

RESOLUTION NO. 134-2002

Adopted July 9, 2002

AUTHORIZING EXECUTION OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH THE CITY AND COUNTY OF SAN FRANCISCO ("CITY") FOR THE CONSTRUCTION AND SALE TO CITY OF A BRANCH PUBLIC LIBRARY ON A PORTION OF PARCEL 1 IN BLOCK N3A FOR A PURCHASE PRICE OF \$3,267,000 TO BE ADJUSTED BASED ON THE ACTUAL COST OF DEVELOPMENT OF THE BRANCH LIBRARY; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. On January 16, 2001, the Agency authorized entering into an Exclusive Negotiations Agreement with Mercy Housing California ("Developer") leading to the lease and development of 140 units of affordable senior housing, a branch library, retail/commercial space, an Adult Day Health Center, and non-profit office space on Parcel 1 of Block N3a in the Mission Bay North Redevelopment Project Area (the "Site").
2. On February 5, 2001, the Agency entered into a Letter of Intent with the City and County of San Francisco ("City") to sell a fully improved portion of the Site for the purpose of operating a branch public library ("Library Parcel").
3. Agency and City staff have negotiated a detailed Purchase and Sale Agreement ("PSA") for the Library Parcel and are requesting Commission approval so that the PSA can be forwarded to the Board of Supervisors for final approval. The Library Commission took action on the PSA on July 2, 2002.
4. The proposed terms of the PSA require the Agency to contract with the Developer to construct the branch public library, according to plans and specifications developed by the City, and to deliver the facility to the City in move-in condition.
5. The PSA includes a Declaration of Restrictions that requires the City to use the Library Parcel for the operation of a public branch library that will be open to the general public on similar days and hours and terms as other branch libraries of similar size in the City's Public Library system, including good faith efforts to include at least one weekday night and one weekend day in the operating schedule.


6. The PSA gives the City the right to terminate the agreement in the event that the guaranteed maximum price quoted by the Developer for development of the public library increases by more than 5% over the price included in the PSA. Because of the cost to the City there is a built in incentive to avoid terminating the PSA and to work with the Agency to address any increase in the final purchase price.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to:

1. Enter into a Purchase and Sale Agreement with the City and County of San Francisco for the construction and sale of a branch library, on Parcel 1 of Block N3a, Mission Bay North, substantially in the form lodged with Agency General Counsel; and
2. Enter into any and all ancillary documents or take any additional actions necessary to consummate the transactions authorized by this Resolution, in forms to be approved by the Agency General Counsel.

APPROVED AS TO FORM:


s. Bertha A. Ontiveros 7/3/02
Agency General Counsel