



Resolution No. R2023-07

Approving the CEO's Declaration of Surplus for Federal Way Link Extension WSDOT Land Exchange Turnback 1

Meeting:	Date:	Type of action:	Staff contact:
Executive Committee	03/02/2023	Recommend to Board	Ron Lewis, DECM Executive Director
Board	03/23/2023	Final action	Linneth Riley-Hall, Executive Project Director, DECM Faith Roland, 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 have been met to complete the transfer of these properties to the Washington State Department of Transportation.

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.
- This action approves the CEO's declaration that the two 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. 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 2018 Land Exchange Agreement with the Washington State Department of Transportation (WSDOT) (which was approved by the Sound Transit Board in 2018 through Motion No. M2018-100).
- Per the Land Exchange Agreement, surplus portions of certain 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, Federal Transit Administration approval to the extent federal funds were used to acquire the subject property, 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 1 portion of that agreement (the "Turnback 1 Parcels").
- A public hearing, held on March 2, 2023, complies with RCW 39.33.020, requiring an agency to hold a public hearing prior to disposing of surplus property.

Background

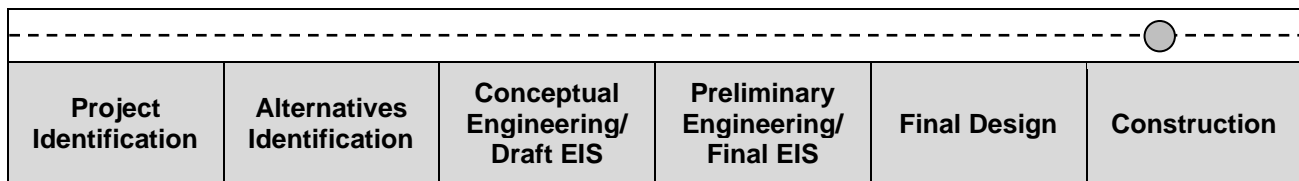
Sound Transit acquired the Turnback 1 Parcels for the construction of the Federal Way Link Extension. Following construction of light rail, the parcels are no longer required for transit purposes and, pursuant to the terms of the Land Exchange Agreement will become part of WSDOT right of way in connection with WSDOT's SR509 project. Because they are subject to an agreement under which they will serve a state transportation purpose, 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 February 22, 2023. Staff is recommending the Executive Committee approve the CEO's declaration of surplus.

Sound Transit will comply with all statutory and other legal requirements related to the surplus and disposition of the properties. FTA funds were not used for the acquisition of the Turnback 1 Parcels.

The Turnback 1 Parcels are scheduled to be turned over to WSDOT on May 1, 2023. The parcels referred to as Turnback 2 were turned over to WSDOT on March 1, 2022. In the future, parcels referred to as Turnback 3 are expected to be appraised, declared surplus, and conveyed to WSDOT under the Land Exchange Agreement. Turnback 3 parcels are scheduled to be conveyed on or before November 1, 2023.

Project status



Fiscal information

While there is no immediate fiscal impact for the declaration of the surplus property, completing the transfer of the properties to WSDOT will result in some incidental appraisal costs. These costs have been assumed in the Federal Way Link Extension project 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

A public hearing was held on the Disposal of Property to a Public Agency on March 2, 2023, pursuant to RCW 39.33.020.

Time constraints

A one-month delay would create a significant impact. The properties are scheduled to be turned over to WSDOT by May 1, 2023, and there is lead time in preparation required for the turning over of property.

Prior Board/Committee actions

Resolution No. R2022-02: 1) Approved 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) confirmed 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.

Motion No. M2018-100: Authorized the chief executive officer to execute a Land Exchange Agreement between Sound Transit and the 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 2/22/23

Legal review – PM 2/24/23



Resolution No. R2023-07

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority 1) approving 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) confirming that the terms of the 2018 agreement with the Washington State Department of Transportation have been met to complete the transfer of these properties to the Washington State Department of Transportation.

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 208th Street and the Kent Des Moines light rail station area, for the Federal Way Link Extension Light Rail Project; 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, the value of the subject real properties exceeds \$200,000 but is less than \$5,000,000; 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 Board 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 Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 23, 2023.



Dow Constantine
Board Chair

Attest:



Kathryn Flores
Board Administrator



Resolution No. R2023-07
Exhibit A

Item:	Row #:	Tax Parcel #:	Tax Payer(s):	Property Address:
1	FL108	3445000215	Sound Transit	20636 International Blvd, and adjoining Alley B, SeaTac, WA 98198
2	FL108.1	3445000210	Sound Transit	Alley B, 20636 International BLVD, SeaTac, WA 98198