

RECEIVED

2015 JAN 6 AM 8 15

Agenda Item: ID#15-027 (1-F)

Date: 1/08/15

CITY CLERK, FRESNO, CA

## FRESNO CITY COUNCIL



### Supplemental Information Packet

Agenda Related Items – ID#15-027 (1-F)

### **Contents of Supplement: Exclusive Negotiation Agreement**

#### Item(s)

**Approve Exclusive Negotiation Agreement between the City, Successor Agency, The Noyan Company, and TFS Investments, LLC (City and Successor Agency action)**

#### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.



**REPORT TO THE CITY COUNCIL, SUCCESSOR  
AGENCY TO THE REDEVELOPMENT  
AGENCY OF THE CITY OF FRESNO  
AND THE FRESNO  
REVITALIZATION CORPORATION**

|                                 |
|---------------------------------|
| MEETING: 1/8/15<br>AGENDA ITEM: |
| <i>APPROVED BY</i>              |
| <i>EXECUTIVE DIRECTOR</i>       |

**DATE:** January 8, 2015  
**FROM:** MARLENE MURPHEY, Executive Director

**SUBJECT:**

**RECOMMENDATION**

It is recommended that the City Council and Successor Agency approve the attached Exclusive Negotiation Agreement (ENA) with the Noyan Company and TFS Investments, LLC.

**EXECUTIVE SUMMARY**

The Exclusive Negotiation Agreement provides a 120 day period to determine project feasibility and perform other related tasks, and, to negotiate the terms of a proposed Disposition and Development Agreement (DDA) for the South Stadium area generally located on the south end of the Fulton Corridor between Kern and Inyo Streets.

**BACKGROUND**

On April 3, 2014 a Request for Qualifications/Proposals (RFQ/P) was issued to Purchase and Develop in the South Stadium Area. The project area is generally located on the south end of the Fulton Corridor between Kern and Inyo Streets.

On October 30, 2014, the City Council and Successor Agency approved the selection of the Noyan Company and TFS Investments LLC for the purpose of proceeding with due diligence as recommended by the Review Committee. The Review Committee is comprised of Councilmembers Baines and Brand, Mayor Swearengin and City and Agency staff.

On December 17<sup>th</sup>, 2014, the Review Committee met with the Noyan/TFS Team to further review the proposed development which generally consists of a mixed-use phased development featuring housing, retail, office and entertainment. The Review Committee recommended proceeding with an ENA to determine the feasibility of developing the site in a public private partnership and to negotiate the terms of a Disposition and Development Agreement (DDA). The proposed ENA sets forth a Performance Schedule that identifies milestones to be accomplished over 120 days culminating in proposed terms for a Disposition and Development Agreement. The DDA would be presented to the City Council and Agency for approval.

**ENVIRONMENTAL FINDING**

N/A

**LOCAL PREFERENCE**

N/A

**FISCAL IMPACT**

There is no fiscal impact from the recommended action to exclusively negotiate with a developer.

Attachments: