

## **RESOLUTION NO. 2025-69**

A Resolution authorizing the City Manager to enter into a Settlement Agreement with YCAP with regard to the AnyDoor Place Navigation Center

### **RECITALS:**

**WHEREAS**, Yamhill Community Action Partnership ("YCAP") is the owner of real property located along SW Adams St.; and

**WHEREAS**, in 2022, the City and YCAP entered into an agreement to construct the AnyDoor Place Navigation Center ("Navigation Center") at the site, with construction to be managed by the City, and YCAP to have ownership of the completed structure; and

**WHEREAS**, following completion of the Navigation Center, YCAP alleged that the City bore liability for mismanagement of the construction, resulting in fewer available shelter beds and delayed opening of the Navigation Center, which the City denied; and

**WHEREAS**, now desiring to avoid costly litigation and to unify the goals of these two organizations, the parties wish to enter into a Settlement Agreement; and

**WHEREAS**, such agreement will include a mutual release of all claims against each other, defense and indemnity by YCAP for any future claims by third parties with regard to the Navigation Center, an assignment of the City's rights against the Navigation Center's contractor to YCAP, and payment of \$98,000 by the City to YCAP.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF McMinnville, Oregon, as follows:**

1. The City Manager is authorized and directed to enter into a Settlement Agreement with YCAP in a form acceptable to the City Attorney to include:
  - a. Payment by the City to YCAP of \$98,000;
  - b. Assignment of City's rights against Fackler Construction for any and all issues arising from construction of the Navigation Center;
  - c. YCAP's agreement to defend, indemnify, and hold City harmless for any claims that may follow YCAP's claims arising from construction of the Navigation Center;

- d. Mutual release of all claims or potential claims between the City and YCAP regarding construction of the Navigation Center.
2. This resolution shall take effect immediately upon passage and shall continue in full force and effect until modified, revoked, or replaced.

Adopted by the Council of the City of McMinnville at a special meeting held the 17th day of December, 2025 by the following votes:

Ayes: Tucholsky, Chenoweth, Geary, Cunningham, Peralta

Nays: \_\_\_\_\_

Approved this 17th day of December, 2025.



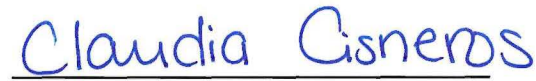
\_\_\_\_\_  
MAYOR

Approved as to form:



\_\_\_\_\_  
City Attorney

Attest:



\_\_\_\_\_  
City Recorder