

**SOUND TRANSIT FINANCE COMMITTEE**  
**Summary Minutes**  
**July 5, 2007**

**Call to Order**

The meeting was called to order at 12:05 p.m. by Chair Fred Butler in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

**Roll Call**

*Chair*

*(P) Fred Butler, Issaquah Councilmember*

*(P) Mary-Alyce Burleigh, Kirkland Councilmember*

*(P) Dow Constantine, King Co. Councilmember*

*(P) Dave Enslow, Sumner Mayor*

*(P) Richard Marin, Edmonds Councilmember*

*(A) Richard McIver, Seattle Councilmember*

*(P) Pete von Reichbauer, King Co. Councilmember*

Jason Suzaka, Board Coordinator, announced that a quorum of the committee was present at roll call.

**Report of the Chair**

Chair Butler announced that a public hearing to consider the sale of the West Parcel of the Federal Way Transit Center is scheduled for Friday, July 6, 2007 in the Ruth Fisher Boardroom.

**Chief Financial Officer's Report**

Brian McCartan, Chief Financial Officer, announced that the Expert Review Panel met on June 28 and 29, 2007 to review the Sound Transit 2 Financial Plan.

**Items within Finance Committee Authority for Final Action**

Minutes of June 21, 2007 Finance Committee Meeting

**It was moved by Board member Marin, seconded by Board member Burleigh, and carried by the unanimous vote of all members present that the June 21, 2007 minutes be approved as presented.**

Motion No. M2007-67 – Authorizing the chief executive officer to execute a contract with Cutter, Inc. to provide on-call construction, repair and project services for a total authorized contract amount not to exceed \$500,000

Vicki Youngs, Interim Program Manager Facilities Maintenance & Signage Division, presented the staff report.

The committee discussed the types of services covered under the contract with Cutter, Inc. Ms. Youngs discussed the bid process and answered questions from Chair Butler regarding the budget for this contract and how funds will be tracked as services are rendered.

#### Public Comment

None.

**It was moved by Board member Enslow, seconded by Board member Burleigh, and carried by the unanimous vote of all members present that Motion No. M2007-67 be approved as presented.**

Board member von Reichbauer entered the meeting.

#### Items for Recommendation to the Board

Resolution No. R2007-09 – Amending the Adopted 2007 Budget for the Ash Way Transit Access/164<sup>th</sup> SW project from \$18,427,941 to \$18,993,363 to reflect a budget transfer from the Regional Express Snohomish County Program Reserve in the amount of \$565,422

Motion No. M2007-68 – Authorizing the chief executive officer to execute an amendment to the GCA 3361 task order agreement with the Washington State Department of Transportation to provide construction and construction management services for the Ash Way Transit Access/164<sup>th</sup> SW project in the amount of \$2,211,985, with no contingency, for a new total authorized agreement amount not to exceed \$14,799,105

Christine Engler, Capital Projects Construction Manager, presented the staff report for both Resolution No. R2007-09 and Motion No. M2007-68.

Ms. Engler discussed with the committee the situation involving over-height vehicles failing to detour around the project, the factors leading to the need for additional funds for the task order amendment and lessons learned.

Mr. McCartan updated the committee on funds remaining in the Regional Express Snohomish County Program Reserve and what effect this budget amendment and another project located in Mountlake Terrace would have on the reserve.

**It was moved by Board member Marin, seconded by Board member Burleigh, and carried by the unanimous vote of all members present that Resolution No. R2007-09 be forwarded to the Board with a do-pass recommendation.**

**It was moved by Board member Marin, seconded by Board member Burleigh, and carried by the unanimous vote of all members present that Motion No. M2007-68 be forwarded to the Board with a do-pass recommendation.**

Motion No. M2007-69 – Authorizing the chief executive officer to execute a contract amendment with URS Corporation to provide construction management services for the Downtown Seattle Transit Tunnel retrofit and tunnel expansion project in the amount of \$573,683, for a new total authorized contract amount not to exceed \$6,573,633

Stephanie Kirby, Link Deputy Construction Manager, presented the staff report. In response to a question from Chair Butler, Ms. Kirby advised that the additional funds should be enough to finish out this contract.

**It was moved by Board member Marin, seconded by Board member Burleigh, and carried by the unanimous vote of all members present that Motion No. M2007-69 be forwarded to the Board with a do-pass recommendation.**

Motion No. M2007-70 – Affirming the chief executive officer's settlement of construction claims with Kiewit Pacific Co. for the Royal Brougham to Airport Way Contract (C700) and the Operations and Maintenance Facility Contract (C810) in the amount of \$16 million

Link Light Rail Director Ahmad Fazel, Link Construction Manager Gordon Wellwood, and Legal Consultant John Parness presented the staff report.

Mr. Fazel gave a background on the Royal Brougham to Airport Way and the Operations and Maintenance Facility contracts, explaining the bid process, claims, and the status of the two contracts.

Board members Marin and Enslow gave their support to the motion. In response to a question from Chair Butler regarding potential additional claims from the contractor, Mr. Parness referred to language contained in the agreement that discusses payments for punchlist and other remaining work. Mr. Fazel added that subcontractors were present and participated in the mediation meetings.

Chair Butler gave his support to the motion.

**It was moved by Board member Marin, seconded by Board member Burleigh, and carried by the unanimous vote of all members present that Motion No. M2007-70 be forwarded to the Board with a do-pass recommendation.**

Board member Constantine entered the meeting.

Chair Butler announced that at the June 28, 2007 Board meeting, the Board passed Resolution No. R2007-14. The resolution authorized the CEO to execute a Purchase and Sale Agreement with the City of Federal Way for the West Parcel of the Federal Way Transit Center for a proposed transit oriented development project.

The Board also delegated its authority to the Finance Committee to consider any testimony or objections submitted at a public hearing and to take all actions necessary to approve and complete the sale of the property if the committee determines that the sale is in the best interest of Sound Transit.

Chair Butler announced that the Finance Committee will continue the July 5, 2007 meeting to July 10, 2007 in order to consider public comments received at a public

hearing to be held July 6, 2007 prior to taking action on the sale of the West Parcel of the Federal Way Transit Center to the City of Federal Way.

**It was moved by Board member Marin, seconded by Board member Burleigh, and carried by the unanimous vote of all members present to adjourn and continue the July 5, 2007 Finance Committee meeting to Tuesday, July 10, 2007 at 12:00 noon in the Ruth Fisher Boardroom to consider any objections or testimony received at a public hearing to be held on Friday, July 6, 2007 at 11:00 a.m., and to take action on Resolution No. R2007-14 if the committee determines that the sale of the West Parcel is in Sound Transit's best interest.**

The meeting was adjourned at 1:00 p.m. and continued to Tuesday, July 10, 2007 at noon in the Ruth Fisher Boardroom.

### **July 10, 2007 (continued from July 5, 2007)**

#### **Call to Order**

The July 10, 2007 continued meeting was called to order at 12:15 p.m. by Chair Fred Butler in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

#### **Roll Call**

##### Chair

*(P) Fred Butler, Issaquah Councilmember*

*(P) Mary-Alyce Burleigh, Kirkland Councilmember*

*(P) Dow Constantine, King Co. Councilmember*

*(A) Dave Enslow, Sumner Mayor*

*(P) Richard Marin, Edmonds Councilmember*

*(P) Richard McIver, Seattle Councilmember*

*(A) Pete von Reichbauer, King Co. Councilmember*

Jason Suzaka, Board Coordinator, announced that a quorum of the committee was present at roll call, with Board members Burleigh, Constantine, Marin, and McIver participating by teleconference.

Transit-Oriented Development Manager Scott Kirkpatrick summarized the comments received from the July 6, 2007 public hearing. A transcript will be available on file with Board Administration.

Mr. Kirkpatrick addressed a comment received at the hearing regarding the sale of the property as it relates to Sound Transit's environmental policies.

Comptroller Kelly Priestley addressed another comment received at the hearing regarding the agency's bond capacity and cash availability. She stated that Sound Transit's non-voter approved bonding capacity is approximately \$4.2 billion at the end of 2006. The agency also had approximately \$500 million in cash and cash equivalents available. The agency does plan to issue new bonds near the end of 2007.

In response to a question from Board member McIver, Mr. Kirkpatrick stated that three requests for bids on the West Parcel property were sent out; no bids were received.

**It was moved by Board member Marin and seconded by Board member Burleigh to approve the sale of the West Parcel of the Federal Way Transit Center to the City of Federal Way, pursuant to Resolution No. R2007-14. The motion was unanimously approved by roll call as follows:**

**Burleigh – Yes  
McIver – Yes**

**Constantine – Yes  
Butler – Yes**

**Marin - Yes**

**Next Meeting:**

Thursday, July 19, 2007, 12:00 p.m. to 2:00 p.m., Ruth Fisher Boardroom, 401 South Jackson Street, Seattle WA.

**Adjourn**

There was no other business; the meeting was adjourned at 12:27 p.m.

ATTEST:

  
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Fred Butler  
Finance Committee Chair

  
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Jason Suzaka  
Board Coordinator