



REGULAR COMMISSION MEETING
Tuesday, January 14, 2025, at 9:00 am
338 W. First St, Port Angeles, WA 98362
AGENDA

The Regular Commission Meeting will be available to the public in person and remotely. For instructions on how to connect to the meeting remotely, please visit <https://portofpa.com/about-us/agenda-center/>

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- II. EARLY PUBLIC COMMENT SESSION (TOTAL SESSION UP TO 20 MINUTES)**
- III. APPROVAL OF AGENDA**
- IV. WORK SESSION**
 - A. Conduct Board Elections
 - B. Review of Port Representation.....1-2
- V. APPROVAL OF CONSENT AGENDA**
 - A. Special Commission Meeting Minutes – December 17, 2024.....3-6
 - B. Special Commission Meeting Minutes – December 19, 2024.....7
 - C. Special Commission Meeting Minutes – January 3, 2025.....8-9
 - D. Special Commission Meeting Minutes – January 7, 2025.....10-11
 - E. Vouchers in the amount of \$2,532,817.47.....12
- VI. COMPLETION OF RECORDS**
 - A. Monthly Delegation of Authority.....13-21
- VII. PLANNING AND CAPITAL PROJECTS**
 - A. Kennedy Jenks Contract Amendment 04 – Intermodal Handling and Transfer Facility Site and Stormwater Improvements.....22-24
- VIII. LOG YARD**

No items
- IX. MARINE TRADES AND MARINE TERMINALS**

No items



X. PROPERTY

XI. MARINAS

No items

XII. AIRPORTS

No items

XIII. OTHER BUSINESS

A. Letter of Support for City of Port Angeles Mobility Planning RAISE Application.....25

B. Item for Discussion - Commission Bylaws Review.....26-33

XIV. ITEMS NOT ON THE AGENDA

XV. COMMISSIONER REPORTS

XVI. PUBLIC COMMENT SESSION (TOTAL SESSION UP TO 20 MINUTES)

XVII. FUTURE AGENDA.....34

XVIII. NEXT MEETINGS

A. January 28, 2025 – Regular Commission Meeting

B. February 11, 2025 – Regular Commission Meeting

C. February 25, 2025 – Regular Commission Meeting

D. March 11, 2025 – Regular Commission Meeting

XIX. UPCOMING EVENTS

A. January 29-30, 2025 – WPPA Port and Maritime Day, Olympia, WA

B. January 31st - February 8th, 2025– Seattle Boat Show, Seattle, WA

C. February 23-24, 2025 – Northwest Aviation Conference, Puyallup, WA

XX. INDUSTRIAL DEVELOPMENT CORPORATION (IDC) ANNUAL MEETING

BROWN BAG LUNCH AND OPEN DISCUSSION WITH THE COMMISSION *(TIME PERMITTING)*

XXI. EXECUTIVE SESSION

The Board may recess into Executive Session for those purposes authorized under Chapter 42.30 RCW, The Open Public Meetings Act.



XXII. ADJOURN

RULES FOR ATTENDING COMMISSION MEETING

- Signs, placards, and noise making devices including musical instruments are prohibited.
- Disruptive behavior by audience members is inappropriate and may result in removal.
- Loud comments, clapping, and booing may be considered disruptive and result in removal at the discretion of the Chair.

RULES FOR SPEAKING AT A COMMISSION MEETING

- Members of the public wishing to address the Board on general items may do so during the designated times on the agenda or when recognized by the Chair.
- Time allotted to each speaker is determined by the Chair and, in general, is limited to 3 minutes.
- Total time planned for each public comment period is 20 minutes, subject to change by the Chair.
- All comments should be made from the speaker's rostrum and any individual making comments shall first state their name and address for the official record.
- Speakers should not comment more than once per meeting unless their comments pertain to a new topic they have not previously spoken about.
- In the event of a contentious topic with multiple speakers, the Chair will attempt to provide equal time for both sides.

2025 Port Representation to Organizations

Organization Name	Representative	Meeting Time Details	Organization Information
American Forest Resource Council	Connie Beauvais	Annual meetings and quarterly board meetings	A regional trade association that advocates for sustainable yield harvests on public timberlands.
Chamber of Commerce: Clallam Bay/Seki	Connie Beauvais	1st Wednesday of each month in Clallam Bay from 12:00pm to 1:00pm	Membership organization that promotes economic development and tourism, and encourage cultural, charitable, and educational events.
Chamber of Commerce: Forks	Connie Beauvais (Alt – Steve Burke)	Weekly luncheon meetings on Wednesdays at 12:00pm at Blakeslee's Bar and Grill	Membership organization promoting tourism and advocating for the business community.
Chamber of Commerce: Neah Bay	Connie Beauvais	2nd Tuesday of each month at 12:15pm at 1081 Bayview Ave, Neah Bay	Promotes self-sufficiency through economic development and tourism for Makah Indian Reservation and community.
Chamber of Commerce: Port Angeles	Steve Burke (Alt – Connie Beauvais)	1st and 3rd Mondays of each month at Red Lion Hotel from 12:00pm to 1:00pm. Board of Directors meet once per month.	Membership organization focused on business development, tourism, economic vitality, and quality of life.
Chamber of Commerce: Sequim	Colleen McAleer (Alt – Steve Burke)	2nd and 4th Tuesday of each month at 12:00pm at Sunland Golf and Country Club. *Thursday board meetings at 7:30am at the Lodge.	Membership organization promoting businesses by proving a forum to address issues and support community through events, programs, and services
Clallam County Economic Development Corporation	Caleb McMahon (Alt – Paul Jarkiewicz)	Board of Directors meet every 3rd month on the 3rd Thursday	Provides services to businesses in the county and to employers seeking to relocate to Clallam County.
Clallam County Marine Resources Committee	Jesse Waknitz	3rd Monday of each month from 5:30pm to 7:30pm	Local citizens appointed to promote local solutions to degradation of natural resources in Clallam County.
North Olympic Legislative Alliance (NOLA) <u>Steering Committee</u>	Colleen McAleer (Alt – Paul Jarkiewicz)	Meeting schedule varies. Work is also done by e-mail.	Membership organization to advance quality of life through providing input with a shared purpose and unified voice to our elected representatives and officials.
North Olympic Peninsula Resource Conservation and Development Council	Paul Jarkiewicz (Alt – Caleb McMahon)	Meet the 4th Thursday of every month from 1:00-3:00pm at the John Wayne Marina	The purpose is to develop & support economic and community development, support organizations to enhance quality of life, and provide networking and collaboration opportunities.
Pacific Northwest Waterways Association	Colleen McAleer	Regional meetings in the Puget Sound region. Upcoming meeting notifications are sent via email.	A collaboration of ports, businesses, and public agencies who support navigation, energy, trade, and economic development throughout the PNW.
Peninsula Regional Transportation Planning Organization	Chris Hartman (Alt- Katharine Fraizer)	The TAC & EB meet alternating month in Clallam, Jefferson, Kitsap and Mason counties.	A voluntary association working together to develop transportation plans designed to meet the region's future economic & population growth.

2025 Port Representation to Organizations

Organization Name	Representative	Meeting Time Details	Organization Information
Port Angeles Business Association	Steve Burke (Alt – Connie Beauvais)	Every Tuesday from 7:30-8:30am at Joshua's Restaurant	Membership organization representing business and community leaders in Clallam County. Focus on business opportunities and maintaining a strong economy.
Port Angeles Waterfront District Board	Caleb McMahon		Represents over 200 downtown businesses to promote healthy & prosperous downtown.
Port Angeles Forward (City of Port Angeles Committee)	Steve Burke (Alt – Paul Jarkiewicz)	Quarterly at 7:30am at Port Angeles City Hall	Charged with implementing the local planning effort to revitalize downtown Port Angeles.
Clallam Housing Solutions Committee	Caleb McMahon (Alt – Steve Burke)	Meeting notifications are sent via email and are held in person (BOCC Board Room) and virtually by zoom. The agenda is sent out the week prior.	Responsible for developing programs to promote housing solutions by recommendations to the Clallam County Commissioners and the Opportunity Fund Board for expenditures of SHB 1406 funds, American Rescue Plan Act funding, Opportunity Funds and other funds that can be used for affordable housing.
West End Business and Professional Association	Connie Beauvais	Every Wednesday at 7:30am at the DNR Conference Center	Group of business professionals that discuss business topics, current concerns, and upcoming events.
WPPA Aviation Committee	Colleen McAleer	Meet in conjunction with WPPA Annual meeting in late fall.	Washington Ports committee discussing airport development & management issues.
WPPA Economic Development Committee	Colleen McAleer	Meet in conjunction with WPPA Annual meeting in late fall.	Washington Ports committee providing leadership on economic development issues.
WPPA Environmental Committee	Connie Beauvais	Meet in conjunction with WPPA Annual meeting in late fall.	Washington Ports committee promoting environmentally sound economic growth.
WPPA Legislative Committee	Colleen McAleer	Meet in conjunction with WPPA Annual meeting in late fall.	Washington Ports committee directing legislative advocacy, devising strategy for legislative action.
WPPA Marinas Committee	Steve Burke	Meet in conjunction with WPPA Annual meeting in late fall.	Washington Ports committee providing a forum for discussing issues facing public marinas.
WPPA Trustee	Colleen McAleer	Meet in conjunction with WPPA Annual meeting in late fall.	Governs the affairs of the Washington Ports Association.
WPPA Trustee (Alternate)	Connie Beauvais	Meet in conjunction with WPPA Annual meeting in late fall.	Governs the affairs of the Washington Ports Association.



SPECIAL COMMISSION MEETING
Tuesday, December 17, 2024, at 9:00 am
338 W. First St, Port Angeles, WA 98362
MINUTES

The Special Commission Meeting will be available to the public in person and remotely. For instructions on how to connect to the meeting remotely, please visit <https://portofpa.com/about-us/agenda-center/>

Time Specific Executive Session – 10:00 am

Connie Beauvais Commissioner
Colleen McAleer, Commissioner
Steve Burke, Commissioner
Paul Jarkiewicz, Executive Director

Caleb McMahon, Dir. of Economic Development
Braedi Joutsen, Clerk to the Board
Chris Hartman, Director of Engineering
Jennifer Baker, Director of Finance & Administration

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE (0:00-0:46)

Comm. Beauvais called the meeting to order at 9:00 am.

II. EARLY PUBLIC COMMENT SESSION (TOTAL SESSION UP TO 20 MINUTES) (0:47-1:32)

None.

III. APPROVAL OF AGENDA

IV. WORK SESSION (1:33-24:58)

A. Cash and Investment Report

- Presentation: Jennifer Baker
- Discussion
- No Action

B. November Financial Report

- Presentation: Jennifer Baker
- Discussion
- No Action

C. Community Partner Program (CPP) Grant Awards

- Presentation: Braedi Joutsen
- Discussion
- Motion to approve the funding for the 2025 Community Partner Program as presented with the average proposed funding amounts: Comm. McAleer
- 2nd: Comm. Burke
- Vote: 3-0 (Unanimous)

V. APPROVAL OF CONSENT AGENDA (24:59-26:41)

A. Special Commission Meeting Minutes – November 19, 2024

B. Vouchers in the amount of \$2,485,758.74

- Discussion
- Motion to approve the consent agenda: Comm. Beauvais
- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)

VI. COMPLETION OF RECORDS (26:42-28:15)

A. Monthly Delegation of Authority

- Presentation: Paul Jarkiewicz
- Discussion
- No Action

VII. PLANNING AND CAPITAL PROJECTS

No items

VIII. LOG YARD

No items

IX. MARINE TRADES AND MARINE TERMINALS

No items

X. PROPERTY

No items

XI. MARINAS

No items

XII. AIRPORTS

No items

XIII. OTHER BUSINESS (28:16-40:58), (1:00:00-1:06:52)

A. Item for Consideration – Western Port Angeles Harbor Site Design Consultant Procurement

- Presentation: Paul Jarkiewicz, Jesse Waknitz
- *This item was initially deferred until after the Executive Session*
- Discussion
- Motion to authorize the Executive Director to take all steps to undertake the process to solicit qualifications promptly, make minor modifications to the solicitation as may be necessary, and select a consultant to design and permit the remedial design/remedial action for the Western Port Angeles Harbor Sediment Site: Comm. Burke
- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)

B. Item for Consideration – Port Treasurer, Resolution 24-1311

- Presentation: Paul Jarkiewicz
- Discussion
- Motion to introduce Resolution 24-1311, a resolution of the Port of Port Angeles designating Treasurer and confirming blanket fidelity bond to protect against loss: Comm. McAleer
- 2nd: Comm. Burke
- Vote: 3-0 (Unanimous)
- Motion to waive second consideration: Comm. Beauvais
- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)
- Motion to adopt Resolution 24-1311, a resolution of the Port of Port Angeles designating Treasurer and confirming blanket fidelity bond to protect against loss: Comm. Beauvais
- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)

C. Item for Consideration – Local Agency Financing Contract, Resolution 24-1312 and Form of Reimbursement, Resolution 24-1313

- Presentation: Jennifer Baker
- Discussion
- Motion to introduce Resolution 24-1312, a resolution of the Port Commission of the Port of Port Angeles authorizing the acquisition of local program-qualified equipment and execution of the financing contract and related equipment acquisition documentation: Comm. Burke
- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)
- Motion to waive second consideration: Comm. Beauvais



- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)
- Motion to adopt Resolution 24-1312, a resolution of the Port Commission of the Port of Port Angeles authorizing the acquisition of local program-qualified equipment and execution of the financing contract and related equipment acquisition documentation: Comm. Burke
- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)
- Motion to introduce Resolution 24-1313, a resolution of the Port Commission of the Port of Port Angeles authorizing the form of reimbursement for the acquisition of equipment under the Washington State Treasurer's Local Program: Comm. McAleer
- 2nd: Comm. Burke
- Vote: 3-0 (Unanimous)
- Motion to waive second consideration: Comm. Beauvais
- 2nd: Comm. McAleer
- Vote: 3-0 (Unanimous)
- Motion to adopt Resolution 24-1313, a resolution of the Port Commission of the Port of Port Angeles authorizing the form of reimbursement for the acquisition of equipment under the Washington State Treasurer's Local Program: Comm. McAleer
- 2nd: Comm. Burke
- Vote: 3-0 (Unanimous)

XIV. COMMISSIONER REPORTS (40:59-56:54)

Comm. Burke shared that he and the Port staff attended the WPPA Annual Meeting the previous week. They attended the Marine Highway M5 roundtable meeting the day before, and it was very well attended.

XV. PUBLIC COMMENT SESSION (TOTAL SESSION UP TO 20 MINUTES)

XVI. FUTURE AGENDA

XVII. NEXT MEETINGS (56:55-57:12)

- A. January 14, 2025 - Regular Commission Meeting
- B. January 28, 2025 - Regular Commission Meeting
- C. February 11, 2025 - Regular Commission Meeting
- D. February 25, 2025 - Regular Commission Meeting

XVIII. UPCOMING EVENTS

BROWN BAG LUNCH AND OPEN DISCUSSION WITH THE COMMISSION (TIME PERMITTING)

XIX. EXECUTIVE SESSION – TIME SPECIFIC 10:00 AM (57:13-59:59)

The Board may recess into Executive Session for those purposes authorized under Chapter 42.30 RCW, The Open Public Meetings Act.

