

RESOLUTION NO. R-2019- _____

A RESOLUTION authorizing an Agreement for Sewer and Infrastructure Development and Easement with Catalyss, LLC.

WHEREAS, Catalyss owns and is developing property in the general vicinity of North 40th Avenue and Castlevale Road in Yakima; and

WHEREAS, the City operates a wastewater lift station west of the property that is aging, and the City wishes to remove the lift station and instead install gravity flow wastewater facilities through the Catalyss property; and

WHEREAS, the City currently operates stormwater facilities that have an easement through the Catalyss property in a location that Catalyss would like to develop; and

WHEREAS, the City is willing to move the easement location and install new stormwater and wastewater facilities within the new easement location if Catalyss releases its interest in a 1975 wastewater agreement and provides the engineering and specifications required to construct the new facilities; and

WHEREAS, the Agreement outlines the terms and conditions for each party in this transaction and has a rough timeline and cost for completion; and

WHEREAS, the new facilities will benefit the City because lift stations can be expensive to maintain as they age, the stormwater facilities will be updated, and Catalyss will no longer have the right to directly discharge stormwater into the system (which violates the updated code); and

WHEREAS, the City Council of the City of Yakima finds that it is in the best interest of the City and its residents to enter into an Agreement with Catalyss, LLC to develop new wastewater and stormwater infrastructure under the terms and conditions therein; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

The City Manager is hereby authorized to execute the Agreement for Sewer and Infrastructure Development and Easement between the City of Yakima and Catalyss, LLC outlining the terms and conditions associated with moving the current wastewater easement, terminating the developer's rights to a 1975 stormwater agreement, and constructing new wastewater and stormwater facilities. A copy of the Agreement is attached hereto and fully incorporated herein.

ADOPTED BY THE CITY COUNCIL this 16th day of July, 2019.

Kathy Coffey, Mayor

ATTEST:

Sonya Claar-Tee, City Clerk