



A. CALL TO ORDER

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

C. CITIZEN COMMENTS

This section of the agenda allows citizens to address the Commission regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA (Item Nos. 1 - 3)

Page #

The Consent Agenda will be enacted with one vote. The Chairman will first ask the staff, the public and the Commissioners if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under "Items Removed from the Consent Agenda." At that time, any member of the audience may comment on any item pulled from the Consent Agenda. The entire Consent Agenda, with the exception of items removed to be discussed under "Items Removed from the Consent Agenda," is then voted upon by roll call under one motion.

1. Resolution No. 574-09 Authorizing the Issuance and Negotiated Sale of the Central
Urban Renewal District Short-Term Subordinate Urban
Renewal Bond Series 2009
2. Resolution No. 575-09 Authorizing the Issuance and Negotiated Sale of the Leveton
Tax Increment District short-Term Subordinate Urban
Renewal Bond Series 2009
3. Community Involvement Committee Appointments

E-F. PUBLIC HEARINGS

None.

G. GENERAL BUSINESS

None.

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Chairman may impose a time limit on speakers addressing these issues.

I. COMMUNICATIONS FROM COMMISSIONERS

J. EXECUTIVE SESSION

K. ADJOURNMENT



Approved by Tualatin
Development Commission
Date 6-8-09
Recording Sec lll Gmd

STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator 

FROM: Donald A. Hudson, Finance Director 
Doug Rux, Community Development Director 

DATE: June 8, 2009

SUBJECT: RESOLUTION AUTHORIZING THE ISSUANCE AND
NEGOTIATED SALE OF THE CENTRAL URBAN RENEWAL
DISTRICT SHORT-TERM SUBORDINATE URBAN RENEWAL
BOND SERIES 2009

ISSUE BEFORE THE COMMISSION:

Adoption of a resolution authorizing short-term subordinate urban renewal bond (du jour bond) to pay for the costs of urban renewal projects in the Central Urban Renewal District.

RECOMMENDATION:

Staff recommends that the Commission adopt the attached resolution.

EXECUTIVE SUMMARY:

- This action is not a public hearing.
- This resolution authorizes the sale of a Central Urban Renewal District short-term bond in an amount not to exceed \$2,003,703. This will be a bond issued and redeemed within a few days to make funds available to the Central Urban Renewal District Project Fund and to, in keeping with Oregon Law, pay for the debt in the bond fund.
- Revenue from the sale of the bond is deposited in the Central Urban Renewal District Project Fund and the principal, interest, and loan origination fee is recorded in the Central Urban Renewal District Bond Fund.
- The Commission has issued "du jour" bonds for a number of years.
- There are no criteria to apply to the request.

STAFF REPORT: Resolution Central Urban Renewal District Short-term Subordinate
Bond

June 8, 2009

Page 2 of 2

OUTCOMES OF DECISION:

Approval of the Resolution will result in the following:

1. The sale of the short-term subordinate bond with proceeds deposited in the Central Urban Renewal District Project Fund to cover capital project expenditures.

Denial of the Resolution will result in the following:

1. Insufficient funds in the Central Urban Renewal District Project Fund to cover capital project expenditures.

FINANCIAL IMPLICATIONS:

The sale of the Short-Term Subordinate Bond 2009 is budgeted for Fiscal Year 2008/2009.

Attachments: A. Resolution and Exhibit A

RESOLUTION NO. **574-09**

RESOLUTION AUTHORIZING THE ISSUANCE AND
NEGOTIATED SALE OF THE CENTRAL URBAN RENEWAL
AREA SHORT-TERM SUBORDINATE URBAN RENEWAL
BOND, SERIES 2009

WHEREAS the Tualatin Development Commission (the "Commission") finds it desirable to issue a Short Term Subordinate Urban Renewal Bond to pay for the costs of urban renewal projects in the Central Urban Renewal Area (the "Area"); and

WHEREAS the City of Tualatin has approved a maximum indebtedness for the Area of \$27,705,384. The Commission has previously issued \$23,396,157 of long and short term indebtedness which are subject to the maximum indebtedness limitation, and there is no other indebtedness outstanding for the Area to which the maximum indebtedness limitation applies. As a result, the Commission has \$4,309,227 of capacity (excluding refinancings) to incur indebtedness for the Area; and

WHEREAS the Commission finds it desirable to sell the proposed Short Term Subordinate Urban Renewal Bond to Bank of America, N.A.; and

WHEREAS the Commission has issued obligations that have senior liens on the tax increment revenues from the Area; and

WHEREAS the bond that is authorized by this Resolution will have a lien on the Commission's tax increment revenues which is subordinate to the lien of the Commission's outstanding senior lien obligations; now, therefore,

BE IT RESOLVED BY THE TUALATIN DEVELOPMENT COMMISSION THE URBAN RENEWAL AGENCY OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Definitions. For purposes of this Resolution, the following capitalized terms shall have the following meanings, unless the context clearly requires otherwise:

"Area" means the Tualatin Central Urban Renewal Area which is described in the Plan, and all additions thereto.

"Bank" means Bank of America, N.A. or its successors.

"Bond" means the Commission's Central Urban Renewal Area Short Term Subordinate Urban Renewal Bond, Series 2009 which is authorized by Section 2 of this Resolution.

"City" means the City of Tualatin, Oregon, a city duly organized and existing under and by virtue of the laws of the State of Oregon and the Charter of the City.

"Code" means the United States Internal Revenue Code of 1986, as amended.

“Commission Official” means the Finance Director of the City or the person designated in writing by the Finance Director to act as Commission Official under this Resolution.

“Commission” means the Tualatin Development Commission, the Urban Renewal Agency of the City.

“General Account” means the account in the Tax Increment Fund that holds Tax Increment Revenues not dedicated to pay debt service or reserves on Senior Lien Obligations.

“Plan” means the Commission's Urban Renewal Plan for the Area, which was originally approved as of January 27, 1975, as it has been and may be amended from time to time.

“Resolution” means this Resolution authorizing the Bond.

“Senior Lien Obligations” means all the Commission's outstanding bonds and other indebtedness which are secured by a pledge of the Tax Increment Revenues, and any bonds issued on parity with those outstanding bonds.

“Tax Increment Fund” means the fund established under ORS 457.440(6) to hold the Tax Increment Revenues.

“Tax Increment Revenues” means all ad valorem tax revenues from property within the Area which are attributable to the increase in assessed value of property within the Area pursuant to Section 1c, Article IX of the Oregon Constitution and the Oregon Revised Statutes, Chapter 457, all taxes levied in connection with the Plan pursuant to Article XI, Section 11(16) of the Oregon Constitution, and all earnings thereon while the Tax Increment Revenues are held in the Tax Increment Fund.

Section 2. Authorization of Series 2009 Bond. The Commission hereby authorizes the issuance of the Bond in an aggregate principal which does not exceed the lesser of \$2,003,703 or the amount of Tax Increment Revenues available in the Tax Increment Fund to pay the Bond, after excluding amounts that are required to pay or fund reserves for Senior Lien Obligations. The Bond shall bear interest which is includable in gross income under the Code. The Bond shall bear interest at the rate or rates approved by the Commission Official pursuant to Section 5.3. The Bond shall mature within thirty days after the date it is issued, and shall be issued on the terms established by the Commission Official pursuant to Section 5, below.

Section 3. Security for Series 2009 Bond. The Bond shall not be a general obligation of the City of Tualatin or the Commission. The principal of and the interest on the Bond shall be payable solely from the Tax Increment Revenues, including all amounts in the General Account, and any unspent proceeds of the Bond. The Commission hereby irrevocably pledges the Tax Increment Revenues, including all amounts deposited in the General Account, to pay the Bond. The lien on, and pledge of the Tax Increment Revenues to pay the Bond shall be superior to all other claims against the Tax Increment Revenues except that the lien of the Bond shall not be payable from any amounts that the Commission requires to pay or fund reserves for Senior Lien Obligations. The Commission also hereby irrevocably pledges the proceeds of the Bond, prior to their expenditure, to pay the Bond.

Section 4. Execution of the Bond. The Bond shall be signed with the manual signature of a Commission Official. The Bond shall be in substantially the form attached hereto as Exhibit A with such changes approved by the Commission Official.

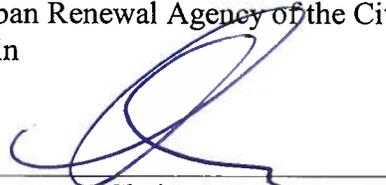
Section 5. Sale of Bond. The Bond shall be sold to the Bank in accordance with a purchase agreement approved by the Commission Official. The Commission Official is hereby authorized on behalf of the Commission, and without further action by the Commission:

- 5.1 to establish the principal amount, closing date, maturity date, interest rate, interest rate during a period of default, redemption provisions and other terms of the Bond;
- 5.2 to establish the price at which the Bond shall be sold;
- 5.3 to pay and redeem the Bond on or prior to its stated maturity date;
- 5.4 to approve and execute a bond purchase agreement establishing the terms under which the Bond is sold to the Bank, including an origination fee; and
- 5.5 to take any other action which is desirable in order to issue, sell, deliver and pay the Bond in accordance with this Resolution.

INTRODUCED AND ADOPTED this 8th day of June, 2009.

TUALATIN DEVELOPMENT COMMISSION
the Urban Renewal Agency of the City of
Tualatin

BY



Chairman

ATTEST:

BY



Administrator

APPROVED AS TO LEGAL FORM



CITY ATTORNEY

Exhibit A to Resolution No. _____

No. R-1

\$ _____

United States of America
Tualatin Development Commission
Washington & Clackamas County
State of Oregon
Central Urban Renewal Area
Short Term Subordinate Urban Renewal Bond
Series 2009

The Tualatin Development Commission, Oregon (the "Commission"), for value received, acknowledges itself indebted and hereby promises to pay no later than _____, 2009, but solely from the Tax Increment Revenues, including amounts in the General Account, and any unspent proceeds of this Bond, to Bank of America, N.A. (the "Owner"), the principal amount of _____ Dollars (\$ _____) with interest thereon from the date hereof at an interest rate equal to the Owner's prime rate of interest. Interest is payable at maturity.

The Commission sold this Bond to the Bank under a purchase agreement dated _____, 2009 (the "Series 2009 Purchase Agreement") and pursuant to the authority of Commission Resolution No. _____ adopted on June 8, 2009 (the "Resolution"). Capitalized terms used but not defined in this Bond shall the meaning for such term in the Series 2009 Purchase Agreement or the Resolution.

This Bond is subject to redemption at the option of the Commission on any date, in whole or in part, and is subject to mandatory redemption in whole on any date upon the occurrence and declaration of an Event of Default by the Owner, at a price of par plus accrued interest.

THIS BOND IS NOT A GENERAL OBLIGATION OF THE COMMISSION OR THE CITY OF TUALATIN, OREGON, AND IS PAYABLE SOLELY FROM THE TAX INCREMENT REVENUES AND THE PROCEEDS OF THIS BOND, AS PROVIDED IN THE RESOLUTION.

This Bond is issued by the Commission for the purpose of financing the costs of urban renewal projects within the Tualatin Central Urban Renewal Area in full and strict accordance and compliance with all of the provisions of the Constitution and Statutes of the State of Oregon.

The Commission has pledged the Tax Increment Revenues of the Central Urban Renewal Area and any unspent proceeds of this Bond to pay the Bond. The lien of this Bond on the Tax Increment Revenues is subordinate to the lien of the Commission's outstanding Senior Lien Obligations, as provided in the Resolution.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this Bond have existed, have happened, and have been performed in due time, form, and manner as required by the Constitution and Statutes of the State of Oregon; and that the issue of which this Bond is a part, and all other obligations of the Commission, are within every debt limitation and other limit prescribed by such Constitution and Statutes.

Exhibit A to Resolution No. _____

IN WITNESS WHEREOF, the Commission has caused this bond to be signed by the signature of its Commission Official as of this _____ day of _____, 2009.

Tualatin Development Commission, Oregon

Commission Official

Attest:

Administrator



Approved by Tualatin
Development Commission
Date 6-8-09
Accounting Sec. W. Smith

STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator *SL*

FROM: Donald A. Hudson, Finance Director *DAH*
Doug Rux, Community Development Director *DR*

DATE: June 8, 2009

SUBJECT: RESOLUTION AUTHORIZING THE ISSUANCE AND
NEGOTIATED SALE OF THE LEVETON TAX INCREMENT
DISTRICT SHORT-TERM SUBORDINATE URBAN RENEWAL
BOND, SERIES 2009

ISSUE BEFORE THE COMMISSION:

Adoption of a resolution authorizing short-term subordinate urban renewal bond (du jour bond) to pay for the costs of urban renewal projects in the Leveton Tax Increment District.

RECOMMENDATION:

Staff recommends that the Commission adopt the attached resolution.

EXECUTIVE SUMMARY:

- This action is not a public hearing.
- This resolution authorizes the sale of a Leveton Tax Increment District short-term bond in an amount not to exceed \$2,250,000. This will be a bond issued and redeemed within a few days to make funds available to the Leveton Tax Increment District Project Fund and to, in keeping with Oregon Law, pay for the debt in the bond fund.
- Revenue from the sale of the bond is deposited in the Leveton Tax increment District Project Fund and the principal, interest, and loan origination fee is recorded in the Leveton Tax Increment District Bond Fund.
- The Commission has issued "du jour" bonds for a number of years.
- There are no criteria to apply to the request.

STAFF REPORT: Resolution Leveton Tax Increment District Short-term Subordinate
Bond

June 8, 2009

Page 2 of 2

OUTCOMES OF DECISION:

Approval of the Resolution will result in the following:

1. The sale of the short-term subordinate bond with proceeds deposited in the Leveton Tax Increment District Project Fund to cover capital project expenditures.

Denial of the Resolution will result in the following:

1. Insufficient funds in the Leveton Tax Increment District Project Fund to cover capital project expenditures.

FINANCIAL IMPLICATIONS:

The sale of the Short-Term Subordinate Bond 2009 is budgeted for Fiscal Year 2008/2009.

Attachments: A. Resolution and Exhibit A

RESOLUTION NO. 575-09

RESOLUTION AUTHORIZING THE ISSUANCE AND
NEGOTIATED SALE OF THE LEVETON TAX INCREMENT
DISTRICT SHORT-TERM SUBORDINATE URBAN
RENEWAL BOND, SERIES 2009

WHEREAS the Tualatin Development Commission (the "Commission") finds it desirable to issue a Short Term Subordinate Urban Renewal Bond to pay for the costs of urban renewal projects in the Leveton Tax Increment District (the "Area"); and

WHEREAS the City of Tualatin has approved a maximum indebtedness for the Area of \$36,424,338. The Commission has previously issued \$27,845,314 of long and short term indebtedness which are subject to the maximum indebtedness limitation, and there is no other indebtedness outstanding for the Area to which the maximum indebtedness limitation applies. As a result, the Commission has \$8,579,024 of capacity (excluding refinancings) to incur indebtedness for the Area; and,

WHEREAS the Commission finds it desirable to sell the proposed Short Term Subordinate Urban Renewal Bond to Bank of America, N.A.; and

WHEREAS the Commission has issued obligations that have senior liens on the tax increment revenues from the Area; and

WHEREAS the bond that is authorized by this Resolution will have a lien on the Commission's tax increment revenues which is subordinate to the lien of the Commission's outstanding senior lien obligations; now, therefore,

BE IT RESOLVED BY THE TUALATIN DEVELOPMENT COMMISSION THE URBAN RENEWAL AGENCY OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Definitions. For purposes of this Resolution, the following capitalized terms shall have the following meanings, unless the context clearly requires otherwise:

"Area" means the Tualatin Leveton Tax Increment District which is described in the Plan, and all additions thereto.

"Bank" means Bank of America, N.A. or its successors.