- Comm. Beauvais recessed the meeting to convene an executive session. The anticipated length of the executive session is 90 minutes. Following the executive session, the Commission is expected to take action in public session.
- Discussion:
 - Three (3) items concerning real estate sale, purchase, or lease, discussing such matters in executive session is appropriate pursuant to RCW 42.30.110(1)(b).
 - Two (2) items concerning legal and financial risk, discussing such matters in executive session is appropriate pursuant to RCW 42.30.110(1)(i).
- Recess: 1 minute
- Start Time: 10:00 am
- Extended: 115 minutes
- End Time: 1:25 pm



Public Session of Commission Meeting Reconvened: 1:25 pm

Commissioner Beauvais noted that as a result of the executive session, action will be taken on agenda item XIII A – Western Port Angeles Harbor Site Design Consultant Procurement.

XX. ADJOURN (1:06:53-1:07:00)

Comm. Beauvais adjourned the meeting at 1:32 pm.

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS

Connie Beauvais, President

Steven Burke, Secretary



SPECIAL COMMISSION MEETING
Thursday, December 19, 2024, at 3:00 pm
338 W. First St, Port Angeles, WA 98362
MINUTES

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Connie Beauvais Commissioner
Colleen McAleer, Commissioner
Steve Burke, Commissioner

Paul Jarkiewicz, Executive Director
Braedi Joutsen, Clerk to the Board
Chris Hartman, Director of Engineering

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE (0:00-0:35)

Comm. Beauvais called the meeting to order at 3:00 pm.

II. EARLY PUBLIC COMMENT SESSION (TOTAL SESSION UP TO 20 MINUTES)

None

III. EXECUTIVE SESSION (0:36-1:22)

The Board may recess into Executive Session for those purposes authorized under Chapter 42.30 RCW, The Open Public Meetings Act.

- Comm. Beauvais recessed the meeting to convene an executive session. Following the executive session, the Commission is not expected to take action.
- Discussion:
 - One (1) item concerning the real estate sale, purchase, or lease. Discussing such matters in executive session is appropriate pursuant to RCW 42.30.110(1)(i).
- Start Time: 3:00 pm
- Extended: 15 minutes
- End Time: 4:15 pm

Public Session of Commission Meeting Reconvened: 4:15 pm

Commissioner Beauvais noted that no action will be taken as a result of the executive session.

IV. NEXT MEETINGS

- A. January 14, 2025 - Regular Commission Meeting
- B. January 28, 2025 - Regular Commission Meeting
- C. February 11, 2025 - Regular Commission Meeting
- D. February 25, 2025 - Regular Commission Meeting

V. ADJOURN (1:22-1:25)

Comm. Beauvais adjourned the meeting at 4:15 pm.

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS

Connie Beauvais, President

Steven Burke, Secretary



SPECIAL COMMISSION MEETING
Friday, January 3, 2025, at 9:00 am
338 W. First St, Port Angeles, WA 98362
MINUTES

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Connie Beauvais Commissioner
Colleen McAleer, Commissioner
Steve Burke, Commissioner

Paul Jarkiewicz, Executive Director
Braedi Joutsen, Clerk to the Board
Chris Hartman, Director of Engineering

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE (0:00-0:32)

Comm. Beauvais called the meeting to order at 9:00 am.

II. EARLY PUBLIC COMMENT SESSION (TOTAL SESSION UP TO 20 MINUTES) (0:33-1:00)

None.

III. OTHER BUSINESS (1:01-34:19)

A. Property Surplus and Comp Scheme Amendment, Resolution 25-1314

1. Public Hearing Opened: 9:01 am
2. Staff Presentation: Chris Hartman
3. Public Comment:
None
4. Public Hearing Closed: 9:31 am
5. Commission Consideration & Possible Action on Resolution 25-1314:
 - Motion to introduce Resolution 25-1314, a Resolution of the Port of Port Angeles Commission, Port Angeles Washington pursuant to RCW 53.08.090 and RCW 53.20.020 declaring certain real property surplus to its needs due to the unique characteristics of that Property, which will allow a future planned action to transfer the property to the Lower Elwha Klallam Tribe in exchange for the LEKT transferring to the Port three stormwater ponds and to amend the Port's Comprehensive Scheme of Harbor Improvements to add and delete the properties accordingly: Comm. Beauvais
 - 2nd: Comm. Burke
 - Vote: 3-0 (Unanimous)

IV. NEXT MEETINGS (34:20-38:07)

- A. January 7, 2025 – Special Commission Meeting
- B. January 9, 2025 – Special Joint Commission Meeting at Tribal Justice Center
341 Spokes Drive, Port Angeles, WA 98363
- C. January 28, 2025 – Regular Commission Meeting
- D. February 11, 2025 – Regular Commission Meeting
- E. February 25, 2025 – Regular Commission Meeting

V. EXECUTIVE SESSION (38:08-39:02)

The Board may recess into Executive Session for those purposes authorized under Chapter 42.30 RCW, The Open Public Meetings Act.

- Comm. Beauvais recessed the meeting to convene an executive session. Following the executive session, the Commission is not expected to take action.



- Discussion
 - One (1) item concerning legal or financial risk. Discussing such matters in executive session is appropriate pursuant to RCW 42.30.110(1)(i).
- Recess: 7 minutes
- Start Time: 9:45 am
- Extended: 10 minutes
- End Time: 10:55 am

Public Session of Commission Meeting Reconvened: 10:55 am

Commissioner Beauvais noted that as a result of the executive session no action will be taken.

VI. ADJOURN (39:03-39:09)

Comm. Beauvais adjourned the meeting at 10:55 am.

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS

Connie Beauvais, President

Steven Burke, Secretary



SPECIAL COMMISSION MEETING
Tuesday, January 7, 2025, at 9:00 am
338 W. First St, Port Angeles, WA 98362
AGENDA

The Special Commission Meeting will be available to the public in person and remotely. For instructions on how to connect to the meeting remotely, please visit <https://portofpa.com/about-us/agenda-center/>

Connie Beauvais Commissioner
Colleen McAleer, Commissioner
Steve Burke, Commissioner

Paul Jarkiewicz, Executive Director
Braedi Joutsen, Clerk to the Board
Chris Hartman, Director of Engineering

I. CALL TO ORDER / PLEDGE OF ALLEGIANCE (0:00-0:34)

Comm. Beauvais called the meeting to order at 9:00 am.

II. EARLY PUBLIC COMMENT SESSION (TOTAL SESSION UP TO 20 MINUTES) (0:35-1:09)

None.

