

AGENDA**COLUMBIA GATEWAY URBAN RENEWAL AGENCY BOARD**

September 19, 2023

5:30 p.m.

City Hall Council Chambers
313 Court Street, The Dalles, Oregon

Via Zoom<https://us06web.zoom.us/j/86259459367?pwd=Z0Nnd3E4bkxBUVhXQkRkTkJCdEJ6QT09>Meeting ID: **862 5945 9367** Passcode: **292293**

Dial: 1-669-900-6833 or 1-253-215-8782

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES – August 15, 2023
6. PUBLIC COMMENT – During this portion of the meeting, anyone may speak on any subject that does not later appear on the agenda. Five minutes per person will be allowed.
7. ACTION ITEMS
 - A. Alley Right-of-Way – Dedication of Granada Block alley to City of The Dalles.
 - B. Tony's Building Demolition – Contract Extension
8. STAFF COMMENTS / PROJECT UPDATES
9. BOARD MEMBER COMMENTS / QUESTIONS
10. EXECUTIVE SESSION
 - A. Recess to Executive Session in accordance with ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.
 - B. Reconvene to Open Session
 - C. Decision following Open Session
11. ADJOURNMENT

Meeting conducted in a room in compliance with ADA standards.

COLUMBIA GATEWAY URBAN RENEWAL AGENCY

Prepared by/
Paula Webb, Secretary
Community Development Department

MINUTES

COLUMBIA GATEWAY URBAN RENEWAL AGENCY BOARD MEETING

August 15, 2023

5:30 p.m.

City Hall Council Chambers
313 Court Street, The Dalles, Oregon 97058
Via Zoom / Livestream via City Website

- PRESIDING:** Darcy Long, Chair
- BOARD PRESENT:** Scott Baker, Staci Coburn, Walter Denstedt, Scott Hege, Tim McGlothlin, Shanon Saldivar and Ben Wring
- BOARD ABSENT:** Dan Richardson
- STAFF PRESENT:** Director and Urban Renewal Manager Joshua Chandler, City Attorney Jonathan Kara, Economic Development Officer Dan Spatz, Secretary Paula Webb

CALL TO ORDER

The meeting was called to order by Chair Long at 5:59 p.m.

PLEDGE OF ALLEGIANCE

Chair Long led the Pledge of Allegiance.

APPROVAL OF AGENDA

It was moved by Hege and seconded by Saldivar to approve the agenda and supplemental agenda as prepared. The motion carried 8/0; Baker, Coburn, Denstedt, Hege, Long, McGlothlin, Saldivar and Wring voting in favor, none opposed, Richardson absent.

APPROVAL OF MINUTES

It was moved by Hege and seconded by McGlothlin to approve the minutes of June 20, 2023 as submitted. The motion carried 8/0; Baker, Coburn, Denstedt, Hege, Long, McGlothlin, Saldivar and Wring voting in favor, none opposed, Richardson absent.

PUBLIC COMMENT

None.

ACTION ITEMS

Seventh Addendum for the Disposition and Development Agreement for the Recreation Building, 213-219 East Second Street

Dan Spatz, Economic Development Officer, provided a brief overview of the project. The development consists of three separate parcels. Title of Parcels 1 and 2 was transferred to the Developers in April 2022. The Sixth Amendment allowed an extension of time for Parcel 3 completion. This extension expires September 1, 2023. Since then, the Developer has made substantial progress. Staff recommends execution of the Seventh Addendum to the Disposition and Development Agreement between the Agency and Developer to extend the closing date to March 1, 2024.

There were no questions for Staff.

It was moved by Hege and seconded by Coburn to authorize the Agency Manager to execute the Seventh Addendum to the Disposition and Development Agreement between Columbia Gateway Urban Renewal Agency and Todd Carpenter and Carla McQuade for the property known as the Recreation Building, located at 213-219 E. 2nd Street, with modification to the presented Subparagraph 2.6.1(b)(2) to include a provision approved by the City Attorney as incorporating exterior completion as a condition of Parcel 3's closing. The motion carried 8/0; Baker, Coburn, Denstedt, Hege, Long, McGlothlin, Saldivar and Wring voting in favor, none opposed, Richardson absent.

Basalt Commons – Request for Urban Renewal Incentive Program Assistance for a commercial and residential complex located at 523 East 3rd Street

Dan Spatz, Economic Development Officer, provided a brief overview of the request.

This request is for Urban Renewal Incentive Program assistance for a mixed-use development at 523 E. 3rd Street. The Developer proposes to demolish the existing structure and replace it with a five-story commercial and residential structure.

Spatz corrected the staff report regarding the construction period. The Developer projects an 18-month construction period, beginning summer 2024. Anticipated completion is spring 2026.

Funds awarded through the Incentive Program are not given to the grantee directly. Instead, the Agency commits the funds to cover residential system development charges– fees intended to offset a residential development's impact to existing infrastructure – by paying those charges directly to the government entities to whom the fees would be owed.

It was moved by McGlothlin and seconded by Hege to authorize the Agency Manager to execute and implement the Incentive Program Grant Agreement with TD3rd, LLC, in an amount not to exceed \$1,000,000.00, as presented. The motion carried 7/0; Coburn, Denstedt, Hege, Long, McGlothlin, Saldivar and Wring voting in favor, none opposed, Baker abstained, Richardson absent.

Basalt Commons – Development and Funding Agreement for a commercial and residential complex located at 523 East 3rd Street

Dan Spatz, Economic Development Officer, provided a brief overview of the project. The \$26M-29M project will construct 108 residential dwelling units comprising 40 studio units, 48 one-bedroom units, and 20 two-bedroom units. The project is designed to accommodate 9,350 SF of ground-floor commercial space and 32 on-site parking spaces.

Mary Hanlon of Hanlon Development, Chris Hodney of Hacker Architects, and John Southgate, Southgate Consulting, attended to provide information.

Mary Hanlon, Hanlon Development

Ms. Hanlon thanked the board for their consideration of this proposal. She stated her preference for a private project over a public subsidy, but noted that when developing housing outside a hot market, it is very difficult to balance escalating construction costs and high interest rates while still maintaining affordable rents.

The project is a mix of studios, one-bedrooms and two-bedrooms. Ms. Hanlon described the project as a culmination of a long career in housing, community and economic development, where the basic, essential availability of housing also spurs economic growth. The downtown location is a perfect place for this to occur, she said, since infrastructure and services already exist. Ms. Hanlon said it will help to activate a historic downtown.

She described Hacker Architects as an exceptional firm that will design a project the community will be proud of, bringing jobs and 24-hour activity, estimating a downtown spending increase of \$1,500,000 annually from new residents.

Hanlon Development has focused on rejuvenation of historic downtowns. All the projects have brought together housing, revitalization, and community impact, Ms. Hanlon told the Board, noting that the whole purpose of her company is to integrate community design, and have a positive impact on communities.

Chris Hodney, Design Principal, Hacker Architects

Mr. Hodney said Hacker Architects is built on a foundation of civic work, consisting of many iconic buildings such as the Columbia Gorge Discovery Center here in The Dalles. He said the firm is inspired to create authentic spaces or buildings that shape and engage the community. In 2007, Hacker's portfolio expanded to urban, mixed-use development, and housing as an important part of evolving neighborhoods in Oregon. Since then, Hacker has completed just over 70 housing projects including single-family, townhomes, mid-rise apartments, garden apartments and high-rise apartments.

John Southgate, Consultant, Southgate Consulting

Mr. Southgate's background is a mixture of primarily public sector work with several jurisdictions in the Portland area. Since 2012, he has consulted with a number of communities around Oregon, mainly in downtown revitalization and public/private partnerships to help cities find developers to take on projects in partnership with the city.

Board Member McGlothlin stated the project was impressive and adds to the downtown.

Board Member Wring asked how this project fits into the traffic study. Director Chandler replied parking and traffic are completed or under way, and will be addressed during the land use process. A preliminary review of parking indicates substantial available parking.

Chair Long read Board Member Richardson's email regarding Basalt Commons, Attachment 2. Board Member Richardson is in favor of both the incentive funds and direct development funds.

Board Member Hege stated this is an exciting project for the downtown. He asked about any plans to share after-hours parking with businesses. Director Chandler replied parking will be reviewed during the land use process, including guidance from a Parking Management Plan. Suggestions include shared parking agreements with area lots, and timed parking. The Plan identifies 20-25 available lots.

Board Member Denstedt mentioned parking issues with the Commodore II. He suggested determining why the Commodore was not successful, in order to avoid similar pitfalls. Ms.

Hanlon replied she has studied the Commodore II, and noted the difference between new construction and property rehabilitation.

Board Member Baker left the meeting at 7:01 p.m.

Board Member Coburn noted the work put into the project, and stated it is very exciting for The Dalles. Parking remains a large concern. Coburn asked what “standard market rates” look like and how they work. She also asked how 108 units equate to the number of additional residents downtown.

Ms. Hanlon replied standard market rates provide a benchmark for The Dalles. Ms. Hanlon felt Canby, where Ms. Hanlon recently completed a similar project, is similar to The Dalles in both income, the size of the community, and permit structure, helping to validate standard market rates for The Dalles. These will be affordable rates, not luxury housing. Ms. Hanlon noted that downtown housing provides 24-hour activity, with people coming and going from work at all hours, walking dogs, shopping or visiting friends, activating the street in a meaningful way.

Board Member Wring asked what process allows the Agency to recoup funds up for approval. Ms. Hanlon replied the funds are not committed until construction starts.

City Attorney Kara added the funds would be deposited into an escrow account upon adoption of the agreement. In the State of Oregon, both parties to an escrow account must approve before any funds are withdrawn. This provides assurance of fund integrity.

Attorney Kara stated Incentive Program funds are secured differently; funds will not go to the Developer directly, but will be paid by the Agency to the City and NWC Parks & Recreation.

