



Transportation Improvement Board
June 24-25, 2010 – Vancouver, Washington 98662
Location: The Heathman Lodge
7801 NE Greenwood Drive
(360) 254-3100

June 24, 2010
WORK SESSION AGENDA

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	<i>Project & Program Issues</i>		
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Location: The Heathman Lodge
7801 NE Greenwood Drive
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June 25, 2010 – 9:00 am
BOARD AGENDA

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Revisions to WAC 479-10 and 479-12 to Include Small City Match
June 25, 2010

BACKGROUND

The small city federal matching funds are critical to the success of many of TIB's customers. To ensure a clear and well-controlled process for small cities to receive matching funds, the board developed rules to address this issue. The draft rules were reviewed by the board at the January 21, 2010 meeting. Based on input from the board, minor changes were made and the proposed WAC revisions were put out for public comment in April.

The rules establish an annual limit on available match funding, with additional funding requiring board approval. A copy of the proposed revisions to WAC 479-10 and 479-12 are in the board packet and begin on page 3.

STATUS

To date, one comment in support of these changes has been received (page 2). If approved following the June 25 public hearing, these changes will take effect July 29, 2010.

RECOMMENDATION

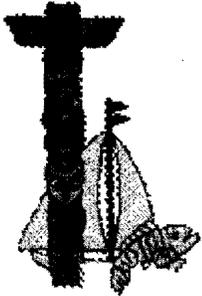
Board action taken immediately following the June 25, 2010 public hearing.

Bushman, Eileen (TIB)

From: Carl McCrary [cmccrary@kalama.com]
Sent: Monday, May 03, 2010 8:41 AM
To: Bushman, Eileen (TIB)
Subject: Small City Match WAC Revision Comments

Eileen,
These proposed changes would be a really welcomed help to our city of Kalama transportation funding needs.
Thank you.
Carl

Carl M. McCrary Director of Public Works City of Kalama P.O. Box 1007 Kalama, WA 98625	Phone – (360) 673-3706 Fax – (360) 673-3707 Email – cmccrary@kalama.com URL – www.cityofkalama.com Shop Location – 6315 Old Pacific Hwy. South
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AMENDATORY SECTION (Amending WSR 08-21-005, filed 10/2/08, effective 11/2/08)

WAC 479-10-011 Programs funded from the small city pavement preservation and sidewalk account. The small city pavement preservation and sidewalk account funds (~~both the~~):

(1) Small city preservation program and (~~the~~) if funds are available, for use on a project-by-project basis for the small cities to match federal funding provided for local government federal aid of transportation, on a first come/first served basis; and

(2) City hardship assistance program.

[Statutory Authority: Chapter 47.26 RCW. 08-21-005, § 479-10-011, filed 10/2/08, effective 11/2/08.]

NEW SECTION

WAC 479-10-170 Small city match funding eligibility and application. Cities may request matching funds for projects that meet TIB eligibility requirements for small city preservation program funding as described in WAC 479-10-120 and 479-10-121. A TIB funding application form must be submitted to apply for match funding.

NEW SECTION

WAC 479-10-171 Restriction on use of small city match funding. Match funds are only for transportation projects funded through federal transportation grants. All other local sources must be sought before applying for match funds from TIB.

NEW SECTION

WAC 479-10-172 Small city match funding priority. If funds remain after small city preservation program projects are funded, match funds may be committed to eligible projects. The priority for funding is in the order in which the applications are received until the available funds are fully allocated.

NEW SECTION

WAC 479-10-173 If small city match funding is fully allocated. If an eligible application is received after all of the funding is allocated, the local agency may seek board approval for funding at the next scheduled board meeting from the notice of denial from TIB staff. The notice of denial may be in the form of an e-mail or letter.

NEW SECTION

WAC 479-10-174 Small city match funding increases. Increases in match funding for chosen projects may be made within the executive director's authority in accordance with WAC 479-01-060.

AMENDATORY SECTION (Amending WSR 07-18-050, filed 8/30/07, effective 9/30/07)

WAC 479-12-011 Programs funded from the urban arterial trust account. The urban arterial trust account funds the following programs:

- (1) The urban arterial program;
- (2) The small city arterial program(~~(+and)~~):
 - (a) Grants; and
 - (b) Match funding.
- (3) The sidewalk programs:
 - (a) Urban sidewalk program; and
 - (b) Small city sidewalk program.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-011, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-011, filed 11/23/99, effective 12/24/99.]

AMENDATORY SECTION (Amending WSR 07-18-050, filed 8/30/07, effective 9/30/07)

WAC 479-12-131 Award criteria for the urban arterial program. The board establishes the following criteria for use in evaluating urban arterial program grant applications:

- (1) Safety improvements - addresses accident reduction, eliminates roadway hazards, and corrects roadway deficiencies.
- (2) Mobility improvements - improves level of service,

OTS-3104.2

improves access to generators, and connects urban street networks.

(3) Pavement condition - replaces or rehabilitates street surfaces and structural deficiencies.

(4) (~~Mode accessibility provides additional high occupancy vehicle lanes, bus volume, or nonmotorized facilities.~~) Sustainability - improves mode accessibility, reduces or eliminates water detention, and encourages energy reduction technology and use of recycled materials.

(5) Local support - demonstrates initiative to achieve full funding and project completion.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-131, filed 8/30/07, effective 9/30/07.]

NEW SECTION

WAC 479-12-215 Small city match funding allocation.

Within the small city arterial program, ten percent of the annual allocation may be portioned as an amount available for small cities to match federal funding provided for local government federal aid of transportation, on a first come/first served basis.

AMENDATORY SECTION (Amending WSR 07-18-050, filed 8/30/07, effective 9/30/07)

WAC 479-12-231 Award criteria for the small city arterial program. The board establishes the following criteria for use in evaluating small city arterial program grant applications:

OTS-3104.2

(1) Safety improvement - projects that address accident reduction, hazard elimination, and roadway deficiencies.

(2) Pavement condition - replaces or rehabilitates street surfaces and structural deficiencies.

(3) Local support - projects that improve network development and address community needs.

(4) Sustainability - improves network development of street system, reduces or eliminates water detention, and encourages energy reduction technology and use of recycled materials.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-231, filed 8/30/07, effective 9/30/07.]

NEW SECTION

WAC 479-12-270 Small city match funding eligibility and application. Cities with a population under five thousand may request matching funds for projects that meet TIB eligibility requirements for the small city arterial program described under WAC 479-12-221. A TIB funding application form must be submitted to apply for match funding.

NEW SECTION

WAC 479-12-271 Restriction on use of small city match funding. Match funds are only for transportation projects funded through federal transportation grants. All other local funding sources must be sought before applying for match funds from TIB.

NEW SECTION

WAC 479-12-272 Small city match funding priority. The priority for funding match applications is the order in which the applications are received until the funds are fully allocated.

NEW SECTION

WAC 479-12-273 If small city match funding is fully allocated. If an eligible application is received after all of the apportioned funding is committed, TIB may use small city preservation program funds as described in WAC 479-10-011 and 479-10-174. If all SCAP and SCPP funds are committed, the local agency may present their project to the board at the next scheduled board meeting after receiving the notice of denial from TIB staff. The notice of denial may be in the form of an e-mail or letter.

NEW SECTION

WAC 479-12-274 Small city match funding increases. Increases in match funding for chosen projects may be made within the executive director's authority in accordance with WAC 479-01-060.

[]

AMENDATORY SECTION (Amending WSR 07-18-050, filed 8/30/07, effective 9/30/07)

WAC 479-12-431 Award criteria for the sidewalk program.

The board establishes the following criteria for use in evaluating sidewalk program grant applications for both urban and small city sidewalk projects:

(1) Safety improvement - projects that address hazard mitigation and accident reduction.

(2) Pedestrian access - projects that improve or provide access to facilities including:

- (a) Schools;
- (b) Public buildings;
- (c) Central business districts;
- (d) Medical facilities;
- (e) Activity centers;
- (f) High density housing (including senior housing);
- (g) Transit facilities;
- (h) Completes or extends existing sidewalks.

(3) Local support - addresses local needs and is supported by the local community.

(4) Sustainability - improves sidewalk width, provides hardscaping and appropriate plantings, addresses low impact development or natural drainage practices, and encourages previous surface use.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-431, filed 8/30/07, effective 9/30/07.]

Transportation Improvement Board
March 26, 2010
The Coast Wenatchee Center Hotel & Convention Center
Wenatchee, Washington

MINUTES

TIB BOARD MEMBERS PRESENT

Commissioner Greg Partch, Chair
Mayor James Irish, Vice Chair
Councilmember Jeanne Burbidge
Mr. Todd Coleman
Councilmember Sam Crawford
Ms. Kathleen Davis
Mr. Mark Freiberger
Councilmember Bill Gothmann

Mr. Dick McKinley
Mr. Dave Nelson
Ms. Heidi Stamm
Mr. Harold Taniguchi
Mr. John Vodopich
Mr. Ralph Wessels
Commissioner Mike Wilson

TIB STAFF

Steve Gorcester
Greg Armstrong
Theresa Anderson
Vaughn Nelson
Eileen Bushman/recorder

TIB BOARD MEMBERS NOT PRESENT

Ms. Teresa Berntsen
Secretary Paula Hammond
Mr. Steve Thomsen
Mr. Jay Weber

CALL TO ORDER

Chair Partch called the meeting to order at 9:00 am.

GENERAL MATTERS

A. Approval of January 22, 2010 Minutes

MOTION: It was moved by Mr. McKinley with a second from Councilmember Burbidge to approve the minutes of the January 22, 2010 board meeting as printed. Motion carried unanimously.

- B. Communications** – Steve Gorcester referred the Board to the articles in the board packet, specifically mentioning an article in *The Olympian*, “Roads at bargain prices,” which touted a favorable bidding climate statewide. He also noted that the Municipal League of King County chose Councilmember Burbidge as its Public Official of the Year.

NON-ACTION ITEMS

- A. Chair’s Report** – Chair Partch noted that there is a provision in the transportation budget commissioning a study by the Joint Transportation Committee to evaluate funding assistance and services provided by CRAB, TIB, FMSIB to determine if these agencies could distribute revenues more efficiently by consolidating with WSDOT, within another existing agency, or within a newly created agency. The outcome of this study is due December 2010.

Mayor Irish shared a letter from former TIB member Bill Ganley. Councilmember Ganley is recovering from a serious illness.

- B. Executive Director’s Report** – Steve Gorcester reported on the following:

Small City Match WACs – The WAC changes from the January meeting were minor and have been made. These WACs will go out for public comment, with the public hearing at the June board meeting. In March 2009, small city matches were suspended until rules could be drafted and adopted. In the meantime, match requests have been dealt with through coordination with other agencies.

Personnel

- With the absence of a project call last year and a decrease in revenue, personnel changes may need to be made. These changes are workload related rather than budget related. There is a possibility of some

furloughs in fiscal year 2010-2011, and as of June 30, 2010, the staff will reduce its workforce by one engineer based on seniority.

- Rhonda Reinke, Chief Administrative Officer, is on loan to the U.S. Department of Treasury to work with the Ministry of Finance in Afghanistan. She will assist that county in the development of a stable finance and budget system. She will return to TIB in May or June 2011.

SR-908 Route Jurisdiction Transfer – The route jurisdiction transfer request received in January 2009 was signed into law by Governor Gregoire on March 17, 2010. The effective date of transferring SR-908 to the cities of Redmond and Kirkland is June 10, 2010.

Project Issues – There has been an increase in at-risk projects, many with funding shortfalls. These projects are closely monitored to prevent additional problems and to try to keep the project on track. A few projects that are in critical need of funding are:

- **City of Sprague Main Street** – Engineers discovered a failing culvert under the road during design of an existing TIB project. The remaining life is zero to five years, so an administrative increase was authorized for a pre-design study to determine how to replace the culvert. This may develop into an increase request to the board estimated at about \$250,000.
- **City of Sultan** – Sultan requested a federal match on Sultan Basin Rd. The federal match was suspended in March 2009 and should be reinstated in July 2010. This request will be considered once the federal match is reinstated.
- **Town of Washtucna** – The town has an extensive failure of their sidewalk system. However, due to other criteria, the project may not rate high. The project would be eligible for preservation funds, but it may be more efficient to fully fund it despite its potentially low priority rating.

C. Financial Report

Theresa Anderson reported that there are currently 197 active projects in the inventory and less than \$200 million in remaining obligation. The account balance is at \$8 million.

She reported that the revenue has decreased an additional \$1 million for this biennium. The current revenue in the TIA and UATA accounts has slightly exceeded the demand and both accounts are stable.

The board reviewed a slide showing projected fund balances, which is used to determine if a call for projects is feasible, and if so, how much each program can manage. This year the TIA projected fund balance does not have the fiscal capacity to offer a call; however, the UATA projected fund balance will support a call for projects.

D. Project Activity Report

Greg Armstrong reported that there were 34 projects actions during the last two months, with the majority of those as closeouts. A good bidding climate resulted in several surpluses, with Tacoma South Tyler Street returning \$864,000 and Union Gap Valley Mall Boulevard returning \$709,000.

During this reporting period, there was a total decrease in TIB obligations of \$2,274,516.

ACTION ITEMS

- A. **City of Wapato: Track Road Scope Change Request** – The city requested a scope change to reconstruct the intersection of Track Road and Donald Road, reducing the length of the project from 2,200 feet to 800 feet. The scope change corrects a significant safety problem at the Donald Road intersection and allows the city to build part of the project without requesting an increase. The city divided the project into three bidding schedules: 1) Schedule A extends 800 feet from North Doris Street to just south of Donald Road, 2) Schedule B extends 800 feet from West A Street to North Doris Street, and 3) Schedule C extends 600 feet from just south of Donald Road to the south city limits. An \$875,000 funding shortfall prevents the construction of the entire project.

