Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to enter into a standard agreement and disbursement agreement with the California State Department of Housing and Community Development to accept and expend $4,700,000 of Transit Oriented Development Infrastructure Grant Program funds associated with the 1180-4th Street affordable housing project; the execution of an agreement with the Project Sponsor for disbursement of grant funds; and the execution of any related documents necessary to participate in the Transit Oriented Development Infrastructure Grant Program.

WHEREAS, The California Department of Housing and Community Development (HCD) issued a Notice of Funding Availability for the Transit Oriented Development Housing Program established in Part 13 of Division 31 of the Health and Safety Code, commencing with Section 53560. Pursuant to the statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature, subject to the terms and conditions of the statute and the Transit Oriented Development Housing Program Guidelines implemented February 4, 2009; and,

WHEREAS, HCD has issued a conditional commitment of $17,000,000 of grant funds to the 1180 4th Street project (Project) in a letter dated May 20, 2010, of which $4,700,000 was awarded to the City and County of San Francisco (City) and designated for purposes of the design and construction of street and utility improvements serving the site; and
WHEREAS, FOCIL-MB, LLC, a Delaware limited liability company ("FOCIL") (Project Sponsor) will be responsible for the design and construction of the street and utility improvements serving the Project; and

WHEREAS, The City wishes to enter into a standard agreement and disbursement agreement with HCD for purposes of accessing and disbursing the Transit Oriented Development Infrastructure Grant Program funds (Grant Funds) to the Project Sponsor for the purpose of performing the infrastructure improvements; and

WHEREAS, The City wishes to enter into an agreement with the Project Sponsor pursuant to which the City will disburse the Grant Funds to Project Sponsor to pay costs associated with the design and construction of the infrastructure improvements; and,

WHEREAS, The proposed grant does not require an Annual Salary Ordinance amendment; and,

WHEREAS, MOH proposes to maximize use of available grant funds on project expenditures by not including indirect costs in the grant budget;

NOW, THEREFORE, BE IT RESOLVED, That the Mayor’s Office of Housing is hereