

## SUMMARY and FISCAL NOTE\*

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*\* 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 relating to the John Lewis Memorial Bridge constructed under the Seattle Department of Transportation’s Northgate Bridge and Cycle Track Project; accepting the Northgate Easement Agreement granted by the State of Washington, State Board for Community and Technical Colleges, on behalf of North Seattle College, dated February 28, 2019; accepting a Pedestrian Bridge Easement Agreement granted by the Central Puget Sound Regional Transit Authority, a regional transit authority, dated April 22, 2021; accepting the Trail Lease granted by the Washington State Department of Transportation, dated September 29, 2021; placing the real property interests conveyed by such easements and lease under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns portions of property in the west half of the Northwest quarter of Section 32, Township 26 North, Range 4 East, Willamette Meridian and the east half of the Northeast quarter of Section 31, Township 26 North, Range 4 East, Willamette Meridian.)

#### **Summary and background of the Legislation:**

This legislation authorizes the acceptance of the following agreements:

- An easement agreement from North Seattle College;
- A pedestrian bridge easement from the Central Puget Sound Regional Transit Authority (“Sound Transit”); and
- A 10-year trail lease from the Washington State Department of Transportation (“WSDOT”). The lease may be renewed for 3 additional 25-year renewal periods; after that, the tenancy converts to month-to-month. Upon termination of the lease, the City is required to remove the trail facility.

This action places the easements and lease under SDOT’s jurisdiction, and ratifies and confirms prior acts.

#### **Background**

The John Lewis Memorial Bridge (the “Bridge”) was originally called the Northgate Pedestrian Bridge and was renamed pursuant to Ordinance 126412 to honor John Lewis, U.S. Representative and Civil Rights activist. The Bridge brings together historically divided North Seattle neighborhoods and provides new connections for people walking, rolling, biking, and taking transit.

The Bridge also provides a convenient and safe pedestrian and bicycle connection over Interstate-5, connecting the North Seattle College campus with the Northgate Transit Center, the largest facility in the King County Metro system (“NTC”), and Sound Transit’s Link Light Rail Northgate Station (“Northgate Station”). Prior to Project construction, the pedestrian and bicycle highway crossings in the area were separated by 0.9 mile, located on Northgate Way to the North and North 92nd Street to the South. The Bridge’s connection over Interstate-5 decreases travel time between the two sides of the highway.

The Project consists of four main components: 1) Bridge spans over Interstate-5; 2) Western approach between North Seattle College and wetland area, connecting to College Way North and North 100<sup>th</sup> Street; 3) Eastern approach between Interstate-5 and 1<sup>st</sup> Avenue Northeast at Northeast 100<sup>th</sup> Street, near the NTC; and 4) a multi-use path and protected bike lane along segments of 1<sup>st</sup> Avenue Northeast, and a multi-use path along a segment of Northeast 100<sup>th</sup> Street. Protected bike lanes combine the elements of a multi-use path with a conventional bike lane. They provide space for bikes that is separated from vehicles, parking lanes, and sidewalks.

The Project also includes landscape and design elements that create a harmonious and safe environment for all users. Through the design process, SDOT was able to use an approach called Crime Prevention Through Environmental Design (CPTED). This approach is based on the idea that people’s behavior within an urban environment is influenced by the design of the environment. Several safety features were incorporated into the Project’s design to enhance the CPTED concept, including creating spaces that give a sense of ownership of the public space and a sense of shared responsibility for personal security. Park like qualities were also created on the trails and spaces near the Bridge to provide a comfortable and enjoyable atmosphere.

As part of the Project’s tree mitigation plan, SDOT planted 464 trees to replace the 93 trees that were removed. The newly planted trees are more sustainable for the wetland environment around the Bridge. The vegetation and greenery around the Bridge were selected with safety in mind and provides relief from views of the freeway and filters air quality.

The Bridge meets the 75-year design life expectancy criteria consistent with the American Association of State Highway and Transportation Officials design codes. It is also expected to exceed a lifespan of more than 100 years with routine maintenance during its service life.

The Project was funded by the nine-year voter-approved Levy to Move Seattle, which was approved by voters in 2015; as well as bonds, Real Estate Excise Tax, and Street Vacation and Street Use fees. Additional funding was provided by the Federal Highway Administration, the State of Washington, and Sound Transit.

## 2. CAPITAL IMPROVEMENT PROGRAM

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

## 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget?       Yes  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?**

Environmental permitting for the Project requires 10 years of monitoring and maintenance of sensitive areas. The CIP for this Project includes these costs. Normal maintenance will be performed by Roadway Structures using its operations and maintenance budget.

The Northgate Easement Agreement requires that the City maintain and repair the Easement Area to provide usable and safe conditions, indemnifies the State Board for Community and Technical Colleges from all liabilities for the Easement Area, and states that the City will be responsible for compliance and liabilities regarding the Americans with Disabilities Act (ADA). The agreement also requires the City to reimburse North Seattle College a maximum of \$300,000 for parking costs if improvements are made within three years.

The Pedestrian Bridge Easement Agreement requires that the City maintain, inspect and repair the pedestrian bridge and all appurtenances. It also requires the City to indemnify Sound Transit from and against all claims, losses etc., as well as insurance requirements.

The Trail Lease Agreement requires that the City pay to erect a sign at all trail entrances indicating that the trail is located partially on highway right-of-way. It also states that if the trail is not removed after the lease terminates, the City's share of gas tax distributions will be reduced by the amount needed for WSDOT to maintain the trail in safe and operable condition. The lease agreement requires that the City be responsible for weed control, inspections, and repairs of the trail and stipulates that the City prevent water from draining from the trail to Interstate 5. The City is also responsible for various operational items, including security, graffiti removal, litter control, drainage facility maintenance, and other items. The agreement also includes multiple indemnity clauses, as well as insurance requirements.

**Is there financial cost or other impacts of *not* implementing the legislation?**

Yes. The easements and lease provide enhanced public access between the Bridge, the Northgate Station, and the NTC by providing a safe and reliable crossing over Interstate-5. Failure to pass this legislation and accept the easements and lease would compromise the public's ability to utilize the Bridge to provide safer and more convenient access to transportation opportunities and would compromise the City's ability to operate and maintain the Bridge.

#### 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, North Seattle College has granted an easement to the City for a portion of its property, Sound Transit has granted an easement on a portion of its property for surface and aerial rights, and WSDOT has granted an aerial lease over I-5 in connection with the Project. Such agreements provide the City property rights to construct, operate, and maintain the Bridge and other Project improvements.

**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?**

Councilmember Debra Juarez (District 5) led the effort in renaming the Bridge from the Northgate Pedestrian and Bicycle Bridge to the John Lewis Memorial Bridge in honor of U.S. Representative John Lewis to increase Black, Indigenous, and People of Color (BIPOC) representation in North Seattle. Across Seattle, BIPOC community members and leaders are underrepresented in the names of significant City infrastructure such as streets, bridges, and community centers. Honoring this African American hero and Civil Rights icon, and celebrating his life and legacy, is a positive step towards acknowledging and addressing this disparity in Seattle.

This legislation does not directly impact an historically disadvantaged community; however, all communities will benefit from the expansion of public access to transportation opportunities through this transportation hub.

There are multiple languages spoken within the Project area. SDOT translated Project materials into Spanish, Russian, Vietnamese, and Chinese. When SDOT needs to communicate with an individual business owner or resident in a different language, including American Sign Language, the department works with certified language interpreters.

**f. Climate Change Implications**

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

Passage of this legislation allows the Project to be utilized as planned. The Project design anticipates a reduction in single occupancy vehicles that should contribute to a reduction in carbon emissions.

The Project will increase transit ridership, shifting some trips from single occupancy vehicles and accommodating projected growth in housing and employment in the North Seattle neighborhoods served by the Bridge by providing easier access to the Northgate Station and the NTC over Interstate-5. If the permanent easements and lease are not accepted, accessibility to and from the Bridge to these transportation hubs would be compromised, thereby reducing the transit benefits provided by this Project, potentially impacting the magnitude of transit ridership shifting to public transportation.

**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.**

The Northgate Pedestrian and Bicycle Bridge Project Final Wetland and Watercourse Mitigation Plan was prepared for SDOT, WSDOT, and the Federal Highway Commission in 2019 (the “Mitigation Plan”) to ensure that the Project meets and supports local, state, and federal environmental requirements for mitigation. Such environmental regulations support Seattle’s resiliency to climate change in a material way. The Mitigation Plan provides a comprehensive plan for SDOT to protect all areas of mitigation that the Project constructed to compensate for permanent impacts to wetland, watercourses, and their buffers (Compensatory Mitigation), including long-term management of the Compensatory Mitigation.

As part of the Project’s Tree Mitigation Plan, SDOT planted 464 trees to replace the 93 trees that were removed. The newly planted trees are more sustainable for the wetland environment around the Bridge. Many of the removed trees have remained on site as part of the Project either in the watercourse to be used as wildlife habitat, or as mulch for the new plantings. Seattle’s urban forests are an increasingly important asset, playing a critical role in mitigating climate change impacts and cleaning our air and water. SDOT believes that the additional trees will play a role in increasing Seattle’s resiliency to climate change in a material way.

**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 does not include a new initiative or a major programmatic expansion.

**List attachments/exhibits below:**

Summary Exhibit A - Map of Project Area

Summary Exhibit B - Map of 1st Ave NE Protected Bike Lane and Multi-Use Path