



# CITY OF LAKE FOREST PARK

## CITY COUNCIL

### AGENDA COVER SHEET

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<b>Meeting Date</b>	November 7, 2024
<b>Originating Department</b>	Executive
<b>Contact Person</b>	Phillip Hill, City Administrator
<b>Title</b>	Resolution 24-1979/Authorizing the Mayor to sign the Retaining Wall Maintenance and Replacement Agreement between the Washington State Department of Transportation and the City of Lake Forest Park

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#### Legislative History

- First Presentation – October 24, 2024, Regular City Council Meeting
  - Second Presentation – November 7, 2024, Special City Council Meeting
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#### Attachments:

1. Resolution 24-1979
  2. Retaining Wall Maintenance and Replacement Agreement
  3. Retaining Wall Design Standards dated July 27, 2023
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#### Executive Summary

With several city and state right-of-way projects proposed in Lake Forest Park that could require retaining walls, in July 2023, the city council adopted Chapter 12.50 Retaining Walls in the Lake Forest Park Municipal Code (LFPMC), and a supplemental document, Retaining Wall Design Standards dated July 27, 2023 (attachment 2) with an effective date of August 6, 2023.

Two projects currently in design that require compliance with Chapter 12.50 LFPMC are Sound Transit's proposed Bus Rapid Transit (BRT) improvements along SR 522 and the City's roundabout located at Ballinger Way (SR 104) and 40<sup>th</sup> Place NE.

Attached for the Council's review is the Retaining Wall Maintenance and Replacement Agreement negotiated over the past year and a half between the Washington State Department of Transportation (WSDOT) and the City of Lake Forest Park. While Sound Transit will be constructing the walls, based on the requirements of Chapter 12.50 Retaining Walls, and have submitted design drawings in

compliance with that chapter, the walls are located within the WSDOT right-of-way and will be owned by WSDOT, with maintenance and small repairs being the responsibility of the City. Details of maintenance obligations are reflected in Exhibit A (attachment 1).

Following approval of this agreement by both parties, the city’s public works department will draft a standard operating procedure for inspections and small repairs of the WSDOT owned retaining walls. These procedures will set standards of review for inspection and small repairs, and reporting of such to WSDOT. Inspection reports will be submitted to WSDOT on regular intervals, demonstrating compliance with this agreement.

The proposed agreement has been thoroughly reviewed by the administration and city attorney and the required work found to be reasonable and that it will protect the interests of the city.

### **Background**

As project details have solidified during design, city code requirements of Sound Transit’s improvements have required negotiation with WSDOT as the owner of the SR 522 right of way, and any improvements made to it. Sound Transit’s design team has incorporated the requirements of Chapter 12.50 LFPMC into their retaining wall design, and through negotiations with WSDOT, Sound Transit has been authorized to construct retaining walls that do not comply with WSDOT aesthetic standards, so long as the City of Lake Forest Park agrees to conduct inspections, maintenance and small repairs of the retaining walls, the associated drainage system, and composite fence on top, providing privacy to adjacent property owners.

The city will also be working with property owners regarding the schedule for occasional access to conduct necessary inspection within the easement at the top of the walls to ensure proper drainage and fencing maintenance.

### **Fiscal & Policy Implications**

The administration has considered the impacts of this work on the public works crew and associated budgets and determined that it will not require any additional staff and can be conducted within existing budgets.

### **Alternatives**

<i>Options</i>	<i>Results</i>
<ul style="list-style-type: none"><li>• Adopt the Resolution</li></ul>	Administration will complete the agreement with WSDOT for the retaining wall
<ul style="list-style-type: none"><li>• Not adopt the resolution</li></ul>	Administration will be have to re-negotiate with WSDOT regarding the retaining wall

### **Staff Recommendation**

Approve Resolution 24-1979/Authorizing the Mayor to sign the Retaining Wall Maintenance and Replacement Agreement between the Washington State Department of Transportation and the City of Lake Forest Park.