

## CITY COUNCIL REGULAR SESSION

Resolution authorizing the execution of a Property Exchange Agreement, and all necessary documents attached thereto, between the City of Bellevue and Rochel, L.L.C., which would exchange publicly owned property for easement rights needed for the Valley Creek Flood Control project.

Toni Call, Director, 452-7863

Ira McDaniel, Assistant Director, 452-4182

Loren Matlick, Real Property Manager, 452-6458

Michael Murray, Real Property Agent, 452-6024

*Finance & Asset Management Department*

Navdeep Otal, Director, 452-2041

Debbie Harris, Project Management Manager, 452-4367

James Stockwell, Senior Engineer, 452-4868

*Utilities Department*

## EXECUTIVE SUMMARY

This agreement allows the City to move forward with the exchange of public property for easement rights needed for the Valley Creek Flood Control Project. The public property being exchanged was recently purchased for this project.

## RECOMMENDATION

Move to adopt Resolution No. 10165

## BACKGROUND/ANALYSIS

The Valley Creek Flood Control project will reduce flooding where Valley Creek crosses NE 21<sup>st</sup> Street at 140<sup>th</sup> Avenue NE and significantly reduce or prevent recurring flooding by replacing the existing NE 21<sup>st</sup> Street culvert with one that will increase conveyance capacity, restoring the channel between NE 21<sup>st</sup> and NE 20<sup>th</sup> Streets, and improving the high-flow bypass structures on both sides of NE 21<sup>st</sup> Street.

The project will primarily be on City owned property at 14070 NE 20<sup>th</sup> Street (formerly the Rosemurgy Property) but also requires a permanent utility easement and an access easement from the westerly adjoining property owned by Rochel, L.L.C. ("Rochel"). The utility easement will cover 2,126 square feet of the northeast portion of the Rochel property, and the access easement is a 150 square foot triangular area in the southeast corner of the Rochel property.

Negotiations between the City and Rochel resulted in an equal property exchange, whereby the City receives the above referenced easements and Rochel receives the underlying fee interest in a strip of land from the easterly adjoining City property. The City property was purchased for the Valley Creek Flood Control project earlier this year and includes a narrow strip that extends to the west along the northern border of the Rochel property, over which Rochel has an access easement from NE 21<sup>st</sup> Street. Since the City needs easements for this project from Rochel, and the narrow strip is not needed for the project, the City negotiated this agreement to facilitate an exchange of the fee interest in the strip of land for the easements needed from Rochel.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

Bellevue City Code 4.32.060: the sale of City property shall be submitted to the City Council for approval.

### **Fiscal Impact**

Approval of this action has no fiscal impact to the City. Negotiations between the City and Rochel resulted in an equal property exchange.

## **OPTIONS**

1. Adopt the Resolution authorizing the execution of a Property Exchange Agreement, and all necessary documents attached thereto, between the City of Bellevue and Rochel, L.L.C., which would exchange publicly owned property for easement rights needed for the Valley Creek Flood Control project.
2. Do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS**

- A. Vicinity Map
  - B. Parcel Map
- Proposed Resolution No. 10165

## **AVAILABLE IN COUNCIL LIBRARY**

Property Exchange Agreement