

Commissioners
John Creighton
Chair and President
Patricia Davis
Bob Edwards
Alec Fisker
Lloyd Hara



Tay Yoshitani
Chief Executive Officer

P.O. Box 1209
Seattle, Washington 98111
www.portseattle.org
206.728.3000

An audio of the meeting proceedings and meeting materials are available on the Port of Seattle web site - <http://www.portseattle.org/about/organization/commission.shtml>

(The approximate point in the audio recording for the specific item is identified by minutes and seconds; example: 01:30.)

**APPROVED MINUTES
COMMISSION REGULAR MEETING DECEMBER 11, 2007**

The Port of Seattle Commission met in a regular meeting at 12:00 p.m., Tuesday, December 11, 2007 in the Commission Chambers at Pier 69, 2711 Alaskan Way, Seattle, WA. Commissioners Creighton, Davis, Edwards, Fisker and Hara were present.

1. CALL TO ORDER

The regular meeting was called to order at 12:00 p.m. by John Creighton, Chair and President.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

The special meeting was immediately recessed to an executive session to discuss legal risk and real estate matters for approximately one hour and fifteen minutes, and reconvened to public session.

PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

None.

4. SPECIAL ORDER OF BUSINESS

None.

5. UNANIMOUS CONSENT OF CALENDAR

a. (00:53:00) Document for signature authorizing payment of outstanding obligations of salaries and claims against the Port of Seattle for the period of November 1 through November 30, 2007.

Motion for approval of Item 5a – Edwards

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisksen, Hara (5)

6. POLICY AND STAFF BRIEFING

Item 6b was advanced on the agenda as follows:

b. (00:01:36) Authorization for Chief Executive Officer to continue negotiations with BNSF Railway and execute all documents necessary for acquisition of the Eastside Rail Corridor and operation of northern freight segment of the Corridor at estimated cost of \$107,000,000.

Request Document: Commission Agenda [Memorandum](#) dated December 10, 2007 from Craig Watson, General Counsel.

The Commission invited the following people to comment on the agenda item:

- Charlie Howard, Puget Sound Regional Council
- David Hiller, Cascade Bicycle Club
- Bruce Agnew, Cascadia Center. Mr. Agnew referenced a letter dated November 21, 2007 and sent to the Commission. A copy of the letter is by reference, made a part of these minutes; is marked Exhibit 'A'; and is on file in Port offices.
- Tim O'Farrell, representing All Aboard Washington and GNP Railway. Mr. Farrell provided a computer slide presentation, a copy of which is by reference, made a part of these minutes; is marked Exhibit 'B'; and is on file in Port offices.

Public testimony was received as follows:

- Paul Zimmer, Eastside Rail Now
- Rob Johnson, Transportation Choices Coalition
- Will Knedlik, Truth in Taxation
- Rod Brandon, King County

Motion for approval of Item 6b - Hara

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisken, Hara (5)

a. (00:47:13) Update on Terminal 30 Container Reactivation and Terminal 91 Cruise Terminal Relocation Project.

Presentation Document: Commission Agenda [Memorandum](#) dated November 19, 2007 from Michael Burke, Director, Cruise and Cargo Services and Janice Zahn, Seaport Capital Construction Project Manager.

Presenters: Mr. Burke and Ms. Zahn

Within the presentation, staff referenced a report titled, "Terminal 30 Upland Dredge Disposal Report on 9/11/07 Commission Motion." A copy of the report is, by reference, made a part of these minutes; is marked Exhibit 'C'; and is on file in Port offices.

Mr. Burke clarified that staff was seeking direction on whether or not to proceed with upland disposal of dredged material, as well as approval to execute an MOU with the County on cost-sharing as described within the presentation.

In response to questions from the Commission, Greg Bush, Planning and Compliance Manager, King County Department of Natural Resources, assured the Commission that the County supported the T30 modification plan to allow for upland disposal and that they agreed to work with the Port on a cost-sharing proposal.

Motion for staff to 1) proceed with upland disposal and 2) to enter into an MOU with the County for cost-sharing - Hara

Motion carried by the following vote:

CEO Yoshitani requested that should the Commission decide to go with the decision for upland disposal, they would make a commitment to helping the Port receive the necessary permits with as little delay as possible.

Public testimony regarding Item

- Fred Felleman, Friends of the Earth
- Heather Trim, People for Puget Sound

Motion carried by the following vote:

In Favor: Creighton, Fisken, Hara (3)

Opposed: Davis, Edwards (2)

7. MARINE ITEMS

- a. (01:27:00) Authorization to execute an Interlocal Agreement with the City of Seattle to establish a mutual and cooperative system of providing backup fleet maintenance service work on rolling stock and machine shop work.**

Request Document: Commission Agenda [Memorandum](#) dated December 5, 2007 from Mary Ann Lobdell, Compliance and Fleet Manager, Seaport Maintenance and Rob Lane, Finance and Inventory Manager, Seaport Maintenance.

Presenters: Ms. Lobdell and Mr. Lane

Motion for approval of Item 7a – Davis

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisker, Hara (5)

Staff authorized: Chief Executive Officer

General Business Items were advanced on the agenda as follows:

9. GENERAL BUSINESS

- a. (01:33:48) Project-wide authorization for Maritime Awareness Program for amount not to exceed \$7,171,000, of which \$4,949,000 is reimbursable from the Department of Homeland Security under Round 6 Port Security Grant Funding.**

Request Document: Commission Agenda [Memorandum](#) dated November 16, 2007 from Peter Garlock, Chief Information Officer and Arif Ghouse, Director, Seaport Security and computer slide [presentation](#) titled “Maritime Domain Awareness Business Case”.

Presenters: Russ Read, Seaport Security Program Manager and Tanner Downing, ICT

Topics reviewed:

- Seaport Situational Awareness
- Incident and Response Communications Network
- Pier 66 TWIC Infrastructure and Baggage Screening System
- Video Surveillance Implementation
- TWIC Infrastructure at Terminal 91
- Grant Funding for Maritime Domain Awareness

Motion for approval of Item 9a – Edwards

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisksen, Hara (5)

Staff authorized: Chief Executive Officer; Chief Financial Officer; Chief Information Officer; Senior Manager, Information Technologies Business Services; Managing Director, Seaport Division; Deputy Managing Director, Seaport Division; Director, Professional and Technical Services, Seaport Division; Director, Seaport Security; Chief Engineer, Engineering Services; Manager, Seaport Project Management; Manager, Seaport Environmental Programs; Manager, Procurement Services; Manager, Seaport Maintenance; Manager, Port Construction Services; Seaport Capital Construction Project Manager; and ICT Project Manager.

b. (01:45:21) Project-wide authorization for Area Surveillance Hardware Upgrade Project in an amount not to exceed \$864,000.

Request Document: Commission Agenda [Memorandum](#) dated November 16, 2007 from Peter Garlock, Chief Information Officer and Arif Ghouse, Director, Seaport Security.

Presenters: Russ Read, Seaport Security Program Manager and Tanner Downing, ICT

Motion for approval of Item 9b – Hara

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisksen, Hara (5)

Staff authorized: Chief Executive Officer; Chief Financial Officer; Managing Director, Seaport Division; Chief Information Officer; Deputy Managing Director, Seaport Division; Director, Professional and Technical Services, Seaport Division; Director, Seaport Security; Senior Manager, Information Technologies Business Services; Manager, Procurement Services; and Seaport Capital Construction Project Manager.

The agenda was returned to Aviation Items as follows:

8. AVIATION ITEMS

a. (01:46:57) Request Port Commission to (1) Ratify Memorandum of Understanding establishing cooperation among King County, King County Housing Authority (KCHA), City of Burien, City of Seattle and Port of Seattle in relationship to objectives and responsibilities for a variety of actions to be performed regarding the sale of Lora Lake Apartments to KCHA and the sale of adjacent property to King County, and (2) Authorize the General Counsel to settle the KCHA eminent domain action to acquire the Lora Lake Apartments for a value of \$13,750,000.

Request Document: Commission Agenda [Memorandum](#) dated November 20, 2007 from Diane Summerhays, Director, Aviation Community Development and Craig R. Watson, General Counsel.

Motion for approval of Item 8a – Edwards

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisker, Hara (5)

9. GENERAL BUSINESS

c. (01:55:29) Authorization for Enterprise Maximo Project for an amount not to exceed \$3,680,000.

Request Documents: Commission Agenda [Memorandum](#) dated October 28, 2007 from Peter Garlock, Chief Information Officer; John Christianson, General Manager, Aviation Maintenance; and Lindsay Pulsifer, General Manager, Seaport Maintenance and computer slide [presentation](#) titled, “IBM Maximo: Enterprise-Wide System Consolidation and Upgrade”.

Presenter: Mr. Garlock

Topics Reviewed:

- Business Overview of Port Maintenance
- Overview of Computerized Maintenance Management Systems
- Project Scope and Costs

Motion for approval of Item 9c – Edwards

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisker, Hara (5)

Staff authorized: Chief Executive Officer; Chief Financial Officer; Chief Information Officer; Senior Manager, Information Technologies Business Services; Manager, Procurement Services; and Project Manager.

d. (02:09:30) Authorization to execute an Interlocal Agreement between King County and the Port of Seattle regarding Port contribution of \$1,000,000 to the Waterfront Streetcar Maintenance Facility Project.

Request Document: Commission Agenda [Memorandum](#) dated December 6, 2007 from Melinda Miller, Manager, Real Estate Development and computer slide [presentation](#) titled, “Waterfront Streetcar Agreement”.

Presenter: Ms. Miller

Topics Reviewed:

- Background
- Project Description
- Summary of Agreement Terms
- Schedule

Motion for approval of Item 9d – Fisken

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisken, Hara (5)

Staff authorized: Chief Executive Officer

e. (02:23:11) Resolution No. 3592, Second Reading and Final Passage. 2008 Salary and Benefit Resolution.

Request Document: Commission Agenda [Memorandum](#) dated December 5, 2007 from David Henderson, Total Compensation Manager.

Presenter: Mr. Henderson

Motion for Second Reading and Final Passage of [Resolution 3592](#) – Edwards

Following discussion regarding Commission compensation, staff was directed to return in early 2008 with a process by which future Commission compensation could be addressed.

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisken, Hara (5)

(02:45:22) General Business Items 9f, 9g, and 9h were addressed as a unanimous consent item as follows:

f. Authorization to execute a Collective Bargaining Agreement with the International Brotherhood of Teamsters, Local 117, representing police officers.

Request Document: Commission Agenda [Memorandum](#) dated November 15, 2007 from Gary Schmitt, Labor Relations Director.

g. Authorization to execute a Collective Bargaining Agreement with International Brotherhood of Teamsters, Local 117, representing police sergeants.

Request Document: Commission Agenda [Memorandum](#) dated November 15, 2007 from Gary Schmitt, Labor Relations Director.

h. Authorization to execute a Memorandum of Understanding with the International Union of Painters and Allied Trades, AFL-CIO, District Council # 5.

Request Document: Commission Agenda [Memorandum](#) dated November 26, 2007 from Gary Schmitt, Labor Relations Director.

Motion for approval of 9f, 9g and 9h as a consent item – Edwards

Motion carried by the following vote:

In Favor: Creighton, Davis, Edwards, Fisker, Hara (5)

10. NEW BUSINESS

a. (02:46:30) Port of Seattle Audit Committee Charter

Following a brief discussion on revisions to the Port of Seattle Audit Committee Charter, the following motions were made:

Motion to adopt a revised Audit Committee Charter – Hara

Motion to table until the next Commission meeting the previous motion - Edwards

Motion to table failed by the following vote:

In Favor: Davis, Edwards (2)

Opposed: Creighton, Fisker, Hara (3)

Motion to adopt revised charter carried by the following vote:

In Favor: Creighton, Fisker, Hara (3)

Opposed: Davis (1)

Abstained from the vote: Edwards (1)

A copy of the Port of Seattle Audit Committee Charter, with revisions incorporated, is by reference, made a part of these minutes, is marked Exhibit "D", and is on file in Port offices.

11. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:18 p.m.

(A digital recording of the meeting is available on the Port's website.)

Alec Fiskén
Secretary