

COMMUNITY DEVELOPMENT COMMISSION MEETING AGENDA



July 11, 2024

6:00 PM

Central Point City Hall

140 S 3rd St, Central Point, OR

www.centralpointoregon.gov

10. Meeting Called to Order

20. Roll Call

30. Approval of Minutes

- A. Approval of June 13, 2024, Meeting Minutes

40. Presentation

- A. June 30, 2022 Audit Presentation
Steven Weber, Finance Director

50. Discussion Items

- A. Resolution Amending Rules of Procedure - Meeting Times
Sydnee Dreyer, City Attorney
- B. Resolution Approving Future Funding of Community Center
Chris Clayton, City Manager

60. Adjournment

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 72 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 541-423-1015 (voice), or by e-mail to rachel.neuenschwander@centralpointoregon.gov. Si necesita traductor en español o servicios de discapacidades (ADA) para asistir a una junta pública de la ciudad por favor llame con 72 hora de anticipación al 541-664-3321 ext. 201.

COMMUNITY DEVELOPMENT COMMISSION MEETING MINUTES



June 13, 2024
6:00 PM
Central Point City Hall
140 S 3rd St, Central Point, OR
www.centralpointoregon.gov

1 Meeting Called to Order

The meeting was called to order at 6:05 PM by Chair Hank Williams

2 Roll Call

The following members were present: Ward IV Tanea Browning, Mayor Hank Williams, At Large Rob Hernandez, At Large Michael Parsons, Ward II Kelley Johnson, Ward I Neil Olsen

The following members were absent: Ward III Melody Thueson

The following staff were also present: City Manager Chris Clayton, City Attorney Sydnee Dreyer; Parks and Public Works Director Matt Samitore, Finance Director Steve Weber, and City Recorder Rachel Neuenschwander.

3 Approval of Minutes

A. Approval of January 25, 2024, Meeting Minutes

Motion: Approve

Moved By: Tanea Browning **Seconded by:** Michael Parsons

Roll Call: Members Tanea Browning, Hank Williams, Rob Hernandez, Neil Olsen, Kelley Johnson, Michael Parsons voted yes. None voted no.

4 Presentation

A. 2021/2022 Audit Presentation

Presentation was canceled.

5 Discussion Items

A. Resolution Approving MOU with Fire District 3 - Fire Equipment

City Manager Chris Clayton presented the Resolution approving the MOU with Fire District 3 - Fire Equipment to the Development Commission. The Urban Renewal Plan (the "Plan") provides that the Urban Renewal District may fund "in full, in part, a proportionate share of, or cause to be funded" a list of projects and activities that are intended and necessary to further the objective of the Plan. Project No. 14 of the Plan provides for purchasing new fire equipment to service growth within the Urban Renewal Area. Project 14 intends for the CPDC and the District to coordinate and enter into a written agreement regarding the timing of implementation of this project. The fire equipment costs \$2,758,598, and the Urban Renewal District will fund approximately 25% of the equipment purchase.

Michael Parsons moved to approve Resolution No. 2024-02 a resolution Approving a Memorandum of Understanding with Fire District 3 for contribution to Fire Equipment.

Motion: Approve

Moved By: Michael Parsons **Seconded by:** Tanea Browning

Roll Call: Members Tanea Browning, Hank Williams, Rob Hernandez, Neil Olsen, Kelley Johnson, Michael Parsons voted yes. None voted no.

B. Resolution Approving Fiscal Year 2024-25 Budget

Finance Director Steve Weber presented a resolution approving the Fiscal Year 2024-25 Budget to the Development Commission. The Central Point Development Commission Budget Committee met on May 20, 2024, and approved it to move forward to the Board of Directors for formal adoption. The total budget presented for adoption is \$2,458,040.

Michael Parsons moved to approve Resolution No. 2024-03 a resolution adopting the Budget, Making Appropriations, and

Declaring Tax Increment.

Motion: Approve

Moved By: Michael Parsons **Seconded by:** Tanea Browning

Roll Call: Members Tanea Browning, Hank Williams, Rob Hernandez, Neil Olsen, Kelley Johnson, Michael Parsons voted yes. None voted no.

C. Visitors Information Center Increase of Funding Request

City Manager Chris Clayton presented to the Development Commission a request from the Visitors Information Center requesting additional funding to offset the cost increases in the Central Point Visitors Information Center operations and payroll expenses. The financial impact of the request is \$500 per month, totaling \$6,000 for the fiscal year. If this were to move forward, he and City Attorney Sydnee Dreyer would amend the current contract with the Visitors Center to include these additional funds and bring it back for approval.

Commissioners were not opposed to the increase but inquired how much other municipalities contribute to the Visitor's Information Centers in their areas. Staff will research this and bring the information back to a future meeting.

6 Adjournment

Neil Olsen moved to adjourn, all said aye and the meeting was adjourned at 6:28 PM

The foregoing minutes of the June 13, 2024, Council meeting were approved by the City Council at its meeting of _____, 2024.

Dated:

Mayor Hank Williams

ATTEST:

City Recorder



DEPARTMENT: Administration **MEETING DATE:** July 11, 2024

STAFF CONTACT: Sydnee Dreyer, City Attorney

SUBJECT: Resolution Amending Rules of Procedure - Meeting Times

SUMMARY AND BACKGROUND:

The Central Point Development Commission was created pursuant to CPMC 2.62. CPMC Section 2.62.050 requires the Commission to adopt rules of procedure to govern the conduct of Commission business, which were adopted by the Commission on May 26, 2011, via Resolution No. 2011-01. Since that time, there have been no amendments to the rules.

The existing rules of procedure provide that the meetings will take place at 6:00 pm on the fourth Thursday of each month.

Given proposed changes to Council meeting times, staff recommends providing additional flexibility to the time for Development Commission meetings to allow them to occur in conjunction with either regular council meetings, or study sessions, and to further allow the meetings to be held either immediately before, or after, such meetings.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

In order to change meeting dates and times, the Commission must amend its rules of procedure.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

ATTACHMENTS/EXHIBITS:

1. RESO Amending Dev Comm Rules - Meeting Times

STAFF RECOMMENDATION:

RECOMMENDED MOTION:

I move to approve Resolution No. _____ a Resolution Approving an Amendment to Rule of Procedure - Meeting Times.

RESOLUTION NO. _____

**BEFORE THE
CENTRAL POINT DEVELOPMENT COMMISSION**

**A RESOLUTION APPROVING AN AMENDMENT TO RULES OF PROCEDURE –
MEETING TIMES**

RECITALS:

- A. The Central Point Development Commission was created pursuant to CPMC 2.62.
- B. CPMC Section 2.62.050 requires the Commission to adopt rules of procedure to govern the conduct of Commission business.
- C. On May 26, 2011, the Commission adopted Resolution No. 2011-01 adopting rules of procedure. Since that time, there have been no amendments to the rules.
- D. The Commission desires to modify Article 4, Section 8 regarding dates and times of regular meetings in order to provide more flexibility for meetings.

The Central Point Development Commission resolves as follows:

Section 1. The Development Commission hereby amends in its entirety Article 4, Section 8, Meetings, of the May 26, 2011 Rules of Procedures to read as follows:

“Section 8. Regular Meetings. Regular meetings shall be in accordance with ORS Chapter 192. All meetings shall be held in the Central Point Council Chambers, or at such other place as the chair shall determine. Regular meetings shall be held on Mondays, or Thursdays, immediately prior to, or following, a regularly scheduled Council study session or regular Council meeting, as necessary.”

Section 2. Except as modified herein, all other Rules of Procedure remain in full force and effect.

Section 3. This Resolution shall take effect immediately from and after its passage and approval.

Passed by the Development Commission and signed by me in the authentication of its passage this ____ day of _____, 2024.

Hank Williams, Chair
Central Point Development Commission

ATTEST:

City Recorder

2 - Resolution No. _____ 7/11/2024 (Development Commission Meeting)



DEPARTMENT: Administration

MEETING DATE:

July 11, 2024

STAFF CONTACT: Chris Clayton, City Manager

SUBJECT: Resolution Approving Future Funding of Community Center

SUMMARY AND BACKGROUND:

The City and Jackson County are partnering to construct a multi-use pandemic relief center (“Facility”) which will include approximately 36,853 square feet for the City’s exclusive use as a community center, as well as opportunities for shared use of the Facility for other events.

The Urban Renewal Plan, as amended in 2022 (the “Plan”) provides that the Urban Renewal District may fund a Community Center. In particular Project 13 states: “City of Central Point Community Center. Assist with the feasibility analysis, site and architectural design, land acquisition, and construction of a community center within the Area. The Agency’s participation in the development of a community center shall be limited to the percentage of the total design and development costs, including land acquisition that can be reasonably attributed to serving the Area. 2022 update: The proposed Community Center now includes a possible location on Jackson County controlled land outside of Central Point city limits (Expo Property/Site). This property is being included into the urban renewal area in the 2022 amendment”.

The Community Center will be used both as a community recreation resource and also as an evacuation center for the community. The funds being allocated to the Community Center project by the Development Commission are being leveraged by significant funds from Jackson County. The City of Central Point is unable to construct a Community Center without this partnership with Jackson County. The Community Center will serve dual purpose needs for the Urban Renewal Area (“Area”). The recreation need is a resource that will enhance the overall community atmosphere including providing a community where people will want to work and reside, supporting the Area. The evacuation center is an important community safety need, and the Area does not have the capacity to adequately serve this need at this time.

If approved, the proposed resolution will authorize the future funding of the community center and provide a basis for determining the appropriate share of those costs to be paid out of Urban Renewal Funds.

FINANCIAL ANALYSIS:

LEGAL ANALYSIS:

The Commission has discretion to determine the meaning of its plan, within the bounds of the law, and in particular the meaning of "reasonably attributed to" for purposes of funding the community center. ORS Ch. 457 does not define proportionality. In determining how much of the building is "reasonably attributed to" the area, the Commission can consider such factors as the regional benefits this center will provide, as well as the financial leverage the City can gain through its partnership with Jackson County.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS:

Strategic Priority - Responsible Governance

GOAL 2 - Invite Public Trust.

STRATEGY 1 – Be a trusted source of factual information.

STRATEGY 5 – Communicate effectively and transparently with the public.

ATTACHMENTS/EXHIBITS:

1. RESO Approving Funding for Community Center
2. Community Center 07 01 2024

STAFF RECOMMENDATION:

In order to provide adequate interpretation of the appropriate funding for the Community Center, under Project 13 of the Plan, staff recommends the Council approve the Resolution. In the alternative, per the attached memo from the City's consultant, the Development Commission could amend the plan to clarify the intent. However, for efficiency and clarity, staff recommends approval of the attached Resolution.

RECOMMENDED MOTION:

I move to approve Resolution No. _____ a Resolution Approving an Amendment to Rule of Procedure - Meeting Times.

RESOLUTION NO. _____

**BEFORE THE
CENTRAL POINT DEVELOPMENT COMMISSION**

A RESOLUTION APPROVING FUTURE FUNDING OF COMMUNITY CENTER

RECITALS:

WHEREAS, the City and Jackson County are partnering to construct a multi-use pandemic relief center (“Facility”) which will include approximately 36,853 square feet for the City’s exclusive use as a community center, as well as opportunities for shared use of the Facility for other events;

WHEREAS, the Urban Renewal Plan, as amended in 2022 (the “Plan”) provides that the Urban Renewal District may fund a Community Center. In particular Project 13 states: “City of Central Point Community Center. Assist with the feasibility analysis, site and architectural design, land acquisition, and construction of a community center within the Area. The Agency’s participation in the development of a community center shall be limited to the percentage of the total design and development costs, including land acquisition that can be reasonably attributed to serving the Area. 2022 update: The proposed Community Center now includes a possible location on Jackson County controlled land outside of Central Point city limits (Expo Property/Site). This property is being included into the urban renewal area in the 2022 amendment”;

WHEREAS, the Development Commission finds that the Community Center will be used both as a community recreation resource and also as an evacuation center for the community. The funds being allocated to the Community Center project by the Development Commission are being leveraged by significant funds from Jackson County. The City of Central Point is unable to construct a Community Center without this partnership with Jackson County. The Development Commission sees the Community Center as meeting dual purpose needs for the Urban Renewal Area (“Area”). The recreation need is a resource that will enhance the overall community atmosphere including providing a community where people will want to work and reside, supporting the Area. The evacuation center is an important community safety need, and the Area does not have the capacity to adequately serve this need at this time.

WHEREAS, the Development Commission finds that “reasonably attributed” in this case means those funds necessary, as determined by the Development Commission to allow the construction of the Community Center to proceed given the funding allocated by Jackson County and any other potential funding sources.

1 - Resolution No. _____ 7/11/2024 (Development Commission Meeting)

WHEREAS, the City and Jackson County have entered into a long-term lease for the Community Center in which the City's share of the costs of design and construction is estimated to be between \$15,000,000 to \$18,000,000. The County has agreed to amortize this cost over the course of 35 years, at 4.5% interest. Interest will not accrue until the City is given possession of the premises for use as a Community Center, estimated to occur in the fall of 2026.

WHEREAS, the Development Commission finds these terms favorable and reasonably attributed to the Community Center.

The Central Point Development Commission resolves as follows:

Section 1. The Development Commission hereby approves the expenditure of District funds for the feasibility, site and architectural design, and construction of the Community Center in the amount of \$15,000,000 - \$18,000,000, payable in annual installments amortized over 35 years at 4.5% as provided in that lease between the City and Jackson County for the Community Center.

Section 2. This Resolution shall take effect immediately from and after its passage and approval.

Passed by the Development Commission and signed by me in the authentication of its passage this ____ day of _____, 2024.

Hank Williams, Chair
Central Point Development Commission

ATTEST:

City Recorder

MEMO

TO: Chris Clayton, City Manager
City of Central Point

FROM: Elaine Howard

RE: Community Center Funding

DATE: June 23, 2024

Issue:

The City and Development Commission would like to increase the percentage allocation to the Community Center from the allocation in the Report Accompanying the 2022 Amendment. The city manager has contacted our firm to provide some context for how to determine the “reasonable attributed to the Area” language in the project definition. The allocation of funds for the Community Center in the Report Accompanying the 2022 Amendment was \$4,500,000 in constant 2022\$ and an expected \$5,272,460 in year of expenditure dollars. The narrative in the Report states: “City staff provides cost estimates and are reviewed by City Council. These estimates are ballpark estimates and will be refined in the annual budgeting process with the acknowledgement of the limiting total cost factor of the maximum indebtedness. Different allocations may be made to different line items within the Plan.” This statement makes it clear that the amount allocated to the projects, including the Community Center project are subject to future change.

Background:

The City of Central Point amended the Downtown & East Pine Street Corridor Revitalization Plan in 2022 to add property to the boundary and add projects. One of the projects changed in the 2022 Amendment was the location and definition of the Community Center Project.

Project 13. City of Central Point Community Center definition:

“13. City of Central Point Community Center. Assist with the feasibility analysis, site and architectural design, land acquisition, and construction of a community center within the Area. The Agency’s participation in the development of a community center shall be limited to the percentage of the total design and development costs, including land acquisition that can be reasonably attributed to serving the Area.

2022 update: The proposed Community Center now includes a possible location on Jackson County controlled land outside of Central Point city limits (Expo Property/Site). This property is being included into the urban renewal area in the 2022 amendment.”

The concept of proportionality (“reasonable attributed to the Area”) is not specified in ORS 457. Legal counsel can provide guidance on whether the concept is specified elsewhere in the statute or in the Oregon Constitution. The *Best Practices for Tax Increment Financing Agencies in Oregon* addresses this issue with the following:

“Proportionality: Although proportionality is not a concept defined in statute, it resonates with many communities because it appeals to common sense. Some projects in a TIF district may have benefits that extend far beyond that area. Many jurisdictions consider the relative benefits of a project when determining the portion of the total project that should be funded by TIF.” (p 50)

“2. Projects with citywide or regional benefit

Some projects located within TIF districts provide benefits on a much broader scale. One such project would be a city hall, main library, or a public convention center. These public buildings are discussed in a separate section below.

