

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2002-48

**Develop Policies to Guide Permitting
Activities of Sound Transit Staff**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Executive Committee	5/2/02	Deferred Discussion/Possible Action to Recommend Board Approval Action	Paul Matsuoka, Policy and Planning Officer	(206) 398-5070
Executive Committee	6/6/02			
Board	6/13/02			

Contract/Agreement Type:	3	Requested Action:	3
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Memorandum of Agreement		Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

4 Applicable to proposed transaction.

OBJECTIVE OF ACTION

- To respond to the Executive Committee's request to develop policies to guide permitting activities of Sound Transit staff.

ACTION

- For the Board to establish the guidelines contained herein to guide Sound Transit staff in their interaction with Sound Transit's partner agencies as permits are applied for, evaluated, and obtained in order to implement Sound Move.

KEY FEATURES

- Outlines a general process that enables clear, early, consistent, and timely communications delivered between individuals who are empowered to speak for their agencies.
- Outlines a general process that can be included in MOA's developed with the partner agencies.
- Outlines a general process that can be tailored to fit unique project circumstances, as necessary.

HISTORY OF PROJECT

In January 2002, the Finance Committee requested staff to develop policies for Sound Transit to seek reimbursement for expenditures that should have been paid for by a partner agency, but for which that partner agency did not have sufficient current budget capacity. Staff took a draft reimbursement policy to the Executive Committee in April 2002. In reviewing this proposed policy, the Executive Committee requested that staff develop additional policies that provide guidance to Sound Transit staff on better permitting procedures with the partner agencies. Staff returned to the May 2, 2002, Executive Committee with a revised reimbursement policy and this proposed permitting policy.

On May 2, 2002, Mayor Nickels requested that these policies be held so that Sound Transit staff could confer with Seattle staff on possible revisions that could improve the policies. That consultation has occurred and the policies have been revised.

DESCRIPTION OF POLICY

The principal processes for interaction with partner jurisdictions are generally described below. Specific projects may pose unique circumstances which will necessitate departures from this general description, but the essential elements remain -- that of clear, early, consistent, and timely communication delivered between individuals who are empowered to speak for their agencies.

1. The Sound Transit project manager should seek the early involvement of staff from the permitting jurisdiction. If a Memorandum of Agreement (MOA) is developed to outline the roles and responsibilities of the parties, the permitting and design review guidelines contained herein, as appropriately tailored, should be included.
2. Sound Transit staff coordination: Sound Transit's Department directors and project managers are responsible for the implementation of their capital projects, however, the responsibility to obtain permits may rest with other staff who assist the project managers:
 - A Designated Representative (DR) shall be named by the Sound Transit Department Director for each permit needed; the DR may be the Project Manager, Sound Transit staff, or a consultant.
 - If there are numerous permits, in a multitude of subject areas, to be obtained resulting in many DRs, the Sound Transit Department Director may appoint a lead DR for purposes of coordinating all permit work on a particular project and delegating work appropriately.
 - With respect to permitting activities and the interface with the permitting agencies, the DR shall coordinate all relevant staff work, shall have a clear line of authority to speak for the agency, shall cause internal conflicts to be resolved, and shall function as the point of contact with the permitting agencies.
 - The DR shall work at the direction of and in close consultation with the Project Manager.
3. Sound Transit's DR will initiate a pre-application conference with the permitting agencies to share each agency's rules, expectations, objectives, and the like at the outset of the permitting process. The overall objective of this first meeting should be to align the two agencies' organizations to efficiently and effectively conduct the necessary work in a way that reflects each agency's unique role. At the pre-application conference, Sound Transit shall seek:
 - To obtain a DR to represent the permitting agency, to obtain agreement on the roles and responsibilities of the DR of the permitting agency; and to gain an understanding of how the permitting agency is organized to review Sound Transit's work and provide feedback.
 - To obtain an understanding of the relevant project milestones at which design review is desirable.
 - To obtain an understanding of the time, performance, and financial expectations of each parties' work.
 - To obtain an understanding of the difference between permits affecting the public right-of-way and those on privately owned property.
4. The agencies agree to review project design at relevant milestones of project development (typically at 30%, 60%, 95%, and 100% design levels).
5. The agencies agree on appropriate performance expectations for reviews of project design, such as:
 - Number of days to notify Sound Transit that submittals are incomplete or complete.
 - Number of days to complete the reviews of the project design.

- Estimated amount of permit fees, as applicable, at each milestone.
 - Sound Transit shall seek agreement that the partner agency shall submit unified, consistent comments to Sound Transit.
6. At strategic points in the process, Sound Transit staff will elevate schedule and permitting problems to their department director and/or the executive director, and at times, may request that Board members intervene to assist in keeping the project on schedule and budget.

LEGAL REVIEW

JW 4-18-02 and 6-03-02

SOUND TRANSIT

MOTION NO. M2002-48

A motion of the Board of the Central Puget Sound Regional Transit Authority adopting the policy guidelines for interactions with Sound Transit's partner agencies as permits are applied for, evaluated, and obtained in order to implement Sound Move.

Permit Policy Guidelines:

The principal processes for interaction with partner jurisdictions are generally described below. Specific projects may pose unique circumstances which will necessitate departures from this general description, but the essential elements remain -- that of clear, early, consistent, and timely communication delivered between individuals who are empowered to speak for their agencies.

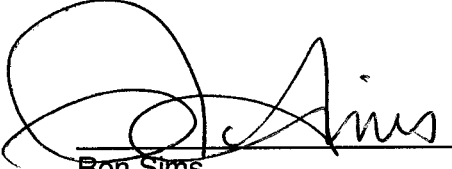
1. The Sound Transit project manager should seek the early involvement of staff from the permitting jurisdiction. If a Memorandum of Agreement (MOA) is developed to outline the roles and responsibilities of the parties, the permitting and design review guidelines contained herein as appropriately tailored, should be included.
2. Sound Transit staff coordination: Sound Transit's Department directors and project managers are responsible for the implementation of their capital projects, however, the responsibility to obtain permits may rest with other staff who assist the project managers:
 - A Designated Representative (DR) shall be named by the Sound Transit Department Director for each permit needed; the DR may be the Project Manager, Sound Transit staff, or a consultant.
 - If there are numerous permits, in a multitude of subject areas, to be obtained resulting in many DRs, the Sound Transit Department Director may appoint a lead DR for the purposes of coordinating all permit work on a particular project and delegating work appropriately.
 - With respect to permitting activities and the interface with the permitting agencies, the DR shall coordinate all relevant staff work, shall have a clear line of authority to speak for the agency, shall cause internal conflicts to be resolved, and shall function as the point of contact with the permitting agencies.
 - The DR shall work at the direction of and in close consultation with the Project Manager.
3. Sound Transit's DR will initiate a pre-application conference with the permitting agencies to share each agency's rules, expectations, objectives, and the like at the outset of the permitting process. The overall objective of this first meeting should be to align the two agencies' organizations to efficiently and effectively conduct the necessary work in a way that reflects each agency's unique role. At the pre-application conference, Sound Transit shall seek:
 - To obtain a DR to represent the permitting agency to obtain agreement on the roles and responsibilities of the DR of the permitting agency; and to gain an understanding of how the permitting agency is organized to review Sound Transit's work and provide feedback.
 - To obtain an understanding of the relevant project milestones at which design review is desirable.
 - To obtain an understanding of the time, performance, and financial expectations of each parties' work.
 - To obtain an understanding of the difference between permits affecting the public right-of-way and those on privately owned property.
4. The agencies agree to review project design at relevant milestones of project development (typically at 30%, 60%, 95%, and 100% design levels).

5. The agencies agree on appropriate performance expectations for reviews of project design, such as:
 - Number of days to notify Sound Transit that submittals are incomplete or complete.
 - Number of days to complete the reviews of the project design.
 - Estimated amount of permit fees, as applicable, at each milestone.
 - Sound Transit shall seek agreement that the partner agency shall submit unified, consistent comments to Sound Transit.
6. At strategic points in the process, Sound Transit staff will elevate schedule and permitting problems to their department director and/or the executive director, and at times, may request that Board members intervene to assist in keeping the project on schedule and budget.

Motion:


It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the permitting policy guidelines are adopted for interactions with Sound Transit partner agencies as permits are applied for, evaluated, and obtained in order to implement Sound Move.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on June 13, 2002.



Ron Sims
Board Chair

ATTEST:



Marcia Walker
Board Administrator