Dan Eder
Viaduct Replacement Environmental Review ORD
September 27, 2010
Version #1

ORDINANCE 123424

AN ORDINANCE relating to environmental review of the Alaskan Way Viaduct Replacement Project, and ratifying and confirming certain prior acts.

WHEREAS, in the 1950s, the City of Seattle and the Washington State Department of Transportation (WSDOT) jointly designed and built the Alaskan Way Viaduct to accommodate passenger and freight mobility into the foreseeable future; and

WHEREAS, in 2001 the Nisqually earthquake damaged the Alaskan Way Viaduct; and

WHEREAS, the Alaskan Way Viaduct is at risk of sudden and catastrophic failure in an earthquake and is nearing the end of its useful life; and

WHEREAS, in January 2009, the Governor, the Mayor, and the King County Executive jointly recommended replacing the Alaskan Way Viaduct with a bored tunnel beneath downtown Seattle; and

WHEREAS, the State in 2009 enacted RCW 47.01.402, finding that it is urgent to replace the Alaskan Way Viaduct, and directing WSDOT to expeditiously perform preliminary work on the bored tunnel alternative to replace the Alaskan Way Viaduct and directing that the City, State and County departments of transportation be responsible for the components of the Alaskan Way Viaduct Replacement Project (AWVRP) as outlined in the January 2009 agreement; and

WHEREAS, implementing the AWVRP requires completion of environmental review, including public review of the Supplemental Draft Environmental Impact Statement (SDEIS) and publication of a Final Environmental Impact Statement (Final EIS); and

WHEREAS, completing the environmental review in a timely manner and on-schedule is critical to project management and funding for the AWVRP; and

WHEREAS, maintaining the City's co-lead status with WSDOT during environmental review is desirable in order to protect the City's access to project information and ability to shape and influence the Final EIS, including responding to citizens' comments on the SDEIS;

CITY CLERK

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council reaffirms that it is essential and beneficial for the City to continue as a co-lead agency under the State Environmental Policy Act (SEPA) for environmental review of the Alaskan Way Viaduct Replacement Project (AWVRP).

Section 2. It is the policy of the City that the Seattle Department of Transportation (SDOT) continue to act as co-lead under SEPA for the remainder of the AWVRP and that SDOT fulfill all responsibilities, obligations and duties necessary to complete and publish the Final Environmental Impact Statement.

Section 3. Consistent with Section1 and Section 2 of this Ordinance, the City Council ratifies and confirms Council President Richard Conlin's signature on the Supplemental Draft Environmental Impact Statement as signifying the City's intent to remain co-lead.

Section 4. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

EXHIBIT K

2010 CITY CLERK

Passed by the City Council the 4th day of October, 2010, and signed by me in open session in authentication of its passage this 4th day of October, 2010.

President _____ of the City Council

Approved by me this ____ day of _____, 2010.

Returned Unsigned by Mayor

Michael McGinn, Mayor

Filed by me this 15th day of October, 2010.

City Clerk

(Seal)

DJS CITY CLERK

Legislative Department
Office of City Clerk
Memorandum

Date: October 15, 2010

To: Councilmembers

From: Emilia M. Sanchez

Subject: Mayor's Return of Council Bill No. 116983, **Unsigned**

On October 15, 2010, the Mayor returned to the City Clerk Council Bill No. 116983, relating to the environmental review of the Alaskan Way Viaduct Replacement Project, without his signature. This Bill was passed by the Full Council on October 4, 2010. The Mayor's Office indicated that a letter of explanation is forthcoming.

The absence of the Mayor's signature indicates neither his approval nor disapproval of the Council Bill, as addressed in Seattle Municipal Code 1.04.020 and City Charter Article IV, Section 12. However, a Bill returned by the Mayor unsigned is considered "approved" for purposes of the Bill becoming an Ordinance, and therefore, law, within the City of Seattle. The effective date of this Ordinance is 30 days after it was returned (October 15) to the City Clerk.

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Form revised June 11, 2010

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Dan Eder / 684-8147	n/a

Legislation Title:

AN ORDINANCE relating to environmental review of the Alaskan Way Viaduct Replacement Project, and ratifying and confirming certain prior acts.

- **Summary of the Legislation:**

This ordinance establishes policy with respect the City's role in the Alaskan Way Viaduct Replacement Project's environmental review. The ordinance also ratifies and confirms certain prior acts.

- **Background:**

Implementing the AWVRP requires completion of environmental review, including public review of the Supplemental Draft Environmental Impact Statement (SDEIS) and publication of a Final Environmental Impact Statement (Final EIS).

Completing the environmental review in a timely manner and on-schedule is critical to project management and funding for the Alaskan Way Viaduct Replacement Project (AWVRP).

Maintaining the City's co-lead status with the Washington State Department of Transportation (WSDOT) during environmental review is desirable in order to protect the City's access to project information and ability to shape and influence the Final Environmental Impact Statement, including responding to citizens' comments on the SDEIS.

_x_ This legislation does not have any financial implications.

STATE OF WASHINGTON – KING COUNTY

--ss.

261959 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:123415-419,421-424

was published on

10/20/10

The amount of the fee charged for the foregoing publication is the sum of $ 136.50, which amount has been paid in full.

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT 24, 2011
STATE OF WASHINGTON

Subscribed and sworn to before me on

10/20/10

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following legislation, passed by the City Council on October 4, 2010, and published here by title only, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 123415

AN ORDINANCE relating to a grant from the Washington State Department of Commerce allocated through the American Recovery and Reinvestment Act of 2009; accepting the grant funds, authorizing the City of Seattle's Office of Economic Development to execute related agreements, appropriating and authorizing the disbursement of grant funds to provide credit enhancement support, increasing appropriations in the 2010 Adopted Budget for the Office of Economic Development and Office of Sustainability and Environment, and ratifying and confirming prior acts.

ORDINANCE NO. 123416

AN ORDINANCE relating to City streets, renaming the segment of Airport Way South between 4th Avenue South and South Charles Street from Airport Way South to Seattle Boulevard South.

ORDINANCE NO. 123417

AN ORDINANCE relating to the Bridge Rehabilitation and Replacement project; and authorizing the Director of the Department of Transportation to acquire, accept, and record, on behalf of the City of Seattle, a permanent Maintenance Easement from SPO, LLC, a Washington limited liability company (SPO), for the purpose of inspecting, maintaining, cleaning, repairing, and replacing a wall supporting the north approach of the Airport Way South Viaduct (Viaduct) in connection with the Airport Way South Viaduct Over Argo Railroad Yard project.

ORDINANCE NO. 123418

AN ORDINANCE relating to the Mercer Corridor West Project; authorizing the execution of an agreement between The City of Seattle and IRIS Holdings, LLC, relating to the extension of Sixth Avenue North between Mercer and Harrison streets.

ORDINANCE NO. 123419

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 123421

AN ORDINANCE relating to the sale of City real property for mixed-use development; authorizing the sale of the site located at 12th Avenue and East Jefferson Street to Capitol Hill Housing Improvement Program or its designee; authorizing the Director of the Office of Housing to execute, deliver, and administer the contract for sale of land, deed and related documents; authorizing other actions related to the use and disposition of the property; and ratifying and confirming prior acts.

ORDINANCE NO. 123422

AN ORDINANCE relating to Seattle Public Utilities; authorizing the transfer to King County of certain real property rights and sewer facilities under the jurisdiction of Seattle Public Utilities by quit claim and bill of sale, in partial satisfaction of City of Seattle obligations under the "Agreement for Sewage Disposal" dated January 26, 1961, between the City of Seattle and the Municipality of Metropolitan Seattle, as amended, and authorizing execution of deeds and other documents necessary to accomplish said transfer.

ORDINANCE NO. 123423

AN ORDINANCE relating to the "Agreement for Sewage Disposal" between the City of Seattle and the Municipality of Metropolitan Seattle dated January 26, 1961 and amended by "Supplemental Agreement No. 2" executed February 15, 1962; authorizing the Superintendent of Parks and Recreation to convey easements to King County over and through various park lands in partial satisfaction of City of Seattle obligations under the "Agreement for Sewage Disposal".

ORDINANCE NO. 123424

AN ORDINANCE relating to environmental review of the Alaskan Way Viaduct Replacement Project, and ratifying and confirming certain prior acts.

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, October 20, 2010.

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