



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4249
January 7, 2007
Regular Business**

I-90 UPDATE	Proposed Council Action: Receive I-90 Update Report; Adopt Light Rail Station Design Principles; Select Preferred Alternative for Pedestrian Overpass Design
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DEPARTMENT OF	City Manager, (Londi Lindell)
COUNCIL LIAISON	Bryan Cairns Jim Pearman El Jahncke
EXHIBITS	<ol style="list-style-type: none"> 1. Proposition 1 Statewide Results 2. Sound Transit Proposition 1 Voter Survey Key Findings 3. Sound Transit Survey November 2007 4. R8A Project Status December 2007 Update 5. Design Principles for Mercer Island Town Center Light Rail Station 6. Original Light Rail Station Design; Alternative 1 Station Design; and Alternative 2 Station Design
APPROVED BY CITY MANAGER	<i>Rich Council 12-26-07</i>

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

HISTORY

Due to the significance of I-90 being the sole means of ingress and egress from Mercer Island, City staff regularly monitor and brief City Council on I-90 matters. The City Council's adopted 5 Year Work Plan provides for two I-90 briefings in 2007. In June 2007, City staff reported (AB4192) on the following:

- Relevant provisions of the 1976 Memorandum of Agreement and 2004 Amendment (collectively MOA)
- September 2005 Letter to Secretary MacDonald from all the signatories to the MOA (except WSDOT) requesting Mercer Island traffic remain in the center roadway as long as allowed under the MOA and once removed from the center lanes, Mercer Island traffic have access to the new high occupancy vehicle (HOV) lanes in the outer roadways
- Budget provisos requiring Mercer Island access to the HOV lanes to be constructed in the outer roadways
- Revised WSDOT I-90 Access Study concluding Mercer Island single occupant vehicles (SOVs) should have access to the HOV lanes in the outer roadways
- Roads & Transit Measure a/k/a Proposition 1
- Status of the I-90 R8A Project
- Status of East Link Light Rail Project
- Town Center Mercer Island light rail station design

A full copy of Agenda Bill 4192 with exhibits has been provided to incoming Councilmembers Bassett and Cero. Tonight, staff will brief Council on the anticipated impact on I-90 projects as a result of the failure of Proposition 1; provide updates on the status of the R8A Project and East Link Project; seek Council approval of design guidelines for the Mercer Island Town Center light rail station and seek Council's direction on a preferred design alternative for the Mercer Island light rail station.

PROPOSITION 1 FAILURE & NEXT STEPS

The 2006 State Legislature required that Sound Transit (ST) and the Regional Transportation Improvement District (RTID) develop an integrated plan for transit and road improvements in Puget Sound (Proposition 1). This package was presented to voters November 6, 2007 and both aspects – roads and transit – failed. See Exhibit 1 for statewide and King County voter results. On Mercer Island, 51% of the voters approved the measure and 49% of voters rejected the measure. The significant projects impacting Mercer Island and that were to be funded through Proposition 1 are the East Link Light Rail Project (\$3.1 billion); and Stage 3 of R-8A (\$35 million). These projects are described in more detail below. The legislation mandating the integrated roads and transit plan automatically sunsetted after the November vote. Unless the Legislature adopts additional requirements for a combined package, the RTID and Sound Transit now have the ability to place measures before the voters with only a transit component or only a roads component.

