

**PORT OF BREMERTON**  
**BOARD OF COMMISSIONERS**  
**REGULAR BUSINESS MEETING**

**A G E N D A**

February 28, 2023  
6:00PM

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

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**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 and executive session of February 14, 2023.
- B. Payment of checks #901730 through #901731 and #901732 and #901733 through #901734 and #901735 and #84645 through #84670 and #E01350 through #E01365 from the General Fund for \$415,463.84.

Payment of checks #901736 through #901739 and #E01366 and #E01367 and #901741 and #84671 through #84690 and #E01368 from the General Fund for \$57,991.80.

**Information Items**

1. Solar Farm Presentation - EDF Renewables

**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. Lady Washington Tall Ship Temporary Moorage Use Agreement
2. Amendment #1 to the Agreement between Suquamish Indian Tribe and Port of Bremerton
3. Bid Award to Signature Roof Service, Inc., for Roof Replacements of 5695 and 5737 Imperial Way SW

**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>02/28/2023</i>	<i>6:00 pm</i>	<i>*Commission Regular Meeting</i>
<i>03/01</i>	<i>10:00 am</i>	<i>Central Puget Sound Economic Development District Board</i>
<i>03/14</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**

February 14, 2023  
10:00AM

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

**Commissioners and Staff Present**

Commissioners  
Axel Strakeljahn  
Gary Anderson  
Cary Bozeman

Staff Members  
Jim Rothlin  
Arne Bakker  
Jeremiah Wiley  
James Weaver  
James Goodman  
Monroe Whitman IV  
Ginger Waye  
Stephanie Frame  
Anne Montgomery, Atty

**Call to Order**

President Strakeljahn 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, 3-0**

**Consent Items**

- A. Minutes of the regular business meeting and executive session of January 24, 2023.
- B. Payment of checks #901713 and #901714 through #901715 and #901716 through #901719 and #901720 through #901723 and #E01334 and #/84588 through #84619 and #E01335 through #E01340 from the General Fund for \$167,157.05.  
Payment of checks #901724 and #E01341 and #84620 and #84621 through #84644 and #E01342 through #E01349 and #901725 and #901726 through #901729 from the General Fund for \$231,083.41.

**It was moved by ANDERSON, seconded by BOZEMAN to:**

Approve the Consent Items as presented.

**MOTION CARRIES, 3-0**

## Citizen Comments - None

## Action Items

1. Final Acceptance of Taxiway Relocation/Apron Rehabilitation Project (AIP 3-53-0007-035-2021) with Tucci & Sons, Inc.

*Presented by Monroe Whitman IV, Airport Manager*

Following Board discussion and questions that were addressed by staff;

**It was moved by ANDERSON, seconded by BOZEMAN to:**

Accept as final the Taxiway Relocation/Apron Rehabilitation Project (AIP 3-53-0007-035-2021) with Tucci & Sons, Inc., for a total of \$4,511,294.21, including WSST.

**MOTION CARRIES, 3-0**

## Staff Reports

*Jim Rothlin, Chief Executive Officer*

- Employee milestones:
  - Lee Howell, Port Maintenance (PM) I, completed his first year of employment with the Port which included a promotion from Port Attendant to PM I.
- Provided an update on the multipurpose facility construction.
- Reported on the recent Seattle Boat Show thanking staff from all facilities that participated in manning the booth with a special appreciation for Marina Operations Manager Kathy Garcia's efforts in coordinating and managing the booth.
- Reported on the following meetings:
  - Kitsap Economic Development Alliance (KEDA) strategic planning meeting.
  - Paine Field representatives regarding their history, growth, obstacles, and successes in growing their airport.
  - E.E. Overton group and how their development plans tie into the Port's.
  - Suquamish Tribe regarding support of the Port Orchard Marina breakwater replacement project.

## Commission Reports / New Business

*Commissioner Bozeman*

- Reported on a substantial piece he heard on the news regarding the growth of SeaTac airport and the expansion planning process that has been ongoing the last 2-3 years and which may have to start over.

*Commissioner Anderson*

- Noted that he also attended a KEDA meeting during which a topic was how KEDA could serve and address needs better. Discussed ideas on how KEDA could provide service to the Port.

*Commissioner Strakeljahn*

- Reported on recent meetings:
  - Kitsap Regional Coordinating Council (KRCC) Board which highlighted bills before the legislature that are contentious regarding land use.
  - Puget Sound Regional Council (PSRC) which is about to complete their industrial land use study.
- Spoke to other economic development associations working on aerospace, aviation, and defense and that it may be something to get back to.

