

PORT OF BREMERTON
BOARD OF COMMISSIONERS
REGULAR BUSINESS MEETING

A G E N D A

November 22, 2022
6:00 PM

Bill Mahan Conference Room
Port Administration Offices
Bremerton Nat'l Airport Terminal Bldg
8850 SW State Hwy 3, Bremerton

The Port of Bremerton Board of Commissioners have resumed in-person meetings but are maintaining the option for the public to participate remotely as well. The public is invited to view and/or participate in the hybrid meeting by attending in person or through one of the following options:

- To stream online only (via BKAT feed, with no interaction possible):
<https://bremerton.vod.castus.tv/vod/?live=ch1&nav=live>
- To join the online Zoom meeting: <https://us02web.zoom.us/j/3359030010>
- For audio only; dial 1.253.215.8782; Meeting ID: 335 903 0010

Call to Order

Pledge of Allegiance

Approval of Agenda

Consent Items

All matters listed under Consent Items have been distributed to each member of the Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Items and placed under Action Items by request.

- A. Minutes of the regular business meeting of November 8, 2022.
- B. Payment of checks #901669 and #901670 and #E01249 and #84366 through #84388 and #E01250 through #E01255 from the General Fund for \$57,448.84.
Payment of checks #901671 through #901674 and #901675 through #901676 and #84389 through #84415 and #E01256 through #E01266 from the General Fund for \$155,936.61. Void Check #84293, #84310

Information Items

1. Memorandum of Understanding (MOU) for City of Port Orchard Pump Station Project Status Update

Citizen Comments: *Open to the public for comment. Speakers are asked to keep their comments to less than 3 minutes. Please feel free to submit further comments in writing to the Clerk of the Board (gingerw@portofbremerton.org).*

Action Items

1. Final Acceptance of Emergency Culvert Repair at Pirate's Cove Road Project with Henderson Partners, LLC

Staff Reports

Commission Reports / New Business

Executive Session *(if necessary)*

Adjournment

Regular business and other meetings that may be attended by members of the Board

<u><i>Date</i></u>	<u><i>Time</i></u>	<u><i>Meeting</i></u>
<i>11/22</i>	<i>6:00 pm</i>	<i>*Commission Regular Meeting</i>
<i>11/29</i>	<i>1:00 pm</i>	<i>Central Puget Sound Economic Development District (CPSEDD) Executive Committee</i>
<i>11/30</i>	<i>4:00 pm</i>	<i>Kitsap Regional Coordinating Council (KRCC) Legislative Reception</i>
<i>12/1</i>	<i>10:00 am</i>	<i>Puget Sound Regional Council (PSRC) Executive Board</i>
<i>12/1</i>	<i>11:45 am</i>	<i>PSRC Executive Committee</i>
<i>12/6</i>	<i>10:15 am</i>	<i>KRCC Executive Board</i>
<i>12/7</i>	<i>10:00 am</i>	<i>CPSEDD Board</i>
<i>12/7-12/9</i>		<i>Washington Public Ports Association (WPPA) Annual Meeting</i>
<i>12/13</i>	<i>10:00 am</i>	<i>*Commission Regular Meeting</i>

Meetings are subject to change or cancellation

**Denotes events in which two (2) or more Commissioners may attend*

PORT OF BREMERTON
BOARD OF COMMISSIONERS
REGULAR BUSINESS MEETING

MINUTES

November 08, 2022
10:00 AM

Port Administration Offices
Bremerton Nat'l Airport Terminal Bldg
8850 SW State Hwy 3, Bremerton
Remote Option: Zoom Meeting ID 335 903 0010

Commissioners and Staff Present

Commissioners

Gary Anderson
Cary Bozeman

Staff Members

Jim Rothlin
Fred Salisbury
Jeremiah Wiley
Arne Bakker
James Weaver
Monroe Whitman IV
Ginger Waye
Stephanie Frame
Anne Montgomery, Atty

Call to Order

Vice-President Anderson called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance.

Approval of Agenda

It was moved by BOZEMAN, seconded by ANDERSON to:

Approve the Agenda as presented.

MOTION CARRIES, 2-0

Consent Items

- A. Minutes of the regular business meeting of October 25, 2022.
- B. Payment of checks #901632 through #901635 and #901636 through #901639 and #84232 through #84250 and #E01194 through #E01205 and #901641 through #901646 from the General Fund for \$65,670.51; #E01193 from the Construction Fund for \$165,020.85. Void Check #84222.

