

COUNCIL RESOLUTION NO. 5252

**A RESOLUTION AMENDING RESOLUTION NO. 5218 CONCERNING
A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION
FOR PROPERTY LOCATED ON ROSS LANE AND ON HELEN
STREET, EUGENE, OREGON. (APPLICANT ST. VINCENT DE PAUL
SOCIETY OF LANE COUNTY, INC.)**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: November 13, 2018

EFFECTIVE DATE: November 13, 2018

RESOLUTION NO. 5252

A RESOLUTION AMENDING RESOLUTION NO. 5218 CONCERNING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR PROPERTY LOCATED ON ROSS LANE AND ON HELEN STREET, EUGENE, OREGON. (APPLICANT VINCENT DE PAUL SOCIETY OF LANE COUNTY, INC.)

The City Council of the City of Eugene finds that:

A. On January 22, 2018, the City Council passed Resolution No. 5218, a copy of which is attached as Exhibit A to this Resolution. That Resolution approved the application of St. Vincent de Paul Society of Lane County, Inc. for an exemption from ad valorem taxes under the City's Low-Income Rental Housing Property Tax Exemption Program (Sections 2.937 to 2.940 of the Eugene Code, 1971) for the development of 24 two-bedroom units, 12 three-bedroom units, and residential common areas on the property located at 2640-2652 Ross Lane and 550-556 Helen Street, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-34; Tax Lot No. 600; Assessor's Property Account No. 1518479). The Resolution declared the land and units exempt from taxation commencing July 1, 2018 and continuing for a continuous period of 20 years.

B. It is necessary to amend Resolution No. 5218 to clarify that the Low-Income Rental Housing property tax exemption applies to the subject property as follows:

1. Remove 2648 Ross Lane from the properties approved for the tax exemption under the City's Low-Income Rental Housing Property Tax Exemption Program. The unit located at 2648 Ross Lane was one mistakenly approved for the tax exemption by Resolution No. 5218. However, a Head Start facility operates at that address and the Head Start Facility is not eligible for the City's Low-Income Rental Housing property tax exemption. Resolution 5218 should be amended to clarify that the Low-Income Rental Housing property tax exemption does not apply to the Head Start facility.

2. Clarify that the tax exemption applies to the property located at 2638 Ross Lane. The property located at 2638 Ross Lane was erroneously omitted from Resolution No. 5218. Because 2638 Ross Lane is part of the low-income housing development and eligible for the Low-Income Rental Housing property tax exemption, it should be included as one of the properties approved for the tax exemption.

C. City staff and St. Vincent de Paul Society of Lane County, Inc. have executed amendments to the Rent Regulatory Agreement required by Section 5.1 of the Low-Income Rental Housing Property Tax Exemption Standards and Guidelines to clarify that the Rent Regulatory Agreement applies to the properties located at 2638 Ross Lane and 554 Helen Street and the Agreement does not apply to the property located at 2648 Ross Lane. The amendments to the Rent Regulatory Agreement will take effect upon passage of this Resolution.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based upon the above findings, Section 1 of Resolution No. 5218 is amended to read as follows:

“Based upon the above findings, the City Council approves the application of St. Vincent de Paul Society of Lane County, Inc. for an ad valorem property tax exemption under the City's Low-Income Rental Housing Property Tax Exemption Program for the property located at 2638, 2640, 2642, 2644, 2646, 2650 and 2652 Ross Lane and 550, 552, 554 and 556 Helen Street, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-34; Tax Lot No. 600; Assessor's Property Account No. 1518479) which includes 24 two-bedroom units, 12 three-bedroom units, and residential common areas, all of which will be used for low-income housing.”

Section 2. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to St. Vincent de Paul Society of Lane County, Inc. within ten days from the date of adoption of this Resolution, and to cause a copy of this Resolution to be filed with the Lane County Assessor on or before December 1, 2018. The copy of the Resolution sent to St. Vincent de Paul shall be accompanied by a notice explaining the grounds for possible termination of the exemption prior to the end of the exemption period and the effects of the termination.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 13th day of November, 2018.

Samantha Roberts
Deputy City Recorder



COUNCIL RESOLUTION NO. 5218

A RESOLUTION APPROVING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR THE PROPERTY LOCATED AT 2640-2652 ROSS LANE AND 550-556 HELEN STREET, EUGENE, OREGON. (APPLICANT VINCENT DE PAUL SOCIETY OF LANE COUNTY, INC.)

PASSED: 6:0

REJECTED:

OPPOSED:

ABSENT: CLARK, PRYOR

CONSIDERED: January 22, 2018



RESOLUTION NO. 5218

A RESOLUTION APPROVING A LOW-INCOME RENTAL HOUSING PROPERTY TAX EXEMPTION FOR THE PROPERTY LOCATED AT 2640-2652 ROSS LANE AND 550-556 HELEN STREET, EUGENE, OREGON. (APPLICANT VINCENT DE PAUL SOCIETY OF LANE COUNTY, INC.)

The City Council of the City of Eugene finds that:

A. St. Vincent de Paul Society of Lane County, Inc. is the owner of real property located at 2640-2652 Ross Lane and 550-556 Helen Street, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-34; Tax Lot No. 600; Assessor's Property Account No. 1518479). St. Vincent de Paul Society of Lane County, Inc. ("the applicant"), located at 2890 Chad Drive, PO Box 24608, Eugene, Oregon, 97402 has submitted an application pursuant to Subsection 2.939(2) of the Eugene Code, 1971, for an exemption from ad valorem taxes under the City's Low-Income Rental Housing Property Tax Exemption Program (Sections 2.937 to 2.940 of the Eugene Code, 1971).

B. The Ross Lane / Helen Street development first received a Low-Income Rental Housing Property Tax Exemption when it was constructed in 1998. The apartments have housed low-income households for twenty years. Under EC 2.940(5), in the final year of low income housing tax exemptions, applications for subsequent low-income housing tax exemptions for the property may be submitted.

C. A tax exemption is being sought for the property which includes 24 two-bedroom units, 12 three-bedroom units, and residential common areas.

D. The Community Development Manager of the Planning and Development Department, as designee of the City Manager, has prepared a Report and Recommendation recommending that the application be approved and the exemption granted. In making that recommendation, the Community Development Manager found that the applicant submitted all materials, documents and fees required by Section 2.938 of the Eugene Code, 1971, and is in compliance with the policies set forth in the Standards and Guidelines adopted by Resolution No. 5028. In addition, the Community Development Manager found that the applicant has complied with the criteria for approval provided in Section 2.939(2) of the Eugene Code, 1971, and the eligibility requirements at Section 2.1 through 2.9 of the Standards and Guidelines adopted by Resolution No. 5028.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based upon the above findings, the City Council approves the application of St. Vincent de Paul Society of Lane County, Inc. for an ad valorem property tax exemption under the City's Low-Income Rental Housing Property Tax Exemption Program for the property located

at 2640-2652 Ross Lane and 550-556 Helen Street, Eugene, Oregon, 97404 (Assessor's Map 17-04-12-34; Tax Lot No. 600; Assessor's Property Account No. 1518479) which includes 24 two-bedroom units, 12 three-bedroom units, and residential common areas, all of which will be used for low-income housing.

Section 2. The land and units described in Section 1 above are declared exempt from local ad valorem property taxation commencing July 1, 2018, and continuing for a continuous period of 20 years unless earlier terminated in accordance with the provisions of Section 2.940 of the Eugene Code, 1971, which provides for termination after an opportunity to be heard if:

2.1 Construction or development of the exempt property differs from the construction or development described in the application for exemption, or was not completed by January 1, 2020, and no extensions or exceptions were granted; or


2.2 The applicant fails to comply with provisions of ORS 307.515 to 307.523, provisions of the Eugene Code, 1971, the Standards and Guidelines adopted by Council Resolution No. 5028, or any conditions imposed in this Resolution.

The tax exemption shall be terminated immediately, without right of notice or appeal, pursuant to the provisions of ORS 307.531 in the event that the county assessor determines that a change of use to other than that allowed has occurred for the housing unit, or portion thereof, or, if after the date of this approval, a declaration as defined in ORS 100.005 is presented to the county assessor or tax collector for approval under ORS 100.110.

Section 3. The City Manager, or the Manager's designee, is requested to forward a copy of this Resolution to the applicant within 10 days from the date of adoption of this Resolution, and to cause a copy of this Resolution to be filed with the Lane County Assessor on or before April 1, 2018. The copy of the Resolution sent to the applicant shall be accompanied by a notice explaining the grounds for possible termination of the exemption prior to the end of the exemption period and the effects of the termination.

Section 4. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 22nd day of January, 2018.



Deputy City Recorder (AIC)