



Summary Minutes

Board Meeting
March 26, 2020

Call to order

The meeting was called to order at 1:40 p.m. by Vice Chair Paul Roberts in a Virtual Meeting via telephone conference.

Due to the Governor’s Stay Home – Stay Healthy Order issued on March 23, 2020, public viewing of the meeting was only available via Livestream. The meeting was streamed on <https://www.soundtransit.org/get-to-know-us/board-directors/livestream-video>.

Roll call of members

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

Board members	
(P) 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.

Motion No. M2020-23

Motion No. M2020-23: Temporarily suspending the Board’s rules to (a) require all public comment be submitted remotely via email, and (b) remove the requirement that meetings be held at the regular location, which will allow meetings to be held virtually while the state of emergency related to COVID-19 remains. This motion is to become effective immediately and remain in place until the state of emergency related to COVID-19 is lifted.

It was moved by Boardmember Baker, seconded by Boardmember Roscoe, and carried by unanimous vote that Motion No. M2020-23 be approved as presented.

Report of the Chair

None.

CEO Report

CEO Rogoff’s report began with a COVID-19 update.

Service reductions and suspending fares – CEO Rogoff reported that ridership across Sound Transit’s services has fallen by approximately 70% due to riders following public health directives and staying home. Sound Transit is temporarily reducing service, like many partner agencies. Though Connect 2020 is now complete, Link trains are running every 14 minutes until further notice, which allows remaining riders to keep at least 6 feet from other riders. Sound Transit has reduced Sounder North from four roundtrips to two, and have reduced Sounder South from 13 roundtrips to eight. ST Express is reducing routes and frequency in close consultation with our operating partners.

Fares have been suspended on all services. ORCA readers have been disabled, and messages have been added to ticket machines stating that say no fare is required until further notice. Some ticket machines will remain functional for ORCA reloading, for example in Mukilteo and Edmonds, since Washington State Ferries is still charging fares.

Financial ramifications of COVID-19 - In the coming months, the Board will need to assess and respond to the fiscal effects of the COVID-19 crisis on our capital program. Chief Financial Officer, Tracy Butler briefed the Finance and Audit Committee meeting earlier this month. The Coronavirus epidemic has created high market uncertainty, which has potential consequences for the System Expansion program costs and delivery schedules. Tax revenues fund two-thirds of the voter-approved program. A recession could mean sharp revenue declines that would put the agency’s ability to deliver projects in jeopardy. Sound Transit is in close contact with federal partners as relief packages take shape in Congress. Last week Sound Transit sent a letter to its Congressional delegation, outlining the agency’s vulnerability to declines in sales tax revenue. A copy of that letter was provided with the meeting materials.

Meanwhile, Congress took action on a \$2 trillion emergency relief package that includes \$25 billion for public transit. This funding will be distributed through formula. The finance team is still working through the estimate of what Sound Transit might expect through this distribution but an early estimate is approximately \$150 million. Congress is expected to undertake other forms of relief as they navigate through the immediate public health crisis and longer-term economic impact of the virus. Sound Transit will continue to engage with our delegation and other transit advocates across the country to ensure Congress will support transit agencies in this unprecedented time.

During the last recession in 2010, Sound Transit had to revise the capital program to meet the new lower revenue stream. Going forward, the Board may need to do so again. A staff team is working on the outlook ahead once we have more data about the immediate and longer-term impact on our finances, and will bring that information to the Board. The first priority will be advancing projects that are in construction and entering construction. The long-term focus will be to minimize delay to future projects and schedules.

Tracy Butler, Chief Financial Officer, shared a presentation on the economic and financial impacts of COVID-19 and responded to Boardmember questions.

Moving forward with construction - Construction on Sound Transit projects is currently proceeding as essential business as defined in the Governor’s Executive order. Staff is closely communicating with contractors to ensure they prioritize the safety of the women and men working on our jobsites, including requiring updated safety plans for all work activities and hazards to minimize exposures and possible transmissions. After reviewing and discussing these plans with our contractors, we will instruct our safety inspectors and construction management staff to monitor compliance. Sound Transit will also continue to work in close partnership with jurisdictional partners who need to process and take action on permits and agreements to allow projects to advance.

Sound Transit staff - A third member of the Sound Transit family has been positively diagnosed with COVID-19. CEO Rogoff has talked with the individual, and they are doing well and recovering. Two weeks ago, CEO Rogoff directed all non-essential Sound Transit employees to work remotely through the end of March. This week, he extended this indefinitely.

Connect 2020 Update - After six years of planning to connect the future East Link tracks to the current system, and two and a half months of living with daily service disruptions, Sound Transit has completed Connect 2020. This project required the largest agency wide outreach effort in Sound Transit history. Collectively, staff clocked 12,500 hours out in the field helping our customers. The project was extended by one week to address electrical issues crews identified while completing final systems testing. The Connect 2020 construction and operation teams, in collaboration with the core Connect 2020 team, worked tirelessly to diagnose and fix the problem. With this project complete, Sound Transit is on track to open the 14-mile, 10-station East Link Light Rail Extension on schedule in 2023.

External Engagement Highlights - Boardmembers received the External Engagement Report earlier this week summarizing our work with jurisdictions, stakeholders, and communities across the region to advance our system expansion.

Olympia Update - The Legislature adjourned on March 12, 2020, ending their 60-day session. Despite some anticipation that there would be action about changing Sound Transit's MVET collections no bills passed this session. One priority piece of legislation passed during the 2020 legislative session. HB 1793 authorizes a Seattle pilot program that would automate traffic cameras to detect drivers who "block the box" as well as those driving in a transit-only lane. The transportation supplemental budget, HB 2322, is similar to the biennial transportation budget adopted last session. While the Governor "paused" several road and transit projects in light of the passage of I-976, the supplemental budget uses anticipated underspending to continue. Amid uncertainty due to COVID-19, there has been some discussion about a possible special legislative session in 2020 to deal with the crisis.

Public Comment

Below are the names of those who provided written public comment submissions via email before the 12:30pm deadline. The public comments received via email were distributed to all Board members.

Joe Kunzler

Hester Serebrin

Brian Myers

Consent Agenda

Voucher Certification: February 2020

Minutes: December 19, 2019 Board of Directors Meeting

Minutes: January 23, 2020 Board of Directors Meeting

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

Business items

Vice Chair Roberts reported that Resolution No. R2020-04 has been removed from the agenda.

Motion No. M2020-20: Authorizing the chief executive officer to execute a development agreement with the City of Puyallup for the Puyallup Station Parking and Access Improvements project for a total authorized agreement amount of \$5,447,170.

Boardmember Balducci spoke to this item and noted that the System Expansion Committee reviewed the action in its March meeting and forwarded it to the Board with a do pass recommendation.

Motion No. M2020-20 was moved by Boardmember Balducci and seconded by Boardmember Woodards.

Boardmember von Reichbauer requested a roll call vote for each action on the agenda.

Vice Chair Roberts called for a roll call vote on Motion No. M2020-20.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Jenny Durkan
Debora Juarez
Joe McDermott
Ed Prince

Nays

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

It was carried by unanimous vote of 15 Boardmembers that Motion No. M2020-20 be approved as presented.

Motion No. M2020-22: (1) Authorizing participation in a two-year income based pilot program managed and administered by King County to support low-income riders in King, Snohomish and Pierce counties and (2) directing the chief executive officer to negotiate and enter into an agreement or modify and existing agreement with King County for Sound Transit’s participation in the pilot program in an amount not to exceed \$2 million for the duration of the two-year pilot program, including any modifications to the agreement that do not change the term or amount of the agreement.

Rhonda Carter, Chief of Staff, and Carrie Avila-Mooney, Director of Regional Government and Community Relations, provided the presentation and responded to Board member questions. The presentation covered the Fare Enforcement Action Plan, and two related actions, Motion No. M2020-22 and Resolution No. R2020-05.

Boardmember Balducci thanked the staff for their efforts and reported that she heard this presentation at both the Executive and System Expansion Committee meetings. Boardmember Balducci stated that she is happy to support this item, while echoing a comment that came up at the Executive Committee meeting by Chair Keel. Chair Keel mentioned that there are a number of partnering transit agencies that we should coordinate with on this effort. Boardmember Balducci requested an agreement amongst the Board to convene a meeting of the Joint Orca Board to discuss this matter.

Motion No. M2020-22 was moved by Boardmember Balducci and seconded by Boardmember Prince.

Vice Chair Roberts called for a roll call vote on Motion No. M2020-22.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Bruce Dammeier
Debora Juarez
Joe McDermott
Ed Prince

Nays

Paul Roberts
Kim Roscoe
Dave Somers
Nicola Smith
Dave Upthegrove
Victoria Woodards*
Joe McDermott*
Pete von Reichbauer*

It was carried by the unanimous vote of 12 Boardmembers that Motion No. M2020-22 be approved as presented. Chair Roberts asked that the record also reflect votes by Boardmembers Woodards, McDermott and von Reichbauer who were prevented from voting on Motion No. M2020-22 due to technical difficulties but asked that the record reflect their affirmative votes.

Resolution No. R2020-05: Adopting an updated fare enforcement policy for Sound Transit commuter rail, light rail and bus rapid transit facilities and superseding Resolution No. R2009-02.

Resolution No. R2020-05 was moved by Boardmember Backus and seconded by Boardmember Baker.

Vice Chair Roberts stated that Boardmember McDermott and Boardmember Balducci have prepared amendments to this action.

Boardmember Dammeier asked legal counsel to confirm that this action is in compliance with the restrictions of the Open Public Meetings Act and suggested that Resolution No. R2020-05 be postponed until appropriate. Discussion on the resolution continued while legal counsel was considering a response.

Boardmember McDermott stated he was happy with the progress that's been made, but felt that in light of the meeting being held virtually due to COVID-19, the conversation would be better served by taking this up at a future Board meeting. He also expressed his gratitude to the Sound Transit staff for bringing this presentation to the March meeting, which was a deadline imposed by the Board. He wanted to maintain the Board's focus on equity and continue to make this work a priority. Boardmember Balducci concurred with McDermott's request to postpone the discussion on the Resolution and two amendments until a later time and provide more time for Boardmembers to review the proposed amendments and materials.

Desmond Brown, General Counsel, reported that he reviewed the Governor's executive order and concurs with Boardmember Dammeier that a vote on permanent policy change would not be appropriate for action at today's meeting.

It was moved by Vice Chair Roberts and seconded by Boardmember Balducci to postpone Resolution No. R2020-05 until the Governor's executive order restricting actions at public meetings expires.

Motion No. M2020-24: Ratifying the chief executive officer's finding of the existence of an emergency in connection with the purchase of goods and services directly related to Sound Transit's response to COVID-19.

CEO Rogoff reported that he signed an emergency declaration on March 20, 2020. The declaration is to allow for the procurement of goods and services that are needed to support Sound Transit's COVID-19 response. These are mostly small purchases, but if any individual contracts exceed \$150,000 staff will seek Board ratification at the April Board meeting.

Motion No. M2020-24 was moved by Boardmember Baker and seconded by Boardmember von Reichbauer.

Vice Chair Roberts called for a roll call vote on Motion No. M2020-24.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Jenny Durkan
Debora Juarez
Joe McDermott
Ed Prince

Nays

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

It was carried by the unanimous vote of 14 Boardmembers that Motion No. M2020-24 be approved as presented.

Report to the Board

Briefing on I-976

Desmond Brown, General Counsel, Ron Lewis, Executive Director of Design Engineering Construction Management, and Tracy Butler, Chief Financial Officer, provided the briefing.

Desmond Brown provided an overview of Initiative 976's impacts on Sound Transit and the timeline. He explained that I-976 does not repeal Sound Transit's MVET tax until bonds secured by revenue gained from that tax are no longer outstanding. Sound Transit's obligations are somewhat unclear, but the most reasonable approach is for the Board to determine whether the agency has the ability to retire its bonds. Ron Lewis, discussed the status of each committed capital project. Tracy Butler reviewed the available resources on hand in light of obligations to capital projects if the Board chose to retire the bonds. She concluded that the agency did not have sufficient financial resources to decrease the bonds to which motor vehicle excise tax revenue is pledged. She committed to informing the Board when or if the agency had sufficient funds to decrease the bonds.

Update on the Bus Rapid Transit Program

Bernard Van De Kamp, Director of HCT Corridor Development, provided an overview of the Bus Rapid Transit program, its development status, the program approach, its implementation timeline and factors which may influence it, and upcoming milestones in 2020.

Boardmember Millar acknowledged the work put in by WSDOT, Sound Transit, and many other jurisdictions involved in the SR 522 and 527 intersection project. Boardmember Baker asked if the SR 522 Bus Rapid Transit route could slip to 2026 or 2027. Mr. Van De Kamp responded that current projects have it opening in 2025.

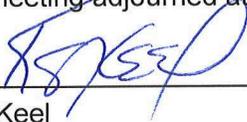
Next meeting

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

Virtual meeting via WebEx

Adjourn

The meeting adjourned at 4:40pm.



Kent Keel
Board Chair

ATTEST:



Kathryn Flofes
Board Administrator

APPROVED on April 23, 2020, TW.