

SOUND TRANSIT BOARD MEETING
Summary Minutes
November 12, 2009

Call to Order

The meeting was called to order at 1:35 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

Boardmembers

(P) Julie Anderson, Tacoma Deputy Mayor

(P) Mary-Alyce Burleigh, Kirkland Councilmember

(P) Fred Butler, Issaquah Deputy Council President

(A) Richard Conlin, Seattle Council President

(P) Dow Constantine, King County Council Chair

(P) David Enslow, City of Sumner Mayor

(P) Paula Hammond, WSDOT Secretary

(A) John Marchione, City of Redmond Mayor

(A) Joe Marine, City of Mukilteo Mayor

(P) Pat McCarthy, Pierce County Executive

(P) Julia Patterson, King County Councilmember

(P) Larry Phillips, King County Councilmember

(A) Paul Roberts, Everett Councilmember

(P) Kurt Triplett, King County Executive

(A) 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. M2009-101 – Authorizing the chief executive officer to execute a contract amendment with RCI/Herzog to authorize binding arbitration to resolve construction claims.
- On November 19, 2009, a public hearing on the 2010 Service Implementation Plan will be held from 11:30 a.m. to noon and a public hearing on the Proposed 2010 Budget will be held from noon to 12:30 p.m. The Finance Committee will begin at 12:30 p.m. on November 19, 2009.
- At an event on Friday, November 13, 2009, Chair Nickels and US Senator Patty Murray will announce the opening date of the Airport Station.

Chief Executive Officer's Report

- Ron Tober, Deputy CEO, gave the CEO Report in CEO Joni Earl's absence.
- The Transportation Research Board (TRB) recognized Sound Transit staff for the work on the Link Safety Program in the Rainier Valley. The Link Safety Program's high school video contest won an award in the "Communicating with John and Jane Q. Public" competition. Sound Transit's "Zap On Board" game was a runner-up. Other transit agencies have been requesting permission to use Sound Transit safety materials. There will be an awards ceremony in January in Washington, DC at the annual TRB meeting. Mr. Tober recognized Carol Doering, Link Outreach Specialist, and Brooke Belman, Link Outreach Manager, for the program, along with the participating high school students.
- The September 2009 Ridership Report shows a continued softening of ridership driven by the recession. ST Express ridership increased slightly, but Sounder experienced a significant decline in the south corridor and slight decline on the north corridor. Central Link ridership stabilized in September at approximately 15,000 weekday boardings.
- On Friday, November 13, 2009, Sound Transit will be holding an event at the Airport Station where Chair Nickels and US Senator Patty Murray will announce the date when light rail service will be extended to Airport Station.

Chair Nickels announced this meeting would be the final meeting for Boardmembers Julie Anderson and Kurt Triplett.

Discussion Item: East Link – Downtown Bellevue Update

Public Comment

Leslie Lloyd, Bellevue Downtown Association (Comments on file with Board Administration)

Ric Ilgenfritz, PEPD Executive Director, and Don Billen, East Corridor Program Manager, updated the Board on the East Link project's preliminary engineering (PE) and final environmental impact statement (EIS).

Mr. Billen stated the State Budget Proviso established December 1, 2009 as the deadline for agreement between Sound Transit and WSDOT concerning the I-90 center roadway conversion. Sound Transit staff are reviewing draft appraisals from the independent consultants. Sound Transit staff are also reviewing resolution of R8A funding and construction timing. A portion of R8A funding is currently programmed in the Washington State budget past the year 2020, however Sound Transit needs completion of R8A project by 2014 to move forward with East Link construction.

Mr. Billen reported that C9T as proposed would cost \$980 million (in 2007 dollars). The Bellevue City Council requested the possibility of beginning construction at the East Main Station be examined, which would add \$30 million in cost.

The preferred at-grade alternative is projected to cost \$700 million, C9T is projected to cost \$980 million and the C3T 108th tunnel is projected to cost \$1,175 million.

The at-grade peer review panel (Panel), jointly selected by Sound Transit and the Bellevue City Council, includes traffic engineers with local experience and staff from San Diego, Portland, Salt Lake City, and Denver with at-grade light rail experience. The Panel met on October 19 and 20 and will meet again in January to review updated modeling prepared by Sound Transit and the City of Bellevue. The Panel identified a hybrid alternative for possible further review. The hybrid alternative would follow the C9T alignment at-grade along 110th, creating a shorter at-grade alternative than the preferred couplet. The hybrid alternative would run between Main and 6th Street rather than north to 12th Street, reducing intersection crossings and increasing operational benefits for light rail and downtown traffic. The hybrid alternative eliminates the crossing of NE 8th, the most heavily trafficked east-west arterial in downtown Bellevue. The hybrid alternative also serves the Hospital Station on the east side of I-405, the City of Bellevue's preferred alignment.

Mr. Billen detailed the work of the value analysis workshop (VA). The VA included independent technical experts, and participants from WSDOT and the Cities of Redmond and Bellevue. The VA was tasked with reviewing the Bellevue and Redmond alignments to identify means to increase value through reducing cost while maintaining functionality or maintaining costs while increasing performance. The VA recommended design adjustments within the scope of the preferred alternative, which are currently being reviewed by the technical team, and route modifications to the preferred alternative, which would require Board action in order to be considered in PE. The VA endorsed side-running on Bellevue Way, but suggested a median-running alignment north on 112th. The VA recommended alignment continues north on 112th rather than going east at SE 8th Street. Continuing north on 112th facilitates an at-grade alignment, provides better soils for construction, and avoids wetland impacts.

Sound Transit is currently in the midst of a geotechnical exploration program. After reviewing the results of the geotechnical program, Sound Transit staff will have a better understanding of soil conditions and complete surveying and delineation of the wetlands. As geotechnical work progresses, Sound Transit staff will update the Board.

The VA recommended consideration of a modified at-grade station for the South Bellevue Station, and consideration of a box culvert in front of the Winters House to avoid relocation. This alternative would not reduce cost, but would reduce environmental process risk. The VA expressed concerns with the preferred

alignment east of 112th including the elevated guideway costs, salmon bearing creek impacts, and the proximity to the Hilton Hotel.

The VA recommended further development of the Panel's concept of at-grade alignment on 110th or 108th, then moving east along NE 6th. This alignment alternative is cost-effective, has good downtown access, and limits impacts to streets and the Bellevue Transit Center.

The recession has reduced projected agency revenues resulting in a lack of a project reserve. C9T is the least expensive tunnel alternative, but requires \$300 million (in 2007 dollars) in additional funding. The VA recommendations are an option to restore a project reserve, but they are too limited to substantially affect funding for a tunnel in downtown Bellevue or to reach downtown Redmond.

Mr. Billen summarized the project's next steps, stating that the City of Bellevue will report to the Board on December 10, 2009 on tunnel funding options and that Sound Transit staff have proposed two additional downtown Bellevue outreach meetings on November 16, 2009 and November 18, 2009. Mr. Billen requested that the Board give staff permission to spend the next two and a half months to further review and develop the options with a deadline of January 31, 2010. The schedule to re-evaluate the downtown Bellevue preferred alternative during the first quarter 2010 will not change. Staff suggested the Supplemental Draft EIS be delayed until further direction is given on the alignment through downtown Bellevue. Delaying the EIS now will lead to lower cost and fewer project schedule impacts than if delays occur later.

Boardmembers did not have concerns with Sound Transit staff's request to further review the East Link alternatives and delay submission of the final EIS. Mr. Ilgenfritz stated that Sound Transit staff would report the findings of the extended outreach and review to the Board in late January or early February.

Action Items

Items referred by the Finance Committee

Resolution No. R2009-20 - 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 Sounder Commuter Rail ST2 Seattle to Tacoma Track & Signal Project

It was moved by Vice Chair Reardon, seconded by Vice Chair Thomas, and carried by the unanimous vote of all Boardmembers present that Resolution No. R2009-20 be approved as presented.

Motion No. M2009-97 - Authorizing the chief executive officer to increase the contingency for the contract with Railworks Track Systems, Inc. to procure and install rail and track switch heater assemblies and control equipment for Central Link, in the amount of \$2,409,281, for a total authorized contract amount not to exceed \$14,674,281

It was moved by Vice Chair Reardon, seconded by Vice Chair Thomas, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-97 be approved as presented.

Items not referred by committee

Motion No. M2009-98 - Authorizes the chief executive officer to execute three agreements with the City of Tacoma: the Master Utilities Licensing Agreement, the Right of Use Agreement, and the D Street to M Street Track and Signal Development Agreement, and to execute all other subsequent agreements with the City of Tacoma as may be necessary to implement these agreements, for a total authorized expenditure not to exceed \$1,212,349

Eric Beckman, Rail Corridor Program Manager, described the agreements.

It was moved by Boardmember Anderson, seconded by Vice Chair Thomas, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-98 be approved as presented.

Motion No. M2009-101 – Authorizes the chief executive officer to execute a contract amendment with RCI/Herzog to authorize binding arbitration to resolve construction claims

Ahmad Fazel, Link Light Rail Director, and Desmond Brown, Legal Executive Director described the amendment. In response to a question from Boardmember Hammond, Mr. Fazel stated that Sound Transit will assess liquidated damages as part of the negotiations.

It was moved by Vice Chair Thomas, seconded by Boardmember Burleigh, and carried by the unanimous vote of all Boardmembers present that Motion No. M2009-101 be approved as presented.

Executive Session

None.

Other Business

None.

Next Meeting

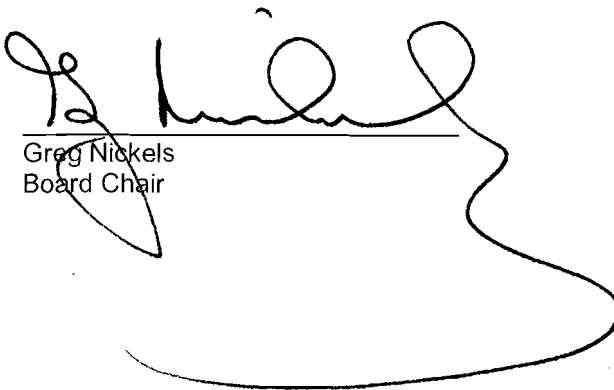
Thursday, December 10, 2009
1:00 to 4:00 p.m.
Ruth Fisher Boardroom

Adjourn

The meeting was adjourned at 2:29 p.m.

ATTEST:

Marcia Walker
Marcia Walker
Board Administrator



Greg Nickels
Board Chair