



Summary Minutes

Board Meeting
March 28, 2019

Call to order

The meeting was called to order at 1:40 p.m. by Chair Marchione in the Ruth Fisher Boardroom, 401 South Jackson Street, Seattle, Washington.

Roll call of members

Chair	Vice Chairs
(P) John Marchione, City of Redmond Mayor	(P) Kent Keel, City of University Place Mayor (P) Paul Roberts, Everett Councilmember

Board members	
(A) Nancy Backus, City of Auburn Mayor (P) David Baker, City of Kenmore Mayor (P) Claudia Balducci, King County Councilmember (P) Dow Constantine, King County Executive (A) Bruce Dammeier, Pierce County Executive (P) Jenny Durkan, Seattle Mayor (P) Dave Earling, City of Edmonds Mayor (P) Rob Johnson, Seattle Councilmember	(P) Joe McDermott, King County Council Chair (A) Kim Roscoe, City of Fife Mayor (P) Patty Rubstello, WSDOT Secretary Alternate (P) Dave Somers, Snohomish County Executive (P) Dave Upthegrove, King County Councilmember (P) Peter von Reichbauer, King County Councilmember (A) Victoria Woodards, City of Tacoma Mayor

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

Report of the Chair

Board members on the phone

Chair Marchione stated that Vice Chair Roberts has asked to attend the meeting by phone. The Board rules allow the chair to approve requests to participate by phone for up to 25 percent of the Board members, and he has approved the request by Vice Chair Roberts.

North Seattle Shooting

Chair Marchione stated that he and the Board members are sending support and well wishes to King County Metro Transit Operator Eric Stark following yesterday's shooting. Yesterday Boardmembers Constantine and Durkan and many others hailed Mr. Stark's heroism in acting swiftly and decisively, despite his gunshot wound, to ensure his Metro Route riders got home safely. Soon after the incident, Metro Transit General Manager Rob Gannon provided an update that Mr. Stark's injuries were not life threatening.

Every day the region's transit riders are fortunate to benefit from the dedication of Mr. Stark and other bus operators like him. The confidence they instill contributes greatly to public transportation's success. Today we are especially grateful for their service.

Board members expressed their sincere appreciation to employees who serve the public and do acts of heroism that are not always recognized.

Residential Builders Council

Chair Marchione stated that on March 14, 2019, he addressed the Master Builders Association (MBA) of King and Snohomish Counties. They were interested in hearing more about the expansion of the regional transit system and how the Sound Transit investments are benefiting the residents of the region. He told them that he has spent more than a decade on the Sound Transit Board, and in that time he has come to see the inseparable nature of land use and transportation.

He advised that the collaboration between MBA, transit oriented development, and the transit agencies is helping to improve the quality of life by reducing or eliminating the long commutes.

Recognition of Boardmember Rob Johnson

Chair Marchione recognized Boardmember Johnson for his time and contributions while serving on the Sound Transit Board. Boardmember Johnson joined the Sound Transit Board in 2016. During his time on the Board, he served on the Capital Committee, System Expansion Committee, and Rider Experience and Operations Committee. He also chaired the Audit and Reporting Committee from 2016 through 2018.

Boardmember Johnson has been active in all areas of Sound Transit and an ardent supporter of regional transit. His dedication and leadership have been invaluable to the agency. Boardmember Johnson has also been serving on the Executive Leadership Groups for both the SR 522/NE 145th Bus Rapid Transit project and the West Seattle & Ballard Extensions.

Boardmember Somers mentioned that Boardmember Johnson has also served on the Puget Sound Regional Council (PSRC) since 2004. He has contributed greatly to regional transportation issues and has been a valued member of the Sound Transit Board.

Boardmember Johnson stated that he grew up in this region and has been interested in urban planning. He is proud of the work the Board has done on transit oriented development. Some of his greatest accomplishments include helping with the ST2 vote, being on the Board for the ST3 vote, and helping to cut the ribbon for the University Link Extension.

CEO Report

CEO Peter Rogoff stated on behalf of the Sound Transit staff, he wanted to acknowledge the heroic efforts of King County Metro Operator Eric Stark. This incident drives home the point that the transit operators are on the front line all the time to provide safe service to the public.

Mr. Rogoff spoke to the service of Rob Johnson during his tenure on the Sound Transit Board. He has asked the agency insightful questions and has sat with staff to brainstorm solutions. He thanked Boardmember Johnson for his contributions to Sound Transit.

Downtown Seattle Transit Tunnel

Mr. Rogoff stated that Sound Transit has been working with King County Metro and other partners to implement the service change that took place last weekend. This change includes the change to exclusive Sound Transit operations of Link through the downtown transit tunnel, and bringing the buses up to surface streets.

The agency sent rider alerts to subscribers about the service change and encouraged people to be prepared. He thanked Sound Transit employees who volunteered to work shifts in the stations with King County employees. It was a successful transition and will be monitored to ensure that maximum mobility continues.

Next Steps for RFP Related to ST Express Service

In December 2018, CEO Rogoff advised the Board of the agency's intention to issue a Request for Proposal (RFP) for the storage, maintenance, and operations of certain ST Express bus routes. The shortage of bus base capacity has curtailed the growth potential for all regional bus providers. Absent adequate base capacity, it is not possible to add the necessary buses to maintain frequent and reliable service. The RFP was issued in early February 2019 to explore interim options for addressing the lack of bus storage and maintenance facilities in the region.

Following concerns from labor partners, and after discussions with the Sound Transit Board Chair and Vice Chairs as well as with stakeholders and concerned Board members, he directed staff to take a pause on this procurement. Chair Marchione has asked the Rider Experience and Operations Committee to review all of the policy and operational issues surrounding the request for proposals at its April 4, 2019, meeting. Upcoming discussions by the committee in concert with concerned Board members will determine the path forward. Either the agency will issue new procurement instructions or cancel the procurement altogether.

Mr. Rogoff has met with the leadership of ATU Local 587 and emphasized the agency's long and continuing partnership with the union and its members' key role in safely and efficiently moving many thousands of riders each day on buses and trains. Sound Transit has pledged to work closely with the union and other stakeholders as the Board considers interim options for maintaining service for ST Express riders.

Boardmember Constantine thanked CEO Rogoff for his comments on the RFP for the ST Express service in King County. This is an important decision that needs to be preceded by a full Board discussion of the implications for the work force, labor relations, continuity of service, and the long-term effects to the region.

Souder South Strategic Plan

The Souder South Strategic Plan was scheduled to be presented at the March System Expansion Committee meeting. The meeting went long, and it was decided to delay the briefing to the Board meeting.

Sound Transit will begin conversations about the ST3 Souder south strategic planning efforts with the nine cities along the Souder south corridor and other partners. Mr. Rogoff thanked Boardmembers Backus and Upthegrove who will be participating in a Corridor Leadership Forum on April 3, 2019. The forum will also include South Sound City Mayors and representatives of the Ports and the Puyallup and Muckleshoot Tribes. At the forum, staff will be providing an overview of the agency's planning efforts for this year. Public engagement, will begin later this summer after the initial technical work is completed.

The Souder South Expansion program includes expanded platforms, access improvements, and potential track & signal improvements that could add capacity for additional Souder roundtrip trains. Additional trips will require negotiation with BNSF and working with the ports to ensure that this does not hinder freight service.

President's Budget

Earlier this month, the Trump Administration released its proposed fiscal year 2020 budget, which has some encouraging changes from the Administration's prior budgets. Within the Federal Transit Administration's (FTA) Capital Investment Grant program budget, the Administration is proposing \$100 million for the Lynnwood Link project. The Administration included almost \$500 million in funding for new full funding grant agreements for new projects. The agency expects the Federal Way Link Extension (FWLE) to be one of the new projects.

Mr. Rogoff met with Jane Williams, Acting FTA Administrator, when he was in Washington D.C. She mentioned Sound Transit's local overmatch on its projects. She said the FTA is encouraged that the agency has put in more of its money than federal money on these projects. The agency is waiting for engineering approval from the FTA for the FWLE.

External Engagement

Mr. Rogoff stated that the agency is fully engaged externally across the region. There are Elected Leadership Groups and Stakeholder Advisory Group meetings coming up for almost every major project. He will send out a detailed email to the Board to summarize the external engagement.