If the Development and Funding Agreement is authorized, funds will be deposited at AmeriTitle within one week after two conditions:

1. The Developer obtains a construction loan to develop this project.
2. The Owner secures and provides a Wasco County building permit.

Board Member Wring asked how long the funds would stay in escrow. Attorney Kara quoted the Escrow Instructions: “However, if said instructions are not received by the date that is 18 months after the date that Funds are deposited, all remaining Funds shall be promptly returned to Agency.”

Board Member Hege asked if something similar was set for the Incentive Program funds. Attorney Kara replied the Agency’s payment of residential SDCs are conditioned upon the Community Development Department’s approval of the building permit.

It was moved by Hege and seconded by McGlothlin to authorize the Agency Manager to execute Development and Funding Agreement with TD3rd, LLC, in an amount not to exceed \$730,000.00, as presented. The motion carried 6/0; Coburn, Denstedt, Hege, Long, McGlothlin and Wring voting in favor, none opposed, Baker, Richardson and Saldivar absent.

EXECUTIVE SESSION

Pursuant to Item 10 of the Urban Renewal Agency Board Agenda dated August 15, 2023, which cites ORS 192.660(2)(e), the Board adjourned to Executive Session at 7:51 p.m.

RECONVENE TO OPEN SESSION

Chair Long reconvened the Open Session at 7:56 p.m.

DECISION FOLLOWING EXECUTIVE SESSION

There was no decision following Executive Session.

STAFF COMMENTS / PROJECT UPDATES

Tony's Building – Director Chandler said the fencing is installed and abatement is almost finalized. The preliminary archeological survey should take about two weeks. The contract is effective until October 31, 2023.

EDO Spatz said he has been visiting downtown business owners, encouraging them to participate in the Incentive Program.

BOARD MEMBER COMMENTS / QUESTIONS

None.

ADJOURNMENT

Being no further business, the meeting adjourned at 8:01 p.m.

Meeting conducted in a room in compliance with ADA standards.

Submitted by/
Paula Webb, Secretary
Community Development Department

SIGNED: _____
Darcy Long, Chair

ATTEST: _____
Paula Webb, Secretary
Community Development Department



URBAN RENEWAL AGENCY PRESENTATION • 8/15/2023

PROJECT OVERVIEW

- Five-Story Building
- 9,350 sq ft of ground floor commercial
- 108 market rate apartment units on Floors 2-5
- Residential Unit Mix:
 - 40 studios; 48 one BR units; 20 two BR units
- 56 parking spaces (32 on-site; 24 on adjoining streets)
- Additional parking available: lease or purchase of nearby properties

Project Drivers:

- Demand for quality professional housing choices downtown The Dalles
- Proximity to downtown jobs, goods and services, and public transportation
- High quality design: Hacker is a premier Pacific NW architectural firm
- Compatibility with nearby historic architecture
- Redevelopment of a site that has been largely vacant for years
- Instill community pride with beautiful materials and spaces; supports local businesses by generating about \$1,500,000 in annual spending power; and utilizes local contractors and suppliers where possible for project construction