III. OTHER BUSINESS (1:10-7:09)

Public Hearing

A. Public Hearing to Declare Property Surplus and Comp Scheme Amendment – Resolution 25-1314

1. Open Public Hearing: 9:03 am
2. Discussion
3. Public Comment: None
4. Public Hearing Closed: 9:08 am
5. Commission Consideration & Possible Action on Resolution 25-1314
 - Motion to adopt Resolution 25-1314, a Resolution of the Port of Port Angeles Commission, Port Angeles Washington pursuant to RCW 53.08.090 and RCW 53.20.020 declaring certain real property surplus to its needs due to the unique characteristics of that Property, which will allow a future planned action to transfer the property to the Lower Elwha Klallam Tribe in exchange for the LEKT transferring to the Port three stormwater ponds and to amend the Port's Comprehensive Scheme of Harbor Improvements to add and delete the properties accordingly: Comm. Beauvais
 - 2nd: Comm. McAleer
 - Vote: 3-0 (Unanimous)

IV. NEXT MEETINGS (7:10-7:52)

- A. January 9, 2025 – Special Joint Commission Meeting at Tribal Justice Center
10:00 am – 341 Spokes Drive, Port Angeles, WA 98363
- B. January 14, 2025 – Regular Commission Meeting
- C. January 28, 2025 – Regular Commission Meeting
- D. February 11, 2025 – Regular Commission Meeting
- E. February 25, 2025 – Regular Commission Meeting
- F. March 11, 2025 – Regular Commission Meeting

V. UPCOMING EVENTS



BROWN BAG LUNCH AND OPEN DISCUSSION WITH THE COMMISSION *(TIME PERMITTING)*

VI. EXECUTIVE SESSION (7:53-9:08)

The Board may recess into Executive Session for those purposes authorized under Chapter 42.30 RCW, The Open Public Meetings Act.

- Comm. Beauvais recessed the meeting to convene an executive session. The estimated time of the executive session is 30 minutes. Following the executive session, the Commission is not expected to take action.
- Discussion:
 - One (1) item concerning legal or financial risk. Discussing such matters in executive session is appropriate pursuant to RCW 42.30.110(1)(i).
- Recess: 6 minutes
- Start Time: 9:15 am
- Extended: 15 minutes
- End Time: 10:00 am

Public Session of Commission Meeting Reconvened: 10:00 am

Commissioner Beauvais noted that as a result of the executive session, there will be no action will be taken.

VII. ADJOURN (9:09-9:12)

Comm. Beauvais adjourned the meeting at 10:00 am,

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS

Connie Beauvais, President

Steven Burke, Secretary

**PORT OF PORT ANGELES
GENERAL FUND – LETTER OF TRANSMITTAL
VOUCHER APPROVAL**

We, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due, and unpaid obligation against the Port of Port Angeles, and that we are authorized to authenticate and certify to said claim.

This process is in compliance with the applicable RCWs and the State Auditor's Budget Accounting and Reporting System (BARS) requirements. Further, the Port maintains effective internal controls to ensure that all disbursements are valid obligations authorized in accordance with the Delegation of Authority Policy.

SUMMARY TRANSMITTAL December 11, 2024 – January 9, 2025

Date: January 14, 2025

Accounts Payable

	Begin Check #	End Check #		
For General Expenses and Construction				
Accts Payable Checks (computer)	418823	418905	\$	741,457.37
Voided/Zero Payable			\$	-
Accts Payable ACH	003933	004074	\$	1,391,769.00
Accts Payable ACH			\$	-
VOIDED/ZERO PAYABLE ACH			\$	-
Wire Transfer - Expenses			\$	7,956.06
Wire Transfer - Excise Tax			\$	7,166.86
Wire Transfer - Leasehold Tax			\$	-
Total General Expenses and Construction			\$	2,148,349.29
Payroll				
Employee Payroll – Draws (Direct Deposit)			\$	44,375.00
Voided Payroll Check			\$	-
Employee Payroll Checks PPD (Direct Dep)	003964	004029	\$	204,388.41
Wire Transfer – (Payroll Taxes, Retirement, Deferred Comp, L&I, PMFL)			\$	135,704.77
Total Payroll			\$	384,468.18
Total General Exp & Payroll			\$	2,532,817.47

CERTIFICATION

I, the Port Auditor or Deputy Auditor, do hereby clarify that the claims listed above are true and valid obligations and that appropriate and effective internal controls are in place to ensure that the outstanding obligations have been processed in accordance with the Port of Port Angeles procurement/payment policies and delegation of authority.

Auditor / Deputy Auditor

Commissioner, Connie Beauvais

Commissioner, Steven D. Burke

Commissioner, Colleen McAleer

MONTHLY REPORT TO THE BOARD OF PORT COMMISSIONERS

December 2024

SUBJECT: REPORTS REQUIRED UNDER THE PROVISIONS OF THE DELEGATION OF AUTHORITY

REPORT	NO ACTION	ATTACHED
Lease Renewals/Options and 1 Year or Less Agreements at Market Rates; Leases, Assignments, Subleases, Berthage/Dockage, & Miscellaneous (Use, Equipment, Hangar, Marina Slips)	X	
Lease Bond, Rental Insurance Deviations	X	
Work Contracts (\$50,000 or less) Executed	X	
Work Contracts Completed	X	
Change Orders Authorized	X	
Work by Port Crews or Day Labor (\$50,000 or less)	X	
Claims Settled	X	
Professional & Consulting Services Awarded and Architectural, Engineering & Technical Services Awarded		X
Fees Waived	X	
Uncollectible Accounts Written Off	X	
Experts Engaged for Litigation	X	
Grant Applications/Award	X	
Travel Outside WA, OR, ID and BC, Canada	X	
Surplus Personal Property (under \$10,000)	X	

PROFESSIONAL & PERSONAL SERVICES
AWARDED BY THE EXECUTIVE DIRECTOR
(In Accordance with Delegation of Authority)
December 2024

CONSULTANT	PROJECT	EST. COST	OTHER CONTRACT PROVISIONS
B.R. Lymangrover Land Surveying, PLLC	JWM Proposed PMA Parcel Boundary Survey	\$12,373.50	N/A
123 West Design Collective LLC	720 Marine Dr Virtual Design Options for marketing	\$2,250	N/A

Consultant Services Selection Summary



Type of Contract: ☐ Personal ☒ Professional ☐ Sole Source ☐ Emergency

Res 24-1290: Executive Director authorization shall not exceed \$50,000. Change orders: original cost and all change orders shall not exceed \$50,000. All closely related contracts shall not exceed \$50,000.

Sole Source personal service contract \$50,000 or more: requires Commission to ensure reasonable costs.

\$50,000 to \$150,000 requires evidence of competitive process

Over \$150,000 formal competitive solicitation; requires RFP/RFQ

Non-Competed requires Commission approval to exempt a contract from a competitive process

1. Project Title	John Wayne Marina Proposed PMA Parcel Boundary Survey
2. Consultant	B.R. Lymangrover Land Surveying, PLLC
3. Approved Contract Amount	\$12,373.50
4. SubAccount/GL Account #	43-3-27-C0
5. Budget & Fund Source	2025 Capital Budget contingency as this survey is part of the project permitting for mooring buoys at John Wayne Marina
6. Project Manager	Jesse Waknitz
7. Other Terms: (sales tax)	N/A
8. Closely Related Contracts	N/A
9. Fed Funding Requirement*	N/A

*If federal funding involved, stop and contact Engineering Department for federal requirements. Requires an RFP.

10. Justification

Describe why consultant services are required and why the services cannot be provided by existing staff. Identify if the consultant is a sole source and , if \$50,000 or more, the efforts made to identify potential consultants.

Professional survey services are required to develop a record of the survey for a proposed Port Management Agreement parcel on State aquatic land adjacent to John Wayne Marina. This proposed PMA parcel would be the site of mooring buoys to be managed by the Port that would support larger recreational boats visiting Sequim Bay.

11. Scope of Services

The purpose of this project is to establish accurate boundaries for the proposed Port Management Area (PMA) parcel at John Wayne Marina and will include:

1. Calculations - Calculate PMA parcel boundaries, data processing, check staking, process aerial photogrammetry
2. Control Survey - GPS control, field traverse, set aerial targets
3. Survey - Recover or reset monuments at both ends of the extreme low tide line and additional field topographic survey as needed.
4. Aerial Mapping – Drone flight to map existing conditions and improvements
5. Mapping - Prepare a Record of Survey and aerial mapping exhibit
6. Record the record of survey

12. Contract Time	Start Date: <u>January 2025</u>	Completion Date: <u>Dec 31, 2025</u>
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E.g. project specific; multiple year; include any options etc. Contract time may exceed the deadline for deliverables. Generally, Personal service contract time should not exceed two years.

