

# VIRTUAL MEETING VIA ZOOM

## Poulsbo Port District – Port Commission

Subject	<b>*REMOTE* Regular Meeting Agenda</b>	Date	<b>April 21, 2022</b>
Recorder	<b>Cassidy Conners</b>	Start Time	<b>7:00 PM</b>
Commission Chair	<b>Thomas Rose</b>	End Time	<b>9:00 PM</b>
Commission Members	<b>Jamie Green, Mark Singer</b>		
Staff Present	<b>Carol Tripp, Port Accountant &amp; Mgr.</b>		

AGENDA		
No.	Topic	Action/Recommendation/Discussion
1.	<b>CALL TO ORDER</b>	
2.	<b>COMMISSIONER COMMENTS</b>	
3.	<b>PUBLIC COMMENTS (limit of 3 minutes)</b>	
4.	<b>POULSBO BOATER'S ASSOCIATION REPORT</b>	
5.	<b>CONSENT AGENDA ITEMS</b> (Next Res: 2022-08) 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: 4/7/22 B. Warrants: 17714 – 17731, P13262 – P13272, 4/15/22 EFT, 4/25/22 EFT, 4/25/22 EFT, 4/25/22 EFT in the amount of \$107,850.97. C. Resolution 2022-07 – Emergency Public Work	
6.	<b>OLD BUSINESS ITEMS</b> A. Breakwater Updates – John Piccone P.E.	
7.	<b>NEW BUSINESS ITEMS</b> A. Commissioner responses to public comments/discussions B. Accounting & Manager's Report C. Fireline Contract	
8.	<b>PUBLIC COMMENT &amp; REQUESTS FOR FUTURE AGENDA ITEMS</b>	
9.	<b>COMMISSIONER COMMENTS</b>	
10.	<b>ADJOURN</b>	

<https://us02web.zoom.us/j/86991199467>

Meeting ID: 869 9119 9467

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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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**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.**

REGULAR MEETING PORT OF POULSBO  
APRIL 21, 2022  
7:00 PM

**Present:** Commissioner Rose, Commissioner Green, Commissioner Singer, Port Accountant Tripp, Dave Musgrove, PBA,

**Call to Order 7:00 pm**

**Commissioner Comments**

Commissioner Singer said he is hoping for a good summer to come and is eager to hear updates about the breakwater.

Commissioner Green has no updates about the City but anticipates updates at the next meeting.

Commissioner Rose did attend a meeting regarding emergency management planning with Port Accountant Tripp. It was an informative general overview about earthquake and tsunami risk/preparedness and kick off for what will be ensuing the coming months. It was a specific reminder for the board to take a reasonable look inward as to what the board currently does, what is the current level of preparedness, various alternatives, means at hand, and looking forward about what to do better, areas to challenge, and ways to be proactive.

**Public Comments**

Councilman Musgrove said the Mayor announced the Business Recovery Task Force meetings won't be held anymore. The City was granted emergency authorization for permitting the boardwalk. The project is still going to be a fairly long process even with emergency authorization. He will let the board know if timelines change but is anticipated to take the entirety of the summer.

**Poulsbo Boater's Association**

There was no report.

**Consent Agenda**

**Motion:** Move to approve minutes from April 7, 2022

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

Motion passed unanimously.

**Motion:** Move to approve the warrants as read.

**Moved by:** Commissioner Rose **Seconded by:** Commissioner Green

Motion passed unanimously.

**Motion:** Move to approve Resolution 2022-07 Emergency Public Work

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

REGULAR MEETING PORT OF POULSBO  
APRIL 21, 2022  
7:00 PM

Motion passed unanimously.

**Old Business Items**

**Breakwater Updates**

Mr. Piccone said material procurement and submittals are ongoing. The schedule is much as described when last updated. Quigg Brothers plans to mobilize onsite May 16<sup>th</sup> and will be working on refurbishing old floats in June – July; pile driving, and installation of breakwater August – September; old breakwater demo and dredging September – October; finishing finger piers, remaining utilities, and misc. items November – January.

A public outreach flier is planned for mid-May with any new information. Mr. Piccone will prepare a notice to mariners for construction activities. He chatted with the Sea Discovery Center so they are aware of the schedule and how it relates to their water intake. He will stay in touch with them as the project moves closer to those items.

