

Burns Urban Renewal Agency

Work Session

Agenda

October 21, 2026, 5:00 p.m.

Zoom Meeting ID: 902 014 3459

Members: Tod Gahley, Jen Hoke, Susan Lowe, Shane Brockmann, Chase Patterson, Andrew Roy

Staff and Consultants: Brenda Engebretson, City Manager; Tiffany Leffler, City of Burns; Nick Green, Catalyst Public Policy Advisors (URA consultant)

Purpose of this work session. This is a public working meeting of the Board. Its purpose is to (1) review how the Agency is governed and what its programs offer, (2) review the status of every incentive application and payment, (3) review the Agency's finances, and (4) discuss the decisions ahead on obligations, the proposed boundary expansion, and financing. Written questions submitted by residents are answered in Attachment B. Other than approving the agenda, the Board will take no formal action during this meeting. Instead, the Board will direct staff on the items to bring to the next regular meeting for decision, each with a written staff recommendation and a draft motion.

1. Call to Order and Roll Call (6:00 p.m.)

2. Approval of Work Session Agenda

Motion to approve the agenda as presented or as amended. Once the agenda is approved, it sets the order of business for the meeting. Under Robert's Rules of Order, a later change to the approved order of business requires general consent or a two-thirds vote.

3. Declarations of Potential or Actual Conflicts of Interest

Before discussion, each Board member announces any potential or actual conflict of interest in an item on this agenda, as required by ORS 244.120, including any incentive application or payment in which the member, a relative, or a business with which the member or a relative is associated has an interest. Staff and consultants will likewise disclose any working relationship with an applicant discussed under Item 6. Announcements are recorded in the minutes.

4. Public Comment (approximately 15 minutes)

Public comment is not required at a work session but is offered here at the start of the meeting and again under Item 10. Speakers are asked to state their name and limit comments to three minutes. Comments may be submitted in writing before the meeting to tlevffler@cityofburnsor.gov. The Board listens during public comment; it provides responses through the agenda items that follow and in Attachment B rather than through back-and-forth discussion.

Reference: Attachment B – Follow-Up on Prior Next Steps and Written Questions Received

5. URA Governing Documents, Program Benefits, and Board Procedures (approximately 30 minutes)

The Agency operates under ORS Chapter 457, the Burns Urban Renewal Plan adopted by City Ordinance No. 21-877, and two Board-adopted governing documents, which are enclosed:

- **Bylaws** – adopted by Resolution No. 22-001 on February 9, 2022.
- **Standard Operating Procedures (SOPs)** – originally adopted by Resolution No. 22-002 on February 9, 2022; amended and restated by Resolution No. 22-003 on November 16, 2022. Resolution No. 22-003 is the version currently in effect.

Program benefits under SOP Section 3.1 (rebates are a percentage of the change in assessed value as determined by the Harney County Assessor):

- New home construction: 7% of the change in assessed value, plus rebate of City SDCs for new connections
- Major remodel of an existing home: 15%
- New commercial construction: 5%, plus rebate of City SDCs for new connections
- Major remodel of an existing commercial building: 12%

Key rules the Board applies to every applicant:

- Apply and receive written approval before starting work. Work that begins before approval is not eligible without subsequent Board approval (SOP 2.3). The Board has the discretion to approve a project at any point during its development.
- New construction must have completed City land use or site design review (SOP 2.3(a)), and all permits and codes must be followed (SOP 2.4).
- The Board authorizes rebate payments (SOP 3.2). Rebates are paid annually after the Assessor's roll shows the new value (SOP 3.3), to the approved applicant who submitted the application (SOP 3.4).

Board discussion: Staff will walk through the places where Board practice and Board motions since 2022 have not yet been carried into the written SOPs, and where the SOPs are silent or unclear (Attachment D). The Board will indicate which clarifications it wants drafted into a single restated SOP resolution for adoption at the next regular meeting.

Reference: Resolution No. 22-001 (Bylaws); Resolution Nos. 22-002 and 22-003 (SOPs); Minutes of February 9, 2022, September 21, 2022, November 16, 2022, and August 16, 2023; Burns URA Board Orientation presentation; Attachment D – SOP Housekeeping Items

6. Status of Current, Completed, and Pending Incentive Applications (approximately 30 minutes)

Since 2022, the Agency has received 10 incentive applications 3 completed and paid in full (\$39,818 total), 5 approved and still open, and 3 pending a Board decision. Both pending

applications report that construction began before the application was filed, so each requires a Board determination under SOP 2.3.

- **Review each open approval:** current status, expected completion, and estimated rebate and SDC amounts so the Board can see its total promised payouts.
- Andersons / Bon Temps (76 W. Monroe): whether the property has been reassessed and the status of any SDC payments.
- Pending applications (Coppedge; McConnell – Lot 18, Miller Springs; R3 – Lot 17 Miller Springs – SDCs only): facts on application timing, land use review, permits, and ownership, and the standard the Board wants to apply to late applications.
- Whether approvals that have shown no activity for two or more years should expire or be re-confirmed.

Reference: Attachment A – Incentive Application and Payment Register; individual applications on file

7. Review of URA Financials (approximately 25 minutes)

Board review of where the Agency's money comes from, what it has spent, and what it has promised. Highlights from Attachment C:

- Tax increment receipts nearly doubled from FY2023-24 to FY2024-25 (\$51,261 to \$98,511 in total revenue), and the Agency's ending fund balance rose from \$49,714 to \$103,531.
- FY2025-26 imposed tax increment fell to \$83,745 as the area's excess value dropped 24.8%, largely from one exemption on the roll.
- The adopted FY2026-27 budget of \$251,500 plans \$202,652 in rebate and SDC payments against \$100,000 of expected tax revenue, which would draw down most of the fund balance.
- The FY2024-25 Annual Financial Report required by ORS 457.460 has been prepared but not yet approved by the Board. It is recommended for action at the next regular meeting.

Staff will also explain how and when tax receipts reach the Agency: the Harney County Tax Collector distributes collections to the URA, with most receipts arriving after property taxes are due on November 15.

Reference: Attachment C – Financial Snapshot; FY2024-25 Annual Financial Report; FY2025-26 year-end financial statements FY2026-27 adopted budget; Assessor's Sal4e reports for tax years 2023-24 through 2025-26; Memorandum 1 – URA Program Recap and Baseline

8. Future Work and Decisions Discussion (approximately 35 minutes)

a. Upcoming payments owed by the URA and by the city. The URA's obligations are the approved rebates and SDC payments in Attachment A; the URA has no outstanding debt. The City, separately, carries a Business Oregon financing package for the water, sewer, and street infrastructure serving West B Street and the IE Zone, including a \$550,000 Special Public Works Fund (SPWF) loan at 5.10% over 30 years (about \$36,000 per year, beginning

in FY2027-28). These are City obligations, not URA obligations, unless the Board and City Council later approve an intergovernmental agreement. **This project will close out on October 21, 2026 (e.g., the day of this meeting) and the bill will be due by November 15.**

b. West B Street extension costs. City staff will summarize what drove the final project cost (change orders and power service costs) and how the City financed it. Whether the City has any recoverable claim against a contractor, designer, or insurer is a question for the City Council and City Attorney, not the URA Board.

c. Boundary expansion versus water and sewer rate increases. Options for discussion:

- Option 1 – Initiate a substantial amendment adding West B Street (14.26 acres, 77 lots) and the IE Zone (30.94 acres, 24 lots), and negotiate an IGA under which new tax increment from those lots reimburses part of the City's SPWF payment.
- Option 2 – Make no boundary change. The SPWF payment is recovered entirely through water and sewer rates, alongside the rate path already modeled (water \$31.42 to \$56; sewer \$27.66 to \$43).
- Option 3 – Defer, recognizing that homes built on these lots before an amendment is filed with the Assessor will add value outside the URA. Amendments must be filed before January 1 to apply to the next tax year (ORS 457.440; SOP 4.1).

d. How best to finance current and future obligations. Pay-as-you-go from tax increment; an OHCS Moderate-Income Revolving Loan (0% interest) to bridge SDC and rebate payments until increment arrives. A City interfund loan is technically an option, but no fund currently has a cash balance that would allow for it.

Reference: Memorandum 2 – Boundary Amendment and TIF Recapture (August 11, 2026); Memorandum 3 – Implementation Mechanics; Memorandum 4 – OHCS MIRL Capital Stack (August 11, 2026); Boundary Expansion Feasibility Memo (April 29, 2026); City of Burns Utility Pro Forma, Attachment N (October 7, 2026)

9. Board Direction on Agenda for Next Regular Meeting

Direct staff and consultants to prepare the following for the next regular meeting on **[date to be chosen]**, each with a written staff recommendation and a draft motion:

- Approve the FY2024-25 Annual Financial Report and publish the required notice (ORS 457.460).
- Approve outstanding meeting minutes.
- Resolution No. 26-___ amending and restating the SOPs to carry in prior Board motions and the clarifications directed under Item 5.
- Determinations on the two pending applications under SOP 2.3.
- Authorization of pending rebate and SDC payments, each identified by applicant, amount, and the approval it relies on.
- Whether to initiate the boundary amendment and IGA negotiation with the City, and whether to pursue OHCS MIRL participation.

- A standing quarterly report to the Board: cash balance, payments made, payments promised, and application status.
- Date for a community URA information session open to the public. **[date to be chosen]**

10. Public Comment (approximately 10 minutes)

Second opportunity for public comment, same guidelines as Item 4.

11. Board Member Comments

12. Adjournment (target 8:30 p.m.)

Attachment A – Incentive Application and Payment Register

Compiled from URA minutes, agenda packets, and financial reports, 2022–2026. Yellow cells are for City staff to complete or confirm.

#	Applicant / Property	Program (Rate)	Approved	Status	Paid to Date	Est. Remaining / Open Items
1	Christina & Jeremy Tharp S. Harney Ave.	New Home (7% + SDC)	Applied July 2022	Complete	\$6,671.20 (\$4,071.20 rebate + \$2,600 SDC); ratified Aug. 28, 2024	Payment approved on August 28, 2024
2	Unique Holdings, LLC 260 N. Broadway	Commercial Major Remodel (12%)	Sept. 21, 2022 (Chair abstained, conflict declared)	Complete	\$25,981.92 (FY2024-25)	Board Authorized payment on December 11, 2024
3	Glenn & Selene Dobson (Stitch and Print) 1737 Hines Blvd.	Commercial New Build (5%)	Nov. 16, 2022	Complete	\$7,165 (\$5,915 partial FY2023-24; \$1,250 final approved May 27, 2025)	Board Authorized split payments on April 10, 2024 \$ May 27, 2025
4	Jared & Teresa Dominick 610 N. Broadway	Major Remodel, phased	Sept. 21, 2022	Open – stalled (ODOT parking issue, Feb. 2025)	\$0	On hold due to funding
5	Richard & Colleen Roy 714 N. Broadway and 46 W. C St.	Commercial Major Remodel (12%)	Nov. 16, 2022	Open – no update reported since Feb. 2025	\$0	In Progress
6	Kaino 340/348 N. Broadway	Commercial Major Remodel (12%)	Aug. 16, 2023; confirmed Oct. 18, 2023	Open – no update reported since Feb. 2025	\$0	In Progress
7	Tom & Becky Anderson (Bon Temps) 76 W. Monroe St.	Commercial Major Remodel (12%)	Conditional Oct. 18, 2023; confirmed Dec. 13, 2023	Open – reported "full steam ahead" in Feb. 2025	\$0	Complete and waiting on new assessment
8	Tylor & Kacey Kness W. Pierce (new home and shop)	New Home (7% + SDC)	February 26, 2025	Open – initial AV \$27,251	\$0	In Progress
9	John Coppedge 1035 E. Adams	New Home – new double-wide (7% + SDC)	Pending	Application signed Nov. 24, 2025; project start listed Oct. 29, 2025	\$0	Board determination under SOP 2.3 (work began before application) Project Complete and waiting on new assessment
10	Cody & Ann McConnell 2196 W. B St. (Lot 18, Miller Springs)	New Home (7% + SDC)	Pending	Application dated Mar. 3, 2026; construction start listed Sept. 2, 2025; est. cost \$650,000	\$0	Board determination under SOP 2.3; land use review status; Waiting on Board Approval

Totals: paid to date \$39,818.12 (3 completed projects). Estimated remaining commitments on open and pending applications will be discussed. FY2026-27 adopted budget carries \$90,410 for rebates and \$112,242 for SDC payments.

Attachment B – Follow-Up on Prior Next Steps and Written Questions Received

Part 1 lists the next steps recorded at a prior meeting and circulated to the Board by a resident on September 30, 2026. Part 2 responds to the written questions received the same day.

Part 1 – Prior Next Steps

#	Next Step	Response / Status	Agenda Item
1	Provide the Board a list of all active URA applications and their statuses.	Done. See Attachment A.	6
2	Report on the Andersons' project: reassessment and status of SDC payments.	Waiting on the new assessment. SDC invoice submitted to URA.	6
3	Review minutes to determine whether the SOPs and Bylaws were presented and/or signed.	Minutes of February 9, 2022 (approved April 13, 2022) record adoption of the Bylaws (Res. No. 22-001) and SOPs (Res. No. 22-002). Minutes of November 16, 2022, record adoption of amended SOPs (Res. No. 22-003). Attached.	5
4	Check with the County whether Resolution 22-03 (SOPs) was filed there.	The SOPs are internal Agency procedures adopted by Board resolution; the official record is the Agency's own resolution book and minutes. No County filing is required; Plan ordinance and boundary were provided to the Assessor.	5
5	Verify the current URA reimbursement rate (e.g., 7% for new residential).	SOP 3.1: 7% new home; 15% major residential remodel; 5% new commercial; 12% major commercial remodel; plus SDC rebate for new connections.	5
6	Schedule a work session to review promised payouts, outstanding applications, and financial projections before considering new applications.	This work session.	All
7	Review and update (or adopt) signed SOPs and Bylaws.	Housekeeping items identified in Attachment D; restated SOP resolution recommended for the next regular meeting.	5, 9
8	Clarify the URA's financial status: total funds available, promised payouts, and process and timing of tax receipt deposits.	See Attachment C.	7

Part 2 – Written Questions Received September 30, 2026

Question	Response
Why are documents the Board said it needed not in the packet?	The governing resolutions, minutes, application register, and financial reports listed under Items 5–7 are enclosed with this packet.
Why are the items the Board said it would consider not on the agenda?	Each prior next step is mapped to an agenda item in Part 1.
Why is the Board not following its Bylaws and SOPs?	Item 5 reviews both documents. Attachment D lists where practice and prior motions have not been carried into the written SOPs, so the Board can correct them by resolution.
Why is a home built without a URA application, and then sold, now coming in with an application from the second owner? Is that contrary to the SOPs?	SOP 2.3 requires approval before work begins, but allows the Board to consider work that began earlier through "subsequent Board approval." SOP 3.4 pays the applicant who submitted the application; the SOPs do not address ownership changes. The Board will decide the pending application on the record and set a written rule for future cases.
Why not suspend all business until the Board holds an educational meeting for the Board and the public?	This work session serves that purpose for the Board. Item 9 asks the Board to schedule a community information session. Some actions are time-sensitive, including the overdue FY2024-25 Annual Financial Report and the January 1 filing deadline for any boundary amendment.
Why has no legal action or insurance claim been taken to recover the \$550,000 owed for the B Street extension overrun?	The \$550,000 is a City of Burns SPWF loan for City infrastructure outside the current URA boundary; the URA has not borrowed or paid toward it. Whether any recovery claim exists is a City Council and City Attorney question. Staff will summarize the cost history under Item 8(b).

Attachment C – Financial Snapshot

Source: FY2023-24 audit, FY2024-25 Annual Financial Report, FY2025-26 interim figures, and FY2026-27 adopted budget, as summarized in Memorandum 1. FY2025-26 figures are year-to-date and must be updated to year-end.

Line	FY2023-24 (Audited)	FY2024-25 (Financial Report)	FY2025-26 (Interim)	FY2026-27 (Adopted Budget)
Total revenues (excl. beginning balance)	\$51,261	\$98,511	\$75,706 (YTD)	\$101,500
Rebate payments	\$9,986	\$25,982	\$1,250	\$90,410
SDC payments	\$2,600	\$0	\$0	\$112,242
Transfer to General Fund (administration)	—	\$13,352	\$15,622	\$5,768
Total expenditures	\$19,791	\$44,693	\$28,187 (YTD)	\$251,500
Ending fund balance (net working capital)	\$49,714	\$103,531	Budget assumes \$150,000	
Tax increment imposed (Assessor)	\$59,189	\$110,957	\$83,745	\$100,000 (est.)
Excess value over frozen base	\$3,555,951	\$6,625,618	\$4,984,837	—

Additional context

- Frozen base (certified): \$24,475,476. Maximum indebtedness under the Plan: \$30,300,000. Final year of tax increment collection projected: FY2052.
- Cash on hand as of September 30, 2026: Estimated promised payouts on open applications.
- The FY2026-27 SDC line (\$112,242) is described as a partial IE Zone SDC reimbursement.
- ORS 457.460 requires the Annual Financial Report for the prior fiscal year by January 31 and published notice of its availability. The FY2024-25 report is awaiting Board approval; the FY2025-26 report is due January 31, 2027.

Attachment D – SOP Housekeeping Items for Board Discussion

For discussion under Item 5. Each item would be addressed in one restated SOP resolution at the next regular meeting.

#	Issue	Where It Comes From	Option for Board Direction
1	Prior motion not carried into the SOPs	Aug. 16, 2023: Board voted to remove SOP 2.3(a) and (b); minutes note a resolution was needed. The SOP in the current application packet still contains 2.3(a), and no resolution has been located.	Confirm whether 2.3(a) stays or goes, then adopt by resolution. City will confirm if no resolution was adopted.
2	Version control	The SOP in the City's application packet is dated February 9, 2022 (the original Res. No. 22-002 date), although Res. No. 22-003 adopted revised SOPs on November 16, 2022. The August 2023 minutes refer to a Section 5 amendment process that does not appear in the packet copy.	Adopt one restated, dated, signed SOP; post it on the City website and attach it to every application packet.
3	Payment authorization is unclear	SOP 3.2 says the Board authorizes "all rebate payments" and payments over \$25,000, then says rebates under \$25,000 may be authorized by the Executive Director. Past payments were ratified after disbursement (Aug. 28, 2024).	State one rule: for example, Board authorizes every payment by motion before it is issued.
4	Late applications	SOP 2.3 allows "subsequent Board approval" for work begun before approval but sets no standard. Two pending applications fall in this category.	Set written criteria (for example, how late, permits in place, no prior rebate claimed) or close the exception.
5	Ownership changes	SOP 3.4 says the applicant who submitted the application; the SOPs do not address sale of the property before or after approval.	State whether approvals and rebates transfer to a new owner, and who may apply for a property already under construction.
6	Dormant approvals	Several approvals from 2022–2023 show no reported activity.	Add an expiration (for example, 24 months without a building permit) with an option to re-confirm.
7	Directions never codified	Nov. 16, 2022: Chair directed staff to add that manufactured homes must be on a foundation with the DOT license surrendered. The same meeting raised phased projects (Roy, Dominick), and Dobson later received a partial payment. None of these appear in the SOPs.	Decide each and write it into the SOPs.
8	Conflict-of-interest practice	A conflict was declared and the member abstained on one application (Sept. 21, 2022). No standing agenda item exists.	Keep Item 3 on every agenda; note in the SOPs that applications involving Board members, relatives, staff, or consultants are disclosed on the record.

