



City Council Meeting June 7, 2021

**Work Session – 5:00 p.m.
Council Meeting - 7:00 p.m.
Urban Renewal Agency – Following Council Meeting
Executive Session – If needed following URA Meeting
(Held in Council Chambers)**

This meeting is taking place with social distancing precautions in place.

To Provide Public Comment:

- Written comments may be submitted to the City Recorder (Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070).
- Digital comments (email) may be submitted to cityrecorder@ci.wilsonville.or.us.
- Individuals may participate online through the Zoom videoconferencing platform.
- Contact City Recorder at (503) 570-1506 cityrecorder@ci.wilsonville.or.us to register.

You can watch the City Council Meeting here:

YouTube: [youtube.com/c/CityofWilsonvilleOR](https://www.youtube.com/c/CityofWilsonvilleOR)

Zoom: <https://us02web.zoom.us/j/81536056468>

City of Wilsonville

Urban Renewal Agency Meeting

June 7, 2021



URA AGENDA

**CITY OF WILSONVILLE
URBAN RENEWAL AGENCY**

**JUNE 7, 2021
7:00 P.M.**

**CITY HALL
29799 SW TOWN CENTER LOOP
WILSONVILLE, OREGON**

Immediately Following the City Council Meeting

Chair Julie Fitzgerald
Board Member Kristin Akervall
Board Member Ben West

Board Member Charlotte Lehan
Board Member Joann Linville

CALL TO ORDER

- A. Roll Call

CITIZEN INPUT

This is an opportunity for visitors to address the Urban Renewal Agency Board on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the Board will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

CONSENT AGENDA

- A. Minutes of the March 15, 2021 URA Meeting. (Veliz)

NEW BUSINESS

- A. **URA Resolution No. 315**

A Resolution Of The City Of Wilsonville Urban Renewal Agency Authorizing A Development Agreement Establishing The Conditions Of The Wilsonville Investment Now (Win) Program Benefits Between The Urban Renewal Agency Of The City Of Wilsonville And Twist Bioscience Corporation. (Vance)

CONTINUING BUSINESS

- A. None.

PUBLIC HEARING

- A. **URA Resolution No. 317** (*Legislative*)

A Resolution Of The Urban Renewal Agency Of The City Of Wilsonville Adopting The Budget, Making Appropriations, And Declaring The Intent To Collect Tax Increment For Fiscal Year 2021-22. (Rodocker)

ADJOURN

Urban Renewal Agency

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**CITY OF WILSONVILLE
URBAN RENEWAL AGENCY
MARCH 15, 2021**

The Urban Renewal Agency held a regular meeting on Monday, March 15, 2021 in the Wilsonville City Hall immediately following the adjournment of the City Council meeting.

The following Board Members were present:

Chair Fitzgerald
Member Akervall
Member Lehan
Member West - Excused
Member Linville

Staff present included:

Bryan Cosgrove, City Manager
Barbara Jacobson, City Attorney
Kimberly Veliz, City Recorder
Andy Stone, IT Director
Beth Wolf, Information Systems Analyst

CALL TO ORDER

Chair Fitzgerald called the URA meeting to order at 8:21 p.m. followed by roll call.

CITIZEN INPUT

There was none.

CONSENT AGENDA

Ms. Jacobson read the titles of the URA consent agenda items into the record.

A. **URA Resolution No. 316**

A Resolution Of The City Of Wilsonville Urban Renewal Agency Board Authorizing The City Manager To Execute An Agreement For Provision Of Preliminary Engineering Services In Connection With Grade Crossing Improvements With Portland & Western Railroad For Phase II – Preliminary Engineering And Construction Engineering Inspection Services For The 5th Street Railroad Crossing Work Associated With The 5th Street / Kinsman Road Extension Project.

B. Minutes of the March 1, 2021 URA Meeting.

Motion: Ms. Lehan moved to approve the URA consent agenda as read.

Ms. Jacobson interjected that there was a typo in URA Resolution No. 316. Ms. Jacobson corrected that it was read as Phase Ii however, it was supposed to be Phase II.

Amended Motion: Ms. Lehan moved to approve the URA consent agenda as corrected. Ms. Linville seconded the motion.

Vote: Motion carried 4-0.

SUMMARY OF VOTES

Chair Fitzgerald	Yes
Member Akervall	Yes
Member Lehan	Yes
Member West	Excused
Member Linville	Yes

NEW BUSINESS

A. None.

CONTINUING BUSINESS

A. None.

PUBLIC HEARING

A. None.

ADJOURN

The URA meeting adjourned at 8:24 p.m.

Ms. Lehan asked Ms. Fitzgerald how members should be addressed during the URA meeting. Ms. Fitzgerald informed she should be addressed as the chair and councilors should be addressed as members during the URA meetings.

Ms. Lehan then asked whether the members titles displayed on Zoom during the URA meetings should be changed. Chair Fitzgerald agreed the titles should be updated for the URA meetings. Staff explained that moving forward IT staff would change the titles of the members when switching from City Council meetings to URA meetings.

The URA meeting re-adjourned at 8:27 p.m.

Respectfully submitted,

Kimberly Veliz, City Recorder

ATTEST:

Julie Fitzgerald, Chair



**URBAN RENEWAL AGENCY
STAFF REPORT**

Meeting Date: June 7, 2021		Subject: URA Resolution No. 315 Twist Bioscience WIN Zone Development Agreement	
		Staff Member: Jordan Vance, Economic Development Manager	
		Department: Community Development	
Action Required		Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: N/A	
Staff Recommendation: Staff recommends the Urban Renewal Agency adopt URA Resolution No. 315.			
Recommended Language for Motion: I move to approve URA Resolution No. 315.			
Project / Issue Relates To:			
<input checked="" type="checkbox"/> Council Goals/Priorities: Strategic Economic Development and Community Prosperity	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Adoption of WIN Development Agreement between the Wilsonville Urban Renewal Agency and Twist Bioscience, which is the first step in the multi-step process for creation of a site-specific urban renewal district consistent with WIN Administrative Rules.

EXECUTIVE SUMMARY:

On October 19, 2020 the Wilsonville City Council adopted administrative rules for the Wilsonville Investment Now (WIN) Program, a new local economic development program that seeks to incentivize businesses to operate in Wilsonville by providing site-specific urban renewal tax rebates for qualifying development projects outside of the City's existing urban renewal areas.

The program is a modification to the Tax Increment Financing (TIF) Zones, established in 2013 by the Wilsonville City Council and applied to six separate properties as individual urban renewal districts. The TIF Zones used the same funding mechanism and State legislative framework as standard urban renewal districts. However, rather than fund large-scale, long-term projects, the TIF Zones were intended to provide property tax rebates as a development incentive for qualifying companies who invested in any of the six properties. The tax rebate is made possible by designating the project property as a site specific individual urban renewal district, freezing the current property tax revenues (frozen base) on the site and allowing the City to rebate additional value of the property generated by the new investment back to the applicant.

Ultimately, none of the development that occurred within the TIF Zones met the eligibility thresholds established for the program due to inflexible eligibility criteria and limited geographic applicability, and the existing TIF Zones incentive program expired in November 2019. Since this time, City staff have been given direction by Council to pursue an updated TIF Zone program.

To develop the program, the City engaged the Urban Renewal Task Force on July 22, 2020, comprised of public and private partners including taxing districts, residents, property owners, developers and the Chamber of Commerce. The proposal received broad support from the 21-member stakeholder group with unanimous feedback that the WIN Program is a good direction to take, and will make the City more competitive with business recruitment, expansion and retention efforts. Some taxing districts even noted the responsible, innovative use of the urban renewal tool. The group is responsible for suggesting criteria that reward local operators and demonstrate the City's commitment to diversity, equity and inclusion.

The first program of its kind in Oregon, the WIN Program aims to attract high-value investments from a wide range of businesses. The program's flexible evaluation criteria provide multiple tiers of benefit based on qualification criteria that applies a point value to the amount of capital investment, new jobs, and the wages of those jobs. Extra points are provided in the application scoring for local Wilsonville ownership status, and diversity, equity and inclusion (DEI) efforts made by the employer. If the applicant receives between 60-80 points, they qualify for a 4-year rebate, and if they receive more than 80 points, they qualify for a 7-year rebate. The exact rebate amount depends on the value of the project but the WIN program will rebate 100% of the property tax revenue increment generated by the new investment, less 10% of the TIF rebate to reimburse the Agency's administrative expenditures for the WIN Zone.

Twist Bioscience WIN Zone

The City received its first qualifying WIN application in February, 2021 by Twist Bioscience Corporation, a California-based firm specializing in synthetic DNA. The firm plans to expand into a 190,519 square-foot leased space at ParkWorks Industry Center (formerly called Parkway Woods) at 26600 SW Parkway Avenue, helping to double Twist Bioscience's manufacturing

capacity, increase speed of production, and enable enhanced product offerings in the synthetic biology and biopharma market. Twist Bioscience was looking at multiple locations for a Pacific Northwest expansion and noted the WIN Program as a factor in choosing Wilsonville.

Twist Bioscience intends to invest up to \$70 million in the facility, including tenant improvements and equipment, and create 200 new jobs in Wilsonville, with an average wage of \$70,000 per year, within the first year of operation in 2022. Due to the high-investment and job numbers of the project, their WIN application received a total score of 220 points—per criteria defined in Administrative Rules established by Wilsonville City Council adoption of Resolution No. 2856—qualifying applicant for a 7-year rebate, estimated to be worth approximately \$597,800 in the initial rebate year. The estimated rebate amount is based on projected tax increment finance (TIF) revenue generated by Developer’s \$70 million capital investment in the WIN Zone. The actual amount of reimbursement is limited to the amount of tax increment finance (TIF) revenue received by the Agency for the proposed WIN Zone, established on behalf of the qualified business, minus 10% City administrative costs.

There are two key implementation steps the City must take to create the Twist Bioscience WIN Zone:

1. **Development Agreement:** Staff held a pre-approval meeting with Twist Bioscience on February 23, 2021 and subsequently provided applicant a draft Development Agreement that stipulates the conditions the applicant must achieve to receive WIN Program benefits in future years, and stipulates the City’s obligations to provide property tax reimbursement payments to the applicant. City and Twist have both reviewed the Development Agreement recommended for adoption by Resolution No. 315 at tonight’s Urban Renewal Agency meeting.
2. **WIN Zone Creation:** The creation of the single-site urban renewal area is anticipated to take up to 2-3 months and will engage various public bodies including the Urban Renewal Agency, Planning Commission, City Council, and impacted taxing districts including Clackamas County, Tualatin Valley Fire and Rescue, and the West Linn-Wilsonville School District. It is anticipated that creation of the Twist Bioscience WIN Zone will include the following steps in the adoption process:
 - ✓ June 21: Authorization by **Wilsonville Urban Renewal Agency** to implement Twist Bioscience WIN Zone by Resolution.
 - ✓ July 14: **Planning Commission** review of Twist Bioscience WIN Zone Plan to ensure conformance to the Wilsonville Comprehensive Plan.
 - ✓ June 24 – August 8: transmittal to all **taxing districts** with required 45-day comment period prior to City Council vote on non-emergency ordinance. This will include a required briefing to the **Clackamas County Commissioners** (vote of approval is not required) and meetings with key taxing districts.

- ✓ August 16: Public hearing and **City Council** vote on non-emergency ordinance in conformance with ORS 457.095(1) Approval of plan by ordinance. Notice to all citizens of a public hearing will be sent prior.

EXPECTED RESULTS:

Strengthened local economy from successful recruitment of large biotech firm to Wilsonville that intends to invest \$70M in capital improvements and create 200 new jobs within the first year of operation. Implementation of City’s first WIN Zone (i.e. single-site urban renewal area) within just 7 months of adoption of Resolution No. 2856 WIN Administrative Rules.

TIMELINE:

2-3 month implementation timeline with expected City Council adoption of proposed Twist Bioscience WIN Zone by August 2021.

CURRENT YEAR BUDGET IMPACTS:

The scope of work for the consultant team to assist in implementation of the WIN Zone has an estimated budget of \$20,000.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/25/2021

Community Development Professional Fees will be used to fund consultant fees.

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 6/2/2021

COMMUNITY INVOLVEMENT PROCESS:

WIN program incorporates feedback from this stakeholder group that includes residents, taxing districts, state economic development groups, private sector, and public and private-sector participants in the Urban Renewal Task Force.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Strengthened local economy, more high-wage jobs and high-value development to Wilsonville, and increased tax base for the City.

ALTERNATIVES:

No implementation of Twist Bioscience WIN Zone.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. URA Resolution No. 315
 - A. Twist Bioscience WIN Zone Development Agreement

THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE

URA RESOLUTION NO. 315

A RESOLUTION OF THE CITY OF WILSONVILLE URBAN RENEWAL AGENCY AUTHORIZING A DEVELOPMENT AGREEMENT ESTABLISHING THE CONDITIONS OF THE WILSONVILLE INVESTMENT NOW (WIN) PROGRAM BENEFITS BETWEEN THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE AND TWIST BIOSCIENCE CORPORATION.

WHEREAS, on December 17, 2012, the Wilsonville City Council approved Resolution No. 2390, referring the Ballot Title “Business Incentive Program for Investment and Job Creation by Manufacturers” to the citizens of Wilsonville for an advisory vote in March of 2013; and

WHEREAS, on March 12, 2013, the citizens of Wilsonville voted to approve the economic development incentive; and

WHEREAS, on May 6, 2013, City Council approved Resolution No. 2417 authorizing staff to take necessary steps to create multiple single-property urban renewal districts to be called Tax Increment Finance (TIF) Zones; and

WHEREAS, all of the designated TIF Zones expired on November 4, 2019 and City Council gave staff direction to pursue modifications to the program with involvement of the Urban Renewal Task Force; and

WHEREAS, the City’s Urban Renewal Task Force met on July 22, 2020 to discuss a revised approach to single-property urban renewal areas known as the Wilsonville Investment Now (WIN) Program, and provided unanimous feedback that the WIN Program is a good direction to take a tax increment finance zone program; and

WHEREAS, Wilsonville is not eligible for traditional Enterprise Zones due to maximum thresholds for unemployment and median family income, and seeks tools to position Wilsonville as competitive with other jurisdictions that offer Enterprise Zones to incent investment; and

WHEREAS, establishment of a WIN Zone or zones will make the City more competitive with business recruitment, expansion and retention efforts; and

WHEREAS, on October 19, 2020, City Council approved Resolution No. 2856 establishing Administrative Rules for the Wilsonville Investment Now (WIN) Program, a new local economic development program that seeks to incentivize high-value, high-wage job projects to operate in Wilsonville by providing urban renewal tax rebates for qualifying development projects outside of the City's existing urban renewal areas; and

WHEREAS, Oregon Revised Statutes (ORS) 457 authorizes municipalities in Oregon to establish urban renewal areas, including the authority to raise funds for the purpose of funding economic development projects through the use of tax increment financing; and

WHEREAS, on February 16, 2021, staff received a qualifying WIN application from Twist Bioscience Corporation committing to \$70 million in capital investment, including tenant improvements and equipment, and the creation of 200 new jobs in Wilsonville within the first year of operation; and

WHEREAS, on February 23, 2021, City of Wilsonville staff held a pre-approval meeting with Twist Bioscience Corporation to confirm details of the applicant's WIN application; and

WHEREAS, as per the WIN Administrative Rules in Resolution No. 2856, upon staff approval, the City will prepare a Development Agreement with qualifying applicant that stipulates the conditions the applicant must achieve to receive WIN Program benefits in future years, and stipulates the City's obligations to provide property tax reimbursement payments to the applicant; and

WHEREAS, upon final agreement and execution of the Development Agreement, the City will prepare a WIN Zone Plan for consideration by the City of Wilsonville Urban Renewal Agency to authorize the creation of a single-property urban renewal district to be called the Twist Bioscience Wilsonville Investment Now (WIN) Zone; and

NOW THEREFORE, BE IT RESOLVED BY THE WILSONVILLE URBAN RENEWAL AGENCY THAT:

1. The City Manager is authorized to execute on behalf of the City of Wilsonville Urban Renewal Agency the attached Development Agreement establishing the conditions of the Wilsonville Investment Now (WIN) program benefits between the City of Wilsonville Urban Renewal Agency and Twist Bioscience Corporation.

2. The City Manager has the authority to negotiate any minor changes to the Development Agreement with the City of Wilsonville Urban Renewal Agency and Twist Bioscience Corporation subject to approval of the City Attorney as to the final form.
3. This resolution is effective upon adoption.

ADOPTED by the City of Wilsonville Urban Renewal Agency at a regular meeting thereof this 7th day of June, 2021, and filed with the Wilsonville City Recorder this date.

JULIE FITZGERALD, Chair

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Chair Fitzgerald
Board Member Akervall
Board Member Linville
Board Member Lehan
Board Member West

Exhibit:

- A. Twist Bioscience WIN Zone Development Agreement

DEVELOPMENT AGREEMENT

Between

THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE

and

TWIST BIOSCIENCE CORPORATION

Dated

June 7, 2021

**DEVELOPMENT AGREEMENT BETWEEN
THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE AND
TWIST BIOSCIENCE CORPORATION**

This Development Agreement (“Agreement”) is made and entered into by and between the **Urban Renewal Agency of the City of Wilsonville**, an Oregon municipal corporation (“Agency”), and **Twist Bioscience Corporation**, a Delaware corporation (“Developer”). The effective date of this Agreement is the _____ day of _____, 2021 (“Effective Date”). The Agency and Developer may be referred to herein individually as a “Party” or collectively as the “Parties.”

RECITALS

- A. Agency is an urban renewal agency created under ORS Chapter 457 and granted certain powers attendant with eliminating blight and stimulating economic redevelopment in the community; and
- B. On October 19, 2020, the Wilsonville City Council adopted Resolution No. 2856 establishing the Wilsonville Investment Now (WIN) Program and associated Administrative Rules more particularly described below; and
- C. The WIN Program is a new local economic development program that seeks to incentivize businesses to operate in Wilsonville by providing site specific urban renewal tax rebates for qualifying development projects located outside of the Agency’s otherwise designated urban renewal areas; and
- D. WIN aims to attract high-value investments to the Wilsonville community that strengthen the local economy by:
 - Retaining and expanding local businesses.
 - Attracting new businesses.
 - Retaining and expanding high-wage jobs.
 - Contributing to long-term growth in the property tax base through capital investment; and
- E. On February 16, 2021, City of Wilsonville staff received a qualifying WIN application from California-based Twist Bioscience Corporation, specializing in synthetic DNA (“Developer”). Developer intends to invest \$70 million in capital investment, including tenant improvements and equipment; and
- F. On February 23, 2021, City of Wilsonville staff held a pre-approval meeting with Developer to confirm details of Developer’s WIN application; and
- G. Developer plans to lease approximately 190,519 square feet at ParkWorks Industry Center (formerly called Parkway Woods) at 26600 SW Parkway Avenue in Wilsonville, Oregon (“subject property”); and

- H. Developer's Wilsonville expansion is expected to become operational in 2022 and is anticipated to bring up to 200 jobs within the first year of operation; and
- I. Developer's Wilsonville expansion is expected to more than double Developer's manufacturing capacity, increase speed of production, and enable enhanced product offerings in the synthetic biology and biopharma market; and
- J. The Agency plans to establish a WIN Zone over Developer's facilities located on the subject property; and
- K. Developer's WIN Zone will function as an urban renewal plan area, and must be adopted in accordance with ORS Chapter 457. This process includes a recommendation by the Wilsonville Urban Renewal Agency, and an affirmative finding from the Wilsonville Planning Commission that adoption of the WIN Zone is not in conflict with any provision of the Wilsonville Comprehensive Plan in conformance with ORS 457.095(2)(c). This process includes public hearings, and requires the City to consult and confer with all affected taxing districts; and
- L. Adoption of the proposed WIN Zone by a non-emergency ordinance approved by the Wilsonville City Council as per ORS 457.095(1) is the final step in the WIN Program approval process.

NOW, THEREFORE, incorporating all of the above Recitals by reference, as if fully set forth below, the Agency and Developer agree as follows:

AGREEMENT

I. PROPOSED DEVELOPMENT

Section 1.1 – Overview

Developer intends to invest \$70 million in capital improvements in a new manufacturing facility ("Development"), to be located in a WIN Zone within the ParkWorks Industry Center, 26600 SW Parkway Avenue in Wilsonville, Oregon. The WIN Zone is depicted on **Exhibit A** and is incorporated by reference herein.

It is anticipated that the Development will create 200 new Wilsonville jobs, with an average wage of \$70,000 per year, within one year of beginning operations. Developer's WIN application received a total score of 220 points, per criteria defined in Administrative Rules established by Wilsonville City Council adoption of Resolution No. 2856, qualifying Developer for a 7-year rebate, estimated to be worth approximately \$597,800, less the City's 10% administrative fee, in the initial rebate year. The estimated rebate amount is based on projected tax increment finance (TIF) revenue generated by Developer's \$70 million capital investment in the WIN Zone. The actual amount of reimbursement is limited to the amount of tax increment finance (TIF) revenue received by the Agency for the proposed WIN Zone, established on behalf of the qualified business, minus administrative costs. Developer may still be eligible for the rebate if, in the future, it elects to sublease some of the space as long as Developer is able to

maintain the total point score upon doing so. Developer’s Application is attached hereto as **Exhibit B** and incorporated by reference herein.

Section 1.2 – WIN Administrative Rules

Both the Agency and Developer shall at all times strictly adhere to the Wilsonville Investment Now Program Administrative Rules, attached hereto as **Exhibit C** and incorporated by reference herein (“WIN Rules”), and this Agreement.

II. DEVELOPER’S OBLIGATIONS

Section 2.1 – Description of Developer Obligations

Developer agrees to perform the obligations outlined in its WIN Application which include, among other provisions, a SEVENTY MILLION DOLLAR (\$70,000,000) capital investment and the creation of 200 new jobs, with an average wage of \$70,000 per year, in the WIN Zone within one year of beginning operations in the WIN Zone. Per the Developer’s WIN Application, the capital investment is expected to include the following:

Value of Capital Investment Detail

V1. Real Property: Value of Building or Structure to be Newly Constructed	\$0
V2. Real Property: Value of New Addition to or Modification of an Existing Building or Structure	\$40,000,000
V3. Real Property: Value of Heavy or Affixed Machinery and Equipment	\$30,000,000
V4. Personal Property: Value of all Personal Property	\$0
V5. Total Value of Capital Investment Add Lines V1 through V4	\$70,000,000

Section 2.2 – Verification of Developer Obligations

By January 31st of each year, Developer must provide the City with all reporting documentation for the prior tax year, as generally described in the WIN Rules and more particularly described as follows:

TAX PAYMENT VERIFICATION:

- Copy of property tax bill and proof of payment.

EMPLOYMENT VERIFICATION:

- Certified payroll records showing the name and title of each employee; date hired and date terminated (if no longer employed at time of reporting); wages paid for each employee listed during the prior calendar year. Documentation should also include Oregon quarterly payroll tax reports.

INVESTMENT VERIFICATION:

- Information deemed sufficient by the Agency to document the total cost of all improvements made by Developer in the WIN Zone, which would include detailed receipts for qualifying equipment, goods or services or other relevant proof of qualifying expenditures.

