

TO: City Council  
FROM: Mary Heather Ames, Transportation Manager  
DATE: June 9, 2022  
SUBJECT: Right of Way Procedures - Updated

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1) Recommended Action:

Staff requests the City Council approve and authorize the Mayor to sign the updated Right of Way Procedures, Administrative Settlement Policy, and Waiver of Appraisal Procedure, to be forwarded to the Washington State Department of Transportation for their approval.

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2) Background:

As part of the Certification Acceptance (CA) Agreement with the Washington State Department of Transportation (WSDOT), the City must comply with certain requirements per the WSDOT Local Agency Guidelines (LAG). These guidelines allow for the City to acquire property rights needed for completion of projects. In order to perform right of way activities per the LAG, it is necessary to have these procedures in place.

This update reflects no change from the existing approved procedures except for using the new WSDOT form and updating staff resumes, which will be forwarded along with the form to WSDOT for their files.

The document is made up of three parts:

Right of Way Procedures: Sets forth the statutory requirements and the City's responsibilities for right of way acquisition including the staff positions, or others, responsible for the various acquisition activities.

Administrative Settlement Policy: Sets forth the conditions and requirements for negotiating settlements where the settlement amount is in excess of the fair market value, and establishes the City's authority, by position, of who has responsibility for approving the settlement depending on the amount of the settlement.

Waiver of Appraisal Procedure: Sets forth the conditions under which the City may elect to waive the requirement for an appraisal.

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3) Policy Support:

Create and Maintain a Transportation System Safe for All Modes of Travel  
- Ensure sustainable funding to maintain and improve streets and sidewalks

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4) Alternatives:

☐ Make changes to the procedures.

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5) Fiscal Notes:

None as a direct result of this item.

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6) Attachments:

A. Right of Way Procedures 2022