

CITY COUNCIL REGULAR SESSION

Public Hearing and action on Resolution authorizing the execution of documents necessary to release an existing storm drainage easement and two water main easements located at 17900 NE 16th Street (Bennett Elementary School), which have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such releases being deemed in the best interest of the public.

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EXECUTIVE SUMMARY

The purpose of the public hearing is to solicit input on the proposed release of an existing storm drainage easement and two water main easements located at 17900 NE 16th Street (Bennett Elementary School). If approved, the Resolution would authorize execution of the release documents.

RECOMMENDATION

Move to adopt Resolution No. 9564.

If approved, effective date: 03/04/2019

BACKGROUND/ANALYSIS

On February 11, the City Council approved Resolution 9544 determining that the easements were surplus to the City's needs and were no longer required for providing continued public utility service. The next step in this process is for the Council to hold a public hearing. This hearing is a public comment opportunity regarding the proposed releases. Following the hearing, staff requests Council action on the proposed Resolution authorizing the release of the subject easements.

The storm drainage easement and two water main easements located at 17900 NE 16th Street are no longer required for providing continued public utility service. This property is owned by the Bellevue School District and is known as Bennett Elementary School. The school district recently redeveloped this property with a new school building. As such, the storm drainage facility was modified, and the existing water main was relocated to a new location on the property.

The existing storm drainage easement was granted to King County on November 17, 1969 and filed under King County Recording Number 6616726. In 1969, the City annexed the area that includes this school property and assumed all drainage easements that were granted to King County. The water main easements were granted to the City of Bellevue on September 21, 1981 and January 25, 1984 and filed under King County Recording Numbers 8112180411 and 8406010837.

As a part of their redevelopment project, the school district has modified some of the storm drainage

facilities on the property and relocated the water main. The school district has provided new utility easements that cover the existing and modified storm drainage facilities and the new water main.

Since the school district has granted new easements, they ask that the existing storm drainage easement and two water main easements be released. Utilities Department staff have reviewed the release request and confirmed that the existing storm drainage easement and water main easements are no longer needed as the facilities have been relocated and are covered under new easements. Therefore, staff recommends authorizing the full release of an existing storm drainage easement bearing King County Recording Number 6616726 and water main easements bearing King County Recording Numbers 8112180411 and 8406010837.

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 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 these easements surplus has no fiscal impact to the City because these easements were 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 Resolution authorizing the execution of documents necessary to release an existing storm drainage easement and two water main easements located at 17900 NE 16th Street (Bennett Elementary School), which have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such releases being deemed in the best interest of the public.
2. Hold the Public Hearing, do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Easement Exhibit Map
- B. Vicinity Map

Proposed Resolution No. 9564

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement document

Copy of new Utility and Water Line easements