



City Council Agenda Bill

20178
Bill Number

Subject: Public Hearing to Declare Certain Real Property Surplus to the City of Bellingham

Summary Statement: Pursuant to the draft Interlocal Agreement for Facilities within the Waterfront District (the "Interlocal"), the City is considering transferring certain real property currently platted as streets, but no longer needed, as shown on the attached maps (the "Property"), to the Port of Bellingham. For transfers of real property between governments, BMC 4.84.050 requires the City to follow state law, rather than the City's surplus code. State law requires that the City: (1) hold a public hearing to declare the property surplus (RCW 39.33); and (2) receive true and fair value (RCW 43.09.210). If City Council decides to declare the Property surplus, it should adopt the attached resolution. The transfer of the actual property would occur after execution of the Interlocal.

Previous Council Action: None.

Fiscal Impact: Any fiscal impact is part of the larger agreement between the City and Port for waterfront redevelopment.

Funding Source: N/A

Attachments: Maps
Resolution
Public Hearing Notice
No written comment was received by City Council.

Meeting Activity	Meeting Date	Staff Recommendation	Presented By	Time
Public Hearing Information Only	04-Nov-2013	Pass Resolution	Tara Sundin, Economic Development Manager	5 min

Council Committee:

Agenda Bill Contact:

Patty Fernandez, Real Property Manager
778-7980

Committee Actions:

Reviewed By	Initials	Date
Ted Carlson	<i>TC</i>	10/23/13
Tara Sundin	<i>TS</i>	Oct 22, 13
Legal	<i>a.k.</i>	10/22/13
Mayor	<i>KL</i>	10-23-13

Council Action:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF BELLINGHAM DECLARING CERTAIN REAL PROPERTY SURPLUS.

WHEREAS, the City owns certain real property currently platted as streets, but no longer needed to implement the Waterfront Sub-Area Plan, in the proposed Waterfront District, and as shown on the attached maps (the "Property"); and

WHEREAS, the City is considering declaring the Property surplus; and

WHEREAS, the City is considering transferring the Property to the Port of Bellingham pursuant to the draft Interlocal Agreement for Facilities within the Waterfront District by and between the Port of Bellingham and the City of Bellingham (the "Facilities Interlocal"); and

WHEREAS, pursuant to the City's surplus code provision (BMC 4.84.050), intergovernmental transfers of real property are made in accordance with RCW Chapter 39.33 and RCW Section 43.09.210; and

WHEREAS, pursuant to RCW 39.33.020, the City issued a press release on October 25, 2013 and published notice of the public hearing on October 18, 2013; and

WHEREAS, the City will have complied with the requirements of RCW 43.09.210 for the receipt of true and fair value for the Property to be declared surplus, as represented in the Facilities Interlocal.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM:

1. A public hearing was held on November 4, 2013 to receive public testimony and determine whether to declare the Property surplus to the City's current or future needs.
2. Based upon such testimony, discussion, information presented at the public hearing and the record, the City Council hereby finds and declares the Property to be surplus, as the City has no current or future needs for the Property and if disposed of, the Property will be put to a higher or better use for the community at large.
3. The City Council has reviewed and considered the Facilities Interlocal, which, among other provisions, contemplates the transfer of the Property to the Port of Bellingham, and finds that such a transfer constitutes an exchange of true and fair value.

PASSED by the Council this ____ day of _____, 2013.

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

Council President

APPROVED by me this _____ day of _____, 2013.

