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**APPROVED MINUTES
COMMISSION REGULAR MEETING DECEMBER 13, 2022**

The Port of Seattle Commission met in a regular meeting Tuesday, December 13, 2022. The meeting was held at the Port of Seattle Headquarters Building, Pier 69, 2711 Alaskan Way, Seattle, Washington, and virtually on Microsoft Teams. Commissioners Calkins, Cho, Felleman, and Mohamed were present. Commissioner Hasegawa was absent and excused from the meeting.

1. CALL to ORDER

The meeting was convened at 10:30 a.m. by Commission President Ryan Calkins.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

The public meeting recessed into executive session to discuss two matters regarding litigation/or potential litigation/or legal risk, per RCW 42.30.110(1)(i) for approximately 30 minutes, and one item related to litigation/or potential litigation/or legal risk, per RCW 42.30.110(1)(i) and performance of a public employee per RCW 42.30.110(1)(g) for approximately 20 minutes, with the intention of reconvening the public session at 12:00 p.m. Following the executive session, the public meeting reconvened at 12:07 p.m. Commission President Calkins led the flag salute.

3. APPROVAL of the AGENDA

The agenda was approved as amended without objection. *(Item 8n pulled from the Consent Agenda and addressed separately, and Item 11a re-ordered to be heard prior to the Consent Agenda.)*

In favor: Calkins, Cho, Felleman, Mohamed (4)

Opposed: (0)

4. SPECIAL ORDERS OF THE DAY

4a. Proclamation in Recognition of Korean American Day, January 13, 2023

Clerk Hart read the item into the record and Executive Director Metruck introduced it.

Tania Park, Equity, Diversity and Inclusion Systems Change Program Manager; Peter Cho, Senior Accountant and Former Chair of Home for Asian and Pacific Islander Employee Resource Group; and Erica Chung, Commission Strategic Advisor, read the proclamation into the record.

Commissioner Cho, sponsor of the proclamation, spoke to it noting the significance of it, the contributions of Korean Americans, and the personal meaning it has for him as a Korean American. He thanked members of the community, staff, and the Commission for their support.

Members of the Commission continued to speak in support of the [proclamation](#).

The motion, made by Commissioner Mohamed, carried by the following vote:

In favor: Calkins, Cho, Felleman, and Mohamed (4)

Opposed: (0)

5. EXECUTIVE DIRECTOR'S REPORT

Executive Director Metruck previewed items on the day's agenda and made general and meeting-related announcements.

6. COMMITTEE REPORTS

Commission Strategic Advisor Erica Chung provided a report regarding discussion held at the Equity and Workforce Development Committee meeting held on October 28, 2022.

Audit Committee

The Audit Committee was convened on Thursday, December 8, 2022, by Commissioners Cho and Mohamed. Public Member Sarah Holmstrom was also in attendance. The Committee received a report from Moss Adams regarding its 2022 Audit Entrance. Scope of services of the audit were discussed and include: - the Annual audit and report on financial statement audit for the year ended December 31, 2022; the Audit and report on compliance related to Major Federal Award Program(s), the Schedule of Expenditures of Federal Awards and related internal controls; the Audit and report on the schedule of Passenger Facility Charge (PFC) program receipts and expenditures, and related internal controls; and the Audit and report on the schedule of net revenues available for revenue bond debt service. The Audit is set to be completed and results reported to the Audit Committee in May 2023.

The Audit Committee also received an update on the Internal Outreach Project to help small entities doing business with the Port with limited resources to educate and train their staff on internal controls.

The Committee further received an update on completion of the 2022 Audit Plan; Approved the Proposed 2023 Audit Plan, covering limited contract compliance, performance and information technology audits, with contingency audits identified time permitting; and received the Open Issues Status Report.

The meeting continued with the Committee receiving detailed Audit reports regarding the: International Arrivals Facility; South Satellite Infrastructure Upgrade Project; South King County Community Impact Fund; and Federal Grant Administration for the Aviation Division.

A non-public session was held to discuss security-sensitive matters related to the T2 Airport Garage Parking System Replacement and Audit Log Management for ICT.

7. PUBLIC COMMENT

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

- The following person spoke in opposition to Agenda Item 11a: Alex Tsimerman.
- The following people spoke in support of Agenda Item 4a: Katherine Kang; Junki Min; Matthew Durkee, and Julie Kang.
- The following people spoke regarding Agenda Item 11a, from Teamsters Local 117 in support of taxi drivers working at SEA: Joshua Welter; Hagbe Jamaal; Samson Hailegeorgis; Worku Belagheb; Hassan Warsame; and Katie Garrow.
- The following people spoke regarding harmful effects of cruise to the environment: Patrick McKee (*written comments also submitted*); Iris Antman; and Jordan Van Voast (*written comments also submitted*).
- The following person spoke regarding StART committee meeting format changes where board members can no longer visually see participants and not being provided a physical meeting location to attend the meetings: David Goebel.
- The following person spoke regarding Covid-19 vaccination policies set by the Port, stating that these should be removed: Brian Thompson (*written comments also submitted*).
[Clerk's Note: All written comments are combined and attached here as [Exhibit A.](#)]

11. PRESENTATIONS AND STAFF REPORTS

11a. On-Demand Taxi/Flat Rate Program Briefing.

Presentation document(s) included an [agenda memorandum](#), [previously adopted resolution](#), [Motion 2019-03](#), [Order 2021-04](#), and [presentation](#).

Presenter(s):

Lance Lyttle, Managing Director, Aviation Director's Office
Jeff Wolf, Senior Manager, AV Business Development
Charla Skaggs, Contractor, External Relations

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

Executive Director Metruck introduced the item.

The presentation addressed:

- the history of taxi/flat rate contracts and features from 1989 to 2022;
- industry changes;
- a pilot program through Resolution No. 3759 and Motion 2019-03 to establish a ground transportation framework and engagement with drivers;
- stakeholder outreach and feedback on the pilot program;
- post pilot program recommendations; and
- next steps in the process, including implementation of operational and contractual changes.

Discussion ensued regarding:

- the importance of hearing what challenges are in the public forum;
- the dispute resolution and complaint process;
- violations being issued from curbside management;
- dispute background information;
- training for customer service curbside management and including training as a requirement in contracts;
- whether there is a model dispute resolution process that digs deeper into issues, providing consistency across different mode operations in ground transportation;
- changes to the pilot program coming forward to the Commission through a future Order;
- concerns drivers have regarding fees and the short trip rate;
- the Port's direct processing of disputes;
- continued engagement with drivers;
- what King County is doing regarding short trips;
- trip decline;
- changing the perception of passengers to the airport to utilize mode share, as opposed to taking private vehicles;
- marketing needed from the taxi operators; and
- funding appropriated for workforce development appropriated in the 2023 budget for taxis.

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 Minutes of the Special Meeting of November 29, 2022.

8b. Approval of the Claims and Obligations for the Period November 1, 2022, through November 30, 2022, Including Accounts Payable Check Nos. 945882 through 946240 in the Amount of \$2,779,625.31; Accounts Payable ACH Nos. 049531 through 050452 in the Amount of \$51,767,320.70; Accounts Payable Wire Transfer Nos. 015936 through 015952 in the Amount of \$14,263,484.44; Payroll Check Nos. 204281 through 204685 in the Amount of \$128,132.92; and Payroll ACH Nos. 1106928 through 1111272 in the Amount of \$13,235,780.00, for a Fund Total of \$82,174,343.37.

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

8c. Commission Determination that a Competitive Exemption is Appropriate from Procurement Activities, Including Purchasing and Services, Related to the Advertising Services Associated with the Airport Dining and Retail Tenants Under the Airport Dining and Retail (ADR) Tenant Marketing Fund, for a Period of Not-to-Exceed Ten Years.

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

- 8d. Authorization for the Executive Director to Increase the Project Budget by \$5,207,000 for a Revised Total Budget of \$8,100,000; to Prepare Design and Construction Bid Documents for the Access Control in Communication Rooms Project; to Utilize Port of Seattle Crews and Small Works Contracts for Pre-Construction Work; to Procure Long-Lead Owner Furnished Equipment to Include Network Switches, Interface Terminal Boxes and Main Headend Gear, in the Request Amount of \$2,000,000, and an Estimated Total Project Cost Not-to-Exceed \$8,100,000. (CIP# C800935)**

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

- 8e. Authorization for the Executive Director to Advertise and Execute a Long-Term Purchasing Agreement for Up to Ten Years with a Manufacturer for Airport Baggage Claim, Ticketing, and Concourse Seating to Replace Existing Seating to Enhance the Level of Service, in the Maximum Contract Value of \$11,000,000.**

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

- 8f. Authorization for the Executive Director to Award and Execute a Major Construction Contract to the Low Bidder for an Irregular Bid Outcome with Only One Bid Submitted for the Chiller 6 Repair Project at Seattle-Tacoma International Airport.**

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

- 8g. Authorization for the Executive Director to Execute a Settlement Agreement to Recover Environmental Costs.**

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

- 8h. Authorization for the Executive Director to Renew a King County Jail Interlocal Agreement to Extend Booking Service for the King County Jail Interlocal Agreement that Expires December 31, 2024.**

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

- 8i. Authorization for the Executive Director to Execute Contracts for Regional Transportation and Planning Services Related to Port Activities/Assets and the Transportation Systems that are Key to the Port's and the Region's Long-Term Vitality, in an Amount Not-to-Exceed \$400,000 and a Duration of Up to Four Years.**

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

- 8j. Authorization for the Executive Director to Proceed with the Storage Area Network Refresh Project and to Execute Contract(s) for Hardware, Software, and Implementation Services for a Total Project Cost Not-to-Exceed \$750,000. (CIP# C801342)

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

- 8k. Authorization for the Executive Director to Execute a New Collective Bargaining Agreement Between the Port of Seattle and the International Brotherhood of Teamsters, Local 117, Representing Police/Fire Communication Specialists at the Port of Seattle Covering the Period from January 1, 2022 through December 31, 2024.

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

- 8l. Authorization for the Executive Director to Execute a New Memorandum of Understanding Between the Seattle Building and Construction Trades Council and its Affiliated Union, Representing Iron Workers at Port Construction Services Covering the Period from December 1, 2022, through December 31, 2023.

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

- 8m. (Number Not Used.)

- ~~18n. Authorization for the Executive Director to Sign a Memorandum of Agreement with King County, Substantially in the Form Attached with Minor Changes to be Approved by Legal Counsel, to Allow the Port to Collaborate with King County on Advancing a Regional Green Jobs Agenda as Supported by One, Twelve-Month FUSE Corps Executive Fellow, With an Optional Two Additional Years of the Agreement.~~

~~Request document(s) included an [agenda memorandum](#), [draft agreement](#), [project description](#), and [presentation](#).~~

- 8o. Authorization for the Executive Director to Design, Bid, and Construct International Arrivals Facility (IAF) Aircraft Gate and Baggage Conveyor Safety Access Improvements Utilizing External and Port Crews; and Extending Staff Coverage as Necessary Through 2023, in the Estimated Amount of \$10 Million, and a Total Program Authorization of \$996,645,000.

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

The motion for approval of consent agenda items 8a, 8b, 8c, 8d, 8e, 8f, 8g, 8h, 8i, 8j, 8k, 8l, and 8o carried by the following vote:

¹ Item 8n was removed from the Consent Agenda and addressed separately.

**In favor: Calkins, Cho, Felleman, and Mohamed (4)
Opposed: (0)**

ITEMS REMOVED FROM THE CONSENT AGENDA

8n. Authorization for the Executive Director to Sign a Memorandum of Agreement with King County, Substantially in the Form Attached with Minor Changes to be Approved by Legal Counsel, to Allow the Port to Collaborate with King County on Advancing a Regional Green Jobs Agenda as Supported by One, Twelve-Month FUSE Corps Executive Fellow, With an Optional Two Additional Years of the Agreement.

