

Commissioners
John Creighton
Chair and President
Bill Bryant
Patricia Davis
Lloyd Hara
Gael Tarleton



Tay Yoshitani
Chief Executive Officer

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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 FEBRUARY 26, 2008**

The Port of Seattle Commission met in a regular meeting at 3:00 p.m., Tuesday, February 26, 2008 in the International Conference Center, Airport Office Building, Seattle-Tacoma International Airport, Seattle, WA. Commissioners Bryant, Creighton, Davis, Hara and Tarleton were present.

1. CALL TO ORDER

The regular meeting was called to order at 3:00 p.m. by John Creighton, Chair and President.

2. EXECUTIVE SESSION pursuant to RCW 42.30.110

The regular meeting was immediately recessed to an executive session to discuss Legal matters for approximately one hour and reconvened to public session.

PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

(00:00:56) Motion for approval of minutes of the special meeting of January 3, 2008 and the regular meeting of January 22, 2008 – Hara.

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

4. SPECIAL ORDER OF BUSINESS

- a. (00:01:32) Commissioners Creighton and Davis commented on the recent passing of Professor Marc Hershman of the University of Washington, a pioneer in coastal zone management.**
- b. (00:05:53) CEO Tay Yoshitani introduced Joe McWilliams, the Port's newly hired Managing Director, Real Estate.**

5. UNANIMOUS CONSENT OF CALENDAR

None.

General Business was advanced on the agenda as follows:

9. GENERAL BUSINESS

- a. (00:10:17) Resolution No. 3595, Second Reading and Final Passage. Appointing members to the Port's Ethics Board.**

Request Document: Commission Agenda [Memorandum](#) dated January 29, 2008 from Linda Strout, Deputy Chief Executive Officer.

Commissioner Creighton introduced the two new members being appointed to the Port Ethics Board, Mr. Paul Meyer and Ms. Zulema Hinojos Fall.

Motion for Second Reading and Final Passage of Resolution No. [3595](#) – Davis

Motion carried by the following vote:

In Favor – Bryant, Creighton, Davis, Hara, Tarleton (5)

Ms. Strout offered a brief background on the new board members.

(00:13:06) Commissioner Bryant, in order to reiterate support of the current moratorium on new projects, moved to defer agenda items 7b, 8a, and 8b.

Commissioner Creighton noted that the three items to be deferred were concerning work to be done at Terminal 10 (7b), the Rental Car Facility item (8a), and the Airport HVAC item (8b).

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

6. POLICY AND STAFF BRIEFINGS

Item 6b was advanced on the agenda as follows:

b. (00:15:44) Audit Action Plan Update

Presentation Document: Commission Agenda [Memo](#) dated February 19, 2008 from Dakota Chamberlain, Manager, Seaport Project Management and computer slide [presentation](#) titled, "Audit Response Action Plan Update to Commission". A copy of the updated Action Plan, dated February 26, 2008, was also provided to the Commissioners.

Presenter: Mr. Chamberlain

Items discussed:

- Work completed since last briefing to Commission
- Action plan timeline
- Next steps

Commissioner Tarleton, referencing upcoming proposed changes to Resolution 3181, requested that by March 6, staff provide to the Commission specific information regarding increasing areas where the Commission can exercise oversight and spending approval during the course of a project that is under development.

(00:25:31) Commission discussion followed regarding the current moratorium on new projects, and what the criteria would be for lifting the moratorium.

Commissioner Bryant commented on five categories that he felt necessary to be addressed, which included internal review procedures, ethics, training, project management, and governance. He noted that within each of the categories were three to five reforms needing to be completed before lifting the moratorium, and stated that when the moratorium was lifted, it may need to be done on a provisional basis.

Commissioner Creighton asked Commission Bryant to work with staff to create a list of areas to be addressed, for Commission consideration at the March 6 meeting.

Commissioner Davis requested that comments made earlier by Commissioner Tarleton be incorporated into the list.

Item 9b was advanced on the agenda as follows:

9. GENERAL BUSINESS

b. (00:34:08) Committee Meeting Updates

- Commissioners Tarleton and Davis provided comments on their committee work being done regarding proposed revisions to Resolution 3181, the delegation of authority.

Commissioner Tarleton stated that within the next several weeks, a public meeting would be held, with experts from the community, for discussion of proposed revisions to the Port's delegation of authority. She commented that it is anticipated revisions to Resolution 3181 would be proposed to the Commission in late April or early May.

- Commissioner Hara provided an update on the work being done by the Audit Committee, noting that it was planned to have monthly committee meetings held. He noted the addition of a third member to the committee, Mr. Steve Miller, of Miller & Miller.
- Commissioner Bryant gave an update on the work being done by the Special Investigatory Committee. He referenced a spreadsheet for upcoming work of the committee.

The agenda was returned to Marine items as follows:

7. MARINE ITEMS

a. (00:51:26) Authorization for funding of preliminary engineering and permitting for Terminal 5 and Terminal 18 dredging in the amount of \$400,000.

Request document: Commission Agenda [Memorandum](#) dated February 15, 2008 from Michael Burke, Director, Container Operations and Ticson Mach, Seaport Capital Construction Project Manager.

Presenter: Steve Queen, Senior Account Rep, Cargo Services

Motion for approval of Item 7a – Davis

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

Staff authorized: Managing Director, Seaport Division; Deputy Managing Director, Seaport Division; Director, Seaport Finance and Asset Management; Chief Engineer, Engineering Services; Manager, Seaport Project Management; Manager, Seaport Environmental Programs; Manager, Procurement Services; Manager, Port Construction Services; Manager, Seaport Maintenance; and Seaport Capital Construction Manager.

b. ITEM DEFERRED – Authorization for Terminal 10 improvements in the amount of \$500,000.

c. (00:54:23) Authorization for Chief Executive Officer to negotiate and execute agreements amending the management contract between the Port of Seattle and Columbia Hospitality, Inc. at Bell Harbor to include space leased by Odyssey Maritime Discovery Center until December 31, 2008, after which the agreement will terminate.

Request Document: Commission Agenda [Memorandum](#) dated February 19, 2008 from Charles Sheldon, Managing Director, Seaport and Scott Pattison, Manager, Industrial Properties and Business Development.

Presenters: Mr. Sheldon and Mr. Pattison

Motion for approval of Item 7c – Tarleton

Public comment was given regarding Item 7c as follows:

- Doug Evans, Jewell Hospitality
- Gary Stauffer, Youth Maritime Training Association. A document of testimony submitted by Mr. Stauffer is by reference, made a part of these minutes; is marked Exhibit '[A](#)'; and is on file in Port offices.
- Chuck Fowler, Puget Sound Maritime Historical Society. A document of testimony submitted by Mr. Fowler is by reference, made a part of these minutes; is marked Exhibit '[B](#)'; and is on file in Port offices.
- Jacqueline Schwartz, Puget Sound Maritime Historical Society. A document of testimony submitted by Ms. Schwartz is by reference, made a part of these minutes; is marked Exhibit '[C](#)'; and is on file in Port offices.
- John Oppenheimer, Columbia Hospitality
- Bret Matteson, Columbia Hospitality
- Fred Felleman, Friends of the Earth. A copy of a Coast Guard press release dated February 22, 2008 titled "Coast Guard, Seattle Fire Department Respond to Hazmat" was provided by Mr. Felleman; is by reference, made a part of these minutes; is marked Exhibit '[D](#)'; and is on file in Port offices.
- Lise Kenworthy, Seattle Marine Business Coalition. A copy of a letter to the Port Commission from Ms. Kenworthy, dated February 26, 2008 was provided; is, by reference, made a part of these minutes; is marked Exhibit '[E](#)'; and is on file in Port offices.
- Maria Lancaster, Galley Resources, Inc.
- Jan Jacobs, American Seafoods
- Robert F. Goodwin – written testimony. A copy of a letter to Port Commission from Mr. Goodwin, dated February 26, 2008 is, by reference, made a part of these minutes; is marked Exhibit '[F](#)'; and is on file in Port offices.

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Tarleton (4)

Opposed: Hara (1)

d. (01:49:23) Resolution No. 3596, First Reading. Establishing a policy prohibiting illicit and non-stormwater discharges and illegal dumping on Port properties.

Request Document: Commission Agenda [Memorandum](#) dated February 21, 2008 from Stephanie Jones Stebbins, Senior Manager, Seaport Environmental Programs and Marilyn Guthrie, Stormwater Program Manager and computer slide [presentation](#) titled “Illicit Discharges and Connections”.

Presenters: Ms Guthrie and Kathy Bahnick, Environmental Program Supervisor

Topics reviewed:

- Ecology Stormwater Permit and Requirements
- Examples of Illicit Discharges and Illicit Connections
- Current Prevention Measures

Motion for First Reading of Resolution No. 3596 – Bryant

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

The agenda was returned to Policy and Staff Briefings as follows:

6. POLICY AND STAFF BRIEFINGS

a. (01:59:29) Police Panel Briefing

Presentation Document: Commission Agenda [Memorandum](#) dated February 25, 2008 from Clare Gallagher, Director, Commission Services

An update of the police email investigation was provided to the Commission by Ms. Liz Ford, Chair of the Expert Advisory Panel which conducted the investigation.

Copies of the final report on the investigation, titled “Report to the Commission on Port of Seattle Police Department Policies and Procedures” were provided. A copy of this report is by reference, made a part of these minutes; is marked Exhibit ‘[G](#)’; and is on file in Port offices.

The agenda was returned to Aviation Items as follows:

8. AVIATION ITEMS

a. **ITEM DEFERRED** – Authorization to 1) increase authorized amount for Rental Car Facility design by \$850,000 for a total of \$29,974,000 and 2) Authorization to i)change order pre-construction services contract with Turner Construction Co. to provide additional services; and ii) award a construction contract to Turner Construction for Rental Car Facility Site Construction project for \$4,150,000, bringing the total amount authorized for Rental Car Facility Site Construction to \$7,128,000.

b. **ITEM DEFERRED** – Authorization for Second Floor HVAC design services at Seattle-Tacoma International Airport for an estimated cost of \$214,650.

c. (02:07:31) Authorization to amend scope of work to include utility repair and replacement in Seattle-Tacoma International Airport multi-year apron pavement replacement program.

Request Document: Commission Agenda [Memorandum](#) dated February 19, 2008 from Michael Ehl, Director, Airport Operations and Robert Riley, Director, Aviation Capital Improvement Program.

Presenter: Tina Soike, Senior Manager, Airport Operations

Motion for approval of Item 8c – Davis

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

Staff authorized: Chief Executive Officer; Managing Director, Aviation; Deputy Managing Director, Aviation Development and Finance; Deputy Managing Director, Aviation Facilities and Environmental Programs; Director, Airport Operations; Director, Aviation Capital Improvement Program; Chief Engineer; Engineering Services; General Manager, Port Construction Services; Senior Manager, Procurement Services; and Aviation Project Manager.

d. (02:11:37) Authorization for Runway 16C/34C Pavement and Joint Seal Replacement in touch down zone areas, for an estimated cost of \$450,000.

Request Document: Commission Agenda [Memorandum](#) dated February 20, 2008 from Michael Ehl, Director, Airport Operations and Eileen Francisco, Assistant Director, Aviation Capital Improvement Program.

Presenter: Tina Soike, Senior Manager, Airport Operations

Motion for approval of Item 8d – Bryant

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

Staff authorized: Managing Director, Aviation Division; Deputy Managing Director, Aviation Development and Finance; Director, Airport Operations; Director, Aviation Capital Improvement Program; Chief Engineer, Engineering Services; General Manager, Port Construction Services; Senior Manager, Procurement Services; and Project Manager.

e. (02:14:01) Authorization for design development of Runway 16L/34R Reconstruction and design and construction of Taxiway P Modifications at Seattle-Tacoma International Airport for an estimated cost of \$2,000,000.

Request Document: Commission Agenda [Memorandum](#) dated February 21, 2008 from Michael Ehl, Director, Airport Operations and Eileen Francisco, Assistant Director, Aviation Capital Improvement Program.

Presenters: Mr. Ehl and Tina Soike, Senior Manager, Airport Operations

Motion for approval of Item 8e – Davis

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

Staff authorized: Chief Executive Officer; Managing Director, Aviation Division; Deputy Managing Director, Aviation Development and Finance; Deputy Managing Director, Aviation Facilities and Environmental Programs; Director, Airport Operations; Director, Capital Improvement Program; Director, Engineering Services; General Manager, Port Construction Services; Senior Manager, Procurement Services; Manager, Aviation Environmental Management; and Aviation Project Manager.

f. (02:26:44) Request for approval of artist-designed gabion walls for North Expressway Relocation Phase 1 project at Seattle-Tacoma International Airport.

Request Document: Commission Agenda [Memorandum](#) dated February 20, 2008 from Richard Ottele, General Manager, Aviation Facilities and Infrastructure and Colleen McPoland, Manager, Aviation Art Program and computer slide [presentation](#) titled “Gabion Walls”.

Presenter: Michael Feldman, Deputy Managing Director, Aviation Facilities and Environmental Programs and Ms. McPoland.

Motion for approval of Item 8f – Davis

Motion carried by the following vote:

In Favor: Bryant, Creighton, Davis, Hara, Tarleton (5)

11. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:40 p.m.

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

Bill Bryant
Secretary