

RESOLUTION NO. 28815

A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE ECG CHESTNUT, L.P. PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE HEALTH, EDUCATIONAL, AND HOUSING FACILITY BOARD, AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES.

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WHEREAS, pursuant to Tennessee Code Annotated, Section 48-101-312(b), the City of Chattanooga (the “City”) is permitted to delegate to the Health, Educational, and Housing Facility Board of the City of Chattanooga (the “Board”) the authority to negotiate and accept payments in lieu of ad valorem taxes from lessees of the Board for “multi-family housing facilities” or “multi-family residential units” which meet the definition of a project under Tennessee Code Annotated, Section 48-101-301 upon a finding by the Board that such payments are deemed to be in furtherance of the Board’s public purpose which determination shall be conclusive; and

WHEREAS, ECG Chestnut, L.P. (the “Company”) is contemplating the construction of a multifamily, low income housing tax credit apartment project with approximately 174 one and two bedroom units (collectively the “Project”) and, because of the substantial economic benefits to the City and Hamilton County resulting from the Project, has asked the Board and the City Council to approve payments in lieu of ad valorem taxes; and

WHEREAS, the Council has determined that payments in lieu of ad valorem taxes from such a project would be in furtherance of the Board’s public purposes as set forth within Tennessee Code Annotated, Section 48-101-312(b);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that the City Council does hereby find that the “multi-family housing facilities” project is in the best interest of the City, and that payments in lieu of ad valorem taxes derived therefrom would be in furtherance of the Board’s public purposes; and

BE IT FURTHER RESOLVED that, having made such a finding in this instance, the City Council does hereby delegate to the Board the authority to negotiate and accept payments in lieu of taxes from the Company, it being further noted that this delegation is for this purpose and this project only; and

FURTHER RESOLVED that the Mayor is hereby authorized to enter into an Agreement for Payments in Lieu of Ad Valorem Taxes in substantially the form attached hereto, with such changes thereto as he shall approve; and

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after it’s a passage, the public welfare requiring it.

ADOPTED: October 18, 2016

/vmm/mem