

**RESOLUTION NO. R2011-06**
**To Acquire Real Property Interests Required for the South Link Project**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>
Capital Committee	07/14/11	Recommendation to Board	Ahmad Fazel, DECM Executive Director
Board	07/28/11	Final Action	<b>Ron Lewis, Interim Project Director</b> <b>Roger Hansen, Real Property Director</b>

**PROPOSED ACTION**

Authorizes the chief executive officer to acquire, dispose, or lease certain real property by negotiated purchase, by condemnation (including settlement of condemnation litigation), or entering into administrative settlements, and to pay eligible relocation and re-establishment benefits to affected owners and tenants as necessary for the South Link – Airport to South 200<sup>th</sup> Street Project.

**KEY FEATURES**

- Authorizes the chief executive officer to acquire and dispose of, or lease certain real property interests from the SeaTac/Airport Station to the proposed South 200<sup>th</sup> Street Station in the City of SeaTac which are needed for the South Link – Airport to South 200<sup>th</sup> Street Project.
- Authorizes the chief executive officer to pay relocation and re-establishment benefits to eligible property owners and tenants.
- The real properties identified in this requested action are included in Exhibit A.

**PROJECT DESCRIPTION**

The South Link Project, incorporating the design refinements identified in the updated NEPA/SEPA environmental documents would extend light rail approximately 1.6 miles beyond the existing interim southern terminus at the SeaTac/Airport Station. The design features an elevated light rail guideway, a park-and-ride facility with a long term capacity of approximately 700 stalls and an interim capacity of up to 1100 stalls while a South 200<sup>th</sup> station is a temporary terminus of the Link system, on-street bus pullouts at the station, an off-street kiss and ride drop-off area, secured bicycle parking, and improved pedestrian and bicycle connections in the station vicinity.

**FISCAL INFORMATION**

In accordance with Sound Transit policy, budgets proposed in this action for specific parcels will be discussed with the Board in executive session.

## BUDGET TABLE

South Link - Airport to South 200th St	Amended 2011 TIP	Committed to Date (including Authorized Contingency)	This Action	Committed & Action	Uncommitted/ (Shortfall)
Agency Administration	16,064	1,178		1,178	14,886
Preliminary Engineering	5,878	5,749		5,749	129
Final Design	20,005	373		373	19,632
Right of Way	43,549	12,522	-	12,522	31,027
Construction	275,725	-		-	275,725
Construction Services	15,135	-		-	15,135
Third Party Agreements	6,885	878		878	6,007
Vehicles	-	-		-	-
<b>Total Current Budget</b>	<b>383,241</b>	<b>20,699</b>	<b>-</b>	<b>20,699</b>	<b>362,542</b>
<b>Phase Detail</b>					
Right of Way	43,549	12,522	-	12,522	31,027
<b>Total Phase</b>	<b>43,549</b>	<b>12,522</b>	<b>-</b>	<b>12,522</b>	<b>31,027</b>
<b>Contract</b>					
	<b>Board Approvals to Date</b>	<b>Current Approved Contract Status</b>	<b>Proposed Action</b>	<b>Proposed Total for Board Approval</b>	
Contract	-	-	-	-	
Contingency	-	-	-	-	
<b>Total Contract Amount</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
Percent Contingency	0%	0%	0%	0%	

Notes:

Amounts are expressed in Year of Expenditure \$000.

Committed to Date includes amounts through May 31, 2011.

The South Link - Airport to 200th St project budget is located on page 53 of the 2011 Transit Improvement Plan (TIP) as amended by Board Resolution R2011-05.

## SMALL BUSINESS PARTICIPATION

Not applicable for this action.

## EQUAL EMPLOYMENT WORKFORCE PROFILE

Not applicable for this action.

## BACKGROUND

In September 2010, the Sound Transit Capital Committee authorized execution of a contract with Huitt-Zollars to provide civil, architectural, and systems design services to refine the previous preliminary engineering work on the South Link light rail guideway and station. This effort produced a refined alignment plan and profile as well as an updated cost estimate to help the Board make an informed decision regarding the delivery schedule for the project. As part of the design refinement work, Sound Transit staff analyzed the South Link project schedule with respect to the proposed accelerated design and construction activity and concluded that property acquisition work must begin by mid-2011 in order for the project to be completed and operational by September 2016.

