Resolution No. ~~3~~ 31479

A RESOLUTION granting conceptual approval to Port of Seattle to construct, maintain, and operate a private road and electrical utilities on a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project.

Related Legislation File: _____

Date Introduced and Referred: 9.3.13	To: (committee): Transportation
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 9/10/13	Date Presented to Mayor: 9/20/13
Date Signed by Mayor: 9.27.13	Date Returned to City Clerk: 9.27.13
Published by Title Only X Published in Full Text _____	Date Returned Without Concurrence:

Law Department

The City of Seattle – Legislative Department

Resolution sponsored by: _____

Committee Action:

Date	Recommendation	Vote
9-10-13	Approve	TRJ & BLH 3-0

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

Full Council Action:

Date	Decision	Vote
Sept. 16, 2013	Adopted	9-0

Amy Gray, Angela Steel
SDOT Port Argo RES
July 24, 2013
Version #4

CITY OF SEATTLE

RESOLUTION 31479

A RESOLUTION granting conceptual approval to the Port of Seattle to construct, maintain, and operate a private road and electrical utilities on a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project.

WHEREAS, the Port of Seattle, as lead agency, has applied for permission to construct an at-grade private road, private light poles and buried electrical utilities between a new underpass of the State Route 99 Spokane Street Overcrossing and Colorado Avenue South, a small part of the Argo Yard Truck Roadway Project (the "Project") would occupy a portion of Duwamish Avenue South and South Dakota Street, east of East Marginal Way South. The purpose of the Project is to provide a faster and safer route from the Port of Seattle marine terminals to the Union Pacific Railroad Argo Yard gate; and

WHEREAS, the Port of Seattle, Union Pacific Railroad, Washington State Freight Mobility Strategic Investment Board, Prologis, L.P., and the City of Seattle have entered into a Memorandum of Understanding for the Project; and

WHEREAS, construction of the Project will also improve access to the Prologis, L.P. warehouse and other industrial sites in the vicinity; and

WHEREAS, construction of the Project will reduce traffic congestion on southbound SR 99/East Marginal Way South, providing time savings for all users; and

WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation ("Director") considered the submitted plans and application materials for constructing the Port of Seattle Argo Yard Truck Roadway Project and recommends that conceptual approval be granted; NOW, THEREFORE,

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

Section 1. The City Council finds that the Port of Seattle's Argo Yard Truck Roadway Project is in the public interest.

SMS CITY CLERK

Section 2. As conditions for obtaining permission to construct the Project, the Port of Seattle shall:

(1) Provide engineering and utility plans to the Seattle Department of Transportation for reviewing and permitting;

(2) Provide public liability insurance naming the City as an additional insured or in the form of self-insurance, either as approved by the City's Risk Manager;

(3) Pay all City permit fees;

(4) Obtain all necessary land use or building permits; and

(5) Remove the Argo Yard Truck Roadway Project from South Dakota Street and Duwamish Avenue South and restore the right-of-way to its original condition if the Port of Seattle fails to perform any obligation under the term permit within a reasonable time after receiving notice by the City specifying the failure to perform.

Section 3. After this resolution is adopted, SDOT will present to the Council for its modification or approval a draft term permit ordinance that prescribes the conditions under which permission to use the right-of-way will be granted.

Section 4. As recommended by the Director and the Mayor, conceptual approval for construction of the Argo Yard Truck Roadway Project is GRANTED.

2013 CITY CLERK

Adopted by the City Council the 16th day of September, 2013, and signed by me in open session in authentication of its adoption this 16th day of September, 2013.

President _____ of the City Council

THE MAYOR CONCURRING:

Michael McGinn, Mayor

Filed by me this 27th day of September, 2013.

for Monica Martinez Simmons, City Clerk

(Seal)

2013 CITY CLERK

Amy Gray
SDOT Port Argo FISC
July 24, 2013
Version #2

Form revised: December 12, 2012

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Department of Transportation	Angela Steel/684-5967	Christie Parker/684-5211

Legislation Title:
A RESOLUTION granting conceptual approval to the Port of Seattle to construct, maintain, and operate a private road and electrical utilities on a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project.

Summary of the Legislation:
This proposed resolution grants the conceptual approval for the Port of Seattle, as lead agency, to construct, maintain, and operate a private road, private light poles and buried electrical utilities on a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project (the "Project"). The purpose of the Project is to provide a faster and safer route from the Port of Seattle marine terminals to the Union Pacific Railroad Argo Yard gate. It will also reduce traffic congestion on southbound State Route 99/East Marginal Way South and improve access to industrial sites in the area.

Background:
The Port of Seattle has entered into a Memorandum of Understanding with Union Pacific Railroad, the Washington State Freight Mobility Strategic Investment Board, Prologis, L.P., and the City of Seattle for the Project. The Project will provide a dedicated private truck road between a new underpass of the State Route 99 Spokane Street Overcrossing and Colorado Avenue South.

The Project is envisioned in two elements:

1. The Port of Seattle will construct and maintain a 1,500 foot long, 16 foot wide south-bound dedicated truck-only roadway between a new underpass of the State Route 99/East Marginal Way South trestle and the existing Colorado Avenue South cul-de-sac; and
2. Improve the public roadway system of Colorado Avenue South and Diagonal Avenue South from the south end of the truck roadway to State Route 99/East Marginal Way South at Diagonal Avenue South, and construct the undercrossing of the State Route 99 trestle, south of Duwamish Avenue South at the Project's north end.

Please check one of the following:

__X__ **This legislation does not have any financial implications.**

2013 CITY CLERK

Although this resolution does not accept or appropriate funds, SDOT will receive a permit fee from the Port of Seattle after the effective date of the term permit ordinance.

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?**
If the legislation is not enacted by the City Council, the City of Seattle will not receive the annual fee as part of the term permit ordinance. The City of Seattle has the option to adjust the fee amount on an annual basis.

c) **Does this legislation affect any departments besides the originating department?**
No.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** The Argo Yard Truck Roadway Project area would need to be rerouted entirely onto private property and not encroach onto Duwamish Avenue South and South Dakota Street.

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?**
Yes. An area map is attached for reference.

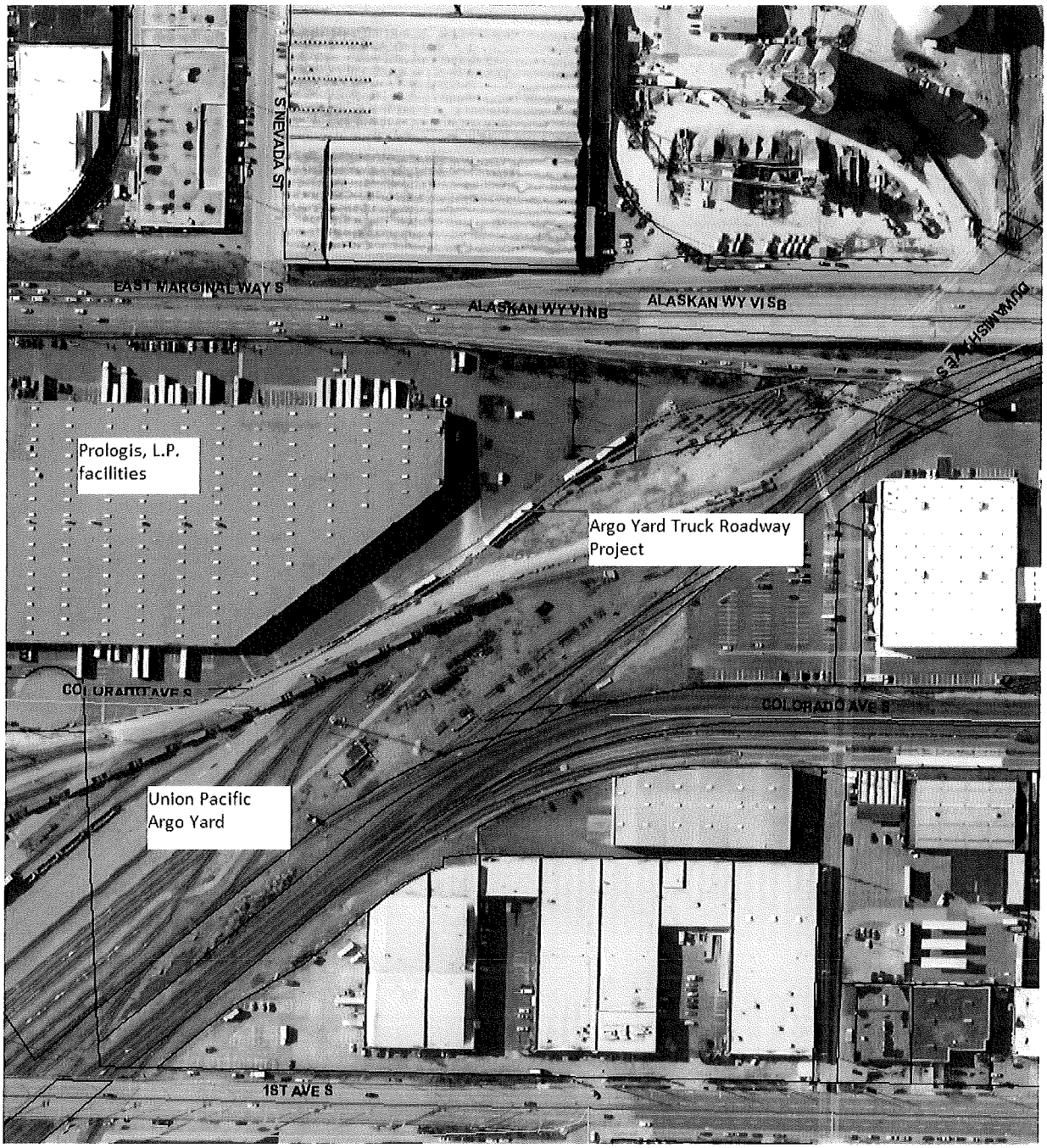
h) **Other Issues:** N/A

List attachments to the fiscal note below:
Attachment A –Argo Yard Truck Roadway Project Area Map
Attachment B – Argo Yard Truck Roadway Project Right-of-Way Use Areas

SEA CITY CLERK

Amy Gray
SDOT Port Argo Yard FISC ATT A
July 23, 2013
Version #1

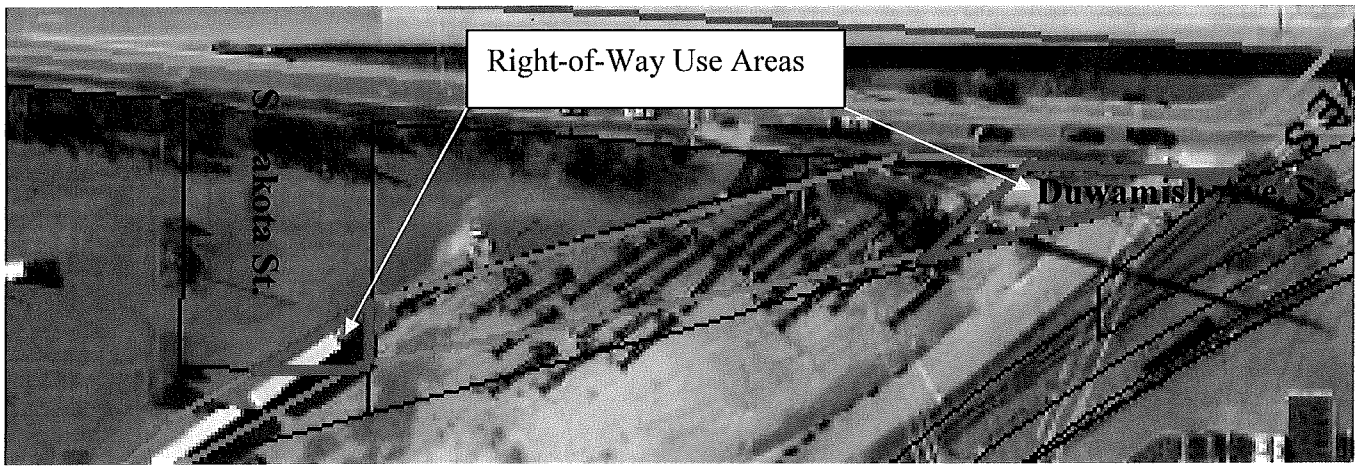
Attachment A – Private Road Area Map



SEA CITY CLERK

Amy Gray
SDOT Port Argo Yard FISC ATT B
July 23, 2013
Version #1

Attachment B – Argo Yard Truck Roadway Project Right-of-Way Use Areas



SEA CITY CLERK

City of Seattle
Office of the Mayor

August 13, 2013

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Resolution that grants conceptual approval to the Port of Seattle to construct, maintain, and operate a private road and electrical utilities in a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project.

The purpose of the Argo Yard Truck Roadway Project is to provide a faster and safer route from the Port of Seattle marine terminals to the Union Pacific Railroad Argo Yard gate by providing a dedicated private truck road between a new underpass of the State Route 99 Spokane Street Overcrossing and Colorado Avenue South. The project will also reduce traffic congestion on southbound State Route 99/East Marginal Way South and improve access to industrial sites in the area. The Port of Seattle has entered into a Memorandum of Understanding with Union Pacific Railroad, the Washington State Freight Mobility Strategic Investment Board, Prologis L.P., and the City of Seattle for the project. The project will include a private road, private light poles, and buried electrical utilities on portions of South Dakota Street and Duwamish Avenue South.

Thank you for your consideration of this proposed Resolution. Should you have questions, please contact Angela Steel at 684-5967.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
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mike.mcginn@seattle.gov

CITY CLERK

STATE OF WASHINGTON -- KING COUNTY

--ss.

303312 No. TITLE ONLY

CITY OF SEATTLE,CLERKS OFFICE

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:31463,65,76,77,79-80

was published on

10/09/13

The amount of the fee charged for the foregoing publication is the sum of $107.25 which amount has been paid in full.

Subscribed and sworn to before me on

10/09/2013

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on September 16, 2013, 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.

RESOLUTION NO. 31463

A RESOLUTION relating to the City Light Department; establishing a ratepayer engagement process for the development of biennial revisions to the utility's strategic plan and supporting electricity rates; outlining the roles of the Department, the City Light Review Panel, the Mayor, and the Council in that process; and establishing a schedule for regular adoption of such strategic plans and electricity rates necessary to implement them.

RESOLUTION NO. 31465

A RESOLUTION approving the alignment, station locations, and maintenance base location for Sound Transit's Central Link, University Link, Northgate Link Extension, and East Link Light Rail Lines in the City of Seattle; and superseding the alignment, station locations, and maintenance base location approved in Resolution 30993.

RESOLUTION NO. 31476

A RESOLUTION granting conceptual approval to King County Department of Natural Resources and Parks, Wastewater Treatment Division to expand, construct, maintain, and operate diversion structures in 32nd Avenue West to redirect combined sewer overflows as part of the South Magnolia Combined Sewer Overflow Control Project.

RESOLUTION NO. 31477

A RESOLUTION adopting the 2013 update of the Urban Forest Stewardship Plan.

RESOLUTION NO. 31479

A RESOLUTION granting conceptual approval to the Port of Seattle to construct, maintain, and operate a private road and electrical utilities on a portion of South Dakota Street and Duwamish Avenue South, east of East Marginal Way South, as part of the Argo Yard Truck Roadway Project.

RESOLUTION NO. 31480

A RESOLUTION granting conceptual approval to Prologis, L.P. to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South.

Date of publication in the Seattle Daily Journal of Commerce, October 9, 2013.

10/9(303312)