



Summary Minutes

Board Meeting
December 19, 2020

Call to order

The meeting was called to order at 1:38 p.m. by John Marchione in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

Roll call of members

Chair	Vice Chairs
(P) John Marchione, City of Redmond Mayor	(P) Kent Keel, City of University Place Mayor (P) Paul Roberts, Everett Councilmember

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

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

Report of the Chair

Board members on the phone

Chair Marchione stated that Boardmembers Roberts, von Reichbauer and Woodards would like to attend by phone, and that the Board rules allowed for up to 25 percent of members to participate by phone, so he approved their request.

Adjustment to today's agenda

Chair Marchione announced that the Board will take action on Resolution No. R2019-30 to adopt the 2020 Budget at 2:30pm to allow Board members who are on the phone to be involved in the discussion.

Recognition of David Earling

Chair Marchione recognized Boardmember Earling's his long service on the Sound Transit Board, beginning back in 1993. Dave Earling served as one of the original Board members and remained on the Board until 2003. During that time he served as Vice Chair of the Board for six years, and as Board Chair for two years. He left Sound Transit for a period of time, then returned in 2012 and served for seven more years for an impressive total of 18 years. He has seen the growth of this agency from its infancy to an agency that is working to build out the full ST2 and ST3 plans. Chair Marchione concluded by thanking Boardmember Earling for his leadership on behalf of Sound Transit and the citizens of the Puget Sound region.

Chair Marchione Recognition

Boardmember Constantine recognized Chair Marchione for his service on the Board. Chair Marchione joined the Board in February 2008 and has served for 11 years. Over the last year he served as chair of the Board and guided difficult Board conversations around identifying alternatives for study for the Operations and Maintenance Base – South and the West Seattle and Ballard Link Extensions. Boardmember Constantine noted that Chair Marchione has repeatedly gone above and beyond in working to advocate for riders and stakeholders, not only in East King County, but region wide.

Chair Marchione mentioned how it's been a pleasure to serve on this Board working with a variety of people and perspectives and thanked all of his fellow Board members.

CEO Report

TIFIA Loan and Full Funding Grant Agreement for the Federal Way Link Extension – Mr. Rogoff reported that the U.S. Department of Transportation officially notified the House and Senate Appropriations and authorizing Committees that it intends to close a \$629.5 million TIFIA loan and enter into a \$790 million Full Funding Grant Agreement for our Federal Way Link Extension project. The TIFIA loan represents the fourth and final loan under the \$1.99 billion TIFIA Master Credit Agreement Sound Transit signed with the DOT at the end of 2016 to support several Sound Transit projects, including Federal Way. Overall, the TIFIA agreement will save taxpayers between \$200 and \$300 million in borrowing costs over the life of the bonds. The \$790 million Federal Way Full Funding Grant Agreement represents 25% of the \$3.1 billion federal cost estimate for the 7.8-mile Federal Way Link Extension project. On Friday, the FTA transmitted it to Congress, starting a 30-day, statutory congressional review period. Their action confirms the administration's intent to execute the grant once the period is complete.

Upcoming Connect 2020 Work – Beginning January 4, 2020 and running through March 15, 2020. Link light rail service will look very different as work begins on Connect 2020. During this time, crews will close one track at a time at all downtown stations. Trains will operate between Angle Lake and Pioneer Square, and between UW and Pioneer Square as normal. Riders continuing through Pioneer Square will change trains on the temporary center platform we completed in October. Trains will run every 12 minutes at all times, seven days per week. More than 1,000 of Sound Transit staff members will spend 5 or more shifts in the field assisting riders, especially downtown and at SeaTac Airport. Staff will be onsite at various stations throughout the 12 weeks, but with particular emphasis on the early weeks.

Sound Transit installed alerts in stations and onboard trains, launched a dedicated website, connect2020.soundtransit.org, and is encouraging riders to sign up for email and text message alerts. A multilingual digital campaign begins next week and runs through mid-January and we are partnering with SDOT to reach Limited English Proficiency communities in the Rainier Valley.

On-Demand Bike Locker Installation - Shared, on-demand bike lockers will be installed this week at the University of Washington, SODO, and Rainier Beach Link stations. Sixty bike locker spaces will be added to the UW Station, and we are more than doubling the number of spaces at the SODO and Rainier Beach Stations, bringing totals up to 32 and 34 respectively. The new bike lockers will be available by the hour on a first-come, first-served basis, as opposed to existing bike lockers which are leased annually. We have contracted with BikeLink to install and operate the lockers. They will cost five cents per-hour.

Downtown Seattle Transit Tunnel Vertical Conveyances – Escalators and elevators are essential to providing access for our light rail customers in downtown Seattle. Recently the performance of vertical conveyances in the tunnel has reached unacceptable levels. Currently there are 9 escalators, or 25% out of service for major repairs. Sound Transit staff have been working with KCM, who owns and maintains the tunnel, to address these issues. KCM has had ongoing problems with the performance of the contractor providing maintenance on the DSTT vertical conveyances. Sound Transit, in its position

as tenant in the DSTT, has worked together with KCM maintenance staff to monitor performance and encourage and support KCM in their efforts to ensure their vendor is meeting contract expectations.

KCM has recently assigned a new superintendent to the DSTT to address these and other issues. Sound Transit is in communication with this superintendent daily to discuss and monitor progress. Mr. Rogoff noted that access to our light rail services is especially important to those members of our community who rely on mobility devices.

Claudia Balducci named Transportation Executive of the Year – Mr. Rogoff announced that Boardmember Claudia Balducci has been named the Puget Sound Business Journal's transportation executive of the year. The Business Journal cited Boardmember Balducci's dedication to enhancing transit since she took office as Bellevue city councilmember in 2004, including strong support for the Eastlink Extension and her work as the chair of the Sound Transit System Expansion Committee.

Public Comment

Alex Tsimerman
Kenn Halquist

Consent Agenda

Voucher Certification: November 2019

Minutes: October 24, 2019 Board of Directors Meeting

Motion No. M2019-114: Authorizing the chief executive officer to execute an interagency agreement with the Pierce County Public Transportation Benefit Area Corporation (Pierce Transit) for operations and maintenance of the Tacoma Dome Station for the period through December 31, 2024, with an option to extend for one three-year period, contingent upon Board approval of the Proposed 2020 Budget through Resolution No. R2019-30.

Motion No. M2016-115: Authorizing the chief executive officer to execute an agreement with the Pierce County Public Transportation Benefit Area Corporation (Pierce Transit) to fund a portion of Pierce Transit's Lakewood Base Expansion in support of ST Express bus service for a total authorized agreement amount not to exceed \$1,897,500.

Motion No. M2019-116: Authorizing the chief executive officer to execute an amendment to the Commuter Rail Rolling Stock Maintenance Agreement with the National Railroad Passenger Corporation for the additional scope of Positive Train Control maintenance on Sounder locomotives and cab cars, in an amount not to exceed \$664,580 for a new total authorized agreement not to exceed \$289,240,511.

Motion No. M2019-117: Authorizing the chief executive officer to execute an amendment to the Commuter Rail Service Agreement with the BNSF Railway Company to incorporate changes related to the south line service agreement scope of work for Positive Train Control.

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

Business items

Motion No. M2019-119: Adopting the Sound Transit 2020 State Legislative Program and directing staff to evaluate and engage in issues that impact the agency as it continues to implement a regional high-capacity transit system.

Chair Marchione noted that the Executive Committee reviewed this action in December and forwarded it to the Board with a do pass recommendation.

Motion No. M2019-119 was moved by Boardmember Balducci and seconded by Boardmember Keel.

Boardmember Balducci offered an amendment to add a section to the motion. The amendment was provided to Board members in their packet. She indicated that she would like to offer the amendment with the word flexible in the title rather than the word innovative.

The amendment was moved by Boardmember Balducci and seconded by Backus.

- **Support efforts to create new flexible revenue options to fund transit and transportation investment**

Washington State restricts the use of gas tax revenue (its main funding source for state transportation projects) to be spent solely for highway purposes. As the State undertakes discussion of new transportation funding options, Sound Transit supports flexibility in the requirements for use of any such funding, to support an effective, efficient transportation system that meets the varying needs across Washington State.

The amendment to Motion No. M2019-119 offered by Boardmember Balducci was carried by unanimous vote.

Boardmember Balducci offered a second amendment to Motion No. M2019-119 to add a section to the motion. The amendment would state Sound Transit's support that as the state undertakes the discussion of new transportation funding options we would support flexibility in the requirements in the uses of any such funding.

The amendment was moved by Boardmember Balducci and seconded by Boardmember Backus.

- **Support efforts to create new revenue options to fund transit and transportation investment**

Transportation funding options at the local level, and particularly funding options for transit, have long been constrained in the way local authorities are allowed to raise revenue for both capital projects and services. In addition, many transportation revenue options restrict the use of the revenue to be spent solely for highway purposes. Sound Transit supports revenue options that can be directed toward capital and operating investments by local jurisdictions and others in support of the regional transportation system.

The amendment to Motion No. M2019-119 offered by Boardmember Balducci was not carried.

Boardmember Dammier proposed an amendment to an existing section to provide greater clarity and bring vehicle taxes in line with Kelly Blue book values in a way that is revenue neutral.

The amendment was moved by Boardmember Dammeier and seconded by Boardmember Keel.

- **Continue to work collaboratively with the State Legislature to [support the public's desire to base vehicle taxes on Kelly Blue Book value, in a revenue neutral manner](#)~~address concerns related to Motor Vehicle Excise Taxes while preserving the agency's ability to fully deliver the voter-approved plan within the adopted timeline.~~**

The Board, through Motion No. M2017-37 directed Sound Transit staff to engage with the State Legislature and pursue options to address public concerns about Motor Vehicle Excise Taxes and the depreciation schedule in use for Sound Transit 3. Sound Transit will work with the Legislature to develop solutions [that implement the public's desire to base vehicle taxes on Kelley Blue Book value, in a revenue neutral manner](#)~~within constitutional and statutory limitations and ensures that the agency's ability to deliver the voter-approved plan within the adopted timeline.~~

Boardmembers were supportive of working with the state legislature, but were concerned about using Kelly Bluebook to determine the correct cost.

The amendment to Motion No. M2019-119 offered by Boardmember Dammeier was not carried. It was carried by unanimous vote that Motion No. M2019-119 be approved as amended.

Motion No. M2019-120: Appointing Mark Riker as the Labor Liaison to the Sound Transit Board for a term of four years beginning January 1, 2020 and expiring December 31, 2023.

Chair Marchione noted that the Executive Committee reviewed this action in December and forwarded it to the Board with a do pass recommendation. Boardmember Constantine spoke to Mr. Riker's capabilities and is looking forward to working with him so closely with the fellow Board members.

It was moved by Boardmember Durkan, seconded by Boardmember Balducci, and carried by unanimous us vote that Motion No. M2019-120 be approved as presented.

Chair Marchione asked for a vote to postpone the Motion No. M2019-122 to move forward with Resolution No. R2020-30.

It was moved by Boardmember Backus, seconded by Boardmember Keel, and carried by unanimous vote to postpone Motion No. M2019-122 until after action on Resolution No. R2020-30.

Resolution No. R2019-30: Adopting an annual budget for the period from January 1 through December 31, 2020 and adopting the 2020 Transit Improvement Plan.

Boardmember Backus noted that the Finance and Audit Committee reviewed this action in November and forwarded it to the Board with a do pass recommendation. Boardmember Backus invited Ann Sheridan, Budget Director, to give an overview of the proposed budget and Transit Improvement Plan. CEO Rogoff and staff answered question from Boardmember Durkan and Dammeier.

It was moved by Boardmember Balducci, seconded by Boardmember Backus, and carried by unanimous vote of seventeen Board members present that Resolution No. R2019-30 be approved as presented.

Motion No. M2019-122: Authorizing the chief executive officer to increase the contract contingency for the Hilltop Tacoma Link Extension construction contract with Walsh Construction Company II LLC in the amount of \$4,300,000 for a new total authorized contract amount not to exceed \$118,009,750, contingent upon Board approval of the Proposed 2020 Budget through Resolution No. R2019-30.

Boardmember Balducci noted that the System Expansion Committee reviewed this action in December and forwarded it to the Board with a do pass recommendation. Boardmember Balducci invited Madeline Greathouse, Project Director to give a high-level overview of the action and review concerns about DBE participation.

It was moved by Boardmember Durkan, seconded by Boardmember Balducci, and carried by unanimous us vote that Motion No. M2019-122 be approved as presented.

Motion No. M2019-124: Electing a Sound Transit Board Chair and one Vice Chair to complete the remainder of the unexpired two-year terms, beginning January 1, 2020 and ending December 31, 2020.

The Board's Rules and Operating Procedures specify that the Washington State Secretary of Transportation must chair the meeting for the purposes of the elections. Secretary Millar is not able to attend, but Dylan Counts, his alternate, is prepared to preside over the election of officers. The Board must temporarily suspend the rules by a supermajority affirmative vote of the Boardmembers in attendance.

It was moved by Boardmember Backus seconded by Boardmember Balducci and carried by unanimous vote to temporarily suspend the rules to allow Mr. Counts to chair the meeting for the purpose of the election.

Mr. Counts noted that Chair John Marchione is leaving the Board at the end of 2019, before his two-year term as chair expires on December 31, 2020. In the event of a Board Chair vacancy before the term expires, the Board's Rules and Operating Procedures call for the Executive Committee to develop a recommendation to fill the remainder of the unexpired term, and to bring that recommendation to the Board at the next regular Board meeting. Board officers are selected by majority vote of the Board, and the Chair and Vice Chairs each need to be from different counties.

The Executive Committee met earlier this month and recommended Kent Keel from Pierce County as Board Chair, and Dow Constantine from King County as Vice Chair.

Mr. Counts called for any additional nominations from the Board, there were none. Mr. Counts closed nominations.

Motion No. M2019-124 was moved by Boardmember McDermott and seconded by Boardmember Upthegrove.

Chair Counts called for a roll call vote on Motion M2019-124 since it requires a supermajority vote, passing unanimously.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Bruce Dammeier
Jenny Durkan
Dave Earling
Debora Juarez
Kent Keel

Nays

Joe McDermott
Paul Roberts
Kim Roscoe
Dave Somers
Dave Upthegrove
Peter von Reichbauer
Victoria Woodards
John Marchione

It was carried by the unanimous vote of seventeen Board members that Motion No. M2019-124 be approved as presented.

Mr. Counts turned the meeting back over to Chair Marchione.

Motion No. M2019-123: Approving a performance rating, award and salary adjustment for Peter M. Rogoff, Sound Transit Chief Executive Officer.

Chair Marchione noted that the Executive Committee reviewed this action in December and forwarded it to the Board with a do pass recommendation. The committee is recommending that Peter Rogoff be given a performance rating of Excellent (which is a 4 out of 5) based on his work in achieving his 2019 performance goals and objectives, resulting in a 4% merit increase to his base salary and a \$6,000 performance award.

Boardmember Dammeier stated he is not in support of this performance rating. Chair Marchione mentioned that there was a broader discussion that occurred at the Executive Committee meeting earlier this month and regrets that Boardmember Dammeier wasn't in attendance for the opportunity to voice his concerns and gain a deeper understanding of why the Board selected this rating.

It was moved by Boardmember Baker, seconded by Boardmember Dammeier, and carried by unanimous us vote that Motion No. M2019-123 be approved as presented.

Report to the Board

None.

Next meeting

Thursday, January 23, 2020, 1:30 to 4:00 p.m.

Ruth Fisher Boardroom

Adjourn

The meeting adjourned at 3:20pm.

Kent Keel
Board Chair

ATTEST:

Kathryn Flores
Board Administrator

APPROVED on _____, TW.