

Sound Transit

Board Meeting Summary Minutes July 23, 1998

Call to Order

Board Chair Drewel called the meeting to order at 1:34 p.m. The meeting was held in the sixth floor conference room of the Puget Sound Regional Council, 1011 Western Avenue, Seattle, Washington.

Introduction

Mr. Sutherland introduced Mr. Dave Enslow as the new Pierce County representative to the Sound Transit Board. Mr. Enslow is a City of Sumner Councilmember, and he was recently appointed to replace Ms. Sarah Casada on the Sound Transit Board. He has expressed great interest in being actively involved in the discussions of the Board.

Roll Call

Chair

(P) Bob Drewel, Snohomish County Executive

Vice Chairs

(P) Paul Miller, City of Tacoma Councilmember

(P) Greg Nickels, King County Councilmember

Board Members

(P) Ann Davis, City of Lakewood Councilmember
(P) Dave Earling, City of Edmonds Councilmember
(P) Dave Enslow, Pierce County Councilmember
(P) Mary Gates, City of Federal Way Councilmember
(A) Jane Hague, King County Councilmember
(P) Ed Hansen, City of Everett Mayor
(P) Richard McIver, City of Seattle Councilmember
(P) Rob McKenna, King County Councilmember

(P) Renee Montgelas, representing Sid Morrison,
WSDOT Secretary
(P) Dave Russell, City of Kirkland Councilmember
(P) Paul Schell, City of Seattle Mayor
(P) Ron Sims, King County Executive
(P) Cynthia Sullivan, King County Councilmember
(P) Doug Sutherland, Pierce County Executive
(P) Jim White, City of Kent Mayor

Marcia Walker, Board Administrator, indicated a quorum of the Board was present. She then left the meeting, and Ms. Amy Ebersole assumed the role of Acting Board Administrator.

The following Board members arrived after roll call:

Mary Gates, City of Federal Way Councilmember
Rob McKenna, King County Councilmember
Paul Schell, City of Seattle Mayor
Ron Sims, King County Executive
Cynthia Sullivan, King County Councilmember

Public Comment

The following individuals presented comments to the Board:

Mr. Randy R. Squires, Summit Law Group, representing Boise Locomotive

(Board member Gates arrived at this time.)

Mr. Lawrence Montgomery, Executive Board member, Amalgamated Transit Union (ATU), Local 587

Ms. Linda Anderson, ATU
Mr. Paul W. Locke

(Board member Schell arrived at this time.)

Mr. Mark Dublin, Ballard

Report of the Chair

Mr. Drewel announced that the Board meeting agenda had been revised; specifically, an action item had been added under the Report of the Chair, and Resolution No. R98-39, Implementing a Surety Program for small local businesses, had been deferred to a future meeting.

Resolution No. R98-41 - Authorizing the Executive Director to negotiate and execute certain contracts for the design of commuter rail stations in the cities of Tacoma, Puyallup, Sumner, Auburn, Kent and Tukwila for Sounder Commuter Rail

It was moved by Ms. Gates and seconded by Ms. Davis that Resolution No. R98-41 be approved as presented.

Mr. Miller stated that the decisions to select architects for the various stations would provide an opportunity to dispense the contracts geographically and to the extent economically feasible, have work going to the jurisdictions in which the work is originating.

The motion to approve Resolution No. R98-41 was approved by the unanimous vote of all Board members present.

Resignation from Chair

Mr. Drewel announced that he had written a letter asking the Board to accept his resignation as Board Chair (copy on file). He indicated that this action had nothing to do with a lack of interest or lack of passion for this project. He expressed his appreciation for the substance, caliber, and quality of the work accomplished together.

Executive Director Report

None.

Consent Agenda Items

Minutes of May 14 and 18, 1998, Board Meetings

The Board of the Central Puget Sound Regional Transit Authority does hereby approve the voucher certification for the period April 1, through April 30, 1998, totaling \$3,390,678.82.

Ratification of Actions Taken by the Executive Committee at June 25, 1998, Special Meeting.

Resolution No. R98-32 - Authorizing the Executive Director to execute an agreement with Washington State Department of Transportation for the preparation of the design files for the Downtown Bellevue HOV Direct Access Project for an amount not to exceed \$3,191,913 and to execute a supplement to the agreement in the amount of \$5,350,000 for right-of-way acquisition for NE 2nd Street extension subsequent to the Board of Directors' approval of a cost sharing agreement with the City of Bellevue.

Resolution No. R98-34 - Authorizing the Executive Director to execute a contract with the Gillig Corporation for the Purchase of up to seventy 40' buses with the opportunity to purchase an additional twenty 40' buses, provided that the initial purchase of seventy buses does not exceed \$25 million, including taxes and \$1.5 million for spare parts.

Motion No. M98-48 - Identifying the most promising route alternatives to be included in the Tacoma Link LRT Draft Environmental Impact Statement (DEIS) and during conceptual design for 1998.

Motion No. M98-49 - Providing for a previously designated "for study only" option to be included in the Central Link LRT Draft Environmental Impact Statement (DEIS) and during conceptual design in 1998 as a promising route alternative.

It was moved by Mr. McIver, seconded by Mr. Miller, and carried by the unanimous vote of all Board members present that the Consent Agenda be approved as presented.

(Board member Nickels arrived at this time.)

Committee Reports and Action Items

Finance Committee

Report of June 18 and July 16, 1998, Meetings

Resolution No. R98-26 - Authorizing the Executive Director to enter into a Memorandum of Agreement with the City of Tacoma regarding joint efforts of the City of Tacoma and Sound Transit during the development of the Link Light Rail Project

It was moved by Mr. Nickels and seconded by Mr. Miller that Resolution No. R98-26 be approved as presented.

Mr. Nickels stated that this agreement is very similar to other agreements with the City of Tacoma, regarding joint efforts for Link in Tacoma. This action was reviewed by the Finance Committee, and its approval was recommended.

The motion to approve Resolution No. R98-26 was carried by the unanimous vote of all Board members present.

Resolution No. R98-38 - Awarding a contract to General Motors Corporation, Electro Motive Division (EMD) for the purchase of passenger rail equipment necessary for the operation of the Tacoma-to-Seattle commuter rail segment, conditioned upon the successful resolution of pending issues relating to contract terms and conditions, specifically to supply six (6) locomotives, training and support manuals, at a cost not to exceed a net base proposal price of \$14,978,329.20, including taxes, and to provide spare parts associated with this purchase of an amount not to exceed \$350,000.00, resulting in a total contract award amount not to exceed \$15,318,329.20, and authorizing an additional \$748,916.46 (5% of the base proposal price of \$14,978,329.20), as a contingency reserve to cover work order changes.

It was moved by Mr. Nickels and seconded by Ms. Gates that Resolution No. R98-38 be approved as presented.

Mr. Nickels reported that Resolution No. R98-38 would authorize a contract with General Motors Corporation, Electro Motive Division (EMD) to purchase locomotives for operations of the Tacoma-to-Seattle commuter rail segment, at a cost not to exceed \$14,978,329.20, with an additional \$750,000 in contingency. This action was reviewed by the Finance Committee and the recommendation was contingent upon resolution of some outstanding questions regarding contract negotiations.

Mr. Paul Price, Director of Sounder Commuter Rail, explained that most of the issues have been resolved, but there is one outstanding issue, which should be resolved fairly quickly. Staff requested that the Board authorize the resolution, but the contract would not be signed until the issue is resolved.

Mr. Desmond Brown, legal counsel, stated that Sound Transit had received a letter from an attorney representing Boise Locomotive, supplementing a protest of some procedural issues they feel were not followed properly. He advised the Board that staff had looked into this and concluded that Boise Locomotive does not have a legal process to protest.

The motion to approve Resolution No. R98-38 was carried by the unanimous vote of all Board members present.

