

VIRTUAL MEETING VIA ZOOM

Poulsbo Port District – Port Commission

Subject	*REMOTE* Regular Meeting Agenda	Date	October 7, 2021
Recorder	Cassidy Conners	Start Time	7:00 PM
Commission Chair	Thomas Rose	End Time	9:00 PM
Commission Members	Jamie Green, Mark Singer		
Staff Present	Carol Tripp, Port Accountant & Mgr.		

AGENDA		
No.	Topic	Action/Recommendation/Discussion
1.	CALL TO ORDER	
2.	COMMISSIONER COMMENTS	
3.	PUBLIC COMMENTS (limit of 3 minutes)	
4.	POULSBO BOATERS ASSOCIATION REPORT	
5.	CONSENT AGENDA ITEMS (Next Res: 2021-15) All matters listed within the Consent Agenda have been distributed to each member of the Commission for reading and study, are considered to be routine and will be enacted by one motion of the commission with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by a Commission member or by Citizen Request. A. Approve meeting minutes of: 9.16.21 B. Warrants: 17423 – 17449, P13101 – P13113, EFT 10/1/21, EFT 10/31/21 in the amount of \$114,785.74. C. Resolutions: 2021-11 – Legislative Drafting Mistake 2021-12 – Final Budget for 2022 2021-13 – 2022 Tax Levy 2021-14 – 2022 Port Tariff	
6.	OLD BUSINESS ITEMS	
	A. Breakwater Updates – John Piccone, P.E.	
	B. Permanent Moorage Rate Increase	
	C. 2022 Final Budget	
	D. Rules & Regulations regarding liveboards	
7.	NEW BUSINESS ITEMS	
	A. Commissioner responses to public comments/discussions	
	B. Accounting & Manager’s Report	
8.	PUBLIC COMMENT & REQUESTS FOR FUTURE AGENDA ITEMS	
9.	COMMISSIONER COMMENTS	
10.	ADJOURN	

<https://us02web.zoom.us/j/88190358713>

Meeting ID: 881 9035 8713

The Port of Poulsbo provides a time for citizen input during, ‘Public Comments.’ Please limit yourself to three (3) minutes per person. If you wish to address the Commission, please speak clearly. The Commission is committed to maintaining a meeting atmosphere of mutual respect and speakers are encouraged to honor this principle. The Board will address public comments during ‘New Business Items – public comments.’ If you wish to attend the Commission meeting and require physical accommodations in order to do so, please call (360) 779-9905 by 9 a.m. the day of the meeting.

VIRTUAL MEETING VIA ZOOM

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Meeting ID: 881 9035 8713

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REGULAR MEETING PORT OF POULSBO
OCTOBER 7, 2021
7:00 PM

Present: Commissioner Singer, Commissioner Green, Commissioner Rose, Port Accountant Carol Tripp, Pam & Peter – PBA

Call to Order 07:00pm

Commissioner Comments

Commissioner Rose said the notice of vessel inspections would be good to get done before winter. He wanted everyone to know of its importance not only for business and liability of the Port, but as a community. While it is a bit of an intrusion, it's necessary to keep everyone safe.

Commissioner Green attended the business recovery task force meeting. The chamber will be hosting the Halloween Drive-by Trick-or-Treat again. The Port is donating bags for the event. The Poulsbo Firefighters will be out collecting monetary donations for a coat drive. She encouraged everyone to continue being safe to the best of their ability.

Commissioner Singer said he glad to be in attendance and will have more comments later.

Public Comments

Aaron Wenholz commented on the dinghy parking and defining regulations pertaining to size, type of vessel, and how daily parking should be used would help clarify things. Regarding inspections, he worries about what the Port will be getting themselves into when inspecting the interior hull of a vessel. He suggested a professional for inspections. He also touched on not discriminating against winter moorage applicants. He clarified that he doesn't know much about the topic, so if what he said isn't the case to please disregard the comment.

Poulsbo Boater's Association

The association gave their report.

Consent Agenda

Motion: Move to approve the regular minutes of September 16, 2021.

Moved by: Commissioner Singer **Seconded by:** Commissioner Rose

Motion passed unanimously.

Motion: Move to approve the warrants.

Moved by: Commissioner Green **Seconded by:** Commissioner Singer

Motion passed unanimously.

Motion: Move to approve Resolution 2021-11 – Legislative Drafting Mistake

Moved by: Commissioner Singer **Seconded by:** Commissioner Green

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Motion passed unanimously.

