

MOTION NO. M2010-67**Funding and Cooperative Agreement with King County for Burien Transit Center Expansion Project**

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	07/15/10	Recommendation to Board	Ric Ilgenfritz, PEPD Executive Director	(206) 398-5070
Board	07/22/10	Final Action	Eric Chipps, Senior Transportation Planner	(206) 398-5020

PROPOSED ACTION

Authorizes the chief executive officer to execute a Funding and Cooperative Agreement with King County for the Burien Transit Center Expansion project in the amount of \$14,730,000.

KEY FEATURES

- The Burien Transit Center Expansion project is an ST2 project that will increase parking at the Transit Center from 334 to 502 spaces by constructing a 466-space parking garage and an adjoining 36-space surface parking lot on the northern half of the existing park-and-ride lot.
- By consolidating parking expansion into a garage, the project will also make the remainder of the park-and-ride lot available for future development through King County DOT's Transit-Oriented Development (TOD) program.
- The Funding and Cooperative Agreement defines specific terms by which Sound Transit will make a one-time, fixed contribution of \$14,730,000 consistent with the ST2 financial plan and a project Term Sheet agreed to by King County and Sound Transit in June 2009.
- Sound Transit will be granted an easement for continued access to the new parking facility.
- King County is the project lead and will manage the project. The anticipated date for completion and transfer of ownership to King County is by November 2011.
- The Funding and Cooperative Agreement requires approval by both the King County Council and the Sound Transit Board, with Sound Transit being the final approving agency. King County's developer cannot proceed with the project until such approval has occurred.
- The lifetime budget in the Adopted 2010 Transit Improvement Plan is \$15,175,000, of which \$14,732,654 is allocated to third parties.

PROJECT DESCRIPTION

The ST2 plan provided funding to support the expansion of transit commuter parking at the joint City of Burien and King County Transit Oriented Development at the Burien Transit Center. Sound Transit's contribution is capped.

FISCAL INFORMATION

Summary for Board Action (Year of Expenditure \$000)

Project: 500006 - Burien Transit Center Parking Expansion

	2010 Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
Agency Administration	\$ 442	\$ -	\$ -	\$ -	\$ 442
Preliminary Engineering	\$ -	\$ -	\$ -	\$ -	\$ -
Final Design	\$ -	\$ -	\$ -	\$ -	\$ -
3rd Party	\$ 14,733	\$ -	\$ 14,730	\$ 14,730	\$ 3
Right of Way	\$ -	\$ -	\$ -	\$ -	\$ -
Construction	\$ -	\$ -	\$ -	\$ -	\$ -
Construction Management	\$ -	\$ -	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -
Total Current Budget	\$ 15,175	\$ -	\$ 14,730	\$ 14,730	\$ 445

Phase Budget Detail

3rd Party	\$ 14,733	\$ -	\$ 14,730	\$ 14,730	\$ 3
Misc. Activity	\$ -	\$ -	\$ -	\$ -	\$ -
Total Phase	\$ 14,733	\$ -	\$ 14,730	\$ 14,730	\$ 3

Contract Budget	Current Approved Contract Value (F)	Spent to Date (G)	Proposed Action (H)	Proposed Total Contract Value (I)
King County	\$ -	\$ -	\$ 14,730	\$ 14,730
Contingency				\$ -
Total	-	-	14,730	14,730
Percent Contingency	0%		0%	0%

Notes:

¹ Project budget is located on page 82 of the Adopted 2010 Transit Improvement Plan budget book.

² Committed to date amount includes actual outlays and commitments through May 31, 2010.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

EQUAL EMPLOYMENT WORKFORCE PROFILE

Not applicable to this action.

BACKGROUND

The Burien Transit Center is owned and operated by King County Metro and located in downtown Burien. Sound Transit and Metro currently provide bus service to the transit center. In May 2009, King County completed the redevelopment of the Transit Center by moving the bus zones from the adjacent public street onto an off-street facility onto county-owned property adjacent to the existing surface park-and-ride lot. The parking lot was reduced from 385 spaces to 334 spaces by the redevelopment.

The Transit Center's park-and-ride utilization is currently high, at approximately 82 percent. Sound Transit operates ST Express Route 560 through the station, a service which connects the transit center to southwest Seattle, the Fauntleroy ferry, SeaTac Airport, Renton, and Bellevue. Additionally, numerous Metro routes

serve the transit center, including routes that connect southwest King County with downtown Seattle, Renton, and Sound Transit's Tukwila-International Boulevard Link station.

Downtown Burien is designated as a Regional Growth Center in Puget Sound Regional Council's adopted Vision 2040 plan, making it a preferred location to receive high-capacity transit (HCT) services. The Regional Transit Long-range Plan includes potential HCT in the form of light rail connecting Burien to Renton and other destinations along the I-405 corridor. It also includes language supporting the development of infrastructure, through phased implementation, that can support future HCT service. In recognition of these Long-range Plan elements, the ST2 plan includes funding for a study of potential light rail service between Burien and Renton, as well as the funding contribution for this park-and-ride parking expansion project. The Burien Transit Center's parking facility could potentially be used in the future to support expanded ST Express and/or light rail service.

Sound Transit and King County entered into a Term Sheet in June 2009 that specifies the features of the project required by Sound Transit and defines certain elements of a Funding and Cooperative Agreement between the two parties. Expansion of the existing park-and-ride capacity is a major goal of the Term Sheet, as is a capped contribution to the project by Sound Transit. Another goal is to assure that Sound Transit's long-term interests in the facility are protected.

King County is fully responsible for project implementation. To accomplish this, King County has approved a lease/lease-back agreement that will be entered into with a developer, Alliance-Wasatch, who was selected by the County through a competitive qualifications-based process. Under this agreement, King County will temporarily lease a portion of the Burien Transit Center park-and-ride lot to the developer who, through its own funds, will construct a parking facility that includes a 466-space garage and 36-space surface lot, designed to King County's specifications and consistent with the Funding and Cooperative Agreement. Upon completion of the parking facility and determination by both King County and Sound Transit that the facility has been built to the specifications required in the lease/lease-back agreement and the Funding and Cooperative Agreement, the County will pay a fixed price of \$20,518,000 to the developer, take ownership of the facility and place it into service for Sound Transit and King County Metro transit users.

Upon King County's certification to Sound Transit that the parking facility has been satisfactorily completed, is ready for operation and the County has taken ownership, Sound Transit will make its one-time, capped funding contribution of \$14,730,000 for the project to the County. At the same time, Sound Transit will be granted an easement for continued access to the new parking facility. Per the Funding Agreement, King County is also fully responsible for the future operation and maintenance of the project. The Agreement also assures that Sound Transit customers can use the parking facility and the transit center for its intended public transit function over the life of the Agreement (until May 2080) through provisions that survive changes in project ownership and/or function. These provisions include a parking easement granted to Sound Transit and the agency having right of first refusal to acquire the parking facility and property. Sound Transit's investment in the project is also protected in the Agreement through a provision where the agency's original contributed funds plus a share of the future fair market value may be reimbursed under certain conditions.

ENVIRONMENTAL COMPLIANCE

Sound Transit is relying on the prior environmental documentation and determinations by the City of Burien, King County, and the Federal Transit Administration (FTA).

The City of Burien is the lead agency for development of the project and for compliance with the State Environmental Policy Act (SEPA). The City of Burien's Comprehensive Plan (1997, last amended December 2009) and Environmental Impact Statement evaluate redevelopment, increased density and height, and improved transit facilities in its designated Urban Center. The City of Burien determined in July 2009 that the project qualifies as an urban in-fill categorical exemption under their SEPA rules for mixed-use and residential development projects in the designated Urban Center that are consistent with the comprehensive plan.

In addition, a Documented Categorical Exclusion was submitted by King County DOT and approved by the FTA in March 2009 in compliance with the National Environmental Policy Act. It evaluated the TOD project, including the garage and the residential and commercial development. Project-level mitigation measures

include provision of temporary replacement parking during construction; transportation impact fees to be paid by the developer to the City of Burien; and hazardous material cleanup if contamination is encountered during construction.

SSK 4/1/10

TIME CONSTRAINTS

Sound Transit, as a funding partner to the project, has no direct time constraints on approving the Agreement. A one month delay would not create a significant impact to the project schedule. However, delay in approval could result in delay to project completion equal to the length of the delay, or possibly longer to indefinite since King County's selected developer will not initiate the project until funding is assured. If the developer decides that it cannot accommodate a delay, it may elect not enter into its construction agreement with the County.

PUBLIC INVOLVEMENT

King County will act as the primary contact for project information. King County will provide Sound Transit with project information that Sound Transit can disseminate as it determines necessary. Signage at the project site will inform the public of Sound Transit's involvement.

LEGAL REVIEW

JW 7/6/10

MOTION NO. M2010-67

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 King County for the Burien Transit Center Expansion project in the amount of \$14,730,000.

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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 Funding and Cooperative Agreement with King County for the Burien Transit Center Expansion project in the amount of \$14,730,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 22, 2010.



Aaron Reardon
Board Chair

ATTEST:



Marcia Walker
Board Administrator