

Regular Council Meeting

April 27, 2023

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CITY OF FRESNO
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FRESNO CITY COUNCIL



Supplement Packet

ITEM(S)

1-Y (ID 23-647)

A Resolution of the Council of the City of Fresno, California, Supporting a City contribution of funds to FCTC Senior, LP for the construction of water infrastructure necessary to meet fire suppression requirements, in an amount not to exceed \$2,700,000, associated with the Fancher Creek Town Center Development and Affordable Housing project therein.

Contents of Supplement: FCTC Resolution **Item(s)**

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.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, SUPPORTING A FUTURE CITY CONTRIBUTION OF FUNDS TO FCTC SENIOR, LP FOR THE CONSTRUCTION OF WATER INFRASTRUCTURE NECESSARY TO MEET FIRE SUPPRESSION REQUIREMENTS, IN AN AMOUNT NOT TO EXCEED \$2,700,000, ASSOCIATED WITH THE FANCHER CREEK TOWN CENTER DEVELOPMENT AND AFFORDABLE HOUSING PROJECTS THEREIN

WHEREAS, in 2021, the City of Fresno (City) was awarded American Rescue Plan Act (ARPA) funding in the amount of \$170,808,029 which may be utilized for eligible expenditures, as defined by the applicable ARPA Final Rule; and

WHEREAS, the City has allocated APRA funds to support the development of permanent affordable housing; and

WHEREAS, FCTC Senior, LP (Developer) is constructing Brandhaven, a 180 unit affordable senior rental housing project within Fancher Creek Town Center (FCTC) and has requested future fiscal contributions from the City for costs associated with the construction of the water infrastructure necessary to meet fire suppression requirements for the overall construction of FCTC, including a total of 400 affordable housing units; and

WHEREAS, if eligible, the City desires to utilize unappropriated ARPA affordable housing funds to support FCTC Senior, LP in its development of affordable senior housing within FCTC; and

WHEREAS, the City's future commitment of funds for the construction of the water infrastructure necessary to meet fire suppression requirements would support completion

of the requirements necessary for the development of FCTC and the affordable housing projects to be located within FCTC.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council supports a potential future contribution of unappropriated ARPA affordable housing funds, in an amount not to exceed \$2.7 million to Developer for the construction of water infrastructure necessary to meet fire suppression requirements for the FCTC Project, including 400 affordable housing units within FCTC.

2. Any contribution of funds by the City shall be contingent upon a determination that the proposed use is an allowable expenditure and/or activity under the ARPA Final Rule.

3. Upon a determination that a contribution of funds is permissible under the ARPA Final Rule, the City Manager is authorized and directed to bring back to the City Council for its consideration a contract, subject to approval as to form by the City Attorney's Office, contributing ARPA affordable housing funds for construction of the water infrastructure necessary to meet fire suppression requirements portion of the Project.

4. This Resolution is subject to all applicable City rules and regulations.

5. This Resolution shall become effective upon final approval.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2023
Mayor Approval/No Return: _____, 2023
Mayor Veto: _____, 2023
Council Override Vote: _____, 2023

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Jennifer M. Quintanilla Date
Senior Deputy City Attorney