

RESOLUTION NO. 54-2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH METRO AND MAIN STREET PARTNERS FOR REDEVELOPMENT OF THE TOWN CENTER SITE

WHEREAS, the City of Milwaukie and Metro jointly selected Main Street Partners to acquire and redevelop the Town Center site at 10700 SE McLoughlin Boulevard (Metro-owned) and 10721 SE Main Street (City-owned) through a competitive solicitation process; and

WHEREAS, the City directed staff to enter into exclusive negotiations on a Memorandum of Understanding (MOU) with Main Street Partners through Resolution 29-2007; and

WHEREAS, the City has negotiated with Metro and Main Street Partners for several months on an MOU to outline the responsibilities and undertakings of each party toward completion of the project proposed by Main Street Partners; and

WHEREAS, Main Street Partners is agreeable to constructing a project of high quality design, with durable materials and pleasant public spaces and amenities, in accordance with the proposal submitted by Main Street Partners in response to the Request for Proposals; and

WHEREAS, Main Street Partners has acknowledged that some building design elements will require modifications to the City's zoning code, and has further acknowledged that Main Street Partners will bear responsibility for preparing all required applications and paying all required fees; and

WHEREAS, the City and Metro have an Intergovernmental Agreement by which the governments agree to jointly market and dispose of the Town Center site for a landmark signature 4-5 story mixed use project with retail uses at the ground floor and residential uses above; and

WHEREAS, the City and Metro acknowledge that the Main Street Partners proposal meets these criteria and the MOU provides a clear statement of intention that this proposal is the project that Main Street Partners will endeavor to construct; and

WHEREAS, the City and Metro find that Main Street Partners has negotiated in good faith and intends to fulfill the public objectives described for the building by both governments to the greatest extent possible;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to execute a Memorandum of Understanding with Metro and Main Street partners, substantially in the form reviewed by Council on August 21, 2007; and

BE IT FURTHER RESOLVED that staff is authorized to commence negotiations with Metro and Main Street Partners on a Purchase and Sale Agreement that will establish the terms under which Main Street Partners will acquire the site from the public entities; and

BE IT FURTHER RESOLVED that staff will continue to apprise Council of progress on the real estate transaction and other necessary regulatory actions required to effect completion of the project.

Introduced and adopted by the City Council on 8/21/07

This resolution is effective on 8/21/07


James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Ramis, Crew, & Corrigan, LLP


Pat DuVal, City Recorder


City Attorney

Document4 (Last revised)