



Resolution No. R2022-02

Approving the CEO's Declaration of Surplus for Federal Way Link Extension WSDOT Land Exchange Turnback 2

Meeting:	Date:	Type of action:	Staff contact:
Executive Committee	02/03/2022	Final action	Ron Lewis, DECM Executive Director Linneth Riley-Hall, Executive Project Director Faith Roland, Director Real Property Mike Bulzomi, Deputy Director Real Property

Proposed action

1) Approves the chief executive officer's declaration that certain real property acquired for the Federal Way Link Extension Light Rail project is surplus and is no longer needed for a transit purpose and 2) confirms that the terms of the 2018 agreement with the Washington State Department of Transportation (WSDOT) have been met to complete the transfer of these properties to WSDOT.

Key features summary

- In accordance with Sound Transit's Real Property Excess, Surplus and Disposition Policy, a property can be declared surplus when it is determined by the chief executive officer (CEO) that it is no longer needed for present or future transit purposes. If the fair market value of such real property exceeds \$200,000, approval by the Board Executive Committee is required. If the fair market value exceeds \$5,000,000, Board approval of the declaration is required. The total value of these parcels is less than \$5,000,000.
- This action approves the CEO's declaration that the five properties shown in Exhibit A are no longer required for transit purposes and are declared surplus.
- Sound Transit acquired specific parcels of property for construction of the Federal Way Link Extension (FWLE). Per a 2018 Land Exchange Agreement with WSDOT, surplus portions of that property that were not needed for revenue operations will be transferred to WSDOT for the construction and operation of the WSDOT SR509 Completion project, contingent upon completion of Sound Transit's surplus process, FTA approval, and compliance with applicable law. The Land Exchange Agreement provides the framework for the identification, appraisal, timing, and terms for the exchange of properties needed for each agency's respective project. The parcels in Exhibit A are part of the Turnback 2 portion of that agreement.
- The value of each of these parcels has been determined to be greater than \$200,000 but less than \$5,000,000 based on appraisals conducted under the terms of the Land Exchange Agreement.
- A public hearing has been held on February 3, 2022 to comply with RCW 39.33.020, requiring an agency to hold a public hearing prior to disposing of surplus property.

Background

Sound Transit acquired the five properties listed in Exhibit A for the construction of the FWLE. Following construction of light rail, portions of the parcels remain part of the Transitway. The portions that are no longer required for transit purposes will become part of the WSDOT right of way, subject to the terms of the Land Exchange Agreement approved by the Sound Transit Board in 2018 through Motion No. M2018-100. The properties are not suitable for development as housing.

The CEO determined that the agency has no transit use for these properties in a surplus declaration dated January 13, 2022. Staff is recommending the Executive Committee approve the CEO's declaration of surplus.

As shown in Exhibit A, federal funds were used in the acquisition of these properties. Sound Transit will work with the Federal Transit Administration (FTA) on the disposition of these properties in accordance with FTA requirements. Sound Transit will likewise comply with all statutory requirements related to the surplus and disposition of the properties.

The parcels referred to as Turnback 2 which are required for construction of WSDOT's SR509 project, are scheduled to be turned over to WSDOT on March 1, 2022. In the future, parcels referred to as Turnbacks 1 and 3 are expected to be appraised, declared surplus, and conveyed to WSDOT under the same Land Exchange Agreement. Turnback 1 parcels are scheduled to be conveyed on or before November 1, 2022, and Turnback 3 parcels are scheduled to be conveyed on or before November 1, 2023.

Project status

-----○-----					
Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Final Design	Construction

Fiscal information

There is no fiscal impact for the declaration of the surplus property. Item (2) of the proposed action resulting from Motion M2018-100 could result in some incidental property appraisals costs. These costs have been assumed in the 2022 DECM Department, Real Property Division budget.

Pursuant to the Land Exchange Agreement, land bank credits may be used to balance any variance to achieve an equitable agreement.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

Not applicable to this action.

Time constraints

A one month delay would create a significant impact. The properties are scheduled to be turned over to WSDOT by March 1, 2022 and there is lead time in preparation required for the turning over of property.

Prior Board/Committee actions

Motion No. M2018-100: Authorized the CEO to execute a Land Exchange Agreement between Sound Transit and Washington State Department of Transportation for the Federal Way Link Extension and SR 509 Completion project.

Resolution No. R2013-30: Adopted a Real Property Excess, Surplus, and Disposition Policy and superseding Resolution No. R99-35.

Environmental review – KH 1/21/22

Legal review – PM 1/26/22



Resolution No. R2022-02

A RESOLUTION of the Executive Committee of the Central Puget Sound Regional Transit Authority approving the chief executive officer's declaration of surplus real estate property originally acquired for the Federal Way Link Extension Light Rail Project as surplus and no longer needed for a transit purpose.

WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under chapters 81.104 and 81.112 of the Revised Code of Washington (RCW) for the Pierce, King, and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, Sound Transit is authorized to plan, construct, and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and

WHEREAS, in general elections held within the Sound Transit district on November 5, 1996, November 4, 2008, and November 8, 2016, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, Sound Transit acquired the subject properties, located between S 219th Street and the Kent Des Moines light rail station area, for the Federal Way Link Extension Light Rail Project; and

WHEREAS the subject properties were acquired using Federal Transit Administration (FTA) funds and therefore Sound Transit will consult with FTA regarding the manner of disposition; and

WHEREAS, the subject real properties described in the attached Exhibit A are no longer required for a transit purpose; and

WHEREAS, the subject real properties described in the attached Exhibit A have been declared surplus by the chief executive officer; and

WHEREAS, Sound Transit's Real Property Disposition Policy, Procedures and Guidelines require that the Sound Transit Board approve the surplus property declaration if the value of the property exceeds \$5,000,000 and the Sound Transit Executive Committee approve the surplus property declaration if the value of the property exceeds \$200,000; and

WHEREAS, Sound Transit will receive credit for the fair market value of these properties under the Land Exchange Agreement and the Land Bank Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer's declaration of surplus stating that the subject properties described in Exhibit A are no longer needed for a transit purpose is approved.

ADOPTED by the Executive Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on February 3, 2022.



Kent Keel
Board Chair

Attest:



Kathryn Flores
Board Administrator



Resolution No. R2022-02
Exhibit A

Row #:	Portions of Tax Parcel #:	Owner:	Property Address:
FL163	2724200225	Sound Transit	West side of I-5, south of S 219th Street, north of S 220th Street Des Moines, WA 98198
FL179, FL-181, FL-182	2500600286, 2500600301, 2500600304	Sound Transit	W side of I-5, E of S 224th Place and N of S 225th Street Des Moines, WA 98198
FL191	2500600336	Sound Transit	23000 30th Avenue S Des Moines, WA 98198
FL193	2500600355	Sound Transit	3027 S 231st Street Des Moines, WA 98198
FL219, FL219.2, FL219.3, FL222	2500600418 7260200010, 7260200005, 1522049018	Sound Transit	23634 30th Avenue S Des Moines, WA 98198