

Ordinance No. 122971

Council Bill No. 116501

AN ORDINANCE relating to financing the design of improvements to the Airport over Argo Bridge; authorizing the Director of Transportation to execute a Public Works Trust Fund Loan Agreement with the Washington State Public Works Board for design of the replacement of the bridge approaches and deck; authorizing the acceptance of the Public Works Trust Fund proceeds and the incurring of indebtedness; changing an appropriation; and amending the Adopted 2009-2014 Capital Improvement Program; ratifying and confirming certain acts; all by a three-fourths vote of the City Council.

CF No. \_\_\_\_\_

Date Introduced:	<u>4-13-09</u>	
Date 1st Referred:	To: (committee)	
<u>4-13-09</u>	<u>Transportation</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>4-27-09</u>	<u>8-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>4-28-09</u>	<u>5-6-09</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/>
<u>5-6-09</u>	<u>4</u>	F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jose Pardo  
Councilmember

Committee Action:

4/21/09 Pass 3-0 SD, SC, RM

4/27/09 Pass 8-0 (SC excused)

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
(initial/date)

Law Department





# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

April 7, 2009

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

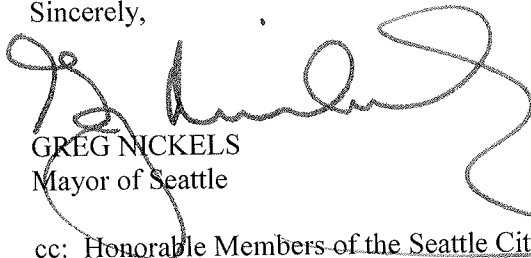
Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that accepts a \$1,000,000 Public Works Trust Fund Loan from the Washington State Public Works Board. The loan is for pre-construction work for the replacement of the approaches of the Airport Way South Viaduct Over Argo Railroad Yard structure. This project is part of the City's Bridge Rehabilitation and Replacement Program, which is funded primarily from the "Bridging the Gap" (BTG) levy.

This structure carries Airport Way South over the Argo Rail Yard and is a major freight route. Over the years, severe deterioration and shear cracks have developed. The bridge's load rating was re-evaluated and it was determined that Legal Overloads should be restricted from using the bridge and that trucks should only travel along the outside lanes of the bridge. Currently, this is one of several City bridges that has a live crack monitoring program so that 'real time' crack movement data can be collected.

The Public Works Trust Fund loan is a low-cost financing mechanism. The interest rate of 0.5% is much lower than the current rate for Limited Tax General Obligation Bonds. Thank you for your consideration of this legislation. Should you have questions, please contact Steve Viney at 684-4158.

Sincerely,



GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



**ORDINANCE**

122971

AN ORDINANCE relating to financing the design of improvements to the Airport over Argo Bridge; authorizing the Director of Transportation to execute a Public Works Trust Fund Loan Agreement with the Washington State Public Works Board for design of the replacement of the bridge approaches and deck; authorizing the acceptance of the Public Works Trust Fund proceeds and the incurring of indebtedness; changing an appropriation; amending the Adopted 2009-2014 Capital Improvement Program; and ratifying and confirming certain acts; all by a three-fourths vote of the City Council.

WHEREAS, the Mayor has proposed and the City Council has approved, a 2009 Budget and 2009-2014 Capital Improvement Program that includes design and construction activities for the Bridge Rehabilitation and Replacement program; and

WHEREAS, the Airport Way South Viaduct structure carries Airport Way South over the Argo Railroad Yard and is a heavily traveled route for freight traffic in the area; and

WHEREAS, severe deterioration and shear cracks have developed on the structure; the bridge's load rating was re-evaluated and it was determined that Legal Overloads should be restricted from using the bridge and that trucks should only travel along the outside lanes of the bridge; and

WHEREAS, the City of Seattle has been awarded a \$1.0 million Public Works Trust Fund loan for design activities associated with the Airport Way South Viaduct, and the Public Works Trust Fund Loan is a low-cost financing mechanism with an interest rate of one-half percent, which is much lower than the current rates for Limited Tax General Obligation Bonds; NOW, THEREFORE,

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

Section 1. The Director of Transportation is hereby authorized to enter into an agreement with the Washington State Public Works Board for a Public Works Trust Fund loan not to exceed One Million Dollars (\$1,000,000) for design of the replacement of approaches and deck to the Airport over Argo Bridge. The loan funds, when received, shall be deposited into the Transportation Fund, External Advance Subfund (10391) as reimbursement for the appropriation



made in Section 2 hereof. The loan funds shall be repaid on a schedule agreed upon between the Director of Transportation and the Washington State Public Works Board, with a term from one to twenty years and a maximum annual interest of one-half percent (1/2%). The full faith and credit of the City is pledged to the repayment of this indebtedness, should the loan funds be received.

Section 2. Contingent upon the execution of the agreement authorized in Section 1, and in order to pay for necessary capital costs and expenses for which insufficient appropriations were made, the appropriation for the following item in the 2009 Budget is increased from the fund shown, as follows:

Fund	Department	Budget Control Level	Amount
Transportation Operating Fund (10310)	Seattle Department of Transportation	Major Maintenance/Replacement (19001)	\$1,000,000

Section 3: For the following project in the 2009-2014 Adopted Capital Improvement Program as amended by ordinance, the dollar amount shown as Spending Plan in the 2009 column is hereby amended as follows:

Department	Project Name	Project ID Code	2009 Amount (in \$1,000s)
Seattle Department of Transportation	Bridge Rehabilitation and Replacement	TC366850	<del>((15,825))</del> 16,825

This amendment shall operate for the purpose of increasing the base for the limit imposed by Subsection 4(c) of Ordinance 122863.



1           Section 4. Any act consistent with the authority of this ordinance taken after its passage  
2 and prior to its effective date is hereby ratified and confirmed.


3           Section 5. In accordance with RCW 35.32A.060, the foregoing appropriations are made  
4 to meet actual necessary expenditures of the City for which insufficient appropriations have been  
5 made due to causes that could not reasonably have been foreseen at the time of the making of the  
6 2009 Budget.  
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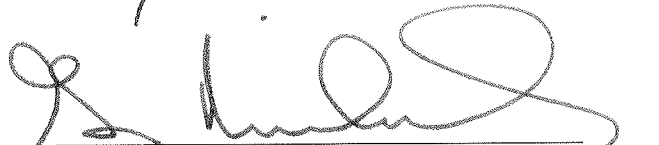
Section 6. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by a three-fourths (3/4) vote of all the members of the City Council the 27 day of April, 2009, and signed by me in open session in authentication of its passage this

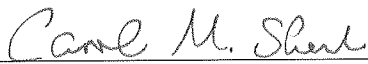
27<sup>th</sup> day of April, 2009.

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

Approved by me this 6<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
Gregory J. Nickels, Mayor

Filed by me this 6<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
Carol M. Shurt  
Accty City Clerk

(Seal)



**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
SDOT	Christine Patterson/3-7806	Stephen Barham/3-9084

AN ORDINANCE relating to financing the design of improvements to the Airport over Argo Bridge; authorizing the Director of Transportation to execute a Public Works Trust Fund Loan Agreement with the Washington State Public Works Board for design of the replacement of the bridge approaches and deck; authorizing the acceptance of the Public Works Trust Fund proceeds and the incurring of indebtedness; changing an appropriation; amending the Adopted 2009-2014 Capital Improvement Program; and ratifying and confirming certain acts; all by a three-fourths vote of the City Council.

**Summary and background of the Legislation:**

This legislation authorizes the acceptance of a state Public Works Trust Fund \$1.0 million loan for pre-construction activities related to the Airport Way South Viaduct over Argo Railroad Yard structure. This Public Works Trust Fund loan is a low-cost financing mechanism. The interest rate of 0.5% is much lower than the current rates for Limited Tax General Obligation Bonds.

This project is part of the City's Bridge Rehabilitation and Replacement Program, which is funded primarily from the "Bridging the Gap" (BTG) levy. Several bridges were prioritized and selected for rehabilitation/replacement based on safety, route significance, and the overall structural vulnerabilities.

The existing Airport Way South Viaduct structure is located north of the intersection of Airport Way South and South Lucile Street. The bridge carries Airport Way South over the Argo Railroad Yard. Airport Way South is classified as an arterial and is one of many heavily traveled routes for freight traffic in the area. Over the years, severe deterioration and shear cracks have developed. The bridge's load rating was re-evaluated and it was determined that Legal Overloads should be restricted from using the bridge and that truck vehicles should only travel along the outside lanes of the bridge. Currently, this is one of several City bridges that have had a live crack monitoring program implemented so that 'real time' crack movement data can be collected.

In 2007, SDOT developed a feasible alternative for replacing the timber trestle approaches in a manner that could maintain two-way traffic during construction, match or improve the existing roadway geometrics, and accommodate future replacement of the main span viaduct structure over Union Pacific's Argo Railroad Yard and the Burlington Northern Santa Fe (BNSF) Railway mainline tracks. The current project is premised upon the timber approaches being replaced and not rehabilitated or seismically retrofitted.



<b>Project Name:</b>	<b>Project I.D.</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date</b>
Bridge Rehabilitation and Replacement	TC366850	Citywide	Ongoing	Ongoing

- Please check any of the following that apply:

       **This legislation creates, funds, or anticipates a new CIP Project.** (Please note whether the current CIP is being amended through this ordinance, or provide the Ordinance or Council Bill number of the separate legislation that has amended/is amending the CIP.)

       **This legislation does not have any financial implications.** (Stop here and delete the remainder of this document prior to saving and printing.)

  X   **This legislation has financial implications.** (Please complete all relevant sections that follow.)

**Appropriations:** This table should detail existing appropriations and reflect appropriations that are a direct result of this legislation. In the event that the projects associated with this ordinance had, or will have, appropriations in other legislation, please provide details in the Notes section below. If this legislation does not directly change an appropriation, but results in budget authority being moved within a Budget Control Level, or to another Budget Control Level (up to 10%), please explain in the Notes section below.

[\$'s in Thousands]

<b>Fund Name and Number</b>	<b>Department</b>	<b>Budget Control Level*</b>	<b>Existing 2009 Appropriation</b>	<b>New 2009 Appropriation (if any)</b>	<b>2010 Anticipated Appropriation</b>
Transportation Operating Fund (10310)	SDOT	Major Maintenance/ Replacement - 19001	12,861	1,000	32,460
<b>TOTAL</b>			12,861	1,000	32,460

\*See budget book to obtain the appropriate Budget Control Level for your department.

**Notes:** These appropriation amounts reflect the budget for the entire Bridge Rehabilitation and Replacement Program.





**Spending Plan and Future Appropriations for Capital Projects:** Please list the timing of anticipated appropriation authority requests and expected spending plan. In addition, please identify your cost estimate methodology including inflation assumptions, the projected costs of meeting applicable LEED standards, and the percent for art and design as appropriate.

Spending Plan and Budget	2009	2010	2011	2012	2013	2014	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations							

**Note:** Spending plan and future appropriations are shown in Attachment A to this fiscal note.

**Funding source:** Identify funding sources including revenue generated from the project and the expected level of funding from each source.

Funding Source (Fund Name and Number, if applicable)	2009	2010	2011	2012	2013	2014	Total
<b>TOTAL</b>							

**Note:** Funding sources are shown in Attachment A to this fiscal note.

**Bond Financing Required:** If the project or program requires financing, please list type of financing, amount, interest rate, term and annual debt service or payment amount. Please include issuance costs of 3% in listed amount.

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
N/A					
<b>TOTAL</b>					

**Note:** Existing bond financing is included in the 2009 Adopted & 2010 Endorsed Budget.

**Uses and Sources for Operation and Maintenance Costs for the Project:** Estimate cost of one-time startup, operating and maintaining the project over a six year period and identify each fund source available. Estimate the annual savings of implementing the LEED Silver standard. Identify key assumptions such as staffing required, assumed utility usage and rates and other potential drivers of the facility's cost.

