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**APPROVED MINUTES  
COMMISSION REGULAR MEETING**

**APRIL 11, 2023**

The Port of Seattle Commission met in a regular meeting Tuesday, April 11, 2023. The meeting was held at the Port of Seattle Headquarters Building – Commission Chambers, Pier 69, 2711 Alaskan Way, Seattle Washington, and virtually on Microsoft Teams. Commissioners Calkins, Cho, Felleman, Hasegawa, and Mohamed were present.

**1. CALL to ORDER**

The meeting was convened at 10:30 a.m. by Commission President Sam Cho.

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

The public meeting recessed into executive session to discuss one matter regarding litigation/or potential litigation/or legal risk, per RCW 42.30.110(1)(i) and Network Security per RCW 42.30.110(1)(a)(ii) for approximately 10 minutes; one item related to litigation/or potential litigation/or legal risk, per RCW 42.30.110(1)(i) for approximately 30 minutes; and one item related to the performance of a public employee per 42.30.110(1)(g) for approximately 30 minutes, with the intention of reconvening the public session at 12:00 p.m. Following the executive session, the public meeting reconvened at 12:09 p.m. Commission President Cho led the flag salute.

**3. APPROVAL of the AGENDA**

The agenda was approved as amended without objection. *(Item 8g was pulled from the Consent Agenda, to be discussed separately; and Item 10b was removed from the agenda and rescheduled to the April 18, 2023, special Commission meeting.)*

**In favor: Calkins, Cho, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**4. SPECIAL ORDERS OF THE DAY**

**4a. Executive Director Performance Review.**

Clerk Hart read Item 4a into the record.

Commission President Cho lead the public review of the Executive Director, noting support for an 'Exceptional' rating for performance in 2022. Members of the Commission spoke in support of the rating and the performance of the Executive Director.

**The motion, made by Commissioner Felleman, to adopt Order No. 2023-06, carried by the following vote:**

**In favor: Calkins, Cho, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**ORDER NO. 2023-06  
AN ORDER OF THE PORT OF SEATTLE COMMISSION**

... providing for an 'Exceptional Performance' (4.25% plus 1% lump sum) rating of the Executive Director based on performance in 2022 - thus increasing the current base salary of the Executive Director, Steve Metruck, effective March 1, 2023 by \$17,757.81 per year and a one-time lump sum award of \$4178.31; and providing for the 6% cost-of-living increase provided to Port Employees in 2023 regardless of performance increase and effective February 1, 2023, in the amount of \$23,650; for a total salary increase of \$41,407.81 with the one-time lump sum award of \$4178.31.

**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 discussions held at the Audit Committee meeting and the Small Business Ad-Hoc Committee meetings held respectively on April 6, 2023.

Audit Committee

Commissioners Mohamed and Cho, along with Public Member Sarah Holmstrom, convened the first quarterly Audit Committee meeting of the year, with Commissioner Mohamed presiding. The Committee received reports on: the results of an Accountability Audit undertaken by the Washington State Auditor's Office; the Internal Audit Director's Annual Communication to the Committee; Open Issues Status, the Internal Outreach Project Update; and the 2023 Audit Plan Update.

The Committee was also briefed on: Performance Audits conducted on Fishermen's Terminal; the Terminal 5 Berth Modernization Project, and Supply Chain Disruption Management. The Committee also discussed Security Awareness and Skills Training.

The next quarterly meeting will be held in June.

Small Business Ad-Hoc Committee

Commissioners Cho and Mohamed convened the first Small Business Ad Hoc committee. The Committee reviewed the 2023 proposed work plan and received a briefing on PortGen by the Diversity in Contracting team. The next meeting is scheduled for May 16, 2023.

**7. PUBLIC COMMENT**

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

- The following people spoke regarding cruise impacts on the environment and communities: Stacy Oaks; Iris Antman; Robin Briggs; Jordan Van Voast; Abigail Brockway; Lynn Gertner-Johnston; Martha Baskin; and Karla Hart.
- The following person spoke in support of Agenda Item 10a, Resolution No. 3812, the Equity Policy Directive: Michael Byun.
- The following person spoke: Alex Tsimerman.
- In lieu of spoken comment, written comment supporting protection for all of North Seatac Park, including rugby fields and bike trails, and asking the Commission to state their position publicly regarding permanent preservation were submitted by: Linnea Westerlind; Rob Bent; Nicole Pollock; Noemie Maxwell; Scott Romine; Tom Clymer; and Stephanie Bell.
- In lieu of spoken comment, written comment opposing large cruise ships in Seattle and supporting smaller cruise companies was submitted by: Selene Russo.

