

**CITY OF WEST RICHLAND
RESOLUTION NO. 14-21**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
AUTHORIZING THE MAYOR TO SIGN AND EXECUTE A WATER SYSTEM
DEVELOPMENT FEE MITIGATION AGREEMENT AND REPEAL
RESOLUTION 38-18 AND 57-20.**

WHEREAS, the Water System Development Fee per West Richland Municipal Code Section 13.45.025 is imposed as a connection charge pursuant to RCW Chapters 35.92 and 82.02, and the Growth Management Act on all premises which have not yet connected to the City's water system or which have not paid their equitable share of the cost of the existing system; and

WHEREAS, the expansion and improvement of the City's water system is necessary to meet demands prompted by development; and

WHEREAS, Water System Development fees collected per West Richland Municipal Code Section 13.45.025 are deposited in the cumulative reserve fund for water system development created by West Richland Municipal Code Chapter 3.40 and disbursed therefrom for capital improvements to the City's water system; and

WHEREAS, the developer, Cedar Ridge Development LLC, Columbia Ridge Construction & Development Inc. and CB Development LLC, wishes to construct capital improvements to the City's water system on Paradise Way in-lieu of payment of a portion of the Water System Development Fee for the developer's proposed Western Ridge development; and

WHEREAS, the City was previously planning on constructing capital improvements to the City's water system on Paradise Way as part of the Paradise Way Extension Phase 4 Roadway Project with said improvements paid for by Water System Development fees previously collected; and

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF WEST RICHLAND, WASHINGTON, does hereby resolve as follows:

Section 1. The City Council of West Richland, Washington authorizes the Mayor to sign and execute the Water System Development Fee Mitigation Agreement as shown in exhibit 'A' with the developer of the preliminary Plat of Western Ridge.

Section 2. Resolution 38-18 and 57-20 are hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON,** this 20th day of April, 2021.



Brent Gerry, Mayor

ATTEST:


Stephanie Haug, City Clerk

APPROVED TO FORM:


Bronson Brown, City Attorney

**WATER SYSTEM DEVELOPMENT FEE
MITIGATION AGREEMENT**

Plat of Western Ridge

THIS AGREEMENT is entered into this 20th day of April, 2021, by and between the **City of West Richland**, Hereinafter referred to as the "City", and Cedar Ridge Development LLC, Columbia Ridge Construction & Development Inc. and CB Group LLC, collectively referred to as the "Developer".

Under the terms of this agreement, the parties do hereby agree as follows:

- 1) The Water System Development Fee Mitigation Agreement dated November 6, 2018 by and between the City of West Richland, referred to as the "City" and Cedar Ridge Development LLC and CB Group LLC, collectively referred to as the "Developer" is hereby null and void.
- 2) The Water System Development Fee Mitigation Agreement dated October 6, 2020 by and between the City of West Richland, referred to as the "City" and Cedar Ridge Development LLC and CB Group LLC, collectively referred to as the "Developer" is hereby null and void.
- 3) The Developer shall receive a credit against the development's Water System Development Fee, as per the City's Master Fee Schedule, or as amended by Council for the following items;
 - a) The Developer shall install approximately 1,700 linear feet of 12" PVC water main along Paradise Way from the eastern edge of the Plat of Western Ridge to the existing western terminus of the 12" water main on Paradise Way and approximately 310 linear feet of 12" PVC along a portion of SR 224 to northern terminus of said plat with associated gate valves, etc. as shown per the City's Paradise Way Extension Phase 4 Roadway Project construction plans and the approved Western Ridge Phase II construction plans, as amended by the City Engineer.
- 3) The City and the Developer agrees that the total credit value for the aforementioned capital water system improvements in section 2 is estimated to be \$188,027.77.
- 4) The City shall issue Developer an \$188,027.77 credit against the Water System Development Fee for the Preliminary Plat of Western Ridge once the items in section 2 are completed and accepted by the City. Said credit shall fully mitigate the Water System Development Fee for 1" water service connections for the following 37 lots; Lots 13, 17, 20 and 27 of Western Ridge Phase 1, Lots 1 through 32 of Western Ridge Phase 2, and Benton County Parcel #1-0197-201-0525-003 – known as Lot #3 of

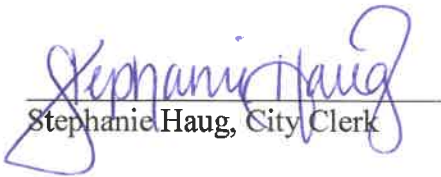
Short Plat #525. Lot #35 of Western Ridge Phase 2 shall receive a \$4,900 credit with the balance due at time of building permit issuance. Lot #33 of Western Ridge Phase 2 shall receive a \$1,827.77 credit with the balance due at time of building permit issuance (see attached exhibit).

City of West Richland



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

APPROVE TO FORM:



Bronson Brown, City Attorney

Cedar Ridge Development LLC



Britt Creer, President

CB Development LLC



Britt Creer, President

Columbia Ridge Construction & Development Inc.


Britt Creer, President



STATE OF WASHINGTON)
) :SS
County of Benton)

On this day personally appeared before me BRITT CREER, to me known to be President of CEDAR RIDGE DEVELOPMENT, LLC, Washington State limited liability company that executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said limited liability company.

GIVEN under my hand and official seal this 9th day of April, 2021

NOTARY PUBLIC in and for the State of Washington residing at Kennelworth, WA
My Commission Expires: 6/26/21

STATE OF WASHINGTON)
) :SS
County of Benton)

On this day personally appeared before me BRITT CREER, to me known to be President of CB DEVELOPMENT, LLC, Washington State limited liability company that executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said limited liability company.

GIVEN under my hand and official seal this 9th day of April, 2021

NOTARY PUBLIC in and for the State of Washington residing at Kennelworth, WA
My Commission Expires: 6/26/21



STATE OF WASHINGTON)

:SS

County of Benton)

On this day personally appeared before me BRITT CREER, to me known to be President of COLUMBIA RIDGE CONSTRUCTION & DEVELOPMENT, INC., Washington State corporation that executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said corporation.

GIVEN under my hand and official seal this 9th day of April, 2021

NOTARY PUBLIC in and for the State of Washington residing at

Kennelwick, WA
My Commission Expires: 6/26/21





Richland Homes
Western Ridge - Phase 2
PBS Engineering and Environmental Inc.
Engineer's Estimate of Costs

66033-000
Revised 3/23/2021

Removal and Relocation of the 12" water main on SR 224

ITEM	DESCRIPTION	\$/UNIT	QUANTITY	UNITS	COST
1	Mobilization (3%)	\$ -	1	0.05	\$ 295.00
2	Traffic control	\$ 1,000.00	1	LS	\$ 1,000.00
3	Utility Trenching, backfill and compaction	\$ 4.00	310	LF	\$ 1,240.00
4	12" PVC Water Main Pipe Installation	\$ 6.00	310	LF	\$ 1,860.00
5	Connect to Existing Main	\$ 300.00	2	EA	\$ 600.00
6	Gravel Shoulder Restoration	\$ 1,200.00	1	LS	\$ 1,200.00
				Subtotal	\$ 6,195.00
				Tax 8.6%	\$ 532.77
				Total Cost	\$ 6,727.77