

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



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/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 SEPTEMBER 9, 2008**

The Port of Seattle Commission met in a regular meeting at 3:00 p.m., Tuesday, September 9, 2008 in the Commission Chambers at Pier 69, 2711 Alaskan Way, Seattle, WA. Commissioners Bryant, Creighton, and Tarleton were present. Commissioners Davis and Hara were absent.

**1. CALL TO ORDER**

The regular meeting was called to order at 3:02 p.m. by Commissioner John Creighton.

**2. EXECUTIVE SESSION pursuant to RCW 42.30.110**

The regular meeting was immediately recessed to an executive session to discuss real estate and legal matters for approximately 40 minutes and reconvened to open public session.

**PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MINUTES**

**(00:00:57) Motion for approval of minutes of the special meetings of August 12 and August 26 and the special work session of August 19, 2008 – Bryant**

**Motion carried by the following vote:**

**In Favor: Bryant, Creighton, Tarleton (3)**

Commissioners Davis and Hara were absent for the vote.

**4. SPECIAL ORDER OF BUSINESS**

None.

**5. UNANIMOUS CONSENT**

**(00:01:50)** The following items were placed for consideration on the Unanimous Consent Calendar:

**a. Approval of payment of Claims and Obligations for the period of August 1 through August 31, 2008**

**b. Authorization (1) For additional funds in the amount of \$411,000 for demolition of Building W-40, (2) To execute a partial demolition contract for Building W-40, (3) To enter into a professional services agreement , as needed, and (4) For approval of an 11-year term lease with CityIce Cold Storage for Building W40**

Request Document: Commission agenda [memorandum](#) dated August 22, 2008 from Mike McLaughlin, Director, Cruise and Industrial Properties and Rod Jackson, Capital Construction Project Manager

**c. Authorization to advertise for bids and award construction contract for pollution remediation and berth maintenance dredging at Terminal 18 for \$2,057,000.**

Request Document: Commission agenda [memorandum](#) dated August 14, 2008 from Michael Burke, Director, Container Operations and Catherine Chu, Seaport Capital Construction Manager

**d. Authorization to conduct an environmental review and apply for permit authorizations for Terminal 5 maintenance dredging for \$480,000**

Request Document: Commission agenda [memorandum](#) dated August 14, 2008 from Michael Burke, Director, Container Operations and Catherine Chu, Seaport Capital Construction Manager

**e. Authorization to execute First Amendment to Signatory Lease and Operating Agreement with Virgin America**

Request Document: Commission agenda [memorandum](#) dated August 7, 2008 from James R. Schone, Director, Aviation Business Development and Luis Navarro, Manager, Aviation Properties

**f. Authorization to execute (1) Cleanup and regulated materials abatement at Angle Lake School for \$518,000, (2) Design work associated with abatement of 2 other buildings at Angle Lake School site for \$11,000**

Request Document: Commission agenda [memorandum](#) dated July 29, 2008 from James R. Schone, Director, Aviation Business Development; Robert F. Riley, Director, Aviation Capital Improvement Program and W. Allan Royal, Manager, Acquisitions and Relocation

**g. Authorization to execute Extension Agreement with King County Building Construction Trades Council**

Request Document: Commission agenda [memorandum](#) dated August 19, 2008 from Gary Schmitt, Director, Labor Relations

**h. Authorization to execute Extension Agreement with International Brotherhood of Electrical Workers Local 46, representing Electricians**

Request document: Commission agenda [memorandum](#) dated August 19, 2008 from Gary Schmitt, Director, Labor Relations

**i. Authorization to execute Extension Agreement with International Brotherhood of Teamsters Local 117, representing Police Specialists**

Request document: Commission agenda [memorandum](#) dated August 19, 2008 from Gary Schmitt, Director, Labor Relations

**j. Authorization to execute Extension Agreement with International Brotherhood of Teamsters Local 117, representing ID Access Specialists**

Request Document: Commission agenda [memorandum](#) dated August 19, 2008 from Gary Schmitt, Director, Labor Relations

**k. Authorization to execute Extension Agreement with International Brotherhood of Teamsters Local 117, representing bus drivers**

Request Document: Commission agenda [memorandum](#) dated August 19, 2008 from Gary Schmitt, Director, Labor Relations

Following Commission discussion of use of the Unanimous Consent calendar, it was decided that the items proposed at this time were appropriate, but that a public discussion should take place with all 5 Commissioners weighing in on its use in the future.

**Motion for approval of Unanimous Consent items, as listed – Tarleton**

Prior to the vote, Mr. Burke provided clarification to questions from Commissioner Creighton regarding Items 5c and 5D regarding maintenance dredging at Terminals 5 and 18.

**Motion carried by the following vote:**

**In Favor: Bryant, Creighton, Tarleton (3)**

Absent for the vote: Davis, Hara

**6. POLICY AND STAFF BRIEFINGS**

**a. (00:20:47) Audit Response Update**

Presentation Documents: Commission agenda [memorandum](#) dated September 9, 2008 from Dakota Chamberlain, Special Assistant to Managing Director and computer slide [presentation](#) titled, "Audit Response Action Plan Update to Commission."

Presenters: Mr. Chamberlain and Janice Zahn, Assistant Engineering Director, Construction

Topics reviewed:

- Work Completed
- Action Plan Timeline
- Next Steps
- Construction Schedules
- Compliance History
- Benchmark History
- Training History

Commissioner Tarleton suggested that it would be helpful to have staff report each month or so on one or two responses to the audit, informing the commission how the Port is implementing proposed changes.

Commissioner Tarleton also stated she would appreciate having ongoing status reports of employee ethics training as well as training in other areas in response to the audit, and also how much is being spent on training.

It was suggested by Commissioner Tarleton that an audit response update be provided to the Commission Audit Committee in October.

**b. (00:32:15) Terminal 30 and Terminal 91 Construction Field Progress**

Presentation Documents: Commission agenda [memorandum](#) dated September 2, 2008 from Michael Burke, Director, Container Operations and Fred Chou, Capital

Construction Project Manager and computer slide [presentation](#) titled, “Update on Terminal 30 Container Reactivation and Terminal 91 Cruise Terminal Relocation Project”

Presenters: Mr. Burke and Mr. Chou

Within the presentation, photos were shown, reflecting progress of the project over the previous several weeks.

**c. (00:41:06) Capital Improvement Projects Report for Second Quarter, 2008**

Presentation Documents: Commission agenda [memorandum](#) dated August 22, 2008 from Janice Marsters, Assistant Director, Aviation Capital Improvement Program; Curtis Stahlecker, Manager, Seaport Project Management; and Peter Garlock, Chief Information Officer; computer slide [presentation](#) titled, “Capital Improvement Projects Second Quarter Report 2008, and [report](#) titled, “Capital Improvement Projects Second Quarter Report 2008.”

Presenter: Ralph Graves, Managing Director, Capital Development Division

Topics reviewed:

- Aviation Division
  - Projects with Favorable Variances
  - Projects with Reportable Variances
- Seaport Division
  - Projects with Favorable Variances
  - Projects with Potential Reportable Variances
  - Projects with Reportable Variances
- Corporate Division – Information and Communications Technology
  - Reportable Schedule Variances

**7. MARINE ITEMS**

**a. Authorization to execute second amendment to lease with SSA Terminals for Terminals 25 and 30, adding 16 acres of Terminal 25 South to the leased premises – *ITEM WITHDRAWN***

**b. (00:53:31) Authorization to execute the Sixteenth Amendment to Lease with Seafreeze Limited Partnership at Terminal 115, Landlord Estoppel, and Consent to Assignment between Seafreeze LP and Americold Seafreeze LLC**

Request Document: Commission agenda [memorandum](#) dated August 29, 2008 from Michael McLaughlin, Director, Cruise and Industrial Properties and Greg Englin, Business Development and Real Estate Manager

Presenter: Mr. Englin

**Motion for approval of Item 7b, with the condition that Seafreeze assign the lease to Americold, or else return to the Commission - Tarleton**

**Motion carried by the following vote:**

**In Favor: Bryant, Creighton, Tarleton (3)**

Absent for the vote: Davis, Hara

**8. AVIATION ITEMS**

**a. (00:56:50) Authorization to (1) Transfer \$4,591,000 from Non-Aeronautical New Projects to the 4<sup>th</sup> Floor Improvements Project for a total of \$8,991,000, (2) Prepare design contract documents and execute professional service agreements for the pedestrian walkway for an additional \$366,000, bringing the total authorization to \$4,766,000, and (3) Advertise the contract and evaluate bid proposals for the pedestrian bridge as part of the 4<sup>th</sup> Floor Improvement Project for an additional \$2,274,000.**

Request Document: Commission agenda [memorandum](#) dated August 28, 2008 from Michael Ehl, Director, Airport Operations and George England, Program Leader, Aviation Program Management

Presenters: Mr. England and Paul Grace, Senior Manager, Airport Operations, Landside

**Motion for approval of Item 8a – Tarleton**

**Motion failed by the following vote:**

**In Favor: Creighton, Tarleton (2)**

**Opposed: Bryant (1)**

Absent for the vote: Davis, Hara (2)

**9. CAPITAL DEVELOPMENT**

None.

**10. REAL ESTATE**

None.

**12. NEW BUSINESS**

Prior to adjourning, Commissioner Creighton stated again that he would like to see on the September 23 agenda, a discussion of the future use of the Unanimous Consent Calendar.

**13. ADJOURNMENT**

There being no further business, the meeting was adjourned at 5:38 p.m.

(A digital recording of the meeting – in two parts - is available on the Port's website.)

Bill Bryant  
Secretary