

ORDINANCE NO. 4972

An Ordinance making certain determinations and findings relating to and approving the McMinnville Urban Renewal Plan.

RECITALS:

WHEREAS, the City Council of the City of McMinnville ("Council") has declared that blighted areas exist in the City of McMinnville and has elected to have the powers of an urban renewal agency; and

WHEREAS, Council has declared that the name of the urban renewal agency shall be the McMinnville Urban Renewal Agency ("Agency"); and

WHEREAS, the McMinnville Urban Renewal Agency ("Agency"), as the duly authorized and acting urban renewal agency of the City of McMinnville, Oregon ("City"), is proposing to undertake certain urban renewal activities in a designated area within the City pursuant to ORS Chapter 457; and

WHEREAS, the Agency, pursuant to the requirements of ORS Chapter 457, has caused the preparation of an urban renewal plan which is attached to this Ordinance as Exhibit A, and incorporated herein by this reference ("Plan"). The Plan authorizes urban renewal activities within the McMinnville Urban Renewal Area (the "Area"); and

WHEREAS, the Agency has caused the preparation of a report accompanying the Plan as required by ORS 457.085(3) ("Report"), which Report is dated July 23, 2013, and is attached to this Ordinance as Exhibit B and incorporated herein by this reference; and

WHEREAS, the Plan and the Report were forwarded to the City of McMinnville Planning Commission for recommendation, and the Planning Commission considered the Plan and Report on June 20, 2013, and adopted a finding that the Plan conformed with the McMinnville Comprehensive Plan; and

WHEREAS, the Plan and the Report were forwarded on May 29, 2013, to the governing body of each taxing district affected by the Plan, and the Agency has thereafter consulted and conferred with said districts; and

WHEREAS, on June 17, 2013, the City met with representatives of Yamhill County to review the Plan, including proposed maximum indebtedness for the Plan; and

WHEREAS, the City Council has received and accepted the written recommendation from the Yamhill Soil and Water Conservation District encouraging the City to consider opportunities to incorporate and promote urban conservation practices as part of this planning effort; and

WHEREAS, from June 1 - 15, 2013, the City caused notice of the hearing to be held before the City Council on the McMinnville Urban Renewal Plan, including the required statements of ORS 457.120(3), to be mailed to utility customers within the City of McMinnville, and

WHEREAS, on July 23, 2013, the City Council held a public hearing to review and consider the Plan, the Report, the recommendation of the Planning Commission, and the public testimony received on that date, and does by this Ordinance desire to approve the Plan; Now, therefore

THE COUNCIL OF THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the City Council hereby determines and finds that the Plan complies with all requirements of ORS Chapter 457 and the specific criteria of ORS 457.095(1) through (7), in that, based on the information provided in the Report, the recommendation of the Planning Commission, and the public testimony before the City Council:

1. The area designated in the Plan as the Area is blighted, as defined by ORS 457.010(1) and is eligible for inclusion within the Plan because of conditions described in Section II of the Report, including inadequate streets and other rights of way, open spaces and utilities, and a prevalence of depreciated values resulting from underdevelopment and underutilization of property within the Area.
2. The rehabilitation and redevelopment described in the Plan to be undertaken by the Agency is necessary to protect the public health, safety and welfare of the City because absent the completion of the urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according to the goals of the City's Comprehensive Plan.
3. The Plan conforms to the McMinnville Comprehensive Plan as a whole, and provides an outline for accomplishing the projects described in the Plan, as more fully described in Chapter X of the Plan.
4. In connection with any residential displacement occurring as a result of the acquisition and disposition of land in the Plan, provision has been made for displaced persons in Relocation

Section of the Report as required under applicable state and federal law.

5. The acquisition of real property provided for in the Plan is necessary for the development of infrastructure improvements, including parking improvements, in the Area and for the development of public spaces, because the Agency does not own all the real property interests (rights of way, easements, fee ownership) that will be required to undertake and complete these projects as described in Chapter IV of the Plan and Section V of the Report.
6. Adoption of and carrying out the Plan is economically sound and feasible in that funds are available to complete the Plan projects using urban renewal tax increment revenues derived from a division of taxes pursuant to section 1c, Article IX of the Oregon Constitution and ORS 457.440, and other available funding as shown in The Estimated Total Cost of Each Project and the Sources of Moneys to Pay Such Costs, The Estimated Amount of Tax Increment Revenues Required and the Anticipated Year in Which Indebtedness Will be Retired, and Financial Analysis of the Plan sections of the Report.
7. The City shall assume and complete any activities prescribed it by the Plan.
8. The City Council expressly accepts the written recommendation of the Yamhill Soil and Water Conservation District encouraging the City to consider opportunities to incorporate and promote urban conservation practices as part of this planning effort.

Section 2. That the McMinnville Urban Renewal Plan is hereby approved based upon review and consideration by the City Council of the Plan, the Report, the recommendations of the Planning Commission, and the public testimony in the record.

Section 3. That the City Recorder shall forward to the Agency a copy of this Ordinance.

Section 4. That the Agency shall cause a copy of the Plan to be recorded in the Records of Yamhill County, Oregon.

Section 5. That the City Recorder, in accordance with ORS 457.115, shall publish notice of the adoption of the Ordinance approving the Plan, including the provisions of ORS 457.135, in the News Register no later than four days following adoption of this Ordinance.

Passed by the City Council this 23rd day of July 2013, by the following votes:

Ayes: Hill, Jeffries, May, Menke, Ruden, Yoder

Nays: _____

Approved this 23rd day of July 2013.


MAYOR

Attest:


CITY RECORDER

Approved as to Form:


CITY ATTORNEY