

**THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE**

**URA RESOLUTION NO. 318**

**A RESOLUTION OF THE CITY OF WILSONVILLE URBAN RENEWAL AGENCY AUTHORIZING STAFF TO TAKE NECESSARY STEPS TO CREATE A SINGLE-PROPERTY URBAN RENEWAL AREA FOR ECONOMIC DEVELOPMENT PURPOSES TO BE CALLED THE TWIST BIOSCIENCE WILSONVILLE INVESTMENT NOW (WIN) ZONE.**

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 without having ever been utilized, 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, the modified tax increment finance zone program offers more flexible criteria to qualifying development projects located outside of the City of Wilsonville’s otherwise designated urban renewal areas. The WIN Program provides urban renewal property tax rebates to qualifying projects and 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, and contributing to long-term growth in the property tax base through capital investment; 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 business investment; and

WHEREAS, establishment of such a 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 the Wilsonville Investment Now (WIN) Program Administrative Rules; 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, on June 7<sup>th</sup>, 2021, the Wilsonville Urban Renewal Agency approved URA Resolution No. 315, a Development Agreement stipulating the conditions that Twist Bioscience Corporation must achieve to receive WIN Program benefits in future years, and stipulating the City's obligations to provide property tax reimbursement payments to Twist Bioscience Corporation; and

WHEREAS, before the public review and approval process is initiated, the Wilsonville Urban Renewal Agency review of the draft Twist Bioscience Wilsonville Investment Now (WIN) Plan and Report is needed, along with their recommendation to authorize staff to initiate the public review and approval process for the creation of a new single-property urban renewal district to be called the Twist Bioscience Wilsonville Investment Now (WIN) Zone;

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

1. The Wilsonville Urban Renewal Agency directs staff to take the necessary steps to prepare a single-property urban renewal plan and report for Twist Bioscience including, but not limited to, necessary public outreach, notification and review, including consulting and conferring with taxing districts about potential impacts of the Twist Bioscience WIN Zone,

Planning Commission review to ensure Comprehensive Plan conformance, and City Council public hearing and vote on a non-emergency ordinance.

2. This resolution is effective upon adoption.

ADOPTED by the Wilsonville Urban Renewal Agency at a regular meeting thereof this 21<sup>st</sup> day of June, 2021, and filed with the Wilsonville City Recorder this date.

DocuSigned by:  
*Julie Fitzgerald*  
8A974AF3ADE042E...  
Julie Fitzgerald, Chair

ATTEST:

DocuSigned by:  
*Kimberly Veliz*  
E781DE10276B498...  
Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

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

EXHIBITS:

- A. Twist Bioscience WIN Zone Plan
- B. Twist Bioscience WIN Zone Report
- C. Twist Bioscience WIN Zone Development Agreement

# **The Twist Bioscience WIN Zone Plan**

DRAFT

Adopted by the City of Wilsonville

Date

Ordinance No.\_\_\_\_

If Amendments are made to the Plan, the Resolution or Ordinance Number and date will be listed here. The amendment will be incorporated into the Plan and noted through a footnote.

DRAFT

**LIST OF PARTICIPANTS**

**Mayor**

Julie Fitzgerald

**City Council**

Kristin Akervall (President)

Charlotte Lehan

Joann Linville

Ben West

**Wilsonville Urban Renewal Agency**

Julie Fitzgerald (Board Chair)

Kristin Akervall (President)

Charlotte Lehan

Joann Linville

Ben West

**Planning Commission**

Kamran Mesbah, Chair

Ronald Heberlein, Vice Chair

Jerry Greenfield

Olive Gallagher

Breanne Tusinski

Jennifer Willard

Aaron Woods

**City Manager**

Bryan Cosgrove

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Cathy Rodocker

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Nick Popenuk

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## I. DEFINITIONS

“Agency” is the City of Wilsonville Urban Renewal Agency created under ORS 457.035 and 457.045.

“Blight” is defined in ORS 457.010(1)(A-E) and identified in the ordinance adopting a WIN Area plan.

“City” means the City of Wilsonville, Oregon.

“City Council” or “Council” means the Wilsonville City Council.

“Comprehensive Plan” means the City of Wilsonville Comprehensive Plan and its implementing ordinances, policies, and standards adopted October 2018 and updated in June 2020.

“Economic Development Strategy” means the City of Wilsonville Economic Development Strategy adopted in August 2012.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within a WIN Area at the time of adoption. The county assessor certifies the assessed value after the adoption of a WIN Area plan.

“Increment”, “Tax increment”, “tax increment financing” or TIF” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in a WIN Area, or portion thereof, over the assessed value specified in the certified statement.

“Maximum Indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal and tax increment financing.

“Plan” or “WIN Zone Plan” means the official plan for the WIN Area pursuant to ORS 457.

“Plan Area” or “WIN Zone” means a blighted area included in a WIN Area plan or an area included in a WIN Area plan under ORS 457.160.

“Planning Commission” means the Wilsonville Planning Commission.

“Project(s)” or “WIN Zone Project(s)” means any work or undertaking carried out under the Twist Bioscience WIN Zone Plan.

“Report Accompanying Twist Bioscience WIN Zone” or “Report” means the official report that accompanies the Twist Bioscience WIN Zone Plan pursuant to ORS 457.085(3).

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470 and refers to the funds that are associated with the division of taxes accomplished through the adoption of a WIN Zone plan.

“Wilsonville Investment Now Zone” or “WIN Zone” means a blighted area included in an urban renewal plan. “WIN Zone” is synonymous to “urban renewal area” for the purpose of this Plan.

“WIN Zone Plan” means a plan, as it exists or is changed or modified from time to time, as provided in ORS 457.

“Tax increment revenues” means the funds allocated by the assessor to a WIN Zone due to increases in assessed value over the frozen base within the area.

“Urban Renewal” means the statutory authority provided in ORS 457. In this Plan it is synonymous with WIN Zone.

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## II. INTRODUCTION

The Twist Bioscience WIN Zone Plan (“Plan”) was developed for the Wilsonville City Council (“City Council”). Pursuant to the Wilsonville City Charter and ORS 457, this Plan will go into effect when it has been adopted by the City Council.

### *A. Background and Input*

In 2013, the Wilsonville City Council approved the designation of six separate properties as individual urban renewal districts. Each of these properties was referred to as a Tax Increment Financing (“TIF”) zone. 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 invest in any of the six properties.

Ultimately, none of the development that occurred within the TIF Zones met the eligibility thresholds for the program, and the existing TIF Zones incentive program expired in November 2019. While the original TIF Zones were unsuccessful, Wilsonville City staff in tandem with the Urban Renewal Task Force identified a potential new approach to modify the program going forward. The new approach devised by city staff and the advisory committee was created to resolve the limitations of the TIF Zones. The new program is named the Wilsonville Investment Now (“WIN”) Program.

**WIN Area Formation Approach.** The Wilsonville City Council adopted the framework and WIN Program by Resolution No. 2856 on October 19, 2020. The WIN Program is separate from any individual WIN Area. Individual WIN Areas will be adopted when a developer has submitted a qualifying application for a specific site and after going through the required process of adopting an urban renewal area as established in ORS 457.

The WIN Program is posed to provide the City with a more effective and attractive incentive program to attract new businesses that provide a wider range of high-value, high-wage projects to Wilsonville.

This specific WIN Plan includes input from the community received at public meetings at the Agency and hearings before the City of Wilsonville Planning Commission (“Planning Commission”), and the City Council.

**Eligibility Criteria.** The criteria for the WIN Program include the following, with points given for each category as defined in the Administrative Rules.

- Value of new construction on site
- Number of new employees on site
- Value of compensation of new employees on site

- Commitment to the advancement of diversity, equity, and inclusion goals
- Prioritizing the expansion of local businesses that have already invested in Wilsonville.

**Tiers of Benefits.** WIN calls for different levels of benefits being offered to businesses that meet different qualifying thresholds, either four years of benefits or seven years of benefits.

**Citywide Eligibility.** WIN will not designate specific properties up-front but allow any qualified development to utilize the program citywide. A WIN Area must not already be in an established urban renewal area.

**Tax Rebate.** Qualified developments will receive a tax rebate if all standards are met. This means participating businesses will pay property tax up front and on time. Participating businesses will receive a rebate for the permanent rate property taxes minus Wilsonville administrative expenses upon the time they have met the required thresholds as defined in the Administrative Rules and the Development Agreement.

**Twist Bioscience.** Twist Bioscience Corp (“Twist”), a California-based firm specializing in synthetic DNA, submitted a qualifying WIN application to City staff in February 2021 outlining their intention to invest \$70 million in capital investment in both tenant improvements and equipment, and to create 200 new jobs in Wilsonville within 1 year of construction. The firm will lease 190,519 square feet at ParkWorks Industry Center (formerly called Parkway Woods) at 26600 S.W. Parkway Ave. in Wilsonville, Oregon. The facility is expected to become operational in 2022. 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. Twist’s WIN application received 220 points, qualifying them for a full 7-year WIN rebate. Twist and the City of Wilsonville executed a WIN Development Agreement in June 2021, stipulating the conditions that Twist must achieve to receive WIN Program benefits in future years and the City’s obligations to provide property tax reimbursement payments to Twist.

The Twist Bioscience WIN Plan Area (“Plan Area”), shown in Figure 1, consists of approximately 4.4 total acres.

The Plan is estimated to last 7 years, resulting in 7 years of tax increment collections.

The Plan is to be administered by the Wilsonville Urban Renewal Agency. Substantial amendments to the Plan must be approved by City Council as outlined in Section VII of this Plan. All amendments to the Plan are to be listed numerically on the inside cover of the front page of the Plan and then incorporated into the Plan, document and noted by footnote with an amendment number and adoption date.

The relationship between the sections of the Plan and the ORS 457.085 requirements is shown in Table 1. The specific reference in the table below is the section of this Plan that primarily addresses the statutory reference. There may be other sections of the Plan that also address ORS 457.

Table 1 - Statutory References

<b>Statutory Requirement</b>	<b>Plan Section</b>
ORS 457.085(2)(a)	V, VI
ORS 457.085(2)(b)	V, VI
ORS 457.085(2)(c)	XIII
ORS 457.085(2)(d)	XI
ORS 457.085(2)(e)	XI
ORS 457.085(2)(f)	IX
ORS 457.085(2)(g)	VIII
ORS 457.085(2)(h)	III
ORS 457.085(2)(i)	VII

### *B. WIN Areas Overview*

The WIN Program is the name for this tool to be used in Wilsonville. This type of tool is authorized through ORS 457 and allows for the use of tax increment financing, a financing source that is unique to WIN Areas (also called urban renewal areas), to fund projects within a specific boundary. Tax increment revenues (the amount of property taxes generated by the increase in total assessed values in the WIN Area from the time the area is first established are used to repay borrowed funds or contractual obligations. The borrowed funds and contractual obligations cannot exceed the maximum indebtedness amount set by the WIN Area plan. The Twist Bioscience WIN Zone will be funded using tax increment financing.

The WIN Zone meets the definition of blight due to the underdeveloped properties. These blighted conditions are specifically cited in the ordinance adopting the Plan and described in detail in the Report Accompanying the Twist Bioscience WIN Zone “Report”).

The Report contains the information required by ORS 457.085, including:

- A description of the physical, social, and economic conditions in the area;
- Expected impact of the plan, including fiscal impact in light of increased services;
- Reasons for selection of the area;
- The relationship between each project to be undertaken and the existing conditions;
- The estimated total cost of each project and the source of funds to pay such costs;
- The estimated completion date of each project;
- The estimated amount of funds required in the area, and the anticipated year in which the debt will be retired;
- A financial analysis of the plan;
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the area; and,
- A relocation report.

### III. MAXIMUM INDEBTEDNESS

Maximum Indebtedness ("MI") is the total amount of money that can be spent on projects, programs and administration throughout the life of the Plan. The maximum amount of indebtedness that may be issued or incurred under the Plan, based upon good faith estimates of the scope and costs of projects in the Plan and the schedule for their completion is \$6,293,000 (Six Million Two Hundred and Ninety-Three Thousand). This amount is the principal of such indebtedness and does not include interest or indebtedness incurred to refund or refinance existing indebtedness or interest earned on debt proceeds.

### IV. PLAN GOALS

The goal of the Plan represents its basic intent and purpose. Accompanying the goal is an objective, which describes how the Agency intends to meet the goal. The WIN Area projects identified in Sections V and VI of the Plan are the specific means of meeting the objective. The goal and objective will be pursued as economically as is feasible and at the discretion of the Agency.

#### A. *Developer Incentives*

1. To increase the number of high-wage jobs in the City of Wilsonville.

Objectives:

Provide financial incentives for the development of sites which provide high-wage jobs.

2. To increase the assessed value of vacant and underutilized sites which are not currently at their highest and best value thereby increasing taxable assessed value for all taxing districts.

Objectives:

Provide financial incentives in the City of Wilsonville which will provide incentives for high-value development.

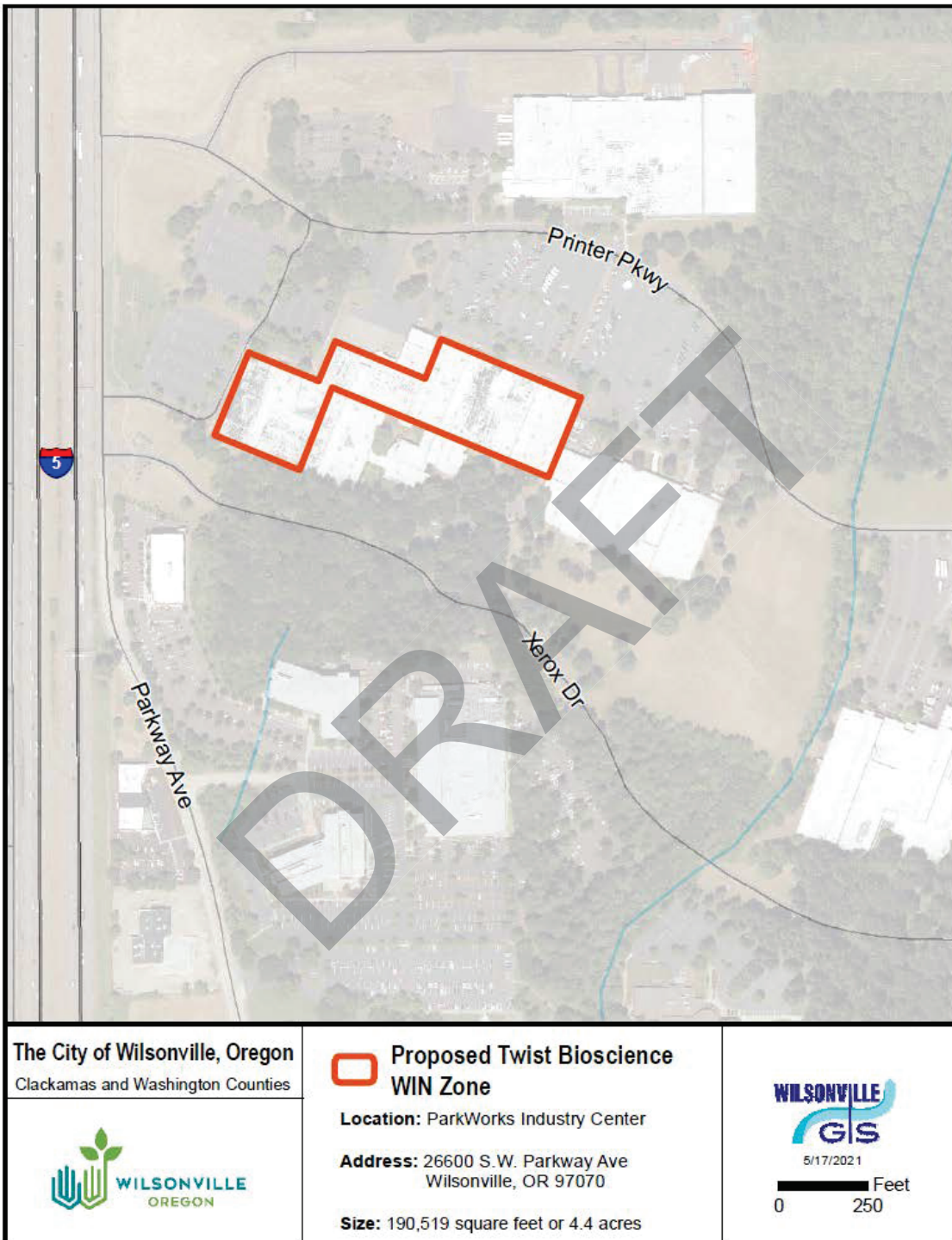
#### B. *Administration*

1. To provide administrative support for the creation of the WIN Area and implementation of the Plan.

Objectives:

Provide resources to prepare and implement the Plan.

Figure 1 – Twist Bioscience WIN Zone Boundary



Source: City of Wilsonville



## **V. WIN AREA PROJECT CATEGORIES**

The projects within the Plan Area fall into the following categories:

*A. Developer Incentives*

*B. Administration*

## **VI. WIN AREA PROJECTS**

WIN Area projects authorized by the Plan are described below.

*A. Developer Incentives*

The Agency may provide incentives to the qualifying applicants to improve the property in the manner described in the WIN Zone incentive applications and Administrative Rules. This will be completed through a development agreement with the developer that stipulates the amount and timing of the development and the amount and timing of the incentive. These incentives will be a 100% rebate of property tax revenue increment, less the costs to the City of preparing the Plan and administering the program, from the WIN Zone for a duration of seven years as established in the development agreement.

*B. Administration*

The Agency may provide administration of the Plan including but not limited to staff support, legal counsel assistance, review of annual payments, financial statements, budget preparation and annual reports pursuant to ORS 457.460.

## VII. AMENDMENTS TO PLAN

The Plan may be amended as described in this section.

### A. *Substantial Amendments*

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing, and approval procedure required of the original Plan, under ORS 457.095, including public involvement, consultation with taxing districts, presentation to the Agency, the Planning Commission, and adoption by the City Council by non-emergency ordinance after a hearing. Notice of such hearing shall be provided to individuals or households within the City of Wilsonville, as required by ORS 457.120. Notice of adoption of a Substantial Amendment shall be provided in accordance with ORS 457.095 and 457.115.

Substantial Amendments are amendments that:

- (1) Add land to the WIN Zone except for an addition of land that totals not more than 1% of the existing area of the WIN Zone; or
- (2) Increase the maximum amount of indebtedness that can be issued or incurred under the Plan.

### B. *Minor Amendments*

Minor Amendments are amendments that are not Substantial Amendments as defined in this Plan and in ORS 457. Minor Amendments require approval by the Agency by resolution.

### C. *Amendments to the Wilsonville Comprehensive Plan and/or Wilsonville Development Code*

Amendments to the Wilsonville Comprehensive Plan (“Comprehensive Plan”) and/or Wilsonville Development Code that affect the Plan and/or the Plan Area shall be incorporated automatically within the Plan without any separate action required by the Agency or City Council. When a substantial amendment is completed, the Relationship to Local Objectives section will be updated.

## VIII. PROPERTY ACQUISITION AND DISPOSITION

The Plan does not anticipate property acquisition and disposition as an eligible activity.

## IX. RELOCATION METHODS

As acquisition is not an eligible activity, relocation is not a part of this Plan.

## **X. TAX INCREMENT FINANCING OF PLAN**

Tax increment financing consists of using annual tax increment revenues to make payments on debt. In this Plan, the debt is a contractual obligation to provide developer incentives and agreement to reimburse the Agency for preparation of and administration of the Plan.

Tax increment revenues equal the annual permanent rate property taxes imposed on the cumulative *increase* in assessed value within a WIN Zone over the total assessed value at the time a WIN Zone plan is adopted. (Under current law, the property taxes for general obligation (GO) bonds and local option levies are not part of the tax increment revenues.)

### ***A. General Description of the Proposed Financing Methods***

The Plan will be financed using tax increment revenues. Revenues obtained by the Agency will be used to pay or repay the costs, expenses, advancements, and indebtedness incurred in (1) developer incentives (2) planning or undertaking project activities, or (3) otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the planning and implementation of this Plan, including preparation of the Plan.

### ***B. Tax Increment Financing***

The Plan may be financed, in whole or in part, by tax increment revenues allocated to the Agency, as provided in ORS Chapter 457. The ad valorem taxes, if any, levied by a taxing district in which all or a portion of the Plan Area is located, shall be divided as provided in Section 1c, Article IX of the Oregon Constitution, and ORS 457.440. Amounts collected pursuant to ORS 457.440 shall be deposited into the unsegregated tax collections account and distributed to the Agency based upon the distribution schedule established under ORS 311.390.

## XI. RELATIONSHIP TO LOCAL OBJECTIVES

ORS 457.085 requires that the Plan conform to local objectives. This section provides that analysis. Relevant local planning and development objectives are contained within the City of Wilsonville Comprehensive Plan, Wilsonville Strategic Plan and the City of Wilsonville Code, Chapter 4 Planning and Land Development Ordinance.

The following section describes the purpose and intent of these plans, the main applicable goals and policies within each plan, and an explanation of how the plans relate to the applicable goals and policies.

**The numbering of the goals and policies within this section reflects the numbering that occurs in the original document. *Italicized text* is text that has been taken directly from an original document.**

The zoning designation is Planned Development Industrial (PDI) Zone and the Comprehensive Plan designation for the area is Industrial. Density requirements and development standards for all land in the Plan Area are contained in the City of Wilsonville Code, Chapter 4 Planning and Land Development Ordinance shown in Section C below.

### A. *City of Wilsonville Comprehensive Plan*

#### Citizen Involvement

*GOAL 1.1 To encourage and provide means for interested parties to be involved in land use planning processes, on individual cases and City-wide programs and policies.*

*Policy 1.1.1 The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.*

*Policy 1.3 The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.*

The Plan conforms to this section of the Comprehensive Plan as the development of high-wage jobs and high-value development will help facilitate access to any new industrial development within the Area, providing access to industrial lands and new employment opportunities in the Area.

The WIN concept was recommended to City Council and the Urban Renewal Task Force comprised of brokers and developers, business and property owners, taxing districts, residents, and community and business advocacy groups. It was also reviewed in two City Council meetings, one a briefing on the program and one to review the proposed Administrative Rules.

As well, the WIN Area will go through the standard public review process for any area being funded by tax increment finance dollars including Wilsonville Urban Renewal Agency meeting, Planning Commission meeting for review of the WIN Plan's conformance to the Wilsonville Comprehensive Plan and Wilsonville City Council hearing noticed to citizens of Wilsonville.

### Industrial Development

*Goal 4.1 To have an attractive functional, economically vibrant community with a balance of different types of land uses.*

*Policy 4.1.3 City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.*

*Implementation Measure 4.1.3.a Develop an attractive and economically sound community.*

*Implementation Measure 4.1.3.b Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth and a broad tax base.*

The formation of the WIN Zone conforms to the Wilsonville Comprehensive Plan's Industrial Development Goal 4.1 and Policies 4.1.3a and 4.1.3b as the WIN Area is an incentive tool used to attract industrial development with high-wage jobs and high-quality development, both supporting an attractive and economically sound community.

*Implementation Measure 4.1.3.c Favor capital intensive, rather than labor intensive, industries within the City."*

This WIN Zone conforms to Implementation Measure 4.1.3.c by promoting capital investment in the WIN Zone.

### Economic Development

The Wilsonville 1971 General Plan's goals and objectives included:

*To develop an attractive and economically sound community.*

*Encourage commercial and industrial development to provide a balanced tax base and take advantage of the City's strategic location along I-5 and the rail line.*

*Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth.*

*Encourage only industries interested in and willing to participate in development and preservation of a high-quality environment.*

The formation of a WIN Zone conforms to the Wilsonville Comprehensive Plans Economic Development goals and objectives as the purposes of the WIN Zone are to increase the number of high-wage and high-quality jobs in the City of Wilsonville that enhance the livability of the area and promote diversified economic growth. The WIN Zone accomplishes this by incentivizing industrial development that meets high-wage and high-quality development targets. In addition, Sites that develop with a WIN Zone incentive will substantially increase the taxable assessed value of the property.

***B. City of Wilsonville Economic Development Strategy***

The City of Wilsonville Economic Development Strategy was adopted in August of 2012. It specified ten key actions; the relevant ones are:

*Action 2.1 Promote reuse of vacant buildings, infill development and redevelopment.*

*Action 6.2 Develop criteria to guide the use of incentives to attract or retain businesses.*

*Action 6.3 Develop a program to assist existing businesses.*

The formation of a WIN Zone conforms to the Wilsonville Economic Development Strategy as it promotes the reuse of vacant buildings, infill development and redevelopment, has developed criteria to guide the use of incentives to attract or retain businesses and has developed a program to assist existing businesses. The Administrative Rules of the WIN program are well defined and give extra points to existing businesses.

***C. City of Wilsonville Code, Chapter 4, Planning and Land Development Ordinance***

The land uses in the WIN Zone will conform to the Planned Development Industrial Zone designation and development standards in the City of Wilsonville Code, Chapter 4, Planning and Land Development Ordinance, and are incorporated by reference herein.

As the Planning and Land Development Ordinance is updated, this document will be updated by reference. If a substantial amendment is completed in the future, this section will be updated to match the current zoning designations.

**Zoning Districts:**

**Section 4.135. PDI- Planned Development Industrial Zone**

- (.01) Purpose: The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.

**XII. ANNUAL REPORT**

The Agency shall file Annual Reports in compliance with ORS 457.460.

### XIII. LEGAL DESCRIPTION

<b>AKS</b> ENGINEERING & FORESTRY	AKS ENGINEERING & FORESTRY, LLC 12965 SW Herman Road, Suite 100, Tualatin, OR 97062 P: (503) 563-6151   www.aks-eng.com	AKS Job #6850-04
	OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA	

#### EXHIBIT A

##### Urban Renewal Area Description

A portion of Parcel 3 of Partition Plat 2018-109, Clackamas County Plat Records, located in the Northeast One-Quarter of Section 11 and the Northwest One-Quarter of Section 12, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the most northerly corner of Parcel 1 of Partition Plat 2005-022, Clackamas County Plat Records, said point bears South 21°55'37" East 1155 feet, more or less, from the east One-Quarter corner of said Section 11; thence North 17°07'34" West 1148 feet, more or less, to a building corner which bears North 75°03'37" East 97 feet, more or less, from said east One-Quarter corner, and the Point of Beginning; thence along a building the following ten (10) courses: North 65°35'04" West 660 feet, more or less, South 24°24'56" West 240 feet, more or less, North 65°35'04" West 240 feet, more or less, North 24°24'56" East 240 feet, more or less, South 65°35'04" East 212.5 feet, more or less, North 24°24'56" East 120 feet, more or less, South 65°35'04" East 267.5 feet, more or less, North 24°24'56" East 120 feet, more or less, South 65°35'04" East 420 feet, more or less, South 24°24'56" West 240 feet, more or less, to the Point of Beginning.

The above described tract of land contains 4.4 acres (190,500 square feet), more or less.

