

SOUND TRANSIT BOARD MEETING

Summary Minutes
December 20, 2012

CALL TO ORDER

The meeting was called to order at 1:39 p.m. by Chair Pat McCarthy, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

ROLL CALL

Chair

(P) Pat McCarthy, Pierce County Executive

Vice Chairs

(P) Julia Patterson, King County Councilmember

(A) Aaron Reardon, Snohomish County Executive

Boardmembers

(A) Claudia Balducci, Bellevue Councilmember

(P) Fred Butler, Issaquah Deputy Council President

(P) Richard Conlin, Seattle Councilmember

(P) Dow Constantine, King County Executive

(P) Dave Earling, City of Edmonds Mayor

(P) David Enslow, City of Sumner Mayor

(P) Paula Hammond, WSDOT Secretary

(A) John Marchione, City of Redmond Mayor

(P) Joe McDermott, King County Councilmember

(A) Mike McGinn, City of Seattle Mayor

(P) Mary Moss, Lakewood Councilmember

(P) Larry Phillips, King County Councilmember

(P) Paul Roberts, Everett Councilmember

(P) Marilyn Strickland, City of Tacoma Mayor

(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

Chair McCarthy announced that public comment would be taken on the University to Capitol Hill Tunnel Action Plan Update even though the Board's usual practice is to hear comments only on action items.

Chair McCarthy noted that Boardmembers Claudia Balducci, Richard Conlin, John Marchione, Larry Phillips and Peter von Reichbauer, have requested to participate in the meeting by teleconference. The Board's rules allow only 25%, or four Boardmembers to participate in a meeting by teleconference.

It was moved by Boardmember Patterson, seconded by Boardmember Roberts and carried by unanimous vote of 11 Boardmembers present that the Board rules be suspended to allow five Boardmembers to participate in today's meeting by teleconference.

It was moved by Boardmember Patterson, seconded by Boardmember Roberts, and carried by unanimous vote that Boardmembers Balducci, Conlin, Marchione, Phillips and von Reichbauer be allowed to participate in the Board meeting by telephone.

CHIEF EXECUTIVE OFFICER'S REPORT

Joni Earl, CEO, announced that two Sound Transit projects ranked first and second in this year's competition for the state Department of Transportation's Regional Mobility Grants. If approved by the Legislature next year, a \$5 million grant will go toward replacing seven diesel buses with high-capacity hybrid buses on some of our busiest routes. A \$7 million grant will help replace the 100-year-old single-track train trestle in Tacoma with a double-track bridge. Replacing that bridge will double passenger service capacity for Sounder and Amtrak, eliminate a bottleneck, as well as improve reliability and travel time.

Twenty-seven applications from around the state were submitted to the Regional Mobility Grant program for approximately \$40 million in total. Each application goes through a competitive review process to determine its ranking for recommendation to the Legislature.

REPORTS TO THE BOARD

U220-University to Capitol Hill Tunnel Action Plan Update

Ms. Earl noted that an investigation report and action plan were brought to the Board in July 2012; the action plan committed to returning to the Board within 120 days. Leslie Jones, Director of Diversity Program reviewed the packet of materials in Boardmembers' packets. The action plan includes remedial measures to be implemented into the U220 Tunneling contract with Traylor Frontier Kemper (TFK). The materials include an agreement that TFK will enter into a project plan of action and items that will be implemented.

Mike Krulc, Project Manager for TFK read a statement that confirmed TFK's commitment to not tolerate any harassment or discrimination. TFK has doubled its diversity goal for employment of people of color; the project now employs 47% people of color, nearly half of the 47% is made up of African Americans. The disadvantaged business enterprise and small business enterprise contracting goals exceed those in the Project Labor Agreement. TFK has also partnered with Seattle Vocational Institute, Pioneer Human Services, and Helmets to Hardhats to identify local workforce training and job opportunities. The disciplinary notice process has also been improved.

Sound Transit developed long term steps in coordination with members of the labor community, FAST jobs and the Association of General Contractors. Recommendations were made for revisions or additions to Sound Transit's Labor Compliance Manual, and contract general conditions and diversity provisions. Sound Transit looked at next steps for implementation of the recommendations. Sound Transit was able to add a Compliance Monitor to the TFK jobsite that has access to the site, records and employees. A certification process is now in place to ensure managers are not aware of any discrimination complaints or allegations. There is a clearer picture of the trends on the jobsite that allows Sound Transit to be more proactive to enforce monitoring and compliance with Federal discrimination laws. The packet includes details on the ten long term actions including two that were not pursued related to award fees tied to incentives or liquidated damages.

PUBLIC COMMENT

(Comments on file with the Board Administrator)

Mayor Don Gough, City of Lynnwood
Michelle Helmholz, Local 440 (Declined to speak but will provide written comments)
John Feit
Stewart Mhyre
John Hempelmann, Chair of the Quality Growth Alliance
Ben Schiendelman
Ted Thomas, IBEW 46
Lisa Kothari
Dick Falkenbury
Gregory Johnson
Emily Alvarado
Heidi Hall
Paul W. Locke
John Niles (Not able to attend, provided written comments)

CONSENT AGENDA

Minutes of the October 25, 2012 Board Meeting
Voucher Certification for September 1, 2012 through September 15, 2012
Voucher Certification for September 16, 2012 through September 30, 2012
Voucher Certification for October 1, 2012 through October 15, 2012
Voucher Certification for October 16, 2012 through October 31, 2012
Voucher Certification for November 1, 2012 through November 15, 2012
Voucher Certification for November 16, 2012 through November 30, 2012

Motion No. M2012-85: Adopting the 2013 State Legislative Program and directing staff to evaluate and engage in issues that impact the agency as it continues to implement the regional high capacity transit system
Motion No. M2012-91: Authorizing the chief executive officer to increase the contingency for the contract with MidMountain Contractors, Inc. for the construction of the D Street to M Street Track and Signal Project in the amount of \$1,950,000, for a new total authorized contract amount not to exceed \$69,533,109
Motion No. M2012-92: Adopting Angle Lake Station as the permanent name for the station located at South 200th Street on the South 200th Street Link Extension

It was moved by Boardmember Patterson, seconded by Boardmember Moss, and carried by unanimous vote that the consent agenda be approved as presented.

ACTION ITEMS

Item referred by the Operations and Administration Committee

Resolution No. R2012-26: Adopting the 2013 Service Implementation Plan, authorizing the chief executive officer to implement recommended service changes in 2013 and approving the use of preliminary 2014-2018 service changes for planning and forecasting purposes.

Resolution No. R2012-26 was moved by Boardmember Roberts and seconded by Boardmember Butler.

At the December Operations and Administration Committee meeting, Resolution No. R2012-26 was amended to retain midday express bus service on Route 566 between Auburn and Renton, and make connections at Renton with Express Bus service to downtown Bellevue. The resolution was also amended to remove service changes to ST Express Routes in Everett in order to gather further information.

Boardmember Roberts offered an amendment to re-introduce service in Everett with the addition of new bus stops at 33rd and Broadway on the east side of the downtown area to provide a better connection to the downtown Everett area on Sound Transit buses. The amendment would also add new commuter bus trips on Routes 510 and/or 513 to increase the frequency of connecting Everett service. Route 511 would be deleted from the list of routes receiving more buses because Community Transit is planning to increase service to the points served by this route. Boardmember Roberts felt the changes offered a balance of cuts and improvements that will benefit our riders.

