

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6861

AN ORDINANCE authorizing and providing for the acquisition of real property interests for the construction of the Cedar Terrace Pump Station Rehabilitation S-16 Project; providing for condemnation, appropriation, and the taking of land and property rights necessary therefore; providing for payment; directing the initiation of appropriate proceedings in the manner provided by law for said condemnation; and establishing an effective date.

WHEREAS, on December 11, 2020, the City Council adopted the 2021-2027 Capital Investment Program (CIP) Plan by Ordinance No. 6557; and

WHEREAS, the Sewer Pump Station Improvements Program (S-16) is part of the CIP Plan and provides ongoing funding for rehabilitation and replacement of 36 pump stations and 10 flush stations that are part of the City's public wastewater system; and

WHEREAS, the Cedar Terrace Pump Station Rehabilitation S-16 Project ("the Project") is one of the projects included in the Sewer Pump Station Improvements Program (S-16) and involves the replacement of an aging pump station with the construction and installation of a new gravitational sewer system that must pass through private property; and

WHEREAS, in the short term, the Project reduces the likelihood of catastrophic system failures, damage claims, and expenditures required to resolve issues related to the failure(s) of the aging pump station; and

WHEREAS, in the long term, the Project facilitates timely replacement of critical wastewater facilities, improves sewer service in the area, and keeps customer rates as low as practical by managing the system at the lowest life-cycle cost while still maintaining service levels and meeting regulatory requirements; and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that said Project be undertaken at this time; and

WHEREAS, the City Council finds that, in order to carry out the Project, it is necessary for the City to acquire the interests and rights to the property described herein; and

WHEREAS, the City Council finds and declares it necessary and in the best interest of the public that interests in the land and property rights hereinafter described be condemned, appropriated, and taken for public use, subject to the making or paying of just compensation to the owners thereof; now, therefore;

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The land and property rights thereto, located at 11120 NE 33rd Place, Bellevue, King County, Washington, as described in Attachment A, are necessary for the construction of the Project described above, subject to making or paying just compensation to the owners thereof in the manner provided by law.

Section 2. The City Council of the City of Bellevue finds construction of the Project to be a public use, specifically the replacement of an aging pump station with a new gravitational sewer system, to be constructed/installed in the northern corner of, and running east/west through, the property located at 1120 NE 33rd Pl, Bellevue, Washington, which will help reduce the likelihood of catastrophic system failures, damage claims, and rate increases. Furthermore, as the Project will help avoid backflows into residential properties, improve sewer service in the area, and keep sewer customer rates as low as possible by managing the system at its lowest life-cycle costs, the City Council specifically finds construction of the Project to be necessary and in the best interest of Bellevue residents and sewer utility customers.

Section 3. The cost and expense of acquiring the property rights described in this Ordinance shall be paid from the CIP Plan or from other utilities funds of the City. The Director of the Finance and Asset Management Department, or designee, is hereby authorized to make offers to, negotiate with, and execute agreements with the owners of said land or property interests, for the purpose of: obtaining property interests; entering into relocation agreements; and making, paying, and approving just compensation as negotiated with said owners or as ordered by the appropriate court.

Section 4. In the absence of a negotiated purchase with the affected property owners, the City Attorney, or designee, is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, and take the property necessary to carry out the provisions of this Ordinance. In so doing, the City Attorney, or designee,

is authorized to utilize legal descriptions and depictions of the property rights condemned herein in a format more precise than those set forth in Attachment A. The City Attorney, or designee, is further authorized to approve and enter into any and all such agreements, stipulations, and orders necessary to carry out the provisions of this Ordinance, including the payment of just compensation and relocation as agreed to with the property owners or as ordered by the appropriate court.

Section 5. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this _____ day of _____, 2025 and signed in authentication of its passage this _____ day of _____ 2025.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Brian Wendt, Assistant City Attorney

Attest:

Charmine Arredondo, City Clerk

Published _____

ATTACHMENT A

Property Location:

11120 NE 33rd Place
Bellevue, WA 98004

King County Tax ID No. 202505 -9102
COB Parcel No. 8524

Property Rights Required:

Temporary Construction Easement – 20,749 sq. ft.

Sewer Easement – 3,944 sq. ft.