

Commission on Community Investment and Infrastructure

RESOLUTION NO. 24-2013  
Adopted June 4, 2013

AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN FRANCISCO OFFICE OF COMMUNITY INVESTMENT AND INFRASTRUCTURE AND THE CITY AND COUNTY OF SAN FRANCISCO, THROUGH ITS CITY ADMINISTRATOR'S OFFICE, FOR AN AMOUNT NOT TO EXCEED \$1,479,500 FOR FISCAL YEAR 2012-13 AND AN AMOUNT NOT TO EXCEED \$1,578,000 FOR FISCAL YEAR 2013-14

WHEREAS, Since February 1, 2012, the City Administrator's Office of the City and County of San Francisco (City Administrator) has been providing administrative, management and human resources support, property management services, and risk management services to the Office of Community Investment and Infrastructure (OCII); and,

WHEREAS, Redevelopment Dissolution Law, Cal. Health & Safety Code § 34177.3 (b), authorizes successor agencies to create enforceable obligations for the wind down of the redevelopment agency, including hiring staff, acquiring necessary professional administrative services and legal counsel, and procuring insurance. Enforceable obligations are defined to include "[c]ontracts or agreements necessary for the administration or operation of the successor agency, in accordance with this part, including, but not limited to, agreements concerning litigation expenses related to assets or obligations, settlements and judgments, and the costs of maintaining assets prior to disposition, and agreements to purchase or rent office space, equipment and supplies, and pay-related expenses pursuant to Section 33127 and for carrying insurance pursuant to Section 33134." Cal. Health & Safety Code § 34171 (d)(1)(F); and,

WHEREAS, The services provided by the City Administrator's Office are necessary for the continued operation of the OCII as it winds down; and,

WHEREAS, To provide appropriate compensation for past services and to continue such services, OCII and the City Administrator's Office have negotiated a memorandum of understanding, attached to this Resolution as Exhibit A (the "Memorandum of Understanding"), that would provide for payment for services in an amount not to exceed \$1,479, 500 for Fiscal Year 2012-13 and an amount not to exceed \$1,578,000 for Fiscal Year 2013-14; and,

WHEREAS, funding to support the Memorandum of Understanding for the period of July 1, 2013 through June 30, 2014 is contained within the Fiscal Year 2013-14 budget approved by this Commission on May 7, 2013 and payment for services provided retroactive to July 1, 2012 will be provided

only to the extent funds are available and spending is approved on an applicable Redevelopment Obligation Payment Schedule (ROPS) approved by the California Department of Finance; now, therefore, be it

RESOLVED, That the Executive Director is hereby authorized to enter into a memorandum of understanding between OCII and the City and County of San Francisco, through its City Administrator's Office, substantially in the form of the Memorandum of Understanding, to provide administrative and management support services to the OCII retroactive to July 1, 2012 and continuing through June 30, 2014, for an amount not exceed \$1,479,500 for Fiscal Year 2012-13, subject to availability and approval on the ROPS, and an amount not to exceed \$1,578,000 for Fiscal Year 2013-14.

Exhibit A: Memorandum of Understanding between the San Francisco Office of Community Investment and Infrastructure and the San Francisco City Administrator's Office.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of June 4, 2013.

  
Commission Secretary

**MEMORANDUM OF UNDERSTANDING**  
**Between the San Francisco Office of Community Investment and Infrastructure and the San Francisco Office of the City Administrator,**  
**Fiscal Years 2012-13 and Fiscal Year 2013-14**

This Memorandum of Understanding (MOU) is entered into between the Office of Community Investment and Infrastructure (OCII), as Successor to the San Francisco Redevelopment Agency, and the City and County of San Francisco Office of the City Administrator (City Administrator's Office) for the period of Fiscal Year 2012-13 (retroactively effective to July 1, 2012) and Fiscal Year 2013-14.

OCII and the City Administrator's Office agree as follows:

**1. Services Provided by the City Administrator's Office**

- a. Payroll and human resources support for executive management serving the OCII hired through the City Administrator's Office, including the Executive Director and two Deputy Directors.
- b. Human resource management support for OCII, including support for labor negotiations during FY 2012-13. The support level is estimated at 1 FTE for FY 2012-13 and 0.5 FTE for FY 2013-14.
- c. Services from the Office of Labor Standards Enforcement including prevailing wage investigations.
- d. Property, and risk management consulting services provided through the Office of Risk Management retroactive to July 1, 2012.
- e. Mailing and reproduction services.
- f. Department of Real Estate property management services for OCII office space and shared space in the City-owned building at 1 South Van Ness, 5<sup>th</sup> floor, pursuant to the existing lease.
- g. Subject to conformance with labor Memoranda of Agreement, the City Administrator's Office may hire additional staff to support the work of OCII by mutual agreement.

**2. Budget**

OCII and ADM agree that OCII shall be responsible for actual salaries, employer taxes and benefits related to staff hired by the City Administrator's Office at the direction of OCII. Salaries for these staff are currently estimated as follows:

**a. F Y 2012-13**

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|---|------------|
| i. OCII Executive Director and 2 Deputy Director salaries:          | \$ 535,000 |
| ii. OCII Executive Director and Deputy Director taxes and benefits: | \$ 180,000 |
| iii. Human Resources support staff salary (~1 FTE 0923):            | \$ 120,000 |
| iv. Human Resources support staff taxes and benefits:               | \$ 40,000  |

v. Mailing and reproduction services	\$ 11,500
vi. OLSE labor standards enforcement investigations	\$ 15,000
vii. Property Insurance and risk management services	\$ 230,000
viii. <u>One South Van Ness Rent and property management services</u>	<u>\$ 348,000</u>
<b>Estimated Total FY 2012-13</b>	<b>\$1,479,500</b>

**b. FY 2013-14:**

i. OCII Executive Director and 2 Deputy Director salaries:	\$ 550,000
ii. OCII Executive Director and Deputy Director taxes and benefits:	\$ 210,000
iii. Human Resources support staff salary (~0.5 FTE 0923):	\$ 60,000
iv. Human Resources support staff taxes and benefits:	\$ 25,000
v. Mailing and reproduction services:	\$ 11,000
vi. OLSE labor standards enforcement investigations	\$ 15,000
vii. Property Insurance and risk management services	\$ 266,000
viii. One South Van Ness Rent and property management services @	
<u>\$1.88/sq. ft/month * 19,553 sq ft * 12 months =</u>	<u>\$ 441,000</u>
<b>Estimated Total FY 2013-14</b>	<b>\$1,578,000</b>

**Note on Risk Management Services**

OCII is currently exploring whether it can join the Bay Cities Joint Powers Insurance Authority (BCJPIA), which provided insurance to the former Redevelopment Agency. Should OCII obtain insurance through BCJPIA effective July 1, 2013, the City Administrator's Office agrees that no insurance or risk management charges shall be invoiced for Fiscal Year 2013-14 unless agreed upon through a separate agreement.

**Reporting and Billing**

For staff hired by the City Administrator's Office working full time for the OCII, the City Administrator's Office shall charge salary, taxes and benefits to a unique index code. OCII shall reimburse the City Administrator's Office for the amounts charged to that index code on at least a semi-annual basis, by January 31 for the prior July – December period, and by July 31 for the prior January through June period.

For human resources support staff and any other staff working partial time for OCII and for all other services provided to OCII, the City Administrator's Office shall submit an invoice to OCII on at least a semi-annual basis, by January 31 for the actual cost of services provided during the period of the prior July 1- December 31, and by July 31 for services provided during the period of the prior January 1 – June 30, not to exceed the budgeted amount for the fiscal year. The invoice shall describe the services provided and include sufficient information to determine the methodology used to determine the costs.

For any given six-month period, OCII can only pay amounts approved by its Oversight Board and the State Department of Finance on a Recognized Obligations Payment Schedule (ROPS) for that period. OCII shall endeavor to budget and obtain DOF approval for amounts sufficient to pay the City Administrator's Office in full within a timely fashion after the services are rendered and billed. To the extent OCII has insufficient authorization to pay a bill in full, OCII will endeavor to place any amount still owed on a future ROPS and to pay that amount when budget authority is available.

The OCII will pay invoices or notify the City Administrator's Office of any questions regarding the invoice within 30 days of receipt.

**Amendments or Termination**

This MOU scope and/or budget may be amended by mutual agreement of both parties. This MOU may be terminated by either party with 30 days notice, subject to OCII payment of applicable Controller's Office costs incurred through the termination date.

This MOU has been entered into on the date(s) below.

\_\_\_\_\_  
Office of Community Investment and Infrastructure      Date \_\_\_\_\_  
Tiffany Bohee, Executive Director

\_\_\_\_\_  
Naomi Kelly, City Administrator      Date \_\_\_\_\_

Authorized by Successor Agency Resolution No. \_\_\_\_-2013  
Adopted June \_\_\_\_, 2013