

**SOUND TRANSIT BOARD MEETING**  
**Summary Minutes**  
**March 25, 2010**

**Call to Order**

The meeting was called to order at 1:35 p.m. by Vice Chair Fred Butler, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

**Roll Call**

Chair

(A) Aaron Reardon, Snohomish County Executive

Vice Chairs

(P) Fred Butler, Issaquah Deputy Council President  
(P) Claudia Thomas, Lakewood Councilmember

Boardmembers

(A) Claudia Balducci, Bellevue Councilmember  
(P) Richard Conlin, Seattle Council President  
(A) Dow Constantine, King County Executive  
(P) Jan Drago, King County Councilmember  
(P) David Enslow, City of Sumner Mayor  
(P) Jake Fey, City of Tacoma Deputy Mayor  
(P) 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) Mike McGinn, City of Seattle Mayor  
(P) Julia Patterson, King County Councilmember  
(P) Larry Phillips, King County Councilmember  
(A) Paul Roberts, Everett Councilmember  
(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**

Vice Chair Butler announced that March is the first month that all the new committees met, the structure was changed recently by the Board to allow more oversight on the Agency's capital projects and operations.

**Chief Executive Officer's Report**

- Joni Earl, CEO, announced that in early March she was included in a forum in Washington, D.C. on clean energy as a transit agency representative. Transportation Secretary Ray LaHood and HUD Secretary Shaun Donovan attended. Some grant dollars may become available as a result of the livable communities effort that was discussed at the forum.
- Ms. Earl was also invited to be a guest speaker in a study group that former Mayor Greg Nickels is leading at Harvard University's John F. Kennedy School of Government. She spoke on building mass transit projects.

**Reports to the Board**

Legislative Update

Melanie Smith, Government Relations Specialist, gave an update on the State legislative session. Three pieces of legislation sought by Sound Transit this session were passed. SB6279 was sponsored by Senator Adam Kline, and clarified that Sound Transit facilities are essential public facilities under the growth management act. It goes into effect on June 10, 2010. SB6271 requested by the Department of Revenue and sponsored by Senator Ed Murray to add areas to the Sound Transit District automatically when annexed into a city that is within the Sound Transit district. It also goes into effect on June 10, 2010. HB2575 sponsored by Representative Dave Upthegrove, adds Sound Transit to the State Capital Projects Advisory Review Board. The bill passed but may be vetoed by the Governor because the advisory Board may be eliminated this year.

Ms. Smith reviewed other legislation that affects Sound Transit. \$4.5 million in Regional Mobility Grant funding has been restored to expand ST Express service in Snohomish County. The Joint Transportation Committee is working toward a state transportation funding package for early 2011 to study transportation investments. Sound Transit, other legislators, transit agencies, labor employers and other interested parties were appointed to a panel to review the priorities and investments. Legislation to allow private companies to access transit only lanes and park & ride facilities did not pass, but similar language was adopted in the budget that ties transit agency participation to public transportation grant funding administered by the Department of Transportation. Sound Transit joined with other transit agencies to request that the governor veto that provision because it may conflict with FTA requirements and existing state law and would negatively impact transit operations.

Sound Transit will participate in two SR520 work groups established through SB6392 related to tolling on that highway. The first work group includes Sound Transit and will study options for planning and financing high capacity transit through the SR520 corridor. Recommendations to the legislature are due January 1, 2011. The second work group will study alternative transit connections to the University Link light rail line.

Ms. Earl also announced that Sound Transit is participating in an effort with the City of Seattle on a Nelson\Nygaard Study on SR520. Sound Transit has been involved for the past month, and hearings will be held in the future. Sound Transit's role to date has been to provide technical information and feedback.

### East Link

Ms. Earl introduced Steve Sarkozy, City Manager of Bellevue to present a letter from Bellevue Mayor Don Davidson. Mr. Sarkozy announced that he was presenting on behalf of the Mayor and the Bellevue City Council on the City's interests. Mr. Sarkozy reported that progress has been made to resolve the funding gap for the tunnel in downtown Bellevue.

