



Summary Minutes

Board Meeting
May 23, 2019

Call to order

The meeting was called to order at 1:36 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	
(P) Nancy Backus, City of Auburn Mayor	(P) Joe McDermott, King County Council Chair
(P) David Baker, City of Kenmore Mayor	(P) Kim Roscoe, City of Fife Mayor
(P) Claudia Balducci, King County Councilmember	(P) Patty Rubstello, WSDOT Alternate
(P) Dow Constantine, King County Executive	(P) Dave Somers, Snohomish County Executive
(P) Bruce Dammeier, Pierce County Executive	(P) Dave Upthegrove, King County Councilmember
(P) Jenny Durkan, Seattle Mayor	(P) Peter von Reichbauer, King County Councilmember
(P) Dave Earling, City of Edmonds Mayor	(P) Victoria Woodards, City of Tacoma Mayor
(P) Debora Juarez, Seattle Councilmember	

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

Report of the Chair

Welcome to Debora Juarez

Chair Marchione welcomed Seattle City Councilmember Debora Juarez to the Board.

Board members on the phone

Chair Marchione stated that Boardmember Backus and Vice Chair Keel have asked to attend the meeting by phone, and as chair of today’s meeting he has approved the requests. The Board rules allow the meeting chair to approve requests to participate by phone for up to 25 percent of the Board members.

Appointments to Regional Transportation Boards

Chair Marchione announced that he has appointed Boardmember Paul Roberts to represent Sound Transit on the Puget Sound Regional Council. He reminded the Board that other regional representation on behalf of Sound Transit includes Boardmember Earling serving on the Eastside Transportation Partnership, Boardmember Roberts serving on the SeaShore Transportation Forum, and Peter von Reichbauer serving on the South County Area Transportation Board.

CEO Report

Recent Conferences

CEO Peter Rogoff reported that he represented Sound Transit at several conferences recently, including Urban Transit Infrastructure West where he was able to speak about the regional integration and best practices that Sound Transit uses to connect outlining communities in the region.

Mr. Rogoff also attended a policy and delivery leaders' summit in Washington, DC that focused on the federal, state and local government's role in helping deliver infrastructure via public-private partnerships.

Federal Relations Engagement

Mr. Rogoff continued that while in Washington D.C. he was able to sit down with the new Executive Director of the Build America Bureau at USDOT, the office managing the TIFIA program. The meeting covered Sound Transit's 2016 Master Credit Agreement, and the timing of the fourth and final TIFIA loan authorized by that agreement for the Federal Way Link Extension project in the amount of \$629 million.

Staff is working closely with the Bureau and the Federal Transit Administration (FTA) to execute the Full Funding Grant Agreement for Federal Way simultaneous with closing on the loan.

National Transportation Safety Board Summary Report

On Tuesday, May 21, 2019, the National Transportation Safety Board (NTSB) met to adopt its findings and recommendations following its investigation of the Amtrak Cascades derailment that occurred on Dec. 18, 2017. Sound Transit staff and the partner agencies will never forget this tragic day on which three people died and numerous others were injured.

Mr. Rogoff continued that the agency is committed to thoroughly following up on this matter, and responding to every pertinent finding and recommendation. There were a total of 53 findings in the NTSB report, four of which named Sound Transit. There were also 26 recommendations, among which Sound Transit was named in three.

The report surfaced many things that staff have been aware of since the accident, and that have been rectified. Mr. Rogoff announced the agency will be calling in an independent third party to review the safety certification process, top to bottom, when it comes to the agency's role as a track owner.

Mr. Rogoff commented that he agrees with the NTSB about the confusing and troubling regulatory regime here where four different agencies plus BNSF have a very convoluted distribution of roles and responsibilities. Sound Transit does an excellent job when it comes to the safety certification process for services that the agency runs for its own passengers, whether it is light rail or commuter rail.

In this instance, the agency owns a ten-mile segment of track where it operates no service and doesn't intend to operate any service. Even so, it was Sound Transit's responsibility to not only determine safety protocols for Amtrak but to oversee that Amtrak implemented all of them. Sound Transit trusted Amtrak to fully and adequately implement all the safety requirements Sound Transit directed. That mistake won't happen again. Staff will be ensuring that every protocol and requirement is fully implemented by Amtrak before service is allowed back on agency owned track.

The agency should have implemented a crew focus zone for the curve, or confirmed that Amtrak had done so in its General Orders. Sound Transit's timetable now requires Amtrak crews to follow crew focus zone protocols when approaching the curve. This requires verbal communications between the train's operator and conductor about speed restrictions. The agency should have considered and proposed a graduated speed reduction approaching the curve during review of WSDOT's design and Sound Transit's safety certification. Now, the revised speed limits approaching the curve go from 79 mph to 50 mph to 30 mph, with more signage.

These changes are responsive to the NTSB finding that Sound Transit as track owner should have required greater mitigation measures for the curve where the derailment occurred. Going forward, Mr. Rogoff agreed with the NTSB that the Federal Railroad Administration needs to finally issue its

comprehensive system safety rule. The Federal Rail Administration's (FRA) current requirement to review, but not approve, system safety program plans does not achieve the level of safety oversight expected from the FRA.

With Sounder commuter rail, the core safety improvement that has arrived since this derailment is the implementation of Positive Train Control (PTC). Sound Transit was ahead of many railroads in the industry and implemented PTC in advance of last year's federal deadline, which was possible due to actions taken by the Board in years past. PTC will dramatically improve the safety of the public, and the agency shares the NTSB's longtime support for the system that came to fruition for ourselves and other systems last year.

Mr. Rogoff stated the agency is grateful for the thoroughness of the NTSB's investigation, and emphasized his commitment to ensuring the agency promptly responds to all of the identified issues and reviews the safety certification processes.

Boardmember Dammeier commented at the conclusion of the report on the NTSB Summary Findings, stating that this was an incredibly significant event for Pierce County. He continued that the report was very strongly determined about the cause of the accident, and that he is glad to hear of Sound Transit's thorough reaction. Mr. Dammeier continued that there was mention in the report of inoperability between the radio systems the first responders were using, and mentioned that the County and other parties have been working to fix that issue and to explore other opportunities for improvement in the reaction to tragedies of all kinds.

Mr. Dammeier continued that the operational challenge of the significant curve involved in this accident was an opportunity for the agency to focus on safety and to bring the issue up as the track owner. He continued that moving forward, the agency should be focusing on this and improving the channels for any staff person to raise issues of concern around safety.

Boardmember Balducci commented on the importance of safety as a value, for the agency as a whole and not only for operations staff. Ms. Balducci continued that she and Mr. Rogoff recently visited a job site and were able to take some time to focus on safety initiatives and continuous improvement in this area. Ms. Balducci suggested a regular report to a committee of the Board about safety protocols and performance. Mr. Rogoff responded that safety is one of the six core values that have been recently identified for the agency, and that the event he and Ms. Balducci attended was held also in part to commemorate the loss of Water Burrows, a contractor employee working on the Northgate Link Extension project.

Project Milestones for WSBLE and the OMF South

Mr. Rogoff reported that there are two agenda items today for special consideration by the Board. These items are the advancement of alternatives for preliminary study for the West Seattle and Ballard Link Extensions (WSBLE Project), and the selection of sites for preliminary study for the siting of the Operations and Maintenance Facility (OMF) in the South Corridor. Mr. Rogoff continued that, as many members of the Board would remember, one of the most common pieces of feedback from the public during external engagement for the Sound Transit 3 (ST3) ballot initiative, was a resounding request to deliver projects sooner.

Responding to that overwhelming feedback, staff went back to the drawing board to examine past project delivery schedules, and made changes to the schedule which are incorporated in today's proposed actions. He continued that the process is also being updated for other projects, including the Tacoma Dome Link Extension and the I-405/I-522 Bus Rapid Transit Corridor. Mr. Rogoff emphasized that the decisions being made today are for alternatives for further study, and are not decisions about a project to be built.

System Access Fund

Mr. Rogoff reported that, as Board members will recall that the System Access Fund is the \$100M fund included in ST3 for improvements to make it easier for riders to get to Sound Transit services. The System Access Fund is allocated equally between the five subareas. Last fall, staff briefed the Executive Committee and received direction to program an initial portion of the Fund—up to \$10 million in each of the subareas.

Sound Transit opened a call for projects in February to cities, counties, and local transit agencies in each subarea. Immediately before and just after the call, staff engaged potential applicants to ensure awareness, answer questions, and share data about Sound Transit and partner facilities. In mid-April, the agency received 53 applications from 33 jurisdictions requesting a total of \$86.3M.

Sound Transit is evaluating proposed projects against policy factors including customer experience, equity, connectivity, safety and human health, and technical factors including funding and delivery plans. Staff have completed an initial review and have determined that additional information is needed from applicants to ensure a thorough and accurate evaluation of the proposed projects. Staff anticipate briefing the Executive Committee this summer, and opening a public comment period shortly thereafter.

Tulalip Indian Tribe Event

Mr. Rogoff reported that himself, along with Leslie Jones, Chief Business & Labor Compliance Officer, and Mark Wheeler, Deputy Director-Project Labor Compliance, attended the graduation ceremony in Tulalip for students who participated in a Tribal Employment Rights Office (TERO) vocational training program that the agency funded. TERO's mission is to train Native Americans and their families in the construction trades. As a result of the agency's support, TERO was able to fund five pre-apprenticeship classes, graduate 85 Native Americans, and place 60 students in jobs earning more than 20 dollars per hour.

Mr. Rogoff commented that he was honored to be "Blanketed" by Tribal leaders during the ceremony, a traditional and gracious tribal gesture to thank Sound Transit for its support.

