

Resolution No. 2520

A RESOLUTION of the Port Commission of the Port of Seattle adopting a master policy directive on the administrative authority of the General Manager and department heads; repealing all prior resolutions dealing with the same subject matter.

WHEREAS, the Port Commission of the Port of Seattle has in the past adopted policy directives delegating administrative authority to the General Manager and department heads for the purpose of expeditious administration of the Port; and

WHEREAS, the Port Commission has from time to time found it necessary to amend and revise such directives due to changes in law and/or operations of the Port; and

WHEREAS, the Port Commission now wishes to provide an updated master policy directive on administrative authority of the General Manager and department heads and to repeal all prior resolutions dealing with the same subject matter:

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Seattle as follows.

Section 1. The master policy directive of the Port Commission of the Port of Seattle as set forth in Exhibit "A" attached to this Resolution and by this reference incorporated herein, is adopted for the purpose of establishing the administrative authority of the General Manager and department heads.

Section 2. The following constitutes all prior resolutions passed by the Port Commission dealing with the same subject matter and by this reference are hereby repealed:

<u>Resolution No.</u>	<u>Date Passed</u>
1995	December 23, 1958
2124	March 26, 1963
2208	December 14, 1965
2261	August 8, 1967
2383	June 23, 1971
2425	May 30, 1972
2467	May 22, 1973
2475	June 26, 1973

To the extent desired, provisions of the above-cited resolutions have been incorporated in Exhibit "A" of this Resolution, the master policy.

Section 3. The Revised Code of Washington 53.08.090 authorizes the Port Commission to delegate by resolution to the General Manager the authority to sell and convey port district personal property as outlined in Exhibit "A", paragraph XVI, attached hereto and by this reference incorporated herein.

Inasmuch as state law requires that this authority be renewed from year to year, the Port Commission is authorized to accomplish the same by motion; provided, however, that in the event this authority is amended in any fashion or repealed, such amendment or repeal must be by resolution passed by the Commission.

ADOPTED by the Port Commission of the Port of Seattle this 17<sup>th</sup> day of May, 1974, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission duly affixed.

*Henry R. Kottaris*  
*Mark D. ...*  
*John B. ...*  
*Henry T. ...*  
*Paul H. ...*

Port Commissioners

PORT OF SEATTLE  
COMMISSION POLICY DIRECTIVE ON ADMINISTRATIVE AUTHORITY  
OF GENERAL MANAGER AND DEPARTMENT HEADS

The following policy is adopted by the Commission of the Port of Seattle for the purpose of establishing the administrative authority of the General Manager and department heads. The General Manager may delegate to department heads and appropriate personnel such of his administrative authority herein established as, in his discretion, is necessary and advisable in the efficient exercise of such authority. The phrase "normal Port operations", as used herein, is restricted to the regular day-by-day business of the Port in operating its terminals and Airport properties and facilities and in developing industrial districts; the implementing of construction work and alterations and improvements to the Port's real estate and physical facilities and necessary planning incidental thereto; the performance of routine maintenance and repairs with respect to the Port's physical properties; the conduct of routine financial matters as they relate to the Port's day-to-day operation; and the performance of necessary incidental services in connection with the business herein specified including without limitation administrative, clerical, and professional work.

I. POLICY GOVERNING REAL PROPERTY RENTALS:

(a) Types of Lease Arrangements:

All real property belonging to the Port when available for leasing shall, except as otherwise provided herein below, be leased only under an appropriate written lease instrument executed by the Port Commission accompanied by a lease bond or other form of security in accordance with Port law, provided, however, in the case of a month-to-month lease, and subject to all of the following conditions the General Manager or his designee may execute the lease:

(b) Negotiation of lease terms and preparation of the proposed form of lease duly approved as to form by Port Counsel.

(c) Approval of an executed bond by Port Counsel and securing necessary certificate of insurance.

(2) The procedural step designated herein above as (a), may be omitted and the lease may be submitted directly to the Port Commission following execution of lessee whenever a proposed final lease meets all of the conditions set out below:

(a) The term of the lease, including any options for renewal, shall not exceed three years.

(b) The monthly rental amount shall not exceed Two Thousand Dollars (\$2000.00) per month.

(c) The use of the premises to be leased are within criteria approved from time to time by the Commission.

(d) All of the proposed final terms of the lease arrangement and the lease bond have been approved as to form by counsel and are generally consistent with other existing Port leases in the same or similar areas.

## II. POLICY GOVERNING CONTRACTS FOR PERFORMANCE OF CONSTRUCTION WORK:

The General Manager shall have the responsibility for following all required statutory procedures in connection with all contracts which require the performance of construction work (except where the work is to be accomplished by day labor only). The General Manager is authorized in his discretion to carry out without prior referral to the Commission, all procedures as required by statute preliminary to the acts required to be performed by the Commission in open meeting where the proposed contract will not exceed Twenty-five Thousand Dollars (\$25,000) in total cost. In instances where contracts for

IV. POLICY GOVERNING CONTRACTS FOR ACQUISITION OF MATERIALS, EQUIPMENT AND SERVICES:

The General Manager shall have the responsibility for following all required statutory procedures, where applicable, in connection with all contracts for the acquisition of utilities, materials, equipment and services: Provided, however, that where utilities, materials, equipment or services are acquired on the open market or pursuant to published tariffs and used or are necessary in normal maintenance and operations of the Port, no prior approval shall be required but shall where appropriate be approved as a part of normal monthly expenses: Provided further, however, that prior Port Commission approval shall be required before any expenses for utilities, materials, equipment, or services over twenty-five thousand dollars (\$25,000) are incurred which are of an unusual and extraordinary nature in light of the normal operation of the Port. (Note: This Section IV is inapplicable to arrangements for professional and consultant services which are covered by Section VI.)

V. POLICY GOVERNING ADJUSTMENT AND SETTLEMENT OF CLAIMS (EXCEPTING THOSE COVERED BY PARAGRAPH XII, BELOW):

The General Manager shall be responsible for the observance of necessary procedures whereby the adjustment and final settlement of all claims, either against or on behalf of the Port, shall be carried out. Necessary procedures in the handling of such claims shall include the following:

(a) For purpose of this Paragraph V, "Claim" shall mean the assertion of any position, right or responsibility by or against the Port but not including "uncollectible accounts" only to the extent the same is covered in Paragraph XII herein.

(b) No claims against the Port shall be considered unless and until proper notice has been served by the claimant upon the Port as required by

Such programs shall promote the policy of the Port Commission to increase the skills and productiveness of all Port employees. Such programs may include general and specific training and education aimed at improving the employee's ability to perform duties at the Port of Seattle. Programs designed for entry level employees (including apprentices) shall be included. Attendance at seminars, conferences and meetings as well as the subscription and purchase of training materials, guides and other data shall be contributory to such objectives.

X. POLICY GOVERNING HARBOR AREA AND WATERWAY LEASES:

The General Manager or his designee is authorized to sign on behalf of the Port of Seattle Commission all harbor area and waterway leases between the Port and the State of Washington which are for harbor and waterway areas adjacent to Port-owned facilities.

XI. POLICY GOVERNING GENERAL MANAGER'S AUTHORITY FOR PROPERTY ACQUISITIONS:

When the Port Commission authorizes the acquisition of real property by purchase or condemnation, the General Manager, or his designee, shall take all necessary steps, including the securing of appraisals, to secure title of such property for the Port. Acquisition price of individual properties (or ownerships) shall in no case exceed the Port's appraisal by 10% (ten percent), nor shall the total price paid for all properties exceed the estimates of the Port Commission's authorization without further specific Commission authorization.

XII. POLICY GOVERNING DISPOSITION OF UNCOLLECTIBLE ACCOUNTS:

The General Manager or designee is authorized to establish procedures for and to write off any uncollectible accounts in the amount of Five Thousand Dollars (\$5,000) or less subject to the following general guidelines. Prior to writing off any account receivable as uncollectible, the General Manager shall

be satisfied that every effort has been made by the Port to accomplish the collection of the account and he shall, in appropriate circumstances, authorize the Legal Officer to bring action in courts of law or if more appropriate in the case of small accounts, to assign the same to collection agencies for the purpose of attempting to finally collect such accounts. If, after attempting all normal account collection procedures, the account is still uncollectible after 180 days, or more, the General Manager shall be authorized to provide for the writing off of such account. Any account in excess of Five Thousand Dollars (\$5,000) which is deemed to be uncollectible shall be referred to the Port Commission for final approval of writing off that account except where said account has been referred to the Legal Officer or retained counsel for final collection or settlement in which case it shall be processed in a manner consistent with Section V above.

XIII. POLICY AS TO THE INSURANCE PROGRAMS - PORT OF SEATTLE:

General Manager or his designee shall be authorized to work with the Port's designated insurance broker to negotiate and obtain appropriate policies of insurance to cover Port property, liability, employee coverages, and other areas appropriately included within a comprehensive insurance program. The General Manager or his designee is authorized to approve from time to time changes or modifications within the policies of insurance including programs to provide self-insurance or deductible provisions so long as such programs are promptly and regularly reported to the Port Commission so that they are kept informed of basic changes made in the overall insurance program of the Port.

XIV. POLICY GOVERNING TRADE DEVELOPMENT PROGRAMS:

The General Manager and his designees are authorized to carry out programs of trade development and promotion including programs designed to provide

- (1) That the value of such personal property does not exceed \$2,500;
- (2) Prior to any such sale or conveyance, the General Manager shall itemize and list the property to be sold and make written certification to the Commission that the listed property is no longer needed for district purposes;
- (3) That offers for purchase are solicited from at least three (3) parties wherever possible;
- (4) Any large block of such property having a value in excess of \$2,500 shall not be broken down into components of a lesser value and sold unless done so by public competitive bid.
- (5) No property which is part of the comprehensive plan of improvement or modification thereof shall be disposed until the comprehensive plan has been modified pursuant to the Revised Code of Washington 53.20.010 and such property is found to be surplus to Port needs.
- (6) That in no case shall surplus personal property be sold to any Port official or employee or members of their families.

XVII. POLICY GOVERNING INVESTMENT OF TEMPORARILY IDLE PORT FUNDS:

For purposes of this paragraph, "Temporarily Idle Port Funds" shall mean those funds which are not required for immediate expenditure. The General Manager or his designee is authorized to direct the King County Treasurer in the investments of temporarily idle Port funds. These directives include, but shall not be limited to, investments in authorized government securities, sale of such investments, and necessary interfund transfers. A listing of all investments, sales and interfund transfers shall be prepared and reported to the Commission each month so that they may be informed of the status of investments of temporarily idle Port funds.