

FILE NO. 100133

1 [Loan to the Community Center Project of San Francisco, Inc., at 1800 Market Street -
2 \$157,500]

3 **Resolution authorizing the City to make a \$157,500 loan to the Community Center**
4 **Project of San Francisco, Inc., a California nonprofit public corporation, located at 1800**
5 **Market Street, and authorizing actions in the furtherance of this Resolution.**

6
7 WHEREAS, The Community Center Project of San Francisco, Inc., a California
8 nonprofit public corporation ("CCP"), owns and operates the San Francisco LGBT Community
9 Center ("Center"), which is located at 1800 Market Street in San Francisco, California ("Real
10 Property"); and,

11 WHEREAS, In 2007, CCP obtained a \$3,200,000 loan from First Republic Bank, a
12 Nevada corporation ("Bank"), as evidenced by a promissory note made by CCP in favor of
13 Bank and dated December 10, 2007 ("Original Bank Note"), and a Deed of Trust, Fixture
14 Filing, Assignment of Rents, and Security Agreement with Borrower as trustor and Bank as
15 beneficiary, recorded in the Official Records of San Francisco on December 31, 2007 as
16 Document No. 2007-I513129 ("Bank Deed of Trust"). Copies of the Original Bank Note and
17 the Bank Deed of Trust are on file with the Clerk of the Board of Supervisors in File No.
18 100133 and are incorporated herein by reference; and,

19 WHEREAS, CCP wishes to modify the Original Bank Note pursuant to an amendment
20 of promissory note and deed of trust (the "Loan Amendment") to restructure Original Bank
21 Note payments as follows: \$157,500 (between July 1, 2009 and June 30, 2010), \$157,500
22 (between July 1, 2010 and June 30, 2011), \$236,250 (between July 1, 2011 and June 30,
23 2012), \$236,250 (between July 1, 2012 and June 30, 2013), and \$236,250 (between July 1,
24 2013 and June 30, 2014); and,

25
Supervisors Dufty, Campos
BOARD OF SUPERVISORS

1 WHEREAS, Bank will not enter into the Loan Amendment unless City makes a
2 \$157,500 loan to CCP (the "City Loan") that allows CCP to use City Loan proceeds to make
3 any payment owed under the Original Bank Note, as amended by the Loan Amendment (the
4 "Modified Bank Loan"), if CCP does not have sufficient funds to make such Modified Bank
5 Loan payment when due; and,

6 WHEREAS, The City previously loaned funds to CCP to finance the construction and
7 operation of the Center, and the City Loan would increase CCP's financial ability to operate
8 the Center; and,

9 WHEREAS, The City Loan would be evidenced by a loan agreement in the form on file
10 with the Clerk of the Board of Supervisors in File No. 100133, which is incorporated
11 herein by reference ("Loan Agreement"), and a promissory note in the form on file with the
12 Clerk of the Board of Supervisors in File No. 100133, which is incorporated herein
13 by reference ("City Note"). Until it is fully repaid, the The City Note will bear interest at a the
14 same monthly interest rate of ~~one percent (1%) per annum,~~ the City earns on the monies in its
15 Pooled Investment Fund for such month, simple interest, and will require monthly payments of
16 principal and interest commencing on January 1, 2015, with all outstanding amounts due and
17 payable on December 31, 2020; and,

18 WHEREAS, CCP's obligation to repay the City Loan would be secured by a deed of
19 trust in the form on file with the Clerk of the Board of Supervisors in File No.
20 100133, which form is incorporated herein by reference ("City Deed of Trust") and
21 would be subordinate to the Bank Deed of Trust; now, therefore, be it

22 RESOLVED, The Director of Property is hereby authorized to enter into the Loan
23 Agreement and accept the City Note and the City Deed of Trust, and is hereby authorized and
24 directed to do any and all things to execute and deliver the Loan Agreement and all other
25 documents with respect to the Loan Agreement, and take all actions required under the Loan

1 Agreement, that the Director of Property determines, in consultation with the City Attorney, are
2 in the best interest of the City, including any modifications or amendments that do not
3 materially increase the obligations or liabilities of the City, are necessary or advisable to
4 consummate the transactions contemplated in the Loan Agreement or the performance of the
5 purposes of this Resolution, and are in compliance with all applicable laws, including City's
6 Charter; and be it

7 FURTHER RESOLVED, The Mayor, Clerk of the Board, and Director of Property are
8 hereby authorized and directed to take any and all actions which they or the City Attorney may
9 deem necessary or advisable in order to effectuate the purpose and intent of this Resolution.

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11 RECOMMENDED:

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13 (See File for Signature)
14 Amy L. Brown
15 Director of Property
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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100133

Date Passed: March 30, 2010

Resolution authorizing the City to make a \$157,500 loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, located at 1800 Market Street, and authorizing actions in the furtherance of this Resolution.

March 30, 2010 Board of Supervisors - ADOPTED

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell and Mirkarimi

Noes: 1 - Elsbernd

Excused: 1 - Alioto-Pier

File No. 100133

I hereby certify that the foregoing Resolution was ADOPTED on 3/30/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

UNSIGNED

Mayor Gavin Newsom

4-9-10

Date Approved

Date: April 9, 2010

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

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100133