



P.O. Box 1209
Seattle, Washington 98111
www.portseattle.org
206.787.3000

APPROVED MINUTES COMMISSION REGULAR MEETING SEPTEMBER 10, 2019

The Port of Seattle Commission met in a regular meeting Tuesday, September 10, 2019, in commission chambers at Port of Seattle offices, 2711 Alaskan Way, Seattle, Washington. Commissioners Bowman, Calkins, Felleman, Gregoire, and Steinbrueck were present.

1. CALL to ORDER

Pursuant to Article IV, Section 8, of the commission bylaws, the meeting convened at 11:15 a.m. to conduct an executive session.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

The notice posted during the executive session included two matters related to litigation and legal risk. The time for reconvening was posted as 12:15 p.m. Following the executive session, which lasted approximately 55 minutes, the public meeting reconvened at 12:25 p.m. Commissioner Bowman led the flag salute.

3. APPROVAL of the AGENDA

Without objection, the preliminary agenda was revised to remove agenda item 6d from the unanimous consent calendar for separate discussion and vote.

4. EXECUTIVE DIRECTOR'S REPORT

Executive Director Steve Metruck previewed items on the day's agenda and made announcements. He noted the death of Darrell Bryan, CEO of Clipper Navigation, on September 7, 2019. Commissioners expressed their condolences and commented on Mr. Bryan's contributions to the maritime industrial community.

5. PUBLIC COMMENT

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

- J.C. Harris, regarding commission bylaws (agenda item 8f) and the role of the port as a special purpose government.
- Steve Edmiston, the Briefing Project, regarding commission bylaws (agenda item 8f). Mr. Edmiston submitted written materials, which are attached as minutes [Exhibit A](#).
- Alex Tsimerman, StandUp America, regarding economics and political corruption.

6. UNANIMOUS CONSENT CALENDAR

[Clerk's Note: Items on the Unanimous Consent Calendar are not individually discussed. Commissioners may remove items for separate discussion and vote when approving the agenda.]

6a. Approval of the minutes of the special meeting of July 23, 2019.

6b. Approval of the [Claims and Obligations](#) for the period August 1, 2019, through August 31, 2019, including accounts payable check nos. 931183-931645 in the amount of \$6,431,771.96; accounts payable ACH nos. 019475-020174 in the amount of \$62,514,426.27; accounts payable wire transfer nos. 015180-015198 in the amount of \$8,324,568.18, payroll check nos. 194004-194262 in the amount of \$317,254.90; and payroll ACH nos. 925472-929894 in the amount of \$11,180,010.41 for a fund total of \$88,768,013.72.

Request document(s) included an agenda memorandum.

6c. Authorization for the Executive Director to execute one professional services indefinite delivery, indefinite quantity contract to perform environmental and regulatory support for the marine stormwater utility with a total value of \$3,000,000 and a contract period of five years plus two option years for Maritime properties. No funding is associated with this authorization.

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

As noted above, agenda item 6d was temporarily postponed.

6e. Authorization for the Executive Director to execute one indefinite delivery, indefinite quantity consulting agreement for hydraulic and hydrology support services in support of the port's Aviation and Maritime Divisions with a cumulative total amount not to exceed \$750,000 over five years. No funding is associated with this request.

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

6f. Authorization for the Executive Director to execute contracts for controls and software support for multiple baggage handling systems at the Seattle-Tacoma International Airport over a period of five years at the port's discretion for a total estimated cost of \$500,000.

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

6g. Authorization for the Executive Director to approve additional funding of \$35,000 to account for costs associated with environmental remediation activities during construction of the Emerson Maintenance Site, for a total project cost not to exceed \$410,000 (CIP #C800892).

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

6h. Authorization for the Executive Director to execute a collective bargaining agreement between the Port of Seattle and the International Association of Machinists and

Aerospace Workers, Local 289, representing Inventory Specialists at the Port of Seattle covering the period from January 1, 2019, through December 31, 2021.

Request document(s) included an agenda [memorandum](#) and [redline](#) of the draft collective bargaining agreement.

The motion for approval of consent items 6a, 6b, 6c, 6e, 6f, 6g, and 6h carried by the following vote:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

7. SPECIAL ORDERS of BUSINESS

ITEMS REMOVED from CONSENT

The commission advanced to consideration of –

6d. Authorization for the Executive Director to execute one indefinite delivery, indefinite quantity contract to perform surface water monitoring and permit support with a total value of \$3,500,000 and a contract ordering period of five years at the Seattle-Tacoma International Airport. No funding is associated with this authorization.

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

Presenter(s): Sarah Cox, Senior Manager, Environmental Programs.

In response to commissioner questions, Ms. Cox described the value of Salmon Safe certification and the benefits of the water quality monitoring support provided for in the proposed contract.

The motion for approval of agenda item 6d carried by the following vote:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

8. AUTHORIZATIONS and FINAL ACTIONS

8a. Authorization for the Executive Director to increase the budget for the Pier 69 Lobby Improvements Project by \$175,000 for a total project cost not to exceed \$496,000 (CIP #C800216).

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

Presenter(s): Nick Milos, Manager, Corporate Facilities, and Amy Kiessling, Capital Project Manager.

Previously, the commission authorized construction of the Pier 69 Commission Chambers Refresh and Lobby Improvements Projects on October 9, 2018, under agenda item 6g.

Commissioners asked about the changes driving the project cost increase. Relocation of the reception desk and installation of new LED lighting ended up costing more than originally expected.

The motion for approval of agenda item 8a carried by the following vote:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

8b. Authorization for the Executive Director to (1) increase the project budget for the Passenger Loading Bridge Renewal and Replacement Project in the amount of \$3,000,000; (2) use Port of Seattle crews and small and major works on-call contracts to perform the construction work; and (3) advertise, bid, and execute a major works construction project. This request is \$3,000,000 for a revised total estimated project cost of \$13,000,000 (CIP #C800793).

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

Presenter(s): John Freeman, Capital Project Manager.

Previously, the commission authorized design for replacement and procurement of passenger loading bridges for an estimated total of \$10 million on February 27, 2018, under agenda item 6f.

Port ownership of passenger loading bridges was reviewed. Except those owned and operated by Alaska Airlines as part of the NorthSTAR program, all bridges now belong to the port; however, because they were previously tenant-owned, there are almost no as-built records available. Construction challenges resulting in additional project costs were summarized. Commissioners asked about the schedule for further loading bridge replacement at the airport and stressed the importance of loading bridge safety, especially given the absence of as-built drawings.

The motion for approval of agenda item 8b carried by the following vote:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

8c. Authorization for the Executive Director to execute a contract for security services to be delivered to all Maritime Division, Economic Development, and Northwest Seaport Alliance locations on both scheduled and ad hoc bases for a total estimated cost over five years of approximately \$20,000,000.

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

Presenter(s): Kenneth Lyles, Director, Maritime Operations and Security; and Russ Read, Seaport Security Program Manager.

Commissioners asked about allocation of costs for security services to tenants and the Northwest Seaport Alliance.

The motion for approval of agenda item 8c carried by the following vote:

In favor: Bowman, Calkins, Felleman, Steinbrueck (4)

Absent for the vote: Gregoire

Agenda item 8d was removed from the agenda prior to publication.

- 8e. Authorization for the Executive Director to: (1) execute a construction contract with the low responsive and responsible bidder for the Restroom Renovation Concourses B, C, and D project at Seattle-Tacoma International Airport, notwithstanding the low bid exceeded the engineer's estimate by more than 10 percent, and (2) authorize an additional \$1,200,000 for a total project authorization of \$17,792,000 (CIP #C800697). [subsequently laid on the table]**

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

Presenter(s): Sean Anderson, Capital Program Leader; Mandy Xiggores, Aviation Capital Programs Development Manager; and Penne Pelton, Capital Project Manager.

Explanations for the bids' exceeding engineer's estimate by 25 percent were summarized. These were described as unforeseen project impacts, unexpectedly high subcontractor bids, the use of non-local cost estimators, and a busy construction market. Nevertheless, the closeness of the two bids received was characterized as indicating they were competitive. It was suggested other project phases may also require additional funds.

Commissioner Gregoire noted her lack of support for the request based on not yet having received a report requested in February relating to incorporation of recommendations of the All-Gender Restroom Working Group in the renovations for restrooms on Concourses B, C, and D.

[Clerk's Note: On September 12, 2019, Aviation Managing Director Lance Lyttle provided the requested report, which is attached as minutes [Exhibit B](#).]

Commissioners asked about design features of the renovated restrooms, including water conservation and sanitation improvements.

Agenda item 8e was laid on the table. The vote was:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

[Clerk's Note: This authorization was considered again on September 24, 2019, as agenda item 6d.]

- 8f. Adoption of [Resolution No. 3761](#): A resolution of the Port of Seattle Commission amending Resolution Nos. 3742, 3744, and 3754, regarding bylaws governing the organization and transaction of business of the Port of Seattle Commission, to revise the object statement in Article I.**

Request document(s) included an agenda [memorandum](#), draft resolution, proposed [Amendment 1](#), and [redline version](#).

Presenter(s): Mike Merritt, Commission Chief of Staff.

Previously, the commission approved introduction of Resolution No. 3761 on August 13, 2019.

Mr. Merritt summarized commission consideration to date of the proposed text changes in the bylaws and explained that there is an amendment available to further improve the language of the commission's bylaws' object statement.

Upon a motion and second to adopt Resolution No. 3761, the following amendments were considered:

AMENDMENT 1

There was a motion and second to adopt Amendment 1 to Resolution 3761, which reads as follows:

In Resolution 3761, in Section 1, on page 1, line 30, strike all the inserted text through line 34 and replace it as follows:

Founded in 1911 by a vote of the people as a special purpose government, the Port of Seattle's mission is to promote economic opportunities and the quality of life in the region by advancing trade, travel, and commerce in an equitable, accountable, and environmentally responsible manner.

And on page 1, line 39, insert a new Section 3 of the resolution as follows:

Section 3. Article II, Section 1, Port of Seattle Commission Bylaws, is amended to read as follows:

Membership. *The Port of Seattle is led by a board of five commissioners elected by King County voters to four-year terms pursuant to the provisions of Chapter 53.12 RCW.* ~~The members of the Port of Seattle Commission shall be those commissioners duly elected pursuant to the laws of the State of Washington.~~ Election and terms of port commissioners shall be pursuant to applicable law. As elected officials, each commissioner shall exercise the responsibilities of office and be accountable to the general public, the citizens of King County, and one another.

AMENDMENT 1 to AMENDMENT 1

Commissioner Gregoire offered the following amendment to the amendment:

On page 1, line 14, delete "to four year terms"

The motion for adoption of Amendment 1 to Amendment 1 carried by the following vote:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

AMENDMENT 2 to AMENDMENT 1

Commissioner Calkins offered the following amendment to the amendment:

On page 1, line 6, delete "and" before "commerce" and insert immediately thereafter the following: and job creation

The motion for adoption of Amendment 2 to Amendment 1 carried by the following vote:
In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

AMENDMENT 3 to AMENDMENT 1

Commissioner Steinbrueck offered the following amendment to the amendment:

On page 1, line 5, before “quality of life” delete “the”

The motion for adoption of Amendment 3 to Amendment 1 carried by the following vote:
In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

The question recurred on the motion to adopt Amendment 1, as amended, to Resolution No. 3761, which carried by the following vote:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

The question recurred on the adoption of Resolution No. 3761, as amended, (agenda item 8f) which carried by the following vote:

In favor: Bowman, Calkins, Felleman, Gregoire, Steinbrueck (5)

9. **PRESENTATIONS, REPORTS, and STAFF BRIEFINGS** – None.

10. **QUESTIONS on REFERRAL to COMMITTEE** – None.

11. **ADJOURNMENT**

There was no further business, and the meeting adjourned at 1:57 p.m.

Prepared:

Paul J. White, Commission Clerk

Attest:

Peter Steinbrueck, Commission Secretary

Minutes approved: October 22, 2019.