*[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 Minutes of the Regular Meeting of March 28, 2023.**

**8b. Approval of the Claims and Obligations for the Period March 1, 2023, through March 31, 2023, Including Accounts Payable Check Nos. 947452 through 947940 in the Amount of \$6,534,720.24; Accounts Payable ACH Nos. 053145 through 054028 in the Amount of \$49,273,319.38; Accounts Payable Wire Transfer Nos. 016007 through 016030 in the Amount of \$13,426,365.55; Payroll Check Nos. 206047 through 206490 in the Amount of \$190,455.92; and Payroll ACH Nos. 1124399 through 1131010 in the Amount of \$21,553,736.83, for a Fund Total of \$90,978,597.92.**

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

**8c. 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 Non-Sworn Communication Supervisors at the Police Department for the Port of Seattle Covering the Period from January 1, 2023, through December 31, 2025.**

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

**8d. Authorization for the Executive Director to Execute Up to Two Indefinite Delivery, Indefinite Quantity (IDIQ) Contracts for Regulated Materials Management Services to Support Project, Operational and Safety Needs of All Port Divisions and the Northwest Seaport Alliance, for a Total Amount Not-To-Exceed \$3,000,000, and a Contract Ordering Period of Five Years.**

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

- 8e. Authorization for the Executive Director to Advertise and Execute a Major Works Construction Contract to Replace Elements of Dock-E at Harbor Island Marina and Increase its Current Vessel Loading Capacity, for a Total Requested Amount of \$3,955,000, and a Total Authorization Amount of \$5,000,000.**

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

- 8f. Authorization for the Executive Director to Complete the Design of the Keys for Card Readers Project at Seattle-Tacoma International Airport, and to Advertise and Award a Major Works Construction Contract for its Construction in the Total Estimated Project Cost of \$2,900,000. (CIP# C801185)**

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

- ~~**8g<sup>1</sup>. Authorization for the Executive Director to Approve Additional Funding in the Amount of \$350,000 for Construction Completion and Closeout of the Central Waterfront Elevator Modernization Project, for a Total Estimated Project Cost Not-to-Exceed \$3,818,000. (CIP# C801016)**~~

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

The motion for approval of consent agenda items 8a, 8b, 8c, 8d, 8e, and 8f carried by the following vote:

In favor: Calkins, Cho, Felleman, Hasegawa, and Mohamed (5)

Opposed: (0)

#### ITEMS REMOVED FROM THE CONSENT AGENDA

- 8g. Authorization for the Executive Director to Approve Additional Funding in the Amount of \$350,000 for Construction Completion and Closeout of the Central Waterfront Elevator Modernization Project, for a Total Estimated Project Cost Not-to-Exceed \$3,818,000. (CIP# C801016).**

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

Presenter(s):

Rod Jackson, Capital Project Manager IV, Waterfront Project Management

Clerk Hart read Item 8g into the record.

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<sup>1</sup> Item 8g was removed from the Consent Agenda and addressed separately.

Executive Director Metruck introduced the item and presenters.

Commissioner Mohamed and Members of staff discussed:

- challenges facing the elevator project;
- reliability and accessibility of the elevator;
- water filtration issues from a City project at street level; and
- opening of the Lenora access in May.

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

**In favor: Calkins, Cho, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

## **10. NEW BUSINESS**

**10a. Adoption of Resolution No. 3812: A Resolution Establishing an Equity Directive to Guide the Integration of Equity, Diversity, Inclusion, and Belonging into the Port's Practices and Policies and to Move our Work Beyond Compliance and Mandates towards Long-Term Commitment and Sustainable Systems Change.**

Request document(s) included an [agenda memorandum](#), [resolution](#) and [previous 03/28/23 presentation](#).

Presenter(s):

Bookda Gheisar, Senior Director, Office of Equity, Diversity, and Inclusion  
Tyler Emsky, Commission Office Strategic Advisor, Commission Office

Clerk Hart read Item 10a into the record.

Executive Director Metruck introduced the item and presenters.

Members of the Commission and staff discussed a package of proposed amendments before the Commission regarding Resolution No. 3812 and voiced no objection to moving the amendments as one motion.

**The motion, to adopt Resolution No. 3812, was made by Commissioner Hasegawa.**

**The motion, to amend Resolution No. 3812, was made by Commissioner Felleman.**

- Section 5(B)(3), Line 339, to strike the phrase "for every department," to read as follows:  
  
"3. The Port shall use an equity in budgeting toolkit, or equivalent mechanism, in the business planning and budgeting process [~~FOR EVERY DEPARTMENT~~]."
- Section 5(B)(4)(a), Line 342, to strike the phrase "Commissioner Mohamed, Commissioner Cho, and" after the word 'by' and before the word 'the' and to insert "considered for

adoption by the Commission in public session” after the word ‘Committee’ to read as follows;

“4. The Executive Director, or a delegate, shall:

a. Develop a definition for “equity-related resources” The proposed definition shall be reviewed by [~~Commissioner Mohamed, Commissioner Cho, and~~] the Equity and Workforce Development Committee **and considered for adoption by the Commission in public session.**”

- Section 5(B)(4)(c), Line 347, to strike subparagraph (c) and to insert a new subparagraph in its place to read as follows:

~~“c. Propose a structure for communicating and executing a pilot for “equity-related resources” in the 2024 budget to Commissioner Mohamed, Commissioner Cho, and the Equity and Workforce Development Committee before the adoption of the 2024 budget. The results of this pilot shall be considered for further action.”~~

**“c. Propose to the Equity and Workforce Development Committee a structure for communicating and executing a pilot for “equity-related resources” in the 2024 budget. The Proposal shall also be reviewed by the Commission before the adoption of the 2024 budget. The results of this pilot shall be considered for further action.”**

- Section 5(C)(1)(a), Line 376, to insert a new sentence at the end of subparagraph (a) to read as follows: “The policy for determining how stipends are administered shall be developed and proposed in Q1 2024.”

#### C. External

1. The Port, with the approval of the Executive Director and Commission President, will convene cohorts of community advisors as needed to provide opportunities for dialogue to increase equity in Port policies, programs, and initiatives that directly affect advisors’ communities.

a. External Relations and OEDI shall increase opportunities for community participation by including language access plans and/or stipends for community advisory activities as appropriate. **The policy for determining how stipends are administered shall be developed and proposed in Q1 2024.**

- Section 6(3), Line 433, to insert the phrase “outcomes of the” after the word ‘the’ and before the word “policy” to read as follows:

“3. Internal Audit shall conduct an audit of the **outcomes of the** policy requirements outlined in this directive on a periodic basis.”

- Section 6(3)(a), Line 435, to strike the phrase “as well as the Commission Committee responsible for oversight of OEDI,” and to insert in its place the phrase “and refer to the Commission in public session as necessary” to read as follows:

"a. Internal Audit shall present the results of this audit to the Audit Committee, ~~[AS WELL AS THE COMMISSION COMMITTEE RESPONSIBLE FOR OVERSIGHT OF OEDI,]~~ and refer to the Commission in public session as necessary."

**The primary amendment, carried by the following vote:**

**In favor: Calkins, Cho, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

**The main motion as amended, carried by the following vote:**

**In favor: Calkins, Cho, Felleman, Hasegawa, and Mohamed (5)**

**Opposed: (0)**

~~10b<sup>2</sup>. Order No. 2023-05: An Order of the Port of Seattle Commission to Develop a Language Access Policy and Plan that Ensures Inclusion of Non or Limited English Speakers, Including those who are Hard of Hearing or Deaf, in the Use of Port Services and Facilities; and the Portwide Implementation of a Plan Directing Divisions with Publicly-Facing Public Services to Offer Language Assistance Services Including Translation and Interpretation.~~

~~Request document(s) included an order and presentation.~~

## **11. PRESENTATIONS AND STAFF REPORTS**

### **11a. Diversity in Contracting Annual Report.**

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

Presenter(s):

Mian Rice, Director, Diversity in Contracting  
Emily Ho, Program Manager, Diversity in Contracting  
Lawrence Coleman, Women and Minority Business Manager, Diversity in Contracting  
Mandela Thomas, Senior Manager, Strategic Partnerships & Analysis, Central Procurement Office

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

Executive Director Metruck introduced the item.

The presentation addressed:

- 2016 – 2022 portwide WMBE utilization;

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<sup>2</sup> Item 10b was removed from the agenda and rescheduled to April 18, 2023.

- the 5-year goal of 15 percent utilization and 354 firms by 2023;
- 2022 WMBE utilization by ethnicity breakout; by non-construction;
- 2022 training and outreach efforts;
- status of goal attainment – reaching 351 of the 354 firms goal;
- 2023 WMBE utilization goals;
- establishing construction goals;
- leveraging construction;
- 2023 training and outreach; and
- next steps;
  - achieve 5-year Diversity in Contracting policy goals;
  - address barriers identified from the WMBE Analysis Study;
  - recruit key WMBE suppliers and expand number of WMBE businesses utilized;
  - provide ongoing training to WMBE/DBE businesses;
  - promote Federal DBE Certification on upcoming federally-assisted projects;
  - development of an Architectural and Engineering program for small and disadvantage businesses, veteran, WMBE businesses.

Members of the Commission and staff discussed:

- rationale in goal setting;
- variation in reaching the 15 percent goal in each department;
- challenges at times in forecasting WMBE contract utilization levels across contracts – contract type is a factor;
- conducting targeted outreach by zip code for PortGen;
- the new Disparity Study – which will include the policy directive recently approved;
- percentage of contractor utilization – the optimal goal the port would like to set;
- holistically approaching diversity in contracting;
- completion of the Barrier Study;
- what the data would show it sorted by project size or subcontractor;
- addressing outliers in non-construction utilization;
- asking departments to include internal plans for utilization/contracting and including lower spend firms;
- building of an architect/engineering small works roster;
- taking steps to better understand barriers for those who have tried to contract with the Port;
- wanting to see disaggregated data of the kinds of contracts in each ethnic breakdown category;
- rewarding progress and seeing year over year benchmarking;
- how to better incentivize small businesses and labor unions; and
- barriers to certification for businesses and efforts available to assist in the certification process.

## **12. QUESTIONS on REFERRAL to COMMITTEE and CLOSING COMMENTS**

There were no referrals to committee.



**13. ADJOURNMENT**

There was no further business and the meeting adjourned at 3:02 p.m.

Prepared:

Attest:

Michelle M. Hart, Commission Clerk

Fred Felleman, Commission Secretary

Minutes approved: April 18, 2023