



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5868
May 18, 2021
Regular Business

AGENDA BILL INFORMATION

| | | |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TITLE: | AB 5868: Luther Burbank Park Docks and Adjacent Waterfront Concept Design Recommendation | <input type="checkbox"/> Discussion Only |
| RECOMMENDED ACTION: | <ol style="list-style-type: none">1. Approve the Concept Design2. Appropriate funds for 30% design work3. Direct the Parks and Recreation Commission to review the 30% Design and make a recommendation to the City Council | <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution |

| | |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DEPARTMENT: | Public Works |
| PRESENTERS: | Jason Kintner, Chief of Operations/Public Works Director Paul West, CIP Project Manager Peter Struck, Parks and Recreation Commissioner |
| COUNCIL LIAISON: | Jake Jacobson |
| EXHIBITS: | <ol style="list-style-type: none">1. Luther Burbank Docks and Adjacent Waterfront Concept Design recommendation memo with exhibits, dated April 1, 20212. Luther Burbank Park Master Plan excerpt3. Dept. of Natural Resources Habitat Stewardship Memo on the Concept Design4. Design Charrette Summary and Notes5. Luther Burbank Docks Open House Survey Report |
| CITY COUNCIL PRIORITY: | <ol style="list-style-type: none">2. Articulate, confirm, and communicate a vision for effective and efficient city services. Stabilize the organization, optimize resources, and develop a long-term plan for fiscal sustainability. |

| | |
|-------------------------------|------------|
| AMOUNT OF EXPENDITURE | \$ 155,000 |
| AMOUNT BUDGETED | \$ 42,000 |
| APPROPRIATION REQUIRED | \$ 113,000 |

SUMMARY

The Parks and Recreation Commission (PRC) has prepared a recommendation on the preferred concept design for the Luther Burbank Docks and Adjacent Waterfront project. Staff recommends the City Council approve the preferred concept design recommendation from the Parks and Recreation Commission (Exhibit 1) and authorize staff to move forward with 30% design.

Of the \$219,000 approved budget for the Luther Burbank Dock Repair and Reconfiguration Project (PA0122) in the 2021-2022 capital budget, \$42,000 is solely for 30% design of the docks. PA0122 does not include funding for design of the adjacent waterfront. An appropriation of \$113,000 is needed to complete the remaining 30% design work for the adjacent waterfront.

Once complete, the 30% design will be reviewed by the PRC before returning to the City Council for review and approval.

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 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 (see Exhibit 2: Master Plan excerpt). City staff started pursuing grant funding in 2018 to begin the process of designing the new docks.

PRIOR CITY COUNCIL CONSIDERATION

The City Council has previously authorized two grant applications and received updates on the Luther Burbank Dock Project as follows:

- [AB 5486](#): 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.).
- [AB 5544](#): 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.
- [AB 5692](#): At the June 16, 2020 meeting, the City Council authorized a grant application to seek funding to renovate the north pier. (The grant award decision is expected in mid-June 2021.)

Luther Burbank Park and the adjacent waterfront provide a wide range of park and recreational amenities and have a regional draw. For this reason, the dock replacement project is a good candidate for grant funding and the grant strategy is further detailed in the funding section below.

PROJECT CONTEXT

This project is complicated by several underlying or adjacent conditions that should be kept in mind:

- The docks, waterfront plaza, and boiler building are built on Washington State Department of Natural Resources (DNR) aquatic shorelands. The City leases these lands at low-cost for public access. All changes to the waterfront must follow DNR guidelines and be approved by DNR at several stages of the project. DNR has reviewed and approved the concept plan presented here, see Exhibit 3.
- According to the updated structural survey of the docks from June 2020, the docks have less than five years of useful life left without major renovations. The City is currently performing minor repairs to enable the docks to remain functional until this project is constructed. In the current regulatory context, allowing the docks to become derelict, which may require their removal, could result in losing the ability to rebuild them.

- The Boiler Building is not included in this planning effort. This design work does consider, however, the vision of the Master Plan to use the building for boating programs and the conceptual renovation design from the [2017 Boiler Building study](#).
- The shoreline trail that extends southward from the waterfront plaza to the swim beach has been undermined by wave action. A current CIP project is seeking grant funding to stabilize the shoreline and rebuild the trail further back from the shoreline to maintain this popular walking route between the two destinations.
- The City has been developing water rights to draw water from Lake Washington for park irrigation. The intake and pump will be located in the vicinity of the Boiler Building. Plumbing and electrical connections will be installed in conjunction with plaza renovation.

LUTHER BURBANK DOCK AND ADJACENT WATERFRONT CONCEPT DESIGN

The concept design for the docks and adjacent waterfront is illustrated and explained in Exhibit 1. In summary, the design includes **Dock elements** and **Adjacent Waterfront (non-dock) elements**. The 2021-2022 CIP budget includes funding for design of the docks only.

1. Docks:

- A new floating dock/breakwater for small powerboat moorage, as well as for general water access. This includes four finger floats for ADA access and secure moorage.
- A floating dock for non-motorized watercraft that repurposes an existing float and adds an additional float, along with finger floats for ADA access and secure moorage.
- A renovated fixed pier for large powerboat moorage and general water access.

2. Adjacent Waterfront (non-dock)

a. Shoreline Access

- An enlarged cobble beach north of the Boiler Building with ADA access, natural (log) seating and paddle craft hitching posts.
- Seating steps from the waterfront plaza to the lake along the bulkhead next to the *Handsome Bollards* art installation.

b. Waterfront Plaza Renovation:

- Pavement renovation with new tree locations.
- ADA “missing link” route from the north shoreline path to the plaza.
- An “outdoor classroom” deck with a railing on top of the restroom building with an ADA access ramp.
- Modest permanent furnishings that include one or two benches and a picnic table (other seating and furnishing provided to meet operational needs).
- Lighting for park user safety, not for activities or programs.
- Signs and kiosk located unobtrusively for wayfinding, park information, and interpretation.

PUBLIC ENGAGEMENT

The City developed a [public involvement plan](#) for this project which is posted on the project webpage. This plan has been an adaptive plan, meaning that it has been revised as the project evolved. Key public engagement initiatives included:

Project Webpage. <https://letstalk.mercergov.org/lbdock>. This site has been available to the public to find information, ask questions, and post comments on the project. This has been an ongoing resource throughout the first two years of the project.

August 6, 2020 Design Charrette. Interested individuals and organizations were invited to attend this public workshop to provide early input on the design alternatives. (See Exhibit 4: Design Charrette Summary and Notes)

September 2020 Public Open House Event. On-site posters and online PDF files provided participants with three alternative concepts and a survey, which received 131 responses. (See Exhibit 5: Luther Burbank Docks Open House Survey Report)

Parks and Recreation Commission (PRC) meetings. Following the September 2020 Open House, the PRC began reviewing project priorities and working towards a recommendation on the conceptual design. The PRC appointed three members to a subcommittee to finalize the design recommendation. The PRC discussed this project at five full commission meetings and four subcommittee meetings. These meetings were open to the public through the Zoom videoconferencing platform.

Social and Physical Media. City staff promoted engagement opportunities through standard social media channels including The MI Weekly, Facebook, Nextdoor, the Mercer Island Reporter, Twitter, and an email interest list of 51 individuals. Sandwich boards were posted strategically in Luther Burbank Park to promote the open house. A fixed sign at the docks has continued to alert park users about the ongoing design process.

PROJECT TIMELINE GOING FORWARD

Due to the complexity of the project, it is anticipated that design and construction will span multiple years. A projected timeline, with anticipated milestones, is summarized below.

| | |
|-------------------|---------------------------------------------------------------------------------------------------------------|
| Q2 2021 | Concept design. |
| Q2-Q4 2021 | 30% design development, estimate of probable cost. |
| Q4 2021 | Begin permitting. |
| Q2 2022 | Apply for Washington State grants for shoreline and non-motorized boating facilities design and construction. |
| Q3-4 2022 | Resolve permitting, 60% design. |
| Q4 2022 | Apply for the State Boating Facilities Program grant for floating dock construction. |
| Q2 2023 | 90% design, final cost estimate. |
| Q3-4 2023 | Identify final funding, identify construction scope. |
| Q4 2023 | Complete construction documents, begin bidding. |
| 2024-2025 | Construction (dependent of in-water working construction window). |

Because of its size and cost, this project will need to be completed in phases. A coordinated phasing plan ensures that each phase is constructable and provides an efficient sequence of work. The dock replacement and renovation elements are the top priorities because of their critical condition. Waterfront plaza items, such as repaving, the outdoor classroom, and the bulkhead steps could be delayed to subsequent construction phases. **A full phasing plan will not, however, be available until 90% design is completed on all project elements.**

FINANCING STRATEGY

Over-water infrastructure work is costly, requiring complicated permits and specialized construction. The total preliminary project cost for the entire project is in the range of \$4 to \$5 million and will be further refined once the 30% design is completed.

This regional draw of Luther Burbank Park makes this project a good candidate for state and federal grant funding. The most readily accessible sources of recreation funding are the programs through the state Recreation and Conservation Office (RCO). Programs applicable to this project are summarized in the table below. These grant programs run on two-year cycles with applications accepted in even years.

| | Project Component | Grant Limit | Match Requirement | Status/Scope/Reqs |
|--------------------------------------------------------------------------|-------------------------------------------------------|----------------------------------------|--------------------|--------------------------------------------------------------------------------------------------|
| Boating Facilities Program (state) | Floating docks for small powerboats | \$1,000,000 | \$334,000 (25%) | Currently funds design; expect to apply for construction in 2022. Requires a PROS Plan |
| Boating Infrastructure Grant (federal) | Fixed pier for large powerboats | (\$1,440,645) \$379,000 applied for | \$126,000 (25%) | Applied for North Pier renovation design and construction in 2020; awaiting decision from US FWS |
| Aquatic Lands Enhancement Account (state) | Shoreline access | \$1,000,000 | \$1,000,000 (50%) | Expect to apply in 2022 for north beach & ADA access design and construction. |
| Washington Wildlife & Recreation Program Water Access (state) | Shoreline access and non-motorized boating facilities | \$1,000,000 | \$1,000,000 (50%) | Expect to apply in 2022 for non-motorized dock. Requires a PROS Plan |
| King County Flood Control Sub-regional Opportunity Fund | Drainage, Low-Impact Development (LID) | \$612,000 (current balance) | \$0 (0%) | Expect to apply in 2021 for drainage and LID design, & 2023 for construction |
| TOTAL POTENTIAL FUNDING/COMMITMENT | | \$3,990,000 | \$2,460,000 | |

Granting agencies look for projects that are well developed and designed, have gone through at least some permitting and have solid cost estimates. The 30% design work proposed here will help the City compete for these grant funds. Fortunately, most of the grant programs applicable to this project allow reimbursement for pre-agreement costs, minus the match requirement, up to three years prior to the grant agreement. If the project is awarded these grants, the reimbursed costs can be returned to the Capital Improvement Fund. For this reason, the **staff recommends funding the 30% design of the docks and adjacent waterfront with the understanding that grant reimbursement will be sought for the applicable portion of the design costs.**

Certain design elements are less likely to compete well for grants because they will not score as well on the grant programs’ criteria. Elements such as the plaza renovation, the outdoor classroom and the bulkhead steps at the **Handsome Bollards** may need to be funded by the City. Staff will consider alternatives to fund these items as program design progresses.

The outdoor classroom is an entirely new facility that expands park capacity. That facility may qualify for a percentage of its funding to be covered by Park Impact Fees. A Park Impact Fee study is beginning this spring and project components such as these will be considered. Also, the drainage and stormwater parts of the plaza renovation may qualify for a King County Flood Control Sub-regional grant. Other project components may need to be primarily or completely funded with City capital funds.

30% DESIGN BUDGET

The 2021-2022 approved budget for the Luther Burbank Dock Repair and Reconfiguration Project (PA0122) includes funding to complete the dock design. **This funding does not, however, include design of the adjacent waterfront elements of the project.**

Staff recommends the City Council appropriate \$113,000 from the available Capital Improvement Fund Balance to complete the 30% design work on the adjacent waterfront. At the end of fiscal year 2020, the available Fund Balance in the Capital Improvement Fund was \$2.84 M. There are multiple capital funding appropriations under consideration at the May 18, 2021 City Council meeting and this available fund balance is sufficient to cover all project requests.

NEXT STEPS

Upon approval of the Luther Burbank Dock and Adjacent Waterfront concept and appropriation of the additional design funding, staff will proceed with preparation of 30% design documents. This work will likely be completed this fall and will be reviewed by the PRC and the City Council at the end of the year.

RECOMMENDATION

1. Approve the Luther Burbank Dock and Adjacent Waterfront concept design recommendation as presented by the Parks and Recreation Commission
2. Appropriate \$113,000 from the available fund balance in the Capital Improvement Fund to complete the **30% project design for the adjacent waterfront elements** with the understanding that staff is pursuing grant reimbursement for a portion of the design costs.
3. Direct the Parks and Recreation Commission to review the preliminary 30% design and make a recommendation to the City Council on the final scope of the project.