After a lengthy discussion by the Board, it was determined that for connectivity and safety reasons, Schedules A and C needed to be combined as the base bid, building the project from North Doris Street to the south city limits with a \$440,000 increase. Schedule B could be allowed only if funding were available.

MOTION: It was moved by Mr. McKinley with a second from Mr. Wessels to approve an increase of \$440,000 in UATA using Schedules A and C as the base bid, and eliminating Schedule B unless sufficient funds are available. Motion carried unanimously.

- B. City of Tukwila: Southcenter Parkway Contingency Restoration** – This project was placed on the contingency list at the June 2009 Board meeting. The city has completed all of the steps necessary to have funding restored. The original grant was \$5,000,000; however, there is insufficient financial capacity to restore this amount to the project. The city is now asking for a \$2,000,000 restoration.

A financial analysis was made to determine the feasibility of restoring \$2,000,000 to this project. There is sufficient financial capacity to restore \$2,000,000.

MOTION: It was moved by Mr. McKinley with a second from Mayor Irish to restore funding to Tukwila Southcenter Parkway in the amount of \$2,000,000. Motion carried with Ms. Stamm abstaining.

- C. 2010 Schedule and Project Call** – Steve Gorcester presented the preliminary program size and schedule for the November 2010 project awards. Based on cash flow projections, staff is recommending a call in the UATA, but not in the TIA. The risk in the TIA is still high, and it would be prudent to wait one more year.

The following is only a guideline constituting a call for projects, with the actual size approved at the November meeting with the adoption of the project selection.

The recommended program schedule is:

Date	Milestone
June 1, 2010	Call for projects announced
June 2010	Funding workshops scheduled across the state
August 31, 2010	Deadline for applications to be postmarked
September - October 2010	Application evaluation and field reviews
November 19, 2010	Board selects projects at November meeting

The recommended preliminary program size is:

Urban Arterial Trust Account	Amount
Urban Arterial Program	\$38 million
Small City Arterial Program	\$10 million
Sidewalk Program	\$ 2 million
Small City Preservation Program	\$1.3 million
TOTAL CALL	\$51.3 million

MOTION: It was moved by Councilmember Sam Crawford with a second from Ms. Davis to approve the call for projects schedule and proposed November 2010 program size as presented, with authority to adjust call size based on future revenue forecasts. Motion carried unanimously.

- D. Sustainability Criteria** – Senate Bill 5560 was signed into law on May 15, 2009 and became effective July 26, 2009 (RCW 70.235). This law requires that all state agencies must consider whether an agency receiving funds has adopted a sustainability policy when distributing capital funds through a competitive program.

TIB's criteria were modified to allow for this requirement, adding points to the urban agencies that have an adopted sustainability policy and creating a sustainability measures category for the small city agencies. After sending these criteria changes to TIB customers for comment, only two agencies responded with the

one suggestion received incorporated into the criteria. These criteria will be used to rate projects for the 2010 call.

MOTION: It was moved by Mr. McKinley with a second from Mayor Irish to adopt the modified urban sustainability criteria and the new sustainability criteria for small cities as presented. Motion carried unanimously.

OTHER BUSINESS

Chair Partch introduced Representative Mike Armstrong, 12th Legislative District, who had joined the audience earlier. He is the Ranking Minority Member on the House Transportation Committee. Representative Armstrong spoke briefly about the transportation budget and the need for alternatives to gas tax revenues, the consolidation issue and the responsibility to continue meeting the needs of local agencies, and a possible proposal coming out next year that would alleviate the dependency on gas tax to fund all the transportation needs.

FUTURE MEETINGS

The next meeting is scheduled for June 24-25, 2010 in Vancouver. Meeting notices will be sent out on June 4, 2010.

ADJOURNMENT

The meeting adjourned at 10:45 a.m.

Traffic project will widen Southeast 272nd Street in Covington

By **KRIS HILL**

Covington Reporter News

Mar 25 2010, 7:02 PM · **UPDATED**

Crews are working on the second phase of a project in Covington that will temporarily cause hiccups in traffic at Wax Road and Southeast 272nd Street, but will help ease a bottleneck for drivers once completed.

Work began in December, Covington Public Works Director Glenn Akramoff explained, with the project really getting moving in January.

Rodarte Construction is “widening the road from Wax Road to Jenkins Creek ... adding pedestrian amenities, sidewalks and such.”

Currently Southeast 272nd Street is a two lane road through half of the city, the portion that runs east-west from the Maple Valley city limits up to Southeast Wax Road, where it widens to five lanes.

“We’re also making it so we can do an easier job of U-turns at the Wax Road intersection because of the way we’ve put center medians in,” Akramoff said. “We’re doing some work with the Covington Water District. One of the things we’ve completed in the last couple days ... Washington DOT (Department of Transportation) has changed the timing of the light to help with the traffic flow.”

The first phase of the project, which has a \$3 million price tag, involved Puget Sound Energy putting about 1,700 feet of power lines underground starting at Southeast 174th Street and terminating at Jenkins Creek.

Akramoff said the cost of the project was split between a \$1.14 million Transportation Improvement Board grant and about \$2 million from the Washington state Legislature that was appropriated from federal funds.

Eventually, Akramoff said, the city would like to widen Southeast 272nd to five lanes heading east from the Jenkins Creek Bridge to 185th Avenue Southeast. The city would also widen portions of Wax Road to allow for improvements to that street.

The trick to getting to that point, Akramoff said, is finding money to design that project, but the last estimate for that was around \$13 million to design it, buy right of way and build it.

Once this project is complete in July, Arkamoff said, “other than a number of smaller storm water projects, we don’t have any (road) projects on our shelf.”

“The focus over the next couple years will be to find money to get back to putting projects on the ground,” he said. “To put \$30 million in projects on the ground for a city of 17,000 is a tremendous accomplishment.”

Covington Reporter News Kris Hill can be reached at khill@maplevalleyreporter.com or (425) 432-1209, ext. 5054.

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To print this article open the file menu and choose Print.

[\[Back\]](#)

Published March 27, 2010

Lacey weighs eminent domain

CHRISTIAN HILL; Staff writer

LACEY - The City of Lacey is looking to condemn property as it works to secure millions of dollars in potential federal funding for the Carpenter Road improvement project.

City Attorney Ken Ahlf will seek permission from the City Council on Thursday to file a condemnation action against four property owners.

The city needs some of their property to widen Carpenter Road from two to four lanes between Martin Way and Pacific Avenue. The project will add capacity to those two major intersections, retrofit an aging culvert, and install improvements to capture and treat stormwater before it flows into Woodland Creek. Thurston County is a partner in the project.

Ahlf said the city has reached agreement with 40 property owners to acquire land for the project, but it has not been able to reach terms with the remaining four.

“We’ll continue to talk with these people, but we need to move ahead,” Ahlf said.

The clock is ticking as the city looks to secure funding from the second economic stimulus package, being negotiated in Congress. The area might receive \$5.4 million in funding.

This month, the Thurston Regional Planning Council selected the project as the top candidate to receive funding through the package, known as the Jobs for Main Street Act of 2010. The council is the pass-through agency for the majority of federal funding the area receives.

Thera Black, a senior planner for the Regional Planning Council, said there’s no guarantee the area will receive the money.

“We don’t know for sure if it’s going to happen,” she said.

The city must plan for that possibility, however. If and when President Barack Obama signs the legislation, recipients will have between 90 and 120 days to move the project to construction, or the funds will be taken back.

“We’re just jumping on it to make sure we’re ready,” said Martin Hoppe, Lacey’s transportation manager, who is in the midst of that work.

Securing right of way is a major component of any large-scale road construction project, although doing so through the use of eminent domain is controversial.

The city last sought to condemn property in 2005 to realign Sixth Avenue Southeast and Sleater-Kinney Road. It abandoned the effort after a judge turned down a proposal by the city to reduce the amount it would have to pay for that property. The city has completed small fixes along the corridor to improve traffic flow and safety.

Coincidentally, the state filed a condemnation petition this week in Thurston County Superior Court to acquire property for the state Route 510 Yelm bypass project.

If the council approves this latest request, Ahlf will file condemnation actions in Thurston County Superior Court. A judge would need to determine whether the condemnations are necessary and serve a public benefit. In that event, a judge or a jury would determine at trial the just compensation due to the affected property owners.

Property owners couldn't be reached for comment.

Some construction will begin this year if the funding is secured, Hoppe said, but the bulk of the roadwork would take place in 2011.

A major piece of the project is retrofitting the aging 48-inch culvert under the corridor that allows the passage of fish swimming in Woodland Creek. The new "bottomless culvert" would be more than 23 feet wide.

The corridor would be closed to through traffic for a minimum of six months, Hoppe said. That would force thousands of drivers each day to take a detour onto Marvin Road or College Street to reach their destinations.

The city applied for the first grant to improve the Carpenter Road corridor in 1998.

In 2001, the project was awarded \$600,000 in state funding for the design. The city and the county chipped in another \$600,000, for a total of \$1.2 million.

Two years ago, the project was awarded more than \$1.3 million to acquire right of way. The city and the county added \$900,000, for a total of \$2.2 million.

Christian Hill: 360-754-5427

chill@theolympian.com

www.theolympian.com/outsideoly

The Seattle Times

Sunday, March 28, 2010 - Page updated at 06:35 PM

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Powerful Segale family has massive vision for Tukwila expanse

By Eric Pryne
Seattle Times business reporter

Sometime this spring construction crews should start moving earth for an enormous development in South King County that you've almost certainly never heard of.

It's called Tukwila South. It covers 500 acres in that city's south end between the Green River and Interstate 5 — an area bigger than downtown Bellevue.

Tukwila officials and the Segales, the powerful, secretive, politically well-connected family behind the project, envision a campus of midrise office and research buildings. They would be surrounded by stores, restaurants, town houses, condos, a hotel — 10 million square feet of development in all.

That's about as much as Paul Allen has built in South Lake Union plus what he still plans to build there.

Patriarch Mario Segale, 75, has been buying and developing real estate in South King County and elsewhere for decades. Tukwila South is by far his biggest reach.

As an employment center, backers say, it could be in a league with Microsoft's Redmond campus, the University of Washington or Boeing's Everett plant.

Regional business leaders say Tukwila South's size and location, just minutes from the airport, could help the Seattle area compete for companies that otherwise might locate elsewhere.

"I don't know of any piece of property that big, that centrally located, that's under one ownership in a major metropolitan area anywhere in the country," says Tom Flavin of Enterprise Seattle, King County's economic-development council.

Segale began assembling the land for the project more than 50 years ago. The master plan acknowledges it could be 25 or 30 years before the site is fully built out.

But business associates say Segale has always focused more on the next generation than the next business cycle. "He's very patient," says one longtime observer of the commercial real-estate scene. "He's not out to make the quick buck."

"Obviously, a project this size is going to be around long after he's gone."



MIKE SIEGEL / THE SEATTLE TIMES

The Segales' partly developed 500-acre property is just south of the Southcenter retail area, between Interstate 5 and the Green River.

Gov. Chris Gregoire, Sen. Patty Murray and Sen. Maria Cantwell are among the elected officials who have urged agencies to approve needed permits.

Murray's former chief of staff began lobbying for the Segales last year. Their previous lobbyist — Durkan's brother Jamie — helped Tukwila win state and federal earmarks and grants that will pay more than two-thirds of the \$26 million cost of a new, five-lane road to serve Tukwila South.

Work on that road will start in early May, says Lisa Verner, the Tukwila city planner who has worked full-time on the development since 2004. The Segales intend to start clearing, grading and filling the site this year, Verner says.

Tukwila South has no announced tenants. Even so, according to the master plan, the Segales will spend more than \$50 million over three years preparing the entire property for development, building infrastructure and completing environmental projects.

"The Segales take the long view," Verner says. "That's very different from most other developers I've worked with."

Inspired "Super Mario"

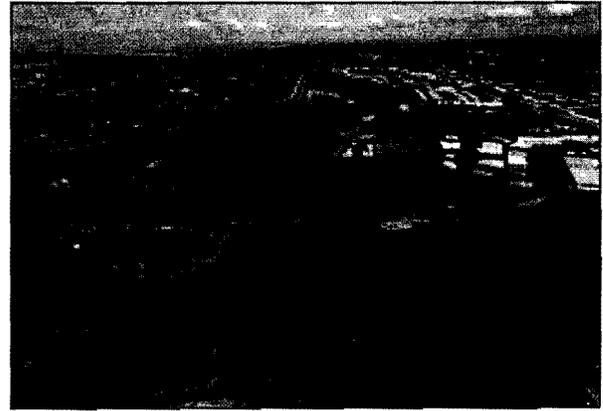
Google "Mario Segale" and you'll get more than 6,000 hits — the vast majority related to his claim to pop-culture fame.

Nintendo named its video-game character "Super Mario" after Segale: The company rented a Tukwila warehouse from him when it established its first beachhead in the U.S. in the early 1980s. "You might say I'm still waiting for my royalty checks," Segale told The Seattle Times in 1993.

He didn't confirm widely circulated stories that "Super Mario" got his name after Segale stormed into Nintendo's office, angrily demanding overdue rent. But many business associates say those tales fit the Mario they know — a hard-driving businessman who can be warm and generous, but also can display a temper when he doesn't get what he wants.

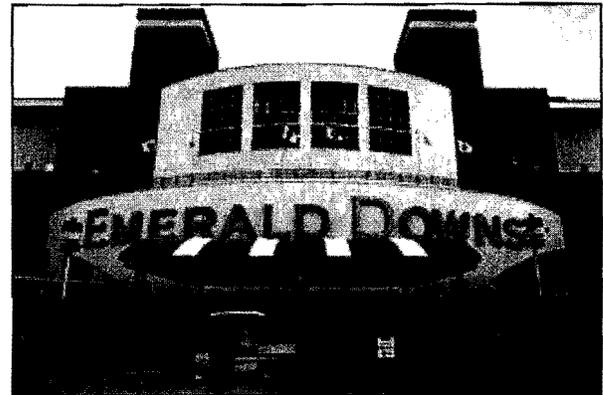
"When his feathers get ruffled it can make for some interesting exchanges," one former employee says.

Segale opened a construction business right out of high school in 1952. "He started out with one bulldozer," one former business associate says.



MIKE SIEGEL / THE SEATTLE TIMES

Under the Segales' plan for the 500-acre parcel between I-5 and the Green River, about a quarter of the site would remain undeveloped. As compensation for filling 9 acres of wetlands and streams, the Segales would improve a 32-acre wetland complex and build 4.5 acres of salmon habitat.



CHRIS JOSEPH TAYLOR / THE SEATTLE TIMES



Phil Talmadge

His company, M.A. Segale, repaved runways at the airport, graded right-of-way for freeways and dredged rivers after Mount St. Helens' eruption filled them with sediment. It also mined gravel and produced asphalt.

In 1998 Segale sold the assets of M.A. Segale to an Irish company for \$60 million. A news release said the Segale family "plans to pursue other business interests."

Those interests centered on real estate. "He buys to hold long-term," says one former employee. "'Sale' is a dirty word for them."

One notable exception: Segale owned the land under Emerald Downs when the Auburn racetrack was built in the 1990s. He sold it in 2002 to the Muckleshoot Tribe for \$73.6 million.

The next year the Segales bought 120 acres of industrial property in Kent from Boeing. That brought their total holdings in the Green River Valley to 1,600 acres, they said at the time.

Commercial real-estate brokers who work in the valley say the Segales build high-quality projects, keep them in good condition, and treat their tenants well. But the family's penchant for privacy extends to many of its business dealings.

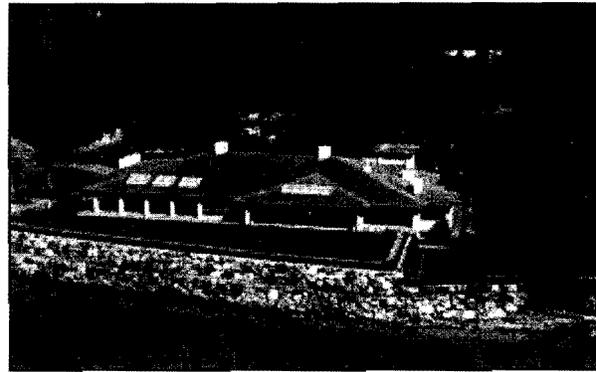
"I've met [Mario] once in 20 years," one broker says. "He's the man behind the curtain."

Long negotiations

If it's built according to plan, Tukwila South would rival the Southcenter area, Tukwila's commercial hub, in total square feet of development. But the site today is a crazy-quilt landscape.

There's a golf driving range, a construction-equipment parts business, and a pasture where llamas graze. Corn and hay grew in fields at the south end until a few years ago.

Segale Business Park, a warehouse complex the family developed in the 1970s, fills the northeast corner. It will be the last area redeveloped, according to the master plan.



MIKE SIEGEL / THE SEATTLE TIMES
Mario Segale owns this home along Puget Sound in Burien. It's a long way from his youth, when he reportedly started a construction business with just a bulldozer.

Tukwila South
Proposed uses: 5 million to 10 million square feet of office/research buildings; 1 million to 2 million square feet of retail, restaurants, hotels; 700 to 1,900 housing units. Estimated future employment: 25,000
Years to full buildout: 25 to 30
<i>Source: Tukwila South Project Master Plan, May 2009</i>

Segale family's holdings
THROUGH SEVERAL CORPORATIONS AND PARTNERSHIPS, the Segale family owns thousands of acres and several businesses in Washington. Here's a partial list:
Segale Business Park, Tukwila: 13-building, 1.9-million-square-foot warehouse/office complex. Part of Tukwila South redevelopment site.
Pacific Gateway Business Park, Kent: Two of the largest warehouses in the Kent Valley, plus 80 acres of undeveloped industrial land.
Segale Retail Center, Tukwila: 125,000-square-foot center kitty-corner from Southcenter. Tenants include Barnes & Noble and Office Depot.
Gravel pits: In Auburn, Olympia, and Castle Rock, Cowlitz County.
Undeveloped commercial land, Kelso: 100 acres at the I-5/Highway 432 interchange. Segales applied last month to build 725,000-square-foot retail center called Kelso Village.
Undeveloped industrial land, Auburn: At least 90 acres, some of it welland.

The Segales maintain their offices in the complex. At its edge stands the house Mario Segale's father built nearly 60 years ago.

The Segales are prominent corporate citizens of Tukwila, population 18,000. They provide Christmas trees and poinsettias for city offices during the holidays. Once, when a city park project fell short of money, Mario Segale made up the difference, says Pam Carter, a former City Council member.

"Sometimes he provides things out of the goodness of his heart," she says. "But they like things their way. ... They can be difficult to work with."

It took five years for the city to negotiate a development agreement with the Segales that governs what can happen on the Tukwila South site, and how it will be paid for.

Mayor Jim Haggerton and his predecessor, Steve Mullet, say the Segales initially requested concessions the city couldn't afford. Negotiations got testy, council minutes show. There were blowups, ultimatums and at least one long cooling-off period.

In 2005 the council turned down a Segale request to condemn property the family didn't yet own for the proposed road serving Tukwila South. A few weeks later a Segale representative asked the council if the city still wanted poinsettias and Christmas trees.

By 2007, Mullet's last year in office, negotiations had reached an impasse. "There were a lot of personalities involved," the former mayor says cryptically.

Talks resumed after Haggerton was elected. The 42-page development agreement was signed last June.

The Segales supported Haggerton, who defeated Carter in the mayoral election. But she and Mullet both say the agreement protects the city well, and they're excited about the project's potential.

Among other things, the deal requires the Segales to pay the city the difference — up to \$12 million — if taxes produced by Tukwila South fall short of the city's costs. The contract also bans new warehouses, which generate relatively little tax revenue.

About a quarter of the site would remain undeveloped. As compensation for filling 9 acres of wetlands and streams, the Segales plan to improve a 32-acre wetland complex and build 4.5 acres of rearing habitat for salmon just off the Green River. The Muckleshoot Tribe, whose treaty fishing rights give it a big say, supports the project.

The Army Corps of Engineers must approve the Segales' wetland plans, as well as their proposal to build a new levee to improve flood protection at the site's south end. After years of study, local Corps officials say they're getting close to a decision.

Undeveloped residential land:

39 acres in North Bend, 14 acres in Renton and numerous tracts and lots in Auburn and Tukwila.

Forest land:

More than 500 acres near Black Diamond, purchased from Plum Creek Timberlands in 2003.

Eastern Washington lands:

More than 2,000 acres in the Othello, Adams County, area, including a rock quarry and Frenchman Hills Vineyard, which sells grapes to wineries.

Southcenter Golf, Tukwila:

Driving range. Part of Tukwila South redevelopment site.

Seattle Tractor Parts & Equipment, Tukwila:

Buys and sells construction- equipment parts. Part of Tukwila South redevelopment site.

Sources: County property records, Segale Properties Website, Officespace.com, Washington Department of Natural Resources,

The (Longview) Daily News.

Research by Seattle Times business reporter Eric Pryne

Meanwhile, the Segales have entered Tukwila South in a competition among South King County developers to build a new, 500,000-square-foot regional headquarters for the Federal Aviation Administration.

Gregoire and Murray have been invited to the May groundbreaking ceremony for the new road serving Tukwila South.

Ken Behrens, president of Mitchell Moving & Storage, won't be among those celebrating.

His business sits on one of the few properties in the project area that the Segales don't own. When construction starts, Mitchell will lose its road access from the south for 18 months. Behrens says that will cost his trucks time, his business money.

"Segale is the big elephant in the room in Tukwila," he says. "Whatever he wants to get done, he usually gets done."

But Behrens says he has no problem with the Segales' grand vision for their 500 acres.

"It's going to be an economic boon," Mayor Haggerton says. "Twenty years down the road, people are going to look back and say somebody had some good ideas there."

Eric Pryne: 206-464-2231 or epryne@seattletimes.com

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Published March 31, 2010

Harrison roadwork to begin

MATT BATCHELDOR; Staff writer

OLYMPIA - Construction is set to begin Monday on a project to widen Harrison Avenue/Mud Bay Road from Yauger Way to the College Station subdivision, just west of Kaiser Road.

The Olympia City Council awarded the \$10.49 million job last week to Active Construction of Tacoma. Crews will widen the road to two lanes in each direction, with a center turn lane and/or median islands. Bike lanes and sidewalks will be added to both sides of the road, and a traffic signal will be added at Harrison and Kaiser. Utilities will be buried, and a stormwater pond built.

It's one of the city's biggest public works projects since it built a new Fourth Avenue Bridge, said Sheri Zimny, the project manager for the city.

"It's the entrance to our city," she said.

The name of the road will change to Harrison Avenue from Mud Bay Road up to the U.S. 101 interchange, meaning street signs and residential addresses will change. The road is now listed as Harrison Avenue up to around Yauger Way, when it becomes Mud Bay Road.

About \$2 million of the project budget was used to acquire land, Zimny said. Three houses will be demolished for the project at the southeast corner of Harrison and Kaiser. Officials are considering taking down the old gas station on the northeast corner, Zimny said.

She expects the work will be finished by Christmas. The road will remain open during the work, although there will be periodic lane closures. Nearby residents likely will experience utility outages when the new lines are installed, according to the city.

Residents at a meeting at Westwood Baptist Church on Kaiser Road generally said they favored the project.

Bea Farnham said vehicles cut through her subdivision to get to the nearest traffic light to get out on Mud Bay Road.

"A lot of speeding," she said. That could improve with a traffic light on Kaiser.

"I'm kind of excited," said Gary Pittman, who lives in the Bay Hill subdivision. He said it's difficult for him to get across the road to visit Jay's Farm Stand.

“We’re going to have eight months of uncomfortableness, but at the end of the game, it’s going to be pretty smooth,” he said.

Eric Foshaug, the manager of Jay’s Farm Stand, said the project will take away half of the area in front of the store where he displays produce outside. But he likes the addition of sidewalks and a traffic light to drive foot traffic.

“Overall, it’s going to help us,” he said.

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mbatcheldor@theolympian.com

The Seattle Times

Wednesday, April 7, 2010 - Page updated at 12:01 AM

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Bothell breaks ground on a grand plan to fix its downtown

By Nicole Tsong
Seattle Times Eastside reporter

Canoes, not cars, stopped in Bothell when the community formed a century ago.

But over the years, the Eastside city has moved away from its Sammamish River roots. These days, people stuck in Highway 522 traffic are more likely to notice rows of auto shops than the river.

The city of Bothell is determined to change that. On Tuesday, it launched an ambitious \$150 million makeover that will give the downtown a facelift that speaks to its history while also energizing and investing in the local economy.

"We're stopping decades of automotive retail to reconnect the city to the river and bring back its heritage and charm," said Terrie Battuello, assistant city manager and economic-development manager. Some of the city's 32,400 citizens were instrumental in forming the vision for the new downtown.

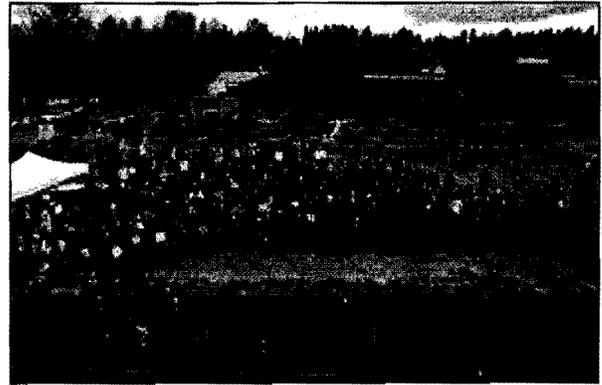
The redevelopment will link the river with the downtown again, opening up Bothell Landing on the river with an expanded park that includes a canoe-and-kayak launching area, paths, and bike and boat rentals, Battuello said. It also will reroute Highway 522 and create three new downtown blocks.

With new retailers and a revitalized downtown, Mayor Mark Lamb hopes, people will be more likely to stop in Bothell instead of just passing through.

"When they see it [now], they're in a bad mood because they're stuck at a traffic light," he said.

The makeover includes:

• Demolishing 15 buildings.

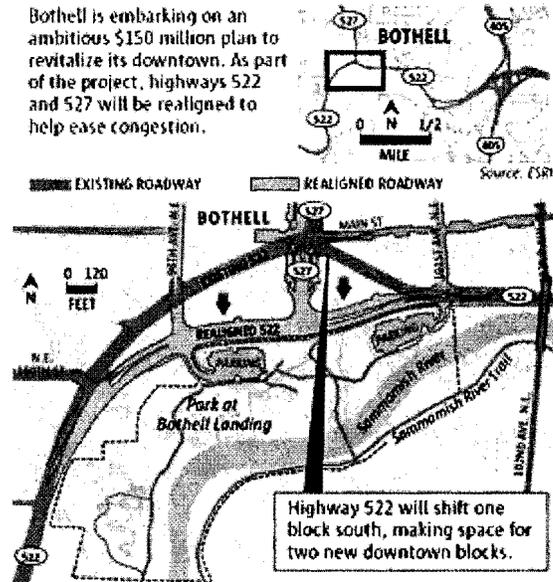


DEAN RUTZ / THE SEATTLE TIMES

Participants at Tuesday's groundbreaking in Bothell line up behind 20 gold shovels. Demolition began on the vacant shopping center in the background.

Bothell redevelops its downtown

Bothell is embarking on an ambitious \$150 million plan to revitalize its downtown. As part of the project, highways 522 and 527 will be realigned to help ease congestion.



MARK NOWLIN / THE SEATTLE TIMES

â€¢ Moving Highway 522 one block south and disconnecting it from Main Street, helping traffic move faster through downtown, and also widening it at a corridor known as "Wayne Curve."

â€¢ Extending Highway 527 and broadening it into a pedestrian-friendly boulevard.

â€¢ Expanding Main Street with new buildings that have ground-floor stores with office space or residences above.

â€¢ Building a 50,000-square-foot City Hall.

Bothell officials says traffic will move 50 percent faster along Highway 522 with the realignment, and the downtown development will help attract a projected 1 million square feet of new retail, office space and residences over the next 10 years. The city also plans to sell 25 acres of land between 2010 and 2013.

Lamb said he believes there's a lot of local demand for new retail, restaurants and college classes. The project is expected to add 1,600 jobs to downtown Bothell, he said, and the University of Washington and Cascadia Community College's combined campus in Bothell is projected to swell from 3,600 students to 10,000 students in the next six years.

"We as a city have the opportunity to show Puget Sound and the state of Washington what is possible in difficult times," Lamb said.

The costs of raw materials and labor are very low right now, Lamb said, and the city has been fiscally conservative as it saved for the project, setting aside 20 percent of its operating reserve.

The projects are funded by the city, the county and grants from state agencies.

The new Highway 522, which will be built next to the old route, is slated for completion in October 2012.

At the groundbreaking Tuesday, Lamb climbed in a backhoe and started the demolition, crushing the backhoe's bucket into the roof of a vacant tan and brick-red building that still had a "We've moved" sign posted.

Chiropractor Dusty DuBois moved her business to downtown Bothell in November. Dubois, who was born and raised in Bothell, said the redevelopment plan was the deciding factor when she picked a building for her business. She said she's excited to see the downtown grow and bring new businesses and restaurants.

"I do believe it's going to drive people here instead of Mill Creek or Issaquah," she said.

Nicole Tsong: 206-464-2150 or ntsong@seattletimes.com

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Kitsap County

- None at this time.

Winslow Way reconstruction talks return

By NAT LEVY

Bainbridge Island Review Reporter

Apr 08 2010, 4:19 PM · **UPDATED**

A lot has changed at City Hall since Winslow Way reconstruction was delayed last November, but when it reappeared in front of the City Council Tuesday, the same questions surfaced.

Finance and the scope of the project headlined council concerns at a workshop on the project, which was the first of two to help the council decide whether or not to pursue Winslow Way reconstruction now. Next Tuesday the council will suggest ideas on how to handle the various remaining issues associated with the project. The goal is for the council to make a decision on whether or not to go forward with the project by its May 12 business meeting.

The one-year delay of the nearly \$10 million utility reconstruction project didn't void any of the outside funding sources (approximately \$4.8 million in state and federal grants and \$1 million in a voluntary Local Improvement District for the full project).

But should the council decide not to begin construction next year, it would likely have to return the grant funds and re-enter competition for them when reconstruction goes back online.

"The reality is, when you turn down grants, the ability to go back and compete is really limited," Councilor Hilary Franz said.

If started on time, the project would involve eight months of construction, from March until November of 2011.

Should the council decide to go through with the project, it still has to come up with approximately \$1 million. The money was to be contributed by the sewer fund, which isn't possible given current revenue.

“The sewer component has nothing,” interim City Engineer Chris Wierzbicki said. “By the end of the year, it’s got zip.”

Wierzbicki presented an option that would handle the sewer component and not require any further loans or bond financing. He suggested going to the surrounding property owners, who voluntarily pledged \$1 million for an LID, and ask them to shift that money to cover the sewer costs and reduce the scope of the project – making that a financially feasible option.

It remains unclear whether or not the property owners will agree to that option, he said, since it involves eliminating moving power lines underground, something the property owners supported.

Wierzbicki’s idea was met with mixed reviews. Some councilors applauded the potential of not placing the burden of the project on the sewer ratepayers, while others thought moving power lines underground shouldn’t be sacrificed.

“This is a project you’re going to live with for 30, 40, 50 years,” said Councilor Barry Peters. “You don’t want to leave a lot of little wires laying around,” he said.

Throughout the debate, council members raised the issue of finances. The city just finished a painful budget session, and the bills, specifically for the utilities, continue to stack up.

The city has to pay back \$1.9 million for a bond anticipation note it obtained to cover the final costs of the Waste Water Treatment Plant upgrades. It also owes \$3 million to the water fund, which was borrowed to keep the sewer fund solvent after the lawsuit brought forth by the Bainbridge Ratepayers Alliance blocked the city from replenishing the faltering fund with bond proceeds.

Lastly, it has to come up with funding to do the Wing Point Way reconstruction project, after electing to use the federal funds obtained for that project on Winslow Way.

“We’re hung out here on the string on all this, and I don’t know how we’re going to get all the books balanced again,” said City Councilor Bill Knobloch.

Prior to Tuesday’s meeting, city Finance Director Elray Konkel suggested that the best way to repay all these costs is with one large non-voter bond, which was the city’s plan before the Ratepayers Alliance lawsuit was filed. Konkel said the interfund loan and the bond anticipation note will have to be repaid once the lawsuit concludes.

Should the city decide it can’t do Wing Point Way now, it would most likely have to return the \$800,000 in federal funding originally issued for the possibly \$1.2-million project, said Larry Burris, of Puget Sound Regional Council.

Even if the city solves the financial situation, some councilors wondered if the project was worth the risk. A portion of the property, called pothole 15, near Winslow Green, was found to be contaminated with diesel particles at the depth of 12 feet. The sewer trench the city plans to dig goes down 14 feet. That soil will have to be removed during the reconstruction process.

“There’s a big difference between fixing something, or building something on the surface, and digging up something and not knowing what you’re going to find, particularly when there’s contamination,” said Mayor Bob Scales.

Scales worried that when the city encountered the contaminated area, a 20 percent contingency wouldn't be enough to finish everything, and then what happens?

"My greatest concern is that we dig up a street and we don't have enough to put it back together," Scales said.

Wierzbicki assured the council that the project was not an extraordinarily risky one, but one that needed to happen, especially with the recent rash of earthquakes in mind.

"It's starting to feel like we might have an earthquake," Wierzbicki said. "And if you have 60-year-old asbestos pipes, you could very well have an issue if there's an earthquake there. You're not going to know where the breaks are. You're just going to be out there putting a hose down to get water down to those businesses."

Once the funding and specifics of the project are figured out, it remains to be seen which councilors will or will not support the reconstruction.

Wierzbicki, who has seen the public and political tension over Winslow Way for a number of years, said a 4-3 vote won't get it done. For this to work, and be accepted by the community, the council has to find consensus, he said.

"I would like all of you to come along if we're going to go forward with this," he said. "I want to find a way to satisfy all of you. I don't think the city has the capacity to pull off a project of this magnitude without full political support."

Bainbridge Island Review Reporter Nat Levy can be reached at nlevy@bainbridgereview.com or (206) 842-6613.

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Bainbridge Council OKs Funding Plan for Winslow Way Project

By Tristan Baurick

Thursday, June 10, 2010

BAINBRIDGE ISLAND —

Winslow Way's reconstruction will use fewer of the risky funding sources some city leaders feared could derail the project.

A \$5.8 million funding plan approved by the City Council on Wednesday will use no money from the emaciated general fund and no money from the sewer fund, which is tangled in a legal challenge.

Instead, the city plans to rely more on a federal grant that will, along with boosting the Winslow Way project, obligate the city to do future road repair work on Wing Point Way.

Any leftover money from the Winslow Way project could be shifted to Wing Point Way. The city would then begin saving money to repair Wing Point, a main residential thoroughfare on Winslow's east side.

The Winslow Way project, which would replace and repair underground utilities and upgrade surface amenities, is set to begin next spring. About \$2.5 million of the project's costs will come from a federal grant. The state is supplying \$1.5 million and Winslow property owners are promising \$1 million. The city's share would be almost \$800,000, and would be paid through the water and stormwater utility funds.

The Winslow Way funding plan also puts \$322,000 into a contingency fund to cover unforeseen complications, including the cleanup of underground contaminants.

Despite having what city staff say is a generous contingency, some council members remain concerned that cleanup costs may overwhelm the city.

"We've gotten this (project) down to the bare bones. However, I have serious concerns ... that there's a strong possibility we'll have contamination issues that could get into the big bucks," Councilman Bill Knobloch said.

Knobloch and Councilwoman Kim Brackett said several people have approached them with concerns that hazardous material left over from a car dealership at the Winslow Way-Madison Avenue intersection and a gas station at the Winslow Way-Highway 305 intersection may require expensive cleanup.

Brackett and Knobloch abstained from voting for the plan, which passed 5-0.

Interim City Manager Brenda Bauer stressed that the city is not obligated to do extensive cleanup on contamination for which the city is not at fault.

She said the city will have a bigger clean-up problem if it doesn't do the project soon.

"At some point you are obligated to do this because the utilities will fail," she said.

"There will be an impact when (sewer and water pipes) break of their own accord."

The main portion of the project will include the replacement of water, sewer and stormwater infrastructure under Winslow Way between 305 and Madison. On the surface, the project will replace the street's pavement, widen sidewalks, add a westbound bicycle lane, plant sidewalk trees and install pedestrian lights, bicycle racks and stormwater-catching rain gardens.



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Published April 26, 2010

Yelm Highway project breaks ground May 6

This landed in my e-box today:

Thurston County commissioners and Olympia Mayor Doug Mah will break ground for the Yelm Highway Improvement Project on Thursday, May 6 at 2:00 p.m. The ceremony takes place on City of Olympia property across from Brassfield Road on Yelm Highway about a half-mile east from Henderson Boulevard.

County Commissioners Sandra Romero, Cathy Wolfe, and Karen Valenzuela, Mayor Mah, Stevan Gorcester, executive director of the State Transportation Improvement Board, and Intercity Transit General Manager Mike Harbour will speak at the ceremony.

The section of Yelm Highway between Henderson Boulevard and Rich Road (approximately 1.25 miles) will be widened to provide two travel lanes in each direction, sidewalks and bike lanes. Two roundabouts, one at Boulevard Road and one at Brassfield Street, will also be constructed. In conjunction with the county project, the City of Olympia will upgrade sewer and water utilities in the area. Construction, slated to begin in June, is expected to be completed by the end of 2011.

The \$10 million road portion of the project is funded from several sources: State Transportation Improvement Board, \$3.9 million; Thurston County Roads Fund, \$3.5 million; federal funds, \$1.6 million; City of Olympia, \$603,000; County Mitigation fund, \$444,000, and Intercity Transit, \$15,000.

The May 6th ceremony is free and open to the public. Project details are available [here](#) or by calling 754-4580.

My last story about the project can be [here](#).

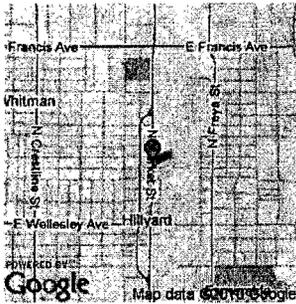
Hillyard party to show off Market Street makeover

The Spokesman-Review

Tags: Hillyard Market Street Market Street celebration



Market Street grand opening organizers Desi Bucknell, center, and Vickie and Marvin Peterson are helping plan the May 1 event in Hillyard. Activities will include a parade, car and motorcycle show, a ribbon-cutting and street dancing.



If you go

Hillyard's Market Street grand opening

When/where: Saturday, ribbon-cutting at 10:30 a.m., at Queen Avenue and North Market Street, followed by a parade from Columbia to Wellesley avenues.

Hillyard is getting ready to throw a huge party on Saturday because the street improvement project on North Market Street is finally over.

Merchants in the area struggled through detours and street closures last summer, and though Market Street reopened to traffic in November, things are just now returning to normal.

"We just want to invite people up here to see the new street, see our Hillyard," said Desi Bucknell of the Hillyard Festival Association. "Many of the buildings have been painted, we have great new sidewalks and street lights, and, well, we think it looks great up here."

Mayor Mary Verner will cut the ribbon at Queen Avenue and North Market Street at 10:30 a.m. A parade will follow on the new pavement between Columbia and Wellesley avenues.

"We have 150 cars and more than 20 motorcycles signed up for the parade already," said Vickie Peterson, owner of the Hillyard Variety Shop and one of the parade organizers. "There will be some politicians, too, and we're trying to get a marching band or some other music group. It's going to be a great parade."

The price tag for the street improvements alone was \$7 million, paid for by the street bond passed by voters in 2004. The Hillyard neighborhood steering committee allocated \$207,000 of federal community development grant money to pay for similar street improvements on Queen, one block east and west of Market. Finally, \$50,000 of community development funds went to street trees.

One of the new organizations in the area is the Northeast Youth Center, which is celebrating its reopening Saturday. The youth center is participating in the parade, together with the Hillyard Belles, the Kiwanis and other civic organizations.

"We are going to have as many bands as we can get along the route, and there will be a street dance later in the day," said Peterson.

Hillyard is mostly known for its eclectic collection of antique and secondhand stores, all of which plan to be open on Saturday.

"Things are really coming together for us," said Peterson. "All the businesses will have lots of specials for shoppers and diners – we're just hoping for nice weather so everyone can have a great day."



May 3, 2010

Two Bold Predictions

Two bold predictions concerning the future of the federal surface transportation program have caught our eye in recent days. Both have come from respected veterans of the transportation scene so they cannot be lightly dismissed as speculations of some anonymous bloggers.

The first prediction comes from Pennsylvania Governor Ed Rendell, a longtime advocate of greater investment in transportation infrastructure. "I have a prediction for you," the Governor said at an April 6 press conference called in the wake of the federal rejection of the state's application to toll Pennsylvania's Interstate-80. "When there is a reauthorization they (the Feds) will lift the ban on tolling. There is no appetite for raising the gasoline tax and it [tolling the Interstates] is one of the only ways for us to maintain these highways."

The other prediction comes from former Secretary of Transportation, James Burnley. Since leaving the Department of Transportation in 1989, Burnley has remained an active player on the transportation scene as a regulatory lawyer. "I started saying a year ago that we were facing four years of short-term extensions of existing programs, and I am sorry to say this is a prediction that I believe will come true," Burnley said in an interview with *DC Velocity*, a local online newspaper. He went on to say that it will be difficult to raise the gas tax in a more Republican-leaning Congress next January. "What worries me is that the whole concept of the trust fund is breaking down," Burnley stated. "You can't make the argument with a straight face that the trust should be...walled off from the appropriations process while at the same time getting huge sums of money from general revenues...By 2013, we could find the whole notion of the trust fund obsolete."

In fact, both predictions—the tolling of Interstate Highways and increased reliance on general revenue appropriations to support the federal surface transportation program—have been a subject of an ongoing debate in the transportation community for some time.

Interstate highway tolling has been discussed extensively in two online discussions—the National Journal's Transportation Experts Blog (week of August 17, 2009) and IBTTA's "Tolling Points" blog (week of April 11, 2010). Over 30 transportation professionals took part in the two online exchanges. The question of Interstate highway tolling was also a subject of a poll conducted by the trade publication "Roads & Bridges" (October 2009) and of a recent editorial in "Better Roads" magazine (April 2010).

Political and professional opinion on tolling is divided, with neither proponents nor opponents scoring a decisive advantage. But Governor Rendell's prediction has given the prospect of Interstate highway tolling the kind of plausibility that it had not enjoyed before.

Interstate Tolling Comes in Different Flavors

The degree of controversy surrounding Interstate tolling varies with the type of facility to be tolled and the purpose to which tolls are to be dedicated. Least controversial is the tolling of new lane capacity within existing interstate highway corridors. The so-called "managed lanes" and "high-occupancy toll (HOT) lanes," authorized in the surface

transportation law (Section 1121 of SAFETEA-LU), are being implemented in a number of jurisdictions. Examples include HOT lanes on the Capital Beltway (I-495), Interstate 95 in Northern Virginia, Florida's I-595 and the Dallas I-635. Many others—some of them taking the form of full managed-lane networks— are in planning stages.

Next in the degree of acceptance is the tolling of existing Interstates to fund specific reconstruction needs or to reduce congestion on urban Interstates. These approaches have been authorized on a pilot basis in three congressionally sponsored programs — the **Interstate System Reconstruction and Rehabilitation Pilot Program** (Section 1216 of TEA-21, reauthorized in SAFETEA-LU) which allows up to three existing Interstate facilities to be tolled to fund reconstruction or rehabilitation of Interstate corridors (two out of the three slots have been allocated); the **Interstate System Construction Toll Pilot Program** (Section 1604) which authorizes up to three Interstate facilities to be tolled for the purpose of financing construction of new Interstate capacity (one slot has been allocated;) and the **Express Lanes Demonstration Program** which permits introduction of tolling on up to 15 highway facilities to demonstrate the use of pricing to manage congestion or reduce vehicle emissions in non-attainment areas (five slots have been allocated.) While all three programs are limited in scope and number, the weight of professional opinion favors giving states greater leeway to toll the Interstates. Most interest groups likewise support tolling provided toll revenue is dedicated to capacity improvements. Thus, there is good likelihood that the next transportation reauthorization will lift current limitations—at least in metropolitan areas— so that tolling can be used more widely by state and local authorities to manage congestion on crowded urban interstates.

The most controversial is a proposal to institute generalized tolling throughout the entire Interstate Highway system. Proponents of this approach view this as the most logical answer to the growing inadequacy of motor fuel taxes and the most effective means of raising large sums of money to finance the nation's long-term investments in surface transportation. However, opponents to this approach probably outnumber its advocates. A prominent (and highly vocal) opponent is Rep. James Oberstar (D-MN), chairman of the House Transportation and Infrastructure Committee. His view is shared by many transportation industry spokesmen, such as Bill Graves, President of the American Trucking Association, Robert Darbelnet, President of AAA and Greg Cohen, President of the American Highway Users Alliance.

There appears to be little chance that a sweeping authority to toll the Interstates will be enacted by Congress any time soon— no matter how urgent the need for additional transportation revenue may be. Which leads us next to Secretary Burnley's speculation

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Will Annual Appropriations Replace Multi-Year Authorizations?

Will the prospect of diminishing income to the Highway Trust Fund and the political difficulty of increasing fuel taxes drive Congress to abandon the multi-year authorization in favor of propping up the Trust Fund with periodic appropriations? This is what Congress has done *de facto* since the expiration of the transportation authorization in October 2009. To keep the Trust Fund solvent, Congress has transferred a total of \$34.5 billion in general revenue into the Highway Trust Fund in three separate appropriations. As Secretary Burnley speculated, we could soon find the whole notion of the trust fund obsolete as appropriations are required to supplement Trust Fund revenues on a regular basis to satisfy the nation's mounting surface transportation needs.

Objections to using General Fund revenues to fund the highway program rest on two grounds: (1) that their use undermines the user-pays principle; and (2) that it means a potential loss of contract authority, i.e. the ability to enter into multi-year funding commitments in advance of appropriations. While the user-pays principle is not without merit, it has been already substantially weakened in recent years as the Highway Trust Fund assumed additional funding responsibilities for mass transit, for other non-highway programs (walkways, bike paths, scenic trails, etc.) and, most recently, for promoting the "livability" agenda. Today, as much as 25 percent of the Highway Trust Fund revenue is spent on non-highway programs.

Is There Still a Need for Contract Authority?

The case for retaining contract authority has likewise been weakened by recent changes in policy. Traditionally, the case for contract authority has rested on the need for states to orderly manage costly multi-year construction projects. Contract authority and multi-year funding guarantees have helped state DOTs to avoid year-to-year fluctuations in program levels and have minimized the attendant uncertainty when planning for large multi-year construction projects. The need for multi-year funding assurances were indeed justified when the nation was building the Interstate Highway system and planning other major infrastructure projects extending over several years, such as Boston's "Big Dig" or the expansion of the Woodrow Wilson Bridge on I-95 across the Potomac. But, if we correctly read the signals coming from this Administration, the age of large capacity-expansion projects is over. Implementing bicycle networks and other small-scale "non-motorized" and "livability" projects do not require large multi-year funding commitments or a long planning-design-construction cycle. Routine road maintenance and system preservation activities to keep highways in good repair likewise do not need advance multi-year budgeting. With Transportation Secretary LaHood announcing "the end of favoring motorized transportation at the expense of non-motorized transportation" and urging state transportation agencies to give "the same priority to walking and bicycling as is given to other transportation modes," and with the Administration adopting a "fix-it-first" policy in preference to expanding highway capacity, it can be argued that contract authority and multi-year transportation authorizations are less necessary---or, indeed no longer required.

Interstate highway tolling, greater reliance on general revenues and the diminishing relevance of multi-year authorizations and the Highway Trust Fund are truly provocative ideas. Whether Congress and the transportation community are ready to embrace these ideas remains to be seen. But we commend Governor Rendell and Secretary Burnley for having the confidence and foresight to raise these possibilities---"unthinkable" as they may appear at first sight.

From the Yakima Herald-Republic Online News.

Posted on Sunday, May 09, 2010

Underpass under way on MLK and Lincoln
By CHRIS BRISTOL
Yakima Herald Republic

YAKIMA, Wash. — If you've driven down Martin Luther King Jr. Boulevard in recent weeks, chances are you've noticed a construction project is under way.

That's because MLK is going to become a two-way street in early June while construction crews get busy on what has been billed as the biggest public works project in Yakima history.

The project consists of two underpasses, one on Lincoln Avenue and one on MLK. Lincoln's going first, necessitating the detour of its traffic for the duration of the dig.

That's why MLK will be a two-way street.

In case you were wondering, the entire project could take two years to complete. Construction of the Lincoln underpass is expected to take at least a year. If all goes as planned, the MLK underpass will follow forthwith.

The actual excavation on Lincoln Avenue near the railroad tracks won't begin until February 2011. The project is so large that it will require extensive drilling for reinforced concrete shafts that form the underpass.

Because the water table starts at 13 feet, much of the tunnel work will involve construction of a water seal that city engineers compare to a giant bathtub. The seal forms the walls of the underpass, runs underneath the roadway and is designed to keep water out.

"We have to seal the water out and make it heavy enough so it doesn't float," said senior city engineer Bob Desgrosellier.

• *Chris Bristol can be reached at 509-577-7748 or cbristol@yakimaherald.com.*

Here then is the underpass project by the numbers (and two letters):

- One — The day in June that Lincoln-to-MLK detour is tentatively scheduled to begin
- Four — Blocks affected by detour (First Street to Third Avenue)
- Five — Lanes on MLK (two each way, plus a center turn lane)
- 10 — Trees that were cut down to accommodate MLK detour
- 12 — Months that Lincoln Avenue traffic will detour to MLK

- 10,325 — Vehicles per day that use MLK (based on a 2005 survey)
- 10,850 — Vehicles per day that use Lincoln
- 17,000 — Vehicles per day that use downtown Yakima Avenue
- 16.8 — Cost, in millions of dollars, of Lincoln Avenue underpass
- 16 — Projected cost, in millions of dollars, of MLK underpass
- 36 — Overall cost, in millions of dollars, of the project (including engineering, right-of-way acquisition, utility relocation, etc.)
- 42 — Original estimate, in millions of dollars of project cost
- 700 — Cost of an underpass "Bins of Light" art project in hundreds of thousands of dollars
- B — Original street name of Martin Luther King Jr. Blvd.
- 2006 — Year that B Street was renamed MLK
- C — Original street name of Lincoln Avenue in project area
- 1965 — Year that C Street was renamed Lincoln Avenue
- 32 — Thousands of cubic yards of soil to be excavated for Lincoln underpass
- 3,200 — Dump-truck loads necessary to remove soil, using 10-yard trucks
- 21.2 — Miles that Lincoln Avenue dump trucks would stretch end-to-end
- 400 — Concrete shafts comprising Lincoln underpass retaining walls
- 1,300 — Concrete-filled shafts forming Lincoln underpass water seal
- 28 — Thousands of cubic yards of concrete forming retaining walls and seal
- Eight — Average trains per day that pass through Yakima
- 22 — Average trains per day that pass through Wenatchee
- 100 — Millions of pounds of soil to be excavated for Lincoln underpass
- 283 — Tons of rebar to be used in Lincoln underpass
- 12 — Number of underpass projects around state since 2000

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THE SPOKESMAN-REVIEW

May 10, 2010

Havana Street overpass will span tracks

Two-year project starts this week as Freya bridge work continues

Mike Prager

The Spokesman-Review

Tags: bridge construction Getting There Havana Street overpass



A long-awaited traffic improvement project in east Spokane gets under way on Tuesday with construction of an overpass for Havana Street across BNSF Railway lines.

The city of Spokane has long wanted another reliable north-south route in the important industrial sector of the city.

For years, drivers have been forced to wait for trains to clear the crossing, making Havana Street between Broadway and Trent avenues an unreliable arterial route. The crossing is located north of the Spokane County fairgrounds.

Graham Construction and Management Inc. in Spokane won the \$7.9 million job.

The project was nearly \$3 million under an earlier engineer estimate because of a currently competitive bidding environment and lower material costs.

"Many of our bids are coming in way lower than our estimates," said Ann Deasy, city streets spokeswoman.

When completed in spring of 2012, the 483-foot concrete bridge will have four lanes and sidewalks. The outside lanes will be striped as shared-use lanes for automobiles and bicycles.

Havana will be closed during construction, forcing traffic to detour to Fancher Road to the east.

Some motorists have been using Havana when it's not blocked by trains as a detour for the Freya Street Bridge reconstruction to the west. Freya should reopen later this spring.

The Havana overpass is being financed in part from the Washington State Freight Mobility Board, as well as with state transportation improvement funds.

The federal government, city, BNSF and Spokane Transit Authority are also contributing to the funding pool.

In addition to the bridge project, the city is improving Havana Street between Mission and Trent avenues.

Freeway segment bids below estimate

State transportation officials said they think they are going to save money on another big construction project in Spokane.

Bids were opened last week on a 3.7-mile segment of the North Spokane Corridor between Farwell Road and Freya Street.

The bids were all below the estimate of \$27 million, but state officials did not immediately release the amounts because they were reviewing the bids in advance of naming a contractor.

The project involves construction of southbound lanes adjacent to the currently opened two-way segment on what will become the northbound lanes. Five bridges are included in the project.

Work to watch for

- Work is also under way in Airway Heights for new crosswalk islands and overhead warning signs to help pedestrians cross U.S. Highway 2.

Lane closures are possible during the work.

- The county bridge across the Pend Oreille River at Usk, Wash., is being repaired this season with traffic reduced to one narrow lane. A traffic signal was set up to control traffic 24 hours a day. Wide loads are being told to detour.

- Bridge repairs on Interstate 90 from Stateline to Post Falls have slowed traffic considerably since the contractor shut down one travel lane in each direction last week.

The stretch of freeway has a reduced 45 mph speed limit for about six miles, and it was taking about 17 minutes to drive through the work zone during commute hours last week, said Barb Babic, public involvement coordinator for the Idaho Transportation Department.

Babic said the pace may pick up as drivers get accustomed to the restrictions. "People need to give themselves a little extra time, but they are getting through," she said.

- Traffic on Broadway Avenue from Oak to Elm streets is being rerouted onto College Avenue while a contractor installs a storm water system that will treat the water on site rather than send it into the city's storm sewer system.

Get more news and information at [Spokesman.com](http://www.spokesman.com)

Battle Ground dedicates North Parkway project

Precedent-setting project is largest BG has done in-house



Photo by Troy Wayrynen

People gather for a dedication ceremony of the new North Parkway improvement project Monday. The project is the biggest the City of Battle Ground has done in-house.

By Marissa Harshman
Columbian staff writer

Monday, May 17, 2010

Battle Ground, WA — BATTLE GROUND — A busy Battle Ground thoroughfare is now safer for neighborhood children and easier to navigate for school buses and emergency vehicles.

After six months of construction, North Parkway Avenue was formally dedicated and reopened Monday morning before a couple dozen elected officials, city employees and community members. Traffic has been allowed on the street since April 16.



Photo by Troy Wayrynen

Battle Ground Mayor Mike Ciraulo, second from left, cuts the ribbon to formally reopen North Parkway Avenue Monday after six months of construction to improve the safety of the thoroughfare. U.S. Rep. Brian Baird, center, and other elected officials attended the dedication ceremony. The improvement project was the largest engineering project the city has ever done in-house.

The \$1.7 million project improved a half mile section of North Parkway Avenue between Sixth Street and Onsdorff Boulevard. The street, which is a walking route for children headed to nearby schools, now has sidewalks, bicycle lanes, wider lanes, turn lanes, lighting, a median and an upgraded water line.

The improvement project closed the north-south arterial from October to April, which diverted the 4,100 vehicles and school buses that use the road daily through neighborhoods. Closing the entire street, rather than partial closures, saved the city about \$100,000 in traffic coordination and cut about two months off the length of the project, said Scott Sawyer, public works director and city engineer.

The project was important to the city, not only because it improved vehicle and pedestrian safety on the road but also because it was the largest engineering project ever done in-house, Sawyer said. City engineers designed the improved roadway, managed the project and conducted a majority of the inspection services. Some inspection work must be completed by the Washington State Department of Transportation, project manager Mark Herceg said.

Doing the work in-house meant big savings.

"If we had to have WSDOT perform all the work we had city staff do, it would have cost about \$100,000 more," said Bonnie Gilberti, the city's executive assistant and public information officer.

The project could also save the city money in the future. A few years ago, the city applied to become a certified agency with WSDOT. Before being awarded certification, the city had to complete an in-house project to show it could design, manage and complete a project that used federal funding, Gilberti said.

The North Parkway improvements marked the first such project for the city. Now that the project is complete, WSDOT officials will review the city's project plans and complete an audit of the project and then determine whether to award certification. If the city receives certification, it will not need WSDOT oversight for future projects using federal money, Gilberti said.

"This project was the test," Sawyer said. "We're pretty excited. We feel like we did everything we needed to."

The city received a significant amount of federal funding for construction on North Parkway. With help from U.S. Rep. Brian Baird, D-Vancouver, and U.S. Sens. Patty Murray and Maria Cantwell, the city received a \$444,600 federal appropriation and \$43,788 from the American Recovery and Reinvestment Act, Mayor Mike Ciraulo said.

The city was awarded a \$1 million grant for construction and a \$50,000 grant for design and engineering from the Washington State Transportation Improvement Board. The city contributed \$192,000 for the water line upgrade and \$45,000 in staff time.

Baird, who attended the dedication Monday, spoke about the importance of the safety improvements and said the project is an example of federal stimulus money being used to put people to work. Tapani Underground of Battle Ground was the contractor and used about 30 employees, many of them city residents, for the project.

"A lot of the money that went into the project in wages will stay in Battle Ground," said Leigh Tapani, the company's acting president.

The improvement project was completed ahead of schedule and under budget. The competitive bid environment brought the project total down by about \$1 million from the city's early estimates, Sawyer said.

Marissa Harshman: 360-735-4546 or marissa.harshman@columbian.com



Puyallup embroiled in dispute over property rights

Residents say the city should uphold agreements made on the Ninth Street project in Puyallup

NEIL PIERSON/OF THE HERALD

Last updated: May 18th, 2010 05:05 PM (PDT)

John and Helga Cancil have lived at their home just west of the Puyallup city limits for three decades, but it wasn't until the last year they began to be unhappy about their location.

Problems for the Cancils and five of their neighbors started in 2009 when land use consultants for the city contacted them about the upcoming widening project on Ninth Street Southwest. The project was being done in conjunction with Pierce County's construction on their portion of the road, 94th Avenue East.

Puyallup received state funds to complete much of the project, money that's contingent on purchasing right of way from the owners of 23 separate parcels. The city was successful in 18 cases, said Jim Morrow, the city's public works director. But owners of the five other properties, including the Cancils, have stalled the project because they say they aren't receiving fair compensation and the city refuses to negotiate through an arbitrator.

The property owners say they aren't interested in jeopardizing funds from the state's Transportation Improvement Board, which total nearly \$3.3 million. But they also say they weren't getting the answers they needed from Puyallup or its consultant, Certified Land Services.

That's the message they gave officials when the matter took center stage at the May 11 Puyallup City Council meeting.

"Clearly, our land was needed in order to get that grant," property owner Mary Doran said. "We agreed to go to arbitration if we could not settle."

Arbitration hearings through a Seattle firm were delayed three times, Helga Cancil said, including a May 3 date that had been scheduled for three months.

"This has been a nightmare," she told the city council. "As far as we're concerned we put our ducks in a row and the city had plenty of time to put its ducks in a row.

"It's not fair. It's not right. It shouldn't happen to anybody else."

The council passed an ordinance last June relating to its eminent domain rights on the project. The ordinance says that if negotiations with property owners aren't successful, City Attorney Cheryl Carlson is allowed to lawfully "condemn, take, damage and appropriate" the properties.

The property owners signed possession and use agreements with Puyallup last June, which allowed the project to begin moving forward. Their attorney, Jeff Helsdon of University Place, says that

agreement was binding and forces the city to adhere to the project's original design, which includes curbs, gutters, sidewalks and utility easements along the five properties.

The work is in progress and the west side of Ninth Street is largely a dirt strip as contractors are moving power poles and preparing for asphalt work. The city has paid the county residents a total of about \$88,000 to purchase a 16-foot-wide swath along their properties. That amount was determined to be a "fair market value" by two outside appraisals, Morrow said.

Helsdon and his clients, however, say Puyallup's appraisals fail to account for the properties' conditions after the street project is completed. Driveway access is one of the biggest complaints: The Cancils own four vehicles and say they'll only have room for two if the project moves forward as designed, because it cuts off some of their existing driveway.

"My concern has always been safety," said Cindy Manson, who owns the property on the corner of Ninth and 116th Street East. "Without the purchase of my land, I am left with a driveway not up to state and city codes of how close a driveway can be to an intersection."

"It's not safe for us," property owner Nancy Davis added. "I have to use my front yard as a driveway to...get onto the road safely."

The city says Helsdon contacted them five days before the May 3 arbitration with a final offer of nearly \$480,000, almost four times' the city's original offer.

Invoices from Helsdon's firm in October 2009 show his clients' appraisals totaled \$376,000. Offers sent to the city attorney's office on May 13, which included pre-judgment interest and legal fees, upped the total to a little less than \$405,000.

Council members grilled Morrow on the proceedings last week. After declining to recess into immediate executive session on the matter, they scheduled a private meeting prior to their May 18 study session. The results of that meeting came too late for publication.

"There's nothing that would cause undue hardship if we delayed this until the next meeting," said Councilmember Rick Hansen, who voted against an immediate executive session.

Morrow said original designs for the road called for two 15-foot lanes, two 11-foot lanes and a center turn lane of 12 feet along with curbs, gutters, an 8-foot-wide sidewalk and space for utilities. If the council chooses to follow Morrow's recommendation, the city would reduce the width of all lanes and not build any sidewalks.

"When you add up...how much we were purchasing, it was less than 5,000 square feet for the five property owners," Morrow told the council. "I, in good conscience, cannot stand before you...and recommend that we continue forward with the purchase of property for the benefit of that sidewalk."

Councilmember Kent Boyle asked why the city wasn't pursuing further arbitration when he felt the properties had clearly been damaged. The arbitrator, retired judge Terry Lukens, denied the city's claim for summary judgment last year and Helsdon says the city's own design standards require it to construct curbs, gutters and sidewalks on Ninth Street.

"When you purchase property like this, it's really a crapshoot," Boyle said. "What ends up happening here is that when the negotiations don't go our way, we pull our toys and leave."

Morrow and Carlson said the possession and use agreement signed last June is based upon state condemnation law, which allows the city to pull out of purchase agreements until deeds are recorded.

John Cancil disagreed, noting that state law doesn't allow cities to abandon projects if the properties in question have already been improved. Multiple gas lines have already been moved to make way for the new road.

Councilmember John Knutsen said Puyallup should live up to its end of the bargain, regardless of the cost.

"I believe that if we set out principles in a deal that we already made, that we follow them," he said. "If we get stung, we get stung."

Transportation plan is largely guesswork on funding

Main, Benson culverts will be replaced in 2011

Calvin Bratt
Tribune editor

LYNDEN — Lynden and other cities can approve their six-year transportation plans, but any money to do the work is another story.

State and federal funds for transportation fall far short of the requests that will come in for them, said city public works staffer Mark Sandal. He cited \$6 million being available across six counties from the state Transportation Improvement Board, a mere fraction of what's needed.

Fortunately, the top entries on Lynden's list, passed by the City Council Monday, carry an "emergency" tag, so they are sure to be funded by the Federal Highway Administration, he said.

Both the Main Street culvert at Fishtrap Creek and a culvert on Benson Road near Isom school were damaged in the January 2009 flood. So they get high priority for replacement in 2011, using about \$3.2 million federal money and \$510,000 local.

After that, the Kok Road bridge sits with a fairly high ranking for replacement, Sandal said. The city hopes that \$2.6 million project can also be done next year.

Actual reconstruction of Kok Road, as well as Benson Road to Badger, slips into the guesswork realm.

The city would also like to do preliminary engineering and right-of-way acquisition for the Pepin Brook realignment, combining Double Ditch and Benson creeks, in 2011, costing \$750,000.

Further down the list are: 17th Street extension to Main Street, pedestrian trails and bridges, and downtown cross streets.

In other action:

- The firm Stantec, with offices in both Seattle and Vancouver, B.C., was chosen as the city's engineering consultant for building a new water treatment plant.

Stantec has an extensive history of building municipal water treatment plants of the type that Lynden needs in drawing its water from the Nooksack River, said councilor Gary Bode.

"We have some of the most difficult water to treat," he said.

Lynden will build a conventional system using pretreatment and then filtration through layers of granular media, said Michael Norton, a professional engineer with Stantec, present at the meeting.

- The council passed a statement of commitment to reducing greenhouse gas emissions, as a condition for being eligible for some state funding.

In 2006, the city participated in a voluntary program sponsored by the Northwest Clear Air Agency, but did not adopt a local action plan then.

Among actions to be taken are: encouraging carpooling and use of public transportation; buying Energy Star equipment and appliances; following land-use policies that reduce sprawl; and encouraging energy conservation practices in buildings.

- Rainshield Roofing of Ferndale was awarded its \$47,726 bid to reroof the Berthusen Park barn, using cedar shingles provided by the city.

- A Drug Buy Fund was created for buying illegal substances as part of covert investigations. Most cities already have such funds, said Police Chief Jack Foster.

- Jake Heerspink was reappointed to a fourth term on the Board of Adjustment.

E-mail Calvin Bratt at editor@lyndentribune.com.

THE WOODINVILLE WEEKLY

Main Street project recognized for excellence, partnership, economic development



Written by Carol Ladwig

Monday, 14 June 2010 10:58

DUVALL – The city's new and improved Main Street, officially unveiled last July, has been recognized as an outstanding example of a public project three times this year.

Governor Christine Gregoire, the Association of Washington Cities (AWC), and the Washington chapter of the America Public Works Association (APWA) have all announced awards for the \$4.5 million project to bury utility lines, improve safety, and add pedestrian-friendly areas and public art to the stretch of Hwy 203 running through historic Duvall.

The city, of course, is delighted with the recognition and the possibility that these awards can lead to more successful grant applications in the future. However, Main Street project manager Shaun Tozer said that even if the awards don't necessarily result in more funding down the road, "It's kind of good for everybody to say they're a part of this."

Gov. Gregoire named Duvall one of the 2010 Smart Communities, whose efforts are helping the state to recover from the recent economic downturn. Each recipient excelled in planning for growth, wise land-use and resource management, and capitalizing on partnerships, such as Duvall's cooperation with the Puget Sound Regional Council.

Tozer noted that the PSRC had identified Duvall's Main Street as an area for improvement in its rural corridors study several years ago, and awarded the project about \$1 million for design work.

City officials will receive the Smart Communities award June 24 at the AWC annual conference, where they will also accept a Municipal Excellence Award for economic development. The AWC recognized seven cities from the 50 applicants, and specifically noted Duvall's efforts in revitalizing downtown while maintaining the city's small-town character, with the help of a citizens' advisory group. They were also recognized for developing and implementing a cohesive vision for the project.

The APWA named Duvall's Main Street the Project of the Year in the less than \$5 million category, on the basis of several criteria:

- Adherence to schedule – the project was completed within 5 percent of the allocated budget, and 1.5 days ahead of the 175 days allowed for construction.
- The city's safety record during the project – there were no injuries significant to cause loss of work in the nearly 28,000 man-hours of work put in.
- Its outreach to the community during planning and construction – the city initiated a citizens advisory group to help direct the project design, frequently publicized the project in local media and on a project website, and held weekly meetings for all of the Main Street businesses during construction. It also hosted a construction carnival in the early spring to bring residents downtown and give them a closer look at the project, and hosted two grand openings of Main Street, so that more people could attend.
- Its quick handling of unusual circumstances – the discovery of an isolated patch of hydrocarbon-contaminated soil near the north end of the project. Tozer said they couldn't be sure where the contaminant, a residue of various petroleum-based fuels, originated but "It was fairly isolated ... near the Shell station, but not from the Shell station." To make sure they located and isolated all of the contamination, the city brought in a consultant for more soil sample tests, and within a few days, had gathered all of the tainted soil and had it incinerated at a facility in Everett.

Since the grand opening of the new Main Street, Tozer has moved on to other major projects, including planning renovations for the next section of Main Street, but he has also continued promoting the new look of Main Street to various organizations. Among them, 425 Magazine, the Seattle Times, and local television show "Evening Magazine," which may be planning to shoot a segment in the city when the weather improves.

He's also busy pursuing grant funding for the city's future projects, and he hopes that these awards will add a little clout to the city's project funding applications. "It may not mean anything," he says, "but it does show that we have done good projects with their money in the past."

For the \$4.5 million project, the city received \$3 million from the state Transportation Improvement Board, \$1 million from the Puget Sound Regional Council and \$280,000 from the state Department of Transportation.

The KPG design firm created all of the designs for the Main Street project, and Tri-State Construction was the main construction contractor. WH Pacific provided construction management services.

For more on the city's project, visit: http://www.duvallwa.gov/mainstreet_08/index_mainst.html or <http://www.apwa-wa.org/committees/Awards/@%20City%20of%20Duvall%20-%20Main%20Street.pdf>.

Last Updated on Monday, 14 June 2010 10:58



CITY OF PUYALLUP

Public Works Department
1100 39th Avenue SE
Puyallup, WA 98374

RECEIVED

JUN 09 2010

TIB

June 7, 2010

Mr. Stevan Gorcester
Executive Director
Transportation Improvement Board
505 Union Avenue SE, Suite 350
P.O. Box 40901
Olympia, WA 98504-0901

**Re: 9th Street SW – 39th Avenue SW to 450-foot South of 43rd Avenue SW
TIB# - 8-1-129(016)-1**

Dear Mr. Gorcester:

Thank you for all your help, support, and advice regarding Puyallup's attempt to purchase approximately 465 lineal feet of residential property in order to complete the installation of an 8-foot sidewalk. I wanted to update you on the current status of the project and provide a brief summary of the issue.

As part of the 9th Street SW Improvement Project, the City intended to purchase a 16-foot wide strip of property on the west side of the street. The property was needed to provide curb, gutter, sidewalk, and a utility easement for the relocation of overhead power poles. The City was successful in reaching an equitable settlement with all property owners for the project's needs except for 5 property owners. The City had a signed Possession and Use Agreement from each property owner.

On April 27th, just five days before the City was to enter arbitration, the property owners' attorney provided their final offer in the amount of approximately \$480,000. This was almost 500% higher than the City's appraisal. Council was advised on April 27th and the scheduled arbitration was cancelled. On May 11th Public Works made a formal presentation to Council seeking direction on the purchase of the property. In response to the presentation, the property owners on May 13th submitted a new offer to the City. Their offer had risen to approximately \$493,000 and consisted primarily of an increase in attorney fees. The issue was again discussed with Council on May 18th. Council directed Public Works to make one final attempt to settle the issue with the property owners.

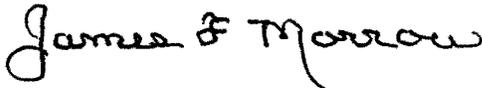
On May 20th the City presented the property owners with a new offer in the amount of \$240,378. For the purposes of settlement, this was a doubling of the City's

earlier offer. This offer was rejected by the property owners on May 25th who countered with an offer of \$352,585, plus the City was to reconstruct, at City expense (Estimated at \$15,000), four driveways. Council was again briefed on the situation. In order to accept the property owners' offer, the project's budget would need to be increased by over \$130,000. Therefore, the Council passed a resolution authorizing the termination of the property purchase.

The project has been redesigned. The only change to the original scope is the postponement of 465 lineal feet of sidewalk installation. All other aspects of the project: curb, gutter, drainage, and sidewalks on the east and west side, two travel lanes in each direction, and a center, left-hand turn lane have been accommodated. Please note that the original design included 2,300 lineal feet of 8-foot sidewalks and the redesign includes 1,835 lineal feet. The City will make every endeavor to complete the installation of the remaining sidewalk.

Again, thank you for your support and advice. If you have any questions, please call at your convenience.

Sincerely,

A handwritten signature in black ink that reads "James F. Morrow". The signature is written in a cursive style with a large, prominent initial "J".

James F. Morrow, P.E.
Public Works Director



Washington State Transportation Improvement Board
Project Activity Report

Reporting Period
 From 03/01/2010 to 05/31/2010

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
RTP Program							
7-5-188(009)-1	KELSO	2010 Pavement Overlay	Construction	CN	260,000	0	Director
						Total RTP Change	0
SCAP Program							
6-E-847(004)-1	CASHMERE	Division Street	Audit	CC FV AD	618,625	0	Director
6-E-924(005)-1	DAYTON	South Second St - Phase 2	Bid Award	BA	591,682	-146,318	Director
6-P-811(106)-1	EATONVILLE	SR-161 Corridor Project	Bid Award	BA	54,312	54,312	Director
6-E-879(003)-1	ELMER CITY	3rd Avenue	Bid Award	CN BA	450,859	-68,691	Director
6-E-910(003)-1	FARMINGTON	Third Street	Audit	FV AD	824,071	221	Director
6-P-820(002)-1	GRANITE FALLS	Stanley Street	Audit	CC AD	310,646	-25,890	Director
6-E-903(101)-1	KETTLE FALLS	Meyers Street	Audit	CC FV AD	19,731	-2,240	Director
6-E-897(004)-1	MEDICAL LAKE	Prentis Street	Bid Award	CN BA	345,312	-149,600	Director
6-W-959(004)-1	OCEAN SHORES	Point Brown Avenue	Audit	CC FV AD	1,751,190	0	Director
6-E-987(004)-1	OMAK	Boys Canyon Road	Audit	CC FV AD	718,802	0	Director



Washington State Transportation Improvement Board

Project Activity Report

Reporting Period
From 03/01/2010 to 05/31/2010

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
2-E-865(005)-1	SOAP LAKE	Division Street	Construction	CN	695,000	0	Director
Total SCPP Change						-20,494	
 SP Program							
P-P-114(P03)-1	BOTHELL	240th Street	Audit	CC FV AD	200,000	0	Director
P-W-006(P05)-1	CLARK COUNTY	NE 159th Street	Bid Award	CN BA	150,000	0	Director
P-P-811(P02)-1	EATONVILLE	Rainier Avenue	Audit	FV AD	103,508	0	Director
P-P-820(P01)-1	GRANITE FALLS	Alder Avenue	Audit	CC FV AD	99,275	0	Director
P-P-111(P01)-1	KIRKLAND	99th Place NE/100th Avenue NE	Audit	CC FV AD	78,065	0	Director
P-E-987(P01)-1	OMAK	Okoma Drive (SR 215)	Audit	CC FV AD	235,503	35,503	Director
P-E-916(P04)-1	PALOUSE	H Street	Audit	CC AD	129,143	14,545	Director
P-E-174(P03)-1	PASCO	Argent Road and Road 84	Contract Completion	CC	200,000	0	Director
P-W-150(P02)-1	PORT ANGELES	16th Street (Phase I)	Bid Award	BA	175,000	0	Director
Total SP Change						50,048	



Washington State Transportation Improvement Board
Project Activity Report

Reporting Period
 From 03/01/2010 to 05/31/2010

Project ID	Agency	Project Description	Current Phase	Phases	Total TIB Funds	Change in TIB Funds	Approval
8-4-171(008)-1	RICHLAND	Leslie Road	Audit	CC FV AD	1,470,000	0	Director
8-1-128(088)-1	TACOMA	South Tacoma Way	Audit	CC FV AD	112,591	0	Director
8-5-034(015)-1	THURSTON COUNTY	Yelm Highway	Bid Award	BA	3,900,000	0	Director
Total UAP Change						-1,906,882	

UCP Program

9-P-114(004)-1	BOTHELL	Bothell Way (SR 522)	Bid Award	BA	2,340,042	0	Director
9-W-006(024)-1	CLARK COUNTY	NE 72nd Avenue	Audit	CC FV AD	500,000	0	Director
9-P-802(002)-1	DUVALL	Main Street (SR 203)	Audit	CC FV AD	2,937,720	0	Director
9-W-195(008)-1	OLYMPIA	Harrison Avenue	Bid Award	BA	2,284,309	-2,112,391	Director
9-P-027(017)-1	PIERCE COUNTY	Canyon Road East	Construction	CN	5,500,000	0	Director
9-P-107(010)-1	REDMOND	NE 124th Street	Bid Award	CN BA	2,495,926	-674,274	Director
9-E-032(016)-1	SPOKANE VALLEY	SR 27/Mansfield Ave	Audit	CC FV AD	2,293,561	0	Director
9-P-116(011)-1	TUKWILA	Southcenter Pkwy Extension	Bid Award	CN BA	2,000,000	0	Director

Total UCP Change **2,786,665**

City of Lakewood

Bridgeport Way SW - Steilacoom Blvd SW to 83rd St SW

Contingency Restoration

\$734,300

Request for Restoration of Funds Staff Review
FY 2006 Urban Arterial Program (UAP)
TIB Project 8-1-199(009)-1

Board Meeting Date: June 25, 2010
Bid Award Target Date: May 2010

Project Information

Existing Conditions

The existing road consists of four travel lanes, a narrow gravel shoulder, and a rolled asphalt curb. Many objects in the clear zone force pedestrians into the traveled lanes.

Proposed Improvements

This project widens the roadway to accommodate a continuous two-way, left-turn lane and 14-foot wide outside lanes to accommodate bicycles. Other work will include a new traffic signal at 86th Street SW, curb, gutter and sidewalks, illumination, landscaping, and storm drainage improvements.

Funding Summary

	Original	Increase	New Total
TIB Funding	\$734,300	\$0	\$734,300
Lead Agency Funding	150,000	621,700	771,700
Public Funding	181,166	568,834	750,000
Private Funding	0	0	0
Totals	\$1,065,466	\$1,190,534	\$2,256,000

Discussion

This project was placed on the contingency list at the June 2009 Board Meeting. To restore this project to active status requires Board action. The city requests that the Board restore the project to active status.

The Board selected this project in November 2005. It was originally scheduled to start construction in summer 2006, but right of way issues and a significant funding shortfall resulted in the delay. In June 2009, the city had not completed right of way acquisition and did not have a commitment of full funding. Since June 2009, the city has obtained additional federal funds to fill the shortfall and acquired all right of way necessary for construction of the project.

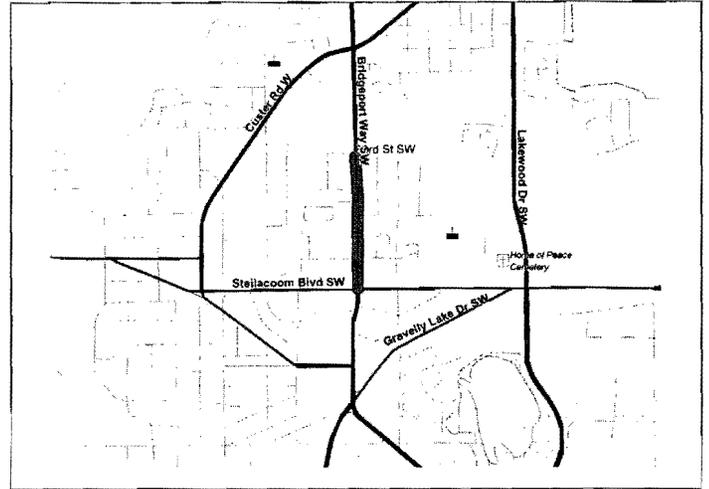
TIB staff met with the city on March 1, 2010 to assess readiness and the following steps have been completed:

- √ The city certified all local funds are available
- √ Plans, Specs and Engineer's Estimate are complete and submitted to TIB
- √ All permits have been acquired
- √ All agency approvals are complete
- √ The bid package is complete and the project is ready to advertise in June 2010
- √ The project award will not be delayed and the project will be under construction within 120 days
- √ Certification of right of way
- √ Obligation of federal funds

TIB staff completed a financial analysis with the demand for this project added into the financial model and determined there is sufficient financial capacity to recommend restoration of this project.

The city submitted the following project schedule:

Project advertisement: June 30, 2010
Contract Award: July 21, 2010
Construction Begins: August 10, 2010
Project Completion: June 30, 2011



Recommendation

Staff recommends returning the project to active status, authorizing \$734,300 in TIB funds for construction.



Reinstatement of Small City Match

June 25, 2010

BACKGROUND

At the March 2009 meeting, the board temporarily suspended the small city match program due to poor fiscal capacity and the lack of a consistent match funding policy. Since that time, fiscal capacity has improved, dropping from \$325 million in financial obligation to \$185 million, a decrease of 43%. In addition, WAC revisions addressing the small city match and clarifying match funding rules have been drafted.

STATUS

If approved, the WAC revisions will take effect on July 29, 2010. In the meantime, several projects are going to construction this summer and need matching funds prior to the effective July 29 date. Reinstating the small city match before the WACs are in effect allows the following cities to receive TIB matching funds.

Agency	Project Title	TIB Funds
Naches	Naches Avenue Overlay	\$37,597
Naches	Allen Road Reconstruction	\$85,838
Moxee	Postma Road Reconstruction	\$121,110
Sultan	Sultan Basin Road Phase III	\$382,939
Zillah	First Street Reconstruction	\$37,410
	TOTAL	\$664,894

RECOMMENDATION

Reinstate the small city match, allowing the cities listed above to receive matching funds and proceed to construction.



TIB 2011 Proposed Meeting Schedule June 26, 2010

BACKGROUND

House Bill 2617 was signed into law on March 29, 2010. Section 144 (5) of this bill encourages boards, commissions, and councils funded by sources other than the state general fund to reduce meeting costs.

Section 144

(5) Beginning July 1, 2010, through June 30, 2011, class three groups that are funded by sources other than the state general fund are encouraged to reduce travel, lodging, and other costs associated with conducting the business of the group including use of other meeting formats that do not require travel.

Additionally, the State Administrative and Accounting Manual (SAAM) has been revised to reflect new travel policies. Effective July 1, 2010 through June 30, 2011, all boards and commissions meeting in private facilities, whether at cost or no cost, must have approval from the Office of Financial Management.

STATUS

Board meetings have been reduced in the past, going from monthly meetings, to six annual meetings, and currently meeting five times per year. RCW 47.26.150 states that the TIB shall meet at least once quarterly, with discretion of the board to meet as necessary.

Three options are proposed: 1) continuing to meet five times per year; 2) reducing to four annual meetings in various locations; 3) holding all meetings, regardless of number, in Olympia.

OPTION 1: (5 Meetings per Year)

DATE	CITY
January 20-21*	Olympia
March 24-25	Mt. Vernon
June 23-24	Spokane
September 22-23	Richland
November 17-18**	Seattle

* Meeting date moved to THIRD Thursday & Friday of month due to mandatory agency closures.

** Meeting date moved to THIRD Thursday & Friday of month due to Thanksgiving.

OPTION 2: (4 Quarterly Meetings per RCW 47.26.150)

DATE	CITY
January 20-21*	Olympia
April 21-22	Spokane
July 21-22	Seattle
October 27-28	Walla Walla

* Meeting date moved to THIRD Thursday & Friday of month due to mandatory agency closures.

OPTION 3: (All meetings held in Olympia)

Meet either four or five times per year with the respective dates as listed above, but hold all meetings in Olympia.



Delayed Projects Report

June 25, 2010

BACKGROUND

TIB staff reports to the Board on all projects that missed the performance standard for reaching bid award. The standard includes Urban Corridor Program (UCP) projects not reaching bid award in 5½ years, Urban Arterial Program (UAP) projects not reaching bid award in 4½ years, projects in all other programs not reaching bid award in 2½ years, and all “construction only” projects not reaching bid award in 1 year.

When project delays are the result of environmental issues, right-of-way issues, changes in funding partnerships, funding shortfalls, or the public involvement process, TIB staff attempt to aid the agency in advancing the project. Since the implementation of the delayed project process in 2002, the number of delayed projects reported to the Board has decreased from 67 to 16 (see attached list).

Of the 16 delayed projects this year:

- 9 projects provided a schedule to the Board in September 2009
- 7 projects are being reported to the Board for the first time and will receive a letter from the Executive Director

Agencies that may need to appear before the Board have been involved in a three-year delayed projects process as outlined in WAC 479-05-250. Agencies with Stage 2 delay are required to submit an implementation plan that includes an anticipated bid award date. By the next reporting period, any agency that has not made progress toward construction is required to appear before the Board for consideration of any further extension of the project.

STATUS

The following summarizes the status of four projects that have missed their scheduled date:

- Spokane Valley - Park Road Grade Separation project has a significant funding shortfall. The city is seeking a federal earmark in the next federal transportation act.
- Tukwila - Klickitat Drive/Southcenter Parkway has resolved channelization and access control issues with WSDOT. The city is currently scheduled to advertise fall 2010.
- Vancouver - NE 18th Street (Stage 2) project has right of way issues and a significant funding shortfall. If additional funding can be secured, the project is planned for construction spring 2012.
- Yakima - Martin Luther King Jr. Boulevard project has completed design and right of way acquisition, but there is a significant funding shortfall. The city is seeking a federal earmark in the next federal transportation act.

TIB staff will continue working with these agencies to establish expected performance dates and to schedule appearances before the Board at subsequent meetings.

RECOMMENDATION

No Board action is required at this time.

Delayed Projects

Agency	Project Number	Funding Year	Current Phase	Project Name	Delay Stage	Total TIB Remaining Total
Battleground	P-W-948(P01)-1	2010	Design	E Main Street – NE Grace Ave to NE 14 th Court	1	94,686 94,686 134,265
Benton County	8-4-003(003)-2	2007	Design	I-82 Intertie Completion – SR 397 to Bowles Road	1	1,935,862 1,811,626 3,259,538
Bothell	9-P-114(005)-1	2010	Pending	SR 522 – Hall Rd to 102 nd Street NE	1	4,000,000 4,000,000 50,868,643
Burien	8-1-125(002)-1	2007	Design	1 st Avenue South – SW 140 th St to SW 146 St	1	4,269,458 3,867,001 5,511,843
Deer Park	6-E-894(008)-1	2009	Design	West H Street – SR 395 to S Main St	1	625,381 574,537 947,547
Kirkland	P-P-111(P02)-1	2009	Design	12 th Avenue – 6 th St to 110 th Ave	1	200,000 200,000 312,593
Walla Walla	P-E-176(P02)-1	2009	Design	Rainier Avenue S – 39 th Ave SW to 450 ^{ft} s/o 43 rd Ave SW	1	175,859 157,070 251,228
Woodland	6-W-954(003)-1	2009	Design	Schurman Way – Dike Access Rd to Guild Rd	1	500,000 443,419 1,030,679
Clark County	9-W-006(023)-1	2005	Design	I-5/Salmon Creek Interchange – Vicinity I-5/I 205 Junction	2	8,000,000 5,629,535 22,060,000
Pierce County	8-1-027(063)-1	2006	Design	112th Street E – 300' ft e/o Woodland Ave E to 86th Ave E	2	4,641,000 2,589,300 6,630,000
Spokane	8-3-165(082)-1	2008	Pending	Riverside Drive – Division Ave to Sherman Ave	2	1,950,000 1,950,000 2,626,629
Spokane Valley	8-3-208(002)-1	2008	Pending	Park Road Grade Separation – BNSF Railroad Crossing	2	2,000,000 2,000,000 16,520,000
Tukwila	9-P-116(012)-1	2008	Pending	Klickitat Drive/Southcenter Parkway – 600' s/o Strander Blvd to 400' n/o Nordstrom	2	5,000,000 5,000,000 18,088,000
Vancouver	8-5-184(036)-1	2008	Pending	NE 18 th Street – NE 112 th Ave to e/o Four Seasons Ln	2	1,924,000 1,924,000 6,500,000
Vancouver	8-5-184(036)-2	2008	Pending	NE 18 th Street – E/O Four Seasons Ln to NE 136 th Ave	2	1,776,000 1,776,000 11,000,000
Yakima	9-E-180(005)-1	2008	Pending	ML King Jr. Boulevard – N 1 st St to N 1 st Ave	2	1,500,000 1,500,000 19,590,000

 Indicates contingency project

United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations

**Signed on March 11, 2010 and announced March 15,
2010**

Purpose

The United States Department of Transportation (DOT) is providing this Policy Statement to reflect the Department's support for the development of fully integrated active transportation networks. The establishment of well-connected walking and bicycling networks is an important component for livable communities, and their design should be a part of Federal-aid project developments. Walking and bicycling foster safer, more livable, family-friendly communities; promote physical activity and health; and reduce vehicle emissions and fuel use. Legislation and regulations exist that require inclusion of bicycle and pedestrian policies and projects into transportation plans and project development. Accordingly, transportation agencies should plan, fund, and implement improvements to their walking and bicycling networks, including linkages to transit. In addition, DOT encourages transportation agencies to go beyond the minimum requirements, and proactively provide convenient, safe, and context-sensitive facilities that foster increased use by bicyclists and pedestrians of all ages and abilities, and utilize universal design characteristics when appropriate. Transportation programs and facilities should accommodate people of all ages and abilities, including people too young to drive, people who cannot drive, and people who choose not to drive.

Policy Statement

The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide — including health, safety, environmental, transportation, and quality of life — transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes.

Authority

This policy is based on various sections in the United States Code (U.S.C.) and the Code of Federal Regulations (CFR) in Title 23—Highways, Title 49—Transportation, and Title 42—The Public Health and Welfare. These sections, provided in the Appendix, describe how bicyclists and pedestrians of all abilities should be involved throughout the planning process, should not be adversely affected by other transportation projects, and should be able to track annual obligations and expenditures on nonmotorized transportation facilities.

Recommended Actions

The DOT encourages States, local governments, professional associations, community organizations, public transportation agencies, and other government agencies, to adopt similar policy statements on bicycle and pedestrian accommodation as an indication of their commitment to accommodating bicyclists and pedestrians as an integral element of the transportation system. In support of this commitment, transportation agencies and local communities should go beyond minimum design standards and requirements to create safe, attractive, sustainable, accessible, and convenient bicycling and walking networks. Such actions should include:

- Considering walking and bicycling as equals with other transportation modes: The primary goal of a transportation system is to safely and efficiently move people and goods. Walking and bicycling are efficient transportation modes for most short trips and, where convenient intermodal systems exist, these nonmotorized trips can easily be linked with transit to significantly increase trip distance. Because of the benefits they provide, transportation agencies should give the same priority to walking and bicycling as is given to other transportation modes. Walking and bicycling should not be an afterthought in roadway design.
- Ensuring that there are transportation choices for people of all ages and abilities, especially children: Pedestrian and bicycle facilities should meet accessibility requirements and provide safe, convenient, and interconnected transportation networks. For example, children should have safe and convenient options for walking or bicycling to school and parks. People who cannot or prefer not to drive should have safe and efficient transportation choices.
- Going beyond minimum design standards: Transportation agencies are encouraged, when possible, to avoid designing walking and bicycling facilities to the minimum standards. For example, shared-use paths that have been designed to minimum width requirements will need retrofits as more people use them. It is more effective to plan for increased usage than to retrofit an older facility. Planning projects for the long-term should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.
- Integrating bicycle and pedestrian accommodation on new, rehabilitated, and limited-access bridges: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths.
- Collecting data on walking and biking trips: The best way to improve transportation networks for any mode is to collect and analyze trip data to optimize investments. Walking and bicycling trip data for many communities are lacking. This data gap can be overcome by establishing routine collection of nonmotorized trip information. Communities that routinely collect walking and bicycling data are able to track trends and prioritize investments to ensure the success of new facilities. These data are also valuable in linking walking and bicycling with transit.
- Setting mode share targets for walking and bicycling and tracking them over time: A byproduct of improved data collection is that communities can establish targets for increasing the percentage of trips made by walking and bicycling.
- Removing snow from sidewalks and shared-use paths: Current maintenance provisions require pedestrian facilities built with Federal funds to be maintained in the same manner as other roadway assets. State Agencies have generally established levels of service on various routes especially as related to snow and ice events.
- Improving nonmotorized facilities during maintenance projects: Many transportation agencies spend most of their transportation funding on maintenance rather than on constructing new facilities. Transportation agencies should find ways to make facility improvements for pedestrians and bicyclists during resurfacing and other maintenance projects.

Conclusion

Increased commitment to and investment in bicycle facilities and walking networks can help meet goals for cleaner, healthier air; less congested roadways; and more livable, safe, cost-efficient communities. Walking and bicycling provide low-cost mobility options that place fewer demands on local roads and highways. DOT recognizes that safe and convenient walking and bicycling facilities may look different depending on the context — appropriate facilities in a rural community may be different from a dense, urban area. However, regardless of regional, climate, and population density differences, it is important that pedestrian and bicycle facilities be integrated into transportation systems. While DOT leads the effort to provide safe and convenient accommodations for pedestrians and bicyclists, success will ultimately depend on transportation agencies across the country embracing and implementing this policy.

Ray LaHood, United States Secretary of Transportation

APPENDIX

Key Statutes and Regulations Regarding Walking and Bicycling

Planning Requirements

The State and Metropolitan Planning Organization (MPO) planning regulations describe how walking and bicycling are to be accommodated throughout the planning process (e.g., see 23 CFR 450.200, 23 CFR 450.300, 23 U.S.C. 134(h), and 135(d)). Nonmotorists must be allowed to participate in the planning process and transportation agencies are required to integrate walking and bicycling facilities and programs in their transportation plans to ensure the operability of an intermodal transportation system. Key sections from the U.S.C. and CFR include, with italics added for emphasis:

- The scope of the metropolitan planning process "will address the following factors...(2) Increase the safety for motorized and *non-motorized users*; (3) Increase the security of the transportation system for motorized and *non-motorized users*; (4) Protect and enhance the environment, promote energy conservation, improve the quality of life..." 23 CFR 450.306 (a). See 23 CFR 450.206 for similar State requirements.
- Metropolitan transportation plans "...shall, at a minimum, include...existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, *pedestrian walkways and bicycle facilities*, and intermodal connectors that should function as an integrated metropolitan transportation system..." 23 CFR 450.322(f). See 23 CFR 450.216(g) for similar State requirements.
- The plans and transportation improvement programs (TIPs) of all metropolitan areas "shall provide for the development and integrated management and operation of transportation systems and facilities (including *accessible pedestrian walkways and bicycle transportation facilities*)." 23 U.S.C. 134(c)(2) and 49 U.S.C. 5303(c)(2). 23 CFR 450.324(c) states that the TIP "shall include ...trails projects, pedestrian walkways; and bicycle facilities..."
- 23 CFR 450.316(a) states that "The MPOs shall develop and use a documented participation plan that defines a process for providing...representatives of users of *pedestrian walkways and bicycle transportation facilities*, and *representatives of the disabled*, and other interested parties with reasonable opportunities to be involved in the metropolitan planning process." 23 CFR 450.210(a) contains similar language for States. See also 23 U.S.C. 134(i)(5), 135(f)(3), 49 U.S.C. 5303(i)(5), and 5304(f)(3) for additional information about participation by interested parties.

Prohibition of Route Severance

The Secretary has the authority to withhold approval for projects that would negatively impact pedestrians and bicyclists under certain circumstances. Key references in the CFR and U.S.C. include:

- "The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists." 23 U.S.C. 109(m).
- "In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations." 23 U.S.C. 217(e). Although this statutory requirement only mentions bicycles, DOT encourages States and local governments to apply this same policy to pedestrian facilities as well.

- 23 CFR 652 provides "procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects."

Project Documentation

- "In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in *pedestrian walkways and bicycle transportation facilities*) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year." 23 CFR 332(a).

Accessibility for All Pedestrians

- Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164).
- The DOT Section 504 regulation requires the Federal Highway Administration (FHWA) to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients (49 CFR §27.11). The FHWA Division offices review pedestrian access compliance with the ADA and Section 504 as part of their routine oversight activities as defined in their stewardship plans.
- FHWA posted its **Clarification of FHWA's Oversight Role in Accessibility** to explain how to accommodate accessibility in policy, planning, and projects.