For the marina fire suppression update, despite having an emergency situation, and not wanting to take time for long drawn-out public procurement process, he did want competitive bids. There were three contractors with bids: Quigg Brothers \$439k, AMO construct \$445k, Bearing Industrial \$750k. Bearing apologized for their high bid. They're a great contractor and when they looked back, they made an error in labor calculations and apologized. Based on the emergency resolution that was just passed, he suggests a motion to award the project to Quigg Brothers. Also, he suggests Port Accountant Tripp execute the construction contract for \$439,673 once all insurance and bonds are received, and to have himself follow up with notice to proceed to Quigg Brothers (anticipated May 9<sup>th</sup>).

**Motion:** Move to approve Mr. Piccone granting notice of award to Quigg Brothers, followed up with authorizing Port Accountant Tripp to initiate, sign, and contract with Quigg Brothers after receiving all insurance and bonds contract to be in the amount of \$439,673, and notice to proceed will also be issued after that, anticipated on May 9<sup>th</sup>.

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

Motion passed unanimously.

Mr. Piccone said he already spoke with Quigg Brothers about this, but the schedule going forward is to anticipate the start of digging in parallel with the breakwater mobilization on May 16<sup>th</sup>. This part has some urgency and Quigg Brothers understands that. The work with the fire system is happening somewhere mid-end of May. Most, if not all, of the materials are a relatively short lead time.

REGULAR MEETING PORT OF POULSBO  
APRIL 21, 2022  
7:00 PM

Finally, a precursor to X dock between C and AA relative to the security and separation between permanent and public tenants once breakwater opens: A number of floats out there are in very poor condition and should be replaced as soon as feasible. Mr. Piccone is looking at some reconfiguration to some of those floats to better address security concerns and also some other issues like grounding at low tides. He is working on a concept design for that, and it is in process. He is hoping to have concept to present at the May 19<sup>th</sup> meeting.

Mr. Piccone and Port Accountant Tripp are looking closely at the recreation floats (kayak, rowing, sailing) and the public access appropriate, as well as the separate access points that aren't appropriate for it.

**New Items**

**Commissioner Responses to public comments/discussions**

There were none.

**Accounting & Manager's Report**

See attached.

**Motion:** Move to approve Port Accountant Tripp to authorize the new moorage application with new and expanded requirements

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

Motion passed unanimously.

**Public Comments/Request for Future Agenda Items**

Councilman Musgrove said there is a Public Safety Legal Committee which gathers police, fire department, prosecutor, etc. all in one place at one time. They keep minutes and it may be a good way to keep tabs on things, and the mechanisms itself.

**Commissioner Comments**

Commissioner Green said to get out and enjoy the weather and be safe.

Commissioner Rose said he still hasn't heard anything from the folks from the sponsor for the Valkyrie. He is going to check in with them. Jamie if you can keep your ear to the ground at the Sons of Norway, he wants to keep that alive.

**Final Adjournment 7:51pm**

*Thomas K. Rose*

Thomas K. Rose (May 8, 2022 08:52 GMT+2)

Thomas Rose, Commissioner

REGULAR MEETING PORT OF POULSBO  
APRIL 21, 2022  
7:00 PM

*Jamie Green*

Jamie Green (May 6, 2022 12:19 PDT)

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Jamie Green, Commissioner



Mark Singer (May 6, 2022 19:44 PDT)

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Mark Singer, Commissioner

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Cassidy Conners, Recording Secretary (Not in Attendance)

Accounting and Manager Report – April 21, 2022

- **Maintenance Report – Eugene Madayag**

Maintenance in progress or completed for the month of March and April to date:

- Continue to work on the bull rail for the new fire line suppression system.
- Fuel barge monthly maintenance has been completed. Fuel Filters have been changed and a small amount of sludge was removed.
- Breakwater lights were checked, batteries were good, and lights were good too.
- The fire extinguishers monthly check was completed.
- Have been in contact with Cam-Cal and Mascot to get updated quotes for the fuel dispenser upgrade.

