

Ordinance No. 120101

Council Bill No. 113365

Rec

The City of Seattle Council Bill/Ordinance

AN ORDINANCE relating to locomotive and train speeds; authorizing the Director of Seattle Transportation to negotiate an agreement for various right-of-way, safety, railroad crossing, and signal improvements; increasing the permitted speeds within the City south of the King Street Station, and amending Chapter 11.66 of the Seattle Municipal Code in connection therewith.

9119/00-Transportation Comm

CF No. _____

9-25-00 Pass

Date Introduced: <u>9-11-2000</u>		
Date 1st Referred: <u>9-11-2000</u>	To: (committee) <u>Transportation</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>9-25-00</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>9-26-00</u>	Date Approved: <u>10/2/00</u>	
Date Returned to City Clerk: <u>10/2/00</u>	Date Published: <u>3 pp</u>	T.O. <input type="checkbox"/> P.T. <input checked="" type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

R

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

Richard J. McLean
Councilmember

Committee Action:

19100 - Encampment Committee - PASSED AS AMENDED 2-8 CD10, JC

(E)
(D)

1-25-00 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____

(initial/date)

Law Department

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Law Dept. Review

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City Clerk
Review

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ORDINANCE 120101

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3 AN ORDINANCE relating to locomotive and train speeds; authorizing the Director of Seattle
4 Transportation to negotiate an agreement for various right-of-way, safety, railroad crossing, and
5 signal improvements; increasing the permitted speeds within the City south of the King Street
6 Station, and amending Chapter 11.66 of the Seattle Municipal Code in connection therewith.

7
8 WHEREAS, The City of Seattle is working with the Central Puget Sound Regional Transit Authority
9 (“Sound Transit”), Burlington Northern/Santa Fe Railroad, and Union Pacific Railroad to
10 increase rail capacity along the Tacoma – Everett rail corridor in order to facilitate Sound
11 Transit’s *Sounder* commuter rail, Amtrak’s *Cascades* passenger rail service, and greater access
12 and mobility for rail transportation of freight and goods in the Puget Sound area; and,

13 WHEREAS, Sound Transit and the railroads are committed to making a series of safety improvements
14 along the Tacoma – Seattle rail corridor that will allow them to achieve this increased rail
15 capacity by travelling at an increased speed of up to 50 miles per hour;

16 **NOW, THEREFORE,**

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

18 Section 1. The Director of Seattle Transportation or the Director’s designee is authorized to
19 negotiate an agreement with Sound Transit to provide for the following:

20 1. The closure of the street at the rail crossing at Military Road South, contingent upon Sound Transit’s
21 pursuit of both funding and construction of a pedestrian and bicycle overpass over the railroad tracks in the
22 vicinity of Military Road South, installation of safety equipment to close the crossing, and the construction
23 of street improvements that will provide adequate access to the commercial property at 8300 Military Road
24 South;

2. Installation of safety, railroad crossing, and signal improvements at each of the five affected crossings:
mainline and side tracks at South Spokane Street, South Horton Street, South Lander Street, South Royal
Brougham Way, and mainline, side tracks and yard tracks at South Holgate Street. These improvements
may include but are not limited to red light camera enforcement equipment, median islands, quad grade-



1 crossing arms with vehicle-presence detection, pedestrian gate arms, Constant Warning Time system, inter-
2 tie connections linked to adjacent traffic signal equipment to allow traffic signal preemption, and a new rail
3 Central Traffic Control system along the rail corridor.

4 Section 2. The Director shall submit to the City Council proposed legislation to increase or
5 decrease the train speed limits at these five crossings based on the safety record along the Tacoma-Seattle
6 rail corridor as provided for in the agreement. The City recognizes that Sound Transit's goal is to increase
7 passenger train speed limits at S. Holgate Street, S. Lander Street, S. Horton Street, and S. Spokane Street
8 to fifty (50) miles per hour to help provide enough capacity in the rail corridor to accommodate increased
9 passenger service.

10 Section 3. Section 11.66.120 of the Seattle Municipal Code is amended as follows:

11 **11.66.120 Locomotive and train limit.**

12 A. No person shall operate any locomotive or train over or across any street at a speed in excess of twenty
13 (20) miles per hour except where:

14 ~~((A.))~~ 1. ~~((Where))~~ ~~((t))~~ The railroad exists on an underpass or overpass; or

15 ~~((B.))~~ 2. The Federal Rail Safety Act of 1970 (45 U.S.C. s. 434) or rules of the United States
16 thereunder preempt City authority to set a speed limit on mainline tracks~~((or))~~.

17 ~~((C.))~~ 3. Unless preempted, the speed limit shall be forty (40) miles per hour at mainline grade
18 crossing of streets or alleys south of South Spokane Street when signals are in operation.

