



Legislation Details (With Text)

File #: RES-38638 **Version:** 1 **Name:** BNSF Railway Company
Type: Resolution **Status:** Adopted
File created: 3/5/2013 **In control:** City Council
On agenda: 3/5/2013 **Final action:** 3/5/2013
Title: Resolution No. 38638
Sponsors:
Indexes:
Code sections:
Attachments: 1. RES-38638.pdf

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Req.#13486

RESOLUTION NO.

1 A RESOLUTION relating to real property; authorizing the execution of a Real
2 Estate Donation Agreement for the purpose of creating a non-motorized
3 trail link along the Prairie Line railroad right-of-way in the downtown
4 area of Tacoma and an Exchange Agreement memorializing the
5 reciprocal grant of various easements, both with the BNSF Railway
6 Company.
7 WHEREAS the Prairie Line railroad right-of-way, owned by BNSF Railway
8 Company ("BNSF"), traverses downtown Tacoma between approximately
9 South 15th and South 26th Streets, and
10 WHEREAS, given its unique and strategic location, the Prairie Line right-of-
11 way provides an opportunity to further enhance the downtown area by enabling a
12 non-motorized trail link connecting Dock Street and Thea Foss Waterway, the
13 University of Washington-Tacoma, downtown amenities, and a future opportunity to
14 tie into the Water Ditch Trail along South Tacoma Way, and
15 WHEREAS, once fully funded and constructed, the trail will be a source of
16 enjoyment and improved mobility for years to come, and
17 WHEREAS under the Real Estate Donation Agreement, BNSF will donate to
18 the City a strip of property, generally 20-feet wide, located within the Prairie Line
19 (Hood Street) right-of-way, approximately between South 15th and South 26th
20 Streets; and will convey to the City an 80-foot wide right-of-way between
21 South 23rd and South 25th Streets, and at street intersections, and
22 WHEREAS, under the Exchange Agreement, the City will permanently close
23 the street crossing of BNSF's right-of-way in the area commonly referred to as
24
25

"A" Street in the vicinity of East 22nd and Dock Streets, and BNSF will authorize
26

Res13486.doc-JHC/bn

40

construction of a future pedestrian overpass in a mutually agreed-upon location
between "A" and East "D" Streets, and

[10] 3| WHEREAS BNSF has obtained final approval from the U.S. Surface
[10] 3|

4 Transportation Board ("STB") to cease rail operations and abandon and convey the

5 Prairie Line property, which line is now abandoned; Now, Therefore,

6 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

7 That the proper officers of the City of Tacoma are hereby authorized to enter

[10] 3| into the Real Estate Donation Agreement and Exchange Agreement with BNSF
[10] 13|

10 Railway Company for the purposes hereinabove enumerated, said documents to be

11 substantially in the form of the proposed agreements on file in the office of the City

12 Clerk.

13 Adopted MAR 5 2013
14

15 Mayor

16 Attest:

17

18

19 City Clerk

20 Approved as to form:

21

22 Deputy AitMtorney

23

24

25

26

1i Res13486.doc-JHC/bn

CITY CLERK USE ONLY

Tacoma REQUEST FOR
FJORDINANCE MRES0LUTRffC,--JVfZr

Request

1. DATE: February 6, 2013

2. SPONSORED BY: COUNCIL MEMBER(s) N/A

CITY CLERK'S OFFICE

3a. REQUESTING DEPARTMENT/DIVISION/PROGRAM
Community & Economic Development

4a. CONTACT (for questions):
Martha Anderson

PHONE:
253-591-5207

3b. "Do PASS" FROM
F_@ Yes
F-1 No
F@ To Committee as information only
Z Did not go before a Committee

4b. Person Presenting:
Martha Anderson

PHONE:
253-591-5207

3c. DID THIS ITEM GO BEFORE THE
PUBLIC UTILITY BOARD?

4c. ATTORNEY:

PHONE:

F-1 Yes, on Jeff Capell 253-591-563

Z Not required

N/A

D@eparftn@ent Dhl%lty Division Budget Officer/Finance Director

5. REQUESTED COUNCIL DATE: March 5, 2013

(If a specific council meeting date is required, explain why; i.e., grant application deadline, contract expiration date, required contract execution date, public notice or hearing required, etc.)

6. SUMMARY AGENDA TITLE: (A concise sentence, as it will appear on the Council agenda.)

Authorizing approval of the Donation Agreement and the Exchange Agreement between the City of Tacoma and the BNSF Railway Company.

7. BACKGROUND INFORMATION/GENERAL DISCUSSION: (Why is this request necessary? Are there legal requirements? What are the viable alternatives? Who has been involved in the process?)

The Prairie Line railroad right-of-way, owned by BNSF Railway, traverses downtown Tacoma between approximately S. 26th St and S. 15th St. Given its unique and strategic location, the Prairie Line right-of-way provides a opportunity to further enhance the downtown by enabling a non-motorized trail link connecting Dock St. and Thea Foss Waterway, the University of Washington-Tacoma, downtown amenities, and a future opportunity to tie into the Water Ditch Trail along South Tacoma Way. Once fully funded and constructed, this Trail will be a source of enjoyment and improved mobility for years to come.

Under the Real Estate Donation Agreement, BNSF will donate to the City a strip of property, generally 20 feet wide, located within the Prairie Line (Hood Street) right-of-way (map attached), between S. 15th St. and approximately S. 26th Street. BNSF will convey to the City, a 80' wide right of way between S. 23rd and S. 25th Streets and at street intersections.

