

**SOUND TRANSIT BOARD MEETING**  
**Summary Minutes**  
**October 28, 2004**

**Call to Order**

The meeting was called to order at 1:07 p.m. by Chair John Ladenburg in the Sound Transit Board Room, 401 South Jackson Street, Seattle, Washington.

**Roll Call**

Chair

(P) John Ladenburg, Pierce County Executive

Vice Chairs

(P) Greg Nickels, City of Seattle Mayor

(P) Mark Olson, Everett City Councilmember

(P) Fred Butler, Issaquah Deputy Council President

(P) Jack Crawford, Kenmore City Councilmember

(P) David Enslow, Sumner City Councilmember

(A) Doug MacDonald, WSDOT Secretary

(P) Connie Marshall, City of Bellevue Mayor

(A) Richard McIver, Seattle City Councilmember

(P) Julia Patterson, King County Councilmember

(P) Dwight Pelz, King County Councilmember

(P) Kevin Phelps, Tacoma City Councilmember

(A) Larry Phillips, King County Council Chair

(P) Aaron Reardon, Snohomish County Executive

(P) Ron Sims, King County Executive

(A) Jack Start, Mill Creek City Councilmember

(P) Claudia Thomas, Lakewood City Councilmember

(A) Pete von Reichbauer, King County Council Vice Chair

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

The following Board members arrived after roll call:

David Enslow

Mark Olson

Ron Sims

**Public Comment**

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

The Honorable Mary-Alyce Burleigh, Mayor of Kirkland

Mr. Bob Sternoff, Vice Chair, Kirkland Downtown Action Team

Mr. Dick Beazell, Executive Director, Kirkland Downtown by the Lake

Mr. Andrew Reay-Ellers

Mr. Jim O'Halloran, President, Roosevelt Neighborhood Association

Mr. Aaron Colling

Mr. Ken Lochiatto, General Manager, General Electric Advanced Communication Systems

Mr. Jim Lawson, General Electric Advanced Communication Systems

Mr. W. David Barnes, Roosevelt Chamber of Commerce representative

Mr. Will Knedlik, COST Alliance

(Board members Enslow and Olson arrived during public comment.)

## **Report of the Chair**

Mr. Ladenburg advised that an executive session would be convened prior to considering agenda items 7.E., Resolution No. R2004-16, and 7.F., Resolution No. R2004-17.

## **Chief Executive Officer's Report**

None.

## **Consent Agenda**

Voucher Certification for September 16 through September 30, 2004

Minutes of the August 26, 2004, Board meeting

Minutes of the September 9, 2004, Board meeting

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

## **Action Items**

Chair Ladenburg announced that he would be changing the order of the action items listed on the agenda.

### Items Referred by Finance Committee

Motion No. M2004-104 – Authorizing the Chief Executive Officer to execute a Development and Transitway Agreement with the City of Tukwila for the Central Link Light Rail Initial Segment, specifying the terms and conditions for development of the Tukwila Freeway Route Project and to allow the use of City of Tukwila street right-of-way; and to execute all other subsequent agreements as may be necessary to implement this Agreement, subject to approval of the 2005 budget

**It was moved by Mr. Phelps and seconded by Mr. Crawford that Motion No. M2004-104 be approved as presented.**

The Honorable Steve Mullett, Mayor of Tukwila, addressed the Board. He stated that in the past, the City of Tukwila has been at odds with Sound Transit. He said that today, the City of Tukwila and Sound Transit are working together. Policy decisions have been made; the challenge now rests with staff to build the project.

**The motion to approved Motion No. M2004-104 was carried by the unanimous vote of all Board members present.**

Resolution No. R2004-14 – Adopting an Asset Liability Management Framework for agency resources, including Asset Liability Management, Investment, Debt Management, and Debt Swap Policies, and superseding Resolution No. 97

**It was moved by Mr. Phelps and seconded by Mr. Crawford that Resolution No. R2004-14 be approved as presented.**

Mr. Phelps offered an amendment to add the following language to the proposed Central Puget Sound Regional Transit Authority Asset Liability Management Policies.

1. Swap Policy, section 11.0, insert new second/third sentence: "All proposed transactions shall be summarized to the Board on an "all-in" cost basis to include all transaction costs and fees. All such costs and fees, including on-going fees, shall be detailed for the Board for consideration and review."
2. Swap Policy, section 6.0, third paragraph insert new second sentence: "Sound Transit will not undertake unproven swap transactions whose long-term costs and risk are not thoroughly understood and evaluated."
3. Debt Policy, section 12.0, insert new final sentence: "Sound Transit will not undertake unproven debt transactions whose long-term costs and risk are not thoroughly understood and evaluated."

**It was moved by Mr. Phelps, seconded by Mr. Crawford, and carried by the unanimous vote of all Board members present that the Asset Liability Management Policies referred be amended as proposed by Mr. Phelps.**

**The motion to approve Resolution No. R2004-14, as amended, was carried by the unanimous vote of all Board members present.**

Motion No. M2004-103 – Authorizing the Chief Executive Officer to execute a contract with GE Transportation Systems Global Signaling LLC to engineer, manufacture, furnish, install, and test the communications systems for the Central Link Light Rail Initial Segment in the amount of \$29,088,144, with a 10% contingency of \$2,908,814 for a total authorized contract amount not to exceed \$31,996,958

**It was moved by Mr. Phelps, seconded by Mr. Crawford, and carried by the unanimous vote of all Board members present that Motion No. M2004-103 be approved as presented.**

Motion No. M2004-102 – Authorizing the Chief Executive Officer to execute a contract amendment with Bechtel Infrastructure to provide construction management services for Link light rail Initial Segment construction related to the E-3 Busway and Operations and Maintenance Facility in the amount of \$1,816,433, for a new total authorized contract amount not to exceed \$9,998,233

