

RESOLUTION NO. _____ OF 2022

(Authorizing the Lease Rate and Term for The Other Side Village Pilot Project located at 1850 West Indiana Avenue, Salt Lake City)

WHEREAS, The Other Side Academy (“TOSA”), a Utah nonprofit corporation, desires to develop a community of small homes, community space, support services, and commercial uses to provide affordable housing and life skill development for some of the City’s unsheltered population, to be known as The Other Side Village (the “Project”); and

WHEREAS, the first phase of the Project (the “Pilot Project”) will include affordable housing, supportive services, community space, social enterprise buildings, and additional tiny homes to be offered as nightly rentals, as further described on the attached term sheet (the “Term Sheet”); and

WHEREAS, TOSA and the City desire to locate the Pilot Project on approximately 8 acres of the real property owned by the City and located at 1850 West Indiana Avenue, Salt Lake City (the “Pilot Site”);

WHEREAS, the primary beneficiaries of the construction of the Pilot Project will be individuals experiencing chronic homelessness who are transitioning into housing as part of the City, County, and State’s efforts to address the homelessness and housing crisis in Salt Lake City; and

WHEREAS, a below-market ground lease to TOSA will facilitate the development of the Pilot Project, which would otherwise be financially unfeasible; and

WHEREAS, the City is willing to provide assistance to TOSA in the form of a ground lease rate for the Pilot Site in the amount of \$1.00 per year for a term of 40 years, so long as the conditions of the ground lease between City and TOSA, or another nonprofit approved by City, are met (the “Lease Fee Waiver”); and

WHEREAS, Utah Code Section 10-8-2(1)(a)(i) allows public entities to provide nonmonetary assistance and waive fees to and for nonprofit entities after a public hearing; and

WHEREAS, though Utah Code Section 10-8-2 does not require a study for such waiver or assistance, in this case the Administration voluntarily performed an analysis of the nonmonetary assistance to the nonprofit corporation (the "Analysis"); and

WHEREAS, the City Council has conducted a public hearing relating to the foregoing, in satisfaction of the requirements of Utah Code Section 10-8-2; and

WHEREAS, the Council has reviewed the Analysis, and has fully considered the conclusions set forth therein, and all comments made during the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah, as follows:

1. The City Council hereby adopts the conclusions set forth in the Analysis, and hereby finds and determines that, for all the reasons set forth in the Analysis, the Lease Fee Waiver is appropriate under these circumstances.

2. The terms outlined on the Term Sheet represent the approved terms for the Pilot Project, and the City Council hereby authorizes the City administration to negotiate the final terms consistent with the Term Sheet or more beneficial to the City, and execute the ground lease and any other relevant documents consistent with this Resolution and incorporating such other terms and agreements as recommended by the City Attorney's office.

Passed by the City Council of Salt Lake City, Utah, on _____, 2022.

SALT LAKE CITY COUNCIL

By: _____
CHAIRPERSON

ATTEST:

CITY RECORDER

APPROVED AS TO FORM: Salt Lake City Attorney's Office By: <u>Kimberly Chytraus</u> Kimberly Chytraus, Senior City Attorney
