



**BUSINESS OF THE CITY COUNCIL  
CITY OF MERCER ISLAND**

**AB 6182  
November 15, 2022  
Consent Agenda**

**AGENDA BILL INFORMATION**

<b>TITLE:</b>	AB 6182: Accept Easements for Stormwater Capital Projects	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Authorize the City Manager to accept drainage easements for watercourse improvement projects SW0104 and SW0106, and culvert replacement project SW0120.	

<b>DEPARTMENT:</b>	Public Works
<b>STAFF:</b>	Jason Kintner, Chief of Operation Patrick Yamashita, Deputy Public Works Director Fred Gu, CIP Project Manager
<b>COUNCIL LIAISON:</b>	Lisa Anderl
<b>EXHIBITS:</b>	<ol style="list-style-type: none"> <li>Vicinity map of projects</li> <li>Easements for project SW0104 (parcels 9365700140 and 9365700160, 8057000014)</li> <li>Easements for project SW0106 (parcels 2574900075 and 2574900070)</li> <li>Easements for project SW0120 (parcels 2154970010 and 3024059120)</li> </ol>
<b>CITY COUNCIL PRIORITY:</b>	1. Prepare for the impacts of growth and change with a continued consideration on environmental sustainability.

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

**EXECUTIVE SUMMARY**

This purpose of this agenda bill is to obtain authorization from the City Council to accept seven public storm drainage easements for the construction of three stormwater capital improvement projects which cross private properties. Refer to Exhibit 1 for a vicinity map.

- State and Federal permitting agencies require proof that the City has access and construction rights within project sites where the agencies grant permits.
- Two of the projects are the Sub-Basin 22.1 Watercourse Stabilization (CIP project SW0104) and the Sub-Basin 25b.1 Watercourse Stabilization (CIP project SW0106). Refer to Exhibits 2 and 3 for the five easement documents associated with these projects.
- The third project is part of the larger East and West Mercer Way Trenchless Culvert Replacement (CIP project SW0120). Refer to Exhibit 4 for the two easement documents associated with this project.

## **BACKGROUND**

Stormwater capital projects regularly involve improvements to existing conveyance systems, which include pipes and catch basins, culverts, and open channel watercourses. These improvement projects mitigate issues such as aging and failing drainage structures, damaged and collapsing pipes, and watercourse erosion caused by high stormwater flows from heavy rains. These projects also prevent deterioration of existing storm drainage systems, improve stormwater runoff control, enhance stream bank stability and habitat, reduce erosion, and improve the quality of stormwater discharged into Lake Washington.

The two watercourse stabilization projects, as approved in the 2021-2022 Capital Improvement Plan for design and permitting, are Sub Basin 22.1 (SW0104) near 4200 West Mercer Way and Sub Basin 25b.3 (SW0105) near 4800 Forest Avenue. These projects are planned for construction in the 2023-2024 biennium. These watercourses run through private properties. An easement area 30' feet wide centered on the watercourse is needed to construct and maintain the streambed improvements.

The East and West Mercer Way Trenchless Culvert Replacement project (SW0120) originally consisted of replacing six culverts using trenchless cured-in-place pipe technology. The project was approved in the 2021-2022 Capital Improvement Plan. During the design phase it was discovered that the pipe outfall near 6421 East Mercer Way had been buried for an unknown period of time. Corrective measures include constructing an energy dissipator and rockery swale at the outfall when the culvert is replaced. This improvement requires an easement from the two downstream properties where the culvert ends.

## **ISSUE/DISCUSSION**

The watercourse projects will stabilize the streambed and banks in the ravines, reduce stream erosion, limit sediment transport to Lake Washington, replant native vegetation, and reduce risk to roadways and underground utilities located above the construction. Watercourses often run within steep ravines on private properties. All in-stream work is regulated by the Washington State Department of Fish and Wildlife (WDFW) and United States Army Corps of Engineers (USACE). These agencies require proof that the City has access and construction rights within the project sites. Public drainage easements provide such rights.

As for the trenchless culvert replacement and outfall improvement work near 6241 EMW, if the existing culvert fails, it will pose structural risk to East Mercer Way, nearby underground utilities, and localized flooding. Due to the location of the outfall, construction will need to be conducted within the downstream properties. Public drainage easements provide such access and construction right.

## **NEXT STEPS**

Once easements for these projects are granted by property owners and are accepted by the City, staff will assemble permit applications to WDFW and USACE for the watercourse projects and proceed with final design of the new drainage facility downstream of the culvert crossing near 6241 EMW.

## **RECOMMENDED ACTION**

Authorize the City Manager to accept drainage easements as generally depicted and substantially in the form as drafted in Exhibits 2, 3, and 4, for watercourse improvement projects SW0104 and SW0106, and culvert replacement project SW0120.