5/19/2021

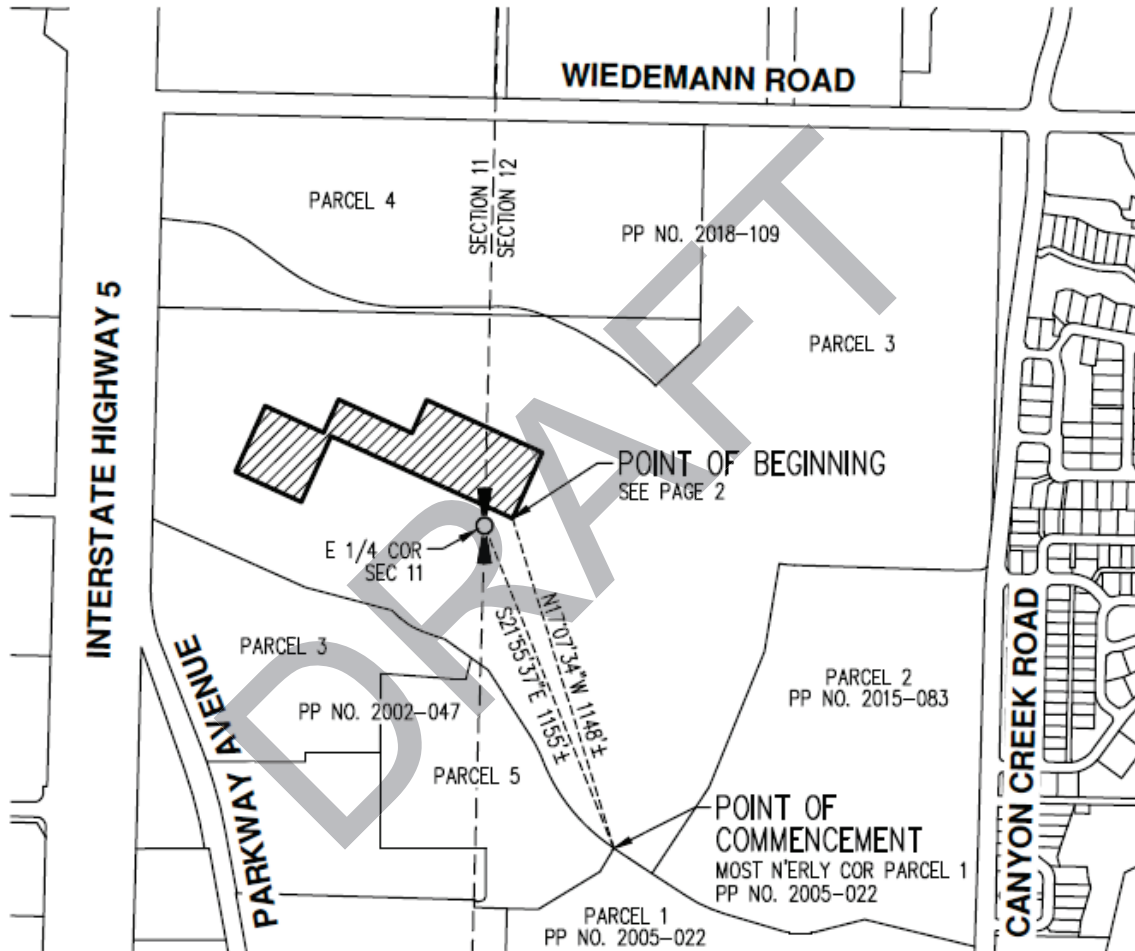
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS  
RENEWS: 6/30/22

# EXHIBIT B

A PORTION OF PARCEL 3 OF PARTITION PLAT 2018-109,  
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 11 AND,  
 THE NORTHWEST 1/4 OF SECTION 12,  
 TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



5/19/2021

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

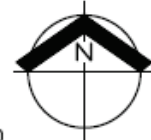
*Nick White*  
 OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWS: 6/30/22

**PREPARED FOR**

CITY OF WILSONVILLE  
 29799 TOWN CENTER LOOP E  
 WILSONVILLE, OR 97070

SCALE: 1" = 500 FEET



URBAN RENEWAL AREA MAP

AKS ENGINEERING & FORESTRY, LLC  
 12965 SW HERMAN RD, STE 100  
 TUALATIN, OR 97062  
 503.563.6151 WWW.AKS-ENG.COM



EXHIBIT  
**B**

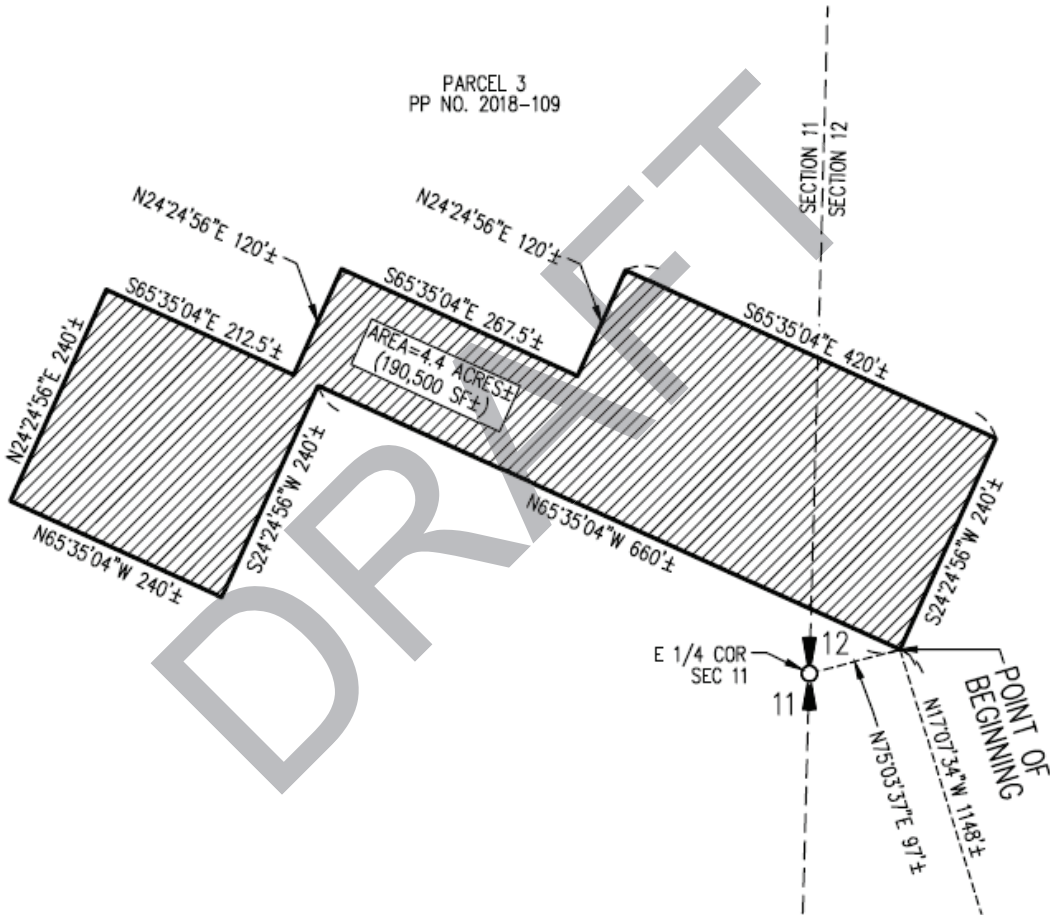
DRWN: WCB  
 CHKD: NSW  
 AKS JOB:  
 6850-04

ORC: 6850-04 20210519 EXB | EXB1



# EXHIBIT B

A PORTION OF PARCEL 3 OF PARTITION PLAT 2018-109,  
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 11 AND,  
 THE NORTHWEST 1/4 OF SECTION 12,  
 TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,  
 CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



5/19/2021

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

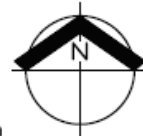
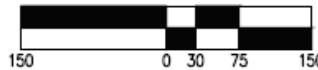
*Nick White*  
 OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWS: 6/30/22

