

**Poulsbo Port District – Port Commission  
Poulsbo Marina-18809 Front Street  
Multi-purpose Building on ‘E’ Dock**

<b>Subject</b>	<b>*HYBRID* Special Meeting Agenda</b>	<b>Date</b>	<b>3/20/2025</b>
<b>Recorder</b>	<b>Cassidy Conners</b>	<b>Start Time</b>	<b>6:00 PM</b>
<b>Commission Chair</b>	<b>Jay Lawrence</b>	<b>End Time</b>	<b>7:00 PM</b>
<b>Commission Members</b>	<b>Jamie Green, Jeff Pfeil</b>		
<b>Staff Present</b>	<b>Peter Ruffatto – Port Counsel</b>		

AGENDA		
No.	Topic	Action/Recommendation/Discussion
1.	CALL TO ORDER	
2.	NEW BUSINESS ITEMS	
	A. Training – OPMA/Public Records/Governance vs Management	
3.	ADJOURN	

<https://us02web.zoom.us/j/82816641199>

Meeting ID: 828 1664 1199

**One tap mobile**

**+12532158782,,89253011491# US (Tacoma)**

**+12532050468,,89253011491# US**

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 step up to the podium and 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.

PORT OF POULSBO SPECIAL MEETING  
MARCH 20, 2025  
6:00 PM

**Present:** Commissioner Lawrence, Commissioner Green, Commissioner Pfeil, Port Attorney Peter Ruffatto

**Call to Order 6:00pm**

**New Business Items**

**Training – OPMA/Public Records/Governance vs Management**

Peter Ruffatto said he wanted to talk to the board about these important issues. The presentation has been tailored to the Port of Poulso and what he sees as the most common issues. Training covers three areas: open public meetings, public records act, and governance vs. management. He recognized the Port is in a unique phase right now because they're without a Port Manager. This affects how things are going right now. Once a harbormaster is acquired, the training can be more tailored for that fit.

**Open Public Meetings Act**

Commissioners can make decisions only at meetings. Commissioners are not allowed to circulate a letter for signature unless there's a prior vote on the letter. Actions must occur at a meeting, but action is defined broadly to include deliberations, discussions, considerations, reviews, evaluations, and final actions. For a three-member commission, two Commissioners make quorum and cannot discuss Port matters outside of a noticed public meeting.

**Avoid Serial Meetings and Meetings by Email/Text**

Avoid communications that turn into the Commission collectively acting on Port business (i.e.: discussing Port business), even if the majority is never part of any one communication or are not in the physical presence of another. Discussions cannot occur by emails, texting, social media posts, shared documents, or phone calls. Commissioners do not want to engage in direct communication with each other outside of the meeting, if it involves Port business. You'll have to rely on the Port Manager to pass information along to the commission. The Port Manager has to convey communication without counting votes to final action.

**Executive Sessions**

The local government context is very defined. Some examples are what is allowed in executive session: evaluate applicants for employment; review performance of employee (with the caution that "personnel matters" are not on the list); discuss litigation or potential litigation with attorney; sale or lease of real estate (with the caution that discussion is only allowed for the minimum price of sale or lease after discussing other factors in open session); labor negotiation strategies. The Commission must announce a purpose and statute during the public meeting, and include describe how long it'll take, and say the time you'll be coming back out of executive session. No final action can be made while in executive session.

What is a public record? A public record is any writing that is prepared, owned, used, or retained by the Port, and which contains information that relates to the conduct of the Port, or

PORT OF POULSBO SPECIAL MEETING  
MARCH 20, 2025  
6:00 PM

the performance of any governmental or proprietary function. What is a writing? A writing includes not only traditional written records, but also photos, maps, videos, voicemails, webpages, social media content, emails, text messages, etc.

Common exemptions to work with the public records position include attorney work product and attorney-client privileged communications; employee hiring records; certain employee/official personal information; preliminary drafts in which opinions are expressed or policies formulated or recommended (which is not as helpful as it appears).

Newly elected officials are required to take the full-length OPMA and PRA training within 90 days. A refresher is required every four years. Unless absolutely certain, do not assume confidentiality or exemptions will apply. If you receive any request for a record, forward the request to the Port's Public Records Officer and do not use personal devices for Port business.

#### Public Disclosure Commission Rules Other Than For Records

This is aside from the Public Records Act. Newly elected/appointed Commissioners must file a Personal Financial Affairs Statement with the Public Disclosure Commission within two weeks of appointment. Incumbents must file for the previous calendar year no later than April 15<sup>th</sup>. A link was provided. Port resources may not be used to campaign for any ballot proposition, initiative, or candidate. There are narrow exceptions for ballot propositions/initiatives. Lobbying is regulated by the PDC. When state-level government lobbying is allowed, there are specific reporting requirements that the Port must follow.

The authority of an individual commissioner is nothing, normally and preferable. Only the body can decide and grant authority. Avoid providing direction to staff. The staff works for the Port Manager, not Commissioners. The top manager (Port Manager, Executive Director, etc.) is responsible for staff. Every port district has a delegation of authority.

#### Commissioner vs. Commission

Be careful about perception when speaking to other public agencies; speaking to tenants, contractors, and customers; speaking to clubs and civic groups. People should understand if a Commissioner is speaking, they're giving their personal opinion and not representing the Commission. Once an issue is decided, support the Commission's decision – the collective decision, even if in minority.

The Commission should address bigger issues; think long term; take a team approach to decision making; establish and maintain effective relationship with the Port Manager; talk about, and work on, culture; establish the lanes and stay in the lane; establish the what and the why, not so much the how (except for culture and adopting policy); clearly describe the end results to be achieved.

PORT OF POULSBO SPECIAL MEETING  
MARCH 20, 2025  
6:00 PM

Commissioners should not be a “lone wolf” especially with unions or personnel issues generally. This undermines the Port Manager and the Commission. Don’t try to make everyone happy; the job is to balance competing interests. Lastly, don’t involve yourself in management, even if it is in your wheelhouse.

Remember Regular and Special meetings have limited time; have motions and/or resolutions; clear and constant direction to the Port Manager; establish a feedback loop with the Port Manager; review manager’s performance. Government documents, some of which are required, include delegation of authority (Port Manager can have authority but can take it to the Commission); annual budget-tariff; comprehensive scheme; rules and regulations; employee handbook/CBA; commission rules of procedure/bylaws; strategic plan and work plan.

Delegation means smooth operations. This includes personnel management; allows the Port to respond quickly to customer needs; efficient operations between Commission meetings; uniform administration over time and changes in Commission; allows for “budget-based” governance by the Commission; allows the Commission to focus on the strategic and long-term issues. Correct balance is critical. The Commission is ultimately responsible. Too little delegation means the Commission is bogged down. Too much delegation and the Commission loses touch and can leave the Port Manager unsupported.

**Adjourn time unannounced**

  
\_\_\_\_\_  
Jay Lawrence, Commissioner & Chairman

  
\_\_\_\_\_  
Jamie Green, Commissioner

  
\_\_\_\_\_  
Jeff Pfeil, Commissioner

\_\_\_\_\_  
Cassidy Conners, Recording Secretary (Not in Attendance)