

**Poulsbo Port District – Port Commission  
Poulsbo Marina – 18809 Front Street  
Multi-Purpose Building on ‘E’ Dock**

Subject	<b>*REMOTE* Regular Meeting Agenda</b>	Date	<b>April 16, 2020</b>
Recorder	<b>Cassidy Conners</b>	Start Time	<b>7:00 PM</b>
Commission Chair	<b>Mark DeSalvo</b>	End Time	<b>9:00 PM</b>
Commission Members	<b>Mark Singer, Jamie Green</b>		
Staff Present	<b>Carol Tripp, Port Accountant &amp; Mgr. - Melanie Winnett, Harbormaster</b>		

AGENDA		
No.	Topic	Action/Recommendation/Discussion
1.	<b>CALL TO ORDER</b>	
2.	<b>COMMISSIONER COMMENTS</b>	
3.	<b>CONSENT AGENDA ITEMS</b> (Next Res: 2020-10) All matters listed within the Consent Agenda 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 Agenda and placed on the Regular Agenda by a Commission member or by Citizen Request. <b>A. Approve meeting minutes of: 3/5/2020 and 3/20/2020</b> <b>B. Warrants: 16650 – 16686, P12734 – P12745, EFT 4/3/2020, EFT 4/10/2020, EFT 4/17/2020, EFT 04/27/2020, EFT 04/30/2020, EFT 04/30/2020, EFT 04/19/2020, EFT 04/03/2020 in the amount of \$132,888.64.</b> <b>C. Resolution 2020-09: Liveaboard Rent Deferrals</b>	
4.	Accounting & Manager’s Report	
5.	Harbormaster Report	
6.	<b>PUBLIC COMMENT &amp; REQUESTS FOR FUTURE AGENDA ITEMS</b>	
7.	<b>EXECUTIVE SESSION</b>	
8.	<b>ADJOURN</b>	

**ZOOM MEETING INSTRUCTIONS**

Topic: POP Commission Mtg 4-16-2020

**Time: Apr 16, 2020 07:00 PM Pacific Time (US and Canada)**

Join Zoom Meeting

<https://zoom.us/j/98078590997>

**Meeting ID: 980 7859 0997**

One tap mobile

+16699006833,,98078590997# US (San Jose)

The Port of Poulsbo provides a time for citizen input during, ‘Public Comments.’ Please limit yourself to three (3) minutes per person. If you wish to address the Commission, please step up to the podium and speak clearly. The Commission is committed to maintaining a meeting atmosphere of mutual respect and speakers are encouraged to honor this principle. The Board will address public comments during ‘New Business Items – public comments.’ If you wish to attend the Commission meeting and require physical accommodations in order to do so, please call (360) 779-9905 by 9 a.m. the day of the meeting.

PORT OF POULSBO  
\*REMOTE\* REGULAR MEETING MINUTES  
APRIL 16, 2020  
7:00 PM

**Present:** Commissioner DeSalvo, Commissioner Singer, Commissioner Green, Port Accountant Carol Tripp, Melanie Winnett - Harbormaster

**Call to Order 7:00pm**

**Public Comments**

There were none.

**Commissioner Comments**

Commissioner Green hopes everyone is enjoying the nice weather during quarantine.

Commissioner Singer thanked Port Accountant Tripp and Port staff for how they are handling fueling, people, and Port business. There have been a few issues that Port Accountant Tripp has been doing an outstanding job of handling. He has been talking to people who have come to the Port and voiced some concerns. It is interesting to know how people perceive the Port and it has been helpful to have comments from visitors. Most of the feedback remains positive and visitors are happy they can come visit the Port of Poulsbo.

Commissioner DeSalvo had several issues and areas concerns that need addressed. He will continue to update has needed and is willing to answer questions about what has come up that people are concerned about, as well as how the Port is handling it. He said we all have a role in this and that is why the Port remains open. He recognized Port Accountant Tripp and Port staff for coming up with great ideas on how to keep things sanitized and maintaining social distancing.