Olympia Update

Olympia is about to enter the final month of the 2019 legislative session. This week saw the introduction of budget proposals in both the House and the Senate.

Sound Transit staff is keeping a close eye on the respective transportation proposals. These budgets include a variety of budget and policy initiatives important to Sound Transit, from expanded enforcement of HOV lane violators to partnership with the Washington State Department of Transportation on transit oriented development at the Kingsgate Park-and-Ride.

While some items in the budgets seem to carry an independent consensus and are relatively straightforward, there are others that will be carried into negotiations between the two chambers until the end of the session.

Public comment

Alex Tsimerman, Stand Up America

Cory Rigtrup, Amalgamated Transit Union

Brad Thorson

Kelsey Mesher, Transportation Choices Coalition

Kate Wilson

Katie Garrow, MLK County Labor Council

I.J. Eustaquio

Dawn Misawic

Anne Jacobson

CEO Rogoff spoke to the last two speakers' concerns about property acquisitions for the Lynnwood Link Extension. He stated that both speakers will be contacted by Real Property staff to get their questions answered.

Consent agenda

Minutes: February 28, 2019, Board of Directors meeting

Voucher Certification: February 2019

Motion No. M2019-23: Authorizing the chief executive officer to execute a Memorandum of Understanding with King County for the Downtown Redmond Link Extension in the amount of \$3,040,000 to provide schedule assurance and support from King County related to project interfaces and to satisfy conditions related to the acquisition of King County property.

It was moved by Vice Chair Keel, seconded by Boardmember Baker, and carried by unanimous vote that the consent agenda be approved as presented.

Business items

Resolution No. R2019-06: Amending the Adopted 2019 Budget to create the Portable Wheel Truing Machine Project by (1) establishing an authorized project allocation to date in the amount of \$960,000 and (2) establishing a 2019 annual project budget of \$960,000.

Vice Chair Roberts reported on the action. The Rider Experience and Operations Committee heard a presentation on this item at its March meeting and voted unanimously to recommend adoption.

The current fixed wheel truing machine at the Operations and Maintenance Facility (OMF) is over ten years old and is approaching the maintenance overhaul period. Sound Transit has no backup equipment should the existing equipment fail or to cover the time when it is being overhauled. Without backup equipment, Sound Transit faces a significant risk to fleet availability for revenue service. Wheel truing operations are expected to rise in 2020 with the testing and commissioning of new ST2 vehicles and then sharply increase in 2022 with preparations for expanded revenue service.

It was moved by Vice Chair Keel, seconded by Boardmember Earling, and carried by 13 affirmative votes that Resolution No. R2019-06 be approved as presented.

Resolution No. R2019-07: Amending the adopted budget for the I-405 Bus Rapid Transit project by (a) increasing the authorized project allocation to date by \$7,300,000 from \$243,443,000 to \$250,743,000 and (b) increasing the adopted 2019 annual project allocation by \$7,300,000 from \$94,475,000 to \$101,775,000.

Boardmember Balducci stated that the System Expansion Committee received a presentation on this action at their March meeting and unanimously recommends its approval. This action increases I-405 Bus Rapid Transit project currently authorized project allocation to acquire property located at NE 44th Street in Renton for a park-and-ride.

This site was in the representative project in ST3 to build a 200-stall parking lot. Sound Transit wishes to buy the property now because of the imminent threat of development. The action to acquire the property for the NE 44th Street Park-and-Ride is being sought through the next action on today's agenda.

It was moved by Boardmember Balducci, seconded by Boardmember Johnson, and carried by 13 affirmative votes that Resolution No. R2019-07 be approved as presented.

Resolution No. R2019-08: Authorizing the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and re-establishment expenses incurred by affected owners and tenants as necessary for the acquisition of the NE 44th Street Park-and-Ride site in the City of Renton for the I-405 Bus Rapid Transit Project.

Boardmember Balducci stated that the System Expansion Committee reviewed the action at their March meeting and unanimously recommends its approval. This action authorized the acquisition of a portion of one parcel for the I-405 Bus Rapid Transit project. Sound Transit is requesting acquisition in order to secure its ability to use the property for the project without the developer investing additional resources to exercise its developmental rights. The parcel is located in the City of Renton.

Vice Chair Keel asked about the amount of property needed, and the number of property owners impacted. Paul Cornish, Project Director-HCT Development, replied that the property is 2.75 acres and is owned by one property owner.

Vice Chair Keel asked if the negotiations have been amiable. Mr. Cornish stated that the discussion with the property owner has been amiable. Staff has also talked with the City of Renton about the vision for the site and how to coordinate the needs of both Sound Transit and the city.

It was moved by Boardmember Balducci, seconded by Boardmember Johnson, and carried by unanimous vote that Resolution No. R2019-08 be approved as presented.

Motion No. M2019-24: Authorizing the chief executive officer to execute a Statement of Partnering Intent with the Puyallup Tribe of Indians for the Tacoma Dome Link Extension.

Boardmember Balducci stated that the System Expansion Committee reviewed this action at the March meeting and unanimously recommends its approval.

In addition to traversing the cities of Federal Way, Milton, Fife, and Tacoma, the Tacoma Dome Link Extension project will traverse across the Puyallup Tribe of Indians' reservation land and over the Puyallup River. Sound Transit will need to secure easement rights through Tribal property; the agency cannot utilize eminent domain. The agency will need permits from the Tribe to cross over the Puyallup River and will respect the inherent fishing rights of the Tribe.

This Statement of Partnering Intent acknowledges the Tribe's and Sound Transit's shared interests in the project and establishes a shared understanding of the project objectives, communication, and designated representatives. The statement designates representatives for both Tribal staff and project staff on the Elected Leadership Group, Stakeholder Group, and the Interagency Group. There is also a clause that acknowledges that Sound Transit is willing to reimburse the Tribe for their staff engagement in the project. If the Tribe determines they would like to do this, a separate agreement will be developed.

The Puyallup Tribal Council received presentations on the Statement of Partnering Intent and the project on February 19 and 20, 2019. The statement has since been approved and signed by the Puyallup Tribal Chairman. This motion is non-binding and does not include a funding reimbursement.

CEO Rogoff thanked Chairman Sterud of the Puyallup Tribal Council and Boardmembers Dammeier and Woodards who participated in a follow-up meeting with the council to an earlier meeting held when Boardmember Constantine was the Sound Transit Board Chair.

Boardmember Constantine commented on the meeting that was held with the Puyallup Tribal Council a few years ago as the agency was working on the ST3 plan. At that time, one of the issues that came up was an interest in ensuring the agency will be sensitive to cultural resources. The Tribe offered their archeology team to work with Sound Transit to explore early on in the project what artifacts or cultural resources might be on the site. He stated that King County has an archeology staff that is available as a resource to help Sound Transit avoid impacts wherever possible.

Boardmember Durkan commended all those involved on reaching this agreement.

It was moved by Boardmember Balducci, seconded by Vice Chair Keel, and carried by unanimous vote that Motion No. M2019-24 be approved as presented.

Resolution No. R2019-09: Authorizing the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the Lynnwood Link Extension.

Boardmember Balducci spoke to the action. The System Expansion Committee reviewed this action at their March meeting and unanimously recommends its approval.

This action authorizes the acquisition of all or portions of 11 parcels consisting of full and partial acquisitions, temporary construction easements, and/or permanent easements. The properties have been identified as necessary for the construction of the Lynnwood Link Extension and relate to roadway improvements within the vicinity of the Lynnwood Transit Center as required by the City of Lynnwood. These parcels are located in the City of Lynnwood.

Boardmember Balducci commented that at the System Expansion Committee meeting, they did not hear public testimony about the action. She asked staff to address the questions raised during public comment.

Rod Kempkes, Executive Project Director – Lynnwood Link Extension, and Joe Gray, Director – Real Property spoke to the action. The properties in this action are related to a Development Agreement that is being finalized with the City of Lynnwood. At this time, staff has a preliminary design for the 200th Street SW roadway widening and know these properties will be impacted. The design will be finalized in 2020, and project staff will be working with the property owners to finalize the details. This action authorizes staff to move forward with the acquisitions once the details have been finalized.

Boardmember Upthegrove mentioned that there were specific questions raised in terms of the authorization for acquisitions of some of the properties. He asked when those would be acquired, for how long, for what purpose, and whether there is mitigation.

Mr. Gray replied that since the design has not been completed, staff does not know the exact widths and impacts to the properties. Once this is known, staff will meet with the property owners. There are mitigations for parking based on temporary use of the properties and what impact of the permanent taking will be for the construction. Prior to today, the owners received notification in the mail that they may be impacted. Looking at the preliminary design, there will be some widening in the streets. The permanent impact to the property is minimal, but the temporary property use will take approximately a year. Staff did speak with the property owners following their testimony today.

Boardmember Balducci asked how Sound Transit knows the property will be needed and why does the acquisition approval need to take place now.

Ron Lewis, Executive Director, replied that the process and timing of this acquisition is consistent with normal practice. In all of the projects, as the design progresses and reaches 60 percent, right-of-way needs are identified for the project and the general parameters of the properties can be identified. In this particular case, the arterials are being widened to meet city codes as the roadway approaches the station to accommodate traffic. These properties are adjacent to that arterial roadway and the impacts are largely on the landscaping and frontage of the properties, not the structures.

Mr. Rogoff commented that sometimes when these actions are brought to the Board, it may be viewed as the end of the process, but it is actually the start of the process to engage the public. Early notification is to eliminate surprises to the community.

Vice Chair Keel express his appreciation for the questions and the answers. This is a topic that he gets asked about often. Staff has explained it very well. He suggested adding this explanation with bullet points describing the steps of the process to the letter that property owners receive.

Mr. Rogoff stated that staff intends to give a presentation on improvements developed by a task force that was formed to review the real estate process.

It was moved by Boardmember Balducci, seconded by Vice Chair Keel, and carried by unanimous vote that Resolution No. R2019-09 be approved as presented.

Motion No. M2019-25: Authorizing the chief executive officer to submit a Full Funding Grant Agreement application to the Federal Transit Administration for the Federal Way Link Extension, including the project's proportionate share of the Light Rail Fleet Expansion project.

Boardmember Balducci stated that the System Expansion Committee reviewed this action at the February meeting and unanimously recommends its approval. This action authorizes the CEO to submit a Full Funding Grant Agreement (FFGA) application to the Federal Transit Administration for the Federal Way Link Extension. Sound Transit is preparing materials for the FFGA application and is anticipating the execution of the FFGA by September 30, 2019. Boardmember Balducci asked Dan Abernathy, Executive Project Director, and Soraya Lowry, HCT Development Manager, to provide a presentation to the Board on the action.

The Federal Way Link Extension will be extending light rail 7.8 miles from the existing Angle Lake Station at South 200th Street in SeaTac, south to the Federal Way Transit Center. Project elements include 3 elevated stations; 12 minute travel time from the Federal Way Transit Center to the Angle Lake Station; 36,500 daily riders in 2030; and revenue service opening in 2024.

The Kent/Des Moines Station includes a 500-stall parking garage; the South 272nd Street Station will include a 1,100-parking spaces; and there will be a station to connect to the existing Federal Way Transit Center that will include a second garage with 400 stalls.

Right-of-way acquisitions and relocations started in April 2017 and will continue into 2019. The project team has been working with third parties on agreements that include utilities, the four cities, WSDOT, and the Federal Transit Administration. For the design build procurement, a request for proposals was issued in September 2018. Three proposals have been received and are currently under review. The project has begun advanced utility relocation work and advanced building demolition.

Sound Transit is seeking authorization to submit an FFGA with the Federal Transit Administration (FTA). Some policy changes by the FTA have required Sound Transit to increase the amount of contingency by an additional \$460 million. The grant request is for a 25 percent federal share of the total project costs, or approximately \$790 million.

An FFGA is based on three major steps: project development, entering engineering, and submitting the application to the FTA. The steps required to submit the FFGA have been completed. This project is unique because it has a compressed schedule between the engineering approval and the submitting the application. The project received FTA approval to enter into project development in August 2016 and a new starts rating of medium-high. In October 2018 the agency submitted an application to the FTA to enter into engineering. After receiving FTA approval to enter into engineering, with the Board's approval, staff is prepared to submit the FFGA application.

Sound Transit has received three FFGA's for the initial segment, the University Link Extension, and the Lynnwood Link Extension.

