

Discussion of Resolution No. 487: Approving the Relocation Plan and City Manager Property Acquisition Authority, and Ordinance No. 956: Authorizing the Use of Eminent Domain for Acquisition of Certain Real Properties - to Construct the N 175th Street, Stone Ave N to I-5 Project

April 18, 2022



Purpose

- Provide Council the opportunity to discuss Resolution No. 487
 - Increase in City Manager authorization for property acquisition
 - Approval of relocation plan
- Provide Council the opportunity to discuss Ordinance No. 956
 - Authorizes the City to acquire private property for a public use through condemnation/eminent domain
- Action scheduled on May 2, 2022



Resolution No. 487

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



Request for Increased Authority - Resolution No. 487

Staff Recommendation: Increase City Manager Authority to \$1,000,000 for the N 175th Street, Stone Ave N to I-5 Project

- Project is approved by Council and acquisitions are fully funded
- Project follows the Uniform Relocation Assistance and Real Property Acquisition Policy
 - Defined process utilizing authorized appraisers
 - Little opportunity to negotiate acquisition costs
- Proposed Resolution includes only the full acquisition parcels

Real Property Acquisition

N 175th Street, Stone Ave N to I-5 Project

- 4 parcels require full acquisition
 - Based on 2022 estimates. Range from \$650,000 to \$1,000,000

N 175 TH STREET - EARLY ROW ACQUISITION PHASE (STONE AVENUE TO I-5)				
SUMMARY OF RWFE LIST OF 4 ACQUISITIONS <i>(based on 2022 costs)</i>				
Estimated Acquisition Offer	Equal to or less than \$649K	\$650K - \$749K	\$750K - \$849K	\$850K & Over
4 PARCELS	0	2	1	1
<i>running count</i>	<i>0</i>	<i>2</i>	<i>3</i>	<i>4</i>
Percent	0%	50%	75%	100%



Additional Justification

- Real estate prices are rapidly increasing
- Quicker approval process is beneficial to property owner
- The amount requested allows 100% of the 4 properties to be authorized by City Manager

Relocation Plan - Resolution No. 487

- The Relocation Plan has been developed and submitted WSDOT Local Programs
 - 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
 - 4 parcels have been identified for various relocation costs with estimates ranging from \$140,000 - \$280,000 per parcel



Ordinance No. 956

Authorizing the Use of Eminent Domain for
Acquisition of Real Properties to Construct N
175th Street, Stone Ave N to I-5 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

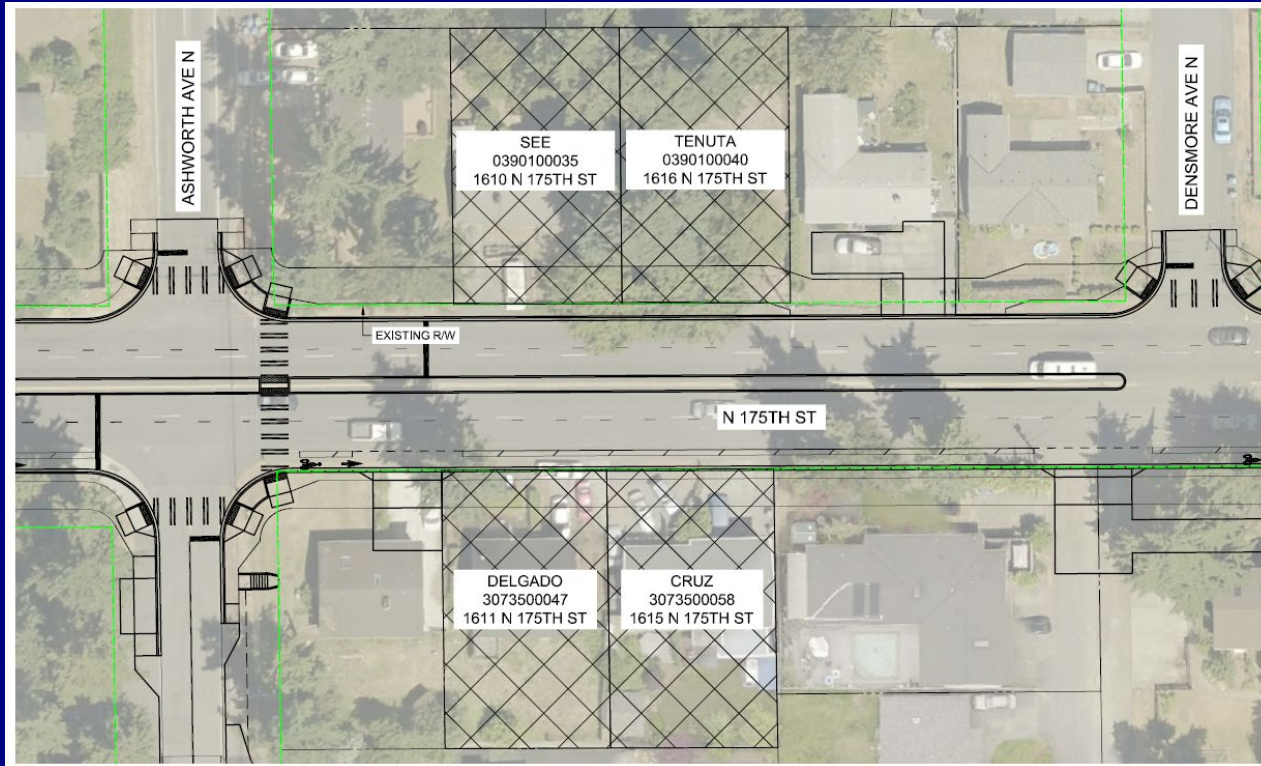


Ordinance No. 956

- Authorizes condemnation for the N 175th Street, Stone Ave N to I-5 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. 956



Ordinance No. 956

- 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. 956
 - Only includes the 4 full acquisition parcels in the early acquisition phase
 - All parcels within the City of Shoreline



Ordinance No. 956

- A Notice of the Final Action, adoption of Ordinance No. 956, will be published once a week for two successive weeks in the Seattle Times
 - April 14th and April 21st
- A notification letter has been sent via certified mail[®] on April 11th 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. 487 Increasing the City Manager's Signing Authority to \$600,000 and Approving the Relocation Plan
- Council to discuss and provide feedback on Ordinance No. 956 Authorizing the Use of Eminent Domain
- Final action is scheduled for May 2, 2022



Questions/Discussion

