

RESOLUTION NO. 9987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, DECLARING AN AGREEMENT BETWEEN THE CITY AND THE GORMAN/SAVE THE FAMILY/WEST MESA COMMUNITY DEVELOPMENT CORPORATION TO PROVIDE PRELIMINARY SITE CONTROL FOR THE CITY-OWNED, ESCOBEDO PROPERTY.

WHEREAS, the Gorman/Save the Family/West Mesa Community Development Corporation (Save the Family Team) submitted a proposal to the Mesa City Council related to building a residential development on the City's Escobedo property, generally located north of University and between Sirrine and Hibbert roads;

WHEREAS, in an effort to compete for housing tax credit financing and to meet a deadline dictated by the Arizona State Housing Department, the Save the Family Team requires a resolution from the government property owner (City of Mesa) to enter into a purchase agreement, lease agreement or purchase option with the Save the Family Team to indicate preliminary site control;

WHEREAS, if this residential development is approved by the Arizona Housing Department, the City is also in agreement to enter into a purchase agreement, lease agreement or purchase option with the Save the Family Team, subject to agreement on specific terms of the City's participation, such as a negotiated lease rate and term, expedited processing, infrastructure costs and other funding;

WHEREAS, the Mesa City Council has directed the creation of this resolution because the purchase agreement, or purchase option detailing the City's participation for the lease/sale of government property is contingent on: 1) Save the Family Team's successful completion of their financing plan; and 2) Save the Family Team's successful negotiation with and receipt of City formal approval of a site plan, development agreement and terms related to the sale/lease of this City property;

WHEREAS, the process for the City of Mesa's decision-making is an open, public process required by Arizona State and local laws, the City of Mesa agrees to provide expedited administrative reviews for entitlements and to work within the public, open meeting structure to attempt to meet the deadlines required by the Arizona Department of Housing for the retention of tax credit financing;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA as follows:

Section 1. That the Mesa City Council hereby approves this Agreement of Preliminary Site Control to the Save the Family Team for the possible residential development

of the City-owned Escobedo property, parcels 137-25-045, 137-25-063, 137-25-219, 137-25-001, 137-15-005, 137-15-004 (the "Property"). The City of Mesa agrees to enter into a purchase agreement, lease agreement or purchase option for the Property with Save the Family Team, subject to and conditional upon agreement on specific terms of the City' participation, such as a negotiated lease rate and term, expedited processing, infrastructure costs and other funding. The City of Mesa's agreement to enter into a purchase agreement, lease agreement or purchase option for the Property is also contingent on Save the Family Team's obtaining tax credit financing from the Arizona Department of Housing; obtaining City and/or City Council reviews and approvals of site plans, and execution of a development agreement consistent with ARS Section 9-500.05.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is authorized to seek appropriate City Council or Board approvals, and is directed to execute all documents necessary to carry out the intent of this Resolution and attached letter of support; and the City Clerk, Linda Crocker, or her designated representative is authorized and directed to attest to the signature of the City Manager or his authorized designated representative on such documents.

Section 3: The City Manager, Christopher J. Brady, or his designated representative is further authorized to approve minor, administrative, technical, procedural and non-material modifications to all documents necessary to carry out this Resolution and the related letter of support, as needed.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 27th day of February, 2012.

APPROVED:

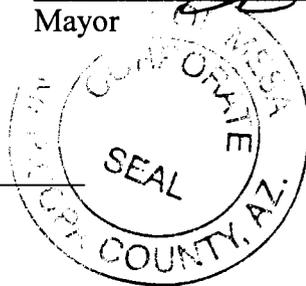


Mayor

ATTEST:



City Clerk





February 27, 2012

Ms. Ruby Dhillon
Rental Programs Administrator
Arizona Department of Housing
1110 W. Washington Street, Suite 310
Phoenix, AZ 85007

RE: Gorman/Save the Family/West Mesa Community Development Corporation

Dear Ms. Dhillon:

This letter is to confirm that the City of Mesa and Gorman/Save the Family/West Mesa Community Development Corporation (Save the Family Team) agree to enter into a purchase agreement, lease agreement or purchase option to indicate preliminary site control, per Resolution No. 9987, of the City's Escobedo property, generally located north of University, between Serrine and Hibbert roads.

It is our understanding that providing this agreement and resolution of preliminary site control will enable this team to complete their application in compliance with the Arizona State Department of Housing 2012 Qualified Allocation Plan and to compete for housing tax credit financing. If approved for this financing, Mesa believes this project can fit with the City Council's strategic initiatives in creating additional residential living environments near the planned light rail alignment. This preliminary site control is granted with the complete understanding and agreement between the City of Mesa and the Save the Family Team that final site control will be conditioned upon the following: 1) Save the Family Team's successful completion of their financing plan; and 2) Save the Family Team's successful negotiation with and receipt of City formal approval of a site plan, development agreement and terms related to the sale/lease of this City property.

In addition to site control, the Save the Family Team has requested City participation which could be related to lease rates, expedited entitlement processes, and other possible funding. The City of Mesa is willing to consider requests for City financial and other participation, again with the complete understanding and agreement between the City and the Save the Family Team that these decisions are contingent on the terms being further defined, negotiated and ultimately approved by the Mesa City Council. In addition, while the City of Mesa will provide administrative expedited reviews and strive to meet the timelines required by the State, the City must also meet all public process, meeting and open meeting law requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Natalie N. Lewis".

Natalie N. Lewis
Asst. to City Manager

c: Mesa Mayor and City Council, City Manager's Office, Save the Family Team

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City of Mesa, AZ 20 East Main Street, Mesa, Arizona 85211