Motion: Move to approve Resolution 2021-12 – Final Budget for 2022
Moved by: Commissioner Singer **Seconded by:** Commissioner Green

Motion passed unanimously.

Motion: Move to approve Resolution 2021-13 – 2022 Tax Levy
Moved by: Commissioner Singer **Seconded by:** Commissioner Green

Motion passed unanimously.

Motion: Move to approve Resolution 2021-14 – 2022 Port Tariff
Moved by: Commissioner Singer **Seconded by:** Commissioner Green

Motion passed unanimously.

Old Business Items

Breakwater Updates

Mr. Piccone recapped his last visit and the status of things in August. He went ahead and submitted the emergency request to the Army Corps. The Corps has been the focus because it has been a critical path item. He couldn't finalize all the required permitting or the final design without it. The Corps permit allows the project to get smaller permits, finalize bid documents, and put the project out to bid. One critical item is the breakwater and driving water piles. The piles are used to support the breakwater. There are also piles on the connector walkway between AA and the breakwater. The piles can be placed into two categories: breakwater piles and other piles. The demolition of the existing breakwater cannot be done until the new breakwater is in place. Another critical path item is the fish windows, and there are a couple of them. We will have to line up different ways when construction starts and stops, what type of construction is being done, etc. One last critical item that impacts schedules and decisions is the procurement of materials (which is a new thing). It is widely known there are shortages of materials and certain types of materials are much more expensive and/or taking longer to procure. Lumber and steel are very big items on that list and the breakwater requires a lot of lumber and steel.

While we are getting close to having the Corps permit, we still don't have it yet. We last spoke in August in hopes of receiving it by early September. That was constraining the September schedule, and so Mr. Piccone started tracking two separate schedules. One schedule would follow the normal process (get the Corps permit, obtain the smaller permits, and then put that information into bid documents). The second potential schedule would be to submit the building permits prior to receiving the Corps permit. An accelerated permit could potentially put things out to bid before all the permits are obtained. The permits all say the same thing,

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none of them say you cannot bid. The Port can go out to bid at any time. With that, Mr. Piccone had two options. One option that is tried and true and less risky is to have all permits in hand before putting out the bid. Another schedule is accelerated but has some risks because the project would be out to bid before all the smaller permits are in hand. If we put things out to bid and something later needs to be changed, we would have little leverage with the contractors.

Mr. Piccone said he has been pestering the Army Corps nonstop and going back and forth with them since the emergency authorization request was submitted in August. He has since heard back that the floating restroom is not an emergency and they've made it clear they won't permit the floating restroom. A less minor thing they've indicated they will not permit in the emergency request are the 30' finger piers. He believes he has convinced them the 50' finger piers are part of the broader structure and they're part of the minimum work necessary to mitigate an emergency. He hopes to know more by then end of next week. He forecasts at this time that by the end of the next week they should have authorized the work except for the floating restroom and the 30' finger piers. Mr. Piccone then showed a visual summary of some updates. He anticipates wrapping up the project April 2023, but if the permits delay much longer that window will go from April 2023 to November 2023. There's always risks with the standard construction process and hopefully he is doing a good job minimizing risks to the greatest extent possible – though nothing is free of risk. The second construction option is riskier and could have the potential of increasing the project costs anywhere from \$300k to \$1 million. The board agreed staying with the standard process is the way to go at this point to avoid those potential project cost increases. Mr. Piccone will continue to keep Port Accountant Tripp updated and watch the other critical path items mentioned. If we aren't getting the permits within roughly 60 days from now, we will want to revisit conversation again and look at the accelerated route. He would hate to have that conversation, but it's on the radar and he's watching it.

Permanent Moorage Rate Increase

Covered under Resolution 2021-12 & 2021-14

2022 Final Budget

Covered under Resolution 2021-12 & 2021-14

Rules & Regulations Regarding Liveboards

Port Accountant Tripp clarified that the agenda topic was just for Rules & Regulations, not anything regarding liveboards. She said most changes have been minor and are included in red (she shared her screen with the board), and most of the document remains unchanged. Rules & Regulations will be provided to those people coming in initially and will be posted on the website. With that said, it is not the Port's responsibility for people to understand the rules. People can always bring their questions to the staff.

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Motion: Move to authorize Port Accountant Tripp to make the changes as written to the Rules & Regulations

Moved by: Commissioner Singer **Seconded by:** Commissioner Green

Motion passed unanimously.