The survey will take two to three months to complete, but it may take longer if the draft document is reviewed by DNR.

13. Explanation of Cost, Work Schedule, and Contingency

Cost of specific project work or contract amount for services per year. Identify any option or contingency. Document why cost is fair and reasonable.

Not applicable

14. Procurement Schedule – Key Milestone Dates

It's not applicable. Per the Port's purchasing policy, this was a direct solicitation as the proposed work is less than \$50k.

15. Authorized Contract Amount and Any Authorized Contingency

The authorized contract amount is \$12,373.50 and can only be exceeded by executing an amendment to the agreement.

Selection Requirements:

16. Evaluation Team Member(s)

Jesse Waknitz – Environmental Manager

17. Proposals Evaluation/Summary

Information regarding proposals received and how they were evaluated by the team. Attach evaluation matrix utilized.

Port staff reviewed the proposal compared to the DNR survey requirements. The proposal is in line with these state requirements

18. Interviews Summary (if conducted)

N/A

19. References Summary

The Port has worked with B.R. Lymangrover Land Surveying, PLLC, multiple times. This survey firm provides excellent work and is a local company with 40+ years of experience as a registered Washington State Land Surveyor.

20. Negotiations Summary

Describe any modifications to the SOW, deliverables or proposed compensation

N/A

21. Selection Summary

Describe which firm was selected based on the criteria. Attach recommended consultant's final proposal

A proposal was requested from the firm because of the excellent and efficient work they have completed for the Port on past projects.

The selection team members affirm that they do not have a conflict of interest with any of the firms evaluated or key personnel of any of the firms, and that the selection process followed Port Consultant Services Procurement Policy and Procedure

SIGNATURES

Jesse Waknitz 12/19/2024
Selection team member (if needed) date

Selection team member (if needed) date

Selection team member (if needed) date

Chi. H. 12/19/2024

Engineering Director (project manager) date
(Required for public work, professional, and grant funded contracts)

Commission Approval ☐ Required

☒ Not Required

Scheduled Commission Meeting: _____

Monthly Report Date: December 2024

Approved Commission Meeting: _____

SERVICE CONTRACT (A Purchased Services Contract)		Contract Number <i>2024-135</i>
1. CONTRACTOR'S INFORMATION:		
123 West Design Collective LLC		
2. CONTRACT TERM:	12.19.2024 through 3.31.2025	
3. CONTRACT AMOUNT NOT TO EXCEED:	\$2,250.00	
4. TERMS & CONDITIONS:		
<p>The parties agree to comply with all terms and conditions of this Contract, which consists of this signature page and the following Exhibits, each of which is attached hereto and incorporated herein by reference and made a part hereof.</p> <ul style="list-style-type: none"> • Exhibit A – Port Facilities • Exhibit B – Deliverables • Exhibit C – Terms and Conditions 		
<p>CONTRACTOR shall thoroughly examine the Exhibits listed above and attached hereto. The failure of CONTRACTOR to examine the above-listed Exhibits, or the terms, conditions, and requirements set forth therein, shall in no way relieve CONTRACTOR of its obligations with respect to this CONTRACT, including compliance with the terms, conditions, and requirements set forth in the above-listed Exhibits. By executing this CONTRACT, the CONTRACTOR specifically agrees to abide by all of the terms, conditions, and requirements set forth in the above-listed Exhibits.</p>		
IN WITNESS WHEREOF, this Contract has been dated and executed by the parties hereto.		
CONTRACTOR		
Business Name: 123 West Design Collective LLC		
By: <i>Kyle Zimmerman</i>	Date Signed: <i>Dec. 19, 2024</i>	
Printed Name / Title of Authorized Signer: Kyle Zimmerman,		
Address: 117 N. Lincoln Street, Port Angeles, WA 98362		
Phone: (470) 428-0622		
Email: kyle@123westdesigncollective.com		
PORT OF PORT ANGELES		
By: <i>Cherie Gottschalk</i>	Date Signed: <i>12-19-2024</i>	
Printed Name / Title of Authorized Signer: Cherie Gottschalk, Real Estate Manager		
Address: 338 W. First Street; PO Box 1350; Port Angeles, WA 98362		
Phone: 360-417-3435		
Email: leaseadministrator@portofpa.com		

EXHIBIT A

Port Facilities Location

Name of Facility	Address
720 Marine Drive Building	720 Marine Drive, Port Angeles, WA 98362

EXHIBIT B

Consultant Deliverables

1. Design photos to imagine the interior as:
 - Restaurant
 - Open concept business
 - Retail Store
2. One-page printable flyer for each concept designed.

EXHIBIT C

Terms and Conditions for Janitorial Services Agreement

I. TERM

This Contract shall be effective for the period December 19, 2024 through March 31, 2025.

II. COMPENSATION

The PORT shall pay the CONTRACTOR at an hourly rate of \$75.00/hour for a maximum of 30 hours, for a not to exceed amount of **\$2,250.00** (per month) for the services to be provided as set forth Exhibit B, Consultant Deliverables.

Services will be payable after services are rendered and an itemized invoice submitted by the CONTRACTOR to the PORT.

If the PORT requests additional work outside of the deliverables listed herein, the PORT will reach agreement on a fixed fee for the work with the CONTRACTOR at that time.

III. PORT'S REPRESENTATIVE

The PORT'S representative, for the purpose of administering this contract, shall be:

Cherie Gottschalk, Real Estate Manager
Port of Port Angeles
338 W. First Street / PO Box 1350
Port Angeles, WA 98362
360-417-3435
leaseadministrator@portofpa.com.

IV. TERMINATION

The PORT reserves the right to terminate this contract at any time, upon written notice, in the event that the services of the CONTRACTOR are deemed by the PORT to be unsatisfactory, or upon failure to perform any of the terms and conditions contained in this agreement. The Port may terminate this contract, with or without cause, upon thirty (30) days written notice to CONTRACTOR, provided, that the PORT shall pay the CONTRACTOR for all services already completed under this contract.

V. INDEPENDENT CONTRACTOR

The CONTRACTOR shall not be deemed to be an employee of the PORT. CONTRACTOR shall be an independent contractor and that the Port shall be neither liable nor obligated to pay CONTRACTOR, its employees, agents or representatives for sick leave, vacation pay or any other benefit of public employment, nor to pay any social security or other tax which may arise as an incident of employment; provided, however, that any insurance which is purchased by the Port and which has secondary or incidental benefit to the CONTRACTOR, shall not be deemed to convert this agreement for services to an employment contract. No agent, employee or representative of the CONTRACTOR shall be deemed to be an agent,

employee or representative of the Port for any purpose. CONTRACTOR shall be solely responsible for all acts of its agents, employees, representatives, etc. during the performance of this Agreement.

VI. WAIVER

The PORT'S failure to insist upon strict performance of any provision of this CONTRACT, or to exercise any right based upon a breach thereof, shall not constitute a waiver of any right under this CONTRACT.