It was moved by Boardmember Roberts and seconded by Boardmember Butler to amend Resolution No. R2012-26 by inserting the following as Sections 1 and 2 of the resolution:

- 1. Route 510 (Everett-Seattle), Route 511 (Ash Way-Seattle), Route 513 (Everett-Seattle via Eastmont):** Delete the segment of Route 510 between downtown Everett and Everett Station, except before 6:00 A.M. on weekdays. Delete all reverse-peak, midday, night and Saturday service on Routes 510 and 511. Implement ten additional peak-period, peak-directional trips on Routes 510 and 513, with the exact deployment of new trips by route and time based on ridership monitoring and service observations conducted during the first half of 2013. Add a new express bus stop for Route 510 near the intersection of Broadway and 33rd Street in Everett.
- 2. Route 512 (Everett-Seattle via Lynnwood):** Implement Route 512 service during midday, night and Saturday time periods, and in the reverse-peak direction during peak periods on weekdays. Extend northbound trips from Everett Station to downtown Everett after 10:30 P.M. on weekdays. Operate Route 512 every 15 minutes during the midday, every 15 minutes in the reverse-peak direction on weekdays, every 15 to 20 minutes on Saturdays, and every 30 minutes at night and on Sundays. Add a new express bus stop for Route 512 near the intersection of Broadway and 33rd Street in Everett.

The motion to amend Resolution No. R2012-26 was approved by unanimous vote.

The motion to approve Resolution No. R2012-26 as amended carried by the unanimous vote of 12 Boardmembers.

Items referred by the Executive Committee

Resolution No. R2012-25: Adopting an annual budget for the period from January 1 through December 31, 2013 and endorsing the 2013 Transit Improvement Plan.

Brian McCartan, Executive Director of Finance and Information Technology reviewed the basis for the budget and overviewed the major elements.

It was moved by Vice Chair Patterson and seconded by Boardmember Butler that Resolution No. R2012-25 be approved.

At the November Board Workshop, the Board discussed planning for the next phase of the high-capacity transit system. The Board asked staff to prepare a budget amendment that is consistent with the Board's discussion.

Ric Ilgenfritz, Executive Director of Planning Environmental and Project Development reviewed an amendment on blue paper that was in Boardmember packets. The amendment allows Sound Transit to begin system planning and provides an option to bring a plan to voters as early as 2016. The amendment will allow corridor planning studies to begin and plan for updating the Long Range Plan. Funds would not be obligated until an action plan and procurement strategy is brought to the Board early next year.

It was moved by Boardmember Roberts and seconded by Vice Chair Patterson to amend Resolution No. R2012-25 as follows:

Amend the Proposed 2013 Budget and other related text and tables to include funding to begin high-capacity transit planning studies in ST2 as approved by voters, and the next phase of high-capacity transit (HCT) system planning, referred to as ST3.

The corridor planning studies will:

- Help narrow the range of alternatives in the corridors
- Evaluate routes and station locations, inform local comprehensive planning
- Prepare for formal environmental impact review and engineering
- Include a preliminary environmental assessment
- Position the Board to update the Long-Range Plan and establish priorities for the next phase of HCT system development
- Partner with transportation agencies and communities for an integrated transportation solution and options within corridors

The next phase of HCT Planning will be the framework for studying future expansion of the central Puget Sound regional transit system plans. During 2013, work will include updating the Long-Range Plan and supporting environmental documentation, and coordinating with the timing of the HCT Corridor Planning Studies.

Funds budgeted through this amendment can only be used for HCT planning studies and the next phase of system planning.

This amendment impacts two projects: HCT Corridor Planning Studies and ST3 Planning. The amendment increases the 2013 annual budget by a total of \$9,760,000 and decreases the lifetime budget by \$2,800,000.

Boardmembers spoke in favor of the amendment and opportunities for corridor planning with partners.

The motion to amend Resolution No. R2012-25 was approved by unanimous vote.

Vice Chair Patterson noted that the resolution was forwarded by the Executive Committee earlier this month following a two month review by the Board committees. The action includes all the amendments approved by the Committees and administrative adjustments. The amendments and adjustments are included in Attachment B and D.

The motion to approve Resolution No. R2012-25 as amended was carried by the unanimous vote of 12 Boardmembers present.

Resolution No. R2012-24: Establishing a policy to guide assessment and facilitation of transit-oriented development during planning, design, construction and operation of the high-capacity transit system and superseding Motion No. M99-60 and Motion No. 98-25.

Vice Chair Patterson spoke in favor of the resolution forwarded by the Executive Committee. The policy is organized around the key takeaways from Board's April Retreat and will provide guidance in evaluating, facilitating and implementing TOD. The Board may choose to pursue an updated policy on the related issue of property disposition in 2013.

It was moved by Vice Chair Patterson, seconded by Boardmember Strickland, and carried by unanimous vote that Resolution No. R2012-24 be approved as presented.

Item referred by the Capital Committee

Motion No. M2012-82: (1) Identifying the site alternatives to be studied in detail in the Link Operations and Maintenance Satellite Facility project Environmental Impact Statement, and (2) approving Gate 2 within Sound Transit's Phase Gate process.

Boardmember Butler noted that in November the Capital Committee delayed action on this item for one month in order to review options further. At the December meeting, the Committee discussed the need to be creative and flexible in looking at the potential sites including consideration of land-use impacts and transit-oriented development potential. The Committee also asked for independent review of the types of development that could be integrated into an Operations and Maintenance (O&M) facility.

Four sites were selected by the Capital Committee for inclusion in the Environmental Impact Statement. One site is in the Lynnwood Link Corridor – Site 1 at 52nd Avenue and Southwest 208th Street. There are three sites in the East Link Corridor -- Site 1, East of the old BNSF right-of-way and west of 120th Avenue Northwest in Bellevue; Site 1 modified, to construct the facility on both the west and east sides of the BNSF to maximize the TOD potential along 120th Ave; and Site 2, South of SR-520 and north of Northup Way in Bellevue.

Boardmembers spoke in favor of moving forward with the four options for the O&M facility.

It was moved by Boardmember Butler, seconded by Vice Chair Patterson, and carried by unanimous vote that Motion No. M2012-82 be approved as presented.

Item not referred by Committee

Motion No. M2012-93: Authorizing the chief executive officer to execute a Property Exchange Agreement with the University of Washington for acquisition of property interests needed for the Northgate Link Extension in exchange for airspace rights above the U District Station to be developed for transit-oriented development, for a net total authorized agreement amount not to exceed \$87,000.

Ron Lewis, Executive Project Director East Link, gave the staff presentation.

It was moved by Vice Chair Patterson, seconded by Boardmember Moss, and carried by unanimous vote that Motion No. M2012-93 be approved as presented.

EXECUTIVE SESSION

At 3:27 p.m., Chair McCarthy announced that the Board would convene an executive session for 50 minutes on three items, including potential litigation to which the agency is likely to become a party as authorized

under RCW 42.30.110 section (1)(i), to review the performance of a public employee as authorized under RCW 42.30.110 section (1)(g), and a potential real estate acquisition authorized under RCW 42.30.110 (1)(b).

Chair McCarthy announced that the Board may consider an action following the executive session.

Chair McCarthy reconvened the meeting at 4:16 p.m.

POTENTIAL ACTION ON CHIEF EXECUTIVE OFFICER CONTRACT

The Board resumed open session to consider an action to amend the employment agreement with the CEO.

Motion No. M2012-94: Authorizing the board chair to execute a seventh amendment to the employment agreement with Joan M. Earl, Sound Transit Chief Executive Officer.

Boardmembers spoke in favor of the motion. Amending the employment agreement with the CEO requires an affirmative vote by 2/3 majority vote of the entire Board.

It was moved by Boardmember Strickland, seconded by Vice Chair Patterson, and carried by the unanimous vote of 12 members present that Motion No. M2012-94 be approved as presented.

OTHER BUSINESS

None.

NEXT MEETING

Thursday, January 24, 2013
1:30 to 4:00 p.m.
Ruth Fisher Boardroom

ADJOURN

It was moved by Vice Chair Patterson, seconded by Boardmember Moss, and carried by unanimous vote to adjourn the meeting.

The meeting was adjourned at 4:19 p.m.



Pat McCarthy
Board Chair

ATTEST:



Marcia Walker
Board Administrator

APPROVED on January 24, 2013, KWF