

**Sound Transit  
Board Meeting Summary Minutes  
April 12, 2001**

**Call to Order**

Board Chair David Earling called the meeting to order at 2:00 p.m. in the Sound Transit Board Room, 401 South Jackson St., Seattle, Washington.

**Roll Call**

Chair

(A) Dave Earling, City of Edmonds Council President

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

(A) John Ladenburg, Pierce County Executive

(P) Richard McIver, City of Seattle Councilmember

(P) Rob McKenna, King County Councilmember

(A) Sid Morrison, WSDOT Secretary

(A) Kevin Phelps, City of Tacoma Deputy Mayor

(A) Paul Schell, City of Seattle Mayor

(A) Ron Sims, King County Executive

(P) Cynthia Sullivan, King County Councilmember

(P) Jim White, City of Kent Mayor

Ms. Marcia Walker, Board Administrator, indicated a quorum of the Board was not yet present.

The following Board members arrived after roll call:

Jane Hague, King County Councilmember

John Ladenburg, Pierce County Executive

Sid Morrison, WSDOT Secretary

Ron Sims, King County Executive

Mr. Nickels announced that as a quorum was not present, the Board would proceed with agenda items that did not require Board action. Mr. Nickels also stated that he was chairing the meeting for Board Chair David Earling, who was absent.

**Public Comment**

The following individuals presented comments to the Board. Comments are on file with the Board Administrator.

Board members Morrison and Sims arrived during public comment.

Mr. Chuck Mosher, Mayor of Bellevue

Mr. Paul W. Locke

Mr. Bob White

**Report of the Chair**

Mr. Nickels gave the report of the Chair. He congratulated the agency for Sounder Commuter Rail's achievement of surpassing the 10,000 riders per week target ahead of predictions, and for experiencing ridership growth of 3-4% per week, with only two trains in operation.

Mr. Nickels also announced that this was the last meeting that Mr. Sid Morrison, Secretary of the Washington State Department of Transportation, would be attending as a Board member and presented him with a plaque commemorating his service. Mr. Morrison convened the first Regional Transit Authority Board meeting in September 1993.

Mr. Morrison received a standing ovation.

Mr. Morrison thanked the Board for the award, and commented on the agency's history and the status of the Federal Full Funding Grant Agreement for Link Light Rail and the Department of Transportation Inspector General's report on the project. Mr. Morrison stated that, in his opinion, Sound Transit can respond to the report and the questions raised by Congressman Hal Rogers and obtain the funding promised through the grant.

Board member Hague arrived at this time.

Mr. Nickels reported that the Finance Committee briefly reviewed the Inspector General's interim report. He stated that he no longer thinks that Sound Transit is able to meet the scope, budget, or schedule for Link Light Rail, and that changes in the financing plan and the program need to be made. Mr. Nickels said he agreed with Mr. Sims public comments that Sound Transit should build Airport Link first, and work on a plan for joint bus and light rail operation in the Downtown Seattle Transit Tunnel.

Mr. Nickels asked staff to report back to the Board with answers to the following questions in two weeks:

1. What can Sound Transit build with local funds?
2. What can Sound Transit do in terms of airport link, as well as the north link option, with local funds?
3. How can each of those options grow as federal funds become available, near or long term? Can airport link be built with federal money with subarea equity?
4. How can the tunnel be used for both Light Rail and buses, and how will it affect cost, efficiency, and ridership?

### **Executive Director Report**

Ms. Joni Earl, Acting Executive Director, gave her report. Ms. Earl introduced Mr. Vernon Stoner, the agency's newly hired Deputy Executive Director, and said that he would be starting on April 23, 2001. Mr. Stoner is the former City Manager of Vancouver, WA, Lacey, WA, and Saginaw, MI. He has also been the Employment Security Secretary under Governor Booth Gardner and Governor Mike Lowry.

Ms. Earl updated the board on schedule issues impacting Tacoma Link. Sound Transit has been negotiating with Burlington Northern/Santa Fe (BNSF) regarding the crossing at 17<sup>th</sup> and Hood. There has also been a change in federal regulations. Sound Transit will be meeting with BNSF and the Federal Railroad Administration on April 25, 2001. These regulatory changes will cause a delay in the Notice to Proceed on the contract with Merlino Construction to begin building Tacoma Link.

Ms. Earl also reported on the agency's strategy for addressing the issues in the Inspector General's interim report. The report makes recommendations to the Federal Transportation Administration. One of these recommendations is that Sound Transit identify and disclose all issues that could impact the costs, scope, and schedule for the project, including alignments, design refinements, contracting methods and local agreements such as with the University of Washington and King County. The \$49.6 million appropriation for 2001 is being held in abeyance, and the \$75 million appropriation for 2002 was not included in the budget the President submitted to Congress on April 9, 2001.

Ms. Earl told the Board that the delay in the FFGA could also impact future funding for both Airport Link and University Link. Sound Transit will address the Inspector General's issues and submit to the 60 day review.

Mr. Sims said that staff should follow the six month work plan. He outlined questions that he said he would put in a letter, but wanted staff to start developing answers to these questions.

1. When the Board acted on MOS I, it approved the suspension of south contracts at varying stages design. How long would it take to bring up the level of design for the Beacon Hill, McClelland, Tukwila and SeaTac segments?
2. What additional work would be needed for the Board to make a decision on the Southcenter alignment and constructing the deferred stations?
3. What would the financial plan for the south segment look like? Would bonding be required? Would federal participation be required?
4. You can build this out in a sequence. What could we have operating before 2009 if we were still in the construction of other sequences? I need to know what the different sequencing options are and can we take advantage of those options to operate a portion of the line.
5. Within the locally preferred alternative (LPA) you can make adjustments. I would like to see those options spelled out for us. How could you reconfigure with the LPA itself?
6. What if we miss the 2001 deadline?
7. I would like to continue to work on the plan for the UW link meeting challenges they have brought out.

Mr. Enslow asked that staff also respond to the questions of what would happen to the projects within the different funding scenarios and is it realistic build the project under these scenarios? He also asked staff to inform the Board as to transferring funds from north to south.

Mr. Drewel asked if there is an assumption that federal funding can be applied if the Board decides to move on building the south segment.

Mr. McIver asked if Sound Transit would still be entitled to the entire \$500 million for the FFGA if it is not funded in 2001 and 2002, or does Sound Transit lose that portion of the FFGA if the appropriation is not made in those years?

Mr. Ed Gill, responded that the funding for 2001 has been appropriated, but Sound Transit cannot access it until the questions in the Inspector General's report are answered. The appropriation for the FFGA for Sound Transit for 2002 was not in the President's budget.

Board member Ladenburg arrived at this time.

Mr. Gill informed the Board that the Federal Transportation Administration (FTA) and Department of Transportation (DOT) have always fully honored the FFGAs in the past.

Mr. McKenna provided board members with a motion for discussion to amend the Central Link Project Review Committee's (PRC) workplan. Mr. Nickels said he would seek Mr. Earling's guidance on proceeding with the discussion.

At the request of Ms. Sullivan, Mr. Gill summarized examples of other projects that had similar difficulties with their FFGA funding, and the solutions that were found. He cited Detroit, San Francisco, Puerto Rico, and Los Angeles.

### **Discussion Items**

Mr. Paul Price, Director, and Mr. David Beal, Project Development Program Manager, presented a discussion of Sounder Commuter Rail's Cost-to-Complete Estimate for the Tacoma-to Seattle Capital budget. The report is on file with the Board Administrator.

### **Executive Session**

The Board recessed for executive session at 4:50 p.m.

The purpose of the executive session was to discuss with legal counsel matters concerning the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased cost.

The Board meeting reconvened at 5:30 p.m.

### **Action Items**

#### **Items Referred by the Finance Committee**

Motion No. M2001-28 – Authorizing the Executive Director to execute a Memorandum of Agreement (MOA) with the City of Federal Way establishing the working relationship between Sound Transit and the City of Federal Way relating to the environmental process, design, permitting, construction, and transit oriented development for the Federal Way Transit Center/Parking Structure Project and provide funding in an authorized amount not to exceed \$1,016,000.

**It was moved by Mr. McKenna, seconded by Mr. White, and carried by the unanimous vote of all board members present that Motion No. M2001-28 be approved as presented.**

Motion No. M2001-32 – Authorizing an increase in the original contract amount of \$3,693,235 for construction of the Sounder Commuter Rail Station in Puyallup (Contract No. RTA/CR68-99) with Lugo Construction Company, Inc by adding \$2,000,000 to the existing contingency of \$335,749 for a new total authorized contract amount not to exceed \$5,693,235. The budget for the Puyallup station is hereby increased by \$2,000,000. A transfer from the operating budget of the 2001 Adopted Budget for Commuter Rail to the construction line item of the Puyallup station to cover the increased contingency fund is authorized by this action.

**It was moved by Mr. McKenna, seconded by Mr. White, and carried by the unanimous vote of all board members present that Motion No. M2001-32 be approved as presented.**

Motion No. M2001-36 – Authorizing the Executive Director to execute an amendment to sole source contract number RTA/PG 101-00 with Cocker Fennessy, Inc increasing the contract amount by \$300,000 for a total authorized contract amount not to exceed \$618,000.

**It was moved by Mr. McKenna, seconded by Mr. Crawford, and carried by the unanimous vote of all board members present that Motion No. M2001-36 be approved as presented.**

#### **Items Not Referred by Committee**

Motion No. M2001-29 – Authorizes the Executive Director to execute an agreement with the City of Bellevue establishing a cooperative relationship regarding funding and construction of the Bellevue HOV Direct Access Project.

Motion No. M2001-30 – Authorizing the Executive Director to execute an agreement with the City of Bellevue establishing a cooperative relationship regarding acquisition and disposition of property rights needed for the Bellevue HOV Direct Access Project.

**It was moved by Mr. Drewel and seconded by Ms. Gates, and carried by the unanimous vote of all Board members present that Motion No M2001-29 and Motion No. M2001-30 be approved as presented.**

Motion No. M2001-35 – Authorizing the Executive Director to execute a sole source contract RTA /LR22-01 with CH2M Hill, to continue the services of Lyndon “Tuck” Wilson as Interim Director of Link Light Rail through September 30, 2001, including \$250,000 for Mr. Wilson’s compensation and \$30,000 for CH2M Hill to hire a the firm Inclusivity as a sub-consultant to assist Mr. Wilson in his stated duties, for a total authorized contract amount not to exceed \$280,000.

**It was moved by Mr. Drewel, seconded by Mr. Morrison, and carried by the unanimous vote of all Board members present that Motion No. M2001-35 be approved as presented.**

### Committee Reports

Mr. Nickels asked Committee chairs to hold their reports until the next meeting.

Ms. Gates, Chair of the Board Governance Task Force, said that the committee would be meeting with other Board members to include their input in task force discussions.

### Other Business

Mr. McKenna said the he would bring a response to the April 7, 2001 letter from the AGC.

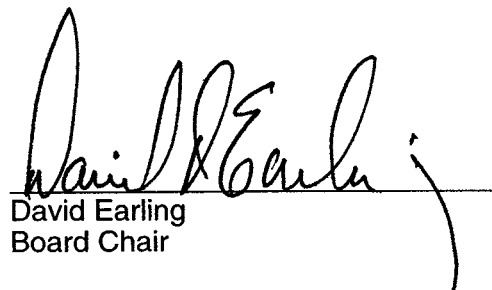
Ms. Earl said that staff would have a report on that subject.

### Next Meeting

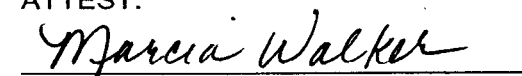
Thursday, April 24, 2001 - 2:30 to 4:30 p.m.  
Union Station Board Room  
401 South Jackson Street  
Seattle, Washington

### Adjourn

The meeting was adjourned at 5:48 p.m.

  
David Earling  
Board Chair

ATTEST:

  
Marcia Walker  
Board Administrator