The proposed action would authorize full property acquisitions and partial property acquisitions for the light rail guideway alignment, station, and parking facilities; and the payment of relocation benefits to eligible affected owners and tenants. Sound Transit's authorizing legislation grants the

Agency the power of eminent domain to accomplish such acquisitions when efforts to reach agreement with property owners are unsuccessful.

Real estate acquisition will consist of approximately 16 full and partial acquisition parcels and about 36 aerial easements. Also, several partial acquisitions at various locations along the alignment will be needed for emergency access platforms.

## **ENVIRONMENTAL COMPLIANCE**

Environmental compliance pursuant to the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA) for Airport Link was completed with the Central Link Final Environmental Impact Statement (EIS) issued in November 1999 and Airport Link Environmental Assessment/SEPA Addendum (EA) on May 26, 2005. The Federal Transit Administration issued a Record of Decision for Airport Link on September 13, 2005. A NEPA re-evaluation of the changes proposed from the design refinement work was issued on June 24, 2011. A SEPA addendum was issued on July 5, 2011.

## **PRIOR BOARD/COMMITTEE ACTIONS**

Resolution No. R2011-05 – (1) Accelerates the South Link – Airport to South 200<sup>th</sup> Street Project and establishes a project completion schedule milestone of September 2016; (2) approves Gates 4 and 5 within Sound Transit’s Phase Gate system; (3) amends the Project Lifetime Budget to increase it by \$341,849,600, from \$41,391,400 to \$383,241,000; and (4) amends the Adopted 2011 Annual Project Budget to increase it by \$500,829, from \$11,338,347 to \$11,839,175.

Resolution No. R2008-04 – Amended the Adopted 2008 Budget to (a) revise the Airport Link lifetime budget to \$269.1 million; (b) add a project for the light rail segment from South 176<sup>th</sup> to South 200<sup>th</sup> with a budget of \$3.767 million; and (c) treat as property for resale and record separately from the Airport Link project budget the previously authorized \$4.1 million acquisition costs for the “kiss-and-ride” facility at the Airport Link Station.

Resolution No. R2005-16 – Selected the final route, profile, and station locations for the Airport Link Light Rail Project from the Tukwila International Boulevard to South 200<sup>th</sup> Street.

## **TIME CONSTRAINTS**

A one month delay would not affect project schedules. Authorization to proceed at this time would allow more time for the relocation of businesses displaced by the property acquisitions.

## **PUBLIC INVOLVEMENT**

Project staff has provided updates and briefings during SeaTac City Council and public meetings over the past several months. The most recent briefing on June 28, 2011, included a project update and also focused on the property acquisition and relocation program.

Three public involvement and informational pieces have been created for this project. They include a fact sheet providing high-level project information such as project scope, schedule benefits, and status of design, a real estate fact sheet that defines common real estate terms, and a fact sheet for interested contractors with information on how to stay informed of the procurement process. A webpage with the same level of project information can be found at [www.soundtransit.org](http://www.soundtransit.org) under Projects and Plans.

A public open house was held on March 2, 2011, which included basic project information along with updated design information as a result of the design refinement effort. Approximately 150 members of the public attended this open house.

Staff also participated in the SeaTac International Festival on June 25 and 26, 2011, held at Angle Lake Park. Staff at Sound Transit's informational booth provided basic project information, responded to questions, and distributed promotional items.

Notification of the SEPA addendum was sent to over 9,000 residents on June 27, 2011. The addendum was available for review on the project website. The updated documents informed residents of potential changes in right of way.

In compliance with state law regarding public notification, Sound Transit mailed certified letters to property owners affected by this action on July 11, 2011. Legal notices of this proposed Board action will be published in the Seattle Times newspaper on July 15 and 22, 2011. In addition, staff have also attempted to personally contact each affected property owner. Staff personally met with property owners or contacted them by phone if contact information was available prior to certified letter notifications.

## **LEGAL REVIEW**

JB 7/11/11