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APPROVED MINUTES COMMISSION REGULAR MEETING

September 26, 2023

The Port of Seattle Commission met in a regular meeting Tuesday, September 26, 2023. The meeting was held at the Seattle-Tacoma International Airport Conference Center located at: 17801 International Blvd, Seattle WA, Mezzanine Level, 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 12noon by Commission President Cho who led the flag salute.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

No Executive Session was held.

3. APPROVAL of the AGENDA

The agenda was approved as amended without objection.

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

Opposed: (0)

4. SPECIAL ORDERS OF THE DAY

No Special Orders of the Day were presented.

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 the committee reports.

Aviation Committee

The Aviation Committee was convened by Commissioners Calkins and Mohamed on September 19, 2023. The Committee discussed airport accessibility and the FAA Reauthorization. Staff also provided updates on aviation budget priorities, ground transportation, dispute resolution and the South 160th Lot.

Airport Workforce Conditions Ad Hoc Committee

Commissioners Hasegawa and Mohamed convened the first meeting of the Airport Workforce Conditions Ad Hoc Committee on September 19, 2023. The Committee was briefed on SEA childcare survey findings and discussed next steps. Commissioners also discussed the meeting cadence and next meeting agenda. Moving forward, the Committee will meet every other month with the next meeting in November and a briefing by OEDI regarding third-party oversight of SEA vendors.

Small Business Ad Hoc Committee

Commissioners Mohamed and Cho convened the Small Business Ad Hoc Committee on Tuesday, September 19, 2023. The Committee heard an update on the progress of several port-funded business accelerators. Representatives from Business Impact NW, Maritime Blue, and Greater Seattle Partners gave updates on the PortGen, Maritime Blue Innovation Accelerator, and Greater Seattle Export Accelerator programs, respectively. While most of these programs are drawing a good amount of participant interest, Commissioners heard a need to drive more applicants to the export accelerator in any future cohort. Commissioners asked questions about follow-up with participants at the conclusion of the accelerator programs and emphasized the need to track and measure participant success over the long term.

7. PUBLIC COMMENT

There were no verbal or written public comments received.

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 September 12, 2023.

8b. Authorization for the Executive Director to Advertise and Execute a Project Specific Contract for Architecture and Engineering Services to Develop a Project Notebook Document and Progress the Overall Design to 30 Percent; and to Utilize Port Crews for Enabling Work Related to the Industrial Wastewater Treatment Plant (IWTP) Project at Seattle-Tacoma International Airport, in the Amount Requested of \$11,500,000. (CIP# C801234)

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

8c. Commission Approval of International Travel – Second, Third, and Fourth Quarter 2023 Requests.

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

8d. Authorization for the Executive Director to Authorize Enabling Construction Work for the Post International Arrivals Facility Airline Realignment Project at Seattle-Tacoma International Airport; to Procure Long Lead Items; to Increase the Project Authorization by \$14,400,000; and to Execute a Project Labor Agreement, for a Total Estimated Project Cost of \$102,000,000 to \$140,000,000. (CIP# C801158)

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

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

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

Opposed: (0)

10. NEW BUSINESS

10a. Authorization for the Executive Director to Authorize an Additional \$213,900,000 and Increase the Total Project Budget to \$399,000,000; to Execute the Maximum Allowable Construction Cost (MACC) Contract Amendment, Any Related Project Change Orders, Amendments, Work Authorizations, Purchases, Contracts, and Take Other Actions Necessary to Support and Deliver the C Concourse Expansion Project within the Approved Budget. (CIP# C800845)

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

Presenter(s):

Rick Duncan, Director, AV Business and Properties

Janet Sheerer, Capital Program Leader, AV Project Management Group

Clerk Hart read Item 10a into the record.

Executive Director Metruck introduced the item and presenters.

The presentation addressed:

- the project being a part of the Upgrade SEA campaign;
- information contained on the project's page;
- preparing for proactive communication for construction and any customer impacts;
- the purpose of the project – increase airport revenue, improve customer service, and increase economic opportunities;
- project location and design rendering;
- sustainability;

- the C Concourse Expansion Schedule;
- WMBE participation; and
- project budget and requested Commission action.

Discussion ensued regarding:

- a second MII vote not being needed, as funds will be used from other sources;
- efforts from the Port, if any, to assist contractors in meeting their WMBE goals;
- communications plans for construction;
- showing what is being built, as it is being built at the airport;
- the sensory room and its primary purpose; and
- if WMBE goals will or will not assist the LEED facility status in the certification process.

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

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

Opposed: (0)

10b. Order No. 2023-11: An Order to Adopt the Port of Seattle Commission's Board of Ethics' Findings and Conclusions re: Board of Ethics Complaint No. 2022-01 and to Adopt a Corrective Course of Action.

Request document(s) included an [order](#).

Presenter(s):

Commission President Sam Cho

Clerk Hart read Item 10b into the record.

Commissioners Felleman and Hasegawa stated their need to recuse themselves from discussion on Agenda Item 10b and exited the meeting at this time due to a conflict of interest, or perceived conflict of interest, in participating in the matter.

Commission Clerk Michelle Hart advised the recusing Commissioners that they may rejoin the meeting once discussion on the item had concluded.

(Commissioners Felleman and Hasegawa exited the meeting at this time.)

Commission President Cho spoke regarding the matter before the Commission, noting that the Order is resulting from an independent investigation and the findings, conclusions, and recommendations of the Board of Ethics to the Commission regarding Board of Ethics Case No. 2022-01. He advised that the Board made its findings, conclusions, and recommendations to the Commission in June 2023 and concluded that Commissioner Felleman, more likely than not, used his Port Commissioner position in an effort to secure special privileges or exemptions for himself and that he sought special consideration, treatment, or advantage from others – both of those actions being a violation of the Commissioner Code of Ethics. The Board also concluded that Commissioner Felleman's actions were not consistent with the Port's Statement of Values and the Port of Seattle Commission's Bylaws. Commission President Cho further advised that the Board did not conclude that Commissioner Felleman's actions were taken for either financial or electoral benefit.

Commission President Cho noted the Commission's admonition of Commissioner Felleman for violation of the Code of Ethics and corresponding failure to abide by the Port's Statement of Values and the Commission's Bylaws. Commission President Cho further noted the Commission's direction that Commissioner Felleman attend remedial and thorough training provided by the Port in, at a minimum, conflicts of interest and appropriate standards for interaction between elected officials and staff. The Commission also suggested that Commissioner Felleman apologize in writing to the complainants.

Commissioner Mohamed expressed her gratitude to the Board of Ethics for their diligence and thorough investigation and thanked them for the work that they did. She further thanked those who were part of the investigation, providing interviews and information. She stated that she agreed with the findings and would cast her vote accordingly.

Commissioner Calkins apologized on behalf of the Commission that this matter occurred. He reiterated the Commission's commitment to creating a welcoming workplace and spoke to every Commissioner having made mistakes- noting however, that when a person is elected to office, they take on the responsibility that comes with that authority and need to understand how seriously that authority can impact those who work with the elected officials. He stated that he views it as an opportunity for the Commission as an entirety to review the way they interact with staff, external stakeholders, and others and encouraged everyone to learn from it. Commissioner Calkins further expressed his sincere apology to the Complainants and for the process being necessary. He concluded that it is now the start of the process to review the Commission's Bylaws to ensure this type of matter did not occur again.

Commissioner Cho noted that he feels the Port is one of the best public agencies to work for because the Port holds itself to a high standard, which starts with the elected officials. He expressed his apologies that the Commission fell below that standard. Commissioner Cho spoke regarding the time this process has taken, noting it has been a good process to go through in reminding Commissioners how to work through issues that are brought before them. He acknowledged and thanked the Complainants for their willingness to come forward during a difficult time and speak up and hopes they will be proud of making the Port a better organization and holding them to that high standard. Commissioner Cho stated that the Commission will review its Bylaws and will look at these issues of ethics, conflicts of interest, and accountability measures for Commissioners. He concluded that it has been a thorough process of investigation and Ethics Board review and thanked everyone who has been involved in the past year.

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

In favor: Calkins, Cho, and Mohamed (3)

Opposed: (0)

Recused: (2)

Executive Director Metruck thanked the Commission for addressing the important issue and shared their sentiments about the value of staff, stating that staff are the most important asset the Port has and respect is the key for interacting with everyone. He noted one of his highest honors is to lead the workforce and he is continually impressed by them. He thanked the Commission for upholding the Port's values and stated he looks forward to working with the Commission to update policies

moving forward. He also thanked the Board of Ethics for their diligence and work in the process and spoke regarding the Port's RAISE values.

Commission Chief of Staff Aaron Pritchard noted a request from Commissioner Felleman to enter a statement into the record regarding Agenda Item 10b.

Members of the Commission reviewed the statement.

Commission President Cho asked if there were any objection to including the statement with the meeting record. No objection was noted. (*Attachment A*)

(Commissioner Hasegawa rejoined the meeting at this time.)

(Commissioner Felleman rejoined the meeting remotely at 1:05 p.m.)

11. PRESENTATIONS AND STAFF REPORTS

11a. 2024 Central Services Preliminary Budget and Portwide Rollup Briefing.

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

Presenter(s):

Dan Thomas, Chief Financial Officer, Finance and Budget
Michael Tong, Director, Corporate Budget
Krista Sadler, Director of ICT Technology Delivery

Clerk Hart read Item 11a into the record.

Executive Director Metruck introduced the item and spoke regarding:

- status of the budget process;
- overview of the presentation – including strategy; key budget drivers and considerations; the Portwide operating budget; the Central Services operating budget; equity in budgeting; the Central Services Capital Improvement Plan; and the remaining budget schedule;
- how strategy is implemented in the budget process; and
- key 2024 budget drivers and considerations, including inflationary impacts.

The presentation addressed:

- both operating revenues and expenses being up;
- operating revenue reaching record numbers for the Port;
- the 2024 Portwide budget summary;
- the proposed Central Service budget overview;
- 2024 baseline budget development;
- key baseline budget drivers;
- 2024 operating expense budget changes;
- 2024 new budget requests summary;
- selected major budget additions;
- approved new FTEs summary;

- Central Services preliminary budget highlights;
- 2024 port community program funding by activity;
- uncertainties and budget risks;
- equity spending highlights in the 2024 Central Services budget;
- portwide equity spending trends;
- Central Service Capital Projects summary;
- Commission authorized projects and projects pending authorization;
- small capital projects; and
- the remaining 2024 budget schedule.

Discussion ensued regarding:

- how the year over year percent increase compares with the past;
- decision-making around FTEs approved;
- developing dashboards and trends in equity spending;
- accounting for inflation in project budgets and employment;
- moving away from including contingencies in budgets;
- increases in aviation revenue resulting from parking rate increase, volumes returning, rental car fee increases, increases in concession fees; and increases in the dining and retail categories;
- composition of employment with no requests for temporary positions and emergency hire positions converted to full-time, as well as some limited-duration positions; and
- public engagement around equity spending.

11b. Port of Seattle Police Department 2022 Annual Report.

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

Presenter(s):

Michael Villa, Chief of Police, Port of Seattle Police Department
Shawn Griffin, Police Sergeant, Port of Seattle Police
Lisa Drake, Police Commander, Port of Seattle Police Department

Clerk Hart read Item 11b into the record.

Executive Director Metruck introduced the item.

The presentation addressed:

- the vision, mission, and guiding principles of the port police department;
- functions and structure of the department;
- the Operations Bureau's and the Services Bureau's functional areas of operation;
- 911 Police and Fire Communications Team;
- 2022 Calls for Service;
- notable activity in 2022;
- response to persons in crisis engagement and data;
- recruiting and hiring;
- partnering in recruitment efforts;

- status of candidates in the recruitment process;
- Task Force Policing assessment and implementation of efforts, including four yearly reviews of implementation status; and
- strategy of the department looking into the future.

Discussion ensued regarding:

- the process for evaluating lateral recruitments;
- screening – including mental health, experience, education, knowledge of languages, etc.;
- length of time between application to the filling of a vacant position;
- including information in the next annual report regarding the number of people being hired from other departments;
- meeting the needs to reach full staffing;
- interception of drugs coming through the Port;
- anti-human trafficking efforts;
- make-up of the department's peer support team;
- physical restraint reporting data for 2022;
- traffic violations data;
- being a resource for the consultant team overseeing the progress of police assessment recommendations implementation;
- incorporating continuous process improvement in policing and ensuring a transparent process; and
- alternative restraint methods if use of force is needed.

Members of the Commission thanked Police Chief Villa and the department for all they do.

Chief Villa spoke to reasons why the Port of Seattle Police Department is special and worth being a part of, including having opportunities and experiences that are not available at other departments. He thanked Members of the Commission and the Executive Team for all their support.

12. QUESTIONS on REFERRAL to COMMITTEE and CLOSING COMMENTS

Commissioner Hasegawa stated her reaffirmation to the Port's values and her gratefulness to serve.

13. ADJOURNMENT

There was no further business and the meeting adjourned at 3:31 p.m.

Prepared:

Attest:

Michelle M. Hart, Commission Clerk

Fred Felleman, Commission Secretary

Minutes approved: October 10, 2023