

December 11, 2017

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution amending Resolution No. 9328 to correct a scrivener's error in two referenced King County Recording Numbers related to a water line easement and a sanitary sewer easement located at 1035 116th Avenue NE declared as surplus to the needs of the City; and setting a time and place for a hearing to consider the partial release of these easements.

FISCAL IMPACT

Amending Resolution No. 9328 has no fiscal impact to the City. This action only serves to correct scrivener's errors in that Resolution.

STAFF CONTACTS

Nora Johnson, Director, 452-4167

Ira McDaniel, Real Property Manager, 452-4182

Hannah Peshkov, Senior Real Property Agent, 452-4284

Civic Services Department

Paul Bucich, Assistant Director of Engineering, 452-4596

Sean Wells, Development Review Manager, 452-4855

Utilities Department

POLICY CONSIDERATION

Bellevue City Code/State law:

- Under Bellevue City Code 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 Council. If the easement is no longer needed, there is no foreseeable future need for the easement. If applicable, the City has obtained any needed replacement easements.

BACKGROUND

On November 20, the City Council adopted Resolution No. 9328 determining that portions of two water line easements and a portion of a sanitary sewer easement located at 1035 116th Ave NE are surplus to the City's needs and are no longer required for providing continued public utility service. The referenced King County Recording Numbers related to one of the water line easements and the sanitary sewer easement contained a scrivener's error. This action would amend Resolution 9328 to correct these errors.

A public hearing had been scheduled for December 11 to consider the partial release of these easements. This hearing has been cancelled to ensure proper notice will be provided with the corrected King County

Recording Numbers.

If Council adopts the recommended resolution which amends Resolution 9328, staff proposes to return on January 16, 2018 to assist Council in holding a public hearing. At this hearing, the public will be able to comment regarding the proposed partial release of these easements. Following the hearing, staff will request Council action on a proposed resolution authorizing the partial release of these easements.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS

1. Adopt the Resolution amending Resolution No. 9328 to correct a scrivener's error in two referenced King County Recording Numbers related to a water line easement and a sanitary sewer easement located at 1035 116th Avenue NE declared as surplus to the needs of the City; and setting a time and place for a hearing to consider the partial release of these easements.
2. Do not adopt the Resolution and provide alternative direction to staff.

RECOMMENDATION

Option 1

MOTION

Move to adopt Resolution No. 9356 amending Resolution No. 9328 to correct a scrivener's error in two referenced King County Recording Numbers related to a water line easement and a sanitary sewer easement located at 1035 116th Avenue NE declared as surplus to the needs of the City; and setting a time and place for a hearing to consider the partial release of these easements.

ATTACHMENTS

A. Resolution No. 9328
Proposed Resolution No. 9356

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A