The City of Bellevue is interested in a grade-separated option, and specifically option C9T, a tunnel route through downtown Bellevue. Grade separation is desired because it will maximize ridership and reduce delays. The City can contribute between \$105 and \$150 million to close the funding gap for the C9T tunnel. The contributions include: free access to city property and right-of-way, one-time tax revenues the City receives as a result of the project, ongoing collaboration in the permitting process to reduce utility relocation costs and local permitting fees, and assuming the cost of capital projects that would be mutually beneficial to Sound Transit and the City.

Don Billen, Light Rail Development Manager, and Ric Ilgenfritz, Executive Director of Planning, Environment and Project Development gave an update on the East Link project. Mr. Ilgenfritz explained that last May the Board directed staff to begin the preliminary engineering on East Link; Segments A, B and D are at 15% design.

The East Link project is still going through the environmental process and preliminary engineering in Segments A, B and D. Preliminary engineering in Segment C is on hold while alternatives are explored. There is no remaining float remaining in the schedule between preliminary engineering and final design. The base project cost is within ST2 plan assumptions, but because of the recession, the project reserve and 5% of the non-construction costs have been removed from the financial plan. Current estimates show the project exceeding the financial plan by \$30 million, or 1% of the project budget. The financial plan includes a surface option for Segment C.

In Segment A, light rail will run on the existing I-90 center roadway. Budget risks include the retrofit of existing structures and the City of Mercer Island's request for additional parking. Sound Transit will review the City's public/private partnership proposal for additional parking. Segment A has two stations, on I-90 at Rainier Avenue and on Mercer Island between the 77<sup>th</sup> and 80<sup>th</sup> street overpasses.

In Segment B the preferred alternative puts light rail on the east side of Bellevue Way, and adds a parking garage would be added at the existing South Bellevue Park & Ride. The budget risks include limited geotechnical information, and obtaining scope concurrence with the City of Bellevue. The City of Bellevue has updated its preference in South Bellevue from side running along Bellevue Way and 112<sup>th</sup> (the preferred

alternative) to the B7 Burlington Northern route that passes through the Mercer Slough, onto the BN right of way, then transitions to elevated and continues to downtown Bellevue with a park and ride and station at 118<sup>th</sup> Ave SE.

Segment D, in the Bel-Red/Overlake area would have three to four stations and a mix of at-grade and elevated guideway. The budget risks include coordinating with the City of Bellevue's Bel-Red Plan, and the City's desire to grade separate the crossing of NE 20<sup>th</sup> and Northup Way.

In May 2010, the Board asked staff to look more closely at opportunities in the Spring District where Wright Runstad is planning a mixed-use development. The preferred alternative is at-grade on this site. The alignment was developed in coordination with the City of Bellevue and Wright Runstad to integrate with future development plans. A retained cut scenario was developed; it follows the same alignment, but has a lower elevation to improve circulation within the Spring District development and allows greater development capacity. The retained cut scenario would increase the project cost by \$20 million. Wright Runstad has proposed constructing some of the civil elements so Sound Transit's budget would not be impacted.

In Redmond, a new alignment variation has been developed based on the City of Redmond's work. The new alignment would remain in the SR520 corridor, and would slide the station north of the existing Park & Ride and Transit Center. The potential benefit would be a simplification for local circulation and property access and a reduction in business displacements and cost. The disadvantages include the further separation of the station from the existing Park & Ride and Transit Center. The ridership would be reduced at the Overlake Village Station, but faster light rail travel times would increase ridership at Overlake Transit Center Station, which is a larger station with more ridership potential.

For the downtown Bellevue segment, Segment C, four designs were included in the Bellevue Concept Design Report: C9T, C9A, C11A and C14E. The C9T alternative is a shorter tunnel than previously studied in the Draft Environmental Impact Statement (EIS), with stations at Main Street, the Bellevue Transit Center and the Hospital District. The Bellevue City Council recently selected the C9T tunnel as its preferred alternative. Alternative C9A follows the same alignment as C9T but would be on the surface of 110<sup>th</sup> Street. The C11A alternative would be one block to the west, with the Main Street Station at 108<sup>th</sup> and Main. C14E is an elevated option along the edge of downtown Bellevue next to I-405.

