

**SOUND TRANSIT EXECUTIVE COMMITTEE MEETING**  
**Summary Minutes**  
**February 7, 2008**

**Call to Order**

The meeting was called to order at 10:36 a.m. by Chair Greg Nickels in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

**Roll Call**

Chair

(P) *Greg Nickels, Seattle Mayor*

Vice Chairs

(P) *Aaron Reardon, Snohomish County Executive*

(P) *Claudia Thomas, Lakewood Councilmember*

(P) *Fred Butler, Issaquah Deputy Council President*

(A) *Julia Patterson, King County Council Chair*

(P) *Paula Hammond, WSDOT Secretary*

(A) *Larry Phillips, King County Councilmember*

(A) *John W. Ladenburg, Pierce County Executive*

(P) *Ron Sims, King County Executive*

Board Administrator Marcia Walker announced that a quorum of the committee was present at roll call.

**Report of the Chair**

Chair Nickels announced that he and Chief Executive Officer Joni Earl may need to leave early in order to travel to Olympia to meet with Governor Gregoire on Sound Transit matters. Vice Chair Thomas will Chair the meeting in his absence.

Chair Nickels announced the dedication of the Mercer Island Park and Ride facility on Friday, February 8, 2008 at 11:00 a.m.

**Chief Executive Officer's Report**

Ms. Earl announced that President Bush's Proposed 2008 Budget contains \$100 million for the University Link project. The proposed budget also shows that the federal government intends to issue the \$750 million full funding grant for the project. She stated that the agency has received the final installation of the federal grant for the Central Link Initial Segment.

Ms. Earl announced that a ribbon cutting ceremony was held for the opening of the Redmond Transit Center on February 6, 2008.

Ms. Earl and Vice Chair Thomas recently testified to the Senate Transportation Committee on Sound Transit's behalf regarding the Governance Bill (Senate Bill 6772).

Minutes from the April 5, 2007 Executive Committee meeting

**It was moved by Boardmember Sims, seconded by Vice Chair Reardon, and carried by the unanimous vote of all members present that the April 5, 2007 Executive Committee meeting minutes be approved as presented.**

## **Action Item**

### Item for Recommendation to the Board

#### Resolution No. 81-2 – Revising the Code of Ethics for Board members, officers and employees of the Authority

Legal Counsel Desmond Brown presented the staff report.

In response to questions from Boardmember Butler, Mr. Brown described the safeguards in place to prevent former employees from giving a competitive advantage to their new employer, who may be planning to compete for future Sound Transit work. Former employees would still be precluded from competing for a competitively procured contract during their first year of leaving the agency.

Under this proposed action, a former employee who has left the agency in the past year would be able to work on a project in which he/she has critical and/or confidential knowledge for that particular project. The chief executive officer would be required to give consent to hire the former employee. Boardmember Butler asked staff to report to the Audit and Reporting Subcommittee when the agency hires a former employee for this purpose.

**It was moved by Boardmember Butler, seconded by Boardmember Hammond, and carried by the unanimous vote of all members present that Resolution No. 81-2 be forwarded to the Board with a do-pass recommendation.**

## **Discussion Items**

### Legal Contracts Report

Mr. Brown described two ways in which firms are hired to perform legal services for Sound Transit: one is to contract with qualified firms that have been placed on the on-call roster for specific services. The other is to directly contract with a firm for litigation purposes, which is allowed under current procurement policies in Resolution No. 78-1. Mr. Brown noted that most of the firms that the agency contracts with for litigation purposes are already on the on-call roster.

In response to questions from Chair Nickels, Mr. Brown described the services provided by Sound Transit legal staff and those that are often provided by outside firms. He also described the process that he goes through in deciding who should provide the needed service.

In light of recent performance audits on other agencies, Boardmember Butler suggested that it might be prudent to document the decision making process for selecting firms to provide needed services, especially for some of the larger contracts and those firms receiving multiple purchase orders. Mr. Brown stated he would be willing to meet with committee members in crafting some proposals.

### Airport Link Station Finishes Contract

Link Executive Director Ahmad Fazel and Link Deputy Director Ron Lewis gave the staff presentation. They provided a brief background on the Airport Link project and the station finishes package. They presented two options for moving forward on the station Finishes package. One option is to complete negotiations with Mowat and issue a change order for the station finishes package, and the other is to rebid the package. Both options would require a budget amendment to the Airport Link project.

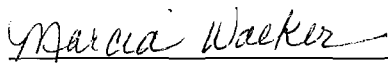
Mr. Brown confirmed for the committee that both options presented by Mr. Fazel and Mr. Lewis are legal under current laws and policies.


Mr. Fazel gave the advantages and disadvantages of both options. The presentation was interrupted by a power outage. The chair adjourned the meeting at 11:28 a.m.

**Next Meeting**

Thursday, March 6, 2008  
10:30 a.m. to 12:00 p.m.  
Ruth Fisher Boardroom

ATTEST:

  
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Marcia Walker  
Board Administrator

  
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Greg Nickels  
Executive Committee Chair