

RESOLUTION NO. R2010-20
Surplus Real Property Declaration for Central Link Light Rail Parcels

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Board	09/23/10	Final Action	Ahmad Fazel, DECM Executive Director Roger Hansen, Real Property Director	206-398-5389 206-689-3366

PROPOSED ACTION

Approves a declaration of surplus real property by the chief executive officer, including the method of disposition for using future proceeds from selling or leasing the property for the open Central Link 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 project 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 CEO's surplus property declaration, and election of the disposition method that allows a sale of the property, keeping the proceeds in the open Central Link project and applies the net proceeds from the sale of real property to the original cost of the real property purchased for that project.
- In late 2009 Sound Transit issued a competitive Request for Proposals (RFP) for a transit oriented development project on the parcels located at 2915 and 2919 Rainier Avenue South in Seattle, WA. Artspace USA, a nonprofit developer of artist housing, submitted the only responsive proposal. Negotiations with Artspace are ongoing and may result in a purchase and sale agreement for the Board's consideration.

PROJECT DESCRIPTION

Surplus real property disposition occurs in accordance with adopted policy and process. A disposition declaration may be made by the chief executive officer following consideration of the subject property's present or future use for project purposes, and after consideration of the agency's Surplus Real Property Inventory and Utilization Plan. That action precedes a change of use for the property, taking it out of project status.

FISCAL INFORMATION

This action has no direct cost impact. The agency's long term financial plan has assumed the sale of surplus property from the light rail Initial Segment as a source of additional revenue to the subareas. No sale is pending.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

APPRENTICE UTILIZATION COMMITMENT

Not applicable to this action.

EQUAL EMPLOYMENT WORKFORCE PROFILE

Not applicable to this action.

BACKGROUND

The former Firestone site and Rainier Restaurant site, located at 2915 and 2919 Rainier Avenue South in Seattle, WA were obtained for Link light rail construction. The former Rainier Restaurant relocated to its new site in 2005 and the remainder of the site was used for project purposes until 2009. In 2008, Sound Transit sold a surplus parcel to Firestone, which relocated to its new site in April 2010. Both businesses now operate on Martin Luther King Jr. Way South, Seattle, WA.

The chief executive officer has reviewed the possible agency uses for the former Firestone and Rainier Restaurant sites and having considered the agency's Surplus Real Property Inventory and Utilization Plan, has determined there are no current or future agency uses for the properties.

Concurrent with this action is a companion motion (Motion No. M2010-91) for the Board's consideration which authorizes a short-term exclusive negotiating agreement with Artspace USA for acquisition of the subject parcels.

The Federal Transit Administration has been informed of the potential surplus property action and change of use.

ENVIRONMENTAL COMPLIANCE

JI 9/14/2010

PRIOR BOARD/COMMITTEE ACTIONS

None.

TIME CONSTRAINTS

A one month delay would not create a significant impact. Delay beyond one month could affect the viability of the current discussions with Artspace to acquire the subject parcels.

PUBLIC INVOLVEMENT

The RFP notices stimulated public inquiries about the potential change of use on these parcels. Community meetings have occurred in the surrounding neighborhood explaining property disposition plans in the Mount Baker Station area.

LEGAL REVIEW

JB 9/15/10

RESOLUTION NO. R2010-20

A RESOLUTION of the Board of the Central Puget Sound Transit Authority approving a declaration of surplus real property by the chief executive officer, including the method of disposition for using future proceeds from selling or leasing the property for the open Central Link Project.

WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under RCW Chapters 81.104 and 81.112 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 8, 2008, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, Sound Transit is authorized to acquire and dispose of property for the construction of high capacity transportation facilities under RCW 81.112.080; and

WHEREAS, Sound Transit acquired the subject property, Firestone Retail and Service Center and the Rainier Restaurant properties (2915 and 2919 Rainier Avenue S., Seattle, WA) for Central Link Light Rail Initial Segment Project purposes; and,

WHEREAS, those business have relocated elsewhere in the Light Rail corridor and are open for business; and,

WHEREAS, Sound Transit's Real Property Disposition Policy, Procedures and Guidelines require that when determined by the chief executive officer that certain Real Property is no longer needed for present or future project purposes, and is to be surplus, and the Real Property value exceeds \$200,000, a surplus property declaration must be approved by the Sound Transit Board in accordance with Sound Transit's Real Property Disposition Policy, Procedures and Guidelines; 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 chief executive officer has elected to use the following disposition method: "(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 that the subject property is declared surplus and that the method of disposition is approved.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 23, 2010.



Aaron Reardon
Board Chair

ATTEST:



Marcia Walker
Board Administrator