



# REQUEST FOR COUNCIL ACTION

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**Title:** Request for Council Action – Fire Hall Property

**Preferred Agenda:** November 10, 2020 (For Information Only)  
November 24, 2020 (Request for Council Action)

**Submitted By:** Robert Snyder, City Attorney

**Reviewed By:** Ray Towry, City Manager

**Type of Action:** Resolution  X  Motion \_\_\_\_ Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:** ORS 271.330

**Towards Council Goal:** Goal 3 section 3 Develop partnerships w/regional services.  
Vision Statement III WE ASPIRE to provide viable and sustainable infrastructure.

**Attachments:** Resolution No. 30 for 2020, Proposed Deed

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**Purpose of this RCA:**

The purpose of this RCA is to present to City Council a deed to transfer to the Sweet Home Fire and Ambulance District the fire department properties on Long Street and in Foster.

**Background/Context:**

The City of Sweet Home is the current owner of the real property at 1099 Long Street (Firehall) and at 1390 47<sup>th</sup> Avenue (Substation in Foster) Sweet Home Oregon. The District currently leases the properties for \$100 a year with the lease to expire on June 30, 2051. Under ORS 271.330 the City is allowed to transfer real property to another political subdivision (includes city and district) that is not needed for public use by the City providing the real property shall be used for not less than 20 years for a public purpose by the District. In the proposed deed it has a reservation in the City whereby if the real property is not used for fire department purposes then the real property reverts to the City. Please note that there is now on the title to the Foster Substation donated to the City a reservation that shows up on Exhibit A of the deed. This transfer was discussed by the Finance and Property Committee and the recommendation was to present it to City Council for a decision. In discussions by Staff it has been brought up that the City could be exposed to liability by owning the real property with no apparent benefit by said ownership since the District is about as permanent an entity as the City particularly since the deed has a reservation that will transfer the real property back to the City if and when it is no longer used for fire department purposes. Finally, with ownership the District will be responsible for all

maintenance (it is also under the lease) and ownership could help in future financing of the District's fire, ambulance, and other emergency operations.

On November 10, 2020 at the City Council meeting the transfer was discussed by City Council and fire department personnel who pointed out that the transfer at this time made sense since the District was going to be dealing with obtaining a grant for earthquake upgrades to the structures and the District owning the properties would help in the applications etc. Also they thought that the transfer would clarify, simplify and update the property ownership. Finally they stated that the District had no plans on moving from the current locations since they were centrally located in the District.

**The Challenge/Problem:**

Should the City approve the proposed resolution to authorize the transfer of the real property that is currently being leased by the Fire and Ambulance District?

**Stakeholders:**

- The City of Sweet Home would be transferring real property for a public purpose that is fire protection to the Fire and Ambulance District that serves the City with fire and ambulance protection.
- The Fire and Ambulance District would be in better control of its services by owning its facilities for future decisions on how to provide its services to the citizens of Sweet Home.

**Issues and Financial Impacts:**

The real property does have monetary value if sold but the real value to the City is having it used by the Fire and Ambulance District for the housing of its offices and the vehicles and equipment that are used by the District on fires and ambulance runs for the citizens of Sweet Home.

**Elements of a Stable Solution:**

The transfer will allow the District to own the real property that they use for fire department purposes so that they can make the best decisions for themselves in providing their services and have the most options on what to do on the properties to provide those services.

**Options:**

1. Do nothing. Do not make the transfer and keep the real property in City ownership.
2. Transfer Real Property. Provide Sweet Home Fire and Ambulance District with ownership of its own facilities by passing the proposed Resolution and then deeding the said real property to the District.

**Recommendation:**

Option #2 . Transfer Real Property. Provide Sweet Home Fire and Ambulance District with ownership of its own facilities by passing the Resolution No. 30 for 2020 and then deeding the said real property to the District.