



CONTRACTS & AGREEMENTS

ECM INDEX DATA

INTRLOC_00 SOUND TRANSIT

File Location

Vendor Name

SOUND TRANSIT
12/31/2099

Document Type: Interlocal Amendment

Vendor Name: SOUND TRANSIT

PO# Location: INTRLOC-001

Effect Date: 6/10/2013

Term Date: 12/31/2099

CR#: 50218

Related CR#:

Ordinance:

Resolution: 8596

Leg Date: 6/10/2013

Vendor #:

Description: 1ST AMD TO THE TRANSIT WAY AGREEMENT

Notes:

INTRLOC_00
INTERLOCAL AGREEMENTS
12/31/2099
500176854

As 8596

**FIRST AMENDMENT TO
THE TRANSIT WAY AGREEMENT
BETWEEN THE CITY OF BELLEVUE AND THE CENTRAL PUGET SOUND
REGIONAL TRANSIT AUTHORITY**

THIS First Amendment is made by and between the City of Bellevue, a non-charter optional municipal code city ("Bellevue" or "City"), and the Central Puget Sound Regional Transit Authority organized under RCW 81.112 ("Sound Transit"), to the Transit Way Agreement executed between the parties on November 15, 2011 ("Agreement").

RECITALS

WHEREAS, the City and Sound Transit entered into the Agreement to construct, operate and maintain the East Link Project pursuant to the authority granted in City Resolution 8322 and Sound Transit Motion No. M2011-77;

WHEREAS, pursuant to the Umbrella Memorandum of Understanding which was contemporaneously executed between the parties, the Parties engaged in a collaborative process for design and development of the East Link Project, including identifying potential cost savings and alignment modifications;

WHEREAS, on March 26, 2013 Sound Transit completed and published the East Link Extension 2013 SEPA Addendum evaluating the potential modifications;

WHEREAS, on April 22, 2013 the Bellevue City council passed Resolution No. 8576 endorsing modifications for inclusion in the East Link Project and approved the East Link Project alignment and general profile;

WHEREAS, on April 25, 2013 the Sound Transit Board adopted (1) Resolution No. R2013-09 selecting the route, profiles, and station locations for the East Link Project, including the City's endorsed modifications, thereby necessitating amendments to the Transit Way Agreement, and (2) Motion 2013-27 authorizing the chief executive officer to execute amendments to the Transit Way Agreement;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the City and Sound Transit do hereby agree to amend the Transit Way Agreement as described below.

1.0 Exhibits A and B are each replaced in their entirety with the following attached revised exhibits:

Exhibit A – 1 - Transit Way Description

Exhibit B – 1 - General Description of Light Rail Alignment, Station and Facilities Locations

2.0 Unless expressly revised by this First Amendment, all other terms and conditions of the Transit Way Agreement shall remain in effect and unchanged by this First Amendment.

IN WITNESS WHEREOF, each of the Parties hereto has executed this First Amendment to the Transit Way Agreement by having its authorized representative affix her or his name in the appropriate space below:

CENTRAL PUGET SOUND REGIONAL CITY OF BELLEVUE
TRANSIT AUTHORITY

(SOUND TRANSIT)

By: 
Joan M. Earl, Chief Executive Officer

By: 
Brad Miyake, Acting City Manager

Date: 6/21/13

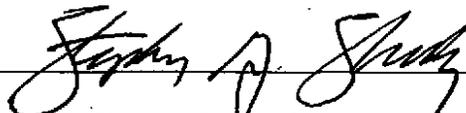
Date: 6-14-13

Authorized by Motion No. M2013-27

Authorized by Resolution No. 8596

Approved as to form:

Approved as to form:

By: 
Stephen G. Sheehy, Legal Counsel

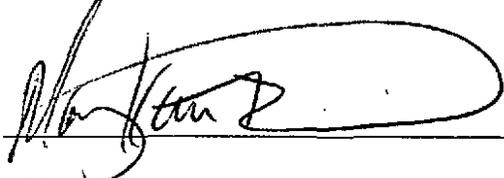
By: 
Mary Kate Berens, Deputy City Attorney

Exhibit A-1

Transit Way Description

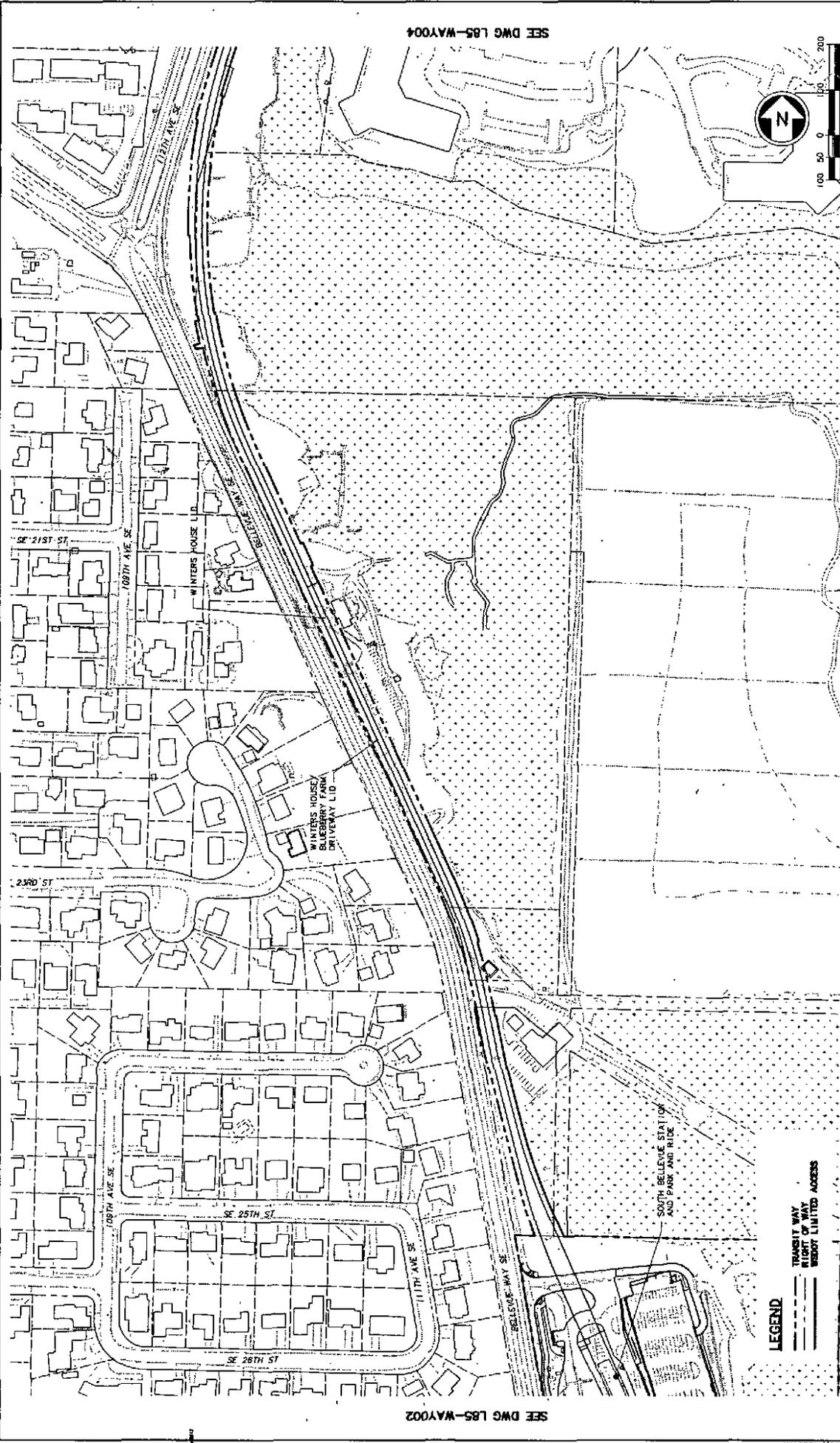
[attached]



