

Resolution No. R2019-16

To Acquire Real Property Interests Required for the Downtown Redmond Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	5/9/2019	Recommend to Board	Ron Lewis, DECM Executive Director
Board	5/23/2019	Final action	Becca Aue, PEPD Development Manager Tony Raben, DECM Project Director – Downtown Redmond Link Extension Rhonda Thomsen, Real Property Project Manager

Proposed action

Authorizes the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the Downtown Redmond Link Extension.

Key features summary

- Authorizes the acquisition of all or part of six parcels. Acquisitions consist of fee, temporary easements, and/or permanent easements for the Downtown Redmond Link Extension. These parcels are located in the City of Redmond.
- The properties are needed for construction, maintenance, and operation of the light rail guideway, or related facilities. Specifically, they are being acquired to replace City of Redmond park property and to offset impacts to existing Marymoor Park wetlands with other property within Marymoor Park.
- There are no relocations anticipated at this time on any of these parcel acquisitions.
- The real properties identified in this requested action are included in Exhibit A.

Background

The Downtown Redmond Link Extension adds approximately 3.4 miles of light rail from the future Redmond Technology Station at NE 40th Street in Redmond to the east corridor terminus station at 166th Avenue NE in downtown Redmond; and includes two stations and a 1,400-space parking garage. Revenue service is anticipated to begin in 2024.

A large portion of the Downtown Redmond Link Extension project alignment is on or adjacent to WSDOT right-of-way and includes reconstruction of several on and off ramps and other infrastructure requiring close coordination with WSDOT throughout all phases of the project.

In 2011, DRLE was funded through conceptual engineering. The Board selected the project to be built for East Link, including Segment E of the East Link Extension. In June 2017, the Board identified proposed refinements to DRLE for further study, authorizing additional environmental review and preliminary engineering. Proposed refinements include the alignment and station profile in the downtown

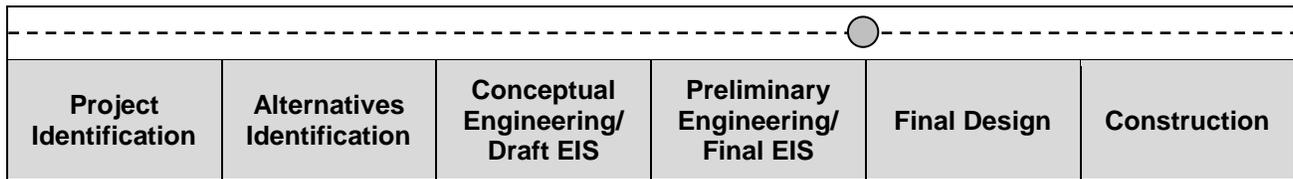
segment of Redmond from an at-grade profile from Bear Creek to Leary Way, to an elevated profile from Bear Creek to 164th Ave NE, including an elevated station and tail tracks. Additional environmental review was completed August, 2018, and the Board approved refinements to the project to be built in September, 2018.

Third party agreements in support of the project are now being finalized. A Project Administration Agreement with the City of Redmond was approved by the Board in November 2018 and a memorandum of understanding (MOU) with King County was approved in March 2019.

The design build proposals were received in April 2019 with a Board request to approve the design build contract anticipated for the summer of 2019.

Sound Transit will acquire the property, by condemnation if necessary, as needed for the construction, operation, and maintenance of the Downtown Redmond Link Extension and will reimburse relocation expenses 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.

Project status



Preliminary engineering was completed in November 2018 with the issuance of the Design Build Request for Proposal. Notice to Proceed is anticipated in Q3 2019, and revenue service in 2024.

Project scope, schedule and budget summary are located on page 66 of the February 2019 Link Progress Report.

Fiscal information

The authorized project allocation to date for the Downtown Redmond Link Extension project is \$1,530,000,000. Within that amount, \$199,000,000 has been allocated to the right of way phase, of which \$9,355,954 has been previously committed. There is \$189,644,046 of uncommitted funds in the right of way phase, which is sufficient to complete the proposed action.

In accordance with Sound Transit policy, budgets for specific parcels will be discussed with the Board in executive session. Consistent with the current estimate at completion for real property acquisition, this action and acquisitions of remaining certified properties are affordable within the adopted project budget.

Disadvantaged and Small Business Participation

Not applicable to this action

Public involvement

Sound Transit is committed to hearing from the public about the Downtown Redmond Link Extension project. For more than ten years, communities, businesses, stakeholders and agencies have helped shape the project by asking questions, talking with project staff, and providing ideas and comments. Additional outreach during the project refinement phase has included participation in the City of Redmond Transit Integration (TRAIN) Study Open House, Sound Transit open houses on the proposed

project refinements on May 17 and November 16, 2017, briefing of One Redmond, Redmond City Council briefings, newsletters and fact sheets, on-line surveys, and the Sound Transit website.

In compliance with state law regarding public notification, Sound Transit mailed certified letters to property owners affected by this action on May 3, 2019. Legal notices of this proposed Board action will be published in the Seattle Times newspaper on May 10, 2019, and May 17, 2019.

Time constraints

A one-month delay would not create a significant impact to the project schedule.

Prior Board/Committee actions

Resolution No. R2018-38; R2018-20; R2018-14; R2018-07; R2018-04; R2018-01: Authorized the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the Downtown Redmond Link Extension.

Motion No. M2017-92: Identified proposed refinements to the Downtown Redmond Link Extension project for further study.

Resolution No. R2016-05: (1) Restored funding for the preliminary engineering on light rail from Overlake to Redmond in the Sound Transit 2 Finance Plan, (2) amended the Adopted 2016 Budget to create the Downtown Redmond Link Extension Project by (a) establishing the Project Lifetime Budget through the completion of the Preliminary Engineering Phase in the amount of \$28,617,000 and (b) establishing the 2016 Annual Budget as \$4,120,000, and (3) approved Gates 1-3 within Sound Transit's Phase Gate Process.

Resolution No. R2013-09: Selected the route, profiles, and station locations for the East Link Light Rail Project, and superseding Resolution No. R2011-10.

Motion No. M2011-81: Implemented the East Link Light Rail Project.

Resolution No. R2011-10: Selected the route, profiles, and station locations for the East Link Light Rail Project.

Environmental review – KH 4/30/19

Legal review – PM 5/3/19



Resolution No. R2019-16

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to acquire certain real property interests, including acquisition by condemnation to the extent authorized by law, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants as necessary for the Downtown Redmond Link Extension.

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, in order to use the property determined to be necessary for the construction, operation and maintenance of project improvements required under the voter approved high capacity transportation system plans, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain rights in the property for public purposes, and to reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants; and

WHEREAS, environmental compliance pursuant to the State Environmental Policy Act (SEPA) for Downtown Redmond Link was completed with the East Link Project Final Environmental Impact Statement (EIS) issued in July, 2011; the Federal Transit Administration issued a Record of Decision (ROD) for the project in November, 2011; and Sound Transit issued a SEPA Addendum in August 2018 which included additional environmental information related to project refinements proposed since the Final EIS was issued; and

WHEREAS, Sound Transit has identified certain real properties as necessary for the construction and permanent location of the Downtown Redmond Link Extension and such properties are reasonably described in Exhibit A of this resolution; and

WHEREAS, in order to use the property determined to be necessary for the construction, operation, and permanent location of the Downtown Redmond Link Extension, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain lands and rights in property for public purposes, and reimburse eligible relocation and reestablishment expenses incurred by affected owners and tenants; and

WHEREAS, Sound Transit has commissioned or will commission appraisals to determine the fair market value of the properties, and will negotiate in good faith with the owners of the properties authorized to be acquired by negotiated purchase or condemned, with the intent of reaching agreements for the voluntary acquisition of the property for fair market value; and

WHEREAS, the funds necessary to acquire the property by voluntary purchase or to pay just compensation adjudged due after condemnation and the funds necessary to reimburse eligible relocation and reestablishment expenses shall be paid from Sound Transit general funds.

NOW THEREFORE BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority as follows:

SECTION 1. The chief executive officer is hereby authorized to execute such agreements as are customary and necessary for the acquisition of interests in the real property described in Exhibit A (said property to be used for the Downtown Redmond Link Extension) and incorporated herein by reference, and for the reimbursement of eligible relocation and reestablishment expenses. In accordance with Sound Transit's Real Property Acquisition and Relocation Policies, Procedures and Guidelines, the acquisition price of the properties may not exceed the fair market value to be determined through the appraisal process; provided that in the event the total of the acquisition, relocation, and reestablishment costs of the properties for the Downtown Redmond Link Extension exceeds Sound Transit's approved budget for right-of-way acquisition (plus contingency), then the chief executive officer must obtain approval from the appropriate committee or the Board, per Resolution No. R2018-40, before the acquisition of the property for the Downtown Redmond Link Extension by purchase or by condemnation and the reimbursement of eligible relocation and reestablishment expenses.

SECTION 2. The chief executive officer or his designee is hereby authorized to settle condemnation litigation or enter administrative settlements (a settlement in lieu of initiating condemnation litigation) for the acquisition of interests in the real property described in Exhibit A. Such settlements shall be made only upon the finding of legal counsel that the settlement is consistent with the law and is reasonable, prudent, and in the public interest. Such settlements may not exceed established project budgets. For all other settlements proposed, the chief executive officer must obtain prior approval of the appropriate committee or the Board, per Resolution No. R2018-40.

SECTION 3. The Sound Transit Board deems the Downtown Redmond Link Extension, to be a public use for a public purpose. The Board deems it necessary and in the best interests of the citizens residing within Sound Transit's boundaries to acquire interests in the real property identified in Exhibit A as being necessary for the construction, operation, and permanent location of the Downtown Redmond Link Extension, and affected owners and tenants be reimbursed eligible relocation and reestablishment expenses associated with displacements from the properties.

SECTION 4. The Sound Transit Board finds that the public health, safety, necessity, convenience, and welfare demand and require that interests in the real property described in Exhibit A be immediately acquired, condemned, appropriated, taken and damaged for the construction, operation, and permanent location of the Downtown Redmond Link Extension.

SECTION 5. In addition to the authority granted the chief executive officer in Section 1 above, condemnation proceedings are hereby authorized to acquire all, or any portion thereof, of the properties and property rights and/or rights in those of the properties described in Exhibit A to the extent permitted by law, for the purpose of constructing, owning, and operating a permanent location of the Downtown Redmond Link Extension. The chief executive officer is also authorized to make minor amendments to the legal descriptions of the properties described in Exhibit A, as may be necessary to correct scrivener's errors and/or to conform the legal description to the precise boundaries of the property required for the Project.

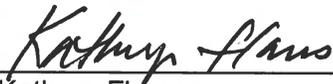
SECTION 6. The funds necessary to acquire the property by purchase or to pay just compensation adjudged due after condemnation shall be paid from Sound Transit general funds.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 23, 2019.



John Marchione
Board Chair

ATTEST:



Kathryn Flores
Board Administrator



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Exhibit A

DOWNTOWN REDMOND LINK EXTENSION PROJECT

ITEM	ROW #	TAX PARCEL #	TAX PAYER(S)	PROPERTY ADDRESS
1	RL190	1225059156	Wallace Properties Inc.	NE Cleveland St. (No site address) Redmond, WA 98052
2	RL191	1225059157	Wallace Properties Inc.	NE Cleveland St. (No site address) Redmond, WA 98052
3	RL192	1225059142	Wallace Properties Inc.	NE Cleveland St. Redmond, WA 98052
4	RL194	1225059031	Wallace Properties Inc.	16450 NE Cleveland St. Redmond, WA 98052
5	RL700	1325059010	King County – Parks	No Site Address Adjacent to (south of) 5022 W Lake Sammamish PW NE Redmond, WA 98052
6	RL705	1325059042	King County – Parks	5022 W Lake Sammamish Pkwy. NE Redmond, WA 98052