

STAFF REPORT

SOUND TRANSIT MOTION NO. M2001-30

Agreement between Sound Transit and the City of Bellevue for Establishing a Cooperative Relationship Regarding Acquisition and Disposition of Property Rights Needed for the Bellevue HOV Direct Access Project

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Executive Committee	4/6/01	Discussion/Possible Action to Recommend	Agnes Govern, Director, Regional Express	(206)398-5037
Board of Directors	4/12/01	Board Approval Action	Jim Edwards, Program Manager, Regional Express Bill Guenzler, Project Manager, Regional Express	(206)398-5436 (206)398-5041

PROPOSED ACTION

Approval of this motion would authorize the Executive Director to enter into an agreement with the City of Bellevue establishing the roles and responsibilities in the acquisition and disposition of some of the property rights needed to widen I-405 for the construction of the Bellevue HOV Direct Access Project.

KEY FEATURES

Highlights of Proposed Action:

- ◆ Provides for Sound Transit to play the lead role in negotiating and acquiring property rights needed for the widening of I-405 in order to construct the Bellevue HOV Direct Access project.
- ◆ Commits the City of Bellevue to convey City street property rights on the east side of NE 114th to the Washington State Department of Transportation (WSDOT) for the widening of I-405.
- ◆ Establishes that Sound Transit will negotiate and purchase property rights on the west side of NE 114th to allow NE 114th to be relocated and for I-405 to be widened.
- ◆ Establishes the City of Bellevue's intent to accept ownership of and the terms under which Sound Transit shall convey the property rights on the west side of NE 114th the City of Bellevue.
- ◆ Establishes the City of Bellevue's intent to assist Sound Transit with the administrative process of establishing land bank credits under Sound Transit/WSDOT Land Bank Agreement of July 2000.

Discussion of Proposed Action:

In March 2001, staff briefed the Board about the status of the Bellevue HOV Direct Access Project. This Sound Move project is complex and involves a series of inter-related improvements to the highway system as well as to arterial streets in downtown Bellevue.

The agreement provides for the City of Bellevue to be the lead for acquiring property rights for street and intersection improvements associated with the Bellevue HOV Direct Access Project. It further provides for Sound Transit to be the lead for negotiating and acquiring property rights needed for the widening of I-405. In order to widen I-405 to the west between Main Street and NE 6th, NE 114th must be relocated to the west. Sound Transit will acquire the property rights needed for this relocation. Sound Transit will convey those property rights along NE 114th to the City of Bellevue; the City of Bellevue will convey portions of its existing street right of way to WSDOT.

Through a 1997 umbrella agreement between Sound Transit and WSDOT, WSDOT has agreed to accept ownership of the properties acquired by Sound Transit together with the related highway improvements.

In January 2001, the Board authorized staff to acquire properties needed to widen I-405 and authorized condemnation if necessary (Resolution No. R2001-02). Staff indicated in the staff report accompanying the resolution that prior to transferring any property rights to the City of Bellevue, Sound Transit would establish the methodology and terms of the transfer. This agreement would establish such methodologies and terms with the City of Bellevue.

The right-of-way acquisitions that are the subject of this action are expected to be complete on this project in mid-2002.

BUDGET

This agreement does not authorize any specific expenditure or commitment of agency resources. Rather, the agreement provides a commitment to a plan for the acquisition and final disposition of private and public property rights needed to construct the Bellevue HOV Direct Access project.

ALTERNATIVES

Considerable resources have been invested in preliminary engineering, environmental approvals, and design and construction of the first phase. Alternatives to agreeing to some methodology and terms for the acquisition and disposition of property are somewhat limited:

- Delay the execution of the agreement with the City of Bellevue.
- Cancel or modify the Bellevue HOV Direct Access Project.

CONSEQUENCES OF DELAY

The project has passed several milestones including the Record of Decision by the Federal Highway Administration (FHWA). A delay in the planned acquisition and disposition of property rights would delay the property acquisition schedule and constitute a substantial change in the project. Changing the project at this point in the development process could delay the schedule

beyond the timeframe of the ten-year transit plan, delay the benefits of the project, and jeopardize funding from partners.

REGIONAL PARTNERSHIP AND COOPERATION

This project involves the City of Bellevue, King County Metro, WSDOT, and the FHWA. The project provides benefits to general-purpose traffic and will receive considerable financial support from grants, City of Bellevue, and WSDOT. Bellevue will finance design and construction of related improvements on the City street system. WSDOT will direct the final design and construction, and the Washington State Legislature will provide \$10M toward project costs in addition to the funding approved by the Transportation Improvement Board.

PUBLIC INVOLVEMENT

A scoping meeting was held on March 22, 1994. There have been four open houses, one public hearing, and numerous meetings before the Bellevue City Council and Bellevue Transportation Commission. The staff has provided several newsletters as well as on-going information in Bellevue's "It's Your City" newsletter that is mailed to every address in Bellevue. The final EIS was published by FHWA in the Federal Register and a notice of availability was published twice in local newspapers in November of 2000.

The City of Bellevue also holds monthly meetings with an advisory committee including two city council members and representatives of the community and business groups. This committee is expected to meet for the duration of the project providing advice on managing construction impacts and communicating with the public.

LEGAL REVIEW

JB 3-21-01

SOUND TRANSIT

MOTION NO. M2001-30

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the Executive Director to execute an agreement with the City of Bellevue establishing a cooperative relationship regarding acquisition and disposition of property rights needed for the Bellevue HOV Direct Access Project.

Background:

Approval of this motion would authorize the Executive Director to enter into an agreement with the City of Bellevue establishing the roles and responsibilities in the acquisition and disposition of some of the property rights needed to widen I-405 for the construction of the Bellevue HOV Direct Access Project.

In March 2001, staff briefed the Board about status of the Bellevue HOV Direct Access Project. This Sound Move project is complex and involves a series of inter-related improvements to the highway system as well as to arterial streets in downtown Bellevue.

This agreement provides for the City of Bellevue to be the lead for acquiring property rights for street and intersection improvements associated with the Bellevue HOV Direct Access project. It further provides for Sound Transit to be the lead for negotiating and acquiring property rights needed for the widening of I-405. In order to widen I-405 to the west between Main Street and NE 6th, NE 114th must be relocated to the west. Sound Transit will acquire the property rights needed for this relocation. Sound Transit will convey those property rights along NE 114th to the City of Bellevue; the City of Bellevue will convey portions of its existing street right of way to WSDOT.

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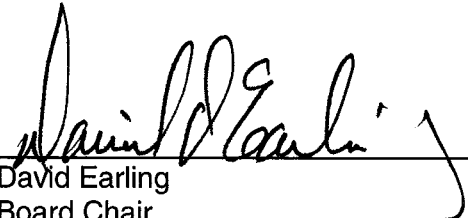
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The right-of-way acquisitions that are the subject of this action are expected to be complete on this project in mid-2002.

Motion:


It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the Executive Director be authorized to execute an agreement with the City of Bellevue establishing a cooperative relationship regarding acquisition and disposition of property rights needed for the Bellevue HOV Direct Access Project.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on the 12th day of April 2001.



David Earling
Board Chair

ATTEST:



Marcia Walker
Board Administrator