



Board of Directors

- Brian Dalton
- Jim Brown
- Jim Fairchild
- Kelly Gabliks
- Beth Jones
- Jackie Lawson
- Kevin Marshall
- Murray Stewart
- LaVonne Wilson
- Ken Woods, Jr.

Staff

- City Manager
Ron Foggin
- City Attorney
Lane Shetterly

Community Development
Director
Jason Locke

Finance Director
Cecilia Ward

City Recorder
Emily Gagner

Recording Secretary
Jeremy Teal

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Dallas Urban Renewal Agency Board of Directors Agenda

Monday, July 15, 2013, 7:00 p.m. (following the City Council meeting)
Brian Dalton, Presiding
Dallas City Hall
187 SE Court Street
Dallas, Oregon 97338

All persons addressing the Board of Directors will please use the table at the front of the Board. All testimony is electronically recorded. If you wish to speak on any agenda item, please sign in on the provided card.

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. Roll Call	
2. Review and approval of minutes of June 17, 2013, meeting	Approval
3. <u>Resolution UR 2013-02</u> : A Resolution authorizing an intergovernmental agreement with the City of Dallas.	Roll call vote
4. Other Business	
5. Adjournment	

**DALLAS DEVELOPMENT COMMISSION
URBAN RENEWAL AGENCY
Monday, June 17, 2013
Council Chambers**

1 The Dallas Development Commission Urban Renewal Agency Board of Directors met in regular
2 session on June 17, 2013, at 7:41 p.m. in the Council Chambers of City Hall with Brian Dalton
3 presiding.

4 **ROLL CALL**

5 Directors present: Jim Brown, Jim Fairchild, Kelly Gabliks, Beth Jones, Jackie Lawson, Kevin
6 Marshall, Murray Stewart, and LaVonne Wilson. Excused: Ken Woods, Jr.

7 Also present were: City Manager Ron Foggin, City Attorney Lane Shetterly, Community
8 Development/Operations Jason Locke, Finance Director Cecilia Ward, City Recorder Emily
9 Gagner, and Recording Secretary Jeremy Teal.

10 **REVIEW AND APPROVAL OF MINUTES OF JUNE 3, 2013, MEETING**

11 It was moved by Director Fairchild *to approve the minutes of the June 3, 2013, meeting as*
12 *presented.* The motion was duly seconded and carried unanimously.

13 **PUBLIC HEARING**

14 **DOWNTOWN STREETSCAPE FUNDING DISCUSSION**

15 Director Lawson declared a potential conflict of interest due to her ownership of downtown
16 property.

17 Mr. Locke stated that one aspect of the project was for the agency to secure funding. He noted that
18 four proposals were sent to financial institutions and two proposals were returned. He reported that
19 the returned proposals were sent to Western Financial for review and they recommended the
20 proposal from Columbia Bank. He noted that there would be multiple resolutions brought before
21 the Council during the process.

22 It was moved by Director Brown *to approve funding from Columbia Bank for the 800/900 block*
23 *streetscape project of Main Street.* The motion was duly seconded and carried unanimously.

24 **MEMORADUM OF UNDERSTANDING WITH POLK COUNTY REGARDING 800**
25 **BLOCK IMPROVEMENTS**

26 Mr. Locke advised the results of the meeting with the Polk County Commissioners to address
27 concerns about the use of the county property for improvements went well. He noted that staff
28 worked with the County to arrive at an agreement that made everyone happy with their
29 responsibilities.

30 It was moved by Director Marshall *to authorize the City Manager to approve the memorandum of*
31 *understanding for the proposed improvements on the Courthouse property.* The motion was duly
32 seconded and carried unanimously.

33 **RESOLUTIONS**

1 **Resolution No. 2013-01** – A resolution adopting A budget for the Dallas Development
2 Commission Urban Renewal Agency, appropriating budget funds, and certifying a request for
3 the maximum amount of revenue.

4 A roll call vote was taken and Mayor Dalton declared Resolution No. 2013-01 to have PASSED
5 BY A UNANIMOUS VOTE with Director Jim Brown, Director Jim Fairchild, Director Kelly
6 Gabliks, Director Beth Jones, Director Jackie Lawson, Director Kevin Marshall, Director Murray
7 Stewart, and Director LaVonne Wilson voting YES.

8 **OTHER BUSINESS**

9 Mr. Locke stated there would be a preconstruction meeting with the building and property owners
10 on Tuesday, June 25 at 5:30 p.m. in the Civic Center. He noted that this meeting would outline
11 timelines and get communication started.

12 **ADJOURNMENT**

13 There being no further business, the meeting was adjourned at 7:30 p.m.

14 Read and approved this _____ day of _____ 2013.

Chair Brian W. Dalton

ATTEST:

City Manager

DALLAS URBAN RENEWAL AGENCY
REPORT

TO: DALLAS URBAN RENEWAL AGENCY BOARD OF DIRECTORS

<i>City of Dallas</i>	Agenda Item No. 3	Topic: Resolution UR 2013-02
Prepared By: Jason Locke, Community Development/ Operations Director <i>JL</i>	Meeting Date: July 15, 2013	Attachments: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Approved By: Ron Foggin, City Manager		

RECOMMENDED ACTION: Adopt Resolution UR 2013-02

BACKGROUND: Resolution UR 2013-02 authorizes the Agency to enter into the IGA attached as Exhibit A. It also specifies the responsibilities of the Urban Renewal Agency to transfer funds to the city in a sufficient amount to pay the debt service on the loan.

