

ACTION ITEM #1

WSU Spokane, University District Pedestrian/Bike Bridge Agreements (Stacy Pearson)

March 2, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Spokane, University District Pedestrian/Bike Bridge Agreements

PROPOSED: That the Board of Regents delegate authority to the President or his designee to enter into any and all documents, including but not limited to, a University District Pedestrian/Bike Bridge Agreement and a Front Avenue Parking Agreement, which will be necessary to convey a right of way to the City of Spokane.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

**SUPPORTING
INFORMATION:**

This transaction is the dedication by WSU of a right of way to a portion of a parking lot on the WSU Spokane Campus to the City of Spokane. This property is needed by the City for the northern landing of the University District Pedestrian/Bicycle Bridge (Bridge) which it is constructing over the Burlington Northern Railroad tracks. These tracks divide the Spokane Campus from the Spokane medical district and hospitals to the south. When complete, the Bridge will significantly benefit WSU by providing direct access from the Spokane Campus to the areas south of the BNSF railroad tracks; and also improving access, housing, entertainment, and overnight accommodation opportunities for WSU students, employees and visitors. Further, the Bridge will facilitate future expansion of the Spokane Campus into that area.

The City of Spokane and WSU have long had a mutual interest in improving vehicular and pedestrian access to the Spokane Campus and in improving the appearance of the area. To achieve these goals, we have worked collaboratively with the City for completion of several projects, including the extension of Martin Luther King Jr. Way and Spokane Falls Blvd. through the Campus, and pedestrian friendly lighting and landscaping along those streets. The construction of the Bridge is another part of the collaboration.

The City obtained funding for and agreed to design and construct the Bridge. For its part WSU is transferring and conveying to the City a public road right-of-way over, under, upon and across a portion of a WSU parking lot that will be the northern terminus of the Bridge.

The City needed to acquire the right of way before negotiations for the consideration to be received by WSU for the right of way could be completed. Therefore, WSU and the City entered into a Possession and Use Agreement in December, 2016 to give the City early possession to begin construction pending completion of the negotiation process. The Bridge is currently being constructed. The Possession and Use Agreement is similar to an order of immediate possession and use given in condemnation cases under Washington law, and the Possession and Use agreement notes that possibility. It was not determined at that time that Regents approval was necessary for the Possession and Use Agreement. However, it is clear Regents approval of the transaction is now needed for execution of the final documents since the property is valued at more than \$1 million.

1.49 acres of the parking lot was needed for the northern terminus of the Bridge. The lot appraised at a value of \$1.897 million. The appraisal was based on fee simple ownership by the City, however a right of way with a reversionary interest in WSU is being conveyed. As consideration for this transfer the City agreed to (i) design and construct the bridge, (ii) to pay WSU \$185,000 to cover the capital costs of replacement parking, (iii) to provide replacement parking in the form of granting WSU long-term rights to operate and maintain paid parking on those portions of Front Avenue lying generally between Sherman Street and the Spokane River for a period of 25 years, and (iv) to grant WSU a deferment of any required streetscape improvements along Front Avenue that are related to the WSU Teaching Health Clinic project for 25 years. The City also agreed to extend the bicycle path from the Bridge to the Martin Luther King Jr. bicycle path.

The documents required for this transaction are a Right of Way Dedication Agreement, Front Street Agreement for parking, and a Right of Way Dedication Deed. These documents are pending Regents approval of this transaction.

ATTACHMENTS: Attachment A - Aerial Site Map
Attachment B - Bridge Aerial Renderings
Attachment C - Bridge Renderings

Attachment A

Aerial Site Map



Attachment B Aerial Bridge Renderings



Attachment C
Bridge Renderings



Board of Regents

WSU Spokane, University District Pedestrian/Bike Bridge Agreements

Resolution #180302-571

WHEREAS, the Board of Regents of Washington State University by virtue of RCW 28B.10.528 has authority to delegate by resolution to the President of the University, or designee, powers and duties vested in or imposed upon the Board by law and to enable the President, or designee to act on behalf of the Board of Regents in matters relating to the administration and governance of the University.

RESOLVED: That the Board of Regents delegate authority to the President or his designee to enter into any and all documents, including but not limited to, a University District Pedestrian/Bike Bridge Agreement and a Front Avenue Parking Agreement, which will be necessary to convey a right of way to the City of Spokane.

Dated this 2nd day of March, 2018.

Chair, Board of Regents

Secretary, Board of Regents