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APPROVED MINUTES COMMISSION SPECIAL MEETING JUNE 8, 2021

The Port of Seattle Commission met in a special meeting Tuesday, June 8, 2021. The meeting was held remotely in accordance with Senate Concurrent Resolution 8402 and in accordance with Governor Inslee's Proclamation 20-28. Commissioners Bowman, Calkins, Cho, Felleman, and Steinbrueck were present.

1. CALL to ORDER

The meeting was convened at 11:30 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, with the intention of reconvening the public session at 12:00 p.m. It was also noted for the record that an Executive Session would be held at the conclusion of discussion on the items of business for the purposes of reviewing the performance of public employees per RCW 42.30.110(1)(g). Following the executive session, which lasted approximately 25 minutes, the public meeting reconvened at 12:04 p.m. Commission President Felleman led the flag salute.

3. APPROVAL of the AGENDA

Without objection, the preliminary agenda was approved as presented.

4. SPECIAL ORDERS OF THE DAY – None.

5. EXECUTIVE DIRECTOR'S REPORT

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

6. COMMITTEE REPORTS

Mr. Aaron Pritchard, Deputy Commission Chief of Staff, provided a report regarding recently held committee meetings.

7. PUBLIC COMMENT

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

- Mark Everton, CEO, Seattle Southside Regional Tourism Authority, spoke in support of Agenda Item 10a, related to the restart of cruise in the Seattle region.

- Tim Kuniholm, Seattle Aquarium, Director of Public Relations, spoke in support of Agenda Item 10a, related to the cruise in the Seattle region.
- Iris Antman, resident, spoke in opposition to Agenda Item 10a and to the restart of cruise in the Seattle region;
- Peggy Printz, resident, spoke in opposition to Agenda Item 10a and to the restart of cruise in the Seattle region;
- John Fricke, VP of Operations, Premier Airport Shuttle by Capital Aeroporter, spoke in support of the study session regarding airport ground transportation access planning at SEA and asked that door-to-door van and airporters operators be given more consideration in future development of the Ground Transportation Access Plan.
- In lieu of spoken comment, Rosemary Moore, resident, submitted written comments in opposition to the restart of cruise and asked that ships not be allowed to return without imposed restrictions on greenhouse gas emissions.
- In lieu of spoken comment, Barbara O'Steen, resident, submitted written comments in opposition to the restart of cruise, speaking to the impacts on climate from cruise ship operations.
- In lieu of spoken comment, Laura Gibbons, resident, submitted written comments highlighting materials from the budget retreat and asked what the Port's plan is meet the climate change and air quality concerns raised by community groups, noting that a reduction in aviation would address many of them.
- In lieu of spoken comment, Noemie Maxwell, resident, submitted written comments asking the Port to issue a resolution or order withdrawing the SAMP near term proposal for Lot L06, referencing a citizen's petition with public comments on the proposal.
- In lieu of spoken comment, Lisa Steele, resident, submitted written comments in opposition to the restart of cruise at the end of July and to climate and health effects resulting from cruise ship operations.
- In lieu of spoken comment, Russ Stevenson, resident, spoke in opposition to the SAMP proposal on Lot L06 and resulting damage to natural habitat as a result of development.

[Clerk's Note: All written comments are combined and attached here as [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 May 11, 2021.**
- 8b. Approval of the Claims and Obligations for the period May 1, 2021, through May 31, 2021, including accounts payable check nos. 939642-939947 in the amount of \$8,675,479.92; accounts payable ACH nos. 035398-036047 in the amount of \$54,261,813.80; accounts payable wire transfer nos. 015603-015619 in the amount of \$7,950,768.02, payroll check nos. 198632-198816 in the amount of \$47,832.51; and payroll ACH nos. 1024488-1028704 in the amount of \$11,132,608.03 for a fund total of \$82,068,502.28.**

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

- 8c. **Authorization for the Executive Director to Execute up to Two (2) Indefinite Delivery, Indefinite Quantity Contracts for Baggage Handling System Design Services to Support of the Aviation Division's Capital Program, for a Total Amount Not-to-Exceed \$10,000,000. There is No Budget Request Associated with This Authorization. Each Contract will Have an Ordering Period of Five (5) Years.**

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

- 8d. **Authorization for the Executive Director to Execute an Agreement Between the Port of Seattle and a Vendor to Provide Compressed Natural Gas (CNG) Station Maintenance, Repair, and Fuel System Compressor Rebuilds. The Contract Amount Shall Not Exceed \$1,500,000 and Seven Years.**

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

- 8e. **Adoption of Resolution No. 3790: A Resolution of the Port of Seattle Commission Amending the Policy Directive for Salaries and Benefits for Employees Not Covered by a Collective Bargaining Agreement Established by Resolution No. 3739, to Reflect an Administrative Change Modifying Two Definitions Related to Probationary Employees, and Providing an Effective Date for All Amendments of June 8, 2021.**

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

- 8f. **Authorization for the Executive Director to Extend the Juneteenth Holiday to Those Represented Employees at the Port with Contractual Holidays via Memoranda of Agreements (MOAs) with Their Respective Labor Representatives.**

Request document(s) included an [agenda memorandum](#), [proclamation](#), and [memoranda of agreement](#).

- 8g. **Authorization for the Executive Director to Execute Up to Two Consulting Services Indefinite Delivery, Indefinite Quantity (IDIQ) Contracts to Provide Environmental Management and Compliance Support with a Total Value of \$3,500,000 and a Contract Ordering Period of Five Years. No Funding is Associated with this Request.**

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

- 8h. **Authorization for the Executive Director to (1) Authorize an Additional Amount of \$980,000 for the Design and Construction of Phase I, and (2) Complete Design, (3) Utilize Port Crews and Small Works Contracts to Complete Early Pavement Work, and (4) Authorize an Additional Amount of \$3,405,000, for Phase II of the North Employee Parking Lot Improvements Project at Seattle-Tacoma International Airport. This**

Request is in the Amount of \$4,385,000, for a Total Authorization in the Amount of \$5,000,000. (CIP #C800957)

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

**The motion for approval of consent agenda items 8a, 8b, 8c, 8d, 8e, 8f, 8g, and 8h carried by the following vote: In favor: Bowman, Calkins, Cho, Felleman (5)
Opposed: (0)**

9. **UNFINISHED BUSINESS** – None.

10. **NEW BUSINESS**

10a. **Authorization for the Executive Director to Finalize and Sign Port Agreements Under the Center for Disease Control’s Framework for Conditional Sailing Order and Amend Leases Relating to Port Cruise Facilities to Incorporate Such Port Agreements.**

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

Presenter(s):

Stephanie Jones Stebbins, Managing Director, Maritime
Dr. John Lynch, Associate Professor & Medical Director, Harbor View Medical Center

Clerk Hart read Item 10a into the record.

Executive Director Metruck introduced the item and presenters.

The presentation addressed the authorization to finalize and sign agreements in concert with CDC conditional sailing order guidelines with cruise lines, the State Department of Health, and King County Public Health. Staff detailed the responsibilities of the parties and noted that although terminal operators are not a signatory to the agreements, terms will be incorporated in their lease agreements.

Members of the Commission and staff discussed:

- health requirements and measures;
- the responsibility for onboard monitoring of compliance;
- ensuring a safe return to cruising.

**The motion, made by Commissioner Cho, carried by the following vote: In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)
Opposed: (0)**

10b. **Authorization for the Executive Director to: (1) Execute a Fifth Amendment to the Administrative Order on Consent with the U.S. Environmental Protection Agency for the Lower Duwamish Waterway (LDW) Superfund Site; and (2) Execute a Seventh**

Amendment to the Lower Duwamish Waterway Group Memorandum of Agreement to Contract for and Perform Cleanup Design of the Middle Third of the LDW.

Request document(s) included an [agenda memorandum](#), [Amendment No. 5](#), [Amendment No. 7](#), and [presentation slides](#).

Presenter(s):

Kathy Bahnick, Senior Manager, Environmental Programs
Joanna Florer, Senior Environmental Program Manager, Maritime Environment and Sustainability

Clerk Hart read Item 10b into the record.

Executive Director Metruck introduced the item and presenters.

A staff presentation was provided addressing:

- scope and timeline of the project;
- clean-up goals;
- cleanup accomplishments on the Duwamish to-date;
- proposed amendments;
- timeline of current activities;
- elements of the clean-up design; and
- other notable sediment clean-up milestones being undertaken.

Members of the Commission and staff discussed:

- the future health of sea life in the river;
- river rehabilitation and continued contamination from up-river; and
- site characterization.

**The motion, made by Commissioner Steinbrueck, carried by the following vote: In favor: Bowman, Calkins, Cho, Felleman, Steinbrueck (5)
Opposed: (0)**

11. PRESENTATIONS AND STAFF REPORTS

11a. 2021 State Legislative Session Review and Federal Look Ahead

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

Presenter(s):

Eric ffitch, Manager State Government Relations, External Relations
Eric Schinfeld, Senior Manager, Federal & International Government Relations
Trent House, Contract Lobbyist
Dennis McLerran, Contract Consultant

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

Executive Director Metruck introduced the item and presenters.

Staff provided a presentation to the Commission addressing high-level review of the 2021 legislative session, including the adoption of three budgets – transportation, operating, and capital, as well as the Low Carbon Fuel Standard (LCFS) and operating budget passage in the last hours of the legislative session. Priority Port items that found success included LCFS, secured state funding partnership for the Quiet Sound Program, and passage of the needed technical correction to airline catering legislation passed in 2020. Additional items of interest include passage of a statewide Juneteenth holiday, tourism funding, and environmental clean-up projects.

Eric ffitth, State Government Relations Manager, overviewed next steps.

Eric Schinfeld, Federal and International Government Relations Senior Manager, provided an overview of the federal look ahead for items related to and affecting the Port and its business lines. Mr. Schinfeld and Members of the Commission discussed climate legislation, infrastructure, and pandemic recovery was included in the report. Next steps with the federal focus include:

- sharing support for American Jobs Plan with the Washington Congressional delegation and Biden Administration (SecDoTretweet!);
- working to build champions for Sustainable Aviation Fuel and maritime decarbonization efforts within the delegation;
- identifying opportunities for port decarbonization pilot programs, demonstration projects or partnerships; and
- seeking FY22 appropriations earmarks and increased programmatic funding for key Port infrastructure and community programs.

12. QUESTIONS on REFERRAL to COMMITTEE and CLOSING COMMENTS

No closing comments were noted and no referrals to committees were made.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110 (Continued)

Commission President Felleman noted that the Commission would stand in recess for 10 minutes prior to entering Executive Session per RCW 42.30.110(1)(g) to discuss the performance of a public employee. He noted that no action would be taken at the close of the session and the meeting would adjourn immediately thereafter.

13. ADJOURNMENT

There was no further business and the meeting adjourned at 4:03 p.m.

Prepared:

Attest:

Michelle M. Hart, Commission Clerk

Sam H. Cho, Commission Secretary

Minutes approved: June 22, 2021.