



City of Tigard
City Center Development Agency Board - Agenda

TIGARD CITY CENTER DEVELOPMENT AGENCY BOARD

MEETING DATE AND TIME: November 5, 2013 - 6:30 p.m.
MEETING LOCATION: City of Tigard - Red Rock Creek Conference Room
13125 SW Hall Blvd., Tigard, OR 97223

PUBLIC NOTICE:

Times noted are estimated.

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Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA



City of Tigard

City Center Development Agency Board - Agenda

TIGARD CITY CENTER DEVELOPMENT AGENCY BOARD

MEETING DATE AND November 5, 2013 - 6:30 p.m.

TIME:

MEETING LOCATION: City of Tigard - Red Rock Creek Conference Room - 13125 SW Hall Blvd., Tigard, OR 97223

6:30 PM

1. CITY CENTER DEVELOPMENT AGENCY BOARD MEETING
 - A. Call to Order- City Center Development Agency
 - B. Roll Call
 - C. Call to Board and Staff for Non-Agenda Items
2. NON AGENDA ITEMS
3. APPROVE CCDA MINUTES FOR - **6:35 estimated time**
September 3, 2013
October 1, 2013
4. RECEIVE PRESENTATION ON BUS RAPID TRANSIT **6:40 pm estimated time**
5. DISCUSS COMPOSITION OF THE CITY CENTER DEVELOPMENT AGENCY BOARD AND THE CITY CENTER ADVISORY COMMISSION **7:25 pm estimated time**
 - **EXECUTIVE SESSION:** The Tigard City Center Development Agency will go into Executive Session to discuss real property negotiations, under ORS 192.660(2) (e) All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public. **7:55 estimated time**
6. ADJOURNMENT **8:10 pm estimated time**

AIS-1522

CCDA Agenda

Meeting Date: 11/05/2013

Length (in minutes): 5 Minutes

Agenda Title: APPROVE CCDA MINUTES

Submitted By: Carol Krager, City Management

Item Type: Motion Requested

Meeting Type: City Center Development Agency

Public Hearing: No

Publication Date:

Information

ISSUE

N/A

STAFF RECOMMENDATION / ACTION REQUEST

Approve CCDA Minutes for September 3, 2013 and October 1, 2013.

KEY FACTS AND INFORMATION SUMMARY

N/A

OTHER ALTERNATIVES

N/A

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

N/A

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

Minutes for September 3, 2013

Minutes for October 1, 2013



City of Tigard

Tigard City Council, City Center Development Agency & Local Contract Review Board Meeting Minutes

September 3, 2013



CITY CENTER DEVELOPMENT AGENCY

- A. At 6:32 pm Chair Cook called to order the meeting of the Tigard City Center Development Agency, Tigard City Council and Local Contract Review Board.
- B. Deputy City Recorder Krager called the roll.

	Present	Absent
Director Snider	✓	
Director Woodard	✓	
Chair Cook	✓	
Director Buehner	✓	
Director Henderson	✓	

- C. Pledge of Allegiance – Mayor Cook asked everyone to join him in the pledge of allegiance.
- D. Council Communications & Liaison Reports – Chair Cook asked if there were any communications or liaison reports. Director Buehner said she will give a report at the next council meeting.
- E. Call to Council and Staff for Non-Agenda Items – Chair Cook asked for any non-agenda items. Executive Director Wine introduced two new Community Development Department staff members, Economic Development Manager Lloyd Purdy and Senior Planner Susan Shanks. Executive Director Wine announced that Senior Planner Shanks will be the project manager for the River Terrace project. Executive Director Wine mentioned an emergency management seminar opportunity on November 7, 2013 and asked council to let her know of their availability.

1. DISCUSS URBAN RENEWAL FINANCIAL MODEL

 This agenda item was introduced by Community Development Director Asher who said it is next in the series of “getting to know your urban renewal district,” and the information presented

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is a critical look at the financial situation. He said the consultant's approach is based on assessed values, real market values and how they translate to an urban renewal district's ability to borrow. This relates to the city's ability to implement its urban renewal plan.

ECONorthwest consultant Nick Popenuk presented a PowerPoint slide show, a copy of which is in the packet for this meeting. He said this summary of their report would cover background information on the urban renewal area (URA), methodology for the assessed values, tax increment financing (TIF) revenue forecast and an estimate of URA borrowing capacity.

 Slide 1 - Historical trends in growth and assessed value since 2007. The time period that the urban renewal area has existed matches that of the recession so there is not much growth. There has been some stagnation and even decline in the last three years.

 Slide 2 - URA property includes a sizable section of "other" property, which includes personal and utility property. Personal property is machinery and equipment. Utility property is owned by telecom or other utility companies and is assessed separately by the state. The bulk of ECONorthwest's analysis was focused on real property (land) because it consists of 80 percent of the URA's total value.

 Slide 3 – The URA properties are overwhelmingly commercial, with a large area of publicly owned, tax-exempt properties.

 Slide 4 – This slide is a geographical representation map of the various land uses.

 Slide 5 – Short-term Forecast. Consultant Popenuk said the inclination is to look long-term when forecasting tax increment financing revenues, but it is also useful to get a clear forecast about what will happen in the upcoming few years. There is a lag time between what is happening in the "real world" and when those events show up on the county assessor's tax rolls. The 2013-14 tax rolls to be issued in October will reflect what occurred in calendar year 2012. This provides a good idea of what the next year's tax revenues will be.

Consultant Popenuk said they looked for any specific changes in this area, such as new development. During 2012 and so far in 2013, no building permits were issued for new development in the URA, so the city cannot expect a large bump in assessed value from the last few years. The flip side is whether there is anything that would cause it to decrease, such as a significant filing of property tax appeals. The good news is that no property assessments are under appeal. Ten properties were sold, with two selling at prices below their assessed value, resulting in a loss to the area of \$100,000. This is a small amount considering the URAs total assessed value of \$92 million. The consultants reflected this in their short-term forecast. A long-term forecast was completed that examined future trends for each property type.

 Chair Cook asked about properties selling for more than their assessed value. Consultant Popenuk said that while that raises a property's real market value, the assessed value remains at the level it was, plus three percent.

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Director Buehner asked if the consultants were able to determine whether any sales occurred in the context of a foreclosure or a short-sale to avoid impending foreclosure. She said this may have skewed the analysis. Consultant Popenuk said they had not, but it would be easy to check on this as all properties sold are known.

Slides 6 and 7 – Short and long term snapshots of assessed value/real market value. Current Oregon property tax laws disconnect assessed from real market value and a healthy cushion between the two is desired. The assessed value can grow three percent a year unless the real market value drops below it. Tigard is fortunate in this area because the data shows a healthy gap between assessed and real values. Consultant Popenuk said the major takeaway is that the URA has only a handful of volatile properties. They are by and large, predictable, and should grow at three percent.

Director Henderson asked if new apartment construction would be assessed at the lower rate. Consultant Popenuk said it is usually based on a comparable ratio of assessed vs. real market value and the assessor would compare it to all other multi-family housing in Washington County.

 Director Buehner noted that commercial property historically appreciates at a slower rate than residential property and asked how the consultants incorporated this variable into their report. Consultant Popenuk said they considered the chance that the slow appreciation of three-percent growth per year will outpace the real market value growth over the same time period. He said they concluded that it is possible but not likely over the next 13 years.

Director Buehner said she was concerned at the time of the URA inception that the 20-year time period was too short. She asked how an extended URD life affects their analysis. Consultant Popenuk said her concern would be discussed at the end of the presentation and it is their recommendation that the city consider an extension.

 Slides 8 and 9 – Market trends and vacancy rates in the entire city were considered. Retail vacancies held steady during the recession, most likely due to Washington Square Mall but the office market vacancy rate was higher than preferred. This has however, already dropped down from 20 to 14 percent. The recession did not have a large impact on area rental rates perhaps due to rental contracts. He saw no cause for concern in terms of dropping real market value in the future.

 Slide 10 – Vacant Land Map. The easiest place for new development to go is on vacant land. This slide shows the lack of vacant land in Tigard's URA.

 Slide 11 – Improvement to Land Value Ratio Map. Since there is not much vacant land, there is a need to look at redevelopment. It is desirable for a piece of property to have more value from the building than the land. This slide shows likely sites for redevelopment. Director Buehner noted that one property on Hall Boulevard marked green on the map is affordable housing and is tax exempt. Consultant Popenuk will correct this on the map.

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 Slide 12 – Key Assumptions. Consultant Popenuk said analysis indicates that in the long term Tigard should see the URA properties appreciate at 3 percent. In the short-term, the rate may be closer to 2.9 or 3.1 percent. Forecasting changes in utility or personal property is more difficult. ECONorthwest is awaiting information from Washington County on long-term trends for these types of properties. The report will be updated after this is received. His experience is that utility properties grow more slowly.

 Slide 13 - Assessed Value Forecast. Taking the historical data and adding a conservative one-percent growth rate per year gives Tigard’s urban renewal district a growth forecast of three and one-half percent per year.

Slide 14 – Historical Trends. This slide shows that growth should be better than recession but not quite at pre-recession values.

Slide 15 – TIF Forecast. Last year the URA generated about \$300,000 and in year 2026 when the URA is to stop issuing new debt, it will raise \$875,000.

Chair Cook asked what the reason was for the tax rate decrease. Consultant Popenuk said there are laws that determine the rates an urban renewal area can use for calculations. Tigard’s URA can calculate based on permanent tax rates and general obligation bonds or local option levies approved prior to 2001. There are some general obligation bonds approved over a decade ago that are gradually phasing out and their tax rates tend to decline over time. ECONorthwest forecasts their rates using the agencies’ CAFR reports. They expect that over the next six years all the bonds will go away so Tigard will be collecting taxes only on the permanent rates, adding up to a 11.9692 tax rate.

