Other Lease Documents: The Executive Director is authorized to execute the following property instruments, subject to the terms specified herein:

1. Temporary and permanent easements for purposes of utility installation and maintenance, access, rights of entry and signage only.

2. Business Licenses and Licenses to Operate.

3. Aquatic land leases with the Washington State Department of Natural Resources to accommodate leasehold property leases consistent with the Port Management Agreement.

4. Binding site plans and short plats consistent with Port master plans in order to activate leasehold interests.

5. Changes in name of responsible party to the lease if all other conditions, including primary ownership, remain the same.

6. Lease assignments for purposes of collateral, including Waiver of Landlord Lien Agreements.

7. Lease assignments for purposes of a single condominium unit conveyance (change of ownership) where there is an established condominium association as the Lessee.

8. Response to estoppels and attornments.

9. Estoppel and attornment agreements.

10. Use Permits.

11. Rental and Storage Agreements.

~~11-12.~~ Minor amendments intended to correct errors or oversights that are consistent with the intent of the Commission approved lease.

D. Lease Enforcement and Lease Terminations: The Executive Director is authorized to enforce all terms and conditions of Port leases. The Executive Director is authorized to issue all appropriate notices of default and/or notices of termination with regard to Port leases. The Executive Director is authorized to terminate any lease under the terms and conditions therein.

Upon termination, the Executive Director is authorized to take all steps necessary to retake possession of the leasehold and recover for the Port all sums due the Port pursuant to the lease and the law. The Executive Director shall keep the Commission informed with respect to lessees that are issued default notices or termination notices.

### **III. POLICY GOVERNING CONTRACTS FOR PERFORMANCE OF PUBLIC WORK**

A. Public Work Contract Awards: The Executive Director shall have the responsibility for following all required statutory procedures in connection with all public work contracts. The Executive Director is authorized to carry out all procedures required by applicable statutes preliminary to the acts required to be performed by the Commission at an open meeting. The Executive Director may, without prior Commission approval, execute on behalf of the Port public work contracts for \$300,000 or less, so long as the expenditure is within the limits of overall budgetary authority. In addition, the Executive Director may, without prior Commission approval, execute on behalf of the Port, public work contracts for public work identified in a specific budgetary line item and where the contract price and all other charges do not exceed the amount authorized in that specific budgetary line item.

B. Emergency Public Work Contracts: When any emergency shall require the immediate execution of a public work contract, the Executive Director, pursuant to the procedures of RCW 39.04.020 (and as amended), is authorized to make a finding of the existence of such emergency and execute any public work contract necessary to respond to the existing emergency, provided that the Executive Director shall, at the first Commission meeting following the Executive Director's finding of the existence of an emergency, request Port Commission ratification of the finding of an emergency and any contract awarded or executed pursuant to this authority. From the inception of any such emergency, the Executive Director shall continuously advise the Commission of the status of the emergency situation and the progress of any such public work contracts executed to remedy the emergency. Emergency public work contracts executed pursuant to the authority herein shall contain a clause which states that the contract is subject to ratification by the Commission and that if ratification does not follow, the contract shall terminate, and the Contractor shall be compensated for his work and materials used to the time of termination.

C. Change Orders: In the instances where public work contracts have been awarded and under which the work is in progress and individual changes in plans and/or specifications are necessitated in order to properly accomplish the work, the Executive Director is authorized, without prior Commission approval, to execute individual change orders to the contract if the following conditions are met:

1. The estimated cost of the aggregate changes in plans and/or specifications and all other charges will not exceed the specific budgetary line item, or, in cases requiring Commission approval for public works contracts, the authorized amount.
2. The contract provides for issuance of change orders.

### **IV. POLICY GOVERNING CONTRACTS FOR ACQUISITION OF MATERIALS, EQUIPMENT, SUPPLIES and SERVICES**

A. Items Acquired for Normal Maintenance and Operation in the Open Market: The Executive Director shall have the responsibility for following all required statutory procedures, where applicable, in connection with all contracts for the acquisition of utilities, materials, equipment, supplies, and services provided; however, where utilities, materials, equipment,

supplies, and services are acquired on the open market or pursuant to published tariffs and used or are necessary in normal maintenance and operations of the Port, no prior approval shall be required but shall, where appropriate, be approved or ratified as a part of the normal warrant process, and further, provided that in all cases where a statutory requirement exists for award of contracts following competitive bidding.

