

CITY COUNCIL REGULAR SESSION

Public Hearing and action on a Resolution authorizing the execution of documents necessary to release a portion of an existing water easement located at 8000 NE 16th 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 release 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 a portion of an existing water easement located at 8000 NE 16th Street. If approved, the Resolution would authorize execution of the release documents.

RECOMMENDATION

Move to adopt Resolution No. 9836

BACKGROUND/ANALYSIS

On September 21 the City Council approved Resolution No. 9822 declaring that a portion of an existing water easement located at 8000 NE 16th Street 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 partial release. Following the hearing, staff requests Council action on the proposed Resolution authorizing the partial release of the subject easement.

This water easement was granted to the City of Bellevue on April 4, 2008 and filed under King County Recording Number 20080521000637. The owner of the subject property is Overlake Golf Course. Its tenant and adjacent neighbor, St. Thomas School, is in the process of constructing a new gymnasium on the Overlake Golf Course property. The footprint of the new construction extends over a portion of the existing water main and easement. Overlake Golf Course and St. Thomas School are proposing to relocate the existing water main and are requesting a partial release of the water easement so they may move forward with construction.

Utilities Department staff have reviewed the release request and confirmed that a portion of the existing fifteen-foot water easement is no longer needed because the old water main has been relocated within the property. A new water easement will be granted for the location of the new water main, as a condition of the building permit. Therefore, staff recommends authorizing the partial release of the existing water easement bearing King County Recording Number 20080521000637.

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 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 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 a portion of this 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 Resolution authorizing the execution of documents necessary to release a portion of an existing water easement located at 8000 NE 16th 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 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. 9836

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed partial release of easement document
Copy of proposed new water easement