RESOLUTION NO.173-2005

Adopted November 1, 2005

AUTHORIZING A SECOND AMENDMENT TO THE TAX INCREMENT LOAN AGREEMENT WITH THE SAN FRANCISCO HOUSING DEVELOPMENT CORPORATION, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, TO MODIFY THE SOURCES AND USE OF FUNDS AND THE LOAN DISBURSEMENT BUDGET FOR THE CONSTRUCTION OF 18 LOW-AND MODERATE-INCOME FIRST-TIME HOMEOWNERSHIP UNITS AND GROUND FLOOR COMMERCIAL SPACE AT 4800 THIRD STREET; BAYVIEW HUNTERS POINT REDEVELOPMENT SURVEY AREA; CITYWIDE TAX INCREMENT HOUSING PROGRAM

BASIS FOR RESOLUTION

1. In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq., the “Law”), the Redevelopment Agency of the City and County of San Francisco (the “Agency”) undertakes programs for the reconstruction and rehabilitation of slums and blighted areas in the City and County of San Francisco (the “City”).

2. San Francisco Housing Development Corporation’s, a California nonprofit public benefit corporation (“SFHDC” or the “Developer”), mission is to provide safe, decent and affordable housing primarily to households in the Bayview and Western Addition communities in the City.

3. On June 11, 2001, in furtherance of its mission, the Developer entered into an agreement with Thomas E. Nix DBA Triway Investment Company (the “Seller”) to purchase a blighted property at 4800 Third Street in the Bayview Hunters Point Redevelopment Survey Area (the “Site”) for the purpose of redeveloping it as a mixed use affordable housing development (the “Purchase and Sale Agreement”).

4. On November 27, 2001, by Resolution 207-2001, the Developer entered into an Assignment and Assumption Agreement with the Agency for the Purchase and Sale Agreement (the “Assignment Agreement”), in return for the Agency executing an Exclusive Negotiations Agreement and providing predevelopment financing in conjunction with developing very-low and low-income rental housing and ground floor commercial space (the “Project”) at the Site.
5. On November 27, 2001, by Resolution No. 209-2001, the Agency Commission authorized a Tax Increment Affordable Housing Program Redevelopment Loan of $400,000 (the “Agency Loan”) with the Developer for the purpose of developing the Project.

6. On June 21, 2005, by Resolution No. 111-2005, the Agency Commission authorized a First Amendment to the Agency Loan to increase the loan amount by an additional $453,500, for a total amount not to exceed $853,500, to advance a new development concept for the Project consisting of 18 condominiums for first-time low- and moderate-income homebuyers.

7. Agency staff now desires to amend the Agency Loan as requested by the Developer to modify the sources and uses of funds and the Loan Disbursement Budget.

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 Second Amendment to the Tax Increment Loan Agreement with San Francisco Housing Development Corporation, a California nonprofit public benefit corporation, to modify the sources and uses of funds and the Loan Disbursement Budget, for the development of 18 condominiums for low- and moderate-income first-time homebuyers and ground floor commercial space at 4800 Third Street, within the Bayview Hunters Point Redevelopment Survey Area, as part of the Citywide Tax Increment Housing Program, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:

[Signature]
James B. Morales
Agency General Counsel