

LINCOLN CITY URBAN RENEWAL AGENCY

RESOLUTION NO. 90 - 01

A RESOLUTION OF THE URBAN RENEWAL AGENCY APPROVING
AND ADOPTING AGENCY BY-LAWS

WHEREAS, the City Council of the City of Lincoln City, Oregon, pursuant to the provisions of Chapter 457 of the Oregon Revised Statutes, and City ordinance designation, is the duly appointed Urban Renewal Agency of the City of Lincoln City, Oregon.

WHEREAS, the Agency wishes to adopt a set of by-laws to govern the conduct and business of the Agency.

NOW, THEREFORE, the Urban Renewal Agency of the City of Lincoln City does resolve as follows:

ARTICLE I - AUTHORITY

Section 1. Name: The name of the Agency shall be the Urban Renewal Agency of the City of Lincoln City, Oregon, hereinafter referred to as "Agency".

Section 2. Office: The office of the Agency shall be the Office of the Department of Planning, City Hall, City of Lincoln City, Oregon.

Section 3. Power and Duties of the Agency: The powers and duties of the Agency shall be as provided by Chapter 457 of the Oregon Revised Statutes, the Lincoln City Charter, and as authorized by the City Council of Lincoln City in accordance with Ordinance No. 88-14, adopted by the Lincoln City City Council on September 26, 1988.

ARTICLE II - AGENCY

Section 1. Agency Membership: All of the powers of the Urban Renewal Agency of the City of Lincoln City shall be exercised by and invested in the City Council of the City of Lincoln City, Oregon.

Section 2. Agency Terms: The term of office of each member of the Urban Renewal Agency shall be concurrent with each member's term of office as a member of the City Council.

ARTICLE III - OFFICERS

Section 1. Officers: The officers of the Agency shall be chair, vice chair, and any other officer whom the Agency deems necessary.

Section 2. Chair: The Chair shall be elected by the Agency members and shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency, the Chair shall sign all contracts, deeds and other instruments made by the Agency. At each meeting, the Chair shall submit such recommendations and information as the Chair may consider proper concerning the business, affairs and policies of the Agency.

Section 3. Vice Chair: The Vice Chair shall be elected by the Agency and shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as the Agency shall elect a new Chair.

Section 4. Additional Duties: The officers of the Agency shall perform such other duties and functions as may from time to

time be required by the Agency by the by-laws or rules and regulations of the Agency.

Section 5. Election or Appointment: The officers of the Agency shall be elected annually by the Agency from among the Agency members at the first regular meeting of the Agency in January of each year, and shall hold office for one (1) year or until their successors are elected and qualified. Provided, that the officers initially elected shall hold office until the first regular meeting of the Agency in 1991, or until their successors are elected and qualified.

Section 6. Vacancies: Should the offices of the Chair, or Vice Chair become vacant, the Agency shall elect a successor from its Agency members at the next regular meeting and such election shall be for the unexpired term of such office.

Section 7. Removal: The Chair, or Vice Chair, may be removed from that office at any time by a vote of a majority of the entire Agency.

Section 8. Personnel: The Agency may create such positions and appoint such personnel as it may from time to time find necessary or convenient to perform its duties and obligations at such compensation as may be established by the Agency, which appointments shall continue at the pleasure of the Agency or until resignation. The Agency may contract with the City of Lincoln City for the services of City personnel.

ARTICLE IV - MEETINGS

Section 1. Regular Meetings: Regular meetings shall be held at such time and place as may from time to time be determined by

resolution of the Agency in conformance with Oregon Public Meetings Law. A regular meeting may be continued, postponed, cancelled or adjourned to a later date by a vote of the majority of the Agency members present and voting and no notice of such adjourned meeting needs to be given to Agency members.

Section 2. Special Meetings: The Chair may, when the Chair deems it expedient, and shall, upon the written request of two (2) Agency members, call a special meeting of the Agency to be held at the regular meeting place, unless otherwise specified in the call, for the purpose of transacting any business designated. Notice shall be given to the public in accordance with the Oregon Public Meetings Law. Members shall be notified by telephone at least twenty-four (24) hours before a special meeting. A reasonable attempt to reach the member is sufficient notice, even if actual contact is not made. Presence of any Agency member at any meeting shall be deemed to be a waiver of notice of such meeting. Special meetings may also be held at any time by the unanimous consent of all Agency members.

Section 3. Quorum: A majority of the incumbent members of the Agency shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Except as these by-laws provide otherwise, the express concurrence of a majority of the members of the Agency voting when a quorum of the Agency is present at the Agency meeting shall be necessary to decide any question before the Agency.

Section 4. Manner of Voting: The voting shall be by roll call, and the ayes and nays and Agency members abstaining shall be entered upon the minutes of such meeting.

Section 5. Order of Business: At the regular meetings of the Agency, the following shall be substantially the order of business:

- (a) Roll Call
- (b) Approval of minutes of previous meeting
- (c) Communications from the audience
- (d) Written communications
- (e) Report of Chair
- (f) Reports of Committees
- (g) Unfinished business
- (h) New and miscellaneous business
- (i) Resolutions
- (j) Adjournment

Section 6. Resolutions: All resolutions shall be in writing.

Section 7. Roberts Rules: All rules of order not herein provided for shall be determined in accordance with Roberts Rules of Order Newly Revised.

Section 8. Open Meetings: All meetings shall be open to the public, except that any portion of a meeting may be held in Executive Session if such session is in conformance with the Oregon Public Meetings Law.

ARTICLE V - PROCEDURES

Section 1. Standing or Special Committees: The establishment of committees shall be by vote of the Agency. The Agency by vote, may refer items to standing or special committees for

recommendation and report. All committee members shall be appointed by the Chair, subject to approval by the Agency. The committee member first named shall act as Chair thereof. All committees need not be restricted to Agency members.

Section 2. Authorization of Expenditures: Authorization and approval of the expenditures of money may be made only at a regular meeting or at a special meeting called for that purpose. Provided, that no authorization or approval of expenditures of money may be made at a special meeting unless all Agency members have been advised in advance of said meeting that such authorizing action is intended to be taken or considered.

ARTICLE VI - FINANCIAL

Section 1. Custody of Funds: The Finance Director of the City of Lincoln City shall be the ex officio custodian of the funds of the Agency. Such funds shall be kept separate from the funds of the City. Investment and disbursement of Agency funds shall follow the regular investment and disbursement procedures of the City of Lincoln City by the City Council. The Urban Renewal Agency General Fund is hereby established for deposit of all Agency revenues until otherwise provided by the Agency. Other funds shall be established as needed by resolution of the Agency.

Section 2. Budget: Budget procedures followed for funds of the City of Lincoln City shall also be substantially followed for the fund or funds of the Agency, except that the committee which reviews the budget of the Agency shall consist of the Agency members and seven (7) residents of the City of Lincoln City appointed by the Agency.

Section 3. Audit: An annual audit of the fund or funds of the Agency shall be performed by the auditor of the City of Lincoln City using the same procedures as are used for funds of the City.

ARTICLE VII - AMENDMENTS

Amendments to By-Laws: The by-laws of the Agency shall be amended only with the approval of at least four (4) of the Agency members at a regular or special meeting, but no such amendment shall be adopted unless at least ~~five~~ ^{three (3)} ~~(5)~~ days written notice thereof has been previously given to all of the Agency members. *amended by 6R90-03 AUG 27, 1990*

PASSED AND ADOPTED this 14th day of May, 1990.

/s/ Robert G. Derr
Chair

ATTEST:

/s/ D. W. Works
Recording Secretary