

RESOLUTION No. 3635

A RESOLUTION of the Port Commission of the Port of Seattle to submit an application to the Foreign Trade Zone Board to reorganize General-Purpose Foreign Trade Zone Number 5 under the Alternative Site Framework.

WHEREAS, on June 18, 1934, Congress approved the Foreign Trade Zone Act “to provide for the establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States to expedite any encourage foreign commerce and for other purposes;” and

WHEREAS, the Port of Seattle (“Port”) applied to the Foreign Trade Zone Board (“Board”) on November 11, 1948, for a grant to establish, operate, and maintain Foreign Trade Zone (FTZ) No. 5 in Seattle, Washington, and the Board approved the grant under Board Order No. 19 on June 27, 1949; and

WHEREAS, it is in the Port’s economic interest to encourage use of this FTZ authority to retain and attract cargo and to maintain, protect and grow jobs in our region; and

WHEREAS, the Port has operated a foreign trade zone since that time, either directly on Port property or through extending FTZ authority to operators within King County.

WHEREAS, the Port is committed to promoting use of this authority for existing warehouse and distribution facilities, or businesses interested in establishing warehouse or distribution facilities in our region with FTZ capabilities for handling their cargo; and

WHEREAS, the Port is committed to encouraging use of its FTZ authority to attract warehouse and distribution activity to anchor cargo and jobs in our region; and bring the competitive benefits of FTZs to a broader range of companies; and

WHEREAS, this new authority will enable the Port to more efficiently process customer requests for use of our FTZ authority by shortening the procedures necessary to establish these facilities.

WHEREAS, the Port is interested in facilitating its FTZ authority utilization by restructuring Foreign Trade Zone No. 5 under the Alternative Site Framework (“ASF”) as announced by the Board in 74 Federal Register 1170 on January 12, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Port of Seattle as follows:

Section 1. APPLICATION PURPOSE AND INTENT

The Port staff is authorized to submit an application to reorganize General Purpose Foreign Trade Zone No. 5 under the Alternative Site Framework and the Chief Executive Officer (CEO) is authorized to execute an agreement with prospective companies that desire to utilize the Port’s FTZ. The ASF program is intended to simplify the process for extending our FTZ authority to new users. The Port’s intent in applying is to improve our competitive position with prospective FTZ users by enabling more efficient processing of customer requests for use of our FTZ authority. The Port will

submit the application in compliance with federal and state statutes, and shall be consistent with all other Port policies and procedures.

Section 2. AUTHORIZED ADMINISTRATIVE ACTIONS

Any additional administrative actions, such as the addition of a “usage driven” or “magnet site” application to be filed with the Board relating to this application are authorized.

Section 3. EFFECTIVE DATE

This Resolution is effective upon adoption by the Port Commission.

ADOPTED by the Port Commission of the Port of Seattle this ___ day of _____, 2010, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission duly affixed.
