

**CITY COUNCIL REGULAR SESSION**

Resolution authorizing execution of six easements necessary for the Central Puget Sound Regional Transit Authority (Sound Transit) East Link project on City of Bellevue-owned property.

Toni Call, Director, 452-7863  
Ira McDaniel, Real Property Manager, 452-4182  
Hannah Peshkov, Senior Real Property Agent, 452-4284  
*Finance & Asset Management Department*

Ryan Shelton, Transportation Engineer, 452-4345  
Paula Stevens, Interim Transportation Director, 452-2802  
*Transportation Department*

**EXECUTIVE SUMMARY**

This Resolution will authorize the execution of seven easements (temporary and permanent) which are necessary for Sound Transit to construct, operate, mitigate and perform restoration for the East Link Extension light rail system on City of Bellevue-owned property.

**RECOMMENDATION**

Move to adopt Resolution No. 9580  
If approved, effective date: 04/15/2019

**BACKGROUND/ANALYSIS**

On November 15, 2011, the City and Sound Transit entered into the Umbrella Memorandum of Understanding (the "2011 MOU") for the construction of the East Link Extension light rail system through Bellevue (the "Project"). The City agreed to contribute certain property rights for construction of the Project, which included (among other things) areas for stream and wetland mitigation work on specific City parcels. The 2011 MOU further stated that "if these sites cannot accommodate required mitigation, the City and Sound Transit will cooperate to find an alternative location within existing resources."

On May 6, 2015, the City and Sound Transit updated and modified the MOU through an Amended and Restated Memorandum of Understanding ("Amended MOU") which confirmed and detailed the property rights the City and Sound Transit would convey to each other and made adjustments to the light rail alignment as part of the cost savings effort. Under the Amended MOU, the City Manager or his designee is authorized to convey to Sound Transit the property rights that are described in the Amended MOU.

As staff have worked through the property conveyances described in the Amended MOU, it has come to our attention that a handful of property rights were inadvertently omitted from the Amended MOU. As a result, City Council approval of these property conveyances is required. These conveyances are related to the Safeway, Coal Creek and King County Metro parcels, as summarized below:

**Former Safeway Site** – The former Safeway Site is made up of four parcels, all of which Sound Transit is performing work on related to the East Link Project (including guideway, utility relocation, and required mitigation). However, the 2015 MOU inadvertently omitted two of the parcels. Council approval is required to extend two temporary construction easements (TCE), and execute a temporary mitigation easement (TME) and Native Growth Protection Easement (NGPE) required by applicable permits.

**Coal Creek Park** – Coal Creek Park was identified by staff as an alternative location for certain stream mitigation work that had been previously planned for the Safeway property consistent with the commitment in the MOU “to find an alternative location within existing resources”. The 2015 MOU included a temporary construction easement to install the mitigation work but did not include the required ten-year TME or NGPE. Council approval is required to execute the TME and NGPE required by applicable permits.

**King County Metro** – As part of the East Link project, Sound Transit is installing a wall on its property along the northern boundary of the King County Metro parcel adjacent to City Hall. Sound Transit has requested a wall maintenance easement on the King County Metro parcel for rights to maintain this wall (remove graffiti etc.). This easement includes a provision that it can be relinquished upon redevelopment of the King County Metro parcel, to the extent maintenance is no longer feasible or needed by Sound Transit. Council approval is required to execute this easement.

These property rights are further detailed in Attachment A.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

Bellevue City Code/State Law

Under BCC 4.32.060, any sale of real property shall be submitted to Council for approval. The conveyance of an easement across City-owned property constitutes the sale of an interest in real property.

### **Fiscal Impact**

These conveyances were intended to be included in the Amended MOU as part of the City's contribution toward the East Link project. City staff does not recommend seeking additional compensation for these conveyances.

## **OPTIONS**

1. Adopt the Resolution authorizing execution of six easements necessary for the Central Puget Sound Regional Transit Authority (Sound Transit) East Link project on City of Bellevue-owned property.
2. Do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

A. Table of property conveyances

B. Easement Exhibit Map

C. Vicinity Map

Proposed Resolution No. 9580

## **AVAILABLE IN COUNCIL LIBRARY**

Proposed easements for Safeway Site, 1770 124<sup>th</sup> Ave NE and 12520, 12525 and 12775 NE Spring Blvd

Proposed easements for King County Metro, 571 112<sup>th</sup> Ave NE

Proposed easements for Coal Creek Park, 4431 and 4551 Coal Creek Pkwy SE