O&M	2008	2009	2010	2011	2012	2013	Total
Uses							
Start Up							
On-going							
Sources (itemize)							

**Note:** This project provides major maintenance to an existing facility.

**Notes:**

- **Do positions sunset in the future?** (If yes, identify sunset date): N/A
- **What is the financial cost of not implementing the legislation:** (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):

If the legislation is not implemented, the City cannot take advantage of this financing mechanism. The interest rate on this Public Works Trust Fund loan is 0.5%. This is a cost-effective way to leverage City funds in order to implement major maintenance on and improvements to the City's bridges.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives** (Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):

This Public Works Trust Fund loan is a low-cost financing mechanism. An alternative financing mechanism would be Limited Tax General Obligation (LTGO) bonds. However, the interest rate on this loan is much lower than the current rates for LTGO bonds..

- **Is the legislation subject to public hearing requirements:** (If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future?)

No.

- **Other Issues** (including long-term implications of the legislation):

**Please list attachments to the fiscal note below:**

***Attachment A – Amended 2009-2014 Adopted Capital Improvement Program project display.***

***Attachment B – Map of Airport over Argo Bridge***



# Transportation

## Bridge Rehabilitation and Replacement

**BCL/Program Name:** Major Maintenance/Replacement  
**Project Type:** Rehabilitation or Restoration  
**Project ID:** TC366850

**BCL/Program Code:** 19001  
**Start Date:** Ongoing  
**End Date:** Ongoing

**Location:** Citywide

**Neighborhood Plan:** Not in a Neighborhood Plan

**Neighborhood Plan Matrix:** N/A

**Neighborhood District:** In more than one District

**Urban Village:** In more than one Urban Village

This project addresses the major maintenance backlog for the City's bridge infrastructure. The bridges scheduled for maintenance are: Airport Way over Argo, 15th Avenue NE at NE 105th Street, East Duwamish Waterway, Jose Rizal, East Marginal Way at Horton Street, and NE 45th Street Viaduct.

	LTD Actuals	2008	2009	2010	2011	2012	2013	2014	Total
<b>Revenue Sources</b>									
2009 Multipurpose LTGO Bond Fund	0	0	11,341	3,000	0	0	0	0	14,341
Real Estate Excise Tax II	0	320	0	0	0	0	0	0	320
2008 Multipurpose LTGO Bond Fund	0	3,965	0	0	0	0	0	0	3,965
Transportation Funding Package - Bonds	0	0	0	27,756	35,645	7,583	0	0	70,984
City Light Fund Revenues	0	0	25	0	0	0	0	0	25
Federal Grant Funds	0	0	0	903	621	0	0	0	1,524
General Subfund Revenues	0	11	0	0	0	0	0	0	11
State Gas Taxes - Arterial City Street Fund	20	0	0	0	0	0	0	0	20
Transportation Funding Package - Business Transportation Tax	0	1,544	0	0	0	0	0	0	1,544
Transportation Funding Package - Lid Lift	238	809	0	0	0	0	0	0	1,047
Transportation Funding Package - Parking Tax	0	0	1,495	801	2,035	3,157	0	0	7,488
Public Works Trust Fund Proceeds	0	0	1,000	0	0	0	0	0	1,000
<b>((Project Total:</b>	<b>258</b>	<b>6,649</b>	<b>12,861</b>	<b>32,460</b>	<b>38,301</b>	<b>10,740</b>	<b>0</b>	<b>0</b>	<b>101,269))</b>
<b>Project Total:</b>	<b>258</b>	<b>6,649</b>	<b>13,861</b>	<b>32,460</b>	<b>38,301</b>	<b>10,740</b>	<b>0</b>	<b>0</b>	<b>102,269</b>
<b>Fund Appropriations/Allocations</b>									
Cumulative Reserve Subfund - Real Estate Excise Tax II Subaccount	0	320	0	0	0	0	0	0	320
<b>((Transportation Operating Fund</b>	<b>258</b>	<b>6,329</b>	<b>12,861</b>	<b>32,460</b>	<b>38,301</b>	<b>10,740</b>	<b>0</b>	<b>0</b>	<b>100,949))</b>
Transportation Operating Fund	258	6,329	13,861	32,460	38,301	10,740	0	0	101,949
<b>((Appropriations Total*</b>	<b>258</b>	<b>6,649</b>	<b>12,861</b>	<b>32,460</b>	<b>38,301</b>	<b>10,740</b>	<b>0</b>	<b>0</b>	<b>101,269))</b>
<b>Appropriations Total*</b>	<b>258</b>	<b>6,649</b>	<b>13,861</b>	<b>32,460</b>	<b>38,301</b>	<b>10,740</b>	<b>0</b>	<b>0</b>	<b>102,269</b>
<b>O &amp; M Costs (Savings)</b>			0	0	0	0	0	0	0
<b>((Spending Plan</b>	<b>3,685</b>	<b>15,825</b>	<b>32,460</b>	<b>38,301</b>	<b>10,740</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>101,011))</b>
<b>Spending Plan</b>	<b>3,685</b>	<b>16,825</b>	<b>32,460</b>	<b>38,301</b>	<b>10,740</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>102,011</b>

