



## Motion No. M2019-36

### Development and Access Enhancement Agreement with the City of Lynnwood related to the Lynnwood Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	04/19/2019 04/25/2019	Recommend to Board Final action	Ron Lewis, Acting DECM Executive Director Rod Kempkes, Executive Project Director – Lynnwood Link Extension <b>Gwen McCullough, Project Manager – Lynnwood Link Extension</b>

#### Proposed action

Authorizes the chief executive officer to execute a Development and Access Enhancements Agreement with the City of Lynnwood for the Lynnwood Link Extension granting land use approvals by the City and funding by Sound Transit for certain station area access enhancements for a total authorized agreement amount not to exceed \$2,500,000.

#### Key features summary

- The City of Lynnwood and Sound Transit are entering into an agreement to provide certainty and predictability to the Lynnwood Link Extension. The agreement accomplishes the following:
  - Confirms the land use determination and the timeline for the City’s Essential Public Facility/Project Design Review permit;
  - Confirms consistency with applicable city standards and approves certain design departures; and
  - Confirms key design elements including required local roadway improvements for the project.
- Under this agreement, Sound Transit will also provide a total of \$2,500,000 to match city funding for station access enhancements consistent with Sound Transit Board Motion No. M2017-93. Also consistent with Motion No. M2017-93, the city will implement the access enhancement projects by the opening date of the Lynnwood Link Extension.
- The Lynnwood City Council approved this agreement on April 8, 2019.

#### Background

The Lynnwood Link Extension (LLE) is an 8.5 mile light rail extension from Northgate to Lynnwood with service to the cities of Shoreline, Mountlake Terrace, and Lynnwood. The extension will travel primarily along I-5 and include four stations at NE 145th Street, NE 185th Street, Mountlake Terrace Transit Center, and Lynnwood Transit Center. The project began final design in 2016 and is scheduled to open for service in 2023.

The LLE Final Environmental Impact Statement was issued in April 2015, in compliance with the State Environmental Policy Act and the National Environmental Policy Act (NEPA). The Sound Transit Board

selected the project route, profile, and stations on April 23, 2015. The Federal Transit Administration issued a NEPA Record of Decision (ROD) for the project on July 10, 2015, and the Federal Highway Administration issued a ROD on August 31, 2015. Sound Transit issued a SEPA Addendum on May 3, 2018, which includes additional environmental information related to project refinements proposed since the Final EIS was issued.

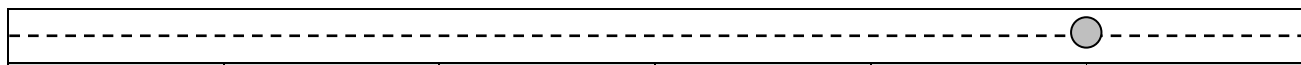
As part of Resolution No. R2015-05, which selected the final project to be built for the Lynnwood Link Extension, the Sound Transit Board directed staff as follows: “Consistent with Sound Transit’s system access policy, Sound Transit will partner with the cities of Seattle, Shoreline, Mountlake Terrace and Lynnwood during project final design to identify and implement appropriate pedestrian, bicycle and vehicular access enhancements to stations focused generally within a quarter mile of the stations.” In order to provide direction to staff in carrying out the intent of Resolution No. R2015-05, the Board adopted guidelines for access enhancement partnering agreements with the cities of Seattle, Shoreline, Mountlake Terrace, and Lynnwood for the Lynnwood Link Extension under Motion No. M2017-93. Consistent with Motion No. M2017-93, Sound Transit and the City have jointly prioritized and agreed on access enhancement projects to be completed by the opening of the Lynnwood Link Extension. Access projects were developed consistent with Sound Transit System Policy specific to multimodal access, the area of enhancements and capping maximum contribution; Sound Transit contributes a maximum amount up to half of the total, to be matched by project partners.

The Development and Access Enhancements Agreement applies standards, approval process, and the timeline for the Essential Public Facility/Project Design Review permit for the Project. The agreement also commits Sound Transit funding for station access enhancements for any projects undertaken and requested to be funded in whole or in part under Motion No. M2017-93.

The City shall be responsible for steps necessary to design and construct, and to own and maintain all access enhancement projects identified in this agreement, including environmental review and mitigation, hazardous waste removal or mitigation, coordination of all required approvals and permits, acquisition of right-of-way, air rights and other property rights, community involvement, and construction management.

The Lynnwood Development and Access Enhancements Agreement was developed consistent with the LLE Funding and Intergovernmental Cooperative Agreement with the City of Shoreline, and the Access Enhancement Funding Agreement with the City of Mountlake Terrace.

**Project status**



Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Final Design	Construction
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Projected Completion Date for Construction Phase: Q2 2024

Project scope, schedule, and budget summary located on page 29 of the January 2019 Link Light Rail Program Progress Report.

**Fiscal information**

This action is within the baseline budget and sufficient monies remain after approval of this action to fund the remaining work in the construction phase as contained in the current cost estimates.

The baseline budget for the Lynnwood Link Extension project is \$2,771,622,000. Within the construction phase, \$8,500,000 has been allocated to the budget line item for Access Enhancements. The proposed

action would commit an additional \$2,500,000 to this line item and leave a remaining budget balance of \$0. There are no other access enhancement agreements required for the project.

### Lynnwood Link Extension

(in thousands)

Project Phase	Baseline Budget	Board Approvals	This Action	Board Approved Plus Action	Uncommitted / (Shortfall)
Administration	\$98,164	\$28,956	\$	\$28,956	\$69,208
Preliminary Engineering	39,054	39,053		39,053	1
Final Design	164,162	140,687		140,687	23,475
Third Party Agreements	14,600	11,074		11,074	3,526
Right of Way	235,660	131,790		131,790	103,870
Construction	1,921,391	187,143	2,500	189,643	1,731,748
Construction Services	128,429	98,023		98,023	30,406
Vehicles					
Project Contingency	170,162				170,162
<b>Total Current Budget</b>	<b>\$2,771,622</b>	<b>\$636,727</b>	<b>\$2,500</b>	<b>\$639,227</b>	<b>\$2,132,395</b>
<b>Phase Detail</b>					
<b>Construction</b>					
Access Enhancements	\$8,500	\$6,000	\$2,500	\$8,500	\$
Other Construction	1,912,891	181,143		181,143	1,731,748
<b>Total Phase</b>	<b>\$1,921,391</b>	<b>\$187,143</b>	<b>\$2,500</b>	<b>\$189,643</b>	<b>\$1,731,748</b>

Agreement Detail City of Lynnwood	Board Approvals to Date	Current Approved Contract Status	Proposed Action	Proposed Total for Board Approval
Agreement Amount			\$2,500	\$2,500
Contingency				
<b>Total Agreement</b>		\$	<b>2,500</b>	<b>\$2,500</b>
Percent Contingency	0%	0%	0%	0%

Notes:

Amounts are expressed in Year of Expenditure.

Board Approvals = Committed To-Date + Contingency as of Feb 2019 and includes pending Board actions.

For detailed project information, see page 171 of the 2019 Financial Plan & Adopted Budget.

### Disadvantaged Business and Small Business participation

Not Applicable to this Action

### Public involvement

Sound Transit held several station design open houses in the City of Lynnwood during the various stages of design completion. During the open houses, Sound Transit received extensive public comment on the status of the station designs and project elements.

### Time constraints

A one-month delay could impact to the construction schedule if land use permitting is not approved to allow construction activities to commence.

### Prior Board/Committee actions

Resolution No. R2018-16: Approved baselining of the project budget and schedule (Phase Gate 5), authorizing construction (Phase Gate 6) at the completion of final design.

Motion No. M2017-93: Adopted guidelines for Access Enhancement Partnering Agreements with the Cities of Seattle, Shoreline, Mountlake Terrace, and Lynnwood for the Lynnwood Link Extension, as

defined by the budget and guidelines set forth in this action and consistent with direction provided in Resolution No. R2015-05.

Motion No. M2016-113: Authorized the chief executive officer to execute a Permit and Project Review Reimbursement Agreement with the City of Lynnwood for the Lynnwood Link Extension in the amount of \$1,361,929, with a 10% contingency of \$136,193, for a total authorized agreement amount not to exceed \$1,498,122.

Resolution No. R2015-30: Amended the 2015 Adopted Budget by (1) increasing the lifetime capital budget for the Lynnwood Link Extension project by \$423,742,313 from \$64,118,687 to \$487,861,000, (2) increased the 2015 Annual Budget by \$2,329,890 from \$16,324,776 to \$18,654,671 and (3) authorized the project to advance through Gate 4 within Sound Transit's Phase Gate Process.

Resolution No. R2015-05: Defined and selected the light rail alignment, profile, stations and associated infrastructure to be built between Northgate and the Lynnwood Transit Center. Established project definition for the NEPA Record of Decisions. Enabled Sound Transit to apply to the Federal Transit Authority (FTA) for a Capital Investment (New Starts) grant, and to begin final design.

Motion No. M2013-96: Identified the preferred light rail routes and station locations for the Lynnwood Link Extension Final Environmental Impact Statement.

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**Environmental review** – KH 4/5/19

**Legal review** – MT 4/11/19



## **Motion No. M2019-36**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a Development and Access Enhancements Agreement with the City of Lynnwood for the Lynnwood Link Extension granting land use approvals by the City and funding by Sound Transit for certain station area access enhancements for a total authorized agreement amount not to exceed \$2,500,000.

### **Background**

The Lynnwood Link Extension (LLE) is an 8.5 mile light rail extension from Northgate to Lynnwood with service to the cities of Shoreline, Mountlake Terrace, and Lynnwood. The extension will travel primarily along I-5 and include four stations at NE 145th Street, NE 185th Street, Mountlake Terrace Transit Center, and Lynnwood Transit Center. The project began final design in 2016 and is scheduled to open for service in 2023.

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The City shall be responsible for steps necessary to design and construct, and to own and maintain all access enhancement projects identified in this agreement, including environmental review and mitigation, hazardous waste removal or mitigation, coordination of all required approvals and permits, acquisition of right-of-way, air rights and other property rights, community involvement, and construction management.

The Lynnwood Development and Access Enhancements Agreement was developed consistent with the LLE Funding and Intergovernmental Cooperative Agreement with the City of Shoreline, and the Access Enhancement Funding Agreement with the City of Mountlake Terrace.

**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 Development and Access Enhancements Agreement with the City of Lynnwood for the Lynnwood Link Extension granting land use approvals by the City and funding by Sound Transit for certain station area access enhancements for a total authorized agreement amount not to exceed \$2,500,000.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 25, 2019.

  
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Paul Roberts  
Board Vice Chair

**Attest:**

  
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Kathryn Flores  
Board Administrator