

RESOLUTION NO. 32653

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHATTANOOGA DELEGATING TO THE HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD OF THE CITY OF CHATTANOOGA, TENNESSEE THE AUTHORITY TO NEGOTIATE AND ACCEPT PAYMENTS IN LIEU OF AD VALOREM TAXES WITH RESPECT TO THE 702 MANUFACTURERS ROAD PROJECT TO BE UNDERTAKEN BY THE ATLANTIC COMPANIES, LLC OR AN AFFILIATE THEREOF AND TO BE LOCATED IN THE CITY OF CHATTANOOGA, TENNESSEE, AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD OF THE CITY OF CHATTANOOGA, TENNESSEE.

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WHEREAS, the City Council (the "Council") of the City of Chattanooga, Tennessee (the "City"), has previously approved an Affordable Housing Payment-In-Lieu-of-Taxes program (the "Program") in order promote the availability of affordable housing in the City; and

WHEREAS, The Atlantic Companies, LLC, a Georgia limited liability company, or an affiliate thereof (the "Developer") has requested to participate in the Program with respect to a proposed residential rental project known as the 702 Manufacturers Road Project (the "Project"); and

WHEREAS, City staff has reported to Council that the Developer's application to participate in the Program is in order and has recommended that The Health, Educational and Housing Facility Board of the City of Chattanooga, Tennessee (the "Board") be authorized to negotiate and accept payments in lieu of taxes with respect to the Project on the terms outlined in the Program; and

WHEREAS, the City is authorized to delegate to the Board the authority to negotiate and accept from the lessees of the Board payments in lieu of ad valorem taxes upon the finding that such payments are deemed to be in furtherance of the public purposes of the Board; and

WHEREAS, the Council desires to provide such delegation with respect to the Developer and the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chattanooga, Tennessee, as follows:

1. The Council hereby finds that the negotiation and acceptance by the Board of payments in lieu of ad valorem taxes with respect to the Project consistent with the Program and the guidelines issued by the City thereunder are deemed to be in furtherance of the public purposes of the Board, and the Council hereby delegates to the Board the authority to negotiate and accept such payments in lieu of ad valorem taxes from the Developer consistent with the terms of the Program and the guidelines promulgated by the City thereunder.

2. The Board shall not enter into any agreement with respect to the Project that provides for payments in lieu of taxes that are not consistent with and authorized by the Program, as determined by the City Attorney, and any request for such an agreement relating to the payment in lieu of taxes shall be presented to Council for consideration.

3. The delegation to the Board provided by this resolution shall remain in effect for one year from the date of adoption of this resolution and shall not be effective as to any agreement relating to payments in lieu of taxes that is entered into or amended after the expiration of such one-year period.

4. All other resolutions and orders, or parts thereof, in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed, and this resolution shall be in immediate effect from and after its adoption.

ADOPTED: October 7, 2025

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