

SOUND TRANSIT

MOTION NO. M2009-77

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a funding and cooperative agreement with the City of Seattle for the First Hill Link Connector Project.

Background:

On January 26, 2006, the Sound Transit Board authorized staff to proceed with the second phase of the First Hill Work Program including technical work on a potential First Hill transit connector (streetcar and bus) and improvements in the Broadway and Madison corridors. Additionally, this effort included conceptual engineering (five percent design completion), preparation of cost estimates, and consideration of environmental issues. The purpose of the study was to further evaluate the feasibility of improved regional transit access to the First Hill area. The Board also confirmed that no further work would be performed on the previous First Hill Link light rail station or alternative light rail station sites serving the area. The First Hill Work Program was completed on April 17, 2007 by Sound Transit staff, in cooperation with City of Seattle and King County Metro staff, and with the support of the ST2 engineering design team.

The Sound Transit Board of Directors adopted ST2 on July 24, 2008. The Link Light Rail Program in ST2 includes capital and operating contributions to "a new streetcar connector line between downtown Seattle, First Hill, and the future Capitol Hill light rail station." The adopted ST2 plan states that the new connector will also provide convenient access to the Sounder commuter rail system and regional bus service.

The proposed action is needed because the City of Seattle will construct and operate the streetcar that is being funded by Sound Transit. The City has experience in the design, construction and operation of modern streetcar connectors. Recently, the City completed the design and construction of the South Lake Union line of the Seattle Streetcar System and entered into an intergovernmental agreement with King County for Seattle Streetcar Operations and Maintenance.

The proposed agreement defines the First Hill Streetcar service plan as operating between the Chinatown/International District Station and the Capitol Hill light rail station every ten minutes during peak periods and every 20 minutes during off peak. Sound Transit will retain the fare box revenues unless the City contributes to the cost of operations and maintenance, then revenues can be proportionally shared.

Under the proposed agreement Sound Transit can assume operations of the First Hill Streetcar if the City and King County Metro cannot reach an agreement for initial operation or after the initial five years of operation by Metro King County. Further, the proposed agreement will remain in effect through December 31, 2023, unless otherwise terminated with the provisions of the agreement.

Under the proposed agreement the City of Seattle's contributions and obligations include:

- Management and implementation of all actions required to design construct, equip and operate the First Hill Streetcar Project, including without limitation the environmental review and mitigation, hazardous waste removal or mitigation, coordination of all required approvals and permits, acquisition of right of way, purchase of streetcar vehicles, community involvement and construction management.
- Drafting a community outreach plan for project planning, design and construction for Sound Transit's review and concurrence.
- Conduct the environmental review of the project with Sound Transit as co-lead and provide Sound Transit with the opportunity for design review and coordination through construction.

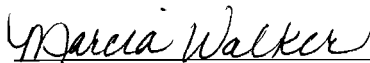
- Ensuring that the First Hill Streetcar Project will not conflict with or interfere with the design, construction and operation of Sound Transit's Capitol Hill Station and University Link line.
- Certification by the City's Director of Transportation that the project will meet both the capital and the operating requirements of the scope contained in the agreement prior to putting the project out to bid or awarding projects.
- Paying for any cost overruns beyond Sound Transit's maximum funding obligation, less Sound Transit costs, that may occur during construction.
- If the City cannot provide the minimum level of service agreed to in the agreement, then Sound Transit may request the transfer of the system to Sound Transit.
- Ensuring acknowledgement of Sound Transit funds for the project in any advertisements and postings and incorporating Sound Transit's logo in the graphic identity of the vehicles, facilities and collateral and web-based materials.
- Ownership of the project facilities and vehicles. The City will provide customer service for the Streetcar.
- Enforcement of fares consistent with Sound Transit's fare enforcement policy.

Motion:

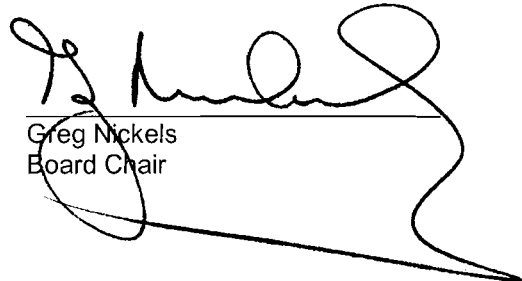
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a funding and cooperative agreement with the City of Seattle for the First Hill Link Connector Project.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 24, 2009.

ATTEST:



Marcia Walker
Board Administrator



Greg Nickels
Board Chair