Request document(s) included an [agenda memorandum](#), [draft agreement](#), [project description](#), and [presentation](#).

Presenter(s):

Tiffany Sevilla, Workforce Development Program Manager & Data Analyst, Workforce Development

Clerk Hart read Item 8n into the record.

Executive Director Metruck introduced the item and presenters.

Commissioner Felleman and staff discussed how green jobs are defined and what we are asking people to be part of when we include 'green jobs' as a descriptor. Discussion ensued regarding the goal to have a framework for regional collaboration and making sure FUSE has a clear message and direction in this regard.

The motion, made by Commissioner Felleman, carried by the following vote:

**In favor: Calkins, Cho, Felleman, and Mohamed (4)
Opposed: (0)**

10. NEW BUSINESS

10a. Introduction of Resolution No. 3811: A Resolution Increasing the Rate of Per Diem Allowance to Port of Seattle Commissioners, as Provided for by Washington State Statute RCW 53.12.060(3).

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

Presenter(s):

David Yeaworth, Strategic Advisor, Commission Office

Clerk Hart read Item 10a into the record.

Executive Director Metruck introduced the item and presenters.

The presentation address:

- previously adopted Resolution No. 3678, which set Commissioner per diem to salaries of the State of Washington legislators;
- Resolution No. 3678 did not address Commissioner per diem;
- the current per diem rate;
- increased workload of Commissioners and most Commissioner's per diem running out by August at the current rate and demand;
- the rate of Washington State legislators' per diem rate at \$185.00 daily;
- the proposed Commissioner per diem rate, increasing maximum annual per diem allowable to \$37,925;
- benefits and caveats of a new per diem rate; and
- a new per diem rate would only apply to newly elected or re-elected Commissioners.

Members of the Commission discussed:

- addressing the equity issue;
- the possibility of the need for full-time Commissioners in the future;
- not being able to run for office or attract qualified candidates' interest without commensurate compensation for the level of work involved; and
- and increase in the per diem reflecting days worked.

The motion, made by Commissioner Cho, carried by the following vote:

In favor: Calkins, Cho, Felleman, and Mohamed (4)

Opposed: (0)

11. PRESENTATIONS AND STAFF REPORTS

11b. 2023 Local, Regional and Community Engagement Policy Priorities Briefing.

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

Presenter(s):

Sabrina Bolieu, Regional Government Relations Manager, External Relations

Nate Caminos, Director of Government Relations, External Relations

Dave Kaplan, Local Government Relations Manager, External Relations

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

Executive Director Metruck introduced the item.

The presentation addressed:

- 2022 priorities advancement;
- 2023 priorities in alignment with the Port's Century Agenda Goals and Objectives; and
- next steps in the process, with Commission consideration of adoption at the January 10, 2023, business meeting; and
- meeting with other jurisdictions and key stakeholders to share top priorities and the local and regional focus for the year.

Members of the Commission and staff discussed the tribal Memorandum of Understanding and liaison for next year; moving cruise efforts under the heading of 'Green Corridor' to match green cruise initiatives; and the alignment of the priorities to the Century Agenda goals.

12. QUESTIONS on REFERRAL to COMMITTEE and CLOSING COMMENTS

Members of the Commission and Executive Director Metruck recognized the work and efforts of Eric ffitch, Senior External Relations Manager, leaving the Port for the Executive Director's position at the Washington Public Ports Association. They also recognized the service and dedication of Sgt. Pat Addison, retiring from the Port.

Members of the Commission thanked Commissioner Calkins for a great year representing the Commission as its President. Commissioner Calkins in turn recognized LeeAnne Schirato, Senior Commission Strategic Advisor, for her role in supporting him during his term as President.

13. ADJOURNMENT

There was no further business and the meeting adjourned at 3:19 p.m.

Prepared:

Michelle M. Hart, Commission Clerk

Minutes approved: January 10, 2023

Attest:

Fred Felleman, Commission Secretary