



Serving what matters today, with a view for tomorrow.

**Port of Kingston Board of Commissioners  
Regular Meeting  
Agenda**

**December 15, 2021, at 6:30 pm**

**Meeting called by:** Port of Kingston Commissioners  
**Type of meeting:** Regular Meeting  
**Location:** Hybrid

A. In Person:  
Village Green Community Center  
Windermere Room  
26159 Dulay Rd NE  
Kingston, WA 98346

B. Virtual via Zoom:  
<https://us02web.zoom.us/j/89896376171>  
+1 253 215 8782 US (Tacoma)  
Meeting ID: 898 9637 6171

Welcome to the December 15, 2021, Regular Meeting of the Port of Kingston Commission. Comments from those in attendance will be allowed upon recognition of the Chair. Please identify yourself by stating your name.

If you would like to be added to the agenda for a future meeting, please contact the Port Office at least one week prior to the regularly scheduled meeting. Please submit your documents and/or presentations at the time of your request.

*This is a preliminary agenda and is subject to change.*

**Agenda Topics**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

**4. PUBLIC COMMENT**

Citizens may address the Commission regarding any item related to Port business, including items on the agenda.



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**5. CONSENT AGENDA**

These matters are routine and will be enacted by one motion of the Commission with no separate discussion. If discussion is desired, that item may be removed from the Consent Agenda by a Commissioner.

- A. Approve November 9, 2021 Special Meeting Minutes
- B. Approve November 17, 2021 Regular Meeting Minutes
- C. Approve November 2021 Warrants

**6. FINANCIAL REPORT**

**7. ACTION ITEMS**

- A. Adopt Resolution 12-01-2021 – Industrial Development District
- B. Approve Washington Projects Consultants 2022-2023 Contract

**8. PUBLIC COMMENT**

Citizens may address the Commission regarding any item related to Port business, including items on the agenda.

**9. COMMISSIONER REPORTS**

**10. STAFF REPORTS**

**11. NEXT REGULAR MEETING:** Wednesday January 26, 2021, at 1:00 p.m. Hybrid (Zoom & Village Greens Community Center)

**12. ADJOURN**



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**Port of Kingston Board of Commissioners  
Special Meeting – Public Hearing  
Minutes**

**November 9, 2021, at 6:30 pm**

**Meeting called by:** Port of Kingston Commissioners  
**Type of meeting:** Special Meeting  
**Location:** Hybrid

A. In Person:  
Village Green Community Center  
Windermere Room  
26159 Dulay Rd NE  
Kingston, WA 98346

Virtual via Zoom:  
<https://us02web.zoom.us/j/89598576780>  
Meeting ID: 895 9857 6780  
One tap mobile +12532158782

**Commission in Attendance**

Laura Gronnvoll  
Steve Heacock  
Mary McClure

**Public in Attendance**

Jack Bryce  
Jerry Kirshner  
Nancy Langwith  
Steve Young  
Marc Horton  
Rebecca Pirtle

**Staff in Attendance**

Greg Englin  
Tarrah Dofelmier  
Ray Carpenter  
Torey Grandt

**1. CALL TO ORDER:** Meeting called to order by Commissioner Gronnvoll at 6:32 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

Motion: Approve agenda as written  
Moved: Commissioner McClure  
Second: Commissioner Heacock  
Vote: Pass 3-0

**4. PUBLIC COMMENT**

Jack Bryce, marina tenant: Mr. Bryce stated there has been sizable rate increases over the last several years and inquired on the reasoning for the increases.



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Executive Director Englin explained that an analysis of port financials determined the need for future marina and asset replacement. The port also looked at other funding sources, including grants. The Port conducted a Marina Rate Analysis which included a survey of 52 marinas and determined the Port of Kingston was in the bottom 5 for rates in December 2018. The rate increase is part of a three-year plan to bring the Port closer to the market average rate. Mr. Bryce asked the commission to look at the rate increase closely again prior to making a final decision.

Jerry Kirshner, marina tenant: Mr. Kirshner stated rates have increased significantly over the last several years and asked the Port to look closely at revenue vs. provided services. As Kingston gets closer to fair market, there should be services that coincide with rate increase. There are critical issues that need to be addressed including sanitary conditions from birds. There are services that should coincide with rate increases such as portable pump outs, oil disposal services and recycled material disposal services. Mr. Kirshner asked the commission to look at increasing taxes within the district as the Port is utilized by the entire community.

Commissioner Heacock stated bird deterrents are in the budget and planned for 2022.

Nancy Langwith, boat owner: Ms. Langwith echoed Mr. Kirshner's comments. Ms. Langwith read a letter from Jack Lott, a marina tenant. He cited the clean marina program when describing critical tenant issues including animal waste, bird droppings. Photos and letter from Mr. Lott were provided to the commission for consideration. Mr. Lott asked the Port to use a portion of the rate increase to mitigate these critical issues.

Ms. Langwith thanked the Port for their hard work on getting the lights together for Kingston Cove Christmas. Ms. Langwith offered to put volunteer groups together for the event. She noted that social media posts for the event have reached over 7500 people in Kitsap County. The community is engaged and excited about this event.

Steve Young, marina tenant: Mr. Young discussed the continued rate increases and expressed discouragement that the port doesn't look to the community for additional tax revenue. The community gets the same enjoyment from the park, but taxes are not raised. Mr. Young discussed history of tenants making up gaps for insurance increases. He added he appreciates the Port and Commission and is proud of the park and employees. He feels the tenants are bearing the brunt of expenses.

Bill McKee, marina tenant: Mr. McKee stated the increase is a bit much at these unprecedented times. Those of us that live in another zip code are spending hundreds of dollars extra a month alone on travel expenses.



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Commissioner Gronnvoll commented the Port is trying to get closer to average market rate, and still falls below average. She discussed implications of charging too little for rates and noted lawsuits brought forth in other jurisdictions for not charging fair market value.

## **BUDGET PRESENTATION**

Executive Director Englin presented the Budget and Capital Budget and reviewed Capital Projects for 2022. The proposed budget uses 2021 as the baseline for next year and the various revenues and expense line items have been adjusted to reflect trends we are experiencing.

