



## Resolution No. R2022-04

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

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	02/10/2022	Recommend to Board	Ron Lewis, DECM Executive Director
Board	02/24/2022	Final action	Tony Raben, Executive Project Director <b>Faith Roland, Real Property Director</b> <b>Rhonda Thomsen, Real Property Project Manager</b>

### Proposed action

Authorizes the chief executive officer to acquire or lease 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 one parcel located in Redmond. Acquisitions consist of temporary construction easements for utility purposes for the Downtown Redmond Link Extension.
- The property is needed for temporary construction activities for utility purposes. It is to accommodate the work required to replace a Puget Sound Energy gas line impacted by the project for the Downtown Redmond Link Extension.
- There are no relocations anticipated on this parcel acquisition.
- The real properties identified in this requested action are included in Exhibit A.

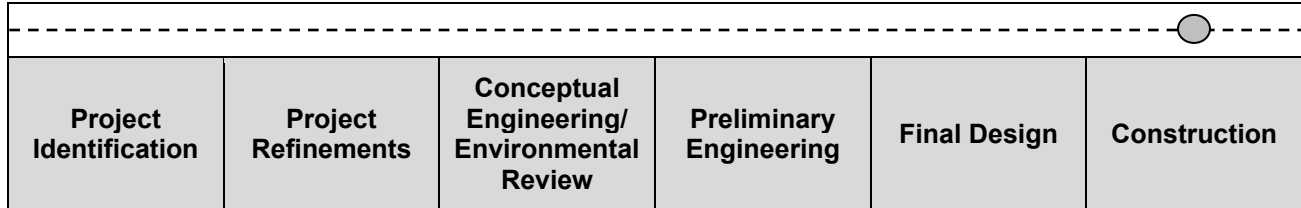
### Background

The Downtown Redmond Link Extension is a 3.4 mile light rail extension from the Redmond Technology Center Station at NE 40th Street in Redmond to the East Corridor terminus station at 166<sup>th</sup> Ave. NE in Downtown Redmond. The project includes two stations and a 1400-space parking garage. Service to Downtown Redmond is anticipated to begin in 2024.

Environmental compliance pursuant to the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) for East Link, including the Downtown Redmond Extension, was completed with the East Link Project Final Environmental Impact Statement (EIS) issued in July 2011. Additionally in July 2011, the Board selected the route, profiles, and station locations for the East Link Light Rail Project. In November 2011, the Federal Transit Administration and Federal Highway Administration issued Record of Decisions for the project. Proposed design refinements identified in 2017 were included in the 2018 Downtown Redmond Link Extension SEPA Addendum and NEPA Re-evaluation issued on August 31, 2018. On September 27, 2018, the Sound Transit Board approved Resolution No. R2018-32, refining the route, profile and stations for the Downtown Redmond Link Extension.

Sound Transit will acquire the temporary easement to accommodate utility work impacted by the construction, operation, and maintenance of the Downtown Redmond Link Extension. 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**



Projected completion date: 4Q 2024

Project scope, schedule and budget summary are located on page 13 of the December 2021 Agency Progress Report.

**Fiscal information**

The baseline budget 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 \$104,872,413 has been previously committed. There is \$94,127,587 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. Outreach efforts continue during the construction phase.

In compliance with state law regarding public notification, Sound Transit mailed certified letters to the property owner affected by this action on February 7, 2022. Legal notices of this proposed Board action will be published in the Seattle Times newspaper on February 11, 2022, and February 18, 2022.

**Time constraints**

A one-month delay may impact the timing of the gas line relocation, but not the overall project schedule.

## **Prior Board/Committee actions**

Resolution Nos. R2019-16, 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. 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.

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**Environmental review – KH 1/28/22**

**Legal review – MV 2/7/2022**



## Resolution No. R2022-04

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, Downtown Redmond Link Extension is a component of the Link Light Rail high capacity transit system; and

WHEREAS, Sound Transit has identified certain real properties as necessary for the construction and permanent location of the Downtown Redmond Link Extension, including those properties 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 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 her 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 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 February 24, 2022.

  
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Kent Keel  
Board Chair

**Attest:**

  
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Kathryn Flores  
Board Administrator



## Resolution No. R2022-04 Exhibit A

Downtown Redmond Link Extension Project

Item:	Row #:	Tax Parcel #:	Tax Payer(s):	Property Address:
1	RL107.01	2182500080	Anjuman-E-Burhani	NE 51st St. between SR520 and 154th Ave NE (Vacant Land, no site address) Redmond, WA 98052