

Ordinance No. 123733

Council Bill No. 117303

AN ORDINANCE relating to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project; authorizing execution of a Memorandum of Understanding (MOU) between the State of Washington and the City of Seattle.

Related Legislation File: _____

Date Introduced and Referred: <u>Oct. 10, 2011</u>	To: (committee): <u>Full Council</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>10-24-11</u>	Date Presented to Mayor: <u>10-25-11</u>
Date Signed by Mayor: <u>Oct. 28, 2011</u>	Date Returned to City Clerk: <u>Oct. 28, 2011</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text _____	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Richard Conlin

Committee Action:

Date	Recommendation	Vote

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

Full Council Action:

Date	Decision	Vote
<u>10-24-11</u>	<u>Passed</u>	<u>9-0</u>

Law Department

ORDINANCE 123733

1
2 AN ORDINANCE relating to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project;
3 authorizing execution of a Memorandum of Understanding (MOU) between the State of
4 Washington and the City of Seattle.

5 WHEREAS, the current SR 520 bridge was opened to traffic in August of 1963; and

6 WHEREAS, 115,000 vehicles use SR 520 to cross Lake Washington daily along a corridor
7 initially designed to accommodate 65,000 vehicles; and

8 WHEREAS, the SR 520 bridge is vulnerable to earthquakes and windstorms and is nearing the
9 end of its useful life; and

10 WHEREAS, Washington State Department of Transportation (WSDOT) crews have repaired
11 over 30,000 linear feet of cracks along the SR 520 bridge since the Inaugural Day storm
12 in 1993; and

13 WHEREAS, previous repairs have added weight to the bridge and further repair or retrofit is no
14 longer feasible and must be replaced according to WSDOT; and

15 WHEREAS, the current SR 520 corridor does not meet today's safety and environmental
16 standards; and

17 WHEREAS, the current SR 520 corridor does not meet transit and pedestrian and bicycle
18 mobility needs for the region; and

19 WHEREAS, SR 520 is a vital east-west corridor of regional significance carrying people and
20 goods connecting Interstate 405, Interstate 5 and other transportation facilities and major
21 institutions, thereby benefiting local, regional and State economies; and

22 WHEREAS, the SR 520 corridor travels through and near Seattle neighborhoods such as
23 Montlake, Portage Bay/Roanoke Park, North Capitol Hill, Eastlake, University District,
24 Laurelhurst, Ravenna/Bryant and Madison Park as well as the Washington Park
25 Arboretum. The neighborhoods and the Washington Park Arboretum include natural,
26 historic and recreational resources; and

27 WHEREAS, the City of Seattle and the City Council have actively engaged in developing and
28 evaluating alternatives for replacing the existing SR 520 corridor since 1997; and

WHEREAS, the City Council has previously adopted Resolutions 30777, 30974 and 31109
providing policy and design guidance to WSDOT regarding the SR 520 project; has



1 submitted numerous letters in response to the Draft Environmental Impact Statement
2 (EIS), Supplemental Draft EIS and other State Legislative processes related to the SR 520
3 project; and participated on numerous stakeholder and technical advisory committees
4 over the last 14 years; and

5 WHEREAS, in April of 2010, Governor Gregoire announced the State's preferred alternative for
6 the SR 520 I-5 to Medina: Bridge Replacement and HOV Project, which is a six-lane
7 corridor with a new floating bridge, a potential second bascule bridge over the Montlake
8 Cut, a new West Approach, a new Portage Bay Bridge, a new lid at Montlake, a new lid
9 at 10th and Delmar, and an enhanced bicycle/pedestrian crossing over I-5; and

10 WHEREAS, WSDOT published the SR 520 I-5 to Medina: Bridge Replacement and HOV
11 Project's Final EIS and obtained a Record of Decision from the Federal Highway
12 Administration in the summer of 2011; and

13 WHEREAS, the State Legislature established a \$4.65 billion budget for the entire SR 520 Bridge
14 Replacement and HOV Program, with \$2.62 billion currently funded for the SR 520,
15 Medina to SR 202: Eastside Transit and HOV Project, Pontoon Construction Project and
16 the Evergreen Point Floating Bridge and landings; and

17 WHEREAS, there remains a \$2.03 billion funding gap to support construction of the west
18 approach to I-5 portion of the SR 520 corridor through the City of Seattle; and

19 WHEREAS, it is the desire of the City and the State to enter into a Project vision and
20 coordination MOU to clarify roles, responsibilities and expectations going forward, and it
21 is the desire of the City and the State to provide the public with further clarity on the
22 intentions of the Parties with regard to Project design and mitigation; NOW,
23 THEREFORE,

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

25 Section 1. The Mayor is authorized to execute, for and on behalf of The City of Seattle, a
26 Memorandum of Understanding with the State of Washington substantially in the form attached
27 hereto as Exhibit 1, entitled SR 520, I-5 TO MEDINA: BRIDGE REPLACEMENT AND HOV
28 PROJECT VISION AND COORDINATION UNDERSTANDING BETWEEN THE
WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF
SEATTLE.



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Section 2. As provided in Seattle City Charter Article V, Section 7, the Mayor shall see that the Agreement is faithfully kept and performed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 24 day of October, 2011, and signed by me in open session in authentication of its passage this 24 day of October, 2011.



President _____ of the City Council

Approved by me this 28th day of October, 2011.



Michael McGinn, Mayor

Filed by me this 28th day of October, 2011.



Monica Martinez Simmons, City Clerk

(Seal)



1 Exhibit 1: SR 520, I-5 TO MEDINA: BRIDGE REPLACEMENT AND HOV PROJECT
2 VISION AND COORDINATION UNDERSTANDING BETWEEN THE WASHINGTON
3 STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF SEATTLE

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Michael Fong/5-1675 Sara Belz/4-5382	NA

Legislation Title:

AN ORDINANCE relating to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project; authorizing execution of a Memorandum of Understanding (MOU) between the State of Washington and the City of Seattle.

Summary of the Legislation:

This legislation would authorize the City to enter into a Memorandum of Understanding (MOU) with the Washington State Department of Transportation (WSDOT) regarding future actions and roles and responsibilities related to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project.

Background:

- The City has adopted several resolutions (Resolution 30777, Resolution 30974, and Resolution 31109) and provided several official comment letters on the SR 520, I-5 to Medina: Bridge Replacement and HOV Project.
- WSDOT published the final EIS for the Project on June 17, 2011 and received the Federal Highway Administration Record of Decision for the Project on August 4, 2011.
- The State Legislature has established a \$4.65 billion budget for the entire SR 520 Program with \$2.43 billion currently funded. This funds the construction of the SR 520, Medina to SR 202: Eastside Transit and HOV Project, Pontoon Construction Project and the Evergreen Point Floating Bridge and Landings.
- The remaining west approach to I-5 portion of the Program (Westside) is currently funded for environmental review and documentation, partially funded for project design and right of way acquisition, and unfunded for construction. The State intends to seek approximately \$2 billion in appropriations and authorization from the State Legislature and other funding sources to complete design and construct the Westside.
- Construction scenarios for all unfunded elements will be based upon State Legislative direction and available funding.
- It is the desire of the City and the State to enter into a Project vision and coordination MOU to clarify roles, responsibilities and expectations going forward, and it is the desire of the



City and the State to provide the public with further clarity on their intentions with regard to Project design and mitigation.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
None.
- c) **Does this legislation affect any departments besides the originating department?**
Ensuring the City fulfills its roles and responsibilities as articulated in the MOU will require the cooperation of several City departments, including, but not limited to, SDOT, DPD, Parks, the Mayor's Office, the Legislative Department, and the City Attorney's Office.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
None; legislation is necessary to formally adopt the MOU.
- e) **Is a public hearing required for this legislation?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
No.
- h) **Other Issues:**
None.

List attachments to the fiscal note below:

None.





SR 520 Bridge Replacement and HOV Program



LETTER OF TRANSMITTAL

To: City of Seattle
Attn: Sara Belz
600 4th Avenue, 2nd Floor
Seattle, WA 98124-4025

RE: Memorandum of Understanding (MOU)

From: Laurel Hansen, Local Agreements Manager

File Code:

Date: 11/22/2011

LOT #: 357

Copies To: WSDOT Document Control

These are:

- Per Your Request
- For Your Information
- For Your Signature
- For Your Files
- For Your Review and Comment

Sent Via:

- U.S. Mail
- Ground Service
- Express Overnight
- E-mail
- Courier
- Hand Deliver / Pick up via inter-office WSDOT courier

We are transmitting the following materials:

One original of City of Seattle and WSDOT SR 520 MOU

Comments:

We are returning a signed original for your records. If you have any questions, please feel free to call me at 206-770-3608.



 Local Agreements Manager

11/22/2011

 Date

Exhibit 1: City of Seattle Memorandum of Understanding

SR 520, I-5 TO MEDINA: BRIDGE REPLACEMENT AND HOV PROJECT VISION AND COORDINATION UNDERSTANDING BETWEEN THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF SEATTLE

This SR 520, I-5 to Medina: Bridge Replacement and HOV Project Vision and Coordination Memorandum of Understanding ("MOU") has been developed by the Washington State Department of Transportation ("State") and the City of Seattle ("City"), hereinafter the "Parties" and individually the "Party", to memorialize the intent of the Parties regarding future actions and roles and responsibilities regarding the SR 520, I-5 to Medina: Bridge Replacement and HOV Project.

BACKGROUND

WHEREAS, SR 520 is a vital east-west transit corridor of regional significance carrying people and goods and connecting Interstate 405, Interstate 5 and other transportation facilities and major institutions, thereby benefiting local, regional and State economies; and

WHEREAS, The SR 520 corridor travels near City neighborhoods such as Montlake, Portage Bay/Roanoke Park, North Capitol Hill, Eastlake, University District, Laurelhurst, Ravenna/Bryant and Madison Park as well as the Washington Park Arboretum. The neighborhoods and the Washington Park Arboretum include natural, historic and recreational resources; and

WHEREAS, The SR 520 floating bridge, its approaches, and freeway sections need to be replaced because they are vulnerable to damage from earthquakes and windstorms, do not meet current engineering standards, lack facilities to support reliable bus rapid transit, and lack stormwater treatment features meeting current environmental standards; and

WHEREAS, The State has established mitigation for the tolling process and for the construction effects associated with constructing toll facilities for SR 520 as identified in the SR 520 Variable Tolling Project: Finding of No Significant Impact (dated June 2009); and

WHEREAS, In April 2010, Governor Gregoire identified the State's Preferred Alternative for the SR 520, I-5 to Medina: Bridge Replacement and HOV Project (Project), which includes a six-lane corridor with a new floating bridge, a new West Approach, a new Portage Bay Bridge, a second bascule bridge over the Montlake Cut, a new lid at Montlake, a new lid at 10th and Delmar, and an enhanced bicycle/pedestrian path crossing over I-5; and

WHEREAS, City staff, SDOT, and the Council are coordinating with the State to establish a decision-making process and monitoring plan relating to the decision to construct and timing for construction of a second bascule bridge over the Montlake Cut; and

WHEREAS, In 2010, as required by Engrossed Substitute Senate Bill (ESSB) 6392, the State worked with the Seattle Department of Transportation (SDOT), the Seattle City Council (Council), Sound Transit (ST), King County Metro (Metro) and the University of Washington (UW) to refine the design of the Project's Preferred Alternative; and

WHEREAS, Design refinements were developed to be fully analyzed in the final environmental impact statement (EIS) and the State worked with Metro and ST to develop the 2010 High Capacity Transit Planning and Financing Findings and Recommendations Report; and

WHEREAS, The State worked with the Arboretum and Botanical Garden Committee (ABGC) and SDOT to develop the 2010 Washington Park Arboretum Mitigation Plan. In April 2011, several parties, including the City and the State signed "Memorandum of Understanding: Washington Park Arboretum for Effects, SR 520, I-5 to Medina: Bridge Replacement and HOV Project" (ABGC MOU) that outlines a series of actions and projects related to mitigation for the Arboretum. As a result of the ABGC MOU, SDOT expects to implement traffic calming measures with up to \$200,000 of State -provided Project funds, as reflected in the GCA 6684 – SR 520 I-5 to Medina: Bridge Replacement and HOV Project Traffic Calming agreement; and

WHEREAS, The City has adopted several resolutions and provided several official comment letters; and

WHEREAS, The State is proceeding with construction on the SR 520, Medina to SR 202: Eastside Transit and HOV Project, to be open to traffic by the end of 2013, and constructing the pontoon casting facility and pontoons for the replacement bridge; and

WHEREAS, The State published the Project final EIS on June 17, 2011 and received the Federal Highway Administration Record of Decision (ROD) for the Project on August 4, 2011; and

WHEREAS, The State awarded the contract for construction of the Floating Bridge and Landings Project, to be open to traffic as early as 2014; and

WHEREAS, The state Legislature established a \$4.65 billion budget for the entire SR 520 program with \$2.43 billion currently funded. This funds the construction of the SR 520, Medina to SR 202: Eastside Transit and HOV Project, Pontoon Construction Project and the Evergreen Point Floating Bridge and Landings; and

WHEREAS, The remaining west approach to I-5 portion of the Project (Westside) is currently funded for environmental review and documentation, partially funded for Project design and right of way acquisition, and unfunded for construction. The State intends to seek approximately \$2 billion in appropriations and authorization from the state Legislature and other funding sources to complete design and construct the Westside; and

WHEREAS, Construction scenarios for all unfunded elements will be based upon state Legislative direction and available funding; and

WHEREAS, Per the direction of Engrossed Substitute House Bill (ESHB) 2211, the 2009 SR 520 Legislative Workgroup recommended potential financing strategies, including tolling to fully fund construction of the Project; and

WHEREAS, Consistent with ESHB 1175, the state Legislature provided \$1.5 million from the motor vehicle account federal appropriations to fund the I-90 Comprehensive Tolling Study Project; and

WHEREAS, The State published a policy brief on Washington's transportation system, identifying and prioritizing the need for a long-term investment strategy to ensure timely completion of mega-projects like SR 520; and

WHEREAS, It is the desire of the City and the State to enter into a Project vision and coordination MOU to clarify roles, responsibilities and expectations going forward, and it is the desire of the City and the State to provide the public with further clarity on the intentions of the Parties with regard to Project design and mitigation;

NOW THEREFORE, the following items of understanding are mutually agreed upon:

ITEMS OF UNDERSTANDING

1.0 GENERAL

1.1 The purpose of this MOU is to:

1.1.1 Acknowledge the Preferred Alternative, as described in the SR 520 Medina to I-5: Bridge Replacement and HOV Project Final Environmental Impact Statement June 2011, by this reference made part of this MOU, and summarized in Exhibit A, Project Description, attached hereto, is the current Project for which the State is seeking full funding from the state Legislature and other funding sources to build all Project elements.

1.1.2 Secure a formal commitment from the State, on the Project key design elements and the State's intent to build the Westside elements of the Project.

1.1.3 Acknowledge the joint State/City effort to establish a formal Memorandum of Understanding relating to the decision to construct and timing of construction of a second bascule bridge over the Montlake Cut.

1.1.4 Clarify mitigation commitments that are both required as part of the environmental process and that the State has agreed to implement to meet the City's goals and objectives for the Project.

1.1.5 Ensure that the City maintains a meaningful role throughout the Project design process.

1.1.6 Ensure the City's continued involvement with the Project throughout the duration of the Project, as shown in Exhibit B, Anticipated Project Construction Stages and Durations, attached hereto and by this reference made part of this MOU.

1.1.7 Establish the intent of the City and State to endeavor to meet SR 520 timelines for Project completion, as described in Exhibit B.

2.0 ROLES & RESPONSIBILITIES

2.1 The State intends to:

2.1.1 Design and construct the Project as described as the Preferred Alternative in the final EIS, ROD, and summarized in Exhibit A contingent upon funding from the state Legislature and regulatory approvals.

2.1.2 Continue to evaluate and take measures to reduce traffic noise as defined in the Preferred Alternative in the final EIS.

2.1.3 Continue to evaluate and identify opportunities to narrow the Project footprint within the defined parameters of the Preferred Alternative in the final EIS.

2.1.4 Remove the unused R.H. Thomson ramps to allow restoration of park land and habitats, as described in the final EIS.

2.1.5 Keep Montlake Freeway Flyer stop function open until the construction of the Montlake lid transit stop is complete, except temporary closures as needed, as described in the final EIS.

2.1.6 Continue to implement the State Transportation Demand Management strategies for managing traffic in the SR 520 corridor, as identified in the ESSB 6392 report. Proactively monitor corridor transit/HOV lane performance, discuss, and develop corridor management strategies that maintain HOV operations to the standard established by ESSB 6392. This activity is in recognition of the state Legislative policy, established through ESSB 6392, which mandates a minimum occupancy level of three-plus for the HOV lanes for SR 520 and requires notification of the Legislature if average travel speeds in the HOV lanes fall below 45 MPH at least ten percent of the time during peak hours. State will provide findings to City and transit agencies as requested,

2.1.7 Work to secure full funding from the state Legislature and other funding sources to complete the Project, including required mitigation as identified in the ROD.

2.1.8 Build an interim west connection bridge, including an interim pedestrian and bicycle connection between the west high-rise to land which will provide a connection to local and regional trails on both sides of Lake Washington, if the State does not receive sufficient funding for the Project by the end of the 2013 legislative session. The State intends to use available resources from the SR 520 program funds to continue design and prepare for construction to complete the Project in its final configuration, including mitigation commitments, as identified in the ROD and future permits/approvals. Construction scenarios for all unfunded elements will be based upon legislative direction, funding available, and consultation with the City as described in the sections of this MOU.

2.1.9 Continue to pursue full funding and construct all community enhancements and amenities as both agreed upon with the City and as described in the ROD.

2.1.10 Implement mitigation measures as agreed upon with regulatory and permitting agencies at the approximate time that the Project incurs effects. In addition, the State will continue to consult with the City to seek opportunities for early implementation of mitigation measures.

2.1.11 Pursue design refinements and enhancements as described by the ESSB 6392 Final Workgroup Technical Report whether or not those items are defined as formal Project mitigations or commitments.

2.1.12 Create and maintain an inventory of required mitigation commitments and other commitments, made by the State, related to the Project.

2.1.13 Participate with SDOT, Metro and ST in locating transit stops on or adjacent to the Montlake Lid.

2.1.14 As part of the Community Construction Management Plan develop a Tree and Vegetation Management and Protection Plan in collaboration with the City, neighborhoods, and organized groups, such as the ABGC, that would address areas of the corridor where specific trees and or vegetation are to be removed or disturbed as part of the construction or resulting Project improvements. Further, the plan would identify areas of mature tree removal, protection, potential relocation, and restoration of Project areas including areas temporarily dedicated to construction, including staging and lay down areas. The goal of the plan is to minimize affects to trees where feasible. The State would further ensure that contractors adhere to the plan, notify neighborhoods prior to impacts, and that tree and vegetation removal would only occur at the approximate time required for construction.

2.1.15 Consult with the Seattle Design Commission, Seattle Bicycle Advisory Board, Seattle Pedestrian Advisory Board, and City neighborhood groups on design and construction of the Project as necessary or requested by the Parties.

2.1.16 Consult with SDOT, the Seattle Bicycle Advisory Board and the Seattle Pedestrian Advisory Board to identify and refine routing detours for bicyclists and pedestrians to mitigate effects during construction.

2.1.17 Negotiate and work with the City and Metro to establish maintenance and operations agreements for the Project lids at Montlake and Delmar.

2.1.18 Develop a Community Construction Management Plan, in consultation with the City, that addresses community issues and communications needs arising as a result of Project construction activity. The document should also present plans for protecting and minimizing effects to public spaces from construction impacts, including pocket "parks" developed by neighborhood groups on public rights of way, as referenced in Section 2.2.5.

2.1.19 Develop a timeline for all deliverables identified in this MOU in consultation with the City. Timelines for those deliverables that are subject to future funding from the State Legislature will be developed at such time when that funding is appropriated.

2.1.20 Continue to ensure the Project remains technically feasible for future accommodation of high capacity transit and light rail.

2.2 The City intends to:

2.2.1 Continue working collaboratively with the State consistent with the direction contained in Ordinance 123733 authorizing the Mayor to enter into this MOU with the State to further refine the design of the Project and to facilitate construction of the Project.

2.2.2 Endeavor to meet Project timelines, as provided in Exhibit B.

2.2.3 Participate in discussions with the State regarding needed agreements related to lid maintenance, utility relocations, right of way acquisitions and access, and other topics as identified.

2.2.4 Lead efforts to modify City-maintained pedestrian and bicycle facilities in the vicinity of the Project to optimize access to the pedestrian and bicycle facilities constructed as part of the Project. The City will coordinate efforts with the State to plan, design, and implement modifications to these City bicycle and pedestrian facilities in consultation with the Seattle Bicycle Advisory Board and the Seattle Pedestrian Advisory Board. The City will fund the coordination and planning efforts, and will work with the state to secure funding for design and implementation of the modifications. Funding commitments will be documented in a future written agreement.

2.2.5 Lead an effort to identify any additional public spaces, in particular, pocket "parks," that have been developed by neighborhoods on public rights of way. This inventory is intended to minimize construction impacts on these locations and is expected to be recognized as part of the State Community Construction Management Plan.

2.3 The State and City will intend to:

2.3.1 Collaborate in the City led effort to establish a joint decision-making process to decide whether to construct and timing to construct the second Montlake Bascule Bridge. The process will consider transit travel time, reliability, passenger delay, pedestrian and bicycle levels of service, SR 520 mainline operations and other appropriate factors. This process will include opportunities for community and neighborhood outreach and will be described in a detailed document that will either be attached to this MOU by amendment or established in a separate MOU or agreement.

2.3.2 Coordinate with others on the design of the second Montlake Bascule Bridge with particular attention to transit priority, pedestrian and bicycle safety and access, corridor and neighborhood traffic management, and traffic operations in the Montlake corridor.

2.3.3 Collaborate to develop a Neighborhood Traffic Management Plan to catalog and develop solutions for community traffic concerns in the Montlake corridor and surrounding neighborhoods and to identify potential funding sources for projects consistent with recommendations and findings from the ESSB 6392 Final Workgroup Technical Report. The plan will define traffic management measures to proactively reduce Project construction effects and develop long term traffic management strategies that work in conjunction with the Project's Preferred Alternative and existing City traffic management practices. An implementation strategy for the Neighborhood Traffic

Management Plan and funding commitments will be documented in a future written agreement. At minimum, the effort should include the following actions:

- Convene a community advisory group to participate in developing the Neighborhood Traffic Management Plan;
- Identify community traffic management concerns and issues through a records search and community process;
- Identify potential traffic management solutions, including, but not limited to, development of an intelligent transportation system plan for Montlake Boulevard and 23rd Avenue;
- Evaluate the effectiveness and feasibility of potential traffic management solutions through additional traffic modeling and data analysis, as needed;
- Develop an implementation strategy and schedule for the Neighborhood Traffic Management Plan, including coordination with existing and planned public and private development efforts related to traffic management in the Project area; and
- Identify potential funding sources to provide for timely implementation of the Neighborhood Traffic Management Plan.

2.3.4 Work collaboratively with the Roanoke Park and Portage Bay communities, through the Community Council to advance the design provided to the State by the City of the intersection at 10th Avenue E and Delmar Drive E and on pedestrian and bicycle access in the vicinity of the intersection.

2.3.5 Coordinate with City neighborhoods, Metro, ST, the UW, the Seattle Bicycle Advisory Board, the Seattle Pedestrian Advisory Board, and the Seattle Design Commission in the Seattle Community Design process led by the State for the community amenity and lid design features within the Project limits. The City will ensure the collaborative neighborhood process, to the degree feasible, is consistent with the Project schedule, as identified in Exhibit B.

2.3.6 Recognize that the building of the Project is subject to the availability of funds and the timely receipt of necessary federal, state and local regulatory approvals. The Parties recognize that the Project design and schedule may be modified during the design and construction process consistent with the requirements of NEPA. Any modifications to Project design or schedule would be assessed as necessary in a NEPA re-evaluation.

2.3.7 Recognize if there are any changes to the funding plan for the Project, the State will notify the City prior to finalizing a new funding plan for implementing Westside elements of the Project.

2.3.8 Recognize if there are material modifications to the Project elements, as delineated in the Preferred Alternative of the final EIS and as summarized in Exhibit A, and/or if there is a change in the phasing and construction schedule, as shown in Exhibit B and as articulated in the final EIS, the State will consult with the City and may propose amendments to this MOU prior to finalizing any modified plans for implementing any Westside elements of the Project and will comply with the requirements of NEPA for evaluation of such modifications. For purposes of this section "consult" shall mean a

process which involves the two branches of City government, executive, and legislative, and allows the City the opportunity to provide for public outreach.

3.0 MODIFICATION

Either Party may propose amendments to this MOU. No amendment shall be valid unless made in writing and signed by authorized representatives of the Parties hereto. For the City, amendments to the MOU must be approved through issuance of an ordinance.

4.0 DISPUTES

The designated representatives herein under Section 6.0 NOTIFICATION, shall use their best efforts to resolve disputes between the Parties. If these individuals are unable to resolve a dispute, the person next higher in the line of authority for each Party shall review the matter and attempt to resolve it. If they are unable to resolve the dispute, the matter shall be reviewed by each Party's authorized policy representatives. For the City the authorized policy representatives are the Executive and Legislative branches or their specifically named designee(s). For the State, the authorized policy representatives are the SR 520 Program Director or specifically named designee(s). The Parties agree to exhaust each of these procedural steps before seeking to resolve disputes in a court of law.

5.0 EFFECTIVE DATE, DURATION and TERMINATION

This MOU is effective upon execution by both Parties and will remain in effect until completion of the Project, including Project mitigation, except as provided below.

A Party may unilaterally terminate this agreement by providing a minimum of six months notice of intent to terminate the MOU. For the City, notice of intent to terminate the MOU must be approved through issuance of an ordinance.

6.0 NOTIFICATION

All notices, demands, requests or other communications required under this MOU will be in writing and will be delivered by at least one of the following methods: (i) in person or (ii) transmitted by electronic mail (email) addressed as set forth below. All email will be deemed received upon confirmation by the receiving Party to the Party who initiated. All communications shall reference the contract number as found on this document.

CITY	STATE
Peter Hahn Director SDOT Seattle Municipal Tower 700 Fifth Avenue, Suite 3800 Seattle, WA 98124-4996 and Ben Noble Central Staff Director	Julie Meredith, P.E. SR 520 Program Director WSDOT, SR 520 Program 600 Stewart Street, Suite 520 Seattle, WA 98101-1217

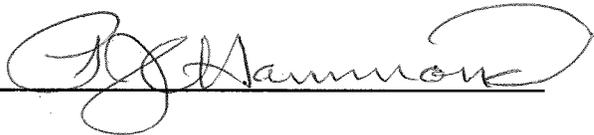
Seattle City Hall 600 Fourth Ave. 2nd Floor Seattle, WA 98104	
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Either Party may update the contact information above which shall not be considered an amendment to this MOU. An electronic message [email] exchanged between the contacts, indicating the updated information shall be sufficient, provided the signature authority for each Party is included.

CONCURRENCE

CITY OF SEATTLE

STATE OF WASHINGTON



Michael McGinn, Mayor, City of Seattle

11/14/2011

11/17/2011

Date

Date

Attachments:

- Exhibit A, Project Description
- Exhibit B, Anticipated Project Construction Stages and Durations

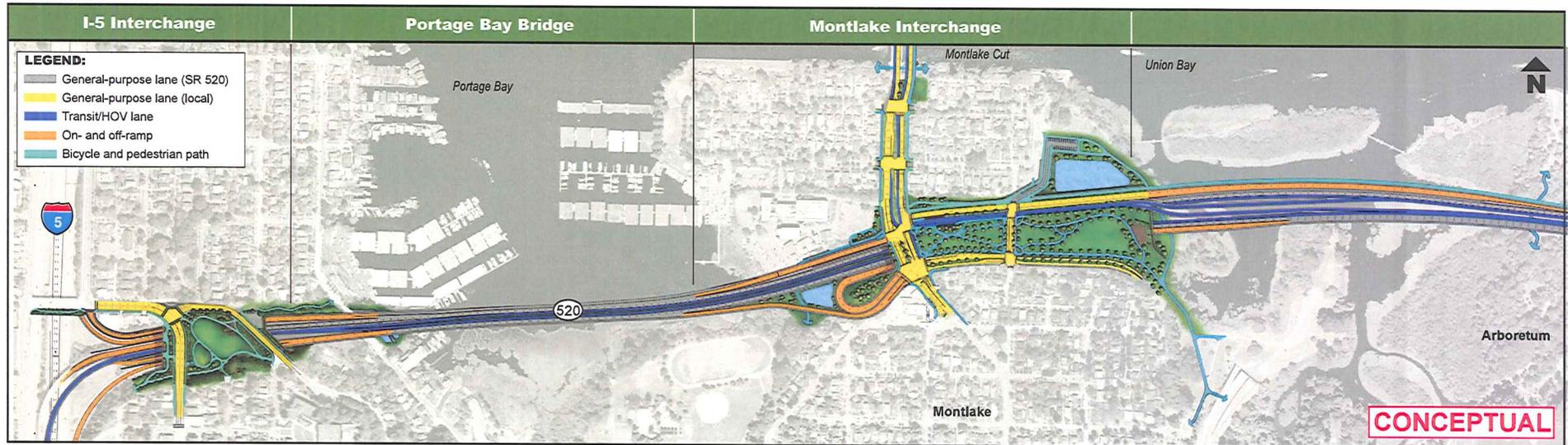
SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



Preferred Alternative

June 2011



Key Features

Lower floating bridge and maintains navigation access

- Lowers floating bridge to approximately 20 feet above water in the middle of the lake, compared to previously evaluated options.
- Provides 44-foot clearance at west high rise and 70-foot clearance at east high rise to maintain navigational clearance.

Ready for light rail when the region chooses to fund in the future

- Provides a space between west approach bridges for future light rail connection to the University Link station.
- Designs transit/HOV direct-access ramps at Montlake Boulevard that can accommodate future light rail.
- 115-foot wide floating bridge allows for conversion of transit/HOV lane to light rail.
- Supplemental pontoons can be added to accommodate additional weight of light rail in the future.

Restores park area and connections next to the Washington Park Arboretum

- Removes existing ramps in the Arboretum.
- Minimizes effects on Foster Island by having fewer columns compared to previously evaluated options.
- Raises profile of SR 520 over Foster Island compared to existing condition to improve pedestrian connection.
- Maintains recreational access to Union Bay.
- Replaces parkland converted to highway use.

Creates pedestrian-friendly urban interchange at Montlake Boulevard

- Provides extended lid from Montlake Boulevard east to the shoreline to reconnect the Montlake neighborhood and maximize open space and pedestrian/bicycle connections.
- Consolidates westbound off-ramps and transit/HOV direct-access ramps to north side of lid.
- Narrows on- and off-ramps compared to previously evaluated options by designing to city street standards beginning at east edge of lid.

