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COLUMBIA GATEWAY URBAN RENEWAL AGENCY BOARD

March 18, 2025

5:30 p.m.

City Hall Council Chambers  
313 Court Street, The Dalles, Oregon

Via Zoom

<https://us06web.zoom.us/j/86259459367?pwd=Z0Nnd3E4bkxBUVhXQkRKTKJCdEJ6QT09>

Meeting ID: **862 5945 9367** Passcode: **292293**

Dial: 1-669-900-6833 or 1-253-215-8782

Upon request, the City will make a good faith effort to provide an interpreter for the deaf or hard of hearing at regular meetings if given 48 hours' notice. To make a request, please contact the City Clerk and provide your full name, sign language preference, and any other relevant information.

Contact the City Clerk at (541) 296-5481 ext. 1119, or [amell@ci.the-dalles.or.us](mailto:amell@ci.the-dalles.or.us).

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES – February 18, 2025 (Provided under separate cover.)
6. PRESENTATIONS
  - A. Sunshine Mill Winery Hotel and Retreat Center Proposal
7. PUBLIC COMMENT – During this portion of the meeting, anyone may speak on any urban renewal subject. Five minutes per person will be allowed.
8. ACTION ITEM:
  - A. Property Rehabilitation Program: Proposed Modifications
9. BOARD MEMBER COMMENTS / QUESTIONS
10. STAFF COMMENTS / PROJECT UPDATES
11. ADJOURNMENT

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Meeting conducted in a room in compliance with ADA standards.

Prepared by/  
Paula Webb, Secretary  
Community Development Department





# A Brief History

**2004** →

RFP with Urban  
Renewal Agency

**2009** →

- Occupied Building
- Began Redevelopment
- Started Copa Di Vino Production

Spring

**2010** →

Tasting  
Room Opened

Fall

**2011**

Wasco Warehouse  
Rehabilitation  
Slated for demolition

**2012-2013** →

Copa Di Vino moved  
production to the Wasco  
Warehouse  
Mural painting on mill  
building

**2015-2019** →

Completed loan and interest  
repayments, continued  
development  
of all businesses

**2020-2024**

Adapted to a forever-  
changed hospitality world  
and continued to go deeper  
into serving our community





Sunshine Mill Winery

# Economic Impact



- ❑ **Raised \$4 million** in federal funding to create round about and cruise ship dock
- ❑ Over **\$100 million** in revenue over 15 years
- ❑ Paid back loans in full, with interest
- ❑ Continue to grow and operate and maintain a once blighted property
- ❑ Peak employment of 127 employees
- ❑ **98% of our employees are local**
- ❑ **15 million** spent with local businesses

Economic Impact



Sunshine Mill Winery  
**Currently**

- East Side development
- Expanded on site wine production
- Private event rental spaces – named one of the top 8 wineries in the U.S. to get married at by Bride Magazine
- Launching Sunshine Mill wine label
- Expanded food menu, local retail and artisan products
- Community Events e.g. Harvesting Sunshine and Winter Warmer Festival
- Celebrating 15-year anniversary



# Sunshine Mill Winery Hotel and Retreat Center

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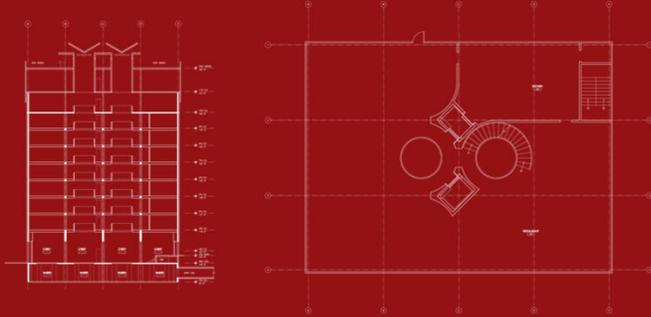
## Summary Of Project

- Rooftop bar and restaurant
- 80 room hotel with rooms inside the Silos and Mill building
- Spa
- Pickleball courts and gym
- Corporate retreats
- Venue rental spaces and private meeting rooms
- Wine tours and education
- More retail
- Artisan market spaces

Hotel Project

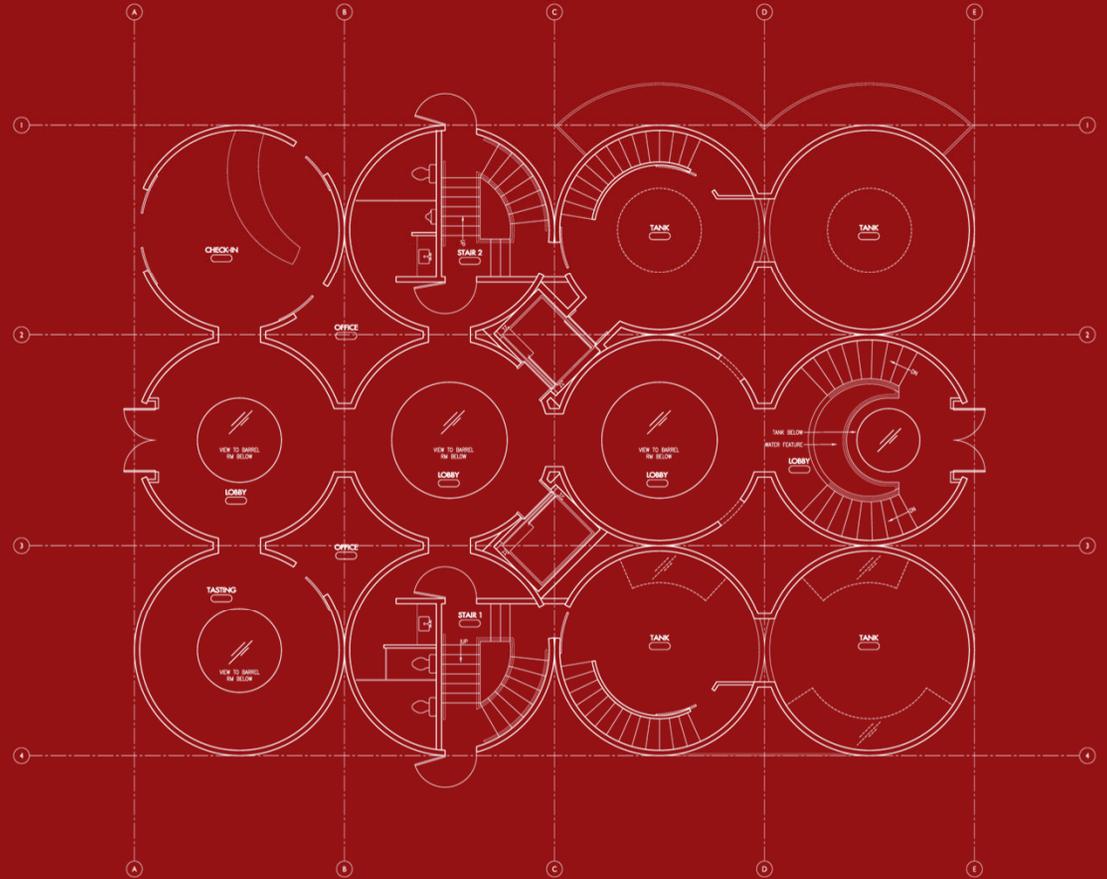
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## Completed Work

- Preliminary architectural design
- Preliminary engineering analysis
- 2025 Feasibility Study
  - Completed by: Saddle Peak Hotel Advisors.
  - Project is proven to be viable at the Sunshine Mill and in The Dalles





## Other Silo Projects Around the World

- Peppers Silo  
Launceston -  
Tasmania, Australia
- Crowne Plaza  
Quaker Square -  
Akron, Ohio
- Silo Hotel - Cape  
Town, South Africa

