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Title: Approve a First Amendment to the Amended and Restated Agreement for Purchase Option and Right of Access between Cesar Chavez Foundation and the City of Fresno

Sponsors: Office of Mayor & City Manager

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Attachments: 1. CCF Agreement 112116.pdf

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

December 1, 2016

FROM: RENENA SMITH, Assistant City Manager
City Manager Office

SUBJECT

Approve a First Amendment to the Amended and Restated Agreement for Purchase Option and Right of Access between Cesar Chavez Foundation and the City of Fresno

RECOMMENDATION

Staff recommends the City Council approve the First Amendment to the Amended and Restated Agreement for Purchase Option and Right of Access between Cesar Chavez Foundation and the City of Fresno and authorize the City Manager or designee to execute any implementing documents.

EXECUTIVE SUMMARY

The Cesar Chavez Foundation (CCF) was successful in its application in the Affordable Housing and Sustainable Communities Program (AHSC) created by Senate Bill 862 (2014) to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development. The First Amendment to the Amended and Restated Agreement for Purchase Option and Right of Access (First Amendment) between CCF and the City of Fresno (City) provides twelve additional months for the developer to execute the option. Upon approval of the First Amendment, the parties will also record a revised

Memorandum of Option to memorialize the twelve-month extension.

BACKGROUND

The AHSC Program explicitly funds projects through affordable housing loans, and capital grants for housing-related infrastructure, sustainable transportation infrastructure, transit related amenities, and other related programs. Strong applications for the AHSC Program include both affordable housing components tied to transportation infrastructure improvements that improve access to transit as well as safety for pedestrians and bicyclists in the vicinity of the housing.

On September 30, 2016, CCF was notified that its project will be funded through the AHSC Program. CCF's current option expires on December 29, 2016, and CCF has requested a twelve-month extension in order to secure financing and finalize plans for its approved Project. This project consists of a 135-unit affordable multi-family development (eighty-nine family & forty-six senior units) and Sustainable Transportation Infrastructure (STI) components such as improved walk paths, dedicated bike paths and crosswalks, connecting residents to, major retail, social services, education, employment opportunities, and future Bus Rapid Transit services. This project also contains Transportation Related Amenities (TRA), Housing Related Infrastructure (HRI) components, and a workforce training employment strategies program which will offer construction apprenticeships and a career training placement program targeting renewable energy industry opportunities.

The project addresses poor quality housing and limited affordable housing in the area by including high-quality energy efficient designed 135 unit affordable housing developments. This project will target families and seniors at 40% and 60% Average Median Income (AMI). By reinvesting in the community with high-quality affordable housing and improved infrastructure energy efficiency savings will be realized. Things such as driving costs will be reduced as residents will need less gas when more housing and transportation options become available. Additionally, other residents living in the community will see their property values rise as a result of the community improvements.

As the community suffers from low rates of unemployment, the project will benefit the community by providing workforce training, construction apprenticeships and jobs, as well as jobs through the ongoing property management. By providing greater connectivity to transportation, residents will have greater access to employment and education opportunities. Investment in infrastructure such as improved lighting and new bike and walk paths will make this a better transit area, thereby increasing community safety and opportunity.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary assessment of this approval and has determined the proposed modifications consist of minor technical changes and are consistent with Environmental Assessment No. C-14-044, which was prepared for Conditional Use Permit Application NO. C-14-044

1. No substantial changes are proposed in the project, which will require major revisions of the previous Finding of Conformity due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the only change is to extend the option period for twelve months.
2. No substantial changes occur with respect to the circumstances under which the project was undertaken which will require major revisions of the previous Finding of Conformity due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case, the nature and intensity of the project will remain the same as that previously assessed.

3. There is no new information, which was not known and could not have been known at the time of the previous Finding of Conformity that the project will have significant effect not discussed in the Finding of Conformity. Furthermore, since a Finding of Conformity was previously adopted for this project, the considerations set forth in CEQA Guidelines §§15162(a)(3)(C) and (D), related to the adequacy and feasibility of previously adopted mitigation measures, are not applicable.

LOCAL PREFERENCE

Local preference is not applicable because this is not a contract for goods, services, or public work of improvement.

FISCAL IMPACT

No fiscal impact is associated with the First Amendment between CCF and the City to extend the option terms for an additional twelve months

Attachment:

First Amendment to Amended - Restated Option Agreement