**Executive Session**

President Strakeljahn recessed the meeting at 10:35 a.m. and reconvened into executive session at 10:40 a.m. for approximately 45 minutes to consider the price and terms at which real estate may be leased or sold when public discussions could disadvantage the Port's negotiations [RCW 42.30.110(1)(c)]. At 11:25 a.m., executive session was extended 10 minutes; at 11:35 a.m., extended another 10 minutes.

At 11:49 a.m. the regular meeting was reconvened.

**Adjournment**

There being no further business before the Board, the meeting was adjourned at 11:49 a.m.

Submitted,

Approved,

Jim Rothlin  
Chief Executive Officer  
February 23, 2023

Cary Bozeman  
Commission Secretary  
February 28, 2023

**PORT OF BREMERTON**  
**BOARD OF COMMISSIONERS**  
**EXECUTIVE SESSION**

**MINUTES**

February 14, 2023  
10:40 AM

CEO Office  
Port Administration Offices  
Bremerton Nat'l Airport Terminal Bldg  
8850 SW State Hwy 3, Bremerton

**Call to Order**

President Strakeljahn called the executive session to order at 10:40 a.m., February 14, 2023.

**Commissioners and Staff Present**

Commissioners

Axel Strakeljahn  
Gary Anderson  
Cary Bozeman

Staff Members

Jim Rothlin  
Arne Bakker  
James Weaver  
Monroe Whitman IV  
Anne Montgomery, Atty

**Item #1:** Considering the price and terms at which real estate may be leased or sold when public discussions could disadvantage the Port's negotiations [RCW 42.30.110(1)(c)].

With no further business to come before the Board, the meeting was adjourned into regular session at 11:49 a.m.

Submitted,

Approved,

Jim Rothlin  
Chief Executive Officer  
February 23, 2023

Cary Bozeman  
Commission Secretary  
February 28, 2023

## **PORT OF BREMERTON**

### **AGENDA SUMMARY**

Agenda Item No: Action Item #1  
Subject: Lady Washington Tall Ships Temporary Moorage  
Exhibits: Agreement for Lady Washington Tall Ships Nonprofit Temporary Moorage  
Prepared By: James Weaver, Director of Marine Facilities  
Meeting Date: February 28, 2023

#### **Summary:**

The Grays Harbor Historical Seaport, a 501(c)(3) not-for-profit public development authority provides local visits to Puget Sound ports with their tall ship, the Lady Washington to provide historic maritime education and outreach for local communities. The moorage at the Port Orchard Marina also brings significant tourism to the community.

The Lady Washington is a full-scale replica of the original 1776 vessel, that fought in the revolutionary war and was the first American ship to visit Honolulu, Hong Kong and Japan. The original Lady Washington also was the first American vessel in our own Grays Harbor in 1792, of which the bay is named after her captain, Robert Gray.

Constructed in Grays Harbor to historical specifications, the new Lady Washington is a U.S. Coast Guard inspected and certified passenger sailing vessel. The Lady Washington has appeared in several motion pictures including Pirates of the Caribbean: The Curse of the Black Pearl. Over the years, the Lady Washington, and the benefit she provides to the local community has been a welcome addition to the Port Orchard waterfront.

#### **Fiscal Impact:**

A maximum possible impact of \$112 per day transient moorage for a maximum of 90 days, and, if extended, a maximum of \$56 per day transient moorage for a maximum of 90 days.

#### **Recommendation:**

Recommendation is for approval of the support for temporary moorage for the Lady Washington Tall Ship.

#### **Motion for Consideration:**

**Move to approve the agreement with the Lady Washington Tall Ship for provision of temporary moorage on Port Orchard Breakwater and to authorize the CEO to execute the agreement.**

**PORT OF BREMERTON**  
**SHORT TERM USE AGREEMENT**

IT IS HEREBY understood that this Use Agreement made this 28th day of February 2023, by and between the **PORT OF BREMERTON**, a municipal corporation organized under the laws of the State of Washington, hereinafter referred to as "Port", and the Lady Washington Tall Ship, a vessel owned by the Grays Harbor Historical Seaport, a 501 (c)(3) educational non-profit public development authority based in Aberdeen, Washington, hereinafter jointly referred to as "User", for and in consideration of the mutual agreements, covenants, and promises herein contained as follows:

**USE:** The Port hereby agrees to permit the User to utilize the Port Orchard Marina Breakwater for the purpose of Lady Washington tall ship education nonprofit moorage, and for no other use. User shall be responsible for correction of any and all property damage which would occur as a result in any way to User's activity. User acknowledges that they have viewed the facilities and accept them in their current condition as appropriate for their intended use with no further modifications by the Port.

**TERM:** The term of this agreement shall begin from date of signature and ending on December 31, 2023.

**ASSIGNMENT:** This agreement is not assignable or transferable in any fashion.

**RENT:** The User agrees to a maximum of 90-days moorage of \$ 0.00 per foot plus applicable taxes per day of use, and if extended, then agrees for a maximum of additional 90-days moorage to pay the Port, a minimum of \$ 0.50 per foot plus applicable taxes per day of use plus electricity, in advance. A late fee of one percent (1%) per month, minimum \$40.00 will be assessed on all accounts not paid in advance.

**RISK OF LOSS:** The User assumes all risks, including but not limited to, loss of or damage to equipment or property of the User, or of participants, or any other person on the premises under the terms of this agreement, or of equipment or property used or stored on the premises under the terms of this agreement.

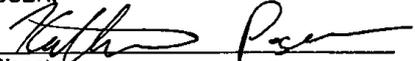
**SECURITY:** Security of User's or invitees' property shall be the sole responsibility of the User. User shall prevent users, attendees and participants from traversing or accessing any and all parts of the Port of Bremerton, Port Orchard Marina facility, except those areas open to the public and that area designated herein for User's purpose, and specified ingress and egress thereto.

**INSURANCE AND INDEMNITY:** The User shall secure comprehensive general liability insurance (Form CG-001) for property damage and bodily injury at the premises in an amount of not less than \$1 million per occurrence and \$2 million aggregate. In addition, User shall keep and maintain in full force and effect during the term of this agreement fire and extended coverage insurance on all fixed improvements located or situated on or in the Premises to the full insurable value thereof. Proceeds from such insurance shall be used to restore the Premises. User shall provide the Port with a certificate of insurance, naming the Port as an additional insured (CG 2010 [form B]) and the premises shall be listed as a covered site on all coverage. The User agrees to hold the Port, its officers, employees and agents harmless from any liability and/or suits for such injuries or property damage as any person might receive or believe he has received from the acts or omissions of the User, their agents, or employees, or any other person(s) using the premises under the terms of this agreement while operating at the Port of Bremerton, including the expense of litigation. No occupancy or use permitted under the terms of this agreement shall commence until such evidence of insurance is presented to and approved by the Port. User agrees to assume full responsibility for the conduct of all persons involved in the said use of the premises.

**CANCELLATION:** This agreement is subject to immediate termination with or without cause by the Port. No written notice is required.

Signed this 21<sup>st</sup> day of February 2023.

USER:

  
Signature Katherine Pogue  
Captain, Lady Washington  
Name and Title

PORT OF BREMERTON

\_\_\_\_\_  
Jim Rothlin  
Chief Executive Officer

Grays Harbor Historical Seaport Authority  
P.O. Box 2019  
Aberdeen, WA 98520  
(360) 532-8611

# **PORT OF BREMERTON**

## **AGENDA SUMMARY**

Agenda Item No: Action Item #2  
Subject: Agreement between Port of Bremerton and Suquamish Indian Tribe  
Exhibits: Amendment 1 to Agreement with the Suquamish Indian Tribe  
Prepared By: James Weaver, Director of Marine Facilities  
Meeting Date: February 28, 2023

### Summary:

The existing north and east breakwaters have protected vessels moored at the Port Orchard Marina for more than 48 years and now the facilities have far outlived their original design life and needs replacement. The Port Orchard Marina Breakwater Replacement project has been in the design and permitting process for more than 2 years. The replacement construction project, as part of the permitting process, includes Sinclair Inlet habitat mitigation for potential impacts within the normal and accustomed tribal fishing rights areas of the Suquamish Tribe.

In 2005, the Port of Bremerton entered into an agreement with the Suquamish Tribe. The proposed amendment to that agreement includes provisions specific to the Port Orchard Marina Breakwater Replacement project. The agreement amendment assists Port efforts for securing State and Federal funding and helps the approval of the federal permit process.

### Fiscal Impact:

Fiscal impact to the Port of Bremerton includes an agreement to allot an additional 40 linear feet of moorage along the Port Orchard Marina Breakwater for Tribal Fishing vessels and cargo offload.

### Strategic Purpose:

Goal 6. Develop and fund a 20-year asset replacement/major maintenance schedule.

### Recommendation:

Port staff recommends the approval of Amendment 1 to the Agreement between the Port of Bremerton and the Suquamish Tribe.

### Motion for Consideration:

**Move to approve Amendment 1 to the 2005 Agreement between the Port of Bremerton and the Suquamish Indian Tribe and authorize the Commission President to execute the Amendment.**

**AMENDMENT 1 TO THE AGREEMENT BETWEEN  
SUQUAMISH INDIAN TRIBE AND PORT OF BREMERTON  
February 28, 2023**

This Amendment is made to the Agreement Between Suquamish Indian Tribe (Tribe) and Port of Bremerton (Port) December 8, 2005 (Agreement) regarding the Port's proposed Port Orchard Marina Breakwater Replacement project. The Port and Tribe agree that the rights and obligations under the Agreement will be amended to include:

1. Commencing immediately upon execution of this Amendment, the Port agrees to provide the Tribe with an additional 40 lineal feet of moorage, for a total of 240 lineal feet of moorage, on the inside of the Port Orchard Marina breakwater without any fees or costs to the Tribe or Tribal fishermen.
2. The Tribe will transmit a letter to the Port of Bremerton in support of securing federal funding grants and Washington State funding grants for the Port Orchard Marina Breakwater Replacement project. This letter will be mailed within five (5) business days of the Tribe's execution of this Amendment.
3. The Tribe will transmit a letter to the U.S. Army Corps of Engineers stating that the Tribe does not oppose the issuance of the Section 10 permit for the Port Orchard Marina Breakwater Replacement project (U.S. Army Corps Permit No. NWS-2022-513). This letter will be mailed within five (5) business days of the Tribe's execution of this Amendment.
4. The Port agrees to meet with the Tribe no later than June 15, 2023 to discuss the Port's continued obligations regarding the educational program for Marina users and others regarding the Tribe's treaty fishing rights and use of the Port Orchard Marina. In accordance with the Agreement, the Port and Tribe will continue to meet annually in early June.
5. This Amendment is conditioned upon the construction and continuing existence of the Port Orchard Marina Breakwater Replacement project, as designed on the date of execution of this Amendment, located at 707 Sidney Parkway in the City of Port Orchard. If, at any time, the Port Orchard Marina Breakwater Replacement project design changes without the prior written approval of the Tribe, or the project is not pursued by the Port the provisions of this Amendment will be null and void without further action by either party.

SIGNATURES ON THE FOLLOWING PAGE

Dated this \_\_\_\_ day of \_\_\_\_\_, 2023.

Port of Bremerton

Suquamish Indian Tribe

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Axel Strakeljahn, President  
Port Commission

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Leonard Forsman, Chairman  
Suquamish Tribal Council

**PORT OF BREMERTON**  
**AGENDA SUMMARY**

Agenda Item No: Action Item #3  
Subject: Notice of Award: Signature Roof Services, LLC – Roof Replacements of  
OVIP#6 (IMIA) and OVIP #3 (Belfair Hose)  
Port Project #04-23-40004-C  
Exhibits: None  
Prepared By: James Goodman, Director of Facilities and Property Development  
Meeting Date: February 28, 2023

Summary:

The roofs of OVIP #3 (Belfair Hose) and OVIP #6 (IMIA) have reached the end of their effective life span. OVIP #3 is the third oldest Port-owned building in the Industrial Park. On January 10, 2023, Port Commission gave the notice to proceed for Port staff to go out to bid for the replacement of both roofs.

On February 14, 2023, bids were received for Port Project Number 04-23-40004-C. A total of five bids were received. Signature Roof Services, LLC. of Kent, WA offered the winning bid including sales tax at \$272,999.45. The highest bid received was \$352,674.06. This included the addition of insulation for both roofs as an alternate bid.

Port staff has completed their due diligence on Signature Roof Services and finds the company in good standing. The company has shown significant expertise in commercial roofing installations with favorable reviews on the quality of work, schedule, and ability to remain within budget.

Fiscal Impact:

This is a 2023 approved capital budget project (OVIP Roof Replacements).

	- Capital Budget	<b>\$300,000.00</b>
Construction Contract:	- Base (Roof System)	\$251,161.09
	- Alternate #1 (Insulation OVIP 6)	\$14,038.75
	- Alternate #2 (insulation OVIP 3)	\$7,799.61
	- Project Total	<b>\$272,999.45</b>
	- Under approved budget	(\$27,000.55)

Strategic Purpose:

This action conforms with the Port's strategic plan of Goal 6. Develop and fund a 20-year asset replacement/major maintenance schedule.

Recommendation:

Port staff recommends the construction contract bid award for Roof Replacements of OVIP#6 (IMIA) and OVIP #3 (Belfair Hose) to Signature Roof Services, LLC, in the amount of \$ 272,999.45, and authorize the CEO to issue notice to proceed.

Motion for Consideration:

**Move to approve the construction contract award of the 5695 Imperial Way (OVIP #6) and 5737 Imperial Way (OVIP #3) Roof Replacements to Signature Roof Services, LLC, in the amount of \$272,999.45, and authorize the CEO to execute the contract and issue notice to proceed.**