

SOUND TRANSIT BOARD MEETING
Summary Minutes
July 22, 2010

Call to Order

The meeting was called to order at 1:46 p.m. by Chair Aaron Reardon, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

Roll Call

Chair

(P) Aaron Reardon, Snohomish County Executive

Vice Chairs

(P) Fred Butler, Issaquah Deputy Council President
(P) Claudia Thomas, Lakewood Councilmember

Boardmembers

(P) Claudia Balducci, Bellevue Councilmember
(P) Richard Conlin, Seattle Council President
(P) Dow Constantine, King County Executive
(P) Jan Drago, King County Councilmember
(P) David Enslow, City of Sumner Mayor
(P) Jake Fey, City of Tacoma Deputy Mayor
(P) Paula Hammond, WSDOT Secretary
(P) John Marchione, City of Redmond Mayor

(P) Joe Marine, City of Mukilteo Mayor
(P) Pat McCarthy, Pierce County Executive
(A) Mike McGinn, City of Seattle Mayor
(P) Julia Patterson, King County Councilmember
(P) Larry Phillips, King County Councilmember
(P) Paul Roberts, Everett Councilmember
(P) Peter von Reichbauer, King County Councilmember

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

Report of the Chair

Chair Reardon announced that he attended an event at the Mount Baker Station to celebrate the first anniversary of the opening of Link light rail. Link has provided over 6 million rides over the past year with an average trip length of just over 7 miles which translates to 43 million passenger miles, 1.8 million gallons of gas saved, and 1.7 million less hours of sitting in traffic.

Chief Executive Officer's Report

Ms. Earl announced that Bill Millar, president of the American Public Transportation Association (APTA) will be back in Seattle. APTA is hosting a State Public Transportation Partnership Conference in Seattle that will focus on the State's role in public transportation. She noted that she will be speaking at the conference and will be participating in a panel discussion on federal transportation issues.

Bids for the D Street to M Street Track and Signal project were opened on June 29, 2010. Seven bids were submitted that fell 30-38% below the engineers estimate. The lowest bidder was determined to be non-responsive due to a failure to submit all the required forms at the time of bid opening. A review of the second low bidder is underway and a protest has been received from the lowest bidder. The Board's policy doesn't allow contact between the Boardmembers and contractors involved in a bid protest. An update on the contract will be provided once the administrative process has been completed.

The National Institute of Governmental Purchasing has awarded Sound Transit its outstanding agency accreditation achievement award for professional excellence in public purchasing policies and procedures. Sound Transit is one of only 111 agencies out of 2,900 who have received the accreditation, and is the first in the Northwest to receive the accreditation.

System-wide ridership for May 2010 was up 3.8% over May 2009 and up 52% with Link light rail included. Sounder ridership was up 4.9% for the North line and 3.4% for the South Line, ST Express was up 4.7% and Link had an average of 21,800 riders in May.

Reports to the Board

Link Initial Segment Noise Mitigation

Ahmad Fazel, Executive Director of Design, Engineering and Construction Management, and James Irish, Deputy Environmental Manager, and Brooke Belman, Director of Public and Community Outreach, presented an update on mitigation for high pitched noise, wheel squeal and general train noise due to Central Link operations in the Rainier Valley and Tukwila area.

Outreach with residents in the Rainier Valley and Tukwila area has taken place since Link start-up. In Tukwila a community meeting and a meeting with the City Council have taken place. In the Rainier Valley regular meetings have been held with the Quiet Our Valley group. A newsletter and website updates have been used to provide information to the communities. Noise readings have also been offered to individual residents to assess the noise levels. The communities have experienced a lot of frustration with the time needed to implement noise improvements. Residents have also been interested in knowing why noise walls weren't installed initially and information on the FTA criteria for noise levels.

The noise issues include wheel squeal, general train noise, crossover switches and warning bells. Sound Transit is obligated to meet federal noise standards because federal money is included in the project. The initial noise analysis was conducted six to ten years ago during the environmental process and during final design and used noise levels from other modern light rail systems including the system in Portland, OR. As a result of that analysis, sound walls were included on the light rail guideway in Tukwila and 135 homes in the Rainier Valley were sound insulated.

