1863-RES
12/6/2007

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 7665

A RESOLUTION expressing the intent of the Bellevue City Council with regard to developing a successor agreement to the existing BROTS Interlocal Agreement with the City of Redmond regarding land use planning in the Bel-Red/Overlake area and the mitigation of interjurisdictional transportation impacts.

WHEREAS, Bellevue and Redmond share a common border, and have established that trips originating in the Bel-Red area of Bellevue and the Overlake area of Redmond (collectively known as the BROTS area) have impacts across this shared border; and

WHEREAS, the two cities have a long history of interlocal cooperation in planning for and mitigating the impacts of cross-border trips; and

WHEREAS, in September, 1999, the two cities entered into an interlocal agreement with regard to land use planning and the funding and construction of transportation improvements in the BROTS area (the BROTS Agreement), which agreement is still in effect; and

WHEREAS, recently both cities have been conducting land use and transportation planning efforts intended to update planning assumptions through the year 2030 that supersede the planning assumptions of the BROTS Agreement; and

WHEREAS, the two cities desire to continue our interlocal cooperation and coordination in land use and transportation planning and mitigation; and

WHEREAS, the two cities recognize the need to develop a successor interlocal agreement to the BROTS Agreement, based on current planning assumptions and needs, and

WHEREAS, the two cities desire to have in place a framework of principles to guide the development of the successor interlocal agreement; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Council expresses its intent to develop a new interlocal agreement with the City of Redmond, based upon the principles set forth in Exhibit A, a copy of which has been given Clerk's Receiving No. 42358. This new interlocal agreement should supersede and function as a successor agreement to the existing BROTS agreement.

Section 2. The City Manager or his/her designee is hereby directed to work with staff from Redmond to develop a draft interlocal agreement, and to bring this item back for Council consideration based on the timeframe set forth in Exhibit A.

Passed by the City Council this 10th day of December, 2007, and signed in authentication of its passage this 10th day of December, 2007.

(SEAL)

Grant S. Degginger, Mayor

Attest:

Myrna L. Basich, City Clerk

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Attachment A

EXHIBIT A
FRAMEWORK FOR A BELLEVUE-REDMOND SUCCESSOR AGREEMENT

PREAMBLE

The following principles are intended to guide development of a successor agreement to BROTS, the interlocal agreement between Bellevue and Redmond (Cities) that provides for the coordination of land use and transportation between the two cities related to the Bel-Red and Overlake areas. The assumptions behind the existing BROTS interlocal agreement are being superseded by newer planning work that has been conducted by each city. It is in both cities' interests to adopt a successor interlocal agreement that will continue and improve upon the coordination that has been taking place under the BROTS agreement. With approval of this Framework, the cities are establishing their intent that a successor interlocal agreement should be adopted based on the following principles.

PRINCIPLES

Cooperative Planning and Advocacy

- The Cities commit to cooperative planning to accommodate each city's desired growth and development in the Overlake/Bel-Red area and to develop strategies and funding mechanisms to mitigate development impacts that cross jurisdictional boundaries.
- The Cities will jointly advocate for regional, state and federal investment in support of projects and strategies included in the successor BROTS agreement. This includes working with Sound Transit and King County Metro in support of mode split targets.
- The Cities will also jointly advocate for regional, state and federal investment in support of regional transportation projects that are integral to supporting the needs of the BROTS area.

Growth Caps

- The current commercial growth caps provided in the existing BROTS Interlocal Agreement will apply through 2012 (unless superseded by the successor Agreement), and growth up to the caps is not affected by these principles.
- It is the intent of the Cities that a new commercial growth cap beyond 2012 for Bel-Red and Overlake will be included in the successor agreement
- It is the intent of the Cities to phase commercial growth based on the provision and performance of transportation services/facilities.

Identification of Impacts

- The Cities agree that the following technical analysis needs to be performed to identify the impacts of planned growth and development:
    - Transportation modeling to test the efficacy of projects proposed to mitigate cross-jurisdictional traffic impacts; and
    - Transportation modeling to identify the proportionate shares of cross-border trips associated with development in Bel-Red and Overlake.
    - The details of this technical analysis will be mutually agreed upon by the two Cities.
- Each city will be responsible for 50% of the cost of any additional mutually agreed upon technical analysis and outside legal assistance needed to draft the agreement. Either city can perform and fund additional technical analysis as desired.
- The BROTS Interlocal Agreement scope will be expanded in the proposed successor agreement to address transportation impacts that cross city boundaries outside of the study area, to include East Bellevue and impacted portions of Redmond.

Mitigation Strategies/Projects

- Subject to the results of the technical analysis, both cities have an interest in updating the BROTS transportation project list to determine if currently identified projects are still desired or should be removed and the funds redirected to alternative mobility solutions. The intent is to explain the rationale as to why any projects targeted for removal are no longer needed, or have been superseded by new projects.
- Each city will be responsible for implementing transportation projects specific to its city Implementation means design, construction and funding.
- Each city will take necessary actions to monitor and meet its set mode split targets.
- The Cities commit to work together to develop key specifically designated traffic mitigation projects to address transportation impacts crossing jurisdictional boundaries. Each city is responsible for final selection, design and construction of these projects within its jurisdictional boundary.
- These designated mitigation projects will be incorporated into the successor BROTS agreement.
- The Cities commit to jointly establish a cost sharing agreement to fund these designated mitigation projects that is informed by transportation modeling, demonstrating each city's proportionate share of cross-border benefits and impacts.

Funding strategies/Commitments

- Any exchange of funds between the two cities to jointly funded projects will use a single, mutually agreed upon method to account and distribute funds.

Review

- The interjurisdictional transportation review process set out in the current BROTS agreement should be streamlined to eliminate review of individual projects, changes to concurrency systems and project delivery.
- The Cities agree to include a process in the successor BROTS agreement for review of proposed land use or zoning changes that exceed adopted Comprehensive Plans and codes.

Implementation of Plans

- The Cities agree to establish a schedule which emphasizes proceeding immediately to develop the successor BROTS agreement based on the principles set forth in this Framework.

- The Cities commit to adopt the successor BROTS agreement preferably by August 2008 and in any event no later than December 2008. Given this commitment, the Cities agree that Comprehensive Plans and code amendments can be adopted at any time. It is the intent of both cities that the commercial floor area permitted shall not exceed that allowed by the existing BROTS Agreement until the successor agreement is adopted by both cities, as long as both Cities agree that progress is being made in negotiations on the successor agreement.

Timeframe for new Agreement

- The Cities intend that the term of the successor BROTS agreement will be through 2030, with an interjurisdictional meeting and brief update occurring annually, and a report every 5 years. Defined phases in the agreement should correspond with each city's transportation facilities plan.