BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6021
March 1, 2022
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6021: Luther Burbank Park Docks and Waterfront Project 30% Design Recommendation	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Accept the 30% design recommendation from the PRC, appropriate additional funding to complete the project design, and authorize the City Manager to execute professional services agreements to complete the design work.	

DEPARTMENT:	Public Works
STAFF:	Jason Kintner, Chief of Operations Paul West, CIP Project Manager
COUNCIL LIAISON:	Craig Reynolds
EXHIBITS:	1. Parks and Recreation Commission Luther Docks and Adjacent Waterfront Project 30% Design Recommendation 2. Project Overview 3. Project Renderings
CITY COUNCIL PRIORITY:	1. Prepare for the impacts of growth and change with a continued consideration on environmental sustainability.

AMOUNT OF EXPENDITURE	$ 991,000
AMOUNT BUDGETED	$ 575,800
APPROPRIATION REQUIRED	$ 415,200

SUMMARY

The purpose of this agenda bill is to update the City Council on the status of the Luther Burbank Park Docks and Adjacent Waterfront Project, accept the 30% design recommended from the PRC, and appropriate funding to complete the design work.

- The City began work on the Luther Burbank Dock and Waterfront Project in 2018, kicking off a 7-year process to upgrade and replace these important park assets.
- Funding was appropriated for design in the 2021-2022 budget to complete the initial design work.
- At the May 18, 2021 City Council meeting, the Council approved the Concept Design for the Luther Burbank Park Docks and Adjacent Waterfront project and requested the Parks and Recreation Commission (PRC) work with the project team to develop a 30% design recommendation (see AB5868).

- The PRC has completed its work and is transmitting its recommendation on the 30% design to the City Council (Exhibit 1). City Council acceptance of the 30% design recommendation is requested so that the project team may move forward to 60% design.
- An additional appropriation of $321,000 is requested to fully fund the design for Phase 1 and Phase 2, which are further detailed below.
- The City was awarded a $94,200 King County Flood Control District Sub-regional Opportunity Fund grant for design of the drainage and LID improvement portion of Phase 2. City Council action is required to accept the grant and appropriate the funds to this project.

This Luther Burbank Park Docks and Waterfront Project is complex with many different elements and funding opportunities. As such the agenda bill also includes a general description of the project scope of work and a summary of the revised project cost estimates, which includes anticipated grant funding detailed in Exhibit 2.

BACKGROUND

Luther Burbank Park is a regional park drawing people from cities surrounding Lake Washington and the I-90 corridor. The waterfront and docks at Luther Burbank Park were constructed in 1974 and have been a popular destination ever since.

In 2014, the City completed a structural assessment of the Luther Burbank docks that identified extensive rot in the substructure of the main docks and recommended substantial repairs. Staff developed plans and prepared permits for the repairs.

Anticipating complicated permitting and escalating costs, the City suspended work on the dock repair project in 2016 in favor of a broader discussion about the future of the docks. Staff consulted the 2006 Luther Burbank Park Master Plan which offered a vision for the waterfront that included a different dock configuration that would be more user-friendly and compatible with City-sponsored boating programs. City staff started pursuing grant funding in 2018 to begin the process of designing the new docks.

PRIOR CITY COUNCIL ACTIONS

The City Council prior actions on Luther Burbank Park Docks and Waterfront Project is summarized below:

AB5486: At the October 16, 2018 meeting, the City Council authorized a grant application to seek funding to redesign the south portion of the docks to become floating docks (The grant was awarded in 2019. Design began in June 2020.).

AB5544: At the April 2, 2019 meeting, the City Council held a study session on "Parks 2019-2020 Major Projects Update." The Luther Burbank dock project was one of several projects discussed.

AB5692: At the June 16, 2020 meeting, the City Council authorized a grant application to seek funding to renovate the north pier. (The grant was awarded in July 2021.)

AB5868: At the May 18, 2021 meeting, the City Council approved the Concept Design for the Luther Burbank Park Docks and Adjacent Waterfront project and requested the Parks and Recreation Commission (PRC) work with the project team to develop a 30% design recommendation.

PARKS AND RECREATION COMMISSION RECOMMENDATION

The PRC has completed its work and is transmitting its recommendation to the City Council on the 30% design and the revised project cost estimate (Exhibit 1). The 30% design plans contained in Exhibit 1 are abbreviated from the original 53 page set to focus on the key components of the design and simplify viewing.

The PRC's recommendation is conditioned on the ability of the design team to modify the design as necessary to address permitting requirements. The 30% project design currently anticipates several shoreline variances, which are further detailed in the "Project Overview" section below. If the shoreline variances are not achieved, the dock design will need to be modified.

PROJECT OVERVIEW

The Luther Burbank Dock and Waterfront Project includes two distinct phases, with multiple project components in each phase:

- **Phase 1: Building Improvements**
  - 1.1 - Boiler Building Roof Replacement and Seismic Retrofits
  - 1.2 - Restroom Renovation and Outdoor Classroom
  - 1.3 - Concession Stand Renovation
- **Phase 2: Dock and Waterfront Improvements**
  - 2.1 - Small Powerboat Outer Dock
  - 2.2 - North Pier Renovation
  - 2.3 - Shoreline Access Easement
  - 2.4 - Drainage and Low Impact Development Improvements
  - 2.5 - Lake Water Irrigation and Pump

The project has been broken into individual components to allow for phased construction to align with anticipated permitting timelines. See Exhibit 2 for a detailed overview of each phase and Exhibit 3 for an updated project rendering.

<u>Construction Strategy</u>
The Phase 1 project components all include building improvements, which are distinctly different from the shoreline and dock work. Combining the building components allows for these elements to be designed, permitted, and bid together, with construction likely occurring in 2023.

The Phase 2 project components include dock and shoreline work, which involves extensive design and complex permitting. Phase 2 is currently anticipated to be under construction in 2024. In-water construction is limited to July 16 to September 30, so the docks will be out of service the summer of 2024.

<u>Permitting</u>
In the fall of 2021, the project team conducted pre-application meetings with the public agencies that will be issuing permits for this project:

- City of Mercer Island Community Planning & Development
- Washington State Department of Natural Resources
- Washington State Department of Ecology
- Washington State Department of Fish and Wildlife
- United States Army Corps of Engineers

In anticipation of the permitting process, the 30% design was modified to reduce its impact on the nearshore environment. The floating docks were moved further offshore and the first span of concrete decking that

abuts the plaza was converted to grated decking. The project team will know whether additional modifications may be necessary once a biological assessment is completed in the 60% design phase.

Shoreline Variances

At 30% design the project team has identified several design components that will likely require variances from the City of Mercer Island, subject to approval of the hearing examiner. This information is included for City Council awareness only. The anticipated variances include:

- **Dock Width:** The new floating docks are designed to be eight to ten feet wide. These widths are necessary to simultaneously meet fire and accessibility codes (ADA), provide wave attenuation, passing space, and stability for the public uses anticipated. Current code limits dock width to six feet in this circumstance.

- **Open Grating on Outer Dock:** The outer floating dock is designed to attenuate excessive wave energy to protect moored boats and provide accessibility to the docks. The attenuation function comes from additional mass and surface span to knock down incoming waves. Current code requires 100% of the decking to be open grated, but this is not practical given the wave attenuation function of the outer docks, which are currently proposed to have minimal grating or no open grating.

- **Overwater Stairs Beam Height:** The 30% design includes new overwater stairs allowing for water entry from the Handsome Bollards plaza area. This is a new feature and is still under design review. If this project component remains, it will likely require a steel beam along its outer edge and the steel beam will be constructed below the Ordinary Mean High Water (OMHW) to support the lowest stair. Current code requires any beam to be at least 18 inches above OMHW.

If the shoreline variances are not achieved the dock design and overwater stairs components will need to be modified.

REVISED PROJECT COST ESTIMATE

Total project cost estimate is $6,808,000, which includes a 10% construction contingency. The October 2021 project cost estimate was $4,045,000. The cost estimate has increased as a result of the following:

- The initial project cost estimate did not fully anticipate design, permitting, and project management costs. Those estimates have been refined and updated, which includes the additional design costs associated with the proposed overwater stairs.
- The Boiler Building project was added at a total cost of $1,613,000.

The table on the next page provides an overview of the project components and anticipated revenue sources.

		DESIGN	CONSTRUCTION	TOTAL GRANTS	TOTAL CITY
PHASE 1					
	1.1 Boiler Building Roof Replacement and Seismic Retrofits	$ 162,300	$ 1,450,800	$ 568,600	$ 1,044,500
	1.2 Restroom Renovation and Outdoor Classroom (to be constructed with shoreline access funding)	$ 65,000	$ 524,000	$ 310,000	$ 279,000
	1.3 Concession Stand (non-grant eligible)	$ 8,100	$ 37,500	$ -	$ 45,600
	SUBTOTAL PHASE 1	**$ 235,400**	**$ 2,012,300**	**$ 878,600**	**$ 1,369,100**
PHASE 2					
	2.1 Small Powerboat Outer Dock	$ 253,800	$ 1,742,000	$ 1,173,000	$ 822,800
	2.2 North Pier Renovation	$ 70,800	$ 514,600	$ 379,300	$ 206,100
	2.3 Shoreline Access Elements	$ 330,900	$ 960,000	$ 690,000	$ 600,900
	2.4 Drainage and LID Improvements	$ 94,200	$ 537,800	$ 632,000	$ -
	2.5 Lake Water Irrigation (not grant-competitive)	$ 5,900	$ 50,300	$ -	$ 56,200
	SUBTOTAL PHASE 2	**$ 755,600**	**$ 3,804,700**	**$ 2,874,300**	**$ 1,686,000**
TOTAL		$ 991,000	$ 5,817,000	$ 3,752,900	$ 3,055,100
	PROJECT TOTALS	$	6,808,000	$	6,808,000

APPROPRIATION REQUEST TO COMPLETE DESIGN

The total project design costs are estimated at $991,000. The 2021-2022 combined budget for the multi-phase project is $575,800.

Staff are seeking acceptance and appropriation of the $94,200 King County Flood Control Grant, which supports the design costs associated with the drainage and LID improvement portion of Phase 2.

Staff are also requesting an appropriation of an additional $321,000 from the CIP Available Fund Balance to complete the design for Phase 1 and Phase 2.

Project Appropriation Summary

Combined Projects Appropriated in 2021-2022 Budget Available	$ 575,800
Appropriation of King County Flood Control Grant	$ 94,200
Appropriation of Additional Capital Improvement Funds	$ 321,000
Total Funding to Compete Design	**$ 991,000**

TIMELINE/NEXT STEPS

The following table identifies the next steps and highlights when additional City Council actions will be required.

April 5, 2022	City Council will consider authorizing resolutions for HCP, ALEA and LWCF grant applications
April 14, 2022	Stage 1 Heritage Capital Grant application for Boiler Building due
May 3, 2022	RCO Land & Water Conservation Fund and Aquatic Lands Enhancement Account grant applications for waterfront shoreline elements due
June 9, 2022	Stage 2 Heritage Capital Grant application for Boiler Building due
September 2022	King County Flood Control Sub-regional Opportunity Fund grant application due; results of HCP grant become available
October 2022	Results of ALEA and LWCF grant applications become available. City Council will consider an authorizing resolution for a RCO Boating Facilities Grant application. City Council also will consider the 2023-2024 Capital Improvement Program budget with updated budget numbers for this project.
November 1, 2022	RCO Boating Facilities Program grant application due
April 2023	Results of the BFP grant become available
July 2023	Grant agreements are executed
Summer 2023	City Council awards Phase 1 construction contract
August 2023	Phase 1 construction begins (Boiler Building)
March 2024	City Council awards Phase 2 construction contract
June 2024	Phase 2 construction begins (docks and waterfront)
December 2024	Project completed

RECOMMENDED ACTION

1. Accept the Luther Burbank Docks and Adjacent Waterfront 30% design recommendation from the Parks & Recreation Commission.
2. Appropriate $321,000 of the available fund balance in the Capital Improvement Fund to complete 100% design of the Luther Docks and Adjacent Waterfront Project.
3. Accept and appropriate the $94,200 King County Flood Control District Sub-regional Opportunity Fund grant for design of drainage and LID improvement portion of Phase 2.
4. Authorize the City Manager to execute professional services agreements for the remaining project design work.