"Bond" means the Commission's Leveton Tax Increment District Short Term Subordinate Urban Renewal Bond, Series 2009 which is authorized by Section 2 of this Resolution.

"City" means the City of Tualatin, Oregon, a city duly organized and existing under and by virtue of the laws of the State of Oregon and the Charter of the City.

"Code" means the United States Internal Revenue Code of 1986, as amended.

“Commission Official” means the Finance Director of the City or the person designated in writing by the Finance Director to act as Commission Official under this Resolution.

“Commission” means the Tualatin Development Commission, the Urban Renewal Agency of the City.

“General Account” means the account in the Tax Increment Fund that holds Tax Increment Revenues not dedicated to pay debt service or reserves on Senior Lien Obligations.

“Plan” means the Commission's Urban Renewal Plan for the Area, which was originally approved as of August 12, 1985, as it has been and may be amended from time to time.

“Resolution” means this Resolution authorizing the Bond.

“Senior Lien Obligations” means all the Commission's outstanding bonds and other indebtedness which are secured by a pledge of the Tax Increment Revenues, and any bonds issued on parity with those outstanding bonds.

“Tax Increment Fund” means the fund established under ORS 457.440(6) to hold the Tax Increment Revenues.

“Tax Increment Revenues” means all ad valorem tax revenues from property within the Area which are attributable to the increase in assessed value of property within the Area pursuant to Section 1c, Article IX of the Oregon Constitution and the Oregon Revised Statutes, Chapter 457, all taxes levied in connection with the Plan pursuant to Article XI, Section 11(16) of the Oregon Constitution, and all earnings thereon while the Tax Increment Revenues are held in the Tax Increment Fund.

Section 2. Authorization of Series 2009 Bond. The Commission hereby authorizes the issuance of the Bond in an aggregate principal which does not exceed the lesser of \$2,250,000 or the amount of Tax Increment Revenues available in the Tax Increment Fund to pay the Bond, after excluding amounts that are required to pay or fund reserves for Senior Lien Obligations. The Bond shall bear interest which is includable in gross income under the Code. The Bond shall bear interest at the rate or rates approved by the Commission Official pursuant to Section 5.3. The Bond shall mature within thirty days after the date it is issued, and shall be issued on the terms established by the Commission Official pursuant to Section 5, below.

Section 3. Security for Series 2009 Bond. The Bond shall not be a general obligation of the City of Tualatin or the Commission. The principal of and the interest on the Bond shall be payable solely from the Tax Increment Revenues, including all amounts in the General Account, and any unspent proceeds of the Bond. The Commission hereby irrevocably pledges the Tax Increment Revenues, including all amounts deposited in the General Account, to pay the Bond. The lien on, and pledge of the Tax Increment Revenues to pay the Bond shall be superior to all other claims against the Tax Increment Revenues except that the lien of the Bond shall not be payable from any amounts that the Commission requires to pay or fund reserves for Senior Lien Obligations. The Commission also hereby irrevocably pledges the proceeds of the Bond, prior to their expenditure, to pay the Bond.

Section 4. Execution of the Bond. The Bond shall be signed with the manual signature of a Commission Official. The Bond shall be in substantially the form attached hereto as Exhibit A with such changes approved by the Commission Official.

Section 5. Sale of Bond. The Bond shall be sold to the Bank in accordance with a purchase agreement approved by the Commission Official. The Commission Official is hereby authorized on behalf of the Commission and without further action by the Commission:

- 5.1 to establish the principal amount, closing date, maturity date, interest rate, interest rate during a period of default, redemption provisions and other terms of the Bond;
- 5.2 to establish the price at which the Bond shall be sold;
- 5.3 to pay and redeem the Bond on or prior to its stated maturity date;
- 5.4 to approve and execute a bond purchase agreement establishing the terms under which the Bond is sold to the Bank including an origination fee; and
- 5.5 to take any other action which is desirable in order to issue, sell, deliver and pay the Bond in accordance with this Resolution.

INTRODUCED AND ADOPTED this 8th day of June, 2009.

TUALATIN DEVELOPMENT COMMISSION
the Urban Renewal Agency of the City of
Tualatin

BY 
Chairman

ATTEST:

BY 
Administrator

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

Exhibit A to Resolution No. _____

No. R-1

\$ _____

United States of America
Tualatin Development Commission
Washington & Clackamas County
State of Oregon
Leveton Tax Increment District
Short Term Subordinate Urban Renewal Bond
Series 2009

The Tualatin Development Commission, Oregon (the "Commission"), for value received, acknowledges itself indebted and hereby promises to pay no later than _____, 2009, but solely from the Tax Increment Revenues, including amounts in the General Account, and any unspent proceeds of this Bond, to Bank of America, N.A. (the "Owner"), the principal amount of _____ Dollars (\$ _____) with interest thereon from the date hereof at an interest rate equal to the Owner's prime rate of interest. Interest is payable at maturity.

The Commission sold this Bond to the Bank under a purchase agreement dated _____, 2009 (the "Series 2009 Purchase Agreement") and pursuant to the authority of Commission Resolution No. _____ adopted on June 8, 2009 (the "Resolution"). Capitalized terms used but not defined in this Bond shall have the meaning for such term in the Series 2009 Purchase Agreement or the Resolution.

This Bond is subject to redemption at the option of the Commission on any date, in whole or in part, and is subject to mandatory redemption in whole on any date upon the occurrence and declaration of an Event of Default by the Owner, at a price of par plus accrued interest.

THIS BOND IS NOT A GENERAL OBLIGATION OF THE COMMISSION OR THE CITY OF TUALATIN, OREGON, AND IS PAYABLE SOLELY FROM THE TAX INCREMENT REVENUES AND THE PROCEEDS OF THIS BOND, AS PROVIDED IN THE RESOLUTION.

This Bond is issued by the Commission for the purpose of financing the costs of urban renewal projects within the Tualatin Leveton Tax Increment District in full and strict accordance and compliance with all of the provisions of the Constitution and Statutes of the State of Oregon.

The Commission has pledged the Tax Increment Revenues of the Leveton Tax Increment District and any unspent proceeds of this Bond to pay the Bond. The lien of this Bond on the Tax Increment Revenues is subordinate to the lien of the Commission's outstanding Senior Lien Obligations, as provided in the Resolution.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this Bond have existed, have happened, and have been performed in due time, form, and manner as required by the Constitution and Statutes of the State of Oregon; and that the issue of which this Bond is a part, and all other obligations of the Commission, are within every debt limitation and other limit prescribed by such Constitution and Statutes.

Exhibit A to Resolution No. _____

IN WITNESS WHEREOF, the Commission has caused this bond to be signed by the signature of its Commission Official as of this _____ day of _____, 2009.

Tualatin Development Commission, Oregon

Commission Official

Attest:

Administrator



Approved by Tualatin
Development Commission
Date 6-8-09
Recording Sec. M. Smith

STAFF REPORT

TUALATIN DEVELOPMENT COMMISSION

TO: Honorable Chairman and Members of the Commission

THROUGH: Sherilyn Lombos, Administrator *SL*

FROM: Maureen Smith, Administration *M. Smith*

DATE: June 8, 2009

SUBJECT: COMMUNITY INVOLVEMENT COMMITTEE APPOINTMENTS

ISSUE BEFORE THE COMMISSION:

The Tualatin Development Commission approve appointments to the Urban Renewal Advisory Committee.

RECOMMENDATION:

Staff recommends the City Council approve the Community Involvement Committee recommendations and appoint the below listed individuals.

EXECUTIVE SUMMARY:

On June 1, 2009, the Community Involvement Committee met and interviewed citizens interested in participating on the Urban Renewal Advisory Committee. The committee made the recommendation to appoint the following individuals:

Individual	Committee/Board	Term
Hube Nukes	Urban Renewal Advisory	Regular term expiring 04/30/12
Terry Novak	Urban Renewal Advisory	Regular term expiring 4/30/12

FINANCIAL IMPLICATIONS:

Not applicable.