URBAN RENEWAL AGENCY			
		ADOPTED	ACTUAL
Fund 301 Dept 100	ACCT NO	2025-26	2025-26
NET WORKING CAPITAL (301000)	3-01-0101	100,000.00	103,531.27
(Net funds from prior fiscal year)			
REVENUES			
Property Taxes	4-10-1104	100,000.00	
7/7/25 Harney County Tax Turnover			349.82
8/5/25 Harney County Tax Turnover			354.74
9/5/25 Harney County Tax Turnover			277.90
10/6/25 Harney County Tax Turnover			390.62
11/6/25 Harney County Tax Turnover			12,966.74
11/14/25 Harney County Tax Turnover			19,021.51
11/20/25 Harney County Tax Turnover			23,978.90
11/28/25 Harney County Tax Turnover			8,823.78
12/5/25 Harney County Tax Turnover			659.52
1/8/26 Harney County Tax Turnover			1,891.50
2/5/26 Harney County Tax Turnover			923.70
3/5/26 Harney County Tax Turnover			2,375.63
4/6/26 Harney County Tax Turnover			925.99
5/5/26 Harney County Tax Turnover			639.42
6/5/26 Harney County Tax Turnover			1,625.95
			75,205.72
Application Fees	4-40-0107	1,000.00	
11/24/25 John Coppedge			250.00
5/13/26 Cody and Ann McConnell			250.00
			500.00
Loan/Grant Proceeds	4-70-1101	700,000.00	-
TOTAL REVENUES		901,000.00	75,705.72

EXPENSES		ADOPTED	ACTUAL
Office Supplies	5-20-1021	-	
General Insurance	5-20-1080	-	
Computer / IT Svcs	5-20-1100	1,175.00	-
Audit Fees	5-20-1102	10,000.00	
9/7/25 Umpqua Valley Financial LLC			1,250.00
5/19/2026 Umpqua Valley Financial LLC			4,100.00
			5,350.00
Legal Fees	5-20-2701	2,500.00	
3/9/26 Bryant, Lovlien & Jarvis			360.00
			360.00
Advertising	5-20-2730	1,000.00	-
Administration	5-20-2731	-	-
Other Professional Services	5-20-2733	5,000.00	
7/7/25 City/County Insurance			1,742.68
10/31/25 Catalyst Public Policy Advisors LLC			1,687.50
4/24/26 Government Ethics Commission			149.73
5/1/26 Catalyst Public Policy Advisors LLC			225.00
6/1/26 Catalyst Public Policy Advisors LLC			2,025.00
			5,829.91
SDC Payments	5-20-2734	700,000.00	-
Rebate Payments	5-20-2735	165,703.00	
8/19/25 Glen & Selene Dobson			1,250.00
			1,250.00
TOTAL MATERIALS & SERVICES		885,378.00	12,789.91
Trf to General Fund-Admin	5-60-1102	15,622.00	15,622.00
TOTAL TRANSFERS		15,622.00	15,622.00
Operating Contingency	5-70-1101	-	-
MATERIALS & SERVICES		885,378.00	12,789.91
DEBT SERVICE		-	-
TRANSFERS		15,622.00	15,622.00
OPERATING CONTINGENCY		-	-
TOTAL EXPENSES		901,000.00	28,411.91
FISCAL YEAR NET FUND BALANCE		-	47,293.81

BYLAWS OF BURNS URBAN RENEWAL AGENCY

These Bylaws of the Burns Urban Renewal Agency dated February 9, 2022 (these "Bylaws") are authorized by Section 1, Section 2, and Exhibit A of City of Burns ("City") Ordinance No. 21-876 (the "Ordinance").

1. NAME; OFFICE; AUTHORITY

1.1 Name. This agency will be referred to as the "Burns Urban Renewal Agency" ("Agency").

1.2 Office. Agency's office will be located at the Burns City Hall (Burns, Oregon), or such other location as the Council (as defined below) may designate from time to time.

1.3 Powers and Duties. Agency's powers and duties are those provided under ORS chapter 457, the Ordinance (as amended), and as authorized by the Burns City Council (the "Council") from time to time.

2. URBAN RENEWAL AGENCY BOARD

2.1 General Powers. All Agency powers will be exercised by or under the authority of, and the affairs of Agency managed under the direction of, the Burns Urban Renewal Agency board (the "Board"), subject to any limitations set forth under applicable Oregon law and/or ordinance of the Council. Without otherwise limiting the immediately preceding sentence, the Board may establish, amend, and/or modify rules, regulations, requirements, standards, policies, and/or procedures concerning Agency's operations from time to time.

2.2 Membership; Terms. The Board will be composed of the seven members of the Council. Each member of the Board will serve a term that corresponds with the term of the member's Council seat, ending December 31. A vacancy in a member's Council seat will be deemed a vacancy in the member's respective Board seat.

2.3 Responsibilities. In addition to any other duties or responsibilities assigned to the Board members under these Bylaws, each member must regularly attend Board meetings and must notify the chair when he or she will be unable to attend a Board meeting.

2.4 Local Contract Review Board. The Board will act as Agency's local contract review board when approving public contracts in accordance with Agency's public contracting rules. All contracts, deeds, and instruments will be approved in accordance with applicable law and Agency's public contracting rules.

2.5 Conflict of Interest Activities. Subject to and in accordance with applicable law, a member will not participate in any Board proceeding or action in which any of the following has a direct or substantial financial interest: (a) the member or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the member; (b) any business in which the member is then serving or has served within the previous two years; or (c) any business for which the member is negotiating or for which the member has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential conflict of interest will be disclosed at the meeting of the Board where the action or proceeding is being taken. The Board member responsibilities contained herein are in addition to and not in lieu of any applicable duty, obligation, and/or responsibility arising out of and/or under Oregon law (including, without limitation, ORS chapter 244).

