CITY OF SEATTLE

ORDINANCE

COUNCIL BILL 117855

AN ORDINANCE related to the Central Puget Sound Regional Transit Authority ("Sound Transit") authorizing the Director of the Seattle Department of Transportation to execute an amendment to the Agreement between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as related to the Central Link Light Rail Transit Project to reflect the approved alignment for the Link Light Rail Transit Project, including the revised Northgate Link Extension and portion of the East Link segment located within the City of Seattle.

WHEREAS, Sound Transit (formerly known as the Central Puget Sound Regional Transit Authority, or RTA) is proceeding to implement the Sound Move Plan approved by the voters in November 1996 and the Sound Transit 2 Plan (ST2) approved by the voters in November 2008 for a high-capacity regional transit system for the Central Puget Sound region; and

WHEREAS, on April 10, 2000, the Seattle City Council adopted Resolution 30128, which approved the alignment, station locations, and maintenance base location for the Central Link Light Rail Transit Project; and

WHEREAS, in July 2000, pursuant to Ordinance 119975, the City and Sound Transit executed the original Agreement Between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as Related to the Central Link Light Rail Transit Project (the "Original Agreement"); and

WHEREAS, in August 2002, pursuant to Ordinance 120788, the City and Sound Transit made technical corrections to the Original Agreement and entered into an Agreement dated August 29, 2002 and effective September 4, 2002 for Grant of Non-Exclusive Use of a Light Rail Transit Way as related to the Central Link Light Rail Transit Project (the "Agreement"); and

WHEREAS, on April 27, 2006, the Sound Transit Board adopted Resolution No. R2006-07, selecting the North Link light rail alignment, profile and station locations and identifying the Capitol Hill to University of Washington (University Link) portion of North Link as the next part of the Link Light Rail System to be constructed; and

WHEREAS, on September 24, 2007, the Seattle City Council adopted Resolution 30993, approving a revised alignment of the Sound Transit Central Link light rail line, the
location of the light rail stations, and the location of the maintenance base in the City of Seattle; and

WHEREAS, in October 2007, pursuant to Ordinance 122504, the City and Sound Transit entered into Amendment No. 1 to the Agreement to reflect the revised alignment for the Central Link Light Rail Project; and

WHEREAS, on July 28, 2011, the Sound Transit Board adopted Resolution No. R2011-10 selecting the light rail alignment and profiles for East Link, which extends east from downtown Seattle along I-90 and includes a station in Seattle provisionally called the Rainier Station; and

WHEREAS, on June 28, 2012, the Sound Transit Board adopted Resolution No. R2012-13, selecting the final light rail alignment profiles for the Northgate Link Extension from the University of Washington Station to the Northgate Station; and

WHEREAS, Resolution 31465 is being considered by the Seattle City Council along with this ordinance, and that resolution would approve the revised alignment, station locations, and maintenance base location for the Link Light Rail System in the City of Seattle, including the Northgate Link Extension and East Link segments; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of the Seattle Department of Transportation is hereby authorized to execute an amendment to the August 29, 2002 Agreement (effective September 4, 2002) between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as related to the Central Link Light Rail Transit Project, substantially in the form attached as Attachment 1 to this ordinance, acknowledging the revised alignment for the Link Light Rail Project.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
Passed by the City Council the ___ day of ________________________, 2013, and signed by me in open session in authentication of its passage this ___ day of ________________________, 2013.


President _______ of the City Council

Approved by me this ___ day of ________________________, 2013.


Michael McGinn, Mayor

Filed by me this ___ day of ________________________, 2013.


Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1: Amendment No. 1 to the Agreement Between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as Related to the Central Link Light Rail Transit Project

Exhibit A to Attachment 1: General Description of Light Rail Alignment, Station Locations Maintenance Facility Location

Exhibit B to Attachment 1: Light Rail Alignment, Station Locations, and Maintenance Facility Location (Maps 1-20)

Exhibit C to Attachment 1: Plans and Profile Drawings
ATTACHMENT 1

AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE CITY OF SEATTLE AND SOUND TRANSIT FOR GRANT OF NON-EXCLUSIVE USE OF A LIGHT RAIL TRANSIT WAY AS RELATED TO THE LINK LIGHT RAIL TRANSIT PROJECT

This Amendment No. 2 (this “Amendment”) to the August 29, 2002 Agreement (effective September 4, 2002) for grant of non-exclusive use of a light rail transit way as related to the Link Light Rail Transit Project is entered into by and between the City of Seattle (the “City”) and the Central Puget Sound Regional Transit Authority (“Sound Transit”) and is effective when signed by both parties.

RECITALS

WHEREAS, on April 10, 2000, the Seattle City Council adopted Resolution 30128, which approved the alignment, station locations, and maintenance base location for the Central Link Light Rail Transit Project that was referenced in the agreement described below; and

WHEREAS, in July 2000, pursuant to Ordinance 119975, the City and Sound Transit executed the original Agreement Between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as Related to the Central Link Light Rail Transit Project (the “Original Agreement”); and

WHEREAS, in August 2002, pursuant to Ordinance 120788, the City and Sound Transit made technical corrections to the Original Agreement and executed that corrected agreement on September 4, 2002 (the “Agreement”); and

WHEREAS, on April 27, 2006, the Sound Transit Board approved Resolution No. R2006-07, selecting a revised light rail alignment for the North Link portion of the Central Link Light Rail Transit Project between downtown Seattle and Northgate; and

WHEREAS, on September 24, 2007, the Seattle City Council adopted Resolution 30993, approving a revised alignment of the Sound Transit Central Link Light Rail line, the location of the light rail stations, and the location of the maintenance base in the City; and

WHEREAS, in October 2007, pursuant to Ordinance 122504, the City and Sound Transit executed Amendment No. 1 to the Agreement to reflect the revised North Link alignment and allow Sound Transit to proceed with the University Link project; and

WHEREAS, on July 15, 2011, Sound Transit, the Federal Transit Administration (FTA), and the Washington State Department of Transportation (WSDOT) issued a Final Environmental Impact Statement (FEIS) for the East Link light rail project to satisfy the requirements of the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA); and
WHEREAS, on July 28, 2011, the Sound Transit Board adopted Resolution No. R2011-10 selecting the light rail alignment for the East Link Light Rail line, which extends east from downtown Seattle along I-90 and includes a station in Seattle provisionally called the Rainier Station; and

WHEREAS, after consideration of the FEIS for East Link, in November 2011, the FTA issued a Record of Decision, which finds that the federal environmental process is complete for East Link; and

WHEREAS, on June 28, 2012, the Sound Transit Board adopted Resolution R2012-13, selecting the final light rail alignment for the Northgate Link Extension from the University of Washington Station to the Northgate Station; and

WHEREAS, on __________, 20__, the Seattle City Council adopted Resolution _______, approving the revised alignment, station locations, and maintenance base location in the City of Seattle, including the Northgate Link Extension and East Link projects; and

WHEREAS, an amendment to the Agreement is required to reflect the revised Northgate Link Extension alignment and the alignment of the East Link line in the City of Seattle and allow Sound Transit to proceed with the Northgate Link Extension and East Link projects;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereby agree to amend the Agreement as follows:

Section 1. The name of the Agreement is hereby changed from “Agreement Between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as Related to the Central Link Light Rail Transit Project” to “Agreement Between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as Related to the Link Light Rail Transit Project” to reflect the fact that the project includes the Northgate Link Extension and East Link segments in addition to the original Central Link portion of the project.

Section 2. Exhibit A to the Agreement, as referenced in Section 2.1 of the Agreement, is hereby replaced with Exhibit A of this Amendment.

Section 3. Exhibit B to the Agreement, as referenced in Section 2.1 of the Agreement, is hereby replaced with Exhibit B of this Amendment.

Section 4. The plans and profile drawings attached as Exhibit C of this Amendment are hereby incorporated as additional drawings into Exhibit C, replacing the corresponding Northgate Link Extension drawings of the Agreement, as referenced in Section 2.1 of the Agreement.
Passed by the City Council the ___ day of ________________, 2013, and signed by me in open session in authentication of its passage this ___ day of ________________, 2013.

__________________________________________
President _________ of the City Council

Approved by me this ___ day of ________________, 2013.

__________________________________________
Michael McGinn, Mayor

Filed by me this ___ day of ________________, 2013.

__________________________________________
Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1: Amendment No. 1 to the Agreement Between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as Related to the Central Link Light Rail Transit Project

Exhibit A to Attachment 1: General Description of Light Rail Alignment, Station Locations Maintenance Facility Location

Exhibit B to Attachment 1: Light Rail Alignment, Station Locations, and Maintenance Facility Location (Maps 1-20)

Exhibit C to Attachment 1: Plans and Profile Drawings
Exhibit A:
General Description of Light Rail Alignment, Station Locations, and Maintenance Facility Location

Northgate Link Extension (Northgate to University of Washington)
Route: Elevated structure at Northgate, tunnel begins south of the Maple Leaf Portal at 94th Street.
Stations:
Northgate Station – East side of 1st Avenue NE, spanning NE 103rd Street, elevated (includes tail track)
Roosevelt Station – West side of 12th Avenue NE, north of NE 65th St, tunnel
U District Station – Brooklyn Ave NE, south of NE 45th Street, tunnel

University Link (University of Washington to Pine Street Stub Tunnel)
Route: Tunnel under University of Washington, Montlake Cut, and Capitol Hill
Stations:
University of Washington Station – East side of Montlake Boulevard NE, near Husky Stadium, tunnel (includes crossover)
Capitol Hill Station – East side of Broadway E, south of E John Street, tunnel

Initial Segment (Pine Street Stub Tunnel to S. McClellan Street)
Route: Use existing Downtown Seattle Transit Tunnel (DSTT). South of downtown, use E-3 Busway rising to elevated structure turning east along south side of S. Forest Street, and then to tunnel under Beacon Hill.
Stations:
Westlake - Tunnel
University Street - Tunnel
Pioneer Square - Tunnel
International District/Chinatown - Tunnel
Stadium – E-3 Busway at S Royal Brougham Way, at-grade
SODO – E-3 Busway, north of S Lander Street, at-grade
Beacon Hill – Beacon Avenue S at S Lander Street, tunnel

Initial Segment (S. McClellan Street to Boeing Access Road)
Route: Elevated out of Beacon Hill tunnel, then turning south on Martin Luther King, Jr. Way S, at-grade in median
Stations:
Mount Baker – S McClellan Street, elevated
Columbia City – S Edmunds Street, at-grade
Othello – S Othello Street, at-grade
Rainier Beach – S Henderson Street, at-grade

Maintenance Facility Maintenance Facility site – extends from 7th Avenue S to Airport Way S, and from S Forest Street to south of S Hinds Street.
East Link (International District/Chinatown Station to the west edge of Lake Washington along I-90)

Route: From the International District/Chinatown Station in the Downtown Seattle Transit Tunnel coming up at grade onto the Interstate 90 Express Lanes

Stations:
Rainier Station – on I-90 center roadway east of Rainer Avenue S, at-grade
Exhibit B

Light Rail Alignment, Station Locations, and Maintenance Facility Location

(Maps 1-20)

Northgate Link (Northgate Station to University of Washington Station) ........................................ 1-5
U-Link (University of Washington Station to Pine St.) ........................................................................ 6-7
Initial Segment (Pine St. to City Limit – Boeing Access Road) .............................................................. 8-17
East Link (International District Tunnel Station to Lake Washington, via I-90) .............................. 18-20
Exhibit C

Link Light Rail Project North Corridor Plans and Profile Drawings

Northgate Link (Northgate Station to University of Washington Station) ........................................ 1-23
U-Link (University of Washington Station to Pine St.) ................................................................. 24-40
Initial Segment (Pine St. to City Limit – Boeing Access Road) ......................................................... 41-93
East Link (International District Tunnel Station to Lake Washington, via I-90) ............................... 94-106
FISCAL NOTE FOR NON-CAPITAL PROJECTS

<table>
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<tr>
<th>Department:</th>
<th>Contact Person/Phone:</th>
<th>CBO Analyst/Phone:</th>
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<tr>
<td>Seattle Department of Transportation</td>
<td>Ethan Melone/684-8066</td>
<td>Anthony Colelo/684-5292</td>
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Legislation Title:

AN ORDINANCE related to the Central Puget Sound Regional Transit Authority ("Sound Transit") authorizing the Director of the Seattle Department of Transportation to execute an amendment to the Agreement between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as related to the Central Link Light Rail Transit Project to reflect the approved alignment for the Link Light Rail Transit Project, including the revised Northgate Link Extension and portion of the East Link segment located within the City of Seattle.

Summary of the Legislation:

The City and Sound Transit have entered into a Transit Way Agreement which authorizes non-exclusive use of the City right-of-way for the Link Light Rail System. The Northgate Link and East Link extensions have now reached the point in project development at which the alignment has been finalized and the Transit Way Agreement can be amended to incorporate these project alignments. All other terms of the Agreement will remain unchanged.

Background:

The City authorizes the construction of Sound Transit’s Link Light Rail transit facilities within City right-of-way through the execution of a Transit Way Agreement and subsequent permitting activities. The alignment ordinance provides an approval of the alignment and locations of these facilities, providing the policy context for the permitting of the facilities.

Please check one of the following:

- X This legislation does not have any financial implications.

- This legislation has financial implications.
Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?
   No; any City actions related to the Light Rail system will be addressed in separate agreements and legislation. This action only grants a right of use.

b) What is the financial cost of not implementing the legislation?
   Not Applicable.

c) Does this legislation affect any departments besides the originating department?
   No.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?
   There is no other means of granting use of the right-of-way for the light rail system.

e) Is a public hearing required for this legislation?
   No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?
   No.

g) Does this legislation affect a piece of property?
   No, the legislation only affects right-of-way, as shown in the exhibits.

h) Other Issues:
   None.

List attachments to the fiscal note below: