



Summary Minutes

Board Meeting
September 22, 2022

Call to order

The meeting was called to order at 1:30p.m. by Chair Kent Keel in a Virtual Meeting via telephone and video conference.

Roll call of members

Chair	Vice Chairs
(P) Kent Keel, City of University Place Councilmember	(P) Dow Constantine, King County Executive (P) Dave Somers, Snohomish County Executive

Board members	
(P) Nancy Backus, City of Auburn Mayor	(P) Joe McDermott, King County Council Vice Chair
(P) David Baker, City of Kenmore Councilmember	(P) Julie Meredith, WSDOT Secretary Alternate
(P) Claudia Balducci, King County Council Chair	(P) Ed Prince, City of Renton Councilmember
(P) Bruce Dammeier, Pierce County Executive	(P) Kim Roscoe, City of Fife Mayor
(P) Cassie Franklin, City of Everett Mayor	(P) Dave Upthegrove, King County Councilmember
(P) Christine Frizzell, City of Lynnwood Mayor	(P) Peter von Reichbauer, King County Councilmember
(P) Bruce Harrell, City of Seattle Mayor	(P) Kristina Walker, City of Tacoma Councilmember
(P) Debora Juarez, City of Seattle Council President	

Katie Flores, Board Administrator, announced that a quorum of the Board was present at roll call.

Report of the Chair

Realignment Update

Chair Keel updated the Board that the agency's Project Performance Tracker launched on the public Sound Transit website. Stemming from a recommendation from Triunity, the tool will communicate schedule and cost information for System Expansion projects.

Additionally, both the Technical Advisory Group and Dave Peters, Independent Consultant to the Board, will be presenting updates to the System Expansion Committee in October.

Last Board Meeting with Brooke Belman as interim CEO; Julie Timm to begin meeting in October

Chair Keel reminded Boardmembers that Julie Timm will soon be onboarding as CEO for the agency, and that she will begin attending Board and committee meeting in October.

Chair Keel also thanked interim CEO Brooke Belman for her service over the last few months.

CEO Report

Interim CEO Brooke Belman thanked Chair Keel for the kind words and provided the CEO Report.

APTA Conference

The American Public Transportation Association's annual conference will be held in Seattle on October 9-12. This is APTA's flagship event for public transportation professionals to engage in workshops,

experience technical tours, and network with colleagues. With over 2000 attendees and exhibitors registered, the region is excited to welcome transit professionals from across the country.

Sound Transit staff will present at different conference sessions and tours, and Sound Transit is supporting the conference by serving on the host committee. And the agency's new CEO Julie Timm will be giving remarks at the opening session on Monday, October 10.

Rail Safety Week

On Monday, Sound Transit joined in marking national Rail Safety Week, a collaborative effort started in 2017 by Operation Lifesaver, Inc., state Operation Lifesaver programs, and rail safety partners across the U.S., Canada and Mexico.

Train safety is an important issue in the U.S. Every three hours in the U.S. a person or vehicle is hit by a train and more than 50% of collisions occur at crossing equipped with lights and/or gates.

The week helps to educate the public about the importance of safety around trains and tracks to make sure everyone knows specific behaviors that will help them stay safe. Sound Transit is highlighting and promoting safety messages on our social media channels and through staff outreach at our stations.

Cedar Crossing Event

Last week, Ms. Belman joined Mayor Harrell and County Executive Constantine and community partners at an event to celebrate the opening of Cedar Crossing, the new affordable housing development built by Bellwether Housing and Mercy Housing Northwest near the Roosevelt Station in Seattle.

In keeping with the local vision of the Roosevelt Neighborhood Association, the project provides over 250 units of affordable housing for individuals and families between 30-60% AMI & onsite bilingual childcare provided by El Centro de la Raza.

The project was made possible with funding from the City of Seattle's Office of Housing, King County, Washington State, Seattle Housing Authority, and, as part of Sound Transit's Equitable TOD program, action by this Board to discount the property.

Teamsters Concrete Contract

Additionally, Interim CEO Belman shared that Teamsters Local 174 ratified an agreement earlier this month with the concrete suppliers, putting an end to the long-running dispute.

The Teamsters had been without a contract since July 2021 and ultimately chose to strike last December. The strike, which lasted until April, significantly impacted our construction projects in King County.

The new contract lasts through 2025, providing Sound Transit with certainty as the agency moves towards completing the planned extensions.

First month of Free youth Fares & Lower ORCA Lift Fares

Based on the Board's action earlier this summer, on September 1, 2022 Sound Transit started offering free rides for youth and lower ORCA LIFT fares.

In addition to the 77,000 existing Youth ORCA cards that became a Free Youth Transit Pass on September 1, 2022, there have been an additional 24,000 cards distributed since launch -- for a total of 100,000 free youth passes.

Sound Transit and its partners have also done more outreach to help increase the number of people registered for ORCA LIFT and the Annual Subsidized Pass, including staffing booths at the Washington State Fair in Puyallup, the "Fair on 44th" in Lynnwood and the Columbia City Farmers Market in Seattle.

In total, there are 38 locations around the region where people can enroll in the ORCA LIFT program, in addition to the online and phone options. To date, there are approximately 45,000 active ORCA LIFT cardholders, including 12,500 Annual Subsidized Pass holders.

News related to passenger service

On October 22, 2022 through October 26, 2022, Link service will be disrupted between the Rainier Beach and Tukwila International Blvd. Stations while the agency replaces the overhead catenary system wire along the alignment in Tukwila. This project is part of the Future Ready work to improve the safety and performance of the system in advance of the expansions coming over the next several years.

During this shut down, Sound Transit will be providing Link shuttle bus service between the stations.

Ms. Belman noted that the work will be an inconvenience to passengers but is essential to keep the system functioning smoothly.

Hilltop Tacoma Link Update

Last week, while completing final testing for new track on the Hilltop Tacoma Link Extension, inspections discovered areas of stray electrical current, which can lead to corrosion of adjacent underground utilities and other infrastructure. Sound Transit is working with the contractor to address the issue, but it will require more time and unfortunately re-doing some work near South Seventh Street and Commerce Street.

The intersection of South Ninth Street and Commerce Street has reopened as planned, and free shuttle buses will continue to serve all T Line stations between Tacoma Dome and the Theater District stations. The Commerce Street Transit Center has also reopened, returning Sound Transit and Pierce Transit buses to their normal stops. Sound Transit is working hard to communicate the news to passengers and thank them for their patience.

Tuesday Link Service Disruption

Ms. Belman informed the Board about a significant Link service disruption this week. Starting at approximately noon on Tuesday, service was suspended for more than nine hours between U District and Northgate stations due to an electric system failure. The agency replaced service with shuttle buses between the stations and apologized for the inconvenience this disruption caused.

The failure occurred at one of the recently commissioned traction power substations that was constructed as part of the Northgate Link Extension. Sound Transit will be conducting an in-depth inquiry into the root cause of the failure and taking the necessary actions to prevent a recurrence.

First Community Oversight Panel Meeting with New Members

Finally, last Wednesday, the Community Oversight Panel held its first meeting with the nine new members appointed by the Board in August. The new members increase the panel's racial diversity and bring the number of women on the panel up to five. The new panel members jumped right into their roles overseeing the agency and had many great questions for the presenters.

Boardmembers Constantine, Backus, and Somers thanked Interim CEO Belman for her service and leadership in the interim CEO position.

Public Comment

Chair Keel announced that the Board was accepting public comment via email and verbally through the virtual meeting platform.

The following people provided written public comment to the Board:

John Palmer, on behalf of Coast Aluminum; Ken Smith on behalf of Tri-way Industries; Doug Rosen on behalf of Alaskan Copper and Brass Company; John Williams on behalf of Qual-Fab Inc.; Brent Barker on behalf of Global Machine Works Inc; Doren Spinner on behalf of View Machining; Karl Brier on behalf of Skookum Aerospace Manufacturing; and Laura Brindley, attorney representing Pacific Iron and Metal Jeremy Park on behalf of Momentum Climbing, Denise Ness, Neil Maertens, and a series of SODO property and businesses represented by Erin Goodman, Tim Pavolka, Ted Lehmann, Andre Lucero, Jen Osborn, Shawn Hammer, Ryan Glant, Brian Quint, Lisa Nitze, Harley Sitner, Katie Perris, Henry Liebman, Doug Rosen, and Alex Cooley
William Oseran
David Herzog

