

Discussion of Resolution No. 488: Approving the Relocation Plan and City Manager Property Acquisition Authority, and Ordinance No. 957: Authorizing the Use of Eminent Domain for Acquisition of Certain Real Properties - to Construct the State Route 523 (N/NE 145th Street) & I-5 Interchange Project

March 21, 2022



Purpose

- Provide Council the opportunity to discuss Resolution No. 488
 - Increase in City Manager authorization for property acquisition
 - Approval of relocation plan
- Provide Council the opportunity to discuss Ordinance No. 957
 - Authorizes the City to acquire private property for a public use through condemnation/eminent domain
- Final Action scheduled on April 4, 2022



Resolution No. 488

Approving the Relocation Plan and City
Manager Property Acquisition Authority



SMC 2.60.090 Real Property Acquisition

2. Provides authority for City Manager to acquire property

- Already approved projects
- Limited to \$50,000 unless another amount is approved for a specific project AND
 - Requires an appraisal and acquisition may not exceed 10% above the appraisal

SMC 2.60.090 Real Property Acquisition

3. Relocation Claims – not included in authorization limits of (A)(2)

- City Manager authorized for property documented claims up to federal or state law provided:
 - City Council has approved project relocation plan
 - Includes estimate for relocation that exceeds \$50,000 or higher limit approved by Council for a particular project

Real Property Acquisition

SR 523 and I-5 Interchange Project

- parcels require full or partial acquisition
 - 10 partial with the potential of 2 to becoming full acquisitions
 - Based on 2022 estimates. Range from \$50,000 to over \$1,000,000

145 TH STREET INTERCHANGE PROJECT						
SUMMARY OF PFE LIST OF 10 ESTIMATED ACQUISITIONS <i>(based on 2022 costs)</i>						
Estimated Acquisition Offer	equal to or less than \$50K	\$50K - \$399K	\$400K - \$699K	\$700K - \$899K	\$900K - \$1M	\$1M & over
10 PARCELS	4	2	1	2	0	1*
<i>running count</i>	4	6	7	9	9	10
Percent	40%	60%	70%	90%	90%	100%

* If the 2 parcels become full acquisitions, they will be over \$1M each bringing the total parcels over \$1M to 3.



Request for Increased Authority - Resolution No. 488

Staff Recommendation: Increase City Manager Authority to \$1,000,000 for the SR 523 and I-5 Interchange Project

- Project is approved and right of way acquisition is fully funded by Sound Transit funds
- Project follows the Uniform Relocation Assistance and Real Property Acquisition Policy
 - Defined process utilizing authorized appraisers
 - Little opportunity to negotiate acquisition costs

Additional Justification

- Real estate prices are rapidly increasing
- Project is on aggressive schedule
- Quicker approval process is beneficial to property owner
- Some parcels will still be required to come to Council for approval

Relocation Plan- Resolution No. 488

- The Relocation Plan has been developed and submitted to WSDOT. Detailed property information and estimated costs for relocation
 - Qualifying relocation costs are well defined in URA Policy
 - Utilize relocation specialist
- Acquisitions are the upcoming work
 - Up to 3 parcels have been identified for various relocation costs with estimates ranging from \$2,500 - \$150,000 per parcel

Ordinance No. 957

Authorizing the Use of Eminent Domain for
Acquisition of Real Properties to Construct
the SR 523 and I-5 Interchange Project



