

## **SOUND TRANSIT BOARD MEETING**

### **Summary Minutes**

**December 20, 2018**

### **CALL TO ORDER**

The meeting was called to order at 1:32 p.m. by Chair Somers, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

### **ROLL CALL**

#### Chair

(P) *Dave Somers, Snohomish County Executive*

#### Vice Chairs

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

(P) *Ron Lucas, City of Steilacoom Mayor*

#### Board Members

(P) *Nancy Backus, City of Auburn Mayor*

(P) *David Baker, City of Kenmore Mayor*

(P) *Claudia Balducci, King County Councilmember*

(P) *Dow Constantine, King County Executive*

(A) *Bruce Dammeier, Pierce County Executive*

(P) *Jenny Durkan, Seattle Mayor*

(P) *Dave Earling, City of Edmonds Mayor*

(P) *Rob Johnson, Seattle Councilmember*

(P) *Kent Keel, City of University Place Mayor*

(P) *Joe McDermott, King County Council Chair*

(P) *Dylan Counts, WSDOT Secretary Alternate*

(P) *Paul Roberts, Everett Councilmember*

(P) *Dave Upthegrove, King County Councilmember*

(P) *Peter von Reichbauer, King County*

*Councilmember*

(P) *Victoria Woodards, City of Tacoma Mayor*

Katie Flores, Board Administrator, announced that there was a quorum of the Board present at roll call.

### **REPORT OF THE CHAIR**

#### Board Member Request to Participate via Teleconference

Chair Somers announced that Boardmembers Durkan and von Reichbauer asked to participate in the meeting by phone. The Board's Rules and Operating Procedures allow members to attend meetings by teleconference with a two-thirds affirmative vote of those members in attendance.

**It was moved by Boardmember Backus, seconded by Boardmember McDermott, and carried by unanimous vote that Boardmembers Durkan and von Reichbauer be allowed to participate in the Board meeting by telephone.**

### **CHIEF EXECUTIVE OFFICER'S REPORT**

(Boardmember von Reichbauer joined at this time.)

#### FFGA and TIFIA Signing

CEO Rogoff stated that the Federal Transit Administration (FTA) approved the \$1.17 billion FFGA grant for the Lynnwood Link Extension. This culminates years of work on the part of the Sound Transit and FTA staff, Board members and stakeholders across the region. In addition, the agency's federal partners finalized the \$658 million TIFIA loan for the Lynnwood Link Extension this week. This is the third of four loans authorized as part of a \$1.99 billion Master Credit Agreement signed two years ago that provides low-interest loans for a series of Sound Transit projects. Sound Transit was the first transit agency to sign a Master Credit Agreement.

Mr. Rogoff stated that the case for this project funding was supported by many people including Chair Somers and the Board; U.S. Senators Patty Murray and Maria Cantwell; Representatives Rick Larsen, Pramila Jayapal, and Derek Kilmer; Secretary Elaine Chao; FTA Acting Administrator Jane Williams; and FTA staff.

### Sound Transit Mailers

In early January 2019, residents around the region will begin receiving a 2019 Sound Transit Regional Report mailer. These are similar to annual reports that utilities and other local governments commonly send. The mailers are tailored to individual subareas and will speak specifically to the investments in those subareas as well as information on systemwide projects.

### Downtown Seattle Transit Tunnel

Sound Transit will be assuming ownership of the Downtown Seattle Transit Tunnel in 2019. The formal transfer of ownership will not happen until the end of next year; however, as of March 23, 2019, Sound Transit will be the only operators in the tunnel.

Next month, staff will brief the Rider Experience and Operations Committee on the ownership transition, and operational challenges ahead. The presentation will include information on construction in the tunnel next year that will prepare it for work in 2020, when the agency connects the East Link Extension into the north-south spine.

### New Committees and Thresholds

When the Board reconvenes in 2019, they will be working under new committees and the revised Procurement, Agreements, and Delegated Authority Policy. Moving forward, the Board's standing committees will be the Rider Experience and Operations Committee, the System Expansion Committee, the Finance and Audit Committee, and the Executive Committee.

The last meeting of the Audit and Reporting Committee under Johnson's leadership was held today. He thanked Committee Chair Rob Johnson for his service and his diligent work.

### Schindler Escalator Procurement

Mr. Rogoff stated that staff is in direct negotiations between Sound Transit and Schindler Inc. for transfer of the ongoing maintenance of the 13 University of Washington Station escalators from King County Metro. Staff has communicated plans for this change to King County Metro.

Schindler is the installer and original equipment manufacturer for this equipment. The contract will be approved as a proprietary purchase under his delegated authority. The process is expected to wrap up with Schindler to begin the maintenance of these conveyances during the first quarter of 2019.

### ST Express – 3rd Party Request for Proposal for Bus Operation and Maintenance Service

The 2019 Service Implementation Plan highlights the critical issue of the region's shortage of bus maintenance capacity. The agency's transit partners are experiencing maintenance facility constraints and do not have the capacity to accommodate Sound Transit's needs with the current level of congestion and demand.

Sound Transit will be releasing a request for proposals (RFP) for a third-party bus operations and maintenance contractor. The RFP release does not commit Sound Transit to take action. The new third-party contractor will provide the facility, equipment, workforce, administration, and operating plan.

Sound Transit will provide buses and contractor oversight. The contract term will be for five years with five one-year options.

Service would be implemented in two phases: 2 routes and 14 buses in March 2020, and 2 additional routes and 41 more buses in September 2020. This will provide an improved service reliability for customers, relief of operating and maintenance constraints, and will serve as an interim solution while decisions are made on a new Sound Transit bus base.

### ORCA Sounds when Tapping On and Off

Sound Transit debuted a systemwide change this week. Because Link and Sounder fares are based on how far riders travel, riders are asked to both tap on before they enter and tap off when they exit. Customer feedback made it clear that riders would find it helpful to have different sounds for tapping on and tapping off. This is especially important for riders with visual challenges who rely on auditory cues. To help bring clarity for riders, they will now hear one beep when tapping on, and two beeps when tapping off.

### Thank You to Chair Somers

Today is Chair Somers' last meeting as the Board Chair. He has had a momentous two years as chair. Chair Somers took the reins immediately after the passage of ST3. His legacy as chair includes positioning the agency and Board through rule changes and committee changes to poster the Sound Transit's success under ST3.

In his first months, Chair Somers helped lead the process to develop the System Expansion Implementation Plan to meet the aggressive timelines and delivery challenges. This year he led the process of revamping the committee structure and financial oversight thresholds. During his two-year term, there have been numerous project milestones. He has gone above and beyond to advocate for riders and stakeholders in the region. Mr. Rogoff thanked Chair Somers on behalf of the staff.

## **PUBLIC COMMENT**

Will Knedlik  
Alex Tsimerman, Stand Up America  
Joe Kunzler

(Boardmember Upthegrove arrived at this time.)

## **CONSENT AGENDA**

Minutes of the October 25, 2018, Board of Directors meeting.

Voucher Certification for October 2018.

Voucher Certification for November 2018.

Motion No. M2018-160: Authorizing the chief executive officer to execute a contract amendment with Alexander Dennis, LLC to exercise options to manufacture and deliver thirteen 42-foot double deck diesel buses in the amount of \$11,680,258, with a 5% contingency of \$584,013, totaling \$12,264,271 for this procurement. This action authorizes a total modified contract amount of \$45,540,795 plus applicable taxes contingent upon Board approval of the 2019 Budget.

Motion No. M2018-161: Authorizing the chief executive officer to execute a contract with New Flyer Industries, Inc. to manufacture and deliver thirty-one 60-foot articulated hybrid diesel buses in the amount of

\$38,827,407, with a 5% contingency of \$1,941,370, for a total authorized contract amount not to exceed \$40,768,777, plus applicable taxes and contingent upon Board approval of the 2019 Budget.

Motion No. M2018-162: Authorizing the chief executive officer to execute an amendment to the existing lease with the City of SeaTac for the parking structure located at 15247 International Boulevard, Tukwila, WA on a month-to-month basis for an additional one year. This amendment will add an additional \$59,001 for a total authorized agreement amount not to exceed \$344,896 contingent upon Board approval of the 2019 Budget.

