

SOUND TRANSIT BOARD MEETING
Summary Minutes
October 22, 2009

Call to Order

The meeting was called to order at 1:33 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

(A) Aaron Reardon, Snohomish County Executive

(P) Claudia Thomas, Lakewood Councilmember

Boardmembers

(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

(A) 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

(P) Kurt Triplett, King County Executive

(P) Peter von Reichbauer, King County

Councilmember

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

Report of the Chair

- The agenda has been revised with the addition of Motion No. M2009-92 – Authorizing the chief executive officer to execute a contract for legal services with the law firm Davis Wright Tremaine and ratifying execution of a litigation services contract with the law firm Davis Wright Tremaine.
- An executive session will be held at the end of the meeting.

Chief Executive Officer's Report

- A groundbreaking ceremony for the Kirkland Transit Center was held on October 20, 2009. Chair Nickels was the master of ceremonies for the event, and Kirkland City Councilmember and Sound Transit Boardmember Mary-Alyce Burleigh also attended.
- Motion No. M2009-88, approved by the Board on September 24, 2009, declared an emergency related to the noise issues along the Rainier Valley alignment of Link light rail and required the CEO to report to the Board the amounts, purposes, and results of the contracts. Sound Transit has completed the sole source procurement process and will purchase lubrication machines to reduce wheel squeal, manufacture new track frogs to be installed at the Walden and Othello crossovers to reduce banging noises, and re-profile the rail head to reduce high-pitched noise. The lubrication machines will be installed and functional by the end of the year. The rail grinding will be completed by early January 2010. The rail grinding is a loud process, and communities nearby will be alerted to the grinding prior to the work. The crossover track frogs will be installed in early February 2010.
- On October 20, 2009, the Tacoma City Council unanimously passed three procedural agreements with Sound Transit regarding the D Street – M Street Track & Signal project.
- Staff is analyzing a possible fare increase. It appears that in 2010 Sound Transit will fall below the minimum farebox recovery rates set by Sound Move. The process and analysis required to complete a

fare increase prevents the Board from taking action on a fare increase during the 2010 budget process. A fare increase proposal is likely to be brought before the Board for consideration, and if approved, would be implemented during the June 2010 service change.

Public Comment

(Comments on file with Board Administration)

Paul W. Locke
Will Knedlik

Consent Agenda

Voucher Certification for September 16, 2009 through September 30, 2009
Minutes of the September 10, 2009 Meeting
Minutes of the September 16, 2009 Special Board Meeting

It was moved by Boardmember Burleigh, seconded by Boardmember Marine, 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

Motion No. M2009-91 - Adopting the Sound Transit 2010 State Legislative Program and directing staff to continue to evaluate issues for impact to the agency as it continues to successfully implement the regional transportation system

Ann McNeil, Government and Community Relations Manager, and Melanie Smith, State Government Relations Specialist, presented the program. Sound Transit is represented by Ms. Smith and Sound Transit's contract lobbyist, Martin Flynn. Ms. Smith stated that the first three items in the proposed 2010 State Legislative Program are bills that Sound Transit would actively seek. The remaining items are similar to Sound Transit Legislative Programs previously approved by the Board.

It was moved by Boardmember Roberts, seconded by Boardmember Triplett, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-91 be approved as presented.

Motion No. M2009-92 – Authorizing the chief executive officer to execute a contract for legal services with the law firm Davis Wright Tremaine and ratifying execution of a litigation services contract with the law firm Davis Wright Tremaine

It was moved by Boardmember Marine, seconded by Boardmember Burleigh, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-92 be approved as presented.

Items referred by the Finance Committee

Motion No. M2009-90 – Authorizing the chief executive officer to execute a contract with JCM U-Link Joint Venture to construct twin-bored tunnels and associated facilities between Capitol Hill Station and Pine Street Stub Tunnel for University Link in the amount of \$153,556,000, with a 10% contingency of \$15,355,600, for a total authorized contract amount not to exceed \$168,911,600

Ben Emam, Link Light Rail Construction Manager, responded to a question from Chair Nickels on the qualifications of JCM U-Link Joint Venture (JCM) explaining that the bid documents for this contract required disclosure of qualifications. Sound Transit has performed an extensive review of JCM's qualifications and determined that JCM has the appropriate experience for this scale of project.

It was moved by Boardmember Butler, seconded by Vice Chair Thomas, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-90 be approved as presented.

Executive Session

At 2:05 p.m., Chair Nickels announced that the Board would convene an executive session that would last 35 minutes. Desmond Brown, Executive Director General Counsel, announced that the purpose of the executive session is to discuss real estate negotiations which is authorized under RCW 42.30.110 subsection (1)(c) and a potential litigation claim which is authorized under RCW 42.30.110 subsection (1)(h).

At 2:40 p.m., the executive session was extended by 20 minutes.

Chair Nickels reconvened the meeting at 3:00 p.m.

Other Business

None.


Next Meeting

Thursday November 12, 2009
1:30 to 4:00 p.m.
Ruth Fisher Boardroom

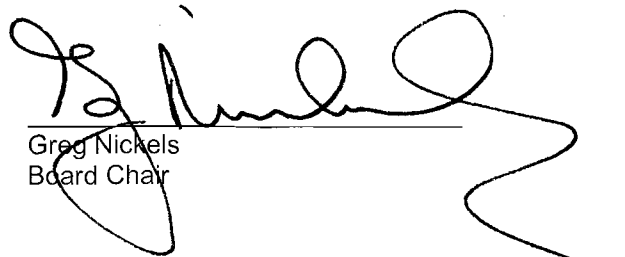
Adjourn

The meeting was adjourned at 3:03 p.m.

ATTEST:



Marcia Walker
Board Administrator



Greg Nickels
Board Chair