**Consent Agenda**

**Motion:** Move to approve the minutes of March 5th and 20th

**Moved by:** Commissioner Singer **Seconded by:** Commissioner Green

Motion passed unanimously.

**Motion:** Move to approve the warrants

**Moved by:** Commissioner Green **Seconded by:** Commissioner DeSalvo

Motion passed unanimously.

**Motion:** Move to approve Resolution 2020-09: Live-aboard Rent Deferrals

**Moved by:** Commissioner DeSalvo **Seconded by:** Commissioner Green

Motion passed unanimously.

PORT OF POULSBO  
\*REMOTE\* REGULAR MEETING MINUTES  
APRIL 16, 2020  
7:00 PM

**Accounting & Manager's Report**

See attached.

**Harbormaster's Report**

See attached.

**Public Comment & Request for Future Agenda Items**

Dave suggested updating the Port website to state all public meetings are, for the time being, virtual. He also recommended linking documents of discussion to the meeting minutes to people can stay current in Port business. Dave also wanted to make it clear that the Port is making a distinct difference in the lives of people downtown. He encouraged the board to document all this well because it is a good example of the Port supporting economic development for the community.

**Commissioner Comments**

Commissioner Green said everyone is doing wonderfully. She has been going to the docks nearly every day. Please let her know if anyone needs anything.

Commissioner Singer said once social distancing is over, we need to have a dock party. He also said it is great to be a member of the Port. He recognized Port Accountant Tripp for everything she is doing.

Commissioner DeSalvo said because Viking Fest was cancelled, there is talk about a "Viking Reboot Raid" once the social distancing is lifted. People are social distancing with their boats, and we are here to support that. Be responsible while you are self-isolating. The Port of Poulsbo is the bridge for people who are on their boats. Take advantage of that if you can. Support local restaurants and order take out. Please email the Port to contribute to public comments and request for future agenda items.

**Final Adjournment 7:45pm**



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Mark DeSalvo, Chairman & Commissioner



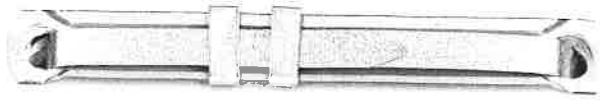
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Mark Singer, Commissioner

PORT OF POULSBO  
\*REMOTE\* REGULAR MEETING MINUTES  
APRIL 16, 2020  
7:00 PM

  
\_\_\_\_\_  
Jamie Green, Commissioner

\_\_\_\_\_  
Cassidy Conners, Recording Secretary (Not in Attendance)



PORT OF POULSBO

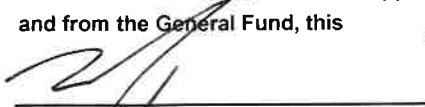
PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA

April 3, 2020

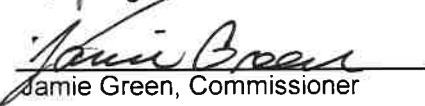
We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$28,329.58 and from the General Fund, this 3rd day of April 2020.

  
Mark DeSalvo, Commissioner

ATTEST:


  
Mark Singer, Commissioner

  
Cassidy Conners, Recording Secretary

  
Jamie Green, Commissioner

Voucher #	Claimant	Amount
16650	Edward Jones	1,455.42
16651	Albert Scala	328.65
16652	Dean Lofall	205.50
16653	Dean Lofall	464.18
16654	Steven Agnew	506.55
16655	Bank of America	715.16
16656	Blue Sky Printing	32.69
16657	Cass/Cade Distributing Inc	277.19
16658	Chmelik Sitkin & Davis PS	1,771.00
16659	Coast to Coast Hardware	68.75
16660	HCL Fasteners Corporation	326.40
16661	Home Depot	41.88
16662	Kitsap Networking Services	1,640.00
16663	Lee Shore Boats	10,405.15
16664	Masco Petroleum	8,445.26
16665	Mascott Equipment	665.19
16666	Norbut Law Firm PLLC	260.00
16667	Office Depot Credit Plan	170.53
16668	Propane Northwest	128.23
16669	PUD #1 of Kitsap County	345.00
16670	Sherrard McGonagle Tizzano PS	12.50
16671	Tacoma Screw Products Inc	64.35
TOTAL		<b>\$ 28,329.58</b>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