We have seen a reduction in parking revenue this year due to the pandemic. When the effects from the pandemic subside, we would expect parking to rebound. Given the uncertainty we are not budgeting significant increases, however.

The pandemic has strengthened boating since people can recreate and socially distance at the same time. We believe this trend will continue. So guest and transient moorage continue to strengthen.

The Port is projecting Operating Revenues of \$3.34M and staff is budgeting Operating Expenses of \$2.7M. The Net Ordinary Income under this draft version of the budget would be \$474K. \$192K would be deducted for the capital program.

### Revenues:

- Permanent moorage revenues should increase with the rate increases. We have a Wait list that continues to remain strong even though we have taken customers from the wait list, and they now have moorage but have been backfilled with new demand.
- Transient Moorage should remain strong, and we are steadily building seasonal demand from yacht clubs especially.
- Seasonal moorage has been grown steadily and we see this trend continuing through the next 2-3 years before it will likely plateau.
- Utilities are going to be closely monitored so we can recover these costs.
- Real estate and lease revenue should stay relatively flat except for CPI adjustments where applicable.
- Property taxes increase 1%.
- Parking is challenging to predict. The pandemic has affected commuters and we are way down from previous revenue levels. We are keeping rates flat and expect maybe a slight uptick as we surface from the effects of the pandemic.

### Fuel:

- Fuel assumptions are a challenge also.



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- Fuel prices have increased significantly so the revenues have been increased – but so have the costs of goods sold for fuel. However, we expect revenue over Cost of Goods Sold to remain the around current levels based on consistent costs of goods sold.

Expenses:

- Budget reflects a CPI adjustment only across the board for all employees.
- We are adding one FTE in accounting and finance. Some of this cost will be offset by a reduction in consulting fees.
- We base compensation on Market Data and Performance.
- We want to retain staff and compensate them competitively.
- Cost of living has gone up and CPI adjustment will help wages keep up with these costs.
- Competition for qualified staff has become even more challenging in the public sector as well as private.
- Employee medical is staying pretty much flat. We are just receiving the actual quotes for the same benefits plan we have.
- The Pension contribution requirements issued by the State of Washington were reduced in July from 7.9% to 6.36% for the individual employee contribution and from 12.97% to 10.25%.
- We are increasing our training and education budget to invest in our staff. COVID prevented some of the training we had hoped staff would pursue. Again, we hope that these training and educational opportunities will open.
- Staff has put in a lot of effort to track our utility costs. We are putting measures in place to ensure we maximize cost recovery.
- Another place that helps with cost recovery is the result of adding another employee in accounting and finance. We are now able to more accurately charge and recover excise tax. We are currently looking at recovering about \$20K.
- We have been paying pretty hefty fees. Our Controller Audra Trainer identified this as an area of concern. We believe we can likely reduce credit card charges by nearly \$30K annually. We continue to convert payments over to ACH transactions for our permanent moorage customers and away from credit cards to avoid these fees.
- ACH means Automated Clearing House – bank to bank transactions.

Reserves and Financial Policies:

- Our reserves currently stand at \$2.21M, this includes a payment of over \$122K for insurance already in September.
- We will have an LTGO debt payment of \$85,514.10 for 2021 (including both interest and principal).
- We need to develop the financial policies regarding reserves and codify them with the commission this coming year. I have a spreadsheet with some of the proposed assumptions and we are developing a cash flow projection that will capture the complete life cycle for the assets as well.



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Capital Program:

The Capital Program is focused on three areas:

- Repair and maintenance of the marina.
- Replacement of the Middle Bathroom in Mike Wallace Park.
- Economic development emphasizing new construction in the Tent Pad area along Washington Blvd

1. First and foremost, we always want to promote safety of life and property.
2. Secondly, we strive to maintain continuity of operations.
3. And third we want to create new opportunities.

We are trying to stay around \$200K annually as a cap for our repair and replacement of existing assets.

The primary lines of business where we are spending funds are:

- the marina
- economic development and
- projects that support our responsibility as a transportation hub

Bird deterrents will be addressed in the Capital budget. For new construction we have budgeted about \$500K for development of the Tent Pad. This effort would be followed up by a multimillion-dollar investment in construction of buildings for commercial use.

**5. PUBLIC COMMENT**

None

**6. NEXT REGULAR MEETING:** Wednesday November 17, 2021, at 1:00 p.m. Hybrid (Zoom & Village Greens Community Center)

**7. ADJOURN:**

**Motion:** Adjourn meeting at 7:52 p.m.

**Moved:** Commissioner Heacock

**Second:** Commissioner McClure

**Vote:** Pass 3-0



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## Port of Kingston Board of Commissioners Regular Meeting Minutes

**November 17, 2021, at 1:00 pm**

**Meeting called by:** Port of Kingston Commissioners  
**Type of meeting:** Regular Meeting  
**Location:** Hybrid (Zoom/Village Green Community Center)

**Commission in attendance**

Laura Gronnvoll  
Steve Heacock  
Mary McClure

**Staff in attendance**

Greg Englin  
Audra Trainer  
Ray Carpenter  
Tarrah Dofelmier  
Torey Grandt

**Public in attendance**

Ron Karzmar  
Marc Horton

1. **CALL TO ORDER:** Commissioner Gronnvoll called the meeting to order at 1:01 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**  
Motion: Approval of Agenda as written  
Moved: Commissioner McClure  
Second: Commissioner Heacock  
Vote: Pass 3-0
4. **PUBLIC COMMENT**  
None
5. **CONSENT AGENDA**
  - A. Approve October 25, 2021 All Ports Meeting Minutes
  - B. Approve October 26, 2021 Special Meeting Minutes
  - C. Approve October 27, 2021 Regular Meeting Minutes
  - D. Approve October 2021 Warrants  
Motion: Approve Consent Agenda as written

Motion: Approve Consent Agenda as written  
Moved: Commissioner Heacock  
Second: Commissioner McClure  
Vote: Pass 3-0





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## 6. FINANCIAL REPORT

Controller, Audra Trainer reported year to date total income is 2.71 million. Total expenses are 1.76 million resulting in a Net Ordinary income of 410k. We still owe 790k on a limited Tax obligation bond. Next payment will bring that down based on our amortization schedule. Total cash reserves for October are 2.2 million.

