

**Sound Transit  
Board Meeting Summary Minutes  
February 8, 2001**

**Call to Order**

Board Chair Dave Earling called the meeting to order at 2:35 p.m. in the Landmark Convention Center, 47 St. Helens Avenue, Tacoma, Washington.

**Roll Call**

Chair

(P) Dave Earling, City of Edmonds Councilmember

Vice Chairs

(P) David Enslow, City of Sumner Councilmember

(P) Greg Nickels, King County Councilmember

Board Members

(P) Jack Crawford, City of Kenmore Deputy Mayor

(A) Ann Davis, City of Lakewood Councilmember

(P) Bob Drewel, Snohomish County Executive

(P) Mary Gates, City of Federal Way Councilmember

(A) Jane Hague, King County Councilmember

(A) Ed Hansen, City of Everett Mayor

(P) John Ladenburg, Pierce County Executive

(A) Richard Mclver, City of Seattle Councilmember

(P) Rob McKenna, King County Councilmember

(P) Renee Montgelas, representing Sid Morrison,  
WSDOT Secretary

(P) Kevin Phelps, City of Tacoma Councilmember

(A) Paul Schell, City of Seattle Mayor

(P) Ron Sims, King County Executive

(A) Cynthia Sullivan, King County Councilmember

(P) Jim White, City of Kent Mayor

Ms. Marcia Walker, Board Administrator, indicated a quorum of the Board was present.

The following Board members arrived after roll call:

Richard Mclver, City of Seattle Councilmember

Paul Schell, City of Seattle Mayor

Cynthia Sullivan, King County Councilmember

**Public Comment**

Ms. Darlene McHenry, representing the Utility Contractors Association of Washington (UCAW)

Mr. Gary Merlino, Gary Merlino Construction

(Board member Sullivan arrived at this time.)

Mr. John Lukjanowicz, representing Gary Merlino Construction

(Board member Mclver arrived at this time.)

Mr. Chris Clifford

Mr. Paul W. Locke

Mr. Robert Marconi, representing Mid-Mountain Contractors

Mr. Wayne Moreau

Mr. Pat Powell

Mr. Patrick Roberts, representing the Lakewood Municipal Mobile Home Court

Mr. Roche Scheuerman

Mr. Art Lewellan  
Mr. George Curtis  
Mr. Earl Akins

### **Report of the Chair**

Mr. Earling acknowledged former Sound Transit Board member and Chair, Paul Miller, who was in attendance at the meeting.

Mr. Earling advised that at the last Executive Committee meeting, it was agreed that the recruiting firm of Jensen and Cooper would be used in the search for a new Executive Director. He said a candidate profile would be developed following interviews with each Board member, some key stakeholders, and the management staff. He added that recruiting would include advertising, web postings, and direct recruitment.

Mr. Earling explained that the next action would normally go before the Executive Committee, but the next meeting had been cancelled.

He asked for a motion to authorize two people from Sound Transit to attend the Seattle Chamber of Commerce International Study Mission in Stockholm from May 25 through June 2, 2001, at a cost of \$5,125 per person.

**It was moved by Mr. Ladenburg, seconded by Mr. Phelps, and carried by the unanimous vote of all Board members present that two people from Sound Transit be authorized to participate in the Seattle Chamber of Commerce International Study Mission in Stockholm from May 25 to June 2, 2001.**

### **Acting Executive Director Report**

Ms. Joni Earl announced the opening of the Kent and Puyallup Sounder Commuter Rail stations. She added that the highest morning boarding since the system opened had occurred that morning with 895 boardings; 25 riders disembarked in Kent to catch a bus.

Ms. Earl advised that the Inspector General audit had started early in the day. The auditors identified five audit objectives: (1) reasonableness of the cost and schedule estimates, (2) sufficiency of funding, (3) factors in the cost increase, (4) identify emerging issues, and (5) determine potential impact of costs and other proposed regional transportation projects.

Ms. Earl brought the Board's attention to Motion No. M2001-15. She explained that the motion authorizes the Executive Director to create and appoint the Central Link Project Review Committee (formerly called the Technical Advisory Committee).

Mr. Earling added that the Project Review Committee was discussed at the last Executive Committee meeting. He said the Board members he was appointing to the committee were Mr. Sims, Mr. Drewel, Ms. Sullivan, Mr. Phelps, and Mr. Schell.

**Motion No. M2001-15 – Defining a scope of work for the Central Link Project Review Committee (formerly called the Technical Advisory Committee) and directing the Executive Director, in consultation with the Committee Chair, to appoint the members of the Committee**

**It was moved by Mr. Schell and seconded by Mr. Drewel that Motion No. M2001-15 be approved as presented.**

Mr. Schell said that with a project of this magnitude, there will be disagreement. All parties may never be in agreement, but clarity must be restored on the plan and the ability to sustain federal support and work through the challenges. He advised that the Central Link Project Review Committee will be chaired by former Seattle Mayor Charles Royer. The committee will do a thorough and careful review of the plan to pursue an open and transparent process, with recommendations on how to succeed with light rail.

Mr. McIver advised that he would be interested in working with the committee chair to determine how the Central Link Subcommittee can work with the project review committee.

**The motion to approve Motion No. M2001-15 was carried by the unanimous vote of all Board members present.**

### **Consent Agenda**

Approval of the Minutes of the December 14, 2000, Board Meeting

**It was moved by Mr. Nickels, seconded by Mr. Drewel, and carried by the unanimous vote of all Board members present that the Consent Agenda be approved as presented.**

### **Action Items**

Items from Executive Committee

Motion No. M2001-16 - Authorizing the Executive Director to execute Modification #2 to Amendment #1 of contract RTA/LR 39-00 with CH2MHILL to add \$122,505 to extend Mr. Wilson's tenure as Interim Link Director to 120 days for a new total authorized amount not to exceed \$221,010.

**It was moved by Mr. Nickels, seconded by Mr. Nickels, and carried by the unanimous vote of all Board members present that Motion No. M2001-16 be approved as presented.**

Motion No. M2001-13 - Identifying the Preferred Alternative for the Lakewood to Tacoma commuter rail and SR 512 Park-and-Ride expansion project to be considered in the Final Environmental Impact Statement, including rail line corridor improvements, commuter rail station locations in South Tacoma and Lakewood, a train storage facility, and the expansion of the SR 512 Park-and-Ride parking capacity.

Mr. John Hubbard, Project Manager, briefed the Board on the motion. He said the motion was seeking permission to file the FEIS, and to identify the preferred alternative, essentially the same as was identified in the draft EIS. He advised that the preferred alternative includes development of a Sounder Commuter Rail station in South Tacoma; development of the Lakewood Transportation center, consisting of a commuter rail station, station parking, and the expansion of the SR 512 park and ride on the same site; a Sounder train storage facility at Camp Murray, and rail line corridor improvements.

Ms. Kathi Thompson, Senior Real Estate Representative, explained that the action before the Board did not specify that the Lakewood Mobile Home Park would be acquired. It did certify that

it is within the footprint of the preferred alternative. She said a separate Board action would be brought forward that would specify which properties would be acquired.

Mr. McIver asked if there were any other alternatives in the design process.

Mr. Hubbard responded that nine alternative sites had been identified. The preferred site was one of five studied in the draft EIS.

Mr. Enslow asked about relocation assistance to people living in the mobile home park.

Ms. Thompson confirmed that Sound Transit would follow federal and state regulations on relocation. The residents would be provided with assistance in discussing benefits and rights, finding sites, financial aid, and repairing the mobile homes to make them workable to move or looking at other housing alternatives.

**It was moved by Mr. Ladenburg and seconded by Mr. Nickels that Motion No. M2001-13 be approved as presented.**

Mr. Ladenburg stated that he would like to be involved with the resident relocation efforts.

**The motion to approve Motion No. M2001-13 was carried by the unanimous vote of all Board members present.**

#### Items from Finance Committee

Motion No. M2000-114 - Authorizing the Executive Director to execute a contract with Gary Merlino Construction for the construction of Tacoma Link Light Rail, Contract 910. The action authorizes a base contract amount of \$22,924,382, with Alternative A Streetscape Improvements and Alternate Street Lighting as an additional contract amount of \$473,266, and a 10% contingency of \$2,339,764 for a total authorized amount not to exceed \$25,737,413.

**It was moved by Mr. Ladenburg and seconded by Mr. Enslow that Motion No. M2000-114 be approved as presented.**

Mr. Ladenburg stated that he had a chance to meet with staff to go over the bid documents by Mid-Mountain Contractors and Gary Merlino Construction. He said that he had come to the conclusion that the original bid from Mid-Mountain Contractors was not responsive regarding small business participation. He stated that he believes in small business utilization in contracts and the importance of showing good faith in obtaining small business participation. The original specs included the requirement that good faith efforts toward small businesses, as described in the 1995 Small Business Administration guidelines, be used. He said that Gary Merlino Construction met the guidelines and should be awarded the contract. Mr. Ladenburg added that if the Board did not award the bid, Sound Transit could expect additional expenses in delays which would be prohibitive to rebidding the contract.

Mr. Nickels stated that the Finance Committee recommended the contract be rebid; however, given the importance of the issue and having received further clarification concerning the issues, he was giving his support to the motion. He said that having heard in two executive sessions and from staff that Mid-Mountain Contractors' bid was non-responsive, there were two options: rebid or award to Gary Merlino Construction. He commented that Gary Merlino Construction was under the engineer's estimate, was responsive, and would keep the project on schedule.

Mr. Phelps expressed his concern that the phrase "good faith effort" lacked definition. He stated that he would like to see the contract rebid, not because of the financial savings, but because of fairness. He added that there might be a delay and negative financial impacts, but he felt the RFP would have been done better.

**The motion to approve Motion No. M2000-114 was carried by the majority vote of all Board members present. (Mr. Phelps and Mr. McIver voted in the minority.)**

Motion No. M2001-03 - Increasing the maximum amount of the contract with Denny Miller McBee Associates by \$425,000 (\$663,000 to \$1,088,000) for federal legislative and administration representation in Washington, DC for the year 2001 and authorizing the Executive Director to extend the contract for a one-year period of January 1, 2001 to December 31, 2001

**It was moved by Mr. Nickels and seconded by Mr. Drewel that Motion No. M2001-03 be approved as presented.**

Mr. Nickels stated that Motion No. M2001-03 had been reviewed by the Finance Committee and with individual members of the Government Affairs Task Force. The motion would approve an extension of the contract with Denny Miller McBee Associates for federal legislative and administration representation in Washington, DC for the year 2001 and authorize the Executive Director to extend the contract for a one-year period of January 1, 2001 to December 31, 2001.

Mr. Drewel stated that there would be many challenges in 2001. Sound Transit will need to work with the new administration in Washington DC on the Link Light Rail project. He advised that the competition will be intense for new starts funds, and having representatives of Denny Miller McBee available in Washington DC while Congress is in session would be a great benefit.

Ms. Dezarn, Government Relations Manager, was asked to discuss the costs. Ms. Dezarn provided a comparison of what was spent the prior year and what was proposed for the next year. The prior year's federal government relation services contract was in the amount of \$490,000 total; the amount proposed for the current year would be \$550,000. Of the \$550,000, \$415,000 would be to Denny Miller McBee, with a subcontract of \$125,000 to Peyser and Associates. Ms. Dezarn stated that this was a \$60,000 increase over the expenditures of the prior year.

Ms. Dezarn explained that the additional expenditure to Peyser and Associates was because of the new challenges being faced by Sound Transit. She said Sound Transit would be spending a lot of time on technical issues with the FTA and Congress. Because this is Mr. Peyser's area of expertise, more of his time would be spent working with the FTA attending Congressional committees.

Mr. McKenna addressed the suggestion that the lobbyists should stay back in Washington DC stating that he would like to have the lobbyists meet with the Board in Seattle at least once a year. Mr. McKenna also asked to receive regular reports on what is happening in Washington DC.

**The motion to approve Motion No. M2001-03 was carried by the unanimous vote of all Board members present.**

Motion No. M2001-04 - Authorizing the Executive Director to execute a contract for consultant services for federal government relations to Peyser Associates for an amount not to exceed \$125,000 for the period January 1, 2001 through December 31, 2001 with provision for three additional one-year extensions and a contract maximum of \$540,000

**It was moved by Mr. Nickels and seconded by Mr. Crawford that Motion No. M2001-04 be approved as presented.**

Mr. Nickels advised that Motion No. M2001-04 was reviewed by the Finance Committee and that it was a companion to Motion No. M2001-03.

Mr. McKenna mentioned that Peyser and Associates is a specialist in getting FFGAs in place. He asked if Sound Transit has secured the FFGA, why was it necessary to spend the same amount of money in 2001 as was spent in 2000?

Mr. Nickels responded that the financing plan anticipates additional funds concerning the FFGA. He said it seemed prudent to invest in understanding TEA-21 and the renewal of that program as well as the politics of the renewal. He added that as Sound Transit begins establishing a track record under the current FFGA, it would be important to understand it relies on the second FFGA.

Mr. Drewel added that as the 107th Congress comes forward and begins discussing renewing TEA-21, it would be essential to have Peyser and Associates helping Sound Transit stay in line for those funds.

**The motion to approve Motion No. M2001-04 was carried by the unanimous vote of all Board members present.**

Motion No. M2001-10 - Authorizing the Executive Director to execute a contract amendment with Parametrix, Inc., for preparation of environmental studies for the Central Link Light Rail system. The action establishes a contract amendment amount of \$550,000 and a 10% contingency of \$55,000 for a total contract amendment amount not to exceed \$605,000, and for a total contract amount not to exceed \$7,414,819.

**It was moved by Mr. Nickels, seconded by Mr. Ladenburg, and carried by the unanimous vote of all Board members present that Motion No. M2001-10 be approved as presented.**

Items not referred by committee

Motion No. M2001-02 - Identifying a Preferred Alternative for the Central Link Light Rail Project in the City of Tukwila for purposes of completing the Supplemental Environmental Impact Statement

**It was moved by Mr. Sims and seconded by Mr. Ladenburg that Motion No. M2001-02 be approved as presented.**

Mr. Nickels asked to hear the financial portion of the presentation to understand the impacts of the alternative route on the budget.

Mr. Matsuoka, Deputy Executive Director, stated that the third page of the addendum (copy on file) indicated a cost of \$40 million in 1995 dollars. He stated that since October a lot of work

had been done on the costs and that the impacts of the cost difference between the International Boulevard route and the Freeway route had been decreased.

Mr. Matsuoka indicated that concerning potential costs, it was possible that the route would be in the Department of Transportation (DOT) right-of-way, which could raise the cost estimates by \$7 million. He said that recent discussions with the DOT, they had indicated there would be no increase in freeway capacity; instead they are looking to Link to expand the capacity. While the scenario was fairly remote, he wanted to share it with the Board.

Mr. Matsuoka advised that the lower part of the page talked about possible changes to the scope or revenue so the \$53 million cost difference could be covered. At that time the \$3.6 billion cost to complete the project didn't include this additional money. In the briefing books in December and January we were explicit there were two areas not included: Roosevelt without an LPA and the freeway route including International Boulevard.

Ms. Montgelas, Washington State Department of Transportation, stated that the DOT was satisfied with the analysis of the response we received that indicates Link will provide capacity sufficient in the corridor, therefore there was not a need to address the \$7 million for this link.

Mr. Nickels expressed his support to move ahead and identify a preferred alignment. He mentioned his concern about the 154<sup>th</sup> Street station. He stated that this station was a point of access for a significant population of people who would have a difficult time using light rail in future phases. He indicated that he would want to know the impacts of S. 154th Street and alternatives available to people in Southwest King County.

Mr. Sims offered an amendment adding the following language to Motion No. M2001-02.

"The alternatives for financing the additional cost should include the deferral or deletion of the Boeing Access Road Commuter Rail station and the deletion of the Southcenter direct access HOV ramp on I-405, and other financing methods and sources with the goal of achieving a neutral Sound Move budget impact."

**It was moved by Mr. Sims, seconded by Mr. Drewel, and carried by the unanimous vote of all Board members present that the amendment adding the words "The alternatives for financing the additional cost should include the deferral or deletion of the Boeing Access Road Commuter Rail station and the deletion of the Southcenter direct access HOV ramp on I-405, and other financing methods and sources with the goal of achieving a neutral Sound Move budget impact" to Motion No. M2001-02 be approved as presented.**

**The motion to approve Motion No. M2001-02, as amended, was carried by the unanimous vote of all Board members present.**

## **Committee Reports**

### **Finance Committee**

Mr. Nickels advised that the Finance Committee is reviewing the audit procedures and audit environment. He said that suggestions would be brought to the Board for an audit subcommittee and improvements to allow for improved forecasting and accuracy of budget actions.

He stated that the committee is working on the financial plan for the entire program and specifically Central Link.

C-Link Task Force

Mr. McIver stated that the task force reviewed the Link work program, station design, real estate activities, and had a discussion about the long-term Central Link Task Force agenda. He said they also discussed the community and government fund update and a Memorandum of Agreement with Seattle and King County.

Executive Committee

Mr. Earling deferred his comments to the next meeting.

Other Business

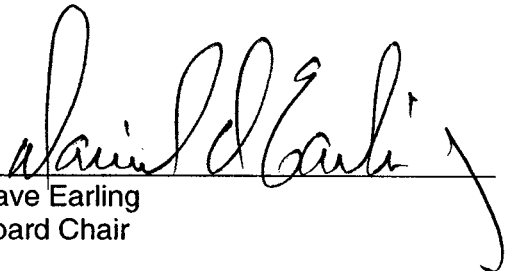
None

Next Meeting

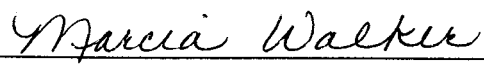
Thursday, February 22, 2001 - 2:30 to 4:30 p.m.  
Village Theater  
Everett Performing Arts Center  
2710 Wetmore Avenue  
Everett, Washington

Adjourn

The meeting was adjourned at 4:40 p.m.

  
Dave Earling  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator