

**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Department of Transportation	David Conway/684-5016	Doug Palmer/684-5266

**Legislation Title:**

AN ORDINANCE relating to the East Marginal Way Grade Separation Project; authorizing the Director of the Department of Transportation, on behalf of the City of Seattle, to execute a Memorandum of Agreement with the Port of Seattle regarding the design, permitting, construction, financing, transfer, use, and related aspects of the project.

**Summary and background of the Legislation:**

This legislation authorizes the Director of the Department of Transportation, on behalf of the City of Seattle (“City”), to enter into a Memorandum of Agreement with the Port of Seattle regarding the East Marginal Way Grade Separation project (“EMGS MOA”). The EMGS MOA provides, among other things, transfer of ownership by the Port of Seattle to the City of the grade separation improvement and any related property interests, as well as such at-grade widening or relocation of City streets identified in the EMGS MOA.

The Port of Seattle (“Port”) and the City are participants in the FAST Corridor Partnership created pursuant to a Memorandum of Understanding dated April 29, 1998, subsequently amended and restated by the 2002 Memorandum of Understanding for Phases I and II of the FAST Corridor, dated December 12, 2002 (“FAST MOU”). The FAST Corridor refers to a series of related but independent projects which when completed systematically improve freight movement and mitigate the impacts of increasingly intensive use of the freight transportation corridors in the Everett-Seattle-Tacoma region. This integrated freight mobility corridor strategy is consistent with the Puget Sound Regional Council’s Metropolitan Transportation Plan (Destination 2030).

The East Marginal Way Grade Separation Project (“Project”) was designated as a Phase I FAST Corridor Project in the FAST MOU. To that end the Port, in its capacity as lead agency for the Project, constructed a vehicular grade separation that routes vehicular traffic up and over existing rail tracks that primarily serve the Port terminals on Harbor Island and West Seattle.

The purpose of the Project’s grade separation and related road and utility relocations is to accommodate both: (1) existing and projected increases in rail traffic; and (2) existing and projected increases in vehicular traffic, including freight and general purpose traffic that use East Marginal Way, Duwamish Avenue S., S. Spokane Street, and the surrounding roadways. In addition, separating rail from vehicular traffic enhances traffic safety for vehicles, pedestrians and bicycles, improves access to local business, and minimizes traffic delays.

<b>Project Name:</b>	<b>Project I.D.:</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date:</b>
East Marginal Grade Separation		Various	Various	Various

Please check any of the following that apply:

**This legislation creates, funds, or anticipates a new CIP Project.**

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

**This legislation has financial implications**

**Appropriations:** None.

Appropriations Notes: The work associated with the capital project is substantially complete. Appropriations are needed for ongoing operations and maintenance. In 2015, SDOT will request additional appropriations to continue operations and maintenance.

**Spending Plan and Future Appropriations for Capital Projects:**

Spending Plan and Budget Notes: None.

**Funding Source:** N/A

Funding Source Notes:

**Bond Financing Required:** None.

Bond Notes:

**Uses and Sources for Operation and Maintenance Costs for the Project:**

Operation and Maintenance Notes: See other implications.

**Periodic Major Maintenance Costs for the Project:**

**Funding sources for replacement of project:** N/A.

**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:** None.

**Do positions sunset in the future?** N/A.

**Other Implications:**

**a) Does the legislation have indirect financial implications, or long-term implications?**

Yes, adoption of this legislation has long-term financial implications. As owner of the City right-of-way, SDOT would be responsible for the operations and maintenance of the infrastructure which includes the roadway infrastructure, and landscaping maintenance costs. The annual costs total approximately \$41,309 (Pavement management: \$24,319, Structures: \$13,650, Urban Forestry: \$1,840, Street Maintenance: \$1,500). The construction contract cost for replacement of the bridge structure total \$20.5M in 2012 dollars. The remaining useful life is 85 years.

**b) What is the financial cost of not implementing the legislation?**

The Port built the infrastructure to City standards as the intent was the City would assume operations and maintenance responsibilities. If the City were to not implement the legislation, the issue could wind up in the legal system.