Hotel Project

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# Peppers Silo Launceston

Tasmania Australia

Hotel Project

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# Silo Hotel Cape Town

South Africa

Hotel Project

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# Development Timeline



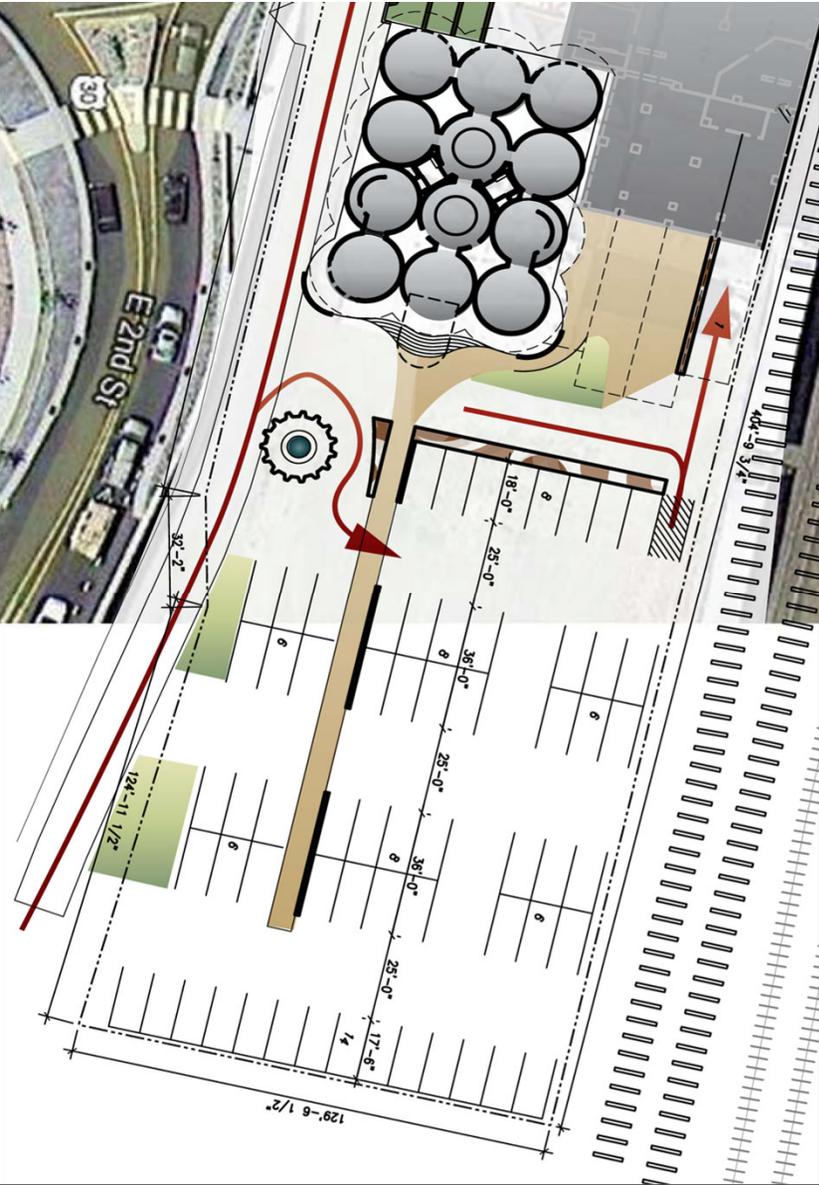
# Breaking Ground Timeline

2026

Q1-Q2	Finalize - Engineering and Architecture
	Building Permits
	Finalize Loan
Q3-Q4	Begin Site Construct

2027

Q3	Completion
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Sunshine Mill Winery

# Value Creation For Our Community



- Affluent customer base with disposable income
- **Creating luxury accommodations and amenities to be used by guests and locals**
- Gateway to The Dalles – First impression of The Dalles
- Become a Northwest Landmark
- Becomes a destination driven experience, people are stopping AND staying

**Our initial ask:**

- \$250,000 grant to vet engineering and architectural design
- Open and honest communication on feasibility of the agency supporting this project and what other flagship projects are a priority for the agency
- Urban Renewal Agency building and rooftop tour

**Future asks:**

- Gap financing
- Enterprise zone tax credits

**Thank you!**





## AGENDA STAFF REPORT AGENDA LOCATION: 8. A.

**MEETING DATE:** Tuesday, March 18, 2025

**TO:** Chair and Members of the Urban Renewal Agency Board

**FROM:** Dan Spatz, Economic Development Officer

**ISSUE:** *Property Rehabilitation Program: Proposed Modifications*

### **BACKGROUND:**

Beginning in December 2024, staff requested the Board's consideration of proposed modifications to the Columbia Gateway Urban Renewal Agency's (**Agency**) Property Rehabilitation Grant Program. Property rehabilitation programs have been used by the Agency for many years to provide financial support for private property improvements in the Columbia Gateway Urban Renewal District (**District**). As referenced in the amended Urban Renewal Plan (**Plan**), these programs currently include the Incentive Program (**IP**) and Development Funding Agreements (**DFA**). The proposed modifications referenced herein reflect ongoing comments and discussions from downtown business owners regarding allowable uses for Property Rehabilitation grant investments in District properties.

Subsequent Board discussions occurred at the January 21 and February 18 meetings. The February meeting focused, especially, on the relation between IP investments and potential return on investment (**ROI**) through increased property value. Wasco County Assessor Jill Amery provided background on how assessments are made, including the challenges of projecting ROI on individual projects.

Tonight's staff report incorporates guidance received from the Board at these meetings and seeks Board approval of the proposed modifications, pending any additional comments. Proposed modifications are summarized below:

- **Incentive Program consolidation and increased cap:** The IP currently includes three grant types: Commercial (up to \$50,000), Mixed-Use (up to \$150,000), and New Residential Projects (\$10,000 per new housing unit). Staff propose that the Commercial and Mixed Use programs be consolidated into a single Commercial category with maximum investment of \$300,000, up from \$200,000 currently available through the combination of Commercial and Mixed Use programs. This elevated level accounts for the expected costs, particularly those associated with sprinkler systems, which are discussed later in this report. New housing units would no longer be required.

- **Matching requirement:** Currently, IP guidelines require a 50% property owner match for commercial projects and a 30% match for mixed-use projects. Following discussion, the proposed program modifications would standardize the matching requirement, ensuring that all IP investments receive at least a 50% match (i.e., each dollar of Agency investment must be matched by one dollar of non-Agency investment). However, to further support housing development within the District, the Board remains committed to incentivizing residential projects by allowing a 60/40 funding split for projects that include at least one new dwelling unit (i.e., 60% provided by the Agency and 40% by the property owner).
- **Matching sources:** Current IP guidelines preclude use of funds from any other Agency or City program as match. However, one of the Plan's goals encourages the use of urban renewal funding to leverage other funding sources. To reconcile this, staff proposes that match be allowed from any source.
- **Tax abatements and non-profits:** Staff have not raised this issue in recent Board meetings; however, the idea is prompted by questions raised throughout the lifespan of the IP, most recently in February and March of this year concerning two separate District properties. Current IP guidelines preclude grants to non-profits. This does not align with the Plan, which specifically allows grants to non-profits. Staff propose allowing support for nonprofits and other tax abatements on a case-by-case basis, with all requests subject to Board approval, regardless of award amount.
- **Commercial sprinkler systems:** Currently allowed only for "new or unused spaces," the Agency would allow installation in any commercial location, including spaces currently used. This initiative represents continued Board discussion on the matter due to the large number of historic structures within the District. Installation must occur as part of a larger renovation project, but may comprise up to 75 percent of total renovation cost. (Examples: restaurants, event spaces.)
- **Roof repair/replacement:** Previously allowed and used to preserve such buildings as the Second Courthouse, Granada Theatre and Elks Lodge, but not currently allowed. Agency would allow roof repair/replacement if this occurs as part of a larger renovation. The goal is to leverage other funding sources toward the full cost of repair or replacement and in the process maintain the structural integrity of downtown buildings (especially historic structures) at risk of deterioration. Cost of repair or replacement would not exceed 50 percent of total renovation cost and may only be approved for properties acquired by the property owner within five years from the time of request, with maximum Agency roof investment of \$25,000 per structure.
- **Flooring:** Current guidelines preclude flooring replacement. Staff proposes that flooring replacement be allowed specifically and only in the case of asbestos flooring. Urban renewal funding could thus be used to leverage external funds available through state and federal resources (i.e., brownfield funds).
- **Staff discretion:** The maximum grant allowed under administrative discretion would remain unchanged at \$50,000. Any larger request requires Board authorization.
- **Return on Investment:** Formal ROI projection would not be required under the IP.
- **Development Funding Agreements:** Staff is proposing that requests exceeding \$300,000 would be addressed through DFAs, with a formal ROI calculation required. The applicant must contract and pay for a formal appraisal to determine ROI. Due to the significant staff time and resources needed to process DFA requests, staff is proposing a

non-refundable administrative fee of up to \$1,000 to initiate consideration of a DFA request. This fee could be split between the Agency and the Wasco County Assessor to support their review of relevant appraisals and ROI requests. If the Board is interested in implementing this fee, further discussions with each Agency's finance team will be necessary to address revenue accounting, budget modifications, and fee schedule updates.

- **System Development Charges:** The Agency would continue to provide SDC payments of up to \$10,000 per new residential unit, in addition to Commercial IP grants or DFA requests.
- **Timely completion:** DFA projects must begin construction within one year of Agency decision of award and must receive Certificate of Occupancy within a time period to be specified in the agreement. This timeline may be extended at the discretion of the Board only.
- **Liquidated damages:** DFA recipients must provide financial guarantee of performance in the form of a "liquidated damages" clause, with amount and timeframe to be negotiated in the agreement.

***Revised Property Rehabilitation Application Process:***

- Staff will revise the current IP application form, reflecting any modifications approved by the Board. Information and application will be posted on-line.
- The Agency will issue an annual "Notice of Funding Availability" through printed notice to property owners within the District.
- Applications accepted throughout the calendar year.
- Applicants submit funding requests no later than 45 days prior to the following month's Board meeting.
- Staff review applications and either award outright as described above or bring to the Board for IP or DFA consideration.
- Funding will be provided dependent on available annual maximum indebtedness capacity at the discretion of the Board.

**BOARD ALTERNATIVES:** Staff is requesting Board decision on the above-mentioned topics. Following this discussion, final adoption of the revised Property Rehabilitation Grant program process will be presented at a forthcoming Board meeting.

**Attachment:**

- A. Urban Renewal Incentive Program Guidelines

# Urban Renewal Incentive Program GUIDELINES



The Columbia Gateway Urban Renewal Incentive Program (**Program**) was created to provide funding for building and property owners for the purposes of improving, rehabilitating, and/or developing eligible properties located within the Gateway/Downtown Urban Renewal Area (**Area**). The Agency aims to incent redevelopment of unused and underused land and buildings to meet the goals of the Columbia Gateway/Downtown Urban Renewal Plan (**Plan**), including investments that increase property values, place underused properties into productive condition, remove blight, and bring new opportunities for business and residential growth to the area.

Generally, the Program comprises three grant types based on the nature of the proposed project:

**Commercial Projects:** *Up to \$50,000*

- 50% matching grant funds required

**Mixed-Use Projects:** *Up to \$150,000*

- 30% matching grant funds required
- Must include the addition of no less than one new housing unit
- Mixed-use projects with more than 50 dwelling units may be eligible for additional funding

**New Residential Projects:** *\$10,000 / new housing unit*

- SDC payments for new housing applied at building permit issuance
- Not to exceed \$10,000 per new unit
- May be applied in combination with other new units

## Program Requirements

### Minimum Requirements

To be eligible for Program funds, the following minimum requirements must be met:

- (1) The subject real property (**Property**) must be located within the Area;
- (2) Applicant must be the Property's current owner or must obtain the owner's prior written consent on the Application;
- (3) Applicant must not be delinquent on any City accounts (e.g., utility accounts) and real property taxes concerning the Property must be paid in full at the time of Application submission and all fund disbursements. If the Applicant is not the Property's current owner, both the Applicant and owner must not be delinquent on any City accounts and be current on their real property taxes;
- (4) The Property must not be subject to any tax abatements reducing its assessed market value (including, without limitation, tax credits, property-related subsidies, or any other tax exemption); provided, however, the Property may receive tax abatement or subsidies from The Dalles Vertical Housing Development Zone without impacting its eligibility under this Program;
- (5) The project for which Program funds are sought must be an Eligible Project meeting and seeking to advance Plan goals and objectives; and
- (6) Applicant must timely apply for Program funds on Agency's then-current Program application and in such manner as the Agency Manager (**Administrator**) may then prescribe.

### Eligible Projects

- Development of new residential units.
- Restoration, reuse, or upgrades to historically listed buildings, including adapting historic or culturally significant existing buildings in the Area to new uses. Such improvements must first receive Historic Landmarks Commission approval prior to Application submission.
- Temperature or ventilation system upgrades (e.g., HVAC); however, *like-for-like* replacements are ineligible.
- Interior and exterior infrastructure upgrades (e.g., plumbing, mechanical, electrical, sidewalk, drive-approaches, etc.).
- Parking lot improvements.
- Permanent improvements for upper floors of existing Area buildings to make the space usable (if not currently in use).
- Demolition in conjunction with redevelopment of blighted properties.
- Safety and accessibility improvements (e.g., ADA access improvements, elevator installation, architectural lighting, seismic reinforcement systems, etc.).
- Fire suppression systems for new or reused spaces; however, fire suppression systems for existing uses are ineligible.
- Façade improvements, as follows: exterior storefront or other façade improvements on a building primarily used for commercial purposes located in the Area for which an Applicant requests funds, including: (i) restoration of masonry, brickwork, and/or wood and metal cladding; (ii) installation of new or replacement of existing replacement and/or repair of architectural features; (iii) installation of new or replacement of existing awnings; (iv) installation of new or replacement of existing exterior lighting; (v)

installation of new or replacement of existing gutters and downspouts; (vi) installation of new or replacement of existing windows; (vii) entranceway modification and/or implementation of safety features; (viii) structural support for façade only; (ix) new construction for façade treatments; (x) painting of exterior walls when repairs to siding are made or part of new construction of the façade; and/or (xi) construction and installation of bike racks.

- Design or engineering work leading to permanent and physical improvements.
- Other permanent improvements and redevelopment aligned with Area and Agency goals as approved by the Administrator or Agency Board (as applicable), unless listed as an Ineligible Project.

### **Ineligible Projects**

- Projects completed prior to grant funding award.
- Projects on land exempt from property taxes or otherwise by an Applicant or owner exempt from property taxes (e.g., non-profit organizations).
- General cleaning.
- Maintenance and *like-for-like* replacements.
- Roof repairs or replacements.
- Fire suppression systems for existing uses.
- Real property acquisition.
- Equipment acquisition
- Financing costs or debt and other similar operating expenses.
- Flooring.
- Interior electrical and plumbing fixtures.
- Paint and painting.
- Landscaping.
- Security system upgrades.
- Other non-permanent improvements or redevelopment not aligned with Area and Agency goals as denied by the Administrator or Agency Board (as applicable).

## Application and Approval Process

All Applicants are encouraged to contact Agency Staff to discuss project overview, assess eligibility, and funding availability. The general Application process and review process includes:

**Step 1. Preliminary Review.** Each Application will be reviewed by the Administrator in order of receipt. The Administrator will complete a preliminary review of each Application and conduct whatever investigation the Administrator deems necessary or appropriate to determine whether the Application is complete, the statements made therein are true and accurate, and compliance with these Guidelines. If, after a preliminary review, the Administrator determines the Application does not include all required documentation and/or information, the Administrator will return the application and notice the Applicant in writing of the deficiencies. Subject to the terms and conditions contained in these Guidelines, if the Administrator determines the Application is complete, the Administrator will either (i) review the Application in accordance with **Step 3(a)** or (ii) submit the Application to the Board for review and evaluation (along with the Administrator's recommendation) in accordance with **Step 3(b)**.

**Step 2. Application Submission.** Complete and submit an Application (available on the Agency's webpage). Each Application must contain the following:

- (a) Application date and the Applicant's name, address, contact information, and signature of the Applicant's authorized representative;
- (b) Project narrative;
- (c) Plans and specifications;
- (d) Project schedule;
- (e) Project budget, including identification of the amount of funds requested and the purpose(s) for which the funds will be used. The project budget must detail the revenues and expenses for the total cost of the proposed project, including both requested funds and other revenue sources (non-program funds) and include quotes for Eligible Expenses. The budget must not include costs incurred prior to Application submission and/or costs for the Application's preparation, development, and/or submittal;
- (f) Information concerning the Property, including ownership information and legal description;
- (g) Title report to determine the extent of any existing liens or other encumbrances impacting the Property;
- (h) Certification the Applicant will comply with the provisions of these Guidelines and all other documents relating to the Program (**Program Documents**) and will, promptly after notification of an award of Program funds, execute and deliver the Program Documents to Agency in form and substance acceptable to Agency;
- (i) Current property tax information for the Property; and
- (j) All other information and/or documentation the Administrator deems necessary or appropriate to enable Agency to review the application and determine eligibility for the Program funds.

**Step 3. Review Type.**

- (a) **Small Projects – Administrator Review.** Applications deemed complete by the Administrator and requesting **\$50,000.00 or less** will be reviewed and evaluated by the Administrator. The Administrator will determine whether to approve the application and award Program funds or deny the application. The Administrator may approve, approve with conditions, or deny an Application. Notwithstanding anything contained in these Guidelines to the contrary, the

Administrator may not award Program funds in an amount exceeding \$50,000.00 under any Application.

- (b) Large Projects – Board Review. Applications deemed complete by the Administrator and requesting **more than \$50,000.00** will be reviewed and evaluated by the Agency Board. The Agency Board will determine whether to approve the application and award Program funds or deny the application. The Agency Board may request additional documentation and/or information to render a decision on any Application. The Agency Board may approve, approve with conditions, or deny an Application.

**Step 4. Evaluation.** Applications (and the amount of funds provided) will be evaluated based on criteria established by the Administrator or Agency Board from time to time, including, without limitation, the following:

- (a) Eligible Expenses. Each Application will identify the specific expenses for which Program funds are sought and will be used. Priority may be given to certain types of expenses, including requests for Program funds to assist with land use fees, building permit fees, material and supply expenses, and such other fees, costs, and expenses concerning project development and construction.
- (b) Housing. For purposes of Mixed-Use Projects and New Residential Projects, the type of housing to be constructed may be considered, including whether there exists a shortage of certain types of housing (e.g., multi-family housing) within the Area, the percentage of units contained within the subject project to be offered as affordable, or whether the project addresses Agency's housing needs as identified in Agency's or City's housing needs analysis or then-current housing goals.
- (c) Applicant History. An evaluation of whether the Applicant has previously received funding under the Program and the Applicant's compliance with the provisions of these Guidelines.
- (d) Public Participation. Agency may review certain applications in a public Agency Board meeting. Agency may provide weight to the public's recommendations of concerning any Application.
- (e) Funding Priorities. Agency may provide preference to projects addressing more than one Agency priority, which Agency priorities are identified under **Eligible Projects**.

**Step 5. Decision.** The Administrator or Agency Board (as the case may be) will issue a letter to the Applicant noticing them of their Application review determination. If an Application is denied (in whole or in part), the letter will identify the basis for that denial. In connection with the Administrator's or Agency Board's Application review process, the Administrator and Agency Board will act reasonably, in compliance with all applicable federal, state, and local laws, regulations, and ordinances, and in a manner the Administrator and Agency Board reasonably believe in Agency's best interests. The decision of the Administrator and Agency Board on any given Application will neither set any precedent nor bind future decisions of the Agency.

## Funding

**Annual Appropriation.** Available Program funds will be determined and subject to appropriation each fiscal year by resolution of the Agency Board. The amount of financial assistance may be increased or decreased at any time by Agency Board resolution. The Agency Board may limit or elect not to provide funding for the Program in any fiscal year. If Program fund requests exceed available Program funding, the Administrator and/or Agency Board will determine Program participation based on what the Administrator and/or Agency Board determines to be in Agency's best interests. Financial assistance under the Program will be based on availability of funds at the time of Application submission and, if applicable, any subsequent fiscal year(s). Notwithstanding anything contained in these Guidelines to the contrary, Agency is not be obligated to provide Program funding if sufficient funding is not then available.

**Grant Funding.** Subject to the provisions of these Guidelines, Agency may grant Program funds to an Applicant for an Eligible Project in an amount requested in the Applicant's application. Program funds must be used for Eligible Expenses concerning Eligible Projects and for no other purposes. Notwithstanding anything contained in these Guidelines to the contrary, Agency may grant less than the fund amount requested in the subject Application if Agency deems necessary or appropriate. Agency may condition any grant award on, among other things Agency deems necessary or appropriate, the Applicant contributing matching funds or resources toward the Eligible Project.

**Grant Disbursements.** Notwithstanding anything contained in these Guidelines to the contrary, grant funds will be disbursed for Eligible Expenses incurred for Eligible Projects: (i) after the award is granted and approved by the Administrator or Agency Board, as applicable and (ii) all Program Documents identified in these Guidelines are fully executed in form and content acceptable to Agency. Grant funds will be disbursed on a reimbursement basis in one lump sum or installments. The Recipient is responsible for timely submitting to Agency actual receipts and verification of the Recipient's Eligible Expenses.

Recipients receiving Commercial or Mixed-Use Incentive Grant funds may request the Agency consider a disbursement prior to Project completion to cover a portion of Recipient's mandatory or cost-prohibitive down-payment or up-front costs relating to the Project's approved construction expenses (**Necessary Funds**). Recipients must attach an executed agreement between Recipient and their contractor certifying and justifying why Necessary Funds are required before contractor's necessary performance, in which case the Agency, in its sole discretion, may elect to (a) provide a disbursement covering up to one-half of Recipient's Necessary Funds and (b) conditioning that disbursement on Recipient's execution of any appropriate Security Documents.

**Matching Fund Requirements.** In addition to all other eligibility requirements and/or conditions identified under these Guidelines, an Applicant must demonstrate the ability to meet these fund-matching requirements to be eligible for Program funds. Funds from any other Agency or City program will not be used to satisfy any fund-matching requirements required under these Guidelines.

- *Commercial Projects.* An Applicant must demonstrate a matching investment of **no less than 50%** of the total Eligible Expenses for a Commercial Project.
- *Mixed-Use Projects.* An Applicant must demonstrate a matching investment of **no less than 30%** of the total Eligible Expenses for a Mixed-Use Project.

**Additional Funding Eligibility for Mixed-Use Projects with More than 50 Dwelling Units.** At the discretion of the Agency Board, Applications for a Mixed-Use Project Grant with more than 50 dwelling units may be eligible for funding exceeding the grant cap of \$150,000 (contingent upon funding availability). The Agency Board's discretion on such eligibility shall be based on whether such a project is in Agency's best interest. Interested Applicants must contact Agency Staff prior to applying for additional funding.

## Program Participation Requirements

**Investment Readiness.** Agency may request a title report on the Property subject to City Attorney review. Agency may deny Grant funding based on the title report and/or the number of liens on the property. Grant recipients are required to complete a Form W-9 as a vendor of the City/Agency and are fully responsible for all taxes associated with the Grant.

**Restriction Period.** As a condition to receiving Program funds, projects must continue to satisfy the eligibility requirements contained in these Guidelines, including continuing to be an Eligible Project for a period of 15 years, commencing on the date the final disbursement of Program funds occurs (**Restricted Period**).

**Program Documents.** In addition to any other conditions identified under these Guidelines, an Applicant must enter into and sign all then-applicable Program Documents as a condition to receiving any Program funds. Program Documents will contain terms and conditions acceptable to Agency, including: (i) disbursement procedures; (ii) conditions to disbursement of Program funds; (iii) timeframe within which funds must be expended; and (iv) Security Documents, including restrictive covenants and conditions (including deed restrictions) Agency determines necessary or appropriate to ensure the continued eligibility of the Eligible Project in accordance with these Guidelines. Program Documents will contain terms and conditions Agency determines necessary or appropriate. The Recipient must timely pay and perform all Recipient obligations under the Program Documents.

**Security.** If Agency deems necessary or appropriate, a Recipient's obligations to Agency under the Program Documents may be secured and/or evidenced by such trust deeds, security agreements, assignments, Uniform Commercial Code financing statements, certificates of title, subordination agreements, guaranties, and all other documents and/or instruments Agency may request and/or require from time to time (in form and substance acceptable to Agency) to grant, preserve, protect, perfect, and ensure the Recipient's performance of its obligations under the Program Documents (**Security Documents**).

**Certification.** During the Restricted Period, the Recipient will maintain such documentation and information necessary to demonstrate the subject project satisfies and continues to satisfy the eligibility requirements identified under these Guidelines. For all projects, the Recipient will certify to Agency, in form and content satisfactory to Agency, the project meets the eligibility requirements upon transfer, including any sale, conveyance, exchange, gift, lease (excepting a tenant lease in the ordinary course), encumbrance, and/or foreclosure of an encumbrance, regardless of whether occurring voluntarily or involuntarily, by operation of law, or because of any act or occurrence of the project and on or before January 1 of each year during the Restricted Period.

**Property Tax Abatement and/or Credit Restriction.** Except in the case of certain developments abated or subsidized by The Dalles Vertical Housing Development Zone, projects pursuing Program funding upon real property subject to any tax abatements reducing its assessed market value (including, without limitation, tax credits, property-related subsidies, or any other tax exemption) are ineligible to receive Program funds, including projects pursuing Low Income Housing Tax Credits and/or abatements relating to non-profit or other tax-exempt status occupancy. For all other types of projects, properties funded with Program funds may not also receive such tax abatements reducing their assessed market value for the duration of the Restricted Period, and such receipt will result in immediate disqualification under these Guidelines.

**Project Completion and Final Report.** Recipient will complete (or cause to be completed) the Eligible Project expeditiously and in a timely and good workmanlike manner. The Eligible Project will be completed in compliance with all applicable federal, state, and local laws, regulations, and ordinances. Within 30 days after project completion, the Recipient will provide a final report, in form and content acceptable to Agency, identifying project expenditures, outcomes, and such other information requested by Agency to verify compliance with these Guidelines.

## General Conditions | Additional Details and Restrictions

**Agency's Commitment.** Agency Staff are committed to facilitating high-quality reinvestments in the Area by providing customer service and partnership with the development community. We welcome inquiries and can offer information and insights on elements of a successful Application.

**Required Compliance.** Applicant projects must comply with the City's zoning, design standards, land use and development ordinance, historic review (as applicable), and municipal code requirements.

**Disqualification.** If, during the Restricted Period, a project ceases to qualify as an Eligible Project, the Recipient will repay all Program funds disbursed to Recipient by Agency immediately upon Agency's demand, plus interest at the statutory interest rate on a judgment from the date of disbursement.

### **Denial, Repayment, and Appeal.**

- (a) *Grounds for Denial.* Agency may deny an application for Program funds due to: (i) the Application is incomplete and/or fails to meet the requirements under these Guidelines; (ii) fraud, misrepresentation, and/or false statement(s) contained in the Application, willful withholding of information, and/or incomplete disclosure concerning any matter required to be furnished in connection with the subject Application; (iii) failure to satisfy the eligibility requirements under these Guidelines, including disqualification; (iv) failure to comply with any applicable federal, state, and/or local laws, regulations, and/or ordinances, and/or any agreement with Agency; or (v) any other reason determined by the Administrator or Agency Board as not reasonably in the Agency's interest to support.
- (b) *Remedies.* In addition to any other remedy available to Agency, Agency reserves the right to demand immediate repayment of all Program funds (or any portion thereof) disbursed if the Recipient violates the provisions of these Guidelines and/or any Program Documents. The remedies provided here are not exclusive and will not prevent Agency from exercising any other rights and/or remedies available. Agency will be entitled to collect from any Recipient violating and/or otherwise failing to comply with these Guidelines and/or Program Documents Agency's attorney fees and all other fees, costs, and expenses incurred by Agency to carry out these Guidelines.
- (c) *Appeal.* Any Applicant may appeal to the Agency the Administrator's decision to deny grant funding if (i) the Application is deemed complete, (ii) the Administrator denies (in whole or in part) the requested grant funds, and (iii) the appeal is filed in writing with the Administrator within 10 days of the denial. The Administrator will submit the appeal to the Agency Board at its then-next regular meeting and the Agency Board will review the Application *de novo* but the Administrator will present a Staff Report with the basis for the Administrator's denial of the Application. The Agency Board's decision (on appeal or otherwise) is Agency's final decision.

## Miscellaneous

**Interpretation.** All pronouns contained in this Resolution and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word *or* is not exclusive. The words *include*, *includes*, and *including* are not limiting. Any reference to the Plan, these Guidelines, or a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. The Plan will control if a conflict between these Guidelines and the Plan occurs.

**Amendment, Severability, and Errors.** These Guidelines amend, replace, and supersede the all previous iterations of these Guidelines in their entirety, and supersede and replace all ordinances, resolutions, and/or policies in conflict with these Guidelines. The provisions of this Guidelines are severable. If any section, subsection, sentence, clause, and/or portion of these Guidelines is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (i) yield to a construction permitting enforcement to the maximum extent permitted by applicable law and (ii) not affect the validity, enforceability, and/or constitutionality of the remaining portion of these Guidelines. These Guidelines will be in full force and effect from and after its approval and adoption.

## Area Map

Properties within the Columbia Gateway / Downtown Urban Renewal Area are eligible for consideration.

