

RESOLUTION NO. 27526

BE IT RESOLVED by the Council of the City of Portland, Oregon, that an act entitled:

"An Act to amend an Act of the Legislative Assembly of the State of Oregon entitled: 'An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor, and to repeal all acts or parts of acts in conflict therewith,' approved by the governor and filed in the office of the secretary of state January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time, and as recodified, revised, arranged and annotated, pursuant to Ordinance No. 76832, by adding thereto a new chapter to be numbered Chapter XV providing for the creation of a Department of Development and Civic Promotion, creating a Portland Development Commission, providing for appointment and organization, setting forth general powers, fixing administrative powers and procedures, providing for reports and budget estimates, authorizing revenue bonds or other evidence of indebtedness payable solely from revenues or special sources within the limit prescribed to be outstanding, and authorizing under certain conditions a special tax levy of two-thirds of one mill on the assessed valuation of taxable property within the City, or \$400,000 per year, whichever is lesser, for each of five (5) years with possible carryover of such levy in the event of reduction or omission of levy in any one year for not exceeding an additional five (5) years, beginning with the 1958-1959 fiscal year, outside constitutional, charter or other limitations,"

be and the same hereby is submitted to the legal voters of the City of Portland, Oregon for their adoption or rejection at the ensuing non-partisan primary election to be held in the City of Portland, in Multnomah and Clackamas Counties, on the 16th day of May, 1958, and under the authority of Ordinance No. 77641, as amended, the provision of Section 2-611 of said Ordinance No. 77641, as amended, is waived as to the requirement that any proposed charter amendment shall be presented to the Council for study and consideration not later than 121 days prior to the next ensuing election. Each voter who votes upon said proposed act shall vote "yes" or "no" in the space indicated for such vote upon the city ballot at said election. Said amendment hereby submitted reads as follows:

## AN ACT

To amend an Act of the Legislative Assembly of the State of Oregon entitled: "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor, and to repeal all acts or parts of acts in conflict therewith," approved by the governor and filed in the office of the secretary of state January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time, and as recodified, revised, arranged and annotated, pursuant to Ordinance No. 76832, by adding thereto a new chapter to be numbered Chapter XV providing for the creation of a Department of Development and Civic Promotion, creating a Portland Development Commission, providing for appointment and organization, setting forth general powers, fixing administrative powers and procedures, providing for reports and budget estimates, authorizing revenue bonds or other evidence of indebtedness payable solely from revenues or special sources within the limit prescribed to be outstanding, and authorizing under certain conditions a special tax levy of two-thirds of one mill on the assessed valuation of taxable property within the City, or \$400,000 per year, whichever is lesser, for each of five (5) years with possible carryover of such levy in the event of reduction or omission of levy in any one year for not exceeding an additional five (5) years, beginning with the 1958-1959 fiscal year, outside constitutional, charter or other limitations.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORTLAND, OREGON:

Section 1. The Act of the Legislative Assembly of the State of Oregon entitled: "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor, and to repeal all acts or parts of acts in conflict therewith," approved by the governor and filed in the office of the secretary of state January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time and as recodified, revised, arranged and annotated, pursuant to Ordinance No. 76832, hereby is amended by adding thereto a new Chapter to be numbered, entitled and to read as follows:

## CHAPTER XV

## PORTLAND DEVELOPMENT COMMISSION

Article 1. Administration, Powers and Duties.

Section 15-101 CREATION OF DEPARTMENT. There hereby is created a department in the City of Portland known as the Department of Development and Civic Promotion.

Section 15-102 PORTLAND DEVELOPMENT COMMISSION. The Department of Development and Civic Promotion shall be administered by a Portland Development Commission consisting of five (5) members who shall be appointed by the Mayor, subject to approval by the Council. Within sixty (60) days after the adoption of this chapter, the Mayor shall appoint five (5) persons as members of said Portland Development Commission. One of such members shall be appointed for a term of one (1) year, two for a term of two (2) years, and two for a term of three (3) years. Thereafter, regular appointments shall be made for a three (3) year term. A vacancy shall occur from the death, resignation or inability to serve of any member, or failure without cause to attend three (3) successive regular meetings. Resignation when made, shall be addressed to and accepted by the Mayor. Successors shall be appointed by the Mayor, subject to Council approval for the unexpired term of any such vacancy. Commission members shall serve without salary or compensation of any nature. Within ten (10) days after all members of the Commission initially appointed have accepted such appointment, the Commission shall meet under the direction of the Mayor and organize by the election of a chairman and secretary from their number. The Commission shall make provision for regular meetings at fixed times and may adopt by-laws, rules and regulations to govern its own procedure. The Commission may delegate to one or more of its members as a special board or boards, such duties and responsibilities as it may deem proper, subject to the administrative provisions contained in this chapter.

Section 15-103 GENERAL POWERS AND DUTIES. The Portland Development Commission shall be and serve as the urban renewal and redevelopment agency of the City of Portland, pursuant to ORS Chapter 457, as amended, and shall have all the powers and perform all the duties of the City's urban renewal agency under ORS Chapter 457, as amended, and shall serve as the local public agency and shall perform all the functions prescribed therefor in Title 42 U. S. Code, relating to slum clearance, urban renewal and urban development and redevelopment in, or within a five-mile radius from, the city boundaries. Said Commission shall automatically by its formation, assume all duties and obligations of the Housing Authority of Portland, Oregon relative to urban renewal and redevelopment, upon the relinquishment by the Housing Authority of Portland, Oregon of such duties and transfer of any funds obligated thereto. The Commission may make and continue preliminary studies; formulate urban renewal and redevelopment plans; and carry out such work or undertaking; acquire by purchase, condemnation or otherwise, real property or interests therein and personal property within an urban

renewal area, or where the acquisition is necessary to carry out a redevelopment plan, for the purpose of removing, preventing or reducing blight or blighting factors or the causes of blight; prepare and develop the property; clear areas acquired; install, construct or reconstruct structures, facilities and site improvements found essential or appropriate to the preparation of sites for uses in accordance with the redevelopment plan; make disposition, including the sale or lease, of land for terms not exceeding 99 years, within an urban renewal area or otherwise, for uses in accordance with the redevelopment plan, without auction or advertising for bids; carry out any rehabilitation or conservation work in an urban renewal area; demolish, remove or rehabilitate buildings and improvements; assist in relocating persons living on property situated in the urban renewal area, and make relocation plans pursuant to the restrictions of federal law; dispose of personal property acquired without auction or advertising for bids; or any combination of such activities. The Commission shall also have authority to accept gifts, gratuities, federal grants-in-aid, advances or other moneys, and to negotiate loans and advances. The Commission shall also have authority to perform any other act or carry out any other function authorized or permitted by ORS Chapter 457, as now provided or hereafter amended. In connection therewith, the Commission shall have authority to enter into agreements with any other public body or any other department or bureau of the City of Portland, and enter into any other contracts to carry out its urban renewal and redevelopment functions. The Commission may impose conditions or restrictions by deed or lease upon the use of land or property within an urban renewal area. The work of carrying out an urban renewal plan and any such urban renewal or redevelopment plan shall be deemed a public project.

The Portland Development Commission shall, in addition, promote industrial expansion and location, and may acquire such property, real or personal, or interest therein, inside or outside the city, as the Commission and the Council may find appropriate or convenient in accordance with comprehensive zoning and development plans, if such plans are available, and in compliance with zoning laws and regulations, to carry out the purposes of Section 1-109 of this Charter for lease of property not presently needed for municipal purposes to new industries, and may make recommendations to the City Council thereon, and on the exchange of property for other property which is suitable for leasing, and may promote industrial growth and assist in securing additional business within or near the city, and other matters provided for in Section 2-137 of this Charter; and in relation thereto shall take over and perform the duties of the City Council set forth in Section 2-137, except for appropriations and expenditures from the General Fund for advertising the advantages of the City, which power shall be exercised only by the City Council. The Commission shall control and manage and may lease in the name of the City to the extent permitted by Oregon Revised

Statutes, Chapter 271, all properties placed under its administration by the City Council for industrial purposes and may improve any property which it acquires or controls to make it available or suitable for industrial sites.