## 7. ACTION ITEMS

### A. Adopt Resolution 11-01-2021 - 2022 Budget

Staff is asking for commission approval for the 2022 budget. The Port is projecting Operating Revenues of \$3.34M and staff is budgeting Operating Expenses of \$2.7M. Net Ordinary Income under this draft version of the budget would be \$423K. We have seen a reduction in parking revenue this year due to the pandemic. When the effects from the pandemic subside, we would expect parking to rebound. Given the uncertainty we are not budgeting significant increases, however. The pandemic has strengthened boating since people can recreate and socially distance at the same time. We believe this trend will continue. So guest and transient moorage continue to strengthen.

#### Revenues

- Permanent moorage revenues should increase with the rate increases. We have a Wait list that continues to remain strong even though we have taken customers from the wait list, and they now have moorage but have been backfilled with new demand.
- Transient Moorage should remain strong, and we are steadily building seasonal demand from yacht clubs especially.
- Seasonal moorage has been grown steadily and we see this trend continuing through the next 2-3 years before it will likely plateau.
- Utilities are going to be closely monitored so we can recover these costs.
- Real estate and lease revenue should stay relatively flat except for CPI adjustments where applicable.
- Property taxes increase 1%.
- Parking is challenging to predict. The pandemic has affected commuters and we are way down from previous revenue levels. We are keeping rates flat and expect maybe a slight uptick as we surface from the effects of the pandemic.

#### Fuel

- Fuel assumptions are a challenge also.
- Fuel prices have increased significantly so the revenues have been increased – but so have the costs of goods sold for fuel. However, we expect revenue over Cost of Goods Sold to remain the same.

#### Expenses

- Budget reflects a CPI adjustment only across the board for all employees.



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- We are adding one FTE in accounting and finance. Some of this cost will be offset by a reduction in consulting fees.
- We base compensation on Market Data and Performance.
- We want to retain staff and compensate them competitively.
- Cost of living has gone up and CPI adjustment will help wages keep up with these costs.
- Competition for qualified staff has become even more challenging in the public sector as well as private.
- Employee medical is staying pretty much flat. We are just receiving the actual quotes for the same benefits plan we have.
- The Pension contribution requirements issued by the State of Washington were reduced in July from 7.9% to 6.36% for the individual employee contribution and from 12.97% to 10.25%.
- We are increasing our Training & Education budget here to invest in our staff. COVID prevented some of the training we had hoped staff would pursue. Again, we hope that these training and educational opportunities will open up.
- Staff has put in a lot of effort to track our utility costs. We are not putting in place measures to ensure we maximize cost recovery.
- Another place that helps with cost recovery because of adding another employee in accounting and finance is the accurate charging and recovery of exercise tax. We are currently looking at recovering about \$20K.
- We have been paying hefty fees. Our Controller Audra Trainer identified this as an area of concern. We believe we can likely reduce credit card charges by nearly \$30K annually. We have also converted payments over to ACH transactions for our perm moorage customers and away from credit cards to avoid these fees.
- Automated Clearing House – bank to bank transactions

#### Reserves and Financial Policies

Our reserves currently stand at \$2.21M. This includes a payment of over \$122K for insurance already in September. We will have an LTGO debt payment of \$85,514.10 for 2021 (including both interest and principal). We need to develop the financial policies regarding reserves and codify them with the commission this coming year. I have a spreadsheet with some of the proposed assumptions and we are developing a cash flow projection that will capture the complete life cycle for the assets as well.

The commission discussed prior conversations regarding lowering the rate on the 24 ft vessel slip. Executive director Englin stated per commission direction those rates have been adjusted.

**Motion: Adopt Resolution 11-01-2021 - 2022 Budget**

**Moved: Commissioner McClure**

**Second: Commission Heacock**

**Vote: Pass 3-0**

#### **A. Adopt Resolution 11-02-2021 - 2022 Capital Budget**



Serving what matters today, with a view for tomorrow.

Staff is requesting commission approval of 2022 Capital Budget. Executive Director Englin presented the Capital Projects Schedule for 2022 which includes including repair and maintenance of the marina, piling replacement, tent pad development, dock repair, middle restroom replacement and bulkhead repair.

First and foremost, we always want to promote safety of life and property. Secondly, we strive to maintain continuity of operations. And third we want to create new opportunities.

We are trying to stay around \$200K annually as a cap for our repair and replacement of existing assets. The primary lines of business where we are spending funds are the marina, economic development and projects that support our responsibility as a transportation hub. For new construction we have budgeted about \$500K for development of the Tent Pad. This effort would be followed up by a multimillion-dollar investment in construction of buildings for commercial use.

**Motion: Adopt Resolution 11-02-2021 - 2022 Approve Capital Budget**  
**Moved: Commissioner Heacock**  
**Second: Commission McClure**  
**Vote: Pass 3-0**

**A. Adopt Resolution 11-03-2021 - 2022 Marina Rate Schedule**

Primary changes permanent rates are being adjusted are performance and market data. We have to look forward to the replacement and preservation of marina and infrastructure. A market rate study was conducted which was the basis for a three-year approach to get the Port of Kingston close to the Market Average Rate. Commissioner McClure commented she appreciated the public comments regarding the budget at the recent public hearing and added the marina is an important part of economic development for Kingston. The group discussed the factors that will decide future rate increases.

**Motion: Adopt Resolution 11-03-2021 - 2022 Marina Rate Schedule**  
**Moved: Commissioner McClure**  
**Second: Commission Heacock**  
**Vote: Pass 3-0**

**B. Adopt Resolution 11-04-2021 - 2022 Tax Levy Certification**

This is a yearly collection of property tax revenue 14 cents per one thousand dollars of assessed value. This amount is capped by law at 1%. The total tax levy is \$222,291.

**Motion: Adopt Resolution 11-04-2021 - 2022 Tax Levy Certification**  
**Moved: Commissioner Heacock**  
**Second: Commission McClure**  
**Vote: Pass 3-0**



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**C. Adopt Resolution 11-05-2021 - Port of Kingston Rules and Regulations**

Primary changes include cancellation policy, modification of sign map, overboard discharge, accessory equipment, holding tank, wait list procedures, berthage charges, fuel dock payment options, motorized and non-motorized transportation. Summary of changes document provided to the Commission.

**Motion: Adopt Resolution 11-05-2021 - Port of Kingston Rules and Regulations**

**Moved: Commissioner McClure**

**Second: Commission Heacock**

**Vote: Pass 3-0**

**D. Adopt Resolution 11-06-2021 – Delegation of Authority Policy**

Controller, Audra Trainer reported that we will be adopting a Procurement Manual and this updated policy will be reflected in the new manual.

**Motion: Adopt Resolution 11-06-2021 – Delegation of Authority Policy**

**Moved: Commissioner Heacock**

**Second: Commission McClure**

**Vote: Pass 3-0**

**8. PUBLIC COMMENT**

None

**9. COMMISSIONER REPORTS**

**Commissioner Heacock** reported he attended an encouraging presentation made by the Superintendent of Public Schools at the Kingston Community Advisory Council (KCAC) formally known as Kingston Citizens Advisory Council. Presentation highlights included COVID operations and safety and welfare of employees and students. Commissioner Heacock has also been working on the Port's Master Plan process.

**Commissioner McClure** reported on changes to leadership in KCAC. She reported there have been good conversations on structuring the committee processes. Commissioner McClure gave a Presentation on the Master Plan process to the Rotary, and it was well received. She will be presenting to other organizations and community members including Kingston Stakeholders.

**Commissioner Gronnvoll** gave heartfelt condolence to the family of Tom Waggoner. She gave thanks to Marc Horton for his work on the restroom replacement project. She reported Commissioner McClure did a fabulous job on her Master Plan presentation.

**10. STAFF REPORTS**



Serving what matters today, with a view for tomorrow.

**Maintenance Manager, Torey Grandt** reported staff are in the process of preparing for winter including conducting lighting inspections, testing equipment, keeping walkways clear of ice and snow. He reported that electric vehicles will be put away for the winter. Upcoming projects include venting the server room at the Port Office.

Harbormaster Ray Carpenter thanked staff for their work on the budget and rules and regulations. He reported that several volunteer groups will be helping with Kingston Cove Christmas. The tree will be going up soon. We are looking forward to a great event this year, yacht clubs will be participating by decorating vessels and hosting a dinghy parade.

Executive Director Englin thanked staff gave special thanks to Ashley Ferguson and Rose Orcutt for their work on the Marina Rate Survey. He thanked the Yacht Club and staff for their work on the Kingston Cove Christmas. He thanked Marc Horton for his instrumental work on the capital program, risk assessment and procurement. He thanked Austin Goff for training the new employees and sharing his knowledge.

Controller, Audra Trainer expressed her excitement for the budget adoption and bringing new staff on board to assist with financial duties. She will be developing financial policies and working with the marina office to develop procedures. She will be attending Training with the State Auditors Office and Washington Public Ports.

Administrative Services Manager, Tarrah Dofelmier thanked staff and commission for their hard work and input. She reported the quarterly newsletter recently went out and the next newsletter will go out in January. We've purchased some new A/V equipment to handle Hybrid Meetings. She created a new sign-up form on the Port's website which allows subscriptions to Port newsletters and upcoming events. There is also a new page on the Port's website regarding the Master Plan where visitors can make comments and review documents.

Marc Horton stated he appreciates the opportunity and focus time to work on Port projects.

Commissioner Heacock asked for a future discussion regarding a dedication to honor Tom Waggoner for his years of community service.

**11. NEXT REGULAR MEETING:** Wednesday December 15, 2021, at 6:30 p.m. Hybrid (Zoom & Village Greens Community Center)

**12. ADJOURN**

Motion: Adjourn meeting at 2:23 p.m.

Moved: Commissioner McClure

Second: Commissioner Heacock

Vote: 3-0

Port of Kingston  
Kitsap County, WA

**RESOLUTION NO. 12-01-2021**

A Resolution of the Commission of the Port of Kingston

**RESOLUTION OF THE COMMISSIONERS OF THE PORT OF KINGSTON CREATING INDUSTRIAL DEVELOPMENT DISTRICT IN THE PORT DISTRICT No. 9**

**Whereas**, Kitsap County is required to plan under the Growth Management Act, (RCW 36.70) and accordingly must limit industrial-zoned lands to incorporate areas and/or urban growth areas (UGA).

**Whereas**, the Port of Kingston, Washington is a special purpose district located in Kitsap County and is designated as a rural part of Kitsap County and Kitsap County has publicly stated that Kingston will incorporate within the next 20 years, and portions of the port district are designated UGA to provide employment opportunities and property tax revenue to support the local economy and governmental functions.

**Whereas**, On September 22, 2021, the Port adopted goals in its Comprehensive Scheme of Harbor Improvements (CSHI) (also referred to as the Comprehensive Plan) including provisions to ensure that there is an adequate and appropriate level of infrastructure to support a growing economy.

**Whereas**, the Port recognizes the importance of development in the port district,

**Whereas**, the Port's land inventory indicates being declared a rural part of Kitsap County with no incorporated towns or cities within the port district,

**Whereas**, the Port sent a public notice to be published in the Kitsap Sun, published on December 2, 2021.

**Whereas**, as a result of the workshop, the Staff Report, the SEPA Determination, the Port staff prepared the map (which is attached hereto as **Exhibit "A"**) and the legal description (which is attached hereto as Exhibit "B") for the proposed Port of Kitsap County ("IDD")

**Now, Therefore,** after fully considering all the documents and comments referenced above, the Board of Commissioners of the Port of Kitsap County hereby resolves as follows:

1. The Port commission notes that the properties within IDD meet the definition of being "marginal" and are "marginal" lands because they are characterized by each, and all of the conditions detailed in **Exhibit "C"** attached hereto.
2. The Port commission notes that any one of these conditions would justify a finding of "marginal" lands in regard to the properties within IDD.
3. The Port commission finds that creation of IDD, comprising the lands depicted on **Exhibit "A"** and legally described on **Exhibit "B"**, is proper and desirable in establishing and developing a system of harbor improvements and industrial development in the port district.
4. The Port of Douglas County IDD, is hereby created with the boundaries as depicted on **Exhibit "A"** and legally described on **Exhibit "B"**.

Passed by the Board of Commissioners for the Port of Kingston, Kitsap County, Washington at a Regular Meeting held this 15th day of December 2021.

**PORT OF KINGSTON  
KITSAP COUNTY, WASHINGTON**

\_\_\_\_\_  
Laura Gronnvoll, Commissioner

Attest: \_\_\_\_\_  
Greg Englin, Executive Director

\_\_\_\_\_  
Steve Heacock, Commissioner

\_\_\_\_\_  
Mary McClure, Commissioner

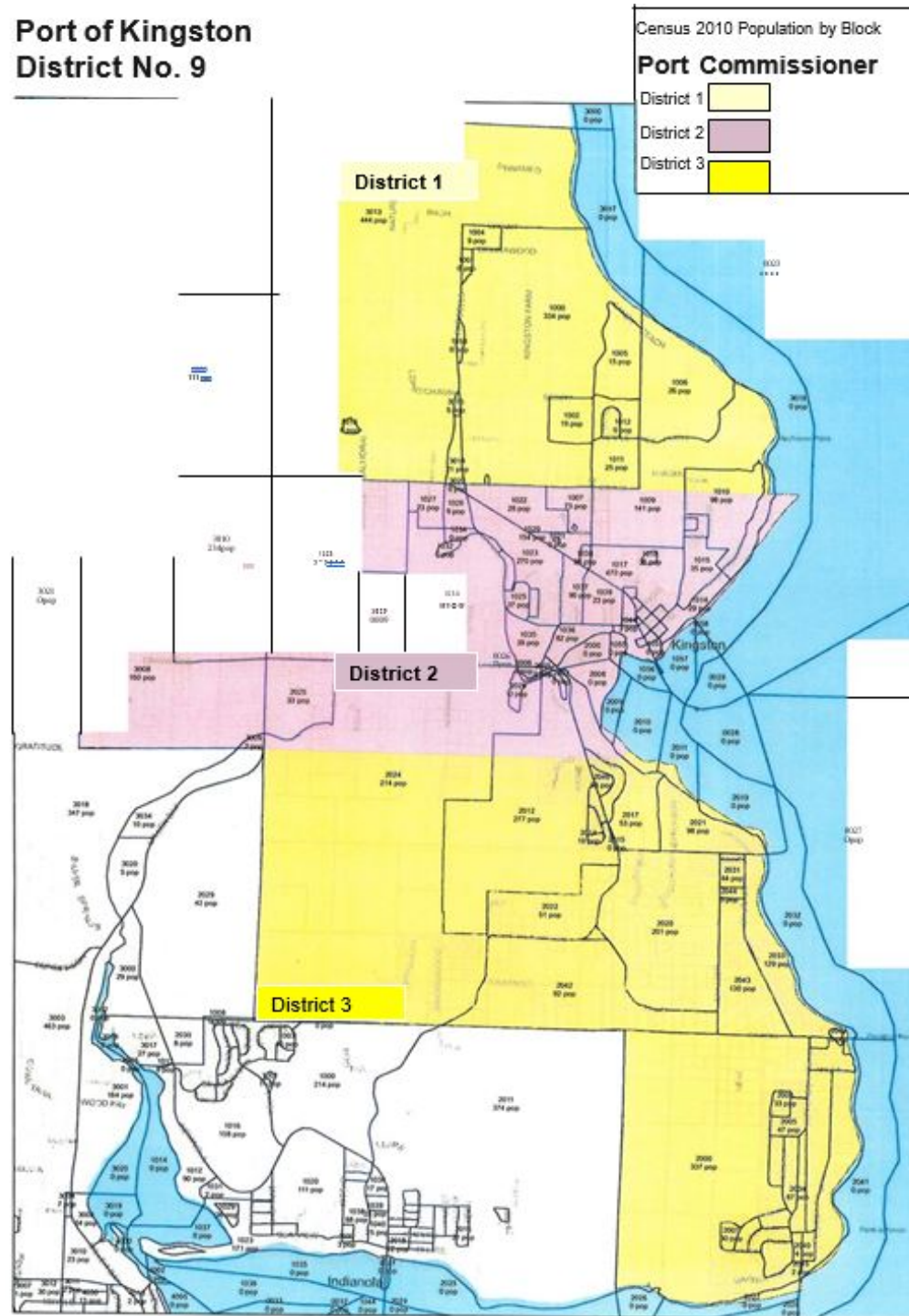
List of Exhibits

Exhibit "A"	Map of IDD
Exhibit "B"	Legal description of IDD
Exhibit "C"	"Marginal" lands findings



# Port of Kingston District No. 9

## EXHIBIT A – MAP OF PORT OF KINGSTON DISTRICT No. 9



Kitsap County Auditor - Elections Division  
619 Division St MS-31  
Port Orchard, WA 98366  
Phone 360.337.7128 • FAX 360.337.5769  
Map created November 21, 2011



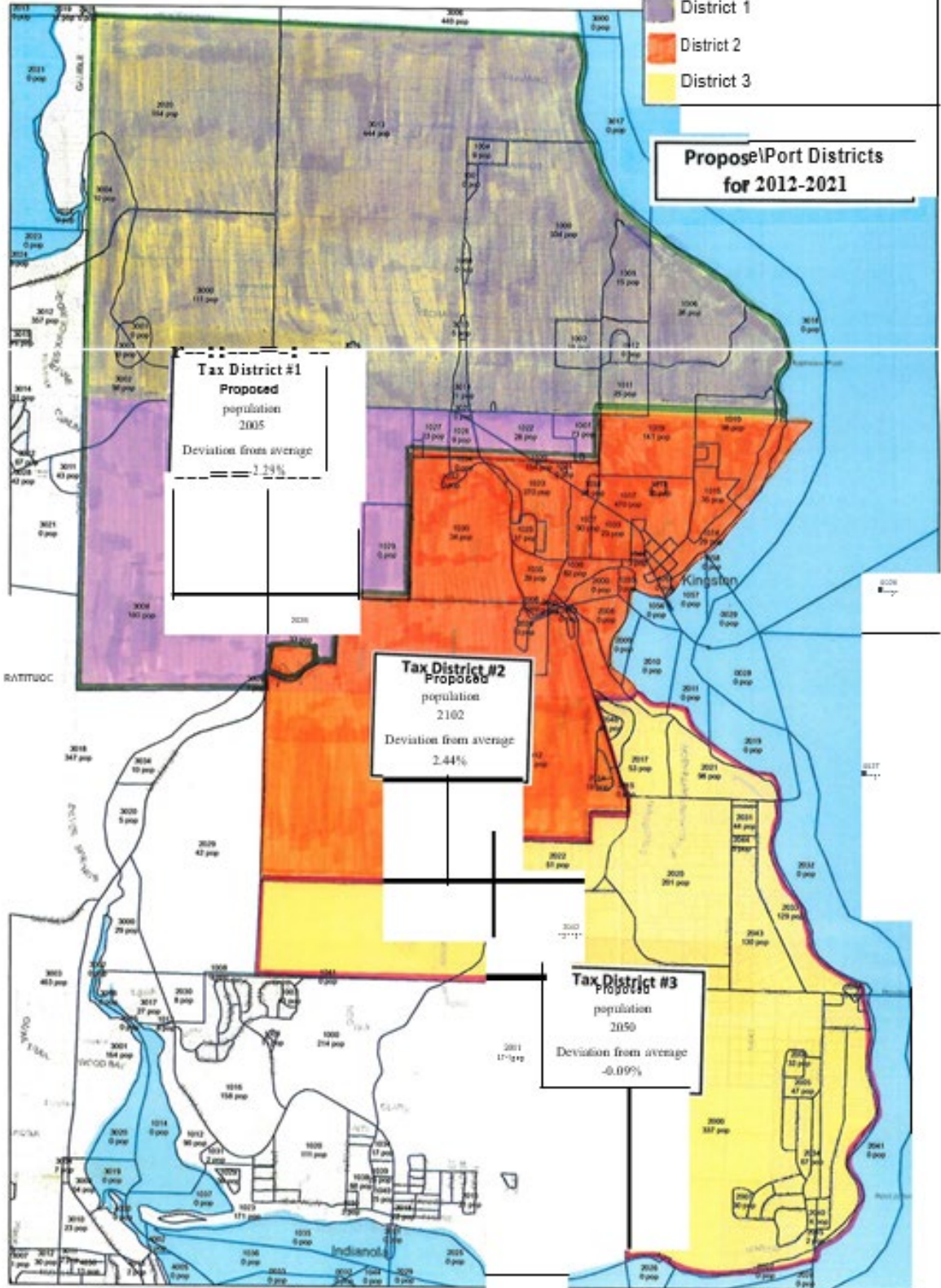
# Port of Kingston District No. 9

Census 2010 Population by Block

## Port Commissioner

- District 1
- District 2
- District 3

**Proposed Port Districts  
for 2012-2021**



Kitsap County Auditor - Elections Division  
619 Division St MS-31  
Port Orchard, WA 98366  
Phone 360.337.7128 \* FAX 360.337.5769  
Map created November 21, 2011



## EXHIBIT B

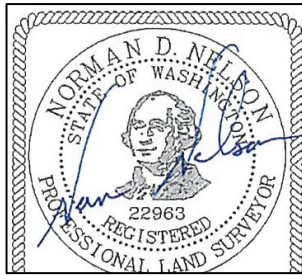
Tracts 17,31, and 32 East Wenatchee Land Co's Plat of Sections 23 and 26 T. 22 N., R 21, E. W.M Douglas County Washington

Tracts ,20,21,22,23,24,25,26,34,35,36,37, and 38 East Wenatchee Land Co's Plat of Sections 24 and 25, T. 22 N., R 21, E. W.M Douglas County Washington

Burlington Northern Santa Fe Railroad Company right of way within Section 25, T. 22 N., R 21, E. W.M Douglas County Washington

Quit Claim Deed to the City of Rock Island auditors file number 3038896

All lying easterly of Lot 2 Granger Subdivision auditors file number 3019240, easterly and southerly of Lot 1 Columbia Industrial Park Binding Site Plan Number B1-96 auditors file number 3035012 and southerly of Washington State Route 28 right of way.



### PORT COMMISSIONER DISTRICT 1

Beginning at a point on the high tide line on Puget Sound on the Section line between Sections 11 and 14, Township 27 North, Range 2 East, W. M., in Kitsap County Washington; thence west along the north lines of Sections 14, 15, and 16, said township, to the northwest of Section 16; thence south along the west line of Sections 16, 21, 28, and 33, said township, to the southwest corner of the north half of said Section 33; thence east along the south line thereof to the southeast corner thereof, also being the west quarter corner of Section 34, said township, thence north to the southwest corner of the northwest quarter of the northwest quarter, said Section 34; thence east along the south line thereof to the southeast corner thereof; thence south along the west line of the north three-quarters of the east half of the northwest quarter, said Section 34 to the southwest corner of said north three-quarters. thence east along the south line thereof to the centerline of Chris Lane NE; thence north along said centerline to the north line of Section 34, also being the south line of Section 27; thence east along said south line to the southwest corner of the east half of the southeast quarter of Section 27; thence north along the west line thereof and the west line of the southeast quarter of the northeast quarter of Section 27 to the northwest corner thereof; thence east along the north line thereof to the northeast corner thereof, also being the southwest corner of the north half of the northwest quarter of Section 26; thence east along the south line to the southeast corner thereof; thence continue east to the southeast corner of the northwest quarter of the northeast quarter of said Section 26; thence north along the east line thereof to the north line of section 26, also being the south line of Section 23; thence east along the south line of Sections 24 and 25 to the high tide line; thence northerly along said high tide line to the point of beginning; Together with tidelands of the second class fronting on and abutting on said tract. SITUATE IN COUNTY OF KITSAP, STATE OF WASHINGTON.



## **PORT COMMISSIONER DISTRICT 2**

Beginning at the west quarter corner of Section 34, township 27 North, Range 2 East, W. M.; thence north to the southwest corner of the northwest quarter of the northwest quarter, said Section 34; thence east along the south line thereof to the southeast corner thereof; thence south along the west line of the north three-quarters of the east half of the northwest quarter, said Section 34 to the southwest corner of said north three-quarters; thence east along the south line thereof to the centerline of Chris Lane NE; thence north along said centerline to the north line of Section 34, also being the south line of Section 27; thence east along said south line to the southwest corner of the east half of the southeast quarter of Section 27; thence north along the west line thereof and the west line of the southeast quarter of the northeast quarter of Section 27 to the northwest corner thereof; thence east along the north line thereof to the northeast corner thereof, also being the southwest corner of the north half of the northwest quarter of Section 26; thence east along the south line to the southeast corner thereof; thence continue east to the southeast corner of the northwest quarter of the northeast quarter of said Section 26; thence north along the east line thereof to the north line of section 26, also being the south line of Section 23; thence east along the south line of Sections 24 and 25 to the high tide line of Puget Sound; thence southerly along said high tide line to an intersection with the south line of northeast quarter of Section 35, said township; thence west along the south line thereof to the centerline of South Kingston Road NE; thence southerly along said centerline to an intersection with the south line of the north one-third of the northeast quarter of the northeast quarter of Section 2, Township 26 North, Range 2 East, W.M.; thence west along the south line thereof to the southwest corner thereof; thence south along the west line of the northeast quarter of the northeast quarter of said Section to the southeast corner of the northwest quarter of the northeast quarter, said Section 2; thence west along the west line thereof to the northeast corner of the southeast of the northwest quarter, Section 2; thence west along the north line to the northeast corner of the southwest quarter of the northwest quarter of said Section 2; thence south along the east line thereof to the southeast corner thereof; thence west along south line thereof to the west quarter corner, said section, also being the east quarter corner of Section 3, said Township 26; thence along the east-west centerline of said Section to the west quarter corner thereof; thence along the west line of Section 3, said Township, and the west line of Section 34, said Township 27 North, to the Point of Beginning; Together with tidelands of the second class fronting on and abutting on said tract.

SITUATE IN COUNTY OF KITSAP, STATE OF WASHINGTON.

## **PORT COMMISSIONER DISTRICT 3**

Beginning at an intersection of the high tide line of Puget Sound with the south line of northeast quarter of Section 35, Township 27 North, Range 2 East, W.M. in Kitsap County, Washington; thence west along the south line thereof to the centerline of South Kingston Road NE; thence southerly along said to an intersection with the south line of the north one-third of the northeast quarter of the northeast quarter of Section 2, Township 26 North, Range 2 East, W.M.; thence west along the south line thereof to the southwest corner thereof; thence south along the west line of said subdivision to the southeast corner of the northwest quarter of the northeast quarter, said Section 2; thence west along the west line thereof to the northeast corner of the southeast of the northwest quarter, Section 2; thence west along the north line to the northeast corner of the southwest quarter of the northwest quarter of said Section 2; thence south along the east line thereof to the southeast corner thereof; thence west along south line thereof to the west quarter corner, said section, also being the east quarter corner of Section 3, said Township 26; thence along the east-west centerline of said Section to the west quarter corner thereof; thence south along the west line of Section 3, said Township, to the southwest corner thereof; thence east along south lines of Section 3 and Section 2, said Township to the southwest corner of Section 1, said Township; thence south along the west line thereof and the west line of Section 13, said Township, to the high tide line of Puget Sound; thence easterly along northerly along said high tide line to the point of beginning; Together with tidelands of the second class fronting on and abutting on said tract. SITUATE IN COUNTY OF KITSAP, STATE OF WASHINGTON.

## EXHIBIT C

Property located within the IDD is defined and characterized by each of the following described conditions:

- (1) An economic dislocation, deterioration, or disuse resulting from faulty planning.
- (2) The existence of inadequate streets, open spaces, and utilities.
- (3) The existence of lots or other areas that are subject to being submerged by water due to sea level rise.
- (4) By a prevalence of depreciated values, impaired investments, and social and economic maladjustment to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered.
- (5) In some parts of marginal lands, a growing or total lack of proper utilization of areas, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety, and welfare.
- (6) In other parts of marginal lands, reduction of proper utilization of the area, resulting in its further deterioration and added costs to the taxpayer for the creation of new public facilities and services elsewhere.
- (7) Property of an assessed valuation of insufficient amount to permit the construction and installation of streets, walks, sewers, water, and other utilities.

## Port of Kingston

### Professional Services Agreement

THIS AGREEMENT is entered into between the Port of Kingston, hereinafter referred to as the "PORT," and **Washington Project Consultants, PLLC**, hereinafter referred to as "CONSULTANT", in consideration of the mutual benefits, terms, and conditions hereinafter specified.

1. Project Designation. CONSULTANT is retained by the Port to provide on-call technical and planning consulting services in connection with a range of technical and planning issues and initiatives, including:
  - a. Budget development;
  - b. Capital project development;
  - c. Technical assessment and issue evaluation;
  - d. Operations issues analysis;
  - e. Policy analysis;
  - f. Economic development planning; and
  - g. Strategic and Master Planning, including assisting in the development /maintenance of the Port's Multi-Year Capital Improvement Program, including the development of a detailed funding and spending plan.
  - h. See attachment 2 for additional scope of work.
2. Consultant Qualification. CONSULTANT warrants that they have the required skills to perform the work specified in this Agreement. See attachment 1.
3. Scope of Services. CONSULTANT shall provide services under the direction of the Executive Director generally consistent with the Scope of Services described in Attachment A:
4. Time and Duration of Agreement. This agreement shall be for the period January 21, 2022 – January 20, 2023 unless otherwise terminated (see provision 12 below.)
5. Compensation. CONSULTANT shall be paid on a time and materials basis for an amount not to exceed \$25,000.00 on a time and materials basis, billed at CONSULTANT'S standard rate of \$95.00 per hour. Monthly invoices will include a brief description of daily activity and hours applied to Port services.
6. Compliance with laws. CONSULTANT shall, in performing the services contemplated by this Agreement, faithfully observe and comply with all federal, state, and local laws, ordinances and regulations applicable to the services to be rendered under this Agreement.
7. Hold Harmless and Indemnification. CONSULTANT shall indemnify, defend and hold harmless the PORT, its officers, agents and employees, from and against any and all claims, losses or liability, or any portion thereof, including attorneys' fees and costs, arising from any acts, omissions or in any way related to the performance of this contract by CONSULTANT.
8. Independent Contractor. CONSULTANT and the PORT agree that CONSULTANT is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and

employee between the parties hereto. CONSULTANT shall not be entitled to any benefits accorded PORT employees by virtue of the services provided under this Agreement. The PORT shall not be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the State Industrial Insurance program, otherwise assuming the duties of an employer with respect to CONSULTANT.

9. Assignment. CONSULTANT shall not sublet or assign any of the services covered by this Agreement without the expressed written consent of the PORT.
10. Drug-Free Workplace Policy. The PORT has adopted a Drug-Free Workplace Policy that the workplace will be a drug free environment conducive to conducting the PORT's business free from unlawful manufacture, distribution, dispensing, possession or use of controlled substances. This policy applies to PORT Commissioners, PORT employees, and contractors conducting business on PORT property.
11. Equal Opportunity Policy. All persons or entities performing work for the Port shall provide equal opportunity to all of its employees and applicants for employment and assure that there is no discrimination on the basis of race, color, region, national origin, sex, age, marital status, or physical disability unless based upon a bona fide occupational qualification. All persons or entities performing services for the PORT must insure that the foregoing extend to all areas of employment and to all relations with employees including recruitment, selection, placement, compensation, promotion and transfer, training, daily working conditions, awards and benefits, and all other terms and conditions of employment as provided for in state and national laws. CONSULTANT hereby agrees to abide by applicable regulations during the course of this agreement.
12. Termination. The PORT reserves the right to terminate this agreement at any time by giving ten (10) days written notice to CONSULTANT.
13. Integrated Agreement. This agreement together with attachments or addenda, represents the entire and integrated agreement between the PORT and CONSULTANT and supersedes all prior negotiations, representations, or agreements written or oral. This agreement may be amended only by written instrument signed by both PORT and CONSULTANT.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

CONSULTANT

PORT OF KINGSTON

\_\_\_\_\_  
Marc A. Horton, PE

\_\_\_\_\_  
Greg Englin, Executive Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Administrative Services Manager



212 S Rhododendron DR  
Port Townsend, WA 98368  
360-890-0752

## Resume

**Marc A. Horton, PE**

## Experience Summary

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**Washington Project Consultants, PLLC**      **Consultant and Owner**  
**(2015 to Present)**

Consultant to Government, Business, and Industry on various types of projects – services include project development, permitting, and management.

**Port of Grays Harbor**      **Director of Environmental and Engineering Services**  
**(2011 to 2015)**

Planned, developed and implemented the Port's Capital Improvement Program; Responsible for environmental compliance; Developed contracting policy and procedures consistent with existing statutes and regulations; Provided a point of contact and served as a liaison with the Port and regulatory agencies, the consultant industry, and various service providers.

**Consulting Firms**      **Consultant: Skillings Connolly, HDR, Economic and Engineering Svcs.**  
**(1992 to 2011)**

Managed environmental regulatory and permitting projects (small to large) with federal, state, and local requirements; Managed environmental review (SEPA compliance), permitting, design, and construction of water supply facilities; Developed Comprehensive Water System Plans meeting Department of Health Requirements; Conducted hazardous waste treatment and management assessments.

**Washington State Department of Ecology**      **Deputy Director, Manager, Supervisor, & Staff**  
**(1974 to 1992)**

As Deputy Director, Program Manager, Staff - Managed activities in the program development, operations and enforcement activities of the department in water resources (water rights), shorelines management, air resources, water quality, solid waste, dangerous waste, and laboratory services.

## Education & Credentials

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- **Bachelor of Science** - Chemistry - 1969 - University of Washington
- **Master of Science** - Chemistry (Water and Air Resources) - 1972 - University of Washington
- **Doctoral Candidate** - Chemistry (Water and Air Resources) - 1973 - University of Washington - Graduate Fellowship from the U.S. Environmental Protection Agency, National Research Laboratory, Corvallis, Oregon
- **Licensed Professional Engineer** – State of Washington



## **ATTACHMENT 2**

### **SCOPE OF WORK**

#### **GENERAL AREAS FOR TASK ASSIGNMENTS**

The following task areas are within Marc Horton's experience and expertise. Therefore the following topic areas for task assignments are described to provide a generalized Scope of Work. Many of the issues below are addressed best when done in concert with a Port team composed of members with varied backgrounds. Participation on the Port team on any or all of these may be required.

It is recognized that the activities describe below are intended to complement capability of existing staff, and as necessary, add specialized resource capability to the Port team.

- Budget development: Expertise may be requested to assist in budget development. For example, technical assistance may be needed to integrate capital projects and funding with the multiple year cash flow projections.
- Capital project development and management: Engineering and technical assistance may be required to develop or refine capital projects planning and delivery - overall approach and planning, funding, implementation. (e.g. Development of project definitions and scopes, development of project plans, permitting, funding alternatives, and implementation – some project areas might include, dredging, marine maintenance and repair projects)
- Technical assessment / issue evaluation: Issues such as environmental permit compliance (e.g. eelgrass mitigation), stormwater management, security technology, etc. may require specific analysis or strategy development.
- Operations issue analysis: Specific operations issues may require special analysis or attention in the way of short term studies or evaluations. These could be in areas such as data systems and analysis for operational areas, day to day protocols and tools, etc.
- Policy Analysis: Policies exist for a variety of Port operations. From time to time, these need to be reviewed or updated with appropriate and experienced analysis. Similarly, assistance may be needed for evaluation and development of new policy where none currently exists. (e.g. purchasing, public works project processing, and environmental)
- Economic Development: Specific analysis of proposed or existing economic development activity may be required. This can involve specialized overview reports on prototypical investments to detailed analysis of existing or proposed activity applicable to the Port.
- Planning: Relationship to County Plan, and the Port's Strategic and Master Planning: These plans should be in a fairly routine state of review and update, but may needs experienced and technical review. In addition, specific planning may be required for specific properties requiring team building, facilitation, scoping, and implementation. (e.g. Evaluation of the County's Stormwater Planning, Shoreline Mater Plan from planning and policy perspectives)