

SOUND TRANSIT BOARD MEETING
Summary Minutes
March 26, 2009

Call to Order

The meeting was called to order at 1:06 p.m. by Chair Greg Nickels, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

Roll Call

Chair

(P) *Greg Nickels, City of Seattle Mayor*

Vice Chairs

(P) *Aaron Reardon, Snohomish County Executive*

(P) *Claudia Thomas, Lakewood Councilmember*

(P) *Julie Anderson, Tacoma Deputy Mayor*

(P) *Mary-Alyce Burleigh, Kirkland Councilmember*

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

(P) *Richard Conlin, Seattle Council President*

(P) *Dow Constantine, King County Council Chair*

(P) *David Enslow, City of Sumner Mayor*

(A) *Paula Hammond, WSDOT Secretary*

(P) *John Marchione, City of Redmond Mayor*

(P) *Joe Marine, City of Mukilteo Mayor*

(P) *Pat McCarthy, Pierce County Executive*

(P) *Julia Patterson, King County Councilmember*

(P) *Larry Phillips, King County Councilmember*

(P) *Paul Roberts, Everett Councilmember*

(A) *Ron Sims, King County Executive*

(A) *Peter von Reichbauer, King County Councilmember*

Ms. Marcia Walker, Board Administrator announced that a quorum of the Board was not present at roll call.

Report of the Chair

Chair Nickels recognized new Boardmember Mayor Joe Marine. Mr. Marine is Mayor of Mukilteo and serves on the Community Transit Board.

Chair Nickels announced that CEO Joni Earl and he recently received the James R. Ellis Regional Leadership Award from the Municipal League of King County for the work done on the ST2 plan and election outcome.

Chair Nickels also announced that he toured the East Link alignment options and encouraged other Boardmembers to tour them as well. He noted that demolition of buildings started on Capitol Hill this week to make way for the future light rail station.

(It was observed by the Board Administrator that a quorum of the Board was in attendance at this time.)

Chief Executive Officer's Report

Joni Earl, chief executive officer, reported that January ridership is up 9% and February ridership is up 6% over last year. The trends show that strong ridership growth is continuing.

Ms. Earl announced that a construction contract for the University Link project U210 segment was recently put out for bid. The low bidder was Traylor Frontier – Kemper Joint Venture at \$309 Million, the engineers estimate was \$395 million.

Ms. Earl noted that updated revenue forecasts were presented to the Finance Committee at its March 19, 2009 meeting. The updated forecast shows that over the life of the ST2 plan, decreased tax revenues may result in a cumulative \$2.1 billion or 15% reduction over previous forecasts. She has already implemented a five percent reduction in non-salary budgets, frozen employee travel, and taken other measures.

Mr. Earl reported that the United States Attorney's office has filed fraud charges against Applebee Northwest because of steel the company used in the Tukwila Link segment. Independent reviews have been conducted and they show that the steel used in the construction will not affect the safety of the segment.

Public Comment

Grant Degginger, City of Bellevue
Kevin Wallace, Bellevue Chamber of Commerce
Sue Baugh, Bellevue Downtown Association
Kristi Bery
Alex Smith
Ali Biria
Beth Curtis, Bellevue Club
Alan Fulp, President of Cascade Bank
Bruce Agnew, Director of the Cascadia Center
Betsy Blackstock
Roger L. Anderson, Former Chair of the Bellevue Convention Center Board of Directors
Robert W. Thorpe, Burnaby, Thorpe and Associates
David Schooler, Sterling Realty Organization
Caitlin Hillary, Vice President Strategy and Marketing, Overlake Hospital
Paul W. Locke
Will Knedlik
Elisabeth Anton, MD
Conrad Lee, Bellevue Councilmember
Jim Stanton, Microsoft
Douglas Tooley

Discussion Item: East Link Draft Environmental Impact Statement Comments

Ron Lewis, Deputy Executive Director Link Light Rail, and Don Billen, Project Manager, presented a summary of the comments received on the East Link Draft Environmental Impact Statement (DEIS). The comment period closed on February 25, 2009. Five public hearings were held during the public comment period, 765 formal comments were received during the public comment period.

The next step is to seek the Board selection of a preferred alternative to proceed with preparing a Final Environmental Impact Statement. Even though the Board will select a preferred alternative, all the options reviewed in the DEIS will continue to be available. Board discussions on selecting a preferred alternative will take place in April and/or May

Mr. Billen reviewed the route choices and design variations. Segment A across I-90 included different options for HOV ramps. Those who commented preferred joint use of the HOV ramps by bus and rail.

Five alternatives for Segment B in South Bellevue were studied in the DEIS. The B3 Modified proposal, with some additional modifications, and B7 are most favored by the community. Mr. Billen described the modifications favored by the City of Bellevue to the B3 Modified alignment.

Six options were studied; three tunnel alignments, two elevated alignments and one at-grade alignment. Mr. Billen explained that a tunnel at 106th Street would add \$600 million, and a tunnel at 108th Street would add \$500 million in 2007 dollars. Sound Transit staff advises against selecting a segment for the preferred alternative that is not included in the DEIS.

Segment D, covering the BelRed-Overlake section of the alignment was reviewed. Mr. Billen noted that the City of Redmond and Bellevue have planned future improvements to some areas along the alignment. The Sound Transit plan assumes one elevated station and an elevated alignment. He noted that there is support locally for two stations and an at-grade alignment.

Segment E in Downtown Redmond is currently unfunded, but environmental review is underway. The City of Redmond is asking for a possible terminus at Redmond Town Center as part of the alignment.

Increased scope is being requested for a Mercer Island auxiliary Park & Ride, Bellevue Way HOV access preservation, Bellevue Way traffic improvements, a tunnel in downtown Bellevue, a second station in Bel-Red corridor, additional parking at Overlake Transit Center, building future SE Redmond Park & Ride now, and building light rail to downtown Redmond or Redmond Park & Ride.

Chair Nickels requested that a future presentation include additional information on the South Bellevue and Downtown Bellevue segments. He also requested information on traffic operations and how alternatives impact traffic.

Mr. Billen confirmed that the Board would not make final alignment decisions until the Final EIS is completed. He also clarified that preliminary engineering would be performed on the preferred alignment to bring it 30% design. In response to Boardmember Conlin, Mr. Billen noted that if the Board chose a different alternative than the preferred alternative after the Final EIS is completed there would be a delay of about one year and additional costs in order to complete preliminary engineering work on the different alternative.

Boardmember Butler requested that the Board be provided with more information on the modifications that were requested during public comment, the cost of performing engineering work on the requested modifications, and possible funding sources

Consent Agenda

Voucher Certification for February 1, 2009 through February 15, 2009

Voucher Certification for February 16, 2009 through February 28, 2009

It was moved by Vice Chair Thomas, seconded by Boardmember Burleigh, and carried by the unanimous vote of all members present that the consent agenda be approved as presented.

Action Items

Items not referred by Committee

Resolution No. R2009-01 – Establishing a distance-based fare structure for use on Link light rail and adopting the corresponding fare level to be charged for riding Link light rail.

Ms. Earl noted that establishing the fare structure and fare level is a major milestone in opening light rail. Greg Walker, Planning and Policy Officer, and Brian Brooke, Project Manager, gave the staff presentation. The proposed resolution establishes a distance-based fare structure and a corresponding fare level of \$1.75 base fare with a \$.05 per mile charge rounded up or down to the nearest quarter along the entire Link alignment, including the Downtown Transit Tunnel.

Boardmember Conlin noted the Seattle City Council reviewed the policy decisions for Link light rail fares and it is interested in keeping fares consistent with King County Metro. The Council also looked at the issue of charging for fares in the Downtown Transit Tunnel and felt that bus operations would be affected, the majority of people have passes, and people will continue to have the option of taking the bus for a free ride downtown. He noted that the Council supports the recommendation for Link fares and structure.

It was moved by Boardmember Conlin, seconded by Boardmember Anderson, and carried by the unanimous vote of all Boardmembers present that Resolution No. R2009-01 be approved as presented.

Motion No. M2009-26 – Approving the submittal of the Transit Development Plan 2009-2014 and 2008 Annual Report to the Washington State Department of Transportation.

Mike Bergman, Program Manager, and Ben Smith, Project Coordinator, presented the staff report.

Chair Nickels noted that a public hearing was held on this item earlier in the day in the Boardroom.

It was moved by Boardmember Burleigh, seconded by Boardmember Butler, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-26 be approved as presented.

Resolution No. R2009-06 – Exempting the sale of lodging from the additional five-tenths of one percent sales and use tax imposed by Resolution No. R2008-15 to the extent required by RCW 82.14.410.

Desmond Brown, Legal Counsel, explained that RCW 82.14.410 requires that any local sales and use tax change adopted after December 1, 2000 provide an exemption for those sales of lodging for which, but for the exemption, the total sales tax rate imposed on sales of lodging would exceed the maximum total sales tax rate authorized by RCW 82.14.410. This resolution provides that exemption to that portion of the tax imposed by Resolution No. R2008-15 equal to the amount, if any, by which the total sales tax rate imposed on sales of lodging as of the date of the taxable event would otherwise exceed the maximum total sales tax rate authorized by RCW 82.14.410.

It was moved by Vice Chair Thomas, seconded by Boardmember Marchione, and carried by the unanimous vote of all Boardmembers present that Resolution No. R2009-06 be approved as presented.

Items referred by the Finance Committee

Chair Nickels noted that a two-thirds affirmative vote of the Board is required to pass Resolution No. R2009-04. The action would therefore be held until the next meeting because enough members were not in attendance at this meeting.

Motion No. M2009-25 – Authorizing the chief executive officer to increase the contingency for the contract with SCI Infrastructure, to provide construction services for Southcenter Boulevard Improvements (including an expanded Park-and-Ride facility within the Central Link Initial Segment) in the amount of \$2,606,443 for a total authorized contract amount not to exceed \$26,342,690, which includes costs reimbursable to Sound Transit from the City of SeaTac and other third parties for betterment work.

It was moved by Boardmember Butler, seconded by Boardmember Burleigh, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-25 be approved as presented.

Resolution No. R2009-05 – Authorizing the chief executive officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the Regional Express Kirkland Transit Center/3rd Street Project.

It was moved by Boardmember Butler, seconded by Boardmember Burleigh, and carried by the unanimous vote of all Boardmembers present that Resolution No. R2009-05 be approved as presented.

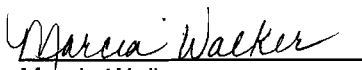
Other Business

Ms. Earl announced that Jenny Tuke, Project Assistant in Board Administration is leaving the agency to return to school to study nursing.

Next Meeting/Adjourn

April 9, 2009 from 1:00 to 4:00 p.m. in the Ruth Fisher Boardroom. The meeting was adjourned at 3:45 p.m.

ATTEST:



Marcia Walker
Board Administrator



Greg Nickels
Board Chair