New Items

Items for Public Discussion

Commissioner Singer appreciates the PBA comments and wants to work together to find a way to sit down and come up with a way to factor things in. Commissioner Rose suggested meeting via special meeting or sub-group, and he appreciates their recommendations.

Maintenance Report

See attached.

Accounting & Manager's Report

See attached.

Public Comments/Request for Future Agenda Items

Pam said it was a great idea going up to 16' beam. Regarding the anchored-out vessel and calling for help, any marine emergencies are to be communicated through 911. It is the duty of the local jurisdiction to respond. The Port isn't local jurisdiction for the anchored out and it's clearly stated in the state RCWs. Local jurisdiction is the Fire Department or the Police Department.

Commissioner Comments

Commissioner Rose thanked everyone for attending. With a lot of information comes big challenges and a lot of opportunities.


Final Adjournment 9:14pm


Mark Singer (Oct 23, 2021 17:02 PDT)

Mark Singer, Commissioner


Jamie Green (Oct 22, 2021 09:40 PDT)

Jamie Green, Commissioner


Thomas K. Rose (Oct 23, 2021 19:26 PDT)

Thomas Rose, Commissioner

Accounting & Manager Report October 7, 2021

- Maintenance Report – Eugene Madayag

Maintenance scheduled for the month of October-

- Basic ongoing maintenance of docks, fuel barge and restrooms.
- Monthly breakwater navigation lights checked.
- Annual fire extinguisher certifications done on all extinguishers by Peninsula Fire.
- Annual check of dock pedestal lights has been done and replaced as necessary.
- Pump out boat needed to go back to Kitsap Marine due to finding out there was an intermittent problem with the lift motor relays. Had them replaced and the boat was brought back Wednesday, October 6th.

In progress-

- Moving of shop in progress now; about two thirds of shop has been moved back and we should be fully moved out by the end of October.
- Continue to work on the kayak float as time permits.
- Have been in contact with Fire King of Seattle and awaiting final bids for hydrostatic testing of fire lines.
- Have Bird Electric working on power pedestal that was pulled into water by boater along with discussion on testing on potential tenant's boats with possible electrical leakage.

- Permanent Moorage Report – Melanie Winnett

Most of the last two weeks has been spent going over the winter moorage applications and setting up the new accounts. We currently have 18 vessels moored in winter moorage and expect a few more before the middle of the month. There were two applications that were declined to come into winter moorage due to several issues.

Signage has been updated on the fuel dock to include Dept of Ecology's new number for fuel spills. In addition, maintenance stenciled 'BOAT' above the "trailer" vehicle parking area up at the Jensen Way parking lot. Even though the signage states that there is no RV or campers allowed; people were starting to park trailers in those parking spots. Hopefully the stenciling will make it clearer.

We had some parking issues during the week, and I sent out a reminder of the parking guidelines for the licensees.

Fuel Dock was inspected by the Dept of Ecology and passed.

- Guest Moorage Report – Jannese Hunt

The guest moorage office is still receiving requests from yacht clubs to revisit the 'wide berth' charge.

This past weekend we had Everett Yacht Club in the marina. There were 30 boats who participated in the rendezvous. The nice weather also brought in other boaters, and we had a busy fuel weekend, selling out of diesel completely.

I continue to attend the monthly HDPa Meetings. At the last meeting I presented a few ideas of how I feel that the port can help support the downtown businesses. The board liked the idea of collaborating to create a holiday bulletin. We would use Constant Contact to advertise these holiday events. Several weeks have passed with no progress. On September 16th I posted on the HDPa FB page that a large Yacht Club had contacted us and asked if a scavenger hunt could be organized for them. 84 merchants viewed the post and only 2 responded that they would participate. It is difficult to only use FB as a mechanism for communication with the merchants. As the shoulder season is upon us, I will endeavor to spend more time reaching out to the merchants individually. Several years ago, we created a questionnaire and we sent this out to the merchants via email. At the next HDPa Meeting I will discuss this with the board and get their input as to if this idea is of interest.

Accounting & Manager Report

The Poulsbo Fire Department did their annual fire safety inspection on 09/23/2021. We needed to get a dedicated fire extinguisher for the BBQ on the activity float. The other item that came up was that the Fire Inspector is requiring the Port to have all standpipe systems hydrostatically tested by a professional 3rd party company. When it was mentioned that the Port has always had the Poulsbo Fire Department do this service, I was told that they would not be providing this service in the future. The cost of having a company come in and provide the hydro testing is approximately the cost of one year's boathouse moorage fees. For example, if the Fire Dept paid boathouse moorage, the current cost would be \$4,947.48 annually.

The Port has started to receive phone calls from vessels anchored out in the bay who are requiring assistance. The last call received was the Fire Department requesting help; they received a call from a boater who's dinghy broke loose, and he was stranded on his anchored vessel. The fire department requested that the Port go out and assist the boater. Again, the Port does not have liability insurance past the breakwater area and our personnel are not trained to handle emergency and/or mental health issues.

I have been auditing all permanent moorage files for completeness. Some files are missing electrical readings, some have expired insurance and others have expired registration. Melanie will be contacting licensees for missing information or to schedule inspections for electrical readings.

The maintenance staff will be out taking electrical readings over the next several weeks. Vessels will not be unplugged during this testing.

I would like to thank Aaron Wenholtz for notifying the office about a vessel on 'D' Dock. Viking Magic on 'D' Dock is now taking on water and our maintenance staff is regularly pumping out this vessel. The date of destruction is scheduled for October 27th. The lowest responsive bidder was NRC, and the bid came in at \$25,860.25 to dispose of the vessel. The balance owing on the moorage is \$10,876.60. Even with the DVRP Grant reimbursement of \$23,274.23, the Port will end up writing off a bad debt of \$13,462.62. In addition to this large amount, there will also be another large bad debt to write off of \$8,772.07 to write off of a liveboard vessel that was destroyed and had a large balance owing on his account.

Respectfully Submitted,

Carol Tripp

PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732
Poulsbo, WA 98370

Kitsap County, WA

October 8, 2021

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$91,351.26 and from the General Fund, this 8th day of October 2021.

Mark Singer
Mark Singer (Oct 8, 2021 13:37 PDT)
Mark Singer, Commissioner

ATTEST:

Jamie Green
Jamie Green (Oct 8, 2021 13:31 PDT)
Jamie Green, Commissioner

Cassidy Conners, Recording Secretary

Thomas K. Rose
Thomas K. Rose (Oct 8, 2021 15:13 PDT)
Thomas Rose, Commissioner

Voucher #	Claimant	Amount
17423	Puget Sound Energy	2,284.40
17424	Peter Hallum	598.40
17425	Diane Lander	63.00
17426	Michael Naab	178.80
17427	Nathan Kilcrease	22.48
17428	Nathan Kilcrease	221.94
17429	Clarence Deckert	196.82
17430	Bank of America	4,364.05
17431	BMC	2,347.86
17432	CHS Inc / Cenex	182.60
17433	Chmelik, Sitkin, & Davis	9,838.01
17434	City of Poulsbo	3,388.61
17435	Coast to Coast Hardware	118.29
17436	Fisheries Supply	64.57
17437	Float Services NW	21,228.96
17438	HD Fowler Co	219.80
17439	Home Depot	358.79
17440	Kitsap County Dept of Public Works	38.76
17441	Kitsap Networking Services	950.00
17442	Office Depot Credit Plan	189.95
17443	Peninsula Fire Inc	98.10
17444	PetroCard	43,056.25
17445	Propane Northwest	296.32
17446	PUD #1 of Kitsap County	345.00
17447	CenturyLink	66.40
17448	Home Depot Pro	341.76
17449	WA Dept of Corrections	291.34
TOTAL		\$ 91,351.26

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

Carol Tripp
Carol Tripp (Oct 8, 2021 13:11 PDT)
Port Auditor

PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732
Poulsbo, WA 98370

Kitsap County, WA

October 1, 2021

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$14,292.33 and from the General Fund, this 1st day of October 2021.

Mark Singer
Mark Singer (Oct 8, 2021 13:37 PDT)
Mark Singer, Commissioner

Jamie Green
Jamie Green (Oct 8, 2021 13:31 PDT)
Jamie Green, Commissioner

Thomas K. Rose
Thomas K. Rose (Oct 8, 2021 15:13 PDT)
Thomas Rose, Commissioner

Voucher #	Claimant	Amount
P13101	Kelli Hodges	1,658.85
P13102	Eugene Madayag	1,563.48
P13103	Nicholas Mandeville	925.69
P13104	Jannese Hunt	1,337.40
P13105	Bruce Riley	1,168.46
P13106	Christopher Henry	931.70
P13107	Carol Tripp	2,436.08
P13108	Melanie Winnett	1,741.66
P13109	Brian Smith	1,088.36
P13110	Jamie Green	445.13
P13111	Thomas Rose	339.84
P13112	Mark Singer	445.13
P13113	Cassidy Connors	210.55
TOTAL		\$ 14,292.33

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

Carol Tripp
Carol Tripp (Oct 8, 2021 13:11 PDT)
Port Auditor

~~~DIRECT DEPOSIT ADVICES~~~

PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA October 1, 2021

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$4,334.32 and from the General Fund, this 1st day of October 2021.

Mark Singer  
Mark Singer (Oct 8, 2021 13:37 PDT)  
Mark Singer, Commissioner

ATTEST:

Jamie Green  
Jamie Green (Oct 8, 2021 13:31 PDT)  
Jamie Green, Commissioner

Cassidy Conners, Recording Secretary

Thomas K. Rose  
Thomas K. Rose (Oct 8, 2021 15:13 PDT)  
Thomas Rose, Commissioner

| Voucher #    | Claimant                    | Amount            |
|--------------|-----------------------------|-------------------|
| 10/01/21 EFT | US Treasury/Financial Agent | \$4,129.86        |
| 10/01/21 EFT | DSHS                        | \$204.46          |
| TOTAL        |                             | <b>\$4,334.32</b> |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

Carol Tripp  
Carol Tripp (Oct 8, 2021 13:11 PDT)  
Port Auditor

~~~ EFT ~~~

PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732
Poulsbo, WA 98370

Kitsap County, WA October 31, 2021

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$4,807.83 and from the General Fund, this 31st day of October 2021.

Mark Singer
Mark Singer (Oct 8, 2021 13:37 PDT)
Mark Singer, Commissioner

ATTEST:

Jamie Green
Jamie Green (Oct 8, 2021 13:31 PDT)
Jamie Green, Commissioner

Cassidy Connors, Recording Secretary

Thomas K. Rose
Thomas K. Rose (Oct 8, 2021 15:13 PDT)
Thomas Rose, Commissioner

| Voucher # | Claimant | Amount |
|--------------|--------------------------------|-------------------|
| EFT 10/31/21 | Employment Security Department | \$726.79 |
| EFT 10/31/21 | Dept of Labor & Industries | \$3,828.64 |
| EFT 10/31/21 | Paid Family Leave | \$252.40 |
| | TOTAL | \$4,807.83 |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

Carol Tripp
Carol Tripp (Oct 8, 2021 13:11 PDT)
Port Auditor

~~~ EFT ~~~

RESOLUTION NO. 2021-11

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF POULSBO  
ADDRESSING THE APPARENT LEGISLATIVE DRAFTING MISTAKE IN THE 2020  
AMENDMENT TO RCW 53.12.260 BY MAINTAINING THE STATUS QUO FOR  
COMMISSIONER COMPENSATION FOR CURRENT AND FUTURE COMMISSIONERS.**

**WHEREAS**, enacted in 1975, RCW 53.12.260 provides for port commissioner compensation. Today this compensation consists of (a) \$128 per diem per day compensation for each day or portion or thereof spent in actual attendance at official meetings of the port district commission, or in performance of other official services or duties on behalf of the district (b) since the 1992 amendment to RCW 53.12.260, monthly compensation of either \$200 or \$500 per month depending on the gross operating income of the port district in the preceding calendar year.

**WHEREAS**, in 2007 the Legislature amended RCW 53.12.260 increasing the per diem portion of commissioner compensation from \$75 to \$90 and providing for an inflationary adjustment to both per diem and monthly compensation every five years beginning July 1, 2008, as determined by the Washington State Office of Financial Management (the "OFM"). Adjustments on July 1, 2008, July 1, 2013, and July 1, 2018, resulted in current commissioner per diem of \$128 per month and the current monthly compensation of either \$278 or \$711 depending on the gross operating income of the port district in the preceding calendar year. The next adjustment was scheduled for July 1, 2023.

**WHEREAS**, in 2020 the Legislature sought, in House Bill 2449 (Chapter 83, Laws of 2020) to move the adjustment date for twelve special purpose governments, including port districts, from July 1<sup>st</sup> to January 1<sup>st</sup> to align with these twelve special purpose governments fiscal calendar year. The bill passed both the House and the Senate unanimously. The Legislature's *Final Bill Report* notes that the per diem compensation for these special purpose governments had risen to with adjustments to the current numbers and noted that the purpose of HB 2449 was merely to move the date. In the "summary" section the Final Bill Report notes that:

*The calendar date on which the compensation limit for commissioners, board members, supervisors, and directors of special purpose districts must be adjusted for inflation every five years is changed from July 1 to January 1. The date of the next scheduled adjustment is delayed from July 1, 2023, to January 1, 2024.*

**WHEREAS**, the HB 2449 change to RCW 53.12.260 was accomplished by making a simple change to the statute as follows (deletion in strikethrough and addition in underline):

*The dollar thresholds for salaries and per diem compensation established in this section must be adjusted for inflation by the office of financial management every five years, beginning ~~July 1, 2008~~ January 1, 2024*

Unfortunately, the adjustment date was changed but the reference to \$90 per diem and the \$200/\$700 monthly payments set in the 2007 version of RCW 53.12.260 were not updated. The "plain reading" of the RCW 53.12.260 is now \$90 per diem and the \$200 or \$500 monthly payments adjusted for inflation

on January 1, 2024. It is clear the effect of “rolling back” commissioner compensation to 2007 levels was unintended and a clear legislative drafting mistake.

**WHEREAS**, Article XI, Section 8 of the Washington State Constitution prohibits and increase or decrease in commissioner compensation during a term of office. Therefore, the 2020 amendment to RCW 53.12.260 would only apply as commissioners are elected or re-elected with the first application occurring for commissioners taking office on January 1, 2022.

**WHEREAS**, the Washington Public Ports Association has contacted the OFM and the Washington State Auditor’s Office (the “SAO”) about this issue. While acknowledging the issue, the OFM and SAO indicated that the current compensation should be left in place because the legislative intent was merely to change the date from July 1<sup>st</sup> to January 1<sup>st</sup>. The SAO has indicated that it will not be an audit issue. However, these views, while helpful, are not legally binding.

**WHEREAS**, subsection 3 of RCW 53.12.260 allows a port commission to set compensation for commissioners in lieu of the amounts specified in the statute (both per diem and monthly).

**WHEREAS**, it is in the best interest of the Port to maintain current levels of commissioner compensation and ensure that commissioners newly elected or re-elected in 2021 are provided the same compensation as the other commissioners when the newly elected or re-elected commissioners take office on January 1, 2022.

**WHEREAS**, until this unintended drafting mistake is (a) corrected by the Legislature, (b) a definitive legal interpretation from the Washington Attorney General’s Office is issued, or (c) Washington courts issue a binding decision it is in the best interest of the Port to adopt a resolution pursuant to RCW 53.12.260(3) to maintain the *status quo* for commissioner compensation subject to the January 1, 2024 change per RCW 53.12.260.

**NOW THEREFORE**, based upon the foregoing it is resolved by the Port of Poulsbo, by and through its Commission, to maintain the *status quo* as follows:

1. Pursuant to RCW 53.12.260(3) the current Port of Poulsbo commissioner compensation of \$114.00 per diem per day and \$254.00 per month shall be maintained for all current commissioners and shall apply to all Port of Poulsbo commissioners hereinafter elected or appointed.
2. The RCW 53.12.260(4) inflationary adjustment that will occur on January 1, 2024, and each five years thereafter will be applied to all Port of Poulsbo commissioner compensation.
3. The Port of Poulsbo legal counsel and the executive director will inform the Commission if and when the drafting issue in RCW 53.12.260 (a) has been the subject of Legislature action, (b) a definitive legal interpretation from the Washington Attorney General’s Office is issued, or (c) Washington courts issue a binding decision so that the Port Commission may consider an appropriate resolution.

**ADOPTED** in open session at a regular meeting of the Board of Commissioners of the Port of Poulso on the 7<sup>th</sup> day of October 2021, and duly authenticated by the signatures of the Commission and the seal of the Commission affixed hereto.

Thomas K. Rose  
Thomas K. Rose (Oct 8, 2021 15:12 PDT)

Thomas Rose, Commissioner

M. Singer  
Mark Singer (Oct 8, 2021 13:38 PDT)

Mark Singer, Commissioner

Jamie Green  
Jamie Green (Oct 8, 2021 13:31 PDT)

Jamie Green, Commissioner

**PORT OF POULSBO**  
**KITSAP COUNTY, WASHINGTON**  
**RESOLUTION NO. 2021-12**  
**DATED: OCTOBER 7, 2021**

**A RESOLUTION** of the Board of Commissioners, Port of Poulsbo, adopting a final budget for 2022.

**WHEREAS**, State law requires this Port Commission to prepare a preliminary budget for the ensuing fiscal year showing the estimated expenditures and the anticipated available funds from which all expenditures are to be paid; and

**WHEREAS**, this Port Commission has published a Notice in accordance with state law stating that the preliminary budget of this Port District has been prepared, and has given due notice of the place and hour designated of a hearing on the preliminary budget and adoption of the final budget; and

**WHEREAS**, all persons present at said hearing were given the opportunity to comment and present objections to the preliminary budget; now, therefore

**BE IT RESOLVED** by the Board of Commissioners, Port of Poulsbo, Kitsap County, Washington, as follows:

The final budget for the Port of Poulsbo, as reflected in exhibit attached hereto, and by this reference incorporated herein, is hereby adopted as the final budget for this Port for the 2022 calendar year.

**ADOPTED** by the Board of Commissioners of the Port of Poulsbo at the public meeting thereof held this 7th day of October 2021, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

  
\_\_\_\_\_  
Mark Singer (Oct 8, 2021 13:38 PDT)

Mark Singer, Commissioner

  
\_\_\_\_\_  
Jamie Green (Oct 8, 2021 13:30 PDT)

Jamie Green, Commissioner

  
\_\_\_\_\_  
Thomas K. Rose (Oct 8, 2021 15:11 PDT)

Thomas Rose, Commissioner

ATTEST:

\_\_\_\_\_  
Cassidy Conners, Recording Secretary



**PORT OF POULSBO  
KITSAP COUNTY, WASHINGTON  
RESOLUTION 2021-13  
DATED: OCTOBER 7, 2021**

**WHEREAS**, the Board of Commissioners of the Port of Poulsbo has met and considered its budget for the calendar year 2022; and,

**WHEREAS**, the districts actual levy amount from the previous year was \$318,280; and,

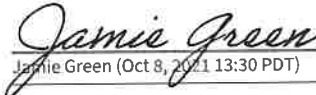
**WHEREAS**, the population of this district is less than 10,000; and now, therefore,

**BE IT RESOLVED** by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2022 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be \$1,720 which is a percentage increase of 0.5406% from the previous year. The increase is exclusive of additional revenue resulting from new construction, improvement to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

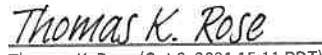
**ADOPTED** by the Board of Commissioners of the Port of Poulsbo at the regular public meeting thereof held this 7<sup>th</sup> day of October 2021, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

  
Mark Singer (Oct 8, 2021 13:39 PDT)

Mark Singer, Commissioner

  
Jamie Green (Oct 8, 2021 13:30 PDT)

Jamie Green, Commissioner

  
Thomas K. Rose (Oct 8, 2021 15:11 PDT)

Thomas Rose, Commissioner

ATTEST:

\_\_\_\_\_  
Cassidy Connors, Recording Secretary

**PORT OF POULSBO**  
**KITSAP COUNTY, WASHINGTON**  
**RESOLUTION NO. 2021-14**  
**DATED: OCTOBER 7, 2021**

A RESOLUTION of the Board of Commissioners, Port of Poulsbo, adopting a new tariff.

WHEREAS, the tariff for the Port of Poulsbo as indicated in exhibit "A" are approved; and

WHEREAS, all rates listed in exhibit "A" will take effect January 1, 2022.

THEREFORE, BE IT RESOLVED by the Board of Commissioners are adopting a new tariff as indicated in exhibit "A".

ADOPTED by the Board of Commissioners of the Port of Poulsbo at the regular public meeting thereof held this 7th day of October 2021, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

  
\_\_\_\_\_  
Mark Singer (Oct 8, 2021 13:36 PDT)

Mark Singer, Commissioner

  
\_\_\_\_\_  
Jamie Green (Oct 8, 2021 13:32 PDT)

Jamie Green, Commissioner

  
\_\_\_\_\_  
Thomas K. Rose (Oct 8, 2021 15:14 PDT)

Thomas Rose, Commissioner

ATTEST:

\_\_\_\_\_  
Cassidy Connors, Recording Secretary

EXHIBIT 'A'

Port of Poulsbo  
2022 Rates

| ***Permanent Moorage***   |                                                   |
|---------------------------|---------------------------------------------------|
| \$5.83                    | Per foot                                          |
| \$0.20                    | Per foot - Util Chrg                              |
| \$0.75                    | Leasehold Tax                                     |
| \$1.12                    | Bond Payment Surcharge                            |
| <b>\$7.90</b>             | <b>Total-Per foot</b>                             |
| <b>Electricity Charge</b> |                                                   |
| \$2.00                    | per month charge 'Environmental Fee' .095 per kwh |

| ***Transient, Winter & Summer Moorage*** |                                      |
|------------------------------------------|--------------------------------------|
| \$5.00                                   | Per foot                             |
| \$0.64                                   | Leasehold Tax                        |
| \$3.25                                   | Electrical Charge                    |
| \$1.00                                   | Bond Payment Surcharge               |
| <b>\$9.89</b>                            | <b>Total-Per foot</b>                |
| \$ 2.00                                  | per month charge 'Environmental Fee' |
| \$25.00                                  | per month for Dinghy Storage         |

| ***Boat House Moorage*** |                                      |         |              |
|--------------------------|--------------------------------------|---------|--------------|
| \$ 0.4300                | Per Sq Ft                            | 722 \$  | 448.39       |
| \$ 0.0500                | Per Sq Ft - Util Chrg                | 1012 \$ | 628.19       |
| \$ 0.0600                | Leasehold Tax                        | 1188 \$ | 737.31       |
| \$ 0.0800                | Cap Imp Surchg                       |         |              |
| <b>\$ 0.62</b>           | <b>Total-Per Sq Ft</b>               |         |              |
| \$ 2.0000                | per month charge 'Environmental Fee' |         | .095 per kwh |

| ***Guest Moorage***                     |          |
|-----------------------------------------|----------|
| <b>Electricity Charge</b>               |          |
| \$ 1.25                                 | Per foot |
| \$ 1.50                                 | Per foot |
| <b>**for vessels 16' wide or less**</b> |          |
| \$ 1.25                                 | Per foot |
| \$ 1.50                                 | Per foot |
| <b>**for vessels 16' wide or more**</b> |          |
| \$ 2.50                                 | Per foot |
| \$ 3.00                                 | Per foot |

|          |                                          |
|----------|------------------------------------------|
| \$ 0.75  | per visit charge for 'Environmental Fee' |
| \$ 5.00  | Day                                      |
| \$ 5.00  | 4-hour                                   |
| \$ 10.00 | 4-hour                                   |
| \$ 5.00  | BBQ Grill                                |
| \$ 10.00 | in 30' slip                              |
| \$ 10.00 | in 40' slip                              |

can only be used 1 time in a 24 hour period

| ***Other Charges***                                |                    |
|----------------------------------------------------|--------------------|
| Paper Statement Fee                                | 5.00               |
| Reservation Fee                                    | 5.00               |
| Waiting List Fee                                   | 25.00              |
| Keycard Deposit                                    | 35.00              |
| Parking Permit Replacement Chrg                    | 30.00              |
| Charge for not returning Keycard                   | 35.00              |
| Daily Grid Rate                                    |                    |
| Current Port Tenant                                | 25.00              |
| Non Port Tenant                                    | 50.00              |
| Tow Charge                                         |                    |
| Current Port Tenant                                | 25.00              |
| Non Port Tenant                                    | 50.00              |
| Late Fee (or 10% of Balance, whichever is greater) | 20.00              |
| Processing Fee                                     | 100.00             |
| Second Processing Fee                              | 200.00             |
| Liveaboard Fee                                     | 85.00              |
| Maintenance Fee **                                 | 50.00 per man hour |
| one hour minimum                                   | + materials cost   |
| After hours Maintenance Fee **                     | 75.00 per man hour |
| one hour minimum                                   | + materials cost   |
| NSF Check Charge                                   | 50.00              |
| Pet Clean-up                                       | 50.00              |
| Illegal Garbage Dump Fee                           | 524.00             |
| Guest Moorage Late Fee                             | 50.00              |
| Guest Moorage Late Fee                             |                    |
| Second offense                                     | 150.00             |
| Convenience Fee                                    | 2.4 % of Moorage   |
| Portable Isolation Transformer Rental              | 10.00              |
| <i>(for guest moorage - per visit)</i>             |                    |

| Port Parking Lot Fees |                       |
|-----------------------|-----------------------|
| Vehicle Only-         | Boat w/Trailer or RV  |
| Up to 3 Hrs           | \$ 2.00               |
| Up to 3 Hrs           | \$ 7.50               |
| 3 - 24 Hrs            | Weekly Chrg \$45.00   |
| Per Month             | Monthly Chrg \$175.00 |

\*\*Maintenance Fee is for dewatering or securing boats because of lack of response, carelessness, neglect etc. of licensee and/or visitor. Maintenance Fee is an hourly fee charged for repairs to Port facilities due to damage caused by vessels coming into or out of the Port.