

Resolution No. 2024-04

A Resolution Declaring that the Sale or Lease of Tax Lot 500 (02N 10E 10A) to Big River Community Land Trust Under ORS 221.725 and 271.310 for the Development of Affordable Housing is in the Public Interest, Necessary and Convenient

The City Council of the City of Hood River finds as follows:

WHEREAS, the City Council recognizes a compelling and critical public need for more affordable and moderate income housing in Hood River (80% - 120% MFI), which justifies the use of public land for the development of affordable housing to partially address that need. The Council's recent Housing Needs Analysis and its experience with short-term rental regulations demonstrates the extreme shortage of affordable housing options for standard wage-earning individuals and families in the City; and

WHEREAS, the City is the fee title owner of certain real property situated within the Hood River County limits, Tax Lot 500, on Hood River County Assessor's map 02N 10E 10A ; and

WHEREAS, Tax Lot 500 is a suitable size and location for the development of an affordable housing development to help serve the housing needs of the City's moderate income citizens; and

WHEREAS, Big River Community Land Trust (BRCLT) is a nonprofit public benefit corporation that proposes to fund and construct affordable housing that would partially address the City's identified need for affordable housing if the City were to provide a single buildable parcel of public land for the development of affordable housing through the sale or lease of Tax Lot 500; and

WHEREAS, BRCLT, ensures the long-term availability of affordable housing in Hood River; and

WHEREAS, ORS 221.725 authorizes the City to convey public property to a non-governmental entity, such as BRCLT, when the governing body determines it is necessary and convenient to do so; and

WHEREAS, ORS 271.310 similarly authorizes the City to sell or lease public property whenever the public interest may be furthered by such a sale or lease; and

WHEREAS, the City published notice of the proposal to convey (sell or lease) Tax Lot 500 to BRCLT and a public hearing on the proposal at least once during the week prior to the Hearing Date public hearing in a newspaper of general circulation in the city. The newspaper notice was published 5 days or more prior to the Hearing Date hearing; and

WHEREAS, the City Council considered BRCLT's proposal in a public hearing at its regular meeting on Hearing Date at which time it allowed public testimony and comment on the proposed declaration and sale or lease of Tax Lot 500 to BRCLT.

NOW THEREFORE, based on the foregoing Findings, the City of Hood River resolves that it is in the public interest, necessary and convenient to convey Tax Lot 500 by sale or lease to BRCLT, and BRCLT shall develop a unit of affordable housing on Tax Lot 500 to address, in part, the documented need for more affordable housing opportunities in the area.

IT IS FURTHER RESOLVED that the City Council regards affordable housing developed by a legitimate non-profit that meets nationally recognized affordability standards, such as the development proposed by BRCLT, to be a necessary public facility that provides an essential governmental service and municipal function.

IT IS FURTHER RESOLVED that a significant public benefit will result from the development of affordable housing as proposed by BRCLT that can occur if the City provides a suitable and developable parcel of land. The land will be devoted to this public purpose: affordable housing. The general public and citizens of Hood River will derive a greater benefit from Tax Lot 500 if it is developed with affordable housing. To achieve this public benefit, the housing shall meet federal affordability requirements for at least 60 years.

IT IS FURTHER RESOLVED that, based on the foregoing, the sale of Tax Lot 500 to BRCLT, for the sum of one dollar, and BRCLT's development of an affordable housing unit on Tax Lot 500 furthers the public interest in achieving these objectives.

IT IS FURTHER RESOLVED that Tax Lot 500 may be developed with one house as a single unit of affordable housing, (households earning at or below 120% of the Median Family Income).

IT IS FURTHER RESOLVED that the City Manager is directed and authorized to take all necessary steps and execute all necessary documents on behalf of the City to convey a nonexclusive access easement (ingress and egress) over the southernmost 18 inches of Tax Lot 500 to the abutting property owner (Tax Lot 1700) to accommodate that property's driveway.

IT IS FURTHER RESOLVED that the City Manager is directed and authorized to take all necessary steps and execute all necessary documents on behalf of the City to lease or convey fee title to Tax Lot 500 (Hood River County Assessor's map 02N 10E 10A) to BRCLT for BRCLT to develop affordable housing on Tax Lot 500, consistent with this Council Resolution.

IT IS FURTHER RESOLVED that, to effectuate the requirements of this Resolution, any lease or conveyance of Tax Lot 500 by the City to BRCLT shall include the following covenants:

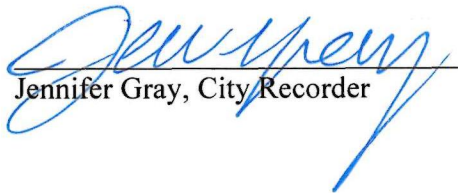
- Use of Tax Lot 500 shall be limited to the construction and management of an affordable housing development, consisting of at least one unit with cost level not to exceed 120% of the area median household income.

- BRCLT is solely responsible for preparing Tax Lot 500 for construction of a single-family home consistent with this Resolution, including the permitted and lawful demolition of any existing structures, disposal of demolition debris in a lawful manner, grading and preparation of the site in compliance with all applicable state and local requirements, obtaining all necessary permits for the construction of a single-family home on Tax Lot 500, and complying with all applicable state and local laws regarding construction and completion of the structure.
- It is expected that BRCLT will make substantial progress toward the development of a sellable affordable home within 2 years of the date of execution of this resolution. If BRCLT cannot demonstrate substantial progress within that period, the City Manager, within her/his sole discretion, has the right to repurchase and reacquire Tax Lot 500 for the City after providing BRCLT 21-days' notice of the City's intent to do so, after which BRCLT shall within 7 days execute all appropriate documents to reconvey Tax Lot 500 to the City for \$1.

IT IS SO RESOLVED, approved and effective April 8, 2024.



Paul Blackburn, Mayor



Jennifer Gray, City Recorder