



DEVELOPMENT AGREEMENT REQUEST STANDARD OPERATING PROCEDURES (SOP)

STEPS/STAGE		PROCESS/ACTIONS TO BE COMPLETED	# BUS DAYS
1	Applicant Request	Applicant submits an ¹Application for a Development Agreement (DA) to the Development Agreement Coordinator (DAC), including all documents required on the application, and proof of payment of the applicable Major Development Agreement fee.	--
2	Pre-Review	DAC reviews the DA submittal package for completeness and forwards the submittal package to the identified department representatives for review.	5
		Department representatives review the submittal package and respond to DAC within 5 days advising who, if anyone, from their departments, will attend the meeting with the Applicant (this group becomes the DA Team).	5
3	Internal Discussion & Applicant Meeting	- DAC schedules an internal pre-meeting for DA Team to prepare for the Applicant Meeting, review submittal documents, identify high-level city interests, and designate an individual as the City's main negotiator throughout the process. - The Applicant Meeting is scheduled immediately following the DA Team's internal pre-meeting, providing the opportunity for the Applicant to present proposed deal points for the development project.	10
4	Internal Follow-up Meeting	- DAC prepares a summary of any agreed-upon deal points and outstanding issues identified during the internal and Applicant Meetings and distributes to the DA Team. - DAC schedules an internal follow-up meeting with the DA Team to review and discuss any agreed-upon deal points and outstanding issues identified during the Applicant Meeting.	10
5	Applicant Notification	Within 5 days of the internal follow-up meeting, the DAC will prepare and send a notification letter to the Applicant summarizing the agreed-upon deal points and any identified outstanding issues.	5
6	Applicant Response	- Upon receipt of the City's notification letter, the Applicant is provided an opportunity to respond to the City's letter. - Applicant then responds to the City's notification letter with acceptance of the summarized deal points or proposes revised deal points for the City's consideration.	--
7	Terms Revised	Upon receipt of the Applicant's response and any modified deal points proposed by the Applicant, the DAC will forward the modified terms to the DA Team for review and comment.	5
		DA Team will review revised deal points and provide comments to the DAC within 5 days of receipt.	5
8	^{2nd} Applicant Meeting	If requested, the DAC will schedule a follow-up meeting with the Applicant and DA Team to discuss the City's position regarding the Applicant's revised deal points and to resolve any outstanding issues identified.	10
Repeat Steps 4-8		- If no agreement in terms can be reached, the process circles back to Step 4 for internal review and response, and Steps 4-8 are repeated until a final agreement can be reached. - If there is agreement on terms, the process continues with Step 9.	--



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9	Legal Drafts DA	▪ DAC will submit a Legal Service Request (LSR) for the Development Services Department Attorney (DSD-Attorney) to prepare a "draft" DA document, with a requested due date of 15 days, and include the Applicant submittal package and agreed deal points. ▪ DSD-Attorney prepares draft DA based upon negotiated and agreed-upon deal points provided by the DAC. ▪ Upon completion of the draft document, DSD-Attorney will send the draft DA document to DAC who will then forward to the DA Team for review and comment.	15	
10	Internal Review Draft DA	▪ Within 5 days of receipt, the DA Team will review and provide final comments on the previously agreed-upon terms of the final draft agreement.	5	
11		▪ Within 5 days the DAC will summarize comments of proposed revisions and forward the summary to the DSD-Attorney.	5	
12		▪ DSD-Attorney revises DA as needed.	5	
13	DA to Applicant	▪ DSD-Attorney sends “draft” DA document to DAC to send to Applicant for review. ▪ DAC provides a “draft copy” of the DA to Applicant, advising Applicant to direct all communications regarding DA terms and/or requests for follow-up meetings to the DAC.	5	
Applicant Review & Comment		▪ Applicant responds to DAC confirming the “draft” agreement or requests further revisions to the agreement. ▪ If additional revisions are requested, the process repeats Steps 7 & 8 until a final agreement can be reached and then proceeds to Step 9 until completion.	--	
Minimum # Business Days for Negotiation and Final Agreement				90
Council Action & FINAL APPROVAL		▪ Applicant returns signed/notarized original to Legal Department ▪ DAC will schedule DA approval for an upcoming Council meeting and prepare a draft Council Agenda Report. ▪ DSD-Attorney prepares the resolution and finalizes the draft Council Agenda report prepared by DAC.		
		▪ At Council meeting - Council approves DA ▪ City Clerk records DA and sends electronically recorded agreement to pertinent parties. ▪ Upon Council approval, the DAC will schedule an internal coordination meeting with the identified City contacts to review the terms and conditions of the DA that impact City Departments.		

¹ A Development Agreement Application will need to be created as well as a method for sending the application and required documents to the DAC.