It was moved by Boardmember Balducci, seconded by Boardmember Upthegrove, and carried by unanimous vote that Motion No. M2019-25 be approved as presented.

Motion No. M2019-19: Adopting performance goals and objectives for Peter M. Rogoff, Sound Transit chief executive officer.

Chair Marchione stated that under the CEO's employment agreement, the CEO's performance goals and objectives must be approved by the end of March. Earlier this month, this action was considered at the Executive Committee and discussed at length. The Executive Committee is forwarding the motion to the Board, as amended by the committee, with a do-pass recommendation.

Vice Chair Keel commented that the conversations leading to the action were very thoughtful. The committee discussed how the Board can measure the performance of the CEO. The committee amendments to Attachment A speak to both internal and external perspectives for reviewing the CEO's performance.

It was moved by Vice Chair Keel, seconded by Boardmember Earling, and carried by unanimous vote that Motion No. M2019-19 be approved as presented.

Report to the committee

Office of EEO, Equity & Inclusion

Jackie Martinez-Vasquez, Chief EEO, Equity & Inclusion Officer; Jonte Robinson, EEO Program Manager; and Abraham Rodriguez-Hernandez, EEO Program Manager, presented the Office of EEO, Equity & Inclusion report. The department mission is “to ensure an equitable system that grows and sustains a diverse workforce, fosters an inclusive culture and builds organizational capacity.” There are two arms to the office, Equal Employment Opportunity (EEO) and Equity & Inclusion.

EEO is federally mandated and has been a part of Sound Transit since the agency’s inception. The Equity & Inclusion program was new to the agency when the program was established 15 months ago. The EEO, Equity & Inclusion division supports Sound Transit by providing Executive and strategic leadership, EEO consultations and mediations, policy and practices review, training and professional development, employee networks, employee resource groups, heritage/history month celebrations, and community engagement.

The program approach consists of four strategies: employees & culture, talent engagement, capacity building, and institutional change.

Employees & Culture: EEO prohibits discrimination against employees and contractors in hiring, promotion, transfer, and termination practices. The EEO policy informs employees of their rights to file a complaint, that retaliation is prohibited, and that they have the right to request reasonable accommodations. It also states that Sound Transit is accountable and transparent as it relates to employment practices.

The employee resource groups foster inclusion. The groups serve as a platform for community development, cultural expression, employee engagement, and employee advancement. Currently there are five resource groups at the agency.

Talent Engagement: The strategy around talent engagement is to be able to expand opportunities through education. The agency partners with local school districts, universities, and community organizations to expand early access to Sound Transit careers and opportunities.

Capacity Building: Program staff have been working to define what equity and inclusion means for Sound Transit. Sound Transit has made a commitment to include equity. It is not just providing opportunities and making sure there is representation, it is also putting a matrix around accountability to make sure the agency is driving toward equity. Staff has put together five modules for professional development. The first two modules are EEO law and requirements/importance of EEO and definition alignment/system analysis. Once the first two modules are completed, there will be three modules for training classes: Equity & Inclusion/Identify Development; Community Relevance/Inclusion Leadership; and Managing Differences/Accountability.

Institutional Change: Institutional change is about leadership, representation, access, and resources. Equity in practice asks who decides, who pays, who benefits, and who suffers. At the end of 2018, staff created The Equity Steering Committee. The committee is responsible for ensuring continuing progress toward an inclusive and equitable agency. The committee will set strategy, provide guidance, and ensure integration of equity principles in their respective business lines.

Sound Transit is the co-lead for the Transportation Equity Network in partnership with King County Metro and the Seattle Department of Transportation to advance policy and institutional strategies that focus on equitable processes and outcomes across the region. This effort is to work with other partners in transportation to align strategies, to provide support, and to share best practices.

Board members thanked staff for the report and the excellent work they have accomplished in a short period of time.

Executive session

None.

Other business

None.

Next meeting

Thursday, April 25, 2019, 1:30 to 4:00 p.m.
Ruth Fisher Boardroom

Adjourn

The meeting adjourned at 3:42 p.m.



Paul Roberts
Board Vice Chair

ATTEST:



Kathryn Flores
Board Administrator

APPROVED on April 25, 2019, JE