

# MEETING MINUTES

Port of Tacoma Commission



## REGULAR MEETING

February 1, 2024 - 12:00 PM Public Session Start

Fabulich Center, Room #104: 3600 Port of Tacoma Road, Fife

---

The Port of Tacoma Commission met for a regular meeting on **February 1, 2024** at the Fabulich Center, 3600 Port of Tacoma Road, Fife, WA. Commissioners Kristin Ang, Deanna Keller, Dick Marzano, John McCarthy, and Don Meyer were present. A quorum was met.

### CALL TO ORDER | EXECUTIVE SESSION:

Commissioner Kristin Ang, Port of Tacoma Commission President, called the meeting to order at **10:00 a.m.** and announced that the Commission would recess into a closed **Special Order of Business** until **10:30 a.m.** to discuss a labor collective bargaining agreement. The Commission would then recess into a closed **Executive Session** until **12:00 p.m.** to discuss:

- One (1) Property Leasing and Potential Litigation Item – RCW 42.30.110(1)(c) & RCW 42.30.110(1)(i)
- 

### 1. RETURN TO ORDER & FLAG SALUTE:

Commissioner Ang returned the meeting to order at **12:00 p.m.** and stated they were in Executive Session until **11:30 a.m.** The public meeting began with the Pledge of Allegiance. Commissioner Ang also acknowledged that we are situated on the traditional homelands of the Puyallup Tribe and committed to uplifting the voices, experiences, and histories of the Indigenous people of this land.

---

2. APPROVAL OF AGENDA: The agenda was adopted as presented by unanimous consent.

---

### 3. EXECUTIVE DIRECTOR'S REPORT – Eric Johnson

- Reminded the group that the meeting today is an extra, regular meeting.
  - We will be providing an update on our strategic planning goals and accomplishments today.
  - Proclamation 2021-01-PT, which will be presented today, recognizes February as Black History month. There is a segment in the Port's Working Waterfront video series, which highlights the history of black workers at the Tacoma waterfront. He encouraged everyone to check out the five-minute video.
- 

### 4. PUBLIC COMMENT:

- An e-mail comment from Morgan Alexander opposing Darling International was received through the Public Comment e-mail address on January 21, 2024. It was acknowledged and distributed to all Commissioners at the time of receipt.
- 

### 5. CONSENT AGENDA:

- A. Minutes: January 17, 2024
- B. Litigation Settlement Approval – Carl W. Paddock v. Port of Tacoma, Pierce County Superior Court Case No. 20-2-04767-3

---

C. Microsoft Azure Annual Contract Approval

**MOTION: Approve the Consent Agenda as presented.**

*Motion was made by Commissioner Keller and seconded by Commissioner McCarthy.*

**VOTE: Motion Carried 5-0**

Commissioner Ang	Aye
Commissioner Keller	Aye
Commissioner McCarthy	Aye
Commissioner Marzano	Aye
Commissioner Meyer	Aye

---

6. **COMMISSION ACTIONS:**

A. **TWAAFA Project Authorization Increase and Approval to File Complaint Against Burlington Environmental LLC (Master ID #101082.01)**

Heather Burgess (Legal Counsel) and Scott Hooton (Project Manager II—Environmental & Planning Services) with the Port of Tacoma presented. This item concerns properties known as the Taylor Way and Alexander Avenue Fill sites (aka TWAAFA). The Port has been working to manage legacy contamination at the sites to return it to public use. Previously, the Commission approved costs associated with remediation efforts and to contract legal services with NW Resource Law for recovery costs from Burlington Environmental. Efforts to resolve this outside of litigation have not been successful. Actions requested include additional funds for contracted legal services and to authorize NW Resource Law group to file a complaint in U.S. District Court.

**MOTION: To approve the following:**

1. **Additional project authorization in the amount of \$600,000 for a total authorized amount of \$2,267,000 for the Taylor Way and Alexander Avenue Fill Area (TWAAFA), Master Identification No. 101082.01, for contract legal services from NW Resource Law Group, PLLC for cost recovery litigation under the Model Toxics Control Act, RCW 70A.305 against potentially liable parties.**
2. **Commission authorization pursuant to Master Policy Resolution Section VI for NW Resource Law Group, PLLC to file a complaint in U.S. District Court for the Western District of Washington against Burlington Environmental, LLC, seeking recovery of past and future remedial action costs incurred by the Port under the Model Toxics Control Act, RCW 70A.305 at Port Parcel 111.**

*Motion was made by Commissioner McCarthy and seconded by Commissioner Meyer.*

**VOTE: Motion Carried 5-0**

Commissioner Ang	Aye
Commissioner Keller	Aye
Commissioner McCarthy	Aye
Commissioner Marzano	Aye
Commissioner Meyer	Aye

---

7. **SPECIAL ORDER OF BUSINESS:**

A. **Proclamation 2024-01-PT – Black History Month**

Commissioner Marzano read the Proclamation recognizing February 2024 as National Black History Month.

---

**MOTION: To approve Proclamation 2024-01-PT recognizing February 2024 as National Black History Month.**  
*Motion was made by Commissioner Meyer and seconded by Commissioner Keller.*

**VOTE: Motion Carried 5-0**

Commissioner Ang	Aye
Commissioner Keller	Aye
Commissioner McCarthy	Aye
Commissioner Marzano	Aye
Commissioner Meyer	Aye

---

8. **NEW BUSINESS:** None given.

---

9. **COMMITTEE REPORTS:** None given.

---

10. **ISSUE BRIEFINGS:**

**A. 2023 Strategic Actions Progress Update**

Alisa Praskovich (Chief—Strategic Projects & Commission Relations) and Mark Moore (Manager—IT Project Management) with the Port of Tacoma presented top accomplishments in 2023 and highlights for 2024. The Port’s Strategic Actions include a five-year plan with five foundational goals: Economic Vitality, Environmental Leadership, Organizational Success, Transportation Advocacy, and Community Connections. Every action developed supports progress on one or more foundational goals. Challenges faced this past year were also identified and reviewed.

---

11. **ANNOUNCEMENTS / COMMISSIONER COMMENTS:**

- **Commissioner Keller** – Attended the JMAC (Joint Municipal Action Committee) meeting with Commissioner Meyer where Snohomish County provided a map of all transportation projects they will be asking legislators for help in funding. She feels this is a good idea, as it provides one voice for the entire county, and it would be a good opportunity to work with the Pierce County Council and all governmental entities in our area.
  - **Commissioner Marzano** – On January 24th, the DEI group hosted a luncheon open to all staff to attend. These efforts are tasked with improving the environment of the workplace and welcoming all.
  - **Commissioner McCarthy** – The Washington State Freight Mobility Strategic Investment Board will hold their quarterly meeting in Dupont on March 15th. He expressed interest with them in touring sites of our system of transportation and projects. This board is comprised of individuals in the industry and makes recommendations of projects to the State for funding as well.
  - **Commissioner Meyer** – Did not make any additional comments.
  - **Commissioner Ang** – Wished everyone a Happy Black History month. ILWU 23 is holding an event on Feb 18th at the Foss Waterway Seaport celebrating the many accomplishments and history of Black longshore workers. The featured speakers are April Sims (President of the WSLC) and Willie Adams (ILWU International President).
-

---

**12. ADJOURNMENT**

Commissioner Ang adjourned the meeting at **12:57 pm**.

---

Attest:



Kristin Ang, President  
Port of Tacoma Commission



Dick Marzano, Secretary  
Port of Tacoma Commission



Helen Hickman, Clerk of the Port  
Port of Tacoma