

CITY COUNCIL REGULAR SESSION

Public Hearing and action on Resolution authorizing the execution of documents necessary to release a portion of an existing water easement located at 13804 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 granting and recording of such partial release being deemed in the best interest of the public.

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Utilities Department

EXECUTIVE SUMMARY

The purpose of the public hearing is to solicit input on the proposed partial release of an existing water easement located at 13804 NE 20th Street. If approved, the Resolution would authorize execution of the release document.

RECOMMENDATION

Move to adopt Resolution No. 9801

BACKGROUND/ANALYSIS

On June 15 the City Council approved Resolution No. 9768 declaring that a portion of an existing water easement is surplus to the City's needs and is 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 release. Following the hearing, staff requests Council action on the proposed Resolution authorizing the partial release of the subject easement.

The existing water easement was granted on November 12, 1980 and filed under King County Recording Number 8203170566. Sound Transit is developing high capacity transit service in the central Puget Sound region, including the link light rail system which will be in construction through the City of Bellevue. This property is currently owned by Sound Transit and as part of the light rail project, a new light rail guideway has been constructed in a location that required the relocation of a portion of the water facilities on this property. Sound Transit has requested that the City release a portion of the existing water easement as the water facilities have been relocated within the property.

Utilities Department staff has reviewed the release request and confirmed that this portion of the water easement is no longer needed as the facility has been relocated. A new easement will be granted for the new water facilities as a condition of the development permit. Therefore, staff recommends authorizing the partial release of the water easement bearing King County Recording Number 8203170566.

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

Releasing a portion of this easement 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 Resolution authorizing the execution of documents necessary to release a portion of an existing water easement located at 13804 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 granting and recording of such partial release 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. 9801

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement
Copy of draft water easement