



Legislation Text

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File #: CB 119416, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the State Route 520 Project; authorizing the Mayor to execute an agreement with the State of Washington to set forth roles and responsibilities and establish a method for reimbursing costs, where applicable, to operate and maintain the infrastructure constructed as part of the State of Washington's State Route 520 Project.

WHEREAS, the Washington State Department of Transportation (WSDOT) is reconstructing segments of State Route 520 ("SR 520") through its SR 520 Bridge Replacement and HOV Program and is planning design, construction, and operation of the SR 520: Montlake to Lake Washington - Interchange and Bridge Replacement Project ("Project"), extending from approximately Mile Post (MP) 0.84 to MP 1.22; and

WHEREAS, the Project will construct, reconstruct, and install infrastructure and landscaping within, crossing over, adjacent to, and near SR 520 ("Improvements") within incorporated limits of the City of Seattle; and

WHEREAS, SR 520 is a fully controlled limited access facility under RCW Chapter 47.52; within the boundaries of the City of Seattle, title to the right-of-way of SR 520 is vested in the State of Washington ("State"), and WSDOT exercises full jurisdiction, responsibility, and control to and over the highways; and

WHEREAS, State Route 513 ("SR 513"), also known as Montlake Boulevard, consists of WSDOT limited access right-of-way, WSDOT fee-title property, and City of Seattle ("City") fee-title property, and pursuant to RCW 47.24.020, will be reconstructed by WSDOT as part of the Project within the same

portion of SR 513; and

WHEREAS, a segment of East Lake Washington Boulevard and a segment of Lake Washington Boulevard East, portions of which are currently within WSDOT limited access right-of-way and portions of which are currently within the City street right-of-way, will be reconstructed by WSDOT as part of the Project; and

WHEREAS, in 2011, WSDOT and the City entered into the SR 520, I-5 to Medina: Bridge Replacement and HOV Project Vision and Coordination Memorandum of Understanding (MOU), adopted by City Ordinance 123733, memorializing the City's continued involvement with the reconstruction and improvement of SR 520 through its duration and WSDOT's coordination with stakeholders and the community through the Seattle Community Design Process for community amenity and Montlake Lid design features; and

WHEREAS, the MOU recognized WSDOT's intent to work with the City to establish a maintenance and operation agreement for the Project elements, including the Montlake Lid and land bridge; and

WHEREAS, pursuant to RCW 47.52.090(5), the Washington State Legislature mandated that maintenance of City streets over limited access highways shall be in accordance with the governing policy entered into on June 21, 1956, as amended, between the State and the Association of Washington Cities; and

WHEREAS, on April 26, 1966, WSDOT, as successor to the Washington State Highway Commission, and the City, acting by and through its Mayor, entered into an agreement, GM 381, related to their respective maintenance responsibilities for the infrastructure in the SR 520 corridor, between 10th Avenue East and the Evergreen Point Floating Bridge; and

WHEREAS, both the State and the City have determined that neither GM 381 nor the City Streets as Part of State Highways Guidelines, dated April 30, 1997, and amended April 2, 2013 ("Guidelines"), provide sufficient guidance to the State and the City's respective obligations for maintenance and operation of the Improvements due to the unique features constructed as part of the Improvements; and

WHEREAS, the State and the City have now agreed to enter into a separate agreement, General Maintenance Agreement, City of Seattle and Washington State Department of Transportation, SR 520 Corridor, GMB 1094 (“GMB 1094”), to provide for the unique features not previously addressed in GM 381 or the Guidelines; and

WHEREAS, in August 2018, the City and the State executed an amendment to GCA 5962 (“Amendment”) to add an exhibit (“Design-Build Procedures”) that establishes a process by which the City will review and accept operation and maintenance responsibilities for the Improvements at the end of Project construction; and

WHEREAS, the State and the City’s operation and maintenance responsibilities will begin in accordance with GMB 1094 upon the City’s acceptance of the Improvements as provided for in the Amendment; and

WHEREAS, the City and the State wish to authorize GMB 1094 to clarify operation and maintenance responsibilities related to the Project Improvements and establish a method of reimbursement of costs, where applicable, for these activities; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The Mayor of Seattle or the Mayor’s designees are hereby authorized to execute, for and on behalf of The City of Seattle (“City”), the General Maintenance Agreement, City of Seattle and Washington State Department of Transportation, SR 520 Corridor, GMB 1094, between The City of Seattle and the State of Washington, substantially in the form attached to this ordinance as Attachment 1.

Section 2. 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 \_\_\_\_\_, 2019, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - General Maintenance Agreement, City of Seattle and Washington State Department of Transportation, SR 520 Corridor, GMB 1094

Exhibit A: SR 520 Vicinity Map

Exhibit B: Agreement Area Map Key and Table

Exhibit C: Wall Map Key and Table

Exhibit D: Montlake Lid and Pedestrian Land Bridge Section