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January 24, 2023

PORT OF SEATTLE
RESOLUTION NO. 3811

A RESOLUTION of the Port of Seattle Commission setting the daily per diem allowance Port of Seattle commissioners can earn to be equal to that of Washington state legislators, and increasing each commissioner’s maximum number of days of per diem reimbursement per calendar year from 120 days to 205 days.

WHEREAS, the voters of King County authorized and approved the formation of a port district co-extensive with King County to be known as the Port of Seattle in a special election on September 5, 1911; and

WHEREAS, the Port of Seattle is governed by five commissioners elected to four-year terms of office by the voters of King County and whose mission is to promote economic

opportunities and quality of life in the region by advancing trade, travel, commerce, and job creation in an equitable, accountable, and environmentally responsible manner; and WHEREAS, the Port of Seattle is unique amongst most ports in the nation in the diversity of operations it manages that includes an airport, seaport, grain terminal, three cruise ship berths, four recreational marinas, Fishermen's Terminal, industrial lands, and parks, and is engaged in an expanding variety of economic development activities such as workforce development, tourism, as well as a joint cargo terminal operating agreement with the Port of Tacoma known as the Northwest Seaport Alliance; and WHEREAS, in a representative democracy, it is essential for elected officials to reflect the full diversity of their constituency and that those citizens who choose elected office can maintain the economic means to participate while in office; and WHEREAS, as a matter of good governance and sound public policy, the Port of Seattle Commission wishes to set a livable wage for Seattle Port Commissioners to encourage residents of King County from diverse backgrounds to seek election to the Seattle Port Commission; and WHEREAS, the Port of Seattle Commission is the legally constituted governing body of the Port whose primary duties are to establish policies that guide the Port's future, hire the Executive Director to implement those policies, execute its fiduciary responsibilities in the oversight of the expenditure of public funds, and to annually determine the amount of tax levy will be assessed on properties in King County; and

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WHEREAS, Port of Seattle Commissioners are responsible to the voters in protecting the public's interests and resources, which is different than a corporate board accountable to shareholders; and

WHEREAS, the Port of Seattle's Century Agenda, established in 2012, envisions extensive outreach across King County by Seattle Port Commissioners to other regional government officials, industry and union stakeholders, educational institutions, and community organizations; and

WHEREAS, the role of Port of Seattle Commissioners has expanded considerably since the adoption of the Century Agenda and the passage of Resolution No. 3678 in 2013, which set the salary of Port of Seattle Commissioners to that of legislators in the State of Washington, but did not address the per diem rate and allowance for commissioners; and

WHEREAS, the creation of the Northwest Seaport Alliance in 2015, the nation's first joint port development authority, established a unique marine cargo operating partnership with the Ports of Seattle and Tacoma in which the five Commissioners from each Port hire and oversee an independent executive thereby creating significantly expanded oversight duties of investments and operations in both the Seattle and Tacoma harbors; and

WHEREAS, additional Commission responsibilities include providing oversight and assuring the implementation of significant new policy directives passed by the Commission to include much greater emphasis on equity, diversity and inclusion, workforce development and more stringent environmental and greenhouse gas reduction goals; and

WHEREAS, there is a significant need for oversight of unprecedented levels of construction and operational changes occurring at the airport and seaport, as well as development of surrounding Port properties which increases pressure for commercial development on industrial lands; and

WHEREAS, the current per diem for a Seattle Port Commissioner of \$128 per day with an annual maximum of \$15,360 per calendar year, which equates to 120 days per calendar year, is not commensurate with the substantial year-round commitment of time and effort required to fulfill the duties of the office which is exacerbated by significant rising cost of living in King County; and

WHEREAS, Port Commissioners are currently not eligible for the Public Employee Retirement System nor the per diem set by the Washington State legislature; and

WHEREAS, as of July 1, 2022, port commissioner salaries annually, not including per diem or other allowable reimbursements, is \$56,881 as determined by the Washington Citizen's Commission on Salaries for Elected Officials for members of the State legislature on which Resolution 3678 based Port Commissioner salaries; and

WHEREAS, Washington's legislators' per diem is currently \$185 per day and it is tied to 89% of the federal per diem rate; and

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WHEREAS, Article II of the Washington State Constitution provides that legislators receive compensation "...for each day's attendance during the session" and RCW 44.04.120 provides that members may receive an allowance, "in lieu of per diem or any other payment, for a day or major portion thereof in which he or she is engaged in legislative business..." and WHEREAS, unlike Washington state legislators, the official work of Port of Seattle Commissioners extends throughout the calendar year and beyond the legislative session. NOW, THEREFORE, BE IT RESOLVED by the Commission of the Port of Seattle as follows:

SECTION 1. Port of Seattle Commissioners' per diem shall be equal to that of Washington state legislators and shall be increased or decreased consistent with changes made to the legislators' rate. A commissioner may not receive more than 205 days of per diem in a calendar year.

SECTION 2. This change in per diem rate and the increase in the maximum number of per diem days that can be reimbursed for each commissioner in a calendar year shall apply to all newlyelected Port of Seattle commissioners and not enter into effect for any currently-serving commissioner until that commissioner is re-elected to another term of office.

SECTION 3. As provided by RCW 53.12.265, a Port of Seattle Commissioner may waive all or any portion of the compensation payable under RCW 53.12.260 by filing a written waiver with the Secretary of the Port of Seattle Commission. In accordance with commission bylaws, such waiver shall become a public record held by the Port of Seattle Commission Clerk.

ADOPTED by the Port of Seattle Commission at a duly noticed public meeting thereof, held this ____ day of _____ 2022, and duly authenticated in open session by the signatures of the commissioners voting in favor thereof and the seal of the commission.

Port of Seattle Commission

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