

RESOLUTION No. 36779

Accept Memorandum of Understanding between Siltronic and City of Portland. (Resolution)

WHEREAS, the Bureau of Planning and Sustainability has prepared a land use policy document and implementing regulations entitled The River Plan/North Reach (River Plan) and the Planning Commission has recommended the River Plan for adoption by the City Council; and

WHEREAS, the River Plan addresses economic prosperity, watershed health and access to the Willamette River and includes a Natural Resources Inventory that provides the basis for the new River Environmental (e) zone and refinements to the existing Environmental Protection (p) and Environmental Conservation (c) zones; and

WHEREAS, Siltronic owns an approximately 80-acre parcel of partially developed land (the Property) within the boundary of the River Plan; and

WHEREAS, the River Plan designates part of the undeveloped upland portions of the Property as a Special Habitat Area, proposes application of the e, c and p overlay zones to undeveloped portions of the Property, and designates part of the Property as the Doane Creek restoration site; and

WHEREAS, Siltronic, through a prior development agreement with the City, has contributed to the City's economy by developing two silicon wafer fabrication plants and related facilities on approximately half of the Property and seeks to pursue development on the remaining half; and

WHEREAS, Siltronic and the City have discussed ways to achieve mutually supportive environmental protection and economic development objectives on the Property, resulting in a Memorandum of Agreement that anticipates Siltronic will give the City a conservation easement over the portions of the Property that serve significant natural resource functions and the City will reduce the environmental overlay zones on the part of the Property subject to the conservation easement; and

WHEREAS, Siltronic and the City anticipate that the Memorandum of Understanding will form the basis for negotiation and execution of a Development Agreement and understand that the Memorandum of Understanding is not intended to obligate either party to take any particular action and is not legally binding.

NOW, THEREFORE, BE IT RESOLVED that the Memorandum of Understanding attached as Exhibit A is accepted by the City Council as a framework for negotiating a Development Agreement with Siltronic; and

BE IT FURTHER RESOLVED that the Bureau of Planning and Sustainability, with assistance from the Bureau of Environmental Services, the Portland Development Commission and other affected City bureaus, is directed to proceed with negotiating a Development Agreement with Siltronic to be approved by the City Council and signed by both parties no later than July 1, 2010.


Adopted by the Council: **APR 15 2010**

Mayor Sam Adams
Prepared by Brian Campbell
February 10, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By

A handwritten signature in blue ink, appearing to read "Susan Parsons", written over a horizontal line.

Deputy

248 ~~271-454~~ 527

Agenda No. **36779**
RESOLUTION NO.

Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>FEB 11 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Planning and Sustainability Bureau Head: Susan Anderson <i>[Signature]</i></p> <p>Prepared by: Sallie Edmunds Date Prepared: Feb. 10, 2010</p>	<p>ACTION TAKEN:</p> <p>FEB 17 2010 CONTINUED TO MAR 03 2010 10:45AM TIME CERTAIN</p> <p>MAR 03 2010 CONTINUED TO APR 01 2010 2 P.M. TIME CERTAIN</p> <p>APR 01 2010 CONTINUED TO APR 15 2010 2 P.M.</p>
<p>Financial Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date Feb. 17, 2010</p>	
<p>City Attorney Approval</p>	

AGENDA

TIME CERTAIN
 Start time: **6:00 pm**

Total amount of time needed: 3 hrs **30 mn** (all 3 items)

CONSENT

REGULAR
 Total amount of time needed: _____
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Leonard	4. Leonard ✓	
Adams	Adams ✓	