



Home of the Tualatin River National Wildlife Refuge

URBAN RENEWAL AGENCY MEETING PACKET

FOR

Tuesday, July 7, 2015

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

URA Board of Directors Regular Meeting
(Following the City Council Meeting)

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING AGENDA**

Tuesday, July 7, 2015
(Following the City Council Meeting)

**City of Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

URA BOARD REGULAR SESSION

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONSENT AGENDA**
 - A. Approval of June 16, 2015 URA Board Meeting Minutes**
- 4. PRESENTATION**
 - A. Cannery Leasing and Purchasing Update** (Tom Pessemier, Assistant City Manager)
- 5. NEW BUSINESS**
 - A. URA Resolution 2015-005 authorizing an Intergovernmental Agreement for services between the Sherwood Urban Renewal Agency and the City of Sherwood** (Tom Pessemier, Assistant City Manager)
- 6. STAFF REPORT**
- 7. ADJOURN**

SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING MINUTES
Tuesday, June 16, 2015
22560 SW Pine Street, Sherwood, Oregon 97140

REGULAR SESSION

1. **CALL TO ORDER:** Chair Krisanna Clark called the meeting to order at 9:20 pm.
2. **BOARD PRESENT:** Chair Clark, Sally Robinson, Linda Henderson, Dan King, Renee Brouse and Jennifer Kuiper. Jennifer Harris was absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joe Gall, Assistant City Manager Tom Pessemier, Police Chief Jeff Groth, Finance Director Julie Blums and Agency Recorder Sylvia Murphy. City Attorney Chad Jacobs.

Chair Clark addressed the consent agenda and asked for a motion.

4. **CONSENT AGENDA:**

A. Approval of June 2, 2015 URA Board Meeting Minutes

MOTION: FROM SALLY ROBINSON TO APPROVE THE CONSENT AGENDA, SECONDED BY DAN KING, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (JENNIFER HARRIS WAS ABSENT).

Chair Clark addressed the next agenda item.

5. **NEW BUSINESS:**

A. URA Resolution 2015-003 Transferring Budget Expenditure Appropriations between Categories and Funds for Budget Year 2014-15

Finance Director Julie Blums stated as with the City budget this is the last appropriations transfer for the year for the urban renewal district. She said we are transferring expenditure authority between the Operations Fund and the Capital Fund and in between categories. She said the majority of this is related to: In last year's budget we had money allocated for the purchase of the property on First Street and that was not completed before June 30 and it rolled over into the new year and we did not have the appropriation there for the purchase in this current year. She said with the Cedar Creek Trail, the urban renewal portion allotment to that project we thought would be done by June 30 of last year and it wasn't and rolled into this year. She said we also needed some additional staff time in the operations fund related to finding vendors to lease the retail space at the Center for the Arts, business development in old town and working on selling some of the property in the urban renewal district. She said we are hoping to close it down in 2021 and are starting to work on that process of divesting some of the property we own.

Chair Clark asked for Board questions, with none received, she asked for a motion.

MOTION: FROM DAN KING TO ADOPT URA RESOLUTION 2015-003, SECONDED BY CHAIR CLARK, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (JENNIFER HARRIS WAS ABSENT).

Chair Clark addressed the next agenda item and the agency recorder read the public hearing statement.

6. PUBLIC HEARING:

A. URA Resolution 2015-004 Adopting the 2015-16 budget of the City of Sherwood Urban Renewal Agency, making appropriations, imposing and categorizing taxes, and authorizing the agency manager to take such action necessary to carry out the adopted budget

Chair Clark opened the public hearing.

Eugene Stewart Sherwood property owner came forward and said if you take all the expenditures that have been done according to the annual audit reports and subtract the expenditures for principle and interest and then add in the current year's budget and next years proposed budget, the numbers come up that you have overspent by \$300,000. He said he doesn't understand and maybe you aren't spending \$300,000 this year. He said it's hard to get an answer, are we going to tie in our expenditures with our budget at some point to verify that we are not overspending. He said we may know more after we see the budget for this year and the planned expenditures for next year. He said the numbers he has kept track of, it seems like the audit reports don't tie in with what you're saying you have spent. He said he knows there could be things bouncing back and forth between years and he is a bit concerned about this, if there is an expenditure in there you're not counting or some of the money that was spent from the City side has not been added into this, but you're paying back the bonds. He said staff could never explain why it did not compare, but you're a lot closer in comparison to prior years. He said he' will keep an eye on it as we move forward but it seems like you're overspending.

With no other testimony received, Chair Clark closed the public hearing.

Ms. Robinson asked Julie Blums to correct her if she's wrong, and said our budget that we are adopting is self-sustaining in that, is it the same as the City budget where whatever revenues we have coming in, we don't spend more than what we receive.

Julie Blums replied it is different for urban renewal. She said we can spend out fund balance and we can do that because we are winding down the district, that's part of the program so that when we get to the end we have zero. She said this is different from the general fund.

With no other questions or comments, Chair Clark asked for a motion.

MOTION: FROM DAN KING TO ADOPT URA RESOLUTION 2015-004, SECONDED BY LINDA HENDERSON, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR. (JENNIFER HARRIS WAS ABSENT).

7. STAFF REPORT:

None.

8. ADJOURN:

Chair Clark adjourned at 9:28 pm.

Submitted by:

Sylvia Murphy, MMC, Agency Recorder

Krisanna Clark, Chair

URA Board Meeting Date: July 7, 2015

Agenda Item: New Business

TO: Urban Renewal Agency Board of Directors
FROM: Tom Pessemier, Assistant City Manager
Through: Joseph Gall ICMA-CM, City Manager/URA Administrator
SUBJECT: **URA Resolution 2015-005 authorizing an Intergovernmental Agreement for services between the Sherwood Urban Renewal Agency and the City of Sherwood**

Issue:

Should the URA Board authorize an intergovernmental agreement with the City of Sherwood for services to be provided by the City and the Agency?

Background:

The Sherwood Center for the Arts was built by the Urban Renewal Agency and is partly finished. The portion of the building for the Arts Center is complete and currently being operated by the City of Sherwood. The portion of the building for retail space is mostly complete but additional work is necessary for tenants to occupy the space.

There are additional funds that have been committed to finish tenant improvements in the retail space which will be paid for by the Urban Renewal Agency. Subsequently the building will be transferred to the City of Sherwood in its entirety. Leasing for the space will be done by the City of Sherwood but will rely on URA monies.

It is impractical for the URA and the City to be completing tasks simultaneously and this Intergovernmental Agreement has been crafted to ensure that the relationships and tasks to be performed are clear.

Financial Impacts:

None

Recommendation:

Staff respectfully requests the URA Board adopt URA Resolution 2015-005 approving and authorizing the Agency Administrator to execute the intergovernmental agreement between the City and the URA.



URA RESOLUTION 2015-005

AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR SERVICES BETWEEN THE SHERWOOD URBAN RENEWAL AGENCY AND THE CITY OF SHERWOOD

WHEREAS, the Urban Renewal Agency of the City of Sherwood is the duly designated Urban Renewal Agency for the City of Sherwood, Oregon is undertaking to carry out the Sherwood Urban Renewal Plan ("Plan") which plan was approved by the City Council ("Council") on August 29, 2000 by Ordinance No. 2000-1098 after a Public Hearing; and

WHEREAS, the City of Sherwood, Oregon, a municipal corporation established under ORS Chapter 221 ("City"), and the Sherwood Urban Renewal Agency ("URA" or "Agency"), a municipal corporation established under ORS Chapter 457 entered into an Intergovernmental Agreement ("Agreement") through Resolution 2011-003 whereby the City agreed to provide multiple general support services to the Agency; and

WHEREAS, the previous Agreement did not contemplate the timing and activities of the various Center for the Arts financial and operating responsibilities; and

WHEREAS, the Agency built and owns the Sherwood Center for the Arts ("Center"), which is located at 22689 SW Pine Street, Sherwood OR 97140; and

WHEREAS, the City provides financial, administrative and other support services to the Agency including running the Center; and

WHEREAS, the Agency and City desire to formalize their relationship as it relates to the Center; and

WHEREAS, pursuant to ORS Chapter 190, the City and Agency are authorized to enter into intergovernmental agreements for the performance of tasks either is authorized by law to perform.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SHERWOOD URBAN RENEWAL AGENCY:

Section 1. The Sherwood Urban Renewal Agency does hereby approve the Intergovernmental Agreement between the Agency and the City of Sherwood as shown in Exhibit A.

Section 2: The City of Sherwood does hereby authorize the Agency Administrator to execute the Intergovernmental Agreement between the City of Sherwood and the Agency as shown in Exhibit A.

Section 3. This Resolution shall be effective from and after its adoption by the Agency Board.

Duly passed by the Urban Renewal Agency Board this 7th day of July 2015.

Krisanna Clark, Chair

Attest:

Sylvia Murphy, MMC, Agency Recorder

Exhibit A
INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SHERWOOD
AND
THE SHERWOOD URBAN RENEWAL AGENCY

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) is entered into by and between the City of Sherwood, Oregon, a municipal corporation established under ORS Chapter 221 (“City”), and the Sherwood Urban Renewal Agency (“URA” or “Agency”), a municipal corporation established under ORS Chapter 457.

WHEREAS, the URA built and owns the Sherwood Center for the Arts (“Center”), which is located at 22689 SW Pine Street, Sherwood, OR 97140.; and

WHEREAS, the City provides financial, administrative and other support services to the URA including running the Center; and

WHEREAS, the URA and City desire to formalize their relationship as it relates to the Center; and

WHEREAS, pursuant to ORS Chapter 190, the City and Agency are authorized to enter into intergovernmental agreements for the performance of tasks either is authorized by law to perform;

NOW, THEREFORE, THE CITY OF SHERWOOD, OREGON AND THE SHERWOOD URBAN RENEWAL AGENCY HEREBY AGREE AS FOLLOWS:

- 1. City Duties and Responsibilities.** City shall assume all duties related to the Center as if City were the owner of the land and building. Such duties shall include but not be limited to staffing, general maintenance, janitorial services, utilities, garbage, leasing of commercial spaces, security, insurance and landscaping. City is expressly authorized to sign any lease of the commercial spaces on behalf of the URA and agrees to be responsible for the payment of any taxes required to be paid due to the leasing of the commercial spaces in the Center.
- 2. Agency Duties and Responsibilities.** Agency shall be responsible for capital improvements to the Center, which shall include but not be limited to any tenant improvements necessary to lease the commercial spaces. City shall notify URA of the costs of such improvements as they become needed. Either City or Agency may enter into the contracts necessary to make such improvements. Should City enter into such contracts on behalf of the URA, City shall provide any necessary invoices to the Agency for timely payment and Agency agrees to make payments to the City in a timely manner.
- 3. Compensation.** In exchange for the services provided under this Agreement, City may keep any rental payments made by third parties that lease commercial space at the Center.

4. Transfer of Center. The Parties agree, consistent with the Agency’s Urban Renewal Plan, that the URA will eventually transfer ownership of the Center to the City. The purpose and intent of this Agreement is to formalize the rights and responsibilities of the Parties related to the Center until such transfer occurs. This Agreement shall automatically terminate upon the Agency’s transfer of the Center to the City.

5. Additional Terms.

a. Severability. If any section, clause or phrase of this Agreement is judicially deemed invalid, illegal, or unenforceable in any respect, the remaining parts of this Agreement shall be severed from the invalid parts and remain in full force and effect.

b. Modification. This Agreement may be modified by mutual written consent of the parties. Any modification to a provision in this Agreement shall have no effect upon other provisions in this Agreement unless stated in writing.

c. Term and Termination. Unless otherwise provided herein, this Agreement shall remain in effect until terminated by the parties by mutual agreement. This Agreement may be terminated by mutual written consent of the parties. Termination of this Agreement shall not affect the duties and obligations of the parties that accrued prior to the termination, including any bond loan or other repayment obligations.

d. Effective Date. This Agreement is effective upon the latest date it is executed by the parties below.

WHEREAS, all the aforementioned is hereby agreed upon by the parties and executed by the duly authorized signatures below.

CITY OF SHERWOOD

**SHERWOOD URBAN RENEWAL
AGENCY**

City Manager

Agency Administrator

City Recorder

Date

Date