

CITY COUNCIL REGULAR SESSION

Public Hearing and action on Ordinance to amend Ordinance No. 828 to release a portion of a public utility easement located at 14121 NE 20th Street which has been declared surplus to the City's needs and is no longer required for providing continued public utility service; the release of this portion of an easement being deemed in the best interest of the public.

Laurie Leland, Interim Director, 452-4366
Ira McDaniel, Assistant Director, 452-4182
Loren Matlick, Real Property Manager, 452-6458
Cynthia Paro, Real Property Agent, 452-5269
Finance and Asset Management Department

Sean Wells, Development Review Manager, 452-4855
Utilities Department

EXECUTIVE SUMMARY

The purpose of the public hearing is to solicit input on the proposed release of a portion of a public utility easement. If approved, the Ordinance would amend the previous Ordinance to release that portion of the public utility easement on the subject property.

RECOMMENDATION

Move to adopt Ordinance No. 6739

BACKGROUND/ANALYSIS

On May 1, the City Council approved Resolution No. 10250 declaring that a portion of an existing public utility easement is surplus to the City's needs and is no longer required for providing continued public utility service. This hearing is a public comment opportunity regarding the proposed release. Following the hearing, staff requests Council action on the proposed Ordinance to release a portion of the subject easement.

The easement was reserved as part of a street vacation approved in 1965 through Ordinance 828. The Ordinance was filed under King County Recording Number 5971918. The subject property, located at 14121 NE 20th Street, is currently being redeveloped and the owner has asked the City to release the easement so they may move forward with their redevelopment plans.

Franchise utilities including Comcast, CenturyLink, PSE, and Verizon have all confirmed that they have no facilities located within the easement reservation on this property and have no future need for that portion of the public utility easement that lies within the subject property.

Utilities Department staff has reviewed the release request and confirmed that this portion of the existing public utilities easement is no longer needed because any of the existing utilities that are needed on this property have been or will be relocated within a right of way dedication for 143rd Street as a condition of the development permit. Therefore, staff recommended adopting the

proposed Ordinance to release that portion of the easement reserved in Ordinance No. 828 that lies within the subject property.

This public hearing was advertised in the newspaper of record and notices were sent to property owners within a 500-foot radius of the property with the subject easement.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code/State Law

Under BCC 4.32.070 and RCW 35.94.040, the City can dispose of Utilities-owned real property interests, including release of permanent easements, determining by resolution that the property in question is surplus to the City's needs and is not required for providing continued public utility service. Under the same provisions, at a separate City Council meeting, the Council can approve the release following a public hearing.

City Procedure

The City has a procedure in place for releasing or modifying easements. An easement may be released, upon approval by the City Council, if the easement is no longer needed, there is no foreseeable future need for the easement, and if applicable, the City has obtained any needed replacement easements.

Fiscal Impact

Declaring this portion of an easement surplus has no fiscal impact to the City because the 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

1. Hold the Public Hearing and adopt the Ordinance amending Ordinance No. 828 to release a portion of a public utility easement located at 14121 NE 20th Street which has been declared surplus to the City's needs and is no longer required for providing continued public utility service; the release of this portion of an easement being deemed in the best interest of the public.
2. Hold the Public Hearing do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

- A. Easement Exhibit Map
 - B. Vicinity Map
- Proposed Ordinance No. 6739

AVAILABLE IN COUNCIL LIBRARY

Copy Ordinance No. 828