Slide 16 - Borrowing Capacity. Consultant Popenuk said tax increment financing is not usually spent as it comes in, but is left to build up until there is a large project a community desires. The TIF is used to augment money borrowed from a bank or bonded so there is a larger lump sum up front. The money is then not only being used for projects; it is being used for debt service and interest. He said his firm provided city staff with a spreadsheet that can be filled with different revenue and timeframe scenarios to forecast various borrowing capacities. Tigard has their own bond counsel and finance staff who can study these variables. He said the city’s finance staff have reviewed this information and agree that it is in the ballpark.

He said the city’s immediate financial borrowing capacity is a little less than \$2 million. It would probably be five years until the city could borrow again. The borrowing capacity through 2026 is \$13.2 million. Since the URD has a maximum capacity of \$22 million, there is an obvious disconnect between these two numbers. Consultant Popenuk said one large-scale redevelopment project would boost these numbers. Barring that, Tigard would need to extend the timeline or use other revenue streams. He said even a four-year extension to the urban renewal timeline would bring the city closer to reaching \$22 million. He said this is not anything that must be done this year or the next, but advised the CCDA to keep an eye on the numbers as the district nears its expiration date. If there are projects the community wants done, extending the timeframe is an option.

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Chair Cook expressed his appreciation for the presentation and said the information on both where the URA will be in the long run, and the hard work necessary to grow the increment in the short run was useful.

Consultant Popenuk added that now the analysis has been assembled it is easy to “plug and play” different borrowing scenarios. The model is built and the can continually be updated with new assessed value data.

 Director Snider requested clarification and an example in practical terms of how the city could use other revenue sources. Consultant Popenuk said if the city had \$22 million of improvement projects that were important to this area and urban renewal could only raise \$13 million, the city could look at other options to fill the gap in funding. These include money from SDCs for CIP park and street projects.

Director Buehner asked Consultant Popenuk to obtain the short-sale or foreclosure information.

CITY COUNCIL AND LOCAL CONTRACT REVIEW BOARD MEETING

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication – None.

B. Citizen Communication – None.

3. CONSENT AGENDA: Mayor Cook asked if any councilors wanted to remove items from the consent agenda for separate discussion. Councilor Woodard requested that the June 18 and April 30 minutes be pulled and considered at the next business meeting so he would have more time to review them. He noted that he would abstain from voting on the May 28 minutes because he did not attend the meeting.

Council President Henderson commented on Consent Item 3.B – Appointing members to the Parks and Recreation Board - and said it is important to celebrate the citizens who volunteer to serve on the city’s boards and committees.

Council President Henderson asked some questions regarding Consent Item 3.D. Senior Management Analyst Barrett confirmed that this is for multiple contracts over five years. He said the intent is for two five-year contracts with the work split between two firms. Council President Henderson asked if there is a way out of the contract if the money is not granted during the budget process, and Mr. Barrett advised the vendors understand there is no guarantee.

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Council President Henderson asked what the contracts entail. Assistant Public Works Director Rager replied staff encounters questions about business practices and keeping up with industry standards or economies but there is no in-house expertise to help explore these. Mayor Cook said the money is not paid to the contractors up front; it is there should we need to use their services. If the city does not, then no funds are expended.

Councilor Snider commented that this will save money in the long run. The city does not have to add performance improvement staff but can just hire the services when needed in a specific area. Councilor Henderson requested that staff give an update on these services next year.

- A. Approve City Council Minutes for:
 - 1. April 30, 2013 Town Hall - set over to 9/10/2013
 - 2. May 14, 2013
 - 3. May 28, 2013
 - 4. June 11, 2013
 - 5. June 18, 2013 – set over to 9/10/2013

- B. Appoint Members to the Park and Recreation Advisory Board – Resolution No. 13-35

RESOLUTION NO. 13-35 - APPOINTING HOLLY POLIVKA AND CLAUDIA CIOBANU AS MEMBERS AND GARY ROMANS AND PAUL DRESHSLER AS ALTERATE MEMBERS OF THE PARK AND RECREATION ADVISORY BOARD (PRAB)

- C. Consider a Resolution to Approve the City of Tigard Naming and Recognition

RESOLUTION NO. 13-36 -APPROVING THE CITY OF TIGARD NAMING & RECOGNITION POLICY AND RESCINDING RESOLUTION NO. 99-37 WHICH ESTABLISHED A POLICY ON PLACING MEMORIALS IN PARKS

- D. Award Contract for Utility Business Planning Services
- E. Award Contract for Right-of-Way Mowing Services
- F. Award Contract for Right-of-Way Maintenance and Improvements

Councilor Buehner moved for approval of the consent agenda, with the minutes from April 30 and June 18 removed for consideration at the next meeting, and the May 28 minutes removed for separate vote. Councilor Snider seconded the motion. All voted in favor.

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	Yes	No
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	

Councilor Buehner moved for approval of the May 28, 2013 minutes. Councilor Snider seconded the motion. Motion passed with three ayes and two abstentions as two council members were not in attendance at the council meeting of May 28.

	Yes	No	Abstentions
Councilor Snider	✓		
Councilor Woodard			✓
Mayor Cook	✓		
Councilor Buehner	✓		
Council President Henderson			✓

Councilor Woodard asked a question regarding square footage and street maintenance fees in a discussion held by council on May 14, 2013. City Manager Wine said she asked that when staff presents their report on street maintenance fees and completed projects, they also address the additional questions council has. She advised scheduling a workshop discussion if council wishes to revisit the philosophy or calculation behind the street maintenance fees. Mayor Cook said that discussion will be held.

Council President Henderson referred to a prior question about fees paid on a permit and City Manager Wine said she would get a response to council.

Mayor Cook noted that council just approved the appointment of two members to the PRAB and said an alternate was added because eight people applied. He commented on the great pool of interested citizens.

4. **CONSIDER A RESOLUTION APPROVING THE PURCHASE OF THE STEVE STREET PROPERTY AND AUTHORIZING THE CITY MANAGER TO COMPLETE THE PROPERTY PURCHASE**

 Parks Manager Martin gave a brief staff report. He said the property was chosen by the PRAB mainly because of its location in an area that needs more parks. He said the 1.4-acre property is between Steve Street and 84th Avenue.

Councilor Buehner moved for approval of Resolution No. 13-39. Council President Henderson seconded the motion. All voted in favor.

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RESOLUTION NO. 13-39 – A RESOLUTION APPROVING THE PURCHASE OF THE STEVE STREET PROPERTY, (TAX LOT 1S136CB4402), AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO COMPLETE THE PROPERTY PURCHASE ON BEHALF OF THE CITY

	Yes	No
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	

NOTE: This item was reordered to appear in front of Agenda Items No. 5 and 6.

7. TIGARD TRIANGLE STRATEGIC PLAN UPDATE

 Associate Planner Caines gave the staff report on this item, noting that the previous update on the Tigard Triangle strategic plan was in March 2013. She updated council on the consultant proposal review and award of the contract to David Evans and Associates (DEA). Staff is currently working out details of the contract with DEA and ODOT. DEA has done similar work on projects for Hayden Island and Clackamas County. Goals for the Tigard Triangle Strategic Plan include identifying: improved connectivity, possible improvements for different modes of transportation, services needed to support residents and workers and an examination of why there is a lack of the desired kinds of mixed-use developments envisioned for the Triangle.

She said the project team is currently working on two of the six tasks: public involvement and identifying existing conditions. DEA will present an Existing Conditions report to council in October. They are reviewing city plans such as the Comprehensive Plan, the Tigard High Capacity Transit Land Use Plan and the Development Code to see how they already support the Triangle vision and the infrastructure needed to make this plan work. They are also looking at market conditions that may be a barrier to development. She said DEA is conducting expert interviews with transit-oriented developers to find out what they are interested in when developing in suburban areas. Financial experts and brokers are also information resources. Findings from these interviews will be presented to council.

Associate Planner Caines said the city has contracted with Jean Lawson and Associates (JLA) to facilitate citizen advisory committee meetings, conduct stakeholder interviews and assist with public information such as four-five videos for the city’s website. The videos will convey project information quickly and concisely to people interested in what is going on in the Triangle.

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Stakeholder interviews are almost completed and the website is up and running. She said people can also subscribe to a listserv.

Associate Planner Caines said the first citizen advisory committee (CAC) and technical advisory committee (TAC) meetings are scheduled for the end of September. A stakeholder summary report will be prepared.

 Councilor Buehner said prior discussions also included the areas right outside the borders of the Triangle. She is concerned that those living in the unincorporated area behind Fred Meyer are not in the loop because they do not receive the Cityscape newsletter. She suggested including a member from the unincorporated area on the CAC. Associate Planner Caines said they did reach out to CPO4M member Jim Long for referrals. Planning Commissioner Fitzgerald lives in that area and is on the CAC.

Councilor Snider said he would make the same comment about those neighbors on the east side – Portland’s Sylvania area and Lake Oswego. He suggested they have as much interest as those on the west side of Highway 99W.

Mayor Cook said people on the Haines Street side of I-5 are very active in the SW Corridor meetings and they feel more a part of Tigard than Portland. Mayor Cook said the map does a good job of encompassing the entire area around the Triangle.

Council President Henderson asked if this work was being paid for by a Transportation and Growth Management (TGM) grant. Associate Planner Caines said an 11-percent match is required from Tigard and staff time and materials are the city’s match. She said around \$30,000 from the general fund is being used for the JLA contract. Council President Henderson asked if staff is tracking volunteer hours for this specific project and Ms. Caines said they were.

Council Woodard asked if the work the Planning Commission did under a prior grant would be available so that past work is not wasted. Associate Planner Caines said that is the starting point. Councilor Woodard said there were three options presented and he would like to look at them again now that council has more information on high capacity transit. Ms. Caines said she will take that back to DEA, which has the concept plan and fiscal analysis to which Councilor Woodard is referring as part of their analysis. She said as we move through the plan, information will be gathered as to the best way to redevelop the area and what the market will support. Councilor Woodard said he wanted to make sure the history was not lost, including the discussion about spotlighting and bridging the two hearts in Tigard, both the downtown and the Triangle.

6. DISCUSS FORMATION OF A CITIZEN ADVISORY COMMITTEE FOR TIGARD TRIANGLE STRATEGIC PLAN

Mayor Cook asked for clarification on the timing of appointing committee members and Associate Planner Caines said the work of talking to various organizations and individuals to find representatives has been completed. City Manager Wine said council will be asked tonight to

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approve the establishment, scope and function of a Tigard Triangle CAC and consider appointment of committee members.

Councilor Woodard moved to approve Resolution No. 13-37 and Councilor Buehner seconded the motion. Motion passed unanimously.

RESOLUTION NO. 13-37 – A RESOLUTION ESTABLISHING A CITIZEN ADVISORY COMMITTEE TO ADVISE STAFF DURING THE COMPLETION OF THE TIGARD TRIANGLE STRATEGIC PLAN

	Yes	No
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	

7. APPOINT MEMBERS TO A TIGARD TRIANGLE CITIZEN ADVISORY COMMITTEE FOR TIGARD TRIANGLE STRATEGIC PLAN

Councilor Buehner moved for adoption of Resolution No. 13-38. Councilor Woodard seconded the motion.

RESOLUTION NO. 13-38 – A RESOLUTION APPOINTING MEMBERS OF THE TIGARD TRIANGLE STRATEGIC PLAN ADVISORY COMMITTEE

Council President Henderson asked for discussion. He asked how the committee membership was determined and how many people applied to be on the CAC. Associate Planner Caines said the stakeholder list for the Tigard Triangle area is different from other areas because there are not a lot of residents. There is an apartment building and a few single-family homes. She visited the apartments and mailed letters to all property owners and residents. Ms. Caines contacted everyone who owns property in the Tigard Triangle, such as TVF&R and Mr. Specht. Also included are people who have businesses in the area. Outreach was extended to universities, George Fox and the University of Phoenix, and she added they will want to be included in transportation discussions. They considered other committee members who may not live in the Triangle but are Tigard residents and have other expertise and interests.

Councilor Buehner suggested that representatives from CPO4 and the Haines Road area of Lake Oswego be added to the list. Council President Henderson asked if there were alternates. Associate Planner Caines said they only expect to hold five meetings and will go quickly. She said there will

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always be a public comment opportunity built into each agenda. She said the first meeting is scheduled for the last week of September. Mayor Cook suggested sending notices to people from Haines Road in Lake Oswego, and CPO4M.

Councilor Snider asked about the roles or job functions of representatives from Fred Meyer or Clear Channel. Associate Planner Caines said Fred Meyer's general manager was included because 99W is a barrier and connectivity across it is important. Ms. Caines said Chris Weiss is an employee at Clear Channel and was added to get the viewpoint of an employee who works inside the Triangle area. Councilor Snider sought clarification on whether his organization is supporting his point of view or if it was his own. Associate Planner Caines said he is not representing Clear Channel. Councilor Snider said listing his employer implies they are condoning his view and if he is not representing them, they should not be listed. He should be in a separate category.

Council President Henderson asked about the CAC role. Associate Planner Caines said the CAC's role is to give feedback on whether the Strategic Plan is going in the right direction and if anything is incorrect or missing that they, as stakeholders, feel is important. They will review the draft before the final report goes to council.

Mayor Cook asked if this was advertised in Cityscape. Associate Planner Caines said people who expressed interest or had background or history with the SW Corridor or downtown planning were contacted first. Some people came forward and expressed interest. Mayor Cook said it is good to have a cross-section and mixture of people who stepped up and those that were hand-picked.

Councilor Snider asked that Mr. Weiss be moved from the category of Representative from Tigard Triangle area Businesses to another category.

Councilor Snider proposed an amended motion to move the name of Chris Weiss to a separate section in Exhibit A called, "Employee of Triangle Business." Councilor Buehner accepted the amendment. Council President Henderson noted that Resolution No. 13-37 refers to only four categories of committee members and will need to be amended to include the category of Tigard Triangle Business Employee. City Manager Wine suggested council vote on Resolution No. 13-38 and then amend Resolution No. 13-37. All voted in favor of Resolution No. 13-38.

	Yes	No
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	

Councilor Snider expressed strong concerns about listing an individual under the business category unless they have been asked by that business to be their representative.

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Councilor Buehner moved to amend Resolution No. 13-37 to include the additional stakeholder category of Tigard Triangle Business Employee. Councilor Snider seconded the motion. All voted in favor.

	Yes	No
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	

8. COUNCIL LIAISON REPORTS - None.

9. NON AGENDA ITEMS - City Manager Wine mentioned these at the beginning of the meeting.

10. EXECUTIVE SESSION - None needed.

11. ADJOURNMENT

At 7:57 pm Councilor Buehner made a motion to adjourn the meeting. The motion was seconded by Councilor Woodard and all voted in favor.

	Yes	No
Councilor Snider	✓	
Councilor Woodard	✓	
Mayor Cook	✓	
Councilor Buehner	✓	
Council President Henderson	✓	

Carol A. Krager, Deputy City Recorder

Attest:

Mayor, City of Tigard

Date: _____

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City of Tigard
 Tigard City Center Development Agency
 Meeting Minutes – October 1, 2013

TIGARD CITY CENTER DEVELOPMENT AGENCY BOARD

MEETING DATE AND TIME: October 1, 2013 - 6:30 p.m.
MEETING LOCATION: City of Tigard - Town Hall
 13125 SW Hall Blvd., Tigard, OR 97223

1. CITY CENTER DEVELOPMENT AGENCY BOARD MEETING

- A. At 6:33 pm Chair Cook called the Tigard City Center Development Agency to order.
- B. Deputy City Recorder Krager called the roll:

	Present	Absent
Director Woodard	✓	
Chair Cook	✓	
Director Buehner	✓	
Director Henderson	✓	
Director Snider	✓	

- C. Chair Cook led everyone in the pledge of allegiance.
- D. Call to Council and Staff for Non Agenda - CCDA Executive Director Wine said there is a Non Agenda item the mayor will discuss at the end of the meeting.

2. RECEIVE UPDATE ON BROWNFIELD INITIATIVE PROJECTS

Redevelopment Project Manager Farrelly presented this item. He said Brownfields are properties where a hazardous substance, pollutant or contaminant complicates the property's reuse, redevelopment or expansion. The City/CCDA is undertaking the Brownfields Initiative to address a challenge to furthering the vision in the downtown. He said the staff wants to play the role of the problem solver.

**TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING
 MINUTES – October 1, 2013**

 Tigard received a \$25,000 grant from Business Oregon in June and with that grant, staff is currently working on inventory of potential brownfield sites within the Urban Renewal District. Preliminarily, about 60-70 sites of interest have been identified. Not all of these sites have serious contamination, but staff is looking at historic uses and DEQ databases to identify potential issues.

Redevelopment Project Manager Farrelly said there will be two public workshops. Workshop 1 is co-sponsored by the City Center Advisory Commission and will be held on Wednesday, October 9 from 6:30-7:30 pm at the Tigard Library. It will include a panel presentation and question and answer period. Speakers include a representative from the Oregon Health Authority to talk about community health and quality of life benefits, and Amy Saberiyan (owner of Ava Roasteria in Beaverton and Progress Ridge) who will speak about her successful experience in redeveloping a former gas station property. The goal is to give a broad overview of the initiative and relate it to the downtown vision and community benefits.

Workshop 2 will be at the end of a Tigard Downtown Alliance (TDA) meeting. This workshop is aimed more at giving practical, nuts and bolts information to property owners. It will be held on October 23 from 5:30-7 at the Tigard Chamber of Commerce on Main Street. Panelists include Shiela Greenlaw-Fink from CPAH, an EPA rep and another guest.

We also have enough money for three Phase I property assessments. If an owner wants to sign up, a few can, right away. Every property owner, business or resident in the downtown area has been send a flyer. We are on the cover of Cityscape this week and there is a section on the city's website.

Goal is to make application to EPA in the fall for up to \$400,000 to do more assessments. The application will be due in December unless delayed by the government shutdown. As part of that application the city needs to demonstrate community support through letters from the community and elected officials. He passed around handouts with dates and times and another handout of Brownfield issues. Copies of these handouts have been placed in the packet for this meeting.

Councilor Buehner said she will not be able to attend the meetings and asked for an update. Redevelopment Project Manager Farrelly said staff's intention to videotape the meetings and post them online.

Director Henderson brought something for show and tell that illustrates his progress with bioremediation on his own commercial property. He showed the CCDA and staff vials of sediment and liquid, filled with a byproduct of gasoline-eating bacteria. Director Henderson said bacteria starts out as a small culture and then grows into a colony. He said that over the years, he has been attempting to identify the right bacteria that will consume the particular gasoline in the ground at his site. Gasoline has distinctive hydrocarbons and must be matched with the correct bacteria.

TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING MINUTES – October 1, 2013

Director Buehner asked if this would work for the oil contamination in the downtown. Director Snider said this is a new environmental tool that is burgeoning. Redevelopment Project Manager Farrelly suggested Director Henderson discuss this at the brownfield workshops. Director Henderson suggested Charlie Swift be there to explain this process.

 Director Woodard asked if the plume will be identified and whether the city has a list of the 70 properties. Redevelopment Project Manager Farrelly said we will not have plumes identified. We are looking at historic uses and properties that appear on DEQ's database. Redevelopment Project Manager Farrelly said staff has the list and is cleaning data prior to releasing it. In response to a question from Director Buehner, he said these are not Level 1, but are based on "drive by" evaluation. Director Henderson asked if a committee will be formed and Redevelopment Project Manager Farrelly said there would not.

3. RECEIVE REPORT ON *EXPLORE DOWNTOWN TIGARD* STREET FAIR AND DOWNTOWN EVENTS

 Chamber of Commerce Executive Director Mollahan presented a report and slide show on the *Explore Downtown Tigard* Street Fair. She said a high level summary shows it was great success based on the amount of vendors, and verbal feedback. She and Diana Weston have spoken with participating merchants and vendors and a formal survey is being done. She listed activities.

