

Resolution No. R2025-09

To Acquire Real Property Interests Required for the Operations and Maintenance Facility South 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 Clint Dameron, Acting Director, Real Property

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

Key features summary

- Authorizes the acquisition of all or part of 2 parcels located in Federal Way. Acquisitions consist of Full Fee acquisition and both temporary and permanent Easement acquisitions for the Operations and Maintenance Facility South (OMF South) project. Based on current design, the acquisitions are as follows:
 - Parcel OMF099 is contemplated to be a full fee acquisition
 - Parcel OMF098 is contemplated to include permanent and temporary easement acquisitions
- The properties are needed for the construction, operation, and maintenance of the OMF South project. The 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.
- The real properties identified in this requested action are included in Exhibit A.

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.

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 XX of the February 2025 System Expansion Monthly Status Report.

Fiscal information

The authorized project allocation for the OMF South project is \$403,729,393. 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 will be published in the Seattle Times newspaper on April 10 and April 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. R2025-09

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 Operations and Maintenance Facility South project.

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.

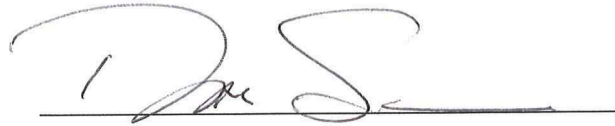
SECTION 2. The Sound Transit Board deems the Operations and Maintenance Facility South project to be a public use for a public purpose. The Board deems it necessary and in the best interests of the citizens residing within Sound Transit's boundaries to acquire interests in the real property identified 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.

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	OMF098	7622400019	MERLONE GEIER PARTNERS	2201 S COMMONS FEDERAL WAY, WA 98003
2	OMF099	7622400020	MERLONE GEIER PARTNERS	2300 S 324TH ST 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

