

**CITY COUNCIL REGULAR SESSION**

Resolution authorizing execution of two permanent sewer easements and two temporary construction easements across City of Bellevue properties in the Coal Creek Park, as well as an Agreement for Temporary Occupancy, Access, and Use with King County (County) all as part of King County's Coal Creek Trunk Line Upgrade Project.

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*Utilities Department*

**EXECUTIVE SUMMARY**

This Resolution authorizes execution of two permanent sewer easements and two temporary construction easements across City of Bellevue properties in the Coal Creek Park, as well as an Agreement for Temporary Occupancy, Access, and Use with King County which are required to construct, operate, mitigate, and perform restoration for sewer facilities as part of King County's Coal Creek Trunk Line Upgrade Project.

**RECOMMENDATION**

Move to adopt Resolution No. 10235

**BACKGROUND/ANALYSIS**

King County provides regional wastewater transmission, treatment, and disposal services in King County and portions of Snohomish and Pierce counties. As part of the Coal Creek Trunk Line Upgrade Project, the County is replacing and reconstructing a major wastewater pipeline trunk and related facilities of the regional wastewater system within the Coal Creek Natural Area Park in Bellevue. The project will provide needed wastewater capacity for the City and its residents and businesses and will reduce water quality contamination risks in Coal Creek.

King County conveyed the Coal Creek Natural Area to the City of Bellevue through an intergovernmental Land Transfer Agreement dated April 14, 2005, under recording number 20050414003757. As part of the transfer, the County reserved a utility easement for the Coal Creek Trunk Line. The sewer line is being reconstructed on a new and improved alignment that extends outside of the original reserved easement area. To construct and operate the new pipeline and decommission the old, King County needs certain additional property rights outside of the reserved

utility easement, which include two permanent sewer easements, two temporary construction easements, and an Agreement for Temporary Occupancy, Access, and Use from the City of Bellevue.

As such, staff recommends authorizing the conveyance of property rights across the City of Bellevue property known as Coal Creek Natural Area and execution of an Agreement with the County. These rights are more particularly described in the table below and as depicted in the Coal Creek Upgrade Project Right of Way map.

New Permanent Sewer Easements	Compensation to City of Bellevue
Coal Creek Park (Parks owned property): 4551 Coal Creek Parkway SE Parcel Number: 1624059152 / ID22b No compensation offered. Easement will be transferred to City of Bellevue after construction.	\$0 – mutual benefit (435 sf)
Coal Creek Park (Parks owned property): 5199 Forest Drive SE and 4551 Coal Creek Parkway SE Parcel Number: 2124059001 / ID 5 Parcel Number: 1624059152 / ID22	\$34,178.86 (85,326 sf)
Temporary Construction Easements	
Coal Creek Park (Utilities owned property): 5803 Forest Drive SE Parcel Number: 2600120480 / ID2	\$2,306 (611 sf)
Coal Creek Park (Utilities owned property): 4435 Coal Creek Parkway SE Parcel Number: 4034900010 / ID62	\$14,076 (1,955 sf)
Agreement	
Coal Creek Park (Parks owned property): Compensation for parking impacts and the long-term temporary closure of the Red Cedar Trailhead.	\$200,000
<b>Total:</b>	<b>\$250,560.86</b>

## POLICY & FISCAL IMPACTS

### Bellevue City Code

Under Bellevue City Code 4.32.060, any sale of real property shall be submitted to Council for approval. The conveyance of an easement across City-owned property constitutes the sale of an interest in real property.

Under Bellevue City Code 4.30.020, any lease that exceeds two years in duration or consideration greater than \$90,000 per year (this threshold will increase to \$350,000 per year effective on April 3) shall be submitted to Council for approval. The temporary rights conveyed for this project exceed the limit for duration and the current value threshold.

### City Procedure

All requests for the conveyance of easements across City-owned property are put through a review by the departments with custodial authority of the property as well as other departments that may be impacted by the easement. If an offer of financial compensation is involved, the offer and any appraisals are reviewed as necessary, staff negotiates the value to ensure the City receives fair market value.

### Fiscal Impacts

If approved, King County will compensate the Parks & Community Services Department for the conveyance of property rights in the amount of \$234,178.86 and the Utilities Department in the amount of \$16,382 for a total amount of \$250,560.86.

### **OPTIONS**

1. Adopt the Resolution authorizing execution of two permanent sewer easements and two temporary construction easements across City of Bellevue properties in the Coal Creek Park, as well as an Agreement for Temporary Occupancy, Access, and Use with King County (County) all as part of King County's Coal Creek Trunk Line Upgrade Project.
2. Do not adopt the Resolution and provide alternative direction to staff.

### **ATTACHMENTS**

A. Coal Creek Upgrade Project Right of Way Map  
Proposed Resolution No. 10235

### **AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed permanent sewer easement ID-5-22  
Copy of proposed permanent sewer easement ID-22-b  
Copy of proposed temporary construction easements ID-02  
Copy of proposed temporary construction easements ID-62  
Copy of proposed Agreement for Temporary Occupancy, Access, and Use