

RESOLUTION NO. 28835

A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE RIVER VIEW HOUSING ASSOCIATES, LP PROJECT, TO DELEGATE CERTAIN AUTHORITY TO THE CHATTANOOGA HOUSING AUTHORITY, 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 13-20-104(f), the City of Chattanooga (the “City”) is permitted to delegate to the Chattanooga Housing Authority (the “Board”) the authority to negotiate and accept payments in lieu of ad valorem taxes from lessees of the Board for “low-income housing tax credit (LIHTC) property”, as defined in Tennessee Code Annotated, Section 13-20-104(f)(1) upon a finding by the Board that such payments are deemed to be in furtherance of the Board’s public purposes; and

WHEREAS, River View Housing Associates, LP (the “Company”) is contemplating the construction of a low-income housing tax credit (LIHTC) property apartment project for the elderly with approximately 175 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 for the elderly would be in furtherance of the Board’s public purposes as set forth within the Housing Authorities Law, Title 13, Chapter 20, of the Tennessee Code Annotated (as amended, the "Housing Authorities Law");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, that the City Council does hereby find that the "low-income housing tax credit (LIHTC) property" Project for the elderly 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: November 8, 2016