

CITY COUNCIL REGULAR SESSION

Public Hearing and action on a Resolution authorizing the execution of documents necessary to release an existing sewer easement and a portion of a second sewer easement located at 10235 SE 6th Street, 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 sewer easement and a portion of a second sewer easement located at 10235 SE 6th Street. If approved, the Resolution would authorize execution of the release documents.

RECOMMENDATION

Move to adopt Resolution No. 9871

BACKGROUND/ANALYSIS

On November 9, 2020 the City Council approved Resolution No. 9838 declaring that an existing sewer easement and a portion of a second sewer easement, both located within the property at 10235 SE 6th Street are surplus to the City's needs and are 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.

In 1959, Mercer Island Sewer District and Bellevue Sewer District entered into an agreement to build a new sewer main within the City of Bellevue to connect the Mercer Island Sewer District to a wastewater treatment plant located on SE 6th Street. As part of this sewer main extension project, Mercer Island Sewer District acquired sewer easements which were recorded on December 28, 1956, bearing King County recording numbers 4759638 and 4759639. Since the main was located within Bellevue Sewer District's service area, Bellevue Sewer District purchased the operation of the main from Mercer Island Sewer District after the main was constructed. In the early 1970s, the City of Bellevue assumed Bellevue Sewer District including all assets, real property and easements.

A portion of the sewer easement bearing recording number 4759639 and all of sewer easement bearing recording number 4759638 are located on 10235 SE 6th Street. This property is currently being redeveloped. Through the permitting process, the property owner discovered that the physical location

of the sewer main is different than the location of the sewer easements. The property owner has asked the City to relocate the easement to align with the existing facilities.

Utilities Department staff have reviewed the release request and confirmed that there is no sewer main within the existing sewer easements. A new sewer easement area will be granted for the actual location of the sewer main. Therefore, staff recommends authorizing the release of the existing sewer easement bearing King County recording number 4759638 and a portion of sewer easement bearing King County recording number 4759639.

On December 7, 2020 City Council approved Resolution No. 9853 amending Resolution No. 9838 to change the public hearing date from January 4 to January 11. The new public hearing date 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

Releasing these easements has no fiscal impact to the City because the property owner will be required to grant a replacement easement prior to the release of these sewer easements.

OPTIONS

1. Hold the Public Hearing and adopt the Resolution authorizing the execution of documents necessary to release an existing sewer easement and a portion of a second sewer easement located at 10235 SE 6th Street, 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. 9871

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement documents

Copy of proposed new easement document