

Port of Port Angeles

Port Angeles, Washington

Commissioners' Resolution No. 10-993

A RESOLUTION OF THE PORT COMMISSION OF THE PORT OF PORT ANGELES AMENDING EXHIBIT "A" OF THE MASTER POLICY DIRECTIVE ON THE ADMINISTRATIVE AUTHORITY OF THE EXECUTIVE DIRECTOR; REPEALING ALL OTHER PRIOR RESOLUTIONS DEALING WITH THE SAME SUBJECT MATTER.

WHEREAS, the Port Commission of the Port of Port Angeles has in the past adopted policy directives delegating administrative authority to the Executive Director for the purpose of expeditious administration of the Port; and

WHEREAS, the Port 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 Port Commission now wishes to further amend said master policy directive on administrative authority of the Executive Director 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 Angeles, Washington, as follows:

Section 1. The master policy directive of the Port Commission of the Port of Port Angeles as set forth in Exhibits "A" and "B" attached to this Resolution and by this reference incorporated herein, is adopted for the purpose of establishing the administrative authority of the Executive Director.

Section 2. Resolution No. 07-950 and any and all previously passed resolutions by the Port Commission dealing with the same subject matter are hereby repealed.

ADOPTED by the Port Commission of the Port of Port Angeles this 11th day of January 2010 and duly authenticated in open session by the signatures of the commissioners voting in favor thereof and the Seal of the Commission duly affixed.

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS


George H. Schoenfeldt, President


Jim McEntire, Vice President


John M. Calhoun, Secretary

PORT OF PORT ANGELES
COMMISSION POLICY DIRECTIVE ON ADMINISTRATIVE AUTHORITY
OF EXECUTIVE DIRECTOR

The following policy is adopted by the Commission of the Port of Port Angeles for the purpose of establishing the administrative authority of the Executive Director who is responsible for normal Port operations. The phrase "normal Port operations" as used herein, means regular day-to-day business transactions involving personnel, materials and money. The Commission shall retain an Executive Director to implement the objectives of the Port, which shall be established by the Commission. The Executive Director derives authority from the Commission acting as the governing body. The Executive Director shall retain professional staff, which shall operate and manage according to directives from the Executive Director. The Executive Director shall regularly inform and consult with the Commission regarding significant information and business transactions, by a method mutually agreeable to the Commission and the Executive Director. The Executive Director shall serve as the primary spokesperson for management. The Executive Director shall be solely responsible for the direction and conduct of business transactions of the Port.

With the exception of the limitations identified in the specific policies which follow, the Executive Director shall be responsible for the operation, maintenance, administration and use of the Port's marine terminals, airports and other properties and facilities; for the development of industrial districts; the implementation of construction work, alterations and improvements to the Port's real estate and physical facilities and necessary planning incidental thereto; the administration of the day-to-day operations which include personnel administration (salary and benefits, task and project assignments, hiring, firing, training, grievance procedures, employee enrichment and improvement, etc.); execution of contracts; the delivery of services essential to the Port's mission; financial and accounting related matters; legal matters and all other administrative matters. Further, the Executive Director is hereby authorized to publish notice of any and all public hearings which are required by law or are necessary for Commission action.

The Executive Director may delegate to appropriate Port staff such administrative authority or reporting requirements herein established as is necessary and advisable in the efficient exercise of the Executive Director's authority. To implement delegations of authority to Port staff, the Executive Director shall promulgate policy and procedure manuals, monetary delegations authority to execute contracts and other such documents as employee position descriptions, affirmative action plans, office manuals, etc. which shall include such delegations as appropriate. The responsibility for all administration and day-to-day operations of the Port rests with the Executive Director. Any Commission directives or initiatives shall be made through the Executive Director and shall be made only by the Commission acting as a body.

