

RESOLUTION NO. 2020-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON**, authorizing the Mayor and/or City Manager to execute a Purchase and Sale Agreement for the Acquisition of Parcels 846133, 836133, 816133 and 096133 owned by Alliance Investment Group LLC, through the Trust for Public Lands, funded through the Stormwater Utility.

**WHEREAS**, the City Council of Ellensburg ("City Council") at its November 4, 2019 meeting directed City Staff to prepare a Bond Ordinance to fund the acquisition of the property referenced herein under option with Trust for Public Lands; and

**WHEREAS**, the purpose of the acquisition is to facilitate the City's flood control project to contain Reecer and Currier flood flows (and potentially Whiskey Creek in the future); and

**WHEREAS**, the acquisition of Parcels 846133, 836133, 816133 and 096133 ("the Property") in conjunction with the previously Council approved acquisition of all parcels along the west side of Enterprise Way to allow for the extension of the Reecer Creek Levee; and

**WHEREAS**, the City Council has determined that passage of this Resolution and the acquisition of properties with Trust for Public Lands as authorized herein is consistent with the City's Comprehensive Plan; and

**WHEREAS**, the City Council has determined following consideration of the totality of the circumstances that the acquisition of the Property with the Trust for Public Lands on the terms and conditions agreed to between the parties is in the best interest of the public health, safety, and welfare of the citizens of the City of Ellensburg, Washington;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ellensburg, Washington, as follows:

Section 1. The "Whereas" provisions set forth above are hereby incorporated in this Resolution as findings in support of the actions authorized in this Resolution.

Section 2. The purchase of the properties as authorized herein shall be accomplished through acquisition Purchase and Sale Agreement for the properties with Trust for Public Lands, attached hereto and incorporated herein to this Resolution as "Exhibit 1."

Section 3. The Mayor and/or City Manager are hereby authorized to execute the Purchase and Sale Agreement for the acquisition of properties with Trust for Public Lands, as well as all other documents necessary to complete the property acquisition as set forth herein.

Section 4. If any section, sentence, clause, or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Resolution.

ADOPTED by the City Council of the City of Ellensburg this 18th day of February, 2020.

  
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MAYOR

ATTEST:

  
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CITY CLERK