

RESOLUTION NO. 44-2008

Adopted May 20, 2008

AUTHORIZING A FIRST AMENDMENT TO THE EXCLUSIVE NEGOTIATIONS AGREEMENT WITH HABITAT FOR HUMANITY SAN FRANCISCO, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, AND EM JOHNSON INTEREST, INC., A CALIFORNIA CORPORATION, FOR THE DISPOSITION OF AGENCY PARCEL EE-2, LOCATED AT WHITNEY YOUNG CIRCLE AND HUDSON AVENUE TO DEVELOP AFFORDABLE HOUSING FOR FIRST TIME HOMEBUYERS; BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA (AREA A)

BASIS FOR RESOLUTION

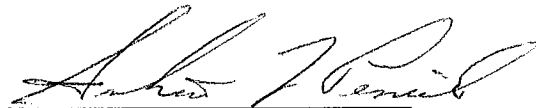
1. In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, Section 33000 *et seq.*), the Redevelopment Agency of the City and County of San Francisco (the "Agency") undertakes programs for the reconstruction and construction of slums and blighted areas in the City and County of San Francisco (the "City").
2. On January 20, 1969, by Ordinance 25-69, the Board of Supervisors of the City (the "Board of Supervisors") adopted the Hunters Point Redevelopment Project Area in response to community concern over the physical and economic decline in the community.
3. On February 10, 1997, the Board of Supervisors certified the election of the Bayview Hunters Point Project Area Committee (the "PAC"). The PAC worked with Agency staff to develop the Bayview Hunters Point Community Revitalization Concept Plan (the "Concept Plan"). The PAC adopted the Concept Plan at its regular meeting in November 2000. In 2004, the PAC completed the Framework Housing Program that described an array of affordable housing programs and policies supported by the PAC.
4. On June 5, 2001, after a competitive selection process, the Agency by Resolution No. 100-2001 entered into exclusive negotiations with Habitat for Humanity San Francisco, a California nonprofit public benefit corporation, and Em Johnson Interest, Inc., a California corporation (together the "Developer"), to negotiate exclusively for the development of 24 low- and moderate-income for-sale housing for first time homebuyers (the "Project") located at the corner of Whitney Young Circle and Hudson Avenue (the "Site"). The Project is consistent with the PAC's Concept Plan and Framework Housing Program.
5. On October 5, 2001, before reaching a final agreement, the exclusive negotiations expired between the Agency and the Developer.

6. On August 1, 2006, by Resolution No. 108-2006, the Developer entered into an Exclusive Negotiation Agreement (the "ENA") with the Agency for a term of one year with three, ninety (90) day options to extend the term, at the discretion of the Executive Director, to enable the Developer to pursue predevelopment activities for the construction and marketing of the Project. The ENA defines a series of milestones that will result in the execution of a disposition and development agreement for consideration by the Agency Commission after a public hearing, as required by law.
7. On May 31, 2008 before reaching a final agreement, the exclusive negotiations expired between the Agency and the Developer.
8. The parties now desire to extend the expiration of the ENA from May 31, 2008 to July 31, 2008 to provide sufficient time to complete an appraisal of the property and finalize negotiations of a disposition and development agreement with the Developer.
9. The First Amendment to the ENA (the "First Amendment") is exempt from the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines Sections 15315 (Minor Land Divisions) and 15262 (Feasibility and Planning Studies). The First Amendment will facilitate subdivision of the Site and the completion of the design for 24 affordable housing units. Neither activity will cause a significant physical effect on the environment.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to enter into a First Amendment to the Exclusive Negotiations Agreement with Habitat for Humanity San Francisco, a California nonprofit public benefit corporation, and Em Johnson Interest, Inc., a California corporation, to extend the expiration of the ENA from May 31, 2008 to July 31, 2008, for purposes of completing an appraisal required to negotiate a disposition and development agreement leading to the development of 24 affordable homes for first time homebuyers, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:



for James B. Morales 5/14/08.
Agency General Counsel