

CITY COUNCIL AGENDA TOPIC

Resolution determining that an existing Wall Maintenance Easement, located at 13300 SE Eastgate Way, is surplus to the City's needs and authorizing the execution of an easement release.

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Steve Costa, Regional Transportation Projects Manager, 452-2845 *Transportation*

EXECUTIVE SUMMARY

ACTION

This Resolution determines that an existing Wall Maintenance Easement, 13300 SE Eastgate Way, is surplus to the City's needs and authorizes the execution of an Easement release.

RECOMMENDATION

Move to adopt Resolution No. 10474

BACKGROUND/ANALYSIS

WSDOT Fish Habitat Enhancement Projects (FHEP)

As part of the State's fish recovery efforts, WSDOT has made it a priority to reconnect waterways where its road culverts act as fish passage barriers. Since 1991, when WSDOT created a dedicated program, 344 barriers have been corrected, opening a total of 1,161 miles of fish habitat.

I-90 Sunset Creek Fish Passage Project

Culverts on Interstate 90 at Sunset Creek in Bellevue have been identified as fish passage barriers by the Washington Department of Fish and Wildlife (WDFW). The Sunset Creek culvert crossing is in the Factoria community approximately a half mile east of the I-90/I-405 interchange.

WSDOT began a design-build project in 2022 to replace the existing culverts through I-90 with two bridge spans over an open channel. WSDOT is also building two bridge spans on SE Eastgate Way and SE 36th Street for a total of four stream crossings.

Council will be presented with a Turnback Agreement in the future for transferring the new bridges on SE Eastgate Way and SE 36th Street to the City.

Eastgate Housing Campus

WSDOT is acquiring an easement from Polaris at Eastgate, LLC. The easement is for the construction of habitat enhancements along Sunset Creek, maintenance access and the new bridge on SE Eastgate Way. Prior to WSDOT's project, the Conditions of Approval issued by the City for the Eastgate Housing Campus included that the applicant provide the City with a Wall Maintenance easement for sidewalk along the SE Eastgate Way frontage. The Wall Maintenance easement was recorded on August 13,

2021, under King County recording number 20210813000627. Since WSDOT is now creating an open channel through this area and building sidewalk on the bridge, WSDOT requests the City remove the Wall Maintenance easement from the Eastgate Housing Campus title as it is no longer needed.

COUNCIL HISTORY:

On October 11, 2021, WSDOT presented to Council an update on the I-90 Fish Habitat Enhancement Projects.

On July 25, 2022, Council authorized the execution of Utility Construction Agreement (UTB 1510) between WSDOT and the City for shared cost reimbursements associated with utility relocations for the WSDOT Sunset Creek Fish Passage Project.

On March 6, 2023, Council authorized the execution of a temporary easement with Washington State Department of Transportation (WSDOT) across City of Bellevue property located at 13389 SE 36th Street, as part of WSDOT's I-90 Sunset Creek Fish Passage Project.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under Bellevue City Code 4.32.060, the City can dispose of real property interests, including the release of permanent transportation easements, upon approval by the Council.

Fiscal Impact

Declaring this easement surplus has no fiscal impact on the City because this easement was provided to the City at no cost. Per the guidance laid out in the City's Easement Release Procedure, no compensation is required for the release of an easement that was obtained at no cost.

OPTIONS

- Adopt the Resolution determining that an existing Wall Maintenance Easement, located at 13300 SE Eastgate Way, is surplus to the City's needs and authorizing the execution of an easement release.
- 2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Vicinity Map
- B. Easement Location Map

Proposed Resolution No. 10474

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed easement release