Section 2.3 – Failure to Perform Developer Obligations

Developer shall at all times adhere to the requirements of the WIN Zone Plan, WIN Administrative Rules, and this Agreement. Failure to do so may be declared a default under this Agreement and may result in termination of this Agreement, or loss of some or all of the rebate, as more particularly described in Section 3.2 below.

III. AGENCY’S OBLIGATIONS

Section 3.1 – Description of Agency Obligations

The tax increment finance revenue (TIF) for the proposed WIN Zone will be collected by the County Assessor and distributed to the Agency as it is paid by property owners citywide. At the conclusion of each fiscal year (June 30), the Agency will account for all WIN Zone TIF revenue received, subtract annual administrative expenses agreed to be 10%, and determine the amount of property tax reimbursement Developer is entitled to receive. Upon review of all annual reporting documents, and determination that Developer is in compliance with the terms of the WIN Program and this Agreement, the Agency will provide the reimbursement payment to Developer no later than July 31st each year. If all documentation is not in order, payment may be delayed.

When the first TIF rebate will be paid depends on when Developer completes construction and otherwise meets Developer’s obligations to receive the TIF rebate. For example only, if Developer would start construction in July of 2021 and receive their certificate of occupancy and begin operations by May of 2022, meeting the WIN Zone requirements, the tax assessor would not assess the improvements until January of 2023. That means that FYE 2023-24 would be the first year that Developer would be paying taxes on the qualifying TIF investments, and also the first year that Developer’s tax payments would be eligible to receive a TIF rebate, to be paid no later than July 31, 2024.

The TIF revenue generated by the WIN Zone will not equal the amount of annual property taxes paid by Developer. It is based on the incremental tax revenue generated by the product of the incremental assessed value added by Developer’s improvements and the consolidated permanent property tax rates imposed by overlapping taxing districts. Oregon Revised Statutes (ORS) Chapter 457 specifies the process for determining the amount of TIF revenue generated by urban renewal areas, including Developer’s WIN Zone.

The Agency will deduct 10% of the TIF rebate to reimburse the Agency’s administrative expenditures for the WIN Zone.

Section 3.2 – Failure to Meet Obligations or Default

Failure to adhere to obligations of the WIN Zone Plan, WIN Rules, and this Agreement may result in termination of this Agreement, or loss of some or all of the rebate. If actual capital investment, jobs, and wage levels are lower than expected but still meet the eligibility threshold of the WIN Program requirements, as per the Administrative Rules, this may result in a shorter duration of rebate eligibility. If actual capital investment levels are higher than expected, this may result in a higher rebate amount.

IV. DISPUTE RESOLUTION

Section 4.1 – All Other Disputes

4.1.1. Mediation. All disputes arising out of this Agreement shall first be submitted to mediation. Any Party desiring mediation shall provide the other Party with a written notice (the “Request to Mediate”), which shall set forth the nature of the dispute. The Parties shall in good faith cooperate in the selection of a mediator and may adopt any procedural format that seems appropriate for the particular dispute. In the event a written settlement agreement is not executed by the Parties, in the Parties’ sole discretion, within twenty (20) days from the date of the Request to Mediate, or such longer time frame as may be agreed upon in writing by the Parties, any Party may make demand for arbitration or litigation pursuant to the following paragraph.

4.1.2. Voluntary Arbitration or Litigation. Any dispute arising under Section 4.1.1 of this Agreement which is not resolved through mediation, upon mutual agreement of the Parties, may be submitted to arbitration, to be conducted in Wilsonville, Oregon before a single arbitrator selected by mutual agreement of the Parties. The arbitrator shall have substantial experience in contract disputes. If the Parties fail to agree upon arbitration, or fail to select an arbitrator, within twenty (20) days of either Party requesting arbitration, then either Party may file an action in Clackamas County Circuit Court in lieu of arbitration and there will be no obligation to arbitrate. If arbitrated, judgment upon the arbitrator’s award may be entered in any court having jurisdiction of the matter.

4.1.3. Equitable Remedies. Even if the Parties undergo mediation or arbitration, the City may still move the Circuit Court for immediate equitable remedies of either specific performance or injunctive relief to occur while mediation or arbitration is pending or ongoing.

V. MISCELLANEOUS PROVISIONS

Section 5.1 – Further Assurances

Each Party will cooperate and perform such acts and things reasonably necessary in connection with the performance of its obligations hereunder, in good faith to carry out the intent of the Parties hereto.

Section 5.2 – Modification or Amendment

No amendment, change, or modification of this Agreement will be valid unless in writing and signed by the Parties hereto.

Section 5.3 – Relationship

Nothing herein may be construed to create an agency relationship or a partnership or joint venture between the Parties.

Section 5.4 – Burden and Benefit

The covenants and agreements contained herein shall be binding upon and inure to the benefit of the Parties and their successors and assigns.

Section 5.5 – No Continuing Waiver

The waiver by any Party of any breach of this Agreement will not operate or be construed to be a waiver of any subsequent breach.

Section 5.6 – Applicable Law

This Agreement shall be governed by and construed under the laws of the State of Oregon. Jurisdiction is in Clackamas County, Oregon.

Section 5.8 – Time of Essence

Time is expressly declared to be of the essence of this Agreement.

Section 5.9 – Notices

All notices, demands, consents, approvals, and other communications which are required or desired to be given by any Party to each other hereunder shall be in writing and shall be faxed, hand delivered, or sent by overnight courier or United States Mail at its address set forth below, or at such other address as such Party shall have last designated by notice to the other. Notices, demands, consents, approvals, and other communications shall be deemed given when delivered, three (3) days after mailing by United States Mail, or upon receipt if sent by personal delivery:

To Agency: City of Wilsonville
 Attn: City Attorney
 29799 SW Town Center Loop East
 Wilsonville, OR 97070

To Developer: Twist Bioscience Corporation
 Attn: Patrick Weiss
 681 Gateway Boulevard
 South San Francisco, CA 94080

Section 5.10 – Rights Cumulative

All rights, remedies, powers, and privileges conferred under this Agreement on the Parties shall be cumulative of and in addition to, but not restrictive of or in lieu of, those conferred by law.

Section 5.11 – Counterparts

This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of such counterparts together shall constitute one and the same instrument.

Section 5.12 – No Third-Party Beneficiaries and No Assignment

None of the duties and obligations of any Party under this Agreement shall in any way or in any manner be deemed to create any rights in any person or entity other than the Parties hereto or their respective heirs, successors, and assigns. Developer may not assign its rights under this Development Agreement without the prior express written consent of the Agency, which may be granted or denied in the Agency’s sole discretion.

Section 5.13 – Representations and Warranties

Each Party signing on behalf of Developer and the Agency hereby warrants actual authority to bind his/her respective Party. The Parties signing below also hereby warrant that entry into this Agreement and the enforcement of its terms will not violate any loan covenants or other agreements pertaining to any of the land or improvements impacted hereby.

Section 5.14 – Legal Review

All of the Parties to this Agreement hereby affirm that they have been represented in the negotiation hereof by their own independent legal counsel, who have reviewed this Agreement and advised their respective client concerning the same. Therefore, it shall be interpreted accordingly and shall not be construed against the drafter.

IN WITNESS WHEREOF, the Parties have hereunto set their hands as of the day and year first written above.

TWIST BIOSCIENCE CORPORATION,
a Delaware corporation

URBAN RENEWAL AGENCY OF THE CITY
OF WILSONVILLE, a municipal corporation

By: _____
Print Name: Patrick Weiss _____
As Its: Chief Operating Officer

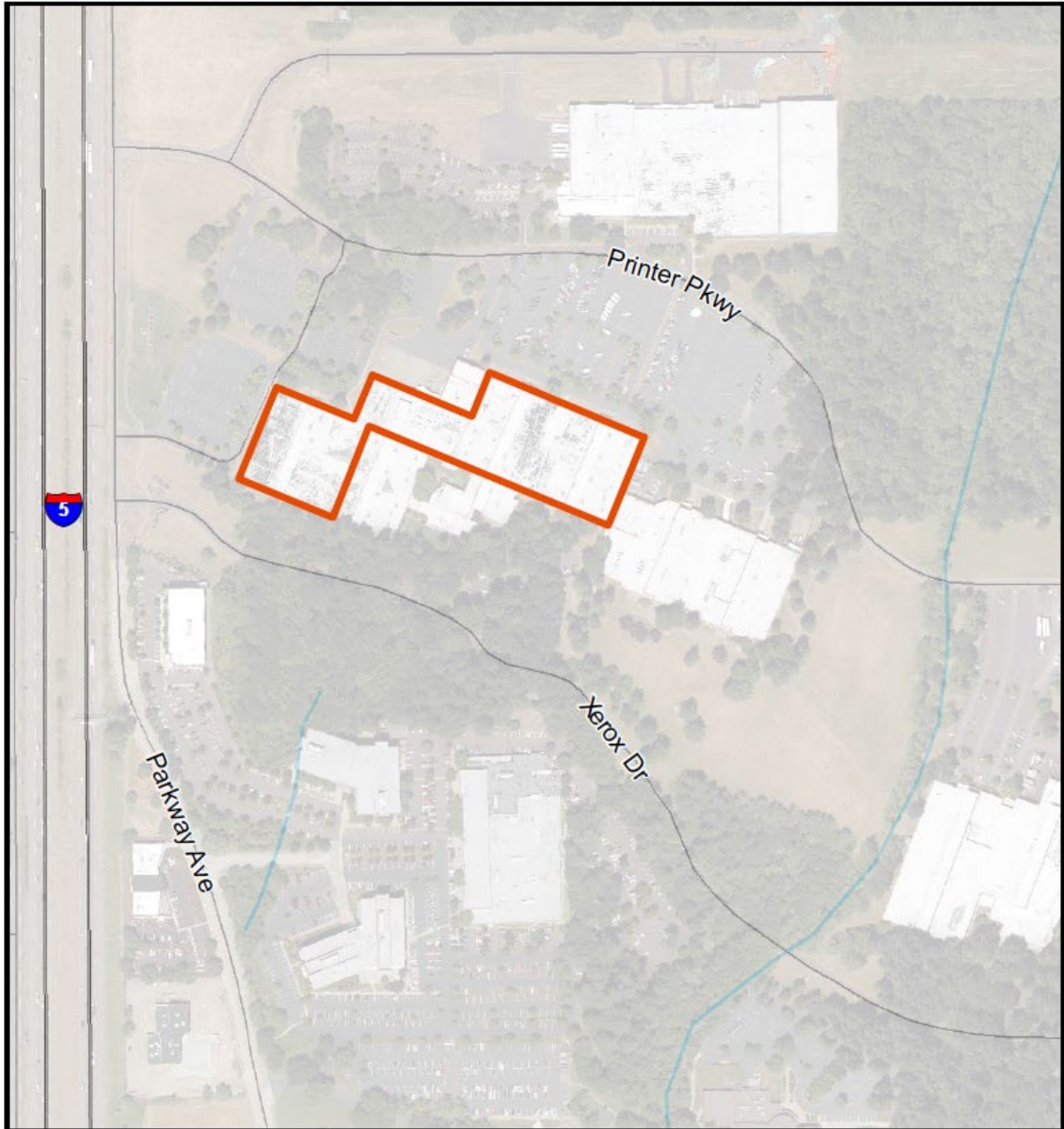
By: _____
Bryan Cosgrove
As Its: City Manager

APPROVED AS TO FORM:

Barbara A. Jacobson, City Attorney

EXHIBIT A

Map of Proposed Twist Bioscience WIN Zone



The City of Wilsonville, Oregon
Clackamas and Washington Counties



 **Proposed Twist Bioscience
WIN Zone**

Location: ParkWorks Industry Center

Address: 26600 S.W. Parkway Ave
Wilsonville, OR 97070

Size: 190,519 square feet or 4.4 acres



5/17/2021

0 250 Feet

Exhibit A, Map of Proposed Twist Bioscience WIN Zone

EXHIBIT B

Twist Bioscience WIN Application

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 PAGE 1



Wilsonville Investment Now (WIN) Program Calculator

Wilsonville Investment Now (WIN) is a local incentive program that provides tax rebates for qualifying development projects outside of the City's existing urban renewal areas. The exact amount depends on the value of the project but the WIN program will rebate 100% of the property tax increment finance revenue generated by the new investment, less the costs to the City of administering the program. Qualifying investments must score at least 60 points for a partial incentive and at least 80 points for a full incentive.

Use this calculator to determine whether a new development is eligible for WIN Program benefits.
Please fill out all BLUE CELLS. All other cells are automatically calculated.

Business Name Twist Bioscience Corporation			Date 2/15/2021
Contact Name Patrick Weiss	Contact Email pweiss@twistbioscience.com	Contact Phone (800) 719-0671	
Street Address of Development 26600 SW Parkway Avenue	City Wilsonville	County Clackamas	Taxlot ID(s) 31W12 00511
Description of Development Twist Bioscience Corp, a California-based firm specializing in synthetic DNA, will lease 110,000 square feet at ParkWorks Industry Center at 26600 S.W. Parkway Ave. in Wilsonville, Oregon. The facility is expected to become operational in 2022 and potentially bring up to 400 jobs to the region over several years. The Wilsonville expansion is expected to more than double Twist's manufacturing capacity, increase speed of production and enable enhanced product offerings in the synthetic biology and biopharma market.			

Application Inputs

1. Capital Investment. Total value of capital investment (from detail on next page)	\$70,000,000
2. Jobs. Total full time employees within 1 year of construction	200
3. Average Salary. Average annual salary of new employees within 1 year of construction	\$70,000
4. Local Wilsonville Business Status. Years of verified operation in Wilsonville	0
5. Diversity, Equity, and Inclusion. Meets DEI requirements (from detail on next page)	No
6. Annual Average Wage, County of Development, 2019	\$54,802
<i>If development is in Clackamas County:</i>	\$54,802
<i>If development is in Washington County:</i>	\$73,226
7. Divide Line 3 by Line 6 (salary as a percent of county average)	128%
8. Points per job, based on the table below:	0.4
<i>If Line 7 is less than 100%:</i>	0
<i>If Line 7 is in the 100% to 124% range:</i>	0.2
<i>If Line 7 is in the 125% to 149% range:</i>	0.4
<i>If Line 7 is 150% or above:</i>	0.6

Score Calculation

9. Capital Investment Score. Divide Line 1 by 500,000 (1 point per \$500,000) - round up	140
10. Job Creation Score. Multiply line 3 by line 7 - round up	80
11. Local Business Score. 0.5 points for each verified year of operation in Wilsonville (maximum 4 points) ..	0.0
12. Diversity, Equity, and Inclusion Score. 4 points if Line 5 is "Yes"	0
13. Total points. Add Lines 9 through 12	220.0
14. Does project qualify for incentives?	Yes
<i>If Line 14 is less than 60:</i>	No
<i>If Line 14 is greater than or equal to 60, but less than 80:</i>	Partial
<i>If Line 14 is greater than or equal to 80:</i>	Yes

Phone 503-682-4960
 Fax 503-682-7025

CITY OF WILSONVILLE
 COMMUNITY DEVELOPMENT

www.ci.wilsonville.or.us
info@ci.wilsonville.or.us



Wilsonville Investment Now (WIN) Program Calculator

Please fill out all **BLUE CELLS**. All other cells are automatically calculated.

Diversity, Equity, and Inclusion Criteria

Select "Yes" for each criterion met. Select "No" for each criterion not met.

D1. Criterion 1:	Certified by the State of Oregon as having one or more of the following ownership certifications: a. Minority Business Enterprise (MBE) b. Women Business Enterprise (WBE) c. Disadvantaged Business Enterprise (DBE) d. Service-Disabled Veteran (SDV)	No
D2. Criterion 2:	Certified by the State of Oregon as a B Corporation	No
D3. Criterion 3:	Enters into a signed agreement with the City of Wilsonville (requires annual reporting) to implement a DEI Procurement Plan, making a good-faith effort to increase goods and services purchased in the State of Oregon from businesses owned by people of color, women, disadvantaged individuals, and service-disabled veterans	No
D4. Criterion 4:	Enters into a signed agreement with the City of Wilsonville (requires annual reporting) to implement a Workforce Development Plan, making a good-faith effort to: a. Promote job openings to a wider group of candidates through recruitment agencies, job fairs, and other approaches targeting people of color and former felons from the Coffee Creek Correctional Facility. b. Provide career pathways to higher-wage jobs, including ongoing training, professional development and opportunities for promotion to higher-level positions. c. Engage Wilsonville youth through internships, mentoring, and educational opportunities on career pathways in partnership with the West Linn-Wilsonville School District, Clackamas Community College and Oregon Institute of Technology.	No
D5. Criterion 5:	to implementing a company program on diversity, equity and inclusion (requires annual reporting)	No
D6. Criterion 6:	Provides on-site employer-provided childcare (requires annual reporting)	No

DEI Calculation

D7. Total DEI Criteria Met. Sum of "Yes" in Lines D1 through D6	0
D8. Are DEI requirements met?	No
If Line D8 is greater than or equal to 2: Yes	
If Line D8 is less than 2: No	

Value of Capital Investment Detail

V1. Real Property: Value of Building or Structure to be Newly Constructed	\$0
V2. Real Property: Value of New Addition to or Modification of an Existing Building or Structure	\$40,000,000
V3. Real Property: Value of Heavy or Affixed Machinery and Equipment	\$30,000,000
V4. Personal Property: Value of all Personal Property	\$0
V5. Total Value of Capital Investment Add Lines V1 through V4	\$70,000,000

Signature

I declare this Application to be true, correct, and complete.

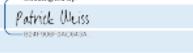
By:  Patrick Weiss
 As Its: COO and Authorized Agent

EXHIBIT C

Resolution No. 2856 – WIN Administrative Rules

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RESOLUTION NO. 2856

A RESOLUTION OF THE WILSONVILLE CITY COUNCIL ESTABLISHING THE WILSONVILLE INVESTMENT NOW (WIN) PROGRAM ADMINISTRATIVE RULES.

WHEREAS, on December 17, 2012, the Wilsonville City Council approved Resolution No. 2390, referring the Ballot Title “Business Incentive Program for Investment and Job Creation by Manufacturers” to the citizens of Wilsonville for an advisory vote in March of 2013; and

WHEREAS, on March 12, 2013, the citizens of Wilsonville voted to approve the Ballot Title; and

WHEREAS, on March 20, 2013, the City’s Economic Development Task Force completed its recommendations to City Council on economic development incentives and business attributes; and

WHEREAS, on April 15, 2013, City Council approved Resolution No. 2413 adopting the recommendations of the Economic Development Strategy Task Force on business attributes and incentives; and

WHEREAS, on April 15, 2013, the Wilsonville Urban Renewal Agency approved URA Resolution No. 230 recommending that the City Council create multiple single-property urban renewal districts referred to as TIF Zones as a tool to provide incentives for economic development and authorizing staff to begin work necessary to create the Tax Increment Finance Zones; and

WHEREAS, on May 6, 2013, City Council approved Resolution No. 2417 authorizing staff to take necessary steps to create multiple single-property urban renewal districts to be called TIF Zones; and

WHEREAS, on September 5, 2013, the Wilsonville Urban Renewal Agency approved URA Resolution No. 234, recommending that City Council adopt an ordinance to create five single-property urban renewal districts to be called TIF Zones; and

WHEREAS, on October 7th, 2013, the Wilsonville Urban Renewal Agency approved URA Resolutions No. 236, recommending that City Council amend URA Resolution No. 234 to

include a sixth single-property urban renewal district to be called the Building 83 - 26440 SW Parkway Avenue TIF Zone; and

WHEREAS, on November 4, 2013, City Council adopted Ordinance No. 725 approving a single-property urban renewal plan known as the 26755 SW 95th Avenue TIF Zone; and

WHEREAS, on November 4, 2013, City Council adopted Ordinance No. 726 approving a single-property urban renewal plan known as the 9805 SW Boeckman Road TIF Zone; and

WHEREAS, on November 4, 2013, City Council adopted Ordinance No. 727 approving a single-property urban renewal plan known as the 25600 SW Parkway Center Drive TIF Zone; and

WHEREAS, on November 4, 2013, City Council adopted Ordinance No. 728 approving a single-property urban renewal plan known as the 27255 SW 95th Avenue TIF Zone; and

WHEREAS, on November 4, 2013, City Council adopted Ordinance No. 729 approving a single-property urban renewal plan known as the 29899 SW Boones Ferry Road TIF Zone; and

WHEREAS, on November 4, 2013, City Council adopted Ordinance NO. 730 approving a single-property urban renewal plan known as the Bldg. 83 – 26440 SW Parkway Avenue TIF Zone; and

WHEREAS, each TIF Zone single-property urban renewal plan included a provision that the Plan will terminate within five years of the effective date of the Plan if no qualifying investment has been made in the Area; and

WHEREAS, all of the TIF Zone single-property urban renewal plans have been terminated, as no qualifying investments were made in any of the TIF Zone areas prior to the termination dates stipulated in the urban renewal plans; and

WHEREAS, the City Comprehensive Plan Goal 4.1 is “to have an attractive, functional, economically vital community with a balance of different types of land uses;” and

WHEREAS, the City Comprehensive Plan Policy 4.1.3 states “City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City;” and

WHEREAS, the City Comprehensive Plan Implementation Measure 4.1.3.b is to “Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth and a broad tax base;” and

WHEREAS, the City Comprehensive Plan Implementation Measure 4.1.3.c is to “Favor capital intensive, rather than labor intensive, industries within the City;” and

WHEREAS, Oregon Revised Statutes (ORS) 457 authorizes municipalities in Oregon to establish urban renewal areas, including the authority to raise funds for the purpose of funding economic development projects through the use of tax increment financing; and

WHEREAS, strict eligibility criteria and limited geographic applicability are two factors that restricted the utility of previous single-property urban renewal areas adopted by City Council; and

WHEREAS, following expiration of all of the designated TIF Zones the City's Urban Renewal Task Force met on July 22, 2020 to discuss a revised approach to single-property urban renewal areas known as the Wilsonville Investment Now (WIN) Program, and provided unanimous feedback that the WIN Program is a good direction to take a tax increment finance zone program, and will make the City more competitive with business recruitment, expansion and retention efforts; and

WHEREAS, the City's Urban Renewal Task Force on July 22, 2020 asked the City to consider additional factors in the WIN Program, including (1) diversity, equity, and inclusion; (2) local business expansion; (3) traffic impacts; and (4) traded-sector industry restrictions; and

WHEREAS, on September 10, 2020 City Council gave staff direction to incorporate (1) diversity, equity, and inclusion and (2) local business expansion into the WIN Program as "extra credit" considerations; and


WHEREAS, the economic recession brought on by the Covid-19 pandemic has imposed additional hardships on residents, employees, and businesses in the City of Wilsonville;

NOW THEREFORE, BE IT RESOLVED BY THE WILSONVILLE CITY COUNCIL THAT:

1. The Wilsonville City Council hereby establishes the Wilsonville Investment Now (WIN) Program, intended to provide temporary property tax reimbursement to qualifying businesses based on the following criteria:
 - A) Value of new capital improvements on site
 - B) Number of new employees on site
 - C) Value of compensation of new employees on site
 - D) Commitment to the advancement of diversity, equity, and inclusion goals

- E) Prioritizing the expansion of local businesses that have already invested in Wilsonville
- 2. The Wilsonville City Council directs staff to further develop parameters of the WIN Program through the adoption of Administrative Rules.
- 3. The Wilsonville City Council directs staff to take the necessary steps to prepare single-property urban renewal plans for City Council consideration for any and all successful applicants to the WIN Program.
- 4. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 19th day of October, 2020, and filed with the Wilsonville City Recorder this date.

DocuSigned by:

 C2B8698B3949461...
 Tim Knapp, Mayor

ATTEST:

DocuSigned by:

 E781DE10276B498...
 Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	YES
Council President Akervall	YES
Councilor Lehan	YES
Councilor West	YES
Councilor Linville	YES

Exhibit:

- A. Wilsonville Investment Now (WIN) Program Administrative Rules



Wilsonville Investment Now Program, Administrative Rules

Section 1: Purpose

These administrative rules establish the parameters of the Wilsonville Investment Now (WIN) Program.

WIN is a local incentive program that provides tax rebates for qualifying development projects outside of the City's existing urban renewal areas. The program aims to attract high-value investments in the Wilsonville community that strengthen the local economy by:

- Retaining and expanding local businesses
- Attracting new businesses
- Retaining and expanding high-wage jobs
- Contributing to long-term growth in the property tax base through capital investment

Section 2: Definitions

Capital investment includes:

- Newly constructed buildings or structures.
- New additions to or modification of an existing building or structure.
- Heavy or affixed machinery and equipment.
- Personal property items costing \$50,000 or more.
- Personal property items costing \$1,000 or more that are used exclusively for production of tangible goods.

Qualified jobs includes new full-time, on-site employees within 1 year of construction, and excludes temporary, seasonal, construction, or part-time (32 hours or less per week) employees.

Section 3: Benefits

3.1 Overview of Benefits

The WIN Program provides qualified businesses with a partial reimbursement of property tax payments. The program establishes two tiers of benefits.

3.2 Tiers and Duration of Benefits

Businesses that qualify for full benefits are eligible for partial reimbursement of property tax payments for a period of seven (7) years. Businesses that qualify for partial benefits are eligible for partial reimbursement of property tax payments for a period of (4) years.

3.3 Amount of Reimbursement

The annual amount of reimbursement is limited to the amount of tax increment finance (TIF) revenue received by the Wilsonville Urban Renewal Agency (“Agency”) for the WIN Zone established on behalf of the qualified business.

Annual TIF revenue generated by a WIN Zone does not equal the amount of annual property taxes paid by a qualified business. Oregon Revised Statutes (ORS) Chapter 457 specifies the process for determining the amount of TIF revenue generated by urban renewal areas, including WIN Zones.

The Agency may deduct administrative costs of the WIN Program from annual TIF revenue before calculating the annual amount of reimbursement.

Section 4: Eligibility

4.1 Scoring Criteria

Qualified businesses must achieve a minimum score, based on the following criteria:

- **New Capital Investment**
 - 1.0 point per \$500,000 of investment
- **New Employment**
 - Points per qualified job, based on average annual wage as a percentage of County average:
 - Average annual wage less than 100% of County average: 0 points per qualified job
 - Average annual wage more than 100%, but less than 125%, of County average: 0.2 points per qualified job
 - Average annual wage more than 125%, but less than 150%, of County average: 0.4 points per qualified job
 - Average annual wage more than 150% of County average: 0.6 points per qualified job
- **Local Business Tenure**
 - 0.5 points for each verified year of business operations in the City of Wilsonville. Maximum of four (4) points.

4.3 Geographic Restrictions

To be eligible for the WIN Program, businesses must be located within the City of Wilsonville and outside of any existing urban renewal areas, including any other WIN Zones.

Section 5: Approval Process

5.1 Initial Application

Applicants must complete the WIN Program Application Form in Excel, with information on the proposed investment, and submit the completed form to City of Wilsonville staff for review.

5.2 Pre-Approval Meeting

After reviewing the WIN Program Application Form, City staff will offer to meet with the Applicant to answer any questions about the program, review key aspects of the application, and request any necessary supporting documents.

5.3 Staff Approval

After the pre-approval meeting, and pending review of any requested supporting documents, City staff will make an initial determination of whether or not the proposed investment qualifies for WIN Program benefits. Staff will notify the Applicant in writing of this decision.

5.4 Development Agreement

Upon Staff approval, the City will provide the Applicant with a Development Agreement that stipulates the conditions the Applicant must achieve to receive WIN Program benefits in future years, and stipulates the City's obligations to provide property tax reimbursement payments to the Applicant.

Upon final agreement and execution of the Development Agreement, the City will prepare a WIN Zone Plan for consideration by City Council.

5.5 Plan Adoption

The WIN Zone Plan functions as an urban renewal plan, and must be adopted in accordance with ORS Chapter 457. This process includes approval by the Wilsonville Urban Renewal Agency, the Wilsonville Planning Commission, and the Wilsonville City Council. This process includes a public hearing and requires the City to consult and confer with all affected taxing districts.

Adoption of the WIN Zone Plan by a non-emergency ordinance approved by City Council is the final step in the WIN Program approval process. City Council will prioritize projects that contribute to the long-term growth in the property tax base of the City, and may use their discretion in approving projects that are too heavily weighted toward equipment likely to depreciate over time or become obsolete with a new user.

Section 6: Annual Reporting

By January 31 of each year, a Qualified Business must provide the City with all reporting documentation for the prior calendar year, as required in the Development Agreement. This documentation may include:

- Copy of property tax bill and proof of payment.

- Proof of number of employees and wages.
- Proof of compliance with DEI criteria (if applicable).

Section 7: Payment of Benefits

Tax increment finance revenue for each WIN Zone will be collected by the County Assessor and distributed to the Agency as it is paid by property owners citywide. After the conclusion of each fiscal year on June 30, the Agency will account for all TIF revenue received, subtract annual administrative expenses, and determine the amount of property tax reimbursement available for each Qualified Business.

Upon review of all annual reporting documents, and determination that a Qualified Business is in compliance with the terms of the WIN Program and the applicable Development Agreement, the Agency will provide the reimbursement payment to a Qualified Business no later than July 31 each year.

Section 8: Dispute Resolution

The protocol for dispute resolution will be as set forth in the Development Agreement.



**URBAN RENEWAL MEETING
STAFF REPORT**

<p>Meeting Date: June 7, 2021</p>	<p>Subject: URA Resolution No. 317 Urban Renewal Budget Adoption for FY 2021-22</p> <p>Staff Member: Cathy Rodocker, Finance Director and Keith Katko, Assistant Finance Director</p>
<p>Action Required</p> <p><input checked="" type="checkbox"/> Motion</p> <p><input checked="" type="checkbox"/> Public Hearing Date: June 7, 2021</p> <p><input type="checkbox"/> Ordinance 1st Reading Date:</p> <p><input type="checkbox"/> Ordinance 2nd Reading Date:</p> <p><input checked="" type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Council Direction</p> <p><input type="checkbox"/> Consent Agenda</p>	<p>Advisory Board/Commission Recommendation</p> <p><input checked="" type="checkbox"/> Approval</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> None Forwarded</p> <p><input type="checkbox"/> Not Applicable</p> <p>Comments: Budget as approved by Budget Committee on May 21, 2021.</p>
<p>Staff Recommendation: Staff recommends the Urban Renewal Agency adopt URA Resolution No. 317.</p>	
<p>Recommended Language for Motion: I move for Approval of the 2021-22 Proposed Budget for the Urban Renewal Agency in the amount of \$62,266,300. (Sixty-two million, two hundred sixty-six thousand, three hundred dollars) and set the Increment Assessed Value in the West Side Plan District to approximately \$401,210,000 (four hundred one million, two hundred ten thousand dollars) which will generate an estimated levy of \$5,000,000 and set the Increment Assessed Value in the Year 2000 Plan District to approximately \$322,000,000 (three hundred twenty two million) which will generate an estimated levy of \$4,200,000. And levy the full amount of the “divide-the-taxes” amount for the Coffee Creek District.</p>	
<p>PROJECT / ISSUE RELATES TO:</p>	
<p><input checked="" type="checkbox"/> Council Goals/Priorities</p>	<p><input type="checkbox"/> Adopted Master Plan(s)</p>
<p><input type="checkbox"/> Not Applicable</p>	

ISSUE BEFORE BOARD:

Adoption of budget for fiscal year 2020-21 via resolution.

