



Legislation Details (With Text)

**File #:** AM No. 19-197  
**Type:** Consent Item **Status:** Passed  
**File created:** 11/30/2019 **In control:** City Council Special Meeting  
**On agenda:** 12/10/2019 **Final action:** 12/10/2019  
**Title:** Acquisition and/or Condemnation of Property for the NE 70th Street Betterments Project

1. ORDINANCE NO. 2993: An Ordinance Providing for the Acquisition, Condemnation, Appropriation, and Taking of Permanent Real Property Rights in Order to Construct an Additional Northbound Left Turn Lane on Redmond Way to NE 70th Street, as Part of CIP Project No. 163 (Budget No. 20021918); Providing that the Entire Cost Hereof Shall be Paid from Available Funds; and Directing the City Attorney to Prosecute the Appropriate Action and Proceedings in the Manner Provided by Law for Said Condemnation

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Memo No. 19-197, 2. Attachment A: Project Location, 3. Attachment B: Draft Ordinance, 4. Attachment B, Exhibit 1, 5. Attachment B, Exhibit 2

Date	Ver.	Action By	Action	Result
12/10/2019	1	City Council	approved	

**MEMO TO:** Members of the City Council

**FROM:** Mayor John Marchione

**SUBJECT:**

**Acquisition and/or Condemnation of Property for the NE 70<sup>th</sup> Street Betterments Project**

1. ORDINANCE NO. 2993: An Ordinance Providing for the Acquisition, Condemnation, Appropriation, and Taking of Permanent Real Property Rights in Order to Construct an Additional Northbound Left Turn Lane on Redmond Way to NE 70th Street, as Part of CIP Project No. 163 (Budget No. 20021918); Providing that the Entire Cost Hereof Shall be Paid from Available Funds; and Directing the City Attorney to Prosecute the Appropriate Action and Proceedings in the Manner Provided by Law for Said Condemnation

**I. RECOMMENDED ACTION**

Authorize 1) acquisition of property to allow construction of a second northbound to westbound left-turn lane at the NE 70<sup>th</sup> Street/Redmond Way intersection that will improve access to the future Sound Transit light-rail station in Southeast Redmond (see Attachment A;) and 2) the use of condemnation to

acquire property necessary to construct the left-turn lane in the event negotiations with property owners are unsuccessful (see Attachment B.) The process to acquire land for public purposes and the potential use of condemnation is permitted and governed by RCW 8.12 and RCW 8.25.

**II. DEPARTMENT CONTACTS**

Malisa Files, Finance Director 425-556-2166  
 Terry Marpert, AICP, Finance, Real Property Specialist 425-556-2428

**III. DESCRIPTION/BACKGROUND**

In the Downtown Redmond Link Extension Construction Services Agreement approved by the City Council on July 16, 2019, the acquisition of land for the NE 70<sup>th</sup> Street Betterments is identified as necessary to provide space for constructing a second northbound to westbound left-turn lane at the NE 70<sup>th</sup> Street/Redmond Way intersection as shown in Attachment A. The additional turn lane adds vehicular capacity that will improve access to the future light-rail station in Southeast Redmond. Rather than building the project itself, the City will leverage its funds by paying Sound Transit to build the project. Redmond will achieve savings through construction economies of scale as Sound Transit will already be building several other transportation improvements in the area.

The betterments as outlined for Council in the July Construction Services Agreement include:

Betterment	General Scope
NE 51 <sup>st</sup> Street Pressure Reduction Valve (PRV)	Replace aging PRV and appurtenances near NE 51 <sup>st</sup> St and SR 202
NE 76 <sup>th</sup> Street - SR 202 (Redmond Way) Intersection Improvements	Add second left-turn lane from eastbound Redmond Way to eastbound NE 76 <sup>th</sup> Street
NE 70 <sup>th</sup> Street - SR 202 (Redmond Way) Intersection Improvements	Add second left-turn lane from north/westbound Redmond Way to westbound NE 70 <sup>th</sup> Street
Redmond Central Connector (RCC) Improvements <i>(jointly funded with Sound Transit)</i>	Rebuild RCC from 166 <sup>th</sup> Ave. NE to the Bear Creek Trail in accordance with RCC Master Plan

**A. Analysis**

Southeast Redmond Neighborhood planning policies recognize the Marymoor Subarea as a place with an eclectic mix of manufacturing, education, distribution, research and development, and religious uses. Policies support a future Southeast Redmond light-rail station that will serve a significant number of regional commuters in addition to local travelers. Southeast Redmond Neighborhood Policy N-SE-73 encourages improved connectivity in the neighborhood by planning for and constructing projects that improve the quality of connections from Southeast Redmond’s Central Subarea to the Redmond Way and Marymoor subareas for commuting and midday trips. Southeast Redmond Neighborhood Policy N-SE-74 supports working with Sound Transit and others to encourage regional commuters to use the planned Sound Transit light-rail station park and ride to access transit.

Implementation of these policies began when the City added Project C86, NE 70<sup>th</sup> Street Improvements, to the 2019-2024 Six-Year Transportation Improvement Plan (TIP) in November 2018. In addition to the turn lane, Project C86 constructs a new NE 70th Street between Redmond Way to the light-rail station and 173<sup>rd</sup> Avenue NE. Authorization to acquire land to build the turn lane is the first step towards completing the NE 70th Street Improvements project consistent with City planning policies and the Construction Services Agreement with Sound Transit.

**B. Notice**

As required by RCW 8.25.290, notices of the proposed Council action were sent by certified mail to the two affected property owners on November 22, 2019, and published in the *Seattle Times* on November 25, 2019 and December 2, 2019. The notices stated that the City seeks to acquire property necessary to build the NE 70<sup>th</sup> Street right-turn betterment either through negotiation or, if necessary, the condemnation process.

**IV. PREVIOUS DISCUSSIONS HELD**

Previous discussions on betterment projects were held with Council on the following dates:

- January 8, 2019 Study Session on betterments
- May 28, 2019 Committee of the Whole briefing
- June 25, 2019 Committee of the Whole briefing
- July 16, 2019 Council approval of Construction Services Agreement with Sound Transit
- November 19, 2019 Council Executive Session

**V. IMPACT**

**A. Service/Delivery:**

The property purchase will allow for a second left-turn lane from Redmond Way to NE 70<sup>th</sup> Street to improve vehicle access to the future Southeast Redmond light-rail station and Marymoor Village.

**B. Fiscal Note:**

The total cost for the NE 70th Street Improvements, including the NE 70<sup>th</sup> Street right-turn lane is estimated to be \$4.1 million and is budgeted in the City's 2019-2024 Six-Year TIP.

**VI. ALTERNATIVES TO STAFF RECOMMENDATION**

The City Council could choose to not authorize acquisition and/or condemnation of property for the NE 70th Street betterment. This would negatively impact access to the future Southeast Redmond light rail station.

**VII. TIME CONSTRAINTS**

City Council action should occur by December 10, 2019 to allow property acquisition to proceed consistent with Sound Transit's schedule to build other transportation improvements in Southeast Redmond, including the Southeast Redmond light-rail station and park and ride.

**VIII. LIST OF ATTACHMENTS**

Attachment A - Project Location

Attachment B - Ordinance