- Virtual Dog Contest with a live vote
- Music
- Kid Activities
- La Fuente Beer Garden and Spanish radio station

The freight train came right through the middle of the fair prompting the question of how to make this into a positive.

Ms. Mollahan discussed the marketing and public relations efforts that included activity on Facebook and the chamber website.

She had a slide of sponsors and noted that all but one are Tigard Chamber of Commerce members, even though they are not all downtown businesses. Local businesses provided parking. She said she would like more volunteers.

Key metrics showed a small profit was generated this year. A financial performance slide shows almost the equivalent in-kind as we did cash. She said both are important to an event like this.

TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING MINUTES – October 1, 2013

Great things

- Star Wars
- Main State Location
- New city parking lot for the stage.
- Doubled the number of vendors
- virtual dog contest,

Not so Great Things:

- Had to relocate a vendor (duplicate food vendor)
- A musical group should have brought in their own following, but did not
- Attendance falls off after 5:00 pm
- Having the street open was a safety hazard
- Needed more kid activities
- A freight train runs through the middle of it.
- Not as much downtown merchant participation.
- Main Street infrastructure is a challenge as it divides the north part of the street from the south.
- Undocumented merchants were allowed to join in one area.

Next steps include surveying all groups involved. The biggest issue next year is understanding the Main Street Green Street rollout and what will be going on in August 2014. Plans are to keep it to the third Saturday to make it easier to market year around.

Other considerations for next time:

- Look at changing the hours so it ends at 5:00 pm
- Leverage partnership with the Tigard Downtown Alliance for more volunteers and participation
- More activities for kids
- New attractions could include: car venue, Harley club, art show (Director Buehner offered a piece of Harley art for display.)

Director Buehner said it was a great event, in general, but asked about shutting down part of the street due to safety concerns. She suggested putting up a vendor list at Main and Burnham to help orient people.

 Director Woodard said the south side of Main Street was well done but the north end needs to be activated. He suggested having two music areas, and hanging banners at the gateways. He suggested a treasure hunt for kids and said St. Anthony's church would have some good ideas for engaging kids. He suggested deep fried foods would attract many people. Director Buehner requested elephant ears.

Director Snider suggested asking kids what they would like to see at a street fair.

TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING MINUTES – October 1, 2013

Chair Cook walked to different businesses and got good feedback. He noticed that only six downtown merchants participated and felt this was a small number. He asked, “How do we activate that group? This is for them but if they aren’t participating.”

Director Henderson asked if Tigard Street could be closed. Chamber CEO Mollahan said it the corner of Main and Tigard is a well-used street. Director Snider said that may be an issue for the police department. Ms. Mollahan said the Symposium Coffee Shop is not averse to allowing use of their parking lot for the street fair for an activity that draws people into the downtown.

4. RECEIVE UPDATE ON MAIN STREET GATEWAY PUBLIC ART

 Redevelopment Project Manager Farrelly gave a brief recap on the gateway public art process and what the next steps are.

- Public art was identified in the Streetscape plan as an important element and the gateways at Main and 99W were selected as the first locations.
- The Public Art Subcommittee looked at the work of 80 artists and selected Brian Borrello.
- In March the artist held a visioning session with 25 people and the art guidelines he was given were for something inspired by natural forms that also had a connection with Tigard history.
- The art subcommittee evaluated the filbert concept and considered whether it met criteria such as artistic quality, scale, engaging the audience and Tigard themes. They gave it high marks and recommended approval to the CCAC.
- At the July 10 meeting the full CCAC voted to endorse this proposal.
- On July 23 the CCDA Board viewed the full concept and there was mixed feedback. Some directors suggested that the artist work on some new concepts. The concept made the papers and some television news reports.
- Artist Brian Borello has been working on three new concepts (one reworked filbert concept and two new ones). Materials will be similar, using metal and lighting. Redevelopment Project Manager Farrelly is meeting with the artist next Thursday to see if they are ready for public view.
- If the designs are ready, the Art Subcommittee is scheduled to meet October 14 and council is encouraged to attend to offer feedback.
- Concepts approved by the Art Subcommittee will return to the CCAC and CCDA for approval.

Redevelopment Project Manager Farrelly mentioned a new development. ODOT has new standards for public art, and these gateways are on their property. He said Tigard already has an IGA with ODOT allowing art and gateway treatments but this new policy requires designs to be run by them. Director Snider said safety is a logical consideration but questioned the other considerations and asked if they have an art committee.

TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING MINUTES – October 1, 2013

Redevelopment Project Manager Farrelly said ODOT is now considering scale, historical relevance and does not want the art to represent any person.

Director Woodard said there has to be a connection between the gateway art and downtown area branding. He said he did not understand the connection between the downtown and filberts. He mentioned the book, Up Fanno Creek and said the creek should be considered as a theme. Director Snider said he did not find support for the original gateway art design. Director Buehner said she was not in attendance at the July 23 meeting but watched the meeting and her feelings about the filberts mirrored what the other councilors said. Mayor Cook commented that he likes the metal and wood materials used by Artist Borello.

Director Buehner followed up on Councilor Woodard's comment and suggested promoting the urban creek/water theme with the artist.

 Redevelopment Project Manager Farrelly said public art is often controversial. He said he will keep the CCDA informed on the status of the October 14 meeting.

5. DISCUSS VERTICAL HOUSING DEVELOPMENT ZONE

Economic Development Manager Purdy introduced the topic of vertical housing development zones. He presented a slide show that has been added to the packet for this meeting.

 Economic Development Manager Purdy said the vertical housing development zone VHDZ designation is allowed by State of Oregon. It is State enabling legislation which means that cities can enact this like a special district and it encourages investment and rehabilitation for mixed-use development. Cities decide where to locate the qualifying areas.

The first floor might be retail or commercial and the higher floors are housing. This is a tool to encourage private developers to create higher density development in targeted areas.

Projects are certified through the Oregon Housing Community Services. Certified projects are eligible for a tax abatement up to 80 percent (20 percent per first four floors of residential above commercial). The tax abatement period is ten years and the zone must be set up and project applied for prior to January, 2016.

He showed slide of three projects in other cities that are using this: Hillsboro, Milwaukie and Gresham.

Chair Buehner said it sounded like a good concept and she is interested because the private sector finds it difficult to get lending from banks for mixed use development. She asked Community Development Director Asher what problems Milwaukie experienced. He responded that it is still difficult. Banks are still financing a non-traditional product, but this zoning does make it easier. The fact that there are three local examples, not to mention many others in Portland, indicates that it is easier to finance these developments now. He said the bigger issue is that financing in general is difficult.

TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING MINUTES – October 1, 2013

Economic Development Manager Purdy outlined future steps in the process which include city council approval of an application and adoption of a resolution for zone designation. Overlapping taxing districts must be notified. Then the city waits for state approval and OHCS will notify the County Assessor.

Director Henderson commented that the word zoning was being used liberally and asked if it referred to one lot or an area, such as the Tigard Triangle. Executive Director Wine said it could be a geographic zone but this will be explored.

Director Buehner asked if the city would require an ordinance to change the Development Code in order to do this. Community Development Director Asher said he did not think so. He said the purpose of Economic Development Manager Purdy's discussion tonight was to find out how the CCDA feels about this kind of zoning since there may be a project in the upcoming months that needs this.

Director Buehner said she will take information on this to the League of Oregon Cities Tax Committee to see if there is support to extend the deadline past 2016.

Community Development Director Asher said these projects have many indirect benefits.

Community Development Director Asher said North Main Village project in Milwaukie had six different programs layered on top of each other to close the gap. He said the market would never deliver a project like it because it would be too expensive for what the rents are in downtown Milwaukie. The vertical housing tax abatement was one of five programs to make it feasible. He confirmed for Director Snider that the project size was one acre.

Director Henderson asked if savings are passed along to renters because of the tax abatements. Community Development Director Asher replied that it depends on what kind of margin the developer had in the project. He noted that in areas where the rent will not bring in adequate income, the gap needs to be closed and taxes reduced for potential developers. He said this zoning is a way to bring public dollars to these projects.

Mayor Cook told staff that there is CCDA consensus to move forward and look into this further. Director Buehner asked for some information to take to the LOC Tax Committee.

Director Woodard asked if staff expected any jurisdiction, such as a school district would have a problem with the tax abatement. Community Development Director Asher said he speculated the answer would be no because it would amount to a small amount of abated taxes, unlike what urban renewal district tax increment financing for a 20-25-year period would be. He said the VHDZ would most likely be for smaller, individual projects.

Director Snider asked who brought this to the CCDA. Community Development Director Asher responded that he would put Redevelopment Project Manager Farrelly's brownfields project in this same category, community development tools that other cities have been using. He said the city's Community Development Department has been more of a planning department in the past, but we're trying to shift that now to become more of a community development department.

TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING MINUTES – October 1, 2013

6. NON AGENDA ITEMS - Chair Cook reminded everyone that the city has placed an urban renewal measure on the November 5 ballot. He said the word needs to get out and people need to promote these changes to the Charter.

He said the deadline was missed to get supporting information published. Director Snider asked if there could be a flyer mailed out to citizens as the problem with not doing any outreach is the added cost of another election. Executive Director Wine said there are options including a special mailer or local newspaper ads. She said the goal is to do this in the next two weeks.

Director Woodard said he will be attending the National Parks and Recreation Association Conference from October 6-12, and will participate by telephone in the October 8 council meeting.

- EXECUTIVE SESSION: At 7:56 pm Chair Cook announced that the CCDA was entering into an executive session in the Red Rock Creek Conference Room to discuss real property negotiations, under ORS 192.660 (2) (e). Executive Session ended at 8:30 pm.

7. ADJOURNMENT: At 8:31 pm Director Snider moved for adjournment and Director Buehner seconded the motion. All voted in favor.

	Yes	No
Director Woodard	✓	
Chair Cook	✓	
Director Buehner	✓	
Director Henderson	✓	
Director Snider	✓	

Carol A. Krager, Deputy City Recorder

Attest:

Chair, City Center Development Agency

Date: _____

**TIGARD CITY CENTER DEVELOPMENT AGENCY MEETING
MINUTES – October 1, 2013**

AIS-1459

CCDA Agenda

Meeting Date: 11/05/2013

Length (in minutes): 45 Minutes

Agenda Title: Tim Bevan's Presentation on Bus Rapid Transit

Submitted By: Sean Farrelly, Community Development

Item Type: Update, Discussion, Direct Staff

Meeting Type: City Center
Development
Agency

Public Hearing: No

Publication Date:

Information

ISSUE

Tim Bevans' presentation on Bus Rapid Transit

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

Tim Bevan is a consultant with CH2M Hill's Seattle office. He is an expert in Bus Rapid Transit (BRT) and earlier this year presented a brown bag session at Metro. Due to favorable comments about his presentation, staff invited Mr. Bevan to present to CCDA, given that downtown is a potential station location in the Southwest Corridor plan.

OTHER ALTERNATIVES

NA

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Southwest Corridor Plan

DATES OF PREVIOUS COUNCIL CONSIDERATION

N/A

Attachments

No file(s) attached.

AIS-1475

CCDA Agenda

Meeting Date: 11/05/2013

Length (in minutes): 30 Minutes

Agenda Title: Discuss Composition of the City Center Development Agency Board and the City Center Advisory Commission

Prepared For: Marty Wine, City Management

Submitted By: Cathy Wheatley, Administrative Services

Item Type: Update, Discussion, Direct Staff **Meeting Type:** City Center Development Agency

Public Hearing: No **Publication Date:**

Information

ISSUE

Should the CCDA Board consider appointing other than City Councilors for Agency Board representation?

STAFF RECOMMENDATION / ACTION REQUEST

Discuss and consider the pros and cons of alternative Board composition. Determine whether consensus exists to change the composition of the CCDA Board.

KEY FACTS AND INFORMATION SUMMARY

A CCDA Director has requested the Board consider changing the composition of the board of the urban renewal agency, with the rationale that there is relevant redevelopment agency expertise that is needed to be represented to direct the CCDA.

In addition to the CCDA Board, Tigard Municipal Code 2.64.070 also establishes the City Center Advisory Commission, comprised of seven to twelve members appointed by the City Council. The purpose of the Commission is to assist in implementation of the City Center Development Plan, to make recommendations to the City Center Development Agency and to help inform Tigard's citizens of the plan's content and activities. The commission currently consists of nine members who are residents of Tigard or own a business or property within the Urban Renewal District. Under its by-laws the duties of the CCAC are to make policy, budget, and implementation recommendations about urban renewal projects identified within the Urban Renewal Plan and/or the annually adopted Downtown Implementation Strategy and Work Program to the City Center Development Agency (CCDA); making an annual report to the CCDA including a summary of key activities and proceedings and any specific suggestions or recommendations which the CCAC believes would assist its mission or the overall goals for the downtown; and recommending amendments to the plan.

The Association of Oregon Redevelopment Agencies (AORA) has a draft best practices manual that discusses the pros and cons of having elected versus appointed board members. The majority of urban renewal agencies in Oregon have the city council serving as the urban renewal agency board including: Lake Oswego, Tualatin, Gresham, Sherwood, Hillsboro, Salem, Troutdale, Wilsonville, Redmond, and Bend. Appointed UR boards include those in Portland and Medford. Some have mixed council members and appointees (with council in majority) such as Oregon City and Beaverton.

The City Attorney has offered guidance to the Board that if change is desired, the Tigard City Council would need to adopt an ordinance amending relevant sections of the Tigard Municipal Code.

OTHER ALTERNATIVES

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

DATES OF PREVIOUS COUNCIL CONSIDERATION

The CCDA Board considered similar issues regarding the composition of the Board in June, 2009 (memo attached).

Attachments

2009 URA staff memo

AORA Draft Best Practices Manual Excerpt

City Attorney memo regarding URA



City of Tigard Memorandum

To: Chair Dirksen and the City Center Development Agency Board

From: Sean Farrelly, Urban Renewal Senior Planner

Re: Current and Future City Center Development Agency Roles and Responsibilities

Date: June 1, 2009

INTRODUCTION

The following provides background for City Center Development Agency (CCDA) discussion about its current and future roles, responsibilities, and proposed future tasks.

BACKGROUND

Timeline of Urban Renewal in Tigard

- **1981:** First Downtown Urban Renewal plan passed
- **1983:** Tigard Urban Renewal Agency abolished and establishment of requirement for voter approval of tax-increment financing
- **1989:** Council establishes City Center Development Agency and City Center Advisory Commission (CCAC). Urban Renewal/tax increment ballot measure rejected by voters.
- **2002:** Citizen led effort for Downtown revitalization starts
- **May 2005:** Council re-activates CCDA
- **Sept. 2005:** Tigard Downtown Improvement Plan accepted by Council
- **Dec. 2005:** Urban Renewal Plan adopted by Council
- **May 2006:** Tax Increment Financing Ballot Measure approved

History, Roles and Responsibilities of the City Center Development Agency

The establishment of Urban Renewal Districts in Oregon is governed by Oregon Revised Statutes Chapter 457. A requirement of this statute is for the municipal governing body to set up an agency to carry out an urban renewal plan. This agency is considered to be a separate governmental entity from the municipal government. In Tigard this agency is the City Center Development Agency (CCDA).

Both the CCDA and the CCAC were formed by Council in 1989 (Ordinance 89-05) when the City attempted to form an Urban Renewal District in the Downtown. Although the urban renewal ballot measure failed, the CCDA “remained on the books” within Chapter 2.64 of the Tigard Municipal Code. Since there was no tax increment financing to implement a plan, the entity went “dormant.”

Starting 2002, a new citizen led effort started to revitalize Downtown Tigard, which culminated in the Tigard Downtown Improvement Plan. Council reactivated City Center Development Agency (Resolution 05-32) to help develop the City Center Urban Renewal Plan with specific projects to revitalize Downtown. Tax increment financing to fund the plan was approved by voters in 2006.

In the original 1989 ordinance, and again when the agency was reactivated in 2005, the membership of the CCDA was set as the members of the City Council. Under ORS 457 Council may establish urban renewal district governance by appointing a separate board or commission to serve as the urban renewal agency or by designating its members as the Agency board. The most common form of urban renewal district governance in Oregon is for the local elected body to assume the role. Among the cities and counties with this arrangement are the cities of Lake Oswego, Tualatin, Gresham, Sherwood, Salem, Troutdale, and Bend, as well as Clackamas County. Examples of cities with independent appointed boards are Portland and Medford.

The organization of the CCDA parallels the City Council. The Mayor is the Chair of the Board and the City Manager is the Executive Director of the CCDA. The City's Budget Committee serves as the City Center Development Agency Budget Committee.

CCDA Responsibilities

The stated purpose of the City Center Urban Renewal Plan is to use the tools provided by urban renewal to attract private investment and facilitate the District's redevelopment. The CCDA's primary role is to carry out the projects listed in the Urban Renewal Plan and allocate funds raised from tax increment financing. Specific responsibilities include:

- Establishing policies for the district and directing the Executive Director of the CCDA (the City Manager) and staff to carry out these policies.
- Approving CCDA budgets and allocating tax increment funds.
- Purchasing land from willing sellers for redevelopment as part of public/private partnerships.
- Establishing rules and regulations for administration of financial and technical assistance programs and relocation regulations.
- Making amendments to the City Center Urban Renewal Plan (increasing maximum amount of indebtedness and adding land greater than 1% to the district require voter approval.)
- Assigning any additional specific duties to the CCAC.

CCDA Past Actions

The CCDA during the last two years has undertaken the following specific tasks:

- Adopted CCDA budgets, 2007-2009
- Adopted Fanno Creek Park and Plaza Master Plan, February 2008
- Selected the location of the Downtown Plaza, August 2007
- Adopted the Downtown Streetscape Design Plan, September 2006
- Adopted Downtown Implementation Strategy, August 2006 (and subsequent updates)
- Proposed the Urban Renewal Plan, October 2005

History, Roles and Responsibilities of the City Center Advisory Commission

The CCAC was also created in 1989 by Ordinance 89-05. It, too, went dormant and was reactivated in 2005. Members were appointed to the reactivated commission in 2005 to work on the City Center Urban Renewal Plan. After the approval of the District, the role of the CCAC transitioned to an advisory body to the CCDA on matters pertaining to plan implementation and tax increment fund allocations. Its role is detailed in its by-laws, (approved by Council in October 2006, and amended in October 2007). The CCAC's responsibilities include:

- Making recommendations on policy, budget, and implementation of urban renewal projects identified within the Urban Renewal Plan and/or the annually adopted Downtown Implementation Strategy and Work Program to the CCDA for consideration, deliberation, and action.
- Making an annual report to the CCDA including a summary of key activities and proceedings and any specific suggestions or recommendations which the CCAC believes would assist its mission or the overall goals for the Downtown.
- Making recommendations to the CCDA for amendments to the Plan.
- Performing other duties as assigned by the CCDA

ORS 457 does not require the formation of a citizen advisory body when the governing body assumes the Development Agency's role, but nearly all jurisdictions in Oregon with urban renewal have done so.

Status and Future of City Center Urban Renewal

The experience of Tigard and other suburban communities is that downtown redevelopment does not occur quickly. One of the main reasons is that downtown assessed valuation is small relative to infrastructure investment need. Growth of the Assessed valuation of existing properties is limited by statute to three percent per year. Thus tax increment financing, urban renewal's primary fiscal tool, is quite limited without new development to increase the district's total assessed valuation. Current tax increment revenues are approximately \$117,000. Revised projections by Tashman and Johnson (urban renewal consultants) indicate that by 2014 tax increment receipts will be 60% of the original estimate (see Chart A.)

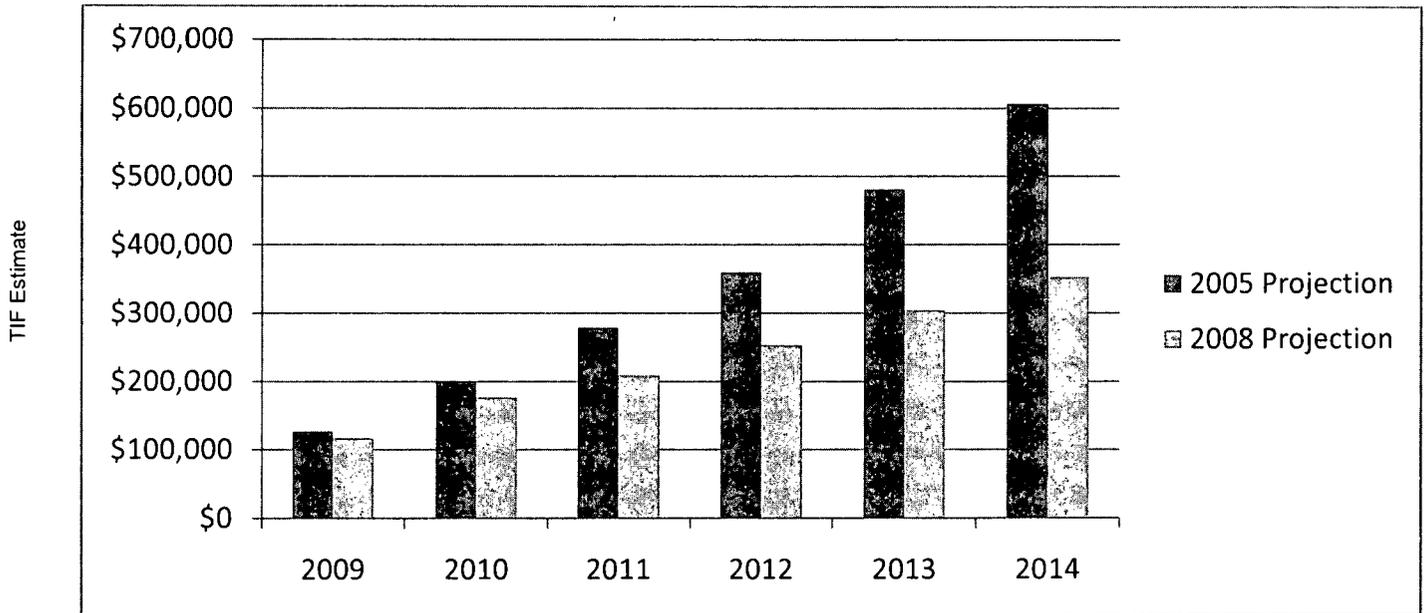


Chart A: Tax Increment Projections for Urban Renewal District 2005 and 2009

In view of the Urban Renewal District’s past performance and the current economic conditions, the CCDA may wish to adjust the City’s Urban Renewal strategy to the reality that tax increment revenues will, in the foreseeable future, be below initial expectations. Revenues will not be available to bond for the level improvements within the time period originally anticipated.

CCDA and Future Urban Renewal Strategies: The long term key to successful downtown redevelopment is to take short and long actions to foster private investment in the Downtown. Council as the CCDA has a key role in developing needed policies, strategies, and directing specific actions. During the upcoming Fiscal Year the CCDA may wish to undertake the following tasks, in addition to its other duties:

- Review and Revision of the Downtown Urban Renewal Plan to better match projected public expenditures with tax increment revenues;
- Develop specific strategies / policies to engage property owners, developers, and financing institutions to promote private investment in the downtown;
- Establish specific rules related to financial and technical assistance programs such as the proposed façade grant program, and development opportunity studies;
- Interagency coordination and communication with other public entities pertaining to redevelopment efforts such as Tri-Met; Metro; Oregon Community and Economic Development Department (OCEDD); ODOT etc; and

- Support the City Center Advisory Commission's efforts to develop a downtown leadership program.

TIGARD MUNICIPAL CODE

Chapter 2.64 CITY CENTER DEVELOPMENT AGENCY.

Sections:

- 2.64.010 Need Declared.**
- 2.64.020 Title.**
- 2.64.030 Membership.**
- 2.64.040 Powers.**
- 2.64.050 Limitation On Action.**
- 2.64.060 Advisory Commission Established.**

2.64.010 Need Declared.

Pursuant to ORS 457.035, the City Council declares that blighted areas now exist in the City and that there is currently a need for an Urban Renewal Agency to function in the City. (Ord. 89-05 §1, 1989).

2.64.020 Title.

The Urban Renewal Agency created by this chapter shall be known as the City Center Development Agency. (Ord. 89-05 §2, 1989).

2.64.030 Membership.

The City Center Development Agency shall be comprised of members of the City Council as it lawfully exists from time to time. Any change in membership of the City Council shall automatically, and without need for further legislative action, constitute an identical change in the membership of the City Center Development Agency. (Ord. 89-05 §3, 1989).

2.64.040 Powers.

Subject to the limitations imposed by Section 2.64.050, the City Center Development Agency shall have authority to exercise all powers available to the Agency under ORS Chapter 457, including, but not limited to, the power of eminent

domain. The powers conferred to this agency by ORS Chapter 457 are in addition and supplemental to the powers conferred by any other law. (Ord. 89-05 §4, 1989).

2.64.050 Limitation On Action.

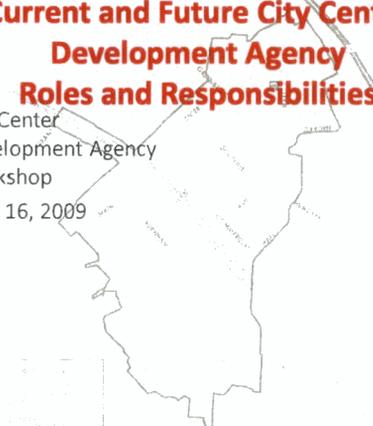
Any act of the City Center Development Agency shall be considered the act of the Urban Renewal Agency only and shall not be considered an act of the City Council, even though membership of both are identical. The City Center Development Agency shall not exercise any power which, by Charter, requires voter approval. (Ord. 89-05 §5, 1989).

2.64.060 Advisory Commission Established.

The City Center Advisory Commission is established. The Commission shall be comprised of seven to twelve members appointed by the City Council. The purpose of the Commission is to assist in implementation of the City Center Development Plan, to make recommendations to the City Center Development Agency and to help inform Tigard's citizens of the plan's content and activities. (Ord. 89-05 §6, 1989).■

**Current and Future City Center
Development Agency
Roles and Responsibilities**

- City Center Development Agency Workshop
- June 16, 2009



Urban Renewal in Tigard

Downtown 'vision' unveiled
Goals include more plants and parking, better access

Opinion
Given more time, city plan can sell

Word didn't get out in downtown plan

Planners seek right 'look' for city center



Tigard Urban Renewal Timeline

- **1981:** Downtown Urban Renewal plan passed
- **1983:** Tigard Urban Renewal Agency abolished and requirement for voter approval of tax-increment financing
- **1989:** Council establishes City Center Development Agency and City Center Advisory Commission. Urban Renewal rejected by voters. CCDA and CCAC remain on the books, but become "dormant."

Tigard Urban Renewal Timeline

- **May 2005:** Council re-activates CCDA
- **Sept. 2005:** Tigard Downtown Improvement Plan accepted by Council
- **Dec. 2005:** Urban Renewal Plan adopted by Council
- **May 2006:** Tax Increment Financing Ballot Measure approved by voters

City Center Urban Renewal Plan

- **Goal:** Use the tools provided by urban renewal to attract private investment and facilitate the District's redevelopment
- **Maximum indebtedness:** \$22 million
- **Duration:** 20 years
- **FY 08-09 tax increment:** \$117,872

Role of CCDA

The Board That Administers the Urban Renewal Plan

Responsibilities:

- Establishing policies for the district and directing the Executive Director of the CCDA and staff to carry out.
- Approving CCDA budgets and allocating tax increment funds.
- Purchasing land from willing sellers for redevelopment as part of public/private partnerships.
- Establishing rules and regulations for administration of financial and technical assistance programs and relocation regulations.
- Making amendments to the Plan (some would require voter approval)
- Assigning any additional specific duties to CCAC.

Role of CCAC

Advisory body to CCDA on Plan implementation

Responsibilities:

- Making recommendations on policy, budget, and implementation of urban renewal projects to the CCDA.
- Making an annual report to the CCDA including a summary of key activities, proceedings and recommendations.
- Making recommendations to the CCDA for amendments to the Plan.
- Performing other duties as assigned by the CCDA

Urban Renewal District Governance

- In 1989 membership of the CCDA was set as the members of the City Council.
- ORS 457 authorizes URD governance to be made up of either an independent appointed board or the governing body of the municipality (but considered a separate governmental entity).
- When CCDA was reactivated in 2005, there was discussion that the Council would initially serve as the development agency and revisit the question in the future.
- The most common form of urban renewal districts district governance is for the local elected body to assume the role.

Urban Renewal District Governance

Examples of elected body governance:

- Lake Oswego, Tualatin, Gresham, Sherwood, Salem, Troutdale, Bend, Clackamas County

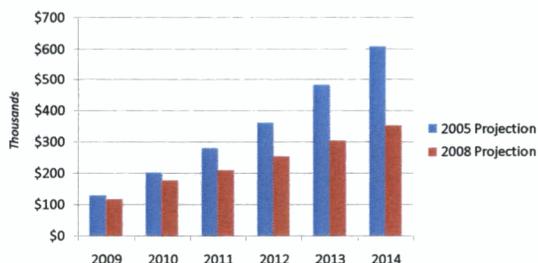
Examples of appointed body governance:

- Portland (PDC) and Medford

Urban Renewal Today

- Suburban downtown redevelopment does not occur overnight.
- Downtown assessed valuation is small relative to infrastructure investment need.
- Growth of the assessed valuation of existing properties is limited to 3% per year. Tax increment financing is limited without new development.
- Revenues will not be available to bond for the level improvements within the time period originally anticipated.

