

## **RESOLUTION NO. 58-2002**

Adopted March 26, 2002

**AUTHORIZING A FIRST AMENDMENT TO THE PREDEVELOPMENT GRANT AGREEMENT WITH TENANTS AND OWNERS DEVELOPMENT CORPORATION, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, TO INCREASE THE GRANT AMOUNT BY \$30,000 FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$162,000 IN CONNECTION WITH THE RE-LANDSCAPING OF THE COMMON AREA ADJACENT TO THE CLEMENTINA TOWERS, 320 CLEMENTINA STREET; YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA**

### **BASIS FOR RESOLUTION**

1. The Redevelopment of the City and County of San Francisco ("Agency") and Tenants and Owners Development Corporation, a California nonprofit public benefit corporation ("Owner"), entered into an Owner Participation Agreement, dated December 11, 2001 ("Agreement"), under which the Owner proposes to construct a mixed-used project consisting of approximately 85 very low income rental housing units for the elderly, 9,582 square feet of retail/institutional space and up to 22 parking spaces in a below grade parking structure (the "Project") in the applicable air-rights parcels at 827 Howard Street (the "Site") in the Yerba Buena Center Redevelopment Project Area ("Project Area").

2. The Agreement documents the mutual promises, duties, obligations and responsibilities of the Agency and Owner with respect to Owner's proposal to develop the Project and undertake the re-landscaping of Clementina Commons ("Campus Improvements") on behalf of the Housing Authority of the City and County of San Francisco ("Authority").

3. The Agency has budgeted up to \$2 million for the construction of the retail/institutional component of the Project and the Campus Improvements, with non-Agency sources providing the balance of funds required.

4. On December 11, 2001, the Agency and the Owner entered into a Predevelopment Grant Agreement (the "Predevelopment Grant") under which the Agency agreed to provide the Owner with up to \$132,000, of the total Campus Improvements budget of \$900,000, to cover some of the predevelopment activities directly related to the Campus Improvements.

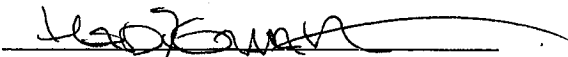
5. The Owner has requested that the Predevelopment Grant Agreement be amended to increase the original Predevelopment Grant amount of \$132,000 by \$30,000 for a total aggregate amount of \$162,000 to cover an expanded scope of predevelopment activities not anticipated when the Predevelopment Grant Agreement was approved. In addition, concurrently with the increase to the Predevelopment Grant amount, the total Campus Improvements budget will be reduced from \$900,000 to \$621,000, in conformance with the Agency's \$2 million budget for the Campus Improvements and retail/institutional component of the Project.

6. The Agency, in response to the Owner's request, has agreed to increase the Predevelopment Grant amount and reduce the proposed total amount of funding for the Campus Improvements, subject to the terms and conditions of the First Amendment to the Predevelopment Grant Agreement.

### 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 and execute a First Amendment to the Predevelopment Grant Agreement with Tenants and Owners Development Corporation, a California nonprofit public benefit corporation, to increase the grant amount by \$30,000 to a total amount not to exceed \$162,000 in connection with the re-landscaping of the common area adjacent to the Clementina Towers, 320 Clementina Street in the Yerba Buena Center Redevelopment Project Area, substantially in the form lodged with Agency General Counsel.

**APPROVED AS TO FORM:**

  
Bertha A. Ontiveros  
Agency General Counsel