



## City Council

### Approval of 12th Avenue Storm Utility Easement

**Agenda Date:** 3/26/2013  
**Agenda Item Number:** 4.D  
**File Number:** 13-0157

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**Type:** decision **Version:** 1 **Status:** Passed

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**Agenda Item:**

Approval of 12<sup>th</sup> Avenue Storm Utility Easement

**Issue:**

The City needs right of entry to construct and maintain storm sewer utilities located on private property.

**Committee Recommendation:**

Not referred to a committee.

**City Manager's Recommendation:**

Move to approve and authorize the City Manager to sign a Utility Easement with Jerome Zechmann and Mary Anne Zechmann the property owners of Lots 7-8, Block 1, Church Subdivision.

**Staff Contact:**

Ladd F. Cluff, PLS, City Surveyor, Public Works Technical Services, 360.753.8389

**Presenter(s):**

None - Consent Calendar Item

**Background and Analysis:**

This project is identified in the Capital Facilities Plan under Storm and Flood Mitigation & Collection—Stormwater Program.

In the early 1970's, the City constructed a section of 18-inch stormwater conveyance pipe north of 12<sup>th</sup> Avenue SE on private property (refer to Attachment 1). A medical office was subsequently constructed over the 18-inch stormwater pipe. Because the stormwater pipe lies beneath a building, it would be difficult to make repairs to the line, and property damage could result if the pipe were to leak or break.

The proposed project will abandon (in place) the existing 18-inch stormwater pipe that runs across private property, underneath a medical office building. A new stormwater pipe will be constructed within the proposed easement along the easterly border of the Zechmann parcel and tie into the storm line to be constructed on 12<sup>th</sup> Avenue.

**Neighborhood/Community Interests (if known):**

- A. Relocation of the pipe will allow access for long term operation and maintenance.
- B. Short term disruptions to traffic flow on 12<sup>th</sup> Avenue will occur during construction.
- C. The project team is working with businesses along 12<sup>th</sup> Avenue to address parking needs during construction.

**Options:**

- 1. Approve and authorize the City Manager to sign a Utility Easement with Jerome Zechmann and Mary Anne Zechmann, the property owners of Lots 7-8, Block 1, Church Subdivision.
  - a. Will allow the project to move forward as planned.
  - b. Is consistent with the project that has been discussed with the neighborhood.
- 2. Do not approve the easement.
  - a. Would require a redesign of the project route and renegotiation of necessary easements.
  - b. Would delay the project to 2014, increasing the total project cost.

**Financial Impact:**

There is no financial impact to the project, the property owners granted the Utility Easement in exchange for the abandonment of the stormwater pipe which runs across their property.