**c) Does this legislation affect any departments besides the originating department?**

The acceptance and transfer of certain SCL and SPU utility infrastructure associated with the Project will be finalized. SPU and SCL have no new additional funding or appropriation needs.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives? None.**

**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?**

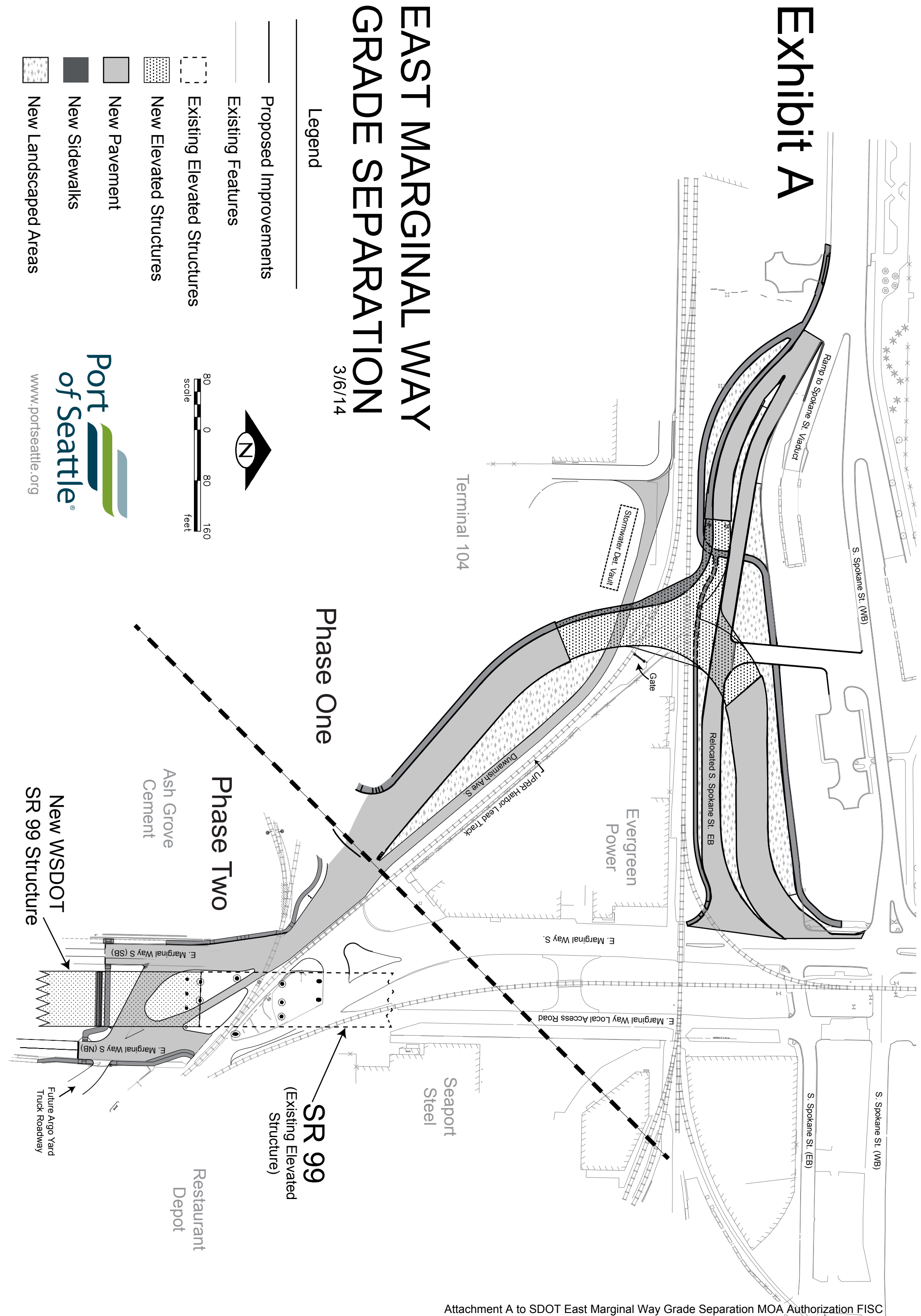
Yes, there are several parcels that will be transferred to the City as part of the Project to be owned and operated as City street right-of-way and utility easements.

**h) Other Issues: None.**

**List attachments to the fiscal note below:**

Attachment A: Project Map  
Attachment B: Vicinity Map








# Exhibit A



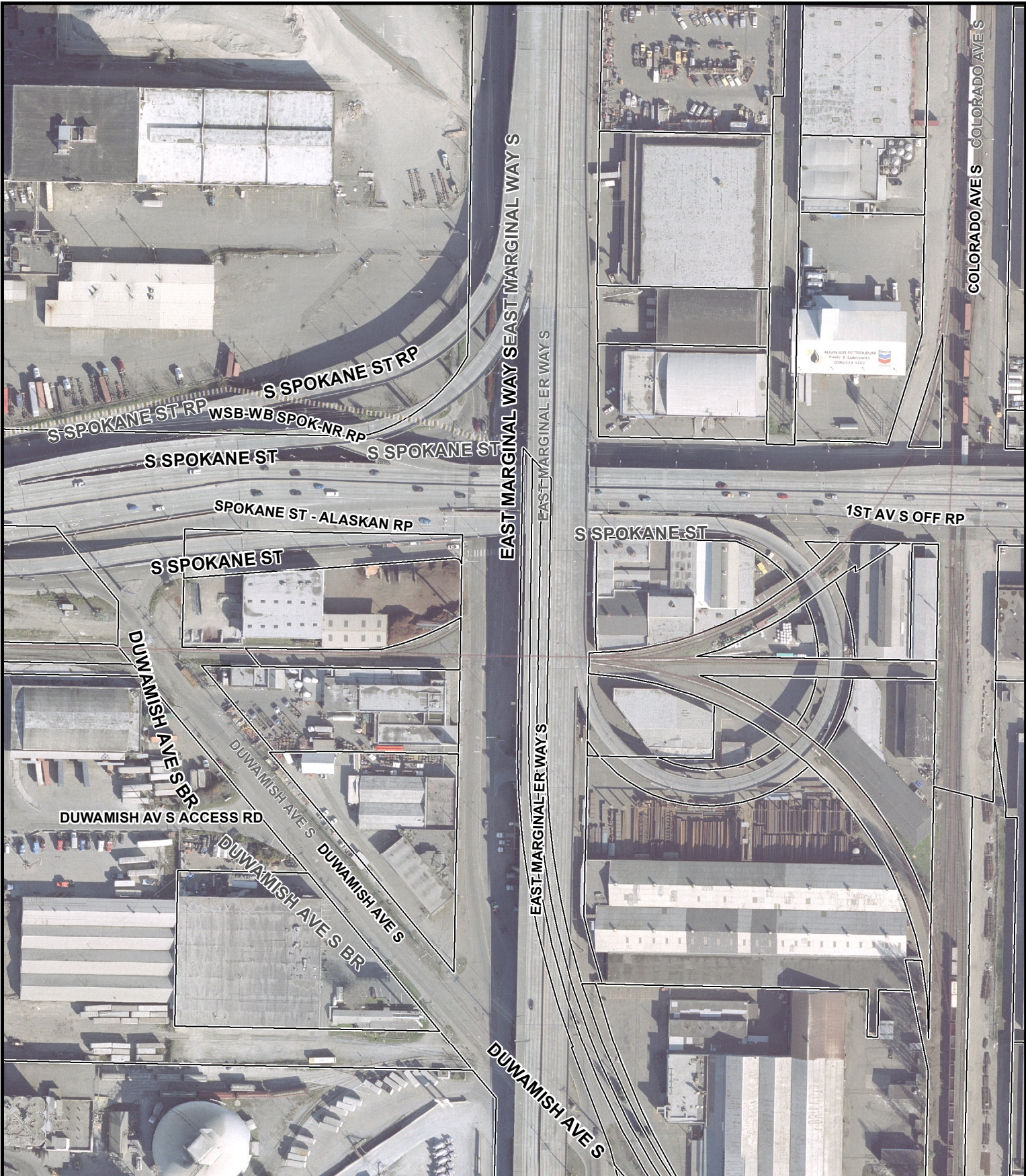
## EAST MARGINAL WAY GRADE SEPARATION

3/6/14

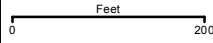
### Legend

-  Proposed Improvements
-  Existing Features
-  Existing Elevated Structures
-  New Elevated Structures
-  New Pavement
-  New Sidewalks
-  New Landscaped Areas





**Vicinity Map**  
**East Marginal Way Grade Separation**



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 Coordinate System: State Plane, NAD83-11, Washington North Zone | Vertical Datum: North American Vertical datum of 1988 (NAVD88)  
 Produced by the Seattle Public Utilities - IT GIS

See map legend on separate page.