Provides transit connections and priority

- Provides transit/HOV direct-access ramps and transit priority from SR 520 at key intersections.
- Provides regional bus stops on Montlake lid to facilitate access from Seattle neighborhoods to the Eastside.
- Adds second Montlake Bridge, allowing for two dedicated transit/HOV lanes across the Montlake Cut.
- Connects to a pedestrian/bicycle overcrossing from the Montlake Triangle to the University Link station.
- Converts two lanes on Montlake Boulevard to transit/HOV lanes.

Reduces width and noise from Portage Bay Bridge

- Uses westbound shoulder between Montlake and I-5 as a managed lane during peak periods.
- Operates traffic at 45 mph.
- Designs SR 520 from Montlake to I-5 as a parkway.

I-5 Interchange



Vicinity map

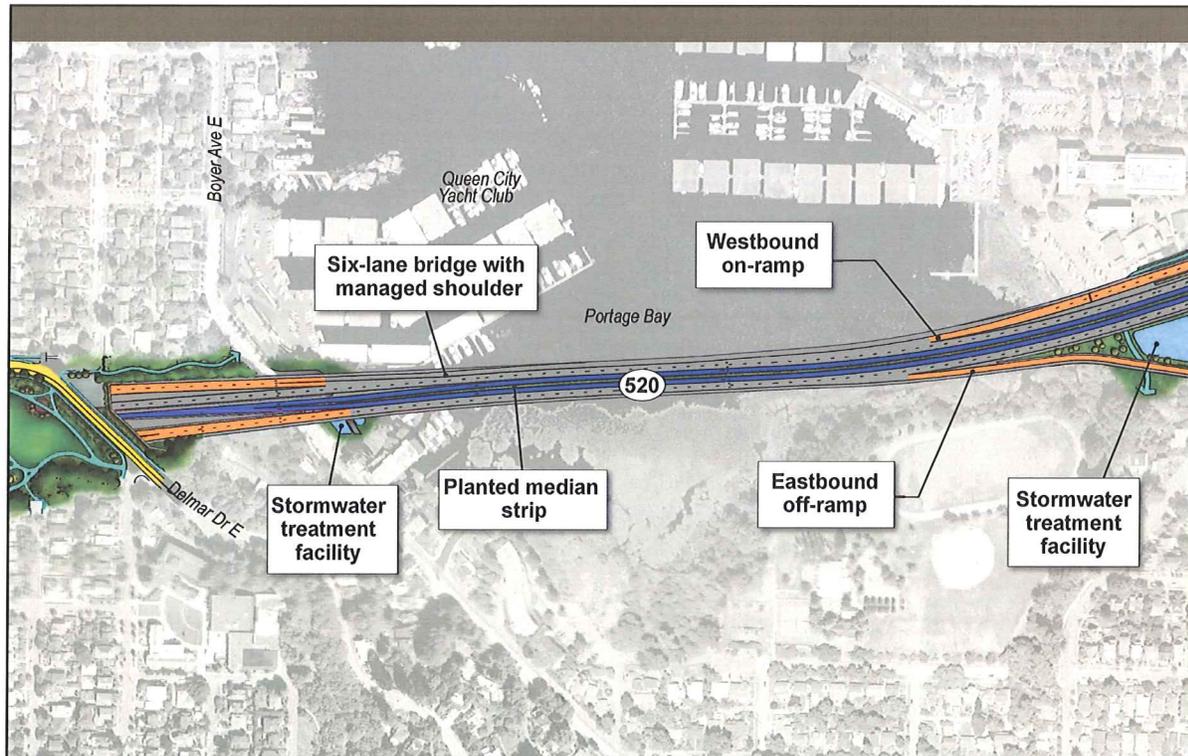
LEGEND:

- General-purpose lane (SR 520)
- General-purpose lane (local)
- Transit/HOV lane
- On- and off-ramp
- Bicycle and pedestrian path



CONCEPTUAL

Portage Bay Bridge



Rendering of Portage Bay Bridge looking east



Vicinity map

LEGEND:

- General-purpose lane (SR 520)
- Existing general-purpose lane (local)
- General-purpose lane (local)
- Transit/HOV lane
- On- and off-ramp
- Bicycle and pedestrian path



CONCEPTUAL

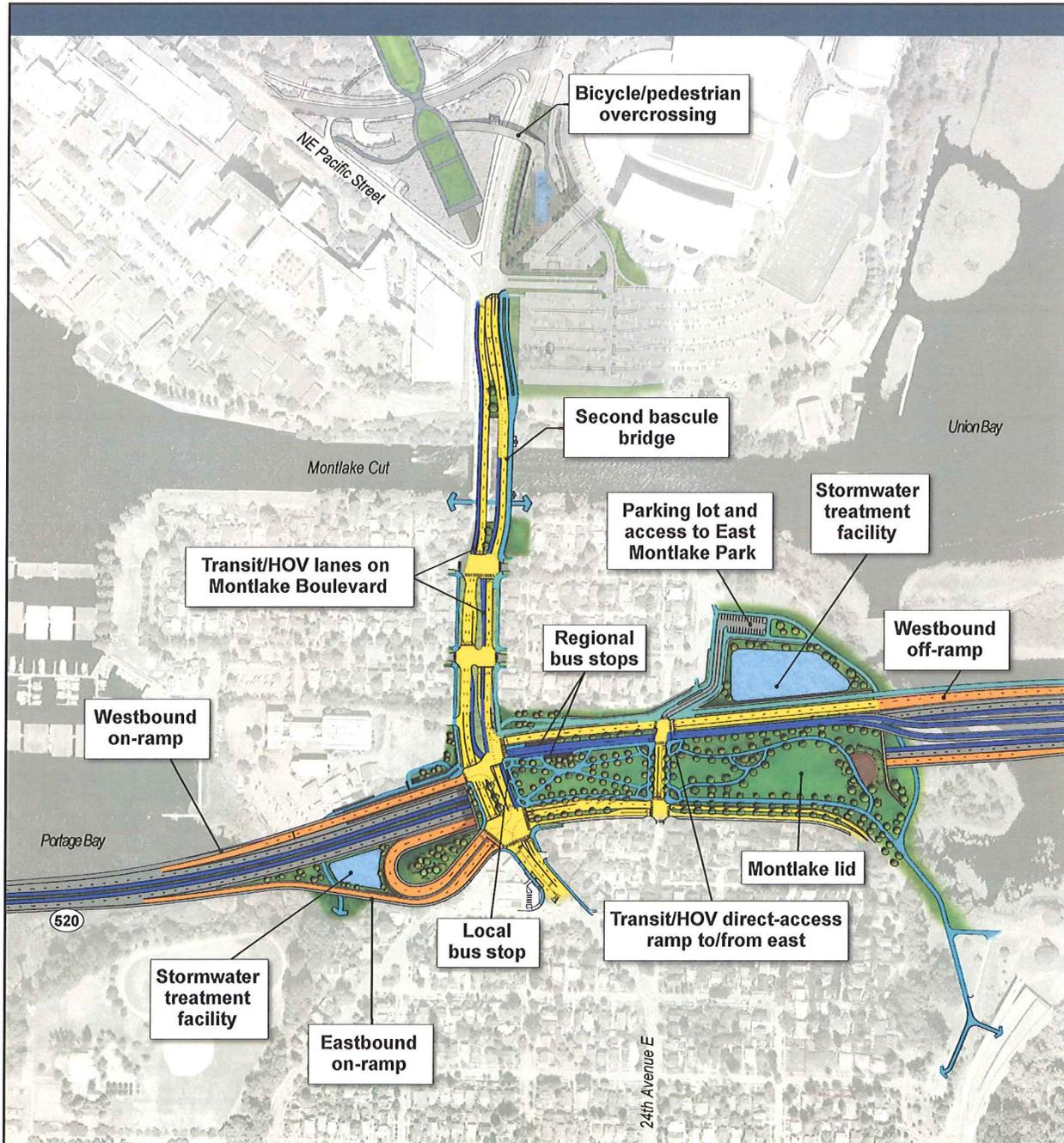


SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



Montlake Interchange



Vicinity map

Additional refinement will occur through the City of Seattle design process per legislation (ESSB 6392).

LEGEND:

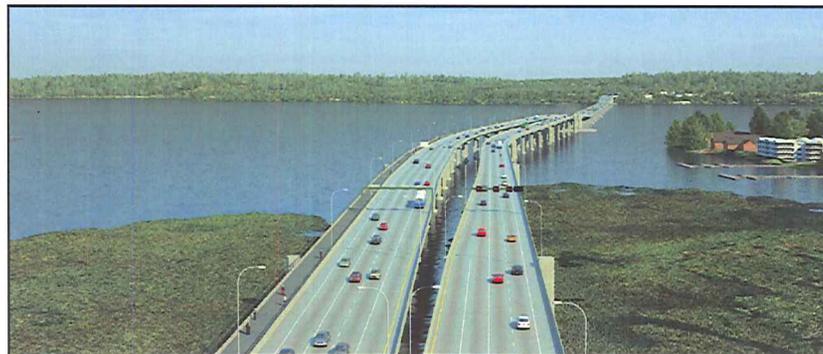
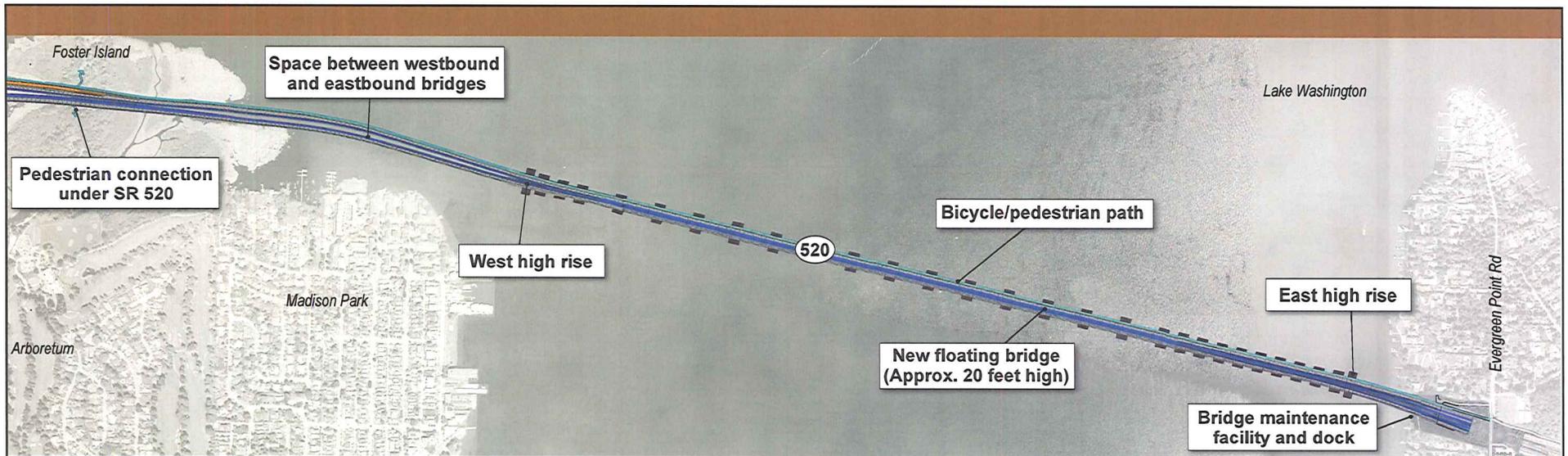
- General-purpose lane (SR 520)
- General-purpose lane (local)
- Transit/HOV lane
- On- and off-ramp
- Bicycle and pedestrian path



