

RESOLUTION NO. 1391

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, AUTHORIZING THE MAYOR TO SIGN A LETTER OF
REQUESTING THAT THE PUBLIC WORKS BOARD TERMINATE FOR CONVENIENCE
PRE-CONSTRUCTION LOAN CONTRACT NO. PR18-96103-064**

WHEREAS, the City of Dayton (“City”) authorized a Pre-Construction Loan Contract No. PR18-96103-064 (“Contract”) with the Public Works Board for acquiring land for the Wastewater Treatment Plant Upgrade Project specifically for land application of our effluent discharge; and

WHEREAS, the City has actively pursued purchasing land for the Project; and,

WHEREAS, the City has been unsuccessful in securing property for the Project delaying the acquisition process; and

WHEREAS, Washington Water Trust (“WWT”) and Confederated Tribes of the Umatilla Indian Reservation (“CTUIR”) have approached the City with an alternative solution for discharging the City’s effluent into natural or man-made wetlands; and

WHEREAS, WWT, CTUIR, and Department of Ecology, have deliberated and determined that this is a potential alternative for discharge of the City’s wastewater effluent; and

WHEREAS, the City supports the need to thoroughly research and consider all cost-effective, environmentally viable alternatives for processing our wastewater; and

WHEREAS, said research may temporarily delay land acquisition efforts;

WHEREAS, the City may be unable to meet the timeline afforded by the Contract due to delays.

WHEREAS, the City prudently desires to terminate the Contract.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON,
WASHINGTON, DO HEREBY RESOLVE AS FOLLOWS:**

section 1. The Mayor is hereby authorized to sign a letter requesting that the Public Works Board terminate for convenience Pre-Construction Loan Contract No. PR18-96103-064 as set forth in Exhibit “A” attached hereto.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, AT A
SPECIAL MEETING ON THE 23RD DAY OF SEPTEMBER, 2019.**


Zac Weatherford, Mayor

Attested/Authenticated by:



Trina Cole, City Administrator

EXHIBIT "A"
Resolution No. 1391
09/23/2019



City of Dayton, Washington
Mayor

111 S. 1st St., Dayton, WA 99328
Zac Weatherford
zweatherford@daytonwa.com
509-382-2361

September 23, 2019

Mr. Scott Huttzell, Chair
Public Works Board
PO Box 42525
Olympia, WA 98504-2525

Dear Mr. Huttzell:

First and foremost, on behalf of the City of Dayton, thank you for awarding the City of Dayton with \$1,000,000 towards land acquisition of property associated with the construction of our new wastewater treatment plant. The Public Works Board has always been an instrumental source in helping communities across our State affordably fund essential infrastructure and we were fortunate to be selected as one of those communities. Regretfully, the City of Dayton is unable to meet the contract requirements as set out in Contract No. PR18-96103-064 and formally requests that the contract be "Terminated for Convenience".

The City of Dayton's Wastewater Treatment Plant Upgrade Project has thrown many challenges our way, but for Dayton, one of the greatest challenges has been determining the most cost-effective and environmentally acceptable effluent discharge solution in meeting our NPDES permit requirements. At the time Public Works Board awarded the City with their pre-construction loan opportunity, the City was set on a land application discharge process. As you know, this included a land acquisition component and the City has actively pursued purchasing property for this type of discharge process to no avail. Concurrently, the City was approached by two stakeholders earlier this year with an alternative effluent discharge process for consideration.

Washington Water Trust (WWT) and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) contacted the City and pitched the idea of discharging our effluent into natural or man-made wetlands. After much deliberation with WWT, CTUIR, and Department of Ecology, it was determined that this is a potential alternative, and; although a delay, the City understands and supports the need to thoroughly consider all cost-effective, environmentally viable alternatives for processing our wastewater. As a result, the City is unable to meet the timeline afforded by Public Works Board Pre-Construction Loan Contract No. PR18-96103-064.

Again, thank you for the incredible funding opportunity that you allotted to the City.

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If you have any questions, please do not hesitate to contact me.

Sincerely,



Zac Weatherford
Mayor

Cc:

Jim Costello, Public Works Director
Jake Hollopeter, Anderson Perry & Associates, Inc.
Trina Cole, City Administrator