

**RESOLUTION NO. 1365
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF
PRINEVILLE AND APPLE, INC.**

Whereas, Apple, Inc. (“Apple”) owns and operates a data center located in Prineville, Oregon that requires the City of Prineville (“City”) to provide both water and sewer utilities.

Whereas, Apple desires to lower the depth of an inceptor sewer line (“Sewer Improvements”) to avoid the need for a private sewer pump station to service Apple’s data center; and

Whereas, the cost to install Sewer Improvements is an amount of up to ONE-MILLION FIFTY-TWO THOUSAND SIX-HUNDRED TEN DOLLARS (\$1,052,610.00);

Whereas, Apple desires to have the City and the City is willing to construct the Sewer Improvements; and

Whereas, Apple desires to reserve certain wastewater discharge capacity of the Sewer Improvements and the right to be refunded any fee paid to the City by any third party for the Sewer Improvements if Apple elects not use all or a portion of the reserved discharge capacity; and

Whereas, City staff and Apple have negotiated an Agreement setting out the obligations of the City and Apple; and

Whereas, City staff believes it is in the best interest of the City to approve and execute the Agreement;

Now, Therefore, the City of Prineville resolves that the Agreement between City and Apple attached hereto is approved and the mayor is authorized and directed to sign the Agreement.

Passed by the City Council this ____ day of August, 2018.

Betty J. Roppe, Mayor

ATTEST:

Lisa Morgan, City Recorder