

# **CITY OF CANBY**

## **RESOLUTION 933**

### **A RESOLUTION ADOPTING AN INTERGOVERNMENTAL AGREEMENT WITH THE CANBY URBAN RENEWAL AGENCY REGARDING THE ACQUISITION OF LAND.**

**WHEREAS,** The City and Agency have determined that the purchase of property to build police and court facilities is a community priority; and

**WHEREAS,** the Oregon Economic and Community Development Department's Special Public Works Fund Program is able to provide a loan to fund the purchase of property; and

**WHEREAS,** The Agency is willing and able to fund the debt service on the SPWF loan but is not an eligible recipient; and

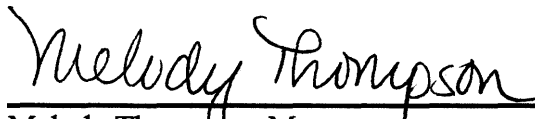
**WHEREAS,** The City is an eligible recipient of the SPWF loan, as provided in OAR 123-042-0020(16);

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CANBY RESOLVES AS  
FOLLOWS:**

- (1) The City Council agrees to the terms and conditions of the Intergovernmental Agreement attached hereto as Exhibit "A" and authorizes and directs the Mayor to sign said agreement on behalf of the Council.

This resolution will take effect on August 16, 2006.

ADOPTED this 16<sup>th</sup> day of August, 2006 by the Canby Urban Renewal Agency.

  
\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

  
\_\_\_\_\_  
Kimberly Scheafer  
City Recorder, Pro-Tem

**INTERGOVERNMENTAL AGREEMENT ON  
PURCHASE OF PROPERTY AND OREGON ECONOMIC AND COMMUNITY  
DEVELOPMENT DEPARTMENT LOAN.**

This Agreement is entered into by and between the City of Canby ("City") and Canby Urban Renewal Agency ("Agency"), pursuant to ORS 190.003 to 90.110, which allows units of government to enter into agreements for the performance of any or all functions and activities which such units have authority to perform.

**RECITALS**

WHEREAS, The City and Agency ("the parties") have determined that the purchase of property for future construction of police and court facilities is a community priority; and

WHEREAS, the Oregon Economic and Community Development Department's Special Public Works Fund Program is able to provide a loan ("SPWF loan") to purchase property; and

WHEREAS, The Agency is willing and able to fund the debt service on the SPWF loan but is not an eligible recipient; and

WHEREAS, The City is an eligible recipient of the SPWF loan, as provided in OAR 123-042-0020(16);

NOW, THEREFORE, the parties agree as follows:

**AGREEMENT**

- I. The Agency has approved an \$800,000 Special Public Works Fund loan application to fund the purchase of property for police and court facilities. The project includes approximately six acres of property located in Canby Pioneer Industrial Park along Sequoia Parkway. The City agrees to submit this loan application to the State of Oregon.
- II. The revenues pledged to repay the SPWF loan will be provided by the Agency. The parties agree that the Agency will repay the City for any and all costs relating to:
  - a. The preparation, submittal, and acceptance of the SPWF loan, including but not limited to design engineering, surveying, and planning; and
  - b. Loan payments, debt service, construction costs, and any other expenses relating to the SPWF loan, for the full life of the loan, should it be awarded to the City.
- III. Payments relating to the SPWF loan and property acquisition shall be made by the use of tax-increment revenues received by the Agency or any other source of revenue that the Agency deems appropriate.

- IV. Costs not related to the SPWF loan and/or above the \$800,000 are the responsibility of the City.

**Termination modification**

This Agreement shall continue indefinitely unless amended in writing with the concurrence of all parties.

**Severability**

If any section, clause or phrase of this agreement is invalidated by any court of competent jurisdiction, any and all remaining parts of the agreement shall be severed from the invalid parts and shall remain in full force and effect.

CITY OF CANBY

Melody Thompson  
Melody Thompson, Mayor

8-16-06

Date

Attest:

Kimberly Scheafer  
Kimberly Scheafer City Recorder Pro-Tem

CANBY URBAN RENEWAL AGENCY

Randy Carson  
Randy Carson, Chairman

8-16-06

Date

Attest:

Kimberly Scheafer  
Kimberly Scheafer City Recorder Pro-Tem