



SOUND TRANSIT EXECUTIVE COMMITTEE MEETING

Summary Minutes

April 6, 2017

CALL TO ORDER

The meeting was called to order at 10:36 a.m. by Chair Somers, in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

ROLL CALL

Chair

(P) *Dave Somers, Snohomish County Executive*

Vice Chairs

(A) *Marilyn Strickland, Tacoma Mayor*

(P) *John Marchione, Redmond Mayor*

Boardmembers

(P) *Fred Butler, Issaquah Mayor*

(P) *Roger Millar, WSDOT Secretary*

(P) *Dow Constantine, King County Executive*

(A) *Ed Murray, City of Seattle Mayor*

(A) *Bruce Dammeier, Pierce County Executive*

(A) *Paul Roberts, Everett Councilmember*

Katie Flores, Board Administrator, announced that a quorum was present after the roll call.

REPORT OF THE CHAIR

Chair Somers reported that there will be a Transit Oriented Development workshop held for the Board on April 21, 2017, in the Ruth Fisher Board Room. The workshop will help begin a conversation with Boardmembers about a number of significant choices to make as the agency works to implement the new state law on affordable housing, and inform policy development over the coming year.

At the last full Board meeting, the Board approved Motion No. M2017-38, which was brought forward by Board member Balducci, and authorized the Board Chair to appoint up to three Board members to participate in meetings with elected officials from Mercer Island to address issues of concern regarding the East Link Project.

As it was mentioned at the Board meeting, these appointees will not have the power to bind Sound Transit by this motion, only to negotiate on issues that are within the authority of Sound Transit and the City of Mercer Island to resolve.

Appointees will not be discussing issues related to the equitable access issue identified in the 1976 Memorandum of Agreement, or to loss of mobility issues and the potential mitigation measures identified in the 2004 Amendment to the 1976 Memorandum of Agreement.

These appointments are going to consist of Chair Somers, Snohomish County Executive, and the two Vice-Chairs of the Board, Tacoma Mayor Marilyn Strickland, and Redmond Mayor John Marchione.

Chair Somers remarked he is looking forward to working with the Vice-Chairs and a group of elected officials from Mercer Island to get negotiations moving forward. The first meeting will take place on April 24th, 2017.

CHIEF EXECUTIVE OFFICER'S REPORT

Mercer Island Negotiations

Mr. Rogoff began by updating the Committee on recent developments from agency negotiations with the City of Mercer Island. On Wednesday April 5, WSDOT Secretary and Sound Transit Boardmember, Roger Millar transmitted the I-90 and Mercer Island Mobility Study to Sound Transit and other signatories to the 1976 I-90 Memorandum of Agreement.

The Mobility Study is part of the ongoing consultation by WSDOT with the agreement signatories. Secretary Millar's letter identified next steps leading up to the opening of the new HOV lanes and the transfer of the center roadway for East Link construction. After completion of the consultation and efforts to reach concurrence to the extent possible, WSDOT will make a final determination as to whether there is a loss of mobility and what measures might be required to address any loss.

Sound Transit will continue working with WSDOT and Mercer Island and other stakeholders on options relating to I-90 operations after the closure of the center lanes and opening of the new HOV lanes. As Chair Somers mentioned, the appointed Sound Transit Board representatives will also seek to advance negotiations with Mercer Island toward agreements on East Link project details and mitigation, consistent with the direction given at the March Board meeting.

Update on Legislation in Olympia

Mr. Rogoff also provided an update about legislation being considered in Olympia. There are several bills that have been introduced in the House and Senate relating to Sound Transit's MVET revenues. With the passage of ST3, the Sound Transit MVET went from 0.3% to 1.1%, an increase used to pay for a portion of the system expansion. The MVET rate will drop to 0.8% in 2029, when bonds issued by the agency in 1999 are retired.

When the Legislature authorized the increased MVET back in 2015, it authorized the use of two depreciation schedules – the one in place in 1999 when the bonds were issued until 2028 when the bonds retires and, starting in 2029, the State's new depreciation schedule that was approved in 2006. The agency has been asked many questions about the financial impact to Sound Transit of various pieces of legislation that address the use of two statutorily-required depreciation schedule governing how vehicles are valued and taxed.

At this point, more than a dozen separate bills have been introduced and budget provisos have also been floated that seek to address the issue. While some of these bills would have a very dramatic impact on Sound Transit's revenues and our ability to deliver projects, others have lesser impacts. Four bills were voted out of the Senate Transportation Committee last week, and could come to the Senate floor for a vote, perhaps as early as the week of April 10, 2017.

The situation in Olympia will remain fluid in the days and weeks ahead. Yet more bills could be introduced and provisos may be considered as the Senate and the House call up and debate their versions of the Transportation budget. Sound Transit will continue to engage with

lawmakers in a manner fully consistent with the motion passed by the Board in March. Staff will keep the Board engaged about ongoing developments.

PUBLIC COMMENT

Martha Ramos

REPORTS TO THE COMMITTEE

Board Process Review

Chair Somers introduced the topic as an area of focus he directed staff to examine when he took over the Chairmanship of the Board in January of 2017. The Executive Committee is the appropriate group to take a closer look at the Board bylaws, committee structure, and approval processes. The Chair noted he is interested in looking for efficiencies and ways the Board can be most effective in serving the public.

Chief Executive Officer Peter Rogoff then made comments about the upcoming process, prefacing that today's presentation is an introduction, and staff will be following Board member direction as to what should be more closely examined in regards to the Boards rules, procedures, and policy.

At the April Board meeting, there will be a briefing of the System Expansion Improvement Plan which has been developed internally and addresses how the agency will be adapting to its increased workload and extremely ambitious capital program following the passage of Sound Transit 3 (ST3). With the passage of ST3, the agency is working to deliver on the largest mass transit expansion in the region's history. The regional light rail system will eventually grow to five times larger than it is today, with new service opening every four to six years over the next decades to Everett, Redmond, Issaquah and Tacoma.

In addition to light rail service, the agency will also add bus rapid transit to the north, east, and south of Lake Washington, and enhancements will be made to the Sounder south line that will allow Sound Transit to serve 40 percent more riders.

Mr. Rogoff then handed the floor to Katie Flores, Board Administrator, to provide an outline of current Board rules and procedures.

The Board Rules were adopted in 2001 and outline Board of Director and Board member responsibilities and roles, in addition to rules and procedures related to how meetings are held, committees of the Board, public observation, public comment, and rule changes. The Board also has an ethics policy, adopted in 1998 and a Travel policy, also adopted in 1998, that provides policy direction for Boardmembers and agency staff.

In 2010, the Board updated the committee structure to have four permanent committees of the Board, Executive Committee, Audit and Reporting Committee, Capital Committee and Operations and Administration Committee. Each of the Committees meet monthly, except for the Audit and Reporting Committee that meets quarterly. Ms. Flores then reviewed the responsibilities of each committee as adopted by the Board.

Ms. Flores then summarized the budget authority thresholds between the Board, the CEO, and the committees. These thresholds are spelled out in the procurement and delegation of authority policy. The Board approves any expenditure over five million, and the committees handle all expenditures between the CEO's authority, which is two hundred thousand dollars, and five million dollars.

Washington State law requires Board approval of any major decisions, which include system plan adoptions and amendments, annual budget adoption and amendments, annexations, and modifications of the Board composition.

The procurement and delegation of authority policy delegate's authority areas to the CEO, including the establishment of business management, employment and administration policies, and delegation of employment decisions to operate the agency – including employment compensation decisions and management.

Mr. Rogoff thanked Ms. Flores for the explanation of current Board rules and policies, and explained that going forward, Sound Transit staff will be working with the Board, and especially the Executive committee to seek advisement on priority areas of amending and updated the Board's rules and processes.

Chair Somers asked the committee for any preliminary thoughts or observations.

Boardmember Marchione commented that the dollar authority of budget amendments and approvals should be reviewed, and added that there is interest in making the meetings of the Board and it's committees more interactive and engaging, to utilize the Board members time to the best of the agency's ability.

BUSINESS ITEMS

Minutes of the November 17, 2016 Executive Committee Meeting

It was moved by Boardmember Butler, seconded by Boardmember Marchione, and carried by unanimous vote that the minutes of the November 17, 2016 Executive Committee meeting be approved as presented.

Items for Recommendation to the Board

Resolution No. R2017-13: Adopting a Safety Policy

Robert Taaffe, Senior Construction Safety Manager, provided the staff report. This action establishes the Board's commitment to the safety of passengers, employees, contractors, emergency responders and the public through the adoption of a Safety Policy. The policy is a key first step in establishing a Safety Management System (SMS) for the agency and focusing the agency's safety management efforts on promoting a safety culture. The policy emphasizes the importance of safe and healthy working conditions for all employees and requires that all employees receive adequate safety training, including awareness of the agency's procedures for identifying and reporting safety concerns and hazards. The policy requires the chief executive officer to establish and implement a SMS, which includes promoting awareness of this policy to all Sound Transit employees, contractors, and consultants.

It is moved by Boardmember Marchione, seconded by Boardmember Millar, and carried unanimously to recommend Resolution R2017-13 to the full Board with a do-pass recommendation.

Resolution No. R2017-14: Adopting a Security, Law Enforcement and Emergency Management Policy

Ken Cummins, Director of Public Safety, provided the staff report. This action would adopt a security policy for the agency. The policy enhances Sound Transit's commitment to providing a safe and secure transit system, requires the systemic identification and mitigation of risk to the agency's assets, and directs the agency to optimize resilience to natural and manmade disasters. The policy delegates' administrative policy and procedures to the CEO, which will help ensure the continued implementation of the Board-adopted policy while providing the CEO the flexibility to change security-related procedures at Sound Transit facilities in response to changing operating conditions.

Boardmember Butler asked for an agency response to an issue raised during public comment, during which Ms. Ramos expressed concern about an incidence in January of 2017, during which light rail service to the Sea-Tac Airport was interrupted during a protest, and there were conflicting opinions in regards to if the incidence was a safety issue or if the service interruption inhibited riders' right to public protest.

Following the events, there were conversations between Mr. Rogoff, the General Manager of King County Metro, and the Port of Seattle. There is now a new procedure in place, and in the case of any further requests for service interruption, there will be an elevation immediately to the CEO and the General Manager of King County Metro to ensure there is no unnecessary service interruption.

Mr. Rogoff also clarified that the policy before the Board today is a broad statement of intention and a directive in developing further safety and security procedures at the agency level.

Chair Somers raised the issue of collaboration between Sound Transit and its service partners in the event of large events, for example the traffic event caused by the overturning of a propane truck on Interstate 5. Mr. Cummins added that Sound Transit has staff which sits in the Emergency Operations Center (EOC) in the event of any multiple-agency event, and that this encourages collaboration and coordination.

Boardmember Marchione asked for clarification about the agency's commitment to inclusivity and nondiscrimination training, and asked if the Policy may need to be amended to ensure that these issues are being adequately provided for. Mr. Cummins replied that it is a contractual element of all safety and security contracts to require training in non-bias and verbal de-escalation of events, and that the agency demonstrates a strong commitment to nondiscrimination and civil rights issues. Boardmember Marchione commented that given the existing system, there was no need to amend the proposed policy, and added he would be interested in hearing more about the specific of provided and required training by contractors and security staff.

It is moved by Boardmember Marchione, seconded by Boardmember Butler, and carried unanimously to recommend Resolution R2017-14 to the full Board with a do-pass recommendation.

EXECUTIVE SESSION

None.

OTHER BUSINESS

None.

NEXT MEETING

Thursday, May 4, 2017
10:30 a.m. to 12:00 p.m.
Ruth Fisher Boardroom

ADJOURN


It was moved by Board Member Marchione, seconded by Board Member Butler, and carried unanimously to adjourn.

The meeting was adjourned at 11:13 a.m.



Dave Somers
Executive Committee Chair

ATTEST:


Kathryn Flores
Board Administrator

APPROVED on 9/7/2017, PIA