VII. INDEMNIFICATION

CONTRACTOR shall defend, indemnify, and hold the PORT, its officers, officials, employees, volunteers, agents, and insureds harmless from any and all claims, injuries, damages, losses or suits, including attorney fees and court costs, arising out of or in connection with the performance of this agreement; except for injuries and damages caused by the sole negligence of the PORT. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then in the event of liability for damages arising out of bodily injury to person or damages to property caused by or resulting from the concurrent negligence of the CONTRACTOR and the PORT, its officer, officials, employees, volunteers, agents, and insureds, the CONTRACTOR'S liability hereunder shall be only to the extent of the CONTRACTOR'S negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the CONTRACTOR's wavier of immunity under Industrial Insurance, Title 51 RCW, solely for the purpose of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this agreement.

VIII. LAWS

This CONTRACT shall be construed and enforced in accordance with the laws of the State of Washington, and venue of any suit between the parties arising out of this contract shall be in Clallam County, Washington.

IX. ATTORNEY FEES

In the event that any lawsuit is instituted regarding the enforcement or interpretation of this contract, the prevailing party shall be entitled to their reasonable attorney's fees and costs incurred, including arbitration and appeal.

**ITEM FOR CONSIDERATION
BY THE
BOARD OF PORT COMMISSIONERS**

January 14, 2025

**Subject: KENNEDY JENKS CONTRACT AMENDMENT 4 -
INTERMODAL HANDLING & TRANSFER FACILITY SITE AND
STORMWATER IMPROVEMENTS**

Presenter: Chris Hartman, Director of Engineering

RCW & POLICY REQUIREMENTS

Kennedy Jenks was selected by the Port utilizing a “Qualification Based Selection” process as required by RCW 39.80 for “professional service.” Per Commission Resolution 22-1262, Delegation to the Executive Director Section VI.A, aggregate cost for the professional and consulting services that exceed 10% of the specific budgetary line item requires Commission approval.

BACKGROUND:

The Port’s Intermodal Handling and Transfer Facility is covered under a Department of Ecology Industrial Stormwater General Permit (ISGP). The Port is responsible for operating and maintaining the industrial area in a manner where stormwater discharges to the Port Angeles Harbor such that pollutant levels are below the benchmarks specified within the Permit. The Port is under an Administrative Order from the Department of Ecology for benchmark exceedances requiring the Port to install Stormwater Treatment by December 30, 2026.

The Commission approved the original agreement with Kennedy Jenks at the Commission Meeting on February 27, 2019. The original scope of work was to complete bid documents for the Log Yard Site and Stormwater Improvement Project. The first Amendment made necessary design revisions as recommended through the 2020 archaeological survey and consultation meetings with the Lower Elwha Klallam Tribe. Subsequently, the second amendment revised the bid documents to allow for project phasing and to write an engineering report to be submitted to Ecology. The third amendment added design elements for a banding platform, developed log transloading methods, refined the grading plan, and created an alternatives analysis requested by Ecology. A breakdown of the original agreement and prior amendments are below:

<u>Description</u>	<u>Amount</u>	<u>Date Approved by the Commission</u>
Original Design Agreement	\$250,000	February 27, 2019
Amendment 1	\$131,000	February 10, 2021
Amendment 2	\$93,000	February 22, 2022

Amendment 3	\$ 33,000	October 25, 2022
Current Contract Total	\$507,000	

ANALYSIS:

The Port was awarded a United States Department of Transportation Maritime Administration Port Infrastructure Development Program Grant. Through consultation with the Lower Elwha Klallam Tribe and developing a Memorandum of Agreement, the project limits have been altered to avoid impacts on the tribe's cultural resources.

This amendment will update the design to the new project limits, update reports needed for permitting, and tie together the Cofferdam Rehabilitation Project bid documents into a single set consistent with the Port's United States Department of Transportation Maritime Administration Port Infrastructure Development Program Grant award.

To complete the final phase of the project design, the Port requested Kennedy Jenks to provide continued engineering services to revise the design, obtain Ecology approval for stormwater treatment required under the Port's Industrial Stormwater General Permit, obtain construction permits, and develop bid issue documents for construction.

Kennedy Jenks estimates the cost to perform the Amendment 4 scope to be \$252,000. The total fee is broken down into the following tasks:

- Task 1 - Project Management and Meetings \$25,742
- Task 2 – Design Update Coordination \$51,327
- Task 3 – Geotechnical Engineering \$32,042
- Task 4 – Stormwater Site Plan \$40,014
- Task 5 – Design \$69,252
- Task 6 – Ecology Reporting \$14,404
- Task 7 – Permitting \$ 5,516
- Task 8 – Contingency \$13,703

PROJECT SCHEDULE:

- | | |
|---|----------------|
| - Draft Bid Issue Package and Reports | May 2025 |
| - Final Engineering Report Submitted to Ecology | June 2025 |
| - Final Bid Issue Package & Ecology Review Complete | September 2025 |
| - Ecology Grant Submittal | October 2025 |
| - Advertise for Bids | January 2026 |
| - Construction | May – Dec 2026 |

ENVIRONMENTAL IMPACT:

The final implementation of stormwater treatment will ensure that runoff leaving the Port's industrial area complies with the Department of Ecology Industrial Stormwater General Permit.

FISCAL IMPACT:

The Port's 2025 Capital Budget allocates \$252,000 for the IHTF Site Improvements (Formerly Log Yard). \$63,000 is budgeted from the Port Capital fund and \$189,000 from the Department of Ecology Water Quality grant.

The scope of work for Amendment 4 will be completed in 2025. Therefore, the projected year-end capital spending is:

• KJ Design Effort	\$252,000
• <u>Archaeology Consultant – DAHP Permit</u>	<u>\$ 38,000</u>
Total Capital Spending	\$290,000

The estimated project spending is \$38,000 over this allocated budget line item. The Port's capital budget contingency amount has sufficient funds to cover this cost overrun.

RECOMMENDED ACTION:

Staff recommends the Commission authorize the Executive Director to execute Amendment 4 of the Agreement with Kennedy Jenks for an amount not to exceed Two Hundred Fifty Two Thousand Dollars and No Cents (\$252,000.00).

Execution of this amendment will set the total contract amount at Seven Hundred Fifty-Nine Thousand Dollars and No Cents (\$759,000).



Celebrating **100** years serving Clallam County

P.O. Box 1350
338 West First Street
Port Angeles, WA 98362
360.457.8527

Board of Commissioners
Connie Beauvais, President
Colleen McAleer, Vice President
Steven Burke, Secretary
Executive Director
Paul Jarkiewicz

Secretary of Transportation
Secretary of the U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Re: Letter of Support for Port Angeles Mobility Planning FY24 RAISE Application

Dear Honorable Secretary,

The Port of Port Angeles is fully supportive of the City of Port Angeles's 2025 RAISE application, Port Angeles Mobility Planning: Safe and Effective Movement for Freight and People. The Port is committed to collaborating with the City as a program co-applicant.

The RAISE grant will support necessary planning efforts for making meaningful freight transport efficiency gains that will boost the regional economy and reduce greenhouse gas impacts. Proposed activities that would improve Port operations focus on Tumwater Truck Route and Marine Drive, the two major routes through which freight travels to the Port's marine terminal facilities. With the current design, these roads cause time-consuming traffic backups that lead to longer cargo load times and increased carbon emissions from idling trucks. These freight-heavy roads also intersect with the Olympic Discovery Trail (ODT), a nonmotorized trail popular with bikers and pedestrians. With RAISE funds, the Port and City will be able to assess safer, more efficient traffic patterns that protect ODT users while enabling easier freight access to marine terminal facilities.

In addition, the proposed activities for the Port's marine terminal would lead to a more streamlined traffic flow for trucks through Port facilities, decreasing cargo load times. Due to weight restrictions on the terminal's trestles, loaded freight trucks can only enter from the west side, which forces trucks to take an indirect route to the terminal along Marine Drive. RAISE funds would enable the Port to complete necessary planning to rehabilitate the terminal and allow trucks to enter from either side. This work will result in benefits ranging from faster load times to reduced truck-related VMT, traffic, and emissions.

We believe that the proposed projects can work in tandem to increase our region's economic competitiveness, improve pedestrian and driver safety, and enhance both the local environment and quality of life. The 2025 RAISE program is a crucial step toward making these efforts a reality for our rural, disadvantaged community.

We are excited to support the Port Angeles Mobility Planning project and respectfully request your consideration of this application. Thank you for the opportunity to support the City, the Port, and the region in making infrastructure upgrades that will both protect and improve lives and livelihoods.

Sincerely,

Connie Beauvais
Commissioner
Port of Port Angeles

Steven Burke
Commissioner
Port of Port Angeles

Colleen McAleer
Commissioner
Port of Port Angeles

WE BRING PEOPLE, RESOURCES AND INDUSTRY TOGETHER TO FOSTER LIVING WAGE JOBS

**ITEM FOR DISCUSSION
BY THE
BOARD OF PORT COMMISSIONERS**

January 14, 2025

Subject: Port Commission Bylaws

Presenter: Braedi Joutsen, Clerk to the Board

RCW & POLICY REQUIREMENTS

The rules governing the Port Commission's business transactions are set forth in the Port of Port Angeles Board of Port Commission Bylaws, which may be amended by resolution of the Port Commission. The Bylaws were last amended by Commission Resolution No. 22-1252 on March 22, 2022.

Minor amendments to the Bylaws may now be proposed after the Port Commission reviews them. Resolution No. 22-1252, which holds the current bylaws, is attached to this IFD for your ease of reference and review.

BACKGROUND:

Resolution 22-1252 was adopted on March 22, 2022, to establish regular meeting dates and rescinded the previous resolution 17-1157, which established regular work sessions to be held twice monthly, on the second and fourth Monday of each month at 9 AM.

ANALYSIS:

At the first Commission meeting of the year, the Port Commission is requested to review and consider the current bylaws to see if they are sufficient or if changes are proposed.

ENVIRONMENTAL IMPACT:

None

FISCAL IMPACT:

None

RECOMMENDED ACTION:

The Commission should now review and discuss the current Bylaws and propose any prudent or necessary amendments or changes.

Port of Port Angeles

Port Angeles, Washington

Commissioner's Resolution No.

22-1252

A RESOLUTION AMENDING PORT OF PORT ANGELES BOARD OF COMMISSION BYLAWS.

WHEREAS, the Port of Port Angeles Board of Port Commission Bylaws may be amended by resolution duly adopted by the Port Commission; and

WHEREAS, the Bylaws were last amended by Resolution No. 17-1157 adopted October 23, 2017; and

WHEREAS, there is now a need to further modify said Bylaws.

NOW THEREFORE BE IT RESOLVED that Resolution No. 17-1157 is hereby rescinded; and

BE IT FURTHER RESOLVED that the Bylaws set forth on the attached Exhibit A are hereby approved and adopted as the Port of Port Angeles Board of Port Commission Bylaws and are effective as of today's date.

ADOPTED by the Board of Commissioners of the Port of Port Angeles at a regular meeting thereof held this 22nd day of March, 2022.

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS



Connie L. Beauvais, President



Colleen M. McAleer Vice-President



Steven D. Burke, Secretary

**PORT OF PORT ANGELES BOARD OF PORT
COMMISSIONBYLAWS**

**ARTICLE I
Preamble**

These Bylaws shall constitute the rules governing the transaction of business by the duly elected Port Commission.

**ARTICLE II
Organization of the
Commission**

- A. The Commission shall organize by the election from its own members a President, Vice-President and Secretary.
- B. The Commission shall elect new officers at the first meeting of each calendar year, whose term shall run for one (1) year, beginning when elected, or until the election of a successor. Vacancies in an office arising from any cause may be filled at any regular or special meeting of the Commission.
- C. In the event of a vacancy in the office of Port Commissioner by death, resignation or otherwise, such vacancy shall be filled pursuant to RCW 42.12.070, as presently codified or hereafter amended.
- D. The Commission may from time to time establish such committees as are necessary to conduct its more specialized work. The composition of committees shall be determined by the Commission. To remain in compliance with the Open Public Meeting Act (RCW 42.30), committees will never exceed one Commissioner. Such committees shall report directly to the entire Commission on their work.
- E. Individual Commissioners serve as members of the Commission, a body which acts only by majority vote.

**ARTICLE III
Duties of Commissioners**

The Commission's responsibilities include but are not limited to the following:

- 1. Establish policies for the overall direction and strategies of the Port;
- 2. Hire an Executive Director to implement the Port policies and objectives and to administer and operate the Port based on the delegation of administrative

- responsibility and authority pursuant to resolution of the Commission. The Commission shall set the salary level and review the performance of the Executive Director, following guidelines based on resolution of the Commission, Port goals and objectives, job description and other appropriate criteria developed jointly by the Commission and the Executive Director;
3. Determine the types of business activity in which the Port will engage;
 4. Approve the annual operating and capital budgets and establish annual budget priorities;
 5. Establish the degree to which the Port will use the governmental powers of taxation and eminent domain;
 6. Establish financial policies including capital formation and debt issuance;
 7. Establish Port positions on significant governmental legislation;
 8. Establish a range of compensation for Port employees. During budget deliberations each year, adopt adjustments to the salary range based on inflation or other market/economic criteria, if appropriate. Review benefits annually;
 9. Establish the organization structure with the Executive Director;
 10. Appoint a treasurer and auditor pursuant to the provisions of RCW 53.36.010, and select and retain on such terms and conditions as the Commission deems appropriate, legal counsel, and an independent auditor (which may be the State Auditor or a private accounting company) for the Port.

Each Commissioner Shall:

- A. Review the agenda for each Commission meeting and read and become familiar with agenda material prior to regular meetings, special meetings and work sessions;
- B. Be prepared to represent the Commission when assigned as the Commission representative to associations, groups and other organizations;
- C. Be responsible for making timely requests to the Commission to be excused for non-attendance at meetings of the Commission, so as to avoid causing an inadvertent vacancy in accordance with RCW 53.12.140;
- D. Submit requests for reimbursement for meeting attendance and expenses (including appropriate documentation) in a timely manner;
- E. Be willing to accompany the Executive Director and/or staff as a Commission representative on business trips as assigned by the Commission;
- F. Serve as a member of the Board of Directors of the Industrial Development Corporation of the Port of Port Angeles pursuant to Resolution #529 (as hereafter amended or superseded).

ARTICLE IV

Duties of Officers

A. The President Shall:

1. Preside at all public meetings of the Commission and at executive sessions of the Commission;

2. Sign all resolutions, contracts, and other instruments on behalf of the Commission as authorized by the Commission;
3. Approve the proposed agenda for each Commission meeting and authorize the issuance of notices for regular meetings, special meetings and work sessions;
4. Perform all such other duties as are incident to the office or are properly required by the Commission.

B. The Vice-President shall:

1. During the absence or disability of the President, exercise all the functions of the President;
2. Preside at all public meetings at which the President is not physically present;
3. Have such powers and discharge such duties as may be properly assigned from time to time by the Commission including but not limited to, performing the duties of the Secretary;
4. Perform all such other duties as are incident to the office or are properly required by the Commission.

C. The Secretary shall:

1. Supervise the recording of the minutes by Port staff;
2. Supervise Port staff in retaining a record of all motions and resolutions adopted by the Commission;
3. Supervise the safekeeping of the seal and the minute books;
4. Otherwise perform such further duties as are incident to the office and as are properly required by the Commission including but not limited to performing the duties of the Vice-President;
5. Review vouchers prior to the Commission meeting at which the voucher summary will be presented for approval and, be prepared to report voucher details to the entire Commission prior to approval.

D. Any Commissioner who shall be elected to act for an incumbent elected officer during the temporary absence or disability of such officer shall exercise all the functions of the incumbent officer, but only during the continuance of the absence or disability of such officer.

ARTICLE V

Meetings

A. Regular Meetings: No additional notice shall be required for regular meetings, the time and place of which are established by resolution. The time and place of regular meetings may be modified by the Board at any time by resolution. If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day.

B. Special Meetings and Work Sessions: Special public meetings or work sessions may be called for at any time either by the President or by a majority of the Commissioners by delivering personally or by mail, facsimile, or email written notice to each Commissioner, each local newspaper of general circulation and to each local radio or television station which has on file with the Commission a written request to be notified of such special meeting or work session. Such notice must be delivered personally or by mail, facsimile, or email at least twenty-four (24) hours before the time of such meeting, as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meeting by the Commission. Such written notice may be dispensed with as to any member who, at or prior to the time the meeting convenes, files with the Secretary of the Commission a written waiver of notice. Such waiver may be given by email or facsimile transmittal. Such written notice may also be dispensed with as to any member who is present at the meeting at the time it convenes. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage when time requirements of such a notice would make notice impractical and increase the likelihood of such injury or damage. If, by reason of fire, flood, earthquake, or other similar emergency, there is a need for expedited action by the Commission to meet the emergency, the Commission President may provide for a meeting site other than the regular meeting site and the notice requirements of these bylaws shall be suspended during such emergency.

C. Regular and special meetings and work sessions shall be open and public except as otherwise provided by law (see Section E - Executive Sessions). To further ensure accessibility to these public meetings, streaming access will be available along with recordings of past meetings on the Port's website. All meetings will be held in accordance with the requirements of RCW 42.30 and reasonable efforts shall be made to comply with the encouraged but not required suggestions in RCW 42.30.

D. Place of Meetings: All meetings shall be held at the Port of Port Angeles Administration Building, 338 W. 1st Street, Port Angeles, Washington. The place for holding such meetings may be changed by concurrence of a majority of the Commission. Notice of change of meeting location shall be publicized in the same manner as provided hereinabove with respect to notice of special meetings and work sessions, change of location of a regular meeting does not cause the meeting to become a special meeting.

E. Executive Sessions: The Commission may meet in executive session, which shall be closed to the public, during a regular or special meeting for all the purposes permitted by the Open Public Meetings Act (RCW 42.30) and other laws. Before convening an executive session, the presiding officer of the Commission shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may

be extended to a stated later time by announcement of the designee. Information learned in executive session shall be treated as confidential.

F. Adjournment or Continuation to a Special Meeting: Adjournment or continuation to a special meeting shall be pursuant to notice as required by law.

G. Quorum: Two (2) Commissioners shall constitute a quorum for the convening of a meeting.

H. Absences: Any absence by a Commissioner from a meeting because of attendance to other Port business shall be so recorded in the minutes of the meeting, provided for in ARTICLE IX, and any such absence shall be automatically excused by the Commission.

I. Meetings shall be conducted in accordance with these Bylaws (including Exhibit A hereto) and Roberts' Rules of Order. In circumstances of conflict between the provisions thereof, these Bylaws (including Exhibit A hereto) shall control.

J. Cancellation of Meeting: Any regular or special meeting or work session may be canceled by the President. The President will not cancel a meeting within 24 hours of the scheduled meeting unless the cancellation is the result of a natural disaster or other emergency which would justify such cancellation for public safety or where such disaster/emergency may affect the Board's ability to achieve a quorum. In addition, the President shall not have the authority to cancel a meeting which was scheduled by written request provided to the Executive Director by two Commissioners.

K. Each Commissioner shall receive per diem compensation in an amount prescribed by RCW 53.12.260, as presently codified or hereafter amended, for each day or portion thereof spent (a) in actual attendance at official meetings of the Commission, or (b) in performance of other official services or duties on behalf of the Port.

L. A Commissioner may participate in any Commission meeting remotely.

ARTICLE VI

Motions

A. Except as otherwise required by ARTICLE VII, the Commission shall transact its business by motion which may be made or seconded by any Commissioner in attendance, including the chair of the meeting.

B. Voting on all motions shall be "aye" or "no," and the minutes of the meeting shall record the vote of each Commissioner present.

C. Concurrence of two (2) Commissioners shall be necessary and shall be sufficient for the passage of any motion.

ARTICLE VII Resolutions

- A. All final actions of the Commission that, in the judgment of the Commission, are of a legislative character shall be embodied in the form of resolutions.
- B. A resolution may be adopted in the same meeting at which the resolution is introduced if, on a motion seconded and passed unanimously, the full Commission agrees to introduce the resolution, and thereafter on a motion seconded and passed by a majority of Commissioners, the Commission agrees to waive the second consideration of the resolution and adopt the resolution; PROVIDED, however, that a resolution that supersedes, amends, modifies, or suspends an existing resolution shall not be adopted at the same meeting at which it is introduced except by the affirmative vote of the entire Commission. Otherwise, a resolution may be introduced on a motion seconded and passed, in which case the resolution shall be put on the agenda of the next Commission meeting for adoption. If an emergency meeting of the Commission is called as described in Article V, Section B of these Bylaws, the unanimous approval requirements of this Article VII shall be suspended during such emergency.
- C. Voting on all resolutions shall be "aye" or "no," and the minutes of the meeting shall record the vote of each Commissioner present.
- D. Resolutions shall be numbered consecutively, and the original copy of each resolution shall be duly authenticated in open session by the signature of the Commissioners voting in its favor. Authentication of a Commissioner who is not present may be made by another Commissioner who voted in favor of the resolution. Each resolution shall be filed by the Secretary and shall be recorded in a book or books kept for such purposes, which shall be public records.

ARTICLE VIII Minutes

A Minutes of all proceedings of the Commission shall be approved by the Commission and shall be maintained in the Port's records, which shall be public records.

- B. No minutes are required for Executive Sessions.

ARTICLE IX Amendment of Bylaws

These Bylaws may be amended by the Commission by resolution duly adopted.

Future Agenda Items –Commission Meeting

1/14/2025

January 28, 2025 (Regular Commission Meeting)

- 4th Quarter Operations Report
- December Financial Report
- Monthly Cash & Investment Report
- Olympic RC Modelers Term Lease
- Delegation of Authority Renew

February 11, 2025 (Regular Commission Meeting)

- Monthly Delegation of Authority Report
- Annual Bad Debt Review
- Port Angeles Yacht Club Presentation
- Sequim Bay Yacht Club Presentations
- Economic Development Council Presentation

February 25, 2025 (Regular Commission Meeting)

- January Financial Report
- Monthly Cash & Investment Report

March 11, 2025 (Regular Commission Meeting)

- Monthly Delegation of Authority Report
- Annual Capital Projects Report

March 25, 2025 (Regular Commission Meeting)

- February Financial Report
- Monthly Cash & Investment Report

Upcoming Events/Announcements

- January 30, 2025 – Washington Public Ports Association Port and Maritime Day, Olympia, WA
- January 31st - February 8th, 2025– Seattle Boat Show, Seattle, WA
- February 23-24, 2025 – Northwest Aviation Conference, Puyallup, WA

Future

- Boatyard and Marina Rules & Regulations
- Port Emergency Response Plans and Activities
- Employee Handbook Update and Resolutions