

**RESOLUTION NO. R2012-20**
**Surplus Property Declaration for Northgate Link Extension Project Parcels**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>	<b>PHONE:</b>
Capital Committee	08/09/2012	Recommendation to Board	Ahmad Fazel, DECM Executive Director	(206) 398-5389
Board	08/23/2012	Final Action	<b>Roger Hansen, Real Property Director</b>	(206) 689-3366

**PROPOSED ACTION**

Approves the chief executive officer's declaration of surplus real property acquired for the Northgate Link Extension project.

**KEY FEATURES**

- In accordance with Sound Transit's Real Property Disposition Policy, Procedures and Guidelines, a property can be declared surplus when it is determined by the chief executive officer that certain real property is no longer needed for present or future transit purposes. For real property where the value exceeds \$200,000, a surplus property declaration must be approved by the Sound Transit Board.
- This action approves the chief executive officer's declaration that portions of two parcels owned or to be owned by Sound Transit located at 4300 and 4328 Brooklyn Avenue NE, Seattle, WA 98105, are surplus because they will no longer be required for a transit purpose upon completion of the Northgate Link Extension. This action also approves the chief executive officer's method of disposition to use proceeds from selling the property for the Northgate Link Extension or other capital projects.
- Sound Transit is considering conveying the properties to the University of Washington subject to statutory requirements and Sound Transit Board and University of Washington Board of Regents approval of a future property agreement.
- The surplus property consists of approximately 37,080 square feet of surplus airspace rights owned or to be owned by Sound Transit for future development of a transit oriented development/joint development above the U District Link station.

**PROJECT DESCRIPTION**

The Northgate Link Extension is a 4.3-mile extension of light rail from the University of Washington Station north under the campus via twin-bored tunnels to the underground U District Station along Brooklyn Avenue NE between NE 43<sup>rd</sup> and NE 45<sup>th</sup> Streets, an underground Roosevelt Station along 12<sup>th</sup> Avenue NE between NE 65<sup>th</sup> Street and NE 67<sup>th</sup> Street, continuing to an elevated station in Northgate along 1<sup>st</sup> Avenue NE spanning NE 103<sup>rd</sup> Street. The Northgate Link Extension is scheduled to be completed in September 2021 and will provide an interim terminus for Link at Northgate until the Lynnwood Link Extension is in service, currently anticipated in 2023.

## **FISCAL INFORMATION**

The agency's long term financial plan has assumed the sale of surplus property as a source of additional revenue to the subareas. To the extent that surplus properties are not sold, revenues and financial capacity is reduced. Proceeds from this transaction would be recorded as miscellaneous revenue in the North King County subarea.

## **SMALL BUSINESS PARTICIPATION**

Not applicable to this action.

## **EQUAL EMPLOYMENT WORKFORCE PROFILE**

Not applicable to this action.

## **BACKGROUND**

On April 27, 2006, upon consideration of the Final Supplemental Environmental Impact Statement (FSEIS), the Board adopted Resolution No. R2006-07, which selected the final route, profile, and station locations for the Northgate Link Extension. Final design began in October 2010. On June 28, 2012, the Sound Transit Board approved revisions to the alignment selected by the Board in 2006, and baselined the Northgate Link Extension schedule and budget.

Sound Transit has acquired the J P Morgan Chase Co. property and proposes to acquire certain UW properties. The properties will be used for construction, operation, and maintenance of the U District light rail station. Sound Transit will maintain adequate continuing control over portions of the property by retaining all rights necessary for continued transit use of the property. Airspace rights above the station will not be necessary for transit purposes. Properties no longer needed for transit purposes are to be disposed of consistent with FTA regulations. The properties that are the subject of this action are identified as King County Tax Parcels 114200-0185 (NL427) and 114200-0225 (NL429).

## **ENVIRONMENTAL COMPLIANCE**

JI 7/30/2012

## **PRIOR BOARD/COMMITTEE ACTIONS**

Resolution No. R2010-04: Authorized 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 staging and station areas for the Brooklyn and Roosevelt Stations within the North Link – UW Station to Northgate project.

Resolution No. 99-35: Adopted the Real Property Disposition Policy, Procedures and Guidelines for the disposition of surplus real property.

## **TIME CONSTRAINTS**

This item is a precursor to Board consideration of a future agreement with the University of Washington expected to come before the Board in fall 2012. A delay in authorizing this item could delay consideration of such agreement with the University of Washington for the development of the Northgate Link Extension on University property.

## **PUBLIC INVOLVEMENT**

Maps of the proposed Northgate Link Extension alignments and construction staging areas were published in the 2003 and 2005 North Link Draft Supplemental Environmental Impact Statements (SEIS) and the 2006 North Link FEIS and made available to the public. A 45-day comment period on the 2005 draft SEIS began in October 2005 and two public open houses/hearings were held in November 2005.

A public open house took place in June 2010 to inform the public on the start of the Northgate Link Extension final design phase. Sound Transit also held public open house meetings to discuss progress on the design of the U District Station. The 30% station design open house was held on June 9, 2011; the 60% station design open house was held on May 23, 2012. Station design plans illustrate potential transit oriented development over the U District Station.

In compliance with RCW 39.33.020, Sound Transit held a public hearing on August 9, 2012 at 12:30 pm in the Ruth Fisher Boardroom, at 401 S. Jackson Street, Seattle, WA 98104-2826. The purpose of the hearing is to advise the public of Sound Transit's intent to dispose of approximately 37,080 square feet of surplus airspace rights owned or to be owned by Sound Transit.

## **LEGAL REVIEW**

JW 7/27/12



## **RESOLUTION NO. R2012-20**

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority approving the chief executive officer's declaration of surplus real property, including the method of disposition to use future proceeds from selling the property for the open Northgate Link Extension or other capital projects.

WHEREAS, the Central Puget Sound Regional Transit Authority, hereinafter referred to as Sound Transit, has been created 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 Central Puget Sound Regional Transit Authority district on November 5, 1996 and November 4, 2008, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, Northgate Link Extension is a 4.3-mile extension of light rail from the University of Washington Station north under the campus via twin-bored tunnels to the underground U District Station along Brooklyn Avenue NE between NE 43<sup>rd</sup> and NE 45<sup>th</sup> Streets, an underground Roosevelt Station along 12<sup>th</sup> Avenue NE between NE 65<sup>th</sup> Street and NE 67<sup>th</sup> Street, continuing to an elevated station in Northgate along 1<sup>st</sup> Avenue NE spanning NE 103<sup>rd</sup> Street. The Northgate Link Extension is scheduled to be completed in September 2021 and will provide an interim terminus for Link at Northgate until the Lynnwood Link Extension is in service, currently anticipated in 2023; and

WHEREAS, Sound Transit acquired property from J P Morgan Chase Company and will acquired property from the University of Washington for the Northgate Link Extension authorized by the Board by Resolution R2010-04; and

WHEREAS, Sound Transit Board by Resolution No. R2010-04 authorized 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 Northgate Link Extension, including property acquisition from J P Morgan Chase Company and the University of Washington; and

WHEREAS, subject to Board approval, Sound Transit proposes to enter into a Property Exchange Agreement with the University of Washington for property acquisitions from the University of Washington that requires the conveyance of a portions of the former J P Morgan Chase Company and the University of Washington properties to the University upon completion of construction; and

WHEREAS, upon completion of construction of the Northgate Link Extension Project, portions of the subject real properties will no longer be needed for a transit purpose and have been declared surplus by the chief executive officer the surplus property being generally depicted on attached Exhibit A; and

WHEREAS, the subject property was acquired using Federal Transit Administration funds and requiring their concurrence in the method of surplus disposition, said request for concurrence having been submitted on July 30, 2012; and

WHEREAS, Sound Transit's Real Property Disposition Policy, Procedures, and Guidelines require a disposition method(s) be chosen for federally-assisted property, and the Executive Director has elected to use one of the following disposition methods: "(4a.iii) selling and using the proceeds for other Capital Projects or by (4a. iv) keeping the proceeds in the open project and applying the net proceeds from the sale of project real property to the original cost of the real property purchased for that project."

NOW THEREFORE BE IT RESOLVED by the Board of the Central Puget Sound Regional

Transit Authority as follows:

SECTION 1. The subject property is declared surplus and that the method of disposition is approved subject to Federal Transit Administration concurrence.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 23, 2012.

  
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Julia Patterson  
Board Vice Chair

ATTEST:

  
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Marcia Walker  
Board Administrator

