



Motion No. M2022-91

Amendment to the Right of Use Agreement with the City of Tacoma

Meeting:	Date:	Type of action:	Staff contact:
Rider Experience and Operations Committee	12/01/2022	Recommend to Board	Ron Lewis, DECM Executive Director
Board	12/15/2022	Final action	Robert Blackburn, Tacoma Link Operations Director Madeleine Greathouse, Project Director Cristina Fonseca, Project Manager

Proposed action

Authorizes the chief executive officer to execute an amendment to the Tacoma Link Right of Use Agreement with the City of Tacoma for the Hilltop Tacoma Link Extension.

Key features summary

- The Right of Use Agreement for Tacoma Link is an existing transit way agreement with the City of Tacoma that was executed in April 2001 and subsequently amended in December 2011. The agreement grants Sound Transit non-exclusive right of use to construct, operate, own, and maintain the Tacoma Link rail system.
- This amendment expands the right-of-way area granting Sound Transit a right of use for the Hilltop Tacoma Link Extension. The Right of Use Agreement is granted at no cost to Sound Transit and remains in effect until April 2067.
- The amendment also allocates rights, duties and responsibilities to the City and Sound Transit regarding access to the City's 24-inch stormwater main in the center of Stadium Way and work on the Schuster Parkway retaining wall, as well as planned and unplanned work to maintain, repair or replace the portion (Stadium Way, south of Division Avenue) of the stormwater main within the area impacted by Sound Transit's Overhead Catenary System (OCS).

Background

The Hilltop Tacoma Link Extension is a 2.4 mile extension of light rail from the Theater District in downtown to the Hilltop neighborhood in Tacoma. The extension will travel at-grade, in-street with traffic along Stadium Way, North 1st Street, Division Avenue, and Martin Luther King Jr. Way. The project includes seven new stations, relocates the Theater District Station, expands the existing Tacoma Operations and Maintenance Facility (OMF), and provides for five additional light rail vehicles.

The City of Tacoma reconstructed Stadium Way in 2012, before the start of design of Hilltop Tacoma Link. The City's project included the relocation of a 24-inch stormwater main to the center of Stadium Way and work on the Schuster Parkway retaining wall.

The design requirements for Hilltop Tacoma Link identified the placement of OCS poles on sidewalks in City right-of-way. This proved feasible on all of the Hilltop Tacoma Link Extension except for a short

distance on Stadium Way where the foundations required for the OCS poles, in area of the Schuster Parkway retaining wall, required significant structural redesign.

In an effort to reduce costs associated with placing poles in a geotechnical sensitive area, the City and Sound Transit agreed to placement of seven poles in the median of Stadium Way on shallow spread footings to avoid conflict with the stormwater main below. This amendment allows for maintenance of the City’s stormwater main by City personnel so as not to adversely impact Hilltop Tacoma Link operations. Revenue service for the extension is forecast for Q1 2023.

Project status

○					
Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Final Design	Construction

Projected completion date for Construction: Q4 2022

Project scope, schedule and budget summary are located on page 62 of the September 2022 Agency Progress Report.

Fiscal information

There is no fiscal impact associated with this proposed action.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

Not applicable to this action.

Time constraints

A one-month delay could significantly affect the project because this amendment must be executed prior to the HTLE Project Pre-Revenue Service phase, which is anticipated in January 2023.

Prior Board/Committee actions

Motion No. M2017-32: Authorized the chief executive officer to execute an amendment to the Tacoma Link Right of Use Agreement with the City of Tacoma for the Tacoma Link Expansion.

Motion No. M2011-52: Authorized the chief executive officer to both execute an Operating Agreement and amend the Right of Use Agreement with the City of Tacoma to add a Tacoma Link station located between the Convention Center Station and the Theatre District Station.

Motion No. M2000-127: Authorized the Executive Director to execute an agreement with the City of Tacoma granting Sound Transit the right to use Tacoma public rights of way for the construction, operation and maintenance of the Link Light Rail system.

Environmental review – KH 11/22/22

Legal review – MT 11/23/22



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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the Tacoma Link Right of Use Agreement with the City of Tacoma for the Hilltop Tacoma Link Extension.

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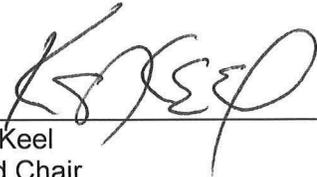
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Motion

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an amendment to the Tacoma Link Right of Use Agreement with the City of Tacoma for the Hilltop Tacoma Link Extension.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on December 15, 2022.



Kent Keel
Board Chair

Attest:



Kathryn Flores
Board Administrator