FISCAL IMPACT: Commits tax increment finance revenue to pay the debt service on the loan for the 800/900 block project in accordance with the terms of the Financing Agreement. That will be approximately \$80-85,000/year for 10 years.

ATTACHMENTS:

Resolution UR 2013-02 (includes IGA)

RESOLUTION NO. UR 2013-02

A RESOLUTION OF THE CITY OF DALLAS DEVELOPMENT COMMISSION, URBAN RENEWAL AGENCY, POLK COUNTY, OREGON AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF DALLAS, POLK COUNTY, OREGON REGARDING THE TRANSFER OF TAX INCREMENT REVENUES AND PROCEEDS TO THE CITY FOR THE PURPOSE OF PAYING A FINANCING AGREEMENT OF THE CITY

WHEREAS, the City of Dallas Development Commission, Urban Renewal Agency (the "Agency") and the City of Dallas, Polk County, Oregon (the "City") have undertaken or are currently planning projects set forth in the Dallas Downtown Urban Renewal Plan, including financing the removal, replacement, and widening of the existing sidewalks in the 800/900 Main Street in downtown Dallas; the installation and or relocation of associated infrastructure; the removal of all the existing street lights and associated overhead wires and their replacement with decorative lighting with flower baskets; the removal and replacement of street trees; the removal of all the existing benches and garbage cans and their replacement with a new design; and the removal and replacement of the "bulb-out" areas at the intersections (the "Project"); and

WHEREAS, the City is planning to enter into a tax-exempt financing agreement (the "Financing Agreement") in a principal amount not to exceed \$750,000 to finance the Project and pay costs of issuance of the Financing Agreement; and

WHEREAS, the Agency and the City wish to enter into an intergovernmental agreement whereby the Agency shall transfer to the City Tax Increment Revenues and proceeds of the Agency in amounts and at times that are sufficient to allow the City to pay all or a portion of the amounts due under the Financing Agreement that relate to the Project.

IT IS HEREBY RESOLVED by the City of Dallas Development Commission, Urban Renewal Agency, as follows:

Section 1. The Agency authorizes an intergovernmental agreement between the City and Agency, in substantially the form attached hereto as Exhibit A (the "IGA") with such changes as may be approved by the City Manager, the Finance Director or any designee of the Agency (each an "Authorized Representative") and authorizes and directs the Authorized Representative to sign the IGA on behalf of the Agency and take any other actions that the Authorized Representative determines are necessary or desirable to carry out the intent of this Resolution and the IGA.

Section 2. This Resolution shall be effective upon its passage.

Adopted: July 15, 2013
Approved: July 15, 2013

Chair

ATTEST:

APPROVED AS TO FORM:

Ron Foggin, City Manager

Lane P. Shetterly, City Attorney

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT

This 2013 Intergovernmental Agreement is executed this 15th day of July, 2013, by and between the CITY OF DALLAS, OREGON, a municipal corporation of the State of Oregon (the “City”) and the DALLAS DEVELOPMENT COMMISSION, URBAN RENEWAL AGENCY, OREGON, a public body created and activated under ORS Chapter 457 (the “Agency”).

I. DEFINITIONS

For purposes of this 2013 Intergovernmental Agreement, unless the context clearly requires otherwise, capitalized terms shall have the following meanings:

“**2013 Intergovernmental Agreement**” means this intergovernmental agreement between the City and the Agency dated July 15, 2013, relating to the 2013 Financing Agreement.

“**2013 Financing Agreement**” means the City’s Full Faith and Credit Financing Agreement, Series 2013 in the principal amount not to exceed \$750,000 to finance the Project and pay costs of issuance of the 2013 Financing Agreement.

“**Agency**” means the Dallas Development Commission, Urban Renewal Agency, Polk County, Oregon.

“**Agency Resolution**” means the Agency Resolution No. UR 2013-02 adopted July 15, 2013.

“**Area**” means the Dallas Downtown Urban Renewal Area that is described in the Plan.

“**Authorized Representative of the Agency**” means, each individually, the City Manager, the Finance Director or any designee of the Agency.

“**Authorized Representative of the City**” means, each individually, the City Manager, the Finance Director or any designee of the City Council.

“**City**” means the City of Dallas, Polk County, Oregon.

“**City Resolution**” means City’s Resolution No. 3281 adopted July 15, 2013.

“**Divide the Taxes Revenues**” means the taxes that are divided based on the increase in value of property in the Area and that are payable to the Agency under the provisions of Article IX, Section 1c of the Constitution and ORS Chapter 457.

“**ORS**” means Oregon Revised Statutes.

“**Plan**” means the Dallas Downtown Urban Renewal Plan of the Agency, as amended.

“Project” means the removal, replacement, and widening of the existing sidewalks in the 800/900 Main Street in downtown Dallas; the removal of all the existing street lights and associated overhead wires and their replacement with decorative lighting with flower baskets; the removal of all the existing benches and garbage cans and their replacement with a new design; and the removal and replacement of the ‘bulb-out’ areas at the intersections.

“Special Levy” means a property tax levy for the Area upon property in the City and on property outside the City but within the urban renewal area that is authorized by Article XI, Section 11(16) of the Oregon Constitution and ORS 457.435(2)(c).

“Tax Increment Fund” means the Dallas Downtown Urban Renewal Fund established under ORS 457.440(6)(b) and Section 7 hereof to hold the Tax Increment Revenues, which fund is designated in the Agency's financial statements as the Dallas Downtown URA Tax Increment Fund.

“Tax Increment Revenues” shall mean all ad valorem tax revenues from the Divide the Taxes Revenue and the Special Levy, and all earnings on amounts held in the Tax Increment Fund.

II. RECITALS

- A. Pursuant to ORS 190.010, units of local government are authorized to enter into intergovernmental agreements with other units of local governments for the performance of any or all functions and activities that a party to the agreement, its officers or agencies, have the authority to perform.
- B. Each of the parties to this agreement is a “unit of local government” as defined in ORS Section 190.003. Each of the parties has the legal authority for the performance of any and all functions and activities set forth herein.
- C. The Agency, as the duly authorized and acting urban renewal agency of the City of Dallas, Oregon, is charged to undertake certain redevelopment activities in the redevelopment area pursuant to ORS Chapter 457 and the Plan.
- D. Pursuant to ORS 457.190, the Agency is authorized to borrow money and accept advances, loans, grants and any other form of financial assistance from a public body for the purposes of undertaking and carrying out urban renewal projects.
- E. Pursuant to ORS 457.320, the City is authorized to exercise any of its powers to assist in the planning or the carrying out of an urban renewal plan.
- F. Pursuant to ORS 271.390, the City has the power to enter into financing agreements to finance and refinance real and personal property.
- G. The City expects to enter into the 2013 Financing Agreement to finance certain real and personal property as set forth in the Plan, including the Project.
- H. The City and the Agency wish to enter into the 2013 Intergovernmental Agreement in connection with the 2013 Financing Agreement.

III. AGREEMENT

NOW, THEREFORE, pursuant to the provisions of ORS Chapters 457 and 190, and in consideration of the benefits to accrue to the City, the Agency, the community and the citizens from this 2013 Intergovernmental Agreement and the 2013 Financing Agreement, and in consideration of the covenants set forth therein, the City and Agency agree as follows:

1. The Agency shall transfer Tax Increment Revenues to the City in amounts and at times sufficient for the City to pay the debt service on that portion of the 2013 Financing Agreement attributable to projects listed in an Urban Renewal Plan of the Agency at the time those projects were originally financed.
2. The Agency shall maintain in a reserve an amount equal to one year's annual debt service on the 2013 Financing Agreement and such reserve is pledged to the City to make the transfers described in paragraph 1. above. In addition, any amounts in the Agency's Urban Renewal Project Fund are pledged to the City to make the transfers described in paragraph 1. above.
3. The Agency hereby irrevocably pledges the Tax Increment Revenues to make the transfers described in paragraph 1. above. The provisions of this 2013 Intergovernmental Agreement and the Agency Resolution shall be a contract with the City.
4. The City agrees to take all steps required to qualify and maintain the 2013 Financing Agreement as a tax-exempt obligation.
5. The Agency agrees to take all steps required to qualify and maintain the 2013 Financing Agreement as a tax-exempt obligation.
6. The Agency may not incur any additional indebtedness payable from the Tax Increment Revenues without the prior written consent of the owner of the 2013 Financing Agreement, which consent shall not be unreasonably withheld.
7. The Agency shall not amend the Plan without first notifying the owner of the 2013 Financing Agreement.
8. The City and Agency have each taken the actions necessary to authorize this 2013 Intergovernmental Agreement and no challenge or appeal to such actions is pending.
9. The Authorized Representative of the City and the Authorized Representative of the Agency are authorized to execute this 2013 Intergovernmental Agreement on behalf of the respective bodies.
10. This 2013 Intergovernmental Agreement may not be modified by the City and the Agency without the prior written consent of the owner of the 2013 Financing Agreement.
11. This 2013 Intergovernmental Agreement shall be effective as of the date first listed above and shall terminate upon payment in full or defeasance of the 2013 Financing Agreement.

12. This 2013 Intergovernmental Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same agreement.

[Signatures appear on following page.]

**CITY OF DALLAS
POLK COUNTY, OREGON**

By _____
Authorized Representative

**CITY OF DALLAS DEVELOPMENT COMMISSION, URBAN
RENEWAL AGENCY
POLK COUNTY, OREGON**

By _____
Authorized Representative

APPROVED AS TO FORM:

Lane P. Shetterly, City Attorney