3. OFFICERS; PERSONNEL; COMMITTEES

3.1 Officers. Agency's board officers will consist of a chair, vice-chair/secretary, executive director, and any other officer(s) the Board deems necessary or appropriate. Each officer has the authority and will perform the officer's respective duties set forth in these Bylaws or, to the extent consistent with these Bylaws, the duties and authority prescribed by the Board or by direction of an officer authorized by the Board to prescribe the duties of other officer(s).

3.2 Chair. The Board will elect a Board member to serve as the chair of the Board by a vote of a majority of the entire Board. The chair will preside at all meetings of the Board. The chair will have a vote on all questions before the Board. At each meeting of the Board, the chair will submit such information and recommendations to the Board as the chair may consider proper concerning the business, affairs, and policies of Agency. The chair will be a co-signer on checks.

3.3 Vice-Chair/Secretary. The Board will elect a Board member to serve as the vice-chair of the Board by a vote of a majority of the entire Board to serve as vice-chair/secretary of the Board and will perform the duties of the chair in the absence of the chair. Whenever the chair is unable to perform the functions of the office, the vice-chair/secretary will act as chair. If both the chair and vice-chair/secretary are absent from a meeting, the Board will elect a temporary chair for the particular meeting in question. In the absence of the executive director, the vice-chair/secretary will keep the official records of Agency, attest signatures of Agency, certify copies of Agency documents, and perform other record-keeping duties of the executive director. The vice-chair/secretary will be a co-signer on checks.

3.4 Executive Director. City's then-appointed city manager may act as the executive director of Agency, or the Board may select another individual to serve as executive director. The executive director will be the chief executive officer and administrative head of Agency and will be responsible to Agency for the proper administration of the affairs placed in the executive director's hands. The executive director will administer the affairs of Agency in accordance with applicable federal, state, and local laws, rules, regulations, and/or ordinances. The executive director will see that all contracts of Agency are carried out in the best interest of Agency and in accordance with applicable law. In addition to any other duties and/or responsibilities prescribed and/or directed by the Board from time to time, the executive director will have the following duties and responsibilities:

(a) The executive director will cause to be prepared plans, reports, and other necessary matters concerning Agency's urban renewal area(s) and will report from time to time to the Board on the status of Agency's urban renewal programs.

(b) Except as otherwise provided by these Bylaws, the executive director may appoint and remove, and will have general supervision and control over, Agency employees and their work.

(c) The executive director will serve as Agency's budget officer.

(d) The executive director will be responsible for the fiscal administration of all Agency funds and will act as co-signer of the checks drawn upon the checking accounts of Agency.

3.5 Additional Duties; Additional Personnel; Committees. Agency's officers will perform such other duties and functions as may be designated by the Board and/or required by Agency from time to time. The Board may create such positions, employ such personnel, create committees, subcommittees, or advisory groups as it deems necessary to exercise Agency's powers, duties, and functions in accordance with these Bylaws and applicable law.

(a) A non-voting, Advisory Committee consisting of at least one representative from the impacted taxing districts within the URA area may be seated at the discretion of the Agency.

3.6 Vacancies; Removal. Should the offices of the chair or vice-chair/secretary become vacant, the Board will elect a successor from its members at the next regular meeting and such election will be for the unexpired term of such office. The chair or vice-chair/secretary may be removed from office at any time by a vote of a majority of the entire Board.

4. MEETINGS

4.1 Board Meetings. The Board will hold at least one regularly scheduled meeting per quarter unless canceled at the direction of the chair due to lack of Agency business or other reason. The Board will operate

subject to, and in accordance with, applicable Oregon law. Notwithstanding anything contained in these Bylaws to the contrary, all meetings of the Board will be called, noticed, and held in accordance with these Bylaws and Oregon law (including, without limitation, Oregon's Public Meetings Law). Without otherwise limiting the generality of the immediately preceding sentence, all meetings, deliberations, and proceedings of the Board will be public except as otherwise expressly authorized under applicable Oregon law.

4.2 Special and Emergency Meetings. In addition to the regular meetings, the Board will meet at such other times, dates, and places as may be deemed necessary or appropriate to carry out Agency business. Special meetings may be called by the chair, a majority of the members, and/or the executive director by giving at least forty-eight (48) hours' prior notice.

4.3 Quorum. A majority of the then-appointed Board members will constitute a quorum for the purpose of conducting business and exercising the powers of Agency and for all other purposes. A majority vote of a quorum is necessary to act on any matter before the Board, except as otherwise provided in these Bylaws, a resolution of the Board, and/or applicable law. To the fullest extent permitted under applicable law, Board members may attend a regular or special meeting through use of any means of communicating by which all Board members participating may simultaneously hear or read each other's communications during the meeting.

4.4 Manner of Voting. Voting will be by recorded vote. The ayes and nays will be entered into the minutes of such meeting. Board members present and not voting and Board members absent will be entered into the minutes of such meeting.

4.5 Order of Business. At the regular meetings of the Board, the following will be substantially the order of business:

- (a) Call to order.
- (b) Roll call.
- (c) Consent agenda and approval of minutes of previous meeting.
- (d) Citizen input.
- (e) Items from chair or Board members.
- (f) Items from executive director.
- (g) Public hearings.
- (h) Committee reports.
- (i) New and miscellaneous business.
- (j) Adjournment.

