



Serving All of Thurston County

Commission Meeting

Monday, Feb. 12, 2024

5:30 PM

Percival Plaza - Olympics Room

626 Columbia Street NW

Olympia, WA 98501

The meeting agenda is available on the Port's website as of Feb. 6, 2024.

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

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

<https://us02web.zoom.us/j/82643754702>

or Telephone: 1 253 215 8782

Webinar ID: 826 4375 4702

Written public comments may be submitted to commissioncoordinator@portolympia.com by 12:00 p.m. on the date of the meeting. All written comments will be compiled and sent to the Commissioners prior to the meeting.

Verbal public comment is accepted in person at the meeting.

If you are attending the meeting via Zoom, you may raise your hand during the meeting to give public comment.

For those listening by phone, press *9 if you wish to raise your hand and provide comment.

AGENDA

- A. Call to Order
- B. Pledge of Allegiance
- C. Approval of Agenda
- D. Executive Director Report
- E. Public Comment

Individual public comments are limited to 3 minutes per person. Members of the public may comment on agenda items and other port business.

NOTE: Guidelines for public comment can be found in the Commission Rules in Resolution 2022-09 Article VI.

- Comments should 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.
- 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.

Port of Olympia Mission

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

F. Consent Calendar

1. Delegation of Authority Resolution 2024-03: Rudy Rudolph, Interim Executive Director
2. M&D Food, LLC, Lease Amendment #8: Clarita Mattox, Real Estate Senior Manager
3. Chris Reive Contract Amendment #2: Shawn Gilbertson, Director of Environmental Planning and Programs
4. Minutes: Dec. 11, 2023, Dec. 18, 2023, Jan. 8, 2024, and Jan. 16, 2024

G. Pending Issues or Business

1. None

H. Action Calendar

1. None

I. Action/Other Calendar

1. None

J. Advisory Calendar

1. CSD Contract: Ben McDonald, Director of Human Resources and Administration
2. FAA Grant Funding Process: Warren Hendrickson, Director of Operations
3. Climate Resiliency Grant – Olympia Sea Level Rise and Deschutes Estuary: Shawn Gilbertson, Director of Environmental Planning and Programs
4. Public Comment on Advisory Calendar

K. Commissioner Reports/Discussion

L. Other Business

M. Meeting Announcements

N. Adjourn

COVER MEMO

Briefing Date: February 12, 2024

Staff Contact/Title: Rudy Rudolph, Interim Executive Director,
rudyr@portolympia.com; 360-584-4126

Subject: Delegation of Authority Resolution 2024-03

Purpose: ☐ Information Only ☒ Decision Needed (Consent)

Background/Overview:

The Port of Olympia Commission has directed staff to consolidate Port Commission Resolutions 2019-06, 2019-07 and 2021-04 dealing with Delegation of Authority to the Port Executive Director for Port Executive Policies, Contracts & Acquisitions and Real Property.

Resolution 2024-03 is submitted for Commission action. This resolution supersedes Resolutions 2019-06, 2019-07 and 2021-04 dealing with the same subjects.

Staff Recommendation:

Approve Resolution 2024-03.

PORT OF OLYMPIA COMMISSION
Resolution 2024-03

A Resolution, of the Port of Olympia Commission, providing the delegation of authority to the Executive Director or his or her designee for matters related to Executive Policies, Contracts & Acquisitions and Real Property.

WHEREAS, Section 53.12.270 of the Revised Code of Washington provides authority to the Port Commission for delegation of powers to the Executive Director; and

WHEREAS, the Port Commission has adopted policy directives delegating administrative authority to the Executive Director and his/her designees for the purpose of expeditious administration of the Port; and

WHEREAS, the Port Commission has from time to time found it necessary to amend and revise such directives due to changes in law and/or operations of the Port; and

WHEREAS, the Port Commission now wishes to provide a master policy directive providing for the delegation of authority to the Executive Director or his or her designee for matters related to Port Executive Policies, Contracts & Acquisitions and Real Property and to repeal any prior resolutions dealing with the same subject;

WHEREAS, the Executive Director will keep the Commission apprised of changes to Port administrative policies.

THEREFORE, BE IT RESOLVED that the Port of Olympia Commission adopts the master policy directive as set forth as Exhibits “A, B & C” attached to this Resolution and incorporated herein by such reference is for the purpose of providing for the delegation of authority to the Executive Director or his or her designee for matters related to Port Executive Policies, Contracts & Acquisitions and Real Property and any prior resolutions 2019-06, 2019-07 and 2021-04 dealing with the same subjects are repealed.

BE IT FURTHER RESOLVED that the Port of Olympia Commission delegates the authority to the Executive Director to create procedures for the policies covered by this Resolution. In addition, the Port of Olympia Commission delegates the authority to the Executive Director to create other administrative policies and procedures as deemed necessary to ensure proper conduct by the Port of Olympia employees.

BE IT FURTHER RESOLVED to ensure transparency in all aspects of Port operations, the Port will comply with legal requirements associated with public meetings, public records, and will ensure that information surrounding Port decisions are made available to the public through all reasonable means.

BE IT FURTHER RESOLVED to ensure uniform application of these policies, questions or requests for interpretation shall be directed to the Executive Director.

ADOPTED BY THE Port of Olympia Commission this ____ day of _____, 2024.

PORT OF OLYMPIA COMMISSION

Bob Iyall, President

Jasmine Vasavada, Vice President

Sarah Tonge, Secretary

PORT OF OLYMPIA COMMISSION

Resolution 2024-03

Exhibit A Executive Policy

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PORT OF OLYMPIA COMMISSION
Resolution 2024-03

Exhibit A
Executive Policy

1. Organizational Structure

The Executive Director will approve in advance all modifications to the established organizational structures of the Port of Olympia including the reporting relationship of all positions. (Policy 101)

2. Establishing Port of Olympia Policies & Procedures

The Executive Director or his/her designee will develop procedures on policies specified in Port Commission Resolutions pertaining to Port Policy and Procedures. Authority is delegated to the Executive Director, pursuant to RCW's 39 and 53, to implement policy and develop appropriate procedures and to create other administrative policies and procedures as deemed necessary to ensure proper conduct by Port employees. The Executive Director will keep the Commission apprised of changes to the Port administrative policies. (Policy 102)

3. Affirmative Action

The Port of Olympia will affirmatively provide equal employment opportunity and access to its programs and services in a fair and impartial manner for all persons without regard to race, religion, color, sex (including pregnancy, gender identity and sexual orientation), national origin, age, genetic information, or disability. All employees will have the freedom to compete on a fair and level playing field with equal opportunity competition.

Equal employment opportunity covers all personnel/employment programs, management practices, and decisions, including, but not limited to advertising, application procedures, compensation, demotion, employment, fringe benefits, job assignment, job classification, layoff, leave, promotion, recruitment, rehire, social activities, training, termination, transfer, upgrade, and working conditions.

It is the policy of the Port of Olympia to ensure and maintain a working environment free of coercion, harassment, and intimidation at all job sites, and in all facilities at which employees are assigned to work. Any violation of the policy should be immediately reported to your supervisor or the Administrative Services Director. (Policy 103)

4. Anti-Discrimination / Anti-Sexual Harassment

The Port of Olympia prohibits discrimination against any person because of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged

veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a service animal by a person with a disability. All activities relating to employment such as recruitment, selection, promotion, termination, and training shall be conducted in a nondiscriminatory manner. Personnel decisions shall be based on individual performance, staffing requirements, and in accordance with governing laws.

The Port of Olympia further prohibits harassing conduct against any individual on the basis of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability.

In accordance with this policy and in recognition of the rights of each individual, it is the responsibility of all Port Commissioners and Port employees to strive toward a working environment free from all forms of discrimination such as racial, religious, or sexual harassment including jokes, slurs, and innuendoes. This behavior is inappropriate in the work environment and may be grounds for corrective action.

Sexual harassment is illegal and will not be tolerated by the Port of Olympia. All Port Commissioners and Port employees have the right to work in an environment free from sexual harassment. The Port of Olympia will take affirmative steps to ensure that this behavior is eliminated and will offer training to all Commissioners and employees including managers and supervisors. Any employee found to be in violation of this policy shall be subject to corrective action ranging from reprimand to termination. Any supervisor who has knowledge of discriminatory behavior as previously defined, and who fails to take action to eliminate the behavior, will be subject to corrective action. (Policy 104)

5. ADA (Reasonable Accommodation)

It is the policy of the Port of Olympia to provide reasonable accommodation for qualified disabled people who are employees or applicants for employment. The Port of Olympia will adhere to all applicable laws, regulations and guidelines to afford equal employment opportunity to qualified disabled individuals.

Upon request, the Port of Olympia will endeavor to accommodate an impairment of an applicant or employee by structuring the job or the work environment in a manner that will assist the disabled individual to perform the essential functions of the job. The disabled applicant or employee has an obligation first to inform the Port of Olympia of his/her need for such accommodation. (Policy 106)

6. Employee Participation and Political Activities

No Port employee or elective official of the Port may use, directly or indirectly, the facilities of the Port for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. This includes the wearing or displaying of political paraphernalia while conducting Port business. This policy does not purport to regulate Port employees or elective officials while they are not conducting Port business. (Policy 109)

7. Prohibited Smoking/Smoking & Nicotine Cessation

Effective January 2006, smoking is prohibited in all public places, which includes all buildings and enclosed areas. In addition, smoking will be prohibited in all Port of Olympia passenger vehicles and boats. This policy also applies to visitors, customers and contract persons including janitorial services visiting or working in such spaces. Persons working in Port facilities are permitted to smoke only out of doors, 25 feet from any entrances or exits, windows, and HVAC units. Ashtrays or cans will be positioned at locations 25 feet from any public entrances or exits of frequent usage. No smoking signs will be posted at Port of Olympia facilities. In accordance with RCW 70.160, no person may smoke in a public place or in any place of employment.

Public Place means that portion of any building or vehicles used by or open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the Port of Olympia, or other public entity, and regardless of whether a fee is charged for admission.

This policy will not apply to land or facilities leased to individual business, corporate or governmental tenants that are not under the control or the administration of the Port of Olympia.

Port of Olympia employees and their spouses are eligible for reimbursement of costs of smoking cessation programs. Port of Olympia employees and/or their spouses who have completed a smoking cessation program and who submit a Nicotine Free certification form that they have been nicotine free for at least six (6) months since completing the program, will be reimbursed for the program costs as follows: *Employees and spouses will receive a one-time reimbursement of 100% of the costs of the program up to a maximum of three hundred dollars (\$300.00) per person.* (Policy 110)

8. Wellness Program

The Port will provide each full-time and reduced hour employee a one-time health club initiation fee reimbursement up to \$110.00 plus sales tax based on a single membership upon request. The health club selection will be solely the employee's choice. The initiation fee reimbursement may be exercised only once during your employment at the Port.

With an active membership in place the Port will pay a wellness benefit based on attendance in the amount of \$2.50 per day up to \$20.00, 8 visits, per month. The reimbursement is a taxable fringe benefit, and the taxes will be applied as such at year end, or when the employee leaves employment. (Policy 112)

9. Safety Program

It is the basic policy of the Port of Olympia that there is no job, chore, or task at the Port that is more important than the physical and emotional safety of every person at the Port. A paramount, daily goal for each of us to pursue is safety on and off the job.

The prevention of occupational injuries is of such consequence to this tenet that it will be given top priority at all times.

The Port of Olympia's Safety Program manual contains guidelines that all employees shall consistently follow to ensure the safe accomplishment of work, day-in and day-out, 24/7! A copy of the Port of Olympia's Safety Program has been provided to each employee. This program applies to all full and reduced-hour employees, project employees, interns, and elected officials. This Policy also authorizes appropriate disciplinary action for violations of the Program. (Policy 115)

10. Ethics and Conflict of Interest

The maintenance of high standards of honesty, integrity, impartiality and conduct among Port of Olympia's employees is essential to the general operation of the Port and the effectiveness of its day-to-day business. Public offices at the Port of Olympia will not be used for personal gain, and procedures will be established to promote the highest level of ethics, and to avoid conflicts of interest and the appearance of such conflicts.

This policy considers cultural expectations of foreign clients, customers, contractors and other similar persons in their interactions with Port employees. All employees should consider themselves as people in positions of public trust and conduct themselves accordingly. Individuals must be particularly sensitive to the many situations where a conflict of interest or even a perception of such a conflict could originate. (Policy 116)

11. Insurance Programs

The Executive Director shall be authorized to negotiate and obtain appropriate policies of insurance to cover Port property, liability, employee coverage, and other areas appropriately included within a comprehensive insurance program. The Executive Director is authorized to approve changes or modifications within the policies of insurance, including programs to provide deductible provisions, so long as such programs are promptly reported to the Port Commission, so it is kept informed of basic changes made in the overall insurance program of the Port. (Policy 124)

12. Public Participation

The Public Participation Policy of the Port of Olympia is to meet or exceed, where practical and applicable, all state laws for public participation that apply to public ports. This includes but is not limited to public participation related to development opportunities, budget adoption, real estate purchase and disposition of surplus real estate.

As determined by the Port Commission, the Port will exceed, where practical and applicable, the state laws that apply to public ports for public participation as they relate to development opportunities, budget adoption, real estate purchase and disposition of surplus real estate, when the matter at hand is of special historical or cultural significance to the Thurston County community, and/or is demonstrated to be of special interest to a broad range of citizens in Thurston County.

The Port will meet the International Association for Public Participation (IAP2) core values for the practice of public participation, as follows:

1. Public participation is based on the understanding that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

Staff and Commissioners will have access to annual training in effective public participation methods and practices, as necessary. The Port may choose to use a third-party public participation facilitator as its sole discretion.

No aspect of the Port's public participation policy shall be interpreted to divest the Port staff or the Port Commission of the ability to make decisions that fall within the limits of applicable statutory and/or delegated authority. (Policy 127)

13. Governance Policy

The Port Commission ("Commission") is a quasi-legislative body consisting of five elected commissioners. Action by the Commission requires a majority vote (minimum of three of the five commissioners). The Commission approves policies which guide the port district in complying with its statutory obligations.

COMMISSION ROLE:

1. Planning, Goal setting, Evaluation

The Commission helps plan the port's future, and then guides port activities in that direction. This planning process involves the Commission, Executive Director, Port staff, customers and citizens/voters. The process usually includes identifying the Port's mission and goals and developing strategies to achieve them. The Commission is ultimately responsible for evaluating and updating the planning process.

2. Policy Making

The Commission develops and adopts policies to implement port goals and govern the many facets of Port operations. These include, but are not limited to, developing guidelines for long-term economic development, establishing positions and employment policies, and adopting budgets.

3. Budgeting

The Commission approves and adopts an annual budget pursuant to RCW 53.35. Some key budget decisions include authorizing and adopting tax levy amounts, adopting policies, approving purchases, and disposing of or distributing supplies, property, and equipment. The Commission also approves the Capital Investment Plan annually as well as the Comprehensive Scheme of Harbor Improvements.

4. Designating the Port's Executive Director

The Commission is responsible for recruiting, hiring and evaluating the performance of the Port's chief executive, known as the Executive Director. The Commission delegates responsibility to the Executive Director, then respects the Executive Director's delegated authority to manage day-to-day operations of the Port consistent with policies established by the Commission. (Policy 134)

14. Pay for Performance

It is Port policy to conduct performance reviews for all Port employees on an annual basis. It is the policy of the Port to use annual performance reviews as the process for moving each person within the assigned salary grades and ranges, and to assess compensation for the Port's pay for performance policy and merit pool allocation, where applicable. The Port aims to meaningfully recognize employee performance through this Policy. (Policy 207)

15. Tuition Reimbursement

The Port encourages tuition reimbursement where the course work will benefit the employee's work at the Port. To be eligible for reimbursement, the employee must have been employed by the Port of Olympia for at least one year. Port of Olympia employees who wish to continue their education and attend college level courses which are directly related to the employee's duties, or courses required for completion of a degree, upon approval by the Supervisor and Administrative Services Director, the employee will be reimbursed for tuition fees and expenses, parking, books and other course required materials after providing an official transcript reflecting a grade average of not less than a "C" or its equivalent (statement by authorizing agent of the attending institution that the employee has satisfactorily completed the course and will be awarded credit). The reimbursement amount shall not exceed \$2,500 annually per employee and shall be reimbursed upon satisfactory completion of the course. (Policy 211)

16. Training Seminars, Workshops, Conferences

The Port of Olympia encourages the professional development of its employees through professional development training programs, seminars, workshops, or conferences and will pay the registration fees, tuition expenses and reimburse employees for travel expenses commensurate with the Port of Olympia Travel/Expense Reimbursement Policies, which are approved in advance by the employee's supervisor. Attendance will be subject to the discretion of the employee's supervisor given current workload and available funding from the department budget.