Motion No. M2018-163: Authorizing the chief executive officer to increase the contract contingency with Hoffman Construction to construct the Roosevelt Station Finishes within the Northgate Link Extension in the amount of \$7,000,000, for a new total authorized contract amount not to exceed \$166,905,743.

Motion No. M2018-165: Authorizing the chief executive officer to execute an amendment to the Permit and Project Review Reimbursement Agreement with the City of Lynnwood to add construction support services in the amount of \$2,344,655, with a 7% contingency of \$164,126, totaling \$2,508,781, for a new total authorized agreement amount not to exceed \$4,006,903.

Motion No. M2018-167: Authorizing the chief executive officer to execute a task order with the Washington State Department of Transportation to provide professional services for project development and environmental review of the I-405/NE 85th Street In-line Freeway Station for the I-405 Bus Rapid Transit Project, in the amount of \$13,627,765 with a 10% contingency of \$1,362,776, for a total authorized agreement amount not to exceed \$14,990,541.

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

## **BUSINESS ITEMS**

Motion No. M2018-169: Electing the Sound Transit Board Chair and two Vice Chairs for a two-year term each, beginning January 1, 2019.

Chair Somers explained that the current Board Chair and Vice Chairs terms expire at the end of December. The Board's Rules and Operating Procedures specify that the Washington State Secretary of Transportation chair the meeting for the purposes of the elections. Secretary Millar is not able to attend today, but Dylan Counts, his alternate, was prepared to preside over the election of officers.

He stated that the Board would need to temporarily suspend the rules to allow Mr. Counts to chair the meeting for the purpose of the election, which requires a supermajority affirmative vote of the Board members in attendance.

**It was moved by Boardember Backus, seconded by Boardmember Keel, and carried by unanimous vote that the rules be suspended to allow Dylan Counts to preside over the election of officers.**

Mr. Dylan Counts stated that the Board's Rules and Operating Procedures call for the Executive Committee to develop recommendations for officers whose terms are expiring, and to bring those recommendations to the Board at a regularly scheduled meeting in December. The Executive Committee met and recommends John Marchione from King County as Board Chair, and Paul Roberts from Snohomish County and Ron Lucas from Pierce County as Vice Chairs.

The Board rules state that once the Board receives recommendations from the Executive Committee, the person presiding will call for additional nominations from the Board. There were no additional nominations.

**Motion No. M2018-169 was moved by Chair Somers and seconded by Boardmember Johnson.**

Vice Chair Lucas stated that based on past Board tradition, the rotation of Board Chair would come to Pierce County. Through discussions with Chair Somers, Vice Chair Marchione, and Boardmember Dammeier, it was decided to bypass Pierce County for the Sound Transit Board Chair position at this particular time and have the election of the next chair come back to Pierce County. For personal reasons, he has informed Boardmember Dammeier that he may be leaving the Sound Transit Board. At this time, no decision has been made as to when he will leave the Board and who will be appointed to replace him.

Chair Somers stated that it has been an honor to serve as the Sound Transit Board Chair. He thanked the Board members for their hard work to serve the region and their constituents. He has appreciated the opportunity to participate in the creation of Sound Transit's regional transit system that will serve the area for many years. He thanked CEO Peter Rogoff and the Sound Transit staff who have provided him support. The public does not see all the day-to-day efforts that take place at the agency. It is a huge undertaking, which is highly complex, and the agency has top-notch employees.

**It was carried by the unanimous vote Motion No. M2018-169 be approved electing John Marchione as Board Chair and Paul Roberts and Ron Lucas as Vice Chairs for two-year terms each, beginning January 1, 2019.**

Motion No. M2018-173: Appointing committee chairs and members for two-year terms.

Chair Somers commented that the work of the Board committees has been and will continue to be significant in the Board's decision-making. He stated that the motion contains the following recommendations for committee chairs, vice chairs, and members effective January 2019.

Appointments to the Executive Committee: John Marchione, Chair; Ron Lucas, Vice Chair; Paul Roberts, Vice Chair; and committee members Claudia Balducci, Dow Constantine, Bruce Dammeier, Jenny Durkan, Dave Somers and Victoria Woodards.

