

Resolution No. R2025-08

To Ratify Authority to Acquire Real Property Interests Required for the Operations and Maintenance Facility South (OMFS) Project

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee Board	04/10/2025 04/24/2025	Recommend to Board Final action	Terri Mestas, Deputy CEO, Capital Delivery Bernadette McDermott, Executive Director, Center of Excellence Clint Dameron, Acting Director, Real Property

Proposed action

(1) 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 construction, operation, and maintenance of the Operations and Maintenance Facility South (“OMFS”) project and (2) ratifies and confirms the authority granted under Resolution No. R2023-26 to acquire mobile homes and cell tower infrastructure situated on the Belmor Mobile Home Park, one of the subjects of that resolution.

Key features summary

- The Board previously authorized acquisition of the underlying land and improvements owned by Belmor Mobile Home Park LP through Resolution No. R2023-26. The intent and effect of that resolution was to authorize the acquisition of all property interests associated with or situated on the mobile home park, to the extent needed for the OMFS project, including mobile homes and cell tower infrastructure.
- However, the individual owners of the majority of mobile homes were not provided the “notice of final action” required by statute in advance of the passage of Resolution No. R2023-26, which is a condition precedent to commencing condemnation proceedings to acquire the individual mobile homes.
- While no condemnation proceedings have been initiated under the authority granted under Resolution No. R2023-26, this action would cure the lack of notice to impacted mobile home owners and allow condemnation proceedings to move forward to the extent necessary.
- This action would also ratify and confirm the authority granted under Resolution No. R2023-26 to acquire, including by condemnation to the extent authorized by law, the mobile homes and cell tower infrastructure located on the property from the affected owners, as identified in Exhibit A.
- The land is needed for the construction, operation, and maintenance of the OMF South project and the mobile homes will need to be removed before site work can begin. The OMF South project will meet Sound Transit’s need to receive, test, commission, store, maintain, and operate an expanded fleet of light rail vehicles (LRVs) to support the expansion of the Link light rail system as part of Sound Transit 3. The Project will also help implement the Puget Sound Regional Council VISION 2050 and the Sound Transit Regional Transit Long Range Plan.

- Sound Transit will work with those impacted to assure they have access to relocation advisory services and other eligible relocation benefits as outlined in the Uniform Act.
- Sound Transit will secure and maintain the property during the length of time it is vacated and prior to start of project-related construction work. Staff will explore opportunities for community engagement when feasible.
- Sound Transit will seek to handle acquired mobile homes in a sustainable, economically beneficial manner. This includes potential donation of homes to area non-profits and/or housing authorities for use as low-income housing. Homes unable to be donated will be salvaged for useful parts and materials. Demolition of homes will occur as a last option.

Background

A new OMF is needed in the South corridor to receive, store and service a larger light rail vehicle fleet to support future Link light rail extensions to Tacoma, West Seattle and throughout the region. An OMF is where light rail trains go 24 hours a day, 365 days a year for cleaning and care. To build this new facility, Sound Transit needs approximately 60-70 acres near an operating light rail line. As part of system expansion plans, Sound Transit plans to construct a total of four OMFs across the region. In addition to this future facility in South King County (OMF South), Sound Transit currently services the existing light rail vehicle fleet at a central facility on South Forest Street in Seattle and at a second facility in Bellevue (OMF East). Sound Transit will also construct another OMF along the Everett Link Extension (OMF North).

FTA and Sound Transit evaluated three alternatives: Midway Landfill, South 336th Street, and South 344th Street and published the OMF South Final EIS on June 7, 2024. On June 27th, 2024, the Sound Transit Board selected the South 336th Street Preferred Alternative as the project to be built. FTA issued its Record of Decision on August 7, 2024. FHWA issued its ROD for the project on August 29, 2024.