Maintenance to be Scheduled:

- Kayak racks pushed back until old fire line is removed and modifications are made to the bull rail.
- Concrete spalling throughout all docks (spring).
- Will be rewiring seaplane dock lights and lowering light poles to better suit sea plane wings.

- **Permanent Moorage Report – Melanie Winnett**

We had another report about a fuel spill/sheen within the marina. Upon further investigation, it was determined which vessel caused the problem and the Coast Guard was called to report the issue. Since this happened previously with this owner and the Coast Guard was involved during that spill; the Coast Guard took over the investigation and is dealing with the boat owner directly.

We continue to have issues with mail delivery to the Port's Street address. Commissioner Rose spoke with the Poulsbo Postmaster and the office took copies of the returned mail, with the correct addresses but the Post office still tagged them as undeliverable.

I have scheduled the annual 'Marina Hazmat Day,' for May 6<sup>th</sup> from 11-3pm. An email will be going out next week that gives specific information about this event.

I signed the Port up for the Dept of Ecology's, pilot program, "Y-valve Education." This program is designed to educate boat owners about vessel sewage and best practices for managing blackwater.

- **Guest Moorage Report – Jannese Hunt**

At this month's HDP Meeting there were two representatives from Crossroads Rotary. They spoke in detail about their plans for Raab Park. These plans include the Basketball Court, Pickle Ball Court, Skate Park area. There are plans for a Corn Hole Tournament on June 25<sup>th</sup>. Crossroads may be interested in collaborating to create a celebration over the first weekend in July.

There were over 50 cars, and easily just as many families that walked up to our Easter Candy hand out. Everyone really got a kick out of the "cany shoot" The "shoot" was just a wooded tripod that supported a 2-inch pvc pipe, which we decorated with some inexpensive items from the dollar store. A huge thank you to Commissioner Singer for donating the \$100 in candy to help make this event a success.

- All the weeds have been completely removed from AA, A, B, C & D Dock. Guest moorage is out everyday walking both guest and permanent moorage docks trying to keep the shells, and weeds at bay.
- We are working with the Poulsbo Police Department and regularly boating out into the marina to document all the vessels out on anchor in the bay. Both the police and the port are keeping a log in accordance with: WAC 332-52-155
- We have 2 wooden decorative Viking Ships which need to be weatherized before hanging them prior to Viking Fest.
- Recently we hung 6 plexiglass advertisement holders in the restrooms & laundry room. We posted on the HDPA's Facebook page that these are available to all that would like to promote their business.
- Our 2<sup>nd</sup> quarter Newsletter will publish on May 1<sup>st</sup>.
- We are scheduling time to pressure wash all of guest moorage docks over the next few weeks.
- Additionally, we are scheduling time to put down extra bark and finish weeding and trimming up at the Jensen lot.

#### Accounting & Manager Report –

The research vessel 'Jack Robertson' came to visit last weekend. The Applied Physics Laboratory (through the University of Washington) is doing research on tidal energy work. Here is an interesting video on YouTube which details some of their research <https://www.youtube.com/watch?v=3ByMWxchPfE>

A request was received from the HDPA and the Poulsbo Historical Society for reduced moorage for 'Classic Car & Boat Event' this August 26-28, during the 2<sup>nd</sup> annual Liberty Bay festival. As a reminder, the Port approved a 'BOGO' for the Classic Yacht Association members previously. (Letter provided from PHS & HDPA).

A Summary of Financial Statements ending March 31, 2022, was emailed to the Board yesterday and Kelli and I are working on the 1<sup>st</sup> Qtr Budget vs Actual report which should be going out shortly.

All of the 1<sup>st</sup> quarter tax returns have been completed and filed on time.

We had a visit from Joe Davis who is the Director of Risk Management at Enduris. I spoke with him at length regarding our breakwater and requested a quote to insure the 'new' breakwater. I will forward this information to the Board when it is received.

A letter has been drafted and will be posted on approximately 4 boats, just outside of the breakwater, letting them know that they are within the construction zone. As a reminder, we are expecting working barges to arrive in the middle of May.

We have been having a few issues with Tribal vessels coming into permanent moorage and parking in 'Port Permit' parking areas. Staff members have been responding to complaints and advising the Tribal members not to park or moor in specific areas.



The Port has posted a PT, seasonal guest moorage position on Craigslist. This position is only available to persons who are able to work exclusively on weekends, are over the age of 18 and will work approximately 24 hours a week.

Respectfully Submitted,

Carol Tripp

PORT OF POULSBO

PAYMENT VOUCHER

18809 Front St NE Box 1  
Poulsbo, WA 98370

Kitsap County, WA

April 22, 2022

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

\$58,106.57

and from the General Fund, this 22nd day of April 2022

  
Mark Singer (Apr 24, 2022 11:43 PDT)  
Mark Singer, Commissioner

ATTEST:

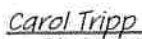
  
Jamie Green (Apr 24, 2022 08:07 PDT)  
Jamie Green, Commissioner

Cassidy Conners, Recording Secretary

  
Thomas K Rose (Apr 26, 2022 18:00 PDT)  
Thomas Rose, Commissioner

Voucher #	Claimant	Amount
17714	Wa State Dept of Retirement Systems	25.00
17715	PSE	5,844.70
17716	LeMay Mobile Shredding	330.00
17717	Josh Jansen	199.43
17718	Bank of America	1,139.94
17719	CHS / Cenex	128.64
17720	City of Poulsbo	2,928.06
17721	Coast to Coast Hardware	14.71
17722	Home Depot	121.82
17723	Keco Pump and Equipment	683.45
17724	Kitsap Networking Services	1,105.00
17725	Office Depot	110.61
17726	Olympic Springs Inc	36.84
17727	PetroCard	11,128.09
17728	PUD #1 of Kitsap County	345.00
17729	Soundwest Engineering Assoc Inc	33,483.83
17730	CenturyLink	71.52
17731	Tacoma Screw Products Inc	409.93
	TOTAL	\$ 58,106.57

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 (Apr 22, 2022 08:51 PDT)  
Port Auditor

PORT OF POULSBO

PAYMENT VOUCHER

18809 Front St NE Box 1  
Poulsbo, WA 98370

Kitsap County, WA

April 15, 2022

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 \$13,021.30 and from the General Fund, this 15th day of April 2022.

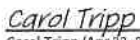
  
Mark Singer (Apr 24, 2022 11:43 PDT)  
Mark Singer, Commissioner

  
Jamie Green (Apr 24, 2022 08:07 PDT)  
Jamie Green, Commissioner

  
Thomas K Rose (Apr 26, 2022 18:00 PDT)  
Thomas Rose, Commissioner

Voucher #	Claimant	Amount
P13262	Christopher C. Henry	954.11
P13263	Christopher C. Henry	0.00
P13264	Kelli M. Hodges	1,708.30
P13265	Eugene F. Madayag	1,592.37
P13266	Nicholas Mandeville	998.21
P13267	Jannese M. Hunt	1,346.04
P13268	Bruce Riley	1,168.12
P13269	Brian T. Smith	1,108.05
P13270	VOID	
P13271	Melanie I Winnett	1,730.78
P13272	Carol L. Tripp	2,415.32
<b>TOTAL</b>		<b>\$ 13,021.30</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 (Apr 22, 2022 08:51 PDT)  
Port Auditor

~~~DIRECT DEPOSIT ADVICES~~~

PORT OF POULSBO

PAYMENT VOUCHER

18809 Front St NE Box 1  
Poulsbo, WA 98370

Kitsap County, WA April 15, 2022

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 \$4,228.86 and from the General Fund, this 15th day of April 2022.

*Mark Singer*  
Mark Singer (Apr 24, 2022 11:43 PDT)  
Mark Singer, Commissioner

ATTEST:

*Jamie Green*  
Jamie Green (Apr 24, 2022 08:07 PDT)  
Jamie Green, Commissioner

Cassidy Connors, Recording Secretary

*Thomas K Rose*  
Thomas K Rose (Apr 26, 2022 18:00 PDT)  
Thomas Rose, Commissioner

| Voucher #    | Claimant                    | Amount            |
|--------------|-----------------------------|-------------------|
| EFT 04/15/22 | US Treasury/Financial Agent | \$4,024.40        |
| EFT 04/15/22 | DSHS                        | \$204.46          |
|              | <b>TOTAL</b>                | <b>\$4,228.86</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 (Apr 22, 2022 08:51 PDT)  
Port Auditor

~~~ EFT ~~~

PORT OF POULSBO

PAYMENT VOUCHER

18809 Front St NE Box 1  
Poulsbo, WA 98370

Kitsap County, WA April 25, 2022

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 \$3,588.01 and from the General Fund, this 25th day of April 2022.

Mark Singer  
Mark Singer (Apr 24, 2022 11:43 PDT)  
Mark Singer, Commissioner

ATTEST:

Jamie Green  
Jamie Green (Apr 24, 2022 08:07 PDT)  
Jamie Green, Commissioner

Cassidy Conners, Recording Secretary

Thomas K Rose  
Thomas K Rose (Apr 26, 2022 18:00 PDT)  
Thomas Rose, Commissioner

| Voucher #   | Claimant                       | Amount            |
|-------------|--------------------------------|-------------------|
| EFT 4/25/22 | WA State Department of Revenue | \$3,223.71        |
| EFT 4/25/22 | WA State Department of Revenue | \$364.30          |
|             | TOTAL                          | <b>\$3,588.01</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 (Apr 22, 2022 08:51 PDT)  
Port Auditor

~~~ EFT ~~~

PORT OF POULSBO

PAYMENT VOUCHER

18809 Front St NE Box 1  
Poulsbo, WA 98370

Kitsap County, WA April 25, 2022

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 \$23,253.13 and from the General Fund, this 25th day of April 2022.

Mark Singer  
Mark Singer (Apr 24, 2022 11:43 PDT)  
Mark Singer, Commissioner

ATTEST:

Jamie Green  
Jamie Green (Apr 24, 2022 08:07 PDT)  
Jamie Green, Commissioner

Cassidy Connors, Recording Secretary

Thomas K Rose  
Thomas K Rose (Apr 26, 2022 18:00 PDT)  
Thomas Rose, Commissioner

| Voucher #   | Claimant                       | Amount             |
|-------------|--------------------------------|--------------------|
| EFT 4/25/22 | WA State Department of Revenue | \$23,253.13        |
|             | TOTAL                          | <b>\$23,253.13</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 (Apr 22, 2022 08:51 PDT)  
Port Auditor

~~~ EFT ~~~

PORT OF POULSBO

PAYMENT VOUCHER

18809 Front St NE Box 1  
Poulsbo, WA 98370

Kitsap County, WA April 25, 2022

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 \$5,653.10 and from the General Fund, this 25th day of April 2022.

Mark Singer  
Mark Singer (Apr 24, 2022 11:43 PDT)  
Mark Singer, Commissioner

ATTEST:

Jamie Green  
Jamie Green (Apr 24, 2022 08:07 PDT)  
Jamie Green, Commissioner

Cassidy Conners, Recording Secretary

Thomas K Rose  
Thomas K Rose (Apr 26, 2022 18:00 PDT)  
Thomas Rose, Commissioner

| Voucher #   | Claimant                       | Amount            |
|-------------|--------------------------------|-------------------|
| EFT 4/25/22 | Employment Security Department | \$1,034.00        |
| EFT 4/25/22 | Dept of Labor & Industries     | \$4,164.84        |
| EFT 4/25/22 | Paid Family Leave              | \$454.26          |
|             | TOTAL                          | <b>\$5,653.10</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 (Apr 22, 2022 08:51 PDT)  
Port Auditor

~~~ EFT ~~~

**PORT OF POULSBO  
RESOLUTION NO. 2022-07  
DECLARING AN EMERGENCY UNDER RCW 39.04.280 AND  
WAIVING COMPETITIVE BIDDING REQUIREMENTS**

**RECITALS**

**WHEREAS**, the Port has the authority to award contract and commence a public work after waiving the competitive bid requirements in an emergency situation under the authority provided by RCW 39.04.280, and other Washington law;

**WHEREAS**, on October 28, 2021 Port staff discovered that the fire suppression system at the Port's marina is not within standards;

**WHEREAS**, the Port has conducted an analysis of the fire suppression system and found multiple leaks and was informed that the materials used are no longer within standards;

**WHEREAS**, the extent of the failure presents a situation in which a key life safety system does not provide adequate protection and the essential function of marina fire protection is immediately threatened;

**WHEREAS**, the Port has analyzed alternatives to an emergency public work project to repair the system and found them to be inadequate to address immediate life safety risks and the need for fire protection;

**WHEREAS**, the safety risk is heightened due to the presence of house boats, liveaboards, and wooden structures in the Marina;

**WHEREAS**, the failure of the fire protection system was an unforeseen circumstance beyond the control of the Port and has created an emergency condition for Port users and staff; presents a real, immediate threat to the proper performance of the essential function of fire protection at the Marina; and presents a situation in which a fire would likely result in material loss to property, bodily injury, or loss of life, if immediate action is not taken;

**WHEREAS**, an emergency exists due to the failure of the fire protection system such that a waiver of competitive bidding requirements is necessary to avoid unacceptable delay in completion of needed repairs to the system;

**WHEREAS**, the Commission finds that the Port Manager may need to take such additional action, to quickly address this emergency situation, and that this resolution is intended to authorize the Port Manager to take such emergency actions as needed to address this emergency, provided the Port Manager notifies the Commission as soon as practicable;

**WHEREAS**, the emergency situation described above necessitates this Resolution; and

**WHEREAS**, this Resolution was considered at a regular meeting of the Port Commission on April 21, 2022 virtually.

**NOW, THEREFORE, BE IT DECLARED BY THE COMMISSION OF THE PORT OF POULSBO:**



**1. Findings and Declaration.** The Commission of the Port of Poulsbo ("Port") hereby and expressly finds and declares, based upon the Recitals above, which are expressly adopted herein as findings, that the failure of the fire protection system presents an emergency situation under RCW 39.04.280 and necessitates a waiver of competitive bidding requirements.

**2. Authority Delegated to Port Manager.** This Resolution, declaring an emergency situation ("Resolution"), authorizes the Port Manager to exercise such emergency action as is reasonably necessary under applicable State law generally, Title 53, RCW, RCW 53.12.270 (Delegation of powers to managing official), RCW 39.04.280(3) for emergency procurement, and Chapter 39. 28 RCW (Emergency Public Works). Effective upon signature hereto, the Port Manager is authorized to exercise such lawful authority through the use and direction of Port personnel, services, equipment, and such additional acts as the Port Manager may find necessary in her sole discretion to properly and safely manage this emergency situation, including to obtain supplies, equipment, personal property, professional, procured or technical services, etc. (including selecting contractors and awarding such contracts as necessary), such public works as defined by RCW 39.04.010, and take such other lawful acts, as may be necessary and reasonably related to respond to the emergency declared hereunder. Specifically, and without limiting the forgoing, the Commission waives the competitive solicitation process(es) for purchase of goods and services, including personal services, where deemed required by the Port Manager, or her designee, in response to the emergency situation described herein.

**3. Consistency with Delegation of Authority.** The foregoing authorizations are to be read consistent with the Port's existing Delegation of Authority - Resolution No. 2013-07, as amended; however, if there is a conflict between the Delegation of Authority - Resolution No. 2013-07, as amended and this Resolution, this Resolution shall control.

**4. General Provisions:**

- A. The Recitals set forth above as "whereas clauses" are expressly adopted herein as findings.
- B. This Resolution shall be implemented consistent with applicable law and subject to the availability of budgetary appropriations.
- C. This Resolution is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the Port of Poulsbo, its departments, agencies, entities, officers, employees, or agents, or any other person.
- D. This resolution shall be in effect from upon signature hereto until such time as rescinded by action of the Commission.

**ADOPTED** by the Commission of the Port of Poulsbo at a Regular Meeting held this 21<sup>st</sup> day of April 2022.

*Thomas K Rose*

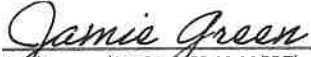
Thomas K Rose (Apr 26, 2022 18:00 PDT)

Thomas Rose, Commission President



Mark Singer (Apr 24, 2022 11:43 PDT)

Mark Singer, Commissioner



Jamie Green (Apr 24, 2022 08:06 PDT)

Jamie Green, Commissioner