



REVISED COMMISSION SPECIAL MEETING AGENDA

Port of Seattle Commission

Port of Seattle
Commission Chambers
P69, 2711 Alaskan Way
Seattle, WA 98111

Tom Albro
Bill Bryant
John Creighton
Rob Holland
Gael Tarleton

SPECIAL MEETING

PLEASE NOTE CONVENING TIME

REVISED December 6, 2010, Items 5g, 6e and 6f added.

Date: December 7, 2010

Chief Executive Officer

ORDER OF BUSINESS

Tay Yoshitani

- | | |
|------------|--|
| 11:30 a.m. | 1. Call to Order
Recess to: |
| 1:00 p.m. | 2. Executive Session, if necessary*
Call to Order or reconvene to Open Public Session |
| | 3. Approval of Minutes |
| | 4. Special Order of Business |
| | 5. Unanimous Consent Calendar** |
| | 6. Division, Corporate and Commission Action Items |
| | 7. Staff Briefings |
| | 8. New Business |
| | 9. Policy Roundtables |
| | 10. Adjournment |

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Port Commission
(206) 787-3034
Meeting and Agenda
Information
(206) 787-3222

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. EXECUTIVE SESSION* - Pursuant to RCW 42.30.110, if necessary.

3. APPROVAL OF MINUTES

None.

4. SPECIAL ORDER OF BUSINESS

None.

5. UNANIMOUS CONSENT CALENDAR**

Notice: There will be no separate discussion of Consent Calendar items as they are considered routine by the Port of Seattle Commission and will be adopted by one motion. If a Commissioner or a member of the public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately

- a. Approval of Claims and Obligations for the period of November 1 through November 30, 2010, in the amount of \$42,484,210.65. ([memo enclosed](#))
- b. Authorization for the Chief Executive Officer to execute appropriate contract documents to continue receiving software and hardware maintenance services for the Noise Programs flight tracking and noise monitoring system for annual payments of \$189,000 plus inflation and sales tax for up to five years for total payments of \$1,100,000. ([memo enclosed](#))

* An Executive Session may be held at any time after the convening time, if necessary.

** Unless otherwise requested by a Port Commissioner, all items under the Unanimous Consent Calendar will be considered as a single item.

*** Cellular telephones and pagers should be off or on vibrate mode during the Public Session.

Port of Seattle:

*Creating Economic
Vitality Here*

Business Strategies:

- Ensure Airport and Seaport Vitality
- Develop New Business and Economic Opportunities for the Region and the Port
- Enhance Public Understanding and Support of the Port's Role in the Region
- Be a Catalyst for Regional Transportation Solutions
- Be a Leader in Transportation Security
- Exhibit Environmental Stewardship through our Actions
- Be a High Performance Organization

5. UNANIMOUS CONSENT CALENDAR Continued

- c. Authorization for the Chief Executive Officer to execute an amendment to the professional service contract (OTAK P-00314472) that supports the implementation of the Port's Municipal Stormwater Permit and other stormwater support services. This request is to add \$1,509,000 to this contract for a maximum of \$4,184,000 in order to continue the ongoing permit compliance work. The cumulative amendments exceed 50 percent of the value of the initial contract, and in accordance with RCW 53.19.060, this memo constitutes notification to the Commission. ([memo enclosed](#))
- d. Authorization for the Chief Executive Officer to enter into an Interlocal Agreement (ILA) with the Port of Tacoma to share costs for Port of Tacoma staff on assignment from the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service, to assist with fish and wildlife habitat evaluations required for federal authorization of port development, operation, and maintenance projects and actions. No new funding is requested. ([memo](#) and [ILA enclosed](#))
- e. Authorization for the Chief Executive Officer to enter into the following Memoranda of Agreement with 1) the Department of the Army that establishes the mutual framework governing the respective responsibilities of the parties for acceptance and expenditure of funds contributed by the Port to expedite the evaluation of permits under the jurisdiction of the Army as allowed by Section 214 of the Federal Water Resources Development Act, and 2) the City of Seattle Department of Planning and Development (DPD) that establishes respective responsibilities of the parties for the acceptance and expenditure of funds contributed by the Port to expedite the evaluation of land use actions under the jurisdiction of the City. No new funding is requested. ([memo](#) and [attachments enclosed](#))
- f. Authorization for the Chief Executive Officer to execute a settlement agreement with Terry Miller related to personal injuries suffered in the course of construction at Seattle-Tacoma International Airport. ([memo](#) and [Memorandum of Settlement enclosed](#))
- g. Authorization for the Chief Executive Officer to enter into a settlement agreement resolving the matter of Navlet v. Port of Seattle, a class action lawsuit filed by former employees of the Port of Seattle warehouse seeking continuing health and welfare benefits. ([memo enclosed](#))

6. DIVISION, CORPORATE AND COMMISSION ACTION ITEMS

- a. Approve the sale and conveyance to Puget Sound Energy of those certain permanent easement rights to the Woodinville Subdivision rail corridor substantially as described in Exhibit B and Exhibit C to the Easement Purchase and Sale Agreement and authorize the Chief Executive Officer to execute all documents necessary for sale and conveyance of said easement rights. ([memo](#), [map](#) and [Exhibits enclosed](#))
- b. Authorization for the Chief Executive Officer to execute an Interlocal Agreement (ILA) with King County, in substantially the form attached, in connection with the South Park Bridge Replacement Project, including financial participation and property easements in favor of King County over certain Port of Seattle property with a total combined estimated value of \$5,000,000. This action will commit the payment of funds from the Port for the South Park Bridge in 2012 and 2013. ([memo](#), [ILA](#) and [PowerPoint enclosed](#))
- c. Authorization for 1) spending \$15,000,000 in 2011 for Environmental Remediation Liability; and 2) obligating \$16,200,000 in 2011 for work that will be performed in later years; and 3) Commission approval of the five-year spending plan of \$67,960,000 for the Environmental Remediation Program for Seaport, Real Estate and Airport for 2011 through 2015. ([memo enclosed](#))
- d. Authorization for the Chief Executive Officer to advertise and execute a Job Order Contract (JOC) for sound insulation services for up to 40 single family residential properties and 37 single family residential properties requiring replacement windows in the Safety Program located in the existing Noise Remedy Program Boundary around Seattle-Tacoma International Airport. Estimated value for the work under this contract is \$3,830,448 and includes funding from the previously authorized Window Safety project and the new funding authorized by this request. The amount of this request for the Single Family Insulation Program is \$2,462,751, bringing the total authorization to date to \$4,947,395. In the event Job Order Contract resources are unavailable, the Port will contract the work via lump sum bids utilizing small works contractors. (CIP #200093 and CIP #200035) ([memo enclosed](#))

NOTE: Items 6e and 6f will be considered in conjunction with Item 7b.

- e. Seattle Port Commission Motion in support of the Federal Clean Ports Act of 2010. ([motion enclosed](#))
- f. Seattle Port Commission Motion to consider alternative plans for improving the Port's drayage truck fleet, including accelerating truck emission standards no later than 2013. ([motion enclosed](#))

Continued on next page

7. STAFF BRIEFINGS

- a. Briefing on King County Proposal for Locating Combined-Sewer Overflow Facility on Port of Seattle Property. ([memo](#), [Photo](#) and [PowerPoint](#) enclosed)
- b. Northwest Ports Clean Air Strategy Implementation Status. ([memo](#) and [PowerPoint](#) enclosed)

NOTE: Two Commission motions will be considered after the Northwest Ports Clean Air Strategy Implementation Status briefing. See Items 6e and 6f.

- c. Seaport Division Refocusing Effort. ([memo](#) and [PowerPoint](#) enclosed)
- d. Capital Improvement Projects Report for the Third Quarter 2010. ([memo](#), [report](#) and [PowerPoint](#) enclosed)

8. NEW BUSINESS

9. POLICY ROUNDTABLE

None.

10. ADJOURNMENT

PUBLIC TESTIMONY PROCEDURES

- 1. Any person wishing to speak at a Port Commission meeting must register on a sign-up sheet and identify the specific agenda item to which he/she will speak before the agenda item commences.
- 2. The Commission does not generally take public testimony for non-action agenda items such as "Staff Briefings" or Work Session presentations, but may do so at the discretion of the Commission Chair.
- 3. An individual may testify on an agenda item for up to three minutes. Organization representatives may testify for up to five minutes.
- 4. Any person wishing to speak on a topic not appearing on an agenda may sign up to speak under "New Business". All testimony provided under "New Business" is limited to three minutes.
- 5. In the interests of time, the Commission Chair may limit the number of persons speaking on any topic or may limit testimony to those having new information or material to present.
- 6. The Commission Chair may alter the time allotments for testimony to ensure that more speakers have an opportunity to be heard.
- 7. The identity of each testifier will be noted in the meeting minutes. An individual or organization representative may have the text of his/her remarks appended to the Commission minutes by submitting a written text at, or before, the meeting. The appended written text will be preserved permanently.
- 8. A digital audio recording of the public testimony is on file in Port offices. Digital audio recordings are retained in Port offices for six years and then transferred to State Archives. A charge is assessed for duplication or transcription.
- 9. The Commission does not engage in discussion or debate with testifiers during commission meetings. Questions and requests for information or documents may be addressed to Port staff or to individual Commissioners outside of Commission meetings. (Revised September 14, 2007)