

ORDINANCE NO.

Approve the First Amendment to the Lents Town Center Urban Renewal Plan to: expand boundaries by 140.05 acres, increase maximum indebtedness by \$170 million, and extend expiration date to June 30, 2020 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Council adopted the Lents Town Center Urban Renewal Plan (the “Plan”) on September 9, 1998, by Ordinance No. 172671 to provide tax increment funding and urban renewal authority to eliminate blight and foster development and redevelopment in order to protect the public health, safety, and welfare of the City of Portland.
2. The Council established the maximum indebtedness of \$75,000,000 when it adopted the Plan.
3. The Plan has a last date to issue debt of October 1, 2015 after which time the City and the Portland Development Commission (Commission) will lose the ability to issue additional bonded indebtedness to carry on the important work of alleviating blight in the area.
4. The Commission authorized the Lents Plan Amendment Study on April 25, 2007, Resolution No. 6478, to determine whether there are projects and priorities which merit extending the life of the Plan, increasing the maximum indebtedness for the Plan or increasing the size of the district.
5. The Lents Town Center Urban Renewal Advisory Committee adopted a sub-committee report on January 8, 2008 which recommended extending the Plan to June 30, 2020, increasing the indebtedness by \$170 million and expanding the district by 140.05 acres.
6. The 140.05 net acres for expansion of the Plan Area to include the blighted property as described in Exhibit A is necessary to facilitate development and redevelopment of properties as described in Exhibit A.
7. The Commission has sought and received valuable input from related taxing jurisdictions pursuant to ORS 457.085(5), citizens and other interested parties in Portland who have requested the continuation of urban renewal activity within the district.
8. The Commission has also determined that 64.62 acres under the Interstate 205 right-of-way can be removed from Lents Town Center Urban Renewal Area.

9. On May 14, 2008, the Commission held a public hearing and, after considering the testimony and other information presented to it, approved the First Amendment to the Lents Town Center Urban Renewal Area Plan (First Amendment) which, among other changes, expands the boundaries by a net 140.05 acres, increases maximum indebtedness by \$170 million and extends the expiration date to June 30, 2020. (PDC Resolution Number 6583.)

10. The Executive Director, under authorization from the Portland Development Commission Board of Directors, has submitted the First Amendment, together with resolutions, reports and other supporting materials, to the Portland Planning Commission for review and recommendation, and to the City Council for final approval in accordance with the terms of the Plan and ORS 457.095.

11. On June 3, 2008, the Portland Planning Commission reviewed the Commission's proposed First Amendment at a public hearing. After considering the testimony and other information presented to it at the hearing, the Planning Commission recommended changes to explain the First Amendment's relationship to local objectives pursuant to ORS 457.085(2)(d) and, as modified, recommended approval of the First Amendment.

12. On June 18, 2008, the City Council received and considered public testimony on the proposed First Amendment at a public hearing before the Council with notice of such hearing distributed to all postal patrons within the City of Portland as required by ORS 457.120.

13. The City Council also considered materials forwarded by the Portland Development Commission and the Portland Planning Commission and the input of the community and believes additional time and resources are required in order to eliminate blight and invest in the economic development activities within the area covered by the Plan as amended by the First Amendment.

14. A finding of blight was made in the original ordinance adopting the Plan (Ordinance No. 172671). Since the original Plan has not been completed, the original findings of blight continue to be accurate. In addition, the Commission's report accompanying the First Amendment includes findings of blight with respect to property to be added to the Lents Town Center Urban Renewal Area by the First Amendment.

15. Pursuant to ORS 457.095 and as described in greater detail in the attached Exhibits A, B and C, the Council finds: (a) the Plan area, as amended by the First Amendment, is blighted; (b) rehabilitation and redevelopment is necessary to protect the public health, safety and welfare of the City of Portland; (c) the Plan, as amended by the First Amendment, conforms with the Comprehensive Plan of the City of Portland and provides an outline for accomplishing urban renewal projects proposed in the amended Plan; (d) provisions have been made to house displaced persons within their financial means in accordance with ORS 35.500 to 35.530 and, except in the relocation of elderly or disabled individuals, without displacing on priority lists persons already waiting for federally subsidized housing; (e) acquisition of real property is provided for and it is necessary; (f) adoption and carrying out the Plan, as amended by the First Amendment, is economically sound and feasible; and (g) the City shall assume and complete any activities prescribed by the Plan, as amended by the First Amendment.

16. The First Amendment to the Lents Town Center Urban Renewal Plan is being adopted as a substantial amendment pursuant to the Section XII(A) of the Plan. For a substantial amendment, Section XII(A) requires the notice, hearing and approval procedures required by statute for initial plan adoption. These requirements include approval of the proposed amendment by the Portland Development Commission, review and recommendation by the Planning Commission, approval by the City Council in accordance with ORS 457.095, and the notice required by ORS 457.120.

The City and the Portland Development Commission have complied with all of the requirements for adoption of a substantial amendment under the Plan and ORS 457.095.

17. As described in the Commission's report accompanying the First Amendment (included in Exhibit A), after approval of the First Amendment, the City will remain in compliance with the land area and assessed value limits imposed by ORS 457.420.

NOW, THEREFORE, the Council directs:

a. The First Amendment to the Lents Town Center Urban Renewal Plan, attached hereto as Exhibit C and incorporated herein by reference, is hereby approved.

b. The City Auditor shall forward to the Portland Development Commission and to the City of Portland Planning Commission certified copies of this Ordinance upon adoption by the Council.

c. The Portland Development Commission shall record in the Deed Records of Multnomah County, Oregon, a copy of this Ordinance and the First Amendment to the Plan upon adoption by the Council.

d. The City Auditor, in accordance with ORS 457.115, shall publish notice of the adoption of this Ordinance approving the First Amendment to the Plan, including the provisions of ORS 457.135, in the newspaper having the greatest circulation in the City of Portland within four days following the adoption of this Ordinance.

Passed by Council: _____, 2008
Mayor Tom Potter
Prepared by:

GARY BLACKMER
Auditor of the City of Portland
By /S/ Andrew N. Bryans
Deputy