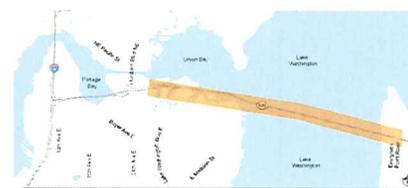
North
Not to Scale

CONCEPTUAL

West Approach and Floating Bridge



Rendering of floating bridge looking southeast



Vicinity map

LEGEND:

- General-purpose lane (SR 520)
- General-purpose lane (local)
- Transit/HOV lane
- On- and off-ramp
- Bicycle and pedestrian path



CONCEPTUAL

Exhibit B – Anticipated Project Construction Stages and Durations

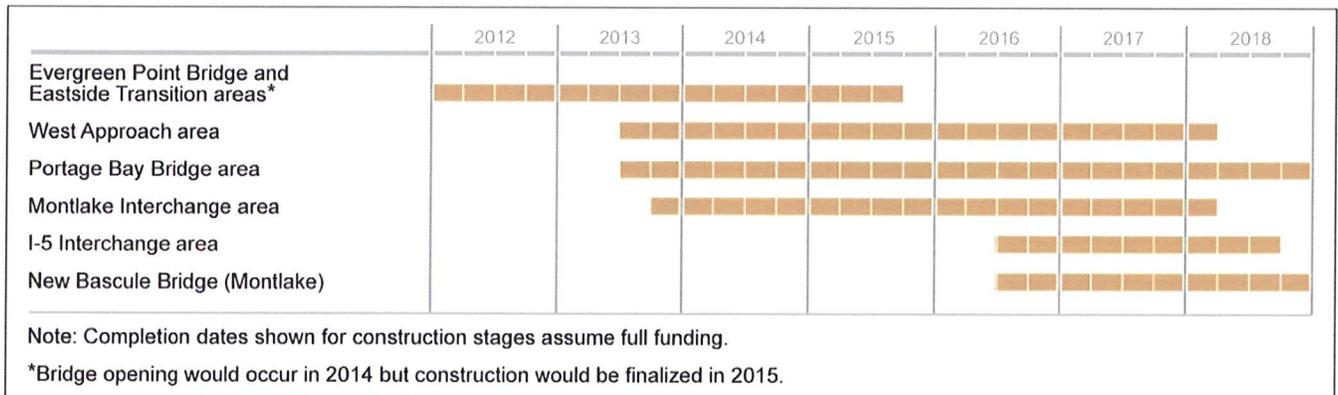


Exhibit 1: City of Seattle Memorandum of Understanding

SR 520, I-5 TO MEDINA: BRIDGE REPLACEMENT AND HOV PROJECT VISION AND COORDINATION UNDERSTANDING BETWEEN THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND THE CITY OF SEATTLE

This SR 520, I-5 to Medina: Bridge Replacement and HOV Project Vision and Coordination Memorandum of Understanding (“MOU”) has been developed by the Washington State Department of Transportation (“State”) and the City of Seattle (“City”), hereinafter the “Parties” and individually the “Party”, to memorialize the intent of the Parties regarding future actions and roles and responsibilities regarding the SR 520, I-5 to Medina: Bridge Replacement and HOV Project.

BACKGROUND

WHEREAS, SR 520 is a vital east-west transit corridor of regional significance carrying people and goods and connecting Interstate 405, Interstate 5 and other transportation facilities and major institutions, thereby benefiting local, regional and State economies; and

WHEREAS, The SR 520 corridor travels near City neighborhoods such as Montlake, Portage Bay/Roanoke Park, North Capitol Hill, Eastlake, University District, Laurelhurst, Ravenna/Bryant and Madison Park as well as the Washington Park Arboretum. The neighborhoods and the Washington Park Arboretum include natural, historic and recreational resources; and

WHEREAS, The SR 520 floating bridge, its approaches, and freeway sections need to be replaced because they are vulnerable to damage from earthquakes and windstorms, do not meet current engineering standards, lack facilities to support reliable bus rapid transit, and lack stormwater treatment features meeting current environmental standards; and

WHEREAS, The State has established mitigation for the tolling process and for the construction effects associated with constructing toll facilities for SR 520 as identified in the SR 520 Variable Tolling Project: Finding of No Significant Impact (dated June 2009); and

WHEREAS, In April 2010, Governor Gregoire identified the State’s Preferred Alternative for the SR 520, I-5 to Medina: Bridge Replacement and HOV Project (Project), which includes a six-lane corridor with a new floating bridge, a new West Approach, a new Portage Bay Bridge, a second bascule bridge over the Montlake Cut, a new lid at Montlake, a new lid at 10th and Delmar, and an enhanced bicycle/pedestrian path crossing over I-5; and

WHEREAS, City staff, SDOT, and the Council are coordinating with the State to establish a decision-making process and monitoring plan relating to the decision to construct and timing for construction of a second bascule bridge over the Montlake Cut; and

WHEREAS, In 2010, as required by Engrossed Substitute Senate Bill (ESSB) 6392, the State worked with the Seattle Department of Transportation (SDOT), the Seattle City Council (Council), Sound Transit (ST), King County Metro (Metro) and the University of Washington (UW) to refine the design of the Project’s Preferred Alternative; and



WHEREAS, Design refinements were developed to be fully analyzed in the final environmental impact statement (EIS) and the State worked with Metro and ST to develop the 2010 High Capacity Transit Planning and Financing Findings and Recommendations Report; and

WHEREAS, The State worked with the Arboretum and Botanical Garden Committee (ABGC) and SDOT to develop the 2010 Washington Park Arboretum Mitigation Plan. In April 2011, several parties, including the City and the State signed "Memorandum of Understanding: Washington Park Arboretum for Effects, SR 520, I-5 to Medina: Bridge Replacement and HOV Project" (ABGC MOU) that outlines a series of actions and projects related to mitigation for the Arboretum. As a result of the ABGC MOU, SDOT expects to implement traffic calming measures with up to \$200,000 of State -provided Project funds, as reflected in the GCA 6684 – SR 520 I-5 to Medina: Bridge Replacement and HOV Project Traffic Calming agreement; and

WHEREAS, The City has adopted several resolutions and provided several official comment letters; and

WHEREAS, The State is proceeding with construction on the SR 520, Medina to SR 202: Eastside Transit and HOV Project, to be open to traffic by the end of 2013, and constructing the pontoon casting facility and pontoons for the replacement bridge; and

WHEREAS, The State published the Project final EIS on June 17, 2011 and received the Federal Highway Administration Record of Decision (ROD) for the Project on August 4, 2011; and

WHEREAS, The State awarded the contract for construction of the Floating Bridge and Landings Project, to be open to traffic as early as 2014; and

WHEREAS, The state Legislature established a \$4.65 billion budget for the entire SR 520 program with \$2.43 billion currently funded. This funds the construction of the SR 520, Medina to SR 202: Eastside Transit and HOV Project, Pontoon Construction Project and the Evergreen Point Floating Bridge and Landings; and

WHEREAS, The remaining west approach to I-5 portion of the Project (Westside) is currently funded for environmental review and documentation, partially funded for Project design and right of way acquisition, and unfunded for construction. The State intends to seek approximately \$2 billion in appropriations and authorization from the state Legislature and other funding sources to complete design and construct the Westside; and

WHEREAS, Construction scenarios for all unfunded elements will be based upon state Legislative direction and available funding; and

WHEREAS, Per the direction of Engrossed Substitute House Bill (ESHB) 2211, the 2009 SR 520 Legislative Workgroup recommended potential financing strategies, including tolling to fully fund construction of the Project; and

WHEREAS, Consistent with ESHB 1175, the state Legislature provided \$1.5 million from the motor vehicle account federal appropriations to fund the I-90 Comprehensive Tolling Study Project; and



WHEREAS, The State published a policy brief on Washington's transportation system, identifying and prioritizing the need for a long-term investment strategy to ensure timely completion of mega-projects like SR 520; and

WHEREAS, It is the desire of the City and the State to enter into a Project vision and coordination MOU to clarify roles, responsibilities and expectations going forward, and it is the desire of the City and the State to provide the public with further clarity on the intentions of the Parties with regard to Project design and mitigation;

NOW THEREFORE, the following items of understanding are mutually agreed upon:

ITEMS OF UNDERSTANDING

1.0 GENERAL

1.1 The purpose of this MOU is to:

1.1.1 Acknowledge the Preferred Alternative, as described in the SR 520 Medina to I-5: Bridge Replacement and HOV Project Final Environmental Impact Statement June 2011, by this reference made part of this MOU, and summarized in Exhibit A, Project Description, attached hereto, is the current Project for which the State is seeking full funding from the state Legislature and other funding sources to build all Project elements.

1.1.2 Secure a formal commitment from the State, on the Project key design elements and the State's intent to build the Westside elements of the Project.

1.1.3 Acknowledge the joint State/City effort to establish a formal Memorandum of Understanding relating to the decision to construct and timing of construction of a second bascule bridge over the Montlake Cut.

1.1.4 Clarify mitigation commitments that are both required as part of the environmental process and that the State has agreed to implement to meet the City's goals and objectives for the Project.

1.1.5 Ensure that the City maintains a meaningful role throughout the Project design process.

1.1.6 Ensure the City's continued involvement with the Project throughout the duration of the Project, as shown in Exhibit B, Anticipated Project Construction Stages and Durations, attached hereto and by this reference made part of this MOU.

1.1.7 Establish the intent of the City and State to endeavor to meet SR 520 timelines for Project completion, as described in Exhibit B.

