

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

January 28, 2024

SUBJECT: Resolution 25-1316 Delegation of Authority

STAFF LEAD: Paul Jarkiewicz Executive Director

RCW & POLICY REQUIREMENTS:

The Revised Code of Washington (RCW) authorizes the commission of a port authority to delegate certain powers to its managing official:

The commission may delegate to the managing official of a port district such administrative powers and duties of the commission as it may deem proper for the efficient and proper management of port district operations. Any such delegation shall be authorized by appropriate resolution of the commission, which resolution must also establish guidelines and procedures for the managing official to follow.

RCW 53.12.270(1). Pursuant to this statute, the Commission adopted a "Delegation of Authority," conferring certain authorities to the Executive Director. Implicit in this statutory grant is the authority to revise/amend the delegation as needed.

Moreover, certain powers conferred to the Executive Director, and contained in the current delegation of authority, require renewal on a "year to year" basis. See e.g. RCW 53.08.090(1) and Delegation of Authority, art XII, concerning the sale of property less than \$22,000 (amended annually by a price increase index from the Office of Financial Management).

BACKGROUND:

The Port's current Delegation of Authority requires the Port Commission to review, revise (if needed), and approve the delegation annually, specifically regarding Sale of Real or Personal Property (RCW 53.08.90).

ANALYSIS:

The attached Resolution 25-1316 and Exhibit A:

1. Renews the authority to surplus, sell and convey property with a value up to \$22,000, and clarifies the policy applies to both real and personal property.

2. Adds provisions which waive competitive bidding requirements for certain public works special facilities and for pollution control facilities & certain purchases and Contracts as allowed by RCW 39.04.280(1)(b) and RCW 70A.210.110.
3. Updates text and reorganizes structure to clean up inconsistencies and improve clarity
4. Updates references to reflect changes in state law regarding procurement processes.
5. Adds reference to and process for Trade Promotion and Promotional Hosting.

ENVIRONMENTAL IMPACT: None

FISCAL IMPACT: None

RECOMMENDED ACTION:

- (1) Discuss and determine if additional revisions are needed.
- (2) Introduce Resolution No. 25-1316, renewing and updating the Delegation of Authority.
- (3) If introduction is unanimous, then (upon motion, second, and vote) adopt Resolution No. 25-1316. If the introduction is not unanimous, bring back to next meeting.