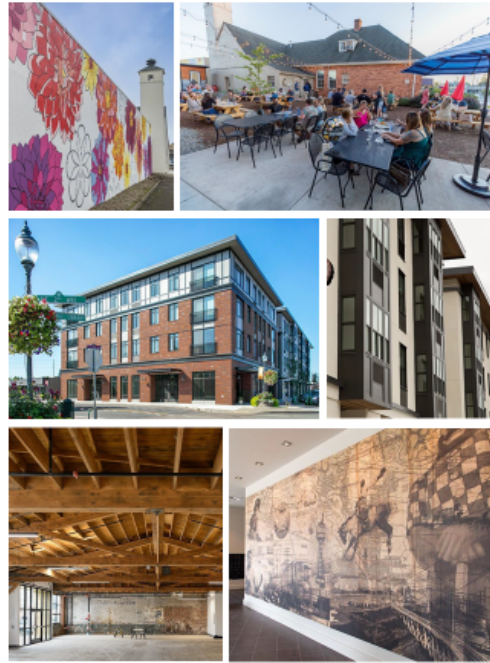


BASALT COMMONS | HANLON DEVELOPMENT

URBAN RENEWAL AGENCY PRESENTATION • 8/15/2023

HANLON DEVELOPMENT EXPERIENCE

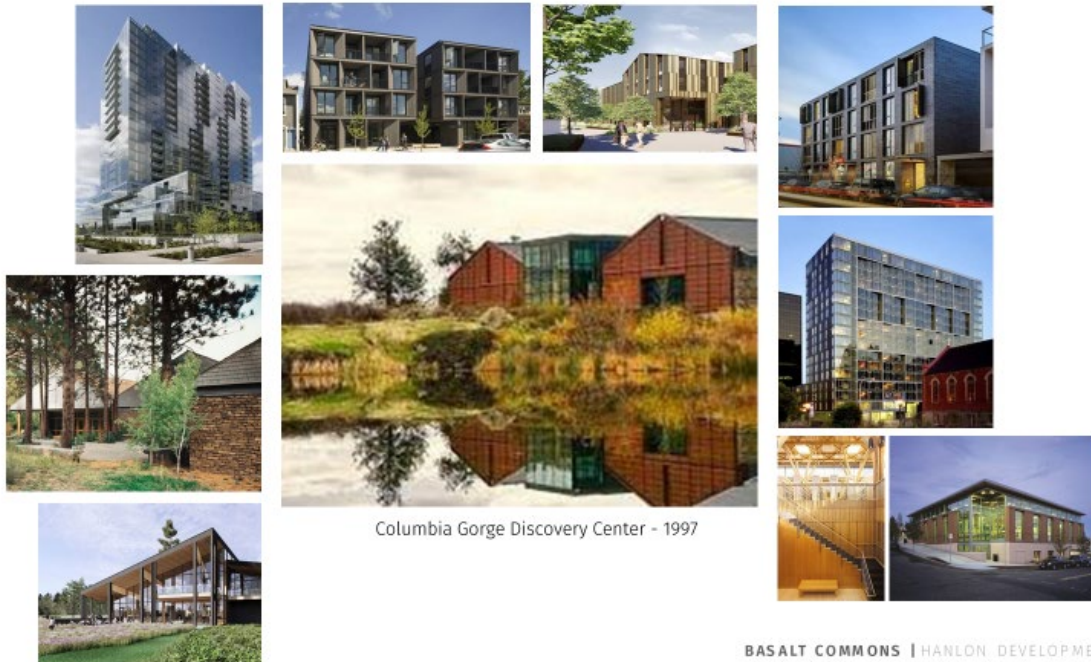
- Mary Hanlon, Sole Member, Hanlon Development LLC; Managing Member, TD3rd LLC
- Native Oregonian; resident of The Dalles since 2016
- 20 years real estate development experience; 35 years in housing, economic development policy at federal and local levels; non-profit private lending entities
- Commitment to local communities, creating wealth for local economies, and assuring compatibility of projects with local context and responsiveness to local needs and aspirations. *It's all about community benefit & community pride.*
- High standards in design, construction and financial integrity – long term relationships with lenders and equity investors. *Long term ownership*



BASALT COMMONS | HANLON DEVELOPMENT

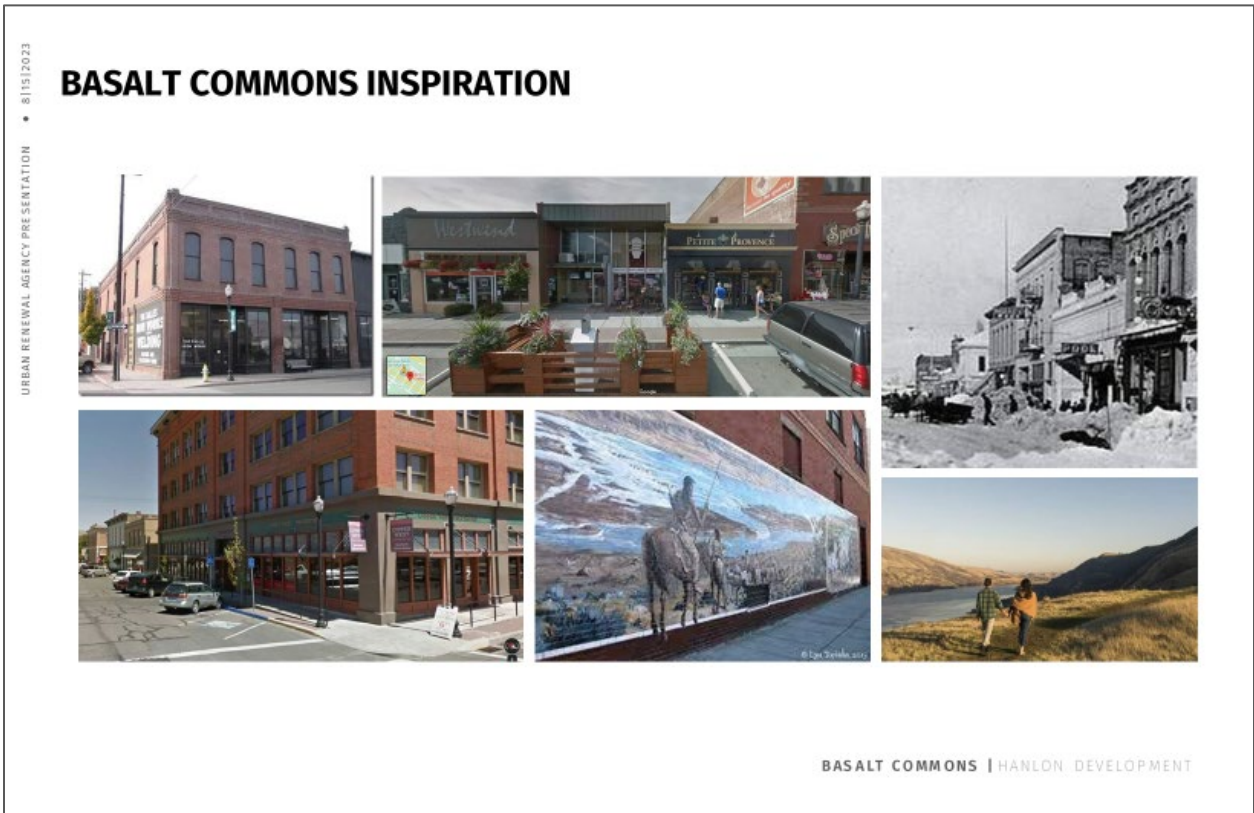
URBAN RENEWAL AGENCY PRESENTATION • 8/15/2023

HACKER - CIVIC AND CULTURAL WORK



Columbia Gorge Discovery Center - 1997

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URBAN RENEWAL AGENCY PRESENTATION • 8/15/2023

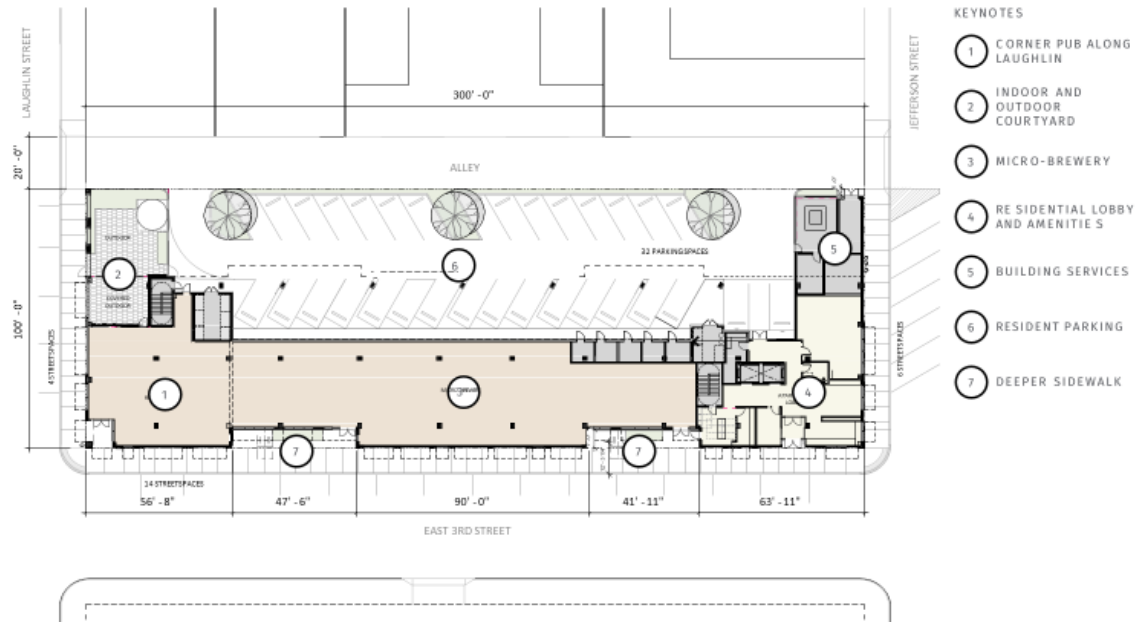
VIEW FROM NORTHWEST ALONG 3RD ST.



BASALT COMMONS | HANLON DEVELOPMENT

URBAN RENEWAL AGENCY PRESENTATION • 8/15/2023

SITE PLAN



- KEYNOTES
- 1 CORNER PUB ALONG LAUGHLIN
 - 2 INDOOR AND OUTDOOR COURTYARD
 - 3 MICRO-BREWERY
 - 4 RESIDENTIAL LOBBY AND AMENITIES
 - 5 BUILDING SERVICES
 - 6 RESIDENT PARKING
 - 7 DEEPER SIDEWALK

BASALT COMMONS | HANLON DEVELOPMENT

URB AN RENEWAL AGENCY PRESENTATION • 8/15/2023

PROJECT FINANCING

Sources:

- Private Equity: \$7,325,000
- URA Funds: \$1,585,000 (includes \$855,000 in SDC incentive/offset, plus \$730,000 in URA equity contribution; URA combined funds represent 5.3% of total estimated sources)
- Total Equity (Private + URA): \$8,910,000
- Private Bank Loan: \$20,860,000
- *Total Sources: \$29,770,000*

Uses:

- Land: \$1,200,000
- Construction: \$25,230,000
- Soft Costs: \$3,340,000
- *Total Uses: \$29,770,000*



Total estimated cost \$26,500,000 - \$29,770,000 depending on interest rates and construction cost escalation (40% in the past five years).

