

# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: August 17, 2020

Order \_\_\_\_ Ordinance XX Resolution \_\_\_\_ Motion \_\_\_\_ Information \_\_\_\_  
No. No. 2020-2865 No.

**SUBJECT: An Ordinance declaring that blighted areas exist within the City of Newberg, Recognizing the need for an urban renewal agency to function in the City of Newberg, and providing for the exercise of the agency's powers by the City Council of the City of Newberg, and creating Section 2.40 Urban Renewal Agency in the Newberg Municipal Code**

Contact Person (Preparer) for this  
Motion: Doug Rux, Director  
Dept.: Community Development  
File No.: GEN19-0017

HEARING TYPE: ☒ LEGISLATIVE ☐ QUASI-JUDICIAL ☐ NOT APPLICABLE

## RECOMMENDATION:

Adopt Ordinance No. 2020-2865 declaring that blighted areas exist within the City of Newberg, recognizing the need for an urban renewal agency to function in the City of Newberg, and providing for the exercise of the agency's powers by the City Council of the City of Newberg.

## EXECUTIVE SUMMARY:

On December 9, 2019 the Newberg City Council approved staff's request to hire the consultant team led by, Elaine Howard Consulting, LLC to prepare an urban renewal feasibility study. On January 6, 2020 City Council approved the formation of an Ad Hoc Urban Renewal Citizens Advisory Committee (CAC). Since that time, city staff, the consultant group, and the CAC have worked together to complete an urban renewal feasibility study including determination of blight within the proposed urban renewal area. The feasibility study was presented to the City Council on July 20, 2020. The City Council accepted the feasibility study and directed staff to prepare documents for the formation of an urban renewal agency.

The urban renewal district is governed by an urban renewal agency, authorized through ORS 457. As stipulated in ORS 457.045, the make-up of the urban renewal agency membership is determined by the local government body. The options for the agency membership are:

- A housing authority of a municipality;
- A board or commission composed of not less than three members; or,
- The governing body of the municipality, appointing itself as the members of the urban renewal agency board.

Staff recommends City Council appoint the governing body, the City Council, as the Urban Renewal Agency.

## FISCAL IMPACT:

There is no fiscal impact at this time. The contract signed with Elaine Howard Consulting, LLC includes preparation of an urban renewal plan and report and there is budget allocated from Fund 14 for the preparation of a legal description of a proposed urban renewal area. If an urban renewal plan is adopted

by the City Council in the future, implementation of the plan will be financed through tax increment financing, grants and loans, and city funds identified for capital improvement projects.

**STRATEGIC ASSESSMENT:**

2020 Council Goals:

4. Create and support an Urban Renewal Plan and Authority

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**AN ORDINANCE DECLARING THAT BLIGHTED AREAS EXIST WITHIN THE CITY OF NEWBERG, RECOGNIZING THE NEED FOR AN URBAN RENEWAL AGENCY TO FUNCTION IN THE CITY OF NEWBERG, AND PROVIDING FOR THE EXERCISE OF THE AGENCY'S POWERS BY THE CITY COUNCIL OF THE CITY OF NEWBERG, AND CREATING SECTION 2.40 URBAN RENEWAL AGENCY IN THE NEWBERG MUNICIPAL CODE**

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**RECITALS:**

1. The City Council accepted an Urban Renewal Feasibility Study on July 20, 2020 by adoption of Resolution No. 2020-3685.
2. The Urban Renewal Feasibility Study indicates there exists within the City of Newberg, Oregon blighted areas as defined in ORS 457.010(1).
3. Such blighted areas impair economic values and ad valorem tax revenues.
4. ORS 457.035 authorizes the creation of a public body corporate and politic to be known as the "Urban Renewal Agency" of the City.

**THE CITY OF NEWBERG ORDAINS AS FOLLOWS:**

1. Within the City of Newberg, there exists areas of blight as identified in ORS 457.010(1) including ORS 457.010(1)(e) The existence of inadequate streets and other rights of way, open spaces and utilities" and "(g) A prevalence of depreciated values, impaired investments and social and economic maladjustments to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered." Based upon these facts, the City Council of the City of Newberg, Oregon, hereinafter referred to as City of Newberg, hereby finds and declares that blighted areas, as defined in ORS 457.010, exist within the City of Newberg.
2. The City Council declares and recognizes that there is a need for an Urban Renewal Agency to function within the City of Newberg.
3. The City Council further declares, pursuant to ORS 457.045(3), that all of the rights, powers, duties, privileges and immunities granted to and vested in an Urban Renewal Agency by the laws of the State of Oregon shall be exercised by and vested in the City Council of the City of Newberg, provided, however, that any act of the governing body acting as the Urban Renewal Agency shall be considered the act of the Urban Renewal Agency only and not of the City Council.
4. The corporate name of the agency provided by the Ordinance shall be, and said agency shall be

known as "The Newberg Urban Renewal Agency."

5. The term of office for each member of the Urban Renewal Agency shall be concurrent with each member's individual term of office as a member of the City Council.
6. The following shall be added to the Newberg Municipal Code, Title 2 Administration and Personnel, Chapter 2.40 Urban Renewal Agency:

2.40.010 Declaration of blight and need.

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.

2.40.020 Agency title.

The urban renewal agency created by this chapter shall be known as the Newberg Urban Renewal Agency.

2.40.030 Membership.

The Newberg Urban Renewal Agency shall be comprised of members of the Newberg City Council as it lawfully exists from time to time.

2.40.040 Term of Office.

Term of office shall be the same as that of the City Council.

2.40.050 Vacancies and Removal

Appointments to fill vacancies shall be for the remainder of the unexpired term.

2.40.060 Presiding Members

At its first meeting of each calendar year, the Agency shall elect a chairperson and vice chairperson to serve one-year terms. The Administrator or other staff member designated by the Administrator shall keep accurate records of all Agency proceedings.

2.40.070 Powers and limitations.

Pursuant to ORS 457.045(3), all of the rights, powers, duties, privileges and immunities granted to and vested in an urban renewal agency by the laws of the state of Oregon shall be exercised by and vested in the Newberg Urban Renewal Agency. Any act of the Newberg Urban Renewal Agency shall be considered an act of the urban renewal agency only and not of the City Council. The Newberg Urban Renewal Agency shall not exercise any power which is contrary to the Newberg City Charter.

2.40.080 Meetings – Notice – Quorum.

A majority of the members of the Urban Renewal Agency shall constitute a quorum. The Agency shall meet at least once a month unless the Chairperson and Administrator jointly agree that there is no business to be conducted. All meetings will be noticed and in accordance with the Oregon Public Meetings Act.

2.40.090 Agency bylaws and rules.

The Newberg Urban Renewal Agency shall, by resolution of the agency, establish such bylaws and other rules of procedure as it deems necessary or proper to carry out its lawful duties.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: September 16, 2020.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 17<sup>th</sup> day of August, 2020, by the following votes: **AYE:**      **NAY:**      **ABSENT:**      **ABSTAIN:**

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Sue Ryan, City Recorder

**ATTEST** by the Mayor this 20<sup>th</sup> day of August, 2020.

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Rick Rogers, Mayor