B. Budgeted Acquisitions or Acquisitions of \$100,000, or less: The Executive Director may, without prior Commission approval, execute on behalf of the Port, contracts for materials, equipment, and supplies (where the acquisition does not meet the criteria of Section A above) for \$100,000 or less so long as the expenditure is within the limits of overall budgetary constraints. In addition, the Executive Director may, without prior Commission approval, execute on behalf of the Port contracts for materials, equipment, supplies, and services identified in a specific budgetary line item and where the contract price does not exceed the amount authorized in that specific budgetary line item by ten percent (10%).

1. Budgeted Acquisitions of \$25,000 or less: The Executive Director may delegate Director-level Staff the authority to execute on behalf of the Port, contracts for acquisitions identified in a specific budgetary line item where the contract price and all other charges do not exceed \$25,000.

C. Emergency Contracts for Acquisition of Materials, Equipment, Supplies, and Services: When an emergency requires the immediate acquisition of materials, equipment, supplies, and services, the Executive Director is authorized to make a finding of the existence of such emergency and execute any contract for acquisition of materials, equipment, supplies, and services (subject to the Port of Port Townsend's Purchasing Procedures) necessary to respond to the existing emergency, provided that the Executive Director shall, at the first Commission meeting following the Executive Director's finding of the existence of an emergency, request Port Commission ratification of the finding of an emergency and any contract awarded or executed pursuant to this authority. From the inception of any such emergency, the Executive Director shall continuously advise the Commission of the status of the emergency situation and the progress of any contracts executed to remedy the emergency. Emergency acquisition contracts executed pursuant to the authority herein shall contain a clause which states that the contract is subject to ratification by the Commission and that if ratification does not follow, the contract shall terminate, and the Contractor shall be compensated for his work and materials used to the time of termination.

**V. POLICY GOVERNING ADJUSTMENT AND SETTLEMENT OF CLAIMS AND PENALTIES EXCEPTING THOSE COVERED BY PARAGRAPH XIV BELOW:**

A. Procedure for Settling Claims: The Executive Director shall be responsible for the implementation of necessary procedures for the settlement of all claims, either against or on behalf of the Port. Procedures in the handling of such claims shall, at a minimum, include the following:

1. For purpose of this Paragraph V, "claim" shall mean the assertion of any position, penalty, right or responsibility by or against the Port, its Commissioners or employees, but not including uncollectible accounts only to the extent as covered in Paragraph X herein.
2. No claims against the Port shall be considered unless and until proper written notice has been provided to the Port.
3. All claims for or against the Port may be processed in all respects (except for their final approval and payment) by the Executive Director or Legal Counsel.

4. Except as provided under Section B below, no claims shall be finally approved for settlement except by the Commission and no claim shall be paid except as authorized by the Commission.

B. Executive Director's Authority to Settle Claims: The Executive Director may settle claims against the Port or claims asserted by the Port arising from operations for an amount not exceeding \$5,000. All claims when settled shall be reported to the Commission.

#### **VI. POLICY GOVERNING ARRANGEMENTS FOR PROFESSIONAL AND CONSULTANT SERVICES**

A. Procedure: The Executive Director shall be responsible for the Port's compliance with RCW 53.19 and the initiation of appropriate procedures to obtain professional services specified RCW 39.80 (i.e., architectural, engineering, landscape architects and land surveyors) where deemed necessary in carrying out Port operations.

B. Executive Director's Authority: When necessary, in the conduct of Port operations, the Executive Director may, without prior Commission approval, execute on behalf of the Port contracts for professional and consultant services for \$50,000 or less so long as the expenditure is within the limits of overall budgetary constraints and in compliance with state law.

#### **VII. POLICY GOVERNING TRAVEL OF EMPLOYEES AND OTHER AUTHORIZED REPRESENTATIVES OF THE PORT**

A. Executive Director's Authority: The Executive Director is authorized to approve travel ~~within the State of Washington~~ by employees and/or other authorized representatives of the Port in order to effectuate necessary Port operations, provided that the travel expenses are within the annual budget approved by the Commission. ~~The Commission shall approve all requests for and prior to any travel outside the State of Washington by employees and/or other authorized representatives of the Port.~~

#### **VIII. POLICY GOVERNING STAFF AND EMPLOYEE ADMINISTRATION**

A. Executive Director's Authority: The Executive Director shall have the authority to manage all personnel matters for Port employees and staff which includes hiring, firing, training, grievance procedures, managing collective bargaining agreements, including letters of agreement, employee salaries and benefits. The Executive Director shall carry out these responsibilities according to guidelines and policies to be established by the Executive Director and within overall budgetary constraints. The Commission shall approve any collective bargaining agreements and amendments thereto.