I. POLICY GOVERNING REAL & PERSONAL PROPERTY RENTALS:

A. Types of Lease Arrangements:

All real and personal property belonging to the Port when available for leasing shall, except as otherwise provided herein, be leased only under an appropriate written lease instrument executed by the Commission in accordance with RCW 53.08.085. The term lease as used herein may refer to rental agreements, operating agreements or use agreements. Provided, however in the case of a month-to-month lease and subject to all of the following conditions, the Executive Director may execute the lease:

1. A maximum of two months' rental shall be required to be paid in advance of the occupancy to cover the agreed rental for the first month and the additional sum equal to one month's rent to be held by the Port as a lease deposit for the full duration of the month-to-month occupancy and to insure compliance to lease terms.
2. The arrangements for month-to-month occupancy shall be evidenced by the Port's standard form of month-to-month 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 monthly rental shall be a fair market rent for property of the same or similar class and type and devoted to similar uses and may include rental allowances for tenant improvements consistent with market indicators.
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 Port for the same or similar Port property or properties.
5. The fair rental for the premises shall not be in excess of Seven Thousand Five Hundred Dollars (\$7,500.00) per month on month-to-month leases.
6. A lease bond or other appropriate reserve to protect Port's interest may be substituted by the Executive Director in lieu of requirements of Section I.A.1.
7. An additional sum may be required for purposes of damage and/or cleaning deposit.
8. The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month of all actions undertaken under this section.

B. Lease Procedures:

The Executive Director shall be responsible prior to execution by the Commission for carrying out the required procedural steps in effecting all other Port leases, which steps shall be as follows:

1. Except as provided in sub-paragraph 2 below, the steps to be taken in effecting a lease shall be as follows:
 - a. Submittal of information covering proposed lease to the Commission by staff memorandum or in executive session
 - b. Negotiation of lease terms and preparation of the proposed form of lease duly approved as to form by Port Counsel.
2. The procedural steps designated in Section I, paragraph B.1.a. above, may be omitted and the lease may be submitted directly to the Commission following execution by Lessee whenever a proposed final lease meets all of the conditions set out below:
 - a. The term of the lease (including any options for renewal) shall not exceed five years.

- b. The monthly rental amount shall not exceed Seven Thousand Five Hundred Dollars (\$7,500.00) per month.
 - c. The use of the premises to be leased are within criteria approved from time to time by the Commission.
 - d. All of the proposed final terms of the lease arrangement and the lease bond have been approved as to form by Port Counsel and are generally consistent with other existing Port leases in the same or similar areas.
- C. To the extent assignments, subleases, or options are permitted in the basic lease the same may be approved by the Executive Director, provided: other substantive terms of the lease are unchanged; any option or options do not result in a lease term (including options) of more than five years; rental adjustments provided for in the lease are made; and provided lease may be approved by the Executive Director if the scope of the amendment is otherwise within the authority of the Executive Director under this Resolution.
- D. The Executive Director is charged with the responsibility to insure that all lease terms are complied with and is authorized to take necessary measures to cause compliance or to protect the Port's legal position, including but not limited to the giving of all notices provided for in the lease.

II. POLICY GOVERNING LEASE BOND, RENTAL INSURANCE, OR OTHER SECURITY:

The Executive Director is authorized and authority is specifically delegated to take all necessary actions on behalf of the Commission and its officers in connection with lease surety bonds, lease surety, rental insurance, or other insurance coverage required pursuant to RCW 53.08.085 (as it may be amended or succeeded) and/or any leases of the Port, including any of the following actions:

1. Where the lease is not in default, to release any surety bond, surety, other security, or rental insurance where adequate substitute security has been provided. Whenever the Executive Director releases any surety bond, surety, rental insurance, or other security which secures any lease of the Port, they shall be acting on behalf of the Port with the full authority of the officers thereof in carrying out such release.
2. To approve any surety bond, surety, rental insurance, or other security or insurance 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 modifications of insurance coverage, and to release any insurance company when substitute or replacement insurance coverage has been provided in connection with any outstanding lease of the Port.
4. To determine on a case-by-case basis whether the surety bond, surety, rental insurance, or other security shall be required to secure any or all other lease provisions in addition to the rent. In making this determination, the Executive Director may consider the value of tenant leasehold improvements which become property of the Port upon default or other termination of the lease.

5. The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month of all known deviations and tenant defaults under this provision.

III. POLICY GOVERNING CONTRACTS FOR PERFORMANCE OF WORK:

A. Work Contract Awards:

1. The Executive Director may, without prior Commission approval, execute on its behalf small works roster contracts where the total estimated contract price does not exceed the limit of the Small Works Contract Statutes RCW 53.08.120-135 (as they may be amended or succeeded), and so long as all statutory procedures are followed, including bid and performance surety requirements. All contracts awarded under this section exceeding \$50,000 will be reported to the Commission at the first regularly scheduled meeting of the following month.
2. The Executive Director may, without Commission approval, prepare plans and specifications, issue notice calling for bids, award and accept contracts for work where the total estimated contract price does not exceed the limit as set forth in RCW 53.08.120-135 (as they may be amended or succeeded), provided all requirements of RCW 53.08.120-135 are met, provided the Commission shall be informed at the first regularly scheduled meeting of the following month as to such contracts awarded under this provision exceeding \$50,000, and further provided that such work is within authorized capital budget limits.
3. When any emergency shall require the immediate execution of a contract for work, the Executive Director, pursuant to the procedures of RCW 39.04.020 (as it may be amended or succeeded), is authorized to make a finding of the existence of such emergency and execute any contracts 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 Commission ratification of the finding of emergency and any contracts awarded and/or executed pursuant to that finding. From the inception of any such emergency, the Executive Director shall continuously advise the Commission of the development of the emergency situation and the progress of any contracts executed to remedy the emergency. Emergency as used in this paragraph is any situation which requires prompt action to protect life or property and damage to life or property is likely to occur during the time required to comply with the public bidding or small works procedures.

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

1. The change order does not exceed the following dollar limits:
 - a. For contracts awarded by the Executive Director, the total cost of all change orders shall not exceed . \$50,000.00 , or:

b. For contracts awarded by the Board, the estimated cost of the aggregate changes in plans and/or specifications will not exceed 10% of the contract price or \$50,000.00, whichever is less.

2. The contract provides for issuance of change orders.
3. The individual change order has been approved and certified by the project architect or engineer as being necessary to the proper accomplishment of the work called for in the basic contract.
4. The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month of all actions undertaken under this section.

IV. POLICY GOVERNING PERFORMANCE OF WORK BY PORT CREWS:

Prior Commission approval shall not be required where individual capital or maintenance projects are to be carried out by Port crews or day labor (when deemed appropriate) and do not exceed the limit in RCW 53.08.120-135 (as they may be amended or succeeded).

The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month all actions undertaken under this section estimated to exceed \$50,000 in labor and materials.

V. POLICY GOVERNING CONTRACTS FOR ACQUISITION OF MATERIALS, EQUIPMENT AND SERVICES:

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 and routine services. Utilities, materials, equipment, supplies and services (including services provided by public agencies) may be acquired on the open market, pursuant to published tariffs, or by competitive bidding when necessary for the normal maintenance and operations of the Port, and no prior Commission approval shall be required but shall, when appropriate, be approved as a part of normal monthly expenses and shall be within authorized budgets.

VI. POLICY GOVERNING ADJUSTMENT AND SETTLEMENT OF CLAIMS EXCEPTING THOSE COVERED BY PARAGRAPH XII BELOW:

The Executive Director shall be responsible for the observance of necessary procedures whereby the adjustment and final settlement of all claims, either against or on behalf of the Port, shall be carried out. Necessary procedures in the handling of such claims shall include the following:

- A. For purpose of this Paragraph VI, "Claim" shall mean the assertion of any position, right or responsibility by or against the Port but not including (1) "uncollectible accounts" only to the extent as covered in Paragraph XII. herein, or (2) claims asserted by or against the Port which have become the subject of litigation as defined in Paragraph XVII. herein.
- B. No claims against the Port shall be considered unless and until proper notice has been served by the claimant upon the Port as required by State statute.
- C. Where claims do not exceed the amount of the Ports applicable insurance deductible, such claims may be processed in all respects (except for their final approval and payment) by the Executive Director. No such claims shall be submitted to the Commission until a tentative agreement has been reached with the parties concerned for their settlement. Claims

exceeding Twenty Five Thousand Dollars (\$25,000) shall be reported to the Commission promptly.