4.6 Robert's Rules: Decorum. Each Board member will conduct himself or herself in a manner consistent with the applicable Council rules for decorum and order. Except as otherwise provided by applicable law, Council rules, and/or these Bylaws, all rules of order not herein provided for will be determined in accordance with *Robert's Rules of Order Newly Revised*.

4.7 Minutes; Resolutions. The executive director (or his or her designee) will keep an accurate record of all Board proceedings, including written minutes or recordings of all meetings. A copy of each meeting minutes will be delivered to the executive director for filing. The minutes of any meeting of the Board are a public

record available for public inspection, subject to applicable Oregon law (including, without limitation, Oregon's Public Records Law). All Agency resolutions will be in writing.

5. FINANCIAL

5.1 Agency Funds; Investment; Disbursement. The executive director (or his or her designee) will be the ex officio custodian of Agency funds. Agency funds will be kept separate from City's funds and will be invested and disbursed in accordance with Oregon law. The Urban Renewal Agency General Fund is hereby established for deposit of all Agency revenues until otherwise provided by Agency. Other funds may be established as needed by resolution of the Board.

5.2. Budget; Audit; Financial Statement. Budget procedures will follow budget law of the State of Oregon for urban renewal agencies. An annual audit of the fund(s) of Agency will be performed. As required in ORS 457.460, an annual financial statement will be prepared for Agency and notice of the financial statement will be published as required by applicable Oregon law.

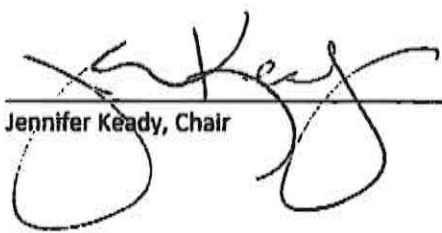
6. PROFESSIONAL SERVICES

Agency will use the same professional services firms and/or consultants as City, unless the Board determines the use thereof is not in the best interests of Agency. Subject to and in accordance with Agency's public contracting rules, Agency may obtain and/or procure professional services, including, without limitation, bond counsel, urban renewal consultant(s), and financial analyst(s), as may be necessary or appropriate to achieve the goals and objectives of Agency.

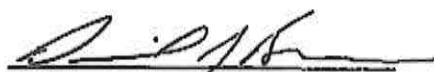
7. AMENDMENT OF BYLAWS

The Board may, by resolution, adopt one or more amendments to these Bylaws by a vote of a majority of the entire Board, provided that the proposed amendment(s) has been submitted in writing to all members at least five days prior to the meeting at which the amendment is to be considered. The notice of the meeting at which the amendment is to be considered will state that the purpose or one of the purposes of the meeting is to consider a proposed amendment to these Bylaws.

These Bylaws were adopted and made effective by the Board on February 9, 2022.


Jennifer Keady, Chair

ATTEST:


Daniel Brown, Executive Director

STANDARD OPERATING PROCEDURES OF BURNS URBAN RENEWAL AGENCY

These Standard Operating Procedures of Burns Urban Renewal Agency dated February 9, 2022 (these "SOPs") are authorized by Order of the Urban Renewal Agency Board of Directors. The SOPs govern the use of the Agency's "New Home Incentive Program" and "Major Remodel Program," "Commercial New Build Incentive Program" and "Commercial Major Remodel Program", collectively referred to as the "Incentive Programs," as described herein.

1. APPLICATION PROCEDURES

1.1 Application Process. Applicants who wish to participate in the URA Incentive Programs must first file an application with the URA executive director at the Agency office.

1.2 Application Form. Agency's office will use a standard form for all URA participants, substantially in the form shown in Exhibit B. The Application Form may be amended from time to time by the executive director to meet the needs of the program.

1.3 Application Fees. Agency will use the City of Burns (the "City") approved "Fee Schedule" and "Acknowledgement" forms for all Application Fees, as shown in Exhibit C to these SOPs. Application Fees will automatically be adjusted when changes to the Fee Schedule are made and approved by the City.

- (a) The fee for URA Applications will follow the "Land Use Review" fee schedule of the City.
- (b) Requests for URA Interpretations will follow the "Interpretation" fee schedule of the City.
- (c) Requests to amend the URA, including minor amendments to URA boundaries, will follow the "Amendment" fee schedule of the City.

Agency Fees will be processed by the City but are to be kept separate from and are in addition to any charges owed by the Applicant to the City incurred through the City's planning process.

1.4 Application Approval; Conditions. The executive director may approve applications for properties currently within the URA boundaries that do not require discretion (i.e. new construction; major renovations and additions to existing properties). Applications for properties that are not within the URA boundaries or that require discretion must be referred to the Board for review and approval. The executive director may refer any application to the Board as he/she sees fit. The approval of an application does not guarantee payment of incentives from the URA to any applicant.

2. ELIGIBILITY; APPLICANT RESPONSIBILITIES; REMOVAL AND ADJUDICATION

2.1 Eligibility; URA Boundaries. Properties within the urban renewal area boundaries established by the adopting ordinance (City Ordinance No. 21-877), and any subsequent amendments to those boundaries as approved by the Agency, are eligible to participate in the Incentive Programs provided they meet the terms and conditions described in this Section 2.

2.2 Eligible Improvements. The following improvements are eligible for participation.

- (a) New Home Incentive Program. Site-built homes on an approved residential lot in the Residential Limited (RL), Residential General (RG) and Residential Commercial (RC) zones are eligible for the New Home Incentive Program. Manufactured homes and prefabricated structures are eligible providing they were manufactured no more than three (3) years prior to the date of application and meets all criteria listed on Exhibit B, Manufactured Home Criteria. Recreational Vehicles (RVs) of any kind are not eligible.
- (b) Major Remodel Program. Substantial improvements to existing homes in the RL, RG and RC zone that result in an increase in assessed value of \$10,000 or greater are eligible for the

Major Remodel Program. Homes in the Downtown (D), General Commercial (GC), General Industrial (GI) and Park Reserve (PR) zones may be eligible but must be reviewed and approved by the Board.

- (c) Commercial New Build Incentive Program. Site-built commercial buildings on an approved commercial lot in the commercial zones are eligible for the Commercial New Build Incentive Program.
- (d) Commercial Major Remodel Program. Substantial improvements to existing commercial buildings in the commercial zone that result in an increase in assessed value of \$10,000 or greater are eligible for the Commercial Major Remodel Program. Buildings in the Downtown (D), General Commercial (GC), General Industrial (GI) and Park Reserve (PR) zones may be eligible but must be reviewed and approved by the Board.

2.3 **Eligibility; Terms.** Applicants must file their application for the Incentive Programs and receive executive director or Agency written approval prior to beginning any improvements to their property. Improvements that begin prior to the application approval date may not be eligible to receive incentives without subsequent Board approval.

- (a) Participants in the New Home/Commercial New Build Incentive Program must have a completed and approved Land Use Review or Site Design Review by City prior to receiving approval from executive director to be eligible for the New Home Incentive Program.
- (b) Participants in the Major Remodel/Commercial Major Remodel Program must request an initial assessment of their planned improvements by the County Assessor prior to receiving approval for the Major Remodel Incentive Program.

2.4 **Applicant Responsibilities; Ineligibility and Removal.** Applicants must adhere to all local, state and federal building codes and regulations from the time of application through completion of their property improvements. Projects initiated without local land use review, permits and other required regulatory reviews are ineligible to participate in the Incentive Programs. Applicants whose permits are revoked or who fail to follow regulations during course of construction may be removed from eligibility at the discretion of the Board.

2.5 **Board Review; Adjudication.** The Board will act as Agency's review board when adjudicating any decisions of the executive director regarding program eligibility and removal.

3. **INCENTIVE PAYMENTS; PROCEDURES**

3.1 **Incentive Payments; Types.** The Agency makes five types of incentive payments:

- (a) Rebates of 7% of the change in assessed value (as determined by the Harney County Assessor) for new home construction under the New Home Incentive Program.
- (b) Rebates of 15% of the change in assessed value (as determined by the Harney County Assessor) for substantial improvements to existing residential properties.
- (c) Rebates of 5% of the change in assessed value (as determined by the Harney County Assessor) for new commercial construction under the Commercial Incentive Program.
- (d) Rebates of 12% of the change in assessed value (as determined by the Harney County Assessor) for substantial improvements to existing commercial properties.
- (e) Rebate payment of SDC's (as determined by City) for program participants making new connections to City services.

3.2 **Incentive Payments; Authorization.** Agency Board must authorize all rebate payments under all Incentive Programs and payments in excess of \$25,000. Rebates under \$25,000 may be authorized by Executive Director.

3.3 **Incentive Payments; Procedures.** Rebate payments will be issued annually following receipt of

the official change property ratio and tax statements from the Harney County Assessor. Tax statements will clearly identify the exception value for new construction and major improvements, upon which the rebates will be determined. Partial payments will be considered on a case-by-case basis.

3.4 Payment Issuance. Payments will be issued to the approved Applicant(s) who submitted the application form within 30-days of receipt of a City invoice or Board approval of rebate payments.

4. BOUNDARY AMENDMENTS

4.1 Amendments. Per ORS 457.440, to add property to the plan area the URA Board must amend the plan and provide notice to the Harney County Assessor prior to January 1 before the tax year to which the amendment applies. For example, plan area amendments submitted by December 31, 2022 will apply to property improvements made on or after January 1, 2023.

4.2 Amendment Approval; Submission. Board may consider and approve amendments at any meeting; however, formal plan area amendments will only be submitted once per year, prior to the January 1 deadline.

5. AMENDMENT OF SOPs

The Board may, by resolution, adopt one or more amendments to these SOPs by a vote of a majority of the entire Board, provided that the proposed amendment(s) has been submitted in writing to all members at least five days prior to the meeting at which the amendment is to be considered. The notice of the meeting at which the amendment is to be considered will state that the purpose or one of the purposes of the meeting is to consider a proposed amendment to these Bylaws.

These SOPs were updated and made effective by the Board on April 19, 2023


Jennifer Keady, Chair

ATTEST:


Nancy Gardner, Executive Director