#### **IX. POLICY GOVERNING EXECUTIVE DIRECTOR'S AUTHORITY FOR PROPERTY ACQUISITIONS AND SALES**

A. Authority of the Executive Director for Acquisitions Authorized by the Commission: When the Port Commission authorizes the acquisition of real property by purchase or condemnation, the Executive Director shall take all necessary steps, including the securing of appraisals, to secure title of such property for the Port. Acquisition price of individual properties (or ownerships) shall in no case exceed the Port's appraisal by 10% (ten percent), nor shall the total price paid for all properties exceed the estimates of the Port Commission's authorization without further specific Commission authorization.

B. Execution of Documents of Sale: The sale of real property is reserved to specific Commission authorization. When the Commission authorizes the sale of real property, the Executive Director shall take all necessary steps to complete the transaction, including but not limited to, accepting deposits, opening escrow and signing all necessary documents.

**X. POLICY GOVERNING DISPOSITION OF UNCOLLECTIBLE ACCOUNTS**

A. Definition of "Write-off": The term "write-off" means the adjustment of the accounting records of the Port to reflect the fact that the account is uncollectible in the normal course of operations. The Executive Director may authorize Legal Counsel to initiate or continue with legal action to collect an account without regard to whether the account has been written off the accounting records of the Port.

B. Procedures: The Executive Director is authorized to establish procedures for and to write off any uncollectible account in the amount of .05% of annual operating revenues of the last complete fiscal year or less subject to the following general guidelines:

1. Prior to writing off any account receivable or uncollectible, the Executive Director shall be satisfied that every reasonable effort has been made by the Port to accomplish the collection of the account.
2. Any account in excess of .05% of annual operating revenues of the last complete fiscal year which is deemed to be uncollectible shall be referred to the Port Commission for final write-off.

**XI. POLICY GOVERNING LEASE SURETY, SURETY BONDS, RENTAL DEPOSITS, AND INSURANCE POLICIES**

A. Authority of the Executive Director: The Executive Director or his designee is authorized to take all necessary actions on behalf of the Commission in connection with lease surety, lease surety bonds, assignments of accounts, rental deposits, or insurance coverage required pursuant to any leases of the Port, including any of the following actions:

1. Where the lease is not in default, to release any surety, surety bond, or rental deposit where an adequate substitute surety or rental deposit has been provided.
2. To approve any surety, surety bond, rental deposit, certificate of insurance, or insurance policies submitted in fulfillment of the requirements of any lease, including substitute or replacement coverage for any terminated bond, surety, or rental insurance.
3. To approve any substitute or modification of surety or insurance coverage, and to release any surety or insurance company when substitute or replacement insurance coverage has been provided in connection with any outstanding lease of the Port.

**XII. POLICY GOVERNING SALE OF PERSONAL PROPERTY**

A. Sale of Property Pursuant to RCW 53.08.090: The Executive Director or his designee is authorized, pursuant to RCW 53.08.090, to sell and convey surplus personal property of the Port subject to the following conditions:

1. that the market value of such personal property does not exceed \$10,000; and

2. that prior to any such sale or conveyance, the Executive Director shall itemize and list the property to be sold and make written certification to the Commission that the listed property is no longer needed for Port purposes; and

3. that offers for purchase are solicited from at least three (3) parties whenever possible; and

4. that any large block of such property having a value in excess of \$10,000 shall not be divided into components of a lesser value and sold unless done so by public competitive bid; and

5. that no property which is part of the comprehensive plan of improvement or modification thereof shall be disposed of until the comprehensive plan has been modified pursuant to RCW 53.20.010 and until such property is found to be surplus to Port needs; and

6. that in no case shall surplus personal property be sold to any Port official or employee or members of their families without the specific approval of the Commission.

