



Legislation Text

File #: CB 120522, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Downtown Seattle Transit Tunnel; authorizing execution of a Downtown Seattle Transit Tunnel Transfer and Conveyance Agreement on behalf of The City of Seattle with the Central Puget Sound Regional Transit Authority ("Sound Transit") and King County; and ratifying and confirming certain prior acts.

WHEREAS, in 1990, the Municipality of Metropolitan Seattle, now merged with King County, completed construction of the Downtown Seattle Transit Tunnel ("DSTT" or "the tunnel"), an approximately 1.3-mile-long pair of transit tunnels that provide an additional right of way for transit vehicles in downtown Seattle; and

WHEREAS, from 2009, when the Central Puget Sound Regional Transit Authority ("Sound Transit") commenced light rail service in the tunnel, to 2019, the tunnel was jointly used by King County buses, Sound Transit buses, and Sound Transit light rail; and

WHEREAS, in March 2019, all bus operations in the tunnel ceased after King County sold its Convention Place Station property, the northern terminus for buses entering and exiting the tunnel, to the Washington State Convention Center for use as the site of a new convention center addition project. Sound Transit continues to operate light rail in and through the tunnel; and

WHEREAS, King County's Metro Transit department and Sound Transit have successfully negotiated an agreement to transfer ownership of the tunnel which includes the following related agreements: Tunnel Assets Transfer and Conveyance Agreement between King County, Sound Transit and the City of Seattle; Quitclaim Deed; Metro Facilities Agreement addressing retained and potential future Metro

transit department assets located in the tunnel; and

WHEREAS, the DSTT Transfer and Conveyance Agreement (“Conveyance Agreement”) is attached as Exhibit D to the Downtown Seattle Transit Tunnel Transfer Agreement, which has been approved by both the Sound Transit Board and King County Council; and

WHEREAS, the Conveyance Agreement terminates the 1985 Master Cooperation Agreement by and between the City of Seattle and the Municipality of Metropolitan Seattle for the Downtown Seattle Transit Project authorized by City Ordinance 119975 (“Master Cooperation Agreement”) in which the City granted Metro (now the County) the right to use the City right-of-way for the DSTT for so long as it is used for public transportation purposes; and

WHEREAS, the Conveyance Agreement terminates the Agreement between the City, King County, and Sound Transit regarding the Design, Construction, Operation and Maintenance of the Downtown Seattle Transit Tunnel and Related Facilities between and among King County, the City of Seattle and the Central Puget Sound Regional Transit Authority revised June 24, 2002 (the “Joint Operating Agreement”), in which the parties agreed to joint use of the DSTT by Sound Transit and the County for transportation purposes and in which the City acknowledged that the public transportation uses of the DSTT contemplated in the Joint Operating Agreement are specifically authorized under both the Master Cooperation Agreement and the Agreement between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as Related to the Central Link Light Rail Project, dated July 2000 and authorized by City Ordinance 119975 (the “Transit Way Agreement”); NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of Transportation, or designee, is authorized to execute, for and on behalf of The City of Seattle, the DSTT Transfer and Conveyance Agreement, in the form attached as Exhibit D to the Downtown Seattle Transit Tunnel Transfer Agreement, also attached to this ordinance as Attachment 1.

Section 2. Any act consistent with the authority of this ordinance taken after its passage and prior to its effective date is ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)

Attachment:

Attachment 1 - Exhibit D DSTT Transfer and Conveyance Agreement