**PORT OF POULSBO**

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370


Kitsap County, WA

April 10, 2020


We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \_\_\_\_\_ \$531.36 and from the General Fund, this \_\_\_\_\_ 10th \_\_\_\_\_ day of \_\_\_\_\_ April 2020 \_\_\_\_\_.

  
Mark DeSalvo, Commissioner

ATTEST:

  
Mark Singer, Commissioner

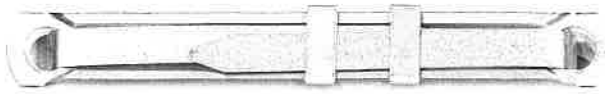
\_\_\_\_\_  
Cassidy Conners, Recording Secretary

  
Jamie Green, Commissioner

Voucher #	Claimant	Amount
16672	Paul Matthaesus	531.36
	TOTAL	<b>\$ 531.36</b>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor



**PORT OF POULSBO**

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370


Kitsap County, WA

April 17, 2020

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$32,879.91 and from the General Fund, this 17th day of April 2020.

  
Mark DeSalvo, Commissioner

ATTEST:

  
Mark Singer, Commissioner

  
Cassidy Conners, Recording Secretary

  
Jamie Green, Commissioner

Voucher #	Claimant	Amount
16673	State of Washington	25.00
16674	AT & T	12.80
16675	Bainbridge Disposal Inc	470.85
16676	Bank of America	16.00
16677	City of Poulsbo	5,159.76
16678	Fisheries Supply	61.41
16679	Home Depot	60.10
16680	Masco Petroleum	3,005.70
16681	Olympic Springs Inc	50.83
16682	Scribble Software	125.00
16683	ServiceMaster	3,052.83
16684	Soundwest Engineering Assoc Inc	20,435.91
16685	CenturyLink	64.42
16686	State Auditor's Office	339.30
<b>TOTAL</b>		<b>\$ 32,879.91</b>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

**PORT OF POULSBO**

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA

April 3, 2020

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of           \$13,556.28           and from the General Fund, this       3rd       day of       April 2020      .

  
\_\_\_\_\_  
Mark DeSalvo, Commissioner

  
\_\_\_\_\_  
Mark Singer, Commissioner

  
\_\_\_\_\_  
Jamie Green, Commissioner

Voucher #	Claimant	Amount
P12734	Jamie Green	339.84
P12735	Mark DeSalvo	445.13
P12736	Mark Singer	445.13
P12737	Cassidy Conners	210.55
P12738	Richard Stice	1,451.92
P12739	Eugene Madayag	1,220.95
P12740	Jannese Hunt	1,463.39
P12741	Grant Hlebechuk	1,284.54
P12742	Carol Tripp	2,225.67
P12743	Melanie Winnett	1,959.57
P12744	Kelli Hodges	1,434.95
P12745	Miriam Stevens	1,074.64
<b>TOTAL</b>		<b>\$ 13,556.28</b>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
\_\_\_\_\_  
Port Auditor

~~~DIRECT DEPOSIT ADVICES~~~



PORT OF POULSBO

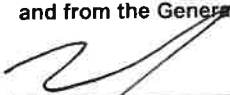
PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

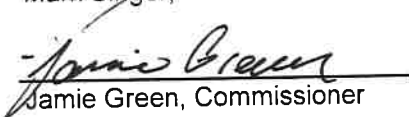
Kitsap County, WA

April 17, 2020

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$10,611.58 and from the General Fund, this 17th day of April 2020.

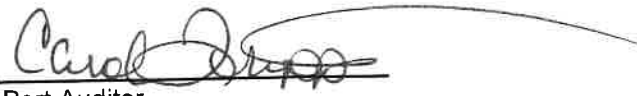
  
Mark DeSalvo, Commissioner

  
Mark Singer, Commissioner

  
Jamie Green, Commissioner

| Voucher # | Claimant        | Amount       |
|-----------|-----------------|--------------|
| P12746    | Richard Stice   | 1,609.99     |
| P12747    | Eugene Madayag  | 1,401.67     |
| P12748    | Jannese Hunt    | 1,000.95     |
| P12750    | Carol Tripp     | 2,225.67     |
| P12751    | Melanie Winnett | 1,866.03     |
| P12752    | Kelli Hodges    | 1,434.95     |
| P12753    | Miriam Stevens  | 1,072.32     |
| TOTAL     |                 | \$ 10,611.58 |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

---DIRECT DEPOSIT ADVICES---

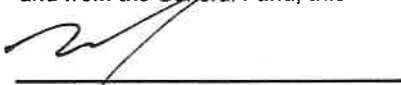
PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA April 10, 2020

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$12,684.80 and from the General Fund, this 10th day of April 2020.

  
Mark DeSalvo, Commissioner

ATTEST:


  
Mark Singer, Commissioner

  
Cassidy Conners, Recording Secretary

  
Vacant

| Voucher #     | Claimant                   | Amount             |
|---------------|----------------------------|--------------------|
| EFT 4/10/2020 | WA Teamsters Welfare Trust | \$12,684.80        |
|               | TOTAL                      | <b>\$12,684.80</b> |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

~~~ EFT ~~~


PORT OF POULSBO

PAYMENT VOUCHER


Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA April 17, 2020

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$2,959.92 and from the General Fund, this 17th day of April 2020.

  
Mark DeSalvo, Commissioner

ATTEST:


  
Mark Singer, Commissioner

  
Cassidy Conners, Recording Secretary

  
Jamie Green, Commissioner

| Voucher #     | Claimant                    | Amount            |
|---------------|-----------------------------|-------------------|
| EFT 4/17/2020 | US Treasury/Financial Agent | \$2,959.92        |
|               | TOTAL                       | <b>\$2,959.92</b> |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

~~~ EFT ~~~


PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA April 30, 2020

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$27,693.89 and from the General Fund, this 30th day of April 2020.

  
Mark DeSalvo, Commissioner

ATTEST:

  
Mark Singer, Commissioner

  
Cassidy Conners, Recording Secretary

  
Jamie Green, Commissioner

| Voucher #    | Claimant                                               | Amount             |
|--------------|--------------------------------------------------------|--------------------|
| EFT 04/27/20 | Washington State Dept of Revenue                       | \$958.65           |
| EFT 04/30/20 | Employment Security Dept                               | \$314.33           |
| EFT 04/30/20 | Labor & Industries                                     | \$3,657.61         |
| EFT 04/19/20 | Employment Security Dept (Paid Family & Medical Leave) | \$215.20           |
| EFT 04/30/20 | Washington State Dept of Revenue - LET                 | \$22,548.10        |
|              | TOTAL                                                  | <b>\$27,693.89</b> |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

~~~ EFT ~~~

**PORT OF POULSBO**  
**COVID-19 PANDEMIC MOORAGE FEES RELIEF POLICY**

**Background:**

The COVID-19 Pandemic has had a significant chilling effect on the economies of the United States, Washington State, and Kitsap County. The United States Department of Health has declared a public health emergency. Washington State has implemented statewide closure of schools, restaurants and bars, banned gatherings of groups of people, and ordered that all people in Washington State “stay home” unless they are pursuing an “essential” activity. Kitsap County and the Port of Poulsbo have also declared public health emergencies.

The Port of Poulsbo recognizes that the COVID-19 Pandemic has significantly impacted the lives of the people of Kitsap County. As a result, the Port has received requests from some moorage tenants for rent relief.

Given the economic hardship caused by the COVID-19 Pandemic and tenant inquiries about moorage rent relief, Port staff have developed the COVID-19 Pandemic Moorage Fees Relief Policy, which would provide for tenants with a history of maintaining the compliance of the their agreement obligations in good standing for at least the prior year or more. Thus, in response to economic impacts caused by the COVID-19 Pandemic, the Port of Poulsbo is implementing the following Moorage Fees Relief Policy:

- No accrual of late fees or finance charges during the deferred rent period.
- Moorage rent due on the first of the month may be paid as follows:
  - One half (1/2) paid on or before the first (1<sup>st</sup>) of the month, and
  - The second one-half (1/2) paid on or before the fifteenth (15<sup>th</sup>) of that month.
- Applicable to moorage customers who establish that they are undergoing financial hardship due to the COVID-19 pandemic and who are and have been in good standing and in compliance with their moorage agreement obligations, including without limitation making their moorage payments on or before their due dates for one year or more.
- Deferral is based on written request from a moorage customer.
- Port Manager to approve deferrals on a case by case basis moorage agreement modification.
- Policy to be reviewed to determine if there is a need to extend or restructure, subject to future Commission approval.
- The following moorage, taxes and fees are not subject to this deferred Policy:
  - Washington State leasehold excise tax,
  - Port Management Agreement Rent,
  - Additional Rent,
  - Utility Reimbursements, and
  - Other fees and assessments as determined by the Port.
- Rent deferral shall not unduly harm the Port of Poulsbo.
- No moorage customer shall have a right to any rent relief unless such relief is approved in writing by the Port Manager pursuant to this Policy.
- Waiver of any potential claims against the Port under the existing moorage agreement.
- A duty to mitigate any financial hardship including seeking any available local, state, or federal aid.

- All approvals for moorage fee deferral shall be subject to the terms and conditions of this Policy and any other conditions included in the approval deemed necessary by the Port Manager to implement this Policy.

**Applicability/Eligibility:**

- Deferred Moorage Fees will be considered only for an existing live-aboard moorage customer that is currently in good standing as set forth herein and as determined by the Port Manager, and is undergoing financial hardship as a result of the COVID-19 Pandemic.
- Only requests made between the effective date of this Policy through July 31, 2020 may be considered unless this Policy is extended by the Commission.

**Procedures/Implementation:**

- A moorage customer must provide a written request to the Port of Poulsbo describing the impacts of the COVID-19 Pandemic and the reason the deferral is needed, along with a description of the actions or plans being taken or made to address such impacts beyond requesting the deferral.
- A moorage customer may be asked to provide additional information on a case by case basis, including, but not limited to, details regarding the impact of COVID-19 on business, financial information, and other impact details.
- Port Staff will review for eligibility/applicability and determine fiscal impacts to the Port Manager.
- The Port Manager is authorized to approve deferments pursuant to this Policy, on a case by case basis.
- Approval of Deferred Moorage shall be documented in a Modification of Moorage Agreement signed by the Port Manager and shall operate as an amendment to the underlying moorage agreement.
- The Port Manager shall advise the Commission when action is taken to approve or deny a requested deferral agreement(s) pursuant to this Policy, including the amount of fees or charges deferred, or if the request was denied, including the reason for the denial. In addition, the report shall include a summary of the fiscal impact to Port of the approved deferral.
- The Port Manager may adopt additional rules and procedures in order to effectively implement this Policy.

**Policy Review:**

- This Policy will be in effect until July 31, 2020, unless terminated sooner or extended by the Commission prior to that date.

**RESOLUTION NO. 2020-09**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF POULSBO ESTABLISHING A PORT MOORAGE TENANT RENT RELIEF POLICY IN RESPONSE TO THE COVID-19 PANDEMIC EMERGENCY, DELEGATING AUTHORITY TO THE PORT MANGER TO ADOPT IMPLEMENTING RULES AND PROCEDURES, APPROVING RENT DEFERRALS, AND SUPPLEMENTING THE PORT OF POULSBO'S DELEGATION OF ADMINISTRATIVE POWERS AND DUTIES TO THE PORT MANAGER TO ADDRESS THE PORT'S EMERGENCY RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY**

**WHEREAS**, COVID-19, a respiratory disease that can result in serious illness or death to vulnerable or at-risk populations, is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

**WHEREAS**, the United States Centers for Disease Control and Prevention (CDC) identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high" and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for COVID-19 beginning on January 27, 2020; and

**WHEREAS**, on February 29, 2020, Governor Jay Inslee proclaimed a state of emergency within the State of Washington due to COVID-19; and

**WHEREAS**, on March 8, 2020, the Kitsap County Board of Commissioners declared a Public Health Emergency in response to COVID-19; and

**WHEREAS**, on March 20, 2020 pursuant to the Delegation of Administrative Powers and Duties, the Port Executive Director issued a Declaration of Emergency in response to the COVID-19 virus pandemic ("Declaration of Emergency"); and

**WHEREAS**, on March 23, 2020, Governor Inslee ordered that all people in Washington State "stay home" for a two-week period unless they are pursuing an "essential" activity; and

**WHEREAS**, COVID-19 has had a significant chilling effect on the economies of the United States, Washington State, Kitsap County, and the City of Poulsbo; and

**WHEREAS**, the public health emergency regarding COVID-19 has and is anticipated to continue to cause adverse economic impacts on businesses and citizens of Kitsap County, including potential laying off of employees, reduction of work hours and/or wages, and other unpredictable short and potentially long term consequences, which necessitates the Port to act and plan accordingly; and

**WHEREAS**, the Port has received requests from live-aboard tenants requesting rent relief, including waiver of late fees and deferment of some or partial rent payments; however, prior to the current COVID-19 public health emergency, some moorage tenants have not been in good standing and do not pay their moorage rent obligations when due; and

**WHEREAS**, retaining a tenant with a history of timely payments during a pandemic health crisis through a rent relief plan program is far less expensive in the long run than losing a

tenant with a history of maintaining their moorage agreement in good standing due to rent issues related to the overall economy caused by the COVID-19 pandemic;

**NOW, THEREFORE, BE IT RESOLVED** that:

The Port of Poulsbo COVID-19 Pandemic Moorage Fee Relief Policy and Procedure attached hereto is hereby adopted, and shall remain in effect until July 31, 2020, unless extended.

**BE IT FURTHER RESOLVED** that:

The Port of Poulsbo Manager may adopt such other administrative procedures and policies necessary to implement the Port of Poulsbo COVID-19 Pandemic Moorage Fee Relief Policy and Procedure.

**BE IT FURTHER RESOLVED** that:

The Port of Poulsbo Manager is hereby authorized to approve deferrals based on the COVID-19 Pandemic Moorage Fee Relief Policy during the effective period of the Policy.

**ADOPTED** by the Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington, this 16<sup>th</sup> day of April, 2020.

  
\_\_\_\_\_  
Mark DeSalvo, Commission President

  
\_\_\_\_\_  
Mark Singer, Commissioner

\_\_\_\_\_  
Jamie Green, Commissioner



## DEFERRED PAYMENT MOORAGE AGREEMENT

**THIS DEFERRED PAYMENT MOORAGE AGREEMENT** (the "Moorage Modification") is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between the **PORT OF POULSBO**, a Washington municipal corporation, hereinafter called "Port" and \_\_\_\_\_, a \_\_\_\_\_, hereinafter called "Tenant" (collectively, the "Parties").

**WHEREAS**, on [DATE], the Parties entered into a moorage agreement for certain moorage slip(s) at \_\_\_\_\_] known as \_\_\_\_\_ (referred to herein as the "Moorage Agreement"); and

**WHEREAS**, the Port recognizes that COVID-19 has had a devastating impact on the economies of the international community, the United States, Washington State, and Whatcom County; and

**WHEREAS**, on March 20, 2020, the Port's Board of Commissioners adopted Resolution No. \_\_\_\_\_, which declared a local emergency and delegated authorities to the Port Manager including emergency authorities to respond to COVID-19; and

**WHEREAS**, some live-aboard moorage tenants have requested rent relief due to financial impacts arising from the COVID-19 Pandemic, and the Board of Commissioners seeks to provide some relief to such tenants who have an established history of compliance with their moorage agreements and are in good standing in their moorage agreement obligations, in the form of waiver of rent relief and establishment of a new payment schedule for such tenants.

**NOW, THEREFORE**, in consideration of the mutual benefits contained herein, the Moorage Agreement or other instrument between the Port and Tenant is modified as follows:

1. **Recitals Adopted.** The foregoing Recitals are expressly adopted herein.
2. **Rental Relief Period.** For the period beginning \_\_\_\_\_, 2020 (the "Initial Deferral Date") through the period ending \_\_\_\_\_, 2020 (collectively the "Rental Relief Period"), the Tenant shall have one-half of their moorage fee/rent due on or before the 1<sup>st</sup> day of the month, the date when the full rent is due under the existing agreement, and the second half of the rent shall be due on or before the 15<sup>th</sup> of the month, and shall not be assessed a late fee for the delayed ½ payment. However, Tenant shall remain current on the payments owed for any applicable leasehold tax, Port Management Agreement rent, additional rent, utility reimbursement payments, and any other fees or assessments as identified by the Port ("Non-Deferred Payments") as included in **Exhibit A** attached hereto and incorporated herein by this reference. Billing for the Moorage Period shall continue to show the base moorage fee payment and the Non-Deferred Payments.
3. **Force Majeure Modification.** As additional consideration for the Postponed Rent, to the extent the Moorage Agreement has a Force Majeure or similar provision, the Tenant stipulates that the COVID-19 pandemic shall not be asserted by the Tenant as a Force Majeure condition. This provision does not add such a clause to an existing Moorage Agreement.

4. **Other Terms.** All other terms and conditions of the Moorage Agreement or Moorage Agreement, as modified, not expressly addressed in this Moorage Modification shall remain in full force and effect.

5. **Waiver of Claims.** In partial consideration for the Port consenting to this Moorage Modification, the Tenant does hereby forever release, indemnify, and hold harmless the Port, its commissioners, employees, and agents from any and all Claims arising from, or connected with, the Moorage Agreement or the Premises through the date of this Moorage Modification. For purposes of this paragraph, the term "Claims" means any and all claims, demands, lawsuits, judgments, demands, fines or penalties, whether known or unknown and whether liquidated or unliquidated on the date of this Moorage Modification.

6. **Reasonable Relief.** The Tenant acknowledges that this moorage rent relief offered herein is reasonable based on the individual financial, health and/or other circumstances of the Tenant.

7. **Adequate Consideration.** The Parties each represent and warrant that this Moorage Modification is of substantial benefit to each Party and supported by adequate consideration.

8. **Entire Agreement.** The entire agreement between the Parties hereto is contained in this Moorage Modification and the Moorage Agreement, and this Moorage Modification and the Moorage Agreement, as modified, supersede all of their previous understandings and agreements, written and oral, with respect to this transaction.

9. **Counterparts and Electronic Transmission.** This Moorage Modification may be signed in counterparts. Electronic transmission of any signed original document, and retransmission of any signed electronic transmission shall be the same as delivery of an original document.

**IN WITNESS WHEREOF**, the Port has caused this instrument to be signed by its Port Manager by authority of the Commission of the Port of Poulsbo, and this instrument has been signed and executed by Tenant the day and year first above written.

**TENANT**

**PORT**

[TENANT]

PORT OF POULSBO

Name: \_\_\_\_\_

\_\_\_\_\_  
Carol Tripp  
Its: Port Manager

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KITSAP )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Carol Tripp, known to me to be the Port Manager of the **PORT OF POULSBO**, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute the said instrument on behalf of the corporation.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington, residing at \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KITSAP )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that \_\_\_\_\_ signed the same as \_\_\_\_\_ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington, Residing at \_\_\_\_\_

**EXHIBIT A**  
**CALCULATIONS**

- A. Moorage Period:**
  
- B. Postponed Rent:**
  
- C. Non-Deferred Payment Calculation (payments still owed during deferred period):**
  - i. Washington State Leasehold Excise Tax:**
  - ii. Port Management Agreement Rent:**
  - iii. Additional Rent Owed:**
  - iv. Utility Reimbursement Owed:**
  - v. Any other Fees or Assessments Owed:**

Accounting & Manager Report April 16, 2020

COVID-19 Actions/updates:

- Adopted COVID-19 Related Pandemic Leave & Pay Policy. Approved by Teamsters 589 Representative.
- 3 Employees are on furlough currently.
- Fuel Dock is open Sunday through Saturday from 9 AM until 1 PM. No Cash is being accepted, only credit cards or checks.
- Guest Moorage Docks "E" & "F" have been restricted to every other slip being open for use. Reservation/Closed signs have been placed in the opposite slips in order to assist in mandated social distancing rules. As the weather continues to get nicer. We are becoming more and more busy with monitoring the guest moorage boaters who don't wish to comply with the 6' social distancing mandate.
- The Restrooms and Laundry room is only available to permanent moorage licensees.
- FYI – Vikingfest has been cancelled
- Thank you to: Melanie, Kelli, Richard & Eugene for the extra effort above and beyond their job descriptions during this pandemic.

Business Updates:

- All first quarter filings have been completed on time (Federal and State)
- The State Audit is still ongoing. The Auditor is working on 2018 and I will begin to work on the 2019 Annual Report next week barring any interruptions.

Respectfully Submitted,

Carol Tripp  
Port Accountant, Treasurer, Auditor  
Port Manager

4/16/20

I have adjusted our half day weekend schedules to a lighter rotation between us 3 (Myself, Richard, Eugene). So we each will have one full day off. and working 6 days a week and a full weekend off every 3<sup>rd</sup> week.

I want to give a shout out to Maint. guys Richard & Gene for helping me and the office staff keep this marina safe, clean, and operational during this time.

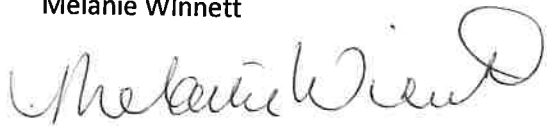
Like Carol said we have blocked off berths and every other berth there is one open sign.

As of tonight guest moorage has been consistent with boaters coming in for a night or two. Trying to distant themselves ive only had to address a handful of the boaters that they had to move into a slip with an open sign to keep up with the distancing mandate. So they abided and moved their boats to the correct slips. Also I have only had to talk to a few boaters about keeping their distances with the chairs on the docks.

Since March 23<sup>rd</sup> we have had 140 boat nights that is over half of all of April in 2019 which had 209 boat nights. March 23-31 had 26 boat nites and April up until today 114 boat nights.

On Tuesday someone had tampered with our lumber out on the bw floats.

Melanie Winnett

A handwritten signature in cursive script that reads "Melanie Winnett". The signature is written in dark ink and is positioned below the typed name.