Mr. Billen reviewed the outreach in Bellevue on Segment C options. 200 people attended the open house at City Hall. A summary of comments is in Boardmember packets. The comments show support for a tunnel option, and concern that C14E would limit access to downtown Bellevue.

Also in May, the Board asked for a peer review of the downtown Bellevue traffic modeling work. The panel has completed its work. The Panel noted that the joint information developed by the City of Bellevue and Sound Transit does a good job of comparing the relative traffic impacts of both the grade-separated and at-grade alternatives. The panel also noted that congestion shown in the model of future Bellevue was due to growth. The impacts of surface light rail would be similar to what has been experienced by other cities and service disruptions due to traffic blockage are not anticipated to be a major problem. The panel's recommendations include looking at opportunities to provide train progression through downtown Bellevue, where trains would be held at stations so that the movement would be synchronized with traffic signals to add consistency to run times. The panel also recommended making transfers between the Bellevue Transit Center and the light rail as easy as possible because 30-40% of the forecast ridership at that station is based on people transferring.

Mr. Billen presented information on possible trade-offs. The information compared different combinations of Segment B and Segment C for cost and performance. The preferred alternative selected by the Board in May 2009, B3S and C4A, has travel time of 16 minutes, Segment B-C boardings of 12,000, total East Link ridership of 47,000 and a project cost of \$2,375. The option selected by the value engineering team in late 2009, B3S modified along 112<sup>th</sup> and C9A, the total East Link ridership is slightly higher and costs are \$100 million less. The City of Bellevue's preference, B7 and C9T, has a faster travel time at 11 minutes. The ridership in Bellevue is lower at 10,500 boardings, because the South Bellevue Park & Ride is missed, but East Link ridership is higher, 49,000 boardings. The cost for that combination exceeds the preferred alternative by \$310 million, assuming the tunnel portal is on the west side of 112<sup>th</sup>, if the Red Lion site was

chosen for the tunnel portal, it would be more expensive. The B7 and C11A combination would be the same cost at the preferred alternative and would have travel times of 14 minutes, but lower Segment B and C ridership of 10,500. The B3S modified along 112<sup>th</sup> and C9T combination would have lower travel time of 12 minutes, higher segment B and C ridership of 12,500 and higher East Link ridership of 50,000. The cost would be \$245 million more expensive than the preferred alternative, but with the City of Bellevue's contribution of \$105-150 million, the gap could be reduced to around \$100 million.

The Capital Committee will be updated at its April 8, 2010 meeting. At the April 22, 2010 meeting, the Board will consider updating the preferred alternative and whether to include any of the new alternatives in the final EIS.

Boardmember Drago suggested that further analysis of the issues take place at the Capital Committee meeting. Vice Chair Butler agreed that the Capital Committee would be a good forum for further discussion.

Ms. Earl clarified that once the East Link project is adopted and baselined, it will no longer be broken into segments, but will all be one project. Any cost savings in a specific area will be applied to the project as a whole. Scope management will be very important.

### **Public Comment**

(Comments on file with Board Administration)

Georgine Foster

Tim Wang

Angela Wang

Amy Surr

Christopher Peeters

Thomas Ryan

Gary Ritner

Ron Rauch – Bellevue Downtown Association

Leslie Lloyd – Bellevue Downtown Association

Paul W. Locke

Matt Leber

Tim Hunt – Bellevue Chamber of Commerce

Michael Marchand – Citizens for Responsible Transit

Chris Koh

Bill LaBorde – Transportation Choices Coalition

Peter Marshall

### **Consent Agenda**

Voucher Certification for January 16, 2010 through January 31, 2010

Voucher Certification for February 1, 2010 through February 15, 2010

Voucher Certification for February 16, 2010 through February 28, 2010

Minutes of the January 14, 2010 Meeting

Minutes of the January 28, 2010 Meeting

Minutes of the February 25, 2010 Meeting

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

### **Business Items**

#### **Routine Items**

**Motion No. M2010-36 – Approving the submittal of the Transit Development Plan 2010-2015 and 2009 Annual Report to the Washington State Department of Transportation.**

Boardmember Enslow presented Motion No. M2010-36 as recommended by the Operations and Administration Committee.