2.0 ROLES & RESPONSIBILITIES

2.1 The State intends to:



2.1.1 Design and construct the Project as described as the Preferred Alternative in the final EIS, ROD, and summarized in Exhibit A contingent upon funding from the state Legislature and regulatory approvals.

2.1.2 Continue to evaluate and take measures to reduce traffic noise as defined in the Preferred Alternative in the final EIS.

2.1.3 Continue to evaluate and identify opportunities to narrow the Project footprint within the defined parameters of the Preferred Alternative in the final EIS.

2.1.4 Remove the unused R.H. Thomson ramps to allow restoration of park land and habitats, as described in the final EIS.

2.1.5 Keep Montlake Freeway Flyer stop function open until the construction of the Montlake lid transit stop is complete, except temporary closures as needed, as described in the final EIS.

2.1.6 Continue to implement the State Transportation Demand Management strategies for managing traffic in the SR 520 corridor, as identified in the ESSB 6392 report. Proactively monitor corridor transit/HOV lane performance, discuss, and develop corridor management strategies that maintain HOV operations to the standard established by ESSB 6392. This activity is in recognition of the state Legislative policy, established through ESSB 6392, which mandates a minimum occupancy level of three-plus for the HOV lanes for SR 520 and requires notification of the Legislature if average travel speeds in the HOV lanes fall below 45 MPH at least ten percent of the time during peak hours. State will provide findings to City and transit agencies as requested,

2.1.7 Work to secure full funding from the state Legislature and other funding sources to complete the Project, including required mitigation as identified in the ROD.

2.1.8 Build an interim west connection bridge, including an interim pedestrian and bicycle connection between the west high-rise to land which will provide a connection to local and regional trails on both sides of Lake Washington, if the State does not receive sufficient funding for the Project by the end of the 2013 legislative session. The State intends to use available resources from the SR 520 program funds to continue design and prepare for construction to complete the Project in its final configuration, including mitigation commitments, as identified in the ROD and future permits/approvals. Construction scenarios for all unfunded elements will be based upon legislative direction, funding available, and consultation with the City as described in the sections of this MOU.

2.1.9 Continue to pursue full funding and construct all community enhancements and amenities as both agreed upon with the City and as described in the ROD.

2.1.10 Implement mitigation measures as agreed upon with regulatory and permitting agencies at the approximate time that the Project incurs effects. In addition, the State will continue to consult with the City to seek opportunities for early implementation of mitigation measures.



2.1.11 Pursue design refinements and enhancements as described by the ESSB 6392 Final Workgroup Technical Report whether or not those items are defined as formal Project mitigations or commitments.

2.1.12 Create and maintain an inventory of required mitigation commitments and other commitments, made by the State, related to the Project.

2.1.13 Participate with SDOT, Metro and ST in locating transit stops on or adjacent to the Montlake Lid.

2.1.14 As part of the Community Construction Management Plan develop a Tree and Vegetation Management and Protection Plan in collaboration with the City, neighborhoods, and organized groups, such as the ABGC, that would address areas of the corridor where specific trees and or vegetation are to be removed or disturbed as part of the construction or resulting Project improvements. Further, the plan would identify areas of mature tree removal, protection, potential relocation, and restoration of Project areas including areas temporarily dedicated to construction, including staging and lay down areas. The goal of the plan is to minimize affects to trees where feasible. The State would further ensure that contractors adhere to the plan, notify neighborhoods prior to impacts, and that tree and vegetation removal would only occur at the approximate time required for construction.

2.1.15 Consult with the Seattle Design Commission, Seattle Bicycle Advisory Board, Seattle Pedestrian Advisory Board, and City neighborhood groups on design and construction of the Project as necessary or requested by the Parties.

2.1.16 Consult with SDOT, the Seattle Bicycle Advisory Board and the Seattle Pedestrian Advisory Board to identify and refine routing detours for bicyclists and pedestrians to mitigate effects during construction.

2.1.17 Negotiate and work with the City and Metro to establish maintenance and operations agreements for the Project lids at Montlake and Delmar.

2.1.18 Develop a Community Construction Management Plan, in consultation with the City, that addresses community issues and communications needs arising as a result of Project construction activity. The document should also present plans for protecting and minimizing effects to public spaces from construction impacts, including pocket "parks" developed by neighborhood groups on public rights of way, as referenced in Section 2.2.5.

2.1.19 Develop a timeline for all deliverables identified in this MOU in consultation with the City. Timelines for those deliverables that are subject to future funding from the State Legislature will be developed at such time when that funding is appropriated.

2.1.20 Continue to ensure the Project remains technically feasible for future accommodation of high capacity transit and light rail.



2.2 The City intends to:

2.2.1 Continue working collaboratively with the State consistent with the direction contained in Ordinance _____ authorizing the Mayor to enter into this MOU with the State to further refine the design of the Project and to facilitate construction of the Project.

2.2.2 Endeavor to meet Project timelines, as provided in Exhibit B.

2.2.3 Participate in discussions with the State regarding needed agreements related to lid maintenance, utility relocations, right of way acquisitions and access, and other topics as identified.

2.2.4 Lead efforts to modify City-maintained pedestrian and bicycle facilities in the vicinity of the Project to optimize access to the pedestrian and bicycle facilities constructed as part of the Project. The City will coordinate efforts with the State to plan, design, and implement modifications to these City bicycle and pedestrian facilities in consultation with the Seattle Bicycle Advisory Board and the Seattle Pedestrian Advisory Board. The City will fund the coordination and planning efforts, and will work with the state to secure funding for design and implementation of the modifications. Funding commitments will be documented in a future written agreement.

2.2.5 Lead an effort to identify any additional public spaces, in particular, pocket "parks," that have been developed by neighborhoods on public rights of way. This inventory is intended to minimize construction impacts on these locations and is expected to be recognized as part of the State Community Construction Management Plan.

2.3 The State and City will intend to:

2.3.1 Collaborate in the City led effort to establish a joint decision-making process to decide whether to construct and timing to construct the second Montlake Bascule Bridge. The process will consider transit travel time, reliability, passenger delay, pedestrian and bicycle levels of service, SR 520 mainline operations and other appropriate factors. This process will include opportunities for community and neighborhood outreach and will be described in a detailed document that will either be attached to this MOU by amendment or established in a separate MOU or agreement.

2.3.2 Coordinate with others on the design of the second Montlake Bascule Bridge with particular attention to transit priority, pedestrian and bicycle safety and access, corridor and neighborhood traffic management, and traffic operations in the Montlake corridor.

2.3.3 Collaborate to develop a Neighborhood Traffic Management Plan to catalog and develop solutions for community traffic concerns in the Montlake corridor and surrounding neighborhoods and to identify potential funding sources for projects consistent with recommendations and findings from the ESSB 6392 Final Workgroup Technical Report. The plan will define traffic management measures to proactively reduce Project construction effects and develop long term traffic management strategies that work in conjunction with the Project's Preferred Alternative and existing City traffic management practices. An implementation strategy for the Neighborhood Traffic



Management Plan and funding commitments will be documented in a future written agreement. At minimum, the effort should include the following actions:

- Convene a community advisory group to participate in developing the Neighborhood Traffic Management Plan;
- Identify community traffic management concerns and issues through a records search and community process;
- Identify potential traffic management solutions, including, but not limited to, development of an intelligent transportation system plan for Montlake Boulevard and 23rd Avenue;
- Evaluate the effectiveness and feasibility of potential traffic management solutions through additional traffic modeling and data analysis, as needed;
- Develop an implementation strategy and schedule for the Neighborhood Traffic Management Plan, including coordination with existing and planned public and private development efforts related to traffic management in the Project area; and
- Identify potential funding sources to provide for timely implementation of the Neighborhood Traffic Management Plan.

2.3.4 Work collaboratively with the Roanoke Park and Portage Bay communities, through the Community Council to advance the design provided to the State by the City of the intersection at 10th Avenue E and Delmar Drive E and on pedestrian and bicycle access in the vicinity of the intersection.

2.3.5 Coordinate with City neighborhoods, Metro, ST, the UW, the Seattle Bicycle Advisory Board, the Seattle Pedestrian Advisory Board, and the Seattle Design Commission in the Seattle Community Design process led by the State for the community amenity and lid design features within the Project limits. The City will ensure the collaborative neighborhood process, to the degree feasible, is consistent with the Project schedule, as identified in Exhibit B.

2.3.6 Recognize that the building of the Project is subject to the availability of funds and the timely receipt of necessary federal, state and local regulatory approvals. The Parties recognize that the Project design and schedule may be modified during the design and construction process consistent with the requirements of NEPA. Any modifications to Project design or schedule would be assessed as necessary in a NEPA re-evaluation.

2.3.7 Recognize if there are any changes to the funding plan for the Project, the State will notify the City prior to finalizing a new funding plan for implementing Westside elements of the Project.

2.3.8 Recognize if there are material modifications to the Project elements, as delineated in the Preferred Alternative of the final EIS and as summarized in Exhibit A, and/or if there is a change in the phasing and construction schedule, as shown in Exhibit B and as articulated in the final EIS, the State will consult with the City and may propose amendments to this MOU prior to finalizing any modified plans for implementing any Westside elements of the Project and will comply with the requirements of NEPA for evaluation of such modifications. For purposes of this section "consult" shall mean a



process which involves the two branches of City government, executive, and legislative, and allows the City the opportunity to provide for public outreach.

3.0 MODIFICATION

Either Party may propose amendments to this MOU. No amendment shall be valid unless made in writing and signed by authorized representatives of the Parties hereto. For the City, amendments to the MOU must be approved through issuance of an ordinance.

4.0 DISPUTES

The designated representatives herein under Section 6.0 NOTIFICATION, shall use their best efforts to resolve disputes between the Parties. If these individuals are unable to resolve a dispute, the person next higher in the line of authority for each Party shall review the matter and attempt to resolve it. If they are unable to resolve the dispute, the matter shall be reviewed by each Party's authorized policy representatives. For the City the authorized policy representatives are the Executive and Legislative branches or their specifically named designee(s). For the State, the authorized policy representatives are the SR 520 Program Director or specifically named designee(s). The Parties agree to exhaust each of these procedural steps before seeking to resolve disputes in a court of law.

5.0 EFFECTIVE DATE, DURATION and TERMINATION

This MOU is effective upon execution by both Parties and will remain in effect until completion of the Project, including Project mitigation, except as provided below.

A Party may unilaterally terminate this agreement by providing a minimum of six months notice of intent to terminate the MOU. For the City, notice of intent to terminate the MOU must be approved through issuance of an ordinance.

6.0 NOTIFICATION

All notices, demands, requests or other communications required under this MOU will be in writing and will be delivered by at least one of the following methods: (i) in person or (ii) transmitted by electronic mail (email) addressed as set forth below. All email will be deemed received upon confirmation by the receiving Party to the Party who initiated. All communications shall reference the contract number as found on this document.

CITY	STATE
Peter Hahn Director SDOT Seattle Municipal Tower 700 Fifth Avenue, Suite 3800 Seattle, WA 98124-4996 and Ben Noble Central Staff Director	Julie Meredith, P.E. SR 520 Program Director WSDOT, SR 520 Program 600 Stewart Street, Suite 520 Seattle, WA 98101-1217



Seattle City Hall 600 Fourth Ave. 2nd Floor Seattle, WA 98104	
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Either Party may update the contact information above which shall not be considered an amendment to this MOU. An electronic message [email] exchanged between the contacts, indicating the updated information shall be sufficient, provided the signature authority for each Party is included.

CONCURRENCE

CITY OF SEATTLE

STATE OF WASHINGTON

 Michael McGinn, Mayor, City of Seattle

 Date

 Date

Attachments:

- Exhibit A, Project Description
- Exhibit B, Anticipated Project Construction Stages and Durations



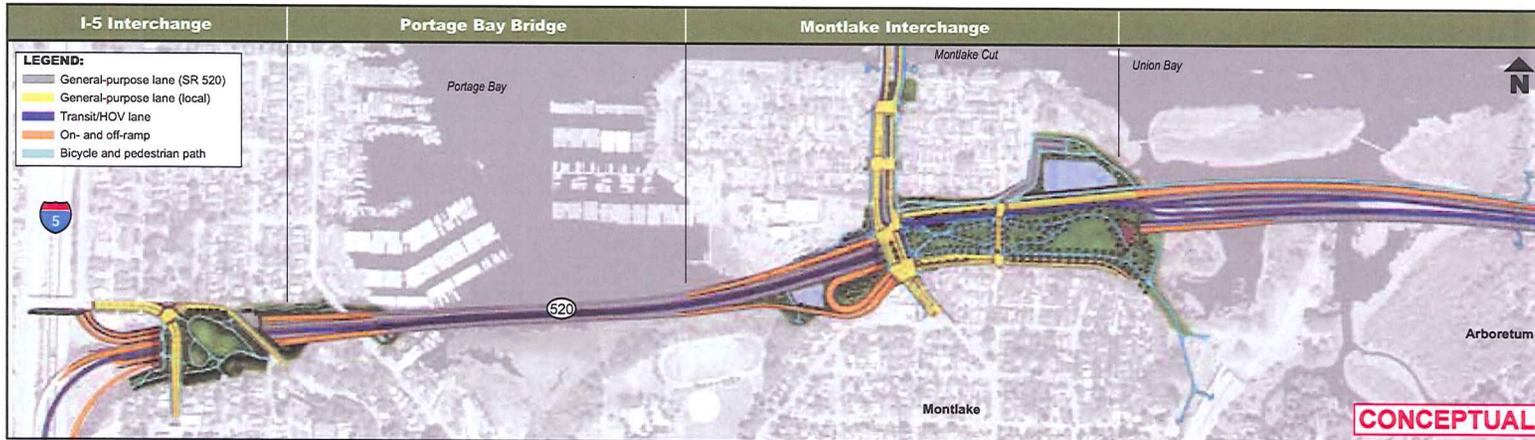
SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



Preferred Alternative

June 2011



Key Features

Lower floating bridge and maintains navigation access

- Lowers floating bridge to approximately 20 feet above water in the middle of the lake, compared to previously evaluated options.
- Provides 44-foot clearance at west high rise and 70-foot clearance at east high rise to maintain navigational clearance.

Ready for light rail when the region chooses to fund in the future

- Provides a space between west approach bridges for future light rail connection to the University Link station.
- Designs transit/HOV direct-access ramps at Montlake Boulevard that can accommodate future light rail.
- 115-foot wide floating bridge allows for conversion of transit/HOV lane to light rail.
- Supplemental pontoons can be added to accommodate additional weight of light rail in the future.

Restores park area and connections next to the Washington Park Arboretum

- Removes existing ramps in the Arboretum.
- Minimizes effects on Foster Island by having fewer columns compared to previously evaluated options.
- Raises profile of SR 520 over Foster Island compared to existing condition to improve pedestrian connection.
- Maintains recreational access to Union Bay.
- Replaces parkland converted to highway use.

Creates pedestrian-friendly urban interchange at Montlake Boulevard

- Provides extended lid from Montlake Boulevard east to the shoreline to reconnect the Montlake neighborhood and maximize open space and pedestrian/bicycle connections.
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- Narrows on- and off-ramps compared to previously evaluated options by designing to city street standards beginning at east edge of lid.

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- Provides transit/HOV direct-access ramps and transit priority from SR 520 at key intersections.
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- Adds second Montlake Bridge, allowing for two dedicated transit/HOV lanes across the Montlake Cut.
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- Converts two lanes on Montlake Boulevard to transit/HOV lanes.

Reduces width and noise from Portage Bay Bridge

- Uses westbound shoulder between Montlake and I-5 as a managed lane during peak periods.
- Operates traffic at 45 mph.
- Designs SR 520 from Montlake to I-5 as a parkway.



SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



I-5 Interchange



Vicinity map

LEGEND:

- General-purpose lane (SR 520)
- General-purpose lane (local)
- Transit/HOV lane
- On- and off-ramp
- Bicycle and pedestrian path



North
Not to Scale

CONCEPTUAL



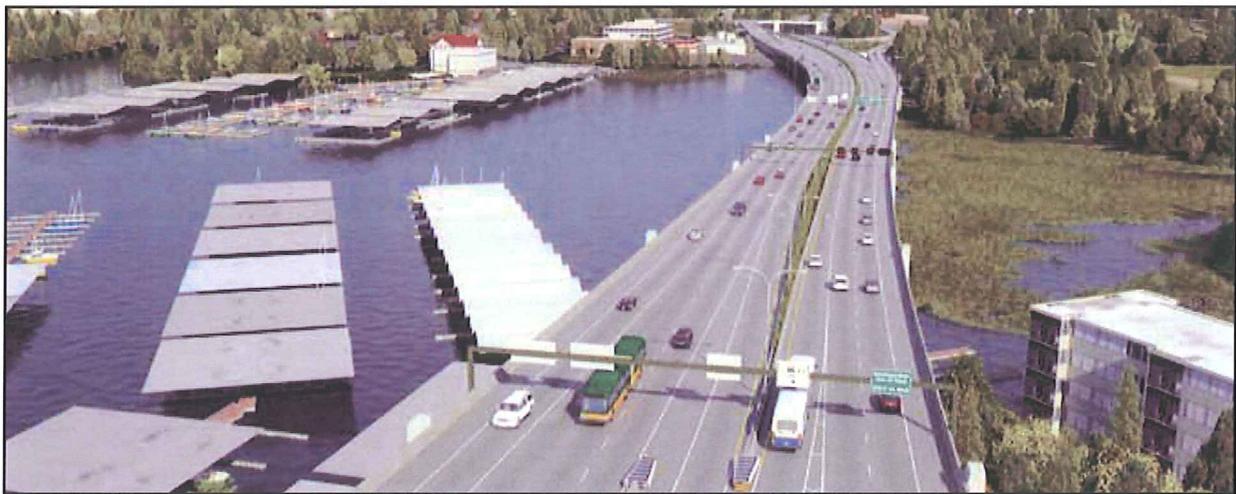
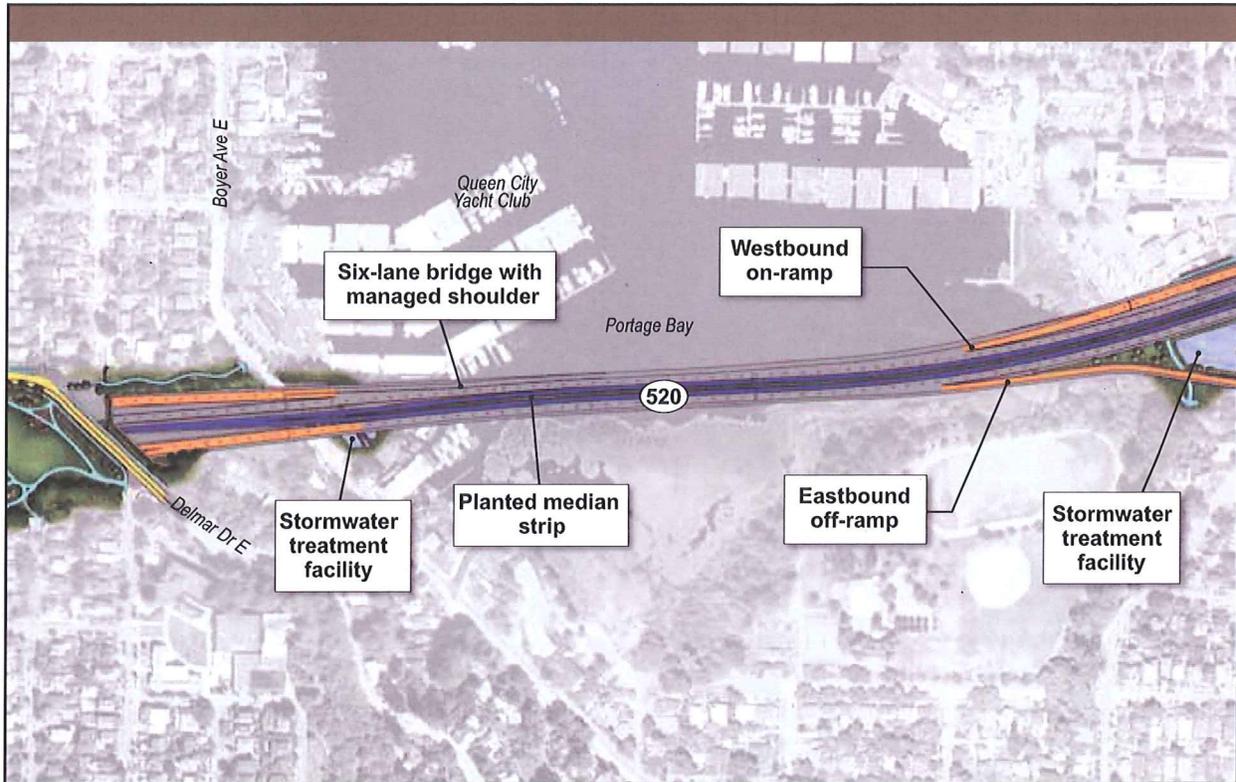


SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



Portage Bay Bridge



Rendering of Portage Bay Bridge looking east



Vicinity map

LEGEND:

- General-purpose lane (SR 520)
- Existing general-purpose lane (local)
- General-purpose lane (local)
- Transit/HOV lane
- On- and off-ramp
- Bicycle and pedestrian path



North
Not to Scale

CONCEPTUAL



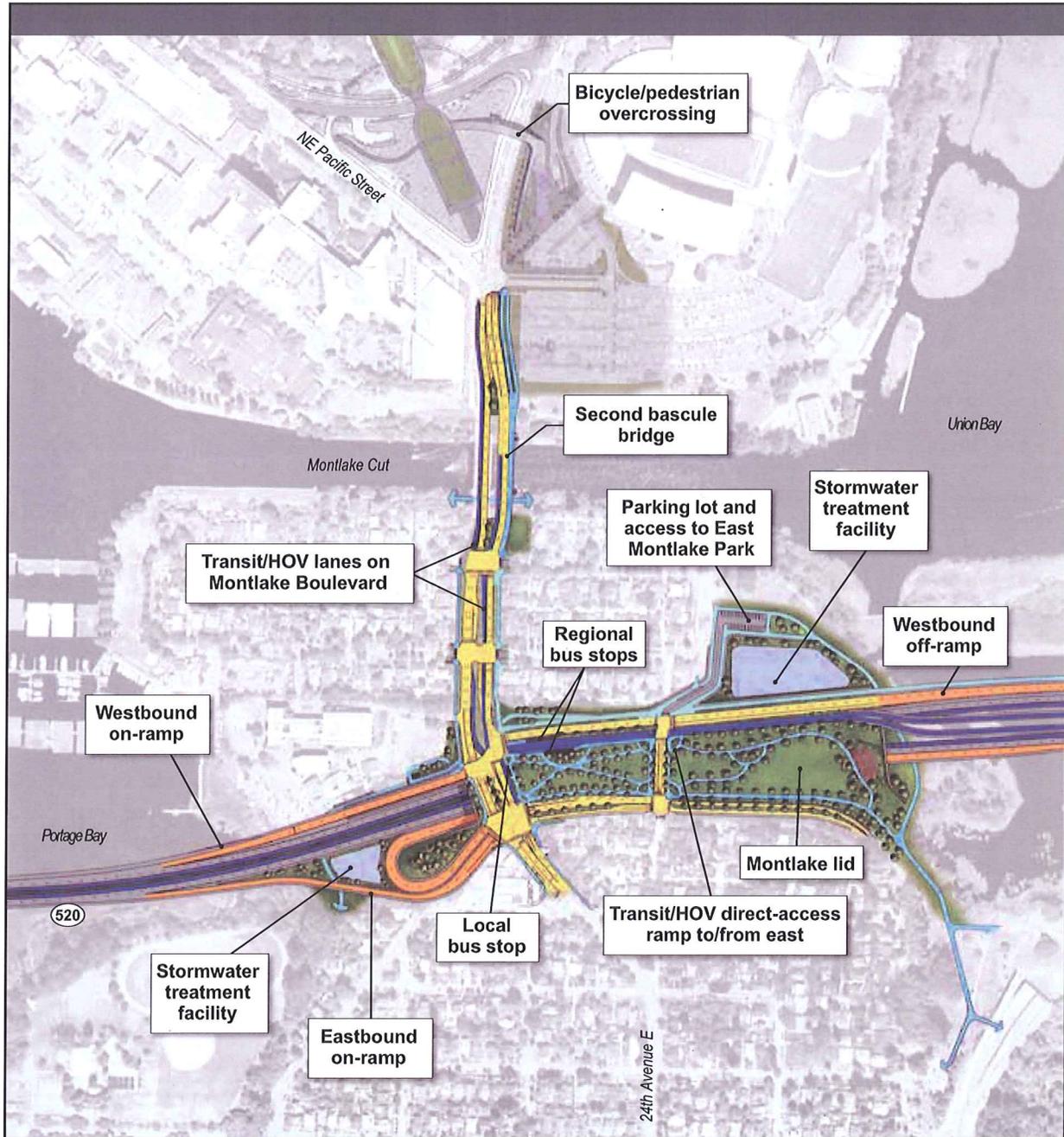


SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



Montlake Interchange



Vicinity map

Additional refinement will occur through the City of Seattle design process per legislation (ESSB 6392).

LEGEND:

- General-purpose lane (SR 520)
- General-purpose lane (local)
- Transit/HOV lane
- On- and off-ramp
- Bicycle and pedestrian path



North
Not to Scale

CONCEPTUAL

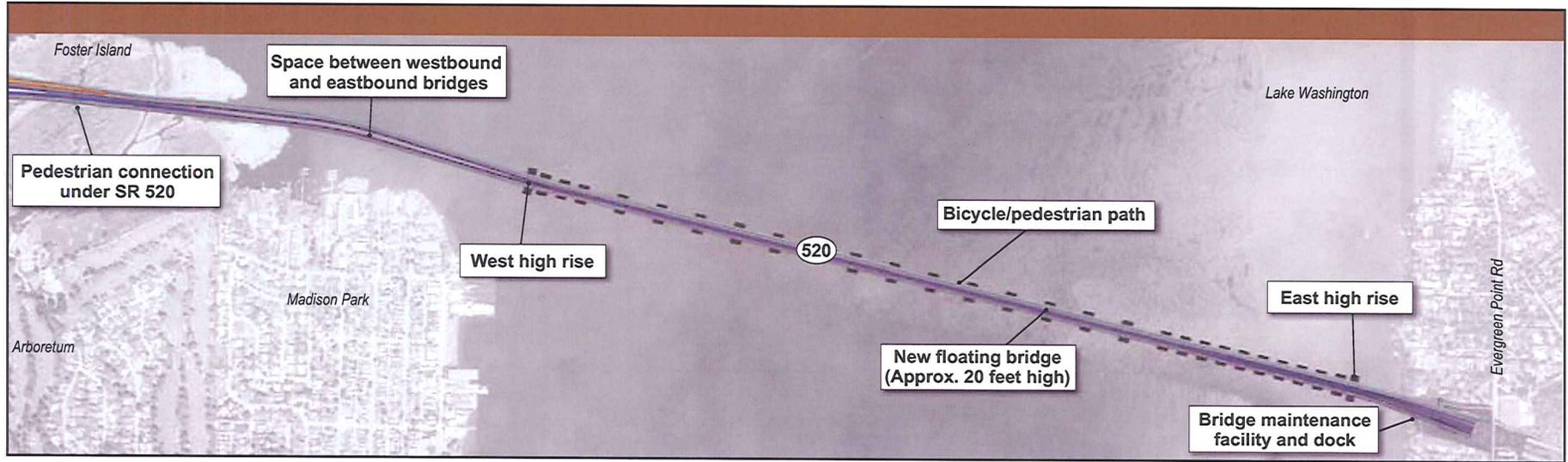


SR 520 Bridge Replacement and HOV Program

I-5 to Medina: Bridge Replacement and HOV Project



West Approach and Floating Bridge



Rendering of floating bridge looking southeast



Vicinity map

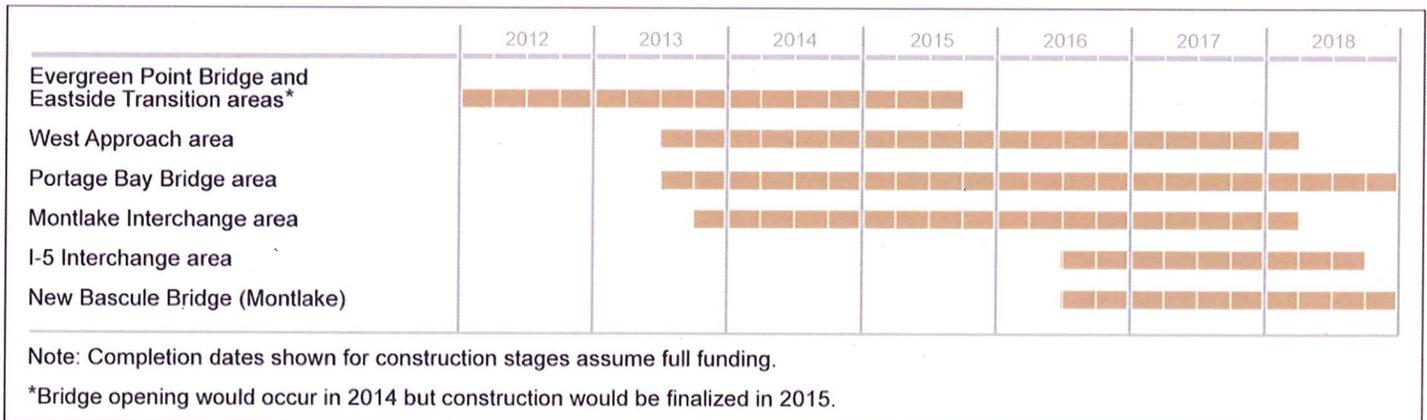
- LEGEND:**
- General-purpose lane (SR 520)
 - General-purpose lane (local)
 - Transit/HOV lane
 - On- and off-ramp
 - Bicycle and pedestrian path



CONCEPTUAL



Exhibit B – Anticipated Project Construction Stages and Durations



STATE OF WASHINGTON – KING COUNTY

--ss.

278059
CITY OF SEATTLE, CLERKS OFFICE

No. 123733,734,735,736

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: TITLE ONLY ORDINANCE

was published on

11/07/11

The amount of the fee charged for the foregoing publication is the sum of \$ 61.43, which amount has been paid in full.





Subscribed and sworn to before me on

11/07/11



Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on October 24, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 123733

AN ORDINANCE relating to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project; authorizing execution of a Memorandum of Understanding (MOU) between the State of Washington and the City of Seattle.

ORDINANCE NO. 123734

AN ORDINANCE making certain changes concerning the terms of service for members of the Seattle Women's Commission, Seattle Human Rights Commission, Seattle Commission for People with Disabilities and the Seattle LGBT (Lesbian, Gay, Bisexual, Transgender) Commission; and amending Subsection 3.14.920.D of the Seattle Municipal Code in connection therewith.

ORDINANCE NO. 123735

AN ORDINANCE relating to the Seattle Commute Trip Reduction (CTR) Program, authorizing execution of an Agreement between the Washington State Department of Transportation (WSDOT) and the City of Seattle Department of Transportation (SDOT), and ratifying and confirming prior acts.

ORDINANCE NO. 123736

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

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