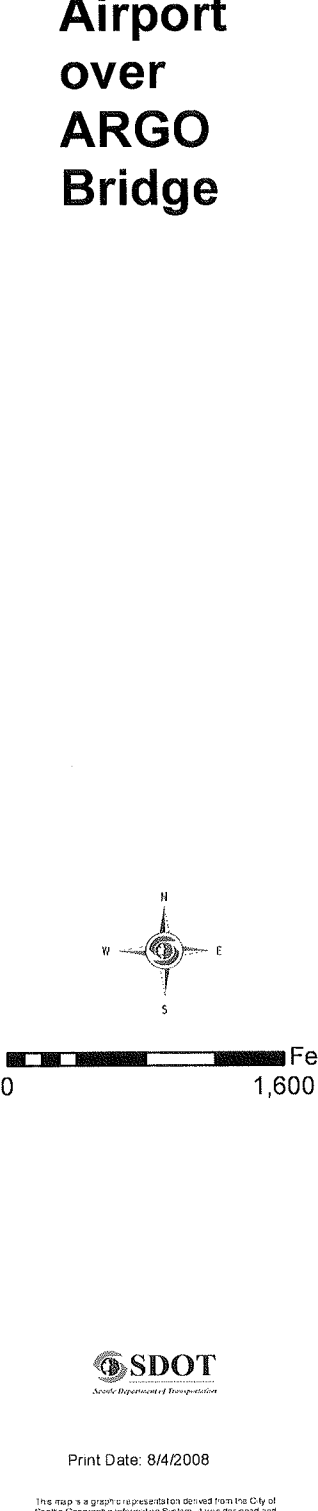
*\*This detail is for information only. Funds are appropriated in the budget at the Budget Control Level. Amounts in thousands of dollars.*

**2009-2014 Adopted Capital Improvement Program**

**Fiscal Note ATTACHMENT A**



# Airport over ARGO Bridge



0 1,600 Feet

**SDOT**  
Seattle Department of Transportation

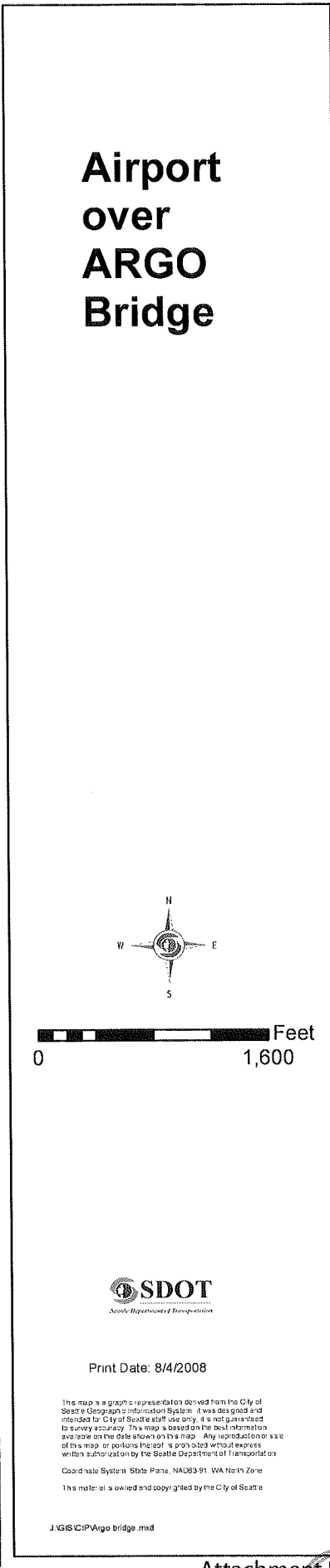
Print Date: 8/4/2008

This map is a graphic representation derived from the City of Seattle Geographic Information System. It was designed and intended for City of Seattle staff use only. It is not guaranteed to survey accuracy. This map is based on the best information available on the date shown on this map. Any reproduction or use of this map or portions thereof is prohibited without express written authorization by the Seattle Department of Transportation.

Coordinate System: State Plane, NAD83-91, WA North Zone

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J:\GIS\IP\Argo bridge.mxd





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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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238577  
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

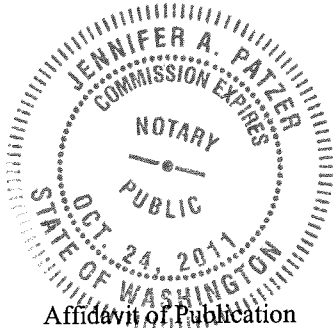
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122964-967 & 122971

was published on

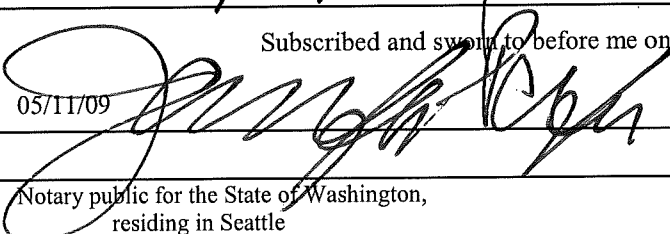
05/11/09

The amount of the fee charged for the foregoing publication is the sum of \$ 84.90, which amount has been paid in full.



  
Subscribed and sworn to before me on

05/11/09

  
Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

#### TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on April 27, 2009, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

#### ORDINANCE NO. 122964

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 122971

AN ORDINANCE relating to financing the design of improvements to the Airport over Argo Bridge; authorizing the Director of Transportation to execute a Public Works Trust Fund Loan Agreement with the Washington State Public Works Board for design of the replacement of the bridge approaches and deck; authorizing the acceptance of the Public Works Trust Fund proceeds and the incurring of indebtedness; changing an appropriation; amending the Adopted 2009-2014 Capital Improvement Program; and ratifying and confirming certain acts; all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122967

AN ORDINANCE related to the Seattle Youth Violence Prevention Initiative, lifting a budget proviso, amending the 2009 Adopted Budget, creating a new Youth Violence Prevention budget control level, changing appropriations to various department budgets and budget control levels, and abrogating positions in connection thereto.

#### ORDINANCE NO. 122966

AN ORDINANCE relating to the federal Justice Assistance Grant (JAG) program; authorizing the execution of agreements under which the City will receive financial assistance from the US Department of Justice (DOJ), Bureau of Justice Assistance (BJA); authorizing an application for allocation of funds under those agreements; accepting the money when received; and increasing appropriations to the Police Department 2009 Budget; all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 122965

AN ORDINANCE relating to assistance for the homeless; authorizing an agreement with the United States Department of Housing and Urban Development for additional funds available under the McKinney-Vento Homeless Assistance Act.

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, May 11, 2009.

5/11(238577)