

CITY COUNCIL REGULAR SESSION

Resolution authorizing the execution of all documents necessary to grant a permanent, non-exclusive easement to Suntec Townhome (Redmond) Development Co., LLC to install, operate and maintain a private drainage system on City-owned property that is managed by the Fire Department, Temporary Construction Easements on City-owned Fire and Transportation properties to perform removal of invasive plant species and installation of native plants, and five-year Rights of Entry on the same City-owned properties for monitoring and maintenance of the plantings.

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EXECUTIVE SUMMARY

This resolution authorizes the granting of permanent and temporary easements on City-owned properties.

RECOMMENDATION

Move to adopt Resolution No. 9611.
If approved, effective date: 06/17/2019

BACKGROUND/ANALYSIS

This project, Residence at Wilburton Park, involves the development of 15 new single-family homes on existing individual lots and the construction of a new roadway to be dedicated to the City as public right-of-way.

The project requires stormwater mitigation which involves construction of two separate piped outfalls that will discharge into an existing ditch south of the property. To reach this ditch, the piped outfalls must run across City-owned Fire Department property (12020 SE 8th Street, commonly known as Fire Station No.7). One piped outfall will be publicly-owned, and the developer has provided a utility easement across their property to the City. The second piped outfall will be privately-owned and maintained and requires a private utility easement across the City-owned Fire Department property.

Also, as a requirement of the development, Native Growth Protection Easements (NGPE) are required on private property and the developer will be doing substantial mitigation planting in these areas. The City owns two properties and public right-of-way adjacent to these NGPE areas and the developer will

remove sources of invasive vegetation on our property that can threaten these NGPE areas in the future. Restoration will then be performed on our property and right-of-way by planting native growth species. This will help protect these NGPE areas in the future and provide restoration of the area disturbed on City-owned property by the construction of the stormwater outfall. Given these benefits to the City-owned properties, no compensation for the temporary and permanent easements is recommended.

To perform work on City-owned property the City must grant a Temporary Construction Easement to the developer for the work and a subsequent Right-of-Entry to allow for five years of monitoring and maintenance of the installed vegetation.

POLICY & FISCAL IMPACTS

Policy Impact

Per BCC 4.30 and 4.32, Council approval is required to grant permanent easements and the use of City-owned property for terms longer than two years.

Fiscal Impact

There is no fiscal impact associated with approving these easement agreements. All costs, including the costs of installation and maintenance of the utilities within the permanent easement, are the responsibility of the developer. No compensation is recommended for the permanent and temporary easements based on the improvements to the City-owned properties.

OPTIONS

1. Adopt the Resolution authorizing the execution of all documents necessary to grant a permanent, non-exclusive easement to Suntec Townhome (Redmond) Development Co., LLC to install, operate and maintain a private drainage system on City-owned property that is managed by the Fire Department, Temporary Construction Easements on City-owned Fire and Transportation properties to perform removal of invasive plant species and installation of native plants, and five-year Rights of Entry on the same City-owned properties for monitoring and maintenance of the plantings.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Easement locations
 - B. Wilburton Park Residences Plan
- Proposed Resolution No. 9611

AVAILABLE IN COUNCIL LIBRARY

Permanent Storm Drainage Easement
Temporary Construction Easement & Right of Entry