**It was moved by Boardmember Enslow, seconded by Boardmember Marine, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-36 be approved as presented.**

Non-Routine Items

Resolution No. R2010-06 – Amending the Adopted 2010 Lifetime Capital Budget to create a new capital project for Sounder ST2 Fleet Procurement in the amount of \$15,546,000 and to transfer \$2,000,000 into the vehicle phase of the Adopted 2010 Annual Capital Budget.

Ms. Earl explained that action had not been considered at the March 18, 2010 Operations and Administration because of the tight timeframe. Budget for Sounder locomotives is not included in the 2010 Budget because the procurement was planned for 2011. Procuring the buses now will result in cost savings. Mike Perry, Deputy Director of Operations, explained that an opportunity exists to jointly procure locomotives with a South Florida Regional Transportation Authority or Tri-Rail. Joint procurement is more cost effective because of the larger joint order. The budget amendment is needed to demonstrate Sound Transit's commitment to join the Tri-Rail's procurement in 2010. The action to procure the locomotives will be brought to the Board mid-year.

**Resolution No. R2010-06 was moved by Boardmember Marine and seconded by Boardmember McCarthy.**

Board action to amend the adopted budget requires a two-thirds affirmative vote of the entire membership of the Board. Chair Butler called for a roll call vote.

<u>Ayes</u>		<u>Nays</u>
Fred Butler	Paula Hammond	Mike McGinn
Richard Conlin	John Marchione	Julia Patterson
Jan Drago	Joe Marine	Larry Phillips
Dave Enslow	Pat McCarthy	Claudia Thomas

**The motion to approve Resolution No. R2010-06 was carried by the unanimous vote of 12 Boardmembers present.**

Resolution No. R2010-05 – Regarding the administration of the 401(a) and 457(b) employee retirement plans, amending Resolution 32, creating a retirement plans committee, delegating oversight and management responsibilities for the employee retirement plans, indemnifying the Sound Transit Board, officers and employees to the extent they are making decisions or acting as fiduciaries of the retirement plans, and authorizing the purchase of fiduciary insurance.

Vice Chair Thomas presented Resolution No. R2010-05 as recommended by the Executive Committee. The proposal updates the policy to match the current agency structure and adds a plan administrator but maintains the employee's ability to make their own investment decisions.

**It was moved by Vice Chair Thomas, seconded by Boardmember Marine, and carried by the unanimous vote of all Boardmembers present that Resolution No. R2010-05 be approved as presented.**

Resolution No. R2010-04 – Authorizing the chief executive officer to acquire, dispose, or lease certain real property by negotiated purchase, by condemnation (including settlement of condemnation litigation), or entering into administrative settlements, and to pay eligible relocation and re-establishment benefits to affected owners and tenants as necessary for staging and station areas for the Brooklyn and Roosevelt Stations within the North Link – UW Station to Northgate project.

**Resolution No. R2010-04 was moved by Boardmember Patterson and seconded by Boardmember Phillips.**

Boardmember Patterson presented Resolution No. R2010-04 as recommended by the Capital Committee. She asked Roger Hansen, Real Property Manager, to explain the home owner notification policy. Sound Transit is required to notify homeowners of the Board action to consider condemnation at least 15 days prior to the date the Board action. Certified letters were mailed March 5, 2010 to the address listed on tax records or the address where the owner resides, if that address is known. Notices of the Board's action are also included in local newspapers for two consecutive weeks prior to the Board's action. Boardmember Patterson noted that owners are reimbursed the fair market value for the property and relocation costs.

Boardmember Drago asked for information on Sound Transit's history of leasing properties rather than purchasing. In the Initial Segment, Sound Transit entered into lease agreements for two or three properties at the Beacon Hill station, and one in the Rainier Valley. Ms. Earl noted that the Board's direction for the initial segment was to acquire property needed for the project, then use the remaining property for possible future projects. In the past, the Board has looked at leases as a means for cost savings; but those leases did not result in cost savings in the long run. Sound Transit follows the federal guidelines for property acquisition and relocation. Boardmember Conlin expressed interest in having leasing as an option if the owner was willing to lease the property at a rate lower than the purchase price.

**Boardmember Patterson withdrew her motion and clarified that she was not urging a no vote. She indicated she will vote yes, but felt that the notification process was inappropriate and should be reviewed.**

**Resolution No. R2010-04 was moved by Boardmember Marine and seconded by Vice Chair Thomas.**

Boardmember McGinn stated that he was not familiar with the Board's process for property acquisitions so he would be abstaining from voting.

**It was carried by the majority vote of all Boardmembers present that Resolution No. R2010-04 be approved as presented, with Boardmember McGinn abstaining.**

Motion No. M2010-32 – Authorizing the chief executive officer to execute an agreement with Community Transit to provide ST Express bus operations and maintenance services for the period of April 1, 2010, through March 31, 2013, with two additional one-year options to extend.

Vice Chair Thomas presented Motion No. M2010-32 as recommended by the Executive Committee and the Operations and Administration Committee.

**It was moved by Vice Chair Thomas, seconded by Boardmember Enslow, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-32 be approved as presented.**

Motion No. M2010-35 – Authorizing the chief executive officer to execute an agreement with Community Transit to fund 47% of the cost to expand and renovate the Kasch Park Operating Base for a total authorized agreement amount estimated to be \$4,982,000.

Boardmember Enslow presented Motion No. M2010-35 as recommended by the Operations and Administration Committee.

**It was moved by Boardmember Enslow, seconded by Boardmember Marchione, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-35 be approved as presented.**

Motion No. M2010-37 – Ratifying the agreement with Harmon Manufacturing from December 19, 2008 through March 25, 2010.

**Motion No. M2010-37 was moved by Boardmember Enslow and seconded by Boardmember Marchione.**

Boardmember Enslow presented Motion No. M2010-37 as recommended by the Operations and Administration Committee. He explained that an amendment was needed to correct the name of the lessee.

It was moved by Boardmember Enslow, seconded by Boardmember Marchione, and carried by the unanimous vote of all Boardmembers present to amend Motion No. M2010-37 to replace Harmon Manufacturing with Harmon Management Corporation.

It carried by the unanimous vote of all Boardmembers present that Motion No. M2010-37 be approved as amended.

Motion No. M2010-38 - Ratifying the agreement with Asian Market from December 19, 2008 through March 25, 2010.

Boardmember Enslow presented Motion No. M2010-38 as recommended by the Operations and Administration Committee.

It was moved by Boardmember Enslow, seconded by Boardmember Marchione, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-38 be approved as presented.

Motion No. M2010-39 – Delegating authority to the chief executive officer to extend lease agreements beyond five years on properties located within the railroad right-of-way from Tacoma to Lakewood that include a 90-day notice (or less) termination clause.

Boardmember Enslow presented Motion No. M2010-39 as recommended by the Operations and Administration Committee.

It was moved by Boardmember Enslow, seconded by Vice Chair Thomas, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-39 be approved as presented.

#### **Executive Session**

None.

#### **Other Business**

Boardmember Marchione suggested that items that were recommended to the Board by two committees be placed on the Board's consent agenda.

#### **Next Meeting**

Thursday, April 22, 2010  
1:30 to 4:00 p.m.  
Ruth Fisher Boardroom

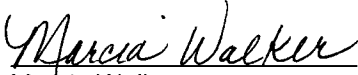
#### **Adjourn**

The meeting was adjourned at 4:13 p.m.

APPROVED on May 27, 2010.

  
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Aaron Reardon  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator