

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2007-52

Amendment to Light Rail Transitway Agreement with City of Seattle

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Board	5/10/07	Action	Ahmad Fazel, Link Executive Director John Harrison, Deputy Executive Director Ron Endlich, University Link Deputy Project Director	(206) 398-5389 (206) 398-5309 (206) 398-5141

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	✓
Agreement with Other Jurisdiction(s)	✓	Budget Amendment	
Real Estate		Property Acquisition	

PROJECT NAME

North Link – Pine Street Stub Tunnel (PSST) to Northgate

PROPOSED ACTION

Authorizes the chief executive officer to execute a technical amendment to the agreement with the City of Seattle for grant of a non-exclusive use of a light rail transitway as related to the North Link light rail project, reflecting the Board selected final North Link alignment.

KEY FEATURES of PROPOSED ACTION

- Amends the existing agreement with the City of Seattle for grant of a non-exclusive use of a light rail transitway as related to the Central Link light rail project.
- Revises the alignment defined in the original agreement to include the final alignment and station locations for the North Link segment of the Central Link Project as selected by the Board in April 2006.
- The original agreement:
 - Established City of Seattle approval for permanent use by the light rail system of property on, under, and above City of Seattle streets and right-of-ways; and
 - Defined terms and conditions for Sound Transit use of City of Seattle right-of-ways for a light rail transitway regarding construction activity, permits, required notice of entry and operation, maintenance and repair in streets and right-of-ways.
 - Included a former North Link light rail route and station locations to NE 45th Street (no longer being studied)

- This technical amendment includes a revised alignment description, revised maps, and revised drawings reflecting the final North Link route and station locations between Downtown Seattle and Northgate.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design (University Link Only)
Projected Completion Date: 2016 (University Link Only)

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

BUDGET and FINANCIAL PLAN DISCUSSION

This agreement does not have direct budget impacts.

BUDGET TABLE

Not applicable to this action.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

In early 2000, the City of Seattle and Sound Transit negotiated an agreement for grant of a non-exclusive use of a light rail transitway as related to the Central Link Light Rail Project. The agreement established the City of Seattle's approval for permanent use by the light rail system of property on, under, and above City of Seattle streets and right-of-ways throughout the life of the light rail system as a public transportation system. It established terms and conditions for Sound Transit's use of City of Seattle right-of-ways for a light rail transitway regarding the following:

- Construction activity
- Permits
- Required notice of entry during construction, maintenance, operation and emergencies
- Operation, maintenance and repair in streets and right-of-ways

The agreement was signed and executed in July 2000. In early 2002, City of Seattle staff became aware of technical amendments approved by the City Council in 2000 that were inadvertently omitted from the final version of the agreement. In June 2002, the Sound Transit Board approved the technical corrections to the Light Rail Transitway Agreement and the corrected agreement was executed in August 2002.

On April 27, 2006, after completion of the North Link Final Supplemental EIS, the Sound Transit Board approved Resolution No. R2006-07, thereby selecting the final alignment for the North Link portion of the overall Central Link light rail project. The selected North Link alignment is different than the alignment attached to the City of Seattle Transitway Agreement. Therefore, this Transitway Agreement should be amended to remove the old alignment and insert the selected alignment. This amendment revises Agreement exhibits with an updated general description of the final light rail alignment, associated alignment maps, and preliminary engineering drawings. All other terms and conditions of the Transitway Agreement would remain the same.

Prior Board/Committee Actions on this Project

Motion/Resolution Number and Date	Summary of Action
R2006-07 4/27/06	Selected the final route, profile, and station locations for the North Link Light Rail Project.
M2002-77 6/13/02	Approved the agreement between the City of Seattle and Sound Transit for grant of non-exclusive use of a light rail transit way as related to the Central Link Light Rail Project.

CONSEQUENCES of DELAY

The University Link project is currently in the final design phase. Permitting activities have begun and construction activities will begin in 2008. The maps in the current transitway agreement must be amended to reflect the final route and station locations for North Link before Sound Transit can submit Master Use Permit applications to the City of Seattle for the University Link project. Delays in the Transitway Agreement amendment process could delay the permit application process for the University Link project.

PUBLIC INVOLVEMENT

The agreement outlines steps to involve and communicate with the public in regards to the construction of the Link light rail project within City of Seattle right-of-ways.

ENVIRONMENTAL COMPLIANCE

JI, 03/30/07

LEGAL REVIEW

JW 4/26/07

SOUND TRANSIT

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a technical amendment to the agreement with the City of Seattle, for grant of a non-exclusive use of a light rail transitway as related to the North Link light rail project, reflecting the Board selected final North Link alignment.

Background:

In early 2000, the City of Seattle and Sound Transit negotiated an agreement for grant of a non-exclusive use of a light rail transitway as related to the Central Link Light Rail Project. The agreement established the City of Seattle's approval for permanent use by the light rail system of property on, under, and above City of Seattle streets and right-of-ways throughout the life of the light rail system as a public transportation system. It established terms and conditions for Sound Transit's use of City of Seattle rights-of-way for a light rail transitway regarding the following:

- Construction activity
- Permits
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Motion:

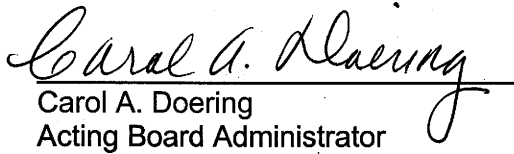
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a technical amendment to the agreement with the City of Seattle, for grant of a non-exclusive use of a light rail transitway as related to the North Link light rail Project, reflecting the Board selected final North Link alignment.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 10, 2007.



Mark Olson
Board Vice-Chair

ATTEST:



Carol A. Doering
Carol A. Doering
Acting Board Administrator