

## SOUND TRANSIT

### MOTION NO. M2007-129

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Board Chair to execute a fourth amendment to the employment agreement with Joni Earl, Sound Transit Chief Executive Officer.

#### **Background:**

In June 2001, the Board employed Ms. Joni Earl as Sound Transit executive director and entered into an employment agreement with a two-year term ending June 30, 2003. The original agreement has been amended three times. The first amendment, approved by the Board in June 2003, extended the term of the agreement for two additional years to June 30, 2005 and changed Ms. Earl's official title to chief executive officer. The Board approved a second amendment in March 2004 to increase her annual compensation to \$177,160 and to pay \$5,000 as the contribution and performance award component of her compensation. The third amendment, approved by the Board in December 2005, extended the agreement term for two additional years, increased her annual compensation to \$187,949, granted a \$5,000 contribution and performance award for accomplishing the 2004 and 2005 performance objectives, and adopted performance objectives upon which eligibility for a future contribution and performance award would be based.

This proposed fourth amendment to Ms. Earl's employment agreement extends the agreement term for two additional years, grants a contribution and performance award as provided in the existing employment agreement, establishes the annual base compensation of \$195,467 through 2009, deletes sections of the employment agreement regarding car allowances and home office equipment, amends sections dealing with vacation leave payout, and adopts performance objectives upon which the next contribution and performance awards for 2008 and 2009 will be based.

#### **Motion:**

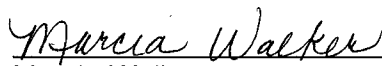
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority authorizing the Board Chair to execute the fourth amendment to the employment agreement with Joni Earl to (1) extend the term of the agreement for two additional years, through December 31, 2009; (2) award \$5,000 as the contribution and performance award component of her compensation package for accomplishing the agency's goals and milestones as provided in her employment agreement; (3) provide for the increase in annual base compensation to \$195,467 effective January 1, 2008; (4) adopt the attached performance objectives upon which eligibility for an annual contribution and performance award will be based each year (2008 and 2009) in accordance with the agency's compensation policies; and (5) amend the employment agreement to delete certain provisions regarding transportation allowance, home office equipment, and vacation payout upon separation; and (6) amend the employment agreement to authorize annual contribution and performance awards, to provide for the continued accrual of annual vacation as provided in the employment agreement, provided that any annual vacation exceeding 400 hours and accruing after December 31, 2007 must be used in the year accrued, and (7) to provide for vacation payout upon separation in accordance with agency policy for 400 or fewer hours, and to provide for payment of the fixed value of any accrued vacation exceeding 400 hours as of December 31, 2007 as regular salary payable as of January 31, 2008 in an

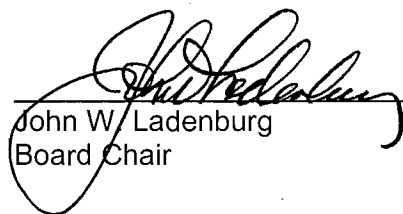
amount not in excess of the applicable salary deferral limit under the agency's tax qualified pension plan and as of January 31, 2009 in an amount equal to the excess, if any, of the total amount of the value of such accrued vacation over the amount deferred into the agency's pension plan in 2008; provided that the amended employment agreement shall provide that Joni Earl will execute an irrevocable agreement to defer such salary in respect of excess accrued vacation into the pension plan as deferred compensation, consistent with the agency's deferred compensation pension plan requirements.

Sound Transit staff shall implement the Board's compensation and contribution and performance award decision and make any additional amendments to the employment agreement consistent with terms set forth herein.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 13, 2007.

ATTEST:

  
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Marcia Walker  
Board Administrator

  
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John W. Ladenburg  
Board Chair

## **Joni Earl**

### **Performance Objectives January 2008 – December 2009**

- Lead and facilitate Agency implementation of the Sound Move Program, delivering capital projects on time and within Board adopted budgets.
- Provide quality, safe, and reliable service and facilities for our customers within our financial resources. Continue efforts to grow ridership.
- Manage Agency resources, both financial and capital assets, in a manner that demonstrates public accountability, fiscal responsibility, and adherence to Board policies.
- Be an effective leader of staff, fostering an atmosphere where talented and dedicated people want to work toward our common mission.
- Communicate effectively with the Board of Directors, providing accurate and timely information for Board deliberations and actions.
- Ensure preparations and actions are completed to open Link light rail for passenger service in 2009.
- Develop and implement communication strategies to increase public awareness of the Agency's projects, services, plans and performance.
- Create a Sound Transit 2 plan that meets the Board's expectations and directions for going to the ballot to expand the regional transit system.
- Make the strategic decisions required to accomplish the Agency's annual milestones and report progress quarterly.