



Commissioners

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**APPROVED MINUTES
COMMISSION REGULAR MEETING MAY 1, 2012**

The Port of Seattle Commission met in a regular meeting Tuesday, May 1, 2012, at Port of Seattle Headquarters, Commission Chambers, 2711 Alaskan Way, Seattle, Washington. Commissioners Albro, Bryant, Creighton, and Holland were present. Commissioner Tarleton was absent.

1. CALL TO ORDER

The regular meeting was called to order at 12:05 p.m. by John Creighton, Commission Vice President.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

The regular meeting was immediately recessed to an executive session estimated to last approximately 45 minutes to discuss matters relating to legal risk and real estate. Following the executive session, which lasted approximately 45 minutes, the regular meeting reconvened in open public session at 1:05 p.m.

PLEDGE OF ALLEGIANCE

3. (00:01:35) APPROVAL OF MINUTES

Regular meeting of March 6, 2012.

Motion for approval of minutes for the regular meeting of March 6, 2012 – Bryant

Second – Albro

Motion carried by the following vote:

In Favor: Albro, Bryant, Creighton, Holland (4)

Absent for the vote: Tarleton

4. SPECIAL ORDER OF BUSINESS

4a. (00:01:53) Commission Activities Report.

Presentation document(s): Commission agenda [memorandum](#) dated April 26, 2012, provided by Mary Gin Kennedy, Director of Commission Services.

Commissioner Holland commented on Commission activities during April including participation in 13 Century Agenda outreach activities; individual meetings with Seattle City Councilmembers; hosting of a container terminal and truck safety tour for Seattle City Councilmembers; and participation in activities related to the dedication of the City of Kirkland's rail corridor acquisition, a completion celebration for East Marginal Way, a Duwamish Transportation Management Association workshop, the opening of Club International at the Airport, and an international study mission to Chile with an additional stop in Panama.

5. (00:04:30) UNANIMOUS CONSENT CALENDAR

- 5a. Authorization for the Chief Executive Officer to (1) proceed with the ID Badge System Replacement project; (2) authorize the procurement of required hardware, software, and vendor services; and (3) authorize the use of Port staff for implementation, for a total project cost not to exceed \$2,500,000 (CIP #C800162).**

Request document(s): Commission agenda [memorandum](#) dated April 23, 2012, provided by Wendy Reiter, Director, Aviation Security and Emergency Preparedness; and Arif Ghouse, Senior Manager, Seaport Security.

Motion for approval of consent item 5a – Bryant

Second – Holland

Motion carried by the following vote:

In Favor: Albro, Bryant, Creighton, Holland (4)

Absent for the vote: Tarleton

(00:05:24) PUBLIC TESTIMONY

As noted on the agenda, public comment was received from the following individual(s):

- Robert Scheuerman, representing Eastside Rail Now. Mr. Scheuerman commented on his hope that King County will leave intact the rails on its portion of the Eastside Rail Corridor proposed to be acquired from the Port and that there will soon be provision there of commuter rail.

6. DIVISION, CORPORATE, AND COMMISSION ACTION ITEMS

- 6a. (00:06:28) First Reading of Resolution No. 3662: A Resolution of the Port Commission of the Port of Seattle declaring certain real property located in King County (portions of the Woodinville Subdivision) and any improvements located thereon surplus and no longer needed for Port purposes, authorizing its transfer to King County and authorizing the Chief Executive Officer to execute all documents related to such transfer; and further authorizing the Chief Executive Officer to execute a permanent easement granting King County easement rights over a portion of the Port's freight section of the Woodinville**

Subdivision for future recreational trail uses. The Port will receive \$15,000,000 (minus 50 percent of closing costs and a \$1,900,000 credit to King County for the previous acquisition of an easement over the property to be transferred).

Request document(s): Commission agenda [memorandum](#) dated April 23, 2012, [Resolution No. 3662](#), and [legal description](#) provided by Joe McWilliams, Managing Director, Real Estate Division.

Commissioner Albro expressed his appreciation to staff for efforts to negotiate transfer of a portion of the Eastside Rail Corridor to King County and commented on the economic changes affecting the County since its initial agreement to participate in the Corridor project. He stated he had reservations over accepting the terms currently proposed, which he said represent a significant reduction from the terms originally agreed to by the County.

Commissioner Creighton concurred with Commissioner Albro and commented that the original terms of the memorandum of understanding entered into at the start of the Rail Corridor acquisition are not present in the resolution.

Commissioner Holland acknowledged that the terms proposed in the resolution were disappointing compared to the original memorandum of understanding and commented that other jurisdictions abutting the Corridor might be interested in acquiring it.

Commissioner Bryant remarked that the Port's decision to close on the sale of the Corridor by BNSF was predicated on King County's written agreement in the memorandum of understanding, and he requested a side-by-side comparison of the original terms and those included in the current proposal.

Motion to indefinitely postpone consideration of agenda item 6a, First Reading of Resolution No. 3662 – Albro

Second – Bryant

Motion carried by the following vote:

In Favor: Albro, Bryant, Creighton, Holland (4)

Absent for the vote: Tarleton

Agenda item 6a was indefinitely postponed and Resolution No. 3662 did not receive First Reading.

6b. (00:15:12) Authorization for the Chief Executive Officer to sign Amendment 5 to Agreement 200900046 with the Puget Sound Clean Air Agency (PSCAA) to transfer \$1,050,000 in funds to support the implementation of the Northwest Ports Clean Air Strategy. Amendment 5 would increase the total amount transferred from the Port to PSCAA since 2009 to \$5,216,250. The current end date, extended in February of 2011, is June 30, 2013.

Request document(s): Commission agenda [memorandum](#) dated April 24, 2012, and [amended agreement](#) provided by Stephanie Jones Stebbins, Director Seaport Environmental and Planning; and Janice Gedlund, Air Program Manager.

Presenter(s): Ellen Watson, Environmental Program Manager.

Ms. Watson commented on the amendment's support of the Port's emissions-reduction priorities and noted the long-standing partnership of the Port and the PSCAA in implementing the Northwest Ports Clean Air Strategy. She noted programs supported by the amendment, including the At-Berth Clean Fuels program, the Clean Truck program, and retrofitting exhaust filters on cargo-handling equipment and reducing cargo handling equipment idling. She commented on the 2005 and 2011 maritime emissions inventory and update in collaboration with the PSCAA.

Motion for approval of item 6b – Bryant

Second – Holland

Motion carried by the following vote:

In Favor: Albro, Bryant, Creighton, Holland (4)

Absent for the vote: Tarleton

6c. (00:18:50) Authorization for the Commission to engage in promotional hosting during Calendar Year 2012.

Request document(s): Commission agenda [memorandum](#) dated April 25, 2012, provided by Mary Gin Kennedy, Director of Commission Services.

The Port Commissioners having reviewed the request documents previously, no presentation was made at this time.

Motion for approval of item 6c – Bryant

Second – Holland

Motion carried by the following vote:

In Favor: Albro, Bryant, Creighton, Holland (4)

Absent for the vote: Tarleton

7. STAFF BRIEFINGS

7a. (00:19:23) Sound Transit South Link Project Update.

Presentation document(s): Commission agenda [memorandum](#) dated April 24, 2012, light rail extension [attachment](#), and computer slide [presentation](#) provided by Elizabeth Leavitt, Director, Aviation Planning and Environmental; George England, Program Leader, Project Management Group; and Miles Haupt, Sound Transit, South Link Project Director.

Presenter(s): Tom Hooper, Aviation Planner, and Mr. Haupt.

Mr. Hooper presented a graphic depicting the location of the South Link Light Rail extension with respect to Airport facilities and described the coordination efforts between the Port and Sound Transit. He noted the complexity of ownership of various properties involved in the project,

presence of existing access in the area, and numerous underground utilities. Mr. Hooper explained the Port's interests in minimizing costs and property impacts while maintaining flexibility for future roadways to access the pending extension of SR-509 south of the Airport.

Mr. Hooper summarized interagency agreements involved in the project, including an interlocal agreement with Sound Transit to share preliminary design costs that provides for Sound Transit's reimbursement to the Port for early relocation of utilities necessary for the project. He noted that a memorandum of agreement that defines the Port's role in coordinating and overseeing design and construction of the project on Port property and related considerations would be presented for Commission approval on May 22, 2012.

Mr. Haupt provided an update on the progress of Sound Transit's South Link Project, noting components including 1.6 miles of elevated guideway, an elevated station and park-and-ride facility at South 200th Street, transit connections at South 200th Street, and a traction-power substation. He described involvement by the project stakeholders and summarized the project schedule. Mr. Haupt noted critical utilities to be avoided during construction and described the design-build procurement process for the project. He noted that the contract is expected to be awarded in the summer of 2012 with construction to begin as early as fall of 2012 or early 2013 and light rail service available in 2016. Mr. Haupt noted project-related third-party agreements with the cities of SeaTac and Seattle and private utility agreements with Puget Sound Energy, Century Link, Midway Sewer, and Highline Water District. He noted there would not be an agreement with Olympic Pipeline since the pipeline is planned to be avoided during construction.

Mr. Haupt presented concept drawings of the South 200th transit connection and light rail station and described various outreach events related to the project.

Mr. Hooper noted that in addition to approval of a memorandum of agreement on May 22, 2012, there would be a number of property transfer and easement agreements to be authorized by the Commission through the summer of 2016.

8. NEW BUSINESS

8a. (00:34:18) Concessions Request for Proposal Update.

Presentation document(s): computer slide [presentation](#) provided by Mark Reis, Managing Director, Aviation Division. Although copies of the materials were not circulated to the public in advance of the presentation, copies are available for inspection in Port offices.

Presenter(s): Mr. Reis.

Mr. Reis summarized the progress of the request for proposals (RFP) for the Airport's duty-free concession, noting withdrawal of the RFP in December 2010 due to the pending realignment of airline facilities at the Airport and the need to proceed with the RFP at this time. He presented a graphic of the existing duty-free locations and a proposed new duty-free location in Concourse A necessitated by airline realignment changes. He stated the Concourse A duty-free concession could be open by April 2013. Mr. Reis described challenges associated with moving the duty-free concession in the South Satellite, which is expected to be open before the summer of 2013.

Mr. Reis reported that the proposed duty-free RFP would encourage but not require retention of existing concessions employees and noted that during Hudson News' interim management of the duty-free concession, previous employees were retained and 18 new employees were added.

In response to Commissioner Creighton, Mr. Reis explained that the duty-free shops are open to both domestic and international passengers and described the process for purchasing items free of duty to passengers leaving on international flights.

Commissioner Creighton commented on the potential, based on further review of the *City/ce* injunction, to use the duty-free RFP as a vehicle for requiring retention of existing employees by the new concessionaire.

(00:47:09) Draft Motion on Puget Sound Restoration.

Commissioner Bryant announced that a draft motion regarding aligning Port objectives with those of the Puget Sound Partnership on the matter of restoration of Puget Sound referenced at the Commission special meeting of April 24, 2012, would be posted on the Port's website later in the week and would be open for public comment through the end of June.

9. POLICY ROUNDTABLE

None.

10. ADJOURNMENT

There being no further business, the regular meeting was adjourned at 1:52 p.m.

Tom Albro
Secretary

Minutes approved: June 26, 2012.