



Commission Work Session
Monday, November 20, 2023
3:30 PM

(this meeting time has been amended from the regular schedule)

Percival Plaza - Olympics Room
626 Columbia Street NW
Olympia, WA 98501

The meeting agenda is available on the Port's website as of November 17, 2023.

<https://www.portolympia.com/commission>

The public may join the meeting from their computer, tablet or smartphone at:

<https://us02web.zoom.us/j/82462915767?pwd=bjRuMEtYdjRTay94QUk2K3Fybkg0QT09>

or Telephone: 1 253 215 8782

Webinar ID: 824 6291 5767

Passcode: 061824

Please note that the Zoom link changes for each meeting.

NOTE: *No public comment or commission action will be taken at this Work Session.*

AGENDA

- A. Call to Order
- B. Approval of Agenda
- C. Port of Olympia Citizens Advisory Committee (POCAC) Vision 2050 and Destination Waterfront Subcommittee Update: Don Krug, Vision 2050 Subcommittee Chair and Bob Butts, Destination Waterfront Subcommittee Chair
- D. Resolution 2023-XX Commission Rules: Camille St. Onge, Director of Strategic Initiatives and Commission Affairs
- E. Resolution 2023-XX Port of Olympia Citizens Advisory Committee (POCAC) Rules: Camille St. Onge, Director of Strategic Initiatives and Commission Affairs
- F. Adjourn

Port of Olympia Mission

Creating economic opportunities and building community for all of Thurston County through responsible resource use.

November 20, 2023

TO: Commissioner Amy Harding
Commissioner Joe Downing
Commissioner Iyall

FROM: Don Krug, Chair
Vision 2050 POCAC Subcommittee

Thank you for giving us the opportunity to develop a Report Card for the Vision 2050 Action Plan. The community will benefit from hearing about the progress the Port and its partners have made on the Vision 2050 Action Items.

Subcommittee members feel, however, that it is premature to develop measurement metrics at this time; the primary reasons being:

- The external environment has changed considerably since the Action Plan was developed about five years ago.
- The Commission has experienced complete turnover since the adoption resolution was signed on August 26, 2019 (Resolution 2019-08).
- Port staff has also experienced considerable turnover in the past five years.

We recommend that the subcommittee initially focus its efforts on determining the current relevance of the Action Plan and its action items, and work with the new Commission to ensure that our future efforts reflect their vision. Some of the initial steps we believe would help us and the Commission determine how to proceed include:

- Review the action items and their prioritization.
- Determine whether the action items are still relevant.
- Review the documentation supporting the development of the Action Plan and action items.
- Meet with Action Plan development participants, including commissioners, staff, Vision 2050 Task Force members, and possibly other stakeholders.

We look forward to discussing this with you at the November work session.

November 14, 2023

Destination Waterfront Subcommittee
Port of Olympia Citizen Advisory Committee

Background, Goal, and Timeline

Background: The Port of Olympia initiated a planning process in May 2021 to “serve as a marketing tool for investors” to implement the Port’s *VISION 2050* provisions pertaining to:

- Building community awareness of the port;
- Aligning investments with community priorities;
- Strengthening partnerships; and
- Establishing a shared vision for port focus and impact.

Thomas Architecture Studios was contracted to develop the plan. An Advisory Committee was formed, a public outreach campaign was conducted, and a plan was submitted to the Port of Olympia Commissioners in June 2023.

The plan included a summary of the public outreach surveys; current uses, potential uses, and zoning for each parcel of land in the planning area; options for dealing with sea level rise; and design options.

The only proposed recommendation was the creation of an RV park, which was subsequently denied by the City of Olympia. Also included in the plan as a **potential use was an administrative office, which is moving forward**.

In September 2023, the Port of Olympia Commissioners asked the Port of Olympia Citizen Advisory Committee (POCAC) to **develop recommendations for a Public Engagement plan for the Destination Waterfront planning effort**. The POCAC established a subcommittee to develop recommendations for the POCAC, which will be submitted to the Port staff and the Port Commissioners.

Summarized below is the current thinking regarding the subcommittee’s goal how the subcommittee will proceed.

Goal: In consultation with the Port Commission and Commission staff, identify recreational, water access, tourist facilities and other uses in the Destination Waterfront planning area that are potentially viable. After the Port Commission selects the options that are worthy of further consideration, develop a recommended public engagement plan for consideration by the POCAC, Port Staff, and the Port Commission.

Timeline: To achieve this goal, the subcommittee, after approval by the POCAC, will share the group’s findings with staff and Commissioners in work sessions and meetings that include the following elements:

- **Background information**, including the marina, leases, parking lot, and other amenities and facilities;
- Overview of the Destination Waterfront plan, including the process used in creating the plan and the results of public surveys;

- Status of **plan implementation**;
- **Other tourism planning initiatives and potential partners**, such as the City of Olympia and Thurston County, tourist promotion entities, potential and current leaseholders, organizations that promote public waterfront access;
- Examples of **other ports** that have created similar destinations (e.g., Kalama, Everett);
- Potential private, local, state, and federal **funding opportunities**;
- **Impediments** to implementing a Destination Waterfront plan (e.g., disposal of dredged material, funding, conflicts with land use restrictions);
- **The identification of recreational, water access, tourist, and light industrial facilities and actions in the planning area that are potentially viable.**
- After Port Commissioners select the “potentially viable” facilities and actions that they find are worthy of further consideration, the **development of a recommended public engagement plan for consideration by the POCAC, Port Staff, and Port Commission.**

POCAC Subcommittee Destination Waterfront

Work Session with the Port of Olympia Commissioners
November 20, 2023

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Subcommittee Members

- Cameron Wilson
- Darlene Kemery
- Debby Pattin, POCAC Chair
- James Thornton
- Quentin Phillips
- Robert Butts, Chair
- Shannon Glenn
- Tom Szymoniak

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The Plan and Key Questions

- Introduce ourselves
- Share our assignment
- Summarize the Destination Waterfront Plan
 - What are your thoughts about the plan?
- Here's how we are thinking about proceeding
 - Make sense?
- KGY Building Nomination for the National Historical Register

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Our Assignment

- Develop recommendations for a Public Engagement plan for the Destination Waterfront Planning Initiative
 - The recommendations will be submitted initially to the POCAC, and once approved, be submitted to the port staff and the Port Commissioners for their consideration

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The Destination Waterfront Plan

- Conducted **Public Input** about the future use of the Planning area
- Identified Options for **Sea Level Rise**, such as:
 - Raised Streets
 - Raised Landscaping
 - Flood Walls
- **Developmental Site Plans**
 - For specific areas
 - Included for each area:
 - Current Use
 - Potential Uses
 - Zoning and height, setback, and coverage restrictions
 - The only “Proposed Use” included in the plan was a RV Resort

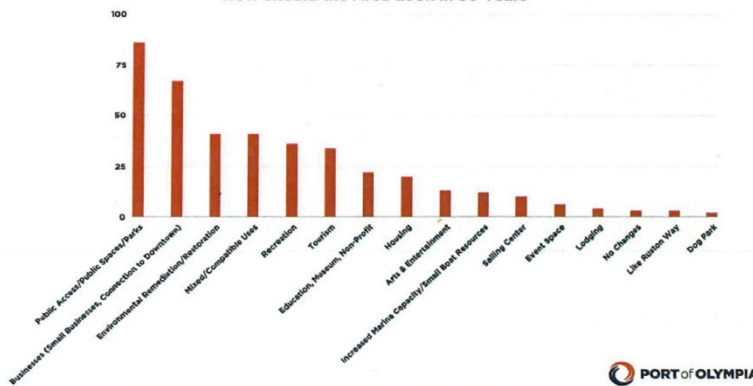
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Community Feedback – Survey #1

Q#6

How Should the Area Look in 30 Years



Question 6 Takeaways:

- Great public access/ public spaces, parks
- Increase small business opportunities & connection to downtown
- Address need for environmental remediation/ restoration
- Provide opportunities for mixed use
- Increase recreation and tourism

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Community Feedback – Survey #1

Q#7

What Opportunities Would Benefit the Community

Opportunity	Percentage
Public Access & Amenities	80
Education/Museum	65
Business (Small, Local)	50
Arts & Entertainment	35
Sailing Center	32
Small Boat Rental & Resources	28
Event/Community/Conference Center	22
Interpretation	20
Environmental Interpretation/Showmanship	18
Tourism	15
Housing	12
Increase Capacity of Marina	8
Water Park/ Swimming Pool	5
Parking	4
Third Collaboration	3
Agriculture	2

Question 7 Takeaways:

- Public access & amenities
- Education/ museum opportunities
- More small local businesses
- More arts & entertainment venues
- Sailing/boating center/ boat rental & resources

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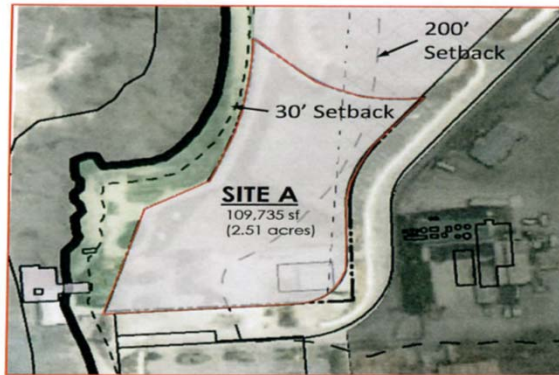
Sea Level Rise – Address through proper design

Address Each Site specifically to it's unique requirements

<ul style="list-style-type: none"> ■ Living Shoreline ■ Raised Buildings ■ Raised Landscaping 	<ul style="list-style-type: none"> ■ Flood Walls ■ Rapid Deployment ■ Raised Streets
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Example of Site-Specific Information



Site A:

Area:
109,735 sf (2.51 acres)

Current Use:
Parking / Office Building / Undeveloped

Potential Uses:
Hotel / Mixed Use / Cultural Center

Zone:
Urban Waterfront (UW)
Industrial (I) *partial

Allowable Height:
UW-40 = 40'-0"
25' within 75' of Ordinary High Water Mark (CHWM)

Building Setback:
None

Shoreline Setback:
100' & 50' Vegetation Conservation Area

Allowable Coverage:
60%



Potential Uses

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Your Thoughts?

- For current Commissioners, what are your observations about the Destination Waterfront findings and recommendations?

- For newly-elected Commissioners, would a more in-depth overview of the plan be helpful?

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Our Current Thinking in how to proceed...

- The plan was a good baseline of public desires, but did not include many recommendations about future use of the area
 - More substance is needed to have a useful public engagement effort
- There is uncertainty regarding related future Port decisions regarding dredge material disposal and sea-level rise
- Given that, our draft Goal is:
 - In consultation with the Port Commission and staff, identify recreational, water access, tourist facilities and other uses in the Destination Waterfront planning area that are potentially viable.
 - After the Port Commission selects the options that are worthy of further consideration, develop a recommended public engagement plan

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Our draft list of “Potentially Viable Options”

- **Walking Trail**
 - Improve and enhance the trail that originates at the south end of the planning area and ends at the north end of the peninsula.
- **Use and Design of the Public Area of the new Administrative Building**
 - Provide feedback and recommendations to the consultant designing the public spaces of the administrative center.
- **Small Watercraft/Sailing Center**
 - Work with partner organizations to develop options and recommendations for the location and features of a center that would provide water access to small sailboats, kayaks, canoes, paddleboards, and other watercraft.
- **Enhance the Amenities for Public use of the “Cap”**
 - Identify actions that could be taken, consistent with the requirements of the asphalt cap that covers the Cascade Pole site, that would make it a destination for local residents and out-of-town visitors to enjoy the natural beauty of the South Sound.

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Your Thoughts?

- Does the idea of identifying “Potentially viable options” and building a public engagement plan regarding them make sense?
- Any thoughts about including the “potentially viable options” on the list?
 - Walking Trail
 - Use and Design of the Public Area of the new Administrative Building
 - Small Watercraft/Sailing Center
 - Enhance the Amenities for Public use of the “Cap”

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Our Questions

- A nomination application is being prepared to add the KGY Building to the National Register of Historic Places
 - A similar application was submitted to the City but was withdrawn
- The subcommittee met with Greg Griffiths who is the primary author of the nomination to discuss the application

What’s your current thinking about the status of the building after the lease expires in December 31, 2024?

About it being added to the National Historical Register?

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COVER MEMO

Briefing Date/Time: Nov. 20, 2023

Staff Contact/Title: Camille St. Onge, Director of Strategic Initiatives & Commission Affairs, 564.669.3100, camilles@portolympia.com

Subject: Commission Rules Resolution

Purpose: Information Only Decision Needed

Background/Overview:

Port staff reviewed the Commission Rules to incorporate changes that reflect a five-member Commission. Staff also recommend changes to accurately reflect how the Commission functions today, along with other improved language. Updates have primarily been made to:

- Quorum language
- Minutes
- Work Session agenda
- Public comment
- Town Halls

The resolution will be presented for action on Nov. 27, 2023.

Documents Attached:

Draft resolution.

Staff Recommendation:

Review rules periodically to ensure rules align with Commission protocols.

**PORT OF OLYMPIA COMMISSION
RESOLUTION 202~~32-09~~XX**

**A RESOLUTION OF THE PORT OF OLYMPIA COMMISSION
ADOPTING RULES GOVERNING THE TRANSACTION
OF PORT COMMISSION BUSINESS AND SUPERSEDING RESOLUTION 202~~32-06~~09XX**

WHEREAS, the Port of Olympia Commission seeks to adopt rules governing the transaction of Port Commission business as required by RCW 53.12.245;

AND WHEREAS, this Resolution supersedes Port of Olympia Commission Resolution 2022-0~~96~~;

NOW, THEREFORE, BE IT RESOLVED that the Port of Olympia Commission hereby adopts the Rules set forth below, which shall be effective upon adoption.

**ARTICLE I
Preamble**

These Rules will govern the transaction of business by the Port of Olympia Commission.

**ARTICLE II
Organization of the Commission**

- A. The Commission will annually elect a President, Vice-President, and Secretary.
- B. The Commission will elect officers at its first regular meeting at the beginning of each calendar year. The term will run for one (1) year beginning when elected, and terminate at the election of a successor. Vacancies in an office may be filled at any regular or special meeting of the Commission.

**ARTICLE III
Duties of Officers**

- A. The President shall:

Preside at all meetings of the Commission and during executive sessions of the Commission in a manner consistent with these Rules; sign all resolutions, contracts, and other instruments on behalf of the Commission as authorized by the Commission; perform all such other duties as are incident to the office or are properly required by the Commission; meet with the Executive Director to prepare and review agendas and meeting packets as specified in this Resolution; and authorize the issuance of notices for regular and special meetings of the Commission as provided for in these Rules.

B. The Vice-President shall:

During the absence or disability of the President, exercise all the functions of the President; and have such powers and discharge such duties as may be assigned from time to time by the Commission.

C. The Secretary shall:

Ensure the recording of the minutes, motions and resolutions adopted by the Commission by Port of Olympia staff; and otherwise perform such further duties as are incident to the office and as are properly required by the Commission.

D. Temporary Absence:

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 official.

**ARTICLE IV
Meetings**

A. Meetings Schedule:

The Commission will adopt a calendar with its year-long schedule for its regular meetings at its first regular meeting of the calendar year, or the soonest meeting possible. The Commission will post its calendar to provide notice of all meetings on its website at <http://www.portolympia.com> in accordance with the Open Public Meetings Act (Ch. 42.30 RCW). The Commission schedule shall include a recess of approximately two-weeks the second half of the month in August and December. Accordingly, the Commission schedule should reflect one regular meeting in both August and December. The Commission's regular and special meetings shall be open and public except as otherwise provided by these Rules.

B. Regular Meetings:

The Port of Olympia Commission regular meetings are scheduled on the second and fourth Monday evenings of each month at 5:30 p.m. at the Port of Olympia, Percival Plaza, 626 Columbia Street NW, Suite 1-B, Olympia, Washington, unless specified otherwise. The Port will post the location of all regular meetings on its website at <http://www.portolympia.com> prior to each meeting date in compliance with the notice requirements of the Open Public Meeting Act . Regular meetings shall be open and public except as otherwise provided by these Rules.

C. Work Sessions:

The Port of Olympia Commission holds regular work sessions on the third Monday of each month at 2:30 p.m. at the Port of Olympia, Percival Plaza, 626 Columbia Street NW, Suite 1-B, Olympia, Washington, unless specified otherwise. The Port will post the location of all work sessions on its website at <http://www.portolympia.com> at least 20 days prior to each work session date.

The purpose of work sessions is three-fold:

1. Work sessions are an opportunity for the Commissioners to informally discuss Port issues and exchange ideas without the structure of a regular business meeting. Consistent with this purpose, the Commissioners may propose topics for future work sessions during the "Other Business" agenda item at a regular business meeting. The Commission will indicate their agreement to include a topic by voting as provided for in Art. V (E) herein. Scheduling of topics for particular work sessions will be agreed upon by the President and the Executive Director, during their regular weekly meeting. Attempts to schedule will not be made during a regular meeting or work session.
2. Work sessions are an opportunity for staff to present topics for preliminary feedback that may be considered later at a regular business meeting.
3. Work sessions are an opportunity for the Executive Director to update the Commission on business, operational, and strategic issues for informal discussion. The Executive Director will coordinate with Port staff and Commissioners will not to add agenda items to work sessions except in response to a Commissioner request or with the President's approval.

The President will set the agenda for the work sessions with input from Commissioners and the Executive Director. Although the Commission may legally take action at a work session consistent with the Open Public Meetings Act (Ch. 42.30 RCW), it will strive to limit action during work sessions to extraordinary, exigent, or emergency circumstances where action is necessary prior to the Commission's next scheduled regular meeting. In the event action is taken during a work session, a period for public comment will be added to the agenda, after Commission discussion and prior to action being taken.

Meeting materials for work sessions will be provided and made available to the public consistent with these Rules.

D. Special Meetings:

The President or any Commissioner may call a special meeting of the Commission by notifying the Executive Director and Commission Coordinator of the proposed meeting date and business to be transacted at the special meeting. Notice of a requested special meeting under this provision must be provided sufficiently in advance of the requested special meeting date to allow Port staff to provide required twenty-four (24)-hour written notice of the meeting to Commissioners and to provide adequate public notice of the meeting and agenda, both of which are required under the Open Public Meetings Act.

Special meetings shall be open and public except as otherwise provided by these Rules. A special meeting is limited to matters identified in the notice. The Commission may hold an executive session during a special meeting with appropriate notice.

E. Executive Sessions:

An executive session is understood to mean the part of a regular or special meeting of a governing body closed to the public. 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, including, but not limited to, the following:

1. The consideration of matters affecting national security (RCW 42.30.110(1)(a));
2. The selection of a site or the acquisition of real estate by lease or purchase, when public knowledge regarding such consideration would cause a likelihood of increased price (RCW 42.30.110(1)(b));
3. The sale or lease of real estate when public knowledge regarding such consideration would cause a likelihood of decreased price (RCW 42.30.110(1)(c));
4. Review of negotiations on the performance of publicly bid contracts when public knowledge would cause a likelihood of increased costs (RCW 42.30.110(1)(d));
5. The appointment, employment, or dismissal of a public officer or employee; provided that, final action setting that salary, discharging or disciplining an employee, or interviewing or appointing a candidate to elective office shall be at an open public meeting (RCW 42.30.110(1)(g) and (h));
6. The hearing of complaints or charges brought against such officer or employee unless such officer or employee requests a public hearing (RCW 42.30.110(1)(f));

7. That portion of a meeting during which the Commission is planning or adopting the strategy or position to be taken by the Commission during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in such negotiations or proceedings while in progress (RCW 42.30.140(4)(a)), and;
8. Communications with legal counsel respecting agency enforcement action, litigation or potential litigation to which the Port, the Commission, and/or a Commissioner or Port employee acting in an official capacity is, or is likely to become, a party when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the Port (RCW 42.30.110(1)(i)). Port legal counsel is required to attend executive sessions called for this purpose.

The Commission may invite Port staff or others with some relationship to the matter being discussed, or who provide assistance to the Commission, to the executive session.

In order to avoid inconvenience to the public during regular meetings, the Commission will endeavor to hold executive sessions immediately prior to a regular meeting of the Commission and, if possible, at the same location or in close proximity to the location of the regular meeting. Notwithstanding this provision, the Commission may enter into executive session during any meeting for any purpose consistent with the Open Public Meetings Act.

The public meeting will be reconvened following an executive session. Items discussed in the executive session will be considered during the meeting, as appropriate and required by law.

Commissioners will not take notes during executive session using an electronic device such as, but not limited to, a computer, tablet, or cell phone. Commissioners may take handwritten notes during executive session; however, all handwritten notes will be provided to the Executive Director at the conclusion of the executive session for appropriate retention.

F. Adjournment or Continuation to a Special Meeting:

Adjournment or continuation to a special meeting, if necessary, shall be pursuant to notice as required by law.

G. “Commissioner ~~Town Hall~~Chat” Guidelines:

A “Commissioner ~~Chat~~“Town Hall” is a forum convened by an individual Commissioner who desires to meet with members of the public for informal discussion of subjects

related to Port business. Individual Commissioners may hold Commissioner Town Halls ~~“Commissioner Chat” sessions~~ subject to compliance with the following guidelines:

1. Location and Staffing. A Commissioner Town Hall ~~Commissioner Chats~~ may be held in a Port facility or meeting room, or other public meeting place in Thurston County. Port staff will not be required to attend Commissioner Town Hall ~~Commissioner Chat sessions~~. Facility costs for Commissioner Town Hall ~~Commissioner Chat~~ sessions held at other than Port facilities shall not be reimbursable.
2. Minutes and Recording. The Port will not create or retain minutes or recordings of Commissioner Town Hall ~~Commissioner Chat~~ sessions.
3. Public Notice. The Port will publish the times and locations of scheduled Commissioner Town Hall ~~Commissioner Chat sessions~~ on the Port’s website, online calendar, and will be sent to the e-mail distribution list for distribution of Commission agenda and meeting materials. Times and locations for Commissioner Town Halls ~~Commissioner Chats~~ will also be included as part of Port meeting announcements made at the conclusion of regular Commission meetings.
4. Scheduling. Requests to schedule Commissioner Town Hall ~~Commissioner Chat~~ sessions must be submitted to the Commission Coordinator no later than seven (7) days prior to the Commissioner’s desired meeting date. Scheduling is subject to the availability of Port facilities.
5. Attendance by Other Commissioners. Attendance of more than ~~one~~ two (2) Commissioners at a scheduled individual Commissioner Town Hall ~~Commissioner Chat~~ creates a quorum of the Commission and requires compliance with the Open Public Meetings Act. In order to ensure the Port’s compliance with the Open Public Meetings Act, Commissioners shall not attend Commissioner Town Hall ~~Commissioner Chat~~ sessions being held by other Commissioners.
6. Limitations on Use. Commissioner Town Hall ~~Commissioner Chat~~ sessions may not be used for campaign purposes. Further, in order to ensure compliance with RCW 42.52.180 governing use of public resources for political campaigns, individual Commissioners may not hold Commissioner Town Hall ~~“Commissioner Chat”~~ sessions as defined in this section during any period of the Commissioner’s active candidacy for re-election to the

Commission or other elected office. The term of “active candidacy” for purposes of this limitation shall run from the date the Commissioner becomes a “Candidate” as defined in RCW 42.17.005(7) and its implementing regulations until the results of the primary, general, or special election on which the Commissioner appears as a candidate on a ballot are certified pursuant to RCW 29A.60.190.

H. Quorum:

~~Two-Three~~ (23) Commissioners shall constitute a quorum for the convening of a meeting.

I. Cancellation of a Meeting:

The President may direct the cancellation of a regularly scheduled Commission meeting.

J. Administration of Meetings:

Meetings shall be conducted in accordance with these Rules.

K. Commissioner Remote Attendance:

From time to time, a Commissioner may not be able to attend a Board of Commissioners meeting in person. The Commission recognizes the benefits of fullest practicable attendance and participation by its members. Attendance from remote locations is intended to be an alternative and infrequently used method for participation by Commissioners. Attendance by remote communication may occur as follows:

1. Consistent with these rules, any Commissioner may attend a meeting via remote communication to the extent permitted by the Washington Open Public Meetings Act, RCW 42.30 as it now exists or as it may be amended in the future.
2. A Commissioner planning to attend via remote communication must provide notice to the Executive Director at least 24 hours prior to the scheduled meeting. The notice must advise of the Commissioner’s intent to attend via remote communication and the reason(s) why the Commissioner cannot attend the meeting in person.
3. A Commissioner may not attend remotely unless satisfactory equipment is available at the physical location of the meeting. Satisfactory equipment means any telephone or other communications device equipped with a speaker junction capable of broadcasting the Commissioner’s voice attending clearly

and sufficiently enough to be heard by those in attendance at the meeting, and allowing a Commissioner attending remotely to hear discussion at the meeting.

4. During any meeting that a Commissioner is attending via remote communication, the Commission President or presiding officer shall state for the record that a particular Commissioner is attending via remote communication and the reasons for such attendance.
5. Commissioners attending via remote communication may participate and vote during the meeting as if they were physically present at the meeting.
6. Commissioners attending via remote communication shall comply with all rules and procedures as if they were physically present at the meeting.
7. In the case of executive sessions, the Commission may permit participation from remote location(s) only when the Commission is confident in the security of such remote communications.

L. Commissioner Absence and Excusal:

Each Commissioner is responsible for requesting to be excused from regular or special meetings of the Port Commission, so as to avoid causing an inadvertent vacancy in the office according to RCW 53.12.140. A Commissioner who is unable to attend a regular or special meeting will notify the Commission Coordinator no later than two (2) hours before the scheduled start of the meeting, if feasible to do so, to request excusal. The Commission Coordinator will inform the President (or other officer presiding over the meeting) of the Commissioner's excusal request prior to the meeting. The President (or presiding officer) shall note the Commissioner's request for excusal on the record for the minutes, and shall also state for that purpose whether the Commissioner's absence is or is not excused. Alternatively, during the Introduction of Commissioners portion of any meeting, as noted in Article V below, the Commission may take action on the Commissioner's excusal request by motion as provided for in Article VI.

The Commission shall automatically excuse absence of a Commissioner resulting from attendance to other Port business.

ARTICLE V
Order of Business

- A. The President of the Commission and the Executive Director determine the placement of items on the Agenda for the Commission. The Commission shall vote to add agenda items to the list for a future work session or regular meeting

and allow for the President and Executive Director to schedule the item as appropriate.

- B. Regular meetings will ordinarily follow the below prescribed format:
- a. Call to Order
 - b. Pledge of Allegiance
 - c. Approval of Agenda
 - d. Special recognition (if needed)
 - e. Executive Director's Report
 - f. Litigation Report
(at second regular Monday meeting of every month only)
 - g. Public comment
 - 1. Commission statement on nature of public comment;
 - 2. General public comment period;
 - h. Consent Calendar
 - 1. Approval of minutes
 - 2. Warrants and vouchers;
 - i. Any warrant or voucher exceeding \$200,000 will be listed with the amount and the payee
 - 3. Other consent items;
 - i. Pending Issues or Business
 - j. Agenda action items
 - 1. Staff presentations, if needed
 - 2. Action by motion, vote, or resolution
 - k. Agenda action items – OTHER
(matters brought for action without prior advisory);
 - 1. Staff presentation, if needed
 - 2. Public comment

3. Action by motion, vote, or resolution
 - l. Agenda advisory items
 1. Staff presentations, if needed
 2. Public comment (on all advisory items)
 3. Commission discussion
 - m. Continued public comment, if needed
 - n. Commissioner Reports
 - o. Other business:
(during this period, Commissioners may also raise new issue(s) and request to add such issue or issues to a future work session agenda or to send the issue or issues to the POCAC for review)
 18. Future meeting announcements
 19. Adjourn
- C. The Commissioners may agree to change the order of business set forth above at any time.
- D. All proceedings of the Commission will be by consensus, motion, or resolution recorded in minutes and books maintained for that purpose, which shall be publicly available.
- E. If any vote is unanimous then it shall be so recorded. A record of the vote on any resolution or motion shall be made by a roll call vote of “yea” or “nay” in the minutes of the Commission. The proceedings of the Commission shall be carried on in such a manner and such dispatch as may be mutually agreeable to the Members of the Commission. Robert’s Rules of Order shall be applied for the governing of any proceeding, and thereupon no resolution shall be considered or other action taken, until the same has been duly moved, seconded and carried. All resolutions passed by the vote of the Commissioners present at any meeting shall be deemed to have been moved, seconded and passed in due form.
- F. Any Commissioner or the Executive Director may make a point of order if necessary.

ARTICLE VI
Guidelines for Public Comment at Meetings

A. General Procedures: The following general procedures are applicable to all types of public comment at Commission meetings.

1. Procedures for Providing Public Comment at In-Person Meetings: The Port will provide a sign-in sheet for those who wish to provide general comment at regular in-person Commission meetings. The sign-in period for public comment will begin when the public meeting space opens and will close when the meeting is called to order. Commenters must provide their ~~real~~-legal name on the sign-in sheet in order to be called, and may not wear costume masks that obscure the entirety of their face to address the Commission. Commenters may wear face coverings as per public health requirements and/or recommendations. To comment virtually, commenters will be asked to raise their virtual hand to indicate they would like to comment. Commenters must provide their legal name.

2. Procedures for Providing Public Comment at Virtual Meetings: Those who wish to provide verbal public comment at a Virtual Meeting must sign up in advance with the Commission Coordinator by emailing CommissionCoordinator@portolympia.com or by submitting the form on the Port's website (www.portolympia.com) by 12:00 noon on the date of the meeting. The Commission President will call those who have signed up in advance by name to provide comment. After all who have signed up are called, the Commission President may accept further public comment.

3. Procedures for Providing Written Comment (In-Person and Virtual Meetings). Members of the public may also provide the Commission with written comment by sending the written comments via email to the Commission Coordinator or by using the form on the Port's website (www.portolympia.com) from the time and date the agenda is published to the public through 12:00 noon the day of the meeting. The Commission Coordinator will compile the public comments received by the above-reference deadline and forward the compiled public comments to the Commission prior to the related meeting.

4. Use of Electronic Media During Public Comment: Commenters may use electronic media (such as presentations or video) to present information to the Commissioners during the public comment period at regular Commission meetings, subject to the following limitations:

- a. Electronic media to be used during public comment must be related to Port business.
- b. Commenters must abide by the three (3) minute time limit when using electronic media, and should select and edit presentations

accordingly. Commenters may not yield some or all of their allotted three (3) minutes so as to result in a longer presentation time for another commenter.

- c. In order to protect the integrity of Port information systems, electronic media or a link to internet-based information must be e-mailed to the Commission Coordinator at *CommissionCoordinator@portolympia.com* no later than noon on the day of the Commission meeting where the electronic media is to be used. To be accepted for presentation, email submissions must include (i) the name of the individual who will be providing public comment; (ii) the author of the electronic media being submitted; and (iii) a brief description of the content of the electronic media.
 - d. Commenters may not use jump drives, external drives, or other direct connection to Port information systems to present electronic media to the Commission during public comment. Links to internet-based information must be accessible using the Port's web browser. The Port will not be responsible for resolving compatibility issues related to electronic media submitted for public comment.
 - e. The Commission Coordinator will review all timely submitted electronic media prior to the Commission meeting to determine that the content is functional and viewable. Prior to the meeting, the Commission Coordinator will provide the President with a report identifying the electronic media submittals received, if any. The report will include the commenter's name, the author of the electronic media, and the brief description of content provided with the submittal.
 - f. The President will enforce the above guidelines and shall be allowed to preclude commenters from using electronic media that fails to comply with submittal guidelines, guidelines for public comment, or otherwise contains information unrelated to Port business.
5. Limitations on Use of Public Comment for Campaigning or Advertising:
No person may use public comment periods for the purpose of campaigning or promoting a campaign, whether for an election or ballot proposition. In addition, no person may use public comment periods for the purpose of commercial advertising. These limitations do not prevent or preclude any person addressing the Commission from expressing views or

opinion over matters related to the Port's business or within the Commission's jurisdiction. In addition, these limitations do not prohibit individuals or organizations from promoting public events.

6. Comments to be Directed to Commission: Comments should be directed to the Commission as a whole and should not include comments about individual Port staff or members of the public.
 7. Courtesy: All speakers (members of the public, Port staff, and Commissioners) shall be courteous in language and demeanor and shall confine remarks to those facts that are germane and relevant to the question or issue under discussion.
- B. Procedures for General Public Comment: The Commission will allow general public comment on issues related to Port business at regular Commission meetings, subject to the following procedures:
1. The general public comment period held at the beginning of the meeting will be limited to 30 minutes;
 2. Each commenter will be allowed three (3) minutes for individual comment; and commenters may not yield some or all of the allotted three (3) minutes so as to result in a longer comment period for another commenter. If a commenter is interrupted during the allotted three (3) minutes, the commenter shall be allowed to continue speaking beyond the three (3) minute timer for a period equivalent to the interruption;
 3. If there are more than ten (10) commenters who wish to make public comments during the general public comment period, then the Commission reserves the right to defer such additional general public comment to proceed with meeting business, and instead hold an additional general public comment period prior to the conclusion of the meeting;
 4. The subject of public comments not directed to a specific agenda item or items must be related to Port business, and;
 5. The President will enforce these requirements and shall be allowed to curtail any individual public comment that exceeds allotted time, is beyond the reasonable scope of Port business, is overly repetitive or lengthy, or includes disruptive behavior as defined in Section VI-D below.
- C. Procedures for Public Comment on Advisory and Action-Other Items: The Commission shall also provide separate public comment periods during the

meeting for advisory and action-OTHER items appearing on the meeting agenda. These comment periods shall be subject to the general procedures set forth above as well as the following:

1. Each commenter shall be allowed three (3) minutes for individual comments; and commenters may not yield some or all of the allotted three (3) minutes so as to result in a longer comment period for another commenter; and
 2. The President shall be allowed to curtail any individual public comment that exceeds allotted time, is beyond the scope of the subject agenda item, is overly repetitive or lengthy, or includes disruptive behavior as defined in Section VI-D below.
- D. Disruptive Behavior: Disruptive behavior includes, but is not limited to: speaking beyond the allocated time limit; preventing members of the public from hearing or viewing the discussion of the Commission, whether by standing or holding a banner or sign in a manner that obstructs view of or passage through the meeting room; speaking in a volume louder than low, conversational tone when not recognized by the President for public comment; and any threatening or harassing comments or behavior, whether directed at any or all Commissioners, Port of Olympia staff, or other members of the public.
- E. Curtailing Public Comment and Disruptive Behavior: The President has discretion to curtail public comment and Disruptive Behavior which violates these guidelines. The President will first request that the individual follow these guidelines. If an individual fails to comply with the President's request, the President may deem the individual out of order and direct that the individual be removed from the Commission meeting. If the individual is engaging in Disruptive Behavior that is threatening or harassing, the President may direct the individual be removed from the Commission meeting regardless of whether the threatening or harassing behavior occurs during the public comment portion of the Commission meeting. If the individual presents a threat to those present at the meeting, the President may request assistance from law enforcement or security in removing the individual.
- F. Security: In order to promote the safety and efficiency of Commission meetings, the President may request the presence of additional security for meetings expected to address sensitive and/or controversial subjects.

ARTICLE VII

Motions

- A. Except as otherwise required by these Rules, the Commission shall transact its business by motion, which may be made by any Commissioner in attendance.
- B. Voting on all motions shall be “yea” or “nay.” Robert’s Rules of Order shall be applied for the governing of any proceeding, and thereupon no motion shall be considered or other action taken, until the same has been duly moved, seconded and carried. All motions passed by the vote of the Commissioners present at any meeting shall be deemed to have been moved, seconded and passed in due form.
- C. Concurrence of ~~two-three~~ (3) Commissioners shall be necessary and shall be sufficient for the passage of any motion.
- D. Commissioners shall vote by motion to direct the Executive Director’s work.
- E. Commissioners shall vote on all motions unless required to abstain due to an actual or apparent conflict of interest under RCW Chapter 42.52 and Port of Olympia Commission Resolution 2021-03, which sets ethical standards for Port Commissioners.

ARTICLE VIII
Resolutions

- A. All matters, which in the judgment of the Commission, are of a legislative character shall be embodied in the form of resolutions. Text of the proposed resolutions shall be provided prior to the public meeting as set forth in these Rules.
- B. Voting on all resolutions shall be “yea” or “nay.” Robert’s Rules of Order shall be applied for the governing of any proceeding, and thereupon no resolution shall be considered or other action taken, until the same has been duly moved, seconded and carried. All resolutions passed by the vote of the Commissioners present at any meeting shall be deemed to have been moved, seconded and passed in due form.
- C. Resolutions shall be numbered consecutively by the year in which they are enacted and the original copy of each resolution shall be duly authenticated in open session by the signatures of Commissioners present, which shall serve to attest to a majority of the Commission members voting in favor of the Resolution. Adopted resolutions shall be filed, published on the Port’s website, and recorded in minutes and a book or books kept for such purposes, which shall be public records.

ARTICLE IX
Minutes

- A. Port staff will prepare draft action minutes of each meeting and distribute them to Commissioners for their review as to accuracy of actions taken. The goal will be to provide concise and complete minutes for Commission review no later than thirty (30) days after the subject meeting. The Minutes must contain a record of motions, agenda and agenda changes, participants, and actions taken. The minutes may include a brief summary of each topic's staff presentation and discussion.
- B. The Commission Coordinator will send the draft minutes to Commissioners as soon as possible following each meeting, and will include a date for Commissioners to return corrections. Commissioners will individually send any corrections back to the Commission Coordinator. If a substantive correction is offered to the draft minutes, the Commissioner offering the correction will include a reference to the place in the Commission video timeline from where the correction originates. The Commission Coordinator will prepare a final draft incorporating corrections. The Executive Director will complete a final review of the draft.
- C. In most cases, minutes will be presented for approval at the next regular business meeting. Approval of the minutes will be included in the Consent Agenda.
- D. Written public comments submitted directly to Commissioners or to the Commission Coordinator pursuant to Article VI.A.3 will not be appended to or included in the minutes. The minutes will reflect the names of commenters only.
- E. When the Commission has approved the minutes of a meeting, the minutes as approved shall represent the final and considered determination of the Commission as to the motions and actions set forth therein.

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ARTICLE X
Publication of Meeting Materials

- A. Agendas, reports, cover memos, and any supporting materials, will ordinarily be posted on the Port's website no later than 3:00 p.m. two (2) business days before a meeting, which will be the preceding Thursday before a regular Monday business meeting or work session. Agendas and materials for special meetings of the Commission called pursuant to Art. IV(C) of this Resolution will be posted no

later than 3:00 pm two (2) business days before a meeting as a rule; however, consistent with the Open Public Meetings Act, in no event will agendas for special meetings be posted later than 24 hours prior to the scheduled meeting.

Meeting materials posted on the Port's website may be modified at any time subsequent to posting and prior to the meeting based upon changes to the agenda or to reflect updates to posted materials.

It is the responsibility of Staff to prepare materials for presentations including PowerPoint slides, maps, or other materials for presentation to the Commission. Commissioners will not provide supplementary materials to be considered for inclusion in the meeting materials packet. Exception to this rule is when a Commissioner has information to share regarding a committee they serve on behalf of the Port. For that exception, the Commissioner must submit the proposed materials to the Commission Coordinator for inclusion by no later than 3:00 pm the preceding Thursday before a Monday meeting.

- B. Members of the public may request to be included on a voluntary e-mail list for distribution of Commission agenda and meeting materials. The Port will e-mail the agenda and a link to the meeting materials to those on this voluntary e-mail list on the same day the materials are posted on the Port's website.
- C. The Port will provide a hard copy of the agenda and/or meeting materials, if requested, by visiting the Port's administrative office during the Port's regular business office hours.
- D. Meeting videos supplement efficient written meeting minutes documenting action taken by the Commission. Video recordings for regular Port meetings held on or after February 18, 2016, will be published and retained on the Port's website, to be readily and available for viewing. This is subject to system capacity and budget authorization by the Commission. Video recordings will be maintained and archived at the Washington State Archives pursuant to applicable state records retention schedules.

ARTICLE XI Amendment of Rules

These Rules may be amended by Resolution.

ADOPTED by a majority of the members of the Port Commission of the Port of Olympia, a majority being present and voting on this Resolution at a regular Commission meeting on ~~September 26~~November 27, as attested to by the signatures below of the Commissioners this ~~26th~~27th day of ~~September~~November, 20223.

PORT OF OLYMPIA COMMISSION

By: _____
~~Amy Evans-Harding~~ Bob Iyall, President

By: _____
~~Joe Downing~~ Amy Evans-Harding, Vice-President

By: _____
~~Bob Iyall~~ Joe Downing, Secretary

NOTE:

~~This version of the Commission Rules resolution corrects a scrivener's error that was made in finalizing Resolution 2022-03. At the March 28, 2022 meeting, the Commission passed the presented motion with the direction to retain the section regarding Commissioner Chats. The draft presented to Commissioners for signature inadvertently removed that section.~~

~~This version restores the Commissioner Chat section to these Commission Rules.~~

COVER MEMO

Briefing Date/Time: Nov. 20, 2023

Staff Contact/Title: Camille St. Onge, Director of Strategic Initiatives & Commission Affairs, 564-669-3100
camilles@portolympia.com

Subject: Port of Olympia Citizens Advisory Committee (POCAC)
Resolution Update

Purpose: Information Only Decision Needed

Background/Overview:

Updates are being proposed to reflect a five-member Commission, provide more flexibility in assignment products, and allow the Executive Director to appoint a designee for their ex-officio position on the POCAC.

The resolution will be presented on Nov. 27, 2023, for action.

Documents Attached:

Draft resolution.

Staff Recommendation:

Discuss Diversification of the Committee Members

POCAC members, Commissioners, and staff have all recommended in meetings that the Port of Olympia look for ways to attract a more diverse group of committee members. The Open Public Meeting Act does not require parliamentary procedures currently in place, which may be a detractor to people of younger generations and various cultural backgrounds. The staff invites the Commission to consider adjusting the format and a new recruitment strategy.

PORT OF OLYMPIA COMMISSION
RESOLUTION 2023-15XX

**A RESOLUTION OF THE PORT OF OLYMPIA COMMISSION regarding the
citizen advisory committee known as the Port of Olympia Citizens Advisory
Committee (POCAC) and superseding Resolution 2022-15, 2021-06, 2019-03 & 2019-10**

WHEREAS, the Port of Olympia desires to have a citizen advisory POCAC to advise the Port Commission on matters it may wish to assign to the citizen advisory POCAC from time-to-time; and

WHEREAS, this Resolution supersedes Port of Olympia Commission Resolution 2022-15, 2021-06, 2019-03 and 2019-10.

NOW, THEREFORE, BE IT RESOLVED, after due consideration it is the determination of the Port of Olympia Commission that:

1. The Port of Olympia Citizen Advisory Committee (POCAC):

The Port of Olympia Citizens Advisory Committee (POCAC) is a Committee of citizens selected through an application process as determined by the Port of Olympia Commission (“Port Commission”). The purpose of the POCAC is to provide advice to the Port Commission on tasks as assigned by the Port Commission. The POCAC is the successor of a former Committee referred to as the Planning Advisory Committee.

2. Composition:

The POCAC shall consist of up to 17 members, with no less than 9 members serving as selected by the Port Commission.

3. Duties:

The POCAC shall advise the Port Commission on matters assigned by the Port Commission. It shall forward written, unsolicited public input received by POCAC members to the Port’s Communication Manager who will determine how such unsolicited input shall be handled.

The Port shall supply an administrative assistant to publish the notice for scheduled meetings, to assist the POCAC by taking meeting minutes, recording discussion items, scheduling meetings, and other duties as ~~agreed to~~authorized by the ~~administrative assistant~~Executive Director and the POCAC.

The Executive Director ~~or designee~~ may will serve as ex-officio, non-voting member of the POCAC. The Executive Director ~~or designee~~ will provide guidance when requested by the POCAC, and assign Port staff for expertise, if required.

4. Assignments:

The Port Commission ~~may consider advice from the POCAC, the Port Commission will meet with the POCAC to discuss the scope of the assignment~~will assign tasks to the POCAC, including the scope of any assignment. ~~Meetings of the Port Commission and POCAC are This meeting will be held in accordance with RCW 42.30 (Open Public Meetings Act)~~subject to the Open Public Meetings Act, RCW 42.30.

The Port Commission will identify the type of work products to be delivered by the POCAC. More than one product type may be requested:

- a. **Report or White Paper:** This product will help to create an awareness of policy issues among the Port Commission, staff and the public and to encourage an exchange of information and analysis. It can also serve as an educational tool. The Port Commission may or may not take action or give further direction to the Executive Director upon receipt of this product. The Port Commission may also choose to produce a supplemental document providing comment on a POCAC report of white paper.
- b. **Policy recommendation:** This product will explain the need for a new policy or modification or amendment to an existing policy to better align Port practices with Port values and focus areas. If the Port Commission decides to take action on such a recommendation, direction would be given to the Executive Director and or legal counsel for further analysis and preparation of proposed policy language for Port Commission consideration.
- c. **Project recommendation:** This product would present a recommendation for implementation by the Port. Should the Port Commission choose to take action, direction would be given to the Executive Director to include in the Port's annual budget process.
- d. **Advice to Executive Director:** This product serves to provide analysis and suggestions on current Port operations. Should the Port Commission choose, this product would be forwarded to the Executive Director for consideration. The Executive Director would report back to the Port Commission within a reasonable timeframe on the feasibility of implementation of suggestions and recommendations.
- ~~d.e.~~ **Citizen Advisory Committee assignment planning documents and supporting products:** This product allows the POCAC to act on assignments received from the Port Commission and develop project plans to carry out their assignments and develop necessary materials and products in coordination with the ~~Port staff~~Executive Director or designee. Cost of goods and products must be within the Port's annual budget and coordinated with ~~Port staff~~Executive Director or designee.

5. Work Plan:

The POCAC shall assign a Sub-Committee which will develop a work plan consistent with the assignments provided by the Port Commission.

6. Scheduled Meetings:

The POCAC will establish a meeting schedule consistent with the time necessary to complete a work plan and the assignment. The chair of the POCAC shall report periodically and no less than once a year to the Port Commission. Meetings and documents created by and for the POCAC are subject to the Open Public Meetings Act Chapter 42.30 and the Public Records Act Chapter 42.56 RCW.

7. Community Involvement:

The POCAC shall have the authority to solicit public involvement in many ways, consistent with the work plan. The POCAC may request legal assistance through the Executive Director or designee with respect to a particular form of public involvement being considered.

Any matter referred to a POCAC Sub-Committee must ultimately be presented to the full POCAC for the POCAC's consideration and approval prior to forwarding any recommendation to the Port Commission.

All of the POCAC's scheduled meetings will be open to the public. A portion of the POCAC's scheduled meetings will be designated for public comment related to the POCAC's assignment(s) and consistent with the time limit of 15 minutes with 3 minute per speaker. The Chair or Vice Chair should promptly direct any other public comment not related to the POCAC's assignment(s) to the Port Commission or Port Staff via the most expedient means such as e-mail, telephone, website, etc.

8. Rules of Procedure:

The Port Commission will provide a copy of "Rules of Operation" for review and discussion by the POCAC. The Port Commission approved Rules of Operation will be utilized by the POCAC to accomplish objectives. Thereafter, if there are any proposed changes to the ~~"Rules of Operation"~~ the POCAC Chair will discuss such changes with the Port Commission to consider. The Port Commission may consider the POCAC's proposed changes and may consider approval of an amended copy of the Rules of Operation.

9. Officers and Sub-Committees:

The officers of the POCAC shall be a Chair and Vice Chair to preside and facilitate POCAC meetings and present special reports. The Chair and Vice Chair shall serve no more than two (2) consecutive one-year terms. The Chair and Vice Chair shall be elected by the POCAC members.

The Chairperson of the POCAC, or a designated representative of the POCAC, shall report to the Port Commission no less than once each year on POCAC activities. This report may be provided, in writing, or given verbally at a Joint POCAC/Port Commission meeting. The Chairperson of the POCAC shall determine the appropriate format for the report.

Each Sub-Committee will select a member to serve as a chair. The Sub-Committee Chair shall submit updates to the POCAC at regularly scheduled POCAC meeting and present the final report or presentation to the Port Commission.

10. Terms:

The POCAC members shall each serve no more than two (2) consecutive terms for a total of six (6) years. A full term is three-years. Each year the Port Commission shall appoint or reappoint persons to fill the expiring terms. At its discretion, the Port Commission will decide when it will fill a vacancy of an unexpired term. If four or more member's terms will expire simultaneously, the Port Commission has the discretion to establish a different schedule for the appointments or reappointments to prevent simultaneous expirations.

11. Selection of New Members:

The process to select new members will consist of press releases to local media advertising the vacancy, recruitment process, and posted on the Port's website. The interview team will consist of the Port Commission Vice President or Port Commissioner Designee, the Executive Director or designee, and the incoming Chair of the POCAC. Copies of each application will also be sent to ~~the other two~~ all Port Commissioners for their review.

The Port may use automated tools, such as NEOGOV®, website application, or similar software, to intake and process applications for new POCAC members.

The interview team will interview and evaluate each applicant based on past volunteer activities, private/public work experience, experience or knowledge regarding the Port of Olympia, representation of the ~~three~~ five (5) Port Commissioner Districts in Thurston County, and reason(s) for wanting to serve on the POCAC. In making recommendations for appointment, the interview team will strive to maintain at least two members of the POCAC from each of the ~~three~~ five (5) Port Commissioner Districts in Thurston County. After completion of all applicant interviews, the Port Commissioner serving on the interview team will recommend the appointment of the new member(s) at a regularly scheduled Port Commission meeting.

12. Approval of Travel and Other Expenses:

The Port Commission will budget annually for unanticipated expenses and travel for POCAC members. The POCAC Chair shall request approval of travel and other expenses for POCAC members to the Executive Director or designee. All expenses shall be consistent with Port travel and reimbursement policies. Any amount over the annual budget will come back to the Port Commission for approval.

ADOPTED by a majority of the members of the Port Commission for the Port of Olympia, a majority being present and voting on this Resolution at a regular Port Commission meeting on ~~December—November 27, 2022~~, as attested to by the signatures below of the Port Commissioners physically present this ~~12th~~ 27th day of ~~December 2022~~ November 2023.

PORT OF OLYMPIA COMMISSION

By: _____
Amy Evans-Harding, President

By: _____
Joe Downing, Vice President

By: _____
Bob Iyall, Secretary