



Transportation & Public Works Committee Meeting Minutes

February 17, 2022
4:30 PM – 6:00 PM
** Virtual Meeting **

Members:	Present:	Absent:	Commence: 4:30 PM Adjourn: 6:10 PM
Peter Kwon, Chair	P		
Jake Simpson	P		
Takele Gobena	P		

Other Councilmembers participating:

Staff Coordinators: Will Appleton, Public Works Director; Florendo Cabudol, City Engineer

Other Staff Participating: Ingrid Bulpin, Real Property Management Specialist; Gwen Voelpel, Deputy City Manager; Mary Mirante-Bartolo, City Attorney; David Tomporowski, Senior Planner

Public Comment	No public comment was submitted.
1. Approve Prior Meeting's Minutes	Feb 3 Minutes were approved to go to full Council
2. River Ridge Elementary Safe Routes to School	<p>Informational</p> <p>Informational presentation from Will Appleton, Public Works Director about the 2022 Sidewalk Project – River Ridge Elementary Sidewalk Project. This project was selected by the Sidewalk Committee in fall, 2021, during the Sidewalk Selection Process.</p> <p>The Sidewalk Committee chose from several sidewalk candidate locations that were scoped out by staff. Selection Criteria included – Mobility/Connectivity; Community Support; Right of Way Impacts; Accessibility; Pedestrian Volume; and Funding.</p> <p>The River Ridge Elementary location came up in September, 2021 just after the school started its new operation, after numerous elementary children were observed walking along</p>

	<p>Military Road to and from school, with no barrier between traveling vehicles and the pedestrians.</p> <p>This project will be a joint project between Kent School District and the city, which allows us to fast-track the project with shared tasks in order to install the sidewalk prior to school start in fall of 2022.</p> <p>Benefits of a partnership between the City and the Kent School District include shared project costs, increased likelihood of meeting project schedule, and optimizes how staffing and resources are used.</p> <p>Project elements include steep slopes, developing an interlocal agreement between the parties; stormwater requirements, and right of way acquisition.</p> <p>Project amenities include 4 foot landscape strip; 6 foot sidewalks; curb and gutter; bike lane; and pedestrian height lighting.</p> <p>Next steps include:</p> <ul style="list-style-type: none"> • Develop the Interlocal Agreement (ILA) • Committee and Council approval of the ILA • Begin identified tasks associated with completing the project. <p>A Committee comment was made that this is how residents can make a difference (many reached out to ask for this location for children’s safety.</p> <p>Committee raised a question about properties to the north of the elementary school. Staff will check into the north side apartment location.</p> <p>This presentation was informational only. No action was taken at this meeting.</p> <p>:</p>
<p>3. Right of Way Purchases General Information</p>	<p>Informational</p> <p>Will Appleton, Public Works Director, presented the topic of Right of Way (ROW) acquisition for public works projects.</p> <p>ROW acquisitions/rights are needs to help ensure complete street improvements can be construction to best allow for the functionality and safety of the transportation network into the future:</p> <p>Allows for complete street improvements Construction of new sidewalks and storm drainage Placement of utility vaults to facilitate underground conversion of overhead utilities.</p> <p>ROW definition:</p>

The legal right, established by usage or grant, to pass along a specific route through grounds or property belonging to another.

ROW purpose: allow for construction and maintenance of road, curb/gutter, landscaping, sidewalks, bicycle lanes, utilities, lighting, and other types of elements that serve the traveling public.

Additional ROW is acquired for private development projects and capital improvement projects.

Developers are asked to dedicate the underlying land needed to construct frontage improvements so that the improvements are within right-of-way, or if street alignment or width does not meet city code.

Capital improvement projects (CIP) that are construction within existing rights-of-way that are insufficient to support the required infrastructure. The purchase of additional ROW from the adjacent private property owners is needed.

How is ROW acquired for CIP projects? Offer to purchase property rights that follow WSDOT's approved ROW acquisition procedures:

Identify property required for project construction

Notify affected property owners/community outreach

Acquire formal third-party appraisal, if over \$10,000.

Present formal written offer

Offer to reimburse for evaluation services

Negotiate terms for final settlement

Assist with Relocation if needed

Pay for all closing costs and entitlements

Complete all affected property restoration.

In all cases, the Uniform Act of 1970 is followed.

Temporary ROW acquisition also happens where we need a temporary easement on private property to place sidewalk in the ROW. This is also purchased.

When a settlement agreement cannot be reached.

Eminent domain is the power possessed by governments to take over the private property of a person without his/her consent. The government can only acquire private lands if it is reasonably shown that the property is to be used for public purpose only.

To exercise the power of eminent domain, a government must prove the four elements set forth in the Fifth Amendment.

They are:

Acquisition is of private property

Property must be acquired.

Acquisition must be for public use; and

	<p>Just compensation must be awarded.</p> <p>To exercise eminent domain, a condemnation ordinance must be passed by the Council for the project. The Ordinance authorizes eminent domain (if necessary) for outstanding properties to allow for a defined path forward to a settlement and avoid project delay.</p> <p>The Ordinance identifies subject parcels. Authorizes the use of eminent domain. Allow for possession and use of the property in parallel with process. Courts ultimately decide on fair and just compensation.</p> <p>Staff mentioned that the city will need to continue to acquire strip takes on some projects as we continue to create complete streets as the norm as the City continues to grow and develop.</p>
<p>4. Department Update</p>	<p>Construction is now underway on the 34th Avenue South Project (South 166th Street to South 160th Street) Project. Will offered to take Committee members out to see the project if desired.</p> <p>The pathway being built west of 42nd between South 180th Street and South 182nd Street will close in about a month. This will allow school children to walk from the apartment buildings on South 180th Street safely to the Bow Lake Elementary School.</p> <p>Airport Station Area Pedestrian Improvements project is currently under design.</p>
<p>5. Adjourn</p>	<p>Adjourn Meeting</p>