

CITY COUNCIL REGULAR SESSION

Resolution authorizing execution of a Turnback Agreement SR 405 S.E. 30th St. Vicinity to N.E. 40th St (TB1-0257) with the Washington State Department of Transportation (WSDOT), leading to the transfer of right-of-way located within the southeast corner of the Main Street bridge crossing over I405.

Andrew Singelakis, Transportation Director, 452-6468

Ron Kessack, Assistant Director, 452-4631

Steve Costa, Interim Capital Projects Manager, 452-2845

Transportation Department

EXECUTIVE SUMMARY

This Resolution authorizes execution of a Turnback Agreement with WSDOT to transfer right-of-way and a slope easement adjacent to the Main Street bridge crossing over I-405.

RECOMMENDATION

Move to adopt Resolution No. 10070

BACKGROUND/ANALYSIS

On November 19, 2019, the City received a letter from WSDOT, along with several right-of-way plan sheets, detailing areas within the City of Bellevue that would be involved in construction of the I-405 Renton to Bellevue Widening and Express Toll Lanes. Included were areas of City street right-of-way and a slope easement that WSDOT had vested for use by their project per Operation of Law provisions in RCW 47.52.210.

Several areas that are owned or would be acquired by WSDOT for the project were identified for deeding back to the City after construction using the Turnback Agreement process. The areas include:

- Limited Access adjustment for the 112th Avenue SE realignment, west of I-405, along 106th Avenue SE to be retained by WSDOT.
- Transfer of slope easement to be conveyed to the City.
- Transfer of roadway facilities and right of way to be conveyed in fee to the City.

The Turnback Agreement under consideration tonight is associated with the slope easement and fee acquired from property located at 101 116th Avenue SE by WSDOT for reconstructing the Main Street bridge over I-405. Improvements constructed in this area support the City's transportation and land use goals to include non-motorized connections. Improvements that will be owned and maintained by the City will also be inspected by City staff prior to final acceptance.

Pursuant to the Turnback Agreement, right-of-way and slope easement transferred to the City shall be used for right-of-way purposes only. The City shall not sell, vacate, rent or use the property (or any portion thereof) for non-transportation uses without first obtaining the State's prior written approval.

Prior Council Actions

On December 10, 2018, Council authorized implementation of three interlocal agreements between the City and WSDOT for the I-405 Renton to Bellevue Widening and Express Toll Lanes. The interlocal

agreements were:

- Cooperative Agreement for Design and Construction;
- Agreement for a Project Coordinator; and
- Utility Construction Agreement for WSDOT relocating, modifying, and adjusting City-owned water utilities within the project limits.

POLICY & FISCAL IMPACTS

Policy Impact

Comprehensive Plan Policies

- TR-2: Work actively and cooperatively with other Eastside jurisdictions and regional and state agencies to plan, design, fund and construct regional transportation projects that carry out the City's transportation and land use goals.
- TR-91: Encourage enhanced access and improved freeway interchanges to serve downtown Bellevue and other key activity centers.
- TR-98: Work with state agencies to include non-motorized facilities when planning, designing and constructing enhancements to I-90 (east of I-405), I-405 and SR-520 (including non-motorized facilities on a replacement for the Main Street bridge in association with the Lake-to-Lake Trail).

Fiscal Impact

Maintenance and Operation (M&O) responsibilities for the improvements constructed in the Turnback areas will begin upon the transfer of the right-of-way to the City. The transfer will occur within one year, following execution of the Turnback Agreement. The constructed improvements are covered under a one-year warranty period, following final acceptance issuance by WSDOT. The warranty covers material and construction defects.

OPTIONS

1. Adopt the Resolution authorizing execution of a Turnback Agreement SR 405 S.E. 30th St. Vicinity to N.E. 40th St (TB1-0257) with the Washington State Department of Transportation (WSDOT), leading to the transfer of right-of-way located within the southeast corner of the Main Street bridge crossing over I405.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

Proposed Resolution No. 10070

AVAILABLE IN COUNCIL LIBRARY

Turnback Agreement SR 405 S.E. 30th St. Vicinity to N.E. 40th St (TB1-0257)
Letter to Bellevue dated November 19, 2019, regarding Right-of-Way