

**MOTION NO. M2018-147**
**Transit Way Agreement with the City of Kent for the Federal Way Link Extension**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>
Capital Committee	11/08/2018	Recommend to Board	Ron Lewis, Acting DECM Executive Director <b>Dan Abernathy, Executive Project Director – Federal Way Link Extension Soraya Lowry, HCT Development Manager</b>
Board	11/15/2018	Final Action	

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a Transit Way Agreement with the City of Kent to grant Sound Transit non-exclusive use of a light rail transit way within City right-of-way to construct, operate, maintain, and own a light rail transit system for the Federal Way Link Extension.

**KEY FEATURES SUMMARY**

- The Transit Way Agreement grants Sound Transit non-exclusive use for light rail transit within the City of Kent (City) rights-of-way.
- The agreement covers elements related to rights granted by the City for activities in public rights-of-way during construction, operations, maintenance, and repair in streets and rights-of-way.
- Prior to execution of the Full Funding Grant Agreement, the Federal Transit Administration (FTA) requires that a Transit Way Agreement be signed with all cities within the Federal Way Link Extension to demonstrate continuing control of the light rail transit way.
- This agreement was approved by the Kent City Council on November 6, 2018.

**BACKGROUND**

The Federal Way Link Extension extends light rail approximately 7.8 miles from the Angle Lake Station at South 200th Street in the City of SeaTac to the City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations at Kent/Des Moines, South 272nd/ Star Lake Park and Ride, and the Federal Way Transit Center. New parking structures will be constructed at each of the three stations.

The Federal Way Link Final Environmental Impact Statement was issued on November 18, 2016, pursuant to the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) and completing the SEPA process. The Sound Transit Board selected the project route, profile, and stations on January 26, 2017. The Federal Transit Administration issued a Record of Decision on March 6, 2017 and the Federal Highway Administration issued a Record of Decision on March 9, 2017, completing the NEPA process.

On January 26, 2017, the Sound Transit Board defined and selected the Federal Way Link Extension alignment, profile, stations, and associated infrastructure to be built between Angle Lake Station at S. 200th Street and the Federal Way Transit Center in Resolution No. R2017-02.

## **PROJECT STATUS**

<b>Project Identification</b>	<b>Alternatives Identification</b>	<b>Conceptual Engineering / Draft EIS</b>	<b>Preliminary Engineering / Final EIS</b>	<b>Final Design</b>	<b>Construction</b>
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Projected Completion Date for Preliminary Engineering Phase: 3Q 2019

Project scope, schedule, and budget summary located on page 83 of the August 2018 Link Light Rail Program Progress Report.

## **FISCAL INFORMATION**

Although there is no direct fiscal impact associated with this proposed action, the approval of the agreement granting non-exclusive use of a light rail transit way within the City of Kent right-of-way does establish conditions of which fiscal actions may be required. Those impacts will be covered through the project budget.

## **SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION**

Not applicable for this action.

## **PUBLIC INVOLVEMENT**

Throughout the development of the Federal Way Link Extension, Sound Transit has conducted extensive public involvement including mailings, community open houses, presentations and meetings with individuals and neighborhood groups.

## **TIME CONSTRAINTS**

A one month delay could impact Sound Transit's overall timeline for securing key third party agreements.

## **ENVIRONMENTAL REVIEW**

KH 10/31/18

## **LEGAL REVIEW**

AJP 11/2/2018

## **MOTION NO. M2018-147**

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a Transit Way Agreement with the City of Kent to grant Sound Transit non-exclusive use of a light rail transit way within City right-of-way to construct, operate, maintain, and own a light rail transit system for the Federal Way Link Extension.

### **BACKGROUND:**

The Federal Way Link Extension extends light rail approximately 7.8 miles from the Angle Lake Station at South 200th Street in the City of SeaTac to the City Center area in Federal Way. The extension generally parallels State Route 99 and Interstate 5, with stations at Kent/Des Moines, South 272nd/ Star Lake Park and Ride, and the Federal Way Transit Center. New parking structures will be constructed at each of the three stations.

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The Transit Way Agreement grants Sound Transit non-exclusive use for light rail transit within the City of Kent (City) rights-of-way. The agreement covers elements related to rights granted by the City for activities in public rights-of-way during construction, operations, maintenance, and repair in streets and rights-of-way. Prior to execution of the Full Funding Grant Agreement, the Federal Transit Administration (FTA) requires that a Transit Way Agreement be signed with all cities within the Federal Way Link Extension to demonstrate continuing control of the light rail transit way. This agreement was approved by the Kent City Council on November 6, 2018.

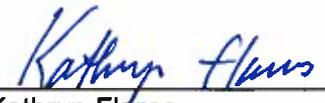
**MOTION:**

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 Transit Way Agreement with the City of Kent to grant Sound Transit non-exclusive use of a light rail transit way within City right-of-way to construct, operate, maintain, and own a light rail transit system for the Federal Way Link Extension.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 15, 2018.

  
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Dave Somers  
Board Chair

ATTEST:

  
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Kathryn Flores  
Board Administrator