Mayor

ATTEST: _____
Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

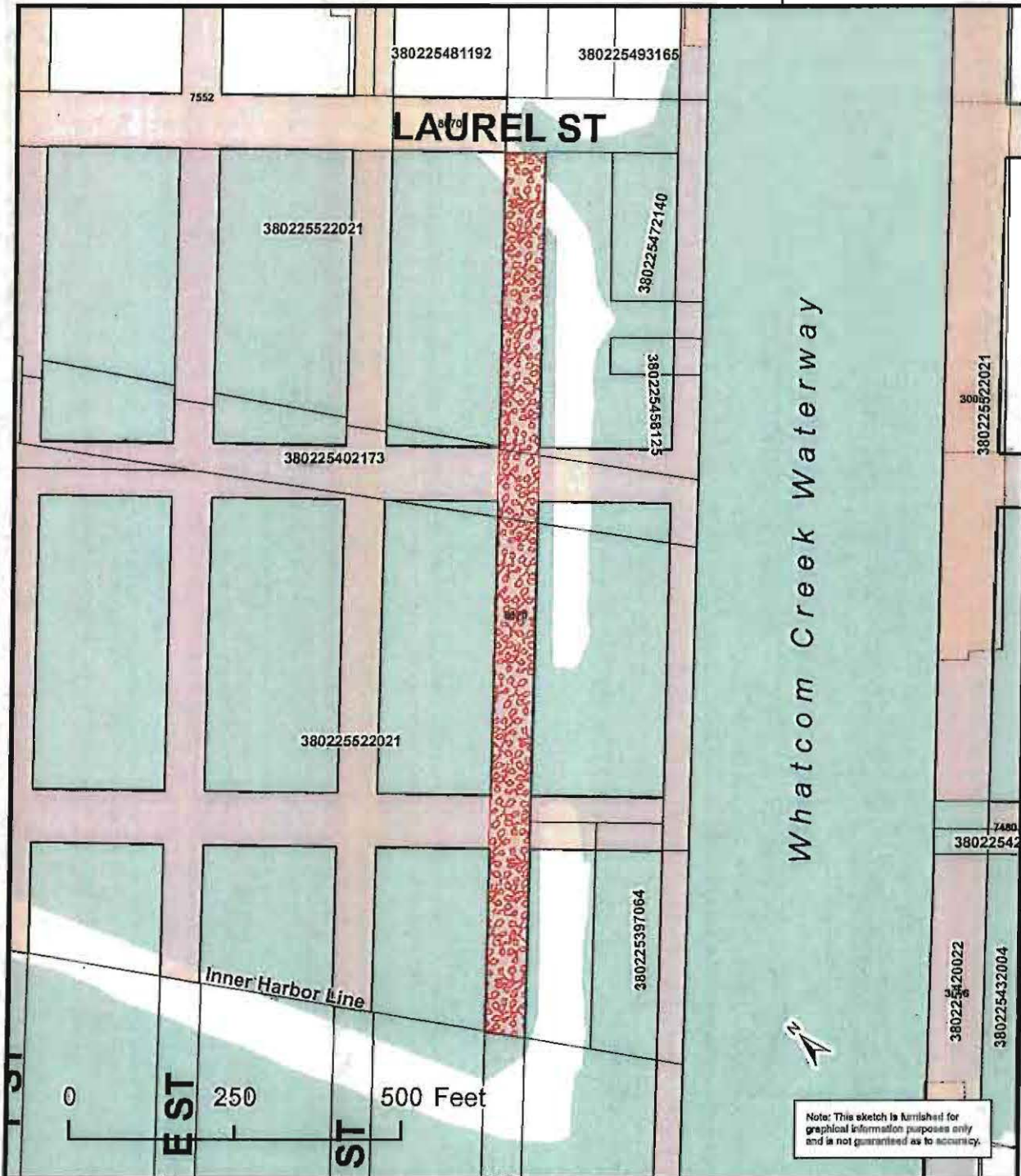
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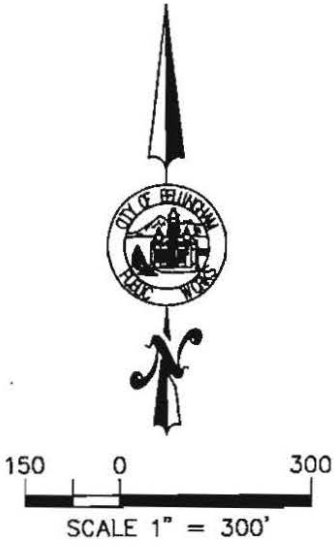
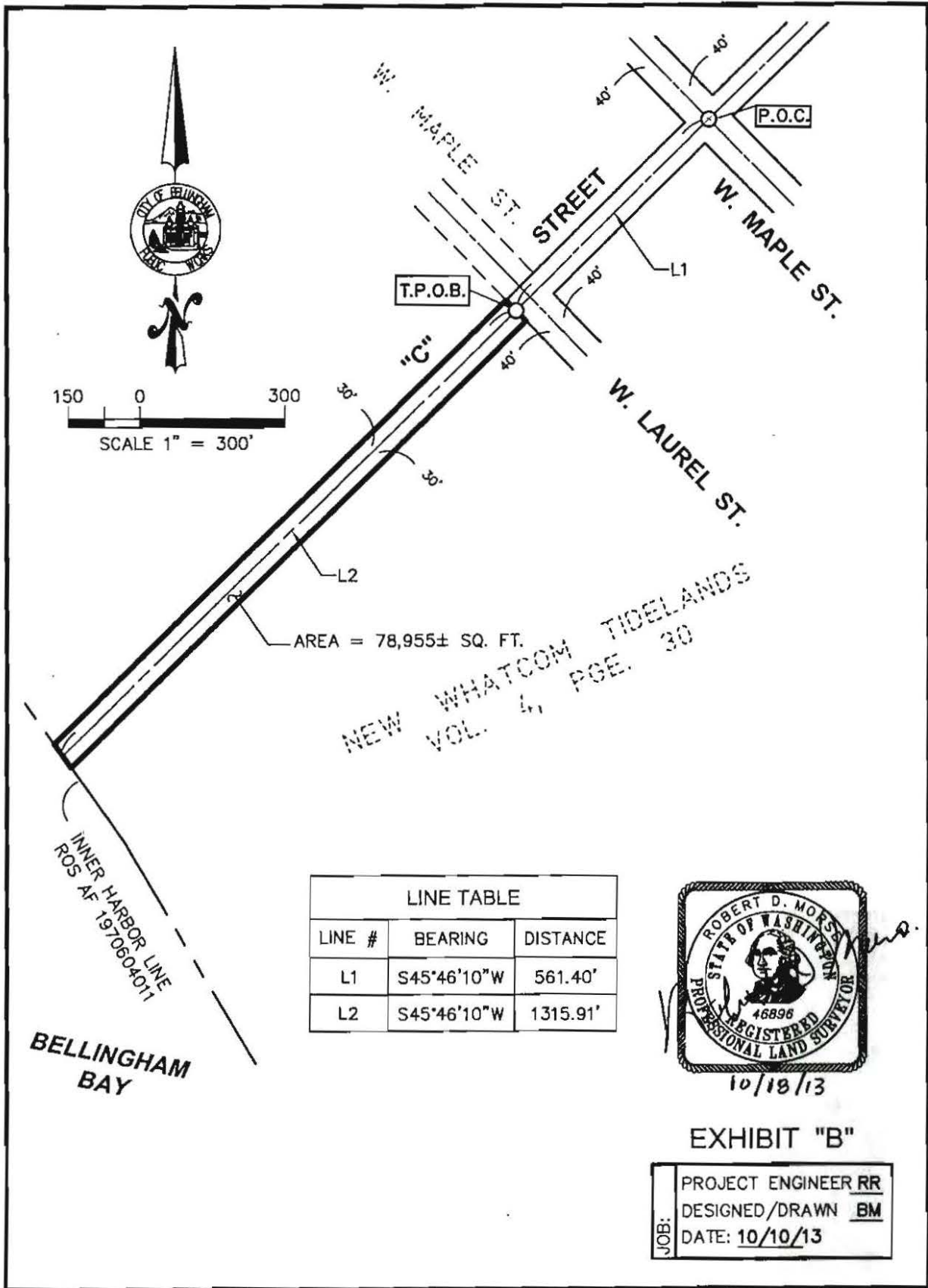
C Street Reconveyance

Description: The full width of vacated C Street between the Southwesterly line of W. Laurel Street and the Inner Harbor Line. Containing approximately 78,955 S.F. more or less. [Vac. Ord.#8670 to City AF#1300761]

Legend

-  Vacated ROW
-  Real Property Transaction





AREA = 78,955± SQ. FT.

NEW WHATCOM TIDELANDS
VOL. 4, PGE. 30

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S45°46'10"W	561.40'
L2	S45°46'10"W	1315.91'



10/18/13

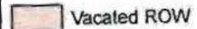

EXHIBIT "B"

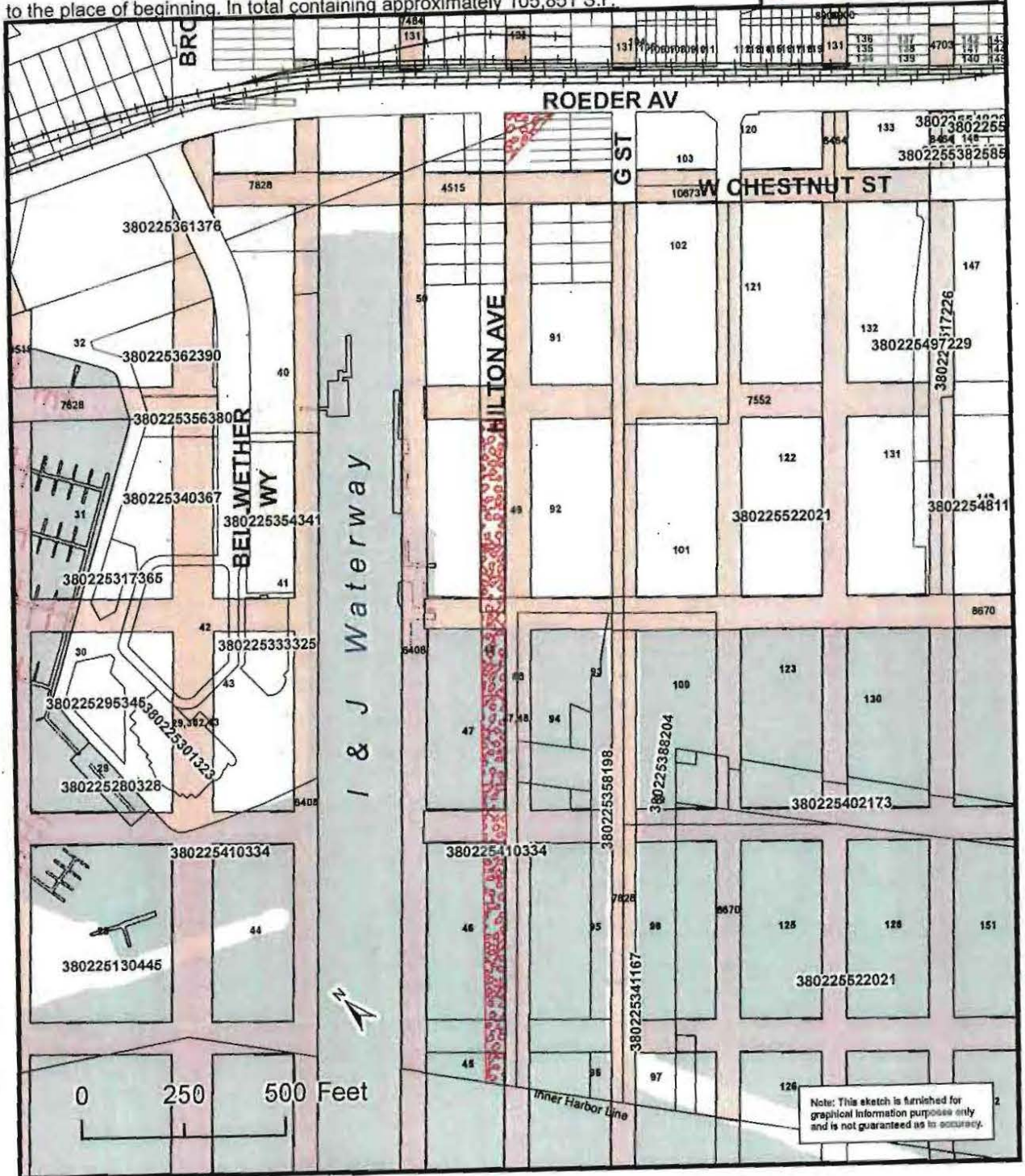
JOB: PROJECT ENGINEER RR
DESIGNED/DRAWN BM
DATE: 10/10/13

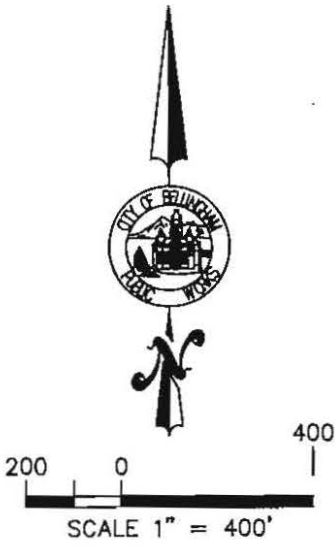
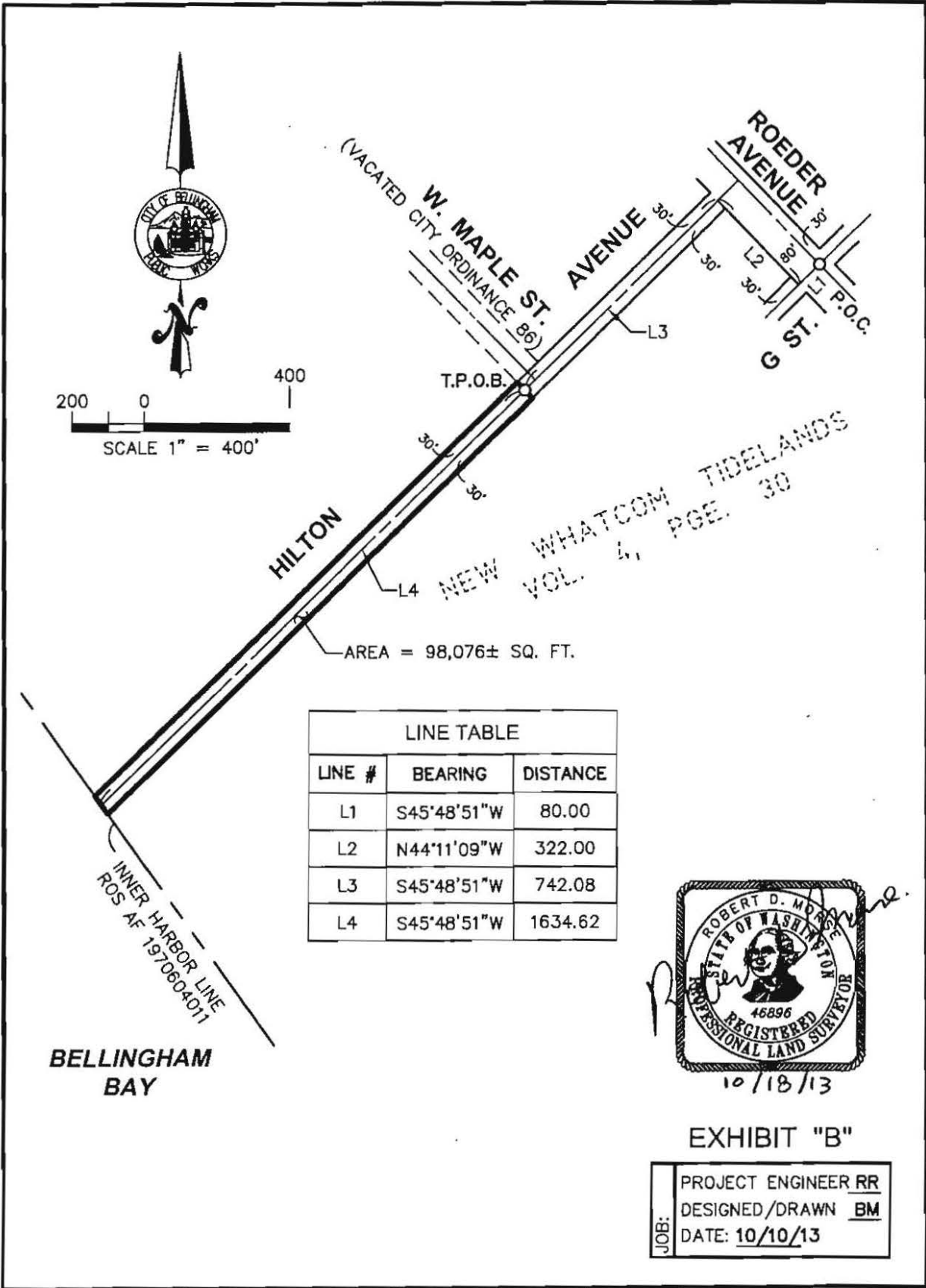
Hilton Avenue Reconveyance Area

