



CAPITAL PLANNING AND CONSTRUCTION

DATE: April 17, 2025
TO: Dr. Damien Pattenaude, Superintendent
FROM: Matt Feldmeyer, Executive Director, Capital Planning and Construction
FOR BOARD MEETING: April 24, 2025 Board Public Hearing

MRF 4/17/25

AGENDA ITEM: Resolution 15-24/25

The administration requests and recommends the Board take final action to authorize condemnation of 1 (one) property, which the administration seeks to assemble and acquire as the site for the Renton High School Replacement and Site Expansion. The administration believes that the acquisition of this property is necessary to effectively and efficiently design and build a high school that best serves the School District needs for the life of the school, which are public uses of the properties for a public purpose. The administration believes the acquisition of this remaining piece of the assemblage is necessary for the proposed public use and for the benefit of the public to allow us to build the best high school possible on the site and meet the scheduled opening date.

In order for the school district to take final action to proceed with acquisition by eminent domain (condemnation), the Board is required to hold a public hearing and take comments for and against the proposed condemnation, and should it find the condemnation appropriate, authorize the condemnation. The hearing is scheduled for April 24, 2025. A proposed Resolution No. 15-24/25 is attached, reviewed by our legal counsel for the Renton High School Replacement and Site Expansion.

DISTRICT GOALS:

Excellence in Teaching & Learning, Removing Barriers & Supporting Students

BUDGET IMPLICATION:

Included in current budget, no additional budget capacity required.

RECOMMENDATION:

Recommend the Board take final action to authorize condemnation of the 1 (one) property, which the administration seeks to assemble and acquire as the site of the new Renton High School.

Attachment: Resolution 15-24/25

Recommendations:

I have reviewed and recommend approval of this request:


Jennifer A. Farmer

Assistant Superintendent of Finance and Operations/CFO


Date

SERVICE | EXCELLENCE | EQUITY

But

RENTON SCHOOL DISTRICT NO. 403

Renton, Washington

RESOLUTION NO. 15-24/25

A RESOLUTION of the Board of Directors of the Renton School District No. 403, King County, Washington, authorizing the exercise of eminent domain authority under RCW 8.16.010 to acquire properties within the project area for the replacement and expansion of Renton High School within the City of Renton.

WHEREAS, Renton School District No. 403 ("District") identified a capital project need in its Community Facilities Advisory Committee review and in its Capital Facilities Plan ("CFP") and passed a bond to replace and expand Renton High School; and

WHEREAS, the District explored various locations for relocation of Renton High School. The search for another location for the school was unsuccessful and the District determined to replace and expand the school in its current location;

WHEREAS, for purposes of such high school replacement and expansion, the District identified a potential project area ("Project Area") adjacent to the existing school site and comprised of forty-two (42) parcels of property located in the City of Renton, King County, Washington; and

WHEREAS, the Board passed Resolution No. 02-23/24 on October 25, 2023, authorizing the acquisition of an assembly of properties within the City of Renton for the Renton High School replacement and expansion; and

WHEREAS, the Board reviewed parcel data, market value appraisals by a professionally designated real estate appraiser, county assessments, and purchase price information for each property within the Project Area; and

WHEREAS, the District extended written offers to purchase each property within the Project Area, subject to the fulfillment of contingencies, including approval by the Board of Directors ("Board") of the final transaction terms and conditions prior to closing on the purchase of each property; and

WHEREAS, the District made reasonable and diligent efforts to negotiate the purchase of each property within the Project Area through negotiated settlements with each property owner. These efforts included:

- i. Made initial contact with each property owner to inform them about the District's intention to replace and expand Renton High School and the District's interest in acquiring their property for that purpose;
- ii. Obtained a professional appraisal of each property to determine its current fair market value and shared results of said appraisal with each Property owner;