Other examples of projects with broad benefits include a main trunk sanitary sewer or storm sewer or water lines that connect major parts of the system to a source or outfall. Similarly, transportation projects that range from freeway interchange improvements to transit facilities can often benefit the whole city or region. These projects are allowed under TIF and can be paid for with tax increment funds.”(p.50)

While the *Best Practices for Tax Increment Financing Agencies in Oregon* recommends proportionality in funding, the Best Practices Manual has no legal authority.

In addition to considering the statute and the Best Practices manual, we looked at the information provided to other taxing districts on the project to make sure no firm commitment on the Community Center funding was stated in the information to the taxing districts. The letters sent to the taxing districts as part of the consult and confer process for the 2022 Amendment stated: “The project for a community center is already a part of the Plan, however, the location has changed to be a joint center with Jackson County expected to be located at the Jackson County Expo site. A community center is not specifically identified as a public building project in ORS 457.010 (12). In addition, the community center project was already a part of the Plan prior to the inclusion of a definition of public building project in OR 457. If for some reason the community center project with Jackson County is not able to proceed, the Development Commission still has the authority to expend funds on the project elsewhere within the Plan boundary. Because property for the community center is outside the city boundaries, the Jackson County Board of Commissioners will need to approve the amendment by adoption of a resolution by the board for the amendment to move forward.”

Jackson County approved the Amendment in 2022. There was no set amount of funding for the Community Center specified in the taxing districts’ letter. The Report Accompanying the 2022 Amendment was an attachment to the taxing districts’ letter. The Report contained the language shown above about the funding amount that the Development Commission has the authority to

make changes to the funding amounts of all projects. Therefore, we do not see a need to revisit the funding of the Community Center with the other taxing districts.

We see two acceptable paths for moving forward with changing the allocation of funds for the Community Center project. We are not legal counsel, so this is not legal advice, but general urban renewal practitioner's advice.

1. The Development Commission could pass a minor amendment to the Plan removing the proportionality language from the definition for the Community Center project. If you are using bond funding or other formal borrowings, you will need to check this approach with bond counsel or other legal counsel. Specifically, a suggested change to project 13 is shown below:

~~"13. City of Central Point Community Center. Assist with the feasibility analysis, site and architectural design, land acquisition, and construction of a community center within the Area. The Agency's participation in the development of a community center shall be limited to the percentage of the total design and development costs, including land acquisition that can be reasonably attributed to serving the Area. 2022 update: The proposed Community Center now includes a possible location on Jackson County controlled land outside of Central Point city limits (Expo Property/Site). This property is being included into the urban renewal area in the 2022 amendment."~~

2. The Development Commission could define the proportionality language in a staff report or in a resolution adopted by the Development Commission as follows:

The present language for the Community Center project states:

"13. City of Central Point Community Center. Assist with the feasibility analysis, site and architectural design, land acquisition, and construction of a community center within the Area. The Agency's participation in the development of a community center shall be limited to the percentage of the total design and development costs, including land acquisition that can be reasonably attributed to serving the Area. 2022 update: The proposed Community Center now includes a possible location on Jackson County controlled land outside of Central Point city limits (Expo Property/Site). This property is being included into the urban renewal area in the 2022 amendment."

A potential definition of proportionality could be:

The Development Commission finds that the Community Center will be used both as a community recreation resource and also as an evacuation center for the community. The funds being allocated to the Community Center project by the Development Commission are being leveraged by significant funds from Jackson County. The City of Central Point is unable to construct a Community Center without this partnership with Jackson County. The Development Commission sees the Community Center as meeting dual purpose

needs for the Urban Renewal Area (“Area”). The recreation need is a resource that will enhance the overall community atmosphere including providing a community where people will want to work and reside, supporting the Area. The evacuation center is an important community safety need, and the Area does not have the capacity to adequately serve this need at this time. The Development Commission finds that “reasonably attributed” in this case means those funds necessary, as determined by the Development Commission, to allow the construction of the Community Center to proceed given the funding allocated by Jackson County and any other potential funding sources.