

RESOLUTION NO. 2240

A RESOLUTION APPROVING THE EXECUTION OF A LONG-TERM RURAL ENTERPRISE ZONE ABATEMENT AGREEMENT WITH AMAZON DATA SERVICES, INC.

WHEREAS, the Board of County Commissioners of Umatilla County and the City Council of the City of Hermiston are equal co-sponsors of the Greater Hermiston Enterprise Zone; and

WHEREAS, Amazon Data Services, Inc. has requested a Long-term Rural Enterprise Zone Abatement pursuant to ORS 285C.409(1); and

WHEREAS, the proposed facility site is located in the Greater Hermiston Enterprise Zone on Parcels 1 and 2 of UMATILLA COUNTY PARTITION PLAT NO. 2018-23 (Instrument No. 2018-6800729, Office of Umatilla County Records) located in the Northeast Quarter of Section 27, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon (consisting of approximately 9.97 acres with respect to Parcel 1 and 120.83 acres with respect to Parcel 2) (the "Partition Plat"); and

WHEREAS, Amazon Data Services, Inc. agrees to adhere to all requirements of an agreement for Long-Term Rural Enterprise Zone Abatement with Umatilla County and the City of Hermiston as co-sponsors of the Greater Hermiston Enterprise Zone, as well as any applicable laws of the State of Oregon relating to Long-Term Rural Enterprise Zone Abatement; and

WHEREAS, the Agreement for Long-Term Rural Enterprise Zone Abatement requires Amazon Data Services, for the term of the agreement, to invest more than \$200 million, hire at least 10 full-time employees, provide employee compensation greater than 130 percent of the Umatilla County average wage, and pay the required payments and fees to the zone over the term of the agreement.

NOW, THEREFORE, THE CITY OF HERMISTON RESOLVES AS FOLLOWS:

1. That the form, terms, and provisions of the draft of the Long-Term Rural Enterprise Zone Abatement Agreement with Amazon Data Services, entered by Amazon Data Services, and the City of Hermiston, and the transactions contemplated thereby, providing for, among other things, establishing Amazon Data Services' investment in a new data center facility and related employment, and the Long-Term Rural Enterprise Zone Abatement pursuant to Oregon Revised Statute, copies of which have been presented to and reviewed by the Common Council be, and they are, in all respects, hereby approved and adopted; and

2. That the City Manager of the City of Hermiston is hereby authorized to execute and deliver the Long-Term Rural Enterprise Zone Abatement Agreement with Amazon Data Services, Inc., substantially in the form heretofore approved and adopted with such changes, additions, deletions and modifications as such executing officer or officers may approve, such execution to be conclusive evidence of such approval and of the authorization thereof by the Common Council; and
3. That the City Manager of the City of Hermiston is hereby authorized and directed to prepare, execute, deliver, acknowledge and file such additional documents, agreements, certificates, forms, receipts and other instruments, in the name of and on behalf of the City of Hermiston and under its corporate seal, if so desired, and to take all such other actions as such officer or officers shall, in his or her or their sole discretion, approve in order to carry out the transactions heretofore approved and perform and discharge the City of Hermiston's obligations under or in connection with the Long-Term Rural Enterprise Zone Abatement Agreement with Amazon Data Services, Inc., such actions and execution to be conclusive evidence of such approval and of the authorization thereof by the Common Council.
4. That this resolution is effective immediately upon its passage.

PASSED by the Common Council this 26th day of September, 2022.
SIGNED by the Mayor this 26th day of September, 2022.

Dr. David Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER