

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

November 9, 2020

CALL TO ORDER

Vice Chair Campbell called the virtual Regular Board meeting to order at 4:07 p.m.

ROLL CALL

Commissioners present:

Marty Campbell, Vice Chair of the Board, Pierce County Councilmember
Kent Keel, City of University Councilmember (*representing University Place and Fircrest*)
Conor McCarthy, City of Tacoma Councilmember
Kim Roscoe, Mayor of Fife (*representing Fife/Milton/ Pacific/Auburn/Gig Harbor/
Ruston/Steilacoom*)
Kristina Walker, City of Tacoma Councilmember
Victoria Woodards, Chair of the Board, Mayor of the City of Tacoma

Commissioners excused:

No representative (*representing Puyallup/Edgewood*)
Don Anderson, City of Lakewood Mayor
Bruce Dammeier, Pierce County Executive

Staff present:

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

Welcome New Commissioners

On behalf of the Board of Commissioners, Chair Woodards welcomed to the Board Councilmember Kristina Walker from the City of Tacoma and Mayor Kim Roscoe from the City of Fife, who represents the cities/towns of Fife, Milton, Pacific, Auburn, Gig Harbor, Steilacoom and Ruston.

PRESENTATIONS

1. Sound Transit Program Realignment Update

Chief Executive Officer of Sound Transit Peter Rogoff presented on the item and reported on the following items:

- Reviewed projects currently under construction and noted that there will be delays;
- Reviewed capital projects that are expected to be delivered on time;
- Reviewed the total rail expansion that includes projects in ST2 and ST3;
- Reviewed capital projects specific to Pierce County;
- Reviewed potential revenue loss due to COVID-19 pandemic;
- Reviewed Sound Transit Board criteria for re-evaluating projects;
- Reviewed realignment timeline;
- Unknowns at this time – how long the recession will last.

Commissioner Keel reported that he would like to have Mr. Rogoff return to give additional updates in July and at the end of 2021 (*Mayor Woodards arrived at 4:30 p.m.*).

PUBLIC COMMENT

Vice Chair Campbell provided participation instructions to the public and opened public comment. The following individuals spoke:

- Julian Wheeler, Chair of the Pierce County Accessible Community Advisory Committee (PC ACAC), thanked the Pierce Transit Board for their work and invited those interested to attend the next PC ACAC meeting. He spoke about how the PC ACAC may be able to help with funding for certain types of projects that don't make it through the Pierce Transit Budget process for 2021.

Vice Chair Campbell closed public comment.

PUBLIC HEARING NO. 1

Destination 2040 Long Range Plan Update

Senior Planner Duane Wakan gave an overview of the proposed Plan and reported on the following:

- Reviewed the purpose of the 2040 Long Range Plan.
- Compared its purpose in relationship to the Transit Development Plan.
- The Plan includes non- motorized modes such as bikes and pedestrian traffic.
- The Plan includes scenarios of service based on a .9 percent sales tax collection rate.
- Articulates new routes which includes four additional BRT routes.
- .9 percent sales tax rate would increase daily ridership by approximately 47 percent.
- Reviewed survey results where the main themes received included the following:
 - More frequent service;
 - New routes;
 - Late night service; and
 - Weekend service;
 - Feedback from partners recommended that staff work with legislators to diversify public transit funds.
- The Long Range Plan is scheduled for adoption at the December 14, 2020, Board Meeting.

- Pierce Transit is accepting written comments through December 10, 2020 through the on-line portal.

Vice Chair Campbell opened the public hearing at 4:47 p.m. and provided participation instructions to the public.

No public comments were provided, and the public hearing was closed at 4:48 p.m.

PUBLIC HEARING NO. 2
Proposed State Environmental Policy Act (SEPA)

Senior Planner Duane Wakan gave an overview of the proposed policy and reported on the following:

- Reported that SEPA has been in effect since 1971 and it is part of the process in which governmental agencies make environmental decisions on projects.
- Pierce Transit’s SEPA policy was last updated in 1994.
- Each governmental agency must have its own SEPA procedure consistent with statewide rules and it applies to the following:
 - Permitting;
 - Capital Projects; and
 - Long Range Plan
- Pierce Transit will receive written comments on the proposed policy through December 10, 2020, and
- Adoption of the SEPA policy is expected to occur at the December 14, 2020 Board meeting.

Vice Chair Campbell opened the public hearing at 4:55 p.m. and provided participation instructions to the public.

No public comments were provided, and the public hearing was closed at 4:55 p.m.

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 Keel and McCarthy **moved** and seconded to approve the consent agenda as presented.

Motion **carried**, 6-0.

1. Approval of Vouchers, October 1, 2020 to October 31, 2020
 Operating Fund #10
 Self-Insurance Fund #40
 Capital Fund #90
 Payment Nos. 374683 through 374915
 Wire Nos. 5521 through 5825

No Advance Travel Checks
Total \$8,978,309.98

2. 3rd Quarter 2020 Report to Board of Commissioners
 - Sole Source Contracts Over \$10,000
 - Contracts and Amendments - \$100,000 to \$200,000
3. Minutes: October 12, 2020 regular meeting.
4. FS 2020-050, authorized the Chief Executive Officer to execute a two-year extension agreement with Conduent Transportation Solutions, Inc., for CAD/AVL hardware and software support in an amount not to exceed \$873,480.
5. FS 2020-051, approved Resolution No. 2020-019, adopting the 2021 Federal and State Legislative Priorities in substantially the same form as presented in Exhibits A and B.
6. FS 2020-052, authorized the Chief Executive Officer to enter into and execute a new three-year Memorandum of Agreement Between Pierce County and Pierce Transit Supporting Beyond the Borders Special Needs Transportation in an amount not to exceed \$560,000.
7. FS 2020-056, authorized the Chief Executive Officer to enter into and execute Amendment No. 3 with Technical Security Integration, Contract No. PT-54-19, to increase the contract amount by \$145,000 for physical security system testing and maintenance services through September 30, 2021 for a total not to exceed contract amount of \$287,859.40.

ACTION AGENDA

1. A Resolution of the Pierce Transit Board of Commissioners Commemorating Pierce Transit's 40 Years of Public Service in the South Sound

Mayor Woodards read aloud the resolution commemorating 40 years of service in the South Sound.

She opened the floor for remarks and the following Board Members commented:

Commissioner Keel reported that he was one of the first citizens to ride the bus in the Hilltop area 40 years ago and spoke highly about how Pierce Transit has progressed in the South Sound community by serving as a lifeline to many. He thanked staff and the operators for providing the service.

Chair Woodards noted that she recalls taking the bus while she was a junior in high school. She stated that she was grateful to the employees who provide this service and that the service that Pierce Transit provides to the community is a lifeline to many in Tacoma.

Councilmember Roscoe announced that she is glad to be part of the Pierce Transit Board and appreciates the Pierce Transit ballcap that she received. She stated that public transportation is a part of her household and she congratulated the Agency for 40 years of service to the community.

CEO Sue Dreier announced that all members should have received a box with celebratory items in honor of Pierce Transit's 40 years of service in the South Sound. She noted that the 40-year celebration was coordinated this year with the Agency's annual tradition of honoring its employees during Transit Team Appreciation Day (TTAD). Ms. Dreier thanked employees for their work and service.

Commissioners Woodards and Keel **moved** and seconded to adopt Resolution No. 2020-020, commemorating Pierce Transit's 40 years of public transportation service in the South Sound.

Motion **carried**, 6-0.

2. FS 2020-053, Authority to Execute Contract No. 1084 to United Energy Trading, LLC, to Supply Compressed Natural Gas (CNG) Fuel for the Operation of Coaches

Executive Director of Facilities and Maintenance Frank Castro presented on the item. He discussed the bid process and reported that United Energy Trading, LLC., was low bid and that the price of CNG will be locked in for a period of three years.

Mr. Castro and Fleet Manager Adam Davis responded to general questions and confirmed that Pierce Transit does not anticipate a reduction in the amount of CNG fuel it will need to operate service.

Commissioners Roscoe and Woodards **moved** and seconded to authorize the Chief Executive Officer to enter into and execute Contract No. 1084 with United Energy Trading, LLC, to supply compressed natural gas (CNG) for a period of up to six years and for an authorized total to not exceed \$8,100,000.00, acknowledging that costs will fluctuate based on annual usage and price fluctuations.

Motion **carried**, 6-0.

3. FS 2020-054, Authorizing the Chief Executive Officer to Issue to the Combined Communications Network (CCN) Executive Board a Notice of Intent to Withdraw from the Joint Venture Partnership with Pierce County to Jointly Own, Maintain, Operate, and Govern a Shared Single County Wide Communication System for the Pierce Transit System and the County's Public Safety Programs; and Directing Staff to Develop an Exit Plan for Formal Board Approval

Executive Director of Facilities and Maintenance Frank Castro presented on the item and explained the basis for the CCN partnership. He reported that Pierce Transit is in the process of implementing a new Computer Aided Dispatch/Automatic Vehicle Location (CAD/AVL) system that will greatly diminish the need for Pierce Transit to remain a partner of the CCN. The new CAD/AVL system is expected to be in place by December 2022.

CEO Dreier provided further information about the CCN partnership and acknowledged that Pierce County Executive Bruce Dammeier understands that Pierce Transit needs to move off the system. She reviewed costs and fee impacts to the Agency for being a partner of the system and discussed the lengthy process for divesting from the partnership, noting

that Pierce Transit's role in the CCN will eventually be reduced to a Subscriber of the system.

Ms. Dreier reported that next steps will include a full accounting and reconciliations of Pierce Transit's assets, and she confirmed that Pierce Transit's Public Safety Department will continue to utilize radios through the CCN system.

Ms. Dreier responded to general questions about overall costs of the partnership (*Commissioner McCarthy left the meeting at 5:28 p.m.*) and confirmed that a radio system independent of the CCN will be attainable upon the implementation of the new CAD/AVL system expected to occur in December 2022.

Commissioner Keel noted the importance that the Board see the reconciliation of the assets.

Commissioner Woodards and Keel **moved** and seconded to approve Resolution No. 2020-021, authorizing the Chief Executive Officer to 1) provide advance notice to the CCN Executive Board on or before November 30, 2020 of Pierce Transit's intent to withdraw from the Joint Partnership with Pierce County to Jointly Own, Maintain, Operate and Govern a Shared Single County Wide Communication System for the Pierce Transit System and the County's Public Safety Programs; and 2) Direct staff to work in collaboration with Pierce County personnel to develop and provide to the CCN Executive Board and Pierce Transit Board by end of Quarter 3 of 2021 an exit plan and assessment and cost analysis of the shared assets as defined in Section 14 of the "CCN Governing Agreement."

Motion **carried**, 5-0.

4. FS 2020-055, Adopting a New Transit Advertising Policy and Repealing Previous Resolutions that Established Prior Transit Advertising Policies and Revisions

Marketing Assistant Manager Kathy Walton and Legal Counsel Jessica Skelton from Pacifica Law Group provided an overview of the proposed advertising policy and responded to questions.

Ms. Walton confirmed that Pierce Transit's advertising policy was last updated in 2013 and it currently poses some challenges, noting that it does not directly address cannabis products, e-cigarettes, contains difficult language to interpret and does not clearly provide for Pierce Transit's use of advertising spaces for its own purposes.

Ms. Walton reviewed the types of ads that are currently permitted and historical advertising revenues by category, i.e., government, nonprofit, commercial, and religious. She noted that the proposed policy would only allow commercial, Pierce Transit, and governmental ads, and would eliminate non-profit organizations from advertising. The new policy would also eliminate confusing language about public service announcements, clearly prohibit cannabis, e-cigarette and vaping products, exclude religious advertisements, and streamline the review process.

A discussion ensued about non-profit agencies being prohibited from advertising, with several of the commissioners expressing concern about this.

EXECUTIVE SESSION

At 5:55 p.m., Vice Chair Campbell recessed the meeting into executive session for approximately 20 minutes, with an estimated return time of 6:17 p.m., to discuss two matters: Legal risks pursuant to RCW 42.30.110 (1) (i) (iii), and to Review the Performance of a Public Employee, pursuant to RCW 42.30.110 (g). It is expected that the Board will take formal action when it returns to open session.

At 6:17 p.m., Vice Chair Campbell extended the executive session 15 minutes and announced the extension to attendees.

At 6:33 p.m., Vice Chair Campbell extended the executive session to 6:45 p.m. and announced the extension to attendees.

RECONVENE

The regular meeting was reconvened into open session at 6:46 p.m.

Vice Chair Campbell announced that the Board will not take any action on the Transit Advertising Policy today and directed staff to bring back the policy to the December 14, 2020 Board Meeting.

Vice Chair Campbell reported that the Board discussed the CEO's performance in Executive Session.

Commissioners Campbell and Keel **moved** and seconded to accept the CEO's 2019-2020 Composite Evaluation in accordance with the discussion of the CEO's performance which was held in Executive Session and increase the CEO's salary by 3 percent.

The Commissioners thanked Ms. Dreier for her good work in leading the Agency, noting they enjoy working with her. They also highlighted their appreciation for her innovation and communication with the Board and with the community.

Ms. Dreier thanked the Board and noted that she is grateful to the Board and for the opportunity to lead Pierce Transit.

Motion **carried**, 5-0.

STAFF UPDATES/DISCUSSION

CEO's Report – No report.

INFORMATIONAL BOARD ITEMS

Chair Report

Chair Woodards reported that due to the recent changes to the Board composition, there are now vacancies on the Service Delivery and Capital Committee, the Executive Finance Committee and

the Combined Communications Network committee. She expects to be making appointments to these committees at the December 14 Board meeting.

Sound Transit Update – No update.

PSRC Transportation Policy Board Update – No update.

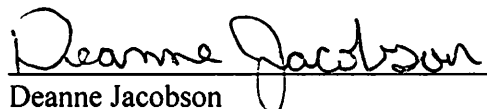
Commissioner Comments

Chair Woodards and Vice Chair Campbell welcomed Commissioners Kim Roscoe and Kristina Walker to the Board.

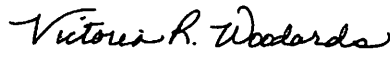
ADJOURNMENT

Commissioners Campbell and Keel **moved** and seconded to adjourn the meeting at 6:57 p.m.

Motion **carried**, 5-0.



Deanne Jacobson
Clerk of the Board



Victoria Woodards, Chair
Board of Commissioners