



REGULAR COMMISSION MEETING MINUTES

May 19, 2022

The Port of Tacoma Commission met for a regular meeting on May 19, 2022. Commissioners Ang, Keller, McCarthy, Marzano and Meyer were present at the Fabulich Center, Room 104: 3600 Port of Tacoma Road, Fife, WA.

CALL TO ORDER

Commissioner Meyer called the regular meeting to order at 10:01 am and announced the Commission would recess into Executive Session until 11:35 am to discuss three items:

- (1) One item of review performance of a public employee RCW 42.20.110(1)(g)
- (1) One item of potential litigation RCW 42.20.110(1)(i)
- (1) One item of potential property selling/leasing RCW 42.20.110(1)(b)

Executive Director, Eric Johnson, then stated that the factors that weigh a decision of selling or leasing property include, in this instance, the size and zoning of the property, the distance of the property to marine terminals, and the potential for job creation, consistent with the Port's Strategic Plan.

RETURN TO ORDER

Commissioner Meyer returned the meeting to order at 12:05 pm and reviewed the items discussed in the Executive Session:

- (1) One item of review performance of a public employee RCW 42.20.110(1)(g)
- (1) One item of potential litigation RCW 42.20.110(1)(i)
- (1) One item of potential property selling/leasing RCW 42.20.110(1)(b)

He then led the Pledge of Allegiance. Commissioner Meyer then acknowledged that this meeting was taking place on the shores of the Salish Sea, the ancestral lands of the Puyallup Tribe of Indians.

APPROVAL OF THE AGENDA: The agenda was adopted by unanimous consent.

SPECIAL ORDERS OF BUSINESS

A. Occidental Chemical Briefing:

Kerry Graber, Environmental Planner 5 at the Washington State Department of Ecology and Rob Healy, Senior Project Manager, Environmental Quality at the Port of Tacoma briefed the Commission on the Occidental Chemical project. This included a project overview an update, the selected remedy and public involvement for the Cleanup Action Plan.

CONSENT AGENDA

A. Approval of the Minutes: April 21, 2022

B1. Approval of the Check Certification: Checks #233163 to #233327, #233329 to #233398, and #233400 to 233469 in the amount of \$5,996,283.81.

B2. Approval of the Checks to the State Auditor's Office: Checks #233328 and #233399 in the amount of \$174.15.

CONSENT AGENDA ITEMS A, B1, AND B2 WERE TABLED TO THE 6/16/22 MEETING

C. Ikea Sale of Land to LPC: Partial Release of the Port's Right of First Refusal and Restriction on Partial Sales

MOTION: Approve Consent Agenda Item C.

Motion was made and seconded.

VOTE: CARRIED 5-0

PUBLIC TESTIMONY: None.

EXECUTIVE DIRECTOR'S REPORT

- **US EPA Brownfields Grant:** Eric Johnson reported that this week the Port of Tacoma has been awarded a \$500,000 Brownfields Grant from the EPA. This is good news; we got the full amount we asked for. We have some flexibility in which sites we use this grant. Staff will be coming up with a list of priority sites. These won't be news to you, as they are many of the priority sites we have already been talking about.

The grant criteria didn't specify precisely the sites it can be used for, just the general area. Kudos to staff, especially Sarah Weeks, who put together a really great grant application a few months ago.

- **MILWAUKEE WAY CLEAN UP:** Executive Director Johnson stated that staff is still focused on cleaning up the rubbish and homeless camps along Milwaukee Way. If you drive down Milwaukee Way you won't like what you see. Some of the homeless people have been moving out, but others have been moving in. It's a rather dynamic spot right now. This is the City of Tacoma's Right-of-Way; it is not owned by the Port and that is one of the complications, but we are working cooperatively with several different departments of the City. I wish it was moving a little faster, but we will get that cleaned up as quickly as we can.
- **NORWEGIAN CONSTITUTION DAY:** The Norwegian Ambassador has been in town to celebrate this year's Norwegian Constitution Day. She was in Ballard a few days ago. She will be in Tacoma tomorrow to take a tour of the Port of Tacoma. We don't see ambassadors too often, so we are looking forward to this opportunity. Commissioner Keller and I will greet her.

COMMISSION ACTIONS

A. Proclamation 2022-04-PT: Asian Pacific Heritage Month:

MOTION: Adopt Proclamation 2022-04-PT, recognizing May as Asian Pacific Heritage Month.

Motion was made and seconded.

VOTE: MOTION CARRIED 5-0

B. Audit Committee Charter Amendment:

MOTION: Approve the proposed amendments to the Audit Committee Charter as presented and recommended by the Audit Committee.

Motion was made and seconded.

VOTE: CARRIED 5-0

ACTION ITEM #7H – PROPELLER CLUB MONTH-TO-MONTH LEASE - WAS TAKEN UP AT THIS TIME

C. Resolution 2022-09-PT: Habitat Mitigation Strategy Adoption-2nd Reading:

TABLED TO 6/16/22 MEETING

D. Lower Wapato Creek Habitat Project: Funding Phases II and III:

MOTION: Approve project authorization in the amount \$2,300,000, for a total authorized amount of \$16,395,000, for the Lower Wapato Creek Habitat Project, Master Identification Nos. 101449.01 and 092861.

Motion was made and seconded.

VOTE: CARRIED 5-0

E. Parcel 15 - PorTac Cleanup Phase I: Construction Funding:

MOTION: Approve project authorization in the amount \$3,924,500, for a total authorized amount of \$4,665,500, for the Parcel 15 (Portac) Cleanup Phase 1, Master Identification No. 101531.01.

Motion was made and seconded.

VOTE: MOTION CARRIED 5-0

F. Local Economic Development Infrastructure Funding Awards:

MOTION: Authorize the Executive Director, or his designee, to execute interlocal agreements with the cities of Gig Harbor, Tacoma, and Pacific and to fund investments to four Pierce County non-profit organizations in the following amounts from the Local Economic Development Investment Fund, for a total authorized amount of \$118,000:

City of Edgewood	\$15,000	Youth Marine Center	\$50,000
City of Sumner	\$ 7,500	Foss Waterway Seaport Museum	\$ 2,500
City of Orting	\$25,000	Museum of Glass	\$ 3,000
Tacoma Refugee Choir	\$15,000		

Motion was made and seconded.

VOTE: MOTION CARRIED 5-0

G. ILA – City of Tacoma: 11th Street Viaduct Demolition:

MOTION: Authorize the Executive Director to enter into an Interlocal Agreement (ILA) with the City of Tacoma for an amount up to \$3,500,000 for Port contribution to the demolition of the East 11th Street viaduct from the west side of Stewart Road to the landing east of Milwaukee Way.

Motion was made and seconded.

VOTE: MOTION CARRIED 5-0

H. Tacoma Propeller Club Month-to-Month Lease at the Fabulich Center [this item was discussed after Action Item B]:

MOTION: Authorize the Executive Director or his designee to:

1. Enter into a month-to-month lease with the Propeller Club of the United States and the Port of Tacoma for 418 square feet of office space located in the Fabulich Center, 3600 Port of Tacoma Road, Tacoma, WA.
2. Waive the Port's Master Policy Resolution 2021-08-PT requirement to lease Port property at market rate.
3. Adopt the following findings in support of the waiver:
 - a. The Port's statutory authority includes the leasing of Port property and engaging in economic development programs, which the Propeller Club activities support.
 - b. There is no intent for the Port to make a gift of public funds through the proposed lease.
 - c. The expenditure benefits the public because the Propeller Club's mission and programs support the Puget Sound maritime industry and the Port's support is consistent with Port Foundational Goal of Economic Vitality in the 2021-2026 Strategic Plan ("Advance living-wage job creation and business development opportunities in Pierce County, with a focus on marine trade and transportation.").

Motion was made and seconded.

VOTE: CARRIED 5-0

NONACTION NEW BUSINESS: None.

COMMITTEE REPORTS: None.

ISSUE BRIEFINGS: None.

ANNOUNCEMENTS / COMMISSIONER COMMENTS

Commissioner Ang: Stated that she attended the International Association of Ports and Harbors (IAPH) Conference, as well as the Chamber's annual Washington-to-Washington trip, and there is definitely a sense of organizations keeping the environment in mind and scaling up. This is no longer a trend but is accepted. Now it is a question of what to do and how quickly to do it. There is talk about hydrogen hubs in our area and green corridors. I would like to explore how we can put out there that the Port of Tacoma wants to be a green corridor and that we will be supporting these actions. I see other ports doing this and I don't want the Port of Tacoma to be left behind. Fortunately, there are some organizations that can assist with this. I know we have done studies, such as a green corridor from the Port of Tacoma to China. I want the Port of Tacoma to be at the table and to signal to the market that we are open and we are supportive. This way we can get the jobs and the businesses here to pursue green businesses. We've seen the Governor's initiative and President Biden's \$8M hydrogen initiative. Hydrogen is coming and we need to see what role we can play in this.

Commissioner Keller: Stated that she felt bad for Tony Warfield, as we sent him out two months in a row for the Habitat Mitigation Strategy because we didn't get the full hard copy of his materials. However, all Commissioners did receive the full packet electronically on May 11th. I think it is problematic that only the day-of we suddenly realize we don't have the full hard copy and now we can't take action on some items. From a business perspective, I don't think it is a good habit to continually table these kinds of resolutions and business. It is not good business. If we need materials, we need to let people know ahead of time, and when we're here we need to be prepared and ready to take action on these items. It is a matter of good housekeeping and a matter of respect to our staff, who have been done a lot of preparation and research for today. I am sorry we didn't get the full paperwork, but some of us are more bound to paper than others. I don't think it is necessary to get all of this paper every month. I know some people like it, but when we're emailed the information we should review it at that time and come here prepared to take action.

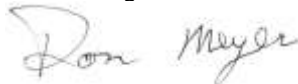
Commissioner Marzano: Stated that he attended the IAPH Annual Conference, along with other Port of Tacoma Commissioners, up in Vancouver, B.C. He thought it was "okay". He has attended these conferences before, and he was surprised that there weren't more people there because they haven't had one for a while. There were still some interesting things presented, such as green ammonia and green methanol as different types of fuel they are looking at. So, he'll be asking Jason Jordan about that.

Commissioner McCarthy: Stated he spends a lot of time reviewing the paper materials, making notes and asking a lot of questions. By tradition, and quite frankly, it is easier than looking at materials electronically; you go onto the next page and tend not to go back or take notes or remember your questions. Staff needs to provide a full gambit of the materials, especially on important things like what Tony Warfield was going to discuss on the Habitat Mitigation Strategy. I think the last strategy was adopted 10 years ago. It is an important strategy. There were three significant strategies that were going to be proposed, and one of those was the Saltchuk site. The Puyallup Tribal Council just wrote us a letter objecting to using fill from the Blair waterway at Saltchuk due to possible contamination. So, that, perhaps, should not be part of our Habitat Strategy. That item needs to have a full, frank and transparent discussion because it is a very important and expensive project. If the Tribe is not supportive, then why are we adopting a resolution to move forward? There is good reason why we need to carefully read over the materials that are presented to us, and with that one I think we need to have further discussion. Already, out of the blocks, there are comments that indicate it is not a good thing to do.

Commissioner Meyer: Stated that on some of these topics maybe we need another work session to discuss them. As Commissioner Ang has pointed out, we have a subarea plan process that is a very important statement on what this community wants to see happen and what incentives we can put in place to see that some of the things that Commissioner Ang brought up do happen. There are a lot of topics here that are very important to the Port and to our community. I look forward to talking about these at a separate work session over the summer, perhaps in July. Some of the topics we have mentioned at the end of this meeting are dog-gone important and require more discussion.

ADJOURNMENT

With no further business, Commissioner Meyer adjourned the meeting at 2:21 PM.



Don Meyer, President
Port of Tacoma Commission

Attest:



Kristin Ang, Secretary
Port of Tacoma Commission



Judi Doremus, Clerk of the Port
Port of Tacoma