Overtime will be paid to non-exempt employees attending training programs, conference and educational programs when attendance is requested by the Port, or as necessary, to comply with the Fair Labor Standard Act.

Commissioners requesting professional development through training, seminars, workshops, or conferences will submit their request for specific training expenses each year during the budget process to provide for available funding upon approval. Any requests for training, seminars, workshops, or conferences not specified in the budget will require approval from the Commission at a public meeting (Policy 212)

17. Transportation Workers Identification Credentials (TWIC) Card

Commissioners and employees that require regular access to the Marine Terminal must obtain and maintain a Transportation Worker Identification Credential (TWIC), which is a credentialing program managed by the Department of Homeland Security's (DHS), Transportation Security Administration (TSA) office, and enforced by the United States Coast Guard. Those employees not requiring regular access must either have a TWIC card for unescorted access or be in the presence of an approved TWIC escort with either a Port Badge or a Visitor Pass while on the Marine Terminal. Upon entering the Marine Terminal, the employee must remain in the presence of a TWIC escort. If the Port is fined because an employee does not have a TWIC card or is not accompanied by an approved escort, the penalty may result in disciplinary action to the employee.

The Port will pay for the cost of the TWIC card and all subsequent card renewals for all employees requiring regular access to the marine terminal while employed by the Port of Olympia. If an employee loses or damages a card, the Port will pay for the replacement of the card one (1) time. The employee will be responsible to pay for the replacement of the card if it is lost or damaged any additional times thereafter. If the card fails due to chip failure, and the enrollment center does not replace the card at no cost, the Port will pay for the replacement of the card. (Policy 217)

18. Retire Rehire

The Washington State Department of Retirement Systems and RCW 41.40 allow for hiring of public Employees Retirement System (PERS) retirees and require that the governing body of the public agency adopt a written policy.

The Executive Director will comply with RCW 41.40 when hiring PERS retirees, including, but not limited to, annual and lifetime limitation of hours of service, reporting requirements, and hiring justification/documentation. (Policy 218)

19. Leave

All leave requests must be approved by the appropriate supervisor and covered by the appropriate leave on the Request Form in the Tracker System. Should a request for leave be denied, the supervisor shall provide an explanation to the employee as to why the leave request has been denied. An employee who finds it necessary to be absent without having received prior approval shall request leave from the appropriate supervisor as soon as possible. (Policy 301)

20. Vacation Leave

The Port of Olympia believes that vacation leave is a benefit for both the employee and the organization. Port employees are encouraged to take vacation leave. Port of Olympia employees shall be eligible for vacation leave as follows, or unless the Executive Director has authorized in writing a different schedule:

Years in Service	<u>Vacation</u>		Vacation Accrual Rate <u>Monthly</u>
	Days Earned	Hours Earned	
	<u>Per Year</u>	<u>per Year</u>	
<u>(inclusive)</u>			
0 to 4	12	96	8
5 to 10	17	136	11.34
11 to 17	22	176	14.67
18 and Over	27	216	18

Vacation shall be accrued on a pro-rata basis at the end of each pay period. Employees shall not accumulate vacation leave in excess of 320 hours to carry forward into a new calendar year.

Reduced hour employees shall accrue vacation credit at a reduced rate that is proportional to their percentage of hours worked as compared to that of a full-time employee. At year end the percentages actual hours worked to include calculated for sick and / vacation / overtime hours are adjusted used to calculate to capture the true percentage of the accruals and holiday pay. (The same calculations are taken into consideration when a reduced hour employee leaves employment from the Port of Olympia).

Vacation leave shall not accrue during an unpaid leave of absence. (Policy 302)

21. Transfer of Vacation and Sick Leave Benefits

The Port of Olympia will allow Port of Olympia employees to voluntarily transfer accumulated vacation leave or sick leave to another regular, full-time Port of Olympia employee. Subject to the restrictions set forth herein, any Port of Olympia employee may voluntarily transfer their earned, accumulated vacation or sick leave to another Port of Olympia employee if the recipient: (1) must be absent from the workplace because of illness or an emergency involving immediate family, and (2) has insufficient sick leave or vacation leave to cover the absence. The purpose of this policy is to allow employees to assist their fellow employees who are experiencing prolonged and serious illness or who are experiencing a family emergency situation.

The Executive Director shall establish the procedures governing the application, donation, and approval of Vacation and Sick Leave Benefit Transfers.
(Policy 303)

22. Vacation Leave Cash-out Based on Need

Vacation leave is a benefit to both the employee and the organization and employees are encouraged to take vacation leave. However, the Port recognizes there may be occasions when an employee may wish to cash-out a portion of their vacation leave for emergency purposes. **Emergency situations are events that impose an immediate hardship on an employee that could not reasonably have been planned for in advance.** A Port employee wishing to cash-out a portion of their vacation leave is subject to the following criteria: 1) An employee must be employed by the Port for a period of no less than two years. 2) An employee may utilize a maximum of 240 hours for the purpose of cashing out vacation leave. 3) An employee may utilize this benefit once each year not to exceed up to 240 hours in a five-year period. The cash-out must be a minimum of 40 hours. 4) An employee may exercise this benefit upon a showing of need and with the approval of his/her director. (5) The employee must leave a balance of 80 hours equivalent to 2 weeks vacation on the books. (Policy 304)

23. Sick Leave

Full-time and reduced hour Port of Olympia employees accrue sick leave after their first full calendar month of continuous employment with the Port of Olympia. Sick leave is accrued at the rate of one and one-quarter workday (ten [10] hours) for each full month of service. Unused sick leave may accumulate from year to year.

Reduced-hour employees shall accrue sick leave credit at a reduced rate that is proportional to their average number of hours worked as compared to that of a full-time employee. Temporary and project employees may be eligible based on the appointment.

Supervisors may require certification of the attending physician to substantiate that an illness or injury prevents the employee from working after three (3) days of absence.

Accrued sick leave may be used for any of the following reasons: 1) Personal illness or physical incapacity including any period of physical incapacity related to childbirth. 2) Enforced quarantine of the employee by a physician. 3) Illness within the immediate

family that requires the employee's presence. 4) Medical or dental treatment for the employee or within the immediate family of the employee, requiring the employee's presence. 5) The birth or adoption of a child. Parents will be allowed a maximum of 160 hours (20 days). Employees are required to give at least thirty (30) days notice prior to the expected date of birth or adoption, stating the intended dates of leave. This leave is in addition to leave granted in the above, for any period of physical incapacity related to childbirth (See section on Family & Medical Leave). (Policy 305)

24. Family and Medical Leave

It is the policy of the Port, in accordance with federal and state law, to grant family medical leave to eligible employees. The federal Family and Medical Leave Act (FMLA) and Washington's Family Leave Act (WFLA) (hereinafter "FMLA") allow an eligible employee to take up to a total of 12 weeks of leave (leave without pay, sick leave, annual leave, compensatory time, or shared leave) in a 12 month rolling period, measured backward from the date the leave begins.

Under the FMLA's Military Caregiver Leave provisions, an employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness may take up to a total of 26 work weeks of unpaid leave during a single 12-month period to care for the service member.

ELIGIBILITY: Eligible employees are those who have been employed by the Port of Olympia for at least 12 months and have worked at least 1,250 hours during the 12 months preceding the leave. (Employees who have returned from a military leave of absence in the past 12 months but have not yet worked the 1,250 hours may also be eligible.)

Reduced-hour employees who have worked for the Port for the 12 month period preceding a leave-qualifying event, but who have not worked at least 1,250 hours in said period shall be eligible for FMLA leave; provided, however, that for purposes of determining the employee's maximum hours of eligibility, the Port shall determine the average hours worked over the course of the past 12 months prior to the family medical leave period and shall utilize this number as the basis for calculation of the employee's normal work week.

The following events qualify for FMLA leave:

1. the birth and care of a newborn child of the employee;
2. placement with the employee a son or daughter for adoption or foster care;
3. providing care for an immediate family member (spouse, child or parent) with a serious health condition;
4. taking medical leave when the employee is unable to work because of a serious health condition;
5. for a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active-duty status as a member of the National Guard or Reserves in support of a contingency operation.

If the employee and the spouse are both employed by the Port of Olympia, FMLA leave is limited to 12 weeks between both employees when used for the purpose of providing newborn, adoptive, or foster childcare. The employees may not take twelve weeks each in these situations.

NOTE: Entitlement to FMLA leave for the care of a newborn child or of a newly adopted or foster child expires 12 months from the date of birth or adoption. (Policy 306)

25. Industrial Insurance

If a Port of Olympia employee suffers an on-the-job injury or job-related illness, he/she will receive benefits under the Washington State Workers' Compensation Act. All injuries are to be reported immediately to the supervisor so that proper treatment may be provided and your benefits under the Act secured.

When an employee receives an on-the-job injury, and no time is lost, an incident report shall be completed by the employee and submitted to the employee's supervisor, the Port's L & I Coordinator, and the Administrative Services Director. In the case of an on-the-job injury or illness, the employee will seek medical attention, if needed. The medical provider will initiate the Worker's Compensation claim. Once a claim is filed, the Port will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Worker's Compensation benefits.

When the employee receives Worker's Compensation benefits, the employee is required to repay the Port the amount covered by Worker's Compensation and previously advanced by the Port. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave is available, while ensuring that no employee receives more than the employee would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave shall be restored to the employee's account. This policy applies only to time lost as a result of those injuries that occur in the course of employment by the Port of Olympia and are covered by the Washington State Department of Labor and Industries.

Once the employee begins receiving time-loss payments from L&I and have repaid the Port for the previously advanced salary he/she may supplement the time-loss benefits with accrued sick leave in the amount of the difference between the employee's regular pay and the amount paid in time-loss benefits.

The Port may require an examination, at the Port's expense, performed by a physician of the Port's choice, to determine when the employee can return to work and if the employee will be capable of performing duties and responsibilities of the position.

Light Duty / Early Return to Work Program

- (a) If work is available and a full-time employee is injured, the Port will make a reasonable effort to return the employee to work within his/her Department, with the approval of his/her medical provider, at the earliest possible time.
- (b) Employees with on-the-job injuries or job-related illnesses will have priority over off-the-job injuries and non-job-related injuries for the available work.
- (c) An offer made by the Port of light work that is within the capability of the employee in accordance with their medical provider's determination, which is refused, by the employee, shall result in a loss of the employee's Worker's Compensation benefits.
- (d) This program is designed to:
 - (1) Assist the recovery process by providing a focus and a goal for return of the injured worker;
 - (2) Benefit employees by allowing resumption of full wages as soon as possible; and
 - (3) Benefit the Port by reducing workers' compensation and possible retraining costs.
- (e) The Light Duty/Early Return to Work Program is temporary for up to a maximum six (6) month period, unless otherwise extended by the Port or required by law. It is not intended to be a guarantee of permanent or continued employment. If at any time during the period it is determined that the employee will be unable to perform the essential job functions of his or her job at the conclusion of the period, the Port will evaluate the employee's situation. Depending upon the outcome of the evaluation, it is possible that the Port may terminate the person's employment. Termination of employment does not preclude provision of worker's compensation benefits as provided by Washington State statutes. (Policy 307)

26. Leave of Absence without Pay

It is the policy of the Port of Olympia to allow for Leave of Absence Without Pay (LWOP) as follows: 1) The department director or Executive Director determines if leave without pay will be authorized. Leave without pay may be authorized when such leave will not operate to the detriment of the agency. 2) Special authorization is required for leave without pay. Leave without pay may be authorized for any reason applicable to leave with pay, education leave, newborn, foster child, or adoptive childcare leave as provided in WAC 356-18-140 (LWOP) and WAC 356-18-150 (FMLA). Leave without pay is limited to 12 months in any consecutive 5-year period for a total absence of 6 consecutive months per use. 3) Leave without pay of more than 15 consecutive days will affect the anniversary date, leave accruals, and the earning of retirement service credit. 4) When an employee is on LWOP status, they will need to maintain at least one day per month (8 hours) by using other leave sources in the following order: (1) comp time earned; (2) accrued vacation leave; or (3) accrued sick leave. If on FMLA leave the order in which leave is taken does not apply. If all leave options have been exhausted the requirement to submit leave for FMLA is waived. The Port will maintain all benefits due to the employee during the approved LWOP for a period not to exceed 6 consecutive

months. However, if the employee has any other premiums due to Health Care for additional life insurance, or a shorter waiting period for LTD, then they would still be responsible for that portion of the monthly premium. Nothing in this policy shall be applied or construed to supersede or detract from any provision of any state or federal law that provides greater family or medical leave right than the rights described under this policy. (Policy 308)

27. Bereavement Leave

In the event of a death in the employee's immediate family, as defined by Policy 202, regular full-time employees will be allowed up to forty (40) hours of bereavement leave with pay. Reduced-hour employees will be allowed an equivalent amount of prorated time off. In extraordinary circumstances, additional time off may be approved by the supervisor or his/her designee and charged to sick leave, vacation, or compensatory time earned.

In the event of the death of a member of the employee's family other than defined under "immediate family", leave may be granted, and charged to the employee's sick leave accrual. If there is no sick leave available, the employee may use vacation leave or accrued compensatory time or leave without pay.

An employee attending a funeral or memorial service of a close friend may use sick leave. (Policy 309)

28. Jury Duty Leave

Employees who are absent from work to serve on jury duty will receive their regular Port of Olympia compensation. In addition, employees may keep all jury duty pay and expense money received for jury service. Time spent away from work for jury duty will not be deducted from vacation or sick leave accruals. (Policy 310)

29. Military Leave

The Port will comply with the requirements of RCW 73.16 and the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as amended, with respect to unpaid leave of absence and return rights for employees who leave Port service to serve in the Armed Forces of the United States. The Port will also comply with RCW 38.40.060 and provide Port employees with up to twenty-one (21) days of paid military leave per year for required military duty, training, or drills.

MILITARY LEAVE OF ABSENCE – RETURN TO DUTY:

An employee who leaves a job, voluntarily or involuntarily, to enter active duty in the United States armed forces, shall be granted a military leave of absence with guaranteed restoration to his or her position upon release from active duty as long as:

- (1) The position is a regularly budgeted, non-temporary position;
- (2) The reason the employee leaves the position is to report for active duty;

- (3) The length of the employee's military leave of absence does not exceed five (5) years except at the request of the federal government;
- (4) The employee is honorably discharged from the military; and
- (5) The employee applies for reemployment within a reasonable period of time following separation from active duty. The USERRA defines a reasonable period of time as:
 - (A) (For service less than 31 days, the beginning of the first regularly scheduled workday after release from active duty, allowing time to travel from the duty arena to the employee's residence, to rest, and to travel to the place of employment;
 - (B) For service between 31 and 180 days, no more than 14 days following release from active duty; and
 - (C) For service longer than 180 days, no more than 90 days following release from active duty.

An employee who takes a military leave of absence from Port employment may choose to run out his or her unused vacation balance, compensatory time off, and personal holidays, as applicable, prior to going on unpaid status.

An employee on military leave of absence shall continue to accrue service credit for purposes of salary step increments and seniority, but will not accrue sick leave, vacation leave, or other types of leave while on military leave of absence.

An employee's vacation accrual rate and unused vacation and sick leave balances accrued prior to taking military leave shall be restored upon return from military leave of absence.

An employee who interrupts his or her probation or trial service with a military leave of absence shall complete the remainder of the probationary or trial service period upon return. However, an employee returning from military leave of absence cannot be discharged except for cause for 1 year following his or her return, if the military leave of absence was for 181 days or longer, or for 6 months following his or her return if the military leave of absence was at least 30 days but less than 181 days.

An employee on unpaid military leave of absence may continue to make his or her normal contributions to their retirement system (as allowed by that system), or may, upon return from such leave, make full or monthly payments equal to the amount of contributions missed while on leave, in order that the leave shall count as creditable service (as allowed by that system). (Policy 311)

30. Holidays

Legal Holidays are observed by the Port of Olympia. Paid legal holidays observed by the Port of Olympia are:

January 1, New Year's Day
Third Monday of January, Reverend Dr. Martin Luther King, Jr.'s Birthday
Third Monday of February, President's Day
Last Monday of May, Memorial Day
June 19, Juneteenth
July 4, Independence Day
July 5, PMA Holiday – ILWU Members only
First Monday of September, Labor Day
November 11, Veteran's Day
Thanksgiving Day, Fourth Thursday of November
Friday following Thanksgiving Day
December 25, Christmas Day

When a holiday falls on a Sunday, the Monday following will substitute for the holiday.
When a holiday falls on Saturday, the preceding Friday will substitute for the holiday.

31. Holiday Pay Premiums

Any non-exempt employee qualifies for holiday premium pay on Port of Olympia holidays worked. Holiday premium pay will be at the 1½ rate. (Policy 313)

32. Standby/Callback Pay

Standby time is time outside the employee's normal work schedule where the employee is "engaged to be waiting." The Executive Director shall develop administrative procedures that comply with Washington Administrative Code (WAC) 357-28-185 regarding the Standby/Call back of employees. These procedures shall be briefed to all employees upon hiring and periodically thereafter. Non-exempt employees on standby are reimbursed at a rate of pay consistent with the WAC. These hours are not hours worked for overtime purposes. (Policy 314)

33. Medical Savings Account/ VEBA (Voluntary Employees Beneficiary Association) Plan

The Port has established a medical expense reimbursement plan, which provides a tax-free account for an employee leaving service from the Port of Olympia to pay for medical, dental, vision, and tax qualified healthcare expenses that are not paid by any other insurance plan.

Except as provided herein; the Port will make a \$15,000 contribution to an HRA/VEBA Plan for the benefit of an employee, or Commissioner who leaves employment with a minimum of 15 continuous years of employment service with the Port, or \$20,000 for employees or Commissioners who have achieved 30 years of continuous Port service. An employee who is terminated for cause, resigns in lieu of termination, and/or who enters into a Severance and Separation Agreement that does not expressly provide for this benefit is not eligible for this contribution. Employees who are subject to permanent

layoff or a reduction in force will be eligible for this contribution provided they otherwise qualify.

This policy does not apply to the death of an employee. (Policy 315-A)

The Port of Olympia provides those employees leaving employment, under any circumstances, the opportunity to fund an HRA/VEBA Account with the proceeds of their sick and vacation cash-out. Since the law governing the tax-exemption of HRA/VEBA plans does not permit individual choice with regard to participation, or contribution amounts, contributions on behalf of each eligible employee shall be subject to an employee vote.

VEBA contributions will only be funded when an employee has accumulated a minimum of 450 hours of any combination of leave available to include all available vacation leave and 25%/30% of their total sick leave dependent on years of service. Any employee that leaves service with less than the minimum 450 hours of leave will be cashed out as defined in policy 215.

An annual vote per IRS guidelines will determine the cash out procedures. This policy does not apply to the death of an employee. (Policy 315-B)

34. Membership

While municipal corporations are not obligated to pay for employee and officer memberships, the Port recognizes that there are mutual benefits derived from membership in a local civic or service organization where the organization is consistent with the Port's mission to support trade, tourism and economic development. The Executive Director or his/her designee shall adopt procedures governing paid memberships consistent with this Policy. (Policy 501)

35. Community Advertising and Promotion

The Port of Olympia may provide community advertising and promotion support to qualifying non-profit and civic organizations to be used for events and other activities that will positively market the Port and Port businesses, and the Port's mission to support trade, tourism and economic development. Requests will be made in writing consistent with written procedures developed in accordance with this policy. Funds for community advertising and promotion are included in the annual budget, which is adopted in November. The level of Port participation will be tailored to match the anticipated benefit to the Port.

BACKGROUND: The Port of Olympia has historically partnered with organizations in activities that both assist the organization and provide marketing benefits for the Port and Port businesses. Such activities have included monetary and in-kind support of community events; advertising in publications, such as directories and event programs; and exhibiting at events, public workshops and forums. For purposes of this policy, community advertising and promotion is defined as a monetary or non-monetary endorsement of organizations' events and activities that promote Port goals and

objectives. Community advertising and promotion funds may not be expended unless there is a public benefit.

CRITERIA: to be eligible for Port of Olympia community advertising and promotion support, community events and activities must:

1. Provide prominent advertising or promotion opportunities for the Port; and
2. Positively market the Port and Port businesses; and
3. Align with the Port's mission and promote maritime, shipping, aviation, commercial, industrial, or other business of the Port.

ANNUAL PROCESS: Requests for community advertising and promotion support will be considered using the following process:

1. Requests, made using the application form, must be received by August 15.
2. Marketing & Outreach representative reviews applications to assure all criteria is met.
3. If criteria are met, A Marketing and Outreach Representative makes a recommendation to the Commission.
4. Commission approves recommendations in November during budget adoption.

REQUESTS RECEIVED OUTSIDE OF ANNUAL PROCESS: Requests made after the August 15 deadline may be considered using the following process:

1. Requests must be made using the application form.
2. A Marketing and Outreach Representative reviews applications to assure all criteria is met.
3. If the criteria are met, the Marketing and Outreach Representative takes a recommendation to the Executive Director for a final decision. (Policy 502)

36. Expense Reimbursement and Travel

Pursuant to RCW 53.08.176, the Executive Director or designee is authorized to establish procedures to regulate and audit travel expense reimbursement of employees, Port Commissioners and representatives of the Port. The Executive Director or designee is further authorized to approve travel and other reimbursable expenses, excluding Commissioners, incurred on behalf of the Port, provided that reimbursable travel expenses per employee or representative shall not exceed Fifteen Thousand Dollars (\$15,000.00) per trip. In accordance with RCW 53.08.176, the Executive Director or designee will approve the following:

- (a) The specific credit cards issued in the name of the Port and the employee, or representative, of the Port to which such credit cards are assigned for use.
- (b) All purchases of direct transportation.
- (c) An established Travel Advance Fund and process for requests.

Employees are encouraged to minimize travel costs to the Port of Olympia to the extent possible.

Commissioners requesting travel will submit their request for specific travel expenses each year during the budget process to provide for available funding upon approval. Any requests for travel not specified in the budget will require approval from the Commission at a public meeting.

1. Out of State Travel Authorization: The Executive Director will approve out-of-state travel, with the exception of Oregon and Vancouver, B.C. Prior written approval is required for all out of state travel lasting more than one night from both the department director and Executive Director. Approval for a Commissioner will require approval by the Commission in advance at a public meeting.
2. Travel Advances: An employee who requires a travel advance must obtain written approval from the Executive Director. An approved travel advance form must be submitted to the finance department at least three (3) business days before travel begins. Approval for a Commissioner will require approval by the Commission.
3. Travel Arrangements: Travel should be made to minimize costs to the Port of Olympia. Government discounts, economy vehicles, moderate accommodations and meals, and discounted airfares must be used unless there is a bona fide reason for doing otherwise. The difference can be paid by the employee/Commissioner if travel is modified for personal reasons. (i.e., upgrade to first class, stop over at an additional location, etc.)
4. Transportation: Private Vehicles: Port of Olympia vehicles are to be used whenever possible for official Port business travel. Use of private vehicles will be reimbursed at the current Internal Revenue Service authorized mileage rate.

Employees may request reimbursement for mileage incurred in conducting port business which is in excess of the normal commute distance from their residence to their normal work location. Mileage will be reimbursed only if the mileage being requested exceeds 2 miles and utilizes the most direct route possible. No mileage will be allowed for travel between an employee's home and their official work location. When an employee travels for any reason to a location outside of their designated workstation, reimbursement for mileage in excess of the regular commuting distance will be paid. If a trip for official business begins and ends at the employee's home, mileage will be paid based on if the employee had left their official work site unless the total mileage from their home is less.

Request for reimbursement must be for the furtherance of legitimate Port business. Meetings and events that are not directly connected to Port activities will not be reimbursed.

Air Fare: Air travel will not be reimbursed unless authorized. Maximum payment for air travel is "coach" or "Y" class fare. The Executive Director may authorize "business" class air fare for round trips over 5,000 miles on a case-by-case basis.

Employees are encouraged to minimize travel costs to the Port of Olympia. This includes non-refundable discount fares, and travel over Saturday nights. Where

travel time is extended to use discount fares, the Port of Olympia will reimburse the additional meals and lodging if the total travel expense is less than had travel time not been extended.

Commissioners may not receive mileage reimbursement to attend a meeting for which they have submitted a meeting per diem compensation request – except when the meeting is outside of Thurston County.

5. Lodging: Lodging will be reimbursed by the Port of Olympia for the employee/Commissioner only. Any additional expenses incurred by an accompanied guest will be at the expense of the employee/Commissioner. The use of moderately priced lodging is required. Employees attending a seminar or conference may use the host facility. Employees are not required to share lodging.

Lodging that is located less than 50 miles from the employee's residence will not be reimbursed. The Executive Director has the discretion to make exceptions to accommodate early flight arrangements or attendance at a conference or seminar.

6. Subsistence/Meals: Meal expenses, including tips, for business purposes, which include employees and/or official representatives of other entities, shall not be extravagant in nature and be solely dedicated to the conduct of Port business.

Supervisors may authorize de-minimus business related food and beverage expenses for large and or long business meetings and receive reimbursement for the expenses.

The Port of Olympia will not reimburse discretionary expenditures such as video rentals or hospitality bar charges. Alcoholic beverages will not be reimbursed as an employee expense. Alcohol may only be purchased when the circumstances are considered promotional hosting see Policy #604.

When meals are provided in conjunction with a meeting, conference or seminar, reimbursement will not be made for substitute meals unless unusual circumstances are explained to and approved by the employee's supervisor in advance.

7. Miscellaneous Expenses: Costs associated with vehicles, such as parking fees and tolls, will be reimbursed if reasonable, necessary, and related to Port of Olympia business. Receipts must be attached to the expense reimbursement form for all parking expense claims with the exception of metered parking charges provided the dates and purpose for metered parking are noted on the expense reimbursement form.

- When parking at the Port of Olympia's Percival Plaza Building the parking meters are monitored Monday – Friday from 8:00 am – 5:00 pm. The first 15 minutes are free provided the meter is at zero. Change for the meters will be available on the 3rd floor at the reception desk. In addition, Smart Cards, prefunded parking meter cards issued by the City of Olympia, will be available to Commissioners and employees who make regular trips to the Administration office.

- Under no circumstances will parking citations or traffic infractions be reimbursed by the Port of Olympia.

Expenses for telephone, facsimile services, baggage handling, rental cars, and airport limousine services are reimbursable, if necessary, reasonable, and related to Port of Olympia business.

Laundry and dry-cleaning charges on trips of more than five (5) days are reimbursable. Cleaning charges for accidental clothing damage that occurs while traveling on Port of Olympia business is reimbursable.

Expenses related to international travel requirements, such as visas and inoculations, are reimbursable.

8. Meetings: Expenses incurred in conducting business meetings are reimbursable if properly documented. These include facility charges and meals. Documentation must include the date, business purpose, location of meeting, and names and business affiliations of those attending.

(Policy 601)

37. Employee Meeting Expense Reimbursement

Expenses incurred while attending business meetings on behalf of the Port of Olympia are reimbursable if properly documented. These expenses may include facility charges, meals, and beverage service. Documentation must include the date, business purpose, location of meeting, and names and business affiliations of those attending. This policy includes expenses for events including Port Commission meetings, Commissioner Retreat as authorized by the Commission President, Port staff meetings or retreats authorized by the Executive Director, Department meetings or retreats authorized by a Director, and periodic meetings between Executive Director and departments or business units. (Policy 602)

38. Employee Recognition Events

Port of Olympia Commissioners, or the Executive Director, may provide employees or commissioners with awards of recognition or service in compliance with applicable state and federal regulations. Such awards may include, but not be limited to items such as pen and desk sets, plaques, pins, framed certificates, clocks, and calculators. The Port may provide conference or meeting room facilities and related food and beverage service to hold appropriate recognition or award activities. The value of such awards shall not be deemed to be taxable compensation in accordance with directives of the state Office of Financial Management (Policy 603).

39. Promotional Hosting

The Executive Director will annually submit, as a part of the Port's budget, appropriate categories of proposed expenditures covering industrial development, trade promotion,

and promotional hosting as provided in RCW 53.36.120. Expenditures proposed for promotional hosting shall be limited in amount as provided in RCW 53.36.130.

Promotion hosting means furnishing customary meals, refreshments, lodging, transportation or any combination of those items in connection with business meetings, social gatherings, and ceremonies honoring persons or events, relating to authorized business promotional activities of a port. Hosting may also include reasonable and customary entertainment, souvenirs, and all incidentals, to such events. Promotional Hosting must be related to promoting trade and industrial development.

Port commissioners shall not personally make such expenditures, or seek reimbursement therefore, except where specific authorization of such expenditures has been approved by the Port commission. All payments and reimbursements shall be identified and supported by invoices approved by one other Port Commissioner and the Port's Finance Manager. (Policy 604)

40. Expenditure System of Internal Controls

Purchasing decisions should be made by appropriate personnel, acting within the scope of their assigned duties, using the most efficient and effective manner consistent with good internal controls. The Executive Director, or designee shall maintain a system of signature authority. This system shall list each employee and the maximum dollar amount of an authorized purchase using a purchase card, contract, purchase order, fuel card or the ability to approve an invoice. The signature authority shall also include which employees can sign, or apply a signature stamp to Port warrants, operate a cash drawer or a petty cash fund. Regardless of an employee's signature authority, no employee shall make any size purchase such that the associated business unit or specified project exceeds the budgetary authority as shown in the Annual Operating Budget and Capital Investment Plan adopted by the Commission. The system of signature authority shall be one of the pieces inside a broader system of finance and accounting internal controls. (Policy 801)

41. Public Records Policy

Pursuant to the Washington State Public Records Act (PRA), Chapter RCW 42.56, the Port of Olympia is required to make available for inspection and copying, public documents as defined by the PRA. This policy will govern the compliance of the Port with respect to the provisions of the PRA. To the extent that this policy is in any way inconsistent with the referenced RCW, the RCW will be deemed to prevail.

All public records of the Port are deemed to be available for public inspection and copying pursuant to this policy except as otherwise provided by the PRA, or any other statute, which exempts or prohibits disclosure of specific information or records.

A "public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

"Writing" means handwriting, typewriting, printing, Photostatting, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated. The Commission has determined that it would be unduly burdensome to maintain an itemized index of all Port records, except as set forth herein, due to fiscal and personnel limitations.

Under no circumstances will employees of the Port work simultaneously on more than one request per requestor at a time. When the same requestor simultaneously submits multiple, separate requests or makes one or more additional requests when previous requests are open, staff will queue the request in the order in which they were received. Staff is not required to work on an additional request until the initial requests are completed and closed. (Policy 903)

PORT OF OLYMPIA COMMISSION
Resolution 2024-03

Exhibit B – Index of Contracts and Acquisitions Policy

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PORT OF OLYMPIA COMMISSION

Resolution 2024-03

Exhibit B

Contracts and Acquisitions Policy

1. Professional Services (Policy 1001)

POLICY: The purpose of this policy is to provide guidance to Port staff and the consulting community regarding the Port's use and selection of Consultants, and the execution of Professional and Personal Services Agreements (PSA). This policy applies to the selection and engagement of all professional and personal services including architectural or engineering (A&E) services.

DEFINITIONS:

- A. **Consultants** are individuals or firms who perform a service or render an opinion or recommendation according to the consultant's methods and without being subject to the control of the agency except as to the result of the work. Consultants are independent contractors who do not have the authority to decide or control the Port's affairs and may not supervise or manage Port employees.
- B. **Architectural/Engineering (A/E) Services (Professional Services)** associated with licensed architects or engineers, including surveyors and landscape architects, as defined by R.C.W. 18.08 and 18.43. A/E services agreements may not request or factor in price as criteria in the initial selection of the most qualified consultant.
- C. **Formal Competition** means procurement of services via a more rigorous or time-intensive process, and applies to larger and more complex contracts, as determined by established spending thresholds. Specific procurement and selection criteria are publicly advertised and followed to ensure transparency and equity. The documentation is filed with the Senior Contract Administrator.
- D. **Informal Competition** means soliciting for qualifications or proposals via a less stringent, but still competitive, process using a "professional services roster." This type of procurement is limited to spending thresholds and may only solicit and contract with consultants who are deemed eligible and have pre-registered with MRSCRosters.org, the Port's publicly advertised, alternative procurement resource. The documentation is filed with the Senior Contract Administrator.
- E. **Minimal Competition** means collecting two or more written or documented oral quotes from eligible consultants for the procurement of low cost, non-project related services or goods. The list of eligible consultants may be obtained through MRSCRoster.org or by any other means deemed appropriate by the buyer. Spending limit authorizations apply. The documentation is filed with the Senior Contract Administrator.
- F. **Non-Operational Account or Project** – defined for the purposes of procurement and contracting as expenses, services or goods that are specifically associated with a Commission approved project and tracked as a stand-alone line item in the project budget. These are not items procured or utilized on a day to day basis and are only intended for a specific use or asset.
- G. **Operational Account or Project** – defined for the purposes of procurement and contracting only as expenses, services, or goods related to day-to-day operations or

regularly scheduled activities that are usually factored into a department's budget under a larger line item (e.g. office equipment or janitorial services). Specific services or items are generally tracked at the manager level. Solicitation law signing thresholds (such as small works, personal services, and/or professional services) must be considered and take precedence when a conflict of process exists. (Example: A \$50,000 + contract is needed for personal services. Despite the fact that the contracted services fall within the day-to-day category - State law requires a competitive solicitation process and commission approval to award.)

- H. **Personal Services** means using professional or technical expertise provided by a consultant to accomplish a specific study, project, task, or other work statement which may not reasonably be required in connection with a public works project. Personal Service does not include purchased services, or A/E professional services produced using the competitive selection requirements. Examples: staff augmentation; grant writing; graphic design services; lobbying services; training; aerial photographers; executive recruitment; certification services. Unlike A/E professional services solicitations, the price of service may be included in the initial selection of the most qualified consultant.
- I. **Professional Services Roster** - The Professional Services Roster (also known as the Consultant Roster) includes businesses who provide architecture, engineering, and surveying services as referenced by Ch. 39.80 RCW, as well as some other professional services such as management, financial, legal, communications, and environmental consulting. The Roster is used to identify eligible consultants contacted to participate in informally competed contracts or purchases.
- J. **Project/Contract Manager (PM/CM)** means the Port representative responsible for overseeing the administration and management of Port projects and/or contract terms.
- K. **Senior Contract Administrator (SCA)** means the Port representative responsible for providing expert contracting guidance. The SCA oversees the development, solicitation, and execution of construction contracts, service agreements, and the procurement of goods for the Port's benefit and use.
- L. **Sole Source** RCW 39.04.280(1)(a) allows agencies to waive competitive bidding if a purchase is clearly and legitimately limited to a single supplier. These situations often arise when an agency has specific technological requirements. Examples include licensed, copyrighted, or patented products or services that only one vendor provides; new equipment or products that must be compatible with existing equipment or products; proprietary or custom-built software or information systems that only one vendor provides; or, products or services where only one vendor meets the required certifications or statutory requirements. The Port must conduct an objective review of the required product or service, making sure to document why that particular product or service is mandatory and whether efforts were made to find other vendors, before proceeding with the purchase or contract.
- G. **Evidence of Competition** means documentation demonstrating responses were solicited from multiple firms in selecting a consultant.

Competitive Selection:

The Port shall observe a competitive solicitation process for the purposes of contracting services or obtaining services and goods, as determined by the approved Port Signing

Authority and Spending Thresholds, in compliance with contracting law, and as is governed by RCW.

EXEMPTIONS UNDER R.C.W. Title 53 FROM AND CONTRACTS NOT SUBJECT TO COMPETITIVE SOLICITATION

Exemptions:

- (1) Emergency contracts;
- (2) Sole source contracts;
- (3) Contract amendments;
- (4) Other specific contracts are exempted from the competitive solicitation process by the Executive Director when it has been determined that a competitive solicitation process is not appropriate or cost-effective.

Signing Authority and Spending Thresholds for Consultant Service Agreements: Professional (A/E) Services:

- \$0 to \$10,000 – No solicitation requirements apply; the Executive Director executes this agreement.
- \$0 to \$25,000 – No solicitation requirements apply, although it is best practice to use at least a roster procurement process (i.e. “rosters”). The Executive Director is authorized to execute all Professional Services Agreements.
- \$25,001 to \$99,999 – The Executive Director is authorized to execute only Consultant Services Agreements that have been competitively bid (including solicitation by roster). The Commission shall authorize the Executive Director, in advance, to execute these contracts if a competitive process was not utilized.
- \$100,000 or more - No solicitation requirements apply, although it is best practice to use at least a roster procurement process (i.e. “rosters”). The Commission shall authorize all contracts prior to execution by the Executive Director.

Personal Services:

Specific to Non-Operational or Project Contracts Only –

- \$0 to \$10,000 – No solicitation requirements apply; the Executive Director executes this agreement.
- \$0 to \$25,000 – No solicitation requirements apply, although it is best practice to use at least a roster procurement process (i.e. “rosters”). The Executive Director is authorized to execute all Personal Services Agreements defined as Non-Operational or Project.
- \$25,001 to \$49,999 – The Commission shall authorize all Personal Services Agreements, defined as Non-Operational or Project, prior to execution by the Executive Director.

Specific to Operational Contracts Only –

- \$0 to \$10,000 – No solicitation requirements apply; the Executive Director executes this agreement.
- \$0 to \$49,999 – No solicitation requirements apply, although it is best practice to use at least a roster procurement process (i.e. “rosters”). The Executive Director is authorized to execute all Personal Services Agreements defined by Policy 1001 as Operational.

Applies to all Consultant Services Agreements –

- \$50,000-\$199,000 – No solicitation requirements apply, although it is best practice to use at least a roster procurement process (i.e. “rosters”). The Commission shall authorize all contracts prior to execution by the Executive Director.
- \$200,000 or more – Formal, competitive solicitation process required by statute. The Commission shall authorize all contracts prior to execution by the Executive Director.

Contract Amendments (applies to all Consultant Services Agreements):

The Commission must authorize any amendment or change order if the new contract aggregate, or not to exceed, amount exceeds 10% of the Commission last approved amount. The Executive Director is authorized to execute amendments and change orders up to an aggregate total not to exceed 10% of the Commission’s last approved contract total.

2. Small Works Roster (Policy 1002)

The Port shall ensure that its contracts for construction of “Small Works,” as defined by Washington State law, will comply with applicable laws and regulations. All Small Works Roster contracts for public works shall be executed by the Executive Director and administered by the Port’s Environmental, Public Works and Planning Director or designee.

The Small Works Roster process may be used by the Port to expedite the bidding process for public works estimated to cost less than \$300,000. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process or limited public works process.

Policy Definitions:

- **Public Works** is defined by Washington State law to include “all work, construction, alteration, repair or improvement, other than ordinary maintenance, performed at public cost on any property”.
- **Small Public Works** is the procedure created by Washington State statute authorizing the solicitation of public works bids from a limited number of contractors in lieu of formal advertisement to bid.

Competitive Selection:

The Port of Olympia shall utilize the Municipal Research and Services Center of Washington (MRSC) Shared Small Works and Consultant Rosters, for the purposes of soliciting Small Works. Solicitation requirements are determined by the approved Port Signing Authority and Spending Thresholds, are in compliance with contracting law, and as is governed by RCW.

Signing Authority and Spending Thresholds for Public Work Contracts:

- \$0 to \$40,000 – Port staff may perform Public Work projects with in-house resources.
- \$0 to \$10,000 – No solicitation requirements apply; the Executive Director executes this agreement.
- \$10,000 to \$300,000 – Small Works Roster contracts shall be authorized and executed by the Executive Director (see Policy #1002, “*Small Works Roster Procedures*”). This class of contract cannot exceed \$300,000.
- The Commission shall authorize any change order if the revised contract total exceeds \$300,000.

3. Public Works Contracting (Policy 1004)

The Port shall ensure that its contracts for construction of public works comply with applicable laws and regulations. All public works contracts shall be executed by the Executive Director and administered by the Port’s Environmental, Public Works and Planning Director or designee.

Policy Definitions:

- Public Works is defined by Washington State law to include “all work, construction, alteration, repair or improvement, other than ordinary maintenance, performed at public cost on any property”.
- Ordinary Maintenance means work not performed by contract and that is performed by the employees of the Port on a regularly scheduled basis (e.g. daily, weekly, monthly, seasonally, semiannually, annually) to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to keep existing infrastructure in good usable, operational condition. Maintenance work by contractors is not Ordinary Maintenance.
- Small Public Works is the procedure created by Washington State statute authorizing the solicitation of public works bids from a limited number of contractors in lieu of formal advertisement to bid.

Competitive Selection:

- The Port shall observe a competitive solicitation process for the purposes of contracting Public Works, as determined by the approved Port Signing Authority and Spending Thresholds, in compliance with contracting law, and as is governed by RCW.

Signing Authority and Spending Thresholds for Public Work Contracts:

- \$0 to \$40,000 – No solicitation requirements apply, although it is best practice to use at least a roster procurement process (i.e. “rosters”). Port staff may perform Public Work projects with in-house resources.
- \$0 to \$300,000 – Both formal, competitively bid or Small Works Roster contracts shall be authorized and executed by the Executive Director (see Policy #1002, “Small Works Roster Procedures”).
- \$300,000 or more - The Commission shall authorize all contracts prior to execution by the Executive Director.

The Commission shall authorize any change order if the new contract not to exceed amount exceeds \$300,000 or 10% of the Commission last approved amount. The Executive Director is authorized to execute change orders up to this threshold.

4. Purchased Services Agreements (Policy 1005)

The Port shall ensure that its agreements for purchased services comply with applicable laws and regulations. All purchased services agreements shall be executed by the Executive Director and administered by the appropriate operating department Director.

Policy Definitions:

- **Purchased Services** is defined by Washington State law to include “services provided by a vendor to accomplish routine, continuing and necessary functions. This would include, but not be limited to, services for equipment maintenance and repair; operation of a physical plant; security; computer hardware and software maintenance, data entry, computer time-sharing, contract programming, and analysis.

Competitive Selection:

The Port shall observe a competitive solicitation process for the purposes of contracting services or obtaining purchased services, as determined by the approved Port Signing Authority and Spending Thresholds, in compliance with contracting law, and as is governed by RCW.

Signing Authority and Spending Thresholds for Purchased Service Agreements:

The Executive Director is authorized to issue the contract, or purchase order price for one year that may not exceed Three Hundred Thousand (\$300,000), or if specifically identified in the annual budget, the amount shown in such budget, and the contract or purchase order may provide for no more than two (2) options to extend the contract for one year periods, provided that the basic contract or purchase order price and any contract extensions must be within appropriate annual budget limits. Operating leases for equipment which include purchase terms or options are expressly subject to this limitation on the Executive Director’s delegated authority.

- \$0 to \$300,000 – Either informal (roster) or formal procurement (sealed bid) procurement methods shall be used to determine the low bidder. Purchased Services included in the current, approved budget are authorized and executed by the Executive Director.

- \$300,000 or more – Formal procurement methods shall be used to determine the lowest bidder. Purchased Services totaling \$300,000 or more, or not included in the current, approved budget shall be authorized by the Commission prior to execution by the Executive Director.
- The Commission shall authorize any change order if the new contract not to exceed amount exceeds \$300,000 or 10% of the Commission last approved amount. The Executive Director is authorized to execute change orders up to this threshold.

5. Emergency Public Works Contracting (Policy 1006)

When any emergency shall require the immediate execution of a contract for public work, the Executive Director, pursuant to RCW is authorized to waive competitive bidding requirements, and execute all contracts necessary to address the emergency situation.

The Port shall ensure that its contracts for emergency public works comply with applicable laws and regulations. All emergency public works contracts shall be administered by the Port's Senior Contract Administrator.

The Executive Director shall notify the Commission within 48 hours of the finding of emergency. The Port Commission shall be presented the proposed ratification of the finding of emergency and any contracts awarded and/or executed pursuant to that finding at the next regularly scheduled Commission meeting.

Policy Definitions:

- **Emergency:** means unforeseen circumstances beyond the control of the Port that either: (a) Present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.
- **Public Works** is defined by Washington State law to include “all work, construction, alteration, repair or improvement, other than ordinary maintenance, performed at public cost on any property”.

6. Open Order Contracts (Policy 1007)

The Port shall ensure that its open order contracts comply with applicable laws and regulations. All open order contracts shall be administered by the Port's Senior Contract Administrator, in concurrence with the Finance Manager.

Competitive Selection:

- The competitive selection process is established by the type of contract being executed (see Policy 1002 – “*Small Works Roster Procedures*”, Policy 1004 –

“Public Works Contracting Procedures,” and Policy 1001 – “Consultant Services Agreements.”

Signing Authority and Spending Thresholds for Open Order Contracts:

- The Signing Authority and Spending Thresholds are established by the type of contract being executed (see Policy 1002 – *“Small Works Roster Procedures”*, Policy 1004 – *“Public Works Contracting Procedures,”* and Policy 1001 – *“Consultant Services Agreements.”*)

Agreement Durations for Open Order Contracts:

- Consultant and Purchased Services: Initial contract term shall not exceed 24 months, with the option to renew no more than 2 additional, 12-month periods.
- Small Works: Initial contract term shall not exceed 24 months, with the option to renew no more than one additional 12-month period.

Policy Definitions:

- **Open Order Contract** is defined as a contract for alteration, repair, renovation, and maintenance of public infrastructure, or consultant services, which is bid and awarded without a specific scope of work, but is categorized around specific types of work or trades. Open Order contracts involve multiple work orders on properties owned by the Port of Olympia including, but not limited to, the Olympia Airport, the marine terminal and streets within the industrial properties in Tumwater or on the Port peninsula. The contract has a pre-defined expiration date, and a set “not to exceed” amount.

All contract extending beyond the initial 12 months shall include language allowing unit price/cost adjustments to compensate for increased wages, equipment costs, bonds, insurance, and filing of new Intent to Pay Prevailing Wages and Affidavit of Wages Paid, as applicable. The Contractor’s request for adjustment must include a detailed breakdown of the request, and justification for each item.

7. Grant Application & Acceptance (Policy 1008)

The Executive Director or designee is authorized to pursue and accept, without prior approval to the Commission, all grant opportunities, when the Grantor does not require official Commission action, under the following condition:

1. The program(s) or project(s) are listed in the Port Commission Adopted Annual Operating Budget or Capital Investment Plan.
2. The program(s) or project(s) are not listed in the documents noted in (1) above, *and* the grant requires a Port contribution of new capital funds or annual operating expenses estimated not to exceed \$300,000.

8. Legal Services and Other Representation (Policy 1009)

The Executive Director and Commission, shall be responsible for management and supervision of all legal services required by the Port and for legal services associated with litigation in which the Port has an interest, direct or indirect. For purposes of this policy,

“litigation” shall mean the assertion of any position, right or responsibility by or against the Port (or in which the Port may have an interest) which has been filed in any court of general jurisdiction, be it state or federal, or any quasi-judicial or administrative forum. The Executive Director and Port Legal Counsel shall confer with the Commission on legal issues for guidance and policy direction.

A. Legal Services

The Executive Director, in consultation with the Port Commission, is authorized to retain Port Legal Counsel, to provide legal services that arise in the conduct of Port business as general counsel to the Port. Such engagement shall be upon authorization given by the Executive Director, when satisfied that such representation is necessary to the adequate protection of the Port’s legal rights and interests. When Port Legal Counsel represents the Port in litigation, the Executive Director should also be satisfied that such representation is necessary to the adequate preparation and representation of the Port’s position in such litigation and shall, whenever practicable, include consideration of an evaluation prepared by Port Legal Counsel of the litigation and an estimate of the probable cost of legal fees, expert fees and other litigation costs.

B. Engagement of Other Legal Counsel Representatives

In connection with litigation or other legal matters in which the Port has a direct or indirect interest, the Executive Director may engage, or cause to be engaged, other attorneys or firms to represent the Port in specific areas or on specific matters. Such engagement shall be upon authorization given by the Executive Director, when satisfied that such representation is necessary to the adequate protection of the Port’s legal rights and interests. When engaged to represent the Port in litigation, the Executive Director shall also be satisfied that the engagement is necessary for the adequate preparation and representation of the Port’s position in such litigation and shall, whenever practicable, include consideration of an evaluation prepared by the Port’s General Counsel of the litigation and an estimate of the probable cost of legal fees, expert fees and other litigation costs.

C. Engagement of Experts

The Executive Director may engage or cause to be engaged through Port Legal Counsel or other attorneys or firms retained pursuant to Paragraph B above, such experts as may be necessary to the orderly preparation of litigation in which the Port has a direct or indirect interest. Such engagement shall be upon authorization given by the Executive Director after having been satisfied that such expenditure is necessary to the adequate preparation and representation of the Port’s position in such litigation and shall wherever practicable include evaluation of the litigation and an estimate of the probable cost of such experts.

D. Settlement of Claims Subject of Litigation

Any matter which is the subject of litigation may be compromised and settled by the Executive Director or designee without prior reference to the Commission provided that all of the following conditions are met:

(1) The amount in controversy as stated in the pleadings does not exceed One Hundred Thousand (\$100,000.00); and

(2) The Port's Legal Counsel or other retained attorneys or firms shall certify to the Executive Director that such compromise and settlement is justified on the basis of the following:

1. Claims filed against the Port
 - a. The likelihood that a judgment rendered in the case would be in the amount claimed, or higher than the amount claimed, or that there is reasonable cause to believe that there is considerable exposure of the liability for the Port; or
 - b. The likelihood that the expenses involved in litigation would be unnecessarily high in relation to the amount claimed, or the likely result.
2. Claims filed on behalf of the Port
 - a. That the determination to settle the claim outweighs the risk of continuing the litigation; or
 - b. That the settlement of the claim would provide prompt payment to the Port and eliminate extensive delays; or
 - c. The proposed offer of settlement is reasonable in light of the claim asserted.

Adjustment and Settlement of Claims Other Than Claims Subject to Litigation:
(except those as referenced above)

The Executive Director shall be responsible for the observance of necessary procedures whereby the adjustment and final settlement of all claims, either against or on behalf of the Port, shall be carried out. Necessary procedures in the handling of such claims shall include the following:

- A. For purposes of this section, "Claim" shall mean the assertion of any position, right or responsibility by or against the Port, but not including (1) accounts receivable or (2) claims asserted by or against the Port which have become the subject of litigation as defined in Section 9 above.
- B. No claims against the Port shall be considered unless and until proper notice has been serviced by the claimant upon the Port.
- C. Any individual claim which exceeds Twenty-Five Thousand Dollars (\$25,000) may be processed in all respects (except for final approval and payment) by the Executive Director and Port Counsel. Claims which in the opinion of the Executive Director may exceed Twenty-five Thousand Dollars (\$25,000) shall be reported to the Port Commission promptly.
- D. Any single claim not exceeding Twenty-five Thousand Dollars (\$25,000), and which will be paid from the Port's current year operating revenues, may be adjusted and settled and paid by the Executive Director provided that all of the following conditions are met:

1. Port Legal Counsel or other retained attorneys or firms shall certify to the Executive Director that payment of the claim is justified on the basis of the following:
 - a. Claims filed against the Port:
 - 1) A substantial likelihood that the Port is or could be found liable; or
 - 2) The likelihood that a judgment rendered in the case would be in the amount claimed, or higher than the amount claimed or that there is reasonable cause to believe that there is considerable exposure of liability for the Port; or
 - 3) The likelihood that the expenses involved in litigation would be unnecessarily high in relation to the amount claimed, or the likely result.
 - b. Claims filed on behalf of the Port:
 - 1) That the determination to settle the claim outweighs the risk of resorting to litigation;
 - 2) That the settlement of the claim would provide prompt payment of the Port and eliminate extensive delays; and
 - 3) The proposed offer of settlement is reasonable in light of the claim asserted.
2. All such claims, when paid, shall be reported to the Port Commission monthly.

Authority to Waive Attorney-Client Privilege:

The Executive Director has authority to waive the Port's attorney-client privilege when, after consultation with the Commission, and upon recommendation of Port Legal Counsel, it is in the best interest of the Port to do so. This authority to waive attorney-client privilege cannot be delegated, and no other member of Port staff nor any individual Commissioner has authority to waive the attorney-client privilege on behalf of the Port.

7. Disadvantaged Business Enterprise Program for Federal Aviation Administration Funded Projects at the Olympia Regional Airport (Policy 1010)

The Olympia Regional Airport has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U. S. Department of Transportation (DOT), 49 CFR Part 26. The Olympia Regional Airport has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Olympia Regional Airport has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Olympia Regional Airport to ensure that DBEs as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

- a. To ensure nondiscrimination in the award and administration of DOT – assisted contracts;
- b. To create a level playing field on which DBEs can compete fairly for DOT – assisted contracts;
- c. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- d. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- e. To help remove barriers to the participation of DBEs in DOT assisted contracts;
- f. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program.

PORT OF OLYMPIA COMMISSION
Resolution 2024-03

Exhibit C – Index of Real Property Policy

1. Real Property Agreements (Policy 1101)
2. Real Property Acquisitions (Policy 1102)
3. Real Property Disposition (Policy 1103)
4. Commission on Real Estate Transactions (Policy 1104)
5. Real Estate Investment (Policy 1105)
6. Naming Conventions and Protocols (Policy 1107)
7. Real Estate Investment & Development (Policy 1108)

PORT OF OLYMPIA COMMISSION

Resolution 2024-03

Exhibit B

Real Property Policy

The Port Commission will approve and adopt the Port's Comprehensive Scheme of Harbor Improvements or any other such plans that may impact all Port properties available for leasing or rental following appropriate public outreach efforts.

1. REAL PROPERTY AGREEMENTS: (Policy 1101)

The following directives apply to all agreements for use of Port real property including but not limited to leases, license agreements, rental agreements, operating agreements, memorandums of understanding, and use agreements (all hereinafter referred to as "Real Property Agreements" or "Agreements").

All of the proposed final terms of an Agreement and security will conform to Port Real Property Policy as described herein and be approved as to form by Port General Counsel and conform to Port Real Estate practices and guidelines set forth in this policy.

Signature Authorization

The Executive Director is authorized to approve and sign Real Property Agreements provided the Port's standard Agreement form is used (except for provisions inapplicable), the Agreement terms conform to Port real estate practices and guidelines set forth in the Real Property Policy.

Negotiation

The Executive Director or his or her designee may enter into preliminary discussions and negotiations with all parties involved prior to the execution of any Real Property Agreement. The Executive Director will apprise the Commission of the status of negotiations, as needed.

Compliance

The Executive Director is responsible for compliance with all Agreement terms and is authorized to take necessary measures to cause compliance and to protect the Port's legal position, including but not limited to the giving of all notices provided for in the Agreement.

Form

All real property belonging to the Port when available for lease shall, except as otherwise provided herein below, be leased only under an appropriate written lease instrument/template approved as to form by Port General Counsel and

executed by the Executive Director and authorized by the Port Commission, accompanied by a lease bond or other form of security in accordance with law and Port policy.

Use

The use for which the property may be under contract with a user shall be expressly stated and in accordance with the Port's Comprehensive Scheme of Harbor Improvements adopted by the Port Commission.

Rent/Lease Rates

The amount of rent shall be based on a financial analysis providing revenue to the Port that is consistent with the financial goals of the Port or as otherwise may be established by appraisal or Commission action.

The Executive Director may present recommendations related to rents and/or methodologies for calculating rents for real estate leasing and rentals, provided such recommendations are based on financial analysis and fair market practices which may include appraisal or other comparable methodology.

Securities and Insurance

All rental/leasing agreements shall be accompanied by a bond or other security in compliance with RCW 53.08.085. Security may be cash, assignment of CD or savings account, or a Letter of Credit from a financial institution acceptable to the Port.

Land and space lease agreements with terms greater than one (1) year shall have a security of one (1) year's worth of rent plus Washington State leasehold excise tax.

Land and space lease agreements with terms of one (1) year or less shall have a security of three (3) month's worth of rent plus Washington State leasehold excise tax.

Retail and/or Flex Space lease agreements shall have a security of two (2) month's worth of rent plus Washington State leasehold excise tax and all other costs associated with triple nets.

In addition, all agreements will be accompanied by evidence of insurance in fulfillment of the requirements of the agreement, but in no event shall it be less than \$1,000,000 Bodily Injury/Death and \$500,000 Property Damage, per occurrence.

Ratification Required

Long Term Leases: The Port Commission, in public session, will ratify Port long term leases defined under this policy as leases of greater than one (1) year for land and space leases and greater than three (3) years for Retail and Flex Space leases, or the assignment of any such long-term leases. Long term leases and assignments will not become final until ratified by the Port Commission.

Other: Any and all long-term agreements that impose any financial obligation on the Port for improvements will be ratified by the Port Commission in public session.

Ratification Not Required

The Executive Director or his or her designee is authorized to approve and execute the following agreements without ratification by Port Commission:

- **Short Term Land and Space Lease Agreements - Terms of one (1) year or less**
- **Short Term Retail and/or Flex Space Lease Agreements - Terms of three (3) years or less**
- **Airport Hangar/Marina Tenant Agreements** – Short-term leases for airport hangars, marina slips, storage, special events.
- **Technical Amendments** – amendments that do not cause a change in use, premises or term, or decrease in financial return to the Port, or scheduled rate increases, subleases or exercise of options included in the lease terms and conditions, and amendments that implement the provisions in the lease.
- **Other Agreements** – including but not limited to License Agreements, Operating Agreements, Memorandum of Understanding, Letters of Intent, Easements, and Use Agreements; Easements, Licenses and Permits ancillary to the normal operations of the Port.

Release of Securities and Insurance

The Executive Director is authorized to take all necessary actions on behalf of the Port Commission in connection with Agreement surety bonds, Agreement surety, rental insurance, or other security (hereinafter referred to as “Agreement Security”) and insurance coverage required pursuant to any Agreements of the Port, including the following actions:

- a. Where the Agreement is not in default, to release any Agreement Security where an adequate substitute security has been provided.
- b. To approve any Agreement Security or insurance submitted in fulfillment of the requirements of any Agreement, including substitute or replacement coverage for any terminated bond or other Agreement Security.

- c. To approve any substitute or modification of insurance, and to release any insurance company when substitute or replacement insurance coverage has been provided.

2. REAL PROPERTY ACQUISITIONS (Policy 1102)

The Port Commission will authorize all acquisition of real property. The Port may acquire revenue producing Real Properties as opportunities arise. The Port seeks to acquire real property that generates revenue so that the Port relies less on its tax levy to grow business in Thurston County. Properties may qualify where their revenue compared to acquisition cost is estimated to yield an acceptable Internal Rate of Return.

In accordance with Washington State law, the acquisition price of individual properties (or ownerships) shall in no case exceed the Port's appraisal by 10%, nor shall the total price paid for such properties exceed the Port's budget, without specific Commission approval.

Prior to any Real (Estate) Property Acquisition, the Executive Director shall ensure that a thorough Real Estate and Financial analysis is completed and shared with the Commission. The Real Estate analysis shall include a property condition assessment, including the securing of appraisals when appropriate and necessary to establish value, known or anticipated capital and maintenance requirements, current and projected rent roll, known or anticipated vacancies, and with the assistance a qualified consultant, a general understanding of current and projected market conditions.

The overall Financial Analysis shall include the source(s) of funding, loan/financing assumptions, amortization schedule and the acquisition Cap Rate.

At a minimum, the Financial Pro-forma shall include Internal Rate of Return (IRR), Net Present Value (NPV), Return on Assets (ROA) for the individual property(s) under consideration, Payback Period, Debt Service Coverage and General and Administrative Overhead assigned to the acquisition.

3. REAL PROPERTY -- DISPOSITION (Policy 1103)

The Executive Director or designee is authorized, pursuant to the Revised Code of Washington 53.08.090, to sell and convey surplus Port property consistent with the Port's annual resolution for the disposition of Port property.

4. COMMISSION ON REAL ESTATE TRANSACTIONS (Policy 1104)

The Port may pay a real estate commission ("commission") to a real estate broker, agent, professional, or firm licensed to conduct real estate transactions in the State of

Washington (“Broker”) that is the procuring cause of a lease or sale of Port-owned land, buildings, or improvements.

Not Payable Commissions:

- a. The Port shall not be bound to pay any Real Estate Commission, Finder’s Fee, or other compensation in the absence of a written agreement signed by the Port.
- b. No real estate commission will be payable if the Client, or any individual, entity, association, or other person that has any interest in the Client or is otherwise directly or indirectly related to or affiliated with the Client, is a present or prior tenant of the Port, or a buyer or seller in any present or prior transaction regarding any Port-owned land, buildings, or improvements.
- c. No real estate commission will be payable if the Procuring Broker or any individual, entity, association, or other person in which the Procuring Broker has any interest or that is otherwise directly or indirectly related to or affiliated with the Procuring Broker, each of the foregoing being hereinafter referred to as a “Broker Related Person”, has any direct or indirect interest in or relationship with any entity, association, individual, or other person involved in the transaction with the Port, or any project related to such transaction.
- d. No real estate commission will be payable if the Procuring Broker or any Broker Related Person will receive a commission or other compensation from any individual, entity, association, or person other than the Port that is in any way related to the transaction with the Port, or any project related to such transaction.

Finder’s Fee

Notwithstanding anything to the contrary, in any lease or sale of real property where no real estate commission is payable, the Port may pay a “Finder’s Fee” to any individual or firm other than a Broker that introduces a prospective Client to the Port if such Client thereafter enters into a lease or other agreement with the Port.

Rates and Payments of Real Estate Commissions and Finder’s Fee

The Executive Director may present recommendations related to commission and finder’s fee rates, methodologies for calculating such rates, and the conditions and schedule for payment provided such recommendations ensure that real property commission and finder’s fee rates are not more generous to Brokers and Finders than fair market rates and practices.

Port and Broker Agreement

The Executive Director is authorized to negotiate, approve, and execute agreements related to the payment of a commission or finder's fee, and payment of a commission or finder's fee, without approval or ratification by the Port Commission, provided that such agreements are approved as to form by Port General Counsel, and provided that such agreements and payments are in accordance with the standards stated herein and in Section 1100 (Real Property) of the Port's Policies and Procedures.

This Resolution shall not affect the obligations of the Port under any listing agreement that is fully signed and effective prior to the effective date of this Resolution.

5. REAL ESTATE REINVESTMENT (Policy 1105)

The Port will reinvest the proceeds from real property sales in new real property assets that will derive economic benefit to the community; management of real estate resources in a manner that is estimated to create sustainable economic growth in Thurston County.

The purpose of the Property Reinvestment fund is to:

- Reserve financial proceeds that the Port receives from the sale of its real estate assets for the purchase of other real estate and investment in infrastructure that may be deemed necessary to make such purchased real estate development ready.
- Diversify the Port real property landholdings and to reinvest in real property that is estimated to contribute to the economic wellbeing of the Port District.
- Create financial reserves as a contingency for environmental clean-ups when the actual cost of such clean-ups may exceed the estimated cost.
- Reinvest in property that can be developed or redeveloped and either leased or resold.

Reinvestment may include, but is not limited to:

- Brown fields for clean-up and redevelopment.
- Consolidation of industrial or commercial parcels into marketable blocks.
- Industrial or commercial tracts.
- Marine-related properties
- Airport-related properties.

- Infrastructure and/or amenities which are deemed necessary to render the property competitive and marketable.

Executive Director Authorization

The Executive Director is authorized to take the following action:

- a. Create and maintain adequate records to account for funds generated from the sale of real property.
- b. Commingle the Property Reinvestment funds with other Port invested funds as long as they are accounted for separately and a proportionate distribution of investment earnings are allocated to and added to such Property Reinvestment funds.

6. NAMING CONVENTIONS AND PROTOCOLS (Policy 1107)

The Port of Olympia Commission may confer a specific commemorative name on a Port owned property, building, structure, right of way, street or micro project. The Executive Director will establish criteria and procedures for conferring a commemorative name. The established criteria should also be followed in reviewing or preparing the Port of Olympia's official comments or recommendations to state, federal, and/or intergovernmental boards taking actions regarding geographic names, naming or renaming.

Exclusions:

The following types of property are excluded from this policy:

- Historically registered properties listed or under consideration on any federal, state or local historical registry
- Public art installations that have been commissioned and/or accessioned with a title that serves as the name of the piece.
- Legacy branded properties and titles including The Port of Olympia, The Port of Olympia Marine Terminal, Swantown Marina and Boatworks, NorthPoint, East Bay, The Market District, The Olympia Regional Airport, and NewMarket Industrial Campus
- Any facility or structure regulated by an international, federal or state agency and identified in a national or international publication

Establishment of Naming Review Team

The Executive Director shall establish a Naming Review Team consisting of four standing members and one at large member from the business unit being considered for a commemorative name. Based on the Naming Review Team review, the Executive Director shall make a recommendation to the Port Commission.

Business Unit Marketing and Revenue Generation

Business unit advertising and public promotion programs are not subject to this policy and remain at the discretion of the business unit director and the Executive Director.

7. REAL ESTATE INVESTMENT & DEVELOPMENT (Policy 1108)

Consistent with Title 53 of the Revised Code of Washington (RCW), the Port of Olympia Comprehensive Scheme of Harbor Improvements (CSHI) and the Port of Olympia Strategic Plan, the Port will consider Real Estate Investment & Development projects and opportunities that support and create economic growth in Thurston County. It is not the intent of this policy to identify types of business investment or development (i.e. marine, airport, tourism, agriculture, etc.), rather to identify vehicles and instruments of investment and development.

Investment and Development projects considered by the Port may include, but are not limited to:

- Real property and building purchases, subject to the procedures established in Policy 1102
- Site and building development/re-development/re-furbish/re-model/construction /leasing/sale/leaseback/purchase option
- Design-build projects consistent with existing federal/state/local laws & regulations
- Public/private partnerships/Interagency or inter-governmental partnership
- Environmental remediation and redevelopment
- Property and boundary modifications such as consolidation of parcels, binding site plans, short plat developments or other projects consistent with local zoning codes
- Contributions to local communities, municipalities, government/inter-government and trade & resource agencies as allowed by law
- Other projects the Port Commission determines to be consistent with this policy

Funding sources and instruments that may be considered by the Port include:

- Port general funds
- Federal, state or local grant funds
- Federal & State governmental funding appropriations and pass through instruments
- Issuance of General Obligation or Revenue bonds
- Tax Levy Funds
- Local Improvement District (LID) Assessments or other similar local latecomer funding initiatives
- Other sources the Port Commission determines to be consistent with this policy

COVER MEMO

Briefing Date/Time: February 12, 2024

Staff Contact/Title: Clarita Mattox, Real Estate Senior Manager
360.528.8070, claritam@portolympia.com

Subject: M&D Food, LLC Lease Amendment #8

Purpose: ☐ Information Only ☒ Decision Needed

Overview:

This is a Consent agenda item before the Commission. Consent approval requested. Commission approval of this action via the Consent agenda is authorization for the Interim Executive Director to execute the subject lease amendment.

Background:

Port entered into a space lease agreement with Kyoung Jae Kim in 2015 for operation of the Red Wagon Burgers restaurant, in a Port building commonly known as the Airport Retail Building in Tumwater. K.J. Kim assigned the lease to ST&MS, approved by the Port Commission in 2016. ST&MS then assigned the lease to M&D Food, LLC (the current Tenant), approved by the Port Commission in 2017. The term of the lease expires December 31, 2029, and the Tenant requests an additional Option to Extend the lease for five (5) years from January 1, 2030, to December 31, 2034. The rent adjustment for that new extension of the term will be determined by the then Commission policy.

Documents Attached:

M&D Food, LLC Lease Amendment #8 and Exhibit A – Premises

Financial Impact:

None.

Affected Parties:

Port of Olympia and M&D Food, LLC

Environmental Considerations:

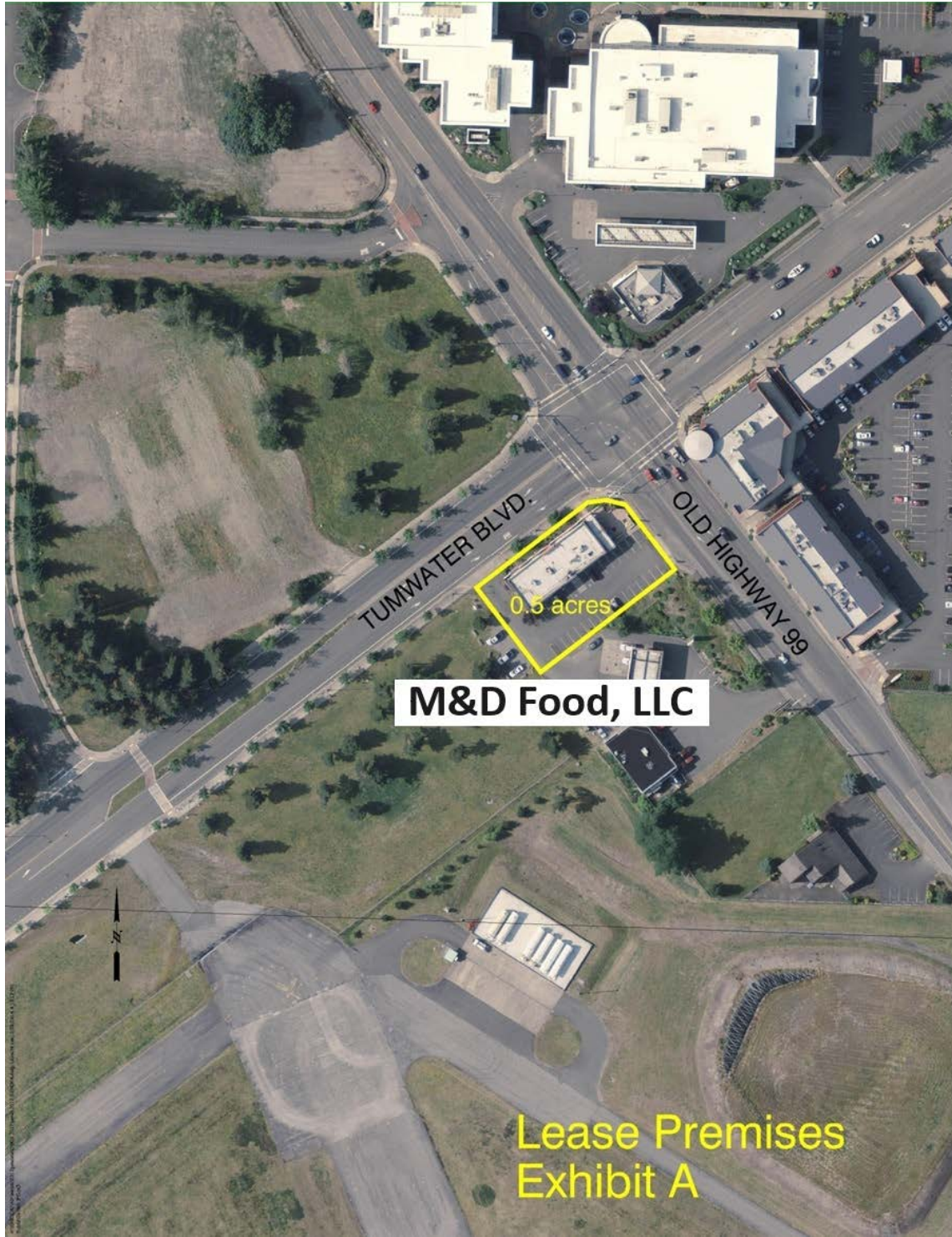
None

Staff Recommendation:

Port Commission approval to authorize the Interim Executive Director to execute Lease Amendment #8 with M&D Food, LLC.

Exhibit A – Premises

7205 Tumwater Boulevard SE, Suite 1, Tumwater



LEASE AMENDMENT NO. 8

PORT OF OLYMPIA SPACE LEASE AIRPORT COMMERCIAL DISTRICT

THIS LEASE AMENDMENT NO. 8 (this "Amendment") is made this 12th day of February, 2024, by and between the **PORT OF OLYMPIA**, a Washington municipal corporation (hereinafter referred to as the "Port"), as Lessor and **M&D FOOD, LLC**, a Washington limited liability company (hereinafter referred to as "Tenant"), as Lessee.

WITNESSETH:

WHEREAS, the Port and Tenant entered into a Restated and Amended Lease Agreement dated March 11, 2015, wherein the PORT OF OLYMPIA was Lessor and Kyoung Jae Kim dba Red Wagon Burgers (hereinafter referred to as "Kim"), as Lessee was Tenant, and covering specific premises owned by Port and leased to Kim; and

WHEREAS, the Lease was amended by Lease Amendment No. 1 dated December 31, 2015, for the purpose of adjusting the rent; and

WHEREAS, Kim assigned its right, title and interest in the Lease covering specific premises with Port by Assignment of Lease, Acceptance and Consent dated May 11, 2016, from Kyoung Jae Kim dba Red Wagon Burgers, as Assignor to ST & MS Enterprises, Inc., a Washington corporation (hereinafter referred to as "ST & MS"), as Assignee; and

WHEREAS, the Port and ST&MS amended the Lease by Amendment No. 2 dated December 28, 2016, for the purpose of memorializing the monthly rent adjustment; and

WHEREAS, ST & MS assigned its right, title and interest in the Lease covering specific premises with Port by Assignment of Lease, Acceptance and Consent dated January 3, 2017, from ST & MS Enterprises, Inc., as Assignor to M&D Foods, LLC, (M&D Foods) as Assignee; and

WHEREAS, the Port and M&D Foods amended the Lease by Amendment No. 3 dated December 14, 2017, for the purpose of adjusting memorializing the monthly rent adjustment; and

WHEREAS, the Port and Tenant amended the Lease by Amendment No. 4 dated November 21, 2018, for the purpose of memorializing the monthly rent adjustment; and

WHEREAS, the Port and Tenant amended the Lease by Amendment No. 5 dated June 26, 2019, for the purpose of memorializing receipt of Notice to Port dated May 31, 2019, exercising Option 1 to Extend Term through December 31, 2024, memorializing the monthly minimum rent adjustment for year 2020, and the method by which the monthly rent is to be adjusted during Option 1 period; and

WHEREAS, the Port and Tenant amended the Lease by Amendment No. 6 dated January 27, 2020, for the purpose of memorializing the rent increases through December 31, 2024; and

WHEREAS, the Port received appropriate written notice dated August 23, 2020, from Lessee exercising Option 2; and

WHEREAS, the Port and Tenant amendment the Lease by Amendment No. 7, dated September 25, 2020, for the purpose of memorializing Tenant's exercise of Option 2 and memorializing the annual rent adjustments through December 31, 2029.

WHEREAS, Tenant requested an additional Option to Extend the Term and Port agrees to granting such additional option, reference hereafter as Option 3. The Port and Tenant desire to memorialize granting of such Option 3, and memorializing the method by which the rent will be adjusted at the commencement date of Option 3.

NOW THEREFORE, IT IS HEREBY MUTUALLY AGREED that the Lease between the parties is hereby amended as follows:

1. **LEASE SUMMARY, OPTION TO EXTEND TERM**, shall be amended by adding the following:

Tenant shall have an additional five-year (5) Option, referenced hereafter as Option 3, and such Option 3, commencing January 1, 2030, and ending December 31, 2034.

LEASE SUMMARY – RENT OPTION 3 PERIOD: The rent adjustment during the Option 3 period shall be as follows:

Commencing January 1, 2030, the rent shall be adjusted in accordance with the then Port Commission policy.

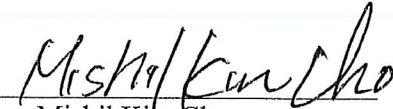
THE REST AND REMAINDER OF THE LEASE shall remain in full force and effect and is affirmed and ratified by the signatures of the parties.

SIGNATURES ON NEXT PAGE

LESSOR:
PORT OF OLYMPIA

TENANT/LESSEE:
M&D FOOD, LLC

By: 
Robert Rudolph, Jr.
Interim Executive Director

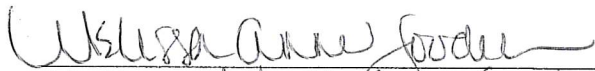
By: 
Mishil Kim Cho
Member

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

I certify that I know or have satisfactory evidence that **ROBER RUDOLPH, JR.**, is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the **Interim Executive Director**, a municipal corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED this 1st day of February, 2024.




Print Name: Melissa Anne Goodell
NOTARY PUBLIC in and for the State of
Washington, residing at Olympia
My appointment expires: 5/13/2026

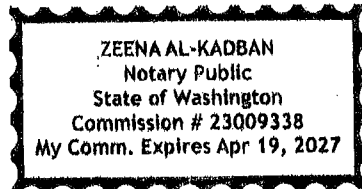
STATE OF WASHINGTON

COUNTY OF Pierce

)
) ss
)

I certify that I know or have satisfactory evidence that **MISHIL KIM CHO**, is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member of M&D Food, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED this 24th day of January, 2024.



Zeena Alkadban
Print Name: Zeena Alkadban
NOTARY PUBLIC in and for the State of
Washington, residing at Auburn
My appointment expires: 04-19-2027

RATIFICATION

This Lease Amendment No. 8 shall be subject, as a condition subsequent, to ratification by the Port of Olympia Commission within thirty (30) days after the date set forth on Page 1. This **Lease Amendment No. 8** shall be effective and binding on the parties until such time (and thereafter if ratified), the Interim Executive Director having the authority to sign this Lease and bind the Port to all of its material terms. If this Lease is not ratified, it shall terminate and be of no further force and effect.

The undersigned confirms that this Lease was ratified by the Port of Olympia Commission on _____, 2024.

Port of Olympia Commission

By: _____

Bob Iyall
President

Date: _____

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

On this _____ day of _____, 2024, personally appeared before me _____, to me known to be the **President of the Port of Olympia Commission**, the municipal corporation named in the within and foregoing **Lease Amendment No. 8**, and acknowledged to me that he signed the same on its behalf, as she is so authorized to do, as his free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Print Name: _____
NOTARY PUBLIC in and for the State of Washington,
residing at _____
My commission expires: _____

COVER MEMO

Briefing Date/Time: February 12, 2024

Staff Contact/Title: Shawn Gilbertson, Director of Environmental Planning and Programs
360.528.8061, shawng@portolympia.com

Subject: Chris Reive, Contract Amendment #2

Purpose: ☐ Information Only ☒ Decision Needed

Background/Overview:

This is a proposed amendment to Chris Reive's Personal Services Contract – No. 2023-1010 – Budd Inlet Insurance Recovery. This contract was originally approved April 2023 for a Not to Exceed amount of \$100,000. Amendment #1 was approved June 2023 with a revised Not to Exceed amount of \$175,000. This second amendment to the contract will increase the Not to Exceed amount to \$225,000, an increase of \$50,000.

This work was deemed critical for cost recovery on the Budd Inlet Remediation Project. The Port had several insurance carriers and policies throughout the 1990s and 2000s which may still have a duty to cover the Port of Olympia in its efforts to investigate the nature and extent of the contamination in Budd Inlet, work that is currently underway.

The work associated with this contract has proved tedious and detailed and has required more time and resources to complete. Deliverables thus far include a conceptual insurance coverage chart, interim report on status of policies and potential coverage, and lost policy notifications sent to 17 insurers.

The additional budget is to allow the completion of insurance policy gathering and review process to determine which policies may provide an opportunity for cost recovery. After this phase of the insurance recovery work, Port staff will work with Port general council to determine next steps.

Documents Attached:

Draft Amendment #2

Financial Impact:

Additional \$50,000 expended from Budd Inlet Remediation 2024 Budget

Staff Recommendation:

Port Commission approval to authorize the Interim Executive Director to execute amendment #2 for the Chris Reive – Budd Inlet Insurance Recovery contract.



PERSONAL SERVICES AGREEMENT NO. 2023-1010

AMENDMENT No. 2

BUDD INLET INSURANCE RECOVERY

Port Representative: Shawn Gilbertson

Consultant/Firm: Christopher L. Reive, Counselor at Law and Mediation Services

Consultant/Firm Representative: Christopher L. Reive

This **Amendment No. 2** is made by and between the Port of Olympia, a Washington municipal corporation (the "Port") and Christopher L. Reive, Counselor at Law and Mediation Services, (the "Consultant"), and collectively sometimes referred to as "Parties" or individually as "Party" to the above referenced Agreement, which was previously executed by an authorized representative of both Parties.

The Parties now desire to amend the Agreement as allowed through mutual written agreement. Specifically, the Parties hereby agree to the following changes:

1. *Section 4 – Compensation:* The not to exceed amount is changed to a **new not to exceed amount of \$225,000.00** for the entirety of the Agreement.

This Amendment constitutes the entire agreement and understanding of the amended Sections listed and supersedes all prior negotiations and representations. In the event any portion of the original Agreement conflicts with this, or any other amendment, the document most recently mutually executed shall take precedence.

The Parties have read the above referenced Agreement, previous amendments, and this Amendment in its entirety and assert they have full authority to bind their respective party to these changes.

Executed and Effective, as of the latter of dates of the mutual signatures below.

THE PORT OF OLYMPIA

CHRISTOPHER L. REIVE, COUNSELOR AT LAW

Rudy Rudolph Date
Interim Executive Director

Christopher L. Reive Date
Authorized Representative



**Commission Work Session Minutes
Monday, Dec. 11, 2023**

Commission President Amy Harding called the Commission meeting of Dec. 11, 2023, to order at 5:30 p.m. at the Percival Plaza at 626 Columbia Street NW, Suite 1B, Olympics Room, in Olympia, Washington.

