

**SOUND TRANSIT
STAFF REPORT**

RESOLUTION NO. R2009-05

**Property Acquisition for the Regional Express
Kirkland Transit Center/3rd Street Project**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	3/19/09	Discussion/Possible Action to Recommend Board Approval	Ahmad Fazel, Link Executive Director	(206) 398-5389
Board	3/26/09	Action	Jim Edwards Director of Capital Projects Don Vogt, Senior Real Estate Representative	(206) 398-5436 (206) 689-3396

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)		Budget Amendment	
Real Estate	✓	Property Acquisition	✓

PROJECT NAME

Regional Express Kirkland Transit Center/3rd Street Project

PROPOSED ACTION

Authorizes the chief executive officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the construction of the Regional Express Kirkland Transit Center/3rd Street Project.

KEY FEATURES of PROPOSED ACTION

- The proposed action authorizes the acquisition of two parcels for the Regional Express Kirkland Transit Center/3rd Street Project, including authority to pay eligible relocation and re-establishment benefits to owners and tenants as necessary.
- Each of the parcels to be acquired is described in attachment Exhibit A to the proposal.
- At a minimum, a temporary construction easement will need to be acquired from each parcel.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design
Projected Completion Date: August 2010

There is no action required outside of the Board-adopted budget; there are no project contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

BUDGET AND FINANCIAL PLAN DISCUSSION

The Adopted 2009 capital budget for the project is \$13,300,000. Within that budget, \$627,871 has been budgeted in the right of way phase with \$44,886 committed through January 31, 2009. The acquisition costs of specific parcels are appropriate for discussion with Board members in Executive Session.

The proposed action is consistent with the current board-adopted budget, and is affordable within the agency's long-term financial plan and subarea financial capacity. The action will have no new revenue impact on Sound Transit.

BUDGET TABLE

Summary for Board Action (Year of Expenditure \$000)

Project: 142 - Kirkland Transit Center/3rd

	2009 Adopted Budget¹ (A)	Committed To Date² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 692	\$ 692	\$ -	\$ 692	\$ -
2 Preliminary Engineering	\$ 1,124	\$ 1,170	-	\$ 1,170	(47)
3 Final Design	\$ 1,904	\$ 1,500	-	\$ 1,500	404
4 Right of Way	\$ 628	\$ 45	-	\$ 45	583
5 Construction	\$ 8,758	\$ 12	-	\$ 12	8,746
6 Contingency	\$ 195	\$ -	-	\$ -	195
7 Total Current Budget	\$ 13,300	\$ 3,419	\$ -	\$ 3,419	\$ 9,881

Notes:

¹ Project budget is located on page 152 of the Proposed 2009 Budget book. The 2009 Budget was adopted by the Board on December 11, 2008.

² Committed to date amount includes actual outlays and commitments through January 31, 2009.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The project will provide a new Kirkland transit Center on the site of the existing transit center in downtown Kirkland on 3rd Street, between Kirkland Avenue and Central Way, and adjacent to Peter Kirk Park.

Preliminary design and public outreach support for selecting a site for the transit center project in downtown Kirkland was completed in 2005. This early design and outreach included stakeholder meetings, public open houses, and city council meetings. Based on this early design and outreach, the project's Executive Advisory Committee – senior staff from Sound Transit, the City of Kirkland, and King County Metro – unanimously supported a project on 3rd Street, at the site of the existing Kirkland Transit Center. The new transit center design includes use of approximately 3,000 sf of Peter Kirk Park, as approved by the Kirkland City Council in June, 2007.

The 30% design reflects Sound Transit's work to respond to the Kirkland City Council's request that Sound Transit take additional steps to gather input from the community regarding the project's design integration with improvements in Peter Kirk Park and the City's commercial areas. Final design will build on this direction to provide a transit center that reflects its environment and surrounding development, including the Kirkland Library addition that is currently in design.

King County Metro Water Treatment Division (WTD) is now designing an upgrade to a pump station abutting the western edge of the transit center project. The pump station project's design has lagged behind the

design of the transit center, and the pump station construction was planned to start after the transit center would be completed. The pump station work includes reconstruction of utility lines under 3rd Street, which will be rebuilt as part of the transit center project. In order to coordinate construction schedules and avoid demolition and replacement of the newly constructed transit center pavement, Sound Transit, City of Kirkland and King County are currently working to incorporate the under-street portion of the WTD work into Sound Transit's project. King County would pay for any additional costs.

Through the design process, two parcels have been identified being as necessary for the project. The parcels that are covered by the proposed resolution and complete descriptions of these parcels are listed in Exhibit A to this proposed resolution R2009-05.

An Environmental Checklist has been prepared for this project and a Determination of Non-significance (DNS) was issued on May 12, 2008. Sound Transit and the City of Kirkland are co-lead agencies. Sound Transit is the nominal lead agency under SEPA as per WAC 197-11-944. Sound Transit issued a DNS under WAC 197-11-340(2) and Sound Transit rules (Resolution R7-1). The DNS issued May 12, 2008 is based upon the revised Environmental Checklist, including additional noise impacts analysis conducted in response to comments received on the original DNS, issued January 16, 2008 and subsequently withdrawn.

Prior Board/Committee Actions

Motion/ Resolution Number and Date	Summary of Action
R2008-55 6/5/08	Contract Amendment for INCA Engineers, Inc. for the Final Design of the Kirkland Transit Center/3 rd Street Project

CONSEQUENCES OF DELAY

A two week deferral of action on this resolution will not significantly affect the project timeline.

PUBLIC INVOLVEMENT

There have been a series of public involvement outreach steps such as public open houses, stakeholder workshops, and City Council reviews. The consultant team conducted additional outreach to gather input on the project's "look and feel" including developing design concepts for review at City Council study sessions and a public open house. During the final design phase, the design team will continue study session presentations to the City Council and hold a final design public open house.

In compliance with state legislation regarding public notification, Sound Transit has mailed certified letters to property owners affected by this action. Legal notices of this proposed Board action have been published in the Kirkland area newspapers.

ENVIRONMENTAL COMPLIANCE

SK 2/25/09

LEGAL REVIEW

JB 3/13/09