

RESOLUTION NO. 77-2009

Adopted July 21, 2009

**AUTHORIZING A FIRST AMENDMENT TO THE AMENDED
AND RESTATED TAX INCREMENT LOAN AGREEMENT WITH
GREEN BLENDED COMMUNITIES, LLC, A CALIFORNIA
LIMITED LIABILITY COMPANY, TO MODIFY THE SOURCES
AND USES OF FUNDS 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 PROJECT AREA**

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”), mission is to provide safe, decent and affordable housing primarily to households in the City’s Bayview Hunters Point and Western Addition communities.
3. On November 27, 2001, by Resolution No. 208-2001, the Agency Commission authorized the Agency to enter into an Exclusive Negotiations Agreement with SFHDC leading to a ground lease agreement providing for the redevelopment of 4800 Third Street, an under-developed and blighted property with a 1,584-square-foot building along with 10 surface parking spaces in the Bayview Hunters Point Redevelopment Project Area (the “Site”), as a mixed-use affordable housing development (the “Project”). The Agency acquired the Site on December 14, 2001, pursuant to an Assignment and Assumption Agreement between the Agency and SFHDC for the Purchase and Sale Agreement between SFHDC and the former owner of the Site.
4. On November 27, 2001, by Resolution No. 209-2001, the Agency Commission authorized a Tax Increment Affordable Housing Program Redevelopment Loan for \$400,000 (the “Agency Loan”) with SFHDC for the development of the Project.
5. 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.

6. On November 1, 2005, by Resolution No. 173-2005, the Agency Commission authorized a Second Amendment to the Agency Loan to modify the sources and use of funds and the loan disbursement budget for the Project.
7. On April 18, 2006, by Resolution No. 52-2006, the Agency Commission authorized a Third Amendment to the Agency Loan to amend the Schedule of Performance.
8. On September 18, 2007, by Resolution No. 92-2007, the Agency Commission authorized a Fourth Amendment to the Agency Loan to amend the Schedule of Performance.
9. On December 18, 2007, by Resolution No. 135-2007, the Agency Commission authorized a Fifth Amendment to the Agency Loan to amend the Schedule of Performance.
10. SFHDC has assigned all of its rights and obligations related to the Site, including the assignment of the Agency Loan, to Green Blended Communities, LLC, a California limited liability company (the "Developer"), whose sole managing member is SFHDC.
11. On April 15, 2008, by Resolution No. 37-2008, the Agency Commission approved an Amended and Restated Tax Increment Loan Agreement (the "Loan Agreement") with the Developer to increase the loan amount by \$6,812,329, for a total aggregate amount not to exceed \$8,465,829, which amount includes the initial acquisition costs of \$800,000, to construct the Project.
12. The Agency now desires to enter into a First Amendment to the Loan Agreement to modify the budget for the use of Agency loan proceeds, and to give the Deputy Executive Director of the Agency's Housing Division the authority to approve single line item changes of up to \$50,000 and aggregate line item changes of up to \$100,000.
13. Changing the terms of the Loan Agreement is an administrative activity of the Agency and is not a Project as defined by the California Environmental Quality Act Guidelines Section 15378(b)(5). The administrative activity would not independently result in a significant physical effect on the environment.

RESOLUTION


ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco as follows:

1. The Executive Director is authorized to enter into a First Amendment to the Amended and Restated Tax Increment Loan Agreement with Green Blended Communities, LLC, a California limited liability company, whose sole managing member is San

Francisco Housing Development Corporation, a California nonprofit public benefit corporation, to modify certain loan terms and to execute all ancillary documents, for the development of 18 low- and moderate-income first-time homeownership units and ground floor commercial space at 4800 Third Street, in the Bayview Hunters Point Redevelopment Project Area, as part of the Citywide Tax Increment Housing Program, substantially in the form lodged with the Agency General Counsel; and,

2. The Executive Director is authorized to enter into any an all ancillary documents or take any additional action necessary to consummate the transactions authorized by this Resolution, in forms to be approved by the Agency General Counsel.

APPROVED AS TO FORM:


James B. Morales
Agency General Counsel