**PREPARED FOR**

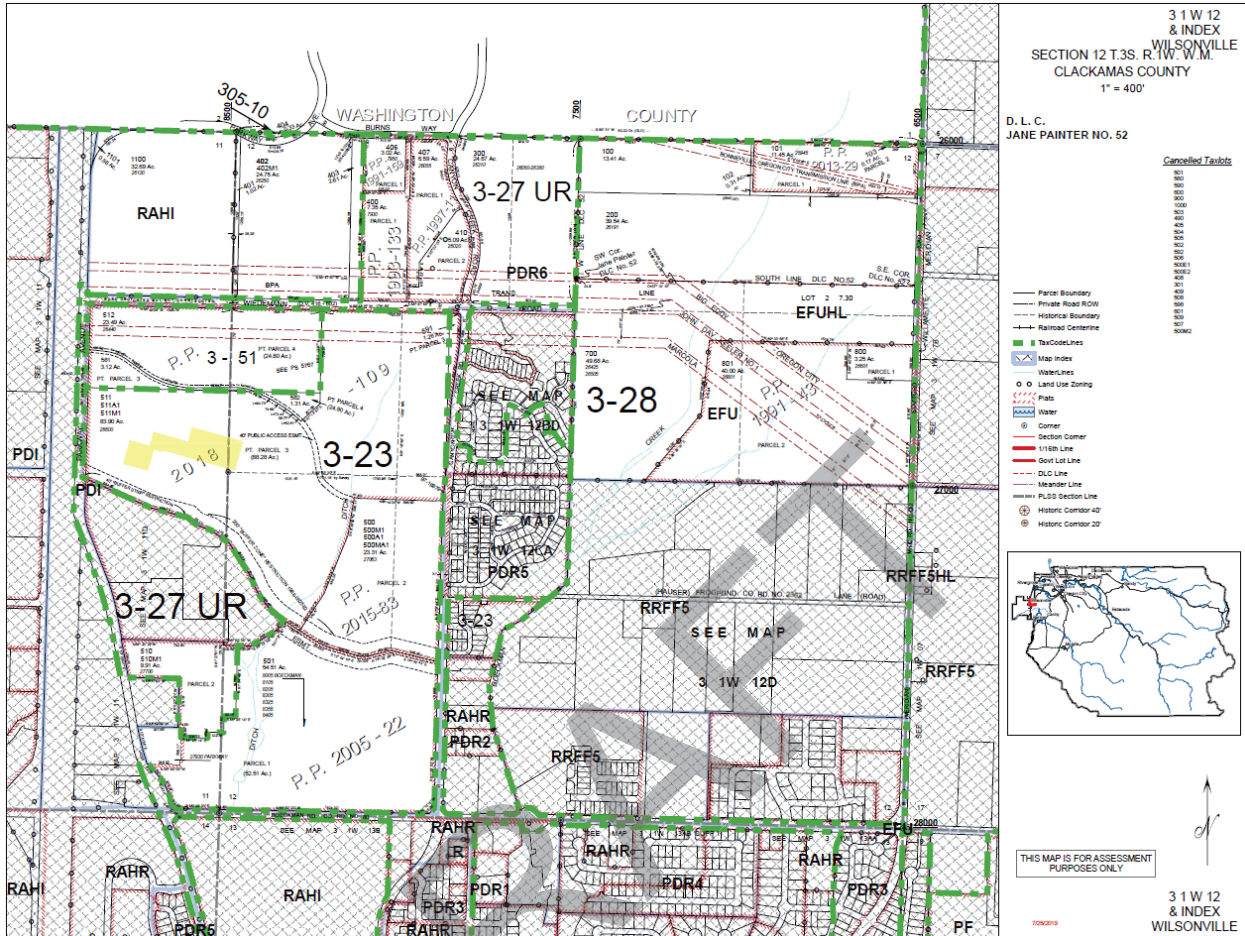
CITY OF WILSONVILLE  
 29799 TOWN CENTER LOOP E  
 WILSONVILLE, OR 97070

SCALE: 1" = 150 FEET



<b>URBAN RENEWAL AREA MAP</b>		<b>EXHIBIT B</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: NSW AKS JOB: 6850-04

DWG: 6850-04 20210519 EXB | EXB2



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# The Report on Twist Bioscience WIN Zone Plan

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Report on Twist Bioscience WIN Zone Plan Adopted by the City of Wilsonville

Date

Ordinance No.\_\_\_\_

LIST OF PARTICIPANTS

**Mayor**

Julie Fitzgerald

**City Council**

Kristin Akervall (President)

Charlotte Lehan

Joann Linville

Ben West

**Wilsonville Urban Renewal Agency**

Julie Fitzgerald (Board Chair)

Kristin Akervall (President)

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**Planning Commission**

Kamran Mesbah, Chair

Ronald Heberlein, Vice Chair

Jerry Greenfield

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Jennifer Willard

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## I. DEFINITIONS`

“Agency” is the City of Wilsonville Urban Renewal Agency created under ORS 457.035 and 457.045.

“Blight” is defined in ORS 457.010(1)(A-E) and identified in the ordinance adopting a WIN Zone plan.

“City” means the City of Wilsonville, Oregon.

“City Council” or “Council” means the Wilsonville City Council.

“Comprehensive Plan” means the City of Wilsonville Comprehensive Plan and its implementing ordinances, policies, and standards adopted October 2018 and updated in June 2020.

“Economic Development Strategy” means the City of Wilsonville Economic Development Strategy adopted in August 2012.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within a WIN Area at the time of adoption. The county assessor certifies the assessed value after the adoption of a WIN Area plan.

“Increment” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in a WIN Area, or portion thereof, over the assessed value specified in the certified statement.

“Maximum Indebtedness” means the maximum principal amount of indebtedness that may be incurred by a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal and tax increment financing.

“Plan” or “WIN Zone plan” means the official plan for the WIN Zone pursuant to ORS 457.

“Plan Area” or “WIN Zone” means a blighted area included in a WIN Zone plan under ORS 457.160.

“Planning Commission” means the Wilsonville Planning Commission.

“Project(s)” or “WIN Zone Project(s)” means any work or undertaking carried out under the Report on Twist Bioscience WIN Zone Plan.

“Report Accompanying Report on Twist Bioscience WIN Zone” or “Report” means the official report that accompanies the Report on Twist Bioscience WIN Zone Plan pursuant to ORS 457.085(3).



“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470 and refers to the funds that are associated with the division of taxes accomplished through the adoption of a WIN Area plan.

“Wilsonville Investment Now Zone” or “WIN Zone” means a blighted area included in an urban renewal plan. “WIN Zone” is synonymous to “urban renewal area” for the purpose of this Plan.

“WIN Zone Plan” means a plan, as it exists or is changed or modified from time to time, as provided in ORS 457.

“Tax increment revenues” means the funds allocated by the assessor to a WIN Area due to increases in assessed value over the frozen base within the area.

“Urban Renewal” means the statutory authority provided in ORS 457. In this Plan it is synonymous with WIN Zone.

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## II. INTRODUCTION

The Report on the Report on Twist Bioscience WIN Zone Plan (“Report”) contains background information and project details that pertain to the Report on Twist Bioscience WIN Area Plan (“Plan”). The Report is not a legal part of the Plan but is intended to provide public information and support the findings made by the Wilsonville City Council (“City Council”) as part of the approval of the Plan.

The Report provides the analysis required to meet the standards of ORS 457.087, including financial feasibility. The Report accompanying the Plan contains the information required by ORS 457.085, including:

- A description of the physical, social, and economic conditions in the area;(ORS 457.087(1))
- Reasons for selection of the area; (ORS 457.087(2))
- The relationship between each project to be undertaken and the existing conditions; (ORS 457.087(3))
- The estimated total cost of each project and the source of funds to pay such costs; (ORS 457.087(4))
- The estimated completion date of each project; (ORS 457.087(5))
- The estimated amount of funds required in the area and the anticipated year in which the debt will be retired; (ORS 457.087(6))
- A financial analysis of the Plan; (ORS 457.087(7))
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the urban renewal area; (ORS 457.087(8))and
- A relocation report. (ORS 457.087(9))

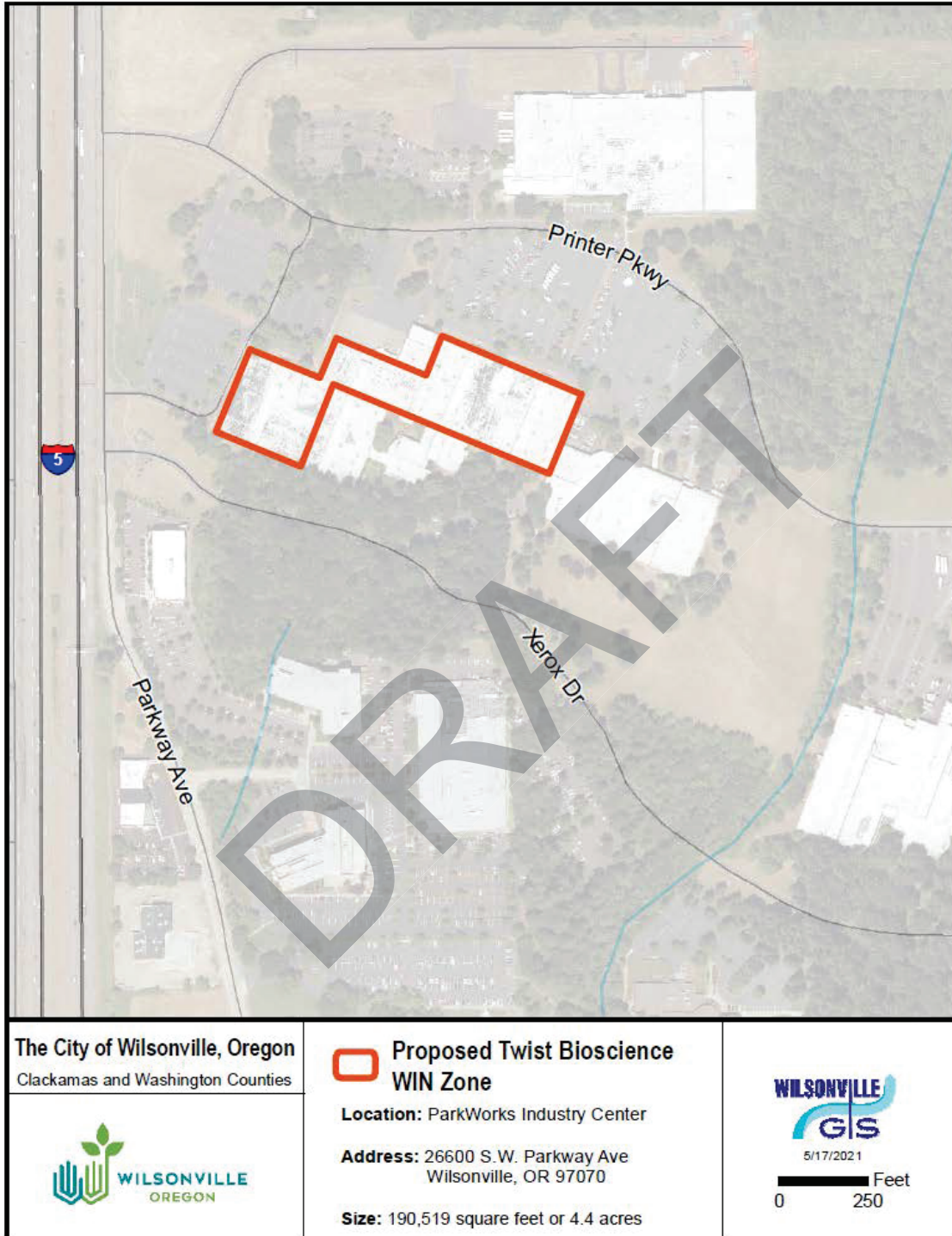
The relationship of the sections of the Report and the ORS 457.087 requirements is shown in Table 1. The specific reference in the table below is the section of this Report that most addresses the statutory reference. There may be other sections of the Report that also address the statute.

