

**RESOLUTION NO. 23-2007**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH NEW CENTURY PLAYERS, AN IRS RECOGNIZED 501C3 ARTS ORGANIZATION, FOR RENOVATION AND USE OF CITY-OWNED PROPERTY AT 11022 SE 37<sup>TH</sup> AVENUE**

**WHEREAS**, the City of Milwaukie owns real property at 11022 SE 37<sup>th</sup> which for several years has been vacant and vulnerable to continued decline and disrepair; and

**WHEREAS**, in September 2006, the City received a proposal from the New Century Players, a local IRS recognized 501(c)3 nonprofit theater group, offering to restore the property in exchange for its use as an office and storage area for the theater group; and

**WHEREAS**, the City Council expressed strong support for this proposal at a council meeting on November 21 2006, owing to the theater company's Milwaukie roots and the clear advantages available to communities that have strong arts offerings; and

**WHEREAS**, the City has no existing plans for an alternate use of the property, nor any plans to demolish the property, nor any significant funding available to maintain the property; and

**WHEREAS**, the City and the New Century Players have developed a draft lease that details the improvements that will be made to the property and the obligations that the New Century Players will have for maintenance of the building and grounds; and

**WHEREAS**, the City Council has reviewed the draft lease and agrees that the terms of the lease benefit both the City and the new Century Players, and

**WHEREAS**, once certain repairs are completed, in accordance with the lease, the New Century Players will make portions of the building available for use to other artists, arts organizations or city-sponsored events; and

**WHEREAS**, the adjoining neighborhood association (through its Chair) and Milwaukie Museum (through its Executive Director) have expressed support for the new use; and

**WHEREAS**, the City expects to benefit from the improved appearance of the building and its grounds, stronger property values in the immediate vicinity, and enhanced theater offerings as a result of the operational efficiencies gained by the theater company as a result from the lease arrangement; and

**WHEREAS**, the City is engaged in multiple activities that support its adopted vision as a vibrant and family-friendly Town Center, of which the arts are one important aspect.


**NOW, THEREFORE, BE IT RESOLVED** that the City Council authorizes the City Manager to finalize and execute a lease agreement that is substantially in conformance with the draft lease reviewed by Council on April 3, 2007, and any other necessary documents required to make the

37<sup>th</sup> Avenue <sup>PMD</sup>

real property at 11022 SE ~~Washington~~ available to the New Century Players for office, meeting and storage space.

Introduced and adopted by the City Council on April 3, 2007.

This resolution is effective on April 3, 2007.




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James Bernard, Mayor


ATTEST:

APPROVED AS TO FORM:  
Ramis, Crew, & Corrigan, LLP



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Pat DuVal, City Recorder



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City Attorney