

**MOTION 2019-12:  
A MOTION OF THE PORT OF SEATTLE COMMISSION**

supporting Initiative 1000, through endorsement for the approval of Referendum 88, an initiative to the Legislature which was passed in April 2019 and which supports the Port's goals of increased utilization of small businesses, including disadvantaged, minority-owned, and women-owned businesses.

The title of Referendum 88: The legislature passed Initiative Measure No. 1000 concerning affirmative action and remedying discrimination, and voters have filed a sufficient referendum petition on this act. Initiative 1000 would allow the state to remedy discrimination for certain groups and to implement affirmative action, without the use of quotas or preferential treatment (as defined), in public education, employment, and contracting. Should Initiative 1000 be Approved [ ] Rejected [ ]?

**ADOPTED  
OCTOBER 22, 2019**

**INTRODUCTION**

Passage of this motion reflects the Port of Seattle Commission's continued commitment to ensure that the economic prosperity in the region, and the economic development we help to foster, is shared by all.

**TEXT OF THE MOTION**

Consistent with the Port of Seattle's previous public positions in support of small, disadvantaged, minority-owned, and women-owned business enterprises, the Port Commission hereby endorses the approval of Initiative 1000, set to be considered for a vote on the statewide ballot on November 5<sup>th</sup>, 2019 through Referendum 88. The Port of Seattle Commission previously adopted Resolution No. 3274, in 1998, to oppose the original effort to prohibit public entities from promoting this category of business. Additionally, in 2016, the Commission adopted Motion 2016-02 to support the Legislature's efforts to repeal Initiative 200, the citizen law that first put this prohibition in place. Repealing the restrictions put in place by Initiative 200 will allow the Port greater flexibility in fulfilling its mission of supporting economic vibrancy in the region and ensuring that economic gains are shared by all.

## STATEMENT IN SUPPORT OF THE MOTION

The Port of Seattle is committed to the increased participation of small businesses, the provision of quality jobs, and the development of a diverse and skilled workforce that can support regional economic vitality. The Commission has long viewed Initiative 200 as a challenge to that mission, and first adopted a Commission Resolution opposing the Initiative in 1998, when it was due to be considered on the statewide ballot. Following that vote, commissioners have traveled to Olympia in each of the past four legislative sessions to testify alongside representatives from the City of Seattle and King County in support of repealing Initiative 200.

In the 2019 Legislative Session, Washington voters presented the State Legislature with an “Initiative to the Legislature” that sought to amend RCW 49.60.400, put in place originally by the passage of Initiative 200. That effort, known as Initiative 1000, gave the legislators three options: adopt the measure as drafted; put forward an alternative and have both I-1000 and that alternative measure considered side-by-side on the ballot; or take no action, and send the initiative as written to the ballot. After much deliberation, and a public hearing that lasted nearly an entire day and featured testimony from all three living former Governors, the Legislature voted to pass I-1000 as written. With that vote, the prohibition in the granting of preference that I-200 put in place was officially repealed. However, the I-200 advocates immediately began to gather signatures for a referendum that could overturn that legislative action, and that gave rise to Referendum 88, up for a vote in this November’s election.

On January 8, 2018, the Port of Seattle Commission officially adopted its new Diversity in Contracting policy. That policy seeks to increase opportunities for women and minority-owned business entities (WMBEs) across Port operations. The policy is designed to increase both the percent of contracting dollars paid to WMBE firms as well as the number of WMBE firms under contract. It requires divisions and departments within the Port to set goals for WMBE utilization, created a WMBE inclusion plan pilot, and supports prompt payment for WMBE firms that work with the Port.

Meanwhile, in December 2017, the Commission moved to establish a Priority Hire policy that will ensure better access to training programs and well-paying construction jobs for local workers, particularly those from economically distressed areas. That effort also sets as a goal the increased the diversity of the workforce on Port construction projects and focuses on workforce participation by apprentices and journey-level construction workers. The policy will require contractors on large Port construction projects to hire more local apprentices from under-represented zip codes.

In 2014, the Port of Seattle completed a disparity study to learn more about its successes and challenges as an organization in the area of WMBE contracting. The study found disparity in Port utilization of minority contractors for construction and construction-related projects was substantially below what might be expected based on the availability of those contractors. The

study also concluded that all categories of minority-owned businesses displayed utilization rates that were below parity, recommended overall the Port make efforts to ensure that mechanisms for monitoring future performance and utilization of those contractors were enforced. The study allowed the Port to request from the Federal Aviation Administration (FAA) which granted the authorization to implement a “race-conscious” DBE program for federally assisted projects.

That study informed the work being done under the Priority Hire and Diversity in Contracting policies. It also helps to inform the work being done by the Port’s newly formed Office of Diversity, Equity, and Inclusion. But it is all made more challenging by the state law put into place by the 1998 passage of I-200.

Passage of I-1000, which can be sustained by voters through the approval of Referendum 88, and the amendment of 49.60.400 (I-200), will allow the Port greater flexibility as we advance our mission of supporting broad-based and diverse economic development, and ensuring that the growing prosperity of the Puget Sound region is shared by all communities equally.

**ADDITIONAL INFORMATION ATTACHED**

Full text of Referendum 88, as submitted to the Washington Secretary of State