Table 1 - Statutory References

Statutory Requirement	Report Section
ORS 457.087(1)	X
ORS 457.087(2)	XI
ORS 457.087(3)	III
ORS 457.087(4)	IV
ORS 457.087(5)	VI
ORS 457.087(6)	IV, V, VI
ORS 457.087(7)	IV, V, VI
ORS 457.087(8)	VIII
ORS 457.087(9)	XII

The Report provides guidance on how the Plan might be implemented. As the Wilsonville Urban Renewal Agency (“Agency”) reviews revenues and potential projects each year, it has the authority to adjust the implementation assumptions in this Report. The Agency may allocate budgets differently, adjust the timing of the projects and make other adjustments to the financials as determined by the Agency. The Agency may also make changes as allowed in the Amendments section of the Plan. These adjustments must stay within the confines of the overall maximum indebtedness of the Plan.

Figure 1 – Report on Twist Bioscience WIN Zone Boundary



Source: City of Wilsonville

### III. THE PROJECTS IN THE AREA AND THE RELATIONSHIP BETWEEN WIN AREA PROJECTS AND THE EXISTING CONDITIONS IN THE WIN AREA

The projects identified for the Report on Twist Bioscience WIN Zone (“Plan Area”) are described below, including how they relate to the existing conditions in the Plan Area.

#### A. *Developer Incentives*

WIN Zone projects authorized by the Plan are described below.

The Agency may provide incentives to qualifying applicants to improve the property in the manner described in an approved WIN Program application, in conformance with applicable City Administrative Rules. Additional details will be identified in a development agreement that stipulates the amount and timing of the development and the amount and timing of the incentive. These incentives will be a rebate of property tax revenue increment, less the costs to the City of administering the program, from the WIN Zone for a duration of seven years as established in the development agreement.

**Existing Conditions:** The area is the site of the former Xerox campus and is now an underutilized, industrial-zoned area of Wilsonville that has had a history of partial vacancy. The area is part of an 88-acre campus which includes old or deteriorated office buildings that are being converted by the property owner to a multi-tenant light industrial campus of modern industrial/flex space. The campus is ripe for rehabilitation and redevelopment, and if it was fully utilized and converted to a higher-value use such as manufacturing, the values would increase.

#### *A. Administration*

The Agency may provide administration of the Plan including but not limited to staff support, legal counsel assistance, review of annual payments, financial statements, budget preparation and annual reports pursuant to ORS 457.460.

**Existing Conditions:** Since there is not a Plan, there are no existing dollars allocated to administration of the Plan.

A table showing the projects and total estimated costs is shown in Table 2. The total costs are estimated based on the projected future assessed value of the project.

#### **IV. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS**

The initial year cost estimates for the projects are shown in Table 2 below. These are all estimates acknowledging that these project activities must fit within the maximum indebtedness. These costs will change each year as the assessed value changes as seen in Table 3. These costs are shown in nominal, year of expenditure (YOE) dollars, and must not exceed the maximum indebtedness of \$6,293,000. The estimated project costs assume a 90% rebate to the developer and up to 10% to the Agency for administration of the Plan.

The Agency will be able to review and update fund expenditures and allocations on an annual basis when the annual budget is prepared.

Table 2 - Estimated Cost of Each Project in Initial Year

Project	Estimated Cost	Percentage of Total
Developer Incentives	\$ 538,020.00	90 %
Administration	\$ 59,780.00	10 %
<b>TOTAL</b>	<b>\$ 597,800.00</b>	<b>100%</b>

Source: City of Wilsonville and Tiberius Solutions

## V. FINANCIAL ANALYSIS OF THE PLAN

The estimated tax increment revenues through fiscal year ending (“FYE”) 2030 are calculated based on projections of the growth in assessed value of new development within the Area and the consolidated tax rate that will apply in the WIN Area.

Table 3 shows the incremental assessed value, tax rates, and tax increment revenues each year, adjusted for discounts, delinquencies, truncation loss, and receipt of delinquent taxes from prior years. In Oregon, when the full amount of the property tax bill is paid by November 15, the tax payer gets a 3 percent discount. If the tax payer pays two thirds of the tax by November 15, they get a 2 percent discount. To get a discount on the current year’s tax bill, all delinquent taxes, penalty, and interest must first be paid in full.<sup>1</sup>

The first year of tax increment collections (TIF)<sup>2</sup> is anticipated to be FYE 2024. Gross TIF revenue is calculated by multiplying the tax rate times the excess value used. Excess value is the increased assessed value over the frozen base. The frozen base is not inserted into this table as it is irrelevant in the computations. The tax rate is expressed per thousand dollars of assessed value, so the calculation is “tax rate times excess value used divided by one thousand.”

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<sup>1</sup> [www.oregon.gov/dor](http://www.oregon.gov/dor), Property Tax Payment Procedure

<sup>2</sup> TIF is also used to signify tax increment revenues

Table 3 - Projected Incremental Assessed Value, Tax Rates, and Tax Incremental Revenues

FYE	Assessed Value			Rate	Tax Increment Finance Revenue		
	Total	Frozen Base	Increment		Gross	Adjustments	Net (Current)
2024	\$48,720,000	\$0	\$48,720,000	\$12.9159	\$629,263	-\$31,463	\$597,800
2025	\$43,281,600	\$0	\$43,281,600	\$12.9159	\$559,021	-\$27,951	\$531,070
2026	\$37,860,048	\$0	\$37,860,048	\$12.9159	\$488,997	-\$24,450	\$464,547
2027	\$32,455,849	\$0	\$32,455,849	\$12.9159	\$419,197	-\$20,960	\$398,237
2028	\$27,069,525	\$0	\$27,069,525	\$12.9159	\$349,627	-\$17,481	\$332,146
2029	\$21,701,611	\$0	\$21,701,611	\$12.9159	\$280,296	-\$14,015	\$266,281
2030	\$22,352,659	\$0	\$22,352,659	\$12.9159	\$288,705	-\$14,435	\$274,269
<b>Total</b>					<b>\$ 3,015,104</b>	<b>\$ (150,755)</b>	<b>\$ 2,864,349</b>

Source: Tiberius Solutions



## **VI. THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED**

The maximum indebtedness is \$ 6,293,000 (Six Million Two Hundred and Ninety-Three Thousand). This is also the estimated total amount of tax increment revenues required to service the maximum indebtedness as no formal borrowings or interest payments are anticipated in the Plan.

## **VII. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT**

The schedule for projects will be based on the availability of funding. The projects will be ongoing and will be completed as directed by the Agency. Annual expenditures for program administration are shown in Table 2.

The Agency is anticipated to complete the project and to terminate the Plan in FYE 2030, a 7-year tax rebate program.

## **VIII. REVENUE SHARING**

Revenue sharing is not expected to be a component of the plan.

Revenue sharing is defined in ORS 457.470 and requires that the impacted taxing jurisdictions will receive a share of the incremental growth in the Plan Area at specifically defined thresholds. The first threshold is when annual tax increment finance revenues exceed 10% of the original maximum indebtedness of the Plan (10%=\$629,300). At the 10% threshold, the Agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold and the taxing jurisdictions will receive 75% of the increment above the 10% threshold. Note that the first threshold for revenue sharing does not apply until at least the eleventh year after adoption of the Plan, and therefore is not expected to apply for this WIN Area.

The second threshold is set at 12.5% of the maximum indebtedness. This threshold does not have the same 11-year restriction as the 10% threshold. If this threshold is met, revenue for the district would be capped at 12.5% of the original maximum indebtedness, with all additional tax revenue being shared with affected taxing districts.

