

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
SDOT	Bill LaBorde	Aaron Blumenthal

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to railroad franchises; amending Sections 1 and 3 of Ordinances 126969 and 126970 to correct an error in the name of a franchisee.

Summary and Background of the Legislation: In December 2023, Council passed two ordinances, Ordinances 126969 and 126970, which amended the legal descriptions of railroad franchises held in and around Whatcom Yard by Burlington Northern Sante Fe Railroad (BNSF) and the Chicago, Milwaukee and St Paul Railway. Whatcom Yard is located along E Marginal Way in the blocks to the north and south of Hanford St. The 2023 legislation was necessary to reflect historic removal of tracks by the railroads, along with designation of future track locations in Whatcom Yard in advance of construction commencing on the North Segment of the E Marginal Corridor Improvement Project in early 2024. Since passage of these Council Bills in 2023, BNSF has informed SDOT that the bill should have read “BNSF Railway Company (BNSF), a Delaware Corporation” rather than “Burlington Northern Railroad Holdings, Inc,” as stated in Ordinance 126969. This legislation would correct the ordinance to reflect the proper “consolidated subsidiary” of BNSF.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ☐ Yes ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? ☐ Yes ☒ No

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

No, it simply corrects the name of the subsidiary entity that holds the railroad franchise rights on behalf of BNSF.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

N/A

Please describe any financial costs or other impacts of *not* implementing the legislation.

This legislation will need to be adopted and in effect to certify the reconfigured right-of-way with WSDOT once the Northern Segment of the E Marginal Corridor Improvement Project, which is scheduled for completion in early 2026.

Please describe how this legislation may affect any City departments other than the originating department.

N/A

4. OTHER IMPLICATIONS

a. Is a public hearing required for this legislation?

No

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

No

c. Does this legislation affect a piece of property?

Yes, it would correct the legal designation of the subsidiary that holds the franchise right on behalf of BNSF at Whatcom Yard in SODO.

d. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.

N/A

ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.

N/A

iii. What is the Language Access Plan for any communications to the public?

N/A

e. Climate Change Implications

i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.

N/A

- ii. **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.**

N/A

- f. **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)? What mechanisms will be used to measure progress towards meeting those goals?**

N/A

- g. **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

No

5. ATTACHMENTS

Summary Attachments: None.