

SOUND TRANSIT

RESOLUTION NO. R99-20

**An Agreement between Sound Transit and the City of Kent on the Parking Garage for the Kent
Commuter Rail Station**

BACKGROUND AND COMMENTS

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	8/19/99	Discussion/Possible Action to Recommend to the Board	Paul Price Val Batey	(206)398-5111 (206)398-5117
Board	8/26/99	Approval		

ACTION:

Approval of Resolution No. R99-20 would authorize the Executive Director to execute an agreement with the City of Kent for development of a parking garage for the Kent Commuter Rail Station.

The agreement covers the following tasks and responsibilities by agency:

Sound Transit

1. Work with the City to identify sources and secure additional funds necessary to construct parking garage.
2. Purchase the property required for the parking garage.
3. Manage the consultant contracts necessary to design, obtain permits and construct the parking garage.
4. Work with the City to find ways to pare back the construction costs associated with the parking garage.
5. Provide for community involvement and Technical Advisory Committee (TAC) as an integral part of the garage design process.
6. Obtain necessary permits for development.

City of Kent

1. Work with Sound Transit to identify sources and secure additional funds necessary to construct parking garage.
2. Provide Sound Transit with guidance on City requirements for garage development.
3. Work with Sound Transit to find ways to pare back the construction costs associated with the parking garage.
4. Participate on the TAC to review design and assist with community participation.
5. Provide Sound Transit with speedy review of permit applications.
6. Contribute \$4 million towards the design and construction of the parking garage.

BACKGROUND:

Environmental Process. On March 12, 1998 the Board adopted preferred station locations for all commuter rail stations on the Tacoma-to-Seattle line except Kent, and instructed staff to allow three months for the City of Kent to identify additional funding for a potential parking structure at the north site. The City of Kent passed a motion recommending the use of up to \$4,000,000 of LTGO (Councilmanic) bonds to be used for a parking structure.

Environmental documentation for the Tacoma-to-Seattle Commuter Rail Project was completed by Sound Transit in 1998. The Federal Transit Administration (FTA) and Sound Transit issued an Environmental Assessment (EA) pursuant to the National Environmental Policy Act on June 1, 1998. The FTA issued a Finding of No Significant Impact (FONSI) on June 11, 1998. Sound Transit subsequently adopted the EA in support of a Determination of Nonsignificance in compliance with the State Environmental Policy Act (SEPA).

A supplemental EA was issued for the Kent Parking Garage in October 1998. The FTA issued a FONSI on the Kent Parking Garage Supplemental EA on December 4, 1998. Again, Sound Transit adopted the Supplemental EA for SEPA purposes.

By Motion No. M98-90 (December 10, 1998) the Board selected the preferred site for a parking garage to serve the Kent commuter rail station. Since that time, appraisals and other preliminary property acquisition activities have been completed.

Station Design Process. Sound Transit entered into a Memorandum of Agreement with the City of Kent in May 1998 to address the process by which the commuter rail station would be designed, developed and implemented. Sound Transit has been working the past year to design the commuter rail station for Kent with the input of the Kent Technical Advisory Committee (TAC). The TAC is comprised of Kent City staff, elected officials, King County Metro staff, local business and neighborhood representatives. The City of Kent recently approved a Conditional Use Permit for the station. A building permit application has been filed with the City. The commuter rail station will be constructed later this year. As an integral part of the commuter rail station, Sound Transit has designed a substantial off-street bus transit area for use by King County Metro Transit and ST Express service. King County anticipates rerouting their Kent service to the commuter rail station once full Sounder service is implemented. The City is requiring Sound Transit to make certain off-site street improvements to streets adjacent to the station site. King County has offered to contribute up to \$300,000 towards the cost of these improvements.

The commuter rail station as designed includes a total of 125 surface parking spaces. Sound Transit estimates that, with the implementation of full commuter rail service, a total of 810 parking spaces will be required by 2010 to meet parking demand at Kent.

Parking Garage. The parking garage for the Kent commuter rail station is proposed to be located immediately west of the station. In order to meet projected 2010 demand for parking, 685 parking spaces would need to be provided in the parking garage. If Sound Transit and the City of Kent sign the subject agreement, final design for the parking garage should begin later this month. Final design will allow for a more accurate cost estimate. The final design process will also allow Sound Transit and the City to examine options for paring back garage construction costs.

If Sound Transit and the City of Kent identify sufficient funds for construction of the garage, construction could begin as early as January 2000.

If sufficient funds cannot be secured to construct the parking garage, Sound Transit estimates that approximately 200 parking spaces could be built in a surface lot on the property currently identified as the garage site. Sound Transit is in the process of acquiring this property, with the goal of taking ownership by the end of this year.

The parties to this agreement will work collaboratively to complete public involvement, design, and construction. Upon completion of the parking garage structure, Sound Transit will assume the ownership, maintenance, and operations responsibility of the parking garage. Sound Transit and the City of Kent will address the use of the parking garage in a subsequent agreement, as an amendment to this agreement.

RELEVANT BOARD POLICIES AND PREVIOUS ACTIONS TAKEN:

- ◆ Motion No. M98-19: (March 12, 1998) Identifying the preferred locations for the commuter rail stations on the Tacoma-to-Seattle line, except Kent's, and instructing staff to allow three months for the City of Kent to identify additional funding for a potential parking structure at the north site.
- ◆ Resolution No. R98-10: (May 14, 1998) Authorizing the Executive Director to enter into a memorandum of agreement with the City of Kent addressing the process for designing, developing and implementing the Kent commuter rail station.
- ◆ Motion No. M98-43: (June 11, 1998) Identifying the preferred location for the commuter rail station in Kent, and directing staff to begin the property acquisition and station design process for the Tacoma-to-Seattle Commuter Rail Project.
- ◆ Resolution No. R98-49: The 1999 Fiscal Year Budget, (November 12, 1998) – Including the previous transfer of funds from the King Street and Boeing Access Road stations, for a total of \$9.1 million (YOES).
- ◆ Motion No. M98-90: (December 10, 1998) Selecting the preferred site for the Kent commuter rail station parking garage.

KEY FEATURES:

- ◆ Does not commit Sound Transit to provide any construction funds beyond those included in the adopted budget; does not commit Sound Transit to make up any budget shortfall for a parking garage.
- ◆ Commits parties to seek additional funds required to complete construction of the garage.
- ◆ The agreement formalizes the partnership of Sound Transit and the City of Kent in pursuit of the development of the parking garage for the Kent Commuter Rail Station.
- ◆ The agreement will enable Sound Transit to initiate final design of the parking garage for the Kent Station. Final design will incorporate the input of the City and the Technical Advisory Committee (TAC). Final design will enable Sound Transit to have a detailed cost estimate of the construction cost of the garage.
- ◆ Sound Transit will be responsible for the construction, operation and maintenance of the parking garage.
- ◆ Sound Transit and the City of Kent will agree on the terms and conditions for the use of the parking garage in a subsequent agreement.

FUNDING:

The Sound Transit budget includes \$9.11 M (YOES) for the development of the Kent Commuter Rail Station, including environmental review, community involvement, right-of-way acquisition, relocation costs, design, and construction.

Resolution No. R99-13, supplementing the Kent Station budget with \$2.9 million in additional funds sufficient to allow Sound Transit to proceed with the acquisition of the property for the garage was approved by the Board on July 8, 1999.

Sound Transit has not committed to fund any shortfall projected for the construction of the parking garage. The parties to the agreement commit to seek additional funds for construction of the parking garage from various federal, state and local sources, including King County.

ALTERNATIVES:

1. Delay approval of the agreement and provide staff direction on new/additional features to negotiate with the City of Kent in a revised agreement.
2. Decline to approve the agreement pending development of a multi-party, full-funding plan for the Kent parking garage.
3. Decline to approve the agreement, direct staff to pursue acquiring additional property to build surface parking lot(s) to provide the additional 485 parking spaces (5+ acres) to achieve the 810 spaces required to meet 2010 parking demand.

CONSEQUENCES OF DELAY:

Should staff be directed to renegotiate or revise provisions of the Agreement, final design would be delayed until revisions could be discussed and concurred with by the parties to the Agreement. The City of Kent has been instrumental in drafting this agreement and will also obtain their legal and governing officials' approval of the Agreement. Revision of the Agreement will result in a delay of the design of the parking garage until the Agreement can be rescheduled for Board action, after the parties have reviewed and concurred with modifications.

LEGAL REVIEW:

The Legal Department has reviewed and approved the Background and Comments and the Resolution.

SOUND TRANSIT

RESOLUTION NO. R99-20

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute an agreement with the City of Kent for design and potential development of a parking garage for the Kent Commuter Rail Station.

WHEREAS, the Central Puget Sound Regional Transit Authority is a duly organized regional transit authority existing under RCW Chapters 81.104 and 81.112 and has powers necessary to implement a high capacity transportation system; and

WHEREAS, on November 5, 1996, central Puget Sound area voters approved local funding for Sound Move, Sound Transit's ten-year plan for regional high-capacity transit; and

WHEREAS, Sound Move calls for the development of the a commuter rail station in the City of Kent ("City"); and

WHEREAS, the adopted 1999 Sound Transit budget provides \$9.11 (YOES) for the development of the Kent commuter rail station; and

WHEREAS, Sound Transit and the City have entered into an interlocal agreement establishing a cooperative relationship and procedures for planning and coordination in the development and implementation of the a commuter rail station within the City; and

WHEREAS, Sound Transit evaluated the environmental impacts of two alternative commuter rail station locations in the City, both which included surface parking facilities in an Environmental Assessment (EA) issued by Sound Transit and the Federal Transit Administration (FTA) pursuant to the National Environmental Policy Act (NEPA) and the FTA issued a Finding of No Significant Impact (FONSI) on June 11, 1998; and

WHEREAS, Sound Transit adopted the EA in support of a Determination of Nonsignificance in compliance with the State Environmental Policy Act (SEPA); and

WHEREAS, in May 1998, the City adopted a motion authorizing a contribution of up to four million dollars using LTGO (Councilmanic) bonds for a parking garage; and

WHEREAS, a Supplemental EA was issued for the Kent parking garage and the FTA subsequently issued a FONSI on December 4, 1998; and

WHEREAS, Sound Transit adopted the Supplemental EA for SEPA purposes; and

WHEREAS, the Sound Transit Board, by Motion No. M98-90 selected the preferred site for a parking garage to serve the Kent commuter rail station; and

WHEREAS, Sound Transit and the City desire to enter into an agreement for development of the parking garage for the Kent commuter rail station; and

WHEREAS, entering said agreement does not commit Sound Transit to provide any construction funds beyond those identified in the adopted 1999 budget for the Kent commuter rail station, or to make up any budget shortfall; and

WHEREAS, construction of the garage is contingent upon Sound Transit and the City identifying resources to fully fund the construction cost; and

WHEREAS, it is in the best interest of Sound Transit to enter into an agreement with the City for development of a parking garage for the Kent commuter rail station.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that the Executive Director of Sound Transit is hereby authorized to execute an agreement with the City of Kent for the design, construction, and funding for development of a parking garage for the Kent commuter rail station.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on the 26th day of August 1999.

ATTEST:

Marcia Walker
Marcia Walker
Board Administrator

Paul E. Miller
Paul E. Miller
Board Chair