The following people provided in person verbal public comment to the Board:

Kerri Hallgrimson
Brian Quint
Nathan Zuber
Shawn Hammer
Ted Lehmann
Shawn Altermott
Brian England
Hyder Hakim
Myron LaFrance
Karen Grosh
Pek Mao
Zayna Idares
Michele Beron
Thuan Phan
Ryan Glant
Bettie Luke
Tim Pavolka
Katie Parris
Greg Wolf
Ken Clark
John & Nadia Rodacker

The following people provided virtual verbal public comment to the Board:

Paul Arley Harrel
Erin Goodman
Alex Cooley
Jen Osborn
Adam Rosen
Scott Mesic
Scott Mesic
Susan Hindmarsh
Joe Kunzler

Consent Agenda

Voucher Certification: August 2022

Corrected Minutes of the July 28, 2022 Board Meeting

Minutes of the August 25, 2022 Board Meeting

Motion No. M2022-78: Authorizing the chief executive officer to 1) execute a Project Administration Agreement with the City of Bothell for the Stride BRT project, and 2) execute task orders that are consistent with the agreement and do not exceed a combined total of \$5,000,000.

It was moved by Boardmember Backus, seconded by Boardmember Walker, and approved by the unanimous vote of the 17 Board members present to approve the Consent Agenda as presented.

Business items

Resolution No. R2022-25: Authorizing the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the SR 522 Bus Rapid Transit Project.

Chair Keel asked Boardmember Balducci to speak to the item forwarded from the System Expansion Committee. Balducci recognized that the Committee forwarded the Resolution with a “do-pass” recommendation, but that concerns heard in public comment may necessitate a renewed discussion. Boardmember Balducci turned to Faith Roland, Real Property Director, to answer questions and speak to the property acquisition process.

After Ms. Roland covered the acquisition process, Boardmember Balducci asked Bernard van de Kamp, BRT Program Executive, to speak to the design process for the Stride BRT 522 route.

Chair Keel asked if there are additional steps should the Resolution be approved. Ms. Roland stated that this begins the due process for the property acquisition.

It was moved by Boardmember Balducci and seconded by Boardmember Roscoe that Resolution No. R2022-25 be approved as presented.

Boardmember Balducci referenced a concern made during public comment regarding the differences between the 10% and 30% design plans that have impacted the acquisition needs. Balducci asked Mr. van de Kamp to answer.

Mr. van de Kamp explained that the original design had the route to the East of the SR522 corridor. After further design work, the route was shifted westward to avoid more troublesome property acquisitions.

Boardmember Frizzell asked about the timeline regarding the construction and impact on property owners.

Ms. Roland answered that Sound Transit was still in the design phase and that construction has not yet started. Sound Transit does compensate for temporary construction impacts that are needed to reach the improvement areas.

Boardmember Frizzell mentioned that she has received complaints about noise beyond the listed times surrounding the Lynwood Extension. She inquired as to whether there is similar outreach during the construction process. Ron Lewis answered that is the case, but that there are other mechanisms to help reduce the burden brought by nearby construction. Additionally, there are long-term mitigations available should they be needed.

Boardmember Uptegrove recognizes the burden that the property acquisition process puts on individuals. He asked whether the Real Property team is confident in their public outreach process.

Bruce Dammeier inquired about the potentially impacted business property. Ms. Roland noted that the agency is still looking at ways to avoid a fully acquisition. Boardmember Dammeier would like increased graphical and visual representation of the affected properties.

Boardmember Baker hopes that further review will allow for the Kenmore business property to be less affected.

Chair Keel voiced support for the plan and encouraged affected owners to use the due process afforded through eminent domain proceedings to work with the agency.

Chair Keel called for a roll call vote.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Bruce Dammeier
Cassie Franklin
Christine Frizzell
Bruce Harrell
Debora Juarez

Nays

Joe McDermott
Ed Prince
Kim Roscoe
Dave Somers
Dave Upthegrove
Pete von Reichbauer
Kristina Walker
Kent Keel

It was unanimously carried by the vote of 17 Boardmembers present that Resolution No. R2022-25 be approved as presented.

Resolution No. R2022-26: Updating the Board Rules and Operating Procedures and superseding Resolution No. R2021-01.