**It was moved by Mr. Phelps, seconded by Mr. Crawford, and carried by the unanimous vote of all Board members present that Motion No. M2004-102 be approved as presented.**

Motion No. M2004-101 – Authorizing the Chief Executive Officer to execute an amendment to the Fifth Supplement to the Memorandum of Agreement with the City of Seattle reimbursing the City for project-related services in support of North Link preliminary engineering and Final Supplemental Environmental Impact Statement work in the amount of \$238,400, with a 10% contingency of \$23,840, for an amount of \$262,240, and a revised total amount of the Fifth Supplement not to exceed \$1,608,864

**It was moved by Mr. Phelps, seconded by Mr. Crawford, and carried by the unanimous vote of all Board members present that Motion No. M2004-101 be approved as presented.**

### **Executive Session**

Mr. Ladenburg announced that the Board would convene into Executive Session.

At 2:00 p.m., the Board convened a 20-minute executive session to discuss with legal counsel potential litigation to which Sound Transit is likely to become a party.

At 2:20 p.m., the session was extended by 20 minutes.

At 2:40 p.m., the session was extended by 15 minutes.

The Board reconvened in open session at 2:58 p.m.

(Board member Sims arrived during the Executive Session.)

### **Action Items (continued)**

#### **Item Recommended by the Finance Committee**

Resolution No. R2004-16 – Authorizing the Chief Executive Officer, subject to the grant of a Federal Transit Administration protective acquisition waiver, to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary in order to secure property required in connection with the First Hill station of the preferred alternative identified by the Sound Transit Board within the North Link project of Central Link. Acquisition of these properties will not limit the evaluation of North Link alternatives in the National Environmental Policy Act or Washington State Environmental Policy Act process

Chair Ladenburg asked Ms. Walker to read the following letter from Board member Phillips into the record.

*Dear Sound Transit Board Members,*

*I regret that I will not be present at the October 28th Sound Transit Board meeting.*

*In lieu of my attendance, please allow me to express my support for Resolution No. R2004-16, seeking a protective acquisition waiver from the Federal Transit Administration (FTA) to help preserve critical property interests for the North Link Light Rail station alternatives at First Hill and 12th Avenue in Roosevelt.*

*Though the Board has not yet selected a preferred alternative in Roosevelt, the Roosevelt community has been consistent and unanimous in their support of the 12th Avenue alignment. I am concerned that allowing these critical pieces of property to be developed will, in effect, render the 12th Avenue Station infeasible and eliminate the community's preferred location from further consideration. Failing to protect this property and keep the 12th Avenue option viable could obligate the board to a de facto alignment decision without the proper public process or due diligence by the Board.*

*I urge you to take action to delay or stop development on these critical properties until we have selected a preferred alternative in Roosevelt. Other appropriate alternatives may also be available, such as the acquisition of an option on the property, which will ensure that a de facto decision isn't made at this time to pick 8th Avenue as our preferred location. The community, and Sound Transit, deserve better.*

*Thank you for your consideration.*

*Sincerely,*

*Larry Phillips, Chair  
King County Council*

**It was moved by Mr. Phelps, seconded by Mr. Crawford, and carried by the unanimous vote of all Board members present that Resolution No. R2004-16 be approved as presented.**

Item Forwarded Without Recommendation by the Finance Committee

Resolution No. R2004-17 – Authorizing the Chief Executive Officer, subject to the grant of a Federal Transit Administration protective acquisition waiver, to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary in order to secure property required in connection with the Roosevelt station alternative located at 12th Avenue within the North Link project of Central Link. Acquisition of these properties will not limit the evaluation of North Link alternatives in the National Environmental Policy Act or Washington State Environmental Policy Act process

**It was moved by Mr. Phelps, seconded by Mr. Sims, and carried by the unanimous vote of all Board members present that Resolution No. R2004-17 be tabled until a date to be determined.**

**It was moved by Mr. Nickels and seconded by Ms. Marshall that staff be directed to undertake three tasks:**

- 1. Expedite the decision-making between the 8th and 12th Avenue alignments and bring to the Board in eight to ten weeks for action.**
- 2. Explore alternative station locations for the 12th Avenue alignment.**
- 3. Begin the appraisal of the 1026 property located at 1026 NE 65th Street, Seattle, WA.**

**The motion was carried by the unanimous vote of all Board members present.**

**Discussion Item**

**North Link Quarterly Briefing**

Mr. Ron Endlich, North Link Program Manager, presented information on improvements to the Capitol Hill station and highlighted the Northgate station choices.

**Committee Reports**

**Finance Committee**

Mr. Phelps reported that the Finance Committee held a budget workshop on October 12, 2004.

At the October 14, 2004, Finance Committee meeting, the committee approved Motion No. M2004 -100, executing a contract with KPFF Consulting Engineers to provide final design services for the Issaquah Transit Center/SR900 project. The committee deferred action on Resolution No. R2004-15, the Service Implementation Plan, to allow staff an opportunity to analyze additional alternatives to Route 545.

**Central Link Oversight Committee**

Mr. Pelz reported that the committee discussed the construction of a station at Royal Brougham, and received a report that property acquisitions in the Rainier Valley have been completed.

**Other Business**

None.


**Next Meeting**


Thursday, November 18, 2004  
1:30 to 4:00 p.m.  
Union Station Board Room  
Seattle, Washington

**Adjourn**

The meeting was adjourned at 3:45 p.m.

ATTEST:

  
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Marcia Walker  
Board Administrator

  
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John W. Ladenburg  
Board Chair