2839-RES
04/22/13

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8576

A RESOLUTION related to Sound Transit's East Link light rail project identifying the City of Bellevue's preferred Cost Savings options modifying the East Link project; declaring any project to widen Bellevue Way from the "Y" with 112th Avenue SE to the South Bellevue Park & Ride to be a City project; directing the City Manager or his designee to develop amendments to the Umbrella Memorandum of Understanding with Sound Transit consistent with the City's preferred Cost Savings options; directing the City Manager or his designee to develop amendments to the Transit Way Agreement with Sound Transit consistent with the City's preferred Cost Savings options; and approving the East Link project alignment, as modified by the City's preferred Cost Savings options for the purposes of the Light Rail Overlay District, Part 20.25M, of the Bellevue Land Use Code.

WHEREAS, the City and Sound Transit entered into the Umbrella Memorandum of Understanding for Intergovernmental Cooperation between the City of Bellevue and the Central Puget Sound Regional Transit Authority for the East Link Project dated November 15, 2011 (the "Umbrella MOU"); and

WHEREAS, the City and Sound Transit executed the Transit Way Agreement between the City of Bellevue and the Central Puget Sound Regional Transit Authority for the East Link Project dated November 15, 2011 (the "Transit Way Agreement"), and

WHEREAS, among other provisions, the Umbrella MOU included general support for the East Link alignment as described in Exhibit C to the Umbrella MOU, with certain City Requested Modifications; and

WHEREAS, the Umbrella MOU further outlined City financial contributions for the East Link Project and a framework for reducing certain portions of the City Contingent Contribution if cost savings could be accomplished and realized at the time of Project Baseline Budget; and

WHEREAS, the City and Sound Transit agreed to a collaborative process for design and development of East Link, including a collaborative process for identifying potential significant project cost savings, which collaborative process is generally described in the East Link Collaborative Design Process Management Plan; and

WHEREAS, on June 15, 2012 the Bellevue City Council endorsed the Sound Transit and City of Bellevue Cost Savings Work Plan (Draft) ("Cost Savings Work Plan"), which, among other potential cost savings alternatives included potential modifications to the Project described in Exhibit C of the Umbrella MOU and/or the City Requested Modifications as follows (all references as described in the Cost Savings Work Plan):

- Replace the retained cut by the Winters House with an at-grade light rail alignment, including a shift to the west and a City project to widen Bellevue Way by adding an inside southbound HOV lane from approximately the "Y" of Bellevue Way and 112th Avenue SE to the South Bellevue Park & Ride and adding an outside shoulder (Idea 1a);
- Replace the Umbrella MOU City Requested Modification of a light rail fly-over of 112th Avenue SE in the approximate location of SE 15th with the "road over rails" option of a new 112th Avenue SE overpass and light rail crossing under the overpass at grade;
- Replace the Umbrella MOU City Requested Modification of a trench along the west side of 112th Avenue SE with an at-grade alignment, optimizing the location for access to the Surrey Downs neighborhood minimizing or eliminating the use of gated crossings with bells;
- Further evaluate multiple alternatives for the Downtown light rail station:
    - Optimizing the configuration of the tunnel station generally described in the Umbrella MOU while minimizing impacts to surface traffic and maintaining station entrances both north and south of NE 4th Street;
    - Move the Downtown station to NE 6th above grade (Idea 3c).

WHEREAS, on October 22, 2012 the Bellevue City Council approved a letter to the Sound Transit Board confirming those options from the Cost Savings Work Plan and from the City Requested Modifications described in the Umbrella MOU that should be evaluated through the environmental review process; and

WHEREAS, on March 26, 2013 Sound Transit completed and published the East Link Extension 2013 SEPA Addendum evaluating the modifications endorsed in the Cost Savings Work Plan as narrowed in October, 2012 and including certain City Requested Modifications from the Umbrella MOU; and

WHEREAS, on April 11, 2013 the City of Bellevue published the Draft Environmental Impact Statement on the City's Transportation Facilities Plan, which includes evaluation to widen Bellevue Way by adding an inside southbound HOV lane from approximately the "Y" of Bellevue Way and 112th Avenue SE to the South Bellevue Park & Ride and adding an outside shoulder (the "Bellevue Way HOV Lane") consistent with the joint project outlined in the Cost Savings Work Plan; and

WHEREAS, the City of Bellevue held a public hearing on the final Cost Savings options and this resolution on April 15, 2013 pursuant to notice consistent with the Council rules of procedure; and

WHEREAS, the City of Bellevue intends to execute amendments to the Umbrella MOU and Transit Way Agreement consistent with this Resolution upon completion of the Sound Transit Board's determination of the final East Link alignment so long as such alignment is consistent with the alignment described in the Umbrella MOU, as modified by this Resolution now, therefore:

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Bellevue City Council endorses the following Cost Savings options for inclusion in the East Link project:

Bellevue Way:

- Retain the alignment as described in Exhibit C to the Umbrella MOU ("trench in front of Winters' House")

112th Avenue SE Road over Rail:

- Replace the City Requested Modification of a light rail fly-over of 112th Avenue SE in the approximate location of SE 15th with the "road over rails" option of a new 112th Avenue SE overpass and light rail crossing under the overpass at grade (Idea 2b)

112th Avenue SE north of Crossover:

- Replace the City Requested Modification of a trench along the west side of 112th Avenue SE with an at-grade alignment, allowing for an at-grade crossing of SE 4th Street with controlled access allowing for emergency vehicle access only on SE 4th Street and allowing for the development of an alternative access into the Surrey Downs neighborhood from 112th Avenue SE through Bellefield Residential Park

Downtown Station:

- Replace the below-grade Downtown station with a Downtown station with an above-grade station parallel to NE 6th (NE 6th Station Option). Up to $5 million of the identified cost savings associated with the NE 6th Station Option should be used to ensure that:
    - The station be enclosed and weatherproofed for the full extent of the passenger platform; and
    - Pedestrian access at the Transit Center as well as at 110th Avenue NE and NE 6th Street is enhanced to provide maximum ease of connection between the light rail station and the existing transit station for pedestrians.

Section 2. The Bellevue City Council declares that any proposed project to widen Bellevue Way between the "Y" and the South Bellevue Park and Ride is a City

of Bellevue project and will not require or include funding from Sound Transit unless mutually agreed to by the City and Sound Transit.

Section 3. The City Manager or his designee is hereby directed to develop an amendment to the Umbrella MOU with Sound Transit to modify Exhibit C of the Umbrella MOU consistent with Section 1 above and to acknowledge completion of the process outlined in Article 5 of the Umbrella MOU for evaluation of City Requested Modifications. Such amendment shall be presented to the Council for final action.

Section 4. The City Manager or his designee is hereby directed to develop an amendment to the Transit Way Agreement consistent with Section 1 above. Such amendment shall be presented to the Council for final action.

Section 5. For purposes of Section 20.25M.030.A.1.a and 20.25M.040.B.1.a of the Bellevue Land Use Code, this Resolution approves the alignment location and general profile of the East Link project as such alignment location and general profile is described in Exhibit C to the MOU and modified by Section 1 of this Resolution.

Passed by the City Council this 22nd day of April, 2013, and signed in authentication of its passage this 23rd day of April, 2013.

(SEAL)

Conrad Lee, Mayor

Attest:

Myrna L. Basich, City Clerk