

#4  
Res. 31371

RESOLUTION 31371

1  
2  
3 A RESOLUTION relating to public safety and protection of the Central Waterfront, the  
4 downtown business district, major transportation facilities, and related public  
5 infrastructure, which are essential to the local and regional economy, expressing the City  
6 Council's intent to place an Elliott Bay Seawall Replacement bond measure on the  
7 November 6, 2012 general election ballot, and establishing the process the Council will  
8 use to determine the final amount and scope of this measure.

9 WHEREAS, the existing Elliott Bay Seawall ("Seawall") is seriously deteriorated from aging  
10 components and materials as well as from marine borer damage, with approximately 50  
11 percent of the existing wall currently damaged; and

12 WHEREAS, the Seawall is not designed to withstand earthquakes and there is a one in ten  
13 chance of an earthquake leading to liquefaction and Seawall failure within the next ten  
14 years; and

15 WHEREAS, failure of the Seawall could severely disrupt public transportation and commerce,  
16 and lead to widespread property damage, injury and loss of life, thus, a replacement  
17 Seawall is essential both to public safety and to the local and regional economy; and

18 WHEREAS, a properly designed and built Seawall is expected to protect the City and its  
19 residents and workers for the next 100 years; and

20 WHEREAS, the engineering and design for the replacement of the Seawall has now advanced to  
21 the 35 percent stage where cost estimates and timelines for construction can be  
22 reasonably established; and

23 WHEREAS, on-going work by the City on waterfront planning and development has identified  
24 other critical public infrastructure needs, including the replacement of Waterfront Park  
25 and Piers 62/63; and

26 WHEREAS, the costs of replacing the Seawall and any additional infrastructure repairs made as  
27 a part of the project exceed the funding available from existing City revenue sources; and

28 WHEREAS, Seattle's central waterfront is a unique asset of our community and replacement of  
the Seawall will ensure that Alaskan Way can be rebuilt on time as part of the Alaskan  
Way Viaduct Replacement Program and that required water-side structural support will  
exist for the soon-to-be-redeveloped Alaskan Way recreational, cultural, social, and  
economic improvements; and

1 WHEREAS, replacement of the Seawall must provide, where appropriate, enhancement of  
2 habitat for flora and fauna, including improving habitat for salmonids; and

3 WHEREAS, the Council has held numerous public meetings and discussions between 2010 and  
4 2012 related to the Seawall Replacement, its design and construction, and related public  
5 infrastructure, including receiving testimony and briefings from the general public, the  
6 Seattle Department of Transportation (SDOT), the Central Waterfront Stakeholders  
7 group, James Corner Field Operations (the professional design firm for Waterfront  
8 Seattle), and the Central Waterfront Committee; NOW, THEREFORE,

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

11 Section 1. Intent to Place a Seawall Replacement Bond Measure on November 2012  
12 General Election Ballot. The City intends to ask the voters of Seattle to support a 30-year  
13 property tax bond measure on the November 6, 2012 general election ballot in order to replace  
14 the Elliott Bay Seawall ("Seawall"), which is at risk of failure and which is a critical public  
15 safety matter of importance to the local and regional economies.

16 Section 2. Development of a Seawall Replacement Bond Measure. The City Council  
17 will complete by July 2, 2012 its due diligence to determine the scope and amount of the Seawall  
18 Replacement bond measure to be placed on the November 6, 2012 general election ballot. This  
19 due diligence will include an assessment of:

- 20 1. How does the proposed project timeline for the Seawall Replacement and other  
21 infrastructure projects integrate with WSDOT's and SDOT's Alaskan Way  
22 Replacement Program;
- 23 2. How funding for the Seawall Replacement must be balanced against the cost of  
24 other waterfront infrastructure needs and the cost of other critical capital  
25 projects, and the City's overall financial capacity;

3. What funding, beyond a voter-approved bond measure, could be available to fund the Seawall Replacement project;
4. What uncertainties and risks remain in the estimated project costs and how can such risks can be mitigated;
5. What uncertainties and risks remain in the already underway Army Corps of Engineers environmental review and permitting processes related to the Seawall Replacement; and
6. What construction contracting approaches have been considered for project implementation and what are the relative merits of each.

In conducting this analysis, the Council will consider input from the Seattle Department of Transportation (SDOT) and SDOT's Seawall consultants, the Washington State Department of Transportation, the United States Army Corps of Engineers, the Central Waterfront Stakeholders group, the Central Waterfront Committee, and additional public input received through a public hearing and other means.

Section 3. Schedule for Developing a 2012 Seawall Replacement Bond Measure. The following schedule identifies major milestones planned as part of Council's due diligence.

Date	Item
First-half of May 2012	<ul style="list-style-type: none"><li>✓ Assess design scope, budget and schedule for Seawall Replacement</li><li>✓ Review Army Corps of Engineers permitting process and schedule</li><li>✓ Assess design concepts, budgets and schedules for other critical waterfront infrastructure needs (including but not limited to Waterfront Park and Piers 62/63) that could be included in the Seawall Replacement Bond Measure</li></ul>

Date	Item
Second-half of May 2012	<ul style="list-style-type: none"> <li>✓ Review proposed contracting method for Seawall Replacement</li> <li>✓ Review proposed Seawall Replacement bond measure in context of City's debt capacity limits and other competing measures and timelines</li> </ul>
First-half of June 2012	<ul style="list-style-type: none"> <li>✓ Review Seawall Replacement proposal for consistency with Waterfront Seattle Strategic Plan</li> <li>✓ Introduce Ordinance for 2012 Seawall Replacement bond measure</li> </ul>
Second-half of June 2012	<ul style="list-style-type: none"> <li>✓ Hold a public hearing on Seawall Replacement bond measure Ordinance</li> </ul>
First-half of July 2012	<ul style="list-style-type: none"> <li>✓ Council vote on Ordinance to place 2012 Seawall Replacement bond measure on November 2012 ballot</li> </ul>
November 6, 2012	<ul style="list-style-type: none"> <li>✓ Public vote on 2012 Seawall Replacement bond measure</li> </ul>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Adopted by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2012, and  
signed by me in open session in authentication of its adoption this \_\_\_\_\_ day  
of \_\_\_\_\_, 2012.

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

THE MAYOR CONCURRING:

\_\_\_\_\_  
Michael McGinn, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)

## FISCAL NOTE FOR NON-CAPITAL PROJECTS

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Legislative	Ben Noble / 4-8160	N/A

**Legislation Title:**

A RESOLUTION relating to public safety and protection of the Central Waterfront, the downtown business district, major transportation facilities, and related public infrastructure, which are essential to the local and regional economy, expressing the City Council's intent to place an Elliott Bay Seawall Replacement bond measure on the November 6, 2012 general election ballot, and establishing the process the Council will use to determine the final amount and scope of this measure.

**Summary of the Legislation:**

This legislation sets out the due diligence process that Council will pursue in advance of placing a bond measure on the November 2012 ballot to fund Seawall Replacement. The resolution anticipates that such a measure will be put before the voters, and describes how Council will determine the size and scope of this measure, including a schedule for these deliberations.

**Background:**

The necessity of replacing the existing Seawall has been established for some time. Various funding approaches have been discussed. As Council has reviewed the City's competing capital needs it has become apparent that a bond measure – that will provide a direct funding mechanism and avoid limiting the City's legal debt capacity – would offer the residents of Seattle the most affordable and flexible way to pay for the Seawall Replacement. Project design and planning has reached the stage where reliable estimates of cost and timing can be provided to the Council. To keep the overall Alaskan Way Viaduct Replacement and Waterfront Seattle projects on schedule, replacement of the Seawall will need to be complete before 2016. To make this possible, significant capital funding for Seawall Replacement will be needed over the next four years. Only \$60 million of the project's estimated \$300+ million costs have been secured at this point.

Please check one of the following:

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

(Please skip to "Other Implications" section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

The staffing and technical analysis needed to support Council's deliberations of the Seawall Replacement bond measure are fully funded within the existing budget.

**This legislation has financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
Could lead to a voter-approved bond to pay for much of the Seawall Replacement costs.
- b) **What is the financial cost of not implementing the legislation?**  
Without an alternative funding source, the \$250+ unfunded need for the Seawall Replacement would likely become a burden on the General Fund.
- c) **Does this legislation affect any departments besides the originating department?**  
SDOT is managing implementation of the Seawall Replacement Project and will need to provide staffing support for Council's deliberations regarding the potential bond measure.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
This resolution only sets out process for Council review. The goal of the resolution is public transparency regarding this process. Council action to place a bond measure on the ballot does not require approval of such a resolution.
- 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.