



P.O. Box 1209
Seattle, Washington 98111
www.portseattle.org
206.787.3000

**APPROVED MINUTES
COMMISSION SPECIAL MEETING NOVEMBER 19, 2019**

The Port of Seattle Commission met in a special meeting Tuesday, November 19, 2019, in the International Auditorium at Seattle-Tacoma International Airport, Seattle, Washington. Commissioners Bowman, Calkins, Felleman, and Steinbrueck were present. Commissioner Gregoire was excused.

1. CALL to ORDER

Pursuant to Article IV, Section 8, of the commission bylaws, the meeting convened at 11:04 a.m. to conduct an executive session.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

The notice posted during the executive session included four matters related to potential litigation and legal risk and one matter related to potential litigation, legal risk, and national security. The time for reconvening was posted as 12:00 noon, in accordance with commission bylaws and the public meeting notice previously published. Following the executive session, which lasted approximately 75 minutes, the public meeting reconvened at 12:26 p.m. Commissioner Bowman led the flag salute.

3. APPROVAL of the AGENDA

Without objection, the preliminary agenda was revised to remove agenda items 6a and 6d from the Unanimous Consent Calendar for separate discussion and vote.

Without objection, the commission advanced to consideration of –

6. UNANIMOUS CONSENT CALENDAR

[Clerk's Note: Items on the Unanimous Consent Calendar are not individually discussed. Commissioners may remove items for separate discussion and vote when approving the agenda.]

As noted above, agenda item 6a was temporarily postponed.

- 6b. Adoption of Resolution No. 3765, as amended: A resolution of the Port of Seattle Commission amending the policy directive for salaries and benefits for employees not covered by a collective bargaining agreement; authorizing this resolution to be effective on January 1, 2020.**

Request document(s) included an agenda [memorandum](#), draft resolution with [attachment](#), and illustration of position titles organized by salary range. The adopted version of [Resolution 3765](#) is attached.

Previously, Resolution 3765 was introduced on November 12, 2019, under agenda item 8c.

- 6c. Adoption of Resolution No. 3766, a Resolution of the Port of Seattle Commission establishing the Port-Wide Arts and Cultural Program Policy Directive, which directs the Executive to create a strategy for art and cultural programs across all port facilities, return art funding to one percent of capital construction projects port-wide, establish art pools for art expenditures, and create an operational budget for art conservation, maintenance, staffing needs, cultural programming, and public engagement.**

Request document(s) included an agenda [memorandum](#), draft resolution, and policy directive exhibit. The adopted version of [Resolution 3766](#) is attached.

Previously, Resolution 3766 was introduced on November 12, 2019, under agenda item 8e.

As noted above, agenda item 6d was temporarily postponed.

- 6e. Authorization for the Executive Director to execute one indefinite delivery, indefinite quantity professional services agreement for environmental review and permitting consulting services in support of the Aviation Division with a cumulative total amount not to exceed \$6,500,000 and a contract ordering period of five years plus three option years. The ordering period aligns to airport mitigation compliance and capital planning horizons. No funding is associated with this request.**

Request document(s) included an agenda [memorandum](#).

- 6f. Authorization for the Executive Director to execute up to two indefinite delivery, indefinite quantity professional services agreements for building- and structure-related consulting services with a cumulative total amount not to exceed \$3,000,000 and a contract ordering period of five years. No funding is associated with this request.**

Request document(s) included an agenda [memorandum](#).

- 6g. Authorization for the Executive Director to execute up to two indefinite delivery, indefinite quantity professional services agreements for infrastructure-related consulting services with a cumulative total amount not to exceed \$2,000,000 and a contract ordering period of five years. No funding is associated with this request.**

Request document(s) included an agenda [memorandum](#).

- 6h. Authorization for the Executive Director to execute up to two indefinite delivery, indefinite quantity professional services agreements for dock-and-diving-related consulting services with a cumulative total amount not to exceed \$2,000,000 and a contract ordering period of five years. No funding is associated with this request.**

Request document(s) included an agenda [memorandum](#).

- 6i. Authorization for the Executive Director to execute a new collective bargaining agreement between the Port of Seattle and the International Brotherhood of Teamsters, Local 117, representing Police Officers at the Police Department for the Port of Seattle covering the period from January 1, 2019, through December 31, 2021.**

Request document(s) included an agenda [memorandum](#) and [draft collective bargaining agreement](#).

- 6j. Authorization for the Executive Director to execute a new collective bargaining agreement between the Port of Seattle and the International Brotherhood of Electrical Workers, Local 46, representing 77 Electricians assigned to the Port of Seattle Aviation Maintenance and Maritime Maintenance divisions, covering the period from June 1, 2019, through May 31, 2023.**

Request document(s) included an agenda [memorandum](#) and [draft collective bargaining agreement](#).

- 6k. Authorization for the Executive Director to (1) approve funding for design, construction, and permitting of card readers at the exterior doors of three large modular buildings staffed by personnel managing capital construction projects at the airport and (2) use port crews and small works contracts for installation.**

Request document(s) included an agenda [memorandum](#).

The motion for approval of consent items 6b, 6c, 6e, 6f, 6g, 6h, 6i, 6j, and 6k carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

Following consideration of the Unanimous Consent Calendar, the commission returned to consideration of –

4. EXECUTIVE DIRECTOR'S REPORT

Executive Director Steve Metruck previewed items on the day's agenda and made announcements.

5. PUBLIC COMMENT

Public comment was received from the following individual(s) in support of the Duwamish Valley Community Benefits Commitment Policy Directive in Resolution 3767:

- Andrew Schiffer, Port Community Action Team member and Georgetown resident
- Bunthay Cheam, Port Community Action Team member and South Park resident
- K.C. Steimer, Port Community Action Team member
- Paulina Lopez, Duwamish River Cleanup Coalition
- Maggie Angelcano, Duwamish River Cleanup Coalition and Port Community Action Team member

Public comment was received from the following individual(s) in support of better wages and benefits for airline catering workers:

- Stefan Moritz, Unite Here Local 8
- Gary Linder, Unite Here Local 8 and Sky Chef employee
- Nino Cueto, Unite Here Local 8 and Sky Chef employee
- Francois Bukasa, Unite Here Local 8 and Sky Chef employee
- Brenda Holland, Unite Here Local 8 and DoubleTree hotel worker

Public comment was received from the following individual(s) concerned about aircraft noise impacts on Vashon Island:

- Laura Bienen, Vashon Island resident
- Karen Buhler Gale, Vashon-Maury Island resident
- Susan Frith, Vashon Island resident
- Jim Alkire, Vashon Island resident
- Danny O'Keefe, Vashon Island resident
- David Goebel, Vashon Island resident
- Dr. Roxanne Theyer, Vashon Island resident

Additional public comment was received from the following individuals:

- J.C. Harris, Des Moines City Councilmember-elect, regarding the port's relationship to its community neighbors and the need for community independence in problem solving.
- William Appleton, Public Works Director, City of SeaTac, in support of Motion 2019-14 and its benefits for Miller Creek.
- Michael Foster, regarding the existential crisis facing everything alive.

Agenda items 6b, 6c, 6e, 6f, 6g, 6h, 6i, 6j, and 6k were considered previously and the commission advanced to consideration of –

7. SPECIAL ORDERS of BUSINESS

7a. Adoption of Resolution No. 3763: A resolution of the Port Commission of the Port of Seattle adopting the final budget of the Port of Seattle for the year 2020; making, determining, and deciding the amount of taxes to be levied upon the current assessment roll; providing payment of bond redemptions and interest, cost of future capital improvements and acquisitions, and for such general purposes allowed by law which the Port deems necessary; and directing the King County Council as to the specific sums to be levied on all of the assessed properties of the Port of Seattle District in the Year 2020.

Request document(s) included an agenda [memorandum](#), [presentation slides](#), and draft resolution. The adopted version of [Resolution 3763](#) is attached.

Presenter(s): Dan Thomas, Chief Financial Officer, and Michael Tong, Director, Corporate Budget.

Previously, Resolution 3763 was introduced on November 12, 2019, under agenda item 8a.

The 2020 budget was presented, and key projects and initiatives planned in 2020 were noted.

The motion for adoption of Resolution 3763 (agenda item 7a) carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

7b. Adoption of Resolution No. 3764: A resolution of the Port Commission of the Port of Seattle specifying the dollar and percentage change in the regular property levy from the previous year per RCW 84.55.120; providing for a three percent increase of the levy from \$74,160,000 to \$76,384,800.

Request document(s) included an agenda [memorandum](#) and draft resolution. The adopted version of [Resolution 3764](#) is attached.

Presenter(s): Dan Thomas, Chief Financial Officer, and Michael Tong, Director, Corporate Budget.

Previously, Resolution 3764 was introduced on November 12, 2019, under agenda item 8b.

The uses of the port's tax levy were noted, the size of the port's share of the total King County levy was reported at 1.3 percent, and the tax levy's role in securing the port's five-year capital improvement plan was summarized.

Commissioners commented on the opportunity for the port, with access to the tax levy, to make investments on behalf of the economic and environmental health of the community that have little, no, or very slow return on investment.

The motion for adoption of Resolution 3764 (agenda item 7b) carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

Without objection, the commission advanced to consideration of –

8. AUTHORIZATIONS and FINAL ACTIONS

8a. Introduction of Resolution No. 3767: A resolution of the Port of Seattle Commission establishing a Duwamish Valley Community Benefits Commitment Policy to guide the implementation of the Duwamish Valley Community Equity Program and other Port operations that impact the Duwamish Valley Community.

Request document(s) included an agenda [memorandum](#), [presentation slides](#), draft resolution, and policy directive. A copy of the final draft of Resolution No. 3767 will be made available upon adoption.

Presenter(s): Christina Billingsley, Senior Program Manager, Environmental Engagement; Veronica Valdez, Commission Specialist; and Jose Chi, Port Community Action Team, South Park.

The background and outreach efforts involved in establishing the Port Community Action Team and developing the community benefits commitment were summarized. The history of discrimination affecting the Duwamish Valley was described, and the health impact indicators quantifying the effects of that history were noted. The port has cultivated its relationship with the community in earnest since 2016 with the help of funding from the U.S. Environmental Protection Agency. The composition and collaborative engagement between the port and the Port Community Action Team was presented.

Commissioners asked about prioritizing of the equity program goals, including community and port capacity building for ongoing collaboration, healthy environment and communities, and economic prosperity in place. They asked about definition of the communities included within the Duwamish Valley for purposes of the policy directive.

The motion for introduction of Resolution 3767 (agenda item 8a) carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

Without objection, the commission advanced to consideration of –

8c. Adoption of Motion 2019-14: a motion of the Port of Seattle Commission advancing the Miller Creek Culvert Replacement Project and providing for installation of portable noise monitors.

A copy of the motion was provided at the meeting. A copy of the adopted version of [Motion 2019-14](#) is attached.

Presenter(s): Aaron Pritchard, Commission Policy Manager; Stan Shepherd, Manager, Airport Noise Programs; and Sarah Cox, Environment and Sustainability.

The provisions of the motion were summarized. In response to commission questions, staff described the need for placement of noise monitors, which are portable and temporary, to be fair and justifiable. Locations of other noise monitors were noted. Commissioners commented on the varying elevations of urban neighborhoods that fall under flight paths and its effect on the noise levels in those communities. Staff noted that noise monitor data is not considered by the Federal Aviation Administration in determining flight patterns. The data is made available to the public. Commissioners asked about a comprehensive approach for locating monitors. They asked about other factors affecting aircraft noise, such as flight maneuvers.

The port's work with the cities of SeaTac and Burien to build culverts and improve Miller Creek was summarized. Miller Creek is part of environmental mitigation for the airport's third runway. The project restores the floodplain, improves fish passage, and reconnects the creek to Puget Sound.

The motion for adoption of Motion 2019-14 (agenda item 8c) carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

Without objection, the commission advanced to consideration of –

8b. Introduction of Resolution No. 3768: A resolution of the Port of Seattle Commission establishing a Sustainable Evaluation Framework Policy Directive.

Request document(s) included an agenda [memorandum](#), draft resolution, and policy directive exhibit. A copy of the final draft of Resolution No. 3768 will be made available upon adoption.

Presenter(s): Aaron Pritchard, Commission Policy Manager, and Leslie Stanton, Senior Manager, Environmental Programs.

Development of the Sustainable Evaluation Framework was a product of the work of the Energy and Sustainability Committee. It was reported that the purpose of the framework is to ensure decisions about capital projects transparently consider the following evaluation criteria in addition to traditional considerations such as return on investment or continuing ownership cost:

- Greenhouse gas emission reduction
- Protection of health and the environment
- Increased resilience
- Local economic development benefit
- Advancement of innovation
- Development of and capitalizing on partnerships
- Advancement of equity

Commissioners commented on the lack of a definition in the policy for resilience and the need to establish a threshold at which to decide which projects will be subjected to review under the framework. They noted the need to ensure alternatives analysis within the context of the sustainability framework.

AMENDMENT 1

Upon a motion and second for adoption of Resolution 3768, the following amendment was offered:

In Exhibit A to Resolution 3768, Section 2, lines 55-59, amend the definition of “Sustainable Design Strategy” to read as follows:

“Sustainable Design Strategy” is the recommended course of action that a project team is expected to implement in constructing its proposed project. The Sustainable Design Strategy includes the results of the analyses conducted during the design phase of the project and recommended suite of actions, including potential alternatives that were analyzed in the Sustainable Design Approach, that are expected to advance the Port’s sustainability goals as appropriate for that project.

And also in Exhibit A to Resolution 3768, Section 5(D), lines 141-143, amend subsection (D) to read as follows:

Capital project teams shall work with the SPARC to develop and recommend a Sustainable Design Strategy that includes alternatives that were analyzed in the Sustainable Design

Approach. The Sustainable Design Strategy shall be included in the final construction authorization for each project.

The motion for adoption of Amendment 1 carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

The motion for introduction of Resolution No. 3768, as amended, (agenda item 8b) carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

The commission advanced to consideration of –

ITEMS REMOVED from CONSENT

6a. Approval of the minutes of the special meetings of October 8 and 29 and regular meeting of October 22, 2019.

Presenter(s): Paul J. White, Commission Clerk.

In response to commissioner questions, the clerk explained that meeting minutes are intended to be a record of the actions of the commission and not a retelling of the substance of presentations or discussions held during the meeting. Nevertheless, individual boards often have unique requirements for the detail of their minutes. As the commission's principal minute writer, the commission clerk exercises a degree of judgment in satisfying best practices for the minutes and accommodating the commission's interest in the content and level of detail included.

With respect to attaching external materials to the minutes, he noted that best practice is to be very restrictive and not append materials to a board's minutes. However, the port commission has an established custom of accepting written materials from the public for inclusion in its minutes. This practice has inherent risks for the board and the nature of its record and deserves review with the potential to recommend changes with the next set of revisions to the commission's bylaws in 2020.

The motion for approval of agenda item 6a carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

6d. Authorization for the Executive Director to (1) spend environmental remediation funds for 2020 in the amount of \$28,730,000 and (2) approve a five-year spending plan for \$123,312,000 for the environmental remediation liability program for 2020-2024, of which an amount estimated not to exceed \$30,000,000 will be obligated during 2020 to be spent in future years.

Request document(s) included an agenda [memorandum](#), aerial photo with [airport remediation sites](#), aerial photo with [Elliott Bay remediation sites](#), and aerial photo with [Duwamish River remediation sites](#).

Presenter(s): Kathy Bahnick, Senior Manager, Environmental Programs, and Don Robbins, Senior Environmental Program Manager.

In response to commissioner request, staff summarized key environmental projects covered under the environmental remediation liability authorization.

The motion for approval of agenda item 6d carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

9. PRESENTATIONS, REPORTS, and STAFF BRIEFINGS

Agenda item 9a was removed from the agenda prior to publication.

9b. Draft State Legislative Agenda for 2020.

Presentation document(s) included an agenda [memorandum](#) and [presentation slides](#).

Presenter(s): Eric ffitich, State Government Relations Manager, External Relations; and Nate Caminos, Government Relations Director, External Relations.

The key elements of the state legislative advocacy agenda for 2020 were summarized. Inclusion of items in this agenda makes it possible for staff and contract lobbyists to advocate for the port's positions on critical topics without the need for further specific action by the port commission.

Commissioners asked about advocacy opportunities for employees of airline catering companies, rural economic development, industrial lands preservation, and clean air efforts.

10. QUESTIONS on REFERRAL to COMMITTEE – None.

11. ADJOURNMENT

There was no further business, and the meeting adjourned at 3:33 p.m.

Prepared:

Attest:

Paul J. White, Commission Clerk

Peter Steinbrueck, Commission Secretary

Minutes approved: December 10, 2019.