

CITY COUNCIL REGULAR SESSION

Resolution authorizing execution of an amendment to an existing Lease Agreement with the Washington State Department of Transportation (WSDOT) for access to state-owned right-of-way to construct and maintain the future Mountains to Sound Greenway Trail from I-405 to vicinity of 142nd Place SE.

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EXECUTIVE SUMMARY

This Resolution authorizes the execution of an amendment to an existing Lease Agreement with WSDOT for access to state-owned right-of-way to construct and maintain the future Mountains to Sound Greenway Trail.

RECOMMENDATION

Move to adopt Resolution No. 9860

BACKGROUND/ANALYSIS

The Mountains to Sound Greenway Trust was organized in 1991 to set aside from urbanization the forested corridor of I-90 from Seattle through the Cascade Mountains so that current and future generations could always enjoy the scenic, recreational, and historic qualities/amenities along the 100-mile corridor. The Trust's success in conserving more than 130,000 acres of scenic and recreational lands led to the designation of the Mountains to Sound Greenway as a National Scenic Byway in 1998.

On March 24, 2008, staff provided Council with a Management Brief on the partnership with the Mountains to Sound Greenway Trust to apply for a grant from the National Scenic Byways program for a Feasibility and Design study for the three-mile long gap in the Mountains to Sound Greenway regional trail that runs adjacent to I-90 within the Eastgate area of Bellevue.

On September 6, 2011, Council accepted a \$158,312 federal grant (Ordinance No. 6017) for Feasibility and Design study on the three-mile Mountains to Sound Greenway regional trail alignment through the Eastgate/I-90 area. The study was completed in December 2012 and included public outreach, conceptual engineering work, and development of an implementation strategy to complete an alternatives analysis for the alignment selected by the Eastgate/I-90 Land Use and Transportation Plan Technical Advisory Committee in 2011.

On July 15, 2014, Council accepted a \$470,000 federal Transportation Alternatives Program grant (Ordinance No. 6165) to advance design and environmental work on the at-grade segments of trail

between Factoria Boulevard and 150th Avenue SE. This grant advanced the design to completion in 2015.

On February 2, 2015, Council accepted a \$796,000 federal Congestion Management and Air Quality Mitigation (CMAQ) grant (Resolution No. 8875) to advance the design of multiple trail segments, including the segment for design of the structures to allow grade-separated trail crossings of I-405/I-90 interchange ramps and Factoria Boulevard.

On December 5, 2016, Council adopted Ordinance No. 6333 adopting the 2017-2023 CIP Plan which includes funding to advance the design and environmental analysis for the “grade-separated” Factoria Crossing segment of the Mountains to Sound Greenway Trail and all of the “at grade” trail segments of the project between Factoria Boulevard and Lakemont Boulevard (CIP Plan No. PW-W/B-78).

On May 21, 2018, Council adopted Ordinance No. 6413 which authorized the execution of a state funding agreement with WSDOT for acceptance of \$14,000,000 in state Connecting Washington Account (CWA) funding for the construction phase of the Mountains to Sound Greenway Trail project from I-405 to 132nd Avenue SE. The Ordinance also authorized execution of a separate Interlocal (Participating) Agreement with WSDOT for acceptance of \$2,055,000 in state I-405/Renton to Bellevue project funds for the construction of a joint benefit retaining wall required by the project, and amended the 2017-2023 General Capital Investment Program (CIP) Plan to add a new project, Mountains to Sound Greenway Trail – Factoria Crossing (CIP Plan No. PW-W/B-83).

On April 20, 2020 Council adopted Resolution No. 9745 which authorized the execution of a Federal funding agreement with WSDOT for acceptance of \$2,725,030 in federal Surface Transportation Program (STP) funding for the construction phase of the Mountains to Sound Greenway Trail project from 132nd Avenue SE to 142nd Place SE (CIP Plan No. PW-W/B-84). The Resolution also authorized the execution of a funding agreement with Sound Transit to accept \$1,000,000 in regional transit System Access Fund (SAF) Funding.

On November 16, 2020 Council adopted Ordinance No. 6544 which amended the project budget and awarded the bid for construction. Tonight’s action to authorize the lease amendment will allow WSDOT to provide a final right of way certification necessary to allow construction to proceed.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code 4.30.020 requires Council approval for leases of more than two years in duration.

Comprehensive Plan

The overall Mountains to Sound Greenway Trail Project is specifically listed in the Comprehensive Plan’s Comprehensive Transportation Project List (CPTL No. 61). The project is also listed specifically within the 2009 City of Bellevue Pedestrian & Bicycle Transportation Plan (Project No. O-137-N). The project and the actions proposed in this memorandum will advance multiple Comprehensive Plan Policies, including:

- TR-20 directs that the City, “Scope, plan, design, implement, operate, and maintain the multimodal transportation system in a corridor approach within and across Mobility Management Areas.”

- TR-40 directs that the City, “Work actively and cooperatively with other Eastside jurisdictions and regional and state agencies to plan, design, fund and construct regional transportation projects that support the City’s Comprehensive Plan.”
- TR-45 directs that the City, “Develop and implement inter-local agreements for cooperative solutions for mutual land use and transportation concerns.”
- TR-68 directs that the City, “Integrate pedestrian and bicycle access to transit as a means to serve neighborhoods.”
- TR-105 directs that the City, “Implement the Pedestrian and Bicycle Transportation Plan and prioritize projects that:
 1. Address safety issues;
 2. Provide access to activity centers;
 3. Provide access to the transit and school bus systems;
 4. Complete and connect planned pedestrian or bicycle facilities;
 5. Develop primary north-south and east-west bicycle routes through the City;
 6. Improve multimodal level of service along travel corridors; and
 7. Serve residents who have special accessibility needs.”
- TR-124 directs that the City, “Support including facilities for pedestrians and bicycles when planning, designing and constructing enhancements to I-90, I-405 and SR-520.”

Fiscal Impact

The subject lease has a term of 10 years with an option to extend the lease for two additional 10-year periods. While the lease does not require payment of rent, it does require the City to perform all maintenance on the trail, bridges, tunnels, walls and landscaping once the features are constructed. The trail will be constructed in phases (CIP Plan Nos. PW-W/B-83 and PW-W/B-84) and, consistent with Council direction and as typical with our capital projects, the cost of the maintenance will be included in future operating budget proposals as the trail is constructed.

OPTIONS

1. Adopt the Resolution authorizing execution of an amendment to an existing Lease Agreement with the Washington State Department of Transportation (WSDOT) for access to state-owned right-of-way to construct and maintain the future Mountains to Sound Greenway Trail from I-405 to vicinity of 142nd Place SE.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Vicinity Map
 - B. CIP Project Description (PW-W/B-83)
 - C. CIP Project Description (PW-W/B-84)
- Proposed Resolution No. 9860

AVAILABLE IN COUNCIL LIBRARY

Draft Lease Agreement