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APPROVED MINUTES COMMISSION REGULAR MEETING APRIL 13, 2021

The Port of Seattle Commission met in a regular meeting Tuesday, April 13, 2021. The meeting was held remotely in accordance with the Governor's 'Safe Start' order and Proclamation 20-28. Commissioners Calkins, Cho, Felleman, and Steinbrueck were present. Commissioner Bowman joined the meeting at 12:11 a.m.

1. CALL to ORDER

The meeting was convened at 10:30 a.m. by Commission President Fred Felleman.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

The public meeting recessed into executive session to discuss one matter relating to litigation/potential litigation/legal risk (RCW 42.30.110(1)(i)) for approximately 25 minutes, and a second session regarding performance of a public employee (RCW 42.30.110(1)(g)) and litigation/potential litigation/legal risk (RCW 42.30.110(1)(i)) for approximately 25 minutes, with the intention of reconvening the public session at 12:00 p.m. Following the executive session, which lasted approximately 75 minutes, the public meeting reconvened at 12:03 p.m. Commission President Felleman led the flag salute.

3. APPROVAL of the AGENDA

Without objection, the preliminary agenda was approved without revisions. Commissioner Bowman was absent for the vote.

4. SPECIAL ORDERS OF THE DAY – None.

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Steve Metruck previewed items on the day's agenda and made announcements.

State Governmental Relations Manager Eric ffitch provided a legislative update to the Members of the Commission, staff, and public.

Members of the Commission discussed the status of discussions on the low carbon fuel standard, flight kitchen employees, and policing reform.

6. COMMITTEE REPORTS

Ms. LeeAnne Schirato, Commission Specialist, provided a report regarding recently held committee meetings.

7. PUBLIC COMMENT

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

- Mayor of Burien Jimmy Matta spoke in support of Item 11b, the ACE Green Cities Program, and also in support of the Port's recently passed proclamation in honor of Cesar Chavez and Dolores Huerta Day and the Port's partnership with the Highline School District for the Maritime High School.
- City of Des Moines Councilmember Traci Buxton spoke in support of Item 11b and the volunteer events, partnership, plan and work with Forterra that is ongoing through the program.
- City of Burien Recreation and Cultural Services Director Carolyn Hope spoke in support of Item 11b, and the Green Burien partnership with Forterra, noting the benefits of the Forterra program.
- City of SeaTac Park Maintenance and Operations Manager Mike Fitzpartrick spoke in support of Item 11b, also recognizing Partnership in Employment and the Green Cities Partnership with Forterra.
- Mr. Richard de Sam Lazaro, Expedia Group, spoke in support of Item 10d, the Pier 86 fishing pier project.
- Mr. Fenner Yarborough, Washington State Department of Fish and Wildlife, also spoke in support of Item 10d, the Pier 86 fishing pier project.
- Mr. Stefan Moritz and Mr. Ronnie Lalimo, Unite Here Local 8, spoke in support of equality of airline catering workers with regard to employee minimum wage and labor standards and expressed their excitement for the legislation which will enact the changes.
- In lieu of spoken comment, Laura Gibbons, volunteer with 350 Seattle's Aviation Team, submitted written comments inquiring where the Port's plan is to meet its target of a 50 percent reduction in Scope 3 greenhouse gas emissions by 2030. Written materials received are attached as minutes Exhibit A.

8. CONSENT AGENDA

[Clerk's Note: Items on the Consent Agenda are not individually discussed. Commissioners may remove items for separate discussion and vote when approving the agenda.]

- 8a. Approval of the Minutes of the Regular Meeting of March 23, 2021.**
- 8b. Approval of the Claims and Obligations for the Period March 1, 2021, through March 31, 2021, including Accounts Payable Check Nos. 938858-939196 in the Amount of \$2,933,098.83; Accounts Payable ACH Nos. 033893-034669 in the Amount of \$62,495,266.49; Accounts Payable Wire Transfer Nos. 015559-015583 in the Amount of \$7,697,943.98, Payroll Check Nos. 198171-198377 in the Amount of \$77,709.84; and Payroll ACH Nos. 1013908-1018130 in the Amount of \$11,234,593.64 for a Fund Total of \$84,438,612.78.**

Request document(s) included an agenda memorandum.

- 8c. Authorization for the Executive Director to Advertise, Award and Execute a Contract with a Benefits Consultant to Provide Consulting Services that Include Benefits**

Insurance Broker Services and Health Plan Actuarial Services to the Port of Seattle's Employee Benefits Program for up to 10 Years at an Amount Not-to-Exceed \$4,600,000.

Request document(s) included an agenda memorandum.

- 8d. Authorization for the Executive Director to Execute a Settlement Agreement to Resolve Claims and Potential Claims Arising Out of Two TSA-owned Explosive Detection System Machines (the "EDS Machines") that Were Damaged and Required Replacement During the Baggage Optimization Phase 1 Project ("BOP1").**

Request document(s) included an agenda memorandum.

- 8e. Authorization for the Executive Director to (1) Construct a Single Office as the Second Phase of the Main Terminal Space Conversion Project at Seattle-Tacoma International Airport, and (2) Utilize Port of Seattle Crews and Small Works On-call Contracts to Perform Construction Work. The Amount Requested is \$400,000 of the Total Project Estimate of \$3,500,000 (CIP #C801055).**

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

- 8f. Authorization for the Executive Director to (1) Complete Design, (2) Execute Contracts for Screening Equipment, and (3) Use Port Crews and Small Works Contracts for Construction in Support of the North Satellite Transit System Employee Screening Project at Seattle-Tacoma International Airport, in the Amount of \$1,400,000 (CIP #C801153).**

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

- 8g. Authorization for the Executive Director to Extend the Existing Contract Between the Port of Seattle and Café Pacific Catering, for Exclusive Food and Beverage Service at the Conference Center at SEA Airport. Requested Extension is One Year with an Additional One-year Option to Extend, for a Total Possible Extension of Two Years.**

Request document(s) included an agenda memorandum and current agreement.

- 8h. Authorization for the Executive Director to Proceed with the Design Development and Permitting Phase of the Fishermen's Terminal ADA Compliance Project in the Amount of \$215,000 (CIP No. C801198).**

Request document(s) included an agenda memorandum.

- 8i. Approval of Order 2021-04: Extension of the On-demand Taxi and Flat Rate for Hire Service Pilot Program.**

Request document(s) included a draft order.

[Clerk's Note: Commissioner Cho noted a conflict of interest with respect to voting on Item No. 8i on the Consent Agenda due to the affiliation of the item with his personal employment. Commissioner Cho exited the meeting at this time.]

The motion for approval of consent agenda items 8a, 8b, 8c, 8d, 8e, 8f, 8g, 8h, and 8i carried by the following vote: In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Opposed: (0)

Recused from Voting: (1) – Commissioner Cho

[Clerk's Note: Commissioner Cho rejoined the meeting.]

9. UNFINISHED BUSINESS – None.

10. NEW BUSINESS

10a. Authorization for the Executive Director to Sign an Interlocal Agreement (ILA) with Highline Public Schools, Maritime High School, substantially in the Form Attached, with Minor Changes to be Approved by Legal Counsel, as Appropriate. The ILA will Facilitate the Transfer of Port of Seattle Funds to Highline Public Schools as Authorized in the 2021 Budget.

Request document(s) included an agenda memorandum, Exhibit A, and presentation slides.

Presenter(s):

LeeAnne Schirato, Commission Specialist, Commission Office
Holly Ferguson, Chief Policy & Strategy Officer, Highline Public Schools

Commission Clerk Michelle Hart read Item 10a into the record.

Executive Director Metruck introduced the item and presenters.

Ms. LeeAnne Schirato and Ms. Holly Ferguson provided a presentation addressing:

- the launch of the Maritime High School in September 2021;
- how funding will be used;
- deliverables of the program;
- student curriculum;
- documenting student learning;
- involvement of the community, industry, and families; and
- accountability in program delivery.

Members of the Commission and staff discussed:

- internship opportunities for students and how the Port can be a partner in internships;
- the process for selecting advisory board members;

- how members of the community can express interest in being a community collaborator;
- long-term sustainability of the program; and
- finding and receiving state funding and other subsidies and ongoing fund raising to support the program.

The motion, made by Commissioner Calkins, for approval of Item 10a, carried by the following vote: In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

Opposed: (0)

10b. Authorization for the Executive Director to Finalize and Implement Additional Airport Relief Measures in Response to the On-going COVID-19 Pandemic Impacts to Airport Dining and Retail (ADR), On-Airport Parking and Rental Car (RAC) Concessionaires, Specifically (i) to Offer Lease Amendments to ADR, On-Airport Parking and RAC Concessionaires Relating to Adjustment of Minimum Annual Guaranteed (MAG) Rent, RAC Concession Agreement Extensions, and (ii) to Separately Provide Rent Relief in the Form of Credits to Eligible ADR, On-Airport Parking and RAC concessionaire as part of the Airport Coronavirus Response Grant Program established by the Federal Aviation Administration (FAA) Pursuant to the Federal Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA).

Request document(s) included an agenda memorandum.

Presenter(s):

Dawn Hunter, Director, AV Commercial Management & Analysis
Jeff Wolf, Senior Manager, AV Business Development

Commission Clerk Michelle Hart read Item 10b into the record.

Executive Director Metruck introduced the item and presenters.

The presentation addressed:

- the proposed relief put forward in response to ongoing impacts of the pandemic on tenants and concessionaires at SEA;
- the team who worked to accomplish the work around the relief measures;
- enplanement levels; and
- extension of the rental car concession agreement for five additional years.

Members of the Commission and staff discussed:

- the possibility of changes to the Minimum Annual Guarantee (MAG) calculation;
- lack of relief provided by the FAA to taxis or ride share companies;
- when relief measures will sunset;
- comparables based on 2019 levels for the foreseeable future;
- continuation of services by the FAA and CRRSAA;
- review of the way the Port structures rent and lease terms; and
- CRRSAA and its application to ground transportation.

The motion, made by Commissioner Bowman, for approval of Item 10b carried by the following vote: In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

Opposed: (0)

10c. Authorization for the Executive Director to Develop the Project Definition Document to Finalize the Scope, Schedule, Budget, and Project Delivery Method for the Preferred South Satellite Renovation and Renewal Project Alternative at the Seattle-Tacoma International Airport. The Amount Being Requested Under this Authorization is \$2,750,000 (CIP# C801203).

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

Presenter(s):

Lance Lyttle, Managing Director, Aviation (Lead)

Barry Hennelly, Senior Development Manager, AV Capital Program Management

Commission Clerk Michelle Hart read Item 10c into the record.

Executive Director Metruck introduced the item and presenters.

The presentation addressed:

- the history and current state of the facility;
- the S. Satellite Renovation project;
- interim investments;
- proposed project definition efforts;
- the project schematic profile; and
- work planned for the various levels and exterior of the facility.

Members of the Commission and staff discussed:

- environmental standards of the renovation;
- design work coming in the future and being able to see the pre-design stage at this point;
- a desire to see a substantial reduction in the carbon footprint and energy usage of the facility;
- inclusion of the Open Doors recommendations for accessibility;
- inclusion of the 1 percent for arts component into design; and
- potential for solar gain.

The motion, made by Commissioner Steinbrueck, for approval of Item 10c, carried by the following vote: In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

Opposed: (0)

10d. Authorization for (1) the Executive Director to Execute a Funding Agreement with Cruise, LLC (Expedia Group) and Washington State Department of Fish and Wildlife to Spend up to \$83,000 for the Port's One-sixth Contribution Towards a Cost and Feasibility Analysis Which Seeks to Understand the Engineering Demands and

Construction Costs for the Rebuilding of the Public Fishing Pier at Pier 86 with a Ferry Float to Support Commuter Ferry Service; and (2) to Exempt this Opportunity from a Competitive Process.

Request document(s) included an agenda memorandum, agreement, and presentation slides.

Presenter(s):

Stephanie Jones Stebbins, Managing Director, Maritime
Kyra Lise, Director, Real Estate Development

Commission Clerk Michelle Hart read Item 10d into the record.

Executive Director Metruck introduced the item and presenters.

The presentation addressed:

- the authorization requested – an agreement between Expedia, the Department of Fish and Wildlife, and the Port to fund an engineer's assessment of construction costs and feasibility and allowing Expedia contractors already at work to be extended to the project, requiring a competitive bidding waiver;
- anticipated partner contributions;
- budget and project costs; and
- next steps in the schedule.

Members of the Commission and staff discussed:

- responsibility for operating costs in the future;
- the proper name of the pier and a new naming opportunity; and
- fast ferries and precautions in crossing the Sound with respect to killer whales and other sea life.

The motion, made by Commissioner Steinbrueck, for approval of Item 10d, carried by the following vote: In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)

Opposed: (0)

11. PRESENTATIONS AND STAFF REPORTS

11a. Diversity in Contracting Annual Report

Presentation document(s) included an agenda memorandum and presentation slides.

Presenter(s):

Dave McFadden, Managing Director, Economic Development Administration
Mian Rice, Director, Diversity in Contracting
Lawrence Coleman, Women/Minority Business Enterprise Manager, Diversity in Contracting
Nora Huey, Director, Central Procurement Office

Commission Clerk Michelle Hart read Item 11a into the record.

Executive Director Metruck introduced the item and presenters.

The presentation addressed:

- portwide diversity in contracting policy directive;
- portwide WMBE utilization for the last five years;
- 2020 portwide WMBE utilization;
 - Non-construction
 - Non-construction – corporate;
- 2020 WMBE ethnicity breakout;
- 2020 highlighted diversity in contracting efforts;
- 2021 utilization goals – non-construction;
- diversity in contracting evaluation;
- exceeding the target goals set for the policy directive;
- areas for potential improvement; and
- the Port of Seattle recently named as the Northwest Mountain Minority Development Council's Public Agency of the Year for its Diversity in Contracting Program.

Members of the Commission and staff discussed:

- general contractors use of PortGen participants;
- criteria weighting to add points if a contractor uses a PortGen person;
- the historically low number of women-owned businesses in the construction industry;
- growing the pipeline of available vendors;
- more targeting on projects we have and the number of dollars to spend;
- long-term sustainability of opportunities;
- incentives available to construction and non-construction primes;
- attaining an equitable balance of gender and ethnicity; and
- whether or not there is a role for the Office of Equity Diversity and Inclusion with respect to looking at systematic barriers to opportunities.

11b. ACE Green Cities Program Update

Presentation document(s) included an agenda memorandum and presentation slides.

Presenter(s):

Andy Gregory, Senior Program Manager Environmental Engagement, External Relations
Joanna Nelson des Flores, Forterra
Gabbi Gonzales, City of Burien
Ngam Nguyen, Partner in Employment

Commission Clerk Michelle Hart read Item 11b into the record.

Executive Director Metruck introduced the item and presenters.

The presentation addressed:

- the Airport Community Ecology Fund;
- ACE small matching grants;
- Green City Partnerships;
- canopy assessments;
- urban forest management plans;
- measurable accomplishments;
- Des Moines Memorial Drive;
- Covid impacts;
- Partnership investments;
- Green Burien Partnership goals, funding, and 2021 program goals;
- Partnership in Employment's Highline Public Schools Canopy Enhancement Project;
- scope of work in 2021; and
- continuing resources.

Members of the Commission and staff discussed:

- the fantastic work of the program and partners in delivering on goals set;
- the number of youth participating in the summer program;
- if there is an opportunity to expand the programming year-round;
- neighborhood by neighborhood mapping and data comparison, and airport-impacted communities;
- carbon sequestration;
- how the participating cities were chosen;
- receiving a similar assessment of tree canopy for Port-owned properties; and
- King County's release of their climate action plan on Earth Day.

12. QUESTIONS on REFERRAL to COMMITTEE and CLOSING COMMENTS

Commissioner Cho spoke regarding the State Legislature's action to make Juneteenth a statewide holiday, with the Port being the leader of this action at the local level. He thanked Executive Director Metruck and the Blacks in Government Port Employee Resource Group for their efforts in bringing the matter forward at the Port.

13. ADJOURNMENT

There was no further business, and the meeting adjourned at 4:30 p.m.

Prepared:

Attest:

Michelle M. Hart, Commission Clerk

Sam H. Cho, Commission Secretary

Minutes approved: April 13, 2021.

DRAFT