

CITY OF BLAINE
REQUEST FOR COUNCIL ACTION
MEETING DATE: July 27, 2020

SUBJECT: Revising the 2020 Legislative Agenda

DEPARTMENT: City Manager

PREPARED BY: _____
(Digital Signature)

AGENDA LOCATION: Consent Agenda Council Action Unfinished Business

ATTACHMENTS:

1. Edited Legislative Agenda – Redlined to show changes
2. Resolution 1826-20 – Revising the 2020 Legislative Agenda
3. Association of Washington Cities 2020 Legislative Priorities

BACKGROUND/SUMMARY:

The 2020 legislative agenda was adopted by the City Council in October 2019. It includes five items.

1. A request for \$650,000 of additional funds to support the right-of-way acquisition for Bell Road/Peace Portal Drive/Exit 274 grade separation.
2. A request for \$3.1 million for reconstruction of Marine Drive.
3. A request for \$750,000 to fund Phase 2 of the Marine Park Shoreline Reconstruction.
4. Support for local transportation funding options, specifically including an option for a second “penny per gallon” tax for border communities.
5. Support for a local share of fish landing taxes collected by the State.

For the Bell Road intersection, we were seeking additional funds to acquire right-of-way for the grade separated rail overpass for Blaine. This is would have supplemented funds already received for the project. We were unable to obtain the funding during the legislative session, and new information is available that substantially impacts the likelihood of success with this project.

With the already acquired funds, WSDOT has been designing the proposed overpass and intersection improvements. The result of the design effort indicates there are challenges that make the grade separated intersection infeasible. The primary challenge is that the slopes that need to be built to reach the height needed to pass over the railway are very steep (9% slope), this leads to the need to extend the approach ramps to accommodate gentler road slope. Extending the approach ramps cause other challenges including a need to raise the deck on the Dakota Creek Bridge and blocking access to driveways in the area. Raising the bridge deck would trigger a full reconstruction of the bridge due to its age and weight capacity. Blocked driveways would result in creating frontage roads, consuming more property, and possibly closing businesses. Finally, the soil types in the area would require a pile-supported foundation to hold the very heavy overpass in place. These factors of design cause the project to become significantly more expensive, and more impactful than initially expected. Although a cost estimate has not been prepared, rough cost evaluation indicates the cost could increase by tens of millions of dollars. In the current transportation funding environment, that level of cost makes the project very unlikely to receive the necessary funding.

The WSDOT design effort has included evaluating a range of alternatives. One of these alternatives is an at-grade, signalized intersection with by-pass lanes. This project would allow traffic on Peace Portal Drive to flow during a train delay, and it would allow the traffic on Bell Road to flush through

the intersection efficiently when the crossing reopens after a train clears. This alternative is less desirable than a grade separation, but it would be a dramatic improvement over the existing condition. It also does not preclude a grade separation at some time in the future.

Staff is working regularly with WSDOT to move the project forward, and the Mayor, City Manager and our consulting lobbyists are coordinating with our state legislators. As discussed above, we have reached a decision point where we need to address whether we continue to pursue a project that has significant design and cost challenges, or we pursue a less desirable alternative that is feasible and due to lower cost could be constructed with regularly available transportation grant funds.¹ The estimated cost of the intersection has not been calculated (because it has not been designed), but it is expected to be in the range of \$3 million to \$4 million. The grade separation effort has approximately \$1.2 million remaining. If the grade separation money can be used for the signalized intersection, we are already a long way towards acquiring the necessary funds.

Staff is seeking support from the City Council to change direction on the project. We believe it is advantageous to pursue the at grade intersection, and we believe it is advantageous to use the remaining funds to build the possible project rather than design and plan the infeasible project. Certainly this is a less than ideal outcome, but it is far improved over the existing situation.

We have prepared a revised 2020 Legislative Agenda for Council consideration. The revised legislative agenda outlines a new position for the City. With this in hand, staff, the Mayor, and our lobbyists can advocate for the alternative solution. It will make the City's position clear to our District 42 legislators and WSDOT. It will help our legislators support us in securing funding for the project.

No other aspects of the 2020 Legislative Agenda are proposed for revision.

BUDGET IMPLICATIONS: In Current Budget New Request Non Budgetary

There are no financial impacts associated with amending the legislative agenda.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution 1826-20, adopting the City of Blaine's revised 2020 Legislative Agenda.

REVIEWED BY:

City Manager _____ Finance Director _____ City Clerk _____
(Digital Signature) (Digital Signature) (Digital Signature)

¹ The project has potential to be funded through TIB (Transportation Improvement Board) grant funds. We have already secured funds for lane improvements that we may be able to redirect to the signal project.