- D. Except as provided under E. 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.
- E. Any claim arising from normal Port operations and not exceeding Seven Thousand Five Hundred Dollars (\$7,500.00) for a signed claim may be adjusted and settled by the Executive Director without prior reference to the Commission provided that all of the following conditions are met:
 - 1. The Port Counsel shall render his written opinion to the Executive Director that payment of the claim is justified on the basis of one or more of the following circumstances:
 - a. a substantial likelihood that the Port is or will be found liable;
 - b. the likelihood that a judgment rendered in the case would be in the amount claimed or higher;
 - c. the likelihood that the expenses involved in litigation would be unnecessarily high in relation to the amount claimed.
 - 2. All such claims, when settled, shall be reported to the Commission at the first regularly scheduled meeting of the following month.

VII. ARCHITECTURAL, ENGINEERING AND TECHNICAL SERVICES:

The Executive Director is authorized to contract with qualified architectural, engineering and technical testing and inspection firms licensed in the State of Washington to provide such services as required for maintenance, preliminary engineering work or small projects of the Port. Selection and reimbursement for such services shall follow all required statutory procedures and shall be consistent with normal established fees paid for such services. If the fee on any single project or closely related work is estimated to exceed Fifty Thousand Dollars (\$50,000.00), Commission approval shall be required. The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month of all actions undertaken under this section.

VIII. POLICY GOVERNING ARRANGEMENTS FOR PROFESSIONAL AND CONSULTANT SERVICES:

The Executive Director shall be responsible for the initiation of appropriate procedures to obtain professional and consultant services where deemed necessary in carrying out normal Port operations. Where necessary, an opinion by Port Counsel shall be obtained with respect to which statutory procedures are applicable, if any, in connection with arranging for such services. Where necessary in the conduct of normal Port operations, the Executive Director may arrange to obtain such services, without prior approval of the Commission, where the cost of the proposed service for any single project will not exceed the amount of Fifty Thousand Dollars (\$50,000). Whenever it is estimated that the cost to the Port for the proposed services will exceed this amount, arrangements for obtaining such services shall be initiated only after express authorization by the Commission. The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month of all actions undertaken under this section. With respect to contracting for personal services, the Port will comply with the provisions of RCW 53.19

IX. POLICY GOVERNING TRAVEL OF EMPLOYEES AND OTHER AUTHORIZED REPRESENTATIVES OF THE PORT:

In order to facilitate the necessary normal Port operation, the Executive Director is authorized to approve, without prior authorization of the Commission, travel by employees and/or other authorized representatives of the Port for the purpose of attending meetings with customers, suppliers, consultants, associations of which the Port is a member and informational seminars pertaining to Port operation.

The limits of such authorization shall be for travel within the United States and Canada. Reimbursable personal travel expenses shall not exceed Five Thousand Dollars (\$5,000) per trip. Attendance of meetings located beyond the above geographic area or costs in excess of \$5,000 shall require Commission approval. The Commission shall be advised at the first regularly scheduled meeting of the following month of all such authorizations for travel outside of the Port's jurisdiction (Clallam County) made by the Executive Director.

X. POLICY ESTABLISHING GRIEVANCE PROCEDURES FOR CERTAIN EMPLOYEES:

General grievance procedures for all Port employees, not otherwise subject to specific grievance procedures in Port labor agreements, shall be established provided that the grievance procedures may not include consideration of matters not subject to the Executive Director's discretion. Such general grievance procedure may include:

- A. Procedural steps governing the processing of grievances;
- B. Establish the responsibilities of each supervisory level in the process;
- C. Establish rules for representation of employees.

