

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE RATIFYING CREATION OF A HOUSING AND PUBLIC IMPROVEMENT CONSORTIUM KNOWN AS REGIONAL RURAL REVITALIZATION (R3) STRATEGIES IN ACCORDANCE WITH ORS 190.085.**

WHEREAS, ORS 190.010 provides that units of local government may enter into agreements for the performance of any functions and activities that any party to the agreement, or its officers or agents, has the authority to perform; and

WHEREAS, under ORS 190.085, each party to an intergovernmental agreement creating an intergovernmental entity must enact an ordinance ratifying creation of the intergovernmental entity prior to the effective date of the intergovernmental agreement; and

WHEREAS, the City Council of \_\_\_\_\_ (the "council") desires to declare its intent to create an intergovernmental entity by intergovernmental agreement and ratify the creation of such intergovernmental entity.

NOW, THEREFORE, the \_\_\_\_\_ ordains as follows:

1. Findings. The above-stated findings are hereby adopted.
2. Short Title. This Ordinance No. \_\_\_\_\_ may be referred to as the "Regional Rural Revitalization (R3) Strategies Consortium Ratifying Ordinance" and will be cited and referred to herein as this "Ordinance."
3. Definitions. For purposes of this Ordinance, the following terms and phrases have the meanings assigned to them below:

"Agreement" means the intergovernmental agreement entered into between the parties establishing the Consortium (and the terms and conditions under which the Consortium will operate) substantially in the form attached hereto as Exhibit A.

"Board" means Consortium's board of directors.

"Consortium" means the housing and public improvement consortium known as the Regional Rural Revitalization Strategies (R3) consortium.

"Services" has the meaning assigned to such term in the Agreement.

"Law(s)" mean all federal, state, and local laws, statutes, ordinances, and/or regulations directly or indirectly affecting Agency and/or this Agreement, including, without limitation, the Americans with Disabilities Act of 1990 (and the rules and regulations promulgated thereunder) and ORS chapter 190, all as now in force and/or which may hereafter be amended, modified, enacted, or promulgated.

"Managing Director" has the meaning assigned to such term in the Agreement.

“Party(ies)” means, individually and collectively, City of John Day, an Oregon municipal corporation, City of Burns, an Oregon municipal corporation, and Town of Lakeview, an Oregon municipal corporation.

“Project(s)” has the meaning assigned to such term in the Agreement.

4. Intent; Effective Date. The council hereby declares its intent to create the intergovernmental entity to be known as Regional Rural Revitalization Strategies (R3) by intergovernmental agreement. The effective date of the Agreement is July 1, 2022. City approves the Agreement substantially in the form attached hereto as Exhibit A.

5. Public Purposes. Consortium’s purposes include, without limitation, the following: (a) stimulating economic recovery and revitalization for each Party by pooling resources and enabling increased efficiency for each Party to complete the Projects; (b) plan for the most effective and efficient use of combined resources to complete the Projects; (c) recruit, select, and employ the Managing Director; (d) provide a forum for communication and consultation among the Parties and provide an opportunity for a cooperative and equitable sharing of expenses, resources, data, expertise, and experience of each unit of local government; and (e) carry out such other necessary and/or appropriate responsibilities and functions identified by the Parties from time to time.

6. Consortium Powers; Duties; Functions. Consortium will have the authority to act in the interest of the Parties concerning the Projects (including functions related thereto) that are submitted to the Consortium and such other responsibilities assigned by the Parties from time to time. Without otherwise limiting the generality of the foregoing, Consortium will have the following general powers: (a) adopt, through action of the Board, such bylaws, rules, regulations, and policies necessary to carry out the purposes and duties under the Agreement; (b) evaluate and approve the Projects, (c) coordinate logistics for approved Projects, (d) subject to the terms of the Agreement and/or ORS chapter 190, perform such other responsibilities as may be assigned by the Parties from time to time, and (e) enter into agreements with other public and/or private entities for the purpose of executing Projects. Notwithstanding anything contained in this Agreement to the contrary, Agency will not have the authority to bind and/or encumber the participating governmental units in any manner except as the Parties agree through both the policy and administrative authority granted to their appointed member of the Board.

7. Severability; Corrections. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word “or” is not exclusive. The words “include,” “includes,” and “including” are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by the council to cure editorial and/or clerical errors. This Ordinance will become effective thirty (30) days after adoption by the Council.

This Ordinance was PASSED and ADOPTED by the \_\_\_\_\_ City Council by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against and APPROVED by the mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:

\_\_\_\_\_  
By: \_\_\_\_\_

DRAFT

Exhibit A  
Agreement

[attached]

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