



Summary Minutes

Board Meeting
January 28, 2021

Call to order

The meeting was called to order at 1:38 p.m. by Board Chair Kent Keel in a Virtual Meeting via telephone and video conference.

Roll call of members

Chair	Vice Chairs
(P) Kent Keel, City of University Place Councilmember	(P) Dow Constantine, King County Executive (P) Paul Roberts, Everett Councilmember

Board members	
(A) Nancy Backus, City of Auburn Mayor	(P) Ed Prince, City of Renton Councilmember
(P) David Baker, City of Kenmore Mayor	(P) Kim Roscoe, City of Fife Mayor
(P) Claudia Balducci, King County Council Chair	(P) Nicola Smith, Lynnwood Mayor
(P) Bruce Dammeier, Pierce County Executive	(P) Dave Somers, Snohomish County Executive
(P) Jenny Durkan, Seattle Mayor	(P) Dave Upthegrove, King County Councilmember
(P) Debora Juarez, Seattle Councilmember	(P) Peter von Reichbauer, King County Councilmember
(P) Joe McDermott, King County Council Vice Chair	(P) Victoria Woodards, City of Tacoma Mayor
(P) Roger Millar, Washington State Secretary of Transportation	

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

Report of the Chair

Program Realignment Workshop – Chair Keel thanked the Board for their participation in the prior week’s Realignment Workshop and reviewed the discussions that took place. He noted that the big take-away from the discussion is that Board members would like to see what we can afford in combination with what might be possible with additional revenues. Chair Keel asked CEO Rogoff to start working on some options so that the Board can determine what combination delivers the most of ST3. He asked that those options be provided at next Board meeting on February 25, 2021.

Updated Agenda – Chair Keel announced that Motion No. M2021-07 regarding Board Committee appointments will be postponed to a later Board meeting.

CEO Report

CEO Rogoff provided the report. Boardmember Dammeier joined at this time.

Upcoming realignment work for 2021 – CEO Rogoff noted that staff is working providing information and answers to Board members to respond to requests made at the workshop. CEO Rogoff provided a quick recap of the workshop as well as the schedule going out until July where the Board will take action by adopting the realignment plan. The schedule is outlined in the Board briefing book from the workshop.

Federal Update – On the federal front, the Senate Commerce Committee favorably reported the nomination of Secretary of Transportation designate Buttigieg to the full Senate by a vote of 21-3. The Biden Administration has provided his \$1.9b request for COVID-19 relief to Congress which includes a request for \$20 billion in operational relief for transit systems nationwide. President Biden has announced his attention to follow-up the COVID relief package with an infrastructure recovery package to “Build Back Better.”

State Update – The Washington State Legislature opened the 2021 session on January 11th. Over the next three months, the Legislature is tasked with adopting new biennial budgets and any policy changes needed to address COVID and all other needs statewide. On January 18, 2021 House Transportation Chair Jake Fey introduced broad outlines of a House Transportation Committee transportation revenue package. The proposal is financed by a gas tax and carbon fee, generating \$25.8 billion over the next 16 years to pay primarily for maintenance and preservation of roads as well as transit and multi-modal projects. CEO Rogoff participated in a stakeholder conversation with Chair Fey and other House Democrats on the Transportation Committee on their transportation revenue proposal. Senate Democrats Rebecca Saldaña and Steve Hobbs are each working on their own proposals for transportation infrastructure. Senator Hobbs will have a public hearing on his package in the Senate Transportation Committee.

Sustainability Targets - Today’s Board meeting materials include the agency’s Annual Sustainability Targets. In 2020 the agency completed 91 percent of its 22 sustainability targets – including launching the development of a Racial Equity Toolkit for capital projects to implementing a utility monitoring and management system. For 2021, departments across the agency will be working to implement 37 new sustainability targets, which all work to meet the short and long-term goals of the agency’s sustainability plan.

Point Defiance Bypass – The weekend of January 16-17, 2021, in collaboration with WSDOT, Amtrak and BNSF, Sound Transit led the effort to conduct dynamic testing on the Point Defiance Bypass, which included the testing of signals, signage, PTC and crossing systems. Sound Transit made 25 round trips between Tacoma Dome Station and Nisqually, testing trains at speeds ranging from 40 mph to 79 mph. All tests were conducted successfully, on time, and under strict safety protocols (including Covid-19). The agency received great support from local jurisdictions and law enforcement, who were stationed as an additional safety measure at high-speed rail crossings during testing. The project team is currently examining all the findings. In spring there will be crew qualification runs.

Constructions Highlights – Construction highlights were also shared with the Board. Crews working on the Federal Way Link Extension closed State Route 99 between South 204th Street and South 208th Street in SeaTac to set up a temporary bypass for drilled shaft work on January 30, 2021 through January 31, 2021. The work was completed successfully. Also overnight this past weekend, crews working on the Lynnwood Link Extension closed the northbound lanes of I-5 from SR 104 to 220th Street SW in Mountlake Terrace to do falsework construction for span supports across I-5. This work will allow light rail to cross over the highway. Testing is underway on features in the Northgate tunnel alignment that monitor and mitigate potential impacts of our light rail vehicles on sensitive research facilities. The goal is for testing to be completed this summer to support opening of the Northgate Link this September.

Operations and Maintenance Facility – South Draft Environmental Impact Statement (DEIS) – The DEIS is scheduled to be published on March 5, 2021 with a 45-day public comment period. The DEIS will analyze and document the potential impacts to the natural and built environment at all three proposed alternative sites and recommend mitigations. Sound Transit is holding two virtual online public meetings on March 24, 2021 and March 30, 2021 along with an online open house which will run March 5, 2021 to April 19, 2021. Sound Transit will be mailing letters to property owners and sending out around 8,500 postcard notices.

“All aboard” Campaign – Four years ago Sound Transit launched a “Hate-free Zone” campaign that we ran through 2019, including social media, onboard signage and other applications. CEO Rogoff noted that it’s time to update and amplify those messages, and Sound Transit has unveiled a new campaign called “All Aboard,” with a tag line “Care for All, Hate for None.” The campaign will be produced in multiple languages and the goal is to address acts of racism and harassment, and to help all riders feel welcome and supported while using our service. There were 11 reports of harassment on the system over the past two years. The new onboard signage includes the Sound Transit Security number for getting help if needed, and the campaign will also include several videos over the next few months.

Public Comment

Chair Keel announced that public comment would be accepted via email to emailtheboard@soundtransit.org and would also be accepted verbally.

The following people provided written public comment to the Board:

Transportation Choices
Joe Kunzler

The following people provided verbal public comment to the Board:

Will Knedlik
Joe Kunzler
Kelsey Mesher

Consent Agenda

Voucher Certification: December 2020

Minutes: December 17, 2020 Board of Directors Meeting

Motion No. M2021-02: Authorizing the chief executive officer to execute an amendment to a construction and funding agreement with the Washington State Department of Transportation (WSDOT) for Sound Transit to design and construct WSDOT noise walls as part of the Federal Way Link Extension, for which WSDOT will reimburse Sound Transit.

Motion No. M2020-03: Authorizing the chief executive officer to execute an easement with the City of Tacoma for the City of Tacoma’s storm drain surface water interceptor project, for a total authorized agreement amount of \$5,704.

It was moved by Boardmember Roberts, seconded by Boardmember Balducci and carried by unanimous vote that the Consent Agenda be approved as presented.

Business items

Boardmember McDermott joined at this time.

Motion No. M2021-04: Authorizing the chief executive officer to increase the contingency for contract with Kiewit-Hoffman, East Link Constructors for the construction of the Seattle to South Bellevue Segment (E130) within the East Link Extension in the amount of \$10,000,000, for a new total authorized contract amount not to exceed \$721,660,541, all within the Board approved project budget.

Motion No. M2021-04 was moved by Boardmember Balducci and seconded by Boardmember Baker.

Boardmember Balducci explained that this motion and Motions No. M2021-05 and M2020-06 were related to the East Link Extension. She introduced Mike Bell Executive Director of the East Link Extension to provide a presentation on the East Link project and the three motions.

Mr. Bell provided an overview of the East Link Extension project, noting that the project was moving into its fifth and final year of Heavy Civil construction, before discussing key challenges and upcoming milestones for the rest of the work. Jon Lebo, Deputy Project Director-East Link, reviewed the various extension stations progress, highlighting notable stages. Finally Mr. Bell reviewed the details of Motions No. M2021-04, M2021-05, and M2021-06.

Boardmember Dammeier asked if there was any technology that could verify the true location of utilities for future projects, considering the difficulties and increased costs experienced on current projects. Mr. Bell advised that many of the utilities are of varying materials and states and that there are tradeoffs between the technology options and cost and schedule impacts to the project, noting that the project tries to find the right balance.

Boardmember Durkan joined at this time.

Chair Keel called for a roll call vote on Motion No. M2021-04.

<u>Ayes</u>	<u>Nays</u>
David Baker	Paul Roberts
Claudia Balducci	Kim Roscoe
Dow Constantine	Nicola Smith
Bruce Dammeier	Dave Somers
Jenny Durkan	Dave Upthegrove
Debra Juarez	Pete von Reichbauer
Joe McDermott	Victoria Woodards
Roger Millar	Kent Keel
Ed Prince	

It was carried by majority vote of 17 Boardmembers that Motion No. M2021-04 be approved as presented.

Motion No. M2021-05: Authorizing the chief executive officer to increase the contingency for the contract with Stacy and Witbeck/Atkinson, a Joint Venture for construction of the Downtown Bellevue to Spring District Segment (E335) within the East Link Extension, in the amount of \$10,000,000, for a new total authorized contract amount not to exceed \$423,488,121, all within the Board approved project budget.

Motion No. M2021-05 was moved by Boardmember Balducci and seconded by Boardmember Roberts.

Chair Keel announced that the Board already received a presentation on this motion.

Chair Keel called for a roll call vote.

<u>Ayes</u>	<u>Nays</u>
David Baker	Paul Roberts
Claudia Balducci	Kim Roscoe
Dow Constantine	Nicola Smith
Bruce Dammeier	Dave Somers
Jenny Durkan	Dave Upthegrove
Debra Juarez	Pete von Reichbauer
Joe McDermott	Victoria Woodards
Roger Millar	Kent Keel
Ed Prince	

It was carried by unanimous vote of 17 Boardmembers that Motion No. M2021-05 be approved as presented.

Motion No. M2021-06: Authorizing the chief executive officer to increase the contingency for contract with Max J. Kune Company, for construction of the Bel-Red Segment (E340) within the East Link Extension in the amount of \$5,000,000, for a new total authorized contract amount not to exceed \$107,487,012, all within the Board approved project budget.

Claudia Balducci, Chair of the System Expansion Committee spoke to the resolution and invited Ryan Fisher, Director of Financial Planning, Analysis and Budget, provided the presentation.

Motion No. M2021-06 was moved by Boardmember Balducci and seconded by Boardmember Roscoe.

Chair Keel announced that the Board already received a presentation on this motion. Chair Keel called for a roll call vote.

Ayes

David Baker
Claudia Balducci
Dow Constantine
Bruce Dammeier
Jenny Durkan
Debra Juarez
Joe McDermott
Roger Millar
Ed Prince

Nays

Paul Roberts
Kim Roscoe
Nicola Smith
Dave Somers
Dave Upthegrove
Pete von Reichbauer
Kent Keel

It was carried by unanimous vote of 16 Boardmembers that Motion No. M2021-06 be approved as presented.

Chair Keel stated that Motion No. M2021-07 to appoint committee chairs and members for 2021 would be considered at the February Board Meeting.

Resolution No. R2021-01: Updating the Board Rules and Operating Procedures and superseding Resolution No. R2018-45.

Chair Keel reminded the Board that the Board has begun taking verbal public comment through its virtual meeting platform in addition to accepting public comment via email. As the Board implements this new public comment method, he wants to make sure that this is used for its intended purpose of hearing from concerned citizens on issues that are on the agenda or within the committee's purview. He met with the Committee Chairs to discuss proposed changes to the Board rules as well as how to optimize public comment at our regular Board and Committee meetings. After receiving feedback from the Committee Chairs, he distributed proposed updates to all Board members for their review.

Boardmember Roscoe asked if there was a way reconcile Boardmember objections with a chair's time restrictions for verbal comments. She also raised concerns about restrictions which allowed the chair to limit the number of speakers for and against a topic, noting that there could be a high ratio in one direction which may be restricted.

CEO Rogoff advised that the time limit rule would allow the chair to reduce individual speaking times in cases where so many speakers signed up that the agenda timing was threatened.

Boardmember Balducci advised that Bellevue had a three speaker for and three speaker against a topic rule, and that there were creative methods that could be used to show broad support for one side or another.

Boardmember Roscoe thanked the Board for its comments and noted that she would be supporting the Resolution.

Boardmember McDermott advised that he shared the concerns voiced by Boardmember Roscoe, especially the limits on the time of public comment, but he would be supporting the Resolution.

Vice Chair Roberts thanked the Chair for bringing back verbal public comment, while at the same time, making a statement that inappropriate behavior was not welcomed. He highlighted comments from Mr. Paul W. Locke as an example of the comments which could be critical, yet entirely appropriate.

Resolution No. R2021-01 was moved by Boardmember Roscoe and seconded by Boardmember Balducci.

Ayes

David Baker
Claudia Balducci
Dow Constantine
Bruce Dammeier
Jenny Durkan
Debra Juarez
Joe McDermott
Roger Millar
Ed Prince

Nays

Paul Roberts
Kim Roscoe
Nicola Smith
Dave Somers
Dave Upthegrove
Pete von Reichbauer
Victoria Woodards
Kent Keel

It was carried by unanimous vote of 17 Boardmembers that Resolution No. R2021-01 be approved as presented.

Report to the Board

Independent Cost Consultant Update

Kimberly Farley, Deputy Chief Executive Officer, announced that a contract was executed with Triunity Team to conduct an independent review of the cost estimates and cost estimating methodology to provide information to the Board and staff. She introduced the Triunity Team to provide the presentation.

Jonnie Thomas, Principal-in-charge, and Sean VonFeldt, Senior Project Manager, provided the presentation. Mr. Thomas reviewed the consultant team and the large project experience it held.

Mr. VonFeldt outlined the scope of the team's review and analysis. He noted that Sound Transit was not the only transit agency to go through this process. He explained that the team would report directly to the Board, and reports would be simultaneously provided to the Board and staff. He noted that no opinions would be withheld. Mr. VonFeldt reviewed the timeline of the review, informing the Board that it had already begun review of all four projects under consideration with staff. The first step would be looking at ST3 plan estimates, then the 2019 cost updates, and then the most recent cost updates. Next, they would review estimating methodologies and provide recommendations. The third task would be to review management methodologies for project development, design, and risk management.

Boardmember Durkan verified that the Board was the client, and noted that it had not been involved in developing the Request for Proposal. She asked that a Board committee review and oversee the consultant's scope.

Ms. Farley explained that in order to ensure transparency, staff would not be reviewing the results as they were presented before the Board received them. In addition, the consultants would welcome any questions.

Boardmember Durkan reiterated that she wanted to have the confidence to go to the public and tell it that they had truly independent review of staff's estimates.

Chair Keel noted that the presentation and discussion at hand were driven in large part by Boardmember Durkan's concerns, and if there were additional concerns or questions, they should be raised in order to build that confidence.

Boardmember Balducci noted that it would be helpful to get a sense of their judgement about where estimating could have been approached differently, especially in relation to peer agencies. She asked that since there was such a tight timeline, that there be future opportunities for new questions raised by future reports.

Ms. Farley stated that the Board would receive monthly reports, which allowed for direction from the Board.

Boardmember Balducci asked if potential recommendations from the consultants could include protective acquisitions. Ms. Farley advised that this was action that staff was already pursuing.

Mr. Rogoff explained that protective acquisitions were helpful to a point, but that some alternatives were drastically different. He suggested that one possible solution would be faster preferred alternative selections, which carried with it its own barriers.

Vice Chair Roberts clarified that what was being dealt with was an escalation of cost estimates which were not fully developed yet. He noted that the only way to verify true costs would be to advance engineering and development work. The estimates would be better informed, but still estimates.

Boardmember McDermott affirmed the rigor with which the Board wanted this review completed.

Ms. Farley and Chair Keel asked Boardmembers to contact staff for any additional requests or comments regarding the review.

Boardmember Somers noted that going into the future, he was interested in knowing where risks or uncertainties existed.

Next meeting

The next regular Board meeting would be held on Thursday, January 28, 2020, 1:30 to 4:00 p.m. as a virtual meeting via WebEx.

Other Business

Board Administrator Katie Flores shared a statement from Boardmember Upthegrove that he was present during the Board meeting but was not able to speak due to audio issues. He asked via email that his affirmative vote be reflected for all actions, including the consent agenda, Motion No. M2021-04, Motion No. M2021-05, Motion No. M2021-06 and Resolution No. R2021-01.

Adjourn

The meeting adjourned at 3:33 p.m.



Paul Roberts
Board Vice Chair

ATTEST:



Kathryn Flores
Board Administrator

APPROVED on February 25, 2021, TW.