Appointments to the Rider Experience and Operations Committee: Paul Roberts, Chair; Joe McDermott, Vice Chair; and committee members David Baker, Dave Earling, Rob Johnson, Kent Keel, Ron Lucas, and Pete von Reichbauer.

Appointments to the System Expansion Committee: Claudia Balducci, Chair; Kent Keel, Vice Chair; and committee members Nancy Backus, David Baker, Dave Earling, Rob Johnson, Dave Upthegrove, and Victoria Woodards.

Appointments to the Finance and Audit Committee: Ron Lucas, Chair; Nancy Backus, Vice Chair; and committee members Dow Constantine, Bruce Dammeier, Jenny Durkan, John Marchione, Joe McDermott, Roger Millar, and Dave Somers.

**It was moved by Boardmember Johnson, seconded by Boardmember Roberts, and carried by unanimous vote that Motion No. M2018-173 be approved as presented.**

Resolution No. R2018-44: Adopting an annual budget for the period from January 1 through December 31, 2019, adopts the 2019 Transit Improvement Plan, and permits systemwide allocation of financial benefits of certain grants.

**Resolution No. R2018-44 was moved by Boardmember Roberts and seconded by Boardmember Backus.**

Chair Somers stated that the Board began reviewing the budget began October 2018. Resolution No. R2018-44 would adopt the proposed 2019 Budget and Transit Improvement Plan (TIP), including the revisions listed in Attachment B. A summary of the proposed changes to authorized project allocations to date are shown in Attachment C.

The resolution will also establish authority for the agency to allocate certain federal grant reimbursements based on the best interest of the system, instead of allocating the reimbursements directly to recipient subareas.

Ann Sheridan, Budget Director, gave an overview of the action including the revisions approved by the Operations and Administration Committee and the Capital Committee.

In October, staff presented the Proposed 2019 Budget and TIP to the Board. At that time, the revenues were forecasted at \$2.42 billion, expenditures at \$2.9 billion, and TIP at \$18.72 billion. Revisions to these numbers recommended by the Operations and Administration Committee and the Capital Committee have resulted in the final proposed numbers of revenues at \$2.42 billion (no change), expenditures at \$2.94 billion (\$40 million increase), and TIP at \$18.74 billion (\$20 million increase).

Capital Committee Chair Balducci stated that the committee discussed the capital budget at the last two meetings. There were many questions and good discussion and ultimately the committee unanimously recommended the capital budget, with the revisions, to the Board with a do pass recommendation. The reductions were due to realism and budgeting for what cannot be delivered in 2019. This does not cancel the projects.

Operations and Administration Committee Chair Roberts stated that the committee reviewed the operating budget and unanimously recommended the operating budget, with the revisions, to the Board with a do pass recommendation.

Vice Chair Lucas commented that the Budget document states that the debt services goes out to 2060, and there is an indication it could go out further. According to Washington State law, the amount of debt issued by Sound Transit cannot exceed 1.5 percent of assessed property values within the district. He would like this analyzed to determine what the difference would be if that was 1.75 percent or 2.0 percent and what savings there would be to debt service payments in the future. If the agency had that information, then the case might be made to change the percentage going forward to build the system sooner and at a lesser cost than having debt service beyond 2060.

Ms. Tracy Butler, Chief Financial Officer, stated that included in the resolution is action to permit systemwide allocation of federal grant benefits of certain grants to ensure the on-schedule program delivery. Over the past several months, staff has brought to the Board's attention that there are certain future fiscal constraints for some subareas. Based on the most recent financial projections, the voter-approved plan as a whole continues to be affordable. Certain subareas may face a future with fiscal constraints, which would delay the agency's ability to deliver projects in those subareas. Without the completion of all projects, taxes cannot be rolled back for the entire region.

When the voters approved the ST3 Plan, the Financial Policy permitted the Board to take action to allocate grant funds to other subareas if it is in the best interest of the region and the agency. The proposed action would authorize the allocation of federal grant benefits to subareas where the resources are constrained and the project could potentially be delayed. This would only take place as long as the projects for which the grants were received will not be compromised and if the agency can afford all the projects as a whole.

