

**FIRST AMENDMENT TO
THE UMBRELLA MEMORANDUM OF UNDERSTANDING FOR
INTERGOVERNMENTAL COOPERATION
BETWEEN THE CITY OF BELLEVUE AND THE CENTRAL PUGET SOUND
REGIONAL TRANSIT AUTHORITY**

THIS First Amendment is made by and between the City of Bellevue, a non-charter optional municipal code city (“Bellevue” or “City”), and the Central Puget Sound Regional Transit Authority organized under RCW 81.112 (“Sound Transit”), to the Umbrella Memorandum of Understanding for Intergovernmental Cooperation executed between the parties on November 15, 2011 (“Umbrella MOU”).

RECITALS

WHEREAS, the City and Sound Transit entered into the Umbrella MOU to construct, operate and maintain the East Link Project pursuant to the authority granted in City Resolution 8322 and Sound Transit Motion No. M2011-77;

WHEREAS, pursuant to the Umbrella MOU the Parties engaged in a collaborative process for design and development of the East Link Project, including identifying potential cost savings and alignment modifications;

WHEREAS, on March 26, 2013 Sound Transit completed and published the East Link Extension 2013 SEPA Addendum evaluating the potential modifications;

WHEREAS, on April 22, 2013 the Bellevue City council passed Resolution No. 8576 endorsing modifications for inclusion in the East Link Project and approving the East Link Project alignment location and general profile;

WHEREAS, on April 25, 2013, the Sound Transit Board adopted (1) Resolution No. R2013-09 selecting the route, profiles, and station locations for the East Link Project, including the City’s endorsed modifications, thereby necessitating amendments to the Umbrella MOU and (2) Motion 2013-27 authorizing the chief executive officer to execute amendments to the Umbrella MOU;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the City and Sound Transit do hereby agree to amend the Umbrella MOU as described below.

1.0 Section 1.11 is amended as follows:

1.11 Portal to Portal Costs. “Portal to Portal Costs” means those certain construction costs, as identified on Exhibit B (Portal to Portal Costs) and including the NE 6th Street station, attached and incorporated herein, against which the City Contingency may be applied.

2.0 Section 5.0 is deleted in its entirety.

3.0 Exhibit C, East Link Project Description, is replaced in its entirety with the attached Exhibit C - 1.

4.0 Unless expressly revised by this First Amendment, all other terms and conditions of the Umbrella MOU shall remain in effect and unchanged by this First Amendment.


IN WITNESS WHEREOF, each of the Parties hereto has executed this First Amendment to the Umbrella MOU by having its authorized representative affix her or his name in the appropriate space below:

IN WITNESS WHEREOF, each of the parties has executed this MOU by having its authorized representative affix his/her name in the appropriate space below:

CENTRAL PUGET SOUND REGIONAL CITY OF BELLEVUE
TRANSIT AUTHORITY

(SOUND TRANSIT)

By: 
Joan M. Earl, Chief Executive Officer

By: 
Brad Miyake, Acting City Manager

Date: 6/21/13

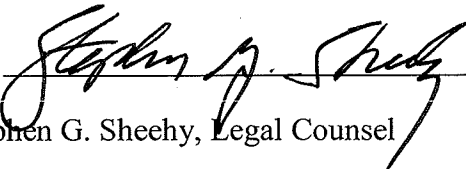
Date: 6-19-13

Authorized by Motion No. M2013-27

Authorized by Resolution No. 8596

Approved as to form:

Approved as to form:

By: 
Stephen G. Sheehy, Legal Counsel

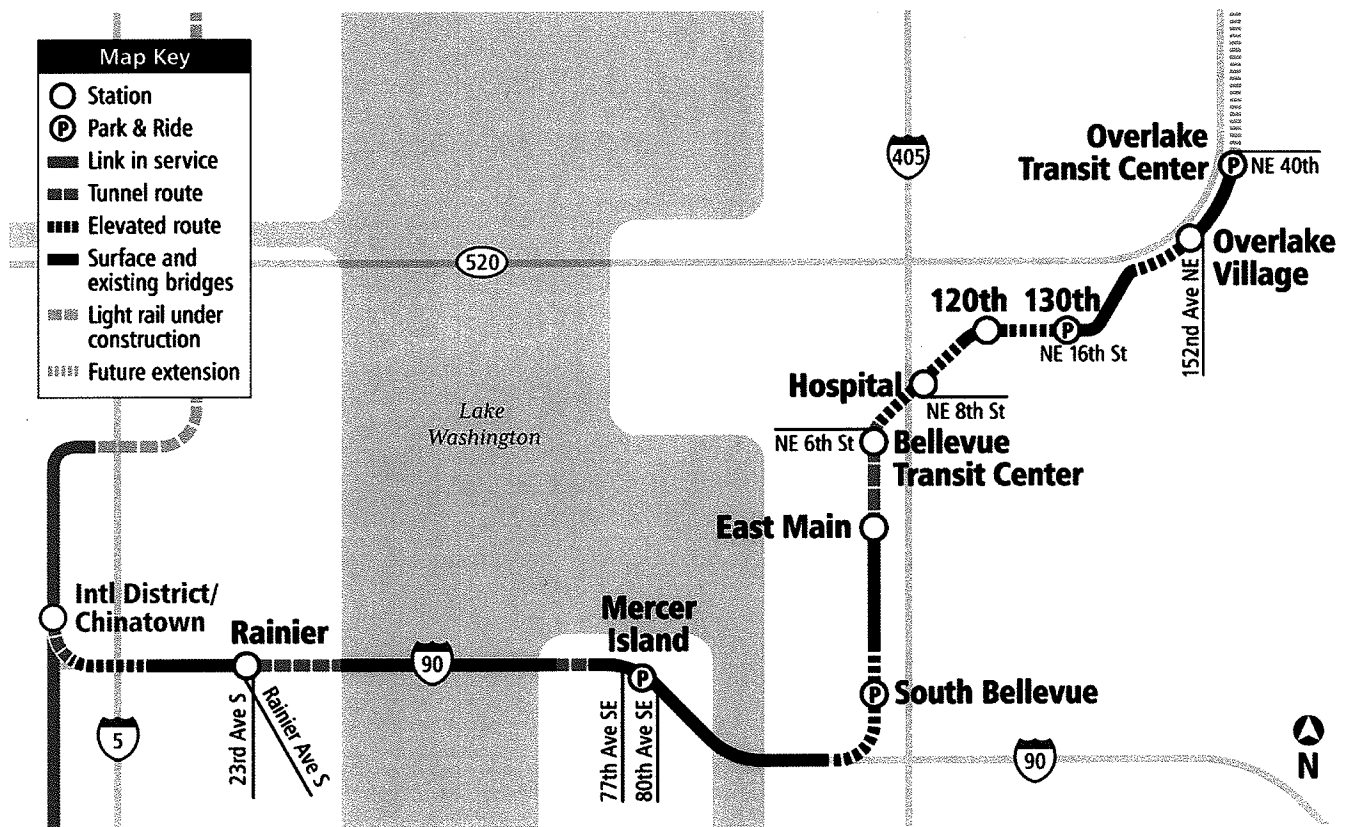
By: 
Mary Kate Berens, Deputy City Attorney

EXHIBIT C-1: EAST LINK PROJECT DESCRIPTION

The project consists of constructing and operating an approximately 14-mile light rail system including 10 stations known as East Link. This system would connect with Sound Transit's Central Link at the International District/Chinatown Station. It then would travel east across Lake Washington via Interstate 90 (I-90) to Mercer Island, Downtown Bellevue, Bel-Red, and terminate in Overlake. The figure below shows the four segments of the project.

Segments B, C, and a portion of segment D are within the City of Bellevue. The following describes the portions of the project in these segments within the City of Bellevue, beginning at the I-90 interchange with Bellevue Way, traveling into Downtown Bellevue, then proceeding east over I-405 and through the Bel-Red area. The portions of the East Link Project with the City of Bellevue include 6 stations over approximately 6 miles.

Current designs of the Project are between 15% and 60% complete and the parameters of project mitigation and construction are included in the East Link EIS and Addendum. While detailed design and mitigation will continue through project development, the City of Bellevue and Sound Transit are committed to managing within the project scope, schedule and budget.



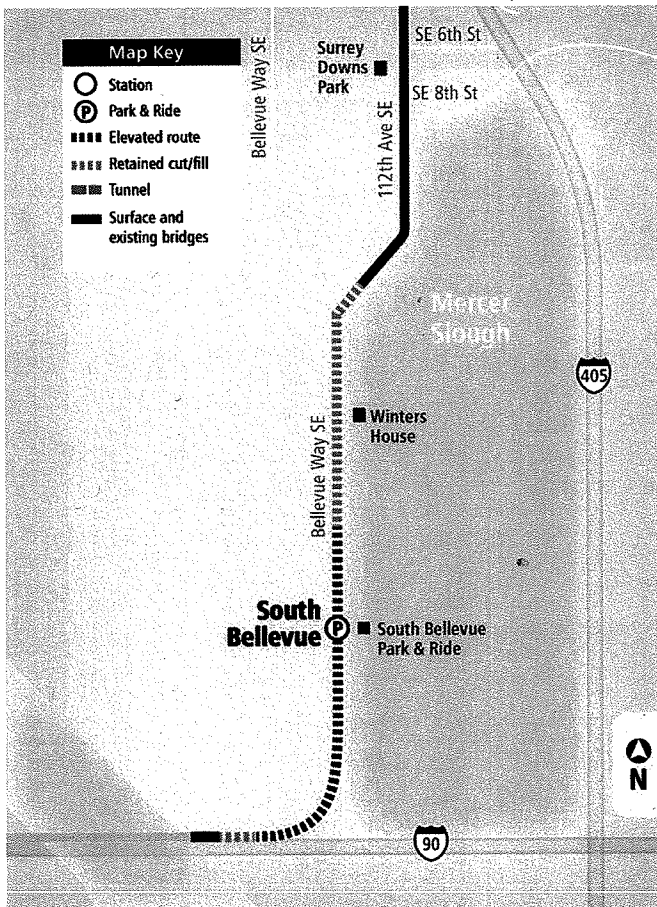
Segment B: South Bellevue

The selected project is elevated in the I-90 center roadway, crosses over westbound I-90, and continues elevated on the east side of Bellevue Way SE to the South Bellevue Station, located at the current South Bellevue Park-and-Ride Lot; this alternative also maintains the westbound and eastbound I-90 HOV direct access ramps.

The South Bellevue Station includes a parking structure with approximately 1,400 stalls on up to five levels built on the site of the existing South Bellevue Park-and-Ride Lot. After leaving the station, the route transitions to a retained cut on the east side of Bellevue Way within Mercer Slough Nature Park to the intersection of Bellevue Way SE and 112th Avenue SE. In front of the Winters House the route is in a lidded retained cut approximately 170 feet long. . All traffic impacts on Bellevue Way will be mitigated by adding an HOV lane from the main entrance of the S. Bellevue park-and-ride to I-90 and installing a U-turn at the south entrance to the park-and-ride.

The project transitions from retained cut to at-grade on the east side of 112th Avenue SE until SE 15th where it crosses to the west side. 112th Avenue SE will be raised over the light rail crossing of SE 15th. The project remains at-grade along 112th Avenue SE until reaching Segment C at SE 6th Street.

A traction power substation is located on the east side of Bellevue Way at SE 30th Street, near the Sweylocken boat launch and a cross-over is located south of the South Bellevue Station. All track within Segment B is direct fixation or ballasted.



