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**Title:** Approve First Amendment to the Amended and Restated Disposition and Development Agreement between Cesar Chavez Foundation and the City of Fresno

**Sponsors:** Office of Mayor & City Manager

**Indexes:**

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**Attachments:** 1. First Amendment CCF DDA 102617.pdf

Date	Ver.	Action By	Action	Result
11/2/2017	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**November 2, 2017**

**FROM:** WILMA QUAN-SCHECTER, City Manager  
Office of the Mayor and City Manager

**BY:** LAURA GLORIA, Business Manager  
Office of the Mayor and City Manager

**SUBJECT**

Approve First Amendment to the Amended and Restated Disposition and Development Agreement between Cesar Chavez Foundation and the City of Fresno

**RECOMMENDATION**

Staff recommends that City Council approve the First Amendment to the Amended and Restated Disposition and Development Agreement (First Amendment) between Cesar Chavez Foundation (CCF) and the City of Fresno (City) for certain real property in the City of Fresno, California commonly known as the 5100 block of E. Kings Canyon Road, Fresno, CA 93727 (Property). Additionally, Staff recommends the City Council authorize the City Manager or his designee to complete negotiations and execute the First Amendment subject to approval as to form by the City Attorney.

**EXECUTIVE SUMMARY**

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. CCF will be constructing and installing improvements via the Sustainable Transportation Improvement (STI) and Transportation Related Amenities (TRA) grant funds which include items such as street lights and infrastructure improvements that will ultimately be deeded over to the City. As CCF is the sole applicant and grantee for the AHSC program, the First Amendment will clarify the maintenance responsibilities of STI and TRA improvements between CCF and the City once they are built and for the remainder of the grant term.

## **BACKGROUND**

On September 30, 2016, CCF was notified that its project was awarded \$15.6 million through the AHSC Program for the Kings Canyon Connectivity Project. This \$31.7 million project consists of a 135-unit affordable multi-family development and 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, Sustainable Transportation Improvements (STI) and a workforce training/employment strategies program which will offer construction apprenticeships and a career training/placement program targeting renewable energy industry opportunities. As CCF is the recipient and implementer of the project including the public improvements which will ultimately be deeded to the City, the First Amendment will clarify the parties' roles in the construction and maintenance of improvements between CCF and the City once they are built and for the remainder of the grant term.

## **ENVIRONMENTAL FINDINGS**

This action is not a project pursuant to CEQA Guidelines 15378.

## **LOCAL PREFERENCE**

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

## **FISCAL IMPACT**

CCF will use AHSC grant funds to build the improvements totaling a \$668,472 investment in the City's infrastructure. Upon completion, the public improvements will be accepted by the City and the maintenance will fall under the corresponding department's budgets for such required services.

Attachment:

First Amendment to Amended and Restated Disposition and Development Agreement