



**BUSINESS OF THE CITY COUNCIL  
CITY OF MERCER ISLAND**

**AB 6176  
November 1, 2022  
Consent Agenda**

**AGENDA BILL INFORMATION**

<b>TITLE:</b>	AB 6176: Resolution No. 1634 to Apply for RCO Grant Funding for Luther Burbank Park Dock Reconfiguration Construction Project	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Adopt Resolution No. 1634.	

<b>DEPARTMENT:</b>	Public Works		
<b>STAFF:</b>	Jason Kintner, Chief of Operations Patrick Yamashita, Deputy Public Works Director Paul West, CIP Project Manager		
<b>COUNCIL LIAISON:</b>	n/a		
<b>EXHIBITS:</b>	1. Resolution No. 1634 2. Project plan sheet 3. Luther Burbank Park Land Ownership Map		
<b>CITY COUNCIL PRIORITY:</b>	1. Prepare for the impacts of growth and change with a continued consideration on environmental sustainability.		

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

**EXECUTIVE SUMMARY**

This agenda bill seeks City Council approval to apply for a \$1 M grant for the Luther Burbank Park Dock Reconfiguration Construction Project from the Washington State Recreation and Conservation Office’s (“RCO”) Boating Facilities Program (“BFP”). The agenda bill includes:

- A summary of prior City Council agenda bills and actions related to this project.
- An overview of the grant program and the potential funding opportunity.
- The property control requirements specific to this grant program.
- A budget summary and commitments if the grant applications are successful.
- The total preliminary budget for the entire Luther Burbank Park waterfront renovation is \$7.5 M, of which \$4 M is projected to come from grants.

**PRIOR CITY COUNCIL CONSIDERATION:**

- [AB 5486](#) Resolution to Support an RCO Grant Application for Planning and Design of the Future Configuration of the Docks at Luther Burbank Park on October 16, 2018.
- [AB 5692](#) Resolution Authorizing an RCO Grant Application for Pier Renovation at Luther Burbank Park on June 16, 2020.

- [AB 5868](#) Luther Burbank Park Docks and Adjacent Waterfront Concept Design Recommendation on May 18, 2021.
- [AB 6021](#) Luther Burbank Docks and Waterfront Project 30% Design Recommendation on March 1, 2022.
- [AB 6048](#) Resolution to Apply for RCO ALEA, WWRP and LWCF grant funding programs for Luther Burbank Park Waterfront Renovation and Upgrades on May 3, 2022.
- [AB 6049](#) Resolution to Apply for Washington State Historical Society Heritage Capital Funding for Luther Burbank Boiler Building Phase 1 Project on April 5, 2022.

## BACKGROUND

On March 1, 2022 the City Council directed staff to move forward with a comprehensive renovation of the Luther Burbank Park waterfront ([AB 6021](#)).

### OVERVIEW OF THE GRANT

Created in 1964, the Boating Facilities Program (“BFP”) provides grants to acquire, develop, and renovate facilities for motorized boats and other watercraft. The current Luther Burbank docks were constructed with BFP funds in 1974. The design of the dock reconfiguration has been partially funded by a 2019 BFP grant of \$173,000. The program funding limit is \$1 M.

The program has a 25% local agency match requirement, and increased matching funds gains a higher ranking for the project in the final evaluation. Requirements of the grant are specific. For this project, the grant funding is only applicable to the reconfiguration and replacement of the docks and renovation of the adjacent waterfront area. Other grant opportunities will be evaluated and pursued for the remaining elements of the Luther Burbank Park Waterfront renovation project.

## ISSUE/DISCUSSION

The total estimated costs for the full renovation of the LBP waterfront project is \$7.5 M. This specific element of the project, the reconfiguration and renovation of the adjacent waterfront area is estimated to cost \$2.6 M . Staff is requesting City Council approval of a resolution to apply for a Boating Facilities Program (“BFP”) grant (see Exhibit 1). The grant request is \$1 M which is the program funding limit.

### PROPOSED PROJECT SCOPE FOR RECONFIGURATION AND RENOVATION OF THE WATERFRONT

Work covered in this grant includes the following elements:

- Demolition of existing fixed piers
- A new floating dock with finger floats for small powerboats that provides wave protection to boaters
- New regulatory buoys to reduce boat speeds and separate boating uses
- A new gangway for ADA access

Exhibit 2 provides a plan view of these elements. The new dock system will also provide wave protection for the planned non-motorized dock. The cost of the wave attenuation function will be prorated between these two elements for grant funding purposes.

## **GRANT PROGRAM PROPERTY CONTROL AND TENURE REQUIREMENTS**

Most of the Luther Burbank project is located on Washington State Department of Natural Resources (DNR) shorelands. A small portion along the western edge is located on the City-owned portion of the park. See Exhibit 3 for a diagram of property ownership.

The City leases the DNR shorelands for public access. The BFP grant program requires a 25-year ownership commitment, which begins upon completion of the project. The City's current aquatic lands lease expires in 24 years (in 2046), which does not meet the "control and tenure" requirements of this grant program. DNR has expressed support for this project and indicated they will work with the City to issue a new lease to meet the grant's 25-year requirement.

## **BUDGET**

The total estimated cost for the scope of work described above is \$2.6 M. The maximum funding per BFP grant is \$1 M. The City's preliminary 2023-2024 budget includes \$1.6 M in matching funds within the capital improvement program (see capital project PA0122)..

## **RESOLUTION**

RCO requires City Council authorization by resolution (see Exhibit 1) to accompany each grant application. The language in the body of the resolution is verbatim as requested by RCO and includes the following provisions:

- Authorize various positions in City staff to serve in specific roles on behalf of the City for this grant application.
- Acknowledge the conditions included in a future grant agreement between the City of Mercer Island and RCO.
- Acknowledge the timing for certifying the availability of matching funds.
- Acknowledge that part of the property not owned by the City, but developed as part of the grant award, must be dedicated for the purposes of the grant.

## **NEXT STEPS**

Staff has completed the initial grant application. This resolution will be submitted to RCO upon City Council approval. Final grant application will be due in January 2023. Project rankings for the grant program will be made public in February 2023. If awarded, funding will become available in July 2023 in the new Washington State fiscal year.

## **RECOMMENDED ACTION**

Adopt Resolution No. 1634 authorizing staff to submit grant applications for the Luther Burbank Dock Reconfiguration Construction project.