RESOLUTION NO. 1110

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF PRINEVILLE AND THE OCHOCO LUMBER COMPANY

WHEREAS, Ochoco Lumber Company, as part of a voluntary effort to redevelop a key brownfield site, proposes the Ochoco Creek Restoration and Enhancement Project ("the Project") which will significantly improve fish and wildlife habitat, increase flood storage, and create additional wetland area in and along the portion of Ochoco Creek through the Ochoco Lumber Site (described in Exhibit A and B of the attached agreement); and

WHEREAS, Ochoco Lumber Company requests the building setbacks defined by the Project be established by a formal agreement to ensure that the voluntary improvements to the creek do not create a hindrance to future development of the site due to the increased setbacks proposed in the State Planning Goal 5, 6 and 7 standards currently under consideration by the City Council; and

WHEREAS, the riparian area proposed in the Project provide approximately the same area as would be protected in the draft State Planning Goal 5, 6, and 7 standards while significantly increasing the quality of the riparian corridor; and

WHEREAS, Ochoco Lumber Company has committed to maintaining the Project and taking all necessary and reasonable steps to prevent degradation and erosion of the riparian area; and

WHEREAS, the City of Prineville Planning Commission reviewed the Project at a public hearing on July 7, 2009, and unanimously recommended that the City Council approve the Ochoco Creek Restoration and Enhancement Agreement, attached hereto as Attachment A and by this reference made a part hereof.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PRINEVILLE THAT THE OCHOCO CREEK RESTORATION AND ENHANCEMENT AGREEMENT IS HEREBY APPROVED AND THE CITY MANAGER IS AUTHORIZED TO SIGN THE AGREEMENT.

PASSED BY THE CITY COUNCIL THIS ___14th___ DAY OF JULY, 2009.

SIGNED BY THE MAYOR THIS ___14th___ DAY OF JULY, 2009.

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MIKE K. WENDEL, MAYOR

ATTEST:

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STEVE FORRESTER, CITY MANAGER/RECORDER