### **XIII. LITIGATION**

A. Management and Supervision of Litigation: The Executive Director and the Port's Legal Counsel (appointed by the Commission) shall be responsible for the procedures necessary for management and supervision of all litigation in which the Port has an interest, direct or indirect. For purposes of this section, "litigation" shall mean the assertion or potential assertion of any position, right or responsibility by or against the Port, including actions which have been filed in any court or any quasi-judicial or administrative forum.

B. Special Legal Services: The Executive Director, on consultation with the Port's Legal Counsel, is authorized to retain other such special counsel at fees as may be negotiated to assist in the handling of any claims, litigation, or other matters necessary to attend to the legal affairs of the Port, within overall budgetary constraints.

C. Engagement of Experts: The Executive Director may engage or cause to be engaged through Legal Counsel, such experts as may be necessary for the orderly support of claims or litigation in which the Port has a direct or indirect interest. Such engagement shall be upon authorization given by Legal Counsel after having been satisfied that such expenditure is necessary to the adequate preparation and representation of the Port's position in such litigation or claim and shall, wherever practicable, include evaluation of the litigation or claim and an estimate of the probable cost of such experts.

D. Consultation with Commission: The Executive Director will, in conjunction with the Port's Legal Counsel, consult with the Commission regarding strategy and the economic impact of litigation.

### **XIV. POLICY GOVERNING INTERLOCAL AGREEMENTS FOR USE OF PORT PROPERTY FOR TRAINING PURPOSES, ~~AND~~ EVENT SITE USE AGREEMENTS FOR EVENTS AND RATES WITHIN ESTABLISHED RANGES**

A. Executive Director's Authority: The Executive Director is authorized to execute agreements with other public agencies for purposes of conducting training exercises related to police, fire and public health and safety issues.

B. Executive Director's Authority: The Executive Director is authorized to execute event and site use agreements with organizations for events conducted by the organizations on Port property.

B.C. Executive Director's Authority: The Executive Director is authorized to establish rates for particular dates or seasons (i.e., low season or midweek discounted rates and peak season rates) when the Commission has established rate ranges on approved rate cards.

#### **XV. POLICY GOVERNING APPLICATION AND ACCEPTANCE OF GRANTS**

A. Authority of the Executive Director: The Executive Director or his designee is authorized to take all necessary actions on behalf of the Commission to prepare and submit applications for grants and State or Federal Legislative appropriations. The Executive Director shall notify the Commission of the amount and purpose of all grant applications and upon request shall provide copies of such applications.

B. Acceptance of Grants: The Executive Director shall consult with the Commission prior to accepting or appropriating any grant awarded to the Port and shall obtain Commission approval to accept and appropriate any grant funding or expenditure which was not specifically identified in the approved annual budget.

#### **XVI. POLICY GOVERNING PERMIT APPLICATIONS AND NOTICES OF INTENT**

A. Executive Director's Authority: The Executive Director is authorized to take all necessary actions to prepare and submit applications and notices of intent for coverage under state, local and federal regulatory permits including but not limited to, National Pollution Discharge Elimination System (NPDES) permits, Joint Aquatic Resources Permit Application (JARPA), and Hydraulic Project Approval (HPA) permits.

#### **XVII. POLICY GOVERNING PROMULGATION OF ADMINISTRATIVE RULES AND REGULATIONS**

A. Authority of the Executive Director: The Executive Director is authorized to adopt administrative rules, regulations and procedures necessary (hereinafter "rules and regulations") for the efficient operation of the Port so long as such rules and regulations are reported to the Commission and are consistent with Commission policy. All amendments to the rules and regulations established therein may hereafter be made by the Executive Director, so long as such amendments do not exceed the authority of the Executive Director, as granted elsewhere herein, and are reported to the Commission in a timely manner.

#### **XVIII. POLICY GOVERNING AUTHORITY TO ENTER INTO NON- DISCLOSURE AGREEMENTS**

A. Authority of the Executive Director: The Executive Director is authorized to enter into non-disclosure agreements on behalf of the Port of Port Townsend, provided that the non-disclosure agreement is first reviewed by legal counsel to ensure compliance with applicable law, including laws relating to public records and open public meetings.

**ADOPTED** by the Board of Commissioners of the Port of Port Townsend this \_\_\_\_ day of January, 2022 and duly authenticated in open session by signatures of the Commissioners voting in favor thereof and the seal of the Commission duly affixed.

