

RESOLUTION NO. 18 – ____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
THE CITY OF NAPERVILLE ADVOCATE AGREEMENT BETWEEN
THE CITY OF NAPERVILLE AND S.B. FRIEDMAN & COMPANY FOR
THE 5TH AVENUE REDEVELOPMENT (PROCUREMENT #18-182)**

WHEREAS, the City currently owns and leases eight (8) parcels on just over 13 acres near the Naperville Metra commuter train station, commonly referred to as the 5th Avenue Station. These properties have been the subject of planning and feasibility studies as they are an important gateway to downtown Naperville and surround one of the City's commuter hubs.

WHEREAS, in February 2017, the City advertised RFQ 17-036, 5th Avenue Redevelopment, to evaluate and potentially pursue opportunities for redevelopment of one or more of the properties to improve site utilization through mixed use redevelopment based on market conditions, financial principles, parking and transportation demands. Hereinafter this project shall be referred to as the "Redevelopment."

WHEREAS, in October 2017, the City's City Council directed staff to move forward with the Ryan Companies to facilitate a community engagement process, complete market and technical studies, and develop a land use concept and financial plan. Ryan Companies is a national real estate development and management firm with offices in Naperville. Ryan Companies recently began the concept creation phase for the Redevelopment.

WHEREAS, on August 6, 2018, the City issued a Request for Proposals 18-182, City Advocate for 5th Avenue Redevelopment, seeking experienced and qualified teams to act as a City advocate regarding the Redevelopment ("RFP").

WHEREAS, Advocate provides analytical, strategic and financial consulting services in support of complex, high-impact development projects. The Advocate frequently assists in structuring and negotiating the public-private partnerships that are essential to successfully implementing development and redevelopment projects and serves a full range of clients in the public, private and nonprofit/institutional sectors.

WHEREAS, Advocate responded to the RFP and will assist the City in the negotiation and creation of the development agreement and business terms with Ryan Companies for the comprehensive development and the associated public improvements for the Redevelopment.

WHEREAS, the City has the authority, pursuant to the laws of the State of Illinois and its home rule authority, to promote the health, safety, and welfare of the City and its residents, to prevent the spread of conditions detrimental to healthy economic development, to encourage private development in order to enhance the local tax base, to increase employment, and to enter into contractual agreements with developers, redevelopers, consultants, and other third-parties for the purpose of achieving such objectives.

WHEREAS, the City is authorized under the provisions of Article VII, Section 10 of the State of Illinois Constitution to contract and otherwise associate with individuals, associations, and corporations in any manner not prohibited by law.

WHEREAS, the City is authorized under the provisions of Article VIII of the State of Illinois Constitution to use public funds for public purposes.

WHEREAS, the Corporate Authorities of the City, after due and careful consideration, have concluded that the Advocate, pursuant to and in accordance with this

Agreement, would further enable the City to progress the Redevelopment and would serve the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: The City Manager is hereby authorized to enter into the City of Naperville Advocate Agreement Between the City of Naperville and S.B. Friedman & Company for the 5th Avenue Redevelopment (Procurement #18-182).

SECTION 3: This Resolution shall be in full force and effect upon its adoption and approval.

ADOPTED this _____ day of _____, 2018

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk