



## Legislation Details (With Text)

**File #:** 2014-0363      **Version:** 3

**Type:** Ordinance      **Status:** Passed

**File created:** 8/25/2014      **In control:** Budget and Fiscal Management Committee

**On agenda:**      **Final action:** 9/29/2014

**Enactment date:** 10/9/2014      **Enactment #:** 17902

**Title:** AN ORDINANCE authorizing the executive to execute an airspace lease agreement between King County and the Washington state Department of Transportation for the Evergreen Point Road Transit Station and the Clyde Hill/Yarrow Point Transit Station for a term of twenty years with the possibility of two twenty-year extensions; and authorizing the executive to execute such other related documents as may be needed to implement the agreement.

**Sponsors:** Joe McDermott

**Indexes:** Agreement

**Code sections:**

**Attachments:** 1. Ordinance 17902.pdf, 2. A. Airspace Lease dated September 29, 2014, 3. 2014-0363 Legislative Review Form.pdf, 4. A. Airspace Lease by and between Washington State Department of Transportation and King County dated September-10-2014, 5. A. Airspace Lease - Final 5-5-14, 6. 2014-0363 transmittal letter.doc, 7. 2014-0363 fiscal note.xlsx, 8. Attachment 1 Amendment 1.docx, 9. Staff Report Proposed Ordinance 2014-0363 520 Lease.doc, 10. REVISED Staff Report Proposed Ordinance 2014-0363 520 Lease.doc, 11. Amendment 1 9-29-14.pdf

Date	Ver.	Action By	Action	Result
9/29/2014	2	Metropolitan King County Council	Hearing Held	
9/29/2014	2	Metropolitan King County Council	Passed as Amended	Pass
9/16/2014	1	Budget and Fiscal Management Committee	Recommended Do Pass Substitute	Pass
8/25/2014	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE authorizing the executive to execute an airspace lease agreement between King County and the Washington state Department of Transportation for the Evergreen Point Road Transit Station and the Clyde Hill/Yarrow Point Transit Station for a term of twenty years with the possibility of two twenty-year extensions; and authorizing the executive to execute such other related documents as may be needed to implement the agreement.

### STATEMENT OF FACTS:

1. Under chapters 35.58 and 36.56 RCW, King County Ordinance 10530, K.C.C. 2.16.140.C,

K.C.C. chapter 28.92 and other authorities, the transit division of the King County department of transportation operates and maintains a comprehensive system of public transportation services in King County, including transit system infrastructure such as bus shelters, transit centers and other customer or passenger facilities.

2. The Washington state Department of Transportation ("WSDOT") is designing and constructing improvements along SR 520 from I-5 to SR 202 as part of the SR 520 Bridge Replacement and HOV Program ("the program"). WSDOT recognizes that the program will impact the transit division's existing customer facilities along SR 520, including the division's roadside loading zones and bus shelters ("flyer stops") in the margin of SR 520 at the former Evergreen Point Road toll plaza site and near 92nd Avenue Northeast. The transit division's flyer stops have been in daily service for more than twenty years.

2. As one element of the program, and with input from the transit division, WSDOT replaced the roadside flyer stops with two new inline facilities that have direct pedestrian access from the new lid over SR 520 in each of those same locations, including covered stairs and elevators.

3. The transit division desires to lease the new inline facilities to operate and maintain transit customer facilities there, and WSDOT is willing to lease the inline facilities to the transit division under terms and conditions substantially the same as those set forth in Attachment A to this ordinance.

4. Under RCW 47.12.120 and other authorities, WSDOT may rent or lease any lands, improvements, or air space above or below any lands that are held for highway purposes but are not presently needed.

5. WSDOT has determined that the inline facilities are not presently needed for highway purposes and that King County's proposed use of the inline facilities for transit purposes is compatible with WSDOT's highway operation, safety and maintenance activities on SR 520.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The executive is authorized to execute airspace lease agreement AA-1-13208, substantially in the form of Attachment A to this ordinance, and such other related documents as may be needed to implement the agreement.