RTID Next Steps. The RTID Board met in November, 2007 to discuss next steps regarding the roads component following the failure of Proposition 1. The RTID Board discussed the following options:

- 1. The RTID Planning Committee May Resubmit the Plan.** RCW 36.120.040(8) authorizes the RTID Planning Committee to redefine the selected transportation projects, financing plan and ballot measure and submit the refined plan to the voters after approval by county legislative authorities. The Planning Committee has the authority to do this three times under the authorizing statute, but if a plan is not adopted by the third time, the Planning Committee is dissolved. There is no limit on how much time may pass between submissions.
- 2. The Counties Could Establish a Single County RTID.** RCW 36.120.030(8) provides that if the voters do not authorize a multi-county Regional Transportation Investment District by December 1, 2007, each of the Counties has the option to form a single-county regional transportation investment district on an individual and independent basis.
- 3. The Counties Could Establish or Participate in a Transportation Benefit District (TBD).** RCW 36.73.020 allows each County to form or participate in a transportation benefit district after December 1, 2007 for the purpose of acquiring, constructing, improving, providing and funding transportation improvements.

The RTID Board noted that before it proposes next steps, the RTID Planning Committee will take some time to understand the voters message underlying the defeat of Proposition One. The RTID Planning Committee and King, Pierce, and Snohomish Counties will also explore potential options. Although the RTID has the legislative authority to continue to exist, the current state funding for RTID expires at the end of 2007 given the unsuccessful election.

Sound Transit Next Steps. After the election, Sound Transit commissioned a public opinion survey to help analyze and understand the results of Proposition 1. See Exhibits 2 and 3 for survey information. The Sound Transit Board met on November 29, 2007 to review such survey results. Seattle Mayor Greg Nickels publicly stated during a prior Board meeting that he believes a Fall 2008 transit only measure is the appropriate next step. Other Sound Transit Board members have suggested that such a measure should be delayed until 2011, after the current light rail line to Sea-Tac International Airport is operational. Sound Transit CEO Joni Earl stated in her December 14, 2007 report as follows:

The Sound Transit Board on Thursday heard an update from staff on moving forward in the future with another Sound Transit 2 plan for transportation improvements in the region. The Board is considering presenting voters with a Sound Transit 2 plan in November 2008 or in

2010, but no decision has been made on the timing, or the size and contents of a new package. The Board will continue discussing a potential future package at its meetings early next year. A decision on when to go out for another vote could be made by late February or early March.

Representatives from WSDOT and Sound Transit have been invited to your meeting this evening and will be available if Council has additional questions regarding possible next steps.

Representatives Clibborn and Jarrett wrote an Island Forum in the November 28, 2007 Mercer Island Reporter describing likely next steps for the Legislature following the failure of Proposition 1. They both agree that the Legislature must have a funding strategy for rebuilding the 520 bridge prior to ending the upcoming session. Tolling of 520 and I-90 will be part of this discussion. Staff will closely monitor these legislative discussions to insure Mercer Island's interests are communicated regarding the impact on Mercer Island citizens if there are any significant changes to the operations of I-90, including possible tolling. As Council will recall, the MOA requires consultation and concurrence among the MOA parties prior to any material change in operation or capacity of the I-90 facility or change in mode of I-90 operation. The consultation and concurrence must address "equitable access" for Mercer Island traffic resulting from any such change in operation, capacity or mode. Accordingly, adding high occupancy tolls (HOT) lanes or other forms of tolling would require consultation with and concurrence by the MOA parties.

TOLLS

History of Bridge Tolls in Washington. In 1937, the Washington Toll Bridge Authority was created by the Legislature with the power to finance, construct and operate toll bridges. This legislation led to 2 toll financed bridges: Tacoma Narrows Bridge and the Lacey V. Murrow Memorial Bridge and these bridges were opened to traffic in 1940. Since 1940, 13 state bridges have been either built or repaired using tolls as the debt service payment for construction bonds, including the 520 bridge. All previously authorized toll bonds have been repaid and thus, the tolls were removed except a new toll recently placed on the Tacoma Narrows Bridge. Tolls on the Tacoma Narrows Bridge started being collected on July 16, 2007 and these tolls are expected to be collected through 2030, when the debt will be retired. The Washington State Transportation Commission set the initial Tacoma Narrows Bridge toll rates at \$3.00 for manual toll lanes and \$1.75 for electronic toll collection.

