



Special Transportation & Public Works Committee Meeting Agenda AGENDA

Tuesday, December 4, 2018
3:00 PM to 5:00 PM
SeaTac City Hall – Council Chambers

Councilmembers:
Peter Kwon, Chair
Rick Forschler
Pam Fernald

A quorum of the Council may be present

Staff Coordinators: Will Appleton, Public Works Director; Florendo Cabudol, City Engineer;

TIM E	TOPIC	PROCESS	WHO	TIME
1	Call to order		Chair	
2	Public Comment	Please raise your hand if you'd like to speak. Public comments are limited to 10 minutes total, 3 minutes per individual. Time may be reduced for each speaker in order to stay within the overall 10 minute time limit.	Chair	10
3	Sound Transit Development Agreement and Transit Way Agreement	Update/Action	Anita Woodmass	10
3	Right of Way Uses	Discussion/Action	Will Appleton	90
4	Adjourn	Adjourn Meeting	Chair	



MEMORANDUM

To: Transportation and Public Works Committee
Through: William Appleton, Public Works Director
From: Anita Woodmass, City Manager's Office
Date: 11/29/18
Subject: Sound Transit Agreements

Purpose:

Provide an update outlining the progress and proposed changes to the draft Development Agreement and Transit Way Agreement that were presented to Committee at its November 15, 2018 meeting.

No Committee Action Requested: At its November 15, 2018 meeting, the Committee forwarding the Development Agreement to a public hearing to be held at RCM December 11, 2018.

Background:

City and Sound Transit staff have been busy further negotiating the terms of the agreements since the November 15 briefing. This briefing will detail the following:

1. Provisions that have been further progressed;
2. Items that remain in progress; and
3. Next steps.



MEMORANDUM

To: Transportation and Public Works Committee
Through: William Appleton, Public Works Director
Date: 11/27/2018
Subject: Right of Way Uses

Purpose:

To discuss with the Committee, the various types of private uses that could be permitted within the public Right-of-Way (ROW) as well as maintenance responsibilities, as a starting point for the development of associated policies and code language to ensure consistency and predictability moving forward for City residents and businesses.

Background:

Public right-of-way is in most cases an easement in favor of a city or county for public travel and use over real property. While the city or county may not own the fee title to the underlying land, the city or county is responsible for maintenance, operations and oversight of the ROW within their jurisdiction for that purpose.

In many cases adjacent private property owners will knowingly construct improvements or place obstructions within the ROW; some examples include: signs, fences, paved parking, architectural boulders/rocks, and extensive landscaping. In other cases, because there is no clear demarcation between ROW and private property (water meters, power poles, and other utility appurtenances are only good for approximating the boundary between ROW and private property), property owners mistakenly construct improvements within the ROW thinking that they are located on their property. In all cases, it is the responsibility of the jurisdiction, specifically the Public Works Department within SeaTac, to manage all uses and improvements within the ROW to ensure safety, functionality and benefit for the traveling public. To do this in an effective and consistent manner moving forward, code language should be drafted and adopted that supports ROW policies and procedures designed to address improvements within the ROW (permitted, unpermitted, preexisting, etc.).

In addition to uses in the ROW, policies with respect to maintenance within the ROW need to be developed and captured in code for the same reasons. Specifically, policies regarding level of service and responsibilities of adjacent property owners need to be addressed.

Some of the questions/issues that should be considered ahead of the T&PW Committee meeting include but are not limited to:

ROW Use Related Questions/Issues:

- What level of risk (liability) is the city comfortable with?
- Once permissible ROW uses and associated policies have been adopted, should the City actively seek to correct all pre-existing, non-permissible ROW uses?
- Should unopened ROW be treated differently than opened ROW?
- Should the City actively pursue divesting of unopened and unneeded ROW?
- What improvements are acceptable within ROW **without** a revocable use permit?
- What improvements are acceptable within ROW **with** a revocable use permit?
- What improvements are allowed with a revocable ROW use permit?
- Should private concrete driveways and parking areas be allowed to protrude into the ROW?
- Should parking or driving behind the sidewalk be allowed in the ROW?

ROW maintenance-related Questions/Issues:

- Should property owners be responsible for sidewalk and curb/gutter abutting their property?
- Should property owners be responsible for upkeep of the landscape strip abutting their property (mowing, watering, etc.)?
- Should property owners/businesses be responsible for snow removal on sidewalks abutting their property?
- What should the City policy with respect to maintenance/removal of trees in the ROW be?

The goal for the meeting is to gather input from committee on these and other related questions to help inform staff in the development of the policies and supporting code to address these issues. Draft policies and code will be brought back to committee for review and recommendation. This work will be undertaken and completed in 2019.