



CITY COUNCIL MINUTES SPECIAL MEETING SEPTEMBER 8, 2008

CALL TO ORDER:

Mayor Jim Pearman called the meeting to order at 6:05 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL:

Councilmembers Bruce Bassett, Mike Cero, Mike Grady, Dan Grausz, Steve Litzow, Deputy Mayor El Jahncke and Mayor Jim Pearman were present.

SPECIAL BUSINESS:

(1) AB 4353 Policy Positions Regarding Tolling Lake Washington Bridges

Councilmember Mike Grady recused himself from discussions regarding tolling Lake Washington bridges as he works for a federal agency and to be consistent with federal law and the Hatch Act, he cannot be in a position where he provides guidance to another federal agency. Councilmember Grady then left the meeting.

Interim Deputy City Manager Linda Herzog presented information to the City Council regarding the charge of the 520 Tolling Implementation Committee to solicit the views of affected citizens, their Mayors and City Councils on the following issues:

- tolling the existing 520 bridge to raise the needed funds;
- tolling both 520 and I-90 (in which case some of the funding would also go to I-90 improvements);
- providing transit and HOV incentives for 520 users, and
- using variable tolling to reduce congestion.

She presented the following three topics for the City Council to discuss:

A. Mercer Island Specific Policy Positions as follows:

- Adopt recommended Resolution No. 1400 which incorporates policy positions regarding:
 1. Prior consultation and concurrence regarding tolling on I-90 is obliged under the terms of the 1976 Memorandum of Agreement
 2. Not imposing tolls to and from Mercer Island on I-90
 3. If I-90 must be tolled, leave one way off the Island un-tolled.
- Adopt proposed Eastside Transportation Association draft resolution which reaffirms the I-405 Record of Decision in 2002 as amended by I-90 Two-Way Transit & HOV Operations Project Record of Decision
- Adopt proposed Councilmember resolution which:
 1. Recommends against I-90 bridge tolls to the 520 Tolling Implementation Committee
 2. Honors the memorandum of Agreement and recognize need for R8A completion & Mercer Island City Council concurrence before changes to I-90 operations.

B. Adopt Policy Statements with Regional Scope as follows:

- Support tolling as a way to raise funds for highway construction and maintenance projects
- Only the users & direct beneficiaries of a project should pay the tolls to fund it
- Tolling on SR-520 should begin as early as feasible

C. Request More Information as follows:

- What are the total daily per-person tables, transit per-person tables, total vehicle trip tables and directional peak period select-link assignment for I-90 for each scenario? (already requested by staff)
- If tolling SR-520 alone, what rates and timing will generate all the funding needed for SR-520?
- For all scenarios that include I-90 tolling, produce traffic forecasts and financial analyses (1)

- without tolls for travel to/from Mercer Island and (2) without tolls on East Channel bridge
- Create and evaluate a scenario that tolls SR-520 and also I-405 and I-5

Mercer Island School District Superintendent Gary Plano presented a letter to the Council regarding the impacts on the District of tolling on I-90. He supports the proposed resolution which includes policy statements of (1) no tolls on I-90 and (2) if tolling happens on I-90, one segment to and from Mercer Island must remain un-tolled.

It was moved by Councilmember Cero; seconded by Councilmember Jahncke to:

Adopt the “Resolution to the SR 520 Tolling Implementation Committee” as presented in Exhibit 7 of AB 4353.

Motion failed 3-3 (Proponents of motion: Councilmember Cero and Litzow and Deputy Mayor Jahncke).

There was consensus of the Council that the following are policy statements regarding tolling on Lake Washington bridges that should be incorporated into a revised resolution to be brought back at future meeting for adoption:

- Add new WHEREAS to the revised resolution that would communicate the following points:
 - WHEREAS**, If a proposal to toll I-90 across Lake Washington is advanced, the Department of Transportation and WA State Transportation Commission are obliged under paragraph 14 of the 1976 Memorandum of Agreement to “take no action which would result in a major change in either the operation or the capacity of the I-90 facility without prior consultation with and the involvement of the other parties [to the Memorandum Agreement], with the intent that concurrence of the parties be a prerequisite to commission action to the greatest extent possible under law.”
- Section 1 of the revised resolution should be a statement that would reflect the policy of the Council that tolling I-90 would invoke paragraph 14 of the 1976 Memorandum Agreement regarding I-90.
- Section 2 of the revised resolution should be a statement that reflects the policy of the Council that R8A must be completed before any decisions on the change of the operations of I-90 are made.
- Section 3 of the revised resolution should be a statement that reflects the policy of the Council that tolls must not be imposed on travel to and from Mercer Island on I-90, the only means of public access to and from the Island
- No language regarding what should happen if tolling of I-90 is considered, shall be included in the revised resolution.
- Ensure that a WHEREAS of the revised resolution reads as follows:
 - WHEREAS**, if tolls are imposed on the I-90 bridges, Mercer Island residents, unique among all others in the Puget Sound region, would have to pay a fee penalty each time they traveled to or from their city; and
- Add the following WHEREAS’ to the revised resolution (staff shall determine if #4 and #5 are relevant to operation of I-90 and tolling on I-90):
 1. **WHEREAS**, The Washington State Highway Commission originally approved 10 lanes for I-90, 4 general purpose lanes west bound, 2 transit lanes, and 4 general purpose lanes east bound (4-2T-4); and
 2. **WHEREAS**, both the original and amended I-90 Environmental Impact Statements (EIS) were based on this configuration; and
 3. **WHEREAS**, Mercer Island was projected to generate almost one full lane of traffic into Seattle; and
 4. **WHEREAS**, the I-405 final environmental impact statement (FEIS) approved on June 10, 2002 and issued on June 28, 2002 is a comprehensive analysis studying the major transportation corridors east of I-5 and including the operation of I-90; and
 5. **WHEREAS**, the I-405 Corridor Program Record of Decision documents the FEIS as approved by 24 agencies; and
- Add a WHEREAS to the revised resolution that reads as follows:
 - WHEREAS**, tolling I-90 to pay for a new SR-520 bridge would place a disproportionate share of the costs on Mercer Island residents

- Add a WHEREAS to the revised resolution that reads as follows:
WHEREAS, Mercer Island has already made significant sacrifices in agreeing to give up the 4th general purpose lane for the right of Mercer Island traffic to use the transit lanes on a third priority basis
- Staff will research if I-90 and SR-520 are considered a single corridor

It was moved by Councilmember Bassett; seconded by Councilmember Grausz to:

Adopt the policy position that:

Tolls for roadway use should be considered for funding large highway construction and maintenance projects.

It was moved by Councilmember Jahncke; seconded by Councilmember Litzow to:

Amend the previous policy position to add:

...and if tolls are used to pay for a transportation project, only the users and direct beneficiaries of the project should pay the tolls.

Motion failed 3-3 (Proponents of motion: Councilmember Grausz, Deputy Mayor Jahncke and Mayor Pearman).

Main motion failed 3-3 (Proponents of motion: Councilmembers Grausz and Bassett and Mayor Pearman).

It was moved by Councilmember Cero; seconded by Councilmember Litzow to:

All tolls for a facility are identified for the construction, maintenance and improvement of that facility.

Motion passed 6-0.

It was moved by Councilmember Grausz; seconded by Councilmember Bassett to:

Adopt the policy position that:

Tolls for roadway use should be considered for funding large highway construction and maintenance projects.

Motion passed 6-0.

It was moved by Councilmember Grausz; seconded by Councilmember Litzow to:

Request that the 520 Tolling Implementation Committee:

- ***Prepare full traffic forecast and financial analyses for the following two variations of all past and future scenarios that include tolling on I-90:***
 - (a) without tolls being paid for travel to and from Mercer Island, and***
 - (b) without tolls being collected on the East Channel bridge.***
- ***Create and test a scenario that tolls the 520 bridge along with the I-405 and I-5 connections between 520 and I-90.***

Motion passed 6-0.

It was moved by Councilmember Litzow; seconded by Councilmember Grausz to:

Advise the 520 Tolling Implementation Committee that in order to fully understand and evaluate the need for and the implications of tolling I-90:

The Committee must determine what 520-only toll rates and timing will generate all the funding needed for the 520 project.

Motion passed 6-0.

ADJOURNMENT: 9:51 pm

Jim Pearman, Mayor

Attest:

Allison Spietz, City Clerk