19 B. Subsection A shall not apply to the crossings listed in this subsection. For those crossings, the speed
20 limits are as follows:

21 1. South Holgate Street and South Lander Street: Thirty-five (35) miles per hour for both
22 passenger and freight trains;



ATTACHMENT A

Potential Grade Crossing Improvements and Conditions

Before new speed limits are implemented, grade crossing improvements and conditions such as the following will be put in place:

GENERAL

- Sound Transit will secure an agreement that will include written verification that AMTRAK, Sound Transit, and the Burlington Northern Santa Fe and Union Pacific Railroads will comply with the speed limits set forth in SMC 11.66.120(B).

SOUTH SPOKANE STREET

- Relocate railroad gates and cantilevers to accommodate new mainline tracks
- Relocate railroad gates to cover the sidewalks
- Install double railroad gates
- Replace westbound cantilevers
- Upgrade Constant Warning Time systems
- Upgrade new controller cabinet with electronics
- Add railroad pre-warning signage & striping
- Upgrade simultaneous preemption (traffic signal to inter-tie to the railroad signal)
- Install railroad health monitoring system (system detects railroad gates & signal malfunctions and notifies railroad maintenance crews)
- Install pedestrian gates on all sidewalk/trail approaches not covered by railroad/vehicular gates

SOUTH HORTON STREET

- Relocate railroad gates to cover the sidewalks and vehicle lanes
- Install pedestrian flashers on the opposite of the gates
- Install shoulder mounted flashers
- Upgrade Constant Warning Time systems
- Install a signal cabinet with electronics upgrade
- Add railroad pre-warning signage & striping
- Upgrade simultaneous preemption
- Install railroad health monitoring system
- Insure crossing pads are long enough to provide pedestrian walkways that are separated from the roadway

SOUTH LANDER STREET

- Relocate railroad gates and cantilevers to accommodate the new mainline tracks
- Replace and relocate railroad gates to cover the sidewalks
- Add double railroad gates
- Install pedestrian flashers on the opposite of the railroad gates



- Upgrade Constant Warning Time systems
- Install westbound cantilevers signals
- Install road medians (e.g., Qwik Kurbs or Raised Channelization Islands)
- Reset controller cabinet & upgrade electronics
- Upgrade simultaneous preemption
- Install railroad health monitoring system (system detects railroad gates & signal malfunctions and notifies railroad maintenance crews)
- Install pedestrian gates on all sidewalk/trail approaches not covered by railroad/vehicular gates

SOUTH HOLGATE STREET

- Relocate railroad gates and cantilevers to accommodate new mainline tracks
- Install double railroad gates
- Relocate railroad gates to cover sidewalks
- Install pedestrian flashers on the opposite side of the gates
- Upgrade Constant Warning Time systems
- Install road medians (e.g., Qwik Kurbs or Raised Channelization Islands)
- Add railroad pre-warning signage & striping
- Install stop signs on all yard railroad tracks
- Install railroad health monitoring system
- Upgrade simultaneous preemption
- Advance preemption under consideration
- Install pedestrian gates on all sidewalk/trail approaches not covered by railroad/vehicular gates

SOUTH ROYAL BROUGHAM WAY

- Relocate railroad gates to accommodate the new mainline tracks
- Upgrade cantilevers
- Install pedestrian flashers at the opposite of the gates
- Upgrade Constant Warning Time systems
- Add railroad pre-warning signage & striping
- Upgrade sidewalks with runway warning lights
- Install railroad health monitoring system
- Upgrade simultaneous preemption
- Advance preemption under consideration
- Install pedestrian gates on all sidewalk/trail approaches not covered by railroad/vehicular gates





City of Seattle

Paul Schell, Mayor

Seattle Transportation

Daryl R. Grigsby, Director

September 5, 2000

Honorable Margaret Pageler
President, Seattle City Council
1100 Municipal Building
600 Fourth Avenue
Seattle, Washington 98104

Dear Councilmember Pageler:

Subject: Ordinance for increasing train speeds within Seattle south of the King Street Station

REQUEST: We request that the proposed ordinance that authorizes the Director of Seattle Transportation to negotiate an agreement for various right-of-way, safety, railroad crossing, and signal improvements in order to increase the permitted train speeds within Seattle, south of the King Street Station, be considered by the City Council. This Ordinance also sets conditions for the permanent closure of the rail crossing at Military Road South.

BACKGROUND: Sound Transit is poised to begin its commuter rail service from Tacoma to Seattle's King Street Station on September 17, 2000 and, as part of this service, has been negotiating with all the cities along the rail corridor to increase passenger and freight train speeds to improve train capacity on the corridor. Currently the Seattle Municipal Code stipulates a speed at crossings of 20 miles per hour (mph) unless there are grade separations or federal rules preempt City authority to set a speed limit on mainline tracks.

Sound Transit initially requested passenger train speeds of 50 mph and freight train speeds of 35 mph at South Holgate, South Lander, South Horton, and South Spokane Streets, and 25 mph at South Royal Brougham because of sporting events nearby. In return for the increased speed, Sound Transit is prepared to put in place a series of signal and roadway improvements to insure the safety of pedestrians and vehicles at these five crossings.

SEATRAN's Director of Traffic Management, along with other City staff, has been negotiating these improvements with Sound Transit; he is recommending to City Council lower initial speeds than requested by Sound Transit with the understanding that the City would monitor the passenger and freight trains' safety record along the Tacoma-Seattle rail corridor and recommend to City Council either an increase or a decrease in the speed limits based on that record.

Seattle Municipal Building, 600 Fourth Avenue, Room 410, Seattle, WA 98104-1879

Tel: (206) 684-7623, TTY/TDD: (206) 684-4009, Fax: (206) 684-5180

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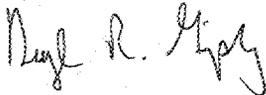
No speeds will be increased until all of the negotiated improvements are in place, which will be in the next 12-18 months. A list of the draft improvements is provided in Attachment A to the ordinance.

IMPORTANCE: The City agrees that, in order for there to be sufficient capacity on the Burlington Northern Santa Fe Railway (BNSF) tracks to accommodate sounder commuter rail service between Seattle and Tacoma, passenger train speeds need to be increased. The proposed ordinance authorizes the Director of Seattle Transportation to negotiate an agreement with Sound Transit to provide for three important actions to support this goal:

1. closure of the rail crossing at Military Road South contingent on Sound Transit's pursuit of funding and construction of a pedestrian/bicycle overpass in the vicinity of Military Road South and installation of safety equipment and street improvements to close the crossing;
2. installation of safety and signal improvements substantially as stipulated in Attachment A at each of the five affected crossings south of the King Street Station; and
3. approval of increased speeds as set forth in the ordinance when the agreed-upon improvements and conditions are in place.

If you have questions, please contact Gerry Willhelm, Director of Traffic Management, at 684-5097.

Sincerely,



Daryl R. Grigsby
Director

DRG/SFM:wma

Attachment: Ordinance

cc: Michael Brown, Councilmember McIver's Staff
Martha Lester, City Council Central Staff
Jared Smith, Strategic Planning Office
Mark Clemmens, SEATRAN
Gerry Willhelm, P.E., SEATRAN
Susan Mueller, SEATRAN



Honorable Margaret Pa...
September 5, 2000
Page 2

No speeds will be increased until all of the negotiated improvements are in place, which will be in the next 12-18 months. A list of the draft improvements is provided in Attachment A to the ordinance.

IMPORTANCE: The City agrees that, in order for there to be sufficient capacity on the Burlington Northern Santa Fe Railway (BNSF) tracks to accommodate sounder commuter rail service between Seattle and Tacoma, passenger train speeds need to be increased. The proposed ordinance authorizes the Director of Seattle Transportation to negotiate an agreement with Sound Transit to provide for three important actions to support this goal:

1. closure of the rail crossing at Military Road South contingent on Sound Transit's pursuit of funding and construction of a pedestrian/bicycle overpass in the vicinity of Military Road South and installation of safety equipment and street improvements to close the crossing;
2. installation of safety and signal improvements substantially as stipulated in Attachment A at each of the five affected crossings south of the King Street Station; and
3. approval of increased speeds as set forth in the ordinance when the agreed-upon improvements and conditions are in place.

If you have questions, please contact Gerry Wilhelm, Director of Traffic Management, at 684-5097.

Sincerely,

Daryl R. Grigsby
Director

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cc: Michael Brown, Councilmember McIver's Staff
Martha Lester, City Council Central Staff
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ORDINANCE _____

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6 Station, and amending Chapter 11.66 of the Seattle Municipal Code in connection therewith.

7 WHEREAS, The City of Seattle is working with the Central Puget Sound Regional Transit Authority
8 (“Sound Transit”), Burlington Northern/Santa Fe Railroad, and Union Pacific Railroad to
9 increase rail capacity along the Tacoma – Everett rail corridor in order to facilitate Sound
10 Transit’s *Sounder* commuter rail, Amtrak’s *Cascades* passenger rail service, and greater access
11 and mobility for rail transportation of freight and goods in the Puget Sound area; and,

12 WHEREAS, Sound Transit and the railroads are committed to making a series of safety improvements
13 along the Tacoma – Seattle rail corridor that will allow them to achieve this increased rail
14 capacity by travelling at an increased speed;

15 **NOW, THEREFORE,**

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

17 Section 1. The Director of Seattle Transportation or the Director’s designee is authorized to
18 negotiate an agreement with Sound Transit to provide for the following:

19 1. The closure of the street at the rail crossing at Military Road South, contingent upon Sound Transit’s
20 pursuit of both funding and construction of a pedestrian and bicycle overpass over the railroad tracks in the
21 vicinity of Military Road South, installation of safety equipment to close the crossing, and the construction
22 of street improvements that will provide adequate access to the commercial property at 8300 Military Road
23 South;

24 2. Installation of safety, railroad crossing, and signal improvements at each of the five affected crossings:
mainline and side tracks at South Spokane Street, South Horton Street, South Lander Street, South Royal
Brougham Way, and mainline, side tracks and yard tracks at South Holgate Street. These improvements
may include but are not limited to red light camera enforcement equipment, median islands, quad grade-



1 crossing arms with vehicle-presence detection, pedestrian gate arms, Constant Warning Time system, inter-
2 tie connections linked to adjacent traffic signal equipment to allow traffic signal preemption, and a new rail
3 Central Traffic Control system along the rail corridor.

4 Section 2. The Director shall submit to the City Council proposed legislation to increase or
5 decrease the train speed limits at these five crossings based on the safety record along the Tacoma-Seattle
6 rail corridor as provided for in the agreement.

7 Section 3. Section 11.66.120 of the Seattle Municipal Code is amended as follows:

8 **11.66.120 Locomotive and train limit.**

9 A. No person shall operate any locomotive or train over or across any street at a speed in excess of twenty
10 (20) miles per hour except where:

11 ~~((A-))~~ 1. ~~((Where))~~ ~~((t))~~ The railroad exists on an underpass or overpass; or

12 ~~((B-))~~ 2. The Federal Rail Safety Act of 1970 (45 U.S.C. s. 434) or rules of the United States
13 thereunder preempt City authority to set a speed limit on mainline tracks~~((; or))~~.

14 ~~((C-))~~ 3. Unless preempted, the speed limit shall be forty (40) miles per hour at mainline grade
15 crossing of streets or alleys south of South Spokane Street when signals are in operation.

16 B. Subsection A shall not apply to the crossings listed in this subsection. For those crossings, the speed
17 limits are as follows:

18 1. South Holgate Street and South Lander Street: Thirty-five (35) miles per hour for both
19 passenger and freight trains;

20 2. South Horton Street and South Spokane Street: Forty (40) miles per hour for passenger trains
21 and thirty-five (35) miles per hour for freight trains;

22 3. South Royal Brougham Way. Twenty-five (25) miles per hour for both passenger and freight
23 trains.



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Section 4. The new speed limits in SMC 11.66.120(B) shall not be implemented until the Director of Transportation has filed with the City Clerk a memorandum stating that the agreed-to improvements and conditions substantially set forth in Attachment A have been completed.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2000, and signed by me in open session in authentication of its passage this _____ day of _____, 2000.

President _____ of the City Council

Approved by me this _____ day of _____, 2000.

Mayor

Filed by me this _____ day of _____, 2000.

City Clerk

(Seal)



STATE OF WASHINGTON - KING COUNTY

123422

City of Seattle, Clerk's Office

—ss.

No. FULL ORD

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120101 ORDINANCE

was published on

10/09/00

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

[Handwritten signature]

Subscribed and sworn to before me on
~~10/09/00~~

[Handwritten signature]
Notary Public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 120101

AN ORDINANCE relating to locomotive and train speeds, authorizing the Director of Seattle Transportation to negotiate an agreement for various right-of-way, safety, railroad crossing, and signal improvements; increasing the permitted speeds within the City south of the King Street Station, and amending Chapter 11.66 of the Seattle Municipal Code in connection therewith.

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WHEREAS, Sound Transit and the railroads are committed to making a series of safety improvements along the Tacoma-Seattle rail corridor that will allow them to achieve this increased rail capacity by travelling at an increased speed of up to 50 miles per hour;

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2. Installation of safety, railroad crossing, and signal improvements at each of the five affected crossings: mainline and side tracks at South Spokane Street, South Horton Street, South Lander Street, South Royal Brougham Way, and mainline, side tracks and yard tracks at South Holgate Street. These improvements may include but are not limited to red light camera enforcement equipment, median islands, quad grade-crossing arms with vehicle-presence detection, pedestrian gate arms, Constant Warning Time system, inter-tie connections linked to adjacent traffic signal equipment to allow traffic signal preemption, and a new rail Central Traffic Control system along the rail corridor.

Section 2. The Director shall submit to the City Council proposed legislation to increase or decrease the train speed limits at these five crossings based on the safety record along the Tacoma-Seattle rail corridor as provided for in the agreement. The City recognizes that Sound Transit's goal is to increase passenger train speed limits at S. Holgate Street, S. Lander Street, S. Horton Street, and S. Spokane Street to fifty (50) miles per hour to help provide enough capacity in the rail corridor to accommodate increased passenger service.

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A. No person shall operate any locomotive or train over or across any street at a