

PORT OF HOOD RIVER
Resolution No. 2006-07-5

**RESOLUTION AUTHORIZING STAFF TO ENTER INTO NEGOTIATIONS WITH THE
HOOD RIVER JUICE COMPANY FOR DISPOSITION OF PORT PROPERTY**

WHEREAS, the Port of Hood River (Port) owns real property on the Hood River Waterfront that has been acquired and developed over the years, in part, for infrastructure and job creation; and

WHEREAS, development of the Port's property can achieve multiple public objectives including among other things, the creation of quality jobs and expansion of local businesses; and

WHEREAS, the Hood River Juice Company (HRJC) recently acquired approximately six acres of light industrial property adjacent to Port property; and

WHEREAS, HRJC is a local company engaged in juice processing, co-packing and warehousing and transport of juice and fruit products and is seeking to locate a significant portion of its production at their waterfront property; and

WHEREAS, in order for HRJC to achieve the optimum plan for its building and associated parking and landscaped areas it may be necessary to convey 30,000-45,000 square feet of Port property to HRJC; and

WHEREAS, the Port is interested in conveying the necessary property under certain defined terms and conditions and wishes to give direction to the Executive Director prior to negotiations; now, therefore, be it

RESOLVED:

1. Staff is authorized to enter into negotiations with the Hood River Juice Company for disposition of Port property south of the Expo Center necessary to achieve HRJC development plans.
2. If negotiations progress successfully staff shall prepare a Disposition Agreement that describes or includes:
 - Schematic site and building plans that describe the proposed project in sufficient detail to evaluate its architectural design, layout, materials, construction quality and cost, and operations.
 - The employment objectives that are expected to be achieved by the project including the number and quality of jobs.
 - A defined implementation schedule.
 - A description of the general financial plan for the proposed project including commitments for debt and equity financing.
 - Requirements that a building permit be obtained prior to closing.
 - A provision that the Port retains the right to take back ownership of the property if construction does not occur within a defined timeframe.
 - Other conditions that may be identified by staff or the Ports' General Counsel.

- The proposed project, sales price and financing plan are consistent with the Port's Strategic Plan and demonstrate a reasonable return to the Port consistent with the public policy objectives being achieved.
3. The sale of property shall usually occur under the terms of a Disposition and Development Agreement (DDA) that:
- Includes a specific Schedule of Performance that the purchaser will follow to implement the development project including a stipulation that construction be initiated within a reasonable timeframe after execution of the DDA.
 - Describes the proposed project in sufficient detail to evaluate its architectural design, layout, materials, construction quality and cost.
 - Includes a description of the financial plan for the proposed project including commitments for debt and equity financing.
 - Retains design review and approval authority for the Port Commission and the terms under which the design may be modified.
 - Includes a provision that the Port retains the right to take back ownership of the Property if construction does not occur according to the Schedule of Performance. The Port will usually seek to retain a Right of First Offer or Right of First Refusal to allow the Port to reacquire the Property if the purchaser seeks to sell in the future.
4. In most cases when the Port seeks to sell property, the Port will follow a public process to seek a variety of respondents who meet the Port's development criteria. However, the Commission may also respond to unsolicited offers if specific public objectives can be achieved and an immediate development opportunity is presented that requires a timely response.

ADOPTED BY THE BOARD OF COMMISSIONERS this 5th day of June 2007.



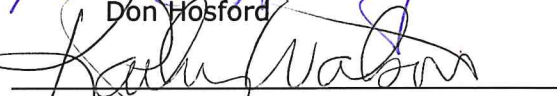
 Sherry Bohn



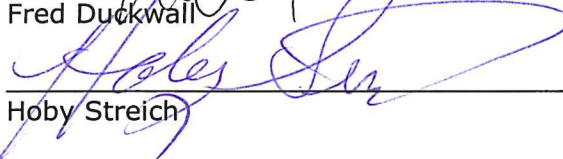
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