LEGEND

TRANSIT WAY
 RIGHT OF WAY
 WISDOT LIMITED ACCESS

Drawing No. LBS-WAY001 Sheet No. 1	
LINK LIGHT RAIL PROJECT EAST CORRIDOR SEGMENT B TRANSIT WAY EXHIBIT (BASED ON CURRENT DESIGN FILES AS OF MAY 15TH, 2013)	
Scale: 1" = 100' File: E20_LBS-WAY001.dwg Project No.	Date: 05/15/13
SEE DWG LBS-WAY002	
Designer By: Drawn By: Checked By: Approved By:	Date: Scale: Project No.: Drawing No.:



SEE DWG L85-WAY004

SEE DWG L85-WAY002

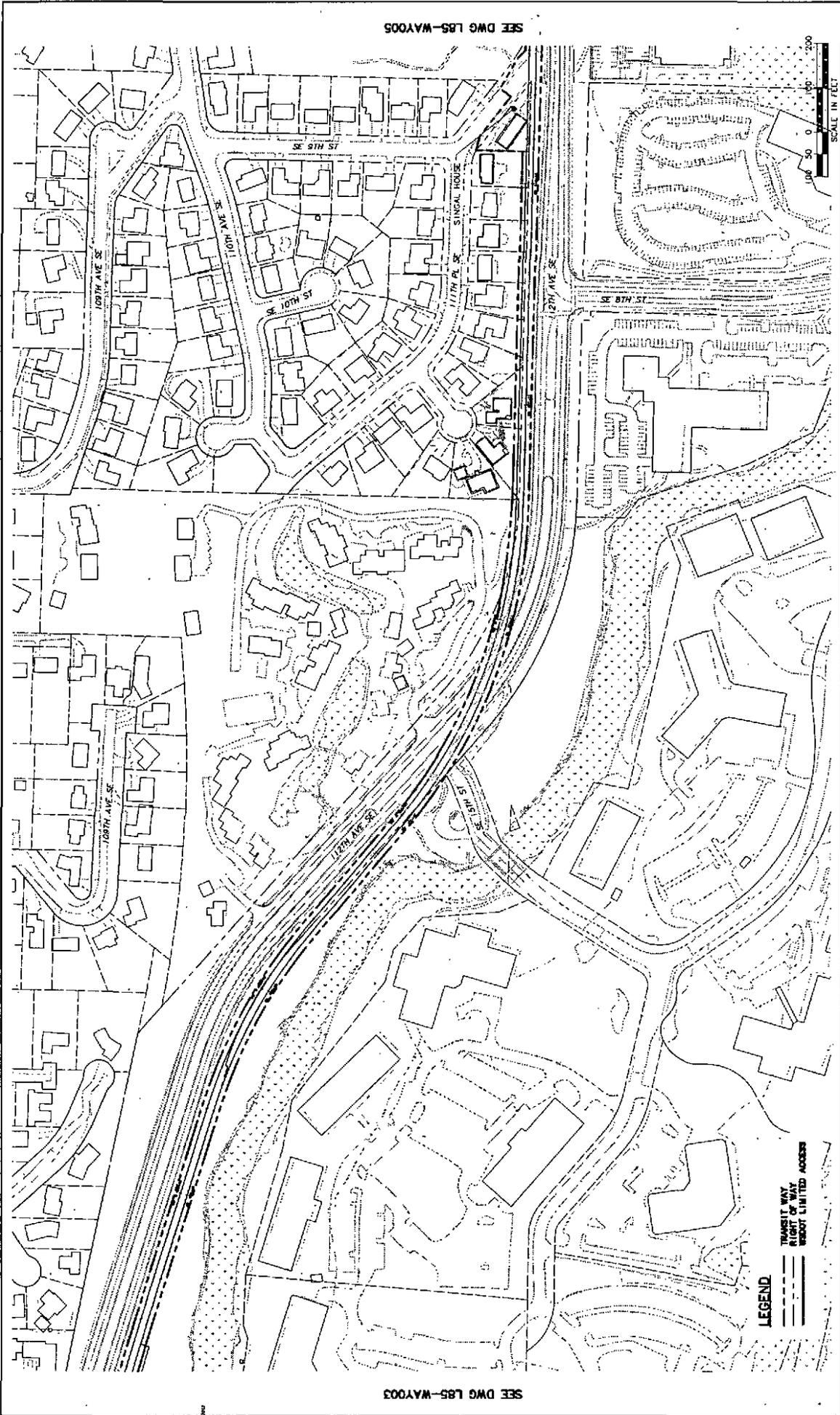


LINK LIGHT RAIL PROJECT EAST CORRIDOR SEGMENT B TRANSIT WAY EXHIBIT (BASED ON CURRENT DESIGN FILES AS OF MAY 15TH, 2013)		Drawing No. L85-WAY003
Scale 1/4" = 100' File Path F:\DWG\L85-WAY003.dwg Drawing No. L85-WAY003	Date 05/15/13	Sheet No. 3 Total No.
Project Name LINK LIGHT RAIL PROJECT		
Project Location SEATTLE, WA		
Project Manager [Blank]		
Designer [Blank]		
Checker [Blank]		
Approver [Blank]		
Date [Blank]		

LEGEND
 - - - - - TRANSIT WAY
 - - - - - WIDTH OF WAY
 - - - - - WESDOT LIMITED ACCESS

PROJECT: [Blank]
 SHEET: [Blank]
 DATE: [Blank]
 DRAWN BY: [Blank]
 CHECKED BY: [Blank]
 APPROVED BY: [Blank]

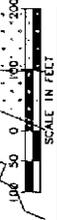
C:\Users\jodrey\documents\project\link\320_L85-WAY003.dwg
 05/23/13 1:19:43 PM
 05/23/13 1:19:43 PM



SEE DWG LBS-WAY005

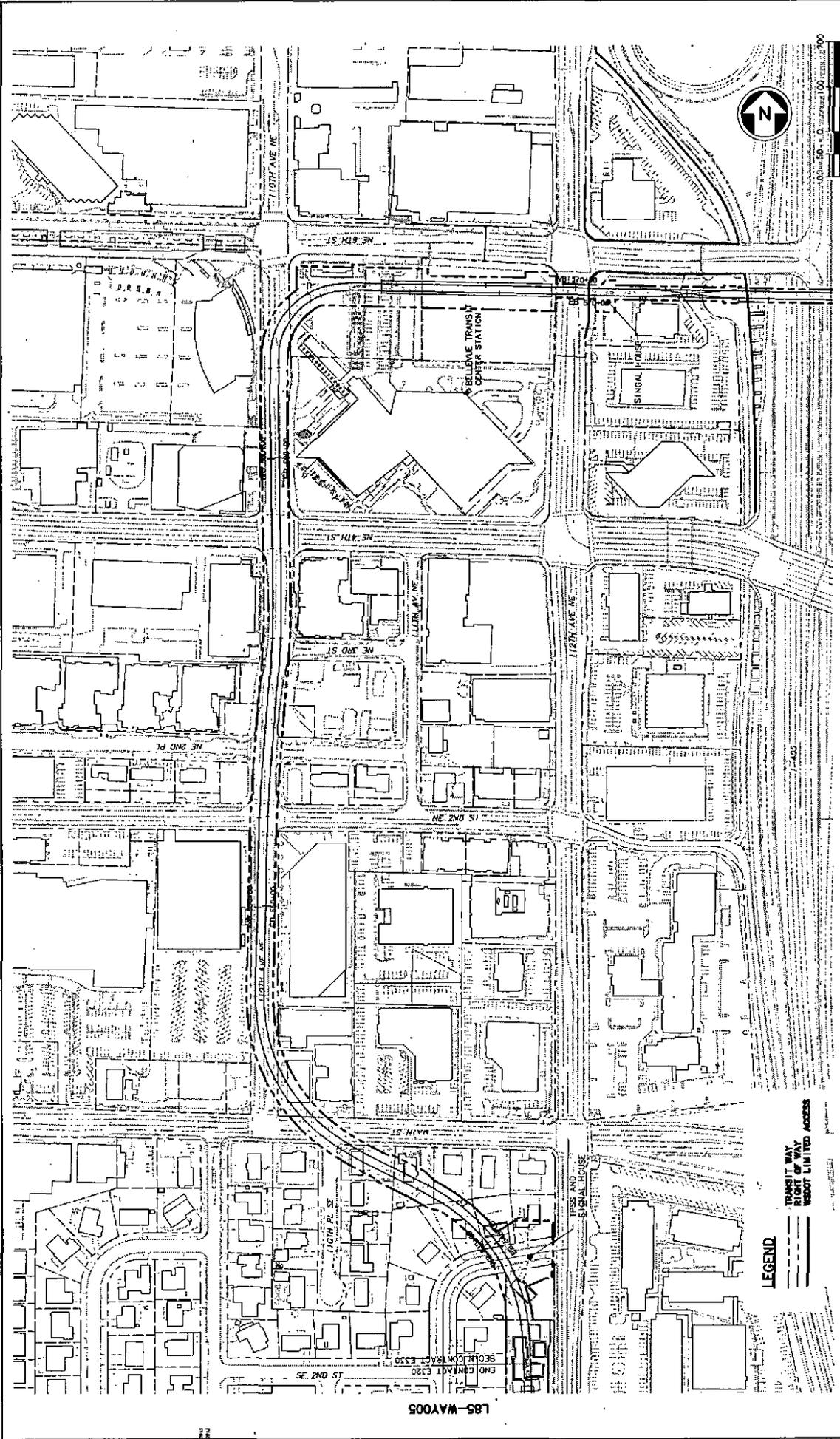
SEE DWG LBS-WAY003

LEGEND
 TRANSIT WAY
 RIGHT OF WAY
 WOOD LIMITED ACCESS

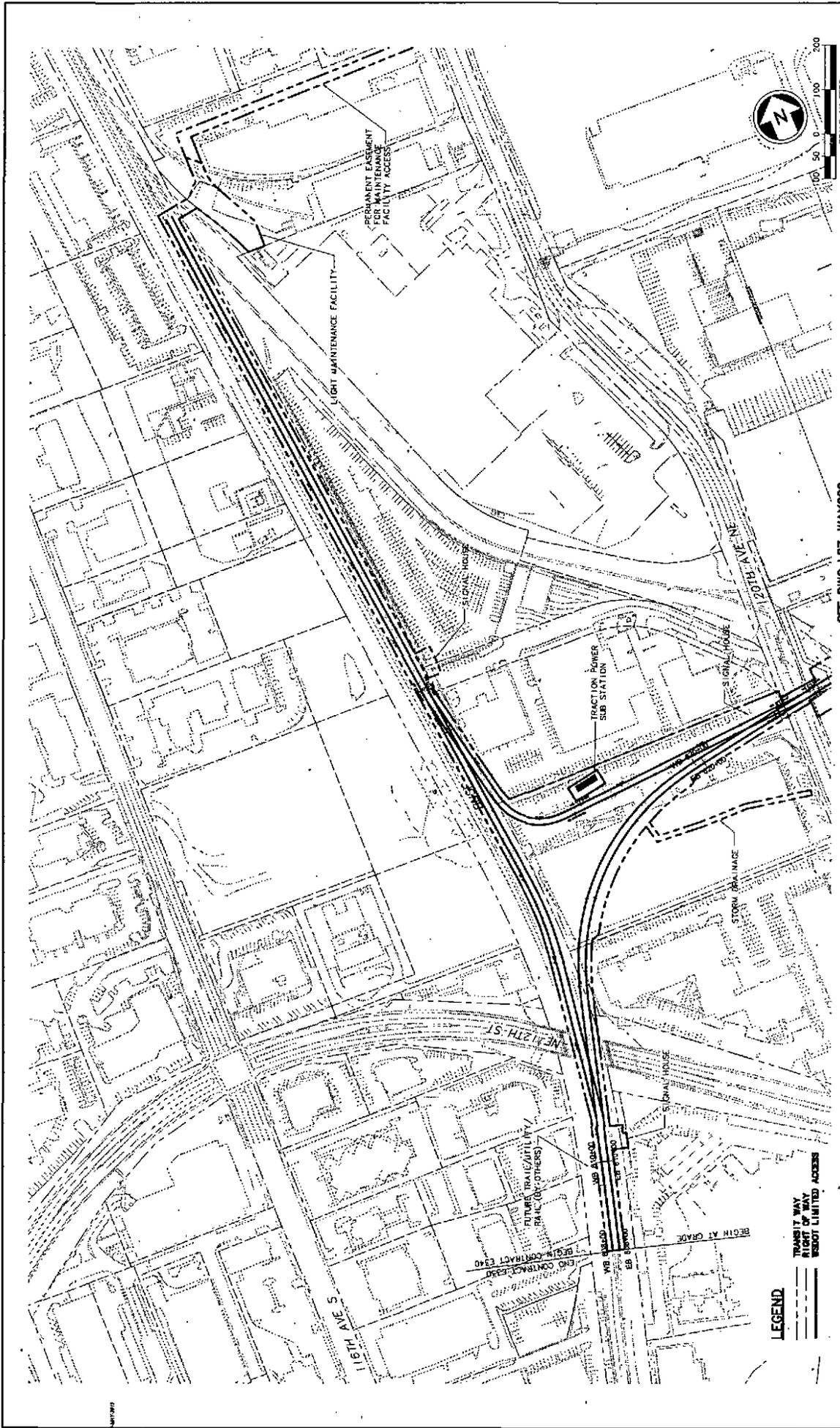


<p>Project: LBS-WAY004-03</p> <p>Sheet No: 4</p>	
<p>LINK LIGHT RAIL PROJECT EAST CORRIDOR SEGMENT B TRANSIT WAY EXHIBIT (BASED ON CURRENT DESIGN FILES AS OF MAY 15TH, 2013)</p>	
<p>Scale: 1/4" = 100'</p> <p>Project: LBS-WAY004-03</p> <p>Sheet No: 4</p> <p>Date: 05/15/13</p>	
<p>Drawn By: [Blank]</p> <p>Checked By: [Blank]</p> <p>Approved By: [Blank]</p>	<p>Project: [Blank]</p> <p>Sheet: [Blank]</p> <p>Date: [Blank]</p>

\\users\bailey\documents\transit\link-east\transitway\320_LBS-WAY004.dwg 05/23/13 16:21:04 (429078)



LEGEND TRANSIT WAY RIGHT OF WAY WOOD LIMITED ACCESS		Scale: 1" = 100' Project: L86-WAY001.dwg Date: 05/15/13
Drawing No. L86-WAY001 Sheet No. 6	SOUND TRANSIT PROJECT: LINK LIGHT RAIL PROJECT EAST CORRIDOR SEGMENT C TRANSIT WAY EXHIBIT (BASED ON CURRENT DESIGN FILES AS OF MAY 15TH, 2013)	Date: 05/15/13
Checked By: _____ Drawn By: _____ Checked By: _____ Approved By: _____	Date: _____ Date: _____ Date: _____ Date: _____	Date: _____ Date: _____ Date: _____ Date: _____



SCALE IN FEET
0 50 100 200

SEE DWG L87-WAY002

LINK LIGHT RAIL PROJECT
EAST CORRIDOR
SEGMENT D
TRANSIT WAY EXHIBIT
(BASED ON CURRENT DESIGN FILES
AS OF MAY 15TH 2013)

Drawing No. **L87-WAY001**

Sheet No. **8**

Scale: 1" = 100'

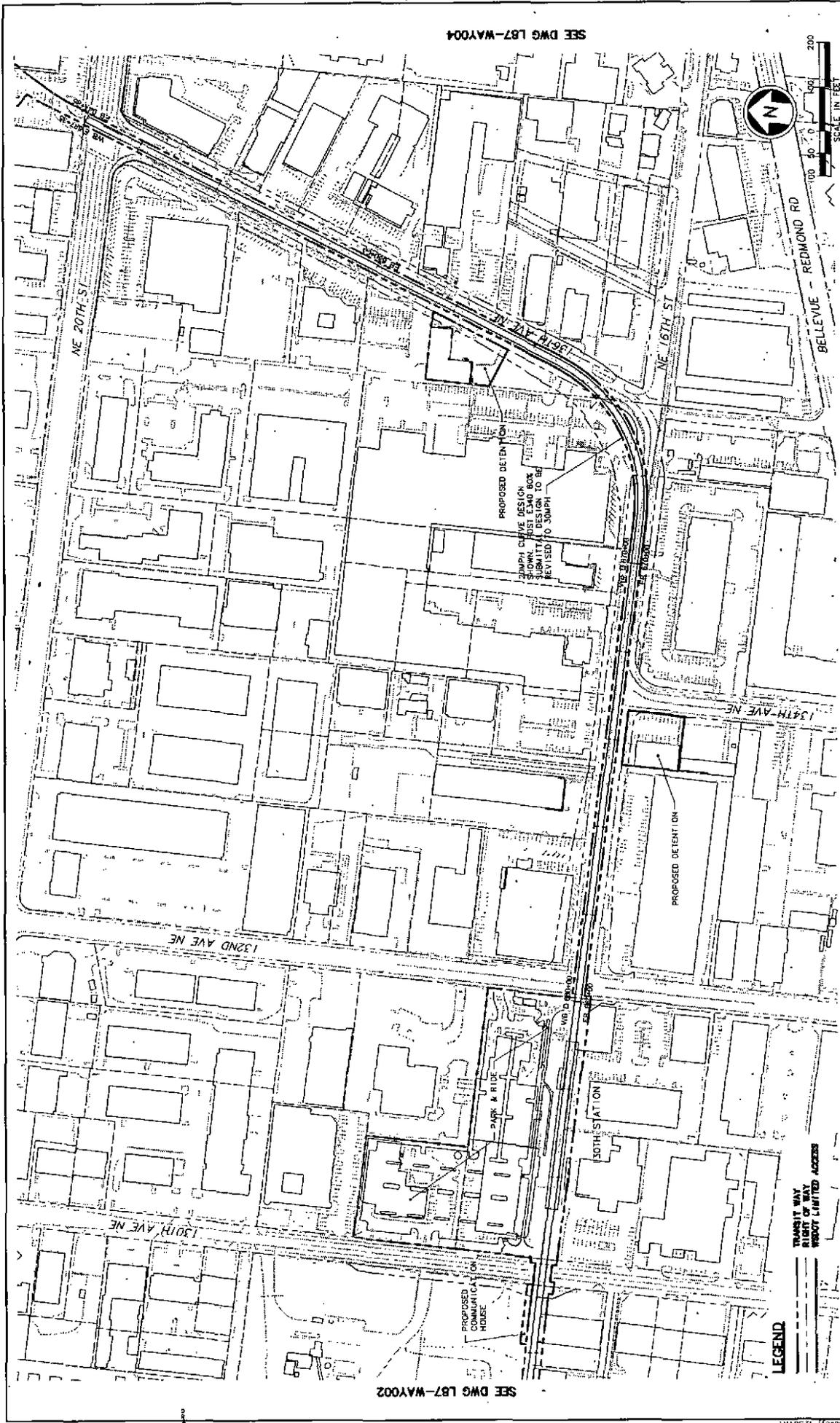
Filename: L87-WAY001.dwg

Project No.:

Date: 05/15/13

SOUNDTRANSIT

Designed By	Checked By	Checked By	Approved By	Date	Remarks



		Drawing No. L87-WAY003 Project No. 10
LINK LIGHT RAIL PROJECT EAST CORRIDOR SEGMENT D TRANSIT WAY EXHIBIT (BASED ON CURRENT DESIGN FILES AS OF MAY 15TH, 2013)		Date: 05/15/13 Project: L87-WAY003 Drawing: 10
Prepared By: _____ Drawn By: _____ Checked By: _____ Approved By: _____	Date: _____ Date: _____ Date: _____ Date: _____	Scale: _____ Title: _____ Author: _____ Designer: _____ Checker: _____ Approver: _____

LEGEND

TRANSIT WAY
 RIGHT OF WAY
 WIDTH LIMITED ACCESS

PROPOSED COMMUNICATION HOUSE

PARK & RIDE

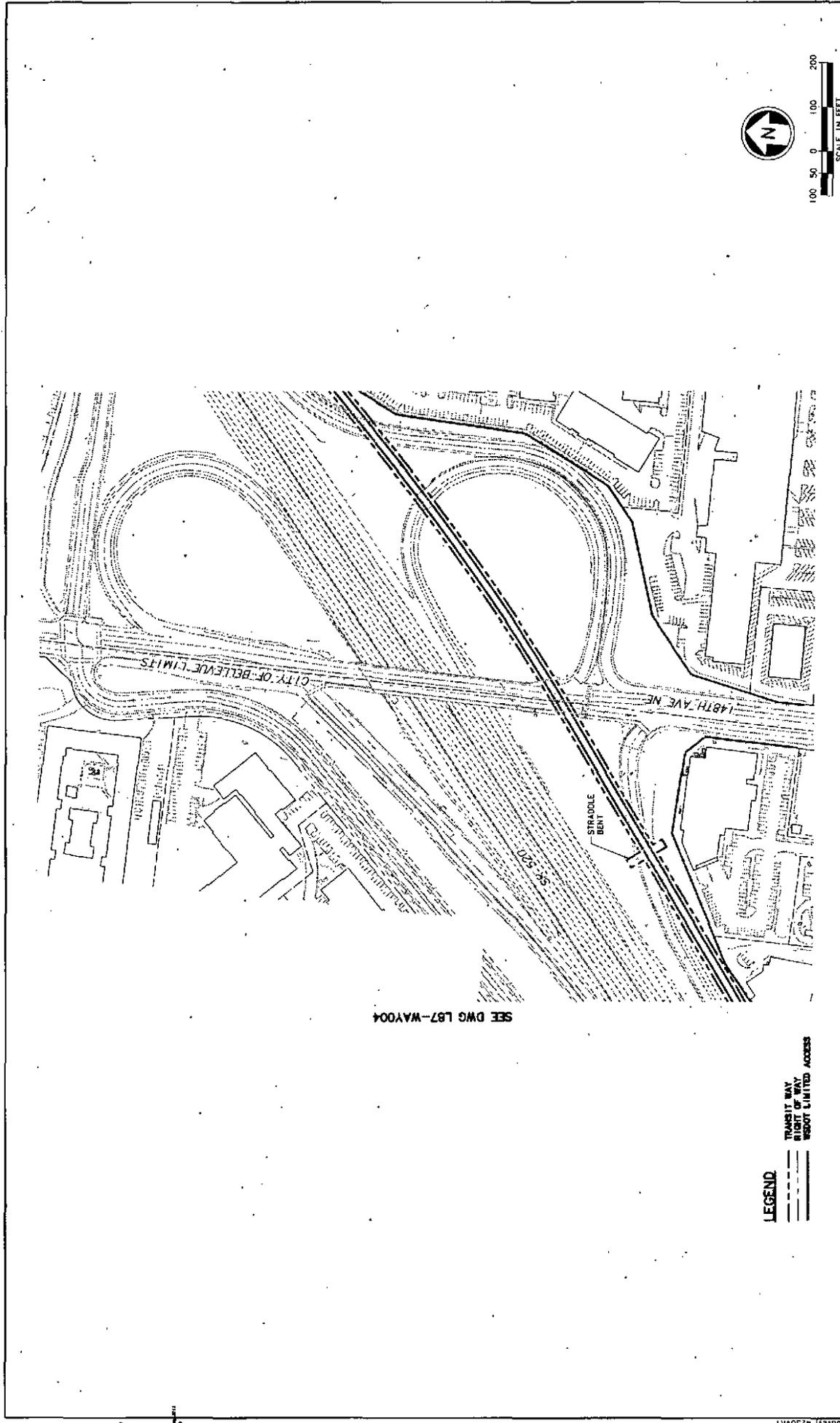
SOUTH STATION

PROPOSED DETENTION

PROPOSED DETENTION
 JUMP CURVE DESIGN
 SHOWN. BEST EASD BOX
 DESIGN TO BE
 REVISED TO JUMP

SEE DWG L87-WAY002

SEE DWG L87-WAY004



Drawing No. LB7-WAY005	
Project Name LINK LIGHT RAIL PROJECT EAST CORRIDOR SEGMENT D	
Exhibit Title TRANSIT WAY EXHIBIT (BASED ON CURRENT DESIGN FILES AS OF MAY 15TH, 2013)	
Sheet No. 12	Total Sheets 12
Date 05/15/13	Scale 1/4" = 100'
Project No. EMAD_LB7_WAY005	Drawing No. 05/15/13
Prepared By: _____ Checked By: _____ Approved By: _____	
Date: _____	Date: _____
Station: _____	Station: _____
City: _____	City: _____
State: _____	State: _____
Country: _____	Country: _____

Exhibit B - 1: General Description of Light Rail Alignment, Station Locations, and Facilities

Segment B: South Bellevue (I-90 to SE 6th Street)

Route:

Elevated Structure from I-90 to north of the South Bellevue Park-and-Ride on the east side of S Bellevue Way

Retained cut from north of the South Bellevue Park-and-Ride to the intersection of S Bellevue Way and 112th Ave SE on the east side of S Bellevue Way and 112th Ave SE. The retained cut is lidded in front of the Winters House and at the driveway to the Winters House parking lot

At-grade from the intersection of S Bellevue Way and 112th Ave SE to SE 6th Street crossing from the east side of 112th Ave SE to the west side at SE 15th Street with 112th Ave SE raised over the light rail crossing.

Station/Facility Locations:

South Bellevue Station (elevated) and park-and-ride structure at the South Bellevue Park-and-Ride

Traction power substation and signal house on east side of Bellevue Way at SE 30th Street

Segment C: Downtown Bellevue (SE 6th Street to BNSF Railway Corridor)

Route:

At grade on the west side of 112th Ave SE from SE 6th Street with SE 4th closed, except for emergency access, turning west onto the south side of Main Street with SE 1st closed

Tunnel portal on south side of Main Street, west of 112th Ave SE

Tunnel from west of 112th Ave SE to NE 6th Street under Main Street and 110th Ave NE

Tunnel portal on the south side of NE 6th Street, west of 112th Ave NE

Elevated structure on the south side of NE 6th Street from west of 112th Ave NE to the BNSF Railway Corridor, crossing over 112th Ave NE, I-405, 116th Ave NE, the future extension of NE 6th Street and NE 8th Street

Station/Facility Locations:

East Main Station (at-grade) on the west side of 112th Ave SE south of Main Street

Bellevue Transit Center Station on the south side of NE 6th Street with entrances near 110th Avenue NE and from the NE 6th street right-of-way near 112th Avenue NE

Hospital Station (elevated) in the BNSF Railway Corridor north of NE 8th Street

Traction power substation and signal house near the southwest corner of Main Street and 112th Ave SE

Segment D: Downtown Bellevue to Overlake Transit Center (BNSF Railway Corridor to 148th Ave NE)

Route:

Elevated Structure from the Hospital Station, transitioning to at-grade in the BNSF Railway Corridor

Retained cut from east of the BNSF Railway Corridor to west of the West Tributary of Kelsey Creek, crossing under 120th Ave NE and 124th Ave NE

Elevated from east of 124th Ave NE to west of 130th Ave NE, crossing over the West Tributary of Kelsey Creek

At-grade from west of 130th Ave NE to SR 520 west of 140th Ave NE, at-grade crossings at 130th Ave NE, 132nd Ave NE, 134th Ave NE, 136th Ave NE, and NE 20th Ave

At-grade and Elevated along the south side of SR 520 from west of 140th Ave NE to 148th Ave NE (Bellevue City Limits).

Station/Facility Locations:

120th Station (retained cut, subject to funding agreement with the property owner) between 120th Ave NE and 124th Ave NE

130th Station (at-grade) and park-and-ride lot between 130th Ave NE and 132nd Ave NE

Traction power substation and signal house near the 120th Station

Traction power substation underneath the elevated guideway at NE 24th Street

Storage tracks for trains in the former BNSF corridor north of NE 12th Street with a light maintenance facility on the east side of the former BNSF corridor

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8596

A RESOLUTION authorizing execution of the First Amendment to Umbrella Memorandum of Understanding with Sound Transit and of the First Amendment to Transit Way Agreement, reflecting modifications to the East Link project alignment resulting from the City of Bellevue and Sound Transit collaborative cost savings efforts.

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

Section 1. The Acting City Manager or his designee is hereby authorized to execute the First Amendment to the Umbrella Memorandum of Understanding for Intergovernmental Cooperation between the City of Bellevue and the Central Puget Sound Regional Transit Authority, a copy of which Amendment has been given Clerk's Receiving No. 50217.

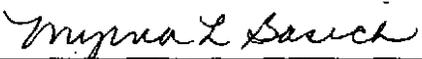
Section 2. The Acting City Manager or his designee is hereby authorized to execute the First Amendment to the Transit Way Agreement between the City of Bellevue and the Central Puget Sound Regional Transit Authority, a copy of which Amendment has been given Clerk's Receiving No. 50218.

Passed by the City Council this 10th day of June, 2013, and signed in authentication of its passage this 10th day of June, 2013.

(SEAL)


Conrad Lee, Mayor

Attest:


Myrna L. Basich, City Clerk

**City of
Bellevue**



Memorandum

Date: June 10, 2013

To: Mayor Lee and City Council Members

From: Mary Kate Berens, Deputy City Attorney

RE: Proposed Resolution No. 8596; East Link Umbrella MOU and Transit Way Amendments

At the June 3 Council meeting, Council directed two changes to certain attachments to the First Amendment to Umbrella Memorandum of Understanding (MOU) and First Amendment to Transit Way Agreement with Sound Transit. The agenda memo, Agreements and Resolution from last week's agenda materials are attached, and final action on Resolution 8596 is requested at Council's June 10 meeting.

Sound Transit has agreed to both changes identified by the City Council. Exhibit C to the First Amendment to Umbrella MOU was modified to make clear that East Link includes 6 stations within the City of Bellevue, eliminating the "5 or" language that originally appeared in the Exhibit. Attachment 1 is a revised Exhibit C showing this change. Exhibit B to the Transit Way was modified as included in Council's June 3 desk packet materials, to remove confusion about station entrances to the Downtown tunnel station. Attachment 2 is a revised Exhibit B showing this change.

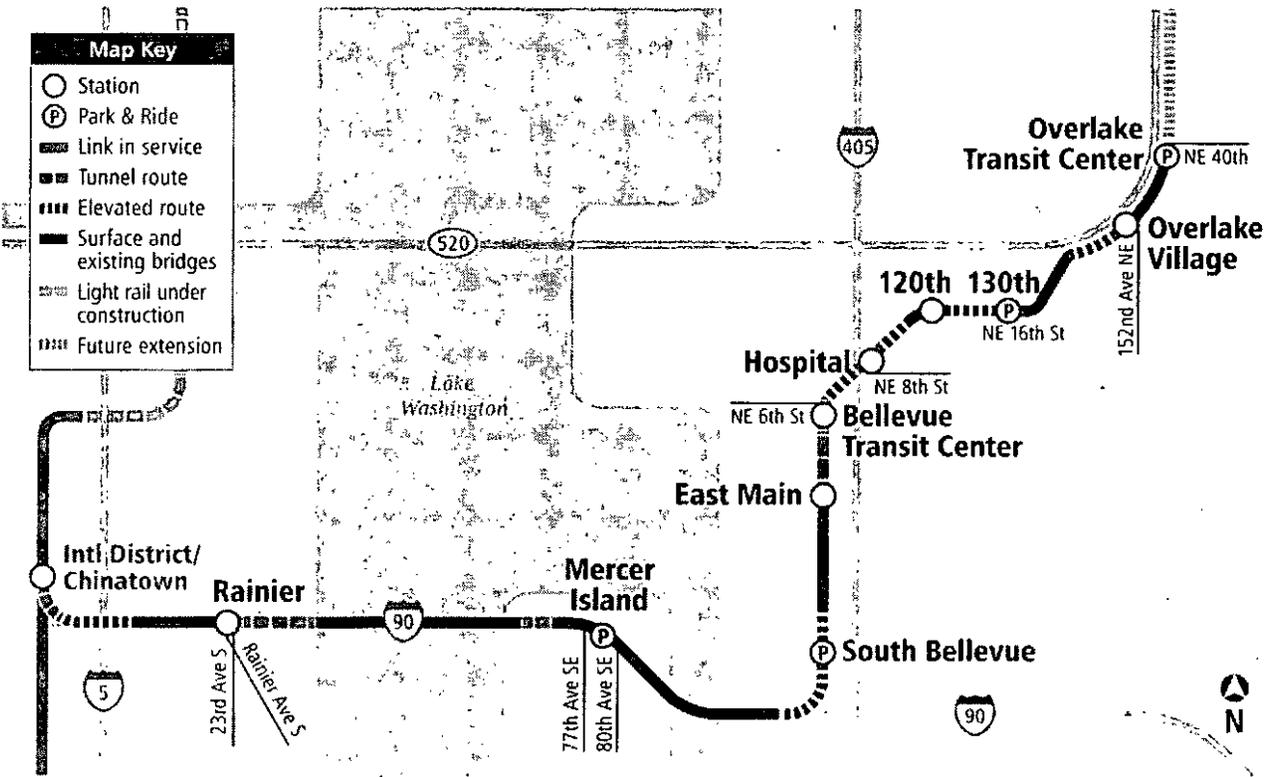
The remainder of the Exhibits, the First Amendment to Umbrella MOU and First Amendment to Transit Way Agreement are unchanged from the materials provided on June 3.

EXHIBIT C: EAST LINK PROJECT DESCRIPTION

The project consists of constructing and operating an approximately 14-mile light rail system including 10 stations known as East Link. This system would connect with Sound Transit's Central Link at the International District/Chinatown Station. It then would travel east across Lake Washington via Interstate 90 (I-90) to Mercer Island, Downtown Bellevue, Bel-Red, and terminate in Overlake. The figure below shows the four segments of the project.

Segments B, C, and a portion of segment D are within the City of Bellevue. The following describes the portions of the project in these segments within the City of Bellevue, beginning at the I-90 interchange with Bellevue Way, traveling into Downtown Bellevue, then proceeding east over I-405 and through the Bel-Red area. The portions of the East Link Project with the City of Bellevue include 5 or 6 stations over approximately 6 miles.

Current designs of the Project are between 15% and 60% complete and the parameters of project mitigation and construction are included in the East Link EIS and Addendum. While detailed design and mitigation will continue through project development, the City of Bellevue and Sound Transit are committed to managing within the project scope, schedule and budget.



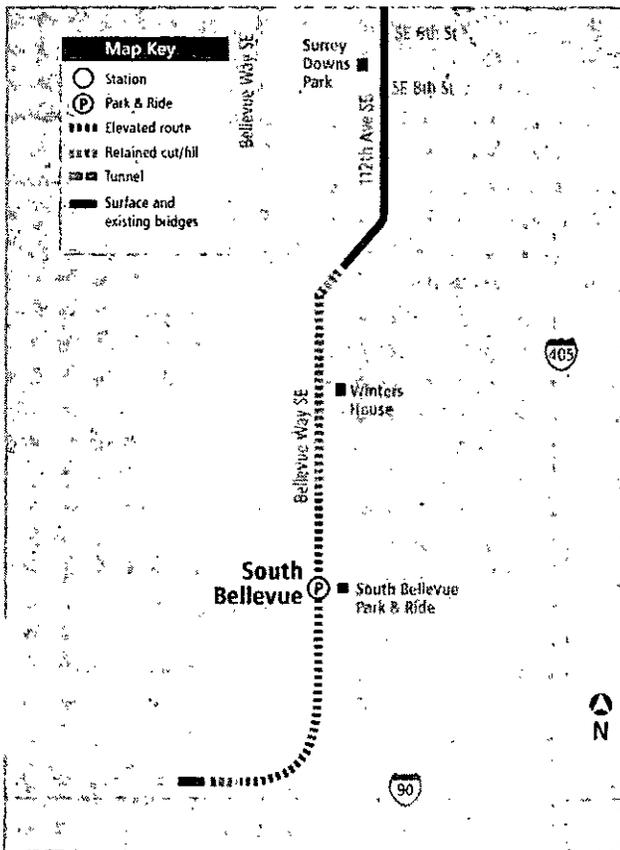
Segment B: South Bellevue

The selected project is elevated in the I-90 center roadway, crosses over westbound I-90, and continues elevated on the east side of Bellevue Way SE to the South Bellevue Station, located at the current South Bellevue Park-and-Ride Lot; this alternative also maintains the westbound and eastbound I-90 HOV direct access ramps.

The South Bellevue Station includes a parking structure with approximately 1,400 stalls on up to five levels built on the site of the existing South Bellevue Park-and-Ride Lot. After leaving the station, the route transitions to a retained cut on the east side of Bellevue Way within Mercer Slough Nature Park to the intersection of Bellevue Way SE and 112th Avenue SE. In front of the Winters House the route is in a lidded retained cut approximately 170 feet long. All traffic impacts on Bellevue Way will be mitigated by adding an HOV lane from the main entrance of the S. Bellevue park-and-ride to I-90 and installing a U-turn at the south entrance to the park-and-ride.

The project transitions from retained cut to at-grade on the east side of 112th Avenue SE until SE 15th where it crosses to the west side. 112th Avenue SE will be raised over the light rail crossing of SE 15th. The project remains at-grade along 112th Avenue SE until reaching Segment C at SE 6th Street.

A traction power substation is located on the east side of Bellevue Way at SE 30th Street, near the Swaylocken boat launch and a cross-over is located south of the South Bellevue Station. All track within Segment B is direct fixation or ballasted.



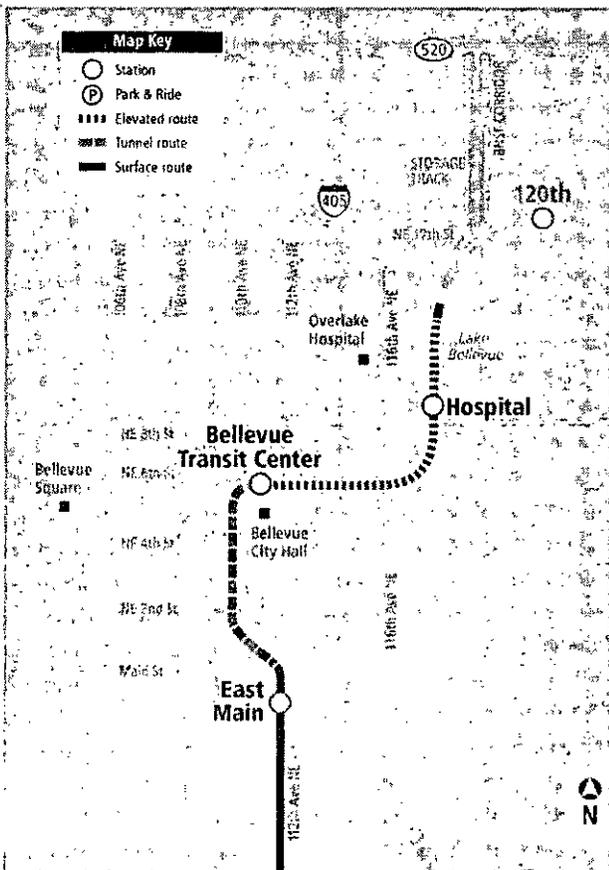
Segment C: Downtown Bellevue

The project travels from Segment B in a tunnel north along 110th Avenue NE, turns east at NE 6th Street, and crosses over I-405 to connect with Segment D.

From south Bellevue, the project travels at-grade on the west side of 112th Avenue SE, serving the East Main Station, just before turning west at Main Street to enter the tunnel portal on Main Street. The project includes modifying SE 4th Street to allow for an at-grade crossing for emergency vehicles only.

From the tunnel portal on Main Street, the project continues on the south side of Main Street before turning north under 110th Avenue NE and then east at NE 6th Street. The project includes the Bellevue Transit Center Station at NE 6th Street with two entrances. From this Station, the project continues east on the south side of NE 6th Street crossing 112th Avenue NE, I-405, and 116th Avenue NE. The project then turns north along the former BNSF Railway corridor to cross NE 8th Street and reach the elevated Hospital Station with entrances on the north side of NE 8th. The project then connects with Segment D from the former BNSF Railway corridor.

There is a traction power substation located near the intersection of Main Street and 112th Avenue SE. Cross-overs are located along 112th Avenue NE and between I-405 and 116th Avenue NE. All track within Segment C is direct fixation or ballasted.



Segment D: Downtown Bellevue to Overlake Transit Center

The project travels parallel to and north of a new NE 15th Street corridor east from the former BNSF Railway corridor in a mixed at-grade, retained-cut, and elevated profile. The project leaves the former BNSF Railway corridor at-grade and then transitions to a retained cut under 120th Avenue NE to a retained-cut 120th Station subject to a funding agreement with the property owner. After leaving the 120th Station, the route continues in a retained cut under 124th Avenue NE before transitioning to an elevated profile over the West Tributary of Kelsey Creek and then returns to the at-grade 130th Station. The 130th Station would include a new 300 stall park-and-ride lot adjacent to and immediately north of the station. The project continues at-grade on NE 16th Street, turns at 136th Place NE, and crosses NE 20th Street at-grade. NE 16th and 136th will be widened to create a median for light rail within the footprint described in the preliminary engineering plans. From NE 20th, the project transitions to an elevated structure along the south side of SR 520. The project then continues northeast across the Bellevue City Limits at 148th Ave NE and into the City of Redmond. Storage tracks would be in the former BNSF Railway corridor north of the Segment C/D break with lead tracks, operator report and light maintenance facilities adjacent to the corridor.

There are two traction power substations in the Bel-Red corridor: one near the 120th Station and one located under the elevated guideway at NE 24th Street. A cross-over is located between 124th and 130th Avenues NE. Other than embedded track between 130th and 136th Avenues NE, all track within Segment D is direct fixation or ballasted.

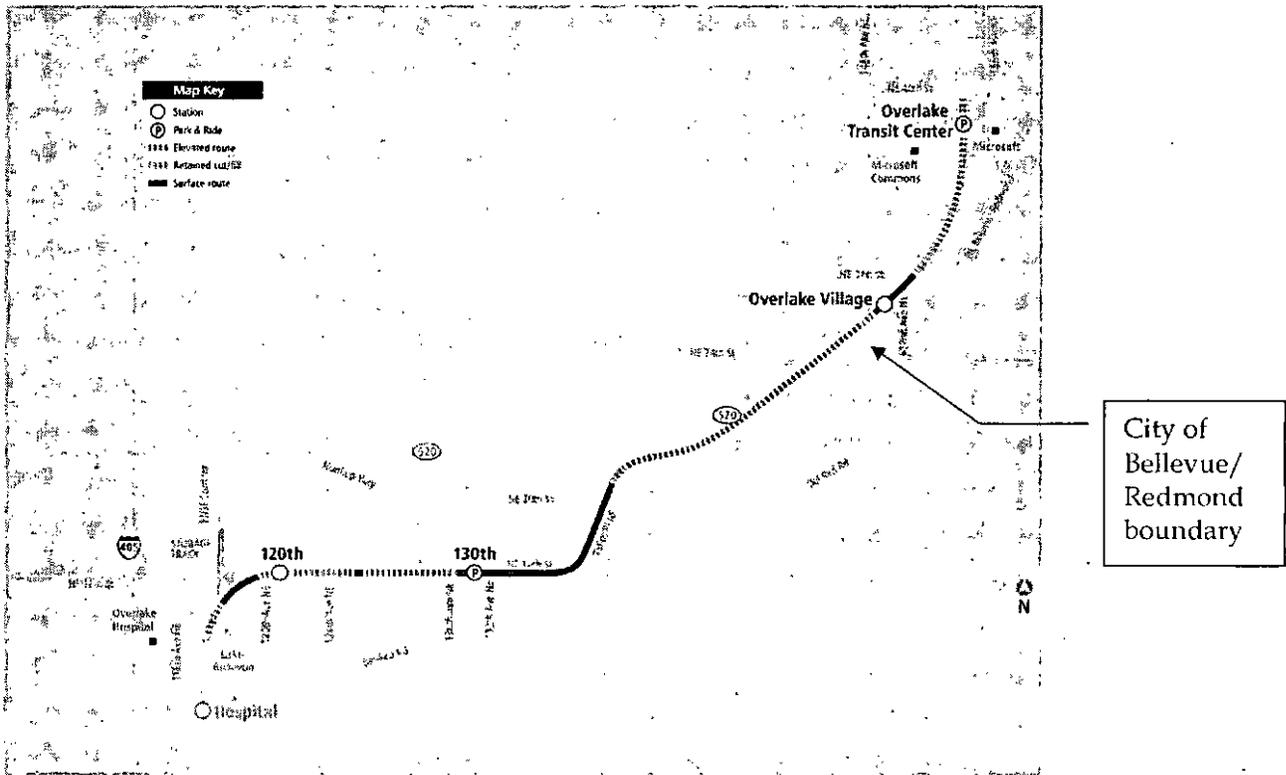


Exhibit B: General Description of Light Rail Alignment, Station Locations, and Facilities

Segment B: South Bellevue (I-90 to SE 6th Street)

Route:

Elevated Structure from I-90 to north of the South Bellevue Park-and-Ride on the east side of S Bellevue Way

Retained cut from north of the South Bellevue Park-and-Ride to the intersection of S Bellevue Way and 112th Ave SE on the east side of S Bellevue Way and 112th Ave SE. The retained cut is lidded in front of the Winters House and at the driveway to the Winters House parking lot

At-grade from the intersection of S Bellevue Way and 112th Ave SE to SE 6th Street crossing from the east side of 112th Ave SE to the west side at SE 15th Street with 112th Ave SE raised over the light rail crossing.