**ATTEST:**

---

Secretary

---

President

---

Vice President

APPROVED AS TO FORM:

---

Port Attorney

# PORT OF PORT TOWNSEND

## AGENDA COVER SHEET

<b>MEETING DATE</b>	January 26, 2022
<b>AGENDA ITEM</b>	<input type="checkbox"/> Consent <input type="checkbox"/> 1 <sup>st</sup> Reading <input type="checkbox"/> 2 <sup>nd</sup> Reading <input checked="" type="checkbox"/> Regular Business <input type="checkbox"/> Informational
<b>AGENDA TITLE</b>	VII. B. Future Agenda Topics for 2022
<b>STAFF LEAD</b>	Eron Berg, Executive Director
<b>REQUESTED</b>	<input checked="" type="checkbox"/> Information <input type="checkbox"/> Motion/Action <input checked="" type="checkbox"/> Discussion
<b>ATTACHMENTS</b>	1. Staff Informational memo

# PORT OF PORT TOWNSEND

## AGENDA MEMO

**DATE:** 1/12/2022  
**TO:** Commission  
**FROM:** Eron Berg, Executive Director  
**SUBJECT:** 2022 Topics

---

### **ISSUES**

In preparation for 2022, what topics would the Commission like to have on future agendas?

### **BACKGROUND**

This topic was on your agenda as part of the roundtable discussion from the January 12, 2022 meeting but was not addressed due to time constraints.

### **DISCUSSION**

Staff have identified the following topics for possible consideration at 2022 workshops or other commission meetings:

- Strategic Plan update, scope, process and engagement plan
- Evaluating the seasonal Workyard discount
- Lease policy as it relates to selection of tenants and prioritization of uses for certain properties
- Communication plan & strategies to maximize engagement
- Separate from the capital projects update, a detailed discussion of the boat yard western expansion project

There are many ongoing topics that will require commission work and time in 2022 like, for example, the Quilcene Planning process, that are not listed here as they are already in the works.

### **FISCAL IMPACT**

None identified herein.

### **ATTACHMENTS**

n/a

### **RECOMMENDATIONS**

Discuss and provide direction on topics to be included on future agendas.

# PORT OF PORT TOWNSEND

## AGENDA COVER SHEET

<b>MEETING DATE</b>	January 26, 2022
<b>AGENDA ITEM</b>	<input type="checkbox"/> Consent <input type="checkbox"/> 1 <sup>st</sup> Reading <input type="checkbox"/> 2 <sup>nd</sup> Reading <input type="checkbox"/> Regular Business <input checked="" type="checkbox"/> Informational
<b>AGENDA TITLE</b>	Informational Items
<b>STAFF LEAD</b>	Abigail Berg, Director of Finance and Administration
<b>REQUESTED</b>	<input checked="" type="checkbox"/> Information <input type="checkbox"/> Motion/Action <input type="checkbox"/> Discussion
<b>ATTACHMENTS</b>	<ul style="list-style-type: none"> <li>• Lease Briefing</li> <li>• Contracts Update</li> <li>• JCIA 2023-2027 Capital Improvement Plan (CIP)</li> </ul>

# PORT OF PORT TOWNSEND

## INFORMATIONAL MEMO

**DATE:** January 20, 2022  
**TO:** Commissioners  
**FROM:** Sue Nelson, Lease & Contracts Administrator  
**SUBJECT:** January 26, 2022, Commission Meeting - Lease Briefing

---

The CPI-U rate being applied to 2022 leases and rentals is 4.6%.

### ***Point Hudson:***

**The Armory Building tenants group** responded to Port staff, requesting to manage the Armory Building at \$0.21/sf, while current floor space is charged between \$0.61-0.70/sf. Mr. Toews has been corresponding with Mr. Fahey on their proposal.

I have provided **The Artful Sailor** with a month-to-month rental agreement for the small shop space on the ground floor of the Armory Building, next door to their current shop. They are expanding. Waiting for execution of the agreement, set to begin February 1, 2022.

We will be showing **SEA Marine** the upstairs vacant sail loft space, most likely the week of Jan. 24<sup>th</sup>.

