

MOTION NO. M2017-32

Amend Right of Use Agreement with the City of Tacoma for the Tacoma Link Expansion

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	03/09/2017	Recommend to Board	Ahmad Fazel, DECM Executive Director
Board	03/23/2017	Final Action	Madeleine Greathouse, Project Director – Tacoma Link Sue Comis, Sr. Project Manager

PROPOSED ACTION

Authorizes the chief executive officer to execute an amendment to the Tacoma Link Right of Use Agreement with the City of Tacoma for the Tacoma Link Expansion.

KEY FEATURES SUMMARY

- The Right of Use Agreement is an existing transit way agreement with the City of Tacoma for the Tacoma Link system.
- The existing agreement grants Sound Transit non-exclusive right of use to construct, operate, own, and maintain the rail system.
- The amendment provides for the expansion of the right-of-way area to include the proposed location of the Tacoma Link Expansion.
- The agreement will remain in effect for 50 years.

BACKGROUND

The Tacoma Link Expansion is a 2.4-mile extension of Tacoma Link from the Theater District to the Hilltop District. The extension will travel primarily along Stadium Way, 1st Street, Division Avenue, and Martin Luther King Jr., Way (MLK) and includes a relocated Theater District station and six new stations at Stadium Way/South 4th Street, Stadium District, MLK/Division Avenue, MLK/6th Avenue, MLK/11th Street, and MLK/19th Street. The Tacoma Link Operations and Maintenance Facility will be expanded to the east and five new vehicles will be purchased. The project began final design in 2016 and the revenue service date will be determined at project baseline in the third quarter of 2017.

The Right of Use Agreement for Tacoma Link is an existing transit way agreement with the City of Tacoma that was executed in April 2001 and subsequently amended in December 2011. The agreement grants Sound Transit non-exclusive right of use to construct, operate, own, and maintain the rail system. This amendment will expand the right-of-way area granting Sound Transit a right of use for the Tacoma Link Expansion. The Right of Use Agreement is granted at no cost to Sound Transit. The agreement will remain in effect for an additional 50 years.

The project completed environmental review in compliance with both the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) with approval of a NEPA Documented Categorical Exclusion on June 25, 2015, by the Federal Transit Administration and a SEPA Determination of Nonsignificance (DNS), issued by Sound Transit on July 13, 2015. The Sound Transit Board selected the project route, stations, and operations and maintenance facility expansion site on November 19, 2015.

PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering	Preliminary Engineering	Final Design	Construction
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Projected Completion Date for Final Design Phase: Q4 2017
Project scope, schedule, and budget summary located on page 61 of the December 2016 Agency Progress Report.

FISCAL INFORMATION

There are no direct costs associated with this right of use agreement.

SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION

Not applicable for this action.

PUBLIC INVOLVEMENT

Throughout the development of the Tacoma Link Expansion, Sound Transit has conducted an extensive public involvement program including mailings, community open houses, and presentations and meetings with individuals and neighborhood groups.

TIME CONSTRAINTS

A one-month delay would not create a significant impact to the project schedule.

PRIOR BOARD/COMMITTEE ACTIONS

Motion No. M2011-52: Authorized the chief executive officer to both execute an Operating Agreement and amend the Right of Use Agreement with the City of Tacoma to add a Tacoma Link station located between the Convention Center Station and the Theatre District Station.

Motion No. M2000-127: Authorized the Executive Director to execute an agreement with the City of Tacoma granting Sound Transit the right to use Tacoma public rights of way for the construction, operation and maintenance of the Link Light Rail system.

ENVIRONMENTAL REVIEW

JI 2/17/2017

LEGAL REVIEW

JW 3/1/2017

MOTION NO. M2017-32

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an amendment to the Tacoma Link Right of Use Agreement with the City of Tacoma for the Tacoma Link Expansion.

BACKGROUND:

The Tacoma Link Expansion is a 2.4-mile extension of Tacoma Link from the Theater District to the Hilltop District. The extension will travel primarily along Stadium Way, 1st Street, Division Avenue, and Martin Luther King Jr., Way (MLK) and includes a relocated Theater District station and six new stations at Stadium Way/South 4th Street, Stadium District, MLK/Division Avenue, MLK/6th Avenue, MLK/11th Street, and MLK/19th Street. The Tacoma Link Operations and Maintenance Facility will be expanded to the east and five new vehicles will be purchased. The project began final design in 2016 and the revenue service date will be determined at project baseline in the third quarter of 2017.

The Right of Use Agreement for Tacoma Link is an existing transit way agreement with the City of Tacoma that was executed in April 2001 and subsequently amended in December 2011. The agreement grants Sound Transit non-exclusive right of use to construct, operate, own, and maintain the rail system. This amendment will expand the right-of-way area granting Sound Transit a right of use for the Tacoma Link Expansion, and provides for the expansion of the right-of-way area to include the proposed location of the Tacoma Link Expansion. The Right of Use Agreement is granted at no cost to Sound Transit. The agreement will remain in effect for an additional 50 years.

The project completed environmental review in compliance with both the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) with approval of a NEPA Documented Categorical Exclusion on June 25, 2015, by the Federal Transit Administration and a SEPA Determination of Nonsignificance (DNS), issued by Sound Transit on July 13, 2015. The Sound Transit Board selected the project route, stations, and operations and maintenance facility expansion site on November 19, 2015.

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 an amendment to the Tacoma Link Right of Use Agreement with the City of Tacoma for the Tacoma Link Expansion.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 23, 2017.



Dave Somers
Board Chair

ATTEST:

Kathryn Flores
Board Administrator