Payment of checks #901655 and #E01227 through #E01228 and #84294 and #84295 through #84336 and #E01229 through #E01232 and #901659 through #901662 and #901663 through #901666 and #E01233 and #901667 and #E01234 and #84337

through #84365 and #E01235 through #E01248 and #901668 from the General Fund for \$2,200,806.44.

- C. Excuse Commissioner Strakeljahn's absence due to personal travel.

It was moved by BOZEMAN, seconded by ANDERSON to:

Approve the Consent Items as presented.

MOTION CARRIES, 2-0

Information Items

1. Port Orchard Marina Breakwater Replacement Project Funding Update – Desimone Consulting Group

CEO Jim Rothlin stated the Port has been working diligently to secure funding for the Port Orchard Marina breakwater replacement project using Desimone Consulting Group (DCG) to assist with federal and state lobbying efforts. The Port did not receive expected federal funding, so DCG was invited to help explain what is known about that process and the next steps in moving forward.

Liz Fortunato and Rick Desimone, DCG, outlined the Port's grant application to the Port Infrastructure Development Program (PIDP) and the RAISE Program administered by the Maritime Administration. Criteria for the PIDP was described highlighting that PIDP grants have historically focused on freight movement but, even with additional eligibility criteria added this year such as resiliency and climate change, grant awardees included a freight portion. The opportunity for a future grant still exists as there is recognition by congress that small ports without freight are being overlooked. The critical next steps were detailed for moving forward with reapplication for PIDP in 2023. There was also discussion on current lobbying efforts for the Port's state level capital funding request.

DCG responded to questions and comments from the board. The importance of the Commission and CEO being present at any legislative meetings and to get parties out on the breakwater to see it in its physicality.

Citizen Comments - None

Action Items

1. Final Budget for Calendar Year 2023
Presented by Jeremiah Wiley, Chief Financial Officer
 - 1.1 Budget Presentation

CFO Wiley provided a PowerPoint outlining the Port's 2023 budget goals; mission and vision; job generation; and indirect economic impact. Noting there were no changes from the preliminary budget, he provided the Port's 2023 operating and non-operating

revenues and expenses; capital projects; and budget narrative. There was discussion with the Board.

1.2 Public Hearing

Vice-President Anderson opened the public hearing at 10:42 a.m. No public comments were received, and the public hearing was closed at 10:42 a.m.

1.3 Action Items

- a. Resolution 2022-06 providing for a regular property tax levy and all allowable levies for calendar year 2023.

It was moved by BOZEMAN, seconded by ANDERSON to:

Approve Resolution 2022-06 providing for no tax increase in the general tax levy.

MOTION CARRIES, 2-0

- b. Resolution 2022-07 providing a limit factor for the regular levy for the 2023 calendar year to determine future years' levies and to enable the Port to bank excess levy capacity.

It was moved by BOZEMAN, seconded by ANDERSON to:

Approve Resolution 2022-07 providing a limit factor for the regular levy for the 2023 calendar year to determine future years' levies and to enable the Port to bank excess levy capacity.

MOTION CARRIES, 2-0

- c. Resolution 2022-08 adopting the final budget for calendar year 2023.

It was moved by BOZEMAN, seconded by ANDERSON to:

Approve Resolution 2022-08 approving and adopting the Final 2023 Budget.

MOTION CARRIES, 2-0

- d. Resolution 2022-09 filing the final budget and submitting request for tax levies for calendar year 2022 with the Clerk of the Board of County Commissioners.

It was moved by BOZEMAN, seconded by ANDERSON to:

Approve Resolution 2022-09 filing the final 2023 budget documents and submitting request for tax levies in the amounts indicated with the County Clerk of the Board of County Commissioners and the Kitsap County Assessor's Office.

MOTION CARRIES, 2-0

2. Easement Agreement for Parking – Marina Square Garage Unit
Presented by Jim Rothlin, Chief Executive Officer

Following presentation and discussion which included attorney input;

It was moved by BOZEMAN, seconded by ANDERSON to:

Approve the Easement agreement for parking at the Marina Square with Sound West Oz Fund I Multifamily LLC, Sound West Oz Fund I Parking, LLC, and Sound West Oz Fund I Hospitality, LLC, and authorize the Commission Vice-President to execute the document.

MOTION CARRIES, 3-0

Staff Reports

Jim Rothlin, Chief Executive Officer

- Congratulated the following employees on reaching anniversary milestones:
 - Marina Administrative Specialist Gabbie Garland, 2 years
 - Port Maintenance I Rob Higgins, 2 years
- Welcomed James “Goody” Goodman to the Port as our new Director of Facilities and Property Development
- Provided an update on the multi-purpose facility construction progress.
- Reported on recently released news articles featuring the Port.

Commission Reports / New Business

Commissioner Anderson

- Attended the Kitsap Regional Coordinating Council (KRCC) Executive Board in Commissioner Strakeljahn’s absence. Noted that the KRCC legislative reception is being held at the end of November.

Executive Session - None

Adjournment

There being no further business before the Board, the meeting was adjourned at 11:08 a.m.

Submitted,

Approved,

Jim Rothlin
Chief Executive Officer
November 17, 2022

Cary Bozeman
Commission Secretary
November 22, 2022

PORT OF BREMERTON
AGENDA SUMMARY

Agenda Item No: Action Item #1
Subject: Final Acceptance of Emergency Culvert Repair at Pirate's Cove Road
Exhibits: Henderson Partners LLC's Bid dated September 27, 2022
Prepared By: Arne Bakker, Chief Operating Officer
Meeting Date: November 22, 2022

Summary:

On October 11, 2022, the Commission authorized the CEO to execute a contract for the Emergency Culvert Repair at Pirate's Cove Road with Henderson Partners LLC. The total bid was for \$53,480.70, inclusive of taxes. This was for an emergency procurement of a repair which takes exception to the competitive bidding requirements, as permitted under RCW 39.04-280(c) Purchases in the event of an emergency.

Henderson Partners LLC has completed all work associated with this project in accordance with the accepted statement of work in the proposal.

Final acceptance was completed on November 14, 2022.

Fiscal Impact:

The invoice will be paid from the 2022 capital Fund for Site, Utility and Building Improvements

Budget: \$200,000

Spent to date: \$45,327

Project cost: \$53,480.70

Budget Remaining: \$99,673

Strategic Purpose:

This action conforms with the Port's strategic plan in Goal 2. Operate all Port facilities efficiently and cost effectively with a high degree of customer service.

Recommendation:

Port staff recommends authorizing Final Acceptance for Henderson Partners LLC's construction contract for the Emergency Culvert Repair at Pirate's Cove Road for a total of \$53,480.70 including tax.

Motion for Consideration:

Move to authorize Final Acceptance for Henderson Partners LLC's construction contract for the Emergency Culvert Repair at Pirate's Cove Road for a total of \$53,480.70 including tax.

EXHIBIT



HENDERSON PARTNERS, LLC

Excavation & Utilities, Framing & Concrete, Septic & Soils
11302 Burnham Drive NW
Gig Harbor, WA 98332
Phone (253)851-5896
Contractor Number: HENDEPL922MQ

Estimate Includes:

- Culvert replacement on Pirates Cove Rd
- Replace existing Culvert with 36" N12 COR W/TITE HDPE Pipe
- Includes removal of existing Culvert.
- Includes 2 trash racks, one at each end of Culvert.
- Replace and compact with Suitable soils and Rock
- Includes Spalls with a 2 to 1 slope for stabilization
- Road to be closed during Culvert replacement.
- Standard work week mon-fri 40 hr. 7- 3:30pm

TOTAL PRICE: \$48,975(wholesale cost) tax @9.2% \$4,505.70

Total including tax \$53,480.70

***State resale certificate required if tax deferred. If none is furnished billing invoice will show sales tax in addition to wholesale cost. Invoices are submitted by the 25th of each month based on work that will be completed by the end of the month. Payment (in full invoice amount) will be due by the 10th of the following month.

Respectfully submitted: _____

Date: 9-27-22

ACCEPTANCE OF PROPOSAL

The above price(s), specifications, and conditions are satisfactory and are hereby accepted. Henderson Partners is authorized to do the work as specified above. By signing this proposal below, I personally guarantee payment to Henderson Partners. I also agree to pay 18% finance charge on all balances not paid in full by 30 days after the date due. Signature of this proposal will be considered your notice of our intent to lien this project if necessary. All above items supersede any other contract signed by Henderson Partners, LLC.

Requested and approved by: _____ Date: _____

Exclusions:

Engineering, Irrigation lines
Any fees, permits or bonds
Compaction or sieve testing
Dewatering with baker tanks or filtration; traffic control
Landscaping, fences or features

Theft, play areas or play structures

Removal and disposal of toxic waste

No Work in building envelope except what is specified above

Not responsible for activities out of Henderson Partner's control

Security fence,

Removal and disposal of unsuitable soils

Any electrical work

Any survey work

Utility work (electric, cable, fiber)

Pipe bedding will be per code

Not responsible for unmarked utilities

Water meters

Pavers, pervious asphalt, Tuff track.

landscape paths