**SEA Marine** has submitted a request to improve the Cupola House Annex, so that it can be used for canvas and upholstery supplies storage and fabrication, rather than as a storage facility only, as written in the agreement. Once the request to amend the premises Use of the rental agreement has been formally approved by a Port Director, SEA Marine will submit the proposed building improvements for formal approval from the Port.

Tom Aydelotte, owner of **Doc's Marina Grill**, has submitted his formal 90-day+ notice to exercise his last remaining five (5) year option, which will expire on April 30, 2027. Mr. Aydelotte would like to discuss a new ten (10) year agreement for the restaurant soon. The restaurant has been a staple at Point Hudson, attracting locals, out-of-towners, and tourists to Point Hudson.

### ***Boat Haven:***

Gus Sebastian (**Olympic Boat Transport**) is moving his crane business (crane only) to space next to Pete's Marine Metal on February 1, 2022. He has signed a rental agreement. This will free up more space in the yard for boats once the overhead power lines are removed.

Lisa Vizzini, owner of **Port Townsend Rigging**, announced they have an 800 sf, water-view shop available for rent in their building.

## PORT OF PORT TOWNSEND INFORMATIONAL MEMO

**DATE:** January 20, 2022

**TO:** Commissioners

**FROM:** Sue Nelson, Lease & Contracts Administrator

**CC:** Eron Berg, Executive Director

**SUBJECT:** **January 26, 2022 Commission Meeting** – Commission Update: New/Amended Contracts Under \$50,000, Approved by Executive Director Eron Berg, per Delegation of Authority Resolution No. 746-21

---

Name	Dates	Description	Amount Not to Exceed:
Peninsula Heat	1/10/2022	Installation of heat system- Quilcene moorage office	\$7,182.00 + tax
Pacific Environmental Services	2/1/2022-1/31/2024	On-call soil remediation services. <i>Renewal.</i>	PESCO rates



# Federal Aviation Administration

## Memorandum

Date: 1/12/2022

To: Jefferson County International Airport

From: Agnes Fisher

Subject: 2023-2027 CIP

The development of a solid Capital Improvement Plan (CIP) is important to identify the highest priority work within the anticipated funds that would most effectively improve the statewide airport system from a safety and preservation perspective. The table below represents the projects that the FAA intends to move forward with at this time; however as in any given year, projects are dependent on the availability of funding. Any changes to the agreed upon project list needs to be coordinated on your next SCIP and may affect funding and year.

Jefferson County International Airport  
5-YEAR PROJECTS & PLANNED FUNDING

Year#	Project Name	NPE*	ST/DI	Total
2023	Construct new connector taxiway A2, install signs, Phase 2 - (construction)	\$150,000	\$350,000/\$0	\$500,000
2024	Airport Master Plan Update	\$150,000	\$150,000/\$0	\$300,000
2025	Crack/Slurry Seal GA apron, east taxilanes, west taxilanes (1, 2 & 2A), and taxiways A, B and C	\$150,000	\$350,000/\$0	\$500,000
2026	Environmental Assessment (shift/widen parallel taxiway A, upgrade from B-I to II)	\$150,000	\$0**/\$0	\$300,000
2027	Shift/Widen parallel taxiway A Phase 1 (design, includes taxiway lights and signs, connector taxiways A1 and A4) (upgrade from BI to B-II)	\$150,000	\$0/\$0	\$150,000

# Projects originally planned for FY2022 that have been postponed are not addressed in this memo. If you plan to move a FY2022 project into FY2023 for a grant, please talk to your project manager. Environmental must be approved prior to January 15 in same year the sponsor expects funds for design.

\*Non-primary entitlement funds are specifically for general aviation airports that show needed airfield development listed in the latest published National Plan of Integrated Airport Systems (NPIAS). Non-primary entitlement funds are calculated as follows; the lesser of \$150,000 or 1/5 of an airport's 5-year development cost.

\*\*Grant requires an additional \$150,000 in funding, which is not available. New request may be submitted in FY2023 for funding.

For reference non primary entitlements balance prior to any FY2023 funding actions are listed below.

(2019 Expiring)	FY 2019	\$0
	FY 2020	\$0
	FY 2021	\$0
	FY 2022	\$150,000
	<b>TOTAL</b>	<b>\$150,000</b>

Your project manager is Mary Vargas, (206)-231-4131, Mary.Vargas@faa.gov please contact Her with any questions, comments or concerns.