

RESOLUTION NO. R- 3693

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING RIGHT OF WAY ACQUISITION AND RELOCATION POLICIES AND PROCEDURES.

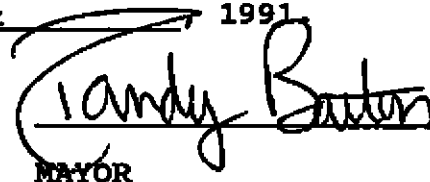
BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1 Right of way acquisition and relocation policies and procedures are hereby adopted by the City of Kirkland as set forth in Exhibit A attached hereto which by this reference is incorporated herein.

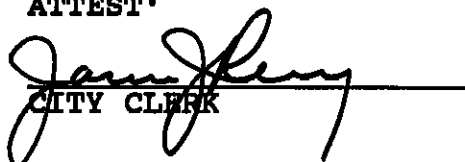
Section 2 The Department of Public Works is authorized to adopt further rules and regulations, consistent with this resolution, to be regarded as though fully set forth herein.

PASSED BY MAJORITY VOTE of the Kirkland City Council in regular, open meeting this 20th day of August, 1991.

SIGNED IN AUTHENTICATION thereof on this 20th day of August, 1991.

  
MAYOR

ATTEST:

  
CITY CLERK

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**RIGHT-OF-WAY ACQUISITION AND RELOCATION  
ASSISTANCE PROCEDURES OF THE CITY OF KIRKLAND**

**I. CERTIFICATION AND SCOPE**

The City of Kirkland certifies that it will comply with Ch. 8.26 RCW and WAC Chs. 468-100 and 365-24 in connection with the acquisition of real property, and relocation of persons displaced by its program or project.

The Department of Public Works of the City of Kirkland is responsible for the real property acquisition and relocation activities on Public Works, Sanitary Sewer Utility, and Waterworks Utility projects administered by the City. To fulfill the property acquisition--relocation assistance role in the development and implementation of projects, the Department of Public Works has the following expertise and personnel capabilities and accomplishes these functions under the following procedures.

**II. PERSONNEL AND DUTIES**

**1. CITY ENGINEER-**

Administers all activities of the Engineering section, including support to the Legal Department in litigation, environmental law compliance and the property acquisition programs for the Department. Assures compliance with appropriate City ordinances and resolutions, State statutes, rules and regulations which pertain to real property acquisition and relocation assistance. Approves administrative settlements over the approved appraisal

**2. SR. PROJECT ENGINEER-**

Administers all appraisal activities, including estimates of right-of-way costs and appraisals of fair market value to assure that the City appraisal process complies with appropriate City and State statutes, laws, rules and regulations. Coordinates and assigns all appraisal work, hires contract (fee) appraisers, maintains permanent files on all appraisals. Coordinates reviews of appraisals. Said reviews are to determine the adequacy and reliability of supporting data and to approve an adequately supported appraisal report which represents fair market value.

Assures separation of the appraisal and review functions, as well as the subsequent separation of negotiation and relocation assistance functions.

Manages surveying, mapping, and right-of-way operations.

3. PROJECT ENGINEER-

A. Acquisition Activities

Advises owners of need for project, of impact upon their property, and of their rights under Ch 8.26 RCW. Reviews project plans, appraisals, and instruments for adequacy as to real property considerations. Provides legal descriptions. Reviews commercial title reports and exceptions. Coordinates contract (fee) and staff negotiation activities with owners in conformance with all laws, rules and regulations. Requests condemnation procedure when necessary. Sets up escrows and instructions

B. Relocation Assistance Activities

In compliance with City, County and State laws, appropriate rules and regulations, gives notice of relocation assistance at the time of or subsequent to initiation of negotiations according to time limits determined by the funding agency. Prepares letter to property owner explaining entitlements. Prepares appropriate relocation claims. Is knowledgeable in State guidelines for relocation assistance and real property acquisition policies. If the project does not require relocation, prepares letter disclaiming necessity to prepare relocation plan. Prepares Relocation Assistance Program Plan for project requiring relocation assistance. Carries out same. Provides for field inspections of available substitute housing to insure decent, safe and sanitary qualifications. Arranges meetings with and interviews of all displacees as to their needs, offering services and advice on continuing basis. Coordinates contract (fee) and staff relocation assistance activities.

Note: Separation of Negotiation and Relocation Assistance activities to be maintained

**III. ACQUISITION PROCESS****1. POLICY STATEMENT-**

The City of Kirkland, desiring to acquire real property in accordance with the State Uniform Relocation Assistance and Real Property Acquisition Act (Ch. 8.26 RCW) and State regulations (WAC Chs. 365-24 and 468-100), whenever a program or project may receive federal financial assistance, hereby adopts the following procedures to implement the above statute and Washington Administrative Code.

**2 PROCEDURES-**

As regards real property acquisitions pursuant hereto, the City of Kirkland shall, to the greatest extent practicable, be guided by the policies set forth in RCW 8.26.180 through 8.26.200, and shall operate in accordance with WAC Sections 365-24-910 through 365-24-960 and 468-100-101 through 468-100-106.

**IV. RELOCATION ASSISTANCE****1. POLICY STATEMENT -**

The City of Kirkland, to promote uniform and effective administration of relocation assistance programs, hereby adopts the regulations and procedures of the Washington State Department of Transportation promulgated by publication number M 26-01 Chapter 12, "Right of Way Manual" and Title 49, Code of Federal Regulations, Part 24, effective March 2, 1989 in conducting the City's relocation program for Federal Aid Projects.

**2. PROCEDURES -**

The City of Kirkland shall act in accordance with the requirements of Ch 8.26 RCW and WAC Ch 468-100 relating to displaced persons. The City of Kirkland adopts as its operating procedures those which are described in WAC 365-24-030(1)(a) through (d), and WAC 365-24-210 through 365-24-884.