

Spokane Transit Authority
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CITIZEN ADVISORY COMMITTEE MEETING

Meeting Minutes for November 9, 2011
Southside Conference Room

MEMBERS PRESENT

Fyrne Bemiller
Susanne Croft
Victor Frazier
Resa Hayes
Charles Hansen
Ted Horobiowski
Margaret Jones
Larry Luton
Dean Lynch
Philip Rudy
Brenda Smits, Chair

STAFF PRESENT

Steve Blaska, Director of Operations
Lynda Warren, Director of Finance
Charlie Phillips, Maintenance Analyst

GUESTS PRESENT

Allison Kingfisher, Dept. of Ecology

MEMBERS ABSENT

Will Flanigan
Fran Papenleur

1. CALL TO ORDER AND ROLL CALL

Ms. Smits called the meeting to order at 5:07 p.m. and conducted roll call.

2. MINUTES OF THE CITIZEN ADVISORY COMMITTEE - Corrections or Approval

a.) Ms. Smits asked the Committee to address the meeting minutes of October 12, 2011.

Mr. Horobiowski made a motion to approve the minutes and Mr. Frazier seconded. Ms. Croft mentioned she thought a step in their reasoning had been omitted from the minutes. Ms. Smits asked the Committee who was in favor of approving the minutes as written and all said "Aye". There were no "Nay's". The minutes were approved.

3. PUBLIC EXPRESSIONS

a.) Ms. Jones asked Mr. Blaska if he could discuss the incident on the bus regarding the driver and the young adults that were denied service. Mr. Blaska mentioned that STA did make an error in applying the rules of conduct and STA should not have asked the individuals to leave before their trip was completed. STA officials did talk with the individuals, parent of one of them and an adult from the Odyssey Center. There are two sides to every scenario and it was a learning experience for everyone involved. It was more about the driver reacting to her authority on the coach being challenged as opposed to any of the lifestyles of the involved. After viewing the video the initial behavior of the individuals after boarding the bus would have raised the drivers concern about the nature of the conversations that were taking place and its effect on others. STA doesn't have any right to deny anyone freedom of speech. Our concern is not what people are saying, but what is our concern is how it may be affecting others on the coach. The atmosphere on the bus needs to be comfortable and welcoming for everyone. After all the other passengers left the bus, and as a result of interactions between the three individuals and the operator, the driver felt challenged and lost

control of the situation. It was good to bring everyone in the same room. The driver admitted she made a mistake. The individuals did not violate the rules of conduct; they did keep their conversations to themselves while others were on the bus. Mr. Blaska mentioned that it is fortunate that we are going through advanced training with the Operators right now so these types of things can be included.

Mr. Lynch asked if the individuals did take some responsibility for their behavior on the bus and Mr. Blaska said "yes". Mr. Blaska reported that the three individuals, the parent and the adult from odyssey were satisfied with the resolution. Mr. Lynch said it was his understanding that the driver had called back to dispatch to receive support and Mr. Blaska said that was true. Mr. Blaska mentioned that Dispatch did not ask the questions that should have been asked.

Mr. Blaska mentioned that we do not want the Operators to generate conflict at the fare box from their position. Mr. Frazier asked if the cameras were useful in this case and if they have a sound pick-up. Mr. Blaska said there is an expectation of privacy on public transportation, but there is a microphone by the driver at the fare box, but only hear bits of the conversation that took place among those passengers was heard.

Mr. Luton asked what the STA policy allows if a driver were determined to have inappropriately exceeded their authority in a situation like this. Mr. Blaska mentioned that there are the seven factors of just cause. For example, was it clearly announced what the policy was, what level of proof was involved, and all the factors surrounding it are some of these factors. Mr. Luton asked about the potential acts of discipline. Mr. Blaska said that it could be a warning or up to termination.

Mr. Horobiowski mentioned that he felt it was good that Susan Meyer came out immediately and apologized. Mr. Blaska said that Ms. Meyer did suspend judgments until all the facts were in.

b) Mr. Frazier asked about a re-zoning issue between REI and STA involving a fuel storage facility. Mr. Blaska mentioned that the strip between the two facilities actually is an old railroad right-of-way and is currently zoned residential. STA has a long term interest and currently has underground storage facilities on the property with a life expectancy of about 15 years. The long term vision is that STA would actually relocate them and put them in vaults that are easier to inspect.

c) Mr. Frazier said that right now Proposition #1 is failing in the City and Mr. Condon is currently ahead of Mayor Verner but there are still 35,000 ballots left to count. Mike Fagan is leading in District #1 and Richard Rush is behind by only 200 votes in District #2. Steve Salvatori is ahead in District #3.

Ms. Smits mentioned that if there are any more Public Expressions we will have them at the end.

4. SUSTAINABILITY PROJECT

a.) Allison Kingfisher, Building Materials & Sustainability Specialist

Ms. Smits introduced Ms. Kingfisher, Building Materials & Sustainability Specialist with the Department of Ecology. She studies the lifecycles of building materials. She works to eliminate toxins that go into building materials at the front end and the disposal, recycling, and landfill facilities at the back end. Ms. Kingfisher mentioned she has worked for the Dept. of Ecology for 10 years, the last 6 years has been around green buildings and sustainability issues. She received her Master's Degree in Leadership & Sustainability in Sweden. She is a LEED accredited professional.

Ms. Kingfisher discussed the Impacts of U.S. Buildings on Resources; 40% primary energy use, 72% electricity consumption, 39% CO₂ emissions and just over 13.5% potable water consumption. Buildings are the #1 CO₂ emitters. Green buildings can reduce Energy use by 24-50%, CO₂ emissions by 33-39%, Water Use by 40% and Solid Waste by 70%. LEED stands for Leadership in Energy and Environmental Design. It is a leading-edge system for certifying the greenest performing buildings in the world. This is a benchmark that can measure the relative “greenest” in a building. A green building can be broken into 5 areas; site planning, water management, energy, material use and indoor environmental quality. All of these areas have items beneath them with certain points attached to each one.

Ms. Hayes mentioned that accessibility is important. Ms. Kingfisher said that yes, ADA is required in buildings now, but being “green” is not.

Integrated Design consists of all groups cooperating together to work for solutions. LEED is basically a menu of points. The more points a building gets, the higher the rating it gets. Some points are required, but you can pick and choose your points. Just because it is LEED certified does not mean it is a good building, but built at a certain threshold.

Mr. Frazier asked for clarification on Brownfield sites. Ms. Kingfisher said that those sites have been recently remediated.

Mr. Horobiowski asked how views help. Ms. Kingfisher said that there have been a lot of studies regarding views and how it can impact employees positively by giving eyes a break and having a connection to the outdoors. Dr. Rudy mentioned that certain overhead lighting is better and more productive. Ms. Bemiller asked where they are doing “green” best. Ms. Kingfisher said Germany & Austria are doing a lot of passive residential buildings. Ms. Kingfisher said LEED is a U.S. based program. There are more and more of these buildings.

There are four levels of LEED certification: Certified, Silver, Gold & Platinum. A typical “code” building is legal, but at the bottom of the list. The Living Building Challenge is a very aggressive building; only two worldwide. Mr. Lynch mentioned that one of them was the Bullock Building in Seattle. This building is net zero energy and water, treating all sewage on site.

Ms. Kingfisher discussed the construction costs for LEED certified buildings. One study shows an additional one time cost of .66% for LEED “certified” up to 6.8% for “platinum”. The steps to get certified are 1) register your project, 2) track progress & document achievement and 3) apply for certification. Ms. Kingfisher mentioned that one can go over budget on a LEED building or a non-LEED building.

Dr. Rudy asked if there are economic benefits to getting certified and can you be certified without going through the certification process. Ms. Kingfisher said it would take a third party verifier to get certified; LEED accredited professionals. The more experienced your design team, generally the lower the cost.

Mr. Luton asked if this is a standard we should be directly referring to with the CAC’s proposal with the STA. Ms. Kingfisher said there really isn’t a competitor to LEED, but you could get your building just Energy Star certified, but that just addresses Energy. LEED addresses more standards; water, the site, materials going into the building. LEED is more comprehensive. Ms. Kingfisher mentioned that she is unable to offer an alternative to LEED. For building renovation, it is possible to use this more as a checklist and not do everything at once.

Ms. Croft said that there is a standard that if you know you are going to be third party certified, you would achieve the savings you want. If you are not going to get certified, you might be more lax.

Mr. Frazier mentioned that the additional cost of .66% to get gold or silver certified was not a significant amount and that he was feeling more comfortable.

The committee thanked Ms. Kingfisher for the presentation.

b.) Energy Star Information

Ms. Smits mentioned that the Energy Star information included in the packet can be reviewed individually.

c.) PowerPoint Presentation on Sustainability

Ms. Smits mentioned that Mr. Luton will give the presentation at the Board Meeting on Wednesday, November 16th. Ms. Smits, Ms. Hayes, Ms. Papenleur will be at the Board meeting also. The Sustainability presentation will be the first item on the agenda.

Mr. Blaska asked Ms. Kingfisher regarding the proposal to adopt the State RCW's requirement for LEED silver certification. The State RCW's come with reporting and compliance requirements from the General Administration (G.A.); post occupancy inspection, separate metering of water sources plus many other requirements in order to comply. Mr. Blaska asked how that differs in value from the Energy Star ratings and can you construct a building to LEED standards without actually getting it certified with the State imposed administration requirements. STA would have to pay for the process of actually getting certified. STA could seek silver certification to the State standard, but possibly not go through with adopting the other requirements. Ms. Kingfisher mentioned that going through the process of getting certified with the U.S. Green Building Counsel would be satisfactory especially if G.A. wasn't overseeing. Mr. Blaska mentioned that a proposal would be to seek LEED certification to the State standard, but not comply with all the State reporting requirements. Ms. Croft mentioned that if the State requirement moved up to the Gold standard it would trigger STA to move up and follow along with the State requirement. Ms. Smits mentioned that she didn't feel the State would have the time to review a voluntary report.

Ms. Jones asked if Mr. Luton felt comfortable about the presentation. Mr. Luton asked what will be expected of him while giving the presentation. He asked for clarification regarding the slide on the discussion of LEED. Mr. Blaska said that on that slide are suggestions regarding the committee's discussion about LEED standards point 1.4.

Mr. Luton suggested that the third bullet under 1.4 be changed to remove "Washington State" requirements from the point and just say "conform" to LEED standards for facilities having no reference to the code. Mr. Lynch said that that could be what the discussion with the Board would revolve around; possibly removing "Washington State" requirements. Mr. Horobiowski mentioned the point could say "consider Washington State requirements" instead of "conform". Ms. Croft mentioned "build to". Mr. Luton suggested just removing "Washington State" and to say "conform to" LEED standards. Ms. Croft asked if it should specify LEED silver.

Mr. Blaska discussed the different options that the committee had previously discussed regarding this bullet point. Mr. Horobiowski agreed with leaving the discussion of LEED slide in the presentation. Ms. Hayes agreed also.

Mr. Blaska clarified the process. This presentation at the Board meeting is to generate discussion and guidance from them. It is information only. Mr. Blaska mentioned to Mr. Luton to just cover the high points, and then elicit the Board's discussion. The committee will then respond to that guidance at the next meeting which is the public hearing and then there will be discussion of how the committee responded to their guidance. Staff will provide their assessment at that time. Mr. Blaska said that staff is supportive of the process; there are a couple of points that will be discussion items, especially the discussion of LEED certification and complying with these policies as part of personnel policies.

Mr. Luton mentioned that having this discussion slide in the presentation would make it stand out and prefers to have it removed. Mr. Horobiowski mentioned that there should be a title on the LEED discussion slide such as "Policy Discussion". Ms. Smits mentioned that it could still be discussed even if the slide was not part of the presentation and we are including it because there were some concerns about LEED certification. Mr. Luton mentioned that Mr. Blaska said there were concerns about the point of complying with personnel policies that he had offered at the last meeting and there is no slide on that. Mr. Blaska mentioned that that might just be a staff concern and he said that the Board will discuss LEED standards. Mr. Blaska asked if it should be addressed up front or do you want to modify it. Ms. Croft mentioned maybe having a hidden slide. Mr. Horobiowski said it did dominate a lot of our discussion and should be included. Ms. Jones agreed. Mr. Luton said we had a very lengthy discussion regarding 30 yrs. as the standard and that is not included as a discussion slide. Ms. Smits mentioned that since we do have someone who has volunteered to do the presentation that we should be accommodating to that person.

Ms. Croft mentioned that she remembered that they had talked about having something in the presentation that they "could chew on", and something they could throw away. She mentioned that she thought they were going to chew on the difference between the third and fourth bullet point (under 1.4) and she was hoping they would throw the fourth bullet point out.

Mr. Blaska asked about the third bullet (under 1.4); "conforming to Washington State". Mr. Luton said to leave the bullets in and have the Board decide which ones to discuss. Mr. Blaska mentioned that leaving it in would be a staff concern for December. Ms. Jones asked if the Board knows what LEED is. Mr. Lynch said they will have an idea. Mr. Luton said if you put both "Washington State" requirements and LEED certification in, then he would have to answer questions about both. Ms. Croft said she was fine with dropping the Washington State requirements; she mentioned that that was a standard already set and we could move with that standard. Mr. Luton said you could set as a goal to attain LEED silver standard at a minimum. Ms. Jones asked for clarification regarding the discussion of LEED slide. Mr. Horobiowski mentioned these are options from extreme to minimal. Mr. Luton suggested leaving the discussion slide out of the presentation, and maintaining all the bullet points under 1.4 in the document.

Mr. Frazier asked when it would be adopted and passed. Mr. Blaska said January 2012. Mr. Frazier asked about the impact of new Board members in January and will that cause a set back? Mr. Horobiowski suggested a "thumbs up", "thumbs down" vote on leaving the slide in the presentation or taking it out. Mr. Horobiowski said that the CAC committee was here to present a key point, there was a lot of time and discussion surrounding this item, and having the item in the document and not in the PowerPoint is negligent.

Three members voted to drop the slide; Mr. Luton, Ms. Croft and Ms. Smits. By majority, the discussion slide will remain.

Mr. Frazier asked about the third bullet point under 1.4 in the PowerPoint presentation. Ms. Croft said if you conform to LEED silver standards, does that mean you go for certification. Mr. Horobiowski said it will probably mean that the Board will most likely have staff evaluate the three options and give them a recommendation. Mr. Luton asked do we really want to suggest that we will qualify our attempt to meet LEED silver standards by subjecting it to cost benefit analysis when all of our points could be subjected to cost benefit analysis. Ms. Croft said it was hopefully part of the triple bottom line analysis. Mr. Lynch said that this was probably in there because of the City Council meeting and to mitigate the concerns of a group of people and that is what we decided to do. Ms. Croft mentioned that the cost benefit analysis could be done the same way. Some things are a bigger up front cost and long term they average them out. They look at the whole big picture. Similar cost benefit analysis could be used in evaluating LEED measures. Mr. Horobiowski said that the cost is basically 1-2% and feels that that is probably the kind of information that the Board would be looking for. Ms. Smits that that cost was a small sample of 40 buildings.

Ms. Smits mentioned that there are 5 more minutes.

Mr. Blaska reviewed what was to go to the Board. Ms. Smits mentioned that we took out “Washington State” and left in “conform”. Mr. Lynch suggested making the discussion slide very clear. Mr. Luton said it could be said “options the committee discussed”. Mr. Frazier said that at the end of the Board presentation it could be mentioned that the committee decided not to go with the “Washington State” requirement and why. Mr. Blaska mentioned that the document and the slides will be in their Board packet. Mr. Horobiowski mentioned putting a, b, or c on the Policy Discussion slide so it is clear that these are different options. Ms. Kingfisher said the actual RCW # is 39.35D. This was added to the presentation. Dr. Rudy asked what the response is going to be when the Board asks what the CAC recommends. Mr. Luton said “conform to”.

Mr. Blaska mentioned that they did find the actual 2010 report and that will be sent out via a link so that the committee can learn more about LEED. Ms. Croft asked if all the extra tracking in the Senate Bill made it into the RCW. Mr. Blaska said this was implementation of the RCW.

Mr. Horobiowski thanked Mr. Luton for his willingness to present the Sustainability project to the Board. The committee agreed.

5. GENERAL BUSINESS

Ms. Smits asked the Committee members to give Ms. Robar the information about how they want their name to read on the PowerPoint presentation.

Mr. Smits mentioned that Public Expressions are for guests, so that those individuals don't have to sit through the entire meeting. Ms. Smits suggested the General Business heading could include committee member's expressions. The committee agreed.

There was no general business at this time.

6. SET AGENDA FOR NEXT MEETING

Mr. Blaska mentioned that at the next meeting we will discuss the Committee's next steps. The Board is going through a Governance Change. They are looking at a couple of sub-committees of the Board, who will have more ownership of the major decisions, and how this changes the Operations Committee Meeting and the Citizen Advisory Committee is yet to be determined.

The next meeting will be Wednesday, December 14, 2011 – 5:00 p.m. (Regular Meeting) – Spokane Transit, Southside Conference Room.

7. **ADJOURN**

With there being no further business to come before the Committee, Ms. Smits adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Merilee Robar
Executive Assistant