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COMMISSION

AGENDA MEMORANDUM Item No. 8f

ACTION ITEM Date of Meeting November 21, 2023

DATE: October 31, 2023

TO: Port Commissioners Cho, Hasegawa, Calkins, Felleman, and Mohamed

FROM: Stephen P. Metruck, Executive Director

Lance Lyttle, Aviation Managing Director

SUBJECT: 2018 Port-SeaTac Interlocal Agreement Continuation Confirmation

ACTION REQUESTED

Requesting Commission concurrence with the 2018 Port-SeaTac Interlocal Agreement (ILA) Joint Advisory Committee (JAC) recommendation to continue and complete the 2018 ILA.

BACKGROUND

The Port of Seattle entered into the current Interlocal Agreement (ILA) with the City of SeaTac (City) in 2018. The City and Port have used interlocal agreements (ILA) since 1997 to address respective operational and authority issues that could be anticipated to arise regarding the operation of the airport and related facilities. There has been almost no litigation between the Port and the City during this time, resulting in greater efficiency, economic benefit and operational cost savings for both the Port and the City, especially with regard to the Airport's capital program and property development. Staff teams from the Port and the City negotiated throughout 2017 on behalf of a new agreement to bring to the Joint Advisory Committee (JAC), a standing body created by the ILA comprised of two port commissioners and three city councilmembers. With a recommendation from the JAC, the Port Commission and SeaTac City Council adopted the ILA in public session, and it took effect February 17, 2018 for a term of 10 years.

The agreement is intended to be a comprehensive and cohesive package of elements with mutual value to both the Port and the City, and a commitment to successful partnership, providing predictability and consistency for activities between the Port and the City. Each element reflects a negotiated outcome between Port and City positions, for overall benefit.

MID-TERM REVIEW

Section 2.3 of the ILA specifies the procedure, in the fifth year of the ILA term, for recommendation to the Joint Advisory Committee (JAC) whether to "complete the term without renegotiating the terms of the provisions of the Agreement or reopen negotiations immediately." This provision was included in the ILA primarily because several new elements were introduced into the agreement, and a re-opening would let the elected bodies revisit the agreement if elements were not successful as were envisioned.

On April 4, 2023 City Manager Carl Cole and Port Aviation Managing Director Lance Lyttle issued a Letter of Recommendation to the JAC for completion of the ILA with no re-opening needed.

Template revised January 10, 2019.

COMMISSION AGENDA – Action Item No. 8f Page 2 of 2

Meeting Date: November 21, 2023

The Letter of Recommendation was reviewed and discussed at the May 16, 2023 JAC meeting, at which time JAC members unanimously supported the recommendation to complete the full term of the 2018 ILA. With Commission concurrence with the JAC recommendation, the 2018 ILA will end in February 2028. Negotiations on the next ILA would commence sometime after February 17, 2026.

ATTACHMENTS TO THIS BRIEFING

(1) Port Commission Resolution No. 3741, approving the 2018 ILA with the City of SeaTac (December 12, 2017)

(2) Letter of Recommendation from City Manager Cole and Aviation Managing Director Lyttle recommending completion of the 2018 ILA (April 4, 2023)

(3) 2018 ILA Summary provided to the Joint Advisory Committee (August 30, 2023)

PREVIOUS COMMISSION ACTIONS OR BRIEFINGS

December 12, 2017 – Commission approval of the proposed 2018 ILA with the City of SeaTac

Template revised June 27, 2019 (Diversity in Contracting).