RCW 8.12

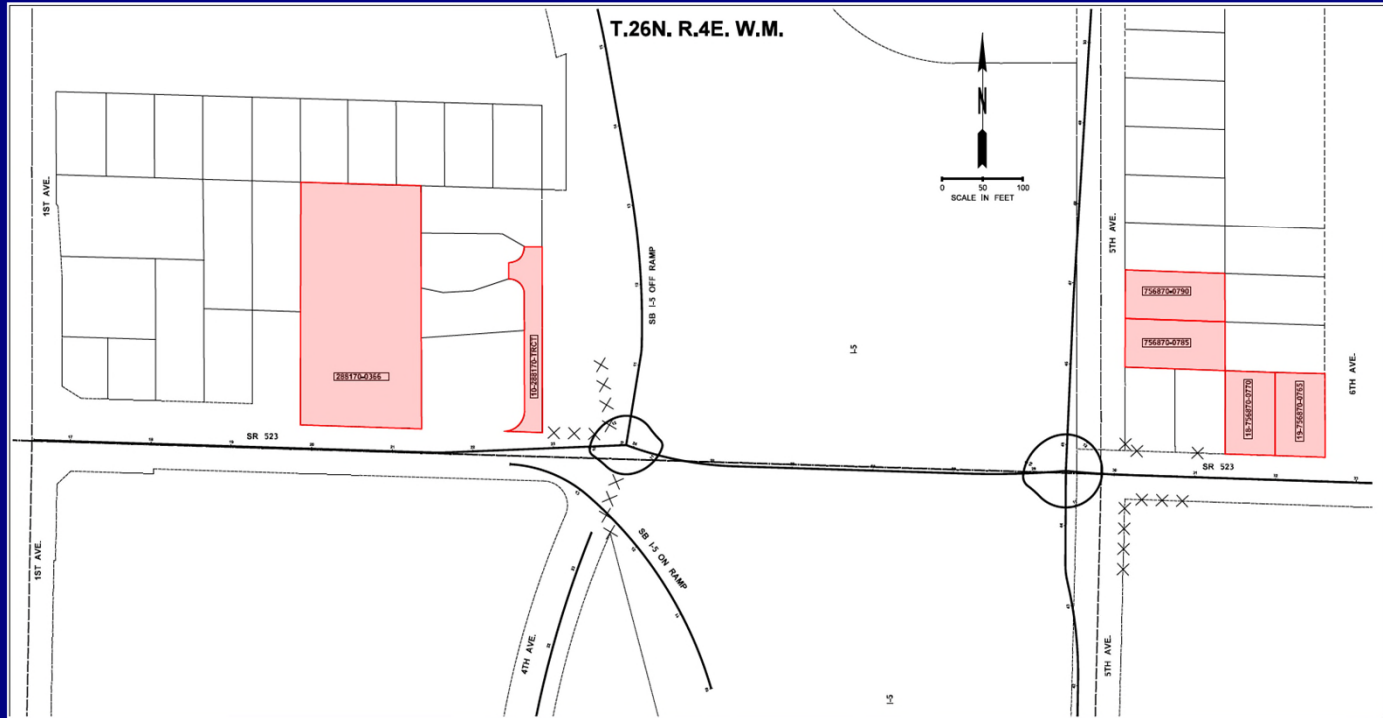
- Eminent domain is a power granted to political subdivisions, such as the City of Shoreline, through RCW 8.12 to acquire private property for a public use
 - RCW 8.25.290 (c) A city or town or other entity subject to chapter 8.12 RCW takes a final action authorizing condemnation as provided in **RCW 8.12.040**
- The condemnation ordinance is a precautionary step to keep the projects on schedule

Ordinance No. 957

- Authorizes condemnation for the State Route 523 (N/NE 145th Street) & Interstate-5 (I-5) Interchange Project
 - Ability to take all steps needed to acquire property for the project
- Finding of Public Use and Necessity
 - Property is necessary for the construction of the project
- Compensation
 - City will provide just compensation to property owners



Ordinance No. 957



Ordinance No. 957

- City has been in contact with all property owners
 - Objective is to negotiate with property owners
 - No eminent domain until negotiation efforts have been exhausted
- Ordinance No. 957
 - Includes 6 parcels in Shoreline
 - Does not include 2 parcels within the City of Seattle and 2 parcels owned by Seattle Public Utilities



Ordinance No. 957

- A Notice of the Final Action, adoption of Ordinance No. 957, has been published separately in the Seattle Times
 - March 17th and March 24th
- A notification letter has been sent via certified mail on March 10th to every property owner impacted by the final action

Next Steps

- No action is required tonight
- Council to discuss and provide feedback on Resolution No. 488 Increasing the City Manager's Signing Authority to \$1 Million and Approving the Relocation Plan
- Council to discuss and provide feedback on Ordinance No. 957 Authorizing the Use of Eminent Domain
- Final action is scheduled for April 4, 2022

Questions/Discussion

