

ORDINANCE NO. 827

AN ORDINANCE RELATING TO THE TROUTDALE RIVERFRONT RENEWAL PLAN AND ESTABLISHING A PROCEDURE FOR TRANSFER OF THE FORMER SEWER TREATMENT PLANT PROPERTY.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Urban Renewal Agency of the City of Troutdale ("Agency"), the duly formed body to implement urban renewal in Troutdale, was formed by the adoption of Ordinance No. 771 on January 27, 2006.
2. The Troutdale Riverfront Renewal Plan ("Plan") was adopted on February 14, 2006, by Ordinance No. 773 to provide tax increment funding and urban renewal authority to eliminate blight and foster development and redevelopment within the Troutdale Riverfront Renewal Area in order to protect the public health, safety, and welfare.
3. On May 16, 2006, Troutdale voters approved the Plan, allowing use of urban renewal and tax increment financing to achieve redevelopment of properties, including the former sewer treatment plant ("STP"), among other goals. The former STP property is owned by the City of Troutdale ("City").
4. Use of urban renewal finance measures intended to facilitate eventual construction of a riverfront park, public plaza, public parking facility, and pedestrian facilities, on portions of the former STP site, and/or on other related real properties within the Plan area.
5. Other stated goals of the Plan for the urban renewal area, include promoting redevelopment with a mix of uses, which is intended to diversify and improve Troutdale's economic and employment base.
6. The City is negotiating with Eastwinds Development, LLC ("Eastwinds"), to redevelop property within the urban renewal area, including the former STP site, and these negotiations are premised on transfer of the former STP site to Eastwinds.
7. Because the Eastwinds' plans to redevelop within the urban renewal area include the former STP property, the City finds that it is appropriate to identify the former STP property as a city-owned property that serves the public interest better, if designated for transfer to the Agency for urban renewal purposes.

8. Over the past several years the City and Eastwinds Development LLC have operated in an effective public/private partnership manner to successfully implement programs and grant projects for brownfield rehabilitation from Business Oregon, the State Department of Environmental Quality, and the Federal Environmental Protection Agency. The Agency has been fully informed of all the environmental condition information and reports which have been developed regarding the property.

9. The City wishes to establish a process under which it will transfer the former STP property to the Agency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The City identifies the following two properties ("Properties") that are no longer needed by the City and the conveyance of which pursuant to ORS 271.310 would serve the public interest:

(a) Tax Lot 400, Section 25BD, Township 1 North, Range 3 East Willamette Meridian, Multnomah County, Oregon, Parcel ID: R320520, and

(b) Tax Lot 500, Section 25BD, Township 1 North, Range 3 East Willamette Meridian, Multnomah County, Oregon, Parcel ID: R320650,

Section 2. The City establishes the following procedure for transfer of these properties and designates the City Manager or Finance Director (each a "City Official") or a designee of the City Official, to act on behalf of the City, and without further action by the City Council the City Official is hereby, authorized, empowered and directed to sign on behalf of the City the all documentation required for conveyance of the title of the Properties to the Agency.

Section 3. The City Official is, in the best interest of the City, hereby authorized to execute, acknowledge and deliver subsequent addendums, extensions, revisions, modifications, or successor documents or any other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of this Ordinance, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 4. The City Council designates the Agency as its agent for conveyance of the title to the Properties to persons who will develop the property under the Plan and in compliance with ORS 457.230.

Section 5. If the City's authority to issue urban renewal bonds expires, including any extensions of such authority, before the Agency transfers title to one or more Properties, the City will have the right to have the Properties returned to the City.

Section 6. Prior to transfer of the Properties to the Agency, the City Official shall consult with the Public Works Director and determine the location and area of easements needed to accommodate sewer, water, stormwater, and other utilities. Such easements shall be reserved in the deed to the Agency.

Section 7. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the Ordinance, and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 8. Conveyance shall only occur upon receipt by the City from the Oregon Department of Environmental Quality (DEQ) of a No Further Action (NFA) letter for the City Properties certifying that environmental cleanup has been completed to a level that is protective of human health and the environment, and is consistent with DEQ's regulations.

Section 9. This Ordinance shall be effective on the thirtieth day after its adoption.

YEAS: 7
NAYS: 0
ABSTAINED: 0



Doug Daoust, Mayor

Date 9/25/14



Debbie Stickney, City Recorder

Adopted: September 23, 2014