

ORDINANCE NO. 576

AN ORDINANCE CONTINUING AN ECONOMIC IMPROVEMENT DISTRICT, MAKING ASSESSMENTS, AUTHORIZING THE COLLECTION OF SAID ASSESSMENTS EACH YEAR FOR FIVE YEARS AND ASSESSING THE COST THEREOF AGAINST THE IDENTIFIED AND BENEFITED REAL PROPERTY

WHEREAS, the Council of the City of Willamina called for a public hearing on August 10, 1995 to receive testimony concerning the continuation of an economic improvement district. In accordance with Ordinance 573, the City Recorder prepared and mailed on July 7, 1995, to affected property owners a notice of the hearing and information pertaining to the area to be assessed, the rates to be charged various properties, and the estimated budget of the district.

WHEREAS, at the meeting held on August 10, 1995 the scheduled hearing was conducted. The Council voted to proceed with the continuation of the district and called for a public hearing at the September 28, 1995 meeting. The City Recorder was directed to mail notice of said hearing to affected property owners, said mailing being accomplished not later than August 27, 1995.

WHEREAS, the public hearing scheduled and conducted on September 28, 1995 received testimony from proponents and opponents of the proposed economic improvement district and the Council specifically noted the written objections to the project; now, therefore,

THE CITY OF WILLAMINA, OREGON, ORDAINS AS FOLLOWS:

Section 1. The Council makes and enters the following findings of fact based upon the oral and written testimony received at the public hearing:

- A. Written notices to the affected property owners were mailed 30 days prior to the scheduled public hearings.
- B. The area within the proposed district is zoned commercial or industrial.
- C. No residential real property or any portion of a structure used for residential purposes is assessed.
- D. Written objections to the proposed district that were received at the public hearing are less than 33 percent of the total assessments to be levied.

- E. The rate to be assessed each benefited and assessed property is in proportion to the benefit it may derive from the district.

Section 2. The Council of the City of Willamina hereby approves and continues the Willamina Economic Improvement District for the purpose of promoting within said district economic improvements by:

- A. The planning or management of development or improvement activities.
- B. Landscaping or other maintenance of public areas.
- C. Promotion of commercial activity of public events.
- D. Activities in support of business recruitment and development.
- E. Improvements in parking systems or parking enforcement.
- F. Any other economic improvement activity for which an assessment may be made on property specially benefited thereby.

Section 3. The Willamina Economic Improvement District shall be in effect for five consecutive years commencing January 1, 1996.

Section 4. The properties included in the Economic Improvement District are all of those properties in the City of Willamina which are zoned as either commercial or industrial, and such properties shall be assessed as follows:

Fully benefited commercial properties on Main Street shall be assessed 1/4 of 1% of assessed valuation.

Commercial properties on side streets B, C, D, E, F, Oaken Hills Drive, Lamson, Baker, Barber, Polk and James shall be assessed 1/8 of 1% of assessed valuation.

Commercial properties that are in industrial use shall be assessed 1/8 of 1% of assessed valuation.

Commercial properties that also include residential property will be prorated.

In no instance shall any residential real property be assessed.

Section 5. Each year by July 15, the City Recorder shall secure the assessed value of each property to be assessed and shall forward a listing of each property and the prescribed rate to be levied to the County Assessor of the County in which the property is located, who shall cause the prescribed rate to be levied.

Section 6. The City Recorder shall disburse funds to the Economic Improvement District as they are received for the duration of the district, to accomplish the purposes set forth in Section 2. No funds shall be distributed if the Economic Improvement District ceases to exist or the purposes set forth in the by-laws of the organization are amended so as to be in conflict with the enabling legislation contained in ORS Chapter 223 or in Section 2 of this ordinance.

Funds shall be allocated and expended by the Economic Improvement District in accordance with the following conditions:

- A. Any and all changes in officers, by-laws or other governing procedures will be submitted to the City of Willamina as soon as these changes take place.
- B. A report of the activities and programs undertaken and accomplished by the Economic Improvement District shall be filed with the City Recorder as of June 30 of each year of operation.
- C. A financial report will be submitted by the Treasurer of the Economic Improvement District to the City Recorder detailing all receipts and expenditures of funds provided by Economic Improvement District assessments. This report will be done as of June 30 of each year the district is in operation.
- D. All receipts, expenditures, invoices and other supporting documents concerning the Economic Improvement District finances shall be made available to the City Recorder in conjunction with the annual City audit.

Section 7. An advisory committee for the Economic Improvement District shall continue, consisting of five individuals who are either owners of property or managers of businesses located within the Economic Improvement District. The committee members shall serve a one year term.

The City Council shall receive nominees for members of the advisory committee and shall give due consideration to the nominees presented to the Council by local business organizations.

The advisory committee shall have the responsibility to allocate expenditures of monies for economic improvement activities within the scope of this ordinance.

Section 8. This ordinance shall be in full force and effect from and after its passage and approval.

Passed by the Council this 12th day of Oct., 1995.

AYES: Councilors Goff, Greb, Jenne

NAYS: None

ABSTAIN: Councilor Eddy
Submitted and approved by the Mayor this 12th day of October, 1995.

Iveta D. Hill
Mayor

ATTEST:

L. Charles Brown
Recorder