## IX. IMPACT OF THE TAX INCREMENT FINANCING

This section describes the impact of tax increment financing of the maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the WIN Area.

The impact of tax increment financing on overlapping taxing districts consists of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the WIN Area. These projections are for impacts estimated through FYE 2030 and are shown in Table 5 and Table 6.

The West Linn Wilsonville School District and the Clackamas Regional Education Service District (“ESD”) are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the Plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. If new school aged students move into these units and attend the local schools, the funding through the State School Fund would increase.

Table 5 and Table 6 show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. Table 5 shows the general government levies, and Table 6 shows the education levies.

Table 4 - Projected Impact on Taxing District Permanent Rate Levies - General Government

FYE	City of Wilsonville	Clackamas County - City	Clackamas County Extension & 4H	Clackamas County Library	Clackamas County Soil Conservation	FD64 Tualatin Valley F&R	Port of Portland	Road District 15 Wilsonville	Metro	Vector Control	Subtotal
2024	\$116,663	\$111,276	\$2,314	\$18,393	\$2,314	\$70,592	\$3,245	\$0	\$4,471	\$301	\$329,570
2025	\$103,641	\$98,855	\$2,056	\$16,340	\$2,056	\$62,712	\$2,882	\$0	\$3,972	\$267	\$292,781
2026	\$90,659	\$86,472	\$1,798	\$14,293	\$1,798	\$54,857	\$2,521	\$0	\$3,474	\$234	\$256,107
2027	\$77,718	\$74,129	\$1,542	\$12,253	\$1,542	\$47,027	\$2,161	\$0	\$2,978	\$200	\$219,550
2028	\$64,820	\$61,827	\$1,286	\$10,220	\$1,286	\$39,222	\$1,803	\$0	\$2,484	\$167	\$183,114
2029	\$51,966	\$49,566	\$1,031	\$8,193	\$1,031	\$31,444	\$1,445	\$0	\$1,992	\$134	\$146,802
2030	\$53,525	\$51,053	\$1,062	\$8,439	\$1,062	\$32,388	\$1,489	\$0	\$2,051	\$138	\$151,206
<b>Total</b>	<b>\$558,992</b>	<b>\$533,178</b>	<b>\$11,088</b>	<b>\$88,131</b>	<b>\$11,088</b>	<b>\$338,242</b>	<b>\$15,546</b>	<b>\$0</b>	<b>\$21,423</b>	<b>\$1,442</b>	<b>\$1,579,130</b>

Source: Tiberius Solutions

Table 5 - Projected Impact on Taxing District Permanent Rate Levies – Education

FYE	Clackamas Community College	Clackamas ESD	West Linn/Wilsonville School District	Subtotal	Total
2024	\$25,836	\$17,065	\$225,329	\$268,230	\$597,800
2025	\$22,952	\$15,160	\$200,177	\$238,288	\$531,070
2026	\$20,077	\$13,261	\$175,102	\$208,440	\$464,547
2027	\$17,211	\$11,368	\$150,108	\$178,687	\$398,237
2028	\$14,355	\$9,482	\$125,196	\$149,032	\$332,146
2029	\$11,508	\$7,601	\$100,370	\$119,479	\$266,281
2030	\$11,853	\$7,829	\$103,381	\$123,063	\$274,269
<b>Total</b>	<b>\$123,792</b>	<b>\$81,766</b>	<b>\$1,079,661</b>	<b>\$1,285,219</b>	<b>\$2,864,349</b>

Source: Tiberius Solutions

Please refer to the explanation of the schools funding in the preceding section

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Table 7 shows the projected increased revenue to the taxing jurisdictions after tax increment proceeds are projected to be terminated. These projections are for the year after FYE 2031. The frozen base is the assessed value of the Plan Area established by the county assessor at the time the Plan is established. Excess value is the increased assessed value in the Plan Area above the frozen base.

Table 6 - Additional Revenues Obtained after Termination of Tax Increment Financing in FYE 2031

Taxing District	Tax Rate	Gross Tax Revenue in 2031		
		From Frozen Base	From Increment	Total
<b>General Government</b>				
City of Wilsonville	2.5206	\$0	\$58,032	\$58,032
Clackamas County - City	2.4042	\$0	\$55,352	\$55,352
Clackamas County Extension & 4H	0.0500	\$0	\$1,151	\$1,151
Clackamas County Library	0.3974	\$0	\$9,149	\$9,149
Clackamas County Soil Conservation	0.0500	\$0	\$1,151	\$1,151
FD64 Tualatin Valley F&R	1.5252	\$0	\$35,115	\$35,115
Port of Portland	0.0701	\$0	\$1,614	\$1,614
Road District 15 Wilsonville	0.0000	\$0	\$0	\$0
Metro	0.0966	\$0	\$2,224	\$2,224
Vector Control	0.0065	\$0	\$150	\$150
<i>Subtotal</i>	<i>7.1206</i>	<i>\$0</i>	<i>\$163,939</i>	<i>\$163,939</i>
<b>Education</b>				
Clackamas Community College	0.5582	\$0	\$12,852	\$12,852
Clackamas ESD	0.3687	\$0	\$8,489	\$8,489
West Linn/Wilsonville School District	4.8684	\$0	\$112,086	\$112,086
<i>Subtotal</i>	<i>5.7953</i>	<i>\$0</i>	<i>\$133,427</i>	<i>\$133,427</i>
<b>Total</b>	<b>12.9159</b>	<b>\$0</b>	<b>\$297,366</b>	<b>\$297,366</b>

Source: Tiberius Solutions

**X. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF WIN AREAS/URBAN RENEWAL AREA**

State law limits the percentage of both a municipality’s total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base of the Report on Twist Bioscience WIN Zone (assumed to be FYE 2021 values) is projected to be \$\_\_\_\_\_. The total assessed value of the City is \$3,805,484,854. The increment of the existing urban renewal areas is \$1,211,334,369. To get the total percentage of assessed value in urban renewal, you divide the total assessed value of the City minus the increment of the urban renewal areas by the frozen base values of the urban renewal areas. In Wilsonville, this results in **Percent of AV in URAs%** of the City’s assessed value being located in the urban renewal, which is below the 25% threshold. This is shown in Table 8.

The Report on Twist Bioscience WIN Zone contains 4.4 acres. There are 1,120.36 acres in urban renewal in other urban renewal areas in the City. The City contains 4,946 acres. This results in 22.65% of the City’s acreage being located in urban renewal, which is below the 25% threshold.

The AV will be added once the assessor provides the information. Since the percentage of AV in urban renewal in Wilsonville is 6.26%, the addition of this TIF Zone will not exceed statutory limitations of 25%. This is also true for page 19.

Table 8- Assessed Value Statutory Limit Verification

Urban Renewal Area	Frozen Base/AV	Excess Value	Acres
West Side URA	\$ 18,017,272	\$ 697,884,073	411
Year 2000 URA	\$ 45,326,441	\$ 483,489,199	449
Coffee Creek	\$ 99,003,704	\$ 29,961,097	258
Twist Bioscience WIN Zone		\$ 0	4.4
Total in URAs	\$ 162,347,417	\$ 1,211,334,369	1,122.40
City of Wilsonville*	\$3,805,484,854		4,946
Percent of Total	6.26%		22.69%

Source: Compiled by Elaine Howard Consulting, LLC with data from the City of Wilsonville and Clackamas County Department of Assessment and Taxation (FYE 19-20)

AV – assessed value

Frozen base – assessed value the urban renewal area at the time it is established

Increment – increased assessed value over the frozen bas

URA – urban renewal area

## **XI. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES**

This section of the Report describes existing conditions within the Plan Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

### ***A. Physical Conditions***

#### **1. Land Use**

The Plan Area measures 4.4 total acres in size. The present land is on a privately owned 88-acre campus which includes old or deteriorated office buildings that are being converted by the property owner to a multi-tenant light industrial campus of modern industrial/flex space. The campus is ripe for rehabilitation and redevelopment, and if it was fully utilized and converted to a higher-value use such as manufacturing, the values would increase.

#### **2. Zoning and Comprehensive Plan Designations**

The zoning designation is Planned Development Industrial and the Comprehensive Plan designation for the area is Industrial.

### ***B. Infrastructure***

This WIN Zone is a sub portion of one tax lot only, not including right of way. Therefore, there are no infrastructure needs to be identified for the Area.

### *C. Social Conditions*

The Plan Area is a sub portion of one parcel with no existing residents. To meet the requirement for examination of social conditions, information for the city as a whole is provided.

According to the United States Census 2019 updated data, the City of Wilsonville had a population of 24,918. Approximately forty-five percent of the residents live in owner-occupied housing, with the median value of housing units at \$408,800. Of those who are over twenty-five years of age, approximately 45% have a bachelor's degree. The median household income is \$69,043.

Table 7 - Race in the Area

White alone	19,654	83.9%
Black or African American alone	307	1.3%
American Indian and Alaska Native alone	357	1.5%
Asian alone	1,056	4.5%
Native Hawaiian and Other Pacific Islander alone	332	1.4%
Some other race alone	521	2.2%
Two or more races	1,191	5.1%
Total	23,418	100%

Source: American Community Survey 2013-2018 Five Year Estimates



The largest percentage of residents are between 25 to 34 years of age (19%).

Table 8 - Age in the Area

Under 5 years	1,658	8%
5 to 9 years	1,455	7%
10 to 14 years	1,050	5%
15 to 17 years	767	3%
18 to 24 years	2,374	11%
25 to 34 years	4,158	19%
35 to 44 years	3,173	14%
45 to 54 years	2,852	13%
55 to 64 years	1,510	7%
65 to 74 years	2,005	9%
75 to 84 years	918	4%
Total	21,920	100%

Source: American Community Survey 2013-2018 Five Year Estimates

Table 9 - Income in the Area

Less than \$10,000	425	5%
\$10,000 to \$19,999	578	7%
\$20,000 to \$29,999	658	8%
\$30,000 to \$39,999	876	10%
\$40,000 to \$49,999	487	6%
\$50,000 to \$59,999	926	11%
\$60,000 to \$74,999	1,218	14%
\$75,000 to \$99,999	1,064	12%
\$100,000 to \$124,999	939	11%
\$125,000 to \$149,999	702	8%
\$150,000 to \$199,999	664	8%
Total	8,537	100%

Source: American Community Survey 2013-2018 Five Year Estimates

*D. Economic Conditions*

1. Taxable Value of Property within the Plan Area

According to the Clackamas County Department of Assessment and Taxation, the assessed value of the property is \$\_\_\_\_\_. The site is presently vacant and underutilized and is not contributing its fair share to the overall tax base of the City.

*E. Impact on Municipal Services*

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Plan Area (affected taxing districts) is described in Section IX of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The projects being considered for future use of WIN Zone funding are for developer incentives to assist in the development of jobs and increased assessed value on industrial properties in Wilsonville and administration of this project.

Development in the Plan Area will require City services. This development is inside the urban growth boundary and the City is expecting to provide services to the property. As the development will be new construction, it will be up to current building code and will aid in any fire protection needs.

The financial impacts from tax increment collections will be countered by increased jobs and, in the future, adding future increased increases in assessed value to the tax bases for all taxing jurisdictions, including the City.

**XII. REASONS FOR SELECTION OF EACH PLAN AREA IN THE PLAN**

The reason for selecting the Plan Area is to provide the ability to fund developer incentives necessary to cure blight within the Plan Area. The area is underdeveloped and has a prevalence of depreciated values to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered.

**XIII. RELOCATION REPORT**

There is no relocation report required for the Plan. No specific acquisitions that would result in relocation benefits have been identified. However, if property is acquired that requires relocation, the Agency shall comply with applicable relocation requirements.

**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 31<sup>st</sup> 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 31<sup>st</sup> 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: \_\_\_\_\_  
Patrick Weiss  
As Its: Chief Operating Officer

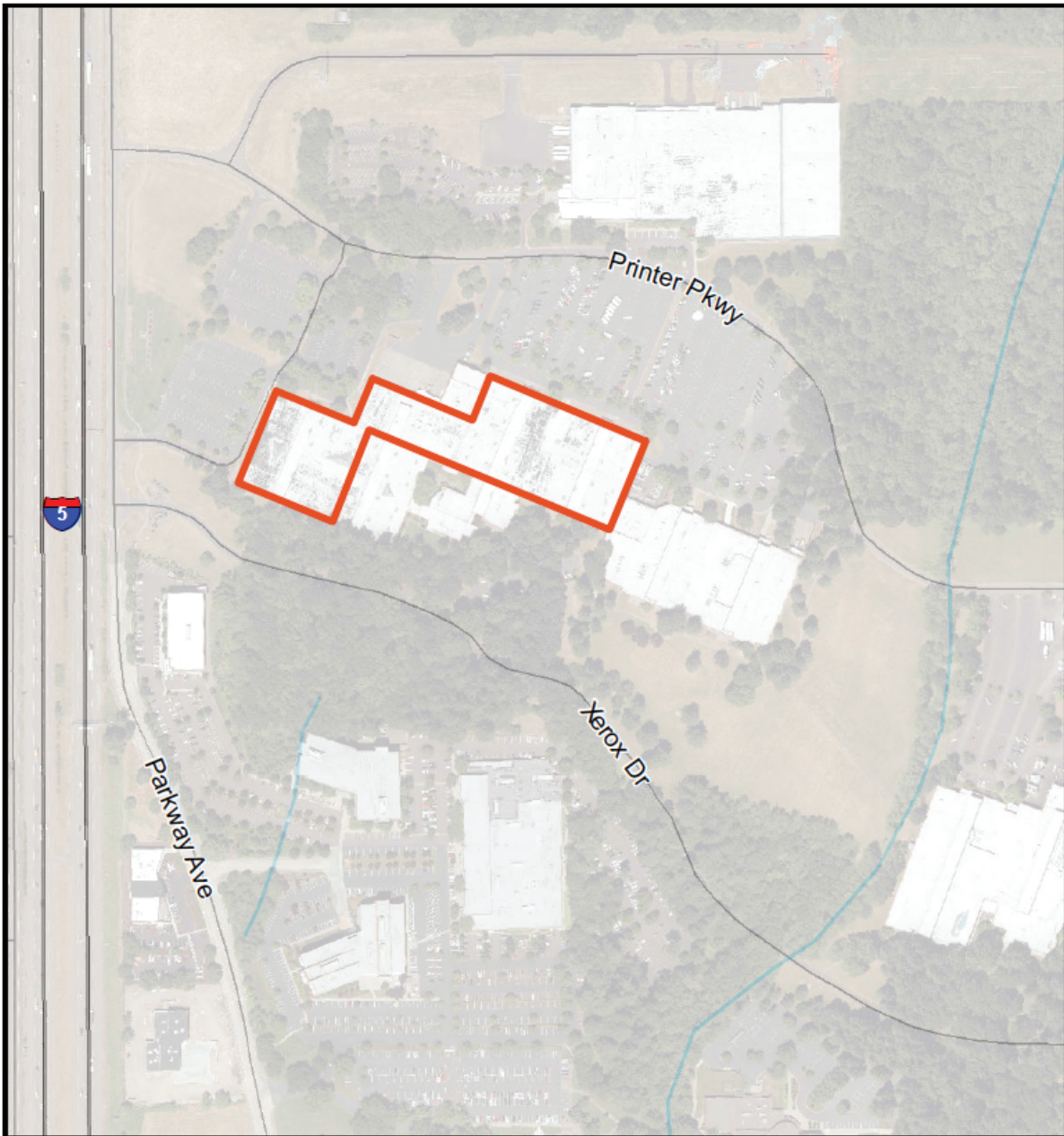
By: \_\_\_\_\_  
Bryan Cosgrove  
As Its: City Manager

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**

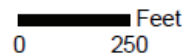
**Location:** ParkWorks Industry Center

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

**Size:** 190,519 square feet or 4.4 acres



5/17/2021



# 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			Date
Twist Bioscience Corporation			2/15/2021
Contact Name	Contact Email	Contact Phone	
Patrick Weiss	pweiss@twistbioscience.com	(800) 719-0671	
Street Address of Development	City	County	Taxlot ID(s)
26600 SW Parkway Avenue	Wilsonville	Clackamas	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. <b>Capital Investment.</b> Total value of capital investment (from detail on next page) .....	\$70,000,000
2. <b>Jobs.</b> Total full time employees within 1 year of construction .....	200
3. <b>Average Salary.</b> Average annual salary of new employees within 1 year of construction .....	\$70,000
4. <b>Local Wilsonville Business Status.</b> Years of verified operation in Wilsonville .....	0
5. <b>Diversity, Equity, and Inclusion.</b> 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> <b>\$54,802</b>	
<i>If development is in Washington County:</i> <b>\$73,226</b>	
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> <b>0</b>	
<i>If Line 7 is in the 100% to 124% range:</i> <b>0.2</b>	
<i>If Line 7 is in the 125% to 149% range:</i> <b>0.4</b>	
<i>If Line 7 is 150% or above:</i> <b>0.6</b>	

#### Score Calculation

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

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

**CITY OF WILSONVILLE**  
COMMUNITY DEVELOPMENT

[www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us)  
[info@ci.wilsonville.or.us](mailto: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.

<b>D1. Criterion 1:</b>	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
<b>D2. Criterion 2:</b>	Certified by the State of Oregon as a B Corporation	No
<b>D3. Criterion 3:</b>	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
<b>D4. Criterion 4:</b>	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
<b>D5. Criterion 5:</b>	to implementing a company program on diversity, equity and inclusion (requires annual reporting)	No
<b>D6. Criterion 6:</b>	Provides on-site employer-provided childcare (requires annual reporting)	No

**DEI Calculation**

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

**Value of Capital Investment Detail**

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

**Signature**

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

By:  and Authorized Agent  
 As Its: **COO**

## 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 7<sup>th</sup>, 2013, the Wilsonville Urban Renewal Agency approved URA Resolutions No. 236, recommending that City Council amend URA Resolution No. 234 to

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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 95<sup>th</sup> 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 95<sup>th</sup> 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



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- 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 19<sup>th</sup> day of October, 2020, and filed with the Wilsonville City Recorder this date.

DocuSigned by:  
  
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Tim Knapp, Mayor

ATTEST:

DocuSigned by:  
  
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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.