

CITY OF BUCKLEY, WASHINGTON

RESOLUTION NO. 20-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON APPROVING A LATECOMER'S AGREEMENT BETWEEN THE CITY AND DAVID EVANS FOR PARTIAL REIMBURSEMENT FOR THE COST OF CONSTRUCTING A REQUIRED PUBLIC UTILITY IMPROVEMENT.

WHEREAS, the Buckley Municipal Code and the State Environmental Policy Act may require private development to make infrastructure improvements; and

WHEREAS, Chapter 35.91 RCW provides that, at the owner's request, a municipality must contract with the owner of real estate for the construction or improvement of water or sewer facilities that the owner elects to install solely at the owner's expense. The owner must submit a request for a contract to the municipality prior to approval of the water or sewer facility by the municipality; and

WHEREAS, BMC 14.14 describes the process for a property owner or developer to request the execution of a latecomer agreement with the City Council for water, sewer and/or stormwater facilities to provide for the partial reimbursement of the cost of constructing the water, sewer and/or stormwater natural gas facilities; and

WHEREAS, A sanitary sewer lift station was constructed along Spiketon Road as part of the White River Meadows Plat; and

WHEREAS, David Evans has submitted a proposed latecomer's agreement, including a description of the methodology and the pro rata share for each property to the City seeking to be partially reimbursed for the cost of constructing the improvement; and

WHEREAS, the City accepted the improvement as complete on March 11, 2019; and

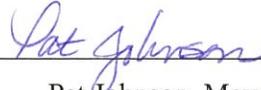
WHEREAS, the City engineer reviewed and approved the method of assessment and cost of construction on August 12, 2020; and

WHEREAS, David Evans sent appropriate notice to all affected property owners via certified mail on August 24, 2020; and

WHEREAS, the City Council provided notice of a public hearing on September 16, 2020, and conducted a public hearing on the proposed latecomer's agreement on September 22, 2020; and

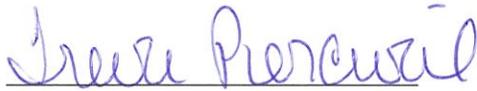
NOW THEREFORE BE IT RESOLVED the City Council of the City of Buckley hereby approves the Spiketon Sewer Lift Station Latecomer's Agreement with Exhibits attached hereto and incorporated by this reference as if set forth in full.

Introduced, passed and approved this 22nd day of September, 2020.



Pat Johnson, Mayor

ATTEST:



Treva Percival, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

Posted: September 24, 2020