

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT:

Resolution No. 8153 authorizing execution of a Lease Agreement with the Washington State Department of Transportation for access to state-owned right-of-way to construct and maintain the 124th Avenue SE Connection to the I-90 Trail project and a trailhead/kiosk near Factoria Boulevard.

FISCAL IMPACT:

The subject lease has a term of 10 years with an option to extend the lease for two additional 10-year periods. While the lease does not require payment of rent, it does require the City to perform all maintenance on the project once constructed. The annual cost of this maintenance (sweeping, weed control, safety and surface repairs, graffiti removal, and litter control) is estimated to be approximately \$15,000. Due to the timing of the project, very little maintenance is anticipated before 2013. Therefore, no specific budget has been included in the proposed 2011-2012 General Fund budget for this obligation. Additional M&O costs will be addressed in a future budget cycle (2013-2014). Minor unanticipated or incidental costs will be accommodated within the existing M&O budget.

STAFF CONTACT:

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Mike Mattar, Design Division Manager, 452-4318
Chris Masek, Engineer, 452-4619
Transportation Department

Max Jacobs, Real Property Manager, 452-4182
Civic Services Department

POLICY CONSIDERATION:

Execution of a lease agreement with WSDOT is a requisite element of project implementation for the 124th Avenue SE Connection to the I-90 Trail, a project identified and adopted into the Comprehensive Plan as part of the 2005 Factoria Area Transportation (FATS) Update (Project PB7) and the 2009 Pedestrian and Bicycle Transportation Facilities Plan Update (Project O-136). The project also supports key Comprehensive Plan policies including: TR-79 (assign high priority to pedestrian and bicycle projects that address safety issues) and S-FA-22 (Improve safety for bicyclists and other non-motorized users by providing an integrated on-street and off-street system). Bellevue City Code Section 4.30.020 requires City Council approval for leases of more than one year in duration.

BACKGROUND:

After identification as part of the FATS Update, the 124th Avenue SE Trail Connection was prioritized into the City's 2009-2020 Transportation Facilities Plan as project TFP-165 (Resolution No. 7914 on April 20, 2009) and the City's 2010-2015 Transportation Improvement Program as TIP Reference No. 45 (Resolution No. 7933 on June 15, 2009). On December 1, 2008, Council approved Ordinance No. 5851 adopting the 2009-2010 Budget and 2009-2015 CIP Plan that included the Pedestrian Access Improvements program (CIP Plan No. PW-W/B-56), which will be used to provide local match funding for the project. Council subsequently

accepted two grants, a \$605,000 state Pedestrian and Bicycle Safety Grant and a \$354,400 federal Congestion Management and Air Quality grant, to fund the construction of the trail connection (Ordinance No. 5932 on January 19, 2010). The \$605,000 state grant became past due as the City and state negotiated the lease required for the project. The second and final extension for grant obligation ends December 1, 2010, at which point the City must surrender the funds if not obligated. Right-of-way certification, the final process step for obligation, cannot occur without the executed lease. Council action will enable the City to meet the requirements of the grants.

The goal of the 124th Avenue SE Connection project is to address non-motorized safety and system connectivity issues in Factoria, one of the City's designated activity centers. The project will construct a 10-foot-wide paved multi-purpose trail connecting the north end of 124th Avenue SE near SE 38th Street to the existing Mountains to Sound Greenway trail along I-90. A mid-block crossing on 124th Avenue SE just south of SE 38th Street will be constructed, including a small island for pedestrian refuge. Wayfinding signage will direct pedestrians and bicyclists to the bypass connection, which provides access to the I-90 trail without traversing the heavily congested SE 38th Street and Factoria Boulevard. The project also includes a non-grant funded trailhead and informational kiosk at the Factoria Boulevard entrance to the I-90 Trail. The proposed trail connection and trailhead project is located on WSDOT limited access right-of-way, and thereby requires execution of the subject lease agreement prior to implementation.

The design and right-of-way acquisition for the 124th Avenue Connection project are complete. Advertising this project for construction is contingent on obtaining final approval from WSDOT and FHWA, which is contingent on the execution of this lease agreement.

EFFECTIVE DATE:

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS:

1. Adopt Resolution No. 8153 authorizing execution of a Lease Agreement with the Washington State Department of Transportation for access to state-owned right-of-way to construct and maintain the 124th Avenue SE Connection to the I-90 Trail project and a trailhead/kiosk near Factoria Boulevard.
2. Do not adopt Resolution No. 8153 and provide alternative direction to staff.

RECOMMENDATION:

Adopt Resolution No. 8153 authorizing execution of a Lease Agreement with the Washington State Department of Transportation for access to state-owned right-of-way to construct and maintain the 124th Avenue SE Connection to the I-90 Trail project and a trailhead/kiosk near Factoria Boulevard.

MOTION:

Move to adopt Resolution No. 8153 authorizing execution of a Lease Agreement with the Washington State Department of Transportation for access to state-owned right-of-way to construct and maintain the 124th Avenue SE Connection to the I-90 Trail project and a trailhead/kiosk near Factoria Boulevard.

ATTACHMENTS:

Vicinity and Project Map

Proposed Resolution No. 8153

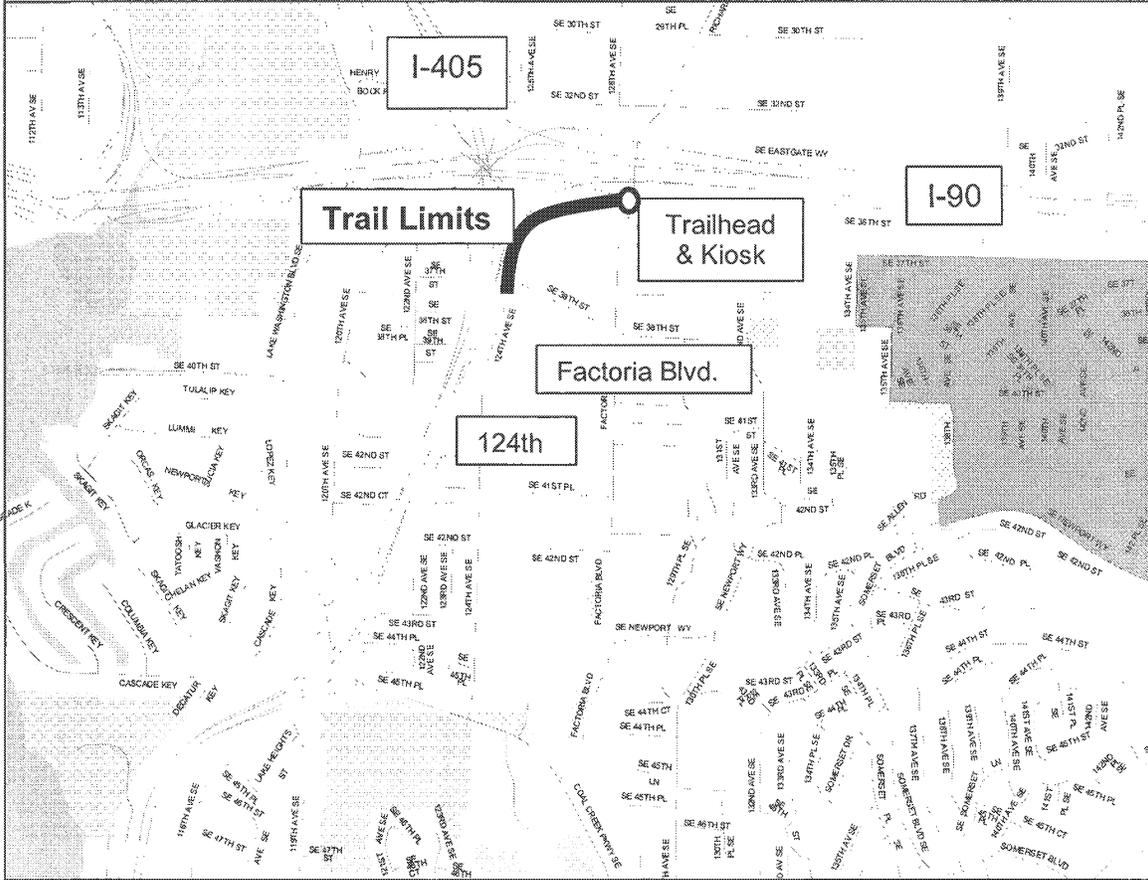
AVAILABLE IN COUNCIL OFFICE:

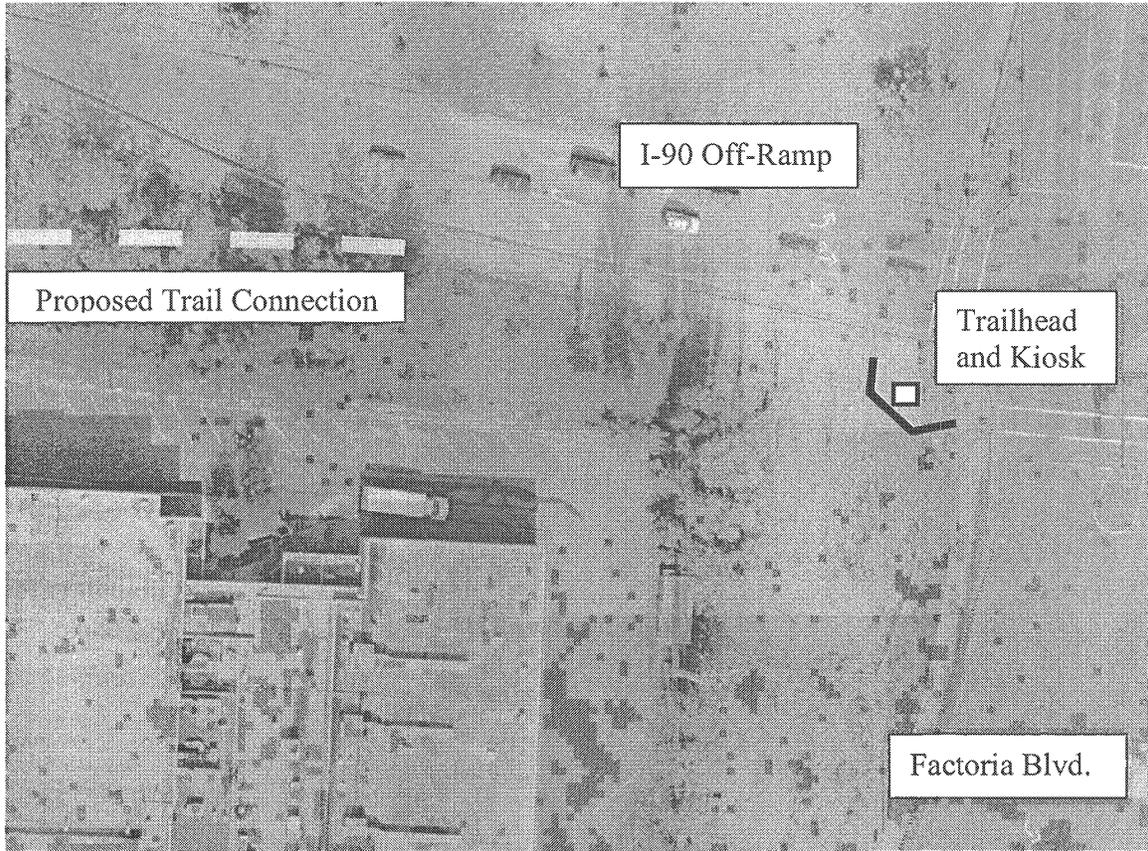
Lease Agreement

City of Bellevue

124th Avenue SE Connection to I-90 Trail

VICINITY and PROJECT MAPS





Note: Trailhead surface will stop east of the gate access to the fenced area and north of signal cabinets.

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8153

A RESOLUTION authorizing execution of a Lease Agreement with the Washington State Department of Transportation, for access to state-owned right of way, to construct and maintain the 124th Avenue SE Connection to the I-90 Trail Project and a trailhead/kiosk near Factoria Boulevard.

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

Section 1. The City Manager or his designee is hereby authorized to execute a Lease Agreement with the Washington State Department of Transportation, for access to state-owned right of way, to construct and maintain the 124th Avenue SE Connection to the I-90 Trail project and a trailhead/kiosk near Factoria Boulevard; a copy of which Lease Agreement has been given Clerk's Receiving No. _____.

Passed by the City Council this _____ day of _____, 2010, and signed in authentication of its passage this _____ day of _____, 2010.

(SEAL)

Don Davidson, DDS
Mayor

Attest:

Myrna L. Basich, City Clerk