Under the Exchange Agreement the City will permanently close the crossing of BNSF's right of way on "A" Street and at E. 22nd Street at Dock Street. BNSF will authorize expansion of an existing bridge structure at S. 15th St. and will authorize construction of a future pedestrian overpass in a mutually agreed location between "A" and "East V Streets. BNSF and the City agree to explore potential future exchanges of BNSF remnant properties to be used by the City for streetscape and other park-like amenities in the vicinity of S. 17th St. and Hood St. and Pacific Avenue BNSF has obtained final approval from the U.S. Surface Transportation Board ("STB") to cease rail operations and abandon and convey the Prairie Line Property. The line is now effectively abandoned.

d2

CITY CLERK USE ONLY

REQUEST (CONT)

Request

Ord/Res (0:6 3 8

8. LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:

Source Documents/Backup Material	Location of Document
Exchange Agreement	City Clerk's Office
Real Estate Donation Agreement	City Clerk's Office

9. WHICH OF THE CITY'S STRATEGIC GOALS DOES THIS ITEM SUPPORT? (CHECK THE GOAL THAT BEST APPLIES)

- A. A SAFE, CLEAN AND ATTRACTIVE COMMUNITY
- B. A DIVERSE, PRODUCTIVE AND SUSTAINABLE ECONOMY
- C. A HIGH-PERFORMING, OPEN AND ENGAGED GOVERNMENT

10. SUSTAINABILITY: IN WHAT WAYS HAVE YOU CONSIDERED THE CITY'S SUSTAINABILITY PRIORITIES?

Environment: How does this decision impact regional and local ecological well-being?

The regional development plan, VISION 2040, addresses its ecological well-being goals by seeking to focus new growth in "regional Growth centers" and in "Regional Manufacturing/Industrial Centers", rather than allowing it to sprawl across agricultural, forest lands, and critical areas. This proposal advances this initiative by facilitating the reuse of existing industrial lands, lands originally developed for railroad purposes and centrally located in the Tacoma Downtown Regional Growth Center.

Equity: How does this decision promote meeting basic needs and equitable access to opportunities for all city residents?

This Proposal is central to the City's Downtown redevelopment strategy: it provides an opportunity for a future bike and pedestrian trail that will link key housing, commercial, and educational sites and thereby encourage new strategic investments. Its non-motorized focus and links to existing transit opportunities will promote equitable access to opportunities for all City residents.

Culture: How does this decision impact culture (arts, innovation, heritage, and recreation) and quality of life for all citizens?

This proposal ties together existing and proposed cultural and educational facilities and provides a coordinated approach to improving the quality of life for all citizens, particularly those living and working Downtown.

Economy: How does this decision impact the local economy? What are the significant financial costs/benefits?

This proposal will facilitate the development of new housing, educational, job opportunities in Downtown Tacoma. The site development costs are anticipated to be grant funded and the benefits will be to the tax base and local employment.

43

REQUEST (CONT) CITY CLERK USE ONLY
Request 13 yX0
'r.8638
Ord/Res

11. IF THIS CONTRACT IS FOR AN AMOUNT OF \$200,000 OR LESS, EXPLAIN WHY IT NEEDS LEGISLATIVE APPROVAL:
Not applicable.

12. FINANCIAL IMPACT: E-1 EXPENDITURE FJ REVENUE

- A. EI No IMPACT (NO FISCAL NOTE)
 - B. D YES, OVER \$ 1 00,000, Fiscal Note Attached
 - C. 0 YES, UNDER \$ 1 00,000, (NO FISCAL NOTE)
- Provide funding source information below:

FUNDING SOURCE: (Enter amount of funding from each source)
Fund Number & Name: State \$ city \$ Other \$ Total Amount

If an expenditure, is it budgeted? EI Yes EI No Where? Cost Center:
Acct

44

I
@S S 3 8

'T,

B

'-14TH

Legend

Prairie Line (Tacoma)

all

Prairie Line (UWT)

,1,11,@ IV

Easement Area

0

Ilk

p

Closure Area

R-
-%INBORN-

jr,

VW

q

air

J,

VAR

4

J

"Z

@4,

-A,

7

zy

-A.

@'UW Tacoma.' 4@ U-1

'T

Z

@4,

U

A

F J0

4

1

M

4



Prairie Line

City of Tacoma

This drawing is neither a LegaRy recorded map nor a survey and is not intended to be used as one. It is to be used for reference purposes only.

0 0.055 0.11
miles Tacoma

File Name: \\geobase-win\ced\GADS\R2012\R320\PraideLine Trail.mxd

4 5

Author: City of Tacoma Community & Economic Development Department / GIS Analysis & Data Services
Date: January 28, 2013

Resolution No. 6 38
Adopted: MAR 5 2013
Maker of Motion:
Seconded:

Voice Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Boe	.7			
Mr. Campbell	VI"			
Mr. Ibsen				
Mr. Lonergan				
Mr. Mello				
Mr. Thorns				
Ms. Walker				
Ms. Woodards				
Mayor Strickland				

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT-
Mr. Boe				
Mr. Campbell				
Mr. Ibsen				
Mr. Lonergan				
Mr. Mello				
Mr. Thoms				
Ms. Walker				
Ms. Woodards				
Mayor Strickland				

MccagenMagenda procedures and forms\resolutionvotingrecord.doc