Present

Commissioners: Amy Harding, President; Joe Downing, Vice President; Bob Iyall, Secretary; Maggie Sanders and Sarah Tonge.

Staff: Camille St. Onge, Director of Strategic Initiatives and Commission Affairs; Rick Hughes, General Counsel; Ben McDonald, Director of Human Resources and Administration; Warren Hendrickson, Director of Operations; Danny Kim, Senior Financial Analyst and Budget Officer; TJ Quandt, Harbor Senior Manager; Clarita Mattox, Real Estate Senior Manager; Taber Lee, Communications and Marketing Senior Manager; Conley Booth, Marine Terminal Operations Manager; Hannah Ellis, Contracts Coordinator; and Missy Goodell, Executive and Commission Coordinator.

Others: Jasmine Vasavada, Commissioner-Elect; and Cliff Moore, Prothman.

Approval of Agenda

Commissioner Downing moved to approve the agenda as presented; Commissioner Iyall seconded the motion.

Commissioner Harding moved to amend the agenda, adding Public Comment, after #4 on the Action Calendar. Commissioner Sanders seconded the motion; motion passed unanimously.

Commissioner Harding moved to amend the agenda this evening, allowing a member of the public to make comments on two different Action items if they wish, and that they be given two opportunities to do so, with each comment period lasting three minutes each. Commissioner Tonge seconded the motion. Motion passed unanimously.

Executive Director Report

Camille St. Onge, Director of Strategic Initiatives and Commission Affairs, reported on recent Port events and activities.

Public Comment

Five individuals provided public comment.

Consent Calendar

Commissioner Iyall moved to approve the Consent Agenda as presented; Commissioner Downing seconded the motion; motion passed unanimously.

Pending Issues or Business

None.

Action Calendar

1. PUBLIC HEARING: Resolution 2023-12 Surplus Property – 2641 Willamette Dr. NE, 2633 Willamette Dr. NE, and 2625 Willamette Dr. NE respectively, all in Lacey Washington, and all improvements located on the parcels, including three buildings. *Pursuant to RCWs 53.08.090, 53.20.010, and 53.02.020, the Port of Olympia Commission will hold a public hearing to consider a change to the Port Comprehensive Scheme of Harbor Improvements (CSHI) to declare the property at 2641 Willamette Dr. NE, 2633 Willamette Dr. NE, and 2625 Willamette Dr. NE respectively, all in Lacey Washington, and all improvements located on the parcels, including three buildings, (Tax Parcel numbers 4204-00-00100, 4204-00-00200, and 4204-00-00300), as no longer needed for district purposes and to be subsequently sold to 1892 Holdings, LLC.*
 - a. Open Public Hearing. Six individuals provided public comments.
 - b. Presentation regarding Resolution 2023-12 Surplus Property – Commerce Business Center (CBC). Clarita Mattox, Real Estate Senior Manager, presented information to surplus property in order to conduct a sales transaction.
 - c. Public Testimony. Six individuals provided comments.
 - d. The Public Hearing was closed.
2. Resolution 2023-12 Surplus Property - 2641 Willamette Dr. NE, 2633 Willamette Dr. NE, and 2625 Willamette Dr. NE. Clarita Mattox, Real Estate Senior Manager, presented background information to surplus property in order to conduct a sales transaction.

Motion: Commissioner Downing moved to adopt Resolution 2023-12 declaring Thurston County Tax Parcels #4204-00-00100, 4204-00-00200, and 4204-00-00300 – described as Commerce Business Center at 2641, 2633, and 2625 Willamette Drive NE, Lacey, WA – surplus to Port district needs, amending the Comprehensive Scheme of Harbor Improvements to delete the property, and allowing negotiated transfer. Commissioner Iyall seconded the motion. Motion passed unanimously.

3. Commerce Business Center (CBC) Purchase and Sale Agreement. Clarita Mattox, Real Estate Senior Manager, provided background information on the purchase and sale agreement of the Commerce Building Center.

Motion: Commissioner Iyall moved to authorize the Interim Executive Director to execute the Purchase and Sale Agreement of Thurston County Tax Parcels #4204-00-00100, 4204-00-00200, and 4204-00-00300 – described as Commerce Business Center at 2641, 2633, and 2625 Willamette Drive NE, Lacey, WA – to 1892 Holdings, LLC as presented. Commissioner Tonge seconded the motion. Motion passed unanimously.

4. Panattoni New Market Industrial Campus (NMIC) Standard Lease Form Revision.

Commissioner Harding read the following statement prior to the Panattoni NMIC presentation:

"Pursuant to RCW 42.23.040, I am disclosing on the record that I have a remote interest in the Panattoni agreement by virtue of owning less than a 1% share of the broker for Panattoni, Kidder Mathews. Therefore, I will not participate in the discussion of this agenda item or otherwise attempt to influence the Commission's decision, and I will not vote on this item."

Commissioner Harding then left the dias.

Clarita Mattox, Real Estate Senior Manager, presented information on a revision to the Standard Lease Form with Panattoni, specifically incorporating a cost-sharing agreement for the Port's reimbursement of Panattoni's Center Street Improvements. Approval was requested.

Motion: Commissioner Iyall moved to approve the revised Panattoni Standard Lease Form, as presented, for Lot 1. Commissioner Downing seconded the motion. Commissioner Harding recused herself; motion passed unanimously.

5. Public Comment. Six individuals provided public comment.

Action/Other Calendar

1. Janitorial Services Contract.

TJ Quandt, Harbor Senior Manager, brought forward this item to expedite janitorial services and to avoid a lapse in service.

Motion: Commissioner Tonge moved to award the Janitorial Purchased Services contract to the most qualified, responsive, responsible bidder, Apex Janitorial LLC, with a not to exceed amount of \$250,000 and authorize the Interim Executive Director to execute a two-year contract pursuant to the bid award. Commissioner Sanders seconded the motion. Motion passed unanimously.

2. Security Contract.

TJ Quandt, Harbor Senior Manager, brought forward this item to expedite security services and to avoid a lapse in service.

Motion: Commissioner Downing moved to award the Security Guard Purchased Services contract to the most qualified, responsive, responsible bidder, Parker Corporate Services Inc. dba Pacific Security, with the not to exceed amount of \$950,000 and authorize the Interim Executive Director to execute a two-year contract pursuant to the bid award. Commissioner Tonge seconded the motion. Motion passed unanimously.

Advisory Calendar

1. Executive Director Recruitment Update.

Cliff Moore with Prothman Recruiting, provided an update to the Port's Executive Director Recruitment process.

2. Q3 Financial Results.

Danny Kim, Senior Financial Analyst and Budget Officer, presented the detailed financial report for the third quarter of 2023.

Public Comment on Advisory Calendar

Five individuals provided public comment.

Commissioner Reports/Discussion

Each commissioner provided an update of their current activities in the community.

Other Business

Motion: Commissioner Downing moved that the Commission instruct the Interim Executive Director and Port of Olympia Commission President to schedule a special commission meeting the week of December 18 to add input to the current executive director recruitment and job description material sent to current applicants. Commissioner Tonge seconded the motion. Motion passed unanimously.

Public Comment

Four individuals provided comments.

Motion: Commissioner Harding moved to include/add the Olympia Downtown Alliance to the Commission's roster of sitting committees that the Port of Olympia Commissioners support and attend. Commissioner Downing seconded the motion. Motion passed unanimously.

Public Comment

None.

Special Presentation

Commissioner Downing was thanked for his years of service on the Port of Olympia Commission and presented a plaque in his honor.

Meeting Announcements

Camille St. Onge, Director of Strategic Initiatives and Commission Affairs, shared upcoming Commission meeting dates.

Adjourn

The meeting adjourned at 8:42 p.m.

PORT OF OLYMPIA COMMISSION

President, Amy Harding

Vice President, Joe Downing

Secretary, Charles "Bob" Iyall



Commission Special Meeting Minutes Monday, Dec. 18, 2023

Commission President Amy Harding called the Commission meeting of Dec. 18, 2023, to order at 4:03 p.m. at the Percival Plaza at 626 Columbia Street NW, Suite 1B, Olympics Room, in Olympia, Washington.

Present

Attended Virtually: Commissioner Amy Harding, President; Commissioner Joe Downing, Vice President; Commissioner Maggie Sanders and Commissioner Sarah Tonge.

Staff: Camille St. Onge, Director of Strategic Initiatives and Commission Affairs; Rick Hughes, General Counsel; Ben McDonald, Director of Human Resources and Administration; Warren Hendrickson, Director of Operations; Hannah Ellis, Contracts Coordinator; and Missy Goodell, Executive and Commission Coordinator.

Others: Jasmine Vasavada, Commissioner-Elect.

Guest: Cliff Moore, Prothman.

Excused: Commissioner Bob Iyall, Secretary.

Executive Director Recruitment

Cliff Moore with Prothman Recruiting, provided an update as to the status of the executive director recruitment process.

Adjourn

The meeting adjourned at 5:20 p.m.

PORT OF OLYMPIA COMMISSION

President, Amy Harding

Vice President, Joe Downing

Secretary, Charles "Bob" Iyall



Commission Meeting Minutes
Monday, Jan. 8, 2024

Executive Session

4:01 p.m. Executive Session called to order. Commissioner Vasavada moved to approve the agenda; Commissioner Tonge seconded the motion; motion passed unanimously.

Present

Commissioners: Amy Harding, President; Bob Iyall, Secretary; Sarah Tonge, Maggie Sanders and Jasmine Vasavada.

Staff: Rudy Rudolph, Interim Executive Director; Warren Hendrickson, Director of Operations; Shawn Gilbertson, Director of Environmental Planning and Programs; Clarita Mattox, Real Estate Senior Manager.

Executive Session concluded at 5:10 p.m.

Commission Meeting

Commission President Amy Harding called the Commission meeting of Jan. 8, 2024, to order at 5:30 p.m. at the Percival Plaza at 626 Columbia Street NW, Suite 1B, Olympics Room, in Olympia, Washington.

Present

Commissioners: Amy Harding, President; Bob Iyall, Secretary; Sarah Tonge, Maggie Sanders and Jasmine Vasavada.

Staff: Rudy Rudolph, Interim Executive Director; Rick Hughes, Port General Counsel; Camille St. Onge, Director of Strategic Initiatives and Commission Affairs; Ben McDonald, Director of Human Resources and Administration; Warren Hendrickson, Director of Operations; Shawn Gilbertson, Director of Environmental Planning and Programs; James Sommer, Capital Assets Program Manager; Hannah Ellis, Contracts Coordinator; and Missy Goodell, Executive and Commission Coordinator.

Guest: Bruce Beckett, The Beckett Group.

Public: Nine individuals attended virtually over Zoom; four individuals attended in person.

Approval of Agenda

Commissioner Sanders moved to approve the agenda as presented; Commissioner Tonge seconded the motion.

Commissioner Harding moved to remove Consent Agenda item #2, CBC #2 Roof Replacement Final Acceptance from the agenda. Commissioner Tonge seconded the motion; motion passed unanimously.

It was moved seconded to accept the agenda as amended; motion passed unanimously.

Executive Director Report

Interim Executive Director Rudy Rudolph reported on recent Port events and activities.

Public Comment

Three individuals provided public comment.

Consent Calendar

Commissioner Harding moved to approve the Consent Calendar. Commissioner Tonge seconded the motion. Motion passed unanimously.

Pending Issues

None.

Action Calendar

None.

Action/Other Calendar

Election of Officers. Camille St. Onge, Director of Strategic Initiatives and Commission Affairs presented options regarding the election of officers for the new Port of Olympia Commission.

Commissioner Sanders moved to extend the current Port of Olympia Commission officer positions until the next regular Commission meeting on Jan. 22, 2024. Commissioner Tonge seconded the motion. Motion passed unanimously.

Approval of Annual Calendar. Camille St. Onge, Director of Strategic Initiatives and Commission Affairs shared the 2024 Port of Olympia Commission Meeting Schedule.

After review, Commissioner Tonge moved to approve the 2024 Commission Meeting Schedule as presented. Commissioner Sanders seconded the motion. Motion passed unanimously.

Board of Commissioners 2024 Commission Meeting Schedule

Regular Meetings are scheduled on the second and fourth Monday at 5:30 PM except as specifically identified below.
Work Sessions are scheduled on the third Monday at 3:30 PM except as specifically identified below.

January

Monday, January 8, Commission Meeting
Tuesday, January 16, Work Session
Monday, January 22, Commission Meeting

February

Monday, February 12, Commission Meeting
Tuesday, February 20, Work Session
Monday, February 26, Commission Meeting

March

Monday, March 11, Commission Meeting
Monday, March 18, Work Session
Monday, March 25, Commission Meeting

April

Monday, April 8, Commission Meeting
Monday, April 15, Work Session
Monday, April 22, Commission Meeting

May

Monday, May 13, Commission Meeting
Monday, May 20, Work Session
Tuesday, May 28, Commission Meeting

June

Monday, June 10, Commission Meeting
Monday, June 17, Work Session
Monday, June 24, Commission Meeting

July

Monday, July 8, Commission Meeting

Monday, July 15, Work Session
Monday, July 22, Commission Meeting

August

Monday, August 12, Commission Meeting

September

Monday, September 9, Commission Meeting
Monday, September 16, Work Session
Monday, September 23, Commission Meeting

October

Monday, October 14, Commission Meeting
Monday, October 21, Work Session
Monday, October 28, Commission Meeting

November

Tuesday, November 12, Commission Meeting
Monday, November 18, Work Session
Monday, November 25, Commission Meeting

December

Monday, December 9, Commission Meeting

Surplus Property Resolution. Ben McDonald, Director of Human Resources and Administration provided background information on the process to surplus property at the Port of Olympia.

Commissioner Iyall moved to approve Resolution 2024-01, authorizing the Executive Director to dispose of surplus Port District personal property valued less than \$22,000 in individual value for calendar year 2024. Commissioner Tonge seconded the motion. Motion passed unanimously.

Public Comment on Action/Other Calendar

None.

Advisory Calendar

Habitat Conservation Plan. Shawn Gilbertson, Director of Environmental Planning and Programs provided background information on the Port of Olympia and City of Tumwater Interlocal Agreement to complete the Bush Prairie Habitat Conservation Plan. An amendment to change the duration of the Interlocal Agreement to terminate 90 days after issuance of the Incidental Take Permit or December 31, 2028, whichever is sooner. This amendment also described the HCP Phase 3 and 4 Grants' cost-sharing arrangement.

2024 Legislative Agenda. Camille St. Onge, Director of Strategic Initiatives and Commission Affairs introduced Bruce Beckett from The Beckett Group, who shared the 2024 legislative agenda and landscape.

Public Comment on Advisory Items

Two individuals provided comments.

Commissioner Reports/Discussion

Each commissioner provided an update of their current activities in the community.

Other Business

Commissioner Iyall directed staff to provide more clarity and a process for tracking motions and recording exactly who voted yay or nay. Casting votes for the record will be reviewed and discussed by staff and brought to the commission at a future meeting.

Meeting Announcements

Interim Executive Director Rudy Rudolph provided information on upcoming Commission meetings.

Adjournment

The meeting adjourned at 7:09 p.m.

PORT OF OLYMPIA COMMISSION

Amy Harding, President

Bob Iyall, Secretary

Maggie Smith

Sarah Tonge

Jasmine Vasavada



**Commission Work Session Minutes
Tuesday, Jan. 16, 2024**

Commission President Amy Harding called the Commission Work Session of Jan. 16, 2024, to order at 3:30 p.m. at the Percival Plaza at 626 Columbia Street NW, Suite 1B, Olympics Room, In Olympia, Washington.

Present

Commissioners: Amy Harding, President; Bob Iyall, Secretary; Maggie Sanders and Jasmine Vasavada.

Attended Virtually: Commissioner Sarah Tonge.

Staff: Rudy Rudolph, Interim Executive Director; Camille St. Onge, Director of Strategic Initiatives and Commission Affairs; Ben McDonald, Director of Human Resources and Administration; Rick Hughes, General Council; Warren Hendrickson, Director of Operations; Hannah Ellis, Contracts Coordinator; and Missy Goodell, Executive and Commission Coordinator.

Guest: Cliff Moore, Prothman Recruiting.

Approval of Agenda

Commissioner Iyall moved to approve the agenda. Seconded by Commissioner Tonge. Motion approved unanimously.

Executive Director Panel Selection and Interview Question Discussion

Cliff Moore with Prothman Recruiting provided an update on the executive director recruitment process. Discussion involved choosing interview questions and how many panels to enlist and the type of individuals serving on those panels.

Adjourn

The meeting adjourned at 4:47 p.m.

PORT OF OLYMPIA COMMISSION

Amy Harding, President

Bob Iyall, Secretary

Maggie Sanders

Sarah Tonge

Jasmine Vasavada


COVER MEMO

Briefing Date:	February 12, 2024
Staff Contact/Title:	Ben McDonald, Director of Human Resources & Admin., benm@portolympia.com ; 360-528-8003
Subject:	CSD Attorneys at Law Contract 2024-1004
Purpose:	<input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Decision Needed

Background/Overview:

The Port of Olympia has contracted with the law firm of CSD, Attorneys at Law, to provide miscellaneous legal services including labor relations and collective bargaining.

The previous contract has expired, and we have created a new contract to clarify scope of services, updated costs, and new term dates.




PORT of OLYMPIA
Serving All of Thurston County

CSD Attorneys at Law P.S. Contract

Ben McDonald
Director of Human Resources & Administration
Feb. 12, 2024


1



Today's Presentation

Advisory

- To review the CSD contract



2

Background

- Previously known as Chmelik Sitkin & Davis (CSD) Attorneys at Law, provides legal counsel to Ports and other jurisdictions. CSD specialize in public contracting, employment and labor law, open government issues, and local agreements.
- Provided counsel to the Port of Olympia during contract negotiations with ILWU Local 47B. Currently being used during Mediation sessions.
- Original contract was a "Letter of Engagement" from CSD and approved up to \$49,999 in 2022. Was amended in 2023 for a not to exceed amount of \$100,000 and expired on December 31, 2023.

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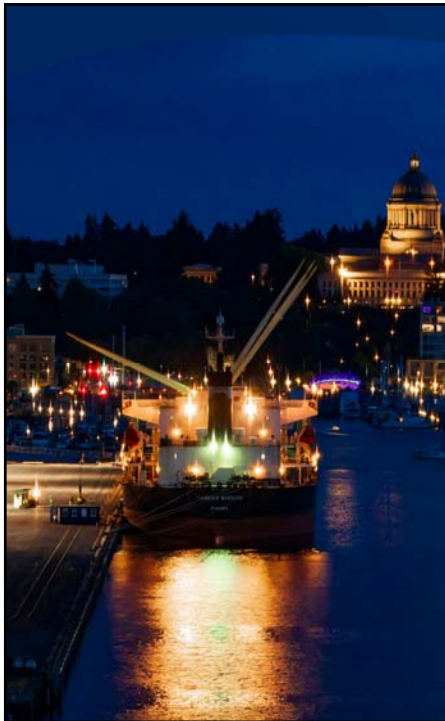


3

New Contract

Justification

- Previous agreement was via "Letter of Engagement" and signed by previous Executive Director.
- In 2023, Chmelik Sitkin & Davis Law, changed their firm's name to CSD Attorneys at Law P.S.
- The new contract will better clarify scope of services.



4

Contract No. 2024-1004

Advisory: New Contract No. 2024-1004

Term	
Term	Feb. 26, 2024 – Dec. 31, 2025
Costs	
Proposed	\$100,000

5



5

Questions and Comments

Next Steps

- To bring forward on February 26 Commission meeting as a Consent item

6



6

COVER MEMO

Briefing Date/Time: February 12, 2024

Staff Contact/Title: Warren Hendrickson, Director of Operations
360.528.8050, warrenh@portolympia.com

Subject: FAA Funding Process

Purpose: ☒ Information Only ☐ Decision Needed

Overview:

This is an Advisory presentation to the Commission. No action is required.

Background:

The Federal Aviation Administration (FAA) oversees and regulates the Port's Olympia Regional Airport. The FAA is also the primary source for grant funding of eligible airport projects.


This presentation will provide a primer on the unique aspects of the FAA funding process, to include:

- Terminology
- Sources/types of funding
- Eligibility/eligible projects
- Cost sharing
- Grant assurances
- Additional federal funding legislation
- Olympia Regional Airport five-year capital improvement plan

Given the volume of information available on the topic, nothing need be committed to memory nor digested for immediate recall. The presentation may be retained as a future reference source, as desired.

Documents Attached:

FAA Funding Process PowerPoint presentation



PORT of OLYMPIA
Serving All of Thurston County

FAA Funding Process

Warren Hendrickson
Director of Operations
Feb. 12, 2024

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Today's Presentation

Advisory Only – No Action Required

- Terminology
- Sources/types of funding
- Eligibility/eligible projects
- Cost sharing
- Grant assurances
- Additional federal funding legislation
- Olympia Regional Airport five-year plan

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FAA Funding Process

Terminology

- FAA = Federal Aviation Administration
- NPIAS = National Plan of Integrated Airport Systems
- AIP = Airport Improvement Program
 - Provides grants to public agencies
- ADO = Airport District Office
- Airport sponsor = Airport owner
- "Airside"
- "Landside"
- Washington State: 64 of 132 public use airports are in NPIAS

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FAA Funding Process

AIP Funding Sources

- Airport and Airway Trust Fund
- Trust fund sources:
 - User fees (e.g., passenger facility charges - PFCs)
 - Fuel taxes
 - 21.9 cents per gallon Jet A
 - 19.4 cents per gallon Avgas
- Miscellaneous other revenue sources
- 2023 grant awards: \$3.2 billion

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FAA Funding Process

AIP Funding Types

- Non-primary entitlement (NPE) funding
 - \$150,000 per year; 4-year rollover maximum
- State apportionment funding
 - 2022 Washington state: \$5,030,909
- Discretionary funding
 - All remaining funds
- 2023 Washington state AIP grants
 - 36 airports
 - \$94,632,995

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FAA Funding Process

Grant Eligibility

- NPIAS airport requirement
- Eligible projects:
 - Safety
 - Security
 - Reconstruction
 - Capacity
 - Design standards

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FAA Funding Process

Examples of Eligible Projects ("Airside")

- Runway/taxiway construction/rehabilitation
- Apron construction/rehabilitation
- Lighting, signage, navigational aids, weather station
- Planning/environmental studies
- Safety area improvements
- Land acquisition

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FAA Funding Process

Examples of Non-Eligible Projects ("Landside")

- Development for exclusive use
- Industrial park development
- Landscaping
- Maintenance equipment
- Operational expenses
- Airport vehicles (Exception: specialized grants for zero-emission vehicles)
- Artwork

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FAA & WA State Funding Process

FAA vs. Airport Sponsor Shares

- Federal share = 90% of AIP-eligible costs
 - Airport sponsor share = 10% remaining
- WSDOT Aviation grant program
 - Supplemental grant funding program for eligible projects
 - Maximum 5% contribution of AIP-eligible costs
 - Combined with FAA reduces sponsor share to just 5% of project costs
 - Subject to limited state funds availability

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FAA Funding Process

Grant Assurances

- 39 promises
 - Prohibition on exclusive rights
 - Utilization of airport revenue
 - Proper maintenance and operation of airport facilities
 - Protection of approaches
 - Maintaining good title of airport property
 - Compatible land use

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FAA Funding Process

Grant Assurances

- 39 promises (cont'd)
 - Availability of fair and reasonable terms without unjust discrimination
 - Adherence to the approved Airport Layout Plan
 - Sale or disposal of federally acquired property
 - Preserving rights and powers
 - Maintaining acceptable accounting and record-keeping systems
 - Compliance with civil rights and DBE requirements
 - DBE = Disadvantaged business enterprise

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FAA Funding Process

Grant Assurances Longevity

- Land acquisition: In perpetuity
- All others: 20 years

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FAA Funding Process

Additional Federal Funding Provided to Olympia Regional Airport

▪ CARES Act:	\$ 69,000
▪ CRRSA Act - Airport:	\$ 23,000
▪ CRRSA Act - Tower:	\$ 34,162
▪ ARPA:	\$ 59,000
▪ BIL/AIG:	\$ 881,000
▪ Total:	\$ 1,066,162

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FAA Funding Process

Additional Federal Funding Provided to Olympia Regional Airport

▪ CARES Act:	\$ 69,000 ✓
▪ CRRSA Act - Airport:	\$ 23,000 ✓
▪ CRRSA Act - Tower:	\$ 34,162 ✓ \$17,256 received
▪ ARPA:	\$ 59,000 ✓
▪ BIL/AIG:	\$ 881,000: Future airport infrastructure
▪ Total:	\$ 1,066,162

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FAA Funding Process

FAA Five-Year CIP Project Planning

- Rolling five-year plan
- Nearest two years frozen
- 2024-2028 submission window : July 1 – August 31, 2023
 - Note: Precedes Port budget approval process

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FAA & State Funding Process

Keys to Success

- Thorough understanding of FAA, state, and airport roles/relationships
- Effective planning
- Project execution
- Constant communication

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FAA Funding Process

Talking Points for Commissioners

- FAA projects are 90-95% funded by the users
- Zero use of Port tax revenues
- Superior leveraging of non-tax Port revenues
- Olympia Regional Airport is the "capital city" airport
 - Only public airport in Thurston County with paved runways
 - 1993-2023: \$28,158,052 cumulative FAA grants

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FAA Funding Process

Next Steps – For Future Discussion

- Impact of grant funding on 2024 capital budget
- 2025-2029 five-year FAA capital improvement plan
- WSDOT Aviation revenue funding challenges

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FAA Funding Process

Fun Fact

- FAA Solar Airfield Lighting Research Project 2024-2026



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Questions and Comments

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COVER MEMO

Briefing Date/Time: February 12, 2024

Staff Contact/Title: Shawn Gilbertson, Director of Environmental Planning and Programs, 360.528.8061, shawng@portolympia.com

Subject: Climate Resiliency Grant

Purpose: ☒ Information Only ☐ Decision Needed

Background/Overview:

The Port of Olympia is applying for a NOAA Climate Resiliency Grant. We are applying with our Sea Level Rise Collaborative partners, the City of Olympia and LOTT. Also applying with the Collaborative are the WA State Department of Enterprise Services and the Squaxin Island Tribe.

The Olympia Sea Level Rise Collaborative has been working under an Interlocal Agreement since 2017 (renewed in 2021) and has thus far produced the Olympia Sea Level Rise Response Plan. The Response Plan identifies the need for funding.

Documents Attached:

PowerPoint presentation

Summary and Financial Impact:

Staff time and funding from the Sea Level Rise 2024 budget are the expenses associated with applying for this grant opportunity. Budgeted contributions are expected to be approximately \$6000 for consultant preliminary design, schedule, and cost estimate. These funds will help produce a competitive grant application. The total grant amount available for this application is \$75million. There is no grant match required upon award.



Climate Resiliency Grant

Olympia Sea Level Rise Collaborative and Deschutes Estuary Team

Shawn Gilbertson
Director of Environmental Planning and Programs
Feb. 12, 2024

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Today's Presentation

Advisory

- Sea Level Rise
- Collaborative
- Olympia Sea Level Rise Response Plan
- Grant Opportunity

2

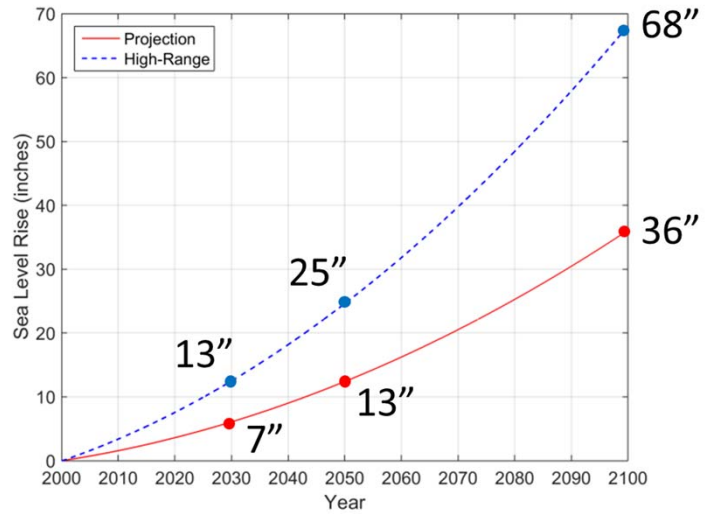
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Sea Level Rise

Budd Inlet Projections

- 24 inches
- 2050 - 2080

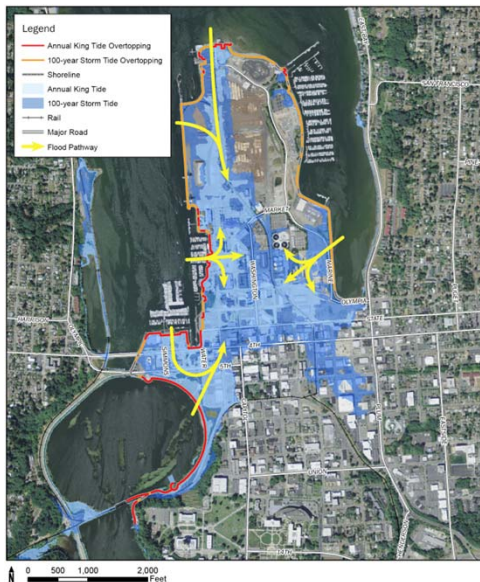
Tides	Storms	Waves	Precipitation
El Niño-Southern Oscillation	Pacific Decadal Oscillation	Global Sea Level Rise	Land Subsidence



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Sea Level Rise

Budd Inlet Projections



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OLYMPIA SLR RESPONSE PLAN
Projected Flooding 24" Sea Level Rise
AECOM



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Sea Level Rise Collaborative

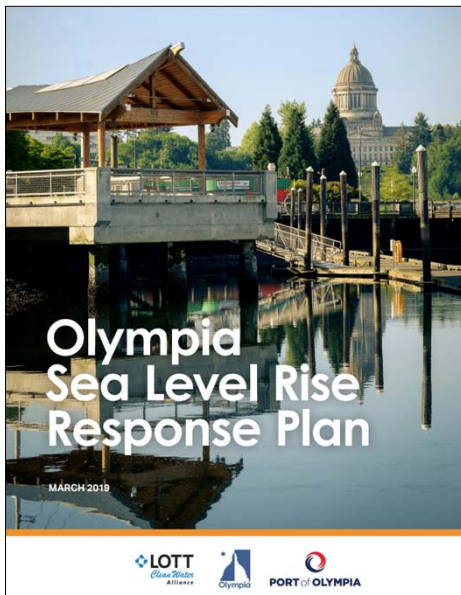
Port Peninsula and Downtown



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SLR Response Plan

Taking Action to Reduce Flood Risk

- Drivers of SLR
- Projections
- SLR Response Actions
- Projects and Costs



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SLR Response Plan

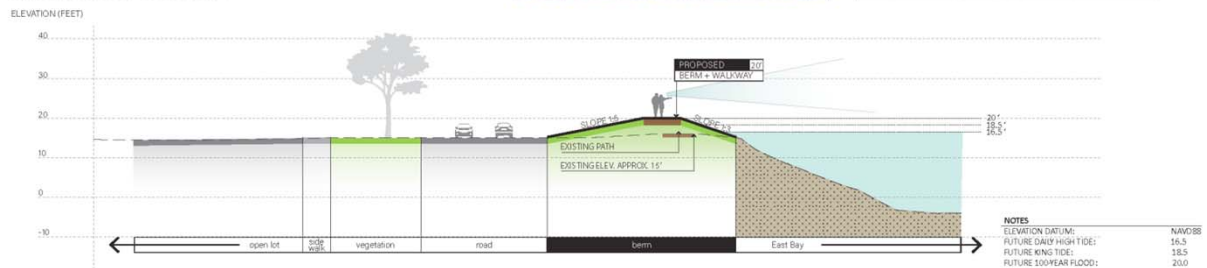
Reducing Flood Risk

- Raise Walkways and Roads
- Operational



ELEVATE PATH

MARINE DRIVE PERSPECTIVE



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NOAA CRRC Grant

Multi-benefit Funding Opportunity

- Climate Resiliency
- Sea Level Rise Response Actions
- Deschutes Estuary Restoration
- Timeline

NOTICE OF FUNDING OPPORTUNITY SUMMARY – NOT A LEGAL DOCUMENT



National Oceanic and Atmospheric
Administration Inflation Reduction Act
Climate Resilience Regional Challenge

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Questions and Comments