Station/Facility Locations:

South Bellevue Station (elevated) and park-and-ride structure at the South Bellevue Park-and-Ride

Traction power substation and signal house on east side of Bellevue Way at SE 30th Street

Segment C: Downtown Bellevue (SE 6th Street to BNSF Railway Corridor)

Route:

At grade on the west side of 112th Ave SE from SE 6th Street with SE 4th closed, except for emergency access, turning west onto the south side of Main Street with SE 1st closed

Tunnel portal on south side of Main Street, west of 112th Ave SE

Tunnel from west of 112th Ave SE to NE 6th Street under Main Street and 110th Ave NE

Tunnel portal on the southside of NE 6th Street, west of 112th Ave NE

Elevated structure on the southside of NE 6th from west of 112th Ave NE to the BNSF Railway Corridor, crossing over 112th Ave NE, I-405, 116th Ave NE, the future extension of NE 6th Street and NE 8th Street

Station/Facility Locations:

East Main Station (at-grade) on the west side of 112th Ave SE south of Main Street

Bellevue Transit Center Station on the south side of NE 6th Street with entrances on the City Hall property near 110th Avenue NE and from the NE 6th street right-of-way near 112th Avenue NE.

Hospital Station (elevated) in the BNSF Railway Corridor north of NE 8th Street

Traction power substation and signal house near the southwest corner of Main Street and 112th Ave SE

Segment D: Downtown Bellevue to Overlake Transit Center (BNSF Railway Corridor to 148th Ave NE)

Route:

Elevated Structure from the Hospital Station, transitioning to at-grade in the BNSF Railway Corridor

Retained cut from east of the BNSF Railway Corridor to west of the West Tributary of Kelsey Creek, crossing under 120th Ave NE and 124th Ave NE

Elevated from east of 124th Ave NE to west of 130th Ave NE, crossing over the West Tributary of Kelsey Creek

At-grade from west of 130th Ave NE to SR 520 west of 140th Ave NE, at-grade crossings at 130th Ave NE, 132nd Ave NE, 134th Ave NE, 136th Ave NE, and NE 20th Ave

At-grade and Elevated along the south side of SR 520 from west of 140th Ave NE to 148th Ave NE (Bellevue City Limits).

Station/Facility Locations:

120th Station (retained cut, subject to funding agreement with the property owner) between 120th Ave NE and 124th Ave NE.

130th Station (at-grade) and park-and-ride lot between 130th Ave NE and 132nd Ave NE

Traction power substation and signal house near the 120th Station

Traction power substation underneath the elevated guideway at NE 24th Street

Storage tracks for trains in the former BNSF corridor north of NE 12th Street with a light maintenance facility on the east side of the former BNSF corridor

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8596 authorizing execution of the First Amendment to Umbrella Memorandum of Understanding with Sound Transit and of the First Amendment to Transit Way Agreement, reflecting modifications to the East Link project alignment resulting from the City of Bellevue and Sound Transit collaborative cost savings efforts.

STAFF CONTACTS

Mary Kate Berens, 452-4616

Deputy City Attorney, City Attorney's Office

Dave Berg, 452-6468

Director, Transportation Department

Mike Brennan, 452-4113

Director, Development Services Department

Chris Salomone, 452-6191

Director, Planning & Community Development Department

FISCAL IMPACT:

The proposed amendments do not have a direct fiscal impact on the City. These amendments reflect the cost savings alignment modifications that were accepted by the City and Sound Transit Board in April 2013. Overall project cost savings are expected to result from these changes to the alignment, which may reduce the City's overall contributions to the East Link project under the terms of the Umbrella Memorandum of Understanding (Umbrella MOU) with Sound Transit. A final determination of the City's "contingent contribution" under the terms of the Umbrella MOU is anticipated in the first quarter of 2014, following Sound Transit's updated East Link baseline budget.

POLICY ISSUES

Adoption of the proposed resolution implements policy decisions of the City Council following extensive public engagement in the collaborative cost savings effort undertaken by the City and Sound Transit from early 2012 through April 2013.

BACKGROUND

The Council previously approved Resolution No. 8576 (included as Attachment A) which established City approval of the following alignment options:

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

- 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.

The proposed amendments are necessary to update the project descriptions in the Umbrella Memorandum of Understanding and Transit Way Agreements to reflect these cost savings alignment decisions. A brief description of each amendment follows:

First Amendment to the Umbrella MOU (Attachment B):

The First Amendment to the Umbrella MOU includes the following provisions:

- Change in definition of "portal to portal" costs to reflect the move of the station and station finishes from underground, to above-grade on NE 6th. This change clarifies to what portion of the East Link project the City's Contingent Contribution, if any remains after the Project Baseline Budget is completed and if the City and Sound Transit confirm the MOU, would apply. The cost savings estimates provided to the Council throughout the cost savings effort are consistent with this change;
- Elimination of Section 5, which dealt with "City Requested Modifications" as this process was completed with the cost savings effort; and
- Revision of the Project Description, Exhibit C. Exhibit C is provided in strikedraft to show changes from the original version adopted with the Umbrella MOU in November 2011, which are generally described as:
 - Updating references to more accurately reflect the state of design and environmental review (ex. Page 1 of Exhibit C adds a reference to the EIS Addendum prepared as part of the cost savings effort);
 - Eliminating references to specific segment names and identifiers in favor of references to "the project" (ex. Page 2 of Exhibit C eliminates references to "B2M" and "C9T");
 - Reflecting the alignment changes approved by the City Council and Sound Transit Board in April 2013;
 - Updating graphics to reflect the alignment changes approved by the City Council and Sound Transit Board in April 2013 (note that Sound Transit has changed its graphics software since the Umbrella MOU, so the graphics have a different look than those included in the original Umbrella MOU project description)

First Amendment to Transit Way Agreement (Attachment 2):

The First Amendment to Transit Way Agreement includes the following provisions:

- Replacing Exhibit A to the original Transit Way Agreement to reflect the alignment changes approved by the Council and Sound Transit Board in April 2013 (note, this Exhibit A is available in the Council Office and consists of a number of oversize plan sheets);
- Replacing Exhibit B to the original Transit Way Agreement to update the general project description to reflect the alignment changes approved by the Council and Sound Transit Board in April 2013. These changes are consistent with the project description in Exhibit C to the Umbrella MOU.

ALTERNATIVES

1. Adopt Resolution No. 8596 authorizing execution of the First Amendment to Umbrella Memorandum of Understanding with Sound Transit and of the First Amendment to Transit Way Agreement, reflecting modifications to the East Link project alignment resulting from the City of Bellevue and Sound Transit collaborative cost savings efforts;
2. Provide alternative direction to staff.

RECOMMENDATION

1. Adopt Resolution No. 8596 authorizing execution of the First Amendment to Umbrella Memorandum of Understanding with Sound Transit and of the First Amendment to Transit Way Agreement, reflecting modifications to the East Link project alignment resulting from the City of Bellevue and Sound Transit collaborative cost savings efforts.

MOTIONS

1. Adopt Resolution No. 8596 authorizing execution of the First Amendment to Umbrella Memorandum of Understanding with Sound Transit and of the First Amendment to Transit Way Agreement, reflecting modifications to the East Link project alignment resulting from the City of Bellevue and Sound Transit collaborative cost savings efforts.

ATTACHMENTS

- A. Resolution No. 8576
 - B. First Amendment to Umbrella Memorandum of Understanding
 - C. First Amendment to Transit Way Agreement
- Proposed Resolution No. 8596

AVAILABLE IN COUNCIL OFFICE

Plans referenced as Attachment A to Transit Way Agreement

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

2839-RES
04/22/13

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