State Legislature Authorizes Tolls. Previously, the State Transportation Commission was given the authority to establish and construct toll facilities. Substitute Senate Bill 5139 passed during the 2005-2006 legislative session changes this authority to require the State Legislature approve any new tolls. Pursuant to an agreement among WSDOT, USDOT, King County and PSRC, the United States Department of Transportation has agreed to provide the state with \$127 million in federal funding for SR 520 bridge replacement subject to the bridge being tolled no later than Sept 2009. Tolls on both 520 and I-90 will be discussed during the 2007-2008 legislative session and we have asked Representatives Clibborn and Jarrett to share their views on tolling of the 520 and I-90 bridges with the Council during your Study Session this evening. Staff will closely monitor any tolling legislation during the session, brief Council on the same and Council may choose to testify in support or opposition to such legislation.

I-90 PROJECT UPDATES

R-8A Project. The Sound Transit and WSDOT project named "I-90 Two Way Transit and HOV Operations between I-5 and I-405" is more commonly known by the Mercer Island City Council as "R-8A". This project will add a fourth HOV lane on the outer roadways of I-90 by narrowing the shoulders and traffic lanes, while retaining the existing reversible operations on the center roadway. For purposes of environmental review, the project was divided into the following four stages:

- **Stage 1** - Westbound HOV, Bellevue Way to 80th Ave. SE (M.I.)
- **Stage 2** - Westbound HOV, 80th Ave. SE (M.I.) to Rainier Ave.

- **Stage 3** - Eastbound HOV, Rainier Ave. to 77th Ave. (M.I.)
- **Stage 4** - Eastbound HOV, 77th Ave. (M.I.) to Bellevue Way/I-405

WSDOT and Sound Transit have revised the timing of the construction of the R-8A project as follows:

- **Stage 1** - Westbound HOV, Bellevue Way to 80th Ave. SE (M.I.)
- **Stage 2** - Eastbound HOV, 80th Ave. (M.I.) to Bellevue Way/I-405
- **Stage 3** - Westbound and Eastbound HOV between 80th Ave. SE (M.I.) to Rainier Ave.

Stage 1 will construct a new westbound HOV lane in the outer roadway between Bellevue Way and 80th Ave. SE, a direct access ramp at 80th Ave. SE, and a traffic signal at the existing East Mercer Way off ramp. Stage 1 is funded (\$28.8 construction cost and \$5.3 design cost) and ground-breaking occurred at Enatai Beach Park on April 9, 2007. In June 2007, WSDOT was publishing a completion date for Stage 1 of June 2008. The WSDOT Project Engineer advised the City recently that the new completion date is August 20, 2008. The City Communication Coordinator has publicized WSDOT Project updates and the link to the WSDOT web page on the Mercer Island web page allowing citizens to obtain regular updates on this project. The December 2007 WSDOT Project Status Report is attached as Exhibit 4.

Stage 2 is only partially funded (50% funding of \$13.5 million by Sound Transit – Total project cost was estimated at a \$27 million construction cost and \$3.8 million design cost in June 2007). Representative Clibborn moved WSDOT's 50% matching funding for Stage 2 until the 2017-2020 State Transportation Budget. WSDOT and Sound Transit believe they will be successful in obtaining a mid biennial budget adjustment to the 2007-2009 State Transportation Budget to move up this funding date. Stage 2 design is underway and WSDOT anticipates 60% design by end of December 2007 and 100% design by September 2008. WSDOT will not bid Stage 2 until funding has been approved. If the State Legislature authorizes funds to complete Stage 2 in its Supplemental 2007-2009 Budget in the Spring of 2008, WSDOT will proceed to bid Stage 2.

Stage 3 has an estimated construction cost of between \$60 million and \$80 million (2005 cost validation data) due to some unanticipated life safety issues in the tunnels along the I-90 corridor. The Mercer Island Fire Department has been working with WSDOT and the City of Seattle Fire Department to resolve this issue. The ventilation issue in the tunnel remains unresolved. A study is being conducted by WSDOT on these fire/life safety issues and the study is anticipated to be completed by September 2008. Proposition 1 included \$35 million toward Stage 3 construction cost. With the failure of Proposition 1, there are no other funds currently identified to cover the cost of Stage 3. The construction schedules for Stages 2 and 3 will depend on when funding becomes available.

It should be noted that all of the construction costs cited in this Agenda Bill are based upon 2005 cost validation data and both WSDOT and Sound Transit acknowledge that these estimates are much lower than anticipated actual construction costs. WSDOT has identified a significant shortfall in gas tax revenue partially as a result of high fuel prices. WSDOT is estimating a \$1 billion shortfall in gas tax revenue needed to complete *existing projects under construction*. It is likely the Legislature will fill this deficit for projects under construction prior to approving funds for new projects such as Stage 2 or Stage 3 of R8A.

East Link Project. On July 13, 2006, the Sound Transit Board voted to select light rail as the mode choice for the I-90 corridor utilizing the center roadway for light rail. Sound Transit has named this project the East Link Project and the project adds 11 to 19 miles of light rail between downtown Seattle, Bellevue and Redmond via I-90 and Mercer Island. East Link is the second phase in the construction of Sound Transit's light-rail line; it would link up with the segment being built connecting Sea-Tac International Airport to downtown Seattle. Proposition 1 identified \$3.1 billion for this project.

LIGHT RAIL STATION ALTERNATIVES

On April 4, 2007, Sound Transit conducted a public meeting at the Mercer Island Community Center. Sound Transit presented one alternative for the Mercer Island light rail station showing the station at I-90 grade level between 77th Avenue and 80th Avenue SE. Passenger access to the station platform was provided from the existing 77th Avenue SE and 80th Avenue SE overpasses. Mercer Island citizens commented that additional buffering and height from the I-90 highway grade should be provided to make the station accessible and usable to Mercer Island citizens. Sound Transit incorporated citizen comments and very slightly elevated the light rail station (approximately 5' from the existing center roadway grade).

During the June 2007 briefing, the City Council requested that Sound Transit prepare an alternative including a pedestrian overpass between the Town Center public plaza planned for the intersection of 78th Ave SE and Sunset Highway and the light rail station. This alternative is consistent with the plan Mercer Island citizens supported in 1994 when the light rail station was first discussed. On November 29, 2007, Sound Transit staff presented two alternatives to City staff with pedestrian overpasses (See Exhibit 6). Sound Transit has indicated it will consider the original design concept (no pedestrian overpass and access only from the I-90 overpasses) plus one of the pedestrian overpass alternatives through the Environmental Impact Statement (EIS) review process. Sound Transit has requested the City deliver a letter to Sound Transit supporting the inclusion of the pedestrian bridge concept in the EIS and "expressing a willingness to explore. . .potential financial participation by the City". Staff recommends Council select Alternative "1" because of improved visibility and therefore, improved public safety on the rail platform. Staff further recommends that the City deliver a letter to Sound Transit regarding the City's preferred alternative.

Sound Transit also requested that the Mercer Island City Council provide direction regarding the City's design interests. Staff worked with Urban Planner Mark Hinshaw to prepare a document titled Mercer Island Light Rail Station – Design Principles based upon Council's June 2007 discussion and direction regarding station design. See Exhibit 5. If Council agrees staff has captured Council's interest, staff requests Council approve these Principles or direct revisions to the Principles.

RECOMMENDATION

Deputy City Manager Londi Lindell

MOVE TO: Receive report; adopt Design Principles for Mercer Island Town Center Light Rail Design attached as Exhibit 5 to this Agenda Bill and select Alternative 1 as the City of Mercer Island's preferred alternative for the Mercer Island light rail station design, attached as Exhibit 6 to this Agenda Bill.