

URBAN RENEWAL AGENCY BOARD MEETING MINUTES

NOVEMBER 13, 2023

DATE COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, NOVEMBER 13, 2023

CONVENED The meeting convened at 6:31 p.m. with Chair Lonergan presiding.

ROLL CALL

Chair Lonergan	Present
Member Schaub	Present
Member Cornwell	Present
Member Carney	Present
Member Morris	Present– via video conferencing
Member Cabrales	Absent
Member Wilk	Present

Staff Present: City Administrator Derickson, City Attorney Shields, Assistant City Administrator Row, Assistant City Attorney Granum, Police Chief Pilcher, Finance Director Turley, Community Development Director Kerr, Public Works Director Stultz, Special Projects Director Wakeley, Public Affairs and Communications Coordinator Moore, City Recorder Pierson

CONSENT AGENDA

A. Urban Renewal Agency minutes of August 28, 2023

Carney/Schaub... adopt the Consent Agenda. The motion passed unanimously.

APPOINTMENT

Schaub/Cornwell... appoint Mark Wilk to the Downtown Advisory Review Subcommittee. The motion passed unanimously.

Mayor Lonergan stated that he would like to consider adding another Councilor to this committee. Councilor Cornwell stated that she would be interested in that.

Schaub/Carney... appoint Councilor Cornwell to the Downtown Advisory Review Subcommittee. The motion passes unanimously.

WOODBURN URBAN RENEWAL PLAN AMENDMENTS

Economic Development Director Johnk provided a staff report. **Carney/Schaub...** authorize staff to contract and consult with Elaine Howard Consulting, LLC and Tiberius Solutions to complete Woodburn Urban Renewal Plan Amendments and to bring the first Plan Amendment to the December 11, 2023, Urban Renewal Agency meeting. The motion passed unanimously.

URG #2023.07– 174 GARFIELD ST. | CRICKET WIRELESS STORE

Economic Development Director Johnk provided a staff report. **Carney/Cornwell....** approve the Building Improvements Program Grant Application (Program) from Cricket Wireless Store (Applicant) in the amount of \$5,585; 50% of the overall cost for the repair and installation of a partial re-roof (\$11,170), for the property located at 174 Garfield Street. The motion passed unanimously.

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URG #2023.08– 397 FRONT ST. | TIENDA LAS TARASCAS

Economic Development Director Johnk provided a staff report. **Carney/Schaub....** approve the Building Improvements Program Grant Application (Program) from Tienda Las Tarascas (Applicant) in the amount of \$3915; 50% of the overall cost for the roof repair, replacement and installation of new gutters, and replacement of front window. The overall cost of the project is \$7,830 for the property located at 397 Front Street. The motion passed unanimously.

URG #2023.09 – 523 N. FRONT STREET | LUIS’S TAQUERIA

Economic Development Director Johnk provided a staff report. **Carney/Cornwell....** approve the Building Improvements Program Grant Application (Program) from Luis’s Taqueria (Applicant) in the amount of \$1,450; 25% of the overall cost for the replacement of building furnace. Total new furnace cost is \$5,800 for the property located at 523 N. Front Street. The motion passed unanimously.

URG #2023.10: 430 N 1ST ST | TRAPALA RESTAURANT

Economic Development Director Johnk provided a staff report. **Carney/Wilk....** approve the Building Improvements Program Grant Application (Program) from Trapala Restaurant (Applicant) in the amount of \$14,650; 50% of the overall cost for replacement of the roof (\$29,300) on the property located at 430 N 1st St. The motion passed unanimously.

ADJOURNMENT

Carney/Schaub... adjourn the meeting. The meeting adjourned at 6:53 p.m.

APPROVED _____
FRANK LONERGAN, CHAIR

ATTEST _____
Heather Pierson, City Recorder
City of Woodburn, Oregon



Urban Renewal Agenda Item

December 11, 2023

TO: Urban Renewal Agency

FROM: Jamie Johnk, Economic Development Director

SUBJECT: **Woodburn Urban Renewal Plan Amendments**

RECOMMENDATION:

Adopt Resolution Number 2023-3 amending Section 900 of the Woodburn Urban Renewal Plan.

BACKGROUND:

In July 2001, the City of Woodburn created the Woodburn Urban Renewal Plan pursuant to ORS Chapter 457 of the Oregon Constitution, and all applicable laws and ordinances of the State of Oregon and City of Woodburn respectively. The purpose of the Plan is to eliminate blighting influences found in the Renewal Area, to implement goals and objectives of the City of Woodburn Comprehensive Plan, and to implement development strategies and objectives for the Woodburn Urban Renewal Area.

During the development of the Plan, Woodburn identified goals which included:

- Promote Private Development
- Rehabilitate Building Stock
- Improvements to Streets, Streetscapes, and Open Spaces
- Utility Improvements
- Parking
- Public Facilities
- Housing
- Public Art

Since adoption, the City has achieved many of the identified goals and completed numerous projects identified in the Plan. However, as the priorities in the Urban Renewal Area have evolved and many of the original projects listed have changed in scope and cost, an amendment to the Plan is needed.

Agenda Item Review: City Administrator ☒ City Attorney ☒ Finance ☒

At the November 12, 2023 Urban Renewal Agency meeting, the Agency approved entering into a contract with Elaine Howard Consulting, LLC for the preparation of the Plan amendment.

DISCUSSION:

In discussion with the consultant for the project, we have identified that the Woodburn Urban Renewal Plan created levels of plan amendments that exceed statutory requirements. The current Woodburn Urban Renewal Plan presently has a three-tiered amendment process (e.g., Procedural steps are outlined for Minor, Major, and Substantial Amendments under Section 900 of the Plan).

This proposed plan amendment will mirror the requirements of ORS 457.085(2)(i) in identifying two levels of amendments. The first is a substantial amendment that requires the same approval process as an original urban renewal plan. This is statutorily required in two instances: 1.) when the maximum indebtedness is increased, and 2.) when acreage is added that exceeds 1% of the original boundary. This approval is through a non-emergency ordinance.

The second level of amendments are minor amendments and include all other amendments to the Plan.

The exact wording is shown in Exhibit A. 2023 Amendment to the Woodburn Urban Renewal Plan.

Staff is recommending a minor amendment procedure to simplify the Amendment Procedure that is included under the current Plan to maintain the statutory requirements for Substantial Amendments and then to categorize all other changes to the Plan as Minor Amendments, thereby removing the middle or "Major" tier process.

Under the City's current plan, any action that would qualify as a "major amendment" to the Woodburn Urban Renewal Plan requires all of the information and process of a Substantial Amendment (ORS 457.085, 457.087, 457.089 and 457.095) except the public noticing for the final City Council hearing. This requires an analysis of the existing conditions in the urban renewal area including the production of new maps for the Amendment and Report on Amendment, updating the findings of blight, finance plan, conformance to local objectives, demographics and review by the Agency, Planning Commission, County Commission and City Council. Therefore, the consultant has proposed to amend this section of the Plan to designate only two tiers of

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amendment processes as required in ORS 457. The Plan would therefore maintain all legal requirements for Substantial Amendments and then have all other Plan changes be specified as Minor Amendments, which can be approved by the Agency by Resolution.

FINANCIAL IMPACT:

Simplifying the plan amendment process will result in a modest reduction of staff time and consultant fees related to Urban Renewal Plan Amendments.

Attachment

Current Section 900 of Woodburn Urban Renewal Plan

800. PROPERTY DISPOSITION AND REDEVELOPER'S OBLIGATIONS

A. Property Disposition and Redevelopment

The Renewal Agency is authorized to dispose of acquired property by sale, lease, exchange, or other appropriate means for redevelopment for uses and purposes specified in this Plan. If property is identified for acquisition in this plan, the Agency proposes to commence disposition of property within five (5) years from the date of identifying those properties in this plan, and to complete disposition within ten (10) years from such approval. Properties shall be subject to disposition by sale, lease or dedication for the following purposes:

1. Road, street, pedestrian, bikeway, and utility projects, and other right-of-way improvements listed in Section 600 of this plan.
2. Construction of public facilities in Section 600 of this plan.
3. Redevelopment by private redevelopers for purposes consistent with the uses and objectives of this plan. Such disposition will be in accordance with the terms of a Disposition and Development Agreement between the Developer and the Renewal Agency, and with the Redeveloper's obligations in Section 800B of this plan.

The Renewal Agency may dispose of any land it has acquired at fair reuse value, and to define the fair reuse value of any land.

B. Redevelopers Obligations

Redevelopers within the Urban Renewal Area will be subject to controls and obligations imposed by the provisions of this Plan. Redevelopers also will be obligated by the following requirements:

1. The Redeveloper shall develop or redevelop property in accordance with the land-use provisions and other requirements specified in this Plan.
2. The Renewal Agency may require the redeveloper to execute a development agreement acceptable to the Renewal Agency as a condition of any form of assistance by the Renewal Agency. The Redeveloper shall accept all conditions and agreements as may be required by the Renewal Agency.
3. The Redeveloper shall submit all plans and specifications for construction of improvements on the land to the Renewal Agency or its designated agent, for review and approval prior to distribution to reviewing bodies as required by the City.
4. The Redeveloper shall commence and complete the development of such property for the use provided in this Plan within a reasonable time as determined by the Agency.
5. The Redeveloper shall not effect any instrument whereby the sale, lease, or occupancy of the real property, or any part thereof, is restricted upon the basis of age, race, color, religion, sex, marital status, or national origin.

900. AMENDMENTS TO THE RENEWAL PLAN

It is anticipated that this Renewal Plan will be reviewed periodically during the execution of the Project. The plan may be changed, modified, or amended as future conditions warrant. Types of Plan amendments are:

A. Substantial Amendments

Substantial amendments consist of:

1. Increases in the urban renewal area boundary, in cumulative excess of 1%, shall be a substantial amendment requiring approval per ORS 457.095, and notice as provided in ORS 457.120.
2. Increasing the maximum amount of indebtedness to be issued under the plan shall be a substantial amendments requiring approval per ORS 457.095, and notice as provided in ORS 457.120.

B. Major Amendments not requiring special notice

Major amendments requiring approval per ORS 457.095 consist of:

1. The addition of improvements or activities which represent a substantial change in the purpose and objectives of this Plan, and which cost more than \$500,000, shall be a substantial amendment requiring approval per ORS 457.095, but not requiring notice as provided in ORS 457.120. The \$500,000 amount will be adjusted annually from the year 2000 according to the "Engineering News Record" construction cost index for the Northwest area.
2. The addition of improvements or activities that substantially alter the goals and objectives of the Urban Renewal Plan.

C. Minor Amendments Requiring Approval by City Council.

Amendments to the Plan defined in this section shall require approval by the Agency by Resolution, and approval by the City Council by Resolution. Such amendments are defined as:

1. Acquisition of property for purposes specified in Sections 700A of this plan.

D. Other Minor Amendments.

Minor amendments may be approved by the Renewal Agency in resolution form. Such amendments are defined as:

1. Amendments to clarify language, add graphic exhibits, make minor modifications in the scope or location of improvements authorized by this Plan, or other such modifications which do not change the basic planning or engineering principles of the Plan.
2. Acquisition of property for purposes specified in Section 700B1 and 2 of this plan.
3. Addition of a project substantially different from those identified in Sections 600 of the Plan or substantial modification of a project identified in Section 600 if the addition or modification of the project costs less than \$500,000 in 2001 dollars.
4. Increases in the urban renewal area boundary, not in cumulative excess of 1%.

1000. MAXIMUM INDEBTEDNESS

The Maximum Indebtedness authorized under this plan is twenty-nine million and three hundred thousand Dollars (\$29,300,000).

1100. FINANCING METHODS

A. General

WOODBURN URBAN RENEWAL AGENCY RESOLUTION NO. 2023-03

**A RESOLUTION AMENDING SECTION 900– AMENDMENTS TO THE RENEWAL PLAN–
OF THE WOODBURN URBAN RENEWAL PLAN**

WHEREAS, the Woodburn Urban Renewal Agency (“Agency”) adopted the Woodburn Urban Renewal Plan (“Plan”) in July 2001; and

WHEREAS, the Agency desires to amend Plan Section 900. Amendments to the Renewal Plan to mirror statutory requirements; and

WHEREAS, this amendment may be processed as a minor amendment to the Plan as defined in Section 900 of the Plan; and

WHEREAS, minor amendments are processed through the adoption of a resolution by the Agency: **NOW, THEREFORE**,

THE WOODBURN URBAN RENEWAL AGENCY RESOLVES AS FOLLOWS:

Section 1. The Woodburn Urban Renewal Agency Board amends Section 900 of the Woodburn Urban Renewal Plan in its entirety as shown in Exhibit A, Woodburn Urban Renewal Plan Amendment 2023.

Section 2. This amendment is effective immediately upon adoption.

Approved as to Form: _____
City Attorney DATE

APPROVED: _____
Frank J Lonergan, Mayor

Passed by the Council _____
Submitted to the Mayor _____
Approved by the Mayor _____
Filed in the Office of the Recorder _____

ATTEST: _____
Heather Pierson, City Recorder
City of Woodburn, Oregon

EXHIBIT A. 2023 Amendment to Woodburn Urban Renewal Plan

Section 900. Amendments to the Renewal Plan is deleted in its entirety and replaced with the revised language shown below.

Section 900. Amendment to the Renewal Plan

The Plan may be amended as described in this section.

A. Substantial Amendments

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing, and approval procedure required of the original Plan, under ORS 457.095, including public involvement, consultation with taxing districts, presentation to the Agency, the Planning Commission, the County and adoption by the City Council by non-emergency ordinance after a hearing.

Notice of such hearing shall be provided to individuals or households within the City of Woodburn, as required by ORS 457.120. Notice of adoption of a Substantial Amendment shall be provided in accordance with ORS 457.095 and ORS 457.115.

Substantial Amendments are amendments that:

1. Add land to the tax increment area, except for an addition of land that totals not more than a cumulative 1% of the existing area of the tax increment area; or
2. Increase the maximum amount of indebtedness that can be issued or incurred under the Plan.

B. Minor Amendments

Minor Amendments are amendments that are not Substantial Amendments as defined in this Plan and in ORS 457. Minor Amendments require approval by the Agency by resolution.

C. Amendments to the Woodburn Comprehensive Plan and/or Woodburn Municipal Code

Amendments to the Woodburn Comprehensive Plan and/or Woodburn Municipal Code that affect the Plan and/or the Area shall be incorporated automatically within the Plan without any separate action required by the Agency or City Council. If a Substantial Amendment is prepared, the Section of this Plan on Relationship to Local Objectives should be updated at that time.