

Resolution No. R2025-20

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	08/14/2025 08/28/2025	Recommend to Board Final action	Terri Mestas, Deputy CEO, Capital Delivery Bernadette McDermott, Center of Excellence Executive Director Clint Dameron, Real Property Acting Director Eza Agoes, Executive Project Director

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 part of two parcels located in the City of Federal Way. Acquisitions consist of partial-fee acquisitions, and both temporary and permanent easement acquisitions for the Operations and Maintenance Facility South (OMFS) project. Based on current design, the acquisitions are as follows:
 - Parcel OMF097 – is contemplated to include short-term temporary construction easement (TCE), permanent drainage easement, and partial-fee acquisition
 - Parcel OMF100 – is contemplated to include short-term TCE, and partial-fee acquisition
- The properties are needed for the construction, operation, and maintenance of the OMFS 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 ensure they have access to relocation advisory services and other eligible relocation benefits as outlined in the Uniform Relocation Assistance and Real Property Acquisition Policies Act.
- The real properties that are the subject of this proposed action are identified in Exhibit A.

Background

To expand the Link light rail system consistent with the voter-approved ST3 Plan, Sound Transit needs additional facilities to store, maintain, and deploy a larger fleet of LRVs. Sound Transit has an existing

OMF at South Forest Street in Seattle and a second facility in Bellevue. Two more facilities, one in the North Corridor and one in the South Corridor, are needed as the system-wide fleet expands to over 400 total LRVs.

The OMFS will be located on an approximately 70-acre site and will support service levels across all lines in the future. It will provide space to store, test, commission, and maintain at least 144, 95-foot-long LRVs, and will include a Maintenance-of-Way Building and other support facilities. It will also provide mainline access to the building and yard. Sound Transit intends to use a progressive design-build (PDB) delivery approach to procure and deliver this project.

In June 2024 Sound Transit and FTA/FHWA completed a Final Environmental Impact Statement (FEIS) for the OMF South project. In June 2024, the Sound Transit Board of Directors approved Resolution No. R2024-16, identifying the S. 336th St. Alternative as the project to be built for the south corridor. In August 2024, FTA and FHWA issued their NEPA Records of Decision for the project. Since that time, the project team has been advancing the project design.

Although the FEIS is complete, the portion of the project that will require acquisition of parcels OMF097 and OMF100 is the subject of a NEPA reevaluation by the FTA. Specifically, project design refinements and collaboration with the City of Federal Way and Bonneville Power Administration (BPA) have resulted in a determination that it is necessary to build a roundabout on city right-of-way to the north of the OMFS site to accommodate relocation of a BPA tower. While the FEIS did contemplate relocation of four BPA towers, the project later became aware of a utility conflict that required one of the towers to be relocated into the right of way, thus resulting in the need for the roundabout, which was not included in the FEIS.

The acquisition of the subject parcels is needed for the roundabout construction. The parcels are vacant land and will not result in any displacements or adverse environmental impacts, and Sound Transit anticipates that the FTA will approve the design refinement and needed property acquisition. However, this request is for the Board to approve the acquisition of OMF097 and OMF100 subject to and contingent upon FTA approval of the NEPA reevaluation, which is anticipated in November 2025. Sound Transit will not make any binding offer to acquire the subject parcels until the NEPA reevaluation is complete and the FTA has approved the project refinement.

Upon obtaining all necessary approvals, Sound Transit will acquire the property, by condemnation, if necessary, as needed for the construction, operation, and maintenance of the OMFS. Sound Transit's authorizing legislation grants the agency the power of eminent domain to accomplish such acquisitions to the extent necessary.

Project status

Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Progressive Design-Build (Construction)

Projected completion date for Construction: Q2 2031

Current project status, performance metrics, and additional information are located on page 14 of the June 2025 System Expansion Monthly Status Report.

Fiscal information

Following approval of Resolution No. R2025-19, the authorized allocation for the OMFS project is \$524,729,393. Within the \$226,960,006 right of way phase, \$87,220,365 has been previously committed. There is \$139,739,641 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 current cost estimate for the OMFS project is \$2.0 billion in 2025\$ and is assumed to open in 2031. 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 reasonably assumed in the existing Long Range Financial Plan forecast.

In line with trends across other capital projects experiencing significant cost pressures, the agency is actively reassessing this project's cost outlook. As directed by the Board in Motion No. M2024-59, the agency is undergoing extensive work plan efforts to identify and mitigate rising cost drivers. This includes evaluating programmatic, financial, and project-level opportunities to improve affordability and strengthen the agency's overall financial position.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

In prior project phases, property owners were invited to meet with the OMFS project team to answer their questions regarding environmental review and property acquisition/relocation. 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.

Sound Transit has provided appropriate and timely notice of this Board action in accordance with RCW 8.25.290.

Time constraints

The Board has identified a target in-service date of 2029 for the OMFS project. The OMFS Project must be operational to receive its first LRV deliveries by 2030. Property acquisition is on the critical path to meeting this target. Delays to acquiring the subject property will have a corresponding effect on preparing the site for design and construction activities.

Prior Board/Committee actions

Resolutions Nos. R2024-19, R2024-26, R2025-01, and R2025-09: 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 – KF 8/11/25

Legal review – PM 8/11/25

Resolution No. R2025-20

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer, subject to and contingent upon obtaining any and all necessary federal approvals, 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, subject to completion of an ongoing NEPA reevaluation by the Federal Transit Administration, 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. Subject to and contingent upon obtaining any and all necessary federal approvals 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 into 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, subject to and contingent upon obtaining any and all necessary federal approvals, 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.

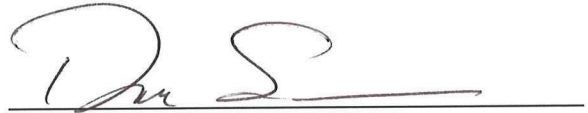
SECTION 3. The Sound Transit Board finds that the public health, safety, necessity, convenience, and welfare demand and require that, subject to and contingent upon

obtaining any and all necessary federal approvals, 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 August 28, 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

Resolution No. R2025-20**Exhibit A****Operations and Maintenance Facility South project**

Item:	Row #:	Tax Parcel #:	Tax Payer(s):	Property Address:
1	OMF097	7622400010	MERLONE GEIER PARTNERS	2001 S 320TH ST FEDERAL WAY, WA 98003
2	OMF100	7622400021	MERLONE GEIER PARTNERS	VACANT LAND AT 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

