

ORDINANCE NO. 936

AN ORDINANCE OF CITY OF MADRAS ADJUSTING THE MEMBERSHIP COMPOSITION OF THE MADRAS REDEVELOPMENT COMMISSION; AND REPLACING AND SUPERSEDING ALL ORDINANCES, RESOLUTIONS, AND/OR POLICIES IN CONFLICT WITH THIS ORDINANCE.

WHEREAS, on or about June 11, 2002, the Madras City Council (the "Council") adopted Ordinance No. 698 pursuant to which the Council declared that blighted areas exist in City of Madras ("City") and elected to exercise the powers of City's urban renewal agency; and

WHEREAS, the corporate name of the urban renewal agency activated by Ordinance No. 698 is the Urban Renewal Agency of the City of Madras ("Agency"); and

WHEREAS, on or about August 13, 2002, the Council adopted Ordinance No. 700 thereby adopting the Madras Urban Renewal Plan; and

WHEREAS, pursuant to ORS 457.055, the Council adopted Ordinance No. 709 on June 24, 2003 and transferred the powers of Agency from the Council to a body authorized to exercise those powers under ORS 457.045(2); and

WHEREAS, the body authorized to exercise the powers of Agency is known as the Madras Redevelopment Commission (the "MRC") and is composed of three members from the Council and six members from the general public, nominated and appointed by the Council; and

WHEREAS, on or about September 11, 2019, the Council and the MRC held a joint meeting to discuss, among other things, the MRC's membership composition and other urban renewal needs in light of the proposed Madras Housing Urban Renewal District; and

WHEREAS, on September 12, 2019, the MRC took formal action to recommend that the Council change the MRC membership composition to be comprised of the seven members of the Council and the six non-Council members of the MRC; and

WHEREAS, on or about November 12, 2019, the Council approved the Madras Housing Urban Renewal District Plan (the "Plan") by adopting Ordinance No. 935, which ordinance establishes a new housing urban renewal area to be administered by Agency in conjunction with the commercial urban renewal area contained in the Madras Urban Renewal Plan; and

WHEREAS, City and Agency have determined that it is necessary and appropriate for the MRC membership to represent commercial urban renewal interests as well as housing urban renewal interests; and

WHEREAS, City and Agency further determined that establishing a separate advisory board and/or commission to assist the MRC in administering the Plan would be inefficient and would place undue administrative burdens on City and Agency staff; and

WHEREAS, City finds that it is in the best interests of City and Agency to expand the MRC's membership so that the MRC is comprised of the Council and a variable range of commissioners appointed from the general public.

NOW, THEREFORE, the City of Madras ordains as follows:

1. Findings. The above-stated findings contained in this Ordinance No. 936 (this "Ordinance") are hereby adopted.

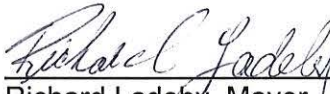
2. MRC Membership. Effective January 1, 2020, the MRC will have a variable range of commissioners. The minimum number of commissioners is nine (9) and the maximum number of commissioners is thirteen (13). Notwithstanding anything contained in this Ordinance to the contrary, seven commissioner positions will be held by concurrent Council members (i.e., six councilors and the mayor). Commissioners appointed by the Council will be comprised of individuals from the general public. Commencing January 1, 2020, the MRC will have eleven (11) commissioners (i.e., six councilors, the mayor, and four commissioners on the MRC as of the effective date of this Ordinance). Notwithstanding the immediately preceding sentence, the number of commissioners may be fixed or adjusted within the minimum and maximum from time to time by resolution of the MRC.

3. Bylaws; Continuing Validity. The MRC may adopt by resolution, and may amend from time to time, bylaws governing the administration of Agency. Nothing contained herein will be construed to affect the validity of any lawful action taken by the MRC prior to the effective date of this Ordinance.

4. Interpretation; Severability; Errors. This Ordinance replaces and/or supersedes all ordinances, resolutions, and/or policies in conflict with this Ordinance, including, without limitation, Ordinance No. 709. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, rule, regulation, code, or ordinance includes the law, rule, regulation, code, or ordinance as now in force and which may hereafter be amended. The provisions of this Ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

APPROVED AND ADOPTED by the City Council of the City of Madras and signed by the Mayor this 12th day of November, 2019.

Ayes: 6
Nays: 0
Abstentions: 0
Absent: 0
Vacancies: 0


Richard Ladeby, Mayor

ATTEST:


Lysa Vattimo, City Recorder