

ORDINANCE NO. 797-A

Introduced by Commissioner Cooper.

AN ORDINANCE ESTABLISHING AN URBAN RENEWAL AGENCY TO FUNCTION IN THE CITY OF WARRENTON AND PROVIDING FOR THE EXERCISE OF THE AGENCY'S POWERS BY A NINE MEMBER AGENCY INCLUDING THE CITY COMMISSION.

WHEREAS, there exists within the City of Warrenton, Oregon blighted or deteriorated areas as defined in ORS 457.010, and

WHEREAS, ORS 457.035 created in the City of Warrenton a public body, corporate and politic, for the purposes of exercising the powers granted by ORS Chapter 457, but provided that said public body shall not exercise its powers unless, by Ordinance, the Commission of the City of Warrenton declares there is a need for said public body to function and that the Commission has elected to have the powers of said public body exercised pursuant to ORS 457.045;

NOW, THEREFORE, the City of Warrenton does ordain as follows:

SECTION 1. - POLICY AND PURPOSES.

The City of Warrenton City Commission finds and declares as follows:

a. That blighted areas exist within the incorporated areas of the City;

b. That there is a need for an Urban Renewal Agency, a public body corporate and politic, to function in the City; and the agency shall focus on the following activities, among others, in carrying out Urban Renewal projects, pursuant to State law, the City Charter, and this Title:

1. Maintenance and improvement of viable commercial business areas including support for small local businesses;

2. Promotion of stability in residential areas, and provision, conservation or rehabilitation of adequate housing to meet the needs of City residents;

3. Provision of public facilities, utilities and necessary physical improvements as provided in an approved Urban Renewal Plan;

4. Promotion of new employment opportunities;

5. Involvement of citizens in all phases of preparing and implementing an Urban Renewal Plan.

c. That the City of Warrenton City Commission elects to have all of those powers granted to and vested in an Urban Renewal Agency by the laws of the State of Oregon, exercised by and vested in the Warrenton Urban Renewal Agency established by this Title.

SECTION 2. - DEFINITIONS.

As used in this Title:

- a. "Agency" means the Urban Renewal Agency, hereinafter to be known as the Warrenton Urban Renewal Agency.
- b. "Commission" means the City of Warrenton City Commission.
- c. "City" means the incorporated areas of the City of Warrenton, Oregon.
- d. "Urban Renewal Area" means a blighted area included in an Urban Renewal Plan.
- e. "Urban Renewal Project" or "Project" means any work or undertaking carried out under this Title in an Urban Renewal Area.
- f. "Urban Renewal Plan" or "Economic Renewal Plan" or "Plan" means a plan as it is adopted pursuant to ORS 457.085 through ORS 457.160 or is changed from time to time in accordance with ORS 457.220 by the Commission for one or more Urban Renewal Areas.

SECTION 3. - WARRENTON URBAN RENEWAL AGENCY.

The Warrenton Urban Renewal Agency is established. The Agency shall have the powers and duties described in this Ordinance.

SECTION 4. - MEMBERSHIP OF THE URBAN RENEWAL AGENCY.

The Agency shall consist of nine members, who shall be the Mayor, and four City Commissioners as provided by the City Charter together with four other members appointed by the City Commission.

SECTION 5. - TERMS OF OFFICE.

The terms of office of Agency members who are the Mayor and City Commissioners shall coincide with their terms of office on the City Commission. The four appointed members who are not City Commissioners shall choose their term of office at the first meeting of the Urban Renewal Agency by lot as follows: one for one year; one for two years; one for three years; and one for four years. The members shall notify the City Commission upon the drawing by lot of such allotment. Their successors shall hold office for four years.

SECTION 6. - VACANCIES.

Vacancies shall be filled as provided for Commissioners by the City Charter. Any vacancy of the appointed members of the Urban Renewal Agency shall be filled for the unexpired portion of the term of the individual they are being appointed to replace.

SECTION 7. - OFFICERS.

At its first meeting after appointment, the Agency shall select a Chairman, Vice-Chairman and such other officers deemed necessary. Thereafter, such officers shall be elected by the Agency's membership at or before the Agency's first meeting of each succeeding year.

SECTION 8. - BYLAWS.

The Agency shall adopt bylaws and rules of procedure to regulate the conduct of meetings; until such rules are adopted, proceedings of the Agency shall be conducted in accordance with Robert's Rules of Order.

SECTION 9. - QUORUM AND VOTING.

Four members of the Agency shall constitute a quorum for the conduct of business.

The Agency shall act by a majority vote of the members present at a meeting, excluding members present but abstaining; provided, that no action shall be taken without the affirmative concurrence of three members.

Actions, reports and recommendations adopted by the Agency shall be adopted by resolution, signed by the chairman or Vice-Chairman, or their designated member substitute, and filed with the City Recorder.

SECTION 10. - MEETINGS; NOTICE.

a. The Agency shall hold at least one meeting per calendar year and may hold such other meetings as are necessary to perform its functions.

b. Before any meeting of the Agency, notice shall be given as required by law.

c. The Agency may continue any proceeding, and a proceeding continued to a time, date and place certain requires no additional notice unless such notice is required by law or is ordered by the Agency.

SECTION 11. - POWERS AND DUTIES.

The Agency shall:

1. Have such powers and duties as are authorized by law and set forth in ORS Chapter 457 to be exercised by an Urban Renewal Agency to plan or undertake any Urban Renewal project to carry out an Urban Renewal plan approved by the Commission. In planning or undertaking an Urban Renewal project, the Agency shall have the power to:

A. Carry out any work or undertaking and exercise any powers which a housing authority is authorized by law to perform;

B. Carry out any rehabilitation or conservation work in an Urban Renewal Area;

C. Acquire real property when needed to carry out the Plan; provided, however, that no such real property shall be so acquired by the Agency unless the Urban Renewal Plan, as approved by the Commission, specifically provides for such property acquisition or the Commission amends the approved Urban Renewal Plan specifically to provide for such property acquisition. Exercise of this authority shall be in accord with the following criteria among others:

(i) The need to construct public services including, but not limited to, new streets, sewer lines, water lines, or storm drainage facilities;

(ii) The need to provide public facilities including, but not limited to, public structures, parks, open space, parking or pedestrian walkways;

(iii) The need to realize more efficient uses of lands.

D. Clear any areas acquired, including demolition, removal or rehabilitation of buildings and improvements;

E. Install, construct or reconstruct streets, utilities and site improvements in accordance with the Urban Renewal Plan;

F. Carry out plans for a program of the voluntary repair and rehabilitation of buildings or other improvements in an Urban Renewal Area in accordance with the Urban Renewal Plan.

G. Assist in relocating persons living in, and property situated in, the Urban Renewal Area in accordance with the approved Urban Renewal Plan, and to make relocation payments;

H. Dispose of, including by sale or lease, any property or part thereof acquired in the Urban Renewal Area in accordance with the approved Urban Renewal Plan;

I. Plan, undertake and carry out neighborhood development programs consisting of Urban Renewal Project undertakings in one or more Urban Renewal areas which are planned and carried out on the basis of annual increments in accordance with the provisions of this Title for planning and carrying out Urban Renewal Plans;

J. Accomplish a combination of the things listed in this Title to carry out an Urban Renewal Plan;

K. Provide for public involvement in all stages of the preparation and development of an Urban Renewal Plan and Urban Renewal Project;

L. Forward an Urban Renewal Plan and accompanying report to the City Planning Commission for recommenda-

tions prior to presenting the Plan to the Commission for approval;

M. Prepare a statement by August 1st of each year, containing:

(i) The amount of money actually received during the preceding year as "tax increment financing" revenue under subsection (4) of ORS 457.440, and the amount of indebtedness incurred during the preceding year from obtaining loans and advances under subsection (6) of ORS 457.440;

(ii) The purpose and amounts for which any moneys received under subsection (4) of ORS 457.440, and from indebtedness incurred under subsection (6) of ORS 457.440 were expended during the preceding fiscal year;

(iii) An estimate of moneys to be received during the current fiscal year under subsection (4) of ORS 457.440, and from indebtedness incurred under subsection (6) of ORS 457.440;

(iv) A budget setting forth the purpose and estimated amounts for moneys which have been or will be received under subsection (4) of ORS 457.440, and from indebtedness incurred under subsection (6) of ORS 457.440, are to be expended during the current fiscal year;

(v) An analysis of the impact of carrying out the Urban Renewal Plan on the tax rate for the preceding year for all taxing bodies that levy a tax on property inside Urban Renewal Areas;

N. The statement required under M of this section shall be filed with the Commission, and notice shall be published that the statement has been prepared and is on file with the City Recorder and the Agency, and that the information contained in the statement is available to all interested persons. The notice shall be published once a week for not less than two successive weeks before September 1st of the year for which the statement is required in the newspaper having the greatest circulation in the City, and which is published in the City. The notice shall summarize the information required under subsection M (i) through (iv) of this section and shall set forth in full the information required under section M (v) of this section;

O. Exercise such other powers and perform such other duties as may be given to the Agency by law, provided such other powers and duties are not in conflict with the provisions of ORS Chapter 457, the State Urban Renewal Law, the Charter of the City of Warrenton, or other provisions of this Title.

SECTION 12. - COMMISSION AUTHORITY REQUIRED.

The Agency may, if authorized by the City Commission:

1. Incur indebtedness, including obtaining loans and advances in carrying out an Urban Renewal Plan;
2. Irrevocably pledge any or all of that portion of the taxes received as tax increment financing revenue under ORS 457.420 through ORS 457.450 for payment of principal of and interest on indebtedness incurred.

SECTION 13. - URBAN RENEWAL PLAN ADOPTION.

Upon receipt of a proposed Urban Renewal Plan and report from the Agency, and after public notice and hearing and consideration of public testimony and recommendations by the Planning Commission, the City Commission may approve the Urban Renewal Plan. The approval shall be by non-emergency Ordinance which shall incorporate the Plan by reference. A plan approved by the City Commission shall be referred to the voters by the Commission. The Ordinance shall include determinations and findings for each Urban Renewal Area that:

1. The area is blighted;
2. The rehabilitation and redevelopment is necessary to protect the public health, safety and welfare of the municipality;
3. The Urban Renewal Plan conforms to the Comprehensive Plan of the municipality as a whole, and provides an outline for accomplishing the Urban Renewal Projects the Urban Renewal Plan proposes;
4. Provisions have been made to house displaced persons within their financial means in accordance with ORS 281.045 to 281.105 and, except in the relocation of elderly or handicapped individuals, without displacing on priority lists persons already waiting for existing federally subsidized housing;
5. If acquisition of real property is provided for, that it is necessary;
6. Adoption and implementation of the Urban Renewal Plan is economically sound and feasible; and
7. The municipality shall assume and complete any activities prescribed it by the Urban Renewal Plan.

SECTION 14. - SUBCOMMITTEES.

The Chairman of the Agency may establish and appoint from the membership of the Agency such advisory subcommittees as are deemed appropriate or as directed by the Agency.

SECTION 15. - CITIZEN ADVISORY COMMITTEE.

A Citizen Advisory Committee for each Urban Renewal Area, consisting of persons who are owners or tenants of property located in the Urban Renewal Area, and, if functioning, a representative of the affected neighborhood Planning Organization, may act as advisory to the Agency on matters related to the Urban Renewal Plan and project of the Agency in each Urban Renewal Area.

SECTION 16. - STAFF DESIGNATED.

The City Manager and persons designated by the City Auditor shall serve as staff for the Agency and its subcommittees and shall provide such administrative and technical assistance as may be required. The Agency may also contract for such services as it requires.

SECTION 17. SEVERABILITY.

In the event any subsection, subdivision, phrase, clause, sentence or word in this Title is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not invalidate the remainder of this Title, but shall be confined to the subsection, subdivision, phrase, clause, sentence or word held invalid or unconstitutional.

Passed by the City Commission of the City of Warrenton, Oregon, this 17th day of September, 1986.

Examined and approved by the Mayor of the City of Warrenton, Oregon, this 17th day of September, 1986.


MAYOR

ATTEST:


AUDITOR AND POLICE JUDGE

First reading: August 20, 1986.

Second reading: August 27, 1986.

Third reading: September 3, 1986