

RESOLUTION NO. 2017-34

**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 Properties owned by Alliance Investment Group LLC, through the Trust for Public Lands, funded through a grant from the Department of Ecology.

**WHEREAS**, the City Council of Ellensburg ("City Council") authorized on August 7, 2017 the Public Works Director to amend the Floodplains by Design Grant Agreement to acquire properties 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 in conjunction with the previously Council approved property exchange with Reecer Creek Excavating allows the City to assume ownership 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 the consideration of the totality of the circumstances that the acquisition of properties 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; and

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 to this Resolution as "Exhibit A."

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 20<sup>th</sup> day of November, 2017.



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MAYOR

ATTEST:



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CITY CLERK