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**APPROVED MINUTES
COMMISSION SPECIAL MEETING FEBRUARY 28, 2012**

The Port of Seattle Commission met in a special meeting Tuesday, February 28, 2012, at Kirkland City Hall, 123 Fifth Avenue, Kirkland, Washington. Commissioners Bryant, Creighton, and Tarleton were present. Commissioner Holland was absent. Commissioner Albro was excused in order to attend to other Port business.

1. CALL TO ORDER

The special meeting was called to order at 10:07 a.m. by Gael Tarleton, Commission President.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

None.

PLEDGE OF ALLEGIANCE

Following the flag salute, Commissioner Tarleton thanked the City of Kirkland for hosting the Port of Seattle Commission and extended the Commission's appreciation to the Mayor and City Council of the City of Kirkland. She noted that the Port Commission meets in various locations outside its corporate facilities several times a year, especially when there is a topic on the agenda of particular interest to the community hosting the meeting and noted the purpose of the meeting to conduct first reading of Resolution No. 3659, transferring ownership of a portion of the Eastside Rail Corridor to the City of Kirkland.

Commissioner Tarleton introduced Mayor Joan McBride, who welcomed the Commission to Kirkland and thanked the Commission for visiting Kirkland to transfer the Kirkland segment of the corridor. Mayor McBride stated that the transfer would help the city achieve a long-anticipated cross-Kirkland trail and transit connection while supporting the Port's Century Agenda goals to spur jobs and economic development while remaining a leader in environmental sustainability. She commented on future recreational and transit use of the corridor segment and described the neighborhoods and business areas that the segment would connect.

3. **APPROVAL OF MINUTES**

None.

4. **SPECIAL ORDERS OF BUSINESS**

None.

5. **UNANIMOUS CONSENT CALENDAR**

None.

PUBLIC TESTIMONY

As noted on the agenda, the opportunity was provided for public comment not related to the public hearing on Resolution No. 3659. No public comments were submitted at this time.

6. **DIVISION, CORPORATE, AND COMMISSION ACTION ITEMS**

- a. (00:08:02) **First Reading and Public Hearing of Resolution No. 3659: A resolution of the Port Commission of the Port of Seattle declaring certain real property located in the City of Kirkland and the City of Bellevue (a portion of the Woodinville Subdivision) and any improvements located thereon surplus and no longer needed for Port purposes, authorizing its transfer to the City of Kirkland and authorizing the Chief Executive Officer to execute all documents related to such transfer. The Port will receive \$5 million (minus closing costs) from the City of Kirkland for the sale of this property, which is also known as the Eastside Rail Corridor.**

Request document(s): Commission agenda [memorandum](#) dated February 16, 2012, [Resolution No. 3659](#), and [exhibit A](#) provided by Joe McWilliams, Managing Director, Real Estate Division.

Presenter(s): Mr. McWilliams.

Mr. McWilliams reported that a purchase and sale agreement was approved earlier this year and that an adjustment had been made to provide a 15-day extension on the due diligence period for the City of Kirkland. He stated the property transfer is a \$5 million transaction with closing costs to be split with the City.

Motion for first reading of Resolution No. 3659 – Bryant

Second – Creighton

PUBLIC HEARING on Eastside Rail Corridor Property Surplus Resolution No. 3659

Commissioner Tarleton declared the public hearing for Resolution No. 3659 open.

Public comment was received from the following individuals:

- Loren Herrigstad, President of All Aboard Washington and affiliated with the Cascadia Center for Regional Development. Mr. Herrigstad commented on the importance of

preserving rail compatibility, particularly passenger rail, and regional options along with recreational use in plans for the development of the corridor. He presented conceptual graphics showing development of the corridor for rail, transit, and trail use, including an alternative approach to building trails on the existing railbed. Mr. Herrigstad asked the Port to remain involved in preventing corridor uses that would preclude the presence of rail. He submitted a packet of materials related to rail use of the corridor including letters of support from Google. A copy of the documents is, by reference, made a part of these minutes, is marked [exhibit A](#), and is available for inspection in Port offices.

- Jane Hague, King County Councilmember. Councilmember Hague applauded the Port for pursuing the opportunity to maintain the Eastside Rail Corridor in public ownership as a regional asset for recreation and economic development. She complimented the City of Kirkland for recognizing the potential for its portion of the corridor to anchor the north and south parts of the community and provide a model for dual use of the corridor for rails and trails.
- Martin Evons, 1813 140th Avenue Southeast, Bellevue, Washington. Mr. Evons commented on public interest in using the corridor for transportation and his concern that the process of transferring ownership of the corridor would result in removal of rails and prevent what he described as a profitable and needed transit system.
- Robert Scheuerman, representing Eastside Rail Now. Mr. Scheuerman commented on interest expressed by the City of Kirkland Transportation Commission in removal of rail in the Eastside Rail Corridor to build a trail and asked the Port to prevent removal of rail infrastructure in the corridor.
- James Cusick, 10717 229th Place Southwest, Edmonds, Washington. Mr. Cusick commented on his work on the I-405 Corridor Program Citizens Committee and the transit options that were considered for the I-405 corridor in the early 2000s, including bus rapid transit improvements. He commented on a 1992 eastside commuter rail feasibility study that he said was suspended at the request of the City of Renton and the Kennydale Neighborhood Association and stated that, as a result, the option of commuter rail as a transit option in the Eastside Rail Corridor has not received adequate study and should not be discounted.
- Lisa McConnell, member of Eastside Trail Advocates. Ms. McConnell commented on her community activity and stated that there is huge community support in Kirkland for the transfer of the rail corridor segment to the City of Kirkland.
- Will Knedlik, President, Eastside Rail Now. Mr. Knedlik commented on Eastside Rail Now's support for the Port's ability to purchase the Eastside Rail Corridor in order to provide redundancy for the region's freight transportation capacity along with recreational uses. He read from an October 10, 2011, declaration by Commissioner Tarleton in the case of *Lane et seq. v. Port of Seattle et seq.*, noting the importance of preserving rail use in order to benefit regional freight transportation. Mr. Knedlik submitted a copy of the declaration, which is, by reference, made a part of these minutes, is marked [exhibit B](#), and is available for inspection in Port offices. Mr. Knedlik also read statements by Commissioner Tarleton from a 76-page deposition of October 7, 2010, regarding the viability of the rail corridor and the Port's responsibility toward freight mobility.
- Kurt Triplett, City Manager, City of Kirkland. Mr. Triplett thanked the Port for its role in maintaining public ownership of the Eastside Rail Corridor despite changes to Commission membership and King County administrations since 2007. He spoke in

favor of the resolution and commented on Port agreements with Sound Transit and King County to preserve transportation and recreational uses of the corridor, noting the City of Kirkland's official intent for the corridor is for dual rail and recreational uses.

Following conclusion of public comment, the public hearing on Resolution No. 3659 was closed.

Commissioner Creighton commented on the background of procuring the Eastside Rail Corridor to ensure its public ownership, noting the importance of the Port's regional and public partnerships in the success of the project. He stated his support for maintaining dual rail and recreational use of the corridor.

Commissioner Tarleton remarked on the multi-year process of procuring the Eastside Rail Corridor, the dedication of the groups involved, and the role of public input into the project. She commented on the priorities of retaining public ownership of the corridor, retaining dual rail and recreational use, and recognition that the region's needs for the corridor will continue to evolve over time.

The question recurred on the motion by Commissioner Bryant, seconded by Commissioner Creighton, for first reading of Resolution No. 3659.

Motion carried by the following vote:

In Favor: Bryant, Creighton, Tarleton (3)

Absent for the vote: Albro, Holland

7. STAFF BRIEFINGS

None.

8. NEW BUSINESS

None.

9. POLICY ROUNDTABLE

None.

10. ADJOURNMENT

There being no further business, the special meeting was adjourned at 10:57 a.m.

Tom Albro
Secretary

Minutes approved: April 24, 2012.