The benefits of this action include utilizing an available tool to avoid any delay in project delivery and allows the agency to begin the tax rollback as early as possible. The action is consistent with management of the agency's finances on a consolidated basis and continues to meet all requirements for federal grant compliance.

Chair Somers noted that adopting the 2018 Budget requires a 2/3 majority vote of the Board, which is 12 members. He called for a roll call vote.

**Ayes**

Nancy Backus  
David Baker  
Claudia Balducci  
Jenny Durkan  
Dave Earling  
Rob Johnson  
Kent Keel

**Nays**

Ron Lucas  
John Marchione  
Joe McDermott  
Paul Roberts  
Dave Upthegrove  
Pete von Reichbauer  
Dave Somers

**It was carried by the unanimous vote of 14 Boardmembers that Resolution No. R2018-44 be approved as presented.**

Resolution No. R2018-42: (1) Amending the Digital Passenger Information System program by (a) increasing the project allocation to date from \$1,617,150 to \$48,882,092, and (b) increasing the 2019 annual budget from \$1,617,150 to \$8,425,113 to modernize and standardize Sound Transit's passenger information systems across Link, Tacoma Link, and Sounder, with support for future expansion including BRT and Parking and (2) changing the program name to Passenger Information Management System.

Capital Committee Chair Balducci stated that the Capital committee reviewed this action at the last capital committee and recommended its approval unanimously. The Passenger Information Management System (PIMS) will provide passenger announcements and content for Sound Transit's digital signs throughout the system.

This system will be designed and implemented to provide flexibility as technology and needs change. Currently Link, Sounder, and Tacoma Link do not offer a consistent rider experience and are operated using different solutions that were developed over time. Sound Transit must replace the Public Address/ Variable Message Signs for its Link and Sounder services, and will add this capability to Tacoma Link. As bus rapid transit and parking are developed, they will also require this capability. With this action, all modes will operate under the same system. In addition to replacing existing basic signage functions, Sound Transit seeks to increase the accuracy of its arrival predictions and to provide additional information to customers to enhance their rider experience.

The design decisions will be made in 2019 and 2020 and will use proven technologies that can be modified over time. The requirements for the PIMS contract include the ability to send data to and from partner agencies. This capability will be ready when PIMS goes live and staff will work with partner agencies to display timely and relevant transit information from other agencies and enable them to display Sound Transit information.

Boardmember Balducci explained that Resolution No. R2018-42 will increase the project budget for the system, and Motion No. M2018-164 will authorize a contract with ARINC to provide the system integration services.

**It was moved by Boardmember Balducci, seconded by Board Member Keel, and carried by unanimous vote that Resolution No. R2018-42 be approved as presented.**

Motion No. M2018-164: Authorizing the chief executive officer to execute a contract with ARINC to provide system integration services for the Passenger Information Management System program in the amount of \$30,777,995 with a 10% contingency of \$3,077,800 for a total authorized contract amount not to exceed \$33,855,795 plus applicable taxes.

**It was moved by Boardmember Balducci, seconded by Vice Chair Marchione, and carried by unanimous vote that Motion No. M2018-164 be approved as presented.**

Motion No. M2018-166: Authorizing the chief executive officer to execute a construction contract with Stacy and Witbeck – Kiewit-Hoffman, a Joint Venture, to provide Heavy Civil General Contractor/Construction Manager construction services for the Northgate Station to NE 200th Street segment within the Lynnwood Link Extension in the amount of \$88,147,300, with a 7% contingency of \$6,170,300, for a total authorized contract amount not to exceed \$94,317,600.

Capital Committee Chair Balducci presented the action. The Capital committee reviewed this action at the last capital committee and recommended its approval unanimously. This action would execute a construction contract to provide construction services for the Northgate Station to NE 200th Street segment within the Lynnwood Link Extension.

