

**REGIONAL TRANSIT AUTHORITY**

**RESOLUTION NO. 29**

**A RESOLUTION of the Board of the Regional Transit Authority for the Pierce, King and Snohomish Counties region authorizing an interlocal agreement with the San Diego Metropolitan Transit Development Board for temporary services of a Director of Planning and Operations.**

WHEREAS, the Regional Transit Authority ("RTA") has been established to develop and implement a high capacity transportation system for the Central Puget Sound Region pursuant to Chapters 81.104 and 81.112 RCW; and

WHEREAS, the Board of the RTA is in the process of assessing various alternatives for the development of a final system and financing plan to be used as a basis for a Phase I ballot proposition; and

WHEREAS, in order for the Board of the RTA to complete its development of its high capacity transportation plan it is necessary to prepare illustrative bus service plans which support regional rail and other high capacity transportation services and to ensure the effective integration of bus and rail services; and

WHEREAS, the RTA does not have staff with the necessary expertise in such planning; and

WHEREAS, the San Diego Metropolitan Transit Development Board ("MTDB") has agreed to assign their Director of Planning and Operation, Mr. William Lieberman, to the RTA for an interim period to provide such services provided the RTA reimburses the MTDB for its costs; and

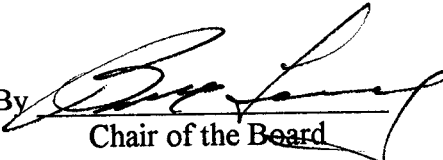
WHEREAS, the assistance of an expert in the planning for the integration of bus and rail services would be of significant benefit to the RTA and citizens of this region as revisions and amendments to the high capacity transportation plan are considered and adopted by the RTA Board;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Regional Transit Authority as follows:

Section 1. That the Cooperative Agreement for Assignment of Director of Planning and Operations between the Regional Transit Authority and the San Diego Transit Development Board attached hereto as Exhibit A is hereby approved, and the Chair of the Board is authorized to execute the Agreement substantially in the form attached for and on behalf of the Authority.

Section 2. That in view of the importance of early and cooperative planning with local transit agencies to develop bus service plans which effectively support any proposed regional rail system, the Executive Director is requested to ensure that regular meetings are conducted with local transit agencies to secure their input.

ADOPTED by the Board of the Regional Transit Authority for the Pierce, King and Snohomish Counties region at its meeting held on May 27, 1994.

By   
Chair of the Board

ATTEST:

  
Clerk of the Board

**COOPERATIVE AGREEMENT  
FOR  
ASSIGNMENT OF DIRECTOR  
OF PLANNING AND OPERATIONS  
TO  
CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY**

THIS AGREEMENT is made and entered into between the San Diego Metropolitan Transit Development Board ("MTDB") and the Regional Transit Authority ("RTA") for the Central Puget Sound Region.

WITNESS:

WHEREAS, in order for the Board of the RTA to complete its development of a high capacity transportation plan for the Pierce, King and Snohomish Counties region, it is necessary to prepare illustrative bus service plans which support commuter rail and other high capacity transportation services to insure the effective integration of bus and rail services; and

WHEREAS, the RTA does not have staff with the necessary expertise in such planning; and

WHEREAS, the San Diego MTDB has agreed to assign their Director of Planning and Operations, Mr. William Lieberman, to the RTA for an interim period to provide such services provided the RTA reimburses the MTDB for its costs; and

WHEREAS, the assistance of an expert in the planning for the integration of bus and rail services would be a significant benefit to the RTA and citizens of this region as revisions and amendments to the high capacity transportation plan are considered and adopted by the RTA Board;

NOW, THEREFORE, it is hereby agreed as follows:

Section 1. Purpose of Agreement. The San Diego MTDB hereby agrees to temporarily assign its Director of Planning and Operations, Mr. William Lieberman, to duties and responsibilities with the RTA for the purposes and period of time specified herein. The purpose

**EXHIBIT A**

of such assignment shall be to assist the RTA in developing and explaining the relationship of regional rail plans to local bus service to ensure the full integration of bus and rail services as outlined in the RTA's high capacity transportation plans and programs. Such services shall be provided under the direction of the RTA's Executive Director in cooperation with the planning staffs of Pierce Transit, METRO, Community Transit and Everett Transit.

Section 2. Reimbursement. The temporary assignment of the MTDB's Director of Planning and Operation shall be rendered without specific charge to the RTA provided the RTA reimburses the MTDB for Mr. Lieberman's total salary and benefit costs, and separately negotiates satisfactory arrangements with Mr. Lieberman to cover his personal living and transportation expenses while assigned to the RTA. The MTDB's total salary and benefit costs for Mr. Lieberman's services are agreed to be \$435.20 per day. The MTDB may invoice the RTA for Mr. Lieberman's salary and benefit costs on a monthly basis or at the conclusion of Mr. Lieberman's services to the RTA, at the MTDB's election. The RTA shall reimburse the MTDB within 30 days after the receipt of an appropriate invoice.

Section 3. Liability. The RTA agrees that while Mr. Lieberman is providing services to the RTA, he shall not be considered an agent or representative of MTDB. By requesting and receiving such assistance from the MTDB, the RTA agrees that the MTDB shall not, under any circumstances, be held liable for any loss or damage by reason of Mr. Lieberman's services to the RTA. It is understood that Mr. Lieberman will retain all pension, disability, insurance and other benefits of MTDB employment while performing duties in accordance with this Agreement.

Section 4. Term of Assignment. The MTDB shall assign its Director of Planning and Operations to the RTA effective \_\_\_\_\_, 1994 and extending for at least a three month period. Extensions of such assignment shall be mutually agreed between the RTA's Executive Director, Mr. Lieberman and the Executive Director of the MTDB. Recognizing that the public needs and interests of the MTDB and the RTA may change due to unanticipated events, both parties reserve the right to terminate this agreement upon ten (10) days' prior written notice.

Section 5. Legal Relations. This Agreement may be amended at any time by mutual written agreement of the parties. The effective date of this Agreement shall be the date of adoption by the last party to approve the Agreement by its governing body. The failure of the RTA or the MTDB to insist upon strict adherence to any one or more of the covenants and promises in this Agreement, on one or more occasions, shall not be construed as a waiver nor deprive either party the right to require strict compliance thereafter with the same. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. Any provision of this Agreement which is found to be inconsistent with such governing law or the governing law of the State of California shall be deemed ineffective to the extent of such inconsistency, without invalidating the remaining provisions of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the latest date set forth below.

REGIONAL TRANSIT AUTHORITY

SAN DIEGO METROPOLITAN TRANSIT  
DEVELOPMENT BOARD

By \_\_\_\_\_

Thomas G. Matoff  
Executive Director

By \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_