

RESOLUTION No. 30918

A RESOLUTION requesting that the State of Washington (State) evaluate whether to proceed with the tunnel alternative at a point when actual costs can be better determined, requesting the State to work with the City on early implementation of certain elements of the Project, and providing for City analysis of a transit and surface streets alternative if the tunnel alternative proves to be infeasible.

Richard Contin
Richard Contin

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(4)

9-25-06 Adopted As Amended 9-0

Introduced: 9/25/06	By: Contin, Steinboeck
Referred: 9/25/06	To: Full Council Introduction + Adoption
Referred:	To:
Reported: 9.25.06	
Passed: 9.25.06	Signed: 9.25.06
Filed: 10.3.06	Published: Title 5

US5171

Law Department

RESOLUTION 30918

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2 A RESOLUTION requesting that the State of Washington (State) evaluate whether to proceed
3 with the tunnel alternative at a point when actual costs can be better determined,
4 requesting the State to work with the City on early implementation of certain elements of
5 the Project, and providing for City analysis of a transit and surface streets alternative if
6 the tunnel alternative proves to be infeasible.

7 WHEREAS, in January 2005 the City Council adopted Resolution 30726 declaring the tunnel
8 alternative as the City's preferred alternative for replacement of the Alaskan Way
9 Viaduct and Seattle Seawall Replacement Project (Project); and

10 WHEREAS, the State Legislature delegated authority to the City legislative authority in
11 Engrossed Substitute House Bill (ESHB) 2871 to adopt by ordinance a preferred
12 alternative for the Project; and

13 WHEREAS, the City Council has reviewed and considered the report of the Expert Review
14 Panel (ERP) created by ESHB 2871 concerning the finance plan and project
15 implementation plan for the Project; and

16 WHEREAS, the ERP concluded that the projected costs and revenues are preliminary for the
17 Project, which is at the 5% design level, and that a credible Project budget may only be
18 developed after design reaches a much later stage; and

19 WHEREAS, the ERP has concluded that there is sufficient funding for the tunnel alternative, but
20 there remains uncertainty regarding the funding; and

21 WHEREAS, megaprojects require a careful and thoughtful approach to manage risk, including
22 incorporating opportunities for project revisions at major decision points in
23 implementation; and

24 WHEREAS, the *Report of the Expert Review Panel* states, "We recommend that stakeholders
25 identify—early in the process—how increases to the cost of the project will be handled"
26 and "In order to ensure adequate funding for project completion, we recommend that all
27 the stakeholders reach agreement on how such cost increases should be allocated"; and

28 WHEREAS, the *Report of the Expert Review Panel* states, "Clarity about liability issues needs to
be determined up front;" and

WHEREAS, Resolution 30664 adopted and affirmed Principles for the Development of a Central
Waterfront Plan; and

WHEREAS, Resolution 30724 adopted and affirmed the Guiding Principles related to the
Project; and



1 WHEREAS, the City of Seattle desires to reaffirm a vision for the central waterfront that will
2 reclaim the waterfront and reconnect it with downtown Seattle consistent with
3 Resolutions 30664 and 30724; and

4 WHEREAS, in Ordinance _____ (C.B.115720), the legislative authority of the City of
5 Seattle adopted the tunnel as the preferred alternative for the Project; NOW,
6 THEREFORE,

7 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
8 **MAYOR CONCURRING, THAT:**

9 Section 1. While the City encourages the State of Washington (State) to pursue the
10 tunnel alternative that the City has adopted as its preferred alternative in Ordinance _____
11 (C.B. 115720), the City recognizes the uncertainties about funding the tunnel alternative. If the
12 State chooses to pursue the tunnel alternative, the State as Project owner and manager, will
13 initiate a comprehensive Project review process. When Project design reaches the 15% to 20%
14 design level, the City requests that the State, in consultation with and with input and advice from
15 the City as its Project partner, evaluate whether to proceed with the tunnel alternative
16 considering the following factors:

- 17 a. Funding to cover the cost of a tunnel has been identified to a level of confidence
18 necessary to proceed;
- 19 b. The City and State have reached an acceptable agreement allocating responsibility for
20 cost overruns for tunnel construction;
- 21 c. Project design for the tunnel does not conflict with the Seattle Comprehensive Plan;
- 22 d. The existing Viaduct can be demolished, the seawall can be replaced and/or repaired, and
23 a tunnel can be built as rapidly as possible to minimize adverse impacts; and
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- 1 e. Proposed mitigation adequately protects all those affected, including local businesses,
2 from the impacts of tunnel construction.

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4 Section 2. In order to control costs, the City strongly encourages the State to work with
5 the City to implement the following items expeditiously:

- 6
7 a. Projects in the City's Alaskan Way Viaduct and Seawall Project Safety and Transition
8 Plan and the Project's Construction Transportation Management Plan that are to be
9 completed in advance of Project construction in order to sustain local mobility, including
10 freight mobility;
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12 b. Key projects, including the south end improvements, the entry from State Route 99 to the
13 south entrance of the Battery Street Tunnel, and renovation of the Battery Street Tunnel;
14 and
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16 c. Mitigation and construction phasing plans that will, to the extent practicable, protect all
17 those affected, including local businesses, from the impacts of construction.
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19 Section 3. The City Council requests that the Mayor negotiate and execute a
20 Memorandum of Agreement (MOA) with WSDOT and other project partners, in accordance
21 with the recommendation of the Expert Review Panel, including identifying who will be
22 responsible for bodily injury and/or property damage claims after the project is complete. The
23 Council also requests that the Mayor present a draft MOA for Council review and possible
24 approval when 15% to 20% design is completed, preferably by August 1, 2007.
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1 Section 4. In the event that the tunnel alternative proves to be infeasible, the City will
2 begin analysis of a new transit and surface streets alternative, which could build on the analysis
3 already completed on the surface alternative in the Draft Environmental Impact Statement. The
4 intent of this analysis would be to provide an alternate plan that would be consistent with the
5 City's vision for the central waterfront. The transit and surface streets alternative would:

- 6 a. Encourage mode shifts through substantial investments in transit, ranging from buses to
7 high-capacity transit, and investments in transportation demand management, including
8 commute trip reduction measures and other alternatives to single-occupant vehicle travel;
- 9 b. Redesign surface streets to improve efficiency and carrying capacity;
- 10 c. Improve safety, including replacement and/or repair of the seawall to support State Route
11 99 as a surface roadway along the waterfront; and
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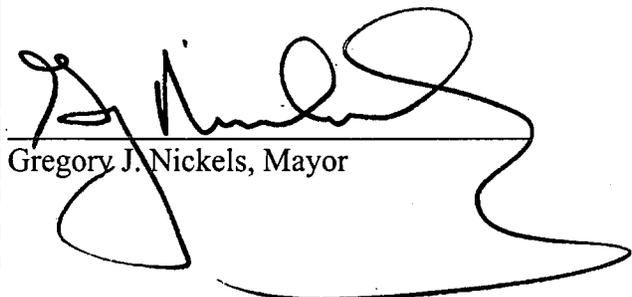


1 d. Design road, transit, pedestrian and bicycle improvements to maximize public access to
2 the waterfront and implement the City's vision for the central waterfront.

3
4 Adopted by the City Council the 25th day of September, 2006, and signed by me in
5 open session in authentication of its adoption this 25th day of September 2006.
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9 President _____ of the City Council

10 THE MAYOR CONCURRING:

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13 _____
14 Gregory J. Nickels, Mayor
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16 Filed by me this 2nd day of Oct, 2006.

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19 _____
20 City Clerk

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22 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Norm Schwab x4-9292	N/A

Legislation Title:

A RESOLUTION requesting that the State of Washington (State) evaluate whether to proceed with the tunnel alternative at a point when actual costs can be better determined, requesting the State to work with the City on early implementation of certain elements of the Project, and providing for City analysis of a transit and surface streets alternative if the tunnel alternative proves to be infeasible.

• **Summary of the Legislation:**

This Resolution does three things: (1) requests the State of Washington to evaluate whether to proceed with the tunnel alternative at a point when actual costs can be better determined (at the 15% to 20% design level), (2) requests the State to work with the City on early implementation of certain elements of the Project in order to control costs, and (3) provides for City analysis of a transit and surface streets alternative if the tunnel alternative proves to be infeasible.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

The Resolution is companion legislation to C.B. 115720, an ordinance adopting a preferred alternative that meets the requirements of ESHB 2871, which requests the City to declare a preferred alternative on the Alaskan Way Viaduct Replacement by either an advisory ballot measure or by ordinance. The final determination about which alternative to pursue rests with the State.

The estimates available at this time indicate that the cost of the tunnel option will range between \$3.56 and \$5.54 billion. The costs of the elevated structure are estimated at between \$2.20 and \$3.34 billion. While detailed cost allocations have not been determined, it is likely that the City would bear a larger share of the costs associated with the tunnel option. No estimates have been prepared yet for the new transit and surface streets alternative. No matter which option is pursued, both City Light and Seattle Public Utilities will be responsible for the costs of relocating utilities located in the Viaduct corridor.

• *Please check one of the following:*

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

RESOLUTION _____

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14 Panel (ERP) created by ESHB 2871 concerning the finance plan and project
15 implementation plan for the Project; and

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17 Project, which is at the 5% design level, and that a credible Project budget may only be
18 developed after design reaches a much later stage; and

19 WHEREAS, the ERP has concluded that there is sufficient funding for the tunnel alternative, but
20 there remains uncertainty regarding the funding; and

21 WHEREAS, megaprojects require a careful and thoughtful approach to manage risk, including
22 incorporating opportunities for project revisions at major decision points in
23 implementation; and

24 WHEREAS, Resolution 30664 adopted and affirmed Principles for the Development of a Central
25 Waterfront Plan; and

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27 Project; and

28 WHEREAS, the City of Seattle desires to reaffirm a vision for the central waterfront that will
reclaim the waterfront and reconnect it with downtown Seattle consistent with
Resolutions 30664 and 30724; and

WHEREAS, in Ordinance _____ (C.B.115720), the legislative authority of the City of Seattle
adopted the tunnel as the preferred alternative for the Project; NOW, THEREFORE,



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16 b. The City and State have reached an acceptable agreement allocating responsibility for
17 cost overruns for tunnel construction;
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22 a tunnel can be built as rapidly as possible to minimize adverse impacts; and
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24 e. Proposed mitigation adequately protects all those affected, including local businesses,
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11 those affected, including local businesses, from the impacts of construction.
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d. Design road, transit, pedestrian and bicycle improvements to maximize public access to the waterfront and implement the City's vision for the central waterfront.

Adopted by the City Council the ____ day of _____, 2006, and signed by me in open session in authentication of its adoption this ____ day of _____, 2006.

President _____ of the City Council

THE MAYOR CONCURRING:

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2006.

City Clerk

(Seal)



STATE OF WASHINGTON – KING COUNTY

--SS.

203220
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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

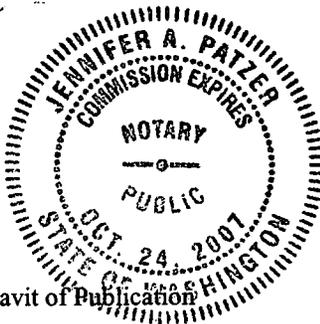
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:30916 & 30918

was published on

10/06/06

The amount of the fee charged for the foregoing publication is the sum of \$ 41.40, which amount has been paid in full.



Amela Oglesky
Subscribed and sworn to before me on

10/06/06

Robert J. [Signature]
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 resolutions, passed by the City Council on September 25, 2006, and published here by title only will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

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RESOLUTION NO. 30916

A RESOLUTION authorizing the Mayor to sign and/or execute a collective bargaining agreement by and between the City of Seattle and the International Brotherhood of Teamsters, Local 117 - Community Services Officer and Evidence Warehouse units to be effective through December 31, 2007.

Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, October 6, 2006.
10/6(203220)