Chair Keel mentioned that, earlier this year, the Board had voted to temporarily suspend the Board Rules through the end of September such that virtual participation is still allowable. The Resolution would update the rules to remove the 25% virtual participation limit so that all meetings can be held virtually. Additionally, chairs of the Board and Committees may designate meetings as in-person, and virtual participation would be limited to no more than 50% of the committee or Board membership. Moreover, the changes formally update the methods for public comment and incorporate changes made to the Open Public Meeting Act.

It was moved by Boardmember Balducci and seconded by Boardmember Backus that Resolution No. R2022-26 be approved as presented.

Boardmember Walker asked for clarification as to whether the default will remain virtual. Chair Keel answered confirmed that is true, but that the chairs could lead their respective committees or the Board on a more rigorous in-person schedule.

Chair Keel indicated that he may call for the November Board meeting to be an in-person meeting. Boardmember Backus reminded Chair Keel that there is a local leaders conference during the planned November Board meeting. Chair Keel forgot that he will also be attending the conference, so he will look at an alternative date for an in-person meeting.

Boardmember McDermott voiced the struggle that he and Boardmember Baker would have for an in-person November Board meeting as they both also serve on the King County Board of Health and that is standing meeting on the third Thursday of every month.

Boardmember Balducci inquired on whether the updated rules would allow for those participating virtually to be included in attendance for quorum. Chair Keel said that is the case and confirmed it with Board Administrator Katie Flores.

Chair Keel called for a roll call vote.

Ayes

Nancy Backus
David Baker
Claudia Balducci

Nays

Joe McDermott
Ed Prince
Kim Roscoe

Dow Constantine	Dave Somers
Bruce Dammeier	Dave Upthegrove
Cassie Franklin	Pete von Reichbauer
Christine Frizzell	Kristina Walker
Bruce Harrell	Kent Keel
Debora Juarez	

It was unanimously carried by the vote of 17 Boardmembers present that Resolution No. R2022-26 be approved as presented.

Motion No. M2022-75: Authorizing the chief executive officer to increase the contingency for the East Link Extension Construction Contract with Shimmick-Parsons, Joint Venture in the amount of \$7,000,000, for a full and final total authorized contract amount not to exceed \$366,630,000 which includes \$960,027 in contingency for potential future costs.

Motion No. M2022-75 was moved by Boardmember Balducci and seconded by Boardmember Roscoe.

Boardmember Balducci stated that the System Expansion Committee considered this item and forwarded Motion No. M2022-75 to the Board without a do-pass recommendation. She elaborated that the lack of a do-pass recommendation was at her request as she had questions relating to the process but not substance of the motion. In her research and questions with staff, she reviewed the 2018 resolution on delegation of authority, and would like to create a better process for passing information on claims and settlements to Boardmembers beginning in the new year.

Boardmember Balducci asked East Link Executive Director Jon Lebo to begin the staff presentation.

Chair Keel advised members that some questions may prompt the need for an Executive Session to answer.

Boardmember Dammeier asked whether the concrete and rebar issues were included in this contract. Jon Lebo answered that those issues would be under a separate contract as this contract is related to a different segment along the East Link Extension.

Chair Keel called for a roll call vote on Motion No. M2022-75.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Bruce Dammeier
Cassie Franklin
Christine Frizzell
Bruce Harrell
Debora Juarez

Nays

Joe McDermott
Ed Prince
Kim Roscoe
Dave Somers
Dave Upthegrove
Pete von Reichbauer
Kristina Walker
Kent Keel

It was carried by the majority vote of 17 Board members present that Motion No. M2022-75 be approved as presented.

Reports to the Board

Presentation on West Seattle & Ballard Link Extension SODO Preferred Alternative

Chair Keel opened the discussion on the West Seattle & Ballard Link Extension SODO Station Preferred Alternative. In July 2022, the Board took action to advance the project and identified the preferred alternative as SODO-1A. The action also allowed for consideration of SODO-1B as a possible preferred

alternative. Moreover, future endorsement of the SODO-1B option would be contingent on resolving federal property acquisition requirements and project funding needs in a manner that would not impact the West Seattle Link Extension schedule. Chair Keel invited Cathal Ridge, Executive Corridor Director, to speak to details and happening since the last Board action.

Mr. Ridge updated the Board that final funding and property acquisition needs have not yet been reached. While work is still being done to hold conversations with Federal partners, the review process must carry on so that negative impacts to project delivery and cost are limited. While no Board action is needed to affirm the SODO-1A preferred alternative, future Board action may still change the alignment, with any review of impacts to schedule and costs to be considered at such a time.

Chair Keel mentioned that after having many conversations he believes continuing to move forward with SODO-1A as the preferred alternative is needed at this time, and that as the City of Seattle finalized their discussions with Federal partners, the Board can reconsider the alignment at that time. Continuing to move forward would keep the overall project on track, and any changes to the schedule and the related cost of switching preferred alternatives can be considered at the appropriate time.

Boardmember Harrell said that the City of Seattle is doing all that it can to help move along the discussions surrounding the SODO-1B alternative. The city is making progress but has yet to reach a final outcome. Boardmember Harrell asked Mr. Ridge about his confidence related to mitigation efforts associated with SODO-1A.

Mr. Ridge clarified that there are constant reviews to the potential impact along the alignment, and that he is confident that they could work to limit the negative impacts associated with SODO-1A.

Boardmember Somers asked about the ongoing process regarding the advancing alternatives to preliminary engineering. Mr. Ridge stated that both SODO alignments are going through the environmental review process, but that only SODO-1A is currently slated to be advanced to preliminary engineering study.

Chair Keel asked whether we could forward both alternatives to preliminary engineering study. Mr. Ridge answered that the agency could, but that it would introduce additional work and costs. While a full estimate is not available, Mr. Ridge quickly estimated that it would add millions of dollars to the project cost.

Boardmember Balducci summarized the main issue regarding SODO-1B as relating to the United States Postal Service-owned property, and how that potential federal roadblock could be detrimental to carrying SODO-1B as the preferred alternative. She also inquired on a point that she had heard before regarding the SODO-1A alternative and its potential effects to the access of the Postal Service facility.

Mr. Ridge explained that the effect to the schedule comes on a month-to-month basis should there be an eventual decision to amend the preferred alignment in SODO. Similarly, funds spent in the review, designs, and engineering of an abandoned alternative would be lost and additional funds would be used to repeat the process on a later-defined preferred alternative.

Boardmember Harrell clarified that he believes his team can expect a decision to be reached in 6-8 weeks. In light of the public comment and support for the SODO-1B, he believes leaving it as an option is necessary.

Boardmember Backus supported Boardmember Harrell's comments and is open to keeping both 1A and 1B as preferred alternatives.

Boardmember Dammeier stated he is struggling with fully supporting SODO-1B at this time. While confident in Boardmember Harrell and the City of Seattle team, he noted that these discussions could very easily introduce further delays beyond the estimate.

Boardmember Somers echoed the same sentiment, clarifying that Sound Transit does not have the authority to condemn federally-owned property.

Boardmember Balducci asked whether later Board action could revisit this topic.

Chair Keel affirmed that assumption and recapped the overall discussion and process up until now. Chair Keel expressed interest in revisiting the discussion on the WSBLE SODO preferred alternative when it comes to advancing options to Preliminary Engineering analysis.

Boardmember Dammeier offered further support from himself and Boardmembers in discussions with the Federal delegation.

Interim CEO Brooke Belman summarized that the agency will continue with SODO-1A as the preferred alternative, as well as continue supporting Seattle's work in communicating with the Federal government regarding the necessary property for the SODO-1B alternative. Additionally, the Sound Transit will look into the costs associated with carrying the SODO-1B alternative through preliminary engineering. Ms. Belman reminded the Board that there will be opportunities for a discussion on the project in November that could provide additional time to return to this matter should new information be available. Chair Keel also asked for the inclusion of SODO-1A mitigation possibilities.

Other business

None.

Next meeting

The next regular Board meeting would be held on October 27, 2022, 1:30 to 4:00 p.m. in the Ruth Fisher Board Room and as a virtual meeting via WebEx.

Adjourn

The meeting adjourned at 4:13 p.m.

ATTEST:

Kent Keel
Board Chair

Kathryn Flores
Board Administrator

APPROVED on _____, AJM.