



Legislation Text

File #: 2020-0152, **Version:** 1

Clerk 03/17/2020

AN ORDINANCE relating to the condemnation of certain properties required for the North Mercer and Enatai Interceptors Upgrade project in the city of Mercer Island and city of Bellevue.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1.

A. The North Mercer Island and Enatai Interceptors Upgrade project will replace aging sewer infrastructure that is reaching the end of its useful life and nearing operational capacity. The property rights that are the subject of this ordinance must be acquired for the construction of the North Mercer Island and Enatai Interceptors Upgrade project and associated facilities. The acquisition of property rights is for a public purpose.

B. The North Mercer Island and Enatai Interceptors Upgrade project is necessary to accommodate projected peak flows and meet the conveyance needs of planned growth in the city of Mercer Island and city of Bellevue and to increase capacity of the pipelines serving the North Mercer Island and southwest portion of Bellevue near Enatai Beach and the town of Beaux Arts Village, which are nearing operational capacity.

C. King County Conveyance System Policy CP-1, K.C.C 28.86.060, directs the county to design and construct wastewater conveyance facilities to meet the twenty-year peak flow standard to avoid sanitary sewer overflows. The North Mercer Island and Enatai Interceptors Upgrade project will meet the twenty-year peak flows standard through 2060 accommodating projected growth of the area based on King County's Conveyance System Improvement Plan and will be an important part of the King County regional wastewater treatment

system.

D. This project is of critical importance. Delays in completion of the project would have significant public health and cost impacts to ratepayers of the King County regional wastewater treatment system due to the potential for problems with the current wastewater pipes and rising costs of construction in the region.

E. King County is authorized, by chapter 8.12 RCW, chapter 36.56 RCW, RCW 35.58.200 and RCW 35.58.320 to acquire, damage and condemn real property for public use for sewage treatment and water pollution abatement facilities.

F. In order to construct the North Mercer Island and Enatai Interceptors Upgrade project, it is necessary for King County to condemn and damage certain lands, property rights and rights in property. The acquisition of such property rights and rights in property is for a public purpose.

G. The King County council finds that public health, safety, necessity, convenience and welfare require that the North Mercer Island and Enatai Interceptors Upgrade project be constructed and that those certain properties, property rights and rights in property be condemned, appropriated, taken and damaged for the purpose of construction, operation and maintenance of the North Mercer Island and Enatai Interceptors Upgrade project.

SECTION 2. The King County council deems it necessary for the proposed public purpose and in the best interest of the wastewater ratepayers of the King County regional wastewater treatment system that all or any portion of the properties identified by tax parcel numbers 2344300010 and 2344300015 and other property interests, property rights or rights in the properties be condemned, appropriated, taken and damaged for the purpose of constructing, installing, operating, maintaining, repairing and replacing facilities for the North Mercer Island and Enatai Interceptors Upgrade project, subject to the making or paying of just compensation to the owners herein in the manner provided by law.

SECTION 3. Condemnation proceedings are hereby authorized to acquire property interests and property rights and rights in property in all or any portion of the properties identified by tax parcel numbers

2344300010 and 2344300015 for the purpose of the North Mercer Island and Enatai Interceptors Upgrade project.

SECTION 4. The attorneys for King County are hereby authorized and directed to begin to prosecute the proceedings provided by law to condemn, take, damage and appropriate the land and other property interests, property rights and rights in property necessary to carry out this ordinance.