

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
Department of Transportation	Gretchen Haydel	Christie Parker

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE accepting various deeds and easements relating to the State Route 99 Alaskan Way Viaduct and Seawall Replacement Program; laying off, opening, widening, extending, and establishing portions of rights-of-way; placing the real property conveyed by said deeds and easements under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights-of-way: portions of the SE 1/4 of Section 6, T24N R4E, W.M.; the NE 1/4 of Section 7, T24N R4E, W.M.; Section 30, T25N R4E, W.M.; Lots 3, 4, 6, and 7, Block 328, Seattle Tide Lands; Lots 1 through 7 and Lots 13 through 19, Block 329, Seattle Tide Lands; Lots 1 through 6, Block 330, Seattle Tide Lands; Lots 1 through 5 and Lot 17, Block 331, Seattle Tide Lands; Lots 1 through 18, Block 367, Seattle Tide Lands; Lots 1 through 19, Block 368, Seattle Tide Lands; Lots 1 through 9, Block 369, Seattle Tide Lands; Lots 1 through 7, Black's Replat of Portions of Lots 18 and 19 of Block 368, Seattle Tide Lands, together with unrecorded plat; Lots 1 through 8, H. H. Dearborn's Replat of part of Blk. 329, Seattle Tide Lands; Lots 1 through 11, Block 72, D. T. Denny's Home Addition to the City of Seattle; Lot 7, Block 74, D. T. Denny's Home Addition to the City of Seattle; Lots 1, 2, 3, 9, 10, 11, and 12, Block 75, D. T. Denny's Home Addition to the City of Seattle; Lots 4 through 6, Block 71, D. T. Denny's Park Addition to North Seattle; D. T. Denny Donation Land Claim No. 38; and Seattle Dock Company's Replat of Lots 10 and 16 inclusive of Blk. 369, Seattle Tide Lands; together with the vacated alleys and streets thereof.)

Summary and Background of the Legislation:

In 2009, the State of Washington (the "State"), King County, and The City of Seattle (the "City") committed to an overall plan to replace the aging Alaskan Way Viaduct with a new deep bored tunnel along with a necessary series of improvements to city streets and the Seattle central waterfront (the "Waterfront") to create a complete transportation corridor. Later that year the State Legislature endorsed the deep bored tunnel plan by enacting RCW 47.01.402 and authorizing funding for the State's responsibilities of the Alaskan Way Viaduct and Seawall Replacement Program (the "Program") to enact this body of work.

The Program was designed and constructed to be consistent with Seattle's vision for the Waterfront, including reconnecting Seattle's downtown with the Waterfront, enhancing the Waterfront's environmental sustainability, increasing views of Elliott Bay and the landforms beyond, facilitating revitalization of the Waterfront, maintaining transportation access to and through the Waterfront, and increasing opportunities for the public to access and enjoy the shoreline and the Waterfront.

To implement and construct the Program, the City and the State entered into several interlocal agreements to fund and construct the Program, and specified the roles and responsibilities of the City and the State. Certain provisions contained in these agreements specified the manner in which the property acquired by the State for the Program would be transferred to the City after Program completion.

Substantial completion of the Program has now been achieved and the State has relinquished property to the City pursuant to such provisions. The City Charter requires the City Council to accept all acquired property by ordinance to complete the property transfers.

This legislation accepts the Program Transfer Property as such term is defined in Section 1.38 of the MEMORANDUM OF AGREEMENT NO. GCA 6486 SR 99 ALASKAN WAY VIADUCT PROPERTY, ENVIRONMENTAL REMEDIATION, DESIGN REVIEW, PERMITTING AND CONSTRUCTION COORDINATION AGREEMENT FOR SR 99 BORED TUNNEL PROJECT, dated May 23, 2011, as required by the City Charter.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The costs associated with implementing this ordinance, including maintaining the newly acquired right-of-way and infrastructure, were addressed in the 2018 City-WSDOT agreement for operations and maintenance of SR99 improvements constructed as part of the Program (MEMORANDUM OF AGREEMENT NO. GMB 1060 STATE ROUTE 99 ALASKAN WAY VIADUCT REPLACEMENT MAINTENANCE AGREEMENT MP 29.76 TO MP 32.90), consistent with State law (RCW 47.24 and 47.52) and administrative code (WAC 468-18-050).

Are there financial costs or other impacts of *not* implementing the legislation?

If the Program Transfer Property is not accepted, the City will default on its contractual obligations with the State. Also, the City will have to pay property tax for this City-owned property if it is not laid off as right-of-way.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
No.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

Yes. The City is accepting property the State acquired for the Program.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

There are no known impacts to vulnerable or historically disadvantaged communities.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

This legislation supports the City's long-term goal to improve the Waterfront by accepting these rights-of-way.

Summary Attachments:

Summary Exhibit 1 – Transfer Areas Vicinity Map