The Board authorized early acquisition of real property for the Belmor Mobile Homes LP property on September 28, 2023, via Resolution No. R2023-26. Belmor Mobile Home Park LP owns the underlying land on which 74 mobile homes and one pad site have leasehold interests. Of the 74 mobile homes, 48 are privately owned and 26 are owned by an entity called Metro NW. Appraisal, negotiation, and relocation activities are currently underway for all 74 mobile homes in various stages of completion.

Due to the unique ownership distinction between the land and the mobile homes, it has been determined that the owners of the individual mobile homes and cell tower infrastructure are entitled to legal notice prior to final action to authorize the chief executive officer to acquire the real property by condemnation to the extent authorized by law.

Resolution No. R2023-26 provided statutory notice required for potential acquisition by condemnation only to the underlying landowners. Following an internal review, it was determined that statutory notice of final actions should be provided to the owners of individual mobile homes and to the cell tower infrastructure owners.

Consideration of this action provides a public forum for the impacted mobile home owners following their receipt of the statutorily required notice of final action for the authorization to acquire property via condemnation, should it become necessary.

Sound Transit will acquire the property, by condemnation, if necessary, as needed for the construction, operation, and maintenance of the OMF South. 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 reach an impasse.

Project status

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

Projected completion date for Final Design: Q2 2026

Current project status, performance metrics, and additional information are located on page 16 of the February 2025 System Expansion Monthly Status Report.

Fiscal information

The authorized project allocation for the OMF South project is \$394,359,979. Within the \$226,960,006 right of way phase, \$74,955,019 has been previously committed. There is \$152,004,282 of uncommitted funds in the right of way phase, which is sufficient to complete the 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.

Within the Agency’s Financial Plan, the cost estimate for the OMF South project is \$1.9 billion in 2024\$ and is assumed to open in 2029. As this project is pre-baselined, both the authorized project allocation for project development work and a forecasted cost estimate for the remaining project delivery and construction work are assumed in the existing Long Range Financial Plan forecast.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

In prior project phases, property owners were invited to meet with the OMF South project team to get their questions regarding environmental review and property acquisition/relocation answered. In addition, the engagement team notified residents, businesses, and properties on the publication of the project’s NEPA Draft/SEPA Supplemental Draft EIS in September 2023 and the Final EIS in May 2024. Notification methods included a mass mailer, social media posts, GovDelivery email updates, newspaper advertisements, and press releases.

During the current project phase, the engagement team supports real property staff in coordinating with property owners on acquisition-related questions and engages with properties potentially impacted by future construction.

In compliance with state law regarding public notification, Sound Transit will mail a certified letter to the property owners affected by this action. Legal notice of this proposed Board action was published in the Seattle Times newspaper on March 10, and March 17, 2025.

Time constraints

The Board has identified a target in-service date of 2029. The OMF South must be operational to receive its first LRV deliveries by 2030. The project team updated the Board on the project schedule and presented schedule recovery opportunities to meet the target in-service date for the Preferred Alternative. Property acquisition is on the critical path to meeting this target. Delays to acquiring the mobile homes will have a corresponding effect on preparing the site for design and construction activities.

Prior Board/Committee actions

Resolution No. R2025-01: 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 construction, operation, and maintenance of the Operations and Maintenance Facility South project.

Resolution No. R2024-26: 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 construction, operation, and maintenance of the Operations and Maintenance Facility South project.

Resolution No. R2024-19: 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 construction, operation, and maintenance of the Operations and Maintenance Facility South project.

Resolution No. R2024-16: Selected the project to be built for the Operations and Maintenance Facility South project.

Resolution No. R2023-26: Authorized the chief executive officer to acquire certain real property interests, contingent on receipt of any necessary federal approvals, 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 in order to secure properties for construction, operation, and maintenance of the Tacoma Dome Link Extension and the Operations and Maintenance Facility South project.

Motion No. M2021-81: Identified the preferred alternative for the Link Operations and Maintenance Facility South Final Environmental Impact Statement.

Environmental review – KH 3/24/25

Legal review – PM 4/3/25

Resolution No. R2025-08

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority (1) 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 Operations and Maintenance Facility South project (2) ratifying and confirming the authority granted under Resolution No. R2023-26 to acquire mobile homes and cell tower infrastructure situated on the Belmor Mobile Home Park, one of the subjects of that resolution.

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, the Operations and Maintenance Facility South project is a component of Sound Transit's high capacity system; and

WHEREAS, Sound Transit has identified certain real properties as necessary for the construction and permanent location of the Operations and Maintenance Facility South project 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 Operations and Maintenance Facility South project, 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:

- A. 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 Operations and Maintenance Facility South project) 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 Operations and Maintenance Facility South project 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. R2023-30, before the acquisition of the property for the Operations and Maintenance Facility South project by purchase or by condemnation and the reimbursement of eligible relocation and reestablishment expenses.
- B. 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. R2023-30.
- C. 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.
- D. Execute agreements for the disposition of interests in the real property identified in Exhibit A for: (1) the relocation of utilities as necessary or desirable for the Operations and Maintenance Facility South project; (2) the satisfaction of permit conditions or mitigation requirements; (3) the curing of damages to real property acquired pursuant to Exhibit A and caused by the implementation of the Operations and Maintenance Facility South project; or (4) returning real property identified in Exhibit A to previous owners for the purpose of minimizing Sound Transit's costs of operations and maintenance; provided that the foregoing dispositions of real property must be compatible with and must not interfere with regional transit system uses and must avoid the creation of unbuildable, residual parcels whenever possible.

SECTION 2. The Sound Transit Board deems the Operations and Maintenance Facility South project 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 Operations and Maintenance Facility South project, and affected owners and tenants be reimbursed eligible relocation and reestablishment expenses associated with displacements from the properties.

SECTION 3. 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

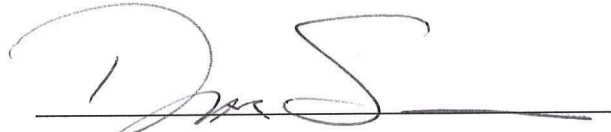
construction, operation, and permanent location of the Operations and Maintenance Facility South project.

SECTION 4. 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 Operations and Maintenance Facility South project.

SECTION 5. 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.

SECTION 6. Agreements executed from August 2024 to February 2025 for the acquisition of 30 out of 74 mobiles homes are ratified.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 24, 2025.

A handwritten signature in black ink, appearing to read 'Dave Somers', written over a horizontal line.

Dave Somers
Board Chair

Attest:

A handwritten signature in blue ink, appearing to read 'Kathryn Flores', written over a horizontal line.

Kathryn Flores
Board Administrator

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Exhibit A

Operations and Maintenance Facility South project

Item:	Row #:	Tax Parcel #:	Tax Payer(s):	Property Address:
1	OMF102.1	1621049037	SEATTLE SMSA LIMITED PARTNERSHIP, D/B/A VERIZON WIRELESS	2101 S 324TH ST, FEDERAL WAY, WA, 98003
2	OMF1021	4200-38112496	GUY E THORNTON AND NORA J THORNTON	2101 S 324TH ST UNIT#204 FEDERAL WAY, WA 98003
3	OMF10213	4200-38947008	DAVID J LOEFFLER	2101 S 324TH ST UNIT#248 FEDERAL WAY, WA 98003
4	OMF10215	4200-38009304	DENISE M GUSMAN, ANTONIO E GUSMAN, AND CHAD K K L GUSMAN	2101 S 324TH ST UNIT#252 FEDERAL WAY, WA 98003
5	OMF10217	4200-38031092	CARL DOWNS	2101 S 324TH ST UNIT#258 FEDERAL WAY, WA 98003
6	OMF10219	4200-38905337	ROY E HERRON	2101 S 324TH ST UNIT#260 FEDERAL WAY, WA 98003
7	OMF1022	4200-38112256	THE HEIRS AND DEVISEES OF ONADEE J BENTZ, DECEASED, AND JUDITH L WATSON	2101 S 324TH ST UNIT#205 FEDERAL WAY, WA 98003
8	OMF10228	4200-37351111	BONNIE GILMORE	2101 S 324TH ST UNIT#270 FEDERAL WAY, WA 98003
9	OMF10229	4200-38102851	VASILY DUZHUK AND TAMARA DUZHUK	2101 S 324TH ST UNIT#271 FEDERAL WAY, WA 98003
10	OMF10238	4200-39392600	CHAU T NGUYEN, PHAT N PHAN, TAM NGUYEN HONG PHAN	2101 S 324TH ST UNIT#294 FEDERAL WAY, WA 98003
11	OMF10240	4200-37007622	BETTY MARTIN AND ARTIS MARTIN	2101 S 324TH ST UNIT#297 FEDERAL WAY, WA 98003
12	OMF10241	4200-38004073	THE HEIRS AND DEVISEES OF PATRICIA GARLAND, DECEASED	2101 S 324TH ST UNIT#299 FEDERAL WAY, WA 98003

13	OMF10244	4200-37549409	BETTY SMOTHERMAN	2101 S 324TH ST UNIT#303 FEDERAL WAY, WA 98003
14	OMF10247	4200-38021069	ANNA JEAN	2101 S 324TH ST UNIT#332 FEDERAL WAY, WA 98003
15	OMF1027	4200-37736857	THE HEIRS AND DEVISEES OF CHARLES D WARNER III, DECEASED	2101 S 324TH ST UNIT#240 FEDERAL WAY, WA 98003
16	OMF1028	4200-39347802	ROBERT EUGENE MATTSON AND ERIC DAVID MATTSON	2101 S 324TH ST UNIT#241 FEDERAL WAY, WA 98003
17	OMF1029	4200-38112363	ALAN H WEAVER	2101 S 324TH ST UNIT#243 FEDERAL WAY, WA 98003
18	OMF102- 242	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#242, FEDERAL WAY, WA, 98003
19	OMF102- 245	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#245, FEDERAL WAY, WA, 98003
20	OMF102- 249	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#249, FEDERAL WAY, WA, 98003
21	OMF102- 250	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#250, FEDERAL WAY, WA, 98003
22	OMF102- 254	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#254, FEDERAL WAY, WA, 98003
23	OMF102- 255	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#255, FEDERAL WAY, WA, 98003
24	OMF102- 256	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#256, FEDERAL WAY, WA, 98003
25	OMF102- 257	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#257, FEDERAL WAY, WA, 98003
26	OMF102- 267	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#267, FEDERAL WAY, WA, 98003
27	OMF102- 273	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#273, FEDERAL WAY, WA, 98003
28	OMF102- 275	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#275, FEDERAL WAY, WA, 98003
29	OMF102- 281	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#281, FEDERAL WAY, WA, 98003
30	OMF102- 282	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#282, FEDERAL WAY, WA, 98003

31	OMF102-283	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#283, FEDERAL WAY, WA, 98003
32	OMF102-284	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#284, FEDERAL WAY, WA, 98003
33	OMF102-286	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#286, FEDERAL WAY, WA, 98003
34	OMF102-288	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#288, FEDERAL WAY, WA, 98003
35	OMF102-290	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#290, FEDERAL WAY, WA, 98003
36	OMF102-291	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#291, FEDERAL WAY, WA, 98003
37	OMF102-292	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#292, FEDERAL WAY, WA, 98003
38	OMF102-293	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#293, FEDERAL WAY, WA, 98003
39	OMF102-298	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#298, FEDERAL WAY, WA, 98003
40	OMF102-302	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#302, FEDERAL WAY, WA, 98003
41	OMF102-304	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#304, FEDERAL WAY, WA, 98003
42	OMF102-305	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#305, FEDERAL WAY, WA, 98003
43	OMF102-334	1621049037	METRO NORTHWEST LP	2101 S 324TH ST UNIT#334, FEDERAL WAY, WA, 98003

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Exhibit B

Operations and Maintenance Facility South project – Representative image of parcel and property to be impacted

