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**APPROVED MINUTES  
COMMISSION SPECIAL MEETING JANUARY 7, 2020**

The Port of Seattle Commission met in a special meeting Tuesday, January 7, 2020, at Port of Seattle offices, 2711 Alaskan Way, Seattle, Washington. Commissioners Bowman, Calkins, Cho, Felleman, and Steinbrueck were present.

**1. CALL to ORDER**

Pursuant to Article IV, Section 8, of the commission bylaws, the meeting convened at 11:05 a.m. to conduct an executive session.

**2. EXECUTIVE SESSION pursuant to RCW 42.30.110**

The notice posted during the executive session included one matter related to 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 40 minutes, the public meeting reconvened at 12:05 p.m. in the atrium at Pier 69. Commissioner Bowman led the flag salute.

*Without objection, the commission advanced to consideration of –*

**7. SPECIAL ORDERS of BUSINESS**

*and proceeded to consideration of –*

**7a. Oaths of Office for Commissioners Felleman and Cho.**

Commissioners Sam Cho and Fred Felleman took their oaths of office in compliance with Chapters 29A.20 and 53.12 RCW and participated in a public oath of office ceremony in the atrium at Pier 69.

**RECESSED AND RECONVENED**

The meeting was recessed at 12:25 p.m. and reconvened in commission chambers at 1:00 p.m., chaired by Commissioner Bowman, and the Commission advanced to consideration of –

**3. APPROVAL of the AGENDA**

Without objection, the preliminary agenda was approved without revisions.

**TRANSPARENCY PLEDGE**

Commissioner Bowman announced that all port commissioners had signed an annual transparency pledge for 2020, a copy of which is attached as minutes [Exhibit A](#).

*As noted on the agenda, the commission advanced to consideration of –*

**7. SPECIAL ORDERS of BUSINESS**

*and proceeded to consideration of –*

**7b. Motion 2020-01: A Motion of the Port of Seattle Commission electing a slate of commission officers for calendar year 2020.**

Request document(s) provided at the time of the meeting included a draft of the motion text. The adopted version of Motion 2020-01 is attached.

Presenter(s): Mike Merritt, Commission Chief of Staff.

The proposed slate of officers was as follows:

- President: Peter Steinbrueck
- Vice President: Fred Felleman
- Secretary: Sam Cho

**The motion for adoption of Motion 2020-01 carried by the following vote:**

**In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)**

Commissioner Bowman commented on events and accomplishments during 2019, including investment for future port operations at Terminal 5, Seattle-Tacoma International Airport, and Terminal 46; progress on establishing a maritime accelerator at Fishermen’s Terminal; and a host of customer service and community engagement successes. She noted especially the growth and improvements in the port’s internship program, the second largest public agency internship program in the state.

Commissioner Steinbrueck commented in appreciation of Commissioner Bowman’s presidency in 2019. He welcomed newly elected commissioner Sam Cho to the Port of Seattle and congratulated re-elected commissioner Fred Felleman on his successful ongoing environmental leadership as a port commissioner. Commissioner Steinbrueck spoke of the importance of transparency, equity, and fairness in his dealings with his colleagues and port staff and acknowledged the many changes that have affected the Port of Seattle’s mission over the past 109 years.

*As noted on the agenda, 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. He commented on port accomplishments in 2019. Mr. Metruck asked for a moment of silence in remembrance of the five crew lost in the December 31 sinking of fishing vessel Scandies Rose in high winds and freezing spray conditions southeast of Kodiak, Alaska. He read the names of the lost crew:

captain Gary Cobban Jr., David Cobban, Seth Rosseau-Gano, Arthur Ganacias, and Brock Rainey. Two crewmembers survived: John Lawler and Dean Gribble Jr.

## **5. PUBLIC COMMENT**

Public comment was received from the following individual(s):

- David Goebel, Vashon Island Fair Skies President regarding Motion 2019-14, which provided for installation of portable noise monitors. Mr. Goebel submitted written materials, which are attached as minutes [Exhibit B](#).
- Ralph Ibarra, President of Diverse America Network, regarding the chartering of a special Biometric Committee.
- Laura Loe Bernstein, Share the Cities, regarding expansion of the port's cruise business.
- David Haines, regarding expansion of the port's cruise business.
- Jordan Van Voast, 350 Seattle, regarding expansion of the port's cruise business. Mr. Van Voast submitted written materials, which are attached as minutes [Exhibit C](#).
- Sherri Stair, Seattle resident, regarding expansion of the port's cruise business and environmental impacts.
- Garth Jacobson, Seattle resident, regarding expansion of the port's cruise business and environmental impacts. Mr. Jacobson submitted written materials, which are attached as minutes [Exhibit D](#).
- Joanna Schoettler, Seattle resident, regarding expansion of the port's cruise business.
- Iris Antman, Seattle resident, regarding expansion of the port's cruise business and environmental impacts.
- Valerie Chu, Seattle resident, regarding expansion of the port's cruise business and environmental impacts.
- Peggy Printz, Seattle resident, regarding expansion of the port's cruise business and environmental impacts.
- Jim Bernthal, Seattle resident, regarding expansion of the port's cruise business and environmental impacts.
- Stacy Oaks, 350 Seattle, regarding expansion of the port's cruise business and environmental impacts.
- David Kipnis, 350 Seattle, regarding transparency and expansion of the port's cruise business.
- Ben Plotke, 350 Seattle, regarding expansion of the port's cruise business and environmental impacts.
- Michael Foster, regarding climate apocalypse.
- Barbara Lewy, Seattle resident, regarding lobbying activity by the cruise industry with the Port of Seattle.
- J.C. Harris, Des Moines Councilmember, regarding requested features on airport noise data reports.
- Alex Tsimerman, Seattle resident, regarding fascism and political corruption.

**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.]*

- 6a. Authorization for the Executive Director to (1) execute an agreed order with the Washington State Department of Ecology to complete a sediment remedial investigation at the port's Terminal 91 property; (2) procure and execute a project-specific contract to complete the scope of work required by the Ecology agreed order and future amendments; and (3) execute a corrective action permit renewal application as required by Ecology and the U.S. Environmental Protection Agency for the T-91 facility.**

Request document(s) included an agenda [memorandum](#), [agreed order](#), and [permit renewal](#).

- 6b. Authorization for the Executive Director to execute up to four indefinite delivery, indefinite quantity contracts for creative services for a total maximum value of \$1,000,000 and a contract ordering period of three years. No funding is associated with this authorization.**

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

**The motion for approval of consent items 6a and 6b carried by the following vote:**

**In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)**

*Special orders of business (agenda items 7a and 7b) were considered previously, and the commission advanced to consideration of –*

**8. AUTHORIZATIONS and FINAL ACTIONS**

- 8a. [Motion 2020-02](#): A motion of the Port of Seattle Commission adopting the charter of a Port of Seattle Commission Biometrics Special Committee to review the proposals of the Biometrics Working Group and Advisory Group and develop new policies or update existing policies governing the use of public-facing biometric technology at port facilities, as needed, for Port of Seattle Commission consideration.**

Request document(s) included a draft of Motion 2020-02 and attached committee charter. A copy of the adopted version of Motion 2020-02 is attached.

Presenter(s): Veronica Valdez, Commission Specialist.

The purpose of chartering a Biometrics Special Committee was summarized. The committee will review the findings of a working group and advisory group to develop a policy relating to the use of public-facing biometric identification technology at the Port of Seattle. Commissioners stressed the importance of public transparency as policy regarding biometric technology is vetted.

The motion for adoption of Motion 2020-02 carried by the following vote:

In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

- 8b. Authorization for the Executive Director to complete design and permitting of approximately 830 linear feet of concrete pier apron structure at Terminal 91 including (1) execute a consultant contract to prepare design and construction bid documents and (2) use port staff for project management, design support, permitting, and enabling construction activities, all of which in an amount not to exceed \$4,000,000 of a total preliminary estimated project cost between \$35 million and \$40 million (CIP #C102475).**

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

Presenter(s): Kenny Lyles, Director, Maritime Operations and Security; and Mark Longridge, Capital Project Manager.

The condition of the pier in the affected portion of Terminal 91 requires significant repairs in order to accommodate moorage needs for cruise and fishing lines of business. With larger size of cruise and fishing vessels, moorage for the two lines of business increasingly encroach on each other, although the affected berths are used by the fishing fleet. The effect of new building codes on the design of the work was described and the environmental implications of removal of creosote pilings and ability to avoid dredging were discussed.

The motion for approval of agenda item 8b carried by the following vote:

In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

- 8c. Authorization for the Executive Director to execute an interlocal agreement in substantially the form attached with the Washington State Department of Transportation to formally outline the plan and schedule for payment of the \$30 million Port of Seattle share of local matching funds for the construction of the Puget Sound Gateway Program.**

Request document(s) included an agenda [memorandum](#), [draft interlocal agreement](#), and [memorandum of understanding](#).

Presenter(s): Eric ffitich, Manager, State Government Relations; and Geraldine Poor, Manager, Regional Transportation.

The Puget Sound Gateway Program is focused on completion of State Routes 509 and 167, both vital to movement of people and freight in the region and key to the function of the Port of Tacoma and the maritime and aviation facilities of the Port of Seattle. The port's \$30 million contribution will be made in two \$15 million installments. Factors affecting contributions by city partners and the state's transportation capital planning in the wake of passage of Initiative 976, which threatens to gut transportation capital funding, were discussed. It was reported that the port's commitment to the projects is important in leveraging legislative support.

The motion for approval of agenda item 8c carried by the following vote:

In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

**8d. [Authorization] to (1) determine that a competitive process is not appropriate or cost-effective and exempt the contract from a competitive process consistent with RCW 53.19.020; and (2) for the Executive Director to execute a contract amendment with Robert Watrus to provide expert services for the workforce strategy development and to continue work on the Aviation Career Pathways Pilot Program for an increase of \$116,235, resulting in a total contract value of \$162,735.**

Request document(s) included an agenda [memorandum](#), [strategic plan timelines](#), and [implementation timeline](#).

Presenter(s): Bookda Gheisar, Senior Director, Office of Equity, Diversity, and Inclusion; Luis Navarro, Director, Equity Programs, Office of Equity, Diversity, and Inclusion; General Counsel Pete Ramels.

A single presentation was provided for agenda items 8d and 8e. Amendment of the contract without conducting a new procurement is intended to facilitate completion of work already begun by the consultant on a workforce strategy and development of an aviation career pathway program. A detailed timeline for implementing the strategic plan was provided.

A second contract (agenda item 8e) is requested to complete development of a strategic plan for the recently created Office of Equity, Diversity, and Inclusion. Community meetings and staff training engagements were summarized. The request to avoid a competitive process is in the interest of scheduling. The General Counsel explained that the statutes allow the commission to make a determination and proceed without competing the contract.

The motion for approval of agenda item 8d carried by the following vote:

In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

**8e. [Authorization] to (1) determine a competitive process is not appropriate or cost-effective and exempt this contract from a competitive process consistent with RCW 53.19.020; and (2) for the Executive Director to execute a contract amendment with Tu Consulting for strategy development planning services for the Office of Equity, Diversity and Inclusion extending the contract period through October 2020 and increases the amount by \$75,000 for a new total of \$98,625.**

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

Presenter(s): Bookda Gheisar, Senior Director, Office of Equity, Diversity, and Inclusion; and Luis Navarro, Director, Equity Programs, Office of Equity, Diversity, and Inclusion.

A single presentation on agenda items 8d and 8e was provided already.

The motion for approval of agenda item 8e carried by the following vote:

In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

8f. [Introduction of Resolution No. 3769](#): A resolution of the Port of Seattle Commission authorizing the Executive Director to sell and convey port personal property in 2020 in accordance with RCW 53.08.090 with a value not greater than \$19,000 and repealing Resolution No. 3756, dealing with the same subject.

Request document(s) included an agenda [memorandum](#), draft resolution, and [presentation slides](#). A copy of the final draft of Resolution 3769 will be made available upon adoption.

Presenter(s): Rudy Caluza, Director, Accounting and Financial Reporting.

Mr. Caluza described the kind of personal property typically disposed of under the Executive Director's authority pursuant to the resolution, including mobile devices that are frequently made available for use by local school districts and other items such as firefighting equipment. The value limit is per item. Because the state constitution prevents gifts of public funds, conveyance of personal property follows highly regulated protocols and these items may not be given away.

The motion for introduction of Resolution No. 3769 carried by the following vote:

In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

## **9. PRESENTATIONS, REPORTS, and STAFF BRIEFINGS**

### **9a. Federal Legislative Agenda for 2020.**

Presentation document(s) included an agenda [memorandum](#), [presentation slides](#), 2019 federal [maritime agenda](#), and 2019 federal [aviation agenda](#).

Presenter(s): Eric Schinfeld, Senior Manager, Federal and International Government Relations; and Ryan McFarland, Federal Government Relations Manager.

In 2019 gains on Harbor Maintenance Tax reform and adoption of appropriations policy riders related to aviation were accomplished. The proposed federal legislative agenda for 2020 was provided in its entirety as attached. Although 2020 is expected to be a challenging year to accomplish legislative goals, items of note on the agenda include continued advocacy for Harbor Maintenance Tax reform, funding flexibility for aviation infrastructure development, expansion of sustainable aviation fuel, opportunities to further secondary noise insulation when initial noise insulation packages reach the end of their serviceable life, and a number of environmental projects that have suffered due to lack of federal action. Commissioners commented on orca recovery in Puget Sound and continued vigilance regarding defense of Alaska's Bristol Bay fishery.

## **10. QUESTIONS on REFERRAL to COMMITTEE – None.**

**11. ADJOURNMENT**

There was no further business, and the meeting adjourned at 3:36 p.m.

Prepared:

Attest:

\_\_\_\_\_  
Paul J. White, Commission Clerk

\_\_\_\_\_  
Sam Cho, Commission Secretary

Minutes approved: March 10, 2020.