RESOLUTION NO. 001-15

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, AMENDING A DEVELOPMENT AGREEMENT (CONTRACT C083-13) FOR THE SOUTHWEST SIDNEY PLAZA DEVELOPMENT, TO ALLOW A CREDIT TO THE PROPERTY OWNER, IN AN AMOUNT ALLOWED UNDER CURRENT CODE AGAINST THE SEWER CAPITAL FACILITIES CHARGE FOR THE PROPERTY OWNER’S COST OF DESIGN, ENGINEERING AND CONSTRUCTION OF THE POTTERY SEWER PUMP STATION, WHICH WAS DEDICATED TO THE CITY FOR OWNERSHIP AND MAINTENANCE, AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT TO THE DEVELOPMENT AGREEMENT.

WHEREAS, on October 22, 2013, the City entered into a Development Agreement with property owner The Sinclair, LLC (Contract C083-13) for the mixed-use development known as Southwest Sidney Plaza; and

WHEREAS, in the original Development Agreement, the property owner agreed to construct, and after City inspection and approval, to dedicate to the City without cost for ownership and maintenance, a new sewer force main and Potter Lift Station, to serve the development; and

WHEREAS, the City and The Sinclair LLC desire to enter into this amendment to the original Development Agreement to address actual costs for the improvement, and to provide an accounting of the future credit for the sewer capital facilities charge versus the current reimbursement amount, all as set forth in the First Amendment to Development Agreement By and Between the City of Port Orchard and the Sinclair, LLC for the Southwest Sidney Plaza Development; and

WHEREAS, on February 10, 2015, the City held a public hearing on the First Amendment to the Development Agreement, now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:
THAT: The City Council hereby approves the First Amendment to the Development Agreement (C083-13) by and between the City of Port Orchard and the Sinclair, LLC for the Southwest Sidney Plaza Development and authorizes the Mayor to sign the First Amendment.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the City Clerk in authentication of such passage on this 10th day of February, 2015.

Mayor Timothy C. Matthes

ATTEST:

Brandy Rinearson, CMC