Tax Increment Projections 2005 vs. 2008



Projections by Tashman Johnson

CCDA and Future Urban Renewal Strategies

Potential Strategies for FY 2009-10

- Review, revise and prioritize the Urban Renewal Plan to better match projected public expenditures with tax increment revenues;
- Develop specific strategies / policies to engage property owners, developers and financing institutions to promote redevelopment;
- Establish specific rules for financial and technical assistance programs;
- Interagency coordination with other public entities pertaining to redevelopment efforts such as Tri-Met, Metro, OCEDD, ODOT, etc;
- Support the CCAC's efforts to develop a downtown leadership program.

3. Creating an Urban Renewal Agency

Urban renewal agencies are separate and unique entities that may be activated by municipal entities (cities or counties) via authority of Oregon Revised Statutes (ORS 457.035).

As a separate entity, the elected municipal governing board must establish the governing structure of the URA, including appointing a board. This decision may be influenced by a number of factors discussed in this section, as well as other factors such as the various projects and programs that are considered for inclusion in the URA's Plan.

CHAPTER CONTENTS

This chapter contains the following sections:

- 3.1 Establishing the Board
- 3.2 Advisory Committees



Picture of board or advisory committee.

3.1 ESTABLISHING THE BOARD

A. Background

Urban renewal agencies are governed by a separate and distinct board from the municipality by which it was formed. The municipal entity that creates the URA is responsible for determining the structure of the board, as provided by ORS. There are three potential structures for the urban renewal agency board:

- Governing body itself
- Separate group—appointed by the municipal governing body
- Housing authority

B. Statutory Provisions

ORS 457.045 provides that a municipality’s governing body may choose to exercise the powers of an urban renewal agency by:

- (1) the municipality’s housing authority,
- (2) a separate board or commission of no fewer than three members, or
- (3) by the governing body itself, acting as a governing body separate from the municipality they were elected to represent.

A housing authority functioning as an urban renewal agency must appoint an advisory board, but otherwise, advisory committees are not required.

C. Discussion

Historically, in Oregon, elected municipal officials have generally desired substantial control over urban renewal decisions. Therefore, most urban renewal agency boards consist of the members of the city council or county commission. Of those urban renewal agencies where the municipality’s governing board created boards consisting of non-elected officials, some require that at least one member of the board be an elected municipal official.

The governing bodies of municipalities just starting an urban renewal program can sometimes find it difficult to decide whether to establish a separate board or retain direct authority. There are examples where municipalities have created a separate board and later decided to return authority to the elected governing body. The agency board may also decide whether or not to designate one or more advisory committees, and if so, the board also determines what functions the committee(s) should serve.

So what is the best governance structure and why? Although there are no specific authoritative sources that address best practices for local government board governance, guidance can be found in *Best Practices: Nonprofit Corporate Governance* and the *Five Habits of High Performance Boards*. The key issues raised by the authors of these documents are as follows:

Key considerations included in both documents directly relevant to the creation of an urban renewal agency:

- The relationship between the board and staff
- Duty of loyalty, distinct entity

Relationship between board and staff

The success of the URA, just as is the case with the municipality itself, is very much dependent upon the staff and the support they receive from the urban renewal agency board. Additionally, what often undermines the success of an organization are actual or perceived conflicts of interest.

Practically speaking, there are very few urban renewal agencies that have the staff resources to operate independently. Although the urban renewal agency may have staff dedicated to urban renewal projects and activities, the agency is generally supported by departments in the rest of the municipal organization, such as finance, planning, public works, and city or county management. This reality makes it very challenging for staff should there be two separate and distinct boards.

Duty of loyalty

The duty of loyalty to a distinct entity may be addressed through the recognition that the urban renewal agency is a “component unit” of its founding municipality. In other words, loyalty belongs to the parent entity, i.e., the municipality that created the urban renewal agency.

Urban renewal functions and activities are generally specific and limited. The urban renewal agency’s authority is controlled not only by state law but also by policy documents, e.g., the urban renewal plan, that specify, among other items, the projects and activities to be undertaken, the estimated cost of projects and activities, the maximum amount of funding, and the estimated period of time to accomplish the plan.

Each urban renewal plan is different, with various projects and activities of the urban renewal agency supporting the overall vision. Therefore, each urban renewal agency has different leadership and governing requirements, and these may vary from time to time during the life and implementation of an urban renewal plan.



Picture of board or advisory committee.

Municipal governing board vs. appointed board configuration

There are advantages and disadvantages to each of the two options that are currently used in Oregon (no housing authorities currently exercise urban renewal powers).

Table 2. Overview of Board Structure

	ELECTED CITY OR COUNTY OFFICIALS	APPOINTED BOARD
Direct oversight of elected officials	Retained	Compromised
Perception of decision being final	Retained	Perception may be that decisions may be challenged
Public attendance at meetings	Improved attendance (other business)	Attendance may be reduced
Representation of board	Limited to elected officials	Board members with unique qualifications can be recruited
Accountability	Accountable to voters	Accountable to elected body
Stability	Potential to be less stable (subject to change with each election)	Generally more stable
Sufficient Attention	Heavy demands of the primary entity may reduce attention—involvement with other related issues may offset	Generally more direct attention

1. City council or county commission as agency board

The advantages of designating the city council or commission or county commission as the urban renewal agency board include:

- Direct oversight is retained by the municipality’s elected officials. Given the scope and importance of decisions regarding urban renewal in most communities, this degree of oversight is important.
- Decisions will be considered final, as opposed to the decisions of a separate board, which might be appealed to the governing body. (However, the decisions of a separate urban renewal agency board in undertaking an adopted urban renewal plan are not, strictly speaking, appealable to the municipal’s governing body.)
- The urban renewal agency’s board meetings may be better attended if they are held concurrently with council or commission meetings.

The disadvantages of this form of governance include:

- Representation on the urban renewal agency board is limited to the elected municipal officials. Opportunities for other qualified or interested citizens (e.g., real estate developers, lenders, and other experts) to directly participate in agency governance are eliminated.
- Board membership can be unstable, i.e., subject to change with each election, potentially resulting in a lack of continuity in urban renewal agency governance and decision-making. This instability is often mitigated by continuity among staff, legal representation, and advisors.
- Urban renewal agency decisions may, in part, be based on political agendas rather than sound development considerations.
- Urban renewal agency issues may not receive sufficient attention from board members who often have heavy demands placed on them in their roles as city council or county commission members. This can be mitigated by the use of advisory committees (ad-hoc or otherwise).
- Actual or perceived conflicts between the urban renewal agency and the municipality may exist, making it more difficult for these interests to be kept separate.
- The urban renewal agency board may not be as willing to advocate for their interests when they conflict with municipal interests.
- In some cases, there may be simple confusion as to which legal body has the authority to make a particular decision.

2. Separate agency board

The advantages of designating a separate urban renewal agency board include:

- The board's full attention can be given to urban renewal matters.
- The board may be more likely to represent the interests of the urban renewal agency in those circumstances where there may be conflicts with the municipality.
- The potential conflict of interest is limited as the urban renewal agency is a component unit of the parent municipality.
- Urban renewal agency decisions might be more likely to be made on the basis of sound development considerations.
- Board membership may include one or more elected officials in order to retain a measure of direct oversight by the municipal governing body.
- There may be other unintended consequences associated with appointing fewer than all elected officials to an advisory committee.

- Perception, real or not, that the appointed elected officials speak for the majority of the municipal governing board.
- Potential communication issues created by filtering information.
- Board membership may represent particular areas of expertise, interests in the community and/or within the URA.

The disadvantages of this form of governance include:

- The municipal governing body may be unwilling to truly delegate authority to a separate board, and this may result in “second guessing” board decisions.
- The board is less accountable to the voters of the municipality.
- Board decisions may not be considered final by the public. They may be appealed to the governing body, causing delays or reversals of board decisions.
- In smaller organizations, where the same staff that perform city or county functions also perform urban renewal functions, the potential for conflicting direction increases.

Urban renewal boards in Oregon

In Oregon, a majority of urban renewal agencies are governed by the elected officials of the municipality by which it was created. Additionally, there are examples within the state of the elected body of the municipality changing the board composition to address changes in conditions within the community or the urban renewal plan.

Table 3. Elected boards vs. appointed boards

	ELECTED CITY OR COUNTY OFFICIALS	APPOINTED BOARD
Number of agencies	Retained	Compromised
Advisory boards	Retained	Perception may be that decisions may be challenged
Change in board composition	Improved attendance – other business	Attendance may be reduced

D. Best Practices Tips

- Elected officials of the municipal governing board are encouraged to give serious consideration to the issues presented above. They should also consider public comments about the various options for board composition, given their specific plan, community, and other issues, prior to forming the urban renewal agency and/or making changes to an existing agency board.

- If the municipal governing board chooses to appoint a “separate group,” whether that group includes one or more elected municipal governing board members or not, the municipal governing board is encouraged to document desired board member profiles, roles and responsibilities for the board, its members, and the governing body.

3.2 ADVISORY COMMITTEES

A. Background

Any form of an urban renewal agency board may appoint an advisory committee, although advisory committees are more frequently appointed by boards that consist of the municipal governing body.

B. Statutory Provisions

There are no statutory provisions for advisory committees.

C. Discussion

Appointing an advisory committee(s) can help mitigate some of the disadvantages of having the city council or county commission serve as the urban renewal agency board.

- Advisory committees can devote their full attention to urban renewal issues, and the urban renewal agency board, in many cases, can choose to heavily rely on their advice.
- Advisory committees can also broaden participation in urban renewal decisions and can represent varying interests and expertise in the community.
 - Municipalities should be aware that advisory committees may have a tendency to desire direct decision-making authority when it is not desired by the urban renewal agency board, which can lead to conflicts with the urban renewal agency board.
- The urban renewal agency board can also decide whether the committee is to advise on all urban renewal issues or only on certain types of issues.
- Ad-hoc committees may serve the urban renewal agency board best because they have a limited scope and time frame. This may serve to:
 - Increase the efficiency of an organization
 - Reduce potential conflicts in authority with elected boards



Picture of advisory committee.

3. CREATING AN URBAN RENEWAL AGENCY

- o Increase ability to recruit experts for a given project or program
- o Expand the field of potential committee members due to reduced length of time commitment
- An urban renewal agency board can give consistent and substantial weight to advisory committee recommendations.
- Though the urban renewal agency board is not bound by advisory committee recommendations, if such recommendations are not given a prominent place in board decisions, the advisory committee will lose its effectiveness.
- Ad-hoc committees can be assigned to specific projects or programs.

Table 4. Ad-hoc committees vs. standing committees

	AD-HOC COMMITTEE	STANDING COMMITTEE
Dedicate full attention to agency activities	Yes	Yes
Broaden participation in agency activities	Yes	Yes
May desire direct decision authority	Less likely	More likely
Limited scope and time line	Generally	Generally no
Increase efficiency of staff	Generally	Possibly, but less often
Reduce potential conflicts of authority with elected officials	Generally	Possibly, but less often
Increase potential to recruit experts	Yes	More so than elected bodies, less so than ad-hoc committee
Expanded pool of potential members due to reduced time commitment	Yes	More so than elected bodies, less so than ad-hoc committee

D. Best Practices Tips

If the board consists of the municipal governing board, AORA encourages the use of ad-hoc committees to advise the municipal governing board on various projects and/or programs.

If jurisdictions decide to create continuing advisory committees, then these committees should have clear and defined parameters, and those parameters should include topics like: purpose, composition, term-limits, staffing costs, etc.

Two Centerpointe Dr 6th Fl
Lake Oswego OR 97035
www.jordanramis.com

Phone: (503) 598-7070
Toll Free: (888) 598-7070
Fax: (503) 598-7373

LEGAL MEMORANDUM

TO: City Council

FROM: Tim Ramis

DATE: August 13, 2013

RE: **Process for Changing the Membership of the City Center Development Agency ("CCDA")**
File No. 50014-36799

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION**

INTRODUCTION

The City Council ("Council") has asked how the Council can go about changing the composition of the CCDA. Currently, the CCDA operates the City Center Urban Renewal Area ("URA") by implementing the City Center Urban Renewal Area Plan ("Plan"), and is comprised of the sitting members of the Council.

This memorandum provides the background on the Council actions that established the status quo, and sets forth the actions that Council must take in order to change the composition of the CCDA.

BACKGROUND

The CCDA was created by Ordinance No. 89-05, which grants the CCDA all powers afforded urban renewal agencies under ORS 457. A copy of Ordinance No. 89-05 is attached as Exhibit 1 to this memorandum. This ordinance establishes the membership of the CCDA as follows.

"Membership. The City Center development Agency shall be comprised of members of the Tigard City Council as it lawfully exists from time to time. Any change in membership of the Tigard City Council shall automatically, and without need for further legislative actions, constitute an identical change in the membership of the City Center Development Agency."

August 13, 2013
Page 2

The above language from Ordinance No. 89-05 is codified at section 2.64.030 of the Tigard Municipal Code.

Prior to the late 2005 adoption of the current version of the URA Plan, the Council passed Resolution No. 05-32, which “reactivated” the CCDA, and provided direction that the CCDA develop a new urban renewal plan to be adopted by vote of the people. A copy of Resolution No. 05-32 is attached as Exhibit 2 to this memorandum. That URA Plan was prepared and adopted by the Council later that year, and approved by the voters in 2006.

QUESTION:

How does the City Council change the composition of the CCDA?

ANSWER 1:

To change the composition of the CCDA, the City Council must pass an ordinance that states the desired membership of the CCDA, and specifically amends Ordinance No. 89-05 and TMC 2.64 to reflect the new membership. A change in the composition of the CCDA would not impact the authority of the CCDA to oversee the implementation of the URA Plan.

CITY OF TIGARD, OREGON

ORDINANCE NO. 89-05

AN ORDINANCE DECLARING A NEED FOR ESTABLISHING THE CITY CENTER DEVELOPMENT AGENCY AND CREATING THE CITY CENTER DEVELOPMENT COMMISSION.

WHEREAS, It has been determined that the city center study area economic vitality and development activity lags behind other areas in the city; and

WHEREAS, primary obstacles to attracting private development in the area are: lack of access, circulation and parking, mixed land uses, underutilized land, small individually owned parcels, lack of positive image and identity and public facilities adequate to meet future growth; and

WHEREAS, the City Council is interested in focusing efforts in the city center area that will assist in overcoming those obstacles and encourage economic growth in the area; and

WHEREAS, the obstacles identified as hindering private development in the city center area qualify as "blighting conditions" under ORS Chapter 457; and

WHEREAS, formation of the City Center Development Agency as an Urban Renewal Agency will allow the city to utilize the tools provided for in ORS 457.

THE CITY OF TIGARD ORDAINS AS FOLLOWS:

Section 1: Declaration of Blight. Pursuant to ORS 457.035, the Tigard City Council declares that blighted areas now exist in the City and that there is currently a need for an urban renewal agency to function in the City of Tigard.

Section 2: Agency Title. The urban renewal agency created by this ordinance shall be known as the City Center Development Agency.

Section 3: Membership. The City Center Development Agency shall be comprised of members of the Tigard City Council as it lawfully exists from time to time. Any change in membership of the Tigard City Council shall automatically, and without need for further legislative action, constitute an identical change in the membership of the City Center Development Agency.

Section 4: Powers. Subject to the limitations imposed by Section 5 of this ordinance, the City Center Development Agency shall have authority to exercise all powers available to the agency under ORS Chapter 457, including, but not limited to, the power of eminent domain. The powers conferred to this agency by ORS Chapter 457 are in addition and supplemental to the powers conferred by any other law.

Section 5: Limitations. Any act of the City Center Development Agency shall be considered the act of the urban renewal agency only and shall not be considered an act of the Tigard City Council, even though membership of both are identical.

The City Center Development Agency shall not exercise any power which, by charter, requires voter approval.

Section 6: Advisory Commission. The City Center Advisory Commission is hereby established. The Commission shall be comprised of seven to twelve members appointed by the Tigard City Council. The purpose of the Commission is to assist in implementation of the City Center Development Plan, to make recommendations to the City Center Development Agency and to help inform Tigard's citizens of the Plan's content and activities.

Section 7: Savings Clause. If any section or portion of this ordinance is determined to be unconstitutional or otherwise unlawful, the remaining sections and portions of this ordinance shall be severable and shall remain in effect.

Section 8: Effective Date. This ordinance shall be effective 30 days after its passage by the Tigard City Council, approved by the Mayor, and posted by the City Recorder.

PASSED: By unanimous vote of all Council members present after being read by number and title only, this 13th day of February, 1989.

Catherine Wheatley
Catherine Wheatley, Deputy Recorder

APPROVED: This 13th day of February, 1989.

Gerald R. Edwards
Gerald R. Edwards, Mayor

Approved as to form:

[Signature]
City Attorney

Date 2/16/89

RESOLUTION NO. 05- 32

A RESOLUTION REACTIVATING THE CITY CENTER DEVELOPMENT AGENCY, AN URBAN RENEWAL AGENCY

WHEREAS, after a Charter amendment terminating an earlier urban renewal agency of the City of Tigard, the Council adopted Ordinance 89-05 (codified at TMC Chapter 2.64) in 1989, activating the City Center Development Agency as the City's urban renewal agency; and

WHEREAS, under Ordinance 89-05, the City Council exercised the powers of the urban renewal agency; and

WHEREAS, the City Council, acting as the City Center Development Agency may designate another body to act as the Development Agency, and may do so at any time; and

WHEREAS, the City Council is committed to placing an Urban Renewal plan including tax increment financing on the May, 2006 ballot, at which time the Council will also incorporate the question of governance of the Urban Renewal Agency; and

WHEREAS, the City Center Development Agency's action in 1989 and the early 1990s did not lead to the adoption of an urban renewal plan; and

WHEREAS, the City Center Development Agency remained in existence after 1989 because the Agency was never terminated, but has not been actively pursuing development of urban renewal plans; and

WHEREAS, the conditions justifying the activation of the City Center Development Agency are still present within the City; and

WHEREAS, the City Council believes that it is time to consider development and adoption of an urban renewal plan to assist with development and redevelopment of Tigard's downtown and possibly other areas within the City; and

WHEREAS, the City Council chooses to have the City Council continue to act as the City's urban renewal agency,

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

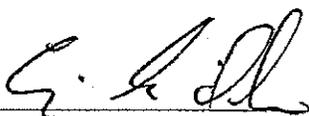
SECTION 1: The City Center Development Agency is reactivated and shall actively pursue development of an urban renewal plan for one or more areas within the City, as provided by ORS Chapter 457 and take other actions as authorized by ORS Chapter 457 and Ordinance 89-05.

SECTION 2: In pursuing the development of an urban renewal plan, the City Center Development Agency shall actively seek public input and shall consider the recommendations of the City Center Advisory Commission.

SECTION 3: The City Center Development Agency shall take all actions with due regard for the rights given to the voters of the City by Charter Sections 47 and 48.

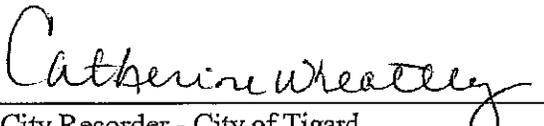
SECTION 4: This resolution is effective immediately upon passage.

PASSED: This 10th day of May 2005.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

CITY OF TIGARD, OREGON

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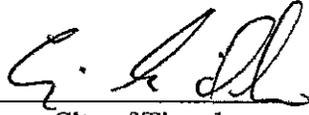
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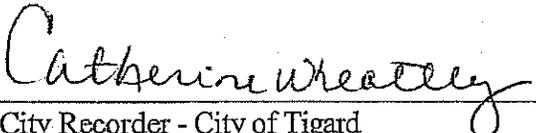
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Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard