

RESOLUTION 2024-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO APPROVING A TERM SHEET WITH HEADWATERS HOUSING PARTNERS FOR THE OAKS PROJECT AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE TERM SHEET

WHEREAS, Headwaters Housing Partners (“HHP”) proposes to redevelop the Family Health West property located at 805 West Ottley Avenue into a workforce housing project (the “Oaks Project”) in the City of Fruita (the “City”) in order to serve essential local workers, including teachers, healthcare providers, City staff, and service employees; and

WHEREAS, the Oaks Project is proposed to include 62 multifamily rental housing units serving a mix of persons and households making up to 80% and 100% of area median income; and

WHEREAS, HHP has submitted a proposal of support and financial contribution from the City and the Fruita Housing Authority (the “Proposal”); and

WHEREAS, the City has reviewed and considered the requests made in the Proposal, and the City and HHP have been negotiating the terms of the City’s support for the Oaks Project; and

WHEREAS, the City Council of the City (the “City Council”) now wishes to approve the Term Sheet for the Family Health West Multifamily Redevelopment (the “Term Sheet”) in order to guide the City and HHP’s continued negotiations for the terms of a Redevelopment Agreement, which will contain the terms of the City’s support and financial contributions, and Land Use Restriction Agreement for Oaks Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO:

Section 1. Recitals Incorporated. The foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the City Council.

Section 2. Ratification and Approval of Prior Actions. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the City Council or the officers, agents or employees of the City relating to the Oaks Project, the Term Sheet, the Redevelopment Agreement and the Land Use Restriction Agreement is hereby ratified, approved and confirmed.

Section 3. Approval of Term Sheet. The City Council hereby approves the Term Sheet in the form presented to the City Council and on file with the City Clerk. The Interim City Manager (or City Manager) is authorized to sign the Term Sheet and such other documents as may be necessary to evidence the City Council’s approval of the Term Sheet.

Section 4. Authorization to Take Additional Action. The City Council hereby authorizes and directs the Interim City Manager (or the City Manager) to work with the City Attorney, City staff and the City’s consultants to negotiate the terms of the Redevelopment

Agreement and the Land Use Restrictions Agreement and to bring the same to the City Council for its consideration.

Section 5. **Severability.** If any section, subsection, paragraph, clause or other provision of this Resolution for any reason is invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution, the intent being that the same are severable.

Section 6. **Effective Date.** This Resolution shall be in full force and effect from and after its passage and approval, in accordance with law.

ADOPTED this 17th day of December, 2024.

CITY OF FRUITA, COLORADO

Mayor

ATTEST:

City Clerk