Public comment

Alex Tsimerman, Stand Up America

Dennis Nolan

Elliot Strong

John Fisker-Andersen

Eugene Wasserman

Dan Brewer

Mike Stewart

Lisa Howard

Meiko Winkler-Chin, Seattle Chinatown Historic District

Larry Yok

Kathleen Johnson

Aimee Riordan

Charlie Able, East Alaska Junction Coalition

Tighe Urelus, East Alaska Junction Coalition

Sarah Stuart, East Alaska Junction Coalition

Peter Barbin

Scott Carson

Bill Pugnetti

Arnold DeWalt

Robb Stack

Mark Weed

Ted Lehman

Ben DeRuleatis

Susan Honda, Deputy Mayor of Federal Way

Jesse Johnson, Federal Way Councilmember

Martin Moore, Federal Way Councilmember

Jim Ferrell, Mayor of Federal Way

Stephanie Bowman, Port of Seattle

Commissioner

Steve Causseaux

Pat Haigh

John Houlihan

Dana Ralph, Mayor of Kent

Jasmine Donovan

Will Knedlik

Peter Masover
Peter Nitze
Deb Barker

Lisa Coen
Kelsey Mesher

Consent agenda

Minutes: April 25, 2019, Board of Directors meeting

Voucher Certification: April 2019

Motion No. M2019-48: Authorizing the chief executive officer to execute the Second Amendment to the Agreement between the City of Redmond, the Central Puget Sound Regional Transit Authority, the Microsoft Corporation and the Redmond Community Facilities District No. 2014-01, for the design and construction of elements of the Redmond Technology Station, formerly known as Overlake Transit Center, within the East Link Extension, and to remove the pedestrian bridge from the Agreement.

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

Business items

Motion No. M2019-53: Updating committee members for 2019-2020.

Chair Marchione stated that with the addition of Debora Juarez to the Board of Directors he is proposing updates to the Committee membership, which include adding Boardmember Juarez to the Rider Experience and Operations Committee, removing Boardmember Durkan from the Finance and Audit Committee, and adding Boardmember Durkan to the System Expansion Committee.

It was moved by Vice Chair Roberts, seconded by Boardmember Balducci, and carried by unanimous vote that Motion No. M2019-53 be approved as presented.

Resolution No. R2019-13: Incorporating ST3 funds for the Information Technology Program and Information Technology Infrastructure Program into the existing program budgets by (1) adding \$78,400,000 to the authorized project allocation to date for the Information Technology Program to create a new consolidated program totaling \$113,535,531 and (2) adding \$33,600,000 to the Information Technology Infrastructure program to create a new consolidated program totaling \$46,842,785.

Vice Chair Roberts stated that the Rider Experience and Operations Committee heard a presentation on this item at its May meeting. This action incorporates ST2 and ST3 funding into two distinct IT programs, the Information Technology Program, and the Information Technology Infrastructure Program. The adopted annual 2019 Budget will not be affected by this action, it is to allocate funds in the upcoming years of expenditures. Vice Chair Roberts noted that the item was forwarded to the full Board with a do-pass recommendation.

It was moved by Vice Chair Roberts, seconded by Boardmember McDermott, and carried by unanimous vote of 15 members present that Resolution No. R2019-13 be approved as presented.

Resolution No. R2019-14: Transferring \$487,667 from the Construction phase to the Operations and Maintenance phase of the Adopted 2019 Budget for the Bike Parking Program, while maintaining the overall authorized program allocation of \$9,700,000.

Vice Chair Roberts stated that the Rider Experience and Operations Committee heard a presentation on this item at its May meeting. This action transfers \$487,667 from the Construction phase of the Bike Parking Program to the Operations and Maintenance phase of the project. This administrative adjustment does not affect the overall budget allocation of the Bicycle Program. This item was in relation to a contract authorization, approved by the REO Committee, to authorize the fabrication and installation of Smart, on-demand bike lockers at Sound Transit facilities for a term of three years with seven one-

year options. Vice Chair Roberts noted that the item was forwarded to the full Board with a do-pass recommendation.

It was moved by Vice Chair Roberts, seconded by Boardmember Balducci, and carried by unanimous vote of 15 members present that Resolution No. R2019-14 be approved as presented.

Motion No. M2019-45: Ratifying the chief executive officer's execution of a contract with Whiting Corporation to furnish and install a light rail vehicle lift for the Operations & Maintenance Facility Light Rail Vehicle Lift project in the amount of \$1,251,600, with a 10 percent contingency of \$125,160, for a total authorized contract amount not to exceed \$1,376,760 plus applicable taxes.

Vice Chair Roberts stated that the Rider Experience and Operations Committee heard a presentation on this item at its May meeting. This action would ratify the CEO's execution of a contract with Whiting Corporation to furnish and install a light rail vehicle lift for the Operations & Maintenance Facility Light Rail Vehicle Lift project. In December 2018, the Board ratified the chief executive officer's finding of an emergency in connection with the purchase and installation of a light rail vehicle lift at the Operations and Maintenance Facility because the selected contractor ceased doing business and was unable to complete the work. Sound Transit has now completed negotiations for the design, fabrication, delivery, installation, testing and commissioning of the Light Rail Vehicle Lift. Vice Chair Roberts noted that the item was forwarded to the full Board with a do-pass recommendation.

It was moved by Vice Chair Roberts, seconded by Boardmember Earling, and carried by unanimous vote that Motion No. M2019-45 be approved as presented.

Resolution No. R2019-15: Transferring \$204,578 from the Construction phase to the Agency Administration and Construction Services phases of the Adopted 2019 Budget for the Operations and Maintenance Facility Lift project, while maintaining the overall authorized project allocation of \$4,898,160.

Vice Chair Roberts stated that the Rider Experience and Operations Committee heard a presentation on this item at its May meeting. This action transfers \$204,578 from the Construction phase to the Agency Administration and Construction Services phases for the Operations and Maintenance Facility Lift project. This administrative adjustment reallocates funds between project phases and does not affect the overall project budget. The Operations and Maintenance Facility (OMF) Lift project is procuring and installing a second light rail vehicle (LRV) lift to maintain the growing LRV fleet. This action is subject to Board approval due to a prior declaration of emergency by the CEO when the previous contractor was unable to complete the work, and the procurement of a second contractor. Vice Chair Roberts noted that the item was forwarded to the full Board with a do-pass recommendation.

It was moved by Boardmember Balducci, seconded by Vice Chair Keel, and carried by unanimous vote of 14 members present that Resolution No. R2019-15 be approved as presented.

Resolution No. R2019-16: 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 Downtown Redmond Link Extension.

System Expansion Committee Chair Balducci stated that the System Expansion Committee reviewed this action at their May meeting and unanimously recommended its approval. The action authorizes the acquisition of six parcels consisting of fee, temporary easements, and/or permanent easements for the Downtown Redmond Link Extension. The properties are being acquired to replace City of Redmond park property and to offset impacts to existing Marymoor Park wetlands with other property within Marymoor Park. There are no relocations anticipated at this time on any of the parcel acquisitions.

It was moved by Boardmember Balducci, seconded by Vice Chair Roberts, and carried by unanimous vote that Resolution No. R2019-16 be approved as presented.

Motion No. M2019-22: Authorizing the chief executive officer to execute an agreement with the Washington State Department of Transportation to provide final design, construction, construction management, and related services for the I-405/NE 44th Street Inline Bus Rapid Transit Station and Direct Access Ramps in the City of Renton for the I-405 BRT Project, for a total authorized agreement amount of \$118,400,000.

Boardmember Balducci stated that the System Expansion Committee heard a presentation on this item at its May meeting. The NE 44th Street interchange area in Renton would serve as a Bus Rapid Transit station and connect to existing bus transit service. This station would be constructed through a funding agreement with WSDOT to be completed as part of WSDOT's Renton-to-Bellevue I-405 project. Interchange improvements will be new direct access ramps, new inline BRT station pair, and connections to local transit. Committee members at the System Expansion Committee meeting expressed concerns about the distance pedestrians would need to travel to the station from either side of the freeway. There were also concerns raised about the roundabout and pedestrian safety.

Boardmember Balducci stated that she would like to offer an amendment to this item to address some concerns. The amendment would require that staff update the System Expansion Committee as the design of the NE 44th Bus Rapid Transit station evolves. The amendment also states that Sound Transit will be involved in review and concurrence for frequent and reliable bus rapid transit service to the station, and to maximize access and safety for pedestrians, bicyclists and other forms of active transportation.

Motion No. M2019-22 was moved by Vice Chair Roberts and seconded by Boardmember McDermott.

It was moved by Boardmember Balducci, seconded by Boardmember Woodards, and carried by unanimous vote to Amend Motion No. M2019-22 by adding the following at the end of the motion background:

Sound Transit staff will periodically update the System Expansion Committee as the design of the NE 44th BRT station and park and ride evolves. The station will be designed and built by WSDOT with review and concurrence from Sound Transit for frequent and reliable bus rapid transit service and to maximize access and safety for pedestrians, bicyclists and other forms of active transportation. The design should emphasize safe passenger access to frequent and reliable bus rapid transit service.

It was carried by unanimous vote that Motion No. M2019-22 be approved as amended.

Motion No. M2019-49: Authorizing the chief executive officer to execute a design-build contract with Kiewit Infrastructure West Co. to complete final design and construction of the Federal Way Link Extension in the amount of \$1,285,200,000 with a 10 percent contingency of \$128,520,000 for a total authorized contract amount not to exceed \$1,413,720,000.

Boardmember Balducci stated that the System Expansion Committee heard a presentation on this item at its May meeting, and that the item was recommended unanimously. This action would execute a design-build contract with Kiewit Infrastructure West Co. to complete final design and construction of the Federal Way Link Extension. Boardmember Balducci then requested staff speak to the action.

Dan Abernathy, Executive Project Director, Pat McCormick, Principle Construction Manager, and Bob Nichols, Corridor Design Manager, provided the staff presentation. Mr. Abernathy began by thanking staff, and especially Mr. Nichols and Mr. McCormick for their hard work in completing the work to bring this action forward. The Federal Way Link Extension will add approximately 7.8 miles of light rail from the Angle Lake light rail station at South 200th Street in the City of SeaTac to the City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations at Kent/Des Moines, South 272nd/Star Lake Park-and-Ride, and the 317th Federal Way Transit Center.

Mr. McCormick then spoke to the current project status, which includes right of way acquisition and relocations, finalizing third party agreements, undergoing and finishing the design-build procurement, which

is the action for consideration, and major utility relocation. On July 26, 2018, the Sound Transit Board approved Motion No. M2018-81 authorizing execution of up to three stipend agreements with contractors selected to submit proposals for a design-build contract for the Federal Way Link Extension. The agency received three proposals, and convened an evaluation panel to analyze the proposals. Mr. Nichols then provided the financial specifics of the proposed contract, stating that the baseline budget for the Federal Way Link Extension project is \$2,451,535,000. Within the construction phase, \$1,603,313,000 has been allocated to the budget line item for Federal Way Design Build contract. The proposed action would commit a \$1,374,718,805 to this line item and leave a remaining budget balance of \$228,594,195.

Boardmember Dammeier asked about the alignment of the Federal Way Link Extension, and how it compares to the representative alignment that was included in Sound Transit 3 (ST3). Mr. Abernathy replied that the alignment is the representative alignment included in ST3, and that the project alignment was approved by the Board in January of 2019.

Boardmember Balducci commented that she has heard some concerns regarding the construction impacts that will be impactful once work is truly underway, and added that staff was incredibly responsive and helpful during the construction of East Link in Bellevue and that she looks forward to the end results of the project.

It was moved by Boardmember Balducci, seconded by Boardmember Woodards, and carried by unanimous vote that Motion No. M2019-49 be approved as presented.

Motion No. M2019-51: Identifying the preferred alternative(s) and other alternatives for detailed study in the Draft Environmental Impact Statement for the West Seattle and Ballard Link Extensions project.

Boardmember Balducci stated that the System Expansion Committee heard a presentation on this item at its May meeting. Boardmember Balducci noted that the System Expansion Committee unanimously recommended the substitute motion that will be placed before the Board following the staff presentation.

Boardmember Balducci then introduced Don Billen, Executive Director of Planning, Environment, and Project Development, and Cathal Ridge, Executive Corridor Director, to introduce the action. Mr. Ridge began with a review of the agency's updated approach to project development, which has been revised in the hopes of shortening the project development and review timeline. The process moves forward the selection of a preferred alternative so that the option selected as preferred can be studied in more detail during the Draft Environmental Impact Statement (DEIS) period.

Mr. Ridge continued to define the meaning of a preferred alternative, which is a SEPA/NEPA (National and State Environmental Policy Acts) term to make clear to the public where the project is headed. The term is used to indicate a preference, and is not a final decision or an obligation. All of the proposed alternatives have been through a three level screening process that will end with the selection of the alternatives to advance to the DEIS. The identification of the proposed alternatives has been informed by technical evaluation results which were presented during the scoping period, public feedback which was solicited during the scoping period, and a Racial Equity Toolkit evaluation, which included community input. External engagement throughout the scoping period included over 5,600 comments and questions, 189 community briefings, 25 email updates for project update subscribers, 26 tabling events, 14 Stakeholder Advisory Group meetings, seven Elected Leadership Group (ELG) meetings, 17 open houses, and three online open houses.

At the May 9, 2019, meeting of the System Expansion Committee a preferred alternative was identified for much of alignment with the exception of the Chinatown/International District (ID) station, where a preferred alternative was not identified. Furthermore, the West Seattle and Ballard portions of the project were left for consideration by the full Board. Mr. Ridge then walked through the alignment options for the West Seattle alignment through Avalon and Junction. The ELG supported retaining Avalon Station, but the continued evaluation of potential cost savings opportunities including consolidating stations and implications for ridership. They also supported analyzing opportunities to minimize community impacts, maximize TOD

potential, and to support a modified ST3 representative project which places Alaska Junction station oriented North/South and staying east of the Alaska Junction on Fauntleroy or in the vicinity of Jefferson Square.

Boardmember Dammeier asked about the latitude of the Board to consolidate or eliminate stations from the project, within the confines of the ST3 ballot measure. Mr. Ridge responded that the voter approved plan stipulates the mode, the general station locations and the number of stations, therefore eliminating stations is not consistent with the plan and would be a legal question mark if considered.

Mr. Ridge then provided the alignment options for the Interbay and Ballard portions of the alignment, with cost considerations and feedback from the ELG. There was general support among the ELG for a tunnel option across Salmon Bay, and there was also interest in continuing to study the fixed bridge in the DEIS as an elevated alternative to the tunnel option.

Chair Marchione commented that at this time the Board will consider several amendments that were submitted by Board members ahead of the meeting, and consider their adoption to the Substitute motion that will be offered by Boardmember Balducci.

Boardmember Somers asked about the difference between the ST3 representative project and the proposed alternative for the Sodo portion of the alignment, which was brought up by several members of the public during public comment. Mr. Ridge responded that the ST3 representative alignment is elevated, and that an at-grade alternative was also considered during scoping. There was an idea proposed during scoping that would analyze not only the elevation of the alignment through Sodo, but also retroactively elevating the existing light rail line and station through Sodo. The Stakeholder Advisory Group did not select an alternative as proposed in this area, and the ELG selected the at-grade option for the proposed alternative.