XI. POLICY ESTABLISHING SYSTEMS OF EMPLOYEE IMPROVEMENT:

The Executive Director shall establish systems of employee education, training and development complementing training and development programs and activities already authorized by the Commission. Such programs shall promote the policy of the Commission to increase the skills and productiveness of all Port employees. Such programs may include leave of absence in select cases and general and specific training and education aimed at improving the employee's ability to perform duties at the Port. Programs designed for entry level employees (including apprentices) shall be included. Attendance at seminars, conferences and meetings as well as subscription and purchase of training materials, guides and other data shall be contributory to such objectives.

XII. POLICY GOVERNING HARBOR AREA AND WATERWAY LEASES:

The Executive Director is authorized to sign on behalf of the Commission all harbor area and waterway leases between the Port and the State of Washington or the Port as manager of state aquatic lands which are for harbor and waterway areas adjacent to Port-owned facilities.

XIII. POLICY GOVERNING EXECUTIVE DIRECTOR'S AUTHORITY FOR PROPERTY ACQUISITIONS AND SALE OF REAL PROPERTY:

When the 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), without Commission's 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.

XIV. POLICY GOVERNING DISPOSITION OF UNCOLLECTIBLE ACCOUNTS:

The Executive Director is authorized to establish procedures for and to write off any uncollectible accounts in the amount of One Thousand Dollars (\$1,000.00) or less, subject to the following general guidelines. 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 and shall, in appropriate circumstances, authorize action in courts of law or if more appropriate in the case of small amounts, to assign the same to collection agencies for the purpose of attempting to finally collect such accounts.

If, after attempting all normal account collections procedures, the account is still uncollectible after 180 days, or more, the Executive Director shall be authorized to provide for the writing off of such account. Any account in excess of One Thousand Dollars (\$1,000.00) which is deemed to be uncollectible shall be referred to the Commission for final approval of writing off that account except where said account has been referred for final collection or settlement, in which case, it shall be processed in a manner consistent with Section V. above. The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month of all actions undertaken under this section.

XV. POLICY AS TO THE INSURANCE PROGRAMS - PORT OF PORT ANGELES:

The Executive Director shall be authorized to work with insurance broker designated by the Commission from time to time to negotiate and obtain appropriate policies of insurance to cover Port property, liability, employee coverages, and other areas appropriately included within a comprehensive insurance program. The Executive Director is authorized to approve from time to time changes or modifications within the policies of insurance including programs to provide self-insurance or deductible provisions so long as such programs are promptly and regularly reported to the Commission so that they are kept informed of basic changes in the overall insurance program of the Port.

XVI. POLICY GOVERNING INVESTMENT OF TEMPORARILY IDLE PORT FUNDS:

For purposes of this paragraph, "Temporarily Idle Port Funds" shall mean those funds which are not required for immediate expenditure. In accordance with applicable law and Port District Resolutions relating to the investment of public funds, the Executive Director is authorized to direct the Port Treasurer in the investments of temporarily idle Port funds. These directives shall permit, but shall not be limited to, investments in authorized government securities, sale of such investments and necessary interfund transfers. Reports of investments shall be made to the Commission in accordance with the Port's investment policy as provided in Resolution No. 884 as it now exists or as it may hereafter be amended.

XVII. LITIGATION:

The Executive Director in coordination with Port Counsel (appointed by the commission), shall be responsible for the procedures necessary for management and supervision of litigation in which the Port has an interest, direct or indirect. For purposes of this section, "litigation" shall mean the assertion of any position, right or responsibility by or against the Port which has been filed in any court of general jurisdiction, be it state or federal, or any quasi-judicial or administrative forum.

Engagement of Experts. The Executive Director as outlined above, may engage, or cause to be engaged through Port Counsel, such experts as may be necessary to the orderly preparation of litigation in which the Port has a direct or indirect interest, without limitations otherwise prescribed in paragraph VIII of this resolution; such engagement shall be upon authorization given by the Port Counsel after having satisfied himself that such expenditure is necessary to the adequate preparation and representation of the Port's position in such litigation

and shall, where practicable, include evaluation of the litigation and an estimate of the probable cost of such experts. The Executive Director shall inform the Commission at the first regularly scheduled meeting of the following month of all actions undertaken under this section.

XVIII. TRADE DEVELOPMENT PROGRAMS:

The Executive Director is authorized, consistent with budget and statutory limitations, to develop and carry out programs of trade development (which may include tourism and tourism promotion), advertising (including the use of advertising firms within budgetary authority), and promotion of the Port, including its properties, facilities and services. This may include participation in programs and agreements designed to provide shippers which use or may use the Port with the most competitive service and lowest possible freight rates including negotiation of warehouse rates, consolidation of traffic and prepayment of freight charges by the Port, and all necessary activities related to the intermodal movement of interstate and foreign cargo. Such programs of trade development and promotion shall be reviewed by the Commission from time to time so it may be informed as to changes which occur.

XIX. ISSUANCE OF TARIFFS:

Except in the case of Port operated marinas, the Executive Director is authorized to issue berthage agreements, tariffs and tariff amendments as necessary, provided the Commission will be given a report of any tariff adjustments or berthage agreements granted at the first regularly scheduled meeting of the following month following such adjustment. Berthage agreements shall be for a term of one year or less and shall be at reasonable market rates for similar uses.

XVIII. RULES AND REGULATIONS:

The Executive Director is authorized to adopt any administrative rules and regulations necessary for the efficient operation of the Port so long as such rules and regulations are reported to the Commission. 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.

XIX. AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT:

It is the basic policy of the Port to provide equal opportunity to the users of all Port services and facilities, all contracting entities, Port employees and applicants for employment, and to assure that there be absolutely no discrimination against any persons on grounds of race, creed, color, national origin, sex, sexual preference, marital status, age, or the presence of any sensory, mental, or physical handicap. This policy is to be implemented by the Executive Director.

PORT OF PORT ANGELES
COMMISSION POLICY DIRECTIVE ON ADMINISTRATIVE AUTHORITY
OF EXECUTIVE DIRECTOR AND DEPARTMENT HEADS

POLICY GOVERNING SALE OF PERSONAL PROPERTY

The RCW 53.08.090 authorizes the Port Commission to delegate to the Executive Director the authority to sell and convey Port District personal property as outlined herein. Inasmuch as RCW 53.08.090 requires that this authority be renewed from year to year, the Port Commission is authorized to accomplish the same by motion; provided, however, that in the event this authority is amended in any fashion or repealed, such amendment or repeal must be by Commission resolution.

The Executive Director is authorized to sell and convey surplus personal property of the Port of Port Angeles subject to the following conditions:

- A. That the value of such personal property does not exceed dollar limits authorized under RCW 53.08.090 (as amended or succeeded).
- B. 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 district purposes.
- C. Any large block of such property having a value in excess of the limits authorized under RCW 53.08.090 (as amended or succeeded) shall not be broken down into components of a lesser value and sold unless done so by public competitive bid.
- D. That offers for purchase are solicited from at least three (3) parties when no bids are received from the public competitive bidding process.
- E. No property which is part of the comprehensive plan of improvement or modification thereof shall be disposed until the comprehensive plan has been modified pursuant to the RCW 53.20.010 and such property is found to be surplus to Port needs.
- F. That Port employees and officials may purchase surplus personal property only if disposed of through publicly advertised competitive bidding.
- G. Any property which comes into Port possession as the result of processes described in RCW53.08.320 and which have already been approved for sale by Commission resolution, been publicly advertised for sale, been offered for sale at a public auction, and acquired by the Port at such auction may be sold thereafter through private negotiations provided that the selling price meets or exceeds an estimate of the fair market value provided by a boat brokerage. The provisions of items D. and F. above shall not apply to this sale procedure.