Section 15-104 ADMINISTRATIVE POWERS AND PROCEDURES. The Commission shall have power for and on behalf of said City of Portland to perform the following acts and the following administrative procedures shall be followed:

1. The Commission shall have authority to make orders, rules and regulations in the form of resolutions to carry out the authority granted the Commission in this Chapter, certified copies of which resolutions shall, forthwith upon their adoption, be transmitted to the auditor of the City of Portland, who shall cause the same to be transcribed at length in a record kept for that purpose or to be filed in a special record of such resolutions. Such record shall be public and the same and copies thereof shall be accessible to the public under like terms as ordinances and resolutions of the City of Portland. All such resolutions of the Commission (other than purely administrative regulations, or those of a temporary nature) shall be subject to amendment, repeal or alteration or enactment under the referendum or initiative to the same extent as ordinances of the City of Portland. All such resolutions shall require an affirmative vote of three (3) members of the Commission and shall take effect thirty (30) days after adoption by the Commission unless some other date be fixed in such resolution. If a date earlier than thirty (30) days from adoption be so fixed as the effective date, such resolution must receive the affirmative vote of at least four (4) members and all of the members present at the time of adoption. No commissioner and no official or employe of the Commission shall take part in negotiations or proceedings, nor shall any commissioner vote upon any matter in which he is interested in his personal rather than official capacity, as a promoter, stockholder, shareholder or owner, or on any contract or order connected therewith.

2. The Commission shall have authority to appoint, employ and discharge such officers, employes and agents, including but not limited to clerical staff, experts, appraisers, accountants and other technicians, and craftsmen and laborers, as the Commission finds necessary or convenient for the efficient and economical performance of its duties, and to fix and provide for their compensation. Permanent officers and employes of the Commission shall be subject to the Civil Service provisions of this Charter and shall

be appointed or removed by the Commission or person designated by the Commission in accordance with such provisions with the following exceptions: the commissioners, a director, his secretary, an assistant director and all consulting or technical employes. All offices and positions in the permanent service of the Commission shall be provided for by resolution, a copy of which shall be sent to the Civil Service Board. Resolutions establishing positions within the Civil Service provisions of this Chapter shall be transmitted to the Civil Service Board for classification in like manner as other positions in the service of the City.

3. The Commission may obtain the advice, recommendation and assistance of any officer, board or commission of the City of Portland, and the City Attorney and his staff shall render legal assistance and advice as required by the Commission. Payment for such legal service or other service of departments, officers or employes of the City shall be made to the City by the Commission. This shall not prevent the employment of technical assistants nor the employment of special legal counsel. Purchases need not be made through the Purchasing Agent of the City, but otherwise the limitations and restrictions on purchases contained elsewhere in this Charter shall apply.

4. The Commission may establish offices in or outside the City Hall or other city building, as space may be available or convenient.

5. The Commission shall have authority to incur expenses for administration and such maintenance, construction, reconstruction, alteration, rehabilitation, replacement, repair or purchase or other mode of acquisition or rental of equipment, property or facilities as the Commission may find necessary or convenient. All property acquired shall be acquired in the name of the City of Portland. The Commission may purchase materials and supplies and make such other disbursements and incur such other expenses as the Commission finds necessary or appropriate to carry out the purposes set forth in this Chapter.

6. The Commission shall have power to borrow money, negotiate federal advances of funds and execute notes as evidence of obligations, and pledge property acquired or any part thereof, and the City Council may make loans to the Commission from any available city fund.

7. The Commission shall pay all moneys received in connection with an urban renewal plan or property acquired in connection therewith, to the Treasurer of the City of Portland who shall maintain

a separate and distinct fund to be known as the Urban Redevelopment Fund, in which all such moneys shall be deposited in the name of the City of Portland for the use and expenditure of the Commission. The Commission shall pay all money received in connection with civic promotion to the City Treasurer and he shall keep the same in a separate fund to be known as the Civic Promotion Fund. The Commission shall also have authority to establish reserve funds, special funds or sinking funds for the payment of indebtedness, obligations or interest thereon as may be permitted by law. The Commission may transfer money from its general fund to its special or reserve funds and may transfer surplus of money to its general fund, and may transfer to the general fund of the City. Disbursements shall be made by the City Treasurer on warrants signed by the chairman or designated member of the Commission and the secretary or acting secretary of the Commission, pursuant to powers granted in this Chapter, after designation of signatory authority by resolution of the Commission. However, the Commission may maintain a separate bank account not exceeding a balance of \$25,000 in addition to current payroll, for meeting salaries, wages and current miscellaneous expenses. Such account shall be designated as a revolving fund and may be drawn upon for such purposes by officials designated by the Commission. An accounting with reference to such account shall be filed monthly with the City Auditor.

8. Such officers and employes of the Commission as the City Council shall direct shall give bond in such amount and type with such security as may be approved by the City Council, which bond shall be filed with the City Auditor and premiums thereon paid from Commission funds.

9. The Commission shall be responsible for the design, installation and maintenance of an accounting system which will conform to the requirements of state laws and charter provisions regarding budgeting, expenditure, receipt and custody of public funds except as specifically modified in this Chapter.

10. The Commission shall provide for a comprehensive independent audit of all funds and accounts of the Commission by a qualified certified public accountant or firm of such accountants selected with the approval of the City Council. The cost of the audit shall be at the expense of the Commission. Copies of the audit report shall be furnished to the City Council and filed with the City Auditor, and a copy shall be sent to the Tax Supervising and Conservation Commission.

Section 15-105 REPORT AND BUDGET ESTIMATES. The Commission shall annually prepare a budget in accordance with the local budget law and submit it to the City Council at least fifty (50) days

year exceed two-thirds of one mill on each dollar of assessed valuation as hereinbefore mentioned, or \$400,000, whichever is the lesser, nor shall the total amount levied under this section exceed \$2,000,000. No special tax levy may be made in any year unless the City Council and the Commission both determine prior to such levy for such year that the expenditures budgeted by the Commission for the succeeding fiscal year or portion thereof, proposed to be financed by tax levy, cannot feasibly or adequately be financed by means of revenue bonds as authorized elsewhere in this chapter. Such levy shall be in addition to and shall not be counted in the tax limitations prescribed in this charter or otherwise, or as provided by Article XI, Section 11 of the Constitution of Oregon.

Adopted by the Council February 6, 1958.

*Will Gibson*

Auditor of the City of Portland

By

*S. G. Felker*

CHIEF DEPUTY

Mayor Schrunk  
 January 31, 1958  
 February 6, 1958 retyped  
 MCR: pm

*MCR* *[Signature]*

Resolution placing on May 16, 1958, ballot an Act to amend the Portland Charter by adding a new chapter to be numbered Chapter XV, creating Department of Development and Civic Promotion, creating Portland Development Commission, setting forth general and administrative powers and procedures, authorizing revenue bonds or other evidence of indebtedness payable solely from revenues or special sources, authorizing special tax levy of two-thirds of one mill per dollar of assessed valuation or \$400,000, whichever is lesser, under certain conditions, for each of five (5) years beginning with 1958-1959 fiscal year, and authorizing levy of carried-over amounts authorized but not levied within said five years during succeeding five years, outside tax limitations.

FEB 5 - 1958

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
BEAN	/	
BOODY	/	
BOWES	/	
EARL	/	
SCHRUNK	/	

FEB 6 - 1958

**AMENDED**

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
BEAN	/	
BOODY	/	
BOWES	/	
EARL	/	
SCHRUNK	/	

FILED JAN 31 1958

*Eric Gibson*  
 PORTLAND  
*R. S. Jurey*