Resolution No. R98-39 - Implementing a Surety/Support Program for small, local businesses and contractors and Minority/Women/ and Disadvantaged Business Enterprise (M/W/DBE) businesses and contractors to provide mentoring, accounting, legal, surety and banking services for such businesses and contractors involved in or desiring to be involved in a construction contract with Sound Transit.

Mr. Nickels stated that action on Resolution No. R98-39 is being deferred to allow further review by the Finance Committee.

At its July 16, 1998 meeting, the Finance Committee did, pursuant to Resolution No. 78-1, approve a number of other items:

1. A one-year contract with Denny Miller for federal government relations efforts. This is a one-year contract that provides for up to three, one-year extensions.
2. An agreement between Sound Transit and the Department of Transportation (DOT) for use of DOT's consultant on the commuter rail design services at King Street station.
3. A contract for environmental review, public involvement, and preliminary engineering for developing the Pacific Avenue overpass.
4. An amendment to a contract with Raul Bravo for commuter rail specifications.

The Committee received an update from the Citizens Oversight Panel (COP); they will begin their six-month review for 1998 and will report back to the Committee in September. The Finance Committee has asked staff to begin the selection process to fill a vacancy on the COP.

The Finance Committee has begun its work on the 1999 budget, which will come back for adoption by the Board on November 12, 1998.

Public and Government Affairs Committee

Report of July 17, 1998 Meeting

Mr. Earling reported that he, Mr. Drewel, Mr. McKenna, and Mr. Miller, along with Mr. Bob White and Ms. Sheila Dezarn, traveled to Washington, D.C. during the week of July 13, 1998, for the 1999 transportation appropriation by the House. Sound Transit received \$16 million for bus and \$20.5 for the rail components of its program; the Senate earmarked \$60 million for rail. The House and Senate figures will go to the Conference Committee in September.

Resolution No. R98-35 - Redrawing the Authority's District Boundary to Exclude the City of Covington Effective January 1, 1999.

It was moved by Mr. Earling and seconded by Mr. Russell that Resolution No. R98-35 be approved as presented.

Mr. Earling advised that effective January 1, 1999, Resolution No. R98-35 would redraw the Authority's boundaries to exclude the City of Covington. When the local option tax for Sound Transit was imposed in 1996, no city was partially inside or outside the boundary. However, as a result of an incorporation vote which took place simultaneously with the Sound Transit vote, Covington was partially inside and partially outside the Authority's boundary. Substitute Senate Bill SB 6346 states that a city which lies partially inside or outside of the boundary,

whose vote to incorporate was simultaneous to the vote for local option taxes, could petition the Sound Transit Board to be removed from the boundary. This can only be approved by a two-thirds vote of the Board. The legislation sunsets in 1998.

(Board member McKenna arrived at this time.)

Covington passed a resolution asking that their corporate limits be removed, as well as additional areas that may be annexed. The PGA Committee does not support their request in that regard. Legal staff advises that Sound Transit only authorize removal of the city as it currently exists, not to adjust the boundary for future annexation. The Department of Licensing (DOL) and Department of Revenue (DOR) are requesting an effective date of January 1, 1999, which is included in the proposed resolution, to give them time to make changes to their database systems.

Ms. Alice Matz, Covington City Council, addressed the Board stating that only 30% of the businesses of Covington are within the RTA boundary; the other 70% are outside the boundary. After much discussion, a polled vote was taken with the following results:

The vote to approve Resolution No. R98-39 did not pass by a super majority vote (two-thirds of full board membership). The results were as follows:

Ms. Davis	aye	Mr. Miller	aye
Mr. Earling	aye	Mr. Nickels	no
Mr. Enslow	no	Mr. Russell	aye
Ms Gates	aye	Mr. Schell	aye
Mr. Hansen	aye	Mr. Sutherland	no
Mr. McIver	no	Mr. White	aye
Mr. McKenna	aye	Mr. Drewel	aye

It was moved by Mr. Nickels, seconded by Ms. Gates and carried by the unanimous vote of all members present that the Board reconsider Resolution No. R98-39, and hold it over to its next meeting.

Executive Committee

Report of June 19, 1998, Meeting, June 15, 1998, Special Meeting, and July 17, 1998, Meeting

Mr. Miller, who chaired the June 19 and June 25 Executive Committee meetings, reported that some action items in the consent agenda were reviewed by the Executive Committee at its June 19, 1998, meeting. The Executive Committee held an emergency meeting on June 25, 1998, as there was not a quorum of Board members available for the Board meeting scheduled on that day. Included for ratification on the Board's consent agenda are four items for which delay would have affected Sound Transit's ability to implement its plans, particularly for commuter rail.

Mr. Drewel stated that in addition to the items being presented for Board action today, at the July 17, 1998, Executive Committee meeting, staff sought direction on preserving the ability to revisit bus specifications on the remainder (50 additional buses) of the New Flyer option. The Executive Committee indicated interest in doing so, and directed staff to prepare materials to support future Board discussions and Executive Committee action. There are two reasons for seeking Executive Committee direction: one Board member has indicated interest in revisiting the decision for the remaining 50 buses, and earlier Board discussions focused on air conditioning rather than floor height. Additionally, the Committee received a briefing on the station design issues in common for Sounder, Link, and Regional Express Bus and began discussion on Sound Transit's role in economic development.

Resolution No. R98-22 - Establishing Procedures for Revisions to Sound Move

Mr. Drewel advised the Board that the Executive Committee recommended approval of Resolution No. R98-22 at its July 17, 1998, meeting.

It was moved by Mr. McKenna, seconded by Mr. Miller and carried by the unanimous vote of all Board members that Resolution No. R98-22 be approved as presented.

Resolution No. R98-40 - Authorizing the Executive Director to enter into a Memorandum of Agreement with the City of Everett for intergovernmental cooperation regarding the funding, design, and construction of the Pacific Avenue Overpass

Mr. Drewel advised the Board that Resolution No. R98-40 was recommended for approval by the Executive Committee.

It was moved by Mr. Miller and seconded by Mr. Russell that Resolution No. R98-40 be approved as presented.

Mr. Hansen stated that the Executive Committee's motion was to approve the agreement substantially in the form as presented; there is still some fine-tuning to be done on this agreement.

The motion to approve Resolution No. R98-40 was carried by the unanimous vote of all Board members present.

Resolution No. R98-37 - Authorizing the Executive Director to execute an Intergovernmental Agreement between Sound Transit and the City of Edmonds for planning, coordination and cooperation in the development and implementation of a commuter rail station in the City of Edmonds.

Mr. Drewel advised that the Executive Committee recommended approval of Resolution No. R98-37.

It was moved by Mr. Miller and seconded by Mr. McKenna that Resolution No. R98-37 be approved as presented.

Mr. Russell asked whether there is a difference between a Memorandum of Agreement and an Intergovernmental Agreement.

Mr. Brown responded that there is no legal difference between the two types of agreements.

The motion to approve Resolution No. R98-37 was approved by the unanimous vote of all Board members present.

Committee Structure Task Force

Mr. Miller, Task Force Chair, stated that the task force held two meetings before agreeing to sunset. A brief summary of the first meeting has been distributed (copy on file). Resolution No. R98-55 (copy on file) proposes a minor re-vamping of the existing committee structure.

It was moved by Mr. Miller, seconded by Mr. White, and carried by the unanimous vote of all Board members present that Motion No. M98-55 be approved as presented.

Policy Issues

Approach to the Operations of Regional Express Bus Service

Ms. Agnes Govern, Director of Regional Express, explained that staff is seeking a policy direction on a contracting approach for Regional Express. She stated that included in Board members' packets were two sample resolutions (copies on file). One would authorize negotiation of governmental agreements with existing agencies; the other would authorize use of a competitive bidding process.

(Board member Sullivan arrived at this time.)

Mr. Drewel reminded the Board that a change from the adopted Sound Move plan to negotiate contracts with existing transit agencies would constitute a "major" change, requiring a super-majority vote of the Board.

It was moved by Mr. Nickels and seconded by Mr. Schell that the first of the sample resolutions, authorizing negotiations with the existing transit agencies, be approved.

Mr. Nickels pointed out that Sound Transit's motto is to complete this project on time and on budget. The Sound Move plan says ST will contract with existing service providers. They know the business, the communities, and the region.

Mr. McKenna suggested that this action should be held for a future meeting, allowing staff time to investigate the possibility and cost of developing a model among the transit agencies.

Ms. Govern stated that staff has not made any final decisions. Board direction is needed. The term of the agreement would not be longer than five years, per the FTA restriction.

It was moved by Mr. McKenna and seconded by Mr. White that this issue be tabled for an indefinite period, having staff come back with specific proposals to consider to accept or reject.

The motion to table this issue failed by a majority vote of all Board members present.

The original motion, to approve the sample resolution authorizing negotiation of governmental agreements with existing transit agencies, was carried by the majority vote of all Board members present. (Mr. McKenna voted in the minority.)

Covington Issue

It was moved by Mr. Miller and seconded by Ms. Gates that the Board suspend the rules to reconsider the Covington issue at this time. The motion was carried by the majority vote of all Board members present. A roll call vote was taken, and the results (12 in favor and four opposed) were as follows:

Ms. Davis	aye	Mr. Nickels	no
Mr. Earling	aye	Mr. Russell	aye
Mr. Enslow	no	Mr. Schell	aye
Ms. Gates	aye	Mr. Sims	aye
Mr. Hansen	aye	Ms. Sullivan	aye
Mr. McIver	no	Mr. Sutherland	no
Mr. McKenna	aye	Mr. White	aye
Mr. Miller	aye	Mr. Drewel	aye

The motion to approve Resolution No. R98-35 was carried by a two-thirds supermajority vote of the Board - 12 in favor and four opposed.

Motion No. M98-54 - Supporting the fare integration framework developed by elected officials from Pierce Transit, King County Metro Transit, Community Transit, Everett Transit, and Sound Transit through a series of three Fare Policy Forums

Mr. Don Billen, Systems Integration Project Coordinator for Regional Express, reviewed with the Board that in December, Board members from the five transit agencies met to consider how the region could proceed on fare integration. Consensus recommendation is as follows: (1) it will be a staged policy allowing a review and monitoring, (2) it needs to be flexible, and (3) it will be coordinated while allowing each agency control over their fares.

It was moved by Mr. Schell and seconded by Ms. Gates that the Board adopt Motion No. M98-54 - Supporting the fare integration framework developed by elected officials from Pierce Transit, King County Metro Transit, Community Transit, Everett Transit, and Sound Transit through a series of three Fare Policy Forums.

The motion to approve Motion No. M98-54 was carried by the unanimous vote of all Board members present.

Design Issues for Link Urban Design Components, Guideway and Station Design

Mr. Paul Bay, Director for Link Light Rail, discussed specific design issues related to station design, guideways, and vehicle design for light rail. Further research will be done and recommendations will be brought to the Board for review and action.

Business Plans for Sounder Commuter Rail

Mr. Price brought the Board's attention to The Commuter Rail Business Plan stating that this is a living document as the Board makes implementation policy decisions and puts service into place (copy on file). It is based on an agency-run operation to allow a comparison of cost proposals by Burlington Northern, the city, DOT, etc. Mr. Price went through and discussed the plan with the Board in detail.

Other Business

Mr. White mentioned that the Board package included a memo describing the current status of ST's geographic investigations. Staff will respond to any questions.

Next Meeting

The next Sound Transit Board meeting will be held on Thursday, August 13, from 2 to 5 p.m. at Highline Community College, 2400 S. 240th, Des Moines, Washington

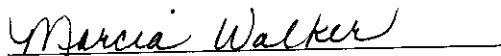
Adjourn

The meeting was adjourned at 4:45 p.m.



Bob Drewel
Board Chair

ATTEST:



Marcia Walker
Board Administrator