City of Blaine
2020 Legislative Priorities
Updated July 2020

~~Grade Separation at Blaine Road (SR 548)~~Addressing Train/Vehicle Delays at Bell Road (SR 548)

~~Blaine-Bell~~ Road (SR 548) connects the communities of Birch Bay and Semiahmoo to downtown Blaine and Interstate-5. There are serious local traffic delays on this roadway caused by the Vehicle and Cargo Inspection System (VACIS). The VACIS is operated by US Homeland Security to monitor goods leaving or coming into United States from Canada. Cargo trains going through the VACIS move very slowly, and block traffic across ~~Blaine-Bell~~ Road (SR 548). This traffic backs up on to Interstate 5 at Exit 274. A grade separated crossing over the train tracks will is the ideal solution to address this congestion, enhance public safety, connect Blaine with Birch Bay and Semiahmoo, promote economic development, and support the movement of goods into and out of the United States. However, evaluation of the project has uncovered significant engineering challenges, local access issues, and an unexpectedly high construction cost. Based on WSDOT evaluation of alternatives, the City supports construction of an at-grade, signalized intersection with channelization improvements (bypass lanes) to improve traffic flow and reduce delays.

The City of Blaine advocated for WSDOT to receive \$1.550 million in state transportation funds to engineer and design a grade separation project at ~~Blaine-Bell~~ Road (SR 548). Of the \$550,000 that WSDOT plans planned to spend \$550,000 to achieve 30% design by mid-2020, approximately \$200,000 remains after the alternative analysis and signal analysis was completed. The remaining \$1 million in state rail funding will- was planned for be used to acquire right-of-way acquisition. An additional \$650,000 in needed to fully fund right of way acquisition so that the project can be construction ready. We support the use of the remaining allocated funds for design and construction of the at-grade alternative.

~~As the state develops the next round of transportation investments, the City of Blaine respectfully requests that construction funds be allocated. The proposed Forward Washington package introduced in the Senate in 2019 included \$24 million as a placeholder. As design is completed, this funding amount will need to be updated.~~

Marine Drive Reconstruction Project

The City of Blaine and the Port of Bellingham request \$3.1 million in transportation funding to reconstruct Marine Drive. The easternmost section of Marine Drive has been closed to vehicle traffic since 2015. This segment of road serves as access to Jorgensen Public Pier and is a component of the breakwater for Blaine Harbor. Access to adjacent fish processing industries has been compromised due to the road closure. The City and the Port of Bellingham are coordinating on an effort to reconstruct the roadway to ensure access to the pier and protection of the harbor. Under the proposed project, a new truck-compatible roadway will

serve the industrial shipyard. A single vehicle lane, a bike/ped lane, and a bulkhead will continue for the final 300 feet to provide access to the public pier.

Marine Park Shoreline Restoration and Naturalization Phase II

The City of Blaine requests \$750,000 in capital funding for Phase II of the Marine Park Restoration and Naturalization project. The public beach at Marine Park has concrete rubble, broken asphalt and garbage at the water's edge, impeding public access to the water and polluting Semiahmoo Bay. With the help of a \$50,000 grant from the Washington State Department of Ecology's Coastal Protection Program, the City completed Phase I in 2015 that restored 400-feet of shoreline by installing sand, gravel cobbles, and shoreline plants. The result was a clean enhanced public shoreline. The City has been able to make the Phase II of the project shovel ready through grant assistance from the Rose Foundation. Phase II would allow the City to continue the removal of debris. As the only publicly accessible beach on the east side of Drayton Harbor Blaine residents rely heavily on the site for water access. Marine Park Playground and walking trails attract residents from the County and beyond – this project will enhance access to the water for many.

Local Transportation Revenue

Cities throughout the state lack financial resources to adequately maintain and operate the city-owned transportation system. The City of Blaine asks that the state provide increased local funding tools to meet city transportation needs. As a border community, the City of Blaine is unique from other communities. Visitors from Canada frequently travel into the City of Blaine and utilize Blaine's infrastructure without contributing to the tax base. To address this, the state previously authorized border communities to impose a "border gas tax" with voter approval. The City of Blaine, Sumas and Nooksack have utilized this authority. One option to increase local funding tools to meet city transportation needs would be to authorize these communities to increase the border gas tax by another cent.

Fish Landing Shared Revenue

The City of Blaine is home to marinas and harbors and recognizes that landed food fish are important to the City's local economy. Washington State currently imposes a small tax on enhanced food fish revenue in such communities, but does not share this local revenue with the impacted municipalities. The City of Blaine supports the City of Westport and the Association of Washington Cities' effort to change statute and require that 75% of the revenue from the state landing fee is shared with the municipalities that house such facilities. The City sees a need to develop infrastructure in and around its own port, and sees a viable use for these funds, should the Legislature choose to enact this proposal.

The City of Blaine supports the legislative priorities of the Association of Washington Cities.

RESOLUTION NO. 1826-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLAINE, WASHINGTON, ADOPTING THE CITY OF BLAINE'S
REVISED 2020 LEGISLATIVE AGENDA.**

WHEREAS, efforts of representation on behalf of the City of Blaine to influence, affect or guide the passage of legislation in the Washington State legislature are enhanced by a comprehensive package of priorities that have been officially adopted by the City Council pursuant to this resolution; and,

WHEREAS, ongoing work by the Washington State Department of Transportation and the City of Blaine to find a solution to the regional traffic issue at the Bell Road/Peace Portal Drive/Burlington Northern Railroad intersection has uncovered unexpected challenges and evaluated alternative solutions; and,

WHEREAS, the City of Blaine City Council supports a solution to the ongoing issue that is viable, cost-effective, and offers relief to the citizens of the Blaine-Birch Bay area.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Blaine, Washington, adopts the attached revised City of Blaine 2020 Washington State Legislative Priorities as the position of the City of Blaine on the items stated therein.

PASSED BY THE CITY COUNCIL OF BLAINE, WASHINGTON, on the 27th day of July, 2020, and approved by the Mayor on the same day.

CITY OF BLAINE, WASHINGTON

Bonnie Onyon, Mayor

ATTEST/AUTHENTICATE:

Samuel Crawford, City Clerk



CITY OF BLAINE 2020 LEGISLATIVE AGENDA Revised July 2020

Addressing Train/Vehicle Delays at Bell Road (SR 548)

Bell Road (SR 548) connects the communities of Birch Bay and Semiahmoo to downtown Blaine and Interstate-5. There are serious local traffic delays on this roadway caused by the Vehicle and Cargo Inspection System (VACIS). The VACIS is operated by US Homeland Security to monitor goods leaving or coming into United States from Canada. Cargo trains going through the VACIS move very slowly, and block traffic across Bell Road (SR 548). This traffic backs up on to Interstate 5 at Exit 274. A grade separated crossing over the train tracks is the ideal solution to address this congestion, enhance public safety, connect Blaine with Birch Bay and Semiahmoo, promote economic development, and support the movement of goods into and out of the United States. However, evaluation of the project has uncovered significant engineering challenges, local access issues, and an unexpectedly high construction cost. Based on WSDOT evaluation of alternatives, the City supports construction of an at-grade, signalized intersection with channelization improvements (bypass lanes) to improve traffic flow and reduce delays.

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2020

Legislative Session City Priorities & Outcomes

The 2020 Legislature addressed AWC's priorities, resulting in both pros and cons for cities. Cities achieved many positive outcomes, but work remains to prepare for next session.



Adopt a comprehensive set of transportation policies that provide robust new resources and local options

PRO: Passed a supplemental transportation budget that provides funding for projects previously paused by the Governor. The Legislature balanced the budget largely through one-time measures, including reductions based on historical underspending. Although the Transportation Improvement Board (TIB) appropriations were reduced by \$9 million, this was a more modest reduction than what could have occurred.

CON: Failed to pass **HB 2362** and **SB 6652** creating additional local government transportation revenue options.



Preserve city fiscal health with secure funding sources

PRO: Maintained funding in state-shared revenues for Liquor Profits, Liquor Taxes, Cannabis Taxes, Municipal Criminal Justice Assistance, Fire Insurance Premium Taxes, and City-County Assistance.

CON: Adopted a new unfunded cost-of-living increase for PERS 1 retirees that will increase city pension costs.

CON: Did not consider revising the 1% property tax cap for cities.



Continue to pursue new resources and policies to increase affordable housing at both the state and local level

PRO: Passed **HB 1590** to provide councilmanic authority for cities to raise a 1/10th of a cent sales tax to address housing affordability.

PRO: Passed **HB 2343** to expand incentives for cities to adopt voluntary housing and development streamlining policies through grants and legal support.

PRO: Passed amendments to clarify **HB 1406** from the 2019 session and extended the timeline to adopt a qualifying local tax.

PRO: Preserved local land use authority around housing.

PRO: Invested \$160 million in affordable housing and homelessness.

CON: Failed to pass a comprehensive expansion of the Multifamily Tax Exemption program.



Fully fund the Public Works Trust Fund (PWTF)

PRO: Passed supplemental budgets that did not sweep any additional funds out of the PWTF.

CON: Continued diversions and sweeps from the PWTF that were adopted in the 2019 session.

more outcomes on back 

Contact:

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Advance a watershed-based strategic plan to address local fish-blocking culverts along with state culverts

PRO: All three state supplemental budgets have elements that support a more expansive vision by the state to address fish passage, including strategic investment support for cities. This will inform the larger funding conversation by the state next session.



Create a tax increment financing (TIF) option for cities

CON: Failed to pass **HB 2804** reopening the Local Revitalization Financing program for new project funding.

CON: Failed to pass **HB 2778** and **HJR 4212** allowing for property tax-based TIF.



Support statewide medication assisted treatment (MAT) services in city and regional jails by providing local flexibility

PRO: Received funding for a study to develop a scalable model to implement MAT in city and regional jail facilities. Report due in November 2020.

PRO: Passed **HB 2642** prohibiting insurers from requiring prior authorization for residential substance use disorder treatment services or withdrawal management services.

PRO: Passed **SB 6086** allowing a pharmacy's license of location to be extended to a registered remote dispensing site to dispense medications for opioid use disorder.

CON: Failed to pass **HB 2438** imposing an impact fee on opioid manufacturers to fund treatment and prevention of opioid misuse and abuse.

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