

**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND
SPECIAL MEETING**

Held at China City Banquet Room, 1804 Scott Rd, Freeland WA 98249
Tuesday, March 24, 2020 at 1:00 p.m.

AGENDA

SPECIAL MEETING CALL TO ORDER and PLEDGE OF ALLEGIANCE (1:00 p.m.)

Resolution No. 20-01 Declaration of Local Emergency and Delegation of Authority

ADJOURNMENT (Approximately 1:15 p.m.)

PORT DISTRICT OF SOUTH WHIDBEY ISLAND
Minutes of the Special Meeting
March 24, 2020
Freeland, Washington

Commissioners Present: Ed Halloran (Langley), Curt Gordon (Clinton) and Jack Ng (Freeland)

Port Staff Present: Stan Reeves (Executive Director) & Molly MacLeod-Roberts (Port Clerk/Accountant)

MEETING CALL TO ORDER: The Special Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, March 24, 2020, in the Banquet Room of China City Restaurant at 1804 Scott Rd in Freeland, Washington. Although this Special Meeting was of course open to the public, due to COVID-19, attendance at such gatherings was discouraged per Island County's Press Release dated March 4th. Additionally, the meeting was scheduled primarily for Commission consideration, discussion and action on those specific issues and public participation was not on the Agenda.

Commissioner Ed Halloran, President, called the Special Meeting to order at 1:00 p.m., followed by the Pledge of Allegiance.

Resolution No. 20-01, Declaration of Local Emergency and Delegation of Authority: Executive Director Stan Reeves provided an overview of the Resolution. The Declaration of Local Emergency within the Port District is in response to the novel Coronavirus (Covid-19) and according to the policies put in effect by the State of Washington and Island County. It will allow the Commission to expand Reeves' authority under a Delegation of Authority for emergency purposes, and the second part is that by declaring an emergency, if emergency funding and/or cooperation through federal, state or local agencies, the Port will be eligible to receive that money. Without the Declaration, any Port expenditures incurred in response to the emergency would not be reimbursed. The Delegation of Authority expands the powers previously granted to the Executive Director under Resolution No. 14-08.


Reeves noted that this Resolution was originally drafted by Les Reardanz (former CEO of the Port of Everett and principal attorney with the Law Firm of Chmelik, Sitkin & Davis) who was one of the legal experts on the Washington Public Ports Association's (WPPA's) webinar last week. It was then posted on WPPA's website as a resource for ports to use. The only thing Reeves added to the draft was a limitation of \$50,000 per procurement – the original draft had no limitation. Another provision is that it can be revoked at any time by the Board of Commissioners, and any actions that the Executive Director takes under the Resolution will be reported and explained at the next regular meeting, and if required by law, the Commission will have the opportunity to ratify it. Reeves explained that it essentially gives him the flexibility to take actions (such as hiring employees or a public works contract for emergency repair) without having to convene a special meeting, etc. Although it is not written in the Resolution, Reeves noted that he fully intends to keep the Commission informed on any actions/decisions he is considering under these powers prior to executing them.

Section 3.2 states: *If the Executive Director exercises any powers or authorities delegated under this Resolution, the Executive Director shall report such exercise to the Commission at the next regular Commission meeting with explanation as to why it was necessary to take such actions under this Resolution to meet the emergency situation articulated herein.* Commissioner Curt Gordon said he would prefer that Reeves notify the Commission immediately (rather than wait until the next regular meeting), and he wanted that to be stated in the Resolution. After a brief discussion, the Commission agreed to amend the Resolution by adding the words "*immediately and*" so it would read as follows: "*...the Executive Director shall report such exercise to the Commission immediately and at the next regular Commission meeting with explanation as to why it was necessary to take such actions under this Resolution to meet the emergency situation articulated herein.*"

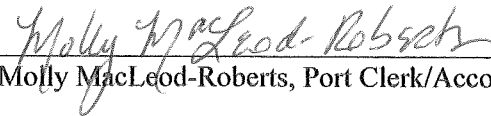
ADJOURNMENT: The Special Meeting was adjourned at 1:15 p.m.

Approved:

Minutes prepared and submitted by:



Commissioner Ed Halloran, Langley



Molly MacLeod-Roberts, Port Clerk/Accountant



Commissioner Curt Gordon, Clinton



Commissioner Jack Ng, Freeland

Public Disclosure Statement: The foregoing Meeting Minutes, audio recording and all supporting documents presented are available at the Port of South Whidbey, 1804 Scott Rd., Suite 101, Freeland WA 98249.

 *Commissioners Ed Halloran, Curt Gordon and Jack Ng approved the foregoing Minutes during the regular meeting of June 9, 2020, which was held online via Zoom Meeting.*