The Sound Transit Board authorized a contract with the contractor for pre-construction services in May 2016, and the contractor has successfully completed the preconstruction services phase. In order to maintain the overall project schedule, a phased contracting approach is necessary and this action would authorize the first phase for construction work. The construction phase work under this action includes early work activities required to prepare the corridor for guideway construction, which is expected to begin summer 2019.

Boardmember Johnson mentioned that at the Capital Committee meeting, the members received an in-depth presentation about the visual impacts that this will have being located adjacent to the freeway. He asked for additional follow up on this issue, including the removal of trees.

**It was moved by Boardmember Balducci, seconded by Board Member Keel, and carried by unanimous vote that Motion No. M2018-166 be approved as presented.**

Motion No. M2018-168: Approving a performance award for Peter M. Rogoff, Sound Transit Chief Executive Officer.

Boardmember Keel stated that he would not be supporting the motion. He believes Peter Rogoff is the right person to lead the agency and has done a fantastic job, however in his opinion, the majority of the residents of Pierce County have an issue with the motor vehicle excise tax and he is hopeful that the agency will address this issue in 2019. As the mayor of a city in Pierce County, he will not be supporting this action.

**It was moved by Boardmember Roberts, seconded by Vice Chair Marchione, and carried by majority vote that Motion No. M2018-168 be approved as presented with Boardmember Keel voting in the minority.**

Motion No. M2018-170: (1) Declaring that an approximately 2,256 square foot parcel owned by Sound Transit adjacent to the Beacon Hill Link Station facilities at approximately 17th Avenue and Lander Street in Seattle is suitable for development as housing; (2) approving the key business terms of a Purchase and Sale Agreement with Pacific Housing Northwest, LLC for the sale of the Purchase Parcel, which will be combined with the Developer's adjacent 6,431 square foot parcel to facilitate a mixed-use transit oriented development; and (3) delegating to the chief executive officer the authority to execute and subsequently amend as necessary a Purchase and Sale Agreement and associated documents, all subject to the Board-approved key business terms.

Thatcher Imboden, Senior TOD Manager, stated that the action is related to an unsolicited proposal received through the agency's Unsolicited Proposal Policy and Procedures process for a vacant parcel of property at the Beacon Hill Station. The unsolicited proposal process works well in this case.



Sound Transit acquired property at Beacon Hill Station for the station head houses and vent shaft. Construction staging was primarily conducted on leased property. Due to the small size and orientation of the property, it was not included in the previous TOD Strategic Plan. Sound Transit received an unsolicited proposal from Pacific Housing NW, the developer that owns the adjacent property, to incorporate this property into adjacent development.

The property is unimproved and fenced and was recently appraised at \$260,000. The property was acquired with federal funds and its disposal will require FTA approval. The Capital Committee approved the CEO's declaration that the property is surplus at its December 13, 2018, meeting. All surplus properties, regardless of acquisition date, are subject to State Statute RCW 81.112.350.

Staff has explored how to meet the intent of the statute with an unsolicited proposal and FTA requirements. The approach taken was to review whether the property is likely to be suitable for housing, and then advertised the parcel with prioritization set to qualified entities. As a part of the unsolicited proposal process to meet both the statute and FTA requirements for maximizing competition, the property was advertised and prioritized qualified entities.

Consistent with previous Board actions since the enactment of state statute RCW 81.112.350, Sound Transit must determine whether a property is suitable for development as housing. Staff evaluated the property and found that local plans and zoning support housing; known environmental conditions would not limit housing; there is a strong real estate market for housing in the community; and the size and location of the property are less conducive for other uses. Staff is recommending the Board declare that the property is suitable for development as housing.

Edward Butterfield, Senior TOD Project Manager, presented the key business terms of this agreement. Based on the current appraised value, the sale price is \$260,000. The developer is requested to build at least 125 units with 20 percent of those affordable through the City of Seattle's Multi-family Tax Exemption (MFTE). In the middle of the overlay of the development area, there is an unimproved alley that divides the development and is used by Sound Transit's facilities. Sound Transit is requesting that the developer pave Sound Transit's portion of the alley in addition to the developer's portion. The agency is looking to have the design meet or exceed the LEED Silver certification for sustainability. The final term is that the developer build and maintain a public plaza on property retained by Sound Transit to accommodate the area.

The collaboration between Sound Transit and the developer will be positive for the Beacon Hill Station and the community. The project will complete the station by anchoring with new residential and commercial development and new public open space. In addition, the project will improve access and safety and will achieve the agency's goal of creating vibrant communities around its stations. Next steps include finalizing an agreement with the developer and requesting FTA concurrence in the first quarter 2019. The transaction will close and the developer will break ground in the third quarter 2019, and the development is expected to open in the fourth quarter 2020.

Boardmember Johnson mentioned that by the end of the first quarter 2019, the City of Seattle anticipates re-zoning this property and the adjacent parcel up one story – from 65 feet to 75 feet. This re-zoning will also trigger the mandatory housing affordable program. He asked that as the agency enters negotiations with the property owner and the potential developer of this property, that it doesn't lose an opportunity to increase the number of housing units that can be built with the extra story and the number of units that can be built for people at 60 percent of the area medium income.

**It was moved by Board Member Keel, seconded by Board Member Johnson, and carried by unanimous vote that Motion No. M2018-170 be approved as presented.**

Chair Somers stated that Motion No. M2018-171 has been removed from agenda.

Motion No. M2018-172: Ratifying the chief executive officer's finding of an emergency in connection with the purchase and installation of a light rail vehicle lift at the Operations and Maintenance Facility due to the fact that Macton Corporation has ceased doing business and is unable to complete its work.

Tracy Reed, Executive Project Director, explained that under an operations improvements project, Sound Transit advertised for purchase and installation of a light rail vehicle (LRV) lift at the Operations and Maintenance Facility in October 2016. The initial proposer in withdrew its proposal in January 2017, and the procurement was cancelled in February 2017.

An invitation to bid was issued again in July 2017. The second selected contractor was Macton Corporation. On November 28, 2018, staff was informed that due to unforeseen circumstances, Macton was unable to secure financing for its ongoing contracts and would not be able to fulfill its obligation to Sound Transit.

This project needs to be completed to accommodate the expansion of the LRV fleet, which will begin arriving in March 2019. This second lift was designed to support the new vehicle design and arrival schedule. Staff concluded that it is critical to the light rail operations, and to avoid costs and related contracts, that there was not sufficient time to re-procure this contract and stay on schedule to meet the business needs. Due to these circumstances, the CEO issued a declaration of emergency on December 11, 2018. This motion is to ratify the CEO's action.

Mr. Rogoff added that the LRVs are on order with Siemens with a scheduled delivery date. The lifts need to be in place in order to maintain and service the vehicles when they arrive. The owner and founder of Macton Corporation passed away and the company was deemed not to be a going concern and cancelled all of its orders. Because of this, he issued an emergency declaration on December 11, 2018, to get another company onboard.

**It was moved by Vice Chair Marchione, seconded by Board Member Backus, and carried by unanimous vote that Motion No. M2018-172 be approved as presented.**

Motion No. M2018-174: Authorizing the chief executive officer to execute an amendment to the King County Sheriff's Office to provide sworn law enforcement services through February 28, 2018

CEO Rogoff stated that in October the Board approved an extension of services with the King County Sheriff's office to provide law enforcement services for Sound Transit facilities. The timing of the Board's approval and the timing of the King County Council meeting did not give the Council the time needed to consider the new agreement; however, the Council did authorize a two-month extension. This action is to approve the two-month extension.

**It was moved by Board Member McDermott, seconded by Board Member Earling, and carried by unanimous vote that Motion No. M2018-174 be approved as presented.**

## **REPORTS TO THE BOARD**

None.

## **OTHER BUSINESS**

None

**NEXT MEETING**

Thursday, January 24, 2019  
1:30 p.m. to 4:00 p.m.  
Ruth Fisher Boardroom

**ADJOURN**

**A motion to adjourn was moved by Boardmember Backus, seconded by Boardmember Johnson, and carried by unanimous vote.**


The meeting adjourned at 2:58 p.m.



---

John Marchione  
Board Chair

ATTEST:



---

Kathryn Flores  
Board Administrator

APPROVED on February 28, 2019, JE