

## CITY COUNCIL REGULAR SESSION

Public Hearing and action on Resolution authorizing the execution of documents necessary to release an existing water main easement located at 13620 SE Eastgate Way, which has been declared surplus to the City's needs and 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 an existing water main easement located at 13620 SE Eastgate Way. If approved, the Resolution would authorize execution of the release documents.

## RECOMMENDATION

Move to adopt Resolution No. 9958

## BACKGROUND/ANALYSIS

On May 3 the City Council approved Resolution No. 9929 declaring an existing water easement located at 13620 SE Eastgate Way as surplus to the City's needs and 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 release of the subject easement.

The existing water main easement was granted to the City of Bellevue on August 19, 2003 and filed under King County Recording Number 20030819003461. The property subject to this easement is currently owned by King County, who is in the process of selling it to a new owner. The new owner is proposing to redevelop the site with buildings for low-income housing, supportive housing and a homeless shelter. As part of this development, the new owner has requested abandonment of the City's existing water main facility. The City's water main will be replaced with a, privately owned water main within the private property, and a new water meter located within the public right of way. The applicant asks that this existing water main easement be released.

Utilities Department staff has reviewed the release request and confirmed that the existing water main easement will no longer be needed because the City's water facilities will be relocated to the north of the property within the public right of way. No new easement is needed as a condition of the development permit since the water main connection and facilities will be located within the existing

right of way. Therefore, staff recommends declaring the existing water main easement bearing King County Recording Number 20030819003461 as surplus.

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 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 an existing water main easement located at 13620 SE Eastgate Way, which has been declared surplus to the City's needs and 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. 9958

## **AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed easement release document