EXECUTIVE SUMMARY:

Following the Budget Committee vote to approve the budget the Urban Renewal Board must hold a public hearing and receive comments on the budget prior to adoption. The Board must adopt a budget no later than June 30th.

The Urban Renewal Agency budget was approved by the Budget Committee in the amount of \$62,266,300. A comprehensive table displaying the budgets by Urban Renewal Districts and program is on page 292 for the budget document.

By law, the Board may make changes in the approved budget within certain limitations: (1) taxes may not be increased over the amount approved by the budget committee, and (2) estimated expenditures in a fund cannot be increased by more than \$5,000 or 10 percent, whichever is greater. The Board can reduce the budget from that approved by the Budget Committee.

EXPECTED RESULTS:

Create the budget for operating and capital purposes for fiscal year 2021-22.

TIMELINE:

May 15, 2021 - Public notice of the availability of the proposed budget and Budget Committee meeting dates published in the Oregonian and OregonLive website.

May 20, 2021 – Meeting of the Budget Committee, opportunity for public to testify, voted to approve budget with no changes.

June 7, 2021 – Agency meeting to receive public testimony, consider Resolution to adopt budget.

CURRENT YEAR BUDGET IMPACTS:

Does not affect the current budget.

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 5/21/2021

Legal REVIEW / COMMENT:

Reviewed by: BAJ Date: 6/2/2021

COMMUNITY INVOLVEMENT PROCESS:

The opportunity for the public to address the Budget Committee was offered at the meeting on May 20, 2021. No public comments were received. The public may also attend the June 7, 2021 public hearing on the Agency’s budget.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

Budget allows for completion of certain capital projects and payment of scheduled debt service.

CITY MANAGER COMMENT:

N/A

ATTACHMENT:

1. URA Resolution No. 317
 - A. Schedule of Appropriations

THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE

URA RESOLUTION NO. 317

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND DECLARING THE INTENT TO COLLECT TAX INCREMENT FOR FISCAL YEAR 2021-22.

WHEREAS, in accordance with ORS 294.426 the Wilsonville Urban Renewal Agency (“Agency”) Budget Committee met on May 20, 2021 to receive public testimony, hear the budget message, and listen to presentations pertaining to the proposed budget for Fiscal Year 2021-22; and

WHEREAS, the Budget Committee deliberated on the proposed budget, and on May 20, 2021, approved the budget with no amendments and set the incremental assessed value for the West Side Plan District to \$401,210,000, thus limiting tax imposed in that district to approximately \$5,000,000 in accordance with ORS 457.470(3)(c), and set the incremental assessed value for the Year 2000 Plan District to \$322,000,000, thus limiting tax imposed in that district to approximately \$4,200,000 in accordance with ORS 457.455(1); and

WHEREAS, the governing board of the Coffee Creek Plan District declares its intent to collect the full amount of the division of tax for the District; and

WHEREAS, the proposed budget document included the Comprehensive Financial Management Policies which specifies certain reserves and contingency balances for operating funds and such amounts were included in the approved budget; and

WHEREAS, on June 2, 2021 a summary of the budget, as required by ORS 294.438, was duly published in Pamplin media, formerly known as Wilsonville Spokesman, a newspaper of general circulation in the City of Wilsonville (“City”); and

WHEREAS, in accordance with ORS 294.456, the Agency duly held a public hearing on June 7, 2021 where all interested persons were afforded an opportunity to appear and be heard with respect to the approved budget for the fiscal year beginning July 1, 2021.

NOW, THEREFORE, THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Wilsonville Urban Renewal Agency Board (“Agency Board”) adopts the budget for FY 2021-22 in the total amount of \$62,266,300.
2. Of the total adopted budget of \$62,266,300, the Agency appropriates \$62,266,300, for the fiscal year beginning July 1, 202, as shown in Attachment A – Schedule of Appropriations.
3. The Agency certifies to the Clackamas and Washington County Assessors the Agency’s intention as follows for Fiscal Year 2020-21:
 - a. To set the incremental assessed value in the West Side Plan District to \$401,210,000, which will generate approximately \$5,000,000 of taxes imposed.
 - b. To set the incremental assessed value in the Year 2000 Plan District to \$322,000,000, which will generate approximately \$4,200,000 of taxes imposed.
 - c. To collect 100% of the “Division of Taxes” portion from the Coffee Creek Plan District.
4. In compliance with the City’s Financial Management Policies certain contingencies, reserves, and carryover balances are established as part of the budget process. These balances are matched to the Governmental Accounting Standards Board (GASB) Pronouncement Number 54 standard terminology as set forth below.
 - a. GASB Restricted category includes amounts for which an external source has created a legal restriction on available balances, such as for bond covenants and taxes restricted to payment of debt. Within the budget document such amounts are titled “Restricted.”
 - b. GASB Assigned category includes amounts that are designated, but for which a resolution has not been adopted. Authority is hereby granted to the Agency Board, the Executive Director, and the Finance Director for the purpose of setting aside resources for specific future needs. Within the budget document specific designations shall be titled “Assigned (designated).” All other balances other than Restricted or Assigned (designated) shall be budgeted as “Assigned (contingency).” The Assigned (contingency) is appropriated and available for use during the fiscal year if approved through Agency Board resolution.

- c. The Agency Board considers the spending of the restricted classification of fund balance on purposes for which such funds can be used to occur first when funds are spent for restricted and unrestricted purposes. When unrestricted classifications of fund balance are spent, the Agency Board will consider that assigned amounts will be reduced first, followed by unassigned amounts and then committed amounts.

5. This resolution is effective upon adoption.

ADOPTED by the Urban Renewal Agency of the City of Wilsonville at a regularly scheduled meeting thereof this 7th day of June 2021 and filed with the City Recorder this date.

JULIE FITZGERALD, Chair

ATTEST:

Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

- Chair Fitzgerald
- Board Member Akervall
- Board Member Linville
- Board Member Lehan
- Board Member West

Attachment:

- A. Schedule of Appropriations

Attachment A – Schedule of Appropriations

Year 2000 Plan Area - Debt Service Fund

Debt Service	10,412,524	
Contingency	5,044,363	
Total Fund Appropriations	\$ 15,456,887	

Year 2000 Plan Area - Capital Projects Fund

Materials and Services	673,160	
Capital Outlay	9,653,000	
Contingency	6,224,532	
Total Fund Appropriations	\$ 16,550,692	

Year 2000 Plan Area - Program Income Fund

Materials and Services	61,000	
Contingency	1,071,327	
Total Fund Appropriations	\$ 1,132,327	

West Side - Debt Service Fund

Debt Service	18,809,044	
Contingency	2,800,000	
Total Fund Appropriations	\$ 21,609,044	

West Side - Capital Projects Fund

Materials and Services	368,780	
Capital Outlay	470,000	
Contingency	5,836,856	
Total Fund Appropriations	\$ 6,675,636	

West Side - Program Income Fund

Materials and Services	-	
Capital Outlay	-	
Contingency	177,897	
Total Fund Appropriations	\$ 177,897	

Coffee Creek Plan - Debt Service Fund

Debt Service	280,000	
Contingency	101,093	
Total Fund Appropriations	\$ 381,093	

Coffee Creek Plan - Capital Projects Fund

Materials and Services	148,880	
Contingency	133,844	
Total Fund Appropriations	\$ 282,724	

\$ 62,266,300