

COMMISSION AGENDA

Item No: 7G

Meeting: 5/19/22

DATE: May 4, 2022

TO: Port Commission

FROM: Eric D. Johnson, Executive Director
Sponsor: Jason Jordan, Director, Environmental and Planning Services
Project Manager: Deirdre Wilson, Senior Planning Manager

SUBJECT: Interlocal Agreement (ILA) – East 11th Street Viaduct Demolition

A. ACTION REQUESTED

Request Port of Tacoma Commission authorization for the Port's Executive Director to enter into an Interlocal Agreement with the City of Tacoma for payment of up to \$3,500,000 toward the City's demolition of the East 11th Street Viaduct which crosses the West Sitcum Terminal.

This request is consistent with Resolution No. 2022-08-PT, Exhibit A, Delegation of Authority Master Policy, Paragraph IV.A.(1), states approval of an ILA with other public agencies requires commission authorization. And further, in Delegation of Authority Master Policy, Paragraph IV.B.(2), it states that if a project cost exceeds \$300,000 commission authorization is required.

B. SYNOPSIS

The City of Tacoma owned East 11th Street bridge and viaduct is currently unused and in disrepair, posing a threat to public health and safety. Port tenants have historically used the area beneath the viaduct for vehicle parking as well as access to and from the Port's international marine cargo terminal. The City determined that it is necessary to remove the viaduct structure and began such work under an emergency declaration the week of March 28, 2022.

The City has requested the Port to contribute to the costs of the demolition project. The Port recognizes the benefit to public safety and international marine cargo terminal operations which will result from removal of the viaduct, and desires to contribute to the City's project, while securing legal rights for the Port's continued future use of the City's rights of way.

The demolition project, the subject of the ILA, includes removing only the viaduct portion of the East 11th Street bridge and viaduct, from the west side of Stewart Road to the landing east of Milwaukee Way and installing a catchment under the bridge over the Tribal fisheries access as referenced in Land Claims Settlement Agreement (Technical Document 4, pg 23, sec C.2). The purpose of the Project is to improve public safety. The City hopes to complete the demolition project this July.

C. BACKGROUND

2014: The East 11th Street Bridge over the mouth of the Puyallup River has been closed since July 18, 2014, due to structural deterioration in both the river span and the approach viaduct on the Central Peninsula. Both structures are continuing to deteriorate, and their concrete is subject to spalling. The bridge is about the same vintage as the Fishing Wars Memorial Bridge: It was built in 1930.

2018: The City led a high-level conceptual corridor study to better understand the role of the Bridge in improving freight and personal mobility and serving as an evacuation and emergency access route. Specific location and details on the design of a replacement require additional review and decision-making. The City's transportation improvement program (TIP) acknowledges a need for both design and construction, but these items are currently unfunded. The corridor study estimated replacement of the viaduct and bridge at approximately \$150 million, per the 2019 TIP.

2021: The Port authorized a Traffic Study, with a freight focus, for the Tideflats. This study will provide the Commissioners with information for current roads in the Tideflats and will include special focus on the East 11th Street corridor. Results of this study will be available mid-2022.

2022: The City declared the condition of the East 11th Street viaduct an Emergency on February 28th due to public safety concerns. Demolition began in March. The project was expedited by using a construction company and crew that was just finishing up work nearby on the Interstate 5.

D. INTERLOCAL AGREEMENT DETAILS

In the ILA, the Port agrees to reimburse the City up to \$3,500,000 toward the City's Project costs incurred in excess of \$3,000,000, with an additional amount up to \$500,000 available in 2023 if the cost of demolition exceeds \$6,000,000. For costs incurred after that point, the City shall submit project invoices accompanied by an itemized explanation of the charges for reimbursement within sixty days after such invoices are issued. The Port, or its designee, shall review invoices and make an appropriate payment to the City within thirty days.

Pursuant to city code, the Port will need to apply for a Right of Way Occupancy Permit (ROCC) from the city for continued use of the land below the viaduct. The city will charge the port an annual fee for the right-of-way use permit following issuance (10% of land value). However, unlike a traditional ROCC, the Port will be granted a 20-year term during which the City agrees to annually renew the permit.

The City agrees that if requested by the Port, the City will accept use of existing Port credit for payment of the annual permit fee, with a present balance of \$7,990,417, pursuant to Interlocal Agreement, Supplement & Amendment to Alexander Avenue Agreement, Auditor File No. 200812310923, signed on January 6, 2009, until the existing credit funds are exhausted. The Port may also use the same funds toward acquisition of the property through right-of-way vacation, if the Port chooses to do so.

E. PORT BUDGET

The \$3,500,000 cost to the Port for this project was not included in the Port’s 2022 budget, as the project was uncertain when the 2022 budget was adopted. The project was noted for the first time in the 2022 budget adoption presentation. The Port’s cost for the project is being added to the Port’s Capital Investment Plan (CIP), with \$3,000,000 in 2022 and \$500,000 in 2023.

F. CITY PROJECT DETAILS

The project includes removal of the 11th Street viaduct from Stewart Road to the landing east of Milwaukee Avenue. Column footings from the viaduct will be removed to the extent it is feasible without exceeding the budget. The City will work with the Port to prioritize footings for removal. The project also includes the installation of a debris catchment above the existing boat launch utilized by the Tribe. The work will be completed in two phases.

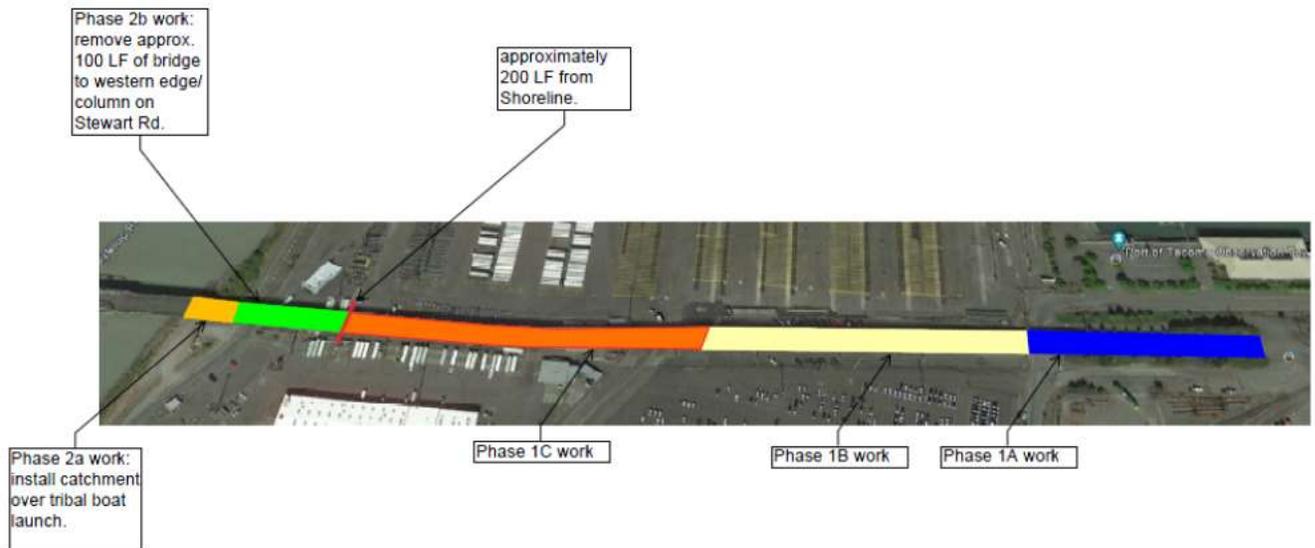
Phase 1 – Removal of 1,920 feet of viaduct. This portion of work is broken down into approximately 3 phases of work (additional phases may be added to shorten the area demolished depending on coordination with the Port and tenant (SSA):

Phase 1A – removal of 459 feet of viaduct from the landing to Milwaukee Avenue.

Phase 1B – removal of 538 feet of viaduct over the parking areas.

Phase 1C – removal of 923 feet of viaduct over the remainder of area used as storage and access.

Phase 2 – Remove approximately 100 feet of viaduct to western edge of column on Stewart Road and install of debris catchment over the boat launch and removal of 160 feet of viaduct.



G. PRIOR RELATED COMMISSION ACTIONS AND BRIEFINGS

Date	Briefing / Action	Amount
July 21, 2022	Transportation Advocacy Briefing	N/A
September 17, 2021	Transportation Update Briefing	N/A
October 22, 2020	Transportation Update Briefing	N/A
December 20, 2018	Transportation Update Briefing	N/A
September 21, 2017	Commission Authorization of ILA for Corridor Study (total cost of study was \$135,000)	\$25,000.00

H. ATTACHED DOCUMENT

Proposed Interlocal Agreement (ILA) between City of Tacoma and the Port of Tacoma regarding the East Eleventh Street Viaduct Demolition Project.

I. NEXT STEPS

If authorized by the Commission, the Executive Director will execute the ILA with the City of Tacoma. The Port will also submit an application for a Right-of-Way Occupancy Permit (ROCC) to allow for continued use of the City right-of-way beneath the viaduct. The Tacoma City Council is expected to act on the ILA after Port Commission approval.