BASALT COMMONS | HANLON DEVELOPMENT

URB AN RENEWAL AGENCY PRESENTATION • 8/15/2023

PROJECT FINANCING (Continued)

- Cost Estimates based on General Contractor's estimates and developer's experience with similar Oregon projects
- Vertical Housing Development Zone – ten year *partial* property tax abatement
- Total URA investment represents about 5.3% of total sources; 94.7% is private debt + private equity
- URA Subsidy recapture: about ten years for \$730,000 equity contribution, and another 3.5 years for UR Incentive contribution of \$855,000
- Proposed URA equity contribution is necessary in light of very low ROI for private equity investors, given current interest rates trends and construction costs, coupled with risk of development of a new real estate product type in an untested market.



BASALT COMMONS | HANLON DEVELOPMENT

URBAN RENEWAL AGENCY PRESENTATION • 8/15/2023

THE PATH FORWARD

18 month construction period; start will be predicated on critical milestones:

- URA Board Authorization of Incentive Package
- Bank financing secured at reasonable interest rate
- Authorization of Vertical Housing Development Zone
- Timely City approval of Entitlements (Land Use, Historic Review, Building Permits)
- Leasing of Ground Floor commercial space/s



BASALT COMMONS | HANLON DEVELOPMENT

Thank you



Paula Webb

From: Dan Richardson
Sent: Thursday, August 10, 2023 12:50 PM
To: Darcy Long
Cc: cdd; Dan Spatz; Jonathan Kara
Subject: URA meeting - absence and proxy vote for Basalt Commons

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon URAB Chairwoman Long and staff,

I will be out of town with family Tuesday, Aug. 15, and though I will endeavor to be back in cell service by the time of the URAB meeting that evening, it is at best a 50% likelihood. I appreciate the diligent staff work that went into meeting's action items and the importance of those items, specifically, Action Items 7b and 7c, regarding the Basalt Commons project.

If it is allowed, please record me as a positive vote for both of those items, requesting URA incentive funding and direct development funds. Alternatively, I give my proxy vote for those two items to Chairwoman Long.

Supporting the Basalt Commons project is clearly aligned with URA's stated goals. The project will provide critical housing for our community in a compact fashion, bring significant economic benefit and liveliness downtown, support existing small businesses, and has an expected return on investment through local property taxes of less than 15 years. This is a worthy endeavor and can be expected to pay benefits to our local taxing districts and our community at large.

Dan votes "aye" to both proposed action items.

I will call in if/when I get into cell range during the meeting.

Regards, Dan

Dan Richardson
The Dalles City Council, Position 4
Phone: 541-238-2883



AGENDA STAFF REPORT

AGENDA LOCATION: 7.A.

MEETING DATE: Tuesday, September 19, 2023

TO: Chair and Members of the Urban Renewal Agency Board

FROM: Dan Spatz
Economic Development Officer

ISSUE: *Authorizing the Agency Manager to execute dedication agreements and dedication deeds with the City of The Dalles for portions of the alley running parallel to East 1st Street and East 2nd Street between Court Street and Washington Street.*

BACKGROUND

In 2014, the City of The Dalles (**City**) vacated a portion of the public right-of-way running parallel to East 1st Street and East 2nd Street between Court Street and Washington Street pursuant to the terms of Special Ordinance No. 14-563. The purpose of the vacation was to support the Agency's development and disposition of the Granada Block's potential siting of a hotel and related uses. Title to the vacated alley vested in the Agency (as the abutting property owner) by operation of Special Ordinance No. 14-563. At that time, The Dalles City Council also served as the Agency Board. The Agency had a Disposition and Development Agreement (**DDA**) with Rapoza Development Group for the hotel project.

One of Special Ordinance No. 14-563's provisions is a condition subsequent to the vacation: if the Agency's redevelopment project failed to meet certain timelines and deadlines, the Agency should have rededicated the vacated portion of the alley back to the City.

After the vacation, the hotel project failed to meet the DDA's timelines. Instead of rededicating the portions of vacated alley back to the City, the Agency Board directed staff to negotiate DDAs for the various properties constituting the Granada Block development: the Blue Building (201 Washington Street), Granada Theatre (221 East 2nd Street) and Recreation Building (209, 213, 215 and 219 East 2nd Street). Those DDAs were subsequently completed or are approaching completion: Of all the properties, only 213 East 2nd Street and parking lots adjoining First Street remain under Agency ownership.

Since the Granada Block redevelopment project was abandoned, the Agency should have rededicated those alleys back to the City to ensure the Agency's compliance with the terms of Special Ordinance No. 14-563 and to assure continued public, utility, and emergency access to the public right-of-way of the alley. When the Agency transferred title to the Blue Building and Granada Theatre parcels, it also inadvertently transferred title to the abutting alley vacated by Special Ordinance No. 14-563.

Earlier this year, the City negotiated dedication agreements with the owners of the Blue Building and Granada Theatre to reacquire the alleys abutting those properties. On April 24, 2023, the City adopted Special Ordinance No. 23-597 to accept the Blue Building's and Granada Theater's dedication of their alleys back to the City. As a result of those dedications, the eastern-most segment of the alley is now completely restored as City-regulated public right-of-way.

Three parcels (depicted in Assessor's Map No. 1N 13E 3 BA as Tax Lot 800 and Assessor's Map No. 1N 13E 3 BD as Tax Lots 400 and 500) are both currently owned by the Agency and still include portions of the alley vacated by Special Ordinance No. 14-563 on the north side of the alley. Those parcels, constituting a single parking lot facing East 1st Street, were acquired by the Agency as part of the original Granada Block concept. Since these parcels extend to the middle of the alley, Agency staff finds it necessary to rededicate portions of those parcels extending into the alley back to the City. The parking lots will remain under Agency ownership.

In addition, a portion of another parcel currently owned by the Agency (depicted in Assessor's Map No. 1N 13E 3 BD as Tax Lot 3600) contains a portion of the alley vacated by Special Ordinance No. 14-563 – that parcel is part of the Agency's consideration in its DDA with Todd Carpenter and Carla McQuade for the Recreation Building (referred to by the DDA as its Parcel #3) and is anticipated to be conveyed pending the developer's completion of the project there. Agency staff also finds it necessary to rededicate the portion of the alley included in Parcel #3 to the City.

If the Agency Board approves this action item tonight, Agency staff will coordinate with the City to finalize the terms of a dedication agreement and dedication deed to convey the above-described portions of the alley to the City for its use as public right-of-way.

PROJECT BENEFITS

The proposed rededication of the alley back to the City will ensure Agency compliance with the terms of Special Ordinance No. 14-563 and will secure continued public, utility, and emergency access through the alley running parallel to East 1st Street and East 2nd Street between Court Street and Washington Street.

BUDGET IMPLICATIONS

The Agency does not anticipate any costs associated with the contemplated dedications other than minor recording and Wasco County Assessor map change fees.

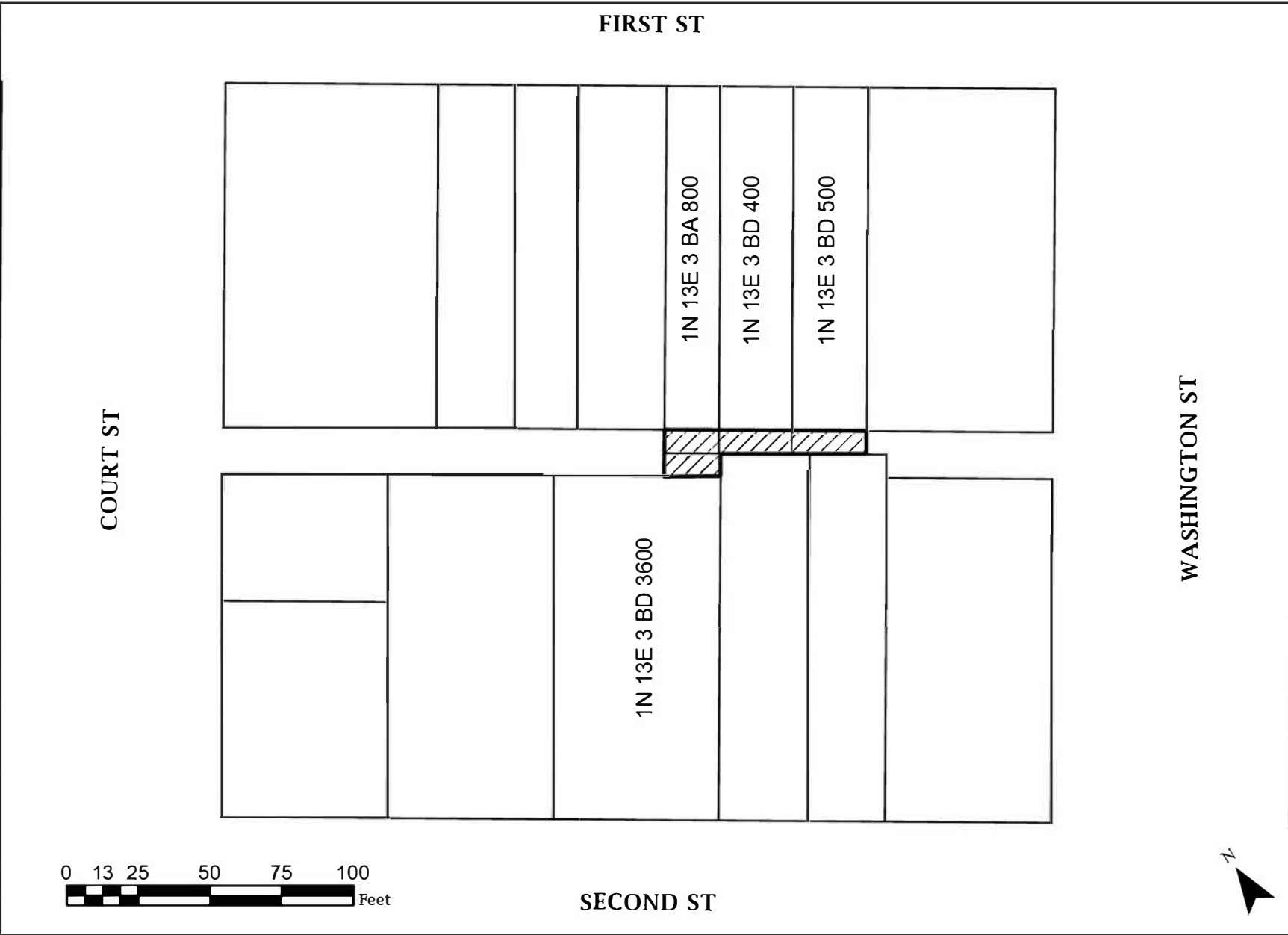
BOARD ALTERNATIVES

1. ***Staff recommendation: Move to authorize the Agency Manager to execute dedication agreements and dedication deeds with the City of The Dalles to convey all Agency-owned or controlled portions of the alley running parallel to East 1st Street and East 2nd Street between Court Street and Washington Street.***
2. Decline dedication and provide direction to Staff.

Attachments:

- **Attachment 1** – Map showing alley location in relation to adjoining parcels

Attachment 1: Agenda Item 7A





COLUMBIA GATEWAY URBAN RENEWAL AGENCY
CITY OF THE DALLES

AGENDA STAFF REPORT
AGENDA LOCATION: 7.B.

MEETING DATE: Tuesday, September 19, 2023
TO: Chair and Members of the Urban Renewal Agency Board
FROM: Dan Spatz
Economic Development Officer
ISSUE: *First Amendment to Public Improvement Agreement extending period of Tony's Building demolition.*

BACKGROUND

On June 20, 2023, the Columbia Gateway Urban Renewal Agency (Agency) approved Contract No. CGURA2023-01 with Konell Construction and Demolition Corporation for hazardous materials abatement and demolition of the Tony's Building property located at 401-407 E. 2nd Street for a total not to exceed \$422,355.00. The Agency formally entered into the Public Improvement Agreement with Konell on July 5, 2023, with project completion by October 31, 2023. As of August 29, 2023, all hazardous material has been abated from the properties and a "clean bill of health" was certified by Konell.

Due to additional time needed for post-demolition cultural resource and archeological work, the Agency is requesting an extension of this contract to November 30, 2023, as stated in the First Amendment to this Agreement.

In addition, the Agency entered into a Professional Services Agreement with Stantec Consulting Services Inc. for post-demolition cultural resource and archeological services on September 12, 2023, in an amount not to exceed \$73,323.00.

BUDGET IMPLICATIONS

The proposed First Amendment to Public Improvement Agreement will have no impact on the overall project budget.

The Agency budgeted \$750,000 for this project in FY 23/24. In total, the approved Public Improvement Agreement with Konell Demolition and Construction Corp. and Professional Services Agreement with Stantec Consulting Services Inc. results in a combined project cost of \$495,678.00, leaving budget surplus of \$254,322.

A portion of the demolition, post-demolition cultural resource, and archeological work will be funded by the Oregon Business Development Department Brownfields Redevelopment Fund grant for an amount not to exceed \$60,000 of eligible expenses.

BOARD ALTERNATIVES

1. ***Staff recommendation: Move to authorize execution of the First Amendment to Public Improvement Agreement CGURA2023-01 between Columbia Gateway Urban Renewal Agency and Konell Construction and Demolition Corp. for the Tony's Building Property.***
2. Move to decline authorization of the First Amendment and direct staff accordingly.

Attachments:

- **Exhibit A** – First Amendment to Public Improvement Agreement

**FIRST AMENDMENT TO
PUBLIC IMPROVEMENT AGREEMENT**

This FIRST AMENDMENT TO PUBLIC IMPROVEMENT AGREEMENT (**First Amendment**) is entered by the Columbia Gateway Urban Renewal Agency, an Oregon urban renewal agency duly formed and operating under the provisions of ORS Chapter 457 (Agency), and Konell Construction and Demolition Corporation, a domestic business corporation (**Contractor**).

WHEREAS, on July 5, 2023, the Agency and Contractor entered that certain Public Improvement Agreement for the provision of hazardous materials abatement and demolition services (**Agreement**) at the Tony’s Building (Project No. CGURA 2023-01);

WHEREAS, Section C(2) of the Agreement indicates its term expires naturally on October 31, 2023, unless sooner modified;

WHEREAS, Section C(3) of the Agreement provides the Agreement may be modified by a written instrument duly executed by the Parties; and

WHEREAS, intend this First Amendment to enlarge the time for Contractor’s performance under the Agreement by extending its Completion Date.

NOW, THEREFORE, in consideration of both the provisions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is here acknowledged, the Parties agree:

1. Amendment. The Parties agree the term *Completion Date* (as used in the Agreement) means November 30, 2023.
2. No Other Changes. Except as modified by this First Amendment, the Parties agree all other provisions, terms, and conditions of the Agreement remain in full force and effect.

DATED this _____ of _____, 2023.

AGENCY

CONTRACTOR

Joshua Chandler, Agency Manager

Andrew Webber, President