Summary Minutes

Executive Committee Meeting
September 7, 2023

Call to order

The meeting was called to order at 10:30 a.m. by Committee Chair Dow Constantine and was available for viewing in person and online.

The meeting was recorded and can be found at https://www.soundtransit.org/get-to-know-us/board-directors/livestream-video.

Roll call of members

Chair	Vice Chair
(P) Dow Constantine, King County Executive	(P) Kent Keel, University Place Councilmember (P) Dave Somers, Snohomish County Executive

Board Members	
(P) Nancy Backus, Auburn Mayor	(P) Cassie Franklin, Everett Mayor
(P) Claudia Balducci, King County Councilmember	(A) Bruce Harrell, Seattle Mayor
(P) Bruce Dammeier, Pierce County Executive	(P) Roger Millar, WSDOT Secretary

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

Report of the Chair

Monthly Contract Report

The monthly contract reports were included in members' meeting packets for review.

CEO Report

CEO Julie Timm provided the CEO report.

UW Study

Earlier this morning, UW released a report sponsored by Sound Transit, King County Metro, Community Transit, Everett Transit, and TriMet regarding the presence of secondhand drug smoke and residue on transit vehicles. This report was commissioned by the transit agencies in late 2022 as a first-of-its-kind characterization study to put independent collection and assessment of data into the conversation regarding the presence of secondhand airborne and surface residue from illicit substances in community spaces.

The agencies had just finished briefing the press on the report on public health officials' conclusions on the health risks associated with the collected data and on what transit agencies were doing to support improved safety on the services. CEO Timm emphasized that the levels of secondhand smoke and residue from illicit substances that the researchers found were extremely low, and public health officials

who reviewed the study confirmed that transit use remained safe for staff and the riding public.

Even while this study was in its data collection phase earlier this year, the agency took steps to increase the safety of the system by increasing the number of transit security officers, and in partnership with King County Sheriff Deputies, empowered them to remove anyone from the trains and facilities who were using illicit substances. It was encouraged for riders and staff who see this behavior to call security officers who would then come to the location or train and remove riders who were using drugs. The agency was also ensuring that these officers were trained to use compassionate means when assisting people off the train and directing them to support services. There were 55 of 90 King County Metro officer positions fulfilled and there were 250 weekly transit security officers on shifts throughout the system. There was a decrease in number of incidents and complaints on the services, and an increase in comments from staff and riders about the changing conditions on the system.

Update on Implementation of Technical Advisory Group Recommendations

In August 2023, the committee received its first monthly update on implementing the Technical Advisory Group's (TAG's) recommendations. Following that presentation, staff received input from Boardmember Balducci that had been incorporated into a refined version of the tracking table (dashboard) that staff would present at the System Expansion Committee meetings each month starting September 14, 2023. Staff would also share the dashboard and more detailed work plans already in development with the Board Independent Consultant, Dave Peters, and the TAG members to support their roles in reviewing the implementation progress and reporting to the Board.

Hilltop Link Extension Opening & Ribbon Cutting Celebration

The new T Line revenue service was set to begin on September 16, 2023 and would operate at 12-minute frequencies on weekday peak periods and Saturdays, and at 20-minute frequencies in weekday mornings and nights and Sundays. The agency invited the Tacoma community to a ribbon-cutting celebration at the Tacoma Urban Performing Arts Center scheduled for 10 a.m. From 10 a.m. to 4 p.m., Sound Transit tour guides would be on all T Line trains engaging with riders and pointing out "Tacoma Fun Facts" along the route. The agency would continue honoring the T Line community after opening day. For the next two months, T Line stations would be wrapped in installations featuring stories and portraits of Tacoma residents. At Tollefson Plaza, Wright Park and People's Park, riders could find large installations for taking photos. Riders would also find QR codes at each new station to participate in the "Discover. Scan. Win." Tacoma-centric scavenger hunt.

Testing Exercise for East Link

Together with the Bellevue Fire Department, Sound Transit staged a demonstration of the Bellevue Downton Tunnel emergency ventilation system on August 29, 2023. Theatrical smoke was used to simulate a fire on a light rail vehicle. The emergency tunnel ventilation system successfully pushed the smoke away from the vehicle, but there was some "roll-back" of the fake smoke into the non-incident tunnel. This was not "real smoke", but a heavier Hollywood smoke and it was also not one of the required tests. The agency would continue to partner with emergency responders during these testing phases to ensure its ready for the system opening this spring.

Public comment

Chair Constantine announced that public comment would be accepted via email to meetingcomments@soundtransit.org and would also be accepted in-person and virtually.

The following people provided written public comment:

Joe Kunzler

The following people provided in-person public comment:

Alex Tsimerman
Marguerite Richard

The following people provided virtual public comment:

Jovan Ludovice

Business items

Items for Final Committee Action

August 3, 2023, Executive Committee meeting minutes

It was moved by Boardmember Backus, seconded by Committee Vice Chair Somers and carried by consent of all Board members present that the minutes of the August 3, 2023 Executive Committee meeting be approved as presented.

Motion No. M2023-72: Authorizing the chief executive officer to negotiate a contract with Krauthamer & Associates for executive recruitment services to assist with the recruitment and employment of executive-level leadership for Sound Transit's capital program.

CEO Timm noted this motion was in response to the TAG recommendation and Board direction to recruit and hire a Capital Mega Project Team Executive Director and two Deputy Directors. In consultation with Board leadership, she had identified Krauthamer & Associates LLC as the best firm for this recruitment. If this action was approved, Sound Transit would begin negotiations with Krauthamer & Associates LLC and if successful, the contract would be executed under the CEO's delegated authority for contract approvals. CEO Timm would continue to provide regular updates to the Executive Committee on the progress of developing and hiring the positions.

Motion No. M2023-72 was moved by Committee Vice Chair Keel and seconded by Boardmember Backus.

Chair Constantine noted his review of the applications and believed this firm was most qualified to fulfill the recruitment for Sound Transit's capital program executive-level leadership. Committee Vice Chair Keel agreed with Chair Constantine. Boardmember Dammeier supported the motion and added the benefit of having a firm that was well qualified with not only megaproject leaders but also with transportation recruitment.

Chair Constantine called for a roll call vote.

Ayes	**Nays**
Nancy Backus	
Claudia Balducci	
Bruce Dammeier	
Cassie Franklin	
Kent Keel	
Roger Millar	
Dave Somers	
Dow Constantine	

It was carried by a unanimous vote of eight committee members present that Motion No. M2023-72 be approved as presented.

Items for Recommendation to the Board

Motion No. M2023-73: (1) Approving the key business terms of a real estate purchase and sale agreement with Bellwether Housing for the sale of surplus property adjacent to Overlake Village Station for the creation of a mixed-use project comprised primarily of affordable housing; and (2) delegating to the chief executive officer the authority to execute and subsequently amend as necessary the real estate purchase and sale agreement and related agreements, covenants, conditions, and easements for the transit oriented development project, all subject to the Board-approved key business terms.

Mara D'Angelo, Deputy Director for Transit Oriented Development, and Jordan Rash, Senior Project Manager for Transit Oriented Development, provided the presentation.

Chair Constantine asked if conversations regarding public restrooms and surplus property had taken place. Don Billen, Executive Director of Planning, Environmental, and Project Development, replied that Deputy CEO Brooke Belman raised that question recently with staff and explained that there was value in surplus property and that there were several different competing interests in how to utilize that value. The Boards adopted policy, with respect to affordable housing, raised questions with other projects on how to leverage value on joint development with potential respect towards restrooms. Chair Constantine acknowledged all properties would not be considered for this value, only those that were at or on the service stops and advised staff to continue factoring which parcels would be best suited for the purpose of public restrooms.

Motion No. M2023-73 was moved by Boardmember Balducci and seconded by Boardmember Backus.

Boardmember Dammeier asked how the $250,000 value was established. Mr. Rash replied the property was appraised for $26 million and staff set a price when the property was offered, to be $250,000 or 1,000 per unit with a $250,000 cap. Meaning if more units were offered, it would be $250,000; if less units were offered, it would be $1,000 per unit offered. Mr. Billen added the discounting was to help achieve the affordable housing outcome and the $250,000 value was a minimum amount intended to cover administrative costs for the transaction. Boardmember Dammeier acknowledged the increasing rates to deliver the rail program and voiced hardships with giving away a high value property and only receiving the costs to cover administrative fees when the primary responsibility was to deliver a rail transit program to the community.

Chair Constantine asked for Mr. Billen to describe the legislative requirements for disposition. Mr. Billen explained the legislation established the 80/80/80 rule which was 80 percent of agency property that was deemed suitable for housing must be offered to qualified entities and of that offered property, 80 percent of units must be affordable for people earning no more than 80 percent of area median income and the agency had authority to discount policy to achieve those outcomes if the Board gives that direction, which occurred when the Board released the RFP. Boardmember Dammeier asked what the terms were in the RFP in terms of discount. Mr. Rash replied that staff told the potential respondents during outreach to model $250,000 or $1,000 per unit and was part of engagement with potential respondents. There were a lot of questions from other affordable housing developers asking Sound Transit staff if they should compete on the amount of money or compete on the affordable housing outcomes. Sound Transit staff told them to compete on maximizing the number of affordable housing units to the deepest affordability possible rather than looking at the overall amount of money offered. Boardmember Dammeier asked if the 80/80/80 mentioned any requirements to consider discounting every property or to discount effectively for administrative costs. Mr. Billen confirmed that was correct.

Boardmember Balducci acknowledged expensive property values and values rising everywhere in the service district. She noted the agency was meeting financial expectations for property disposition and on track with the agency mission.

Chair Constantine called for a roll call vote.

Ayes	Nays
Nancy Backus	Bruce Dammeier
Claudia Balducci	
Cassie Franklin	
Roger Millar	
Dave Somers	
Dow Constantine	

It was carried by a majority vote of six committee members present that Motion No. M2023-73 be forwarded to the Board with a do-pass recommendation, with Boardmember Dammeier voting in the minority.

Motion No. M2023-74: (1) Declaring the surplus parcel known to Sound Transit as RV119, located in Rainier Valley, suitable for development as housing; (2) the key business terms of a purchase and sale agreement with a developer for the sale of the parcel, upon which the developer plans to construct a mixed-use development; and (3) delegating to the chief executive officer the authority to execute and subsequently amend as necessary a purchase and sale agreement and associated documents, all subject to the Board-approved key business terms.

Mara D'Angelo, Deputy Director for Transit Oriented Development, and Matthew Mateo, Senior Project Manager for Transit Oriented Development, provided the presentation.

Boardmember Dammeier asked if the adjacent property would be used for housing. Mr. Mateo replied that was the expectation and part of the terms with the covenant.

Motion No. M2023-74 was moved by Boardmember Dammeier and seconded by Boardmember Backus.

Chair Constantine called for a roll call vote.

Ayes	Nays
Nancy Backus	
Claudia Balducci	
Bruce Dammeier	
Cassie Franklin	
Roger Millar	
Dave Somers	
Dow Constantine	

It was carried by a unanimous vote of seven committee members present that Motion No. M2023-74 be forwarded to the Board with a do-pass recommendation.

Reports to the Committee

Status of the Technical Advisory Group Response

CEO Timm and Moises Gutierrez, Chief System Quality Officer, provided the presentation. Staff created a dashboard following Board input after the presentations at the August 2023 Executive Committee meeting and Board of Directors meeting on implementing TAG recommendations. This was intended to be updated regularly as the agency implemented the actions recommended by the Board's Technical Advisory Group (TAG) and Motion No M2023-36. Staff would collect and summarize progress in a monthly format and distribute it to the full Board. For the Executive Committee, staff would focus the updates on select recommendations whereas they would maintain comprehensive updates to the

System Expansion Committee. This cadence may be adjusted depending on continued progress and if more actions were completed.

There were a total of 22 action items tracked that were being implemented. Eight were in progress and on track, two were completed, seven required more discussion and guidance from the Board, four were not yet started primarily due the item being a successor to a preceding action item, and one was still in early investigation.

For Recommendation 1, to rebuild trust and clarify the roles and responsibilities of the Sound Transit Board and staff, some work was taking place and there was still work that required additional Board guidance. One item was the Delegation of Authority item which was brought to this committee at the August 2023 meeting but then referred to the Finance and Audit Committee meeting resulting in the Finance and Audit Committee Chair holding a special meeting on September 8, 2023 to discuss the potential policy update. There were also questions regarding property acquisitions and the levels of authority for those real property decisions that staff was looking to the Board for guidance.

Recommendation 2, introducing an experienced megaproject capital program executive team was discussed and voted on earlier in this meeting to advance the recruitment firm. Three senior executive capital program positions were already budgeted and accounted for the 2024 Budget and the role profile would be developed with the Board. Upcoming work for this recommendation included defining level of decision-making authority to be delegated to the newly formed capital program executive leadership.

For Recommendation 3, implementing procedures that push decision-making down to lowest level practical and foster an environment that encouraged decision-making in general, there were two sub-actions. Starting this month, staff were initiating a cohesive capital program improvement process to identify efficiencies and streamline internal controls, on several fronts. The second part of the recommendation was on training, which was dependent on the first action. Staff was currently launching that improvement initiative.

For Recommendation 4, aligning key procedures with industry best practices, eliminating unnecessary steps and associated delays, had five sub-actions. In close partnership with the American Council of Engineering Companies, staff had developed detailed workplans to explore best practices and secure feedback directly from the private sector. These were focused on the four areas: the first being Business Administration, which included recommended adjustments to agency standard contracting language to attract more competition and ease burden on smaller firms, second was conflict of interest, which addressed consistency in the agency’s evaluation of organizational conflicts of interest in soliciting work by consulting and contracting firms, third was the role of the consultant, which assessed how Sound Transit and other public agencies were and should be leveraging private industry to deliver projects and this was aligned with what the TAG recommended and how the agency was beginning to approach program management of the West Seattle and Ballard Link Extension program, and last was alternative delivery, which among other things was to seek how to strengthen the agency’s decision-making process on how it chose delivery methods with Design/Build, General Contractor/Construction Management, or a different method besides Design-Bid-Build. These efforts would be subject to the agencywide improvement initiative.

Recommendation 5, strengthening and enforcing an agency betterment policy, had three sub-actions. The agency produced and published the Station Experience Design Guidelines in 2022 and the updated Technical Requirements Manual in early 2023. These two products contributed to the broader initiative to strengthen the agency's technical design standards by incorporating lessons learned from recent projects and industry best practices. The agency was working to update its standard specifications and standard drawings and some of this work was already underway. The agency was also updating station design standards. There was work envisioned by Q1 2025, but Mr. Gutierrez noted that staff was actively looking at ways of expediting the timeline so the updated station standards could be promptly

incorporated into the ST3 projects as they enter final design. Staff will return once they have the new timeline. Staff also recognized there was more work to further clarify and improve the agency's decision-making authority in addressing betterment requests from the Authorities Having Jurisdiction.

For Recommendation 6, engaging the Federal Transit Administration (FTA) as a delivery partner equally invested in delivering transit to the region, there were two sub-actions. CEO Timm had partnered with the agency congressional delegation to request support for added staff in Region Ten, to support Sound Transit needs. There had been positive improvement in FTA's staffing at the regional level, which staff expect would support and enhance review cycles. Staff would seek guidance on how the Board would be involved in this area.

There were two other recommendations in Motion No. M2023-36, separate from the TAG recommendations. One being a contract for an Independent Consultant, Dave Peters, which was extended through December 2024. Similarly, the contracts for all eight TAG members would be extended and the agency was in the final stages of those contract modifications. Staff was committed to supporting Mr. Peters and the TAG as they work on their quarterly reports to the Board which would begin in October 2023.

Next steps including delivering monthly updates, discussing Board level policy items in need of further development, and incorporating feedback from the Board for next month's update.

Chair Constantine requested that the upcoming staff updates include references of how the TAG and Mr. Peters would be included in these action items.

Boardmember Balducci explained that most recommendations, with the exception of Recommendation 2, fell within the System Expansion Committee's ownership and was the reason she requested a monthly report for tracking purposes. She pointed out that Recommendation 3, to deliver new capital directors, was marked as complete but emphasized the action was not yet completed. It was still unclear what the recruiters were being asked to recruit for, including the positions, duties, and where they would be positioned in the organizational chart. These were items that needed to be resolved before the recruiter could begin their work. She also pointed out that with Recommendation 5, there was a lot of good work listed but there was no mention of a new betterment policy being created. She understands there was still more work taking place and was looking forward to what staff would continue to present at the following meetings.

Chair Constantine acknowledged the number of items requesting additional guidance from the Board and requested a proposal from staff, in consultation with the TAG facilitator, about how the Board could engage and provide the guidance requested.

Executive Session – None

Other business – None

Next meeting

Thursday, October 5, 2023
10:30 a.m. to 12:00 p.m.
Ruth Fisher Boardroom and Virtually via WebEx

Adjourn

The meeting was adjourned at 11:39 a.m.

ATTEST:

Dow Constantine
Executive Committee Chair

Kathryn Flores
Board Administrator

APPROVED on October 5, 2023, JG