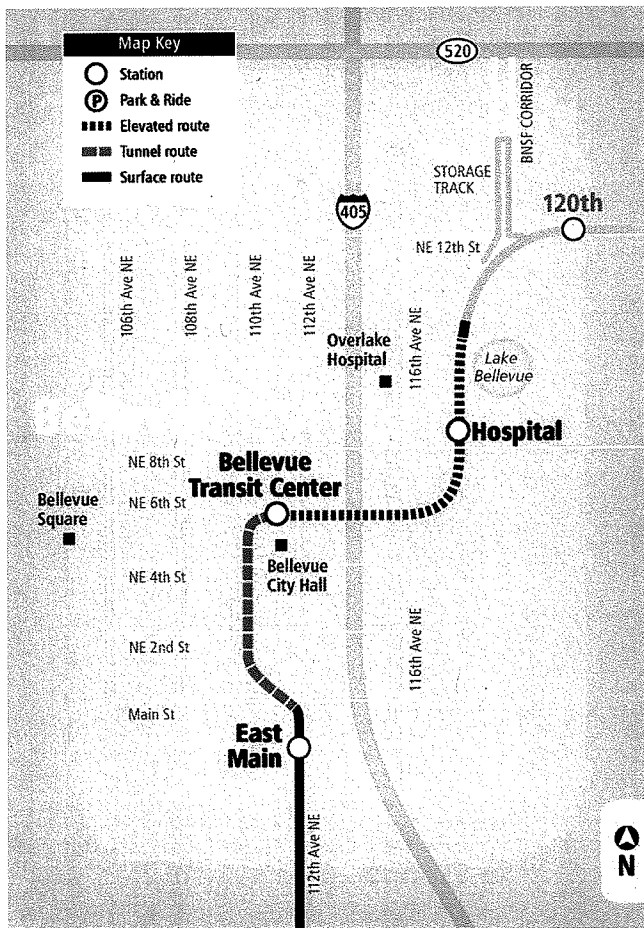
Segment C: Downtown Bellevue

The project travels from Segment B in a tunnel north along 110th Avenue NE, turns east at NE 6th Street, and crosses over I-405 to connect with Segment D.

From south Bellevue, the project travels at-grade on the west side of 112th Avenue SE, serving the East Main Station, just before turning west at Main Street to enter the tunnel portal on Main Street. The project includes modifying SE 4th Street to allow for an at-grade crossing for emergency vehicles only.

From the tunnel portal on Main Street, the project continues on the south side of Main Street before turning north under 110th Avenue NE and then east at NE 6th Street. The project includes the Bellevue Transit Center Station at NE 6th Street with two entrances. From this Station, the project continues east on the south side of NE 6th Street crossing 112th Avenue NE, I-405, and 116th Avenue NE. The project then turns north along the former BNSF Railway corridor to cross NE 8th Street and reach the elevated Hospital Station with entrances on the north side of NE 8th. The project then connects with Segment D from the former BNSF Railway corridor.

There is a traction power substation located near the intersection of Main Street and 112th Avenue SE. Cross-overs are located along 112th Avenue NE and between I-405 and 116th Avenue NE. All track within Segment C is direct fixation or ballasted.



Segment D: Downtown Bellevue to Overlake Transit Center

The project travels parallel to and north of a new NE 15th Street corridor east from the former BNSF Railway corridor in a mixed at-grade, retained-cut, and elevated profile. The project leaves the former BNSF Railway corridor at-grade and then transitions to a retained cut under 120th Avenue NE to a retained-cut 120th Station subject to a funding agreement with the property owner. After leaving the 120th Station, the route continues in a retained cut under 124th Avenue NE before transitioning to an elevated profile over the West Tributary of Kelsey Creek and then returns to the at-grade 130th Station. The 130th Station would include a new 300 stall park-and-ride lot adjacent to and immediately north of the station. The project continues at-grade on NE 16th Street, turns at 136th Place NE, and crosses NE 20th Street at-grade. NE 16th and 136th will be widened to create a median for light rail within the footprint described in the preliminary engineering plans. From NE 20th, the project transitions to an elevated structure along the south side of SR 520. The project then continues northeast across the Bellevue City Limits at 148th Ave NE and into the City of Redmond. Storage tracks would be in the former BNSF Railway corridor north of the Segment C/D break with lead tracks, operator report and light maintenance facilities adjacent to the corridor.

There are two traction power substations in the Bel-Red corridor: one near the 120th Station and one located under the elevated guideway at NE 24th Street. A cross-over is located between 124th and 130th Avenues NE. Other than embedded track between 130th and 136th Avenues NE, all track within Segment D is direct fixation or ballasted.

