

TO: City Council
FROM: Brandon Hicks, Transportation and Engineering Director
DATE: October 21, 2025
SUBJECT: Right-of-Way Procedures – Updated

1) Recommended Action:

Approve and authorize the mayor to sign the update to the City of Tumwater Right-of-Way Procedures including the Right-of-Way Procedure, Administrative Settlement Policy, Waiver of Appraisal Procedure, and Relocation Appeal Procedure to be forwarded to the Washington State Department of Transportation for their approval.

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.

The document is made up of four 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.

Relocation Appeal Procedure: Sets forth the requirements and steps for which an appeal may be made to the City.

3) Policy Support:

Create and Maintain a Transportation System Safe for All Modes of Travel – Provide a safe, efficient, and cost-effective transportation system.

4) Alternatives:

☐ Make changes to the procedures

5) Fiscal Notes:

The updated policy does not have a monetary cost to implement and maintain. The policy allows the City to utilize federal funding for ROW activities.

6) Attachments:

A. Right-of-Way Procedures 2025