

**PIERCE TRANSIT
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES**

June 14, 2021

CALL TO ORDER

Chair Woodards called the regular Board meeting to order at 4:03 p.m.

ROLL CALL

Commissioners present:

Chris Beale, City of Tacoma Councilmember
Marty Campbell, Vice Chair of the Board, Pierce County Councilmember
Kent Keel, City of University Councilmember (*representing University Place and Fircrest*)
Ryan Mello, Pierce County Councilmember
John Palmer, Deputy Mayor for City of Puyallup (*representing Puyallup and Edgewood*)
Kim Roscoe, Mayor of Fife (*representing Fife/Milton/ Pacific/Auburn/Gig Harbor/
Ruston/Steilacoom*)
Kristina Walker, City of Tacoma Councilmember
Jason Whalen, City of Lakewood Deputy Mayor
Victoria Woodards, Chair of the Board, Mayor of the City of Tacoma

Staff present:

Sue Dreier, Chief Executive Officer
Deanne Jacobson, Clerk of the Board
Aaron Millstein, General Counsel from K&L Gates
Brittany Carbullido, Assistant to the CEO/Deputy Clerk of the Board

OPENING REMARKS AND HOUSEKEEPING ITEMS

Chair Woodards welcomed board members, staff, and citizens to the virtual meeting and provided instructions for participation to attendees.

SPECIAL BUSINESS

1. Moment of Silence to Honor and Remember Pierce Transit Employees Who Passed Away over the Past Month

On behalf of the Board of Commissioners, Chair Woodards expressed her deepest condolences and heart felt sentiment to the families and fellow employees of Pierce Transit Operators Ken Hernandez and Cory Gibbs, who both recently passed away. A moment of silence was held to honor their lives and for serving the Pierce County citizens.

2. A Motion Appointing Amy Cleveland, Executive Director of Administration, to Serve as the Interim Chief Executive Officer

Chair Woodards reported that the Board considered this matter at the June 4, 2021, Special Board Meeting, and this item is before the Board today to formalize the appointment of Ms. Cleveland.

Commissioners Walker and Keel **moved** and seconded to appoint Amy Cleveland as the Interim CEO of the Pierce County Public Transportation Benefit Area as of June 16, 2021, with all appropriate authority that is usually and reasonably necessary to fulfill the responsibilities of that Interim CEO position. This authority includes but is not limited to the authority to make decisions and approvals consistent with the CEO position. Amy Cleveland will serve as interim CEO until either the appointment of a permanent CEO or until removed by this Board of Directors, whichever is sooner.

Motion **carried**, 9-0.

3. Election of Chair and Vice Chair – Leadership Role Effective July 2021

Chair Woodards reviewed Pierce Transit Code Section 2.04.020, as it relates to the election of a Chair and Vice Chair and opened the floor to receive nominations for the Chair position.

Commissioner Mello nominated Marty Campbell to serve as the Chair.

Commissioners Mello and Walker **moved** and seconded to close nominations; no other nominations were received.

Motion **carried**, 9-0, and Commissioner Campbell was elected Chair.

Chair Woodards opened the floor to receive nominations for Vice Chair.

Commissioner Mello nominated Kristina Walker to serve as the Vice Chair.

Commissioners Campbell and Palmer **moved** and seconded to close nominations; no other nominations were received.

Motion **carried**, 9-0, and Commissioner Walker was elected Vice Chair.

4. FS 2021-027, Confirming appointments of Emily Freeman and Marlene Druker Each to the Community Transportation Advisory Group (CTAG) with Terms Beginning June 24, 2021 and Ending June 23, 2024

Community Development Administrator Penny Grellier presented on the item and gave an overview of the current membership of the CTAG committee and gave an overview of the recruitment and interview process the candidates participated in to fill the vacancies.

Commissioners Campbell and Keel **moved** and seconded to confirm appointments of Emily Freeman and Marlene Druker each to the Community Transportation Advisory Group (CTAG) with terms beginning June 24, 2021 and ending June 23, 2024.

Motion **carried**, 9-0.

PUBLIC COMMENT

Chair Woodards provided participation instructions to the public and opened public comment.

Clerk Jacobson announced that Pierce Transit received written comments from Joe Kunzler and Hillary Neal and those comments were forwarded to the full Board today and will be incorporated into the record.

The following individual(s) spoke during public comment:

- Laura Svancarek, Tacoma resident and Representative from Downtown on the Go, expressed concerns about Pierce Transit discontinuing the printed bus schedules and spoke about how underserved communities rely on printed materials because not all individuals have access to cell phones to access the data. She encouraged the Board to look into this matter and to come up with a more equitable method for bus schedule access.
- Julian Wheeler, Chair of Pierce County Accessible Communities Advisory Committee, invited members and staff to attend the committee's next meeting on July 13. He reminded attendees that this committee may be able to expedite funding for mobility/access type projects and that the committee is always looking for new members and new ideas.
- Nancy Slotnik, Midland resident and parent of Shuttle customer, expressed concern about lack of Shuttle accessibility in her area as a result of no service in the Midland area. She spoke about the inconvenience of transporting her son to locations where there is service. She encouraged the Board to focus on equity instead of parity.
- Steven Bird, Tacoma resident, noted that he rides Pierce Transit buses five days a week. He expressed concern about Pierce Transit discontinuing the printed bus schedules and noted that he feels this impacts low income and elderly riders. He reviewed statistical information that indicated that approximately 20 percent of the population does not have cell phone or internet service.

CONSENT AGENDA

(Items listed below were distributed to Commissioners in advance for reading and study and are enacted with one motion. Item(s) may be moved to the Action Agenda at the request of a Commissioner.)

Commissioners Mello and Roscoe **moved** and seconded to approve the consent agenda as amended. FS 2021-029 was moved to the Action Agenda by Commissioner Roscoe.

Motion **carried**, 9-0.

1. Approval of Vouchers, May 1, 2021 – May 31, 2021
Operating Fund #10
Self-Insurance Fund #40

Capital Fund #90
Payment Nos. 376106 through 376276
Wire Nos. 7428 through 7657
No Advance Travel Checks
Total \$8,575,064.91

2. Approval of Minutes: May 10, 2021, Regular Board Meeting.
3. FS 2021-028, Authorized the Chief Executive Officer to execute a Memorandum of Understanding with Washington State Ferries and Metro Parks for the Maintenance of the Restroom Facility at Point Defiance (Pierce Transit Contract No. 1176) as presented in Exhibit. A.
4. FS 2021-029, Authorization to Execute a Memorandum of Understanding with the City of Tacoma, Tacoma Public Utilities, Pierce County, and Washington State Department of Transportation (WSDOT) for Project No. 563 Bus Rapid Transit (BRT) Pacific Avenue/State Route 7 Corridor Project; **Commissioner Roscoe removed this item from the consent agenda. Chair Woodards noted it would be placed as Item No. 2 on the Action Agenda**
5. FS 2021-030, Authorized the Chief Executive Officer to execute Contract No. 1179 with Westwater Construction Company for the South Hill Mall Transit Center Renovation for a total not to exceed amount of \$1,427,000 plus a contingency of \$142,700 for an authorized expenditure of \$1,569,700.
6. FS 2021-031, Authorized the Chief Executive Officer to execute Amendment No. 3 to Contract 1145 with Top2Bottom Janitorial Services to provide bus sanitation services at Pierce Transit's Bus Lot and Sound Transit's Mid-Day Storage Lot due to COVID-19 for an additional three months through September 2021, in the amount of \$120,813, for a revised total contract amount not to exceed \$362,439.

ACTION AGENDA (The action agenda was re-ordered)

1. **FS 2021-034, Authority to Execute Naming Rights Agreement No. 1223 with MultiCare Health System for the BRT Line Between Tacoma and the Spanaway Transit Center**

Executive Director of Planning and Community Development Ryan Wheaton presented on the item. He gave an overview of the work that Superlative conducted to bring this agreement to fruition.

Bill Robertson, President and CEO of MultiCare Health System, thanked the Board for inviting him to the meeting. He reviewed the value and mission statement of his organization and noted that MultiCare is striving to create better access to better care and gave examples of how his organization achieves this. He talked extensively about the importance that basic needs of transportation, housing, and other services need to be accessible to all.

CEO Dreier commented that Pierce Transit is thrilled to be partnering with MultiCare and thanked Mr. Robertson for his collaboration.

Mr. Wheaton reviewed various terms of the partnership agreement, including contract duration, revenue collection, and high-level aspects relating to the naming rights at the BRT stations. Mr. Wheaton showed examples of what the branding would look like.

Mr. Wheaton responded to questions about the commission amount that Superlative would receive for their work on this sponsorship and which was already agreed upon.

Various commissioners noted their support for this project.

Chair Woodards expressed gratitude to Mr. Robertson for his partnership to the community and extending the organization outside of their respective role of just providing healthcare.

Commissioners Campbell and Keel **moved** and seconded to authorize the Chief Executive Officer to execute Naming Rights Agreement No. 1223 with MultiCare Health System for the BRT Line between Tacoma and the Spanaway Transit Center.

Motion **carried**, 9-0.

2. **FS 2021-029, Authorization to Execute a Memorandum of Understanding with the City of Tacoma, Tacoma Public Utilities, Pierce County, and Washington State Department of Transportation (WSDOT) for Project No. 563 Bus Rapid Transit (BRT) Pacific Avenue/State Route 7 Corridor Project**

Planning Manager Tina Lee presented on the item and noted that this agreement is not binding but is being put in place by the partners involved in the BRT project because the parties recognize completion of the project will require a cooperative, joint effort between all parties. The proposed MOU constitutes a statement of the partners mutual intentions and is a recital of discussions that have occurred.

Ms. Lee also reported that this agreement was approved by the Board in December of 2020; however, after approval, the City of Tacoma wanted to update Section 5 of the agreement and therefore the agreement was never fully executed.

Ms. Lee responded to questions pertaining to the language in the proposed MOU relating to “Design Review Services.”

Commissioners Walker and Campbell **moved** and seconded to authorize the Chief Executive Officer to execute a Memorandum of Understanding (Pierce Transit Contract No. 1083) with the City of Tacoma, Tacoma Public Utilities, Pierce County, and WSDOT for Project No. 563 Bus Rapid Transit Pacific Avenue/State Route 7 Corridor Project as presented in Exhibit B.

Motion **carried**, 9-0.

3. FS 2021-032, Authority to Execute Contract No. 1170 with KPFF, Inc., for the Bus Rapid Transit System Expansion Study

Principal Planner Darin Stavish presented on the item, noting that the agency feels it is a good time to conduct an expansion study of the BRT system network to meet significant growth and increased demand for reliable, safe and fast transit service. The fixed routes to be analyzed are Routes 2, 3, 4 and 402, noting that the Route 2 has on-street characteristics to be built as a much lower cost BRT option since the 19th Street section would need to be forward compatible with the future Tacoma Link Streetcar (westbound) extension to TCC, planned for completion in 2039.

The expansion study would allow Pierce Transit to leverage further grant opportunities to complete construction and implementation of the BRT 2 Route. The contract timeline is estimated to run from July 2021 through September 2022 and is estimated to cost \$812,100.

Commissioners Campbell and Keel moved and seconded to authorize the Chief Executive Officer to execute Contract No. 1170 with KPFF, Inc., for the Bus Rapid Transit System Expansion Study for a total “Not to Exceed” amount of \$805,100 plus a contingency of \$7,000 for an authorized expenditure of \$812,100.

Motion carried, 9-0.

4. FS 2021-033, Delegation of Authority to the CEO to Negotiate and Agree to Settlements for Real Property Rights that Exceed the Appraisal of Just Compensation by \$50,000 or Less for the Pacific Avenue/SR 7 BRT Project

Senior Planner Janine Robinson presented on the item. She noted that the property acquisitions touch on about 400 properties and that the acquisition would be broken down in six phases and reviewed the timeline. In order to meet the goal of an operational BRT line in late 2024, all property rights must be secured by early 2024.

Ms. Robinson reviewed a chart showing a breakdown of types of property acquisitions that will occur and indicated that 60 percent of the properties are considered “commercial,” 30 percent of the properties are considered “residential,” and 10 percent of the properties are considered “other.” She also reviewed the Offer/Settlement Thresholds and responsible authority level for the various parcels from \$0 to over \$1,000,000.00.

Ms. Robinson reviewed the existing authority levels of the board and committees as it relates to approving administrative settlements with property owners and noted that the proposal before them today is being introduced to help keep the project on track, given the number of properties involved.

Upon inquiry, Ms. Robinson clarified Pierce Transit’s outreach plan to affected property owners.

Commissioner Roscoe expressed concerns of the potential impact of the properties going over the \$50,000 threshold, which would result in cost overruns. She suggested forming a checkbook/reconciliation report that can be shared with the Board so that acquisition costs are properly tracked and to assist with keeping the project within budget.

Various commissioners were in favor of staff developing a report. The Board decided to defer taking action on this item until the July 12 Board meeting to give staff time to develop a reporting tool that can be shared with the Board.

5. FS 2021-035, Authority to Execute Amendment No. 1 to The Superlative Group Corporate Sponsorship Contract No. PT-59-19

Marketing Supervisor Kathy Walton presented on the item, noting that Pierce Transit entered into a contract with the Superlative Group to develop a BRT sponsorship package for the Stream Line BRT in February 2020. The contract terms require an amendment each time a sponsorship agreement is effective.

Commissioner Campbell questioned what guarantees does the agency have to ensure that the whole package gets sold.

A representative from Superlative explained how his organization is compensated and stated that there is no guarantee that the whole package gets sold, but his organization is financially and reputationally motivated to sell sponsorships.

Commissioners Keel and Walker **moved** and seconded to Authorize the Chief Executive Officer to execute Amendment No. 1 to Contract No. PT-59-19 with The Superlative Group for the 30% commission of MultiCare's Naming Rights Agreement, for a total contract not to exceed amount of \$3,334,609.

Motion **carried**, 9-0.

STAFF UPDATES/DISCUSSIONS

1. CEO'S Report

CEO Dreier reminisced and reflected on her tenure at Pierce Transit. She noted she is grateful for Pierce Transit employees trusting in moving the agency forward. She noted the employees are a strong group. She is very proud of staff and will miss the personal interactions with them.

Ms. Dreier thanked the Board for their trust and guidance they have shown her over the last six years, noting that she has learned from each member. She also thanked Commissioner Keel and Chair Woodards for their leadership roles and thanked the commissioners for the opportunity to serve Pierce Transit.

INFORMATIONAL BOARD ITEMS

1. Chair's Report

Chair Woodards announced that the June 17, 2021, Service Delivery and Capital Committee Meeting has been cancelled. The next meeting is scheduled for August 19.

Update on CEO Recruitment Process

The CEO Search and Recruitment Committee has been interviewing candidates and has advanced three (3) candidates to move forward to the final interview process with the full Board. Final interviews with the Board are scheduled for Wednesday, June 30 from 1:00-5:00 p.m. There will be opportunities for the community and staff to engage with the candidates.

2. Sound Transit Update

Commissioner Keel reported that the realignment process is coming to a head and Pierce Transit/Pierce County projects are at the top of the list. He noted he is relying on Commissioners Woodards and Roscoe to continue to advocate for Pierce Transit/Pierce County.

3. Puget Sound Regional Council Transportation Policy Board Update

No report.

4. Commissioners' Comments

No comments.

EXECUTIVE SESSION

Chair Woodards announced that at the June 4, 2021, Special Board Meeting, Pierce Transit's legal counsel discussed potential legal risks of a proposed action that could result in adverse legal or financial consequences to the Agency. Not all of the commissioners were present for this meeting, so she would like to call a short executive session to have our legal counsel advise the members who were not present at the last meeting about the potential risks associated with a proposed action.

At 6:07 p.m., it was **moved** and seconded by Keel and Walker to recess into executive session for approximately 20 minutes to discuss potential legal risks of a proposed action that could result in adverse legal or financial consequences to the agency, pursuant to RCW 42.30.110 (1) (iii). It is anticipated that the Board will take formal action when it returns to open session.

Motion **carried**, 9-0.

At 6:27 p.m., it was announced to attendees that the executive session would be extended 10 minutes.

RECONVENE TO OPEN SESSION

Chair Woodards reconvened the regular meeting at 6:37 p.m.

OTHER BUSINESS

1. Authorize a Temporary Employment Agreement Between Pierce Transit and Sue Dreier

Chair Woodards noted that it was a goal to have a new Chief Executive Officer in place before Ms. Dreier retired. The Board feels it would be helpful to keep Ms. Dreier on as a temporary employee to assist the new Chief Executive Officer. She noted that contract will be extended through September 15, 2021 and may be terminated at any time.

Upon inquiry, General Counsel Millstein explained the benefits of structuring the contract for Ms. Dreier as a temporary employee as opposed to an on-call contract.

Commissioners Whalen and Campbell **moved** and seconded to approve a Temporary Employment Agreement Between Pierce Transit and Sue Dreier.

Motion **carried**, 9-0.

2. Honoring Sue Dreier for Serving as Pierce Transit's Chief Executive Officer from May 2015 to June 2021

Chair Woodards commended Ms. Dreier for her service to Pierce Transit and wished Ms. Dreier well in her retirement. Chair Woodards reviewed the notable achievements that the agency accomplished under Ms. Dreier's leadership.

Various commissioners commended Ms. Dreier for her service and Pierce Transit and wished her well. (*Commissioner Whalen left the meeting during discussion.*)

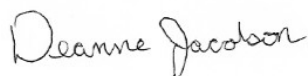
Ms. Dreier was also presented with a Pierce Transit engraved crystal bus to honor her for her service.

Ms. Dreier reiterated her gratitude for given the opportunity to serve Pierce Transit and thanked the employees and the Board for their work and confidence in her.

ADJOURNMENT

Commissioners Campbell and Keel **moved** and seconded to adjourn the meeting at 7:12 p.m.

Motion **carried**, 8-0.



Deanne Jacobson
Clerk of the Board



Victoria Woodards, Chair
Board of Commissioners