

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING AN ECONOMIC IMPROVEMENT DISTRICT WITHIN THE CITY'S CENTRAL BUSINESS DISTRICT APPLYING ONLY TO COMMERCIAL PROPERTIES, AND ESTABLISHING A PROCESS FOR IMPOSITION OF ASSESSMENTS

WHEREAS, the City Council upon request by various downtown business and property owners, through the Bend Downtowners' Association, Inc., conducted a public hearing on March 7, 2007 on the question whether to create the BEND DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT; and

WHEREAS, the City provided not less than thirty days notice of the March 7, 2007 hearing; and

WHEREAS, ORS 223.112 to ORS 223.161 authorizes the City to establish economic improvement districts and to use assessments from the district to fund specific economic improvement projects, which power is in addition to other powers of the City to form economic improvement districts under ORS 223.132; and

WHEREAS, the City Council finds that the creation of the District has various beneficial purposes as set forth in this ordinance; and

AND WHEREAS, the City is required after establishment of the District to provide notice to property owners of assessments and then conduct an additional hearing to receive remonstrances (also called objections), if any.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1: **Findings:** The City Council adopts the following findings of facts:

- 1) The City Council on March 7, 2007 held a public hearing regarding the establishment of an economic improvement district;
- 2) Written notices to the affected property owners were mailed no less than thirty (30) days prior to that hearing;
- 3) The area within the boundaries of the proposed district is zoned commercial;
- 4) No residential real property or any portion of a structure used primarily for residential purposes will be assessed;
- 5) A preliminary estimate of the probable cost of the activities to be funded pursuant to Section 2 of this Ordinance is approximately \$100,000.00 per

year, and the proposed formula for apportioning costs is set forth in Section 4 of this Ordinance;

- 6) The rate to be assessed each benefited and assessed property is in proportion to the benefit that the property may be derived from the district.

Section 2: Creation of District:

- (a) The City Council of Bend hereby approves and creates the “Bend Downtown Economic Improvement District.” The Bend Economic Improvement District is authorized to make economic improvements defined by ORS 221.112(2), and in particular, is authorized to expend revenues generated by assessments imposed by this ordinance and the assessment resolution on the following improvements, which shall all be deemed part of the economic improvement project undertaken by the Economic Improvement District as provided in ORS 223.117(1)(a):

- Flower baskets-every block-spring and summer
- Beautified planters-every block-year around
- Sidewalk snow removal-District wide-November to April
- Sidewalk sweeping and debris removal-year around
- Graffiti removal-year around
- Tree lights-winter
- Holiday Wreaths-winter
- Banners
- Benches
- Outdoor Music

Beautification projects and services will be provided equally throughout the EID area with every block receiving flowers, every tree with electrical service receiving lights, etc. Maintenance will be performed throughout the entire EID area. Capital improvements will be phased in over the life of the EID in a geographically equitable manner. The EID will be managed by a professional director (Project Manager), paid from EID revenues for 30 hours per week.

The tasks of the Project Manager shall include, but not be limited to:

- Organize and oversee Committees that will help direct the economic improvement projects (beautification etc.)
- Research contractors for projects and operate RFP processes to find best candidates
- Oversee and manage contractors from concept to completion
- Develop quarterly reports to property and business owners on EID progress
- Coordinate resources with the City of Bend to ensure there is maximum leveraging of funding

- Report monthly progress in newsletter to all downtown stakeholders
- Organize and coordinate monthly Board Meetings to report on EID progress
- Oversee all fiscal EID activities including budgeting and accounts payable and receivable
- Act as a liaison between property and business owners and the City of Bend and others
- Organize monthly General Meetings to get information out to all stakeholders
- Meet regularly with property and business owners one on one to address issues
- Develop, negotiate, administrate all contracts and interact with all vendors
- Ensure execution of the Scope of Work
- Interact with City of Bend Finance Department to ensure accurate accounting of EID funding
- Work with property owners to ensure accurate assessment of square footage

(b) The boundaries of the District are as depicted on Exhibit A to this ordinance. All commercial property located within the boundary shall be subject to the assessment.

Section 3: **Duration:** The Bend Downtown Economic Improvement District shall be in effect for two (2) consecutive years, commencing upon adoption of a resolution assessing the affected property as provided Section 7(c) of this ordinance and as otherwise provided by law. Council may extend the duration of the District, after following the required public notice requirements and opportunity for remonstrances contained in ORS 223.122.

Section 4: **Assessment Rate:** The property shall be assessed as follows: \$0.11 per square foot per year of real property, which shall not exceed one percent of the real market value of all real property located in the district.

Section 5: **Total Assessment:** The initial total assessment each year of the two (2) year term is expected to be approximately \$100,000.00 subject to change as the amount of commercial building spaces changes.

Section 6. **Agreement to administer program and providing for the Expenditure of Funds.** City shall enter into an agreement with the Bend Downtowners' Association, Inc., for the Downtowners' to administer the EID funds, provide for public meetings, budget adoption and consideration at open publicly noticed meetings, limitations on expenditures and other appropriate matters. This agreement will be adopted at the time of approval of proposed assessments. No less than