In the Rainier Valley, noise from warning bells occurs at 17 signalized intersections and 11 pedestrian crossings. Crossover noise takes place in two locations. Wheel squeal is experienced near the Mount Baker station and general train noise extends throughout the Rainier Valley. The warning bells are a safety device for grade crossings. Starting in October, low bells will be used from 10:00 pm to 6:00 am when background noise is quieter. Additional home insulation will be installed to address noise levels in the Rainier Valley that are above FTA guidelines. Bells at pedestrian crossings were reduced last fall to the minimum level. A crossover retrofit was implemented in one location and was not as effective as hoped. It will be implemented at the other crossovers; additional home insulation will also be installed at those locations. Wheel squeal lubricators have been installed and have provided good results; work will continue with operations personnel to maximize the effectiveness of the lubricators. The general train noise is caused by the wheel running along the track and was initially a high pitched noise. Rail grinding done initially left scratches that caused this noise; re-grinding of the rail was performed and didn't have an overall improvement. A new grinding approach will be tested in the Rainier Valley.

In Tukwila, there are two noise issues, general train noise and wheel squeal. A mile of noise wall was installed in Tukwila during the original construction and four lubricators have been installed. Acoustic barrier is also being installed and testing is taking place to improve noise issues near the Duwamish river. Rail grinding done in Tukwila made noise issues worse. A team of experts came in May and provided a report in June that recommended acoustic regrinding in test locations. Test grinding has begun and results are promising so far. There are four locations in Tukwila where noise is over the federally allowed level; two of these areas were selected to conduct test grinding and temporary noise barriers are being installed. Once work is completed the area will be retested for noise to see if it is in compliance with federal criteria.

Next steps include completion of the test grinding in Tukwila and Rainier Valley and conducting a full track analysis, the addition of low volume warning bells in the Rainier valley, completing a cost analysis for the remaining impacts, completion of sound insulation in all remaining impacted areas, and completing installation of the noise barrier in Tukwila. Based on the effectiveness of these measures, additional work may be done to meet federal guidelines. Experiences from the noise experienced in Central Link is also being included in the noise predictions for future light rail projects so that adequate noise mitigation is included in the project design.

Public Comment

(Comments on file with the Board Administrator)

Rosa Lee Hannah
Ed Kronenberger, Quiet Our Valley
David Shumate
Mary Colette Wallace
Richard Barbieri, Red Lion
John Worthington
Scott Rodgers
Betina Finley
Sven Goldmanis
Betsy Blackstock
Bob Bengford
Richard Loman
Ron Rauch
Thomas M. Jones

Rebecca Sears
Howard W. Katz
Brett Leber
Bill Thurston, Bellevue Club
Paul W. Locke
Sharon Lee
Kevin Kelly, Bellevue Chamber of Commerce
Mary Smith
David West
Will Knedlik
Renay Bennett
Jack McCullough
Robert Scheuerman

Consent Agenda

Chair Reardon announced that because of the amount of time anticipated for the East Link item, those items referred by the Capital Committee that do not require a supermajority vote of the Board are included on the consent agenda.

Minutes of the June 24, 2010 Board meeting
Voucher Certification for May 1, 2010 through May 15, 2010
Voucher Certification for May 16, 2010 through May 31, 2010
Voucher Certification for June 1, 2010 through June 15, 2010
Voucher Certification for June 16, 2010 through June 30, 2010
Motion No. M2010-67
Motion No. M2010-68
Motion No. M2010-69
Resolution No. R2010-13

It was moved by Boardmember Marine, seconded by Vice Chair Thomas, and carried by the unanimous vote of all members present that the consent agenda be approved as presented.

Action Items

Items not referred by Committee

Chair Reardon announced that an affirmative vote of a supermajority (12 members) is required to amend the budget.

Resolution No. R2010-12 – (1) Creating a new capital project, the Downtown Seattle Transit Tunnel (DSTT) South Access Security project and (2) amending the Adopted 2010 Budget to (a) establish the lifetime budget for the DSTT South Access Security project of \$1,000,000; (b) establish an Annual 2010 Budget for the DSTT South Access Security project of \$600,000; (c) revise the Central Link Switch Heater project lifetime budget to \$2,452,530 and (d) revise the Central Link Switch Heater project Annual 2010 Budget to \$1,815,801.

It was moved by Vice Chair Butler, seconded by Boardmember Conlin, and carried by the unanimous vote of sixteen Boardmembers present that Resolution No. R2010-12 be approved as presented.

Chair Reardon reviewed progress on the East Link project to date; the Board and Sound Transit staff have been working on the project for several years. The East Link line will be 14-miles long and have 10 stations that will serve 50,000 riders a day. In April, the East Link preferred alternative was updated by the Board to focus on a less expensive tunnel route through downtown Bellevue and a more direct surface alignment from South Bellevue on 112th Avenue. The Board asked Sound Transit staff to review design options on 112th Avenue and for Hospital Station so that a preferred alternative can be selected. The Board also asked staff to conduct public outreach on the design options. Last month, the Board received an update on work

completed to date and asked the Capital Committee to examine the information and advise the Board. The decision on the East Link alignment cannot be made until the environmental process is completed, the Board's final decision will come sometime in 2011 following completion of the Final Environmental Impact Statement. Community outreach has included door-to-door, stakeholder meetings, neighborhood drop-in sessions, three workshops and an open house at Bellevue City Hall.

At its meeting on July 15, 2010, the Capital committee asked the Bellevue City Council for input on the design options. Chair Reardon asked Bellevue Mayor Don Davidson to report on the discussion at the July 19, 2010 Bellevue City Council meeting. Mayor Davidson reviewed a letter from the Bellevue City Council. The B7 alternative is the Bellevue City Council's preferred alternative. The B7 alternative could include connections near South Bellevue Park and Ride, and will reduce noise, traffic and neighborhood impacts. The letter asked that additional environmental work be done to compare the B7 and 112th Avenue routes. Construction impacts of the 112th Avenue alternative will affect traffic in Bellevue. Using the alternative tunnel entrance on 2nd Avenue may reduce the cost of the tunnel. For the Hospital Station, safe and easy access for pedestrians and bicycles, and adequate visibility for the station should be considered when selecting a station location.

Boardmembers asked if Bellevue was interested in both the B7 alternative and a tunnel through Downtown Bellevue and if the City was still committed to providing funding towards tunnel costs. Mayor Davidson confirmed that Bellevue supports both the tunnel and B7 alternatives and that Bellevue signed a term sheet with Sound Transit on tunnel funding.

It was moved by Boardmember von Reichbauer, seconded by Vice Chair Butler, and carried by the unanimous vote of all Boardmembers present that discussion be concluded and the Board vote on Motion No. M2010-73.

Motion No. M2010-73 – Modifying the preferred light rail design options for 112th Avenue and the Hospital Station based on the further evaluation called for in Motion No. M2010-44 for the East Link Light Rail Project Final Environmental Impact Statement.

Chair Reardon asked Capital Committee Chair Fred Butler to review the East Link discussion that took place at the July Capital Committee meeting. Mr. Butler noted that the Committee heard a staff report on the public outreach process and on technical issues. Public comment was also received on both the 112th Avenue alternative and the Hospital Station location. Action on the motion will allow staff to complete the environmental process so a decision can be made following completion of that work.

Option D for the Hospital Station location was not supported because of the distance and low visibility. Options B and C had some community interest, but cost more than Option A. A compelling incentive should be sought if another option is chosen over Option A.

The Committee discussed the 112th Avenue design options, over the course of recent public input it was clear that center-running options were not preferred because of the higher noise potential and construction impacts. Traffic and noise impacts are important to the community and should be addressed. The Committee felt comfortable recommending that center running options not be further considered, so Options 1, 3 and 5 would be removed. Options 2, 4 and 6 representing Westside- and Eastside-running options would be recommended to the Board for consideration. Of the options, a majority of public comment preferred the Westside-running options, Options 2 and 6. This consensus included business owners on the Eastside of 112th Avenue and property owners on the Westside who preferred that their properties be purchased. The Committee advised the Board to advance the Option 6 alternative to connect to the C11-A At-Grade option through downtown Bellevue. Options 2 and 4 would connect to a tunnel downtown. Option 4 is further from the residential areas, is completely grade separated North of SE 8th Street and would have higher operating speeds. However, the construction impacts, risks and duration are lower with Option 2, there would be fewer traffic disruptions and utility conflicts and is less expensive than Option 4. Strong public support among affected property owners for Option 2 and the revenue savings make this an attractive option.

The Committee directed staff to prepare a draft motion based on the Capital Committee's discussions. The draft motion identifies Option 6 as the connection to the C11-A At Grade alternative, Option 2 or 4 for the connection to the C9-T Tunnel alternative, and Options A, B, or C as the Hospital Station location. Vice Chair Butler noted that the Committee is not making a specific recommendation to the Board.

Vice Chair Butler distribution a motion on yellow paper with his recommendation to select design Option 2 and 6 for the 112th Avenue alignment and Option A for the Hospital Station location.

Motion No. M2010-73 as presented by Vice Chair Butler, selecting Option 2 for the connection to C9-T, Option 6 for the connection to C11-A, and Option A for the Hospital Station location was moved by Boardmember Thomas and seconded by Boardmember Patterson.

Vice Chair Butler spoke in favor of the motion; he noted that his preference for the Westside-running option is based on the consensus formed by the community in preferring Option 6 and supporting the Main Street portal.

Boardmember Phillips asked how lessons learned on noise mitigation will be used for the East Link alignment. Don Billen, Light Rail Development Manager, responded that the noise analysis for East Link will be updated based on Central Link's actual experience and will reflect current practice. Mitigation will also be incorporated into the design to maximize the mitigation tools available, including noise walls.

Boardmember Balducci noted that Bellevue has made progress in support of the project including Bellevue's affirmative vote on the ST2 plan, unanimous decisions on Segments C and D, and the signing of a term sheet on a tunnel for downtown Bellevue. The B Segment has divided the Bellevue City Council. Public comment on the 112th Avenue is almost a consensus in support for a Westside-running option; she noted that she supports the Westside-running option. She requested that the results of the Bellevue studies looking at the work Sound Transit has done to date be presented to the Board. She supported looking at access to light rail, but the options identified to date are costly.

Boardmember Phillips noted that Option A, B and C were left on the table in the hope that the Bellevue City Council would provide input on their preference. Boardmember Balducci noted that the Council did not support Option D, but the principles of visibility, pedestrian access and serving both the Wilburton area and hospitals are all served by Options A and B. The Council did not form a strong opinion on the Hospital Station locations. Boardmember Balducci noted that in her opinion, Option B, which straddles the street, looked like a more risky option and there didn't seem to be a compelling reason to change from Option A to another option.

Boardmember Patterson was concerned about the City's interest in providing funding for the tunnel in light of Bellevue Mayor Don Davidson's comments at today's meeting.

Chair Reardon thanked the Board and the public who commented on the design options. He noted that the City of Bellevue supported the ST2 plan and noted that the Board needs to stay on budget and schedule.

It carried by the unanimous vote of all Boardmembers present that Motion No. M2010-73 be approved as presented by Vice Chair Butler.

Resolution No. R2010-14 – Authorizing the chief executive officer to 1) execute a Purchase and Sale Agreement with The BNSF Railway Company (BNSF) for the acquisition of four perpetual commuter rail easements in BNSF's right of way between Seattle and Tacoma in the amount of \$41 million for Easement 1, \$44 million for Easement 2, \$52 million for Easement 3, and \$48 million for Easement 4, 2) make a deposit of \$5 million for Easement 2, and 3) close on the purchase of Easement 1 in July 2010 and Easement 2 in January 2011.

Jordan Wagner, Senior Legal Counsel gave the staff presentation on Resolution No. R2010-14 and Motion Nos. M2010-71 and M2010-72.

It was moved by Vice Chair Thomas, seconded by Boardmember Enslow, and carried by the unanimous vote of all Boardmembers present that Resolution No. R2010-14 be approved as presented.

Motion No. M2010-71 – Authorizing the chief executive officer to execute an amendment to the Commuter Rail Service Agreement with The BNSF Railway Company for the operation of Sounder commuter rail service between Seattle and Lakewood to add four additional Sounder commuter rail weekday round trips.

It was moved by Vice Chair Thomas, seconded by Boardmember Roberts, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-71 be approved as presented.

Motion No. M2010-72 – Authorizing the chief executive officer to execute a Joint Use Agreement for the use of The BNSF Railway Company's Seattle-to-Tacoma corridor under easement rights purchased for the operation of four additional Sounder commuter rail weekday round trips.

It was moved by Vice Chair Thomas, seconded by Boardmember Roberts, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-72 be approved as presented.

Motion No. M2010-66 – Authorizing the chief executive officer to sell Sound Transit's bankruptcy claim against Lehman Brothers Special Financing, Inc. if selling the claim is determined the best option for claim recovery.

Ms. Earl noted that approval of this action would allow the CEO to take advantage of an opportunity to sell Sound Transit's bankruptcy claim if there is a financial advantage. If any action is taken to sell Sound Transit's bankruptcy claim against Lehman Brothers, she will report to the Board.

It was moved by Vice Chair Butler, seconded by Boardmember Marine, and carried by the unanimous vote of all Boardmembers present that Motion No. M2010-66 be approved as presented.

Executive Session

None.

Other Business

None.

Next Meeting

Thursday, August 26, 2010
1:30 to 4:00 p.m.
Ruth Fisher Boardroom

Adjourn

The meeting was adjourned at 5:04 p.m.

APPROVED on August 26, 2010.



Fred Butler
Board Vice Chair

ATTEST:



Marcia Walker
Board Administrator