Description: The full width of Hilton Avenue between the Southwesterly line of Maple Street to the Inner Harbor Line; and that parcel beginning at a point Eighty (80) feet South 45° 48' 51" West and One Hundred Seventy (170) feet North 44° 11' 9" West of the intersection of Roeder Avenue and G Street for a place of beginning and running thence North 44° 11' 9" West One Hundred Twenty Two (122) feet, thence East 0° 48' 51" South One Hundred Seventy Two and Five-Tenths (172.5) feet, more or less, to the place of beginning. In total containing approximately 105,851 S.F.

Legend

-  Vacated ROW
-  Real Property Transaction





LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S45°48'51"W	80.00
L2	N44°11'09"W	322.00
L3	S45°48'51"W	742.08
L4	S45°48'51"W	1634.62

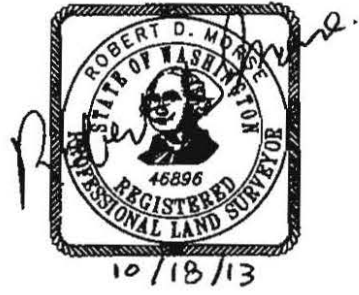
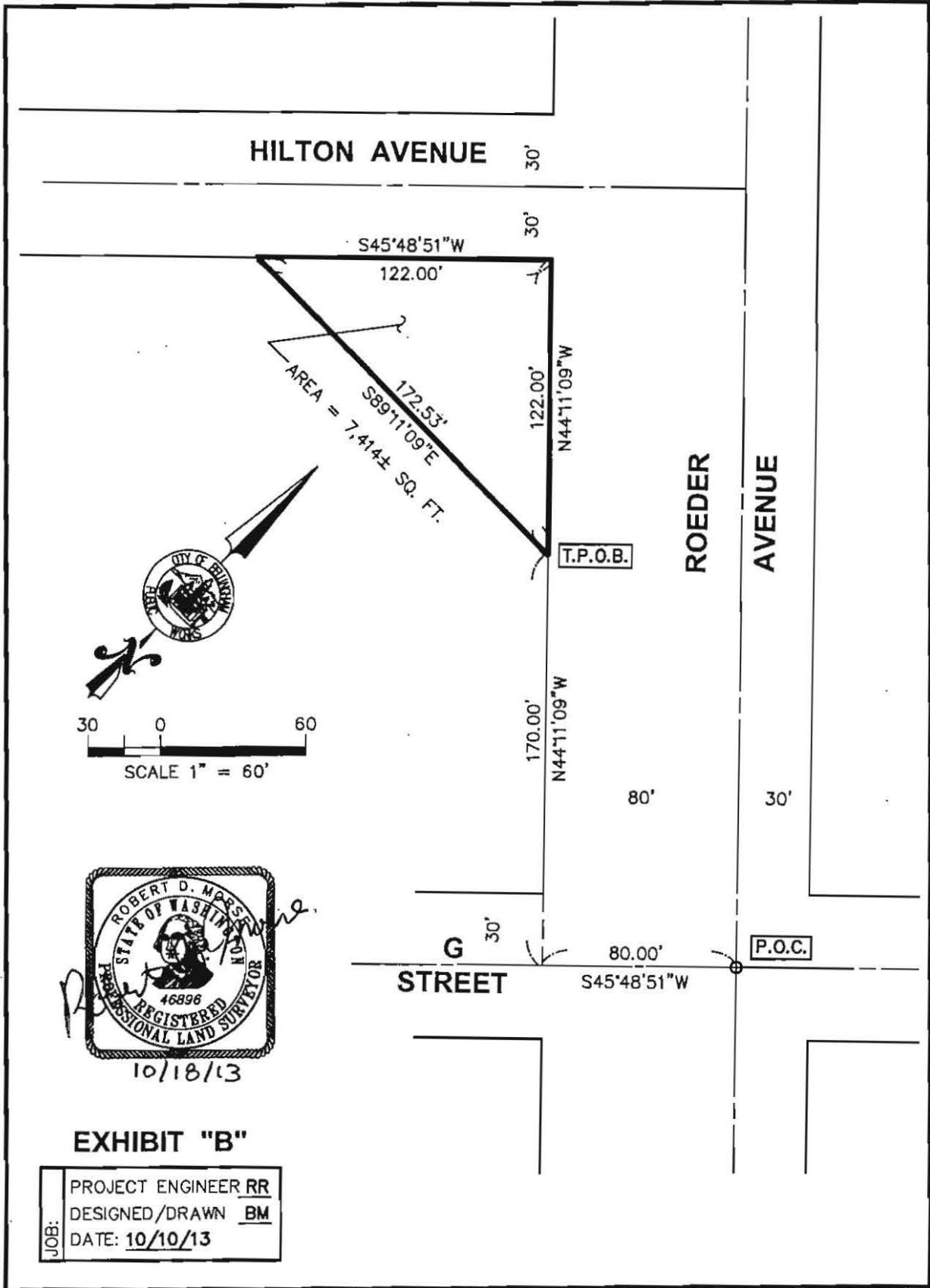


EXHIBIT "B"

PROJECT ENGINEER **RR**
 DESIGNED/DRAWN **BM**
 DATE: **10/10/13**



HILTON AVENUE

ROEDER AVENUE

STREET

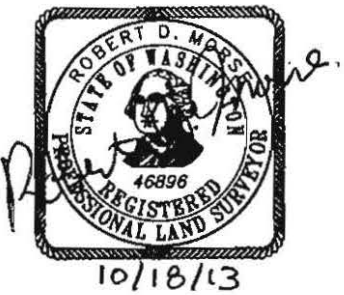
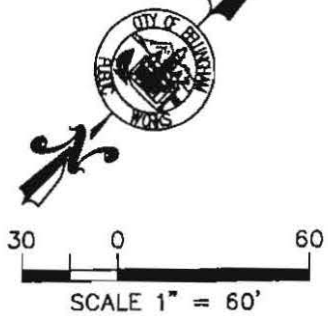


EXHIBIT "B"

JOB:	PROJECT ENGINEER <u>RR</u>
	DESIGNED/DRAWN <u>BM</u>
	DATE: <u>10/10/13</u>



BELLINGHAM CITY COUNCIL

210 Lottie Street, Bellingham, Washington 98225
Telephone (360) 778-8200 Fax (360)778-8101
Email: ccmail@cob.org Website: www.cob.org

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Bellingham City Council will hold a public hearing on **Monday, November 4, 2013, @ 7:00 PM**, or as soon thereafter as possible, in the **City Council Chambers, City Hall, 210 Lottie Street, Bellingham, Washington**, to take public comment on the following:

SURPLUS OF REAL PROPERTY PURSUANT TO THE DRAFT INTERLOCAL FOR FACILITIES AGREEMENT WITHIN THE WATERFRONT DISTRICT BY AND BETWEEN THE PORT OF BELLINGHAM AND THE CITY OF BELLINGHAM. THE PROPERTY IS LOCATED IN OR NEAR TIDELANDS AND IS: (I) ADJACENT TO VACATED HILTON AVENUE FROM MAPLE STREET TO THE INNER HARBOR LINE; (II) IN THE VICINITY OF HILTON AVENUE, BETWEEN ROEDER AVENUE AND W CHESTNUT STREET AND (III) VACATED C STREET, SOUTH OF W. LAUREL STREET TO THE INNER HARBOR LINE.

Staff Contact: Patty Fernandez, Public Works Real Property Manager, (360) 778-7980 or Pfernandez@cob.org.

Anyone wishing to comment on this topic is invited to attend; or if unable to attend, to send your comments, in writing to the Council Office, 210 Lottie Street, or email to ccmail@cob.org, or fax to 778-8101, to be received prior to 10:00 a.m., Wednesday, October 30, to be included in the agenda packet. Comment received after that time will be distributed to Council but not included in the published meeting materials.

FOR OUR CITIZENS WITH SPECIAL NEEDS, the Council Chambers is fully accessible. Elevator access to the second floor is available at City Hall's west entrance. Hearing assistance is available and a receiver may be checked out through the clerk prior to the evening session. For additional accommodations, persons are asked to contact the Legislative Assistant at 778-8200 in advance of the meeting. Thank you.

Publication date: Friday, October 18, 2013

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