RESOLUTION NO. 85-2004

As amended, Adopted July 20, 2004

AUTHORIZING A FIFTH AMENDMENT TO THE REGULATORY AND GRANT AGREEMENT WITH MARY ELIZABETH INN, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, AND CALIFORNIA PROPERTIES OF WOMAN'S DIVISION, INC., A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, TO REVISE THE SCHEDULE OF PERFORMANCE FOR THE REHABILITATION OF 88 UNITS OF VERY-LOW INCOME RENTAL UNITS AT 1040 BUSH STREET; CITYWIDE TAX INCREMENT HOUSING PROGRAM

BASIS FOR RESOLUTION

1. On January 23, 1996, by Resolution No. 10-1996, the Redevelopment Agency of the City and County of San Francisco (the “Agency”) approved a Regulatory and Grant Agreement in the amount of $1,640,910 in Citywide Tax Increment Housing funds (the “Agreement”) with Mary Elizabeth Inn, a California nonprofit public benefit corporation (the “Owner”), and the California Properties of Woman’s Division, Inc., a California nonprofit public benefit corporation (the “Operator”), (together, the “Developer”) for the purpose of rehabilitating the property located at 1040 Bush Street to be used as housing for extremely-low and very-low income women (the “Project”).

2. On October 28, 1997, by Resolution No. 221-1997, the Agency approved an amendment to the Agreement for an additional Four Hundred Sixty-Five Thousand Four Hundred and Ninety-Six Dollars ($465,496) of Citywide Tax Increment Housing funds.

3. On February 8, 2000, by Resolution No. 19-2000, the Agency approved Developer’s additional request of Six Hundred Thousand Dollars ($600,000), which combined with its 1997 approval, amounts to a total increase of One Million Sixty-five Thousand Four Hundred and Ninety-Six Dollars ($1,065,496) (the “First Amendment”) for a total grant amount of Two Million Seven Hundred Six Thousand and Four Hundred and Six Dollars ($2,706,406) of Citywide Tax Increment Housing funds pursuant to the terms and conditions of the Agreement, as amended.

4. On April 29, 2003, by Resolution No. 66-2003, the Agency approved an additional amount of $637,681 for the Second Amendment to the Regulatory and Grant Agreement for a total aggregate amount not to exceed $3,344,087.

5. On October 7, 2003, by Resolution No. 156-2003, the Agency authorized a Third Amendment to the Regulatory and Grant Agreement to extend the Schedule of Performance by four months.
6. On January 20, 2004, by Resolution No. 2-2004, the Agency authorized a Fourth Amendment to the Regulatory and Grant Agreement to extend the Schedule of Performance by three months.

7. A Fifth Amendment is necessary at this time to extend the construction completion date to July 31, 2004; to add a new deadline for execution of a Master Lease with the City and County of San Francisco’s Department of Human Services by November 1, 2004; and, to extend the deadline for 95% occupancy to February 28, 2005; no additional funds are requested.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute a Fifth Amendment to the Regulatory and Grant Agreement with California Properties of Woman’s Division, Inc., a California nonprofit public benefit corporation, and Mary Elizabeth Inn, a California nonprofit public benefit corporation, to (1) extend the construction completion date to July 31, 2004, (2) to add a new deadline, for execution of a Master Lease with the City and County of San Francisco’s Department of Human Services by November 1, 2004, (3) to extend the deadline for achievement of 95% occupancy to February 28, 2005, and (4) to report back to the Commission on the progress of the master lease agreement with the Department of Human Services by September 21, 2004, substantially in the form lodged with the Agency General Counsel, as part of the Citywide Tax Increment Housing Program.

APPROVED AS TO FORM:

[Signature]

James B. Morales
Agency General Counsel