

## Sound Transit Community Oversight Panel Hybrid Retreat Summary

**April 2, 2024**

**COP Members Present:** James Peyton, Paul Thompson, Tom Norcott, Scott Lampe, Lucas Simons, Donia Zaheri, Tina Pierce, Lorenzo Frazier, Charlotte Murry

**COP Members Absent:** Gabriel Clark, Diana Cambronero Venegas

**Others Present:** Kathy Albert, Adam Montee, Katie Flores, Chris Hoffman

### **Member Introductions and Personal Goals for the Coming Year**

Paul began by asking members to identify their personal goals for the coming year, and began with the online members to share theirs.

- Tina began by saying she'd like to learn more about the panel's role and to better understand how this work all ties together. She also noted she is interested in shadowing fare ambassadors to better understand their work and how they are trained to deal with the public.
- Scott said that he'd like to see the peer data from other transit agencies to see how Sound Transit compares to them. He noted an interest in the financial situation and getting more information about that. Lastly, his most important topic is cost escalation and ridership and if the agency would ever determine a light rail project is too expensive to build and if they would pursue or another option, such as Bus Rapid Transit.
- Lorenzo said he is interested in finances, financing, and how projects are funded, understanding costs and impacts, and where money is spent (acquisition, design, etc.). He said that it appears decisions get pushed back which extend costs. He'd also like to understand and see Sound Transit leverages its relationships with other agencies. He'd like to see more about where the agency is working with other agencies and how bus service is integrated with light rail.
- Charlotte said she'd like to better understand at what threshold Sound Transit decides to pivot on projects when they become too expensive. She also said there is a need to focus on how this panel impacts the work that Sound Transit is doing; what is our level of influence and how we can be more impactful.
- Tom said that he wants to a better job getting first-hand experience with the service Sound Transit provides. He'd also like to get another Snohomish County representative on the panel. He would like to have more of a direct impact on Sound Transit's decisions. He seeks to do a better job of asking relevant questions. He also said that he would like to be a positive voice for Sound Transit.
- Lucas said he'd also like to make more of an impact through the panel's work and not just get presentations. He would like to have board members present at some meeting since they are the decision makers.
- Paul said he'd like Sound Transit to take better care of their infrastructure and keep it in a state of good repair. He said he'd like to see Sound Transit take risks more seriously, especially ones that can disrupt service like earthquakes and flooding.

Paul noted that the Community Oversight Panel Overview in the retreat packet does not give any decision-making power to the panel, but it's important to have staff organize their thoughts through the presentations and that exercise is useful to them and improves the way they do their work. Asking them questions is also important because it gets staff to address issues they may not be addressing in their typical course of business. Coming up with good questions is an important part of the COP's job. It's

important that we are active and prepared and not shy away from putting staff on the spot so they are accountable. Charlotte asked if the panel could prepare a quarterly letter to make the feedback more timely. Paul said that might be a challenge based on the Board's schedule and the nature of the topics that are covered. Paul said that the 2023 annual report has a different tone, moving away from cheerleading and making it more factual and critical. He said that the panel's work does make a difference but that it's not always easy to see. He has appreciated staff answering questions and getting those questions to staff in advance has worked well.

Lucas said that he isn't quite sure what their role is in reviewing the financial plan. Tom said it would be nice to have the other community advisory committees come and give presentations on their work. Members generally said they would like to hear more from the TAG and how their recommendations are being implemented.

## **Review of Panel's Responsibilities**

- Desmond Brown – Sound Transit General Counsel

Staff began by talking about the creation of the panel, which came about after the defeat of the agency's first ballot measure. It was lost in part because there wasn't enough local accountability. The second measure added a sub area equity component to ensure areas got an equitable portion of the services – that funds raised in Pierce and Snohomish County would be used to build projects in those areas. The COP is the only committee named in the ballot measure. The function of the panel is to ensure money is spent the right way and in the right order. The panel initially focused on the financial portion of the agency. The panel began to look more closely at the overruns in 2001 and started to ask more questions about how things were done in the agency. The panel was relied on to help determine what the agency could build and if they could afford it. The panel eventually issued a report that said the agency could actually build what they said they could. While the panel's work has changed somewhat over the years it has continued to provide oversight on a growing list of topics.

Social justice and equity and passenger experience have recently been added to the panel's purview as these topics have become more important to the agency. The COP can weigh in on and provide feedback to the financial plan but not suggest a new plan. A member asked about the 10-year construction plan that was voted on in 1996 and what that included. Staff replied that the plan included the commuter rail, light rail from UW to the airport and it was supposed to be complete in 10 years. The budget was based on average cost of light rail construction in the United States, which was \$1.2 billion short because tunneling and land costs are higher than in other parts of the country. The Board decided to phase light rail construction and it took 20 years to build instead of 10 years. A member asked what keeps him awake at night. Staff said the biggest challenge is construction because there are so many projects currently under construction. This has tested the technical capacity of the agency. Overseeing that amount of work is a big challenge. There aren't any major federal funding or legal issues currently.

A member asked about real estate acquisition and if the legal department gets involved in that. Staff said that the legal team does get involved when the real estate team can't reach an agreement and they have to condemn the property. In reality, 95% of the cases settle before they get to condemnation. They have only had two times when property owners have gotten more money than Sound Transit offered, and Sound Transit is typically very fair with offers and the entire acquisition and relocation process. A member asked about the issues they have had with Mercer Island and if they have had similar issues elsewhere. Staff said they have not; it was a challenge with Mercer Island because city council kept changing and they were actively trying to stop the project. They don't have sustained opposition like that in other places. There have been some property acquisition issues in Lake Forest Park. Staff said that they try to

avoid conflicts with churches. A member asked if there is a visual presentation of what was promised in the first 10 years versus all the other projects that were promised in ST2 and ST3 and wanted to know about why the decision was made not to bring light rail to Everett as planned. Staff said they can provide that information, but Everett was never included in the first 10 years or even in the first 25 years. There was a thought to go to Everett but there wasn't enough funding to get there. Some areas build up revenue faster than others do; Everett is a long way to go and there wasn't enough revenue in Snohomish County to support it. However, Everett did get Commuter rail in 1999. A member asked about the conflict of interest policy for COP members. Staff said that if a member has a direct financial interest where they or a relative could benefit from a decision then that member should not participate in weighing in on that particular topic. A member asked about the original Sound Move and noted that going to UW was deemed unaffordable, and wanted to know what criteria are there to determine if a project is unaffordable. Staff said that is a judgment that the Board makes and that decisions are triggered when a project gets more than 5% away from the plan. The Board has to decide what to do if that 5% threshold is exceeded. The Board can choose to extend the plan, scale the project back, phase it, or eliminate scope. The Board has faced that issue three times: in 2001 when they decided to phase the original plan, in 2011 when revenues went down and they eliminated some projects, and in 2021 when they did the realignment and just extended the timeline of the projects. There is no legal criteria that says it costs too much and you can't afford it. The member asked specifically about the Ballard extension and the amount of debt the subarea will carry. Staff said that the subarea has to eventually pay off the debt and as long as the area has the capacity to pay off the debt they can carry on with the project. Some of the costs are affected by the state of the economy and it's difficult to know which direction the economy will go several years in advance.

### **Deputy CEO Hiring Process Review**

- Julie Honeywell – Chief Human Resources Officer

Staff began by talking about the recently hired deputy CEO of mega projects, Terri Mestas, who will be starting the end of this month. Staff said they began posting the position in October 2023, and in addition to posting the position, their recruitment firm actively sought out some candidates. In December, the recruiter presented 16 candidates. They then narrowed the number of candidates to 8 individuals, and then after interviewing those candidates they narrowed to 4. After another round of interviews, they narrowed further to two candidates. Both of those candidates spent three days here talking with the hiring team, the board, and staff. They also gave presentations on what they would propose to do in their first 100 days. They selected Terri based on her extensive experience on large projects with aggressive growth and her work as a change agent. She comes from the Los Angeles airport where she was managing a massive airport expansion effort. She also has experience turning around projects to get them back on track. She highlighted the importance of stakeholder and community engagement. When she starts at the end of this month she will have two additional positions underneath her, and Sound Transit currently has a preliminary pool of candidates identified for those positions. A member asked if those candidates have light rail experience. Staff said they do have candidates with extensive light rail experience. A member asked about Terri's compensation package and how that stacks up against other agencies. Staff said that for a program of this scale the salary is in the range of similar agencies. The hope is that hiring Terri is a good investment in making progress on projects. A member asked about interim CEO and how he will serve in his role and if there is a conflict with his past role with consulting firm HNTB (which has contracts with Sound Transit). Staff said that he signed a conflict of interest statement, has left HNTB, and expects to be in the role for about six months. A member asked if there was something specific about Terri that really stood out. Staff said that her vision and organization, as well as her understanding of the agency really stood out. The nature of the programs that she managed also was an important factor. A

member asked what two positions under Terri will focus on. Staff said that one will focus on ST2 and one on ST3, and they will report to Terry.

## **2024 Focus Area Discussion**

Paul began by referencing the focus areas identified in the packet that was provided before the meeting that were discussed at last year's retreat. Paul also noted the list of presentations that were given over the last year. He also made a list of all the presentations given and how long it has been since they have received a presentation on the specific topics. Presentations are typically given if there is new information and the topic is of interest to the COP. Paul then asked if this is a good list, if there are other topics that should be included, or if some topics should be removed. Charlotte asked about the need for a Lynnwood Link presentation since that extension is getting ready to open. Paul responded that they would typically provide a progress update, which would be of interest to the panel. After additional discussion, staff said that the tour is currently planned to occur on the Lynnwood Link and that could take the place of a presentation. A number of members thought this was a good idea. Tina said that financials and asset management are top priorities. She said that community engagement is also important, and asked if members should be attending community meetings. She also suggested a presentation from the community engagement group and what they are hearing from the community. Tom said that he attended a community meeting that was informative and looks forward to attending more meetings in the future. Paul suggested adding community engagement to the work plan, even though they usually hear about community engagement at the project level. Paul encouraged panel members to go to public meetings in their subareas but said that it's not the panel's job to weigh in on specific projects. Scott liked the list especially the top three topics on the list. It was suggested that accessibility could be pushed further down the list. Charlotte suggested moving safety up the list due to all the recent safety concerns. Paul noted that they heard from safety recently, but also said that the safety director recently stepped down, and so it might be worthwhile to hear from the new director. Tom asked if the COP will address these topics over one or two years. Paul replied that the plan is to address them in one year. Tom said that it might be helpful to add a representative from the TAG to come to a meeting and Charlotte said that having a board member attend a meeting would be very helpful. James indicated he liked the list and noted that community engagement staff have attended in the past on specific projects, and that it's important to have representatives from those specific projects because they are closest to the project and what the community is saying. James asked about OMF South and if it should be on the list. Charlotte suggested having a BRT presentation as well to hear how all the various openings are being coordinated. James asked about the efforts to get more people involved in the trades and expanding the construction workforce.

## **Discussion on COP Meetings and Opportunities for Improvement**

Paul asked for ideas on opportunities for improving COP meetings, and specifically if any changes need to be made to meeting days and times. Members agreed that the current meeting dates and times work well. Tina asked if the COP is supposed to have 15 members and how many more are needed to have a full complement. Staff said that the Pierce County board members have approved 3 new members, and the full board just needs to approve them. If that happens, the new members could start in May. Tom said the current meeting structure works well. Scott said the sound when participating remotely could be improved. Staff said that their vendors will be installing drop microphones that drop down from the ceiling and that those should improve the sound. Tom asked about having wireless microphones and speakers. Staff explained the drop microphones should be a big improvement and that there are challenges with installing systems in an old building. Staff explained that the microphones will be farther away from the HVAC system than the current microphones, which should also help to improve the sound quality.

Tom asked about using the boardroom and staff said that the boardroom requires 4-5 staff with specific expertise to run the boardroom and that they will eventually take steps to improve upon that. Lucas said the format has been much improved with less rushing through presentations. Lorenzo said that he does have some issues with sound and said that close captioning is very helpful. He also likes getting the packet ahead of time and likes the presentations the COP has been receiving.

Adam mentioned the Sound Transit ethics policy and that anyone involved with ST has to follow the policy. The COP also has to comply with the policy but in a more narrow way since they are not decision makers. He said members will soon get an email from the administrator to get formal confirmation that COP members are complying with the policy. Members will just have to say they read the policy and are in compliance with it. Adam also mentioned that this was Kathy's last meeting. She has been with the panel for over 16 years and was part of expanding the panel's role in terms of the topics it addresses. Paul recognized Kathy's commitment to the COP and her ability to form positive working relationships with the panel. Adam noted that there is a strong relationship between the Board and the panel, which is why the Board administration group is stepping in as the liaison for the COP. Following up on a previous discussion, Adam noted that the Board oversees the TAG, which is a group of external experts. The board also oversees the other advisory committees. There will be a presentation soon on how Sound Transit is responding to the TAG recommendations.

**Next Meeting:** Wednesday, April 10, 2024, 5:30 – 8:15 PM