- iii. Informed each property owner that they had the option to obtain their own appraisal and were eligible for reimbursement for the cost of such appraisal pursuant to RCW 8.25 *et seq.*;
- iv. Presented a written offer to purchase each property based on the appraised value, including all relevant terms, conditions and contingencies of each offer;
- v. Arranged meetings, whether in-person, or by telephone, with each Property owner, or their authorized representative, to negotiate the terms of the purchase and address any concerns they may have;
- vi. Explored and reviewed all received counter offers;
- vii. Explored and offered relocation assistance to each eligible Property owner and occupant pursuant to RCW 8.25 *et seq.*;
- viii. Maintained clear and consistent written communication throughout the negotiation process, documenting all offers, counteroffers and responses;
- ix. Offered to cover reasonable legal fees for eligible property owners to consult with their own attorney regarding the proposed settlement pursuant to RCW 8.25 *et seq.*;
- x. Held public meetings to discuss the necessity of the Project Area and property acquisition and allow each property owner to voice their concerns and suggestions;
- xi. Made a written offer that included any concessions or adjustments made during the negotiation process;

WHEREAS, despite these efforts, the District was unable to reach voluntary agreements with each property owner in the Project Area for the purchase of their respective property.

WHEREAS, the Board passed Resolution No. 09-24/25 on February 27, 2025, authorizing the use of the District's eminent domain authority to acquire certain properties within the Project Area (the "Board Resolution"). Additional properties within the Project Area were not included in the Board Resolution because of ongoing negotiations between the District and the property owners, with the intent to reach negotiated agreements for the District's acquisition of these properties.

WHEREAS, despite the additional time to reach voluntary agreements with each property owner in the Project Area, as of the date of this Resolution, the properties where no such voluntary agreement could be reached are listed in attached Exhibit A (collectively, the "Property" and each individually a "Property"); and

WHEREAS, under the laws of the State of Washington, including but not limited to RCW 8.16.010, the Board is authorized to exercise the power of eminent domain to acquire real property for use as a school site, provided that just compensation is paid to the property owner; and

WHEREAS, the Board has determined that the acquisition of the Property for the replacement and expansion of the Renton High School is: (i) a public use; (ii) in the public interest; and (iii) necessary for the public use and; and

WHEREAS, pursuant to RCW 8.25.290, the District provided notice by: (i) mailing the proscribed notice by certified mail to each and every Property owner of record for each property potentially subject to condemnation at least 15 days before meeting to vote on this Resolution; and (ii) publishing the proscribed notice in the legal newspaper with the largest circulation in the jurisdiction where such property is located once a week for two successive weeks before meeting to vote on this Resolution;

WHEREAS, the Board conditions this Resolution on the District having already performed the above-mentioned negotiations and accompanying actions with each individual Property owner before condemning each respective Property. The District shall continue negotiations with the remaining affected Property owners to reach negotiated settlements, if reasonably possible.

WHEREAS, provided that the District has attempted to reach a voluntary settlement with each affected Property owner, the Board hereby declares that the exercise of eminent domain authority is a last resort and is necessary to accomplish the public use for which the Property is required, the replacement and expansion of the Renton High School; and

NOW, THEREFORE, be it resolved that the Board, pursuant to its authority under RCW 8.16.010, hereby (i) authorizes the Superintendent of the District or the Superintendent's designee to take all steps necessary or advisable, in compliance with applicable law, policies, and procedures, to effectuate the acquisition of fee simple title to the Property and the warehouse property, including the right to exercise the District's power of eminent domain subject to any necessary further Board action.

[Signatures on following page.]

ADOPTED by the Board of Directors of Renton School District No. 403, King County, Washington, at the special meeting thereof held on _____, 2025.

RENTON SCHOOL DISTRICT NO. 403,
King County, Washington

Dr. Stefanie McIrvin, President

Justin Booker, Vice President

Susan Talley, Director

Dr. Avanti Bergquist, Director

Pam Teal, Director

Dr. Damien Pattenaude, Superintendent

Exhibit A

1. 402 S. Tobin Street, Renton, WA 98057 (APN 000720-0037)

(Residential)