Boardmember Dammeier asked about the options being considered that would require third party funding. There are a number of preferred alternative selections that would require third party funding, and what is the legal discussion around using third-party funding. Mr. Rogoff stated that the vote-approved plan, and the agreement between the agency and the City of Seattle, would allow for the augmentation of the scope of the project. He also commented that there is precedent for the agency to accept third party funding for certain projects as was done in Bellevue for the construction of the tunnel under downtown Bellevue. Boardmember Dammeier asked about the term sheet that was developed during that process, and when it was completed. Mr. Billen responded that the term sheet with the City of Bellevue and the binding MOU was completed after the DEIS process, about eighteen months after where the current process is for the West Seattle Ballard Link Extension.

Boardmember Balducci asked about the change in timeline that will create an overlap in the permitting process and the final EIS process. Mr. Billen responded that the combination of the selection of a preferred alternative when advancing to the EIS phase, staff believes they are minimizing the risk of having to complete a supplemental EIS, which slows the process down considerably. Furthermore, if there is a preferred alternative following the publication of the initial EIS, the agency could move forward with some initial permitting and outreach work that would expedite the process following the final EIS.

Boardmember Durkan commented that total number of alternatives being studied are far fewer than the Bellevue process, and the cooperation between the agency and the City of Seattle is at a high level of productivity which will hopefully assist in the compression of the permitting process.

Chair Marchione invited each Boardmember offering a substitute motion to summarize the content of their proposal. Boardmember Balducci summarized that the substitute motion that she is offering labels at least one alternative for study for each project segment, defined some 'preferred' alternative segments, and defined some 'preferred with third party funding' segments. Ms. Balducci continued that the proposal includes a statement regarding affordability of the alternatives, and states that certain alternatives would not

be viable without third party funding. Boardmember Somers introduced a proposed amendment that would drop the southernmost alignment station alignment option due to known technical difficulties in the construction. Mr. Somers continued that on Page 2, his amendment would add detail to the process surrounding the acquisition of third party funding ahead of the selection of a preferred alternative, and further that his amendment would label several additional alignment segments as preferred, while the tunnel alternative segments are labeled as 'potential preferred' segments. Boardmember Keel introduced his amendment which would stipulate that all the funding alternatives that emerge from the DEIS should have all funding component identified ahead of being selected for the final EIS.

Chair Marchione commented that he has drafted a combined substitute motion that incorporates the motion forwarded by the System Expansion Committee, and the amendments offered by Board members' Somers and Keel.

Substitute Motion No. M2019-51 was moved by Boardmember Balducci, seconded by Boardmember Woodards.

Chair Marchione asked for further discussion of the substitute motion as moved. Boardmember Dammeier asked for clarification of the Motion as moved, as there were several versions of the motion presented. Chair Marchione asked for a five minute recess to ensure that all Board members have the same materials.

The Board went in to recess at 4:28 p.m.

The Board resumed business at 4:33 p.m.

Boardmember Somers commented that he participated in the ELG process, and that the understanding of that process was that the decisions made within that group would move forward as final, and that some alternatives have been brought back in to consideration. He continued that the number of alternatives moving forward will set the Board up for more difficult division in the future. Mr. Somers added that he is concerned about the inclusion of certain alternatives without details surrounding funding sources, and that he is looking forward to the addition of that information ahead of the selection of alternatives for the final EIS. Furthermore, the substitute motion on the table includes two separate 'preferred alternatives' which is of concern for outreach to the public, as they are being presented as equally plausible, however, one set would require a large amount of third party funding.

Boardmember McDermott summarized his experience on the ELG and made overall comments surrounding the process. Mr. McDermott stated that the delivery of High Capacity Transit (HCT) to Ballard and West Seattle has been under discussion in the region for many decades, and will be a transformative event for the City of Seattle and also the service area as a whole. The ELG met for over a year, and included a number of Board members in addition to elected officials and representatives from along the alignment. A beginning list of 24 alternatives has been narrowed down to one or two in each segment to be recommended. It is of the utmost imperative that this project be done not only as quickly and as inexpensively as possible, but that it be done right, as this system will be operations for the next hundred plus years. Mr. McDermott continued that the talk with stakeholders surrounding third party funding seems to be nothing be supportive, and that there is an understanding that any additional funding needed would not come from Sound Transit and would not come from other subareas. Mr. McDermott commented that he is supportive of the substitute motion as drafted, as it balances the needs and expectations of constituents throughout the service area.

Boardmember Roberts thanked staff and all the members of the ELG and the SAG, and also thanked the Board leadership for the work involved in this process. Mr. Roberts continued that the Board's core priorities for several years have been to connect population centers with HCT, to complete the Light Rail spine from the north to the south, and to increase ridership. He stated that the preferred alternatives at this time do not seem to be in alignment with these three priorities, and that when considering any additional funding, whether the funds are state, federal, or local those funding buckets that are finite. Stakeholders in Everett and the north are extremely apprehensive of adding funding and scope to the WSBLE project while the Light

Rail to the north remains many years away. Mr. Roberts added that if this agency, and this region, is serious about combating climate change and air pollution, then the highest and most foremost priority would be the timely completion of this project to get more cars off the road.

Chair Marchione interjected for clarification that this decision is about what alternatives to advance for the Draft EIS, and that it is important that the Board not discuss or imply any final preferred alternatives at this time before the study is completed. He continued that the upfront analysis of certain more expensive alternatives is to prevent the delay of the study process should the third party funding be secured.

Boardmember Dammeier commented that he has concerns about the process that led to the production of the ELG recommendation as the outreach was done without providing financial constraints and therefore communicated to the public and other stakeholders that the most popular option is of equal potential with the ST3 representative project. Boardmember Dammeier proposed that this action today is simply putting off the more difficult decision of eliminating the alternatives that increase the scope of the project.

Boardmember Dammeier moved an amendment to the substitute motion to strike the word 'preferred' from the third-party funding alternative options, the amendment was seconded by Boardmember Somers.

Boardmember Balducci commented that the proposed amendment goes against the recommendations of the SAG and the ELG which were long and very detailed processes to provide recommendations of alternatives to this point in the decision making process. Ms. Balducci continued that the preferred alternative has no bounds of a binding commitment to that alternative, and is merely an indication of the current recommendations by the community.

Boardmember McDermott stated that as the Co-Chair of the ELG, and as a representative of communities along the alignment, he cannot support this amendment as it is contradictory to speeding up the process to complete this project. Furthermore, he stated that the necessitation for third party funding is directly stated in the alternative name, and leaves no room for misinterpretation.

Chair Marchione called for a vote on the amendment to the substitute motion to strike the word 'preferred' from the third-party funding alternative options, the amendment passed with ten in the affirmative and seven in opposition.

Boardmember Durkan moved an amendment that anywhere in the substitute motion where there is a reference of staff direction, that it be added that staff report back to the Board on their findings and analysis in that area ahead of the final EIS alternatives selection. The amendment was seconded by Boardmember Balducci, and passed unanimously.

Boardmember Durkan moved an amendment to the substitute motion to add the elevated alignment through Sodo back into the alternatives for consideration for staff analysis, the amendment was seconded by Boardmember Juarez, and passed unanimously.

Boardmember Balducci commented that the addition of that alternative to the EIS study would require further Board action, for clarification, staff is directed to complete preliminary analysis. The staff analysis will be brought back before the Board for consideration for further action.

Chair Marchione asked if there were any further amendments. Seeing none, he asked for discussion on the main motion under consideration.

Boardmember Earling commented that he has concerns about the budget and scope of this project, especially when looking at ST3 as a deliverable as a whole. Mr. Earling continued that although all the work being done on this project is with the best intentions, it simply must be considered that the projects further out on the time horizon must be given due considerations.

Boardmember Constantine stated that the amendment made by Boardmember Dammeier to remove the term preferred from the third party funding alternative options is an affront to the community members and the stakeholders who participated in this process from the beginning. Furthermore, he commented that if the goal is to build the cheapest option, then the agency will face similar challenges and mistakes made in the past such as the at-grade alignment in Rainier Valley that causes speed and reliability issues, and the design issues for vertical conveyances that are now being rectified at great cost. Mr. Constantine stated that as amended, he will be voting no on the motion.

Boardmember Keel commented that the amendment from his perspective will allow him to support the motion, as it prioritizes scope, schedule, and budget.

Boardmember Dammeier commented that the considerations of scope, schedule, and budget must be the overall bias of the Board in its imperative role of completing the whole system.

Boardmember McDermott commented that the amendment as adopted promotes delay in the project. Without the 'preferred' designation of the alternative, staff cannot front load certain permitting and partnering agreement work that should be completed early in order to keep with the stringent and aggressive timeline goals for the project.

Boardmember Backus asked for clarification of the process and the implications of removing the term 'preferred' if that then leaves only one 'preferred' alternative in the proposal. Mr. Billen commented that typically there is at least one 'preferred' alternative recommended for further study in the DEIS, and beyond that there is precedence of advancing more than one 'preferred' alternative for study in the DEIS.

Boardmember Backus moved to reconsider the amendment to the substitute motion to strike the word 'preferred' from the third-party funding alternative options, the motion to reconsider was seconded by Boardmember Durkan.

Chair Marchione asked for a vote on the motion to reconsider.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Jenny Durkan
Dave Earling
Debora Juarez

Joe McDermott
Kim Roscoe
Dave Upthegrove
Pete Von Reichbauer
Victoria Woodards
John Marchione

Nays

Bruce Dammeier
Kent Keel
Paul Roberts
Dave Somers

The motion passed with 13 affirmative votes.

Chair Marchione announced the vote to reconsider was passed, and therefore the Board will vote again on the amendment to strike the word 'preferred' from the third-party funding alternative options.

Ayes

Bruce Dammeier
Kent Keel
Paul Roberts
Dave Somers

Nays

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Jenny Durkan
Dave Earling
Debora Juarez

Joe McDermott
Kim Roscoe
Dave Upthegrove
Pete Von Reichbauer
Victoria Woodards
John Marchione

The vote to amend the substitute motion to strike the word 'preferred' from the third-party funding alternative options, as proposed by Boardmember Dammeier, failed with a vote of four affirmative votes and thirteen negative votes.

Boardmember Durkan commented that the City of Seattle is committed to partnering with the agency in whatever ways possible to expedite this project and to create the best possible outcomes for the people in the City of Seattle and throughout the region.

Boardmember Constantine commented that the Board must take a regional perspective on all issues, and that the priority of the Board must be on creating the highest quality of system to benefit the largest number of people as possible.

Boardmember Somers stated that he would be voting no on the substitute motion, commenting that a regional perspective is important, however the cost and scope question being raised by those who represent cities outside of King County are valid and must be addressed.

Chair Marchione asked for a vote on Motion No. M2019-51 as amended.

Ayes

Nancy Backus
David Baker
Claudia Balducci
Dow Constantine
Jenny Durkan
Debora Juarez

Joe McDermott
John Marchione
Kim Roscoe
Dave Upthegrove
Pete Von Reichbauer
Victoria Woodards

Nays

Bruce Dammeier
Dave Earling
Kent Keel
Paul Roberts
Dave Somers

The vote to approve Motion No. M2019-51 as amended passed with a vote of 12 affirmative votes and five negative votes.

Motion No. M2019-52: Authorizing the chief executive officer to execute a contract modification with HNTB Corporation to provide project development services for the West Seattle and Ballard Link Extensions Project in the amount of \$54,812,500, with a ten percent contingency of \$5,481,250, for a new total authorized contract amount not to exceed \$87,745,971.

Boardmember Balducci introduced the item, which was recommended by the System Expansion Committee at its May meeting by unanimous vote. This action would approve a contract with HNTB for Phase Two work for the WSBLE project. The scope of this action includes the preparation of the DEIS, and preliminary design and engineering services. Execution of Phase 3 would be subject to future Board consideration.

It was moved by Boardmember Balducci, seconded by Boardmember Constantine, and carried by unanimous vote that Motion No. M2019-52 be approved as presented.

Motion No. M2019-50: Identifying Link Operations and Maintenance Facility South site alternatives for study in the Draft Environmental Impact Statement.

Boardmember Balducci introduced the action, which was considered by the System Expansion Committee at its May meeting. The System Expansion Committee unanimously recommended the substitute motion which is now before the Board for consideration. Ms. Balducci invited staff to present the action.

Curvie Hawkins, Project Development Director, and Paul Bennet, Project Director, provided an overview of the list of options for study for the Operations and Maintenance Facility – South (OMFS). Boardmember Balducci commented that this action will advance a short list of options for study in a DEIS for the OMFS, which is a facility that is necessary for the delivery of Light rail to the south corridor. Boardmember Balducci commented that it is important to maintain a list of options, as if there are problems discovered with any one of the potential sites, there must be an additional option. The sites included in the substitute motion are as follows:

- Midway Landfill and Interstate 5 (I-5). A potential site south of South 246th Street, west of and adjacent to I-5 and mostly on the former landfill site, with approximately 0.1 to 0.3 mile of connecting tracks to the Federal Way Link Extension.

- South 336th Street and I-5. A potential site in the City of Federal Way, west of I-5 and south of South 336th Street, with approximately 1.1 miles of connecting tracks to the Federal Way Link Extension terminus. The connecting tracks could potentially be along I-5 or SR 99 and will serve as future TDLE guideway tracks.
- South 344th Street and I-5. A potential site in the City of Federal Way, west of I-5 and north of South 344th Street, with approximately 1.3 miles of connecting tracks to the Federal Way Link Extension terminus. The connecting tracks could potentially be along I-5 or SR 99 and will serve as future TDLE guideway tracks.

Boardmember von Reichbauer commented that he appreciates the work of the local elected officials and the community who have all been involved in the discourse surrounding this issue. He commented that he is voting in favor of this action, however this is not indicative of a vote in favor of certain of the sites in consideration for the final project to be built.

Boardmember Upthegrove commented that due to the nature of constructing this system through a built out urban area, the decisions about siting routes and facilities is made much more difficult. He continued that there are pros and cons to each of the sites, and that the pros of the landfill site are very attractive at this time. However, there are still engineering and environmental challenges that may be disqualifying for that location.

Boardmember Roberts commented that he would like to see upon the return of this study to the Board, upon the completion of the studies, the legal aspects of any liability the agency would take on in exchange for the construction of a facility on a decommissioned landfill.

It was moved by Boardmember Balducci, seconded by Boardmember Woodards, and passed by a vote of 13 affirmative votes, with Board members Backus and Dammeier voting in opposition.

Reports to the committee - None.

Executive session - None.


Other business - None.

Next meeting

Thursday, June 27, 2019, 1:30 to 4:00 p.m.
Ruth Fisher Boardroom

Adjourn

The meeting adjourned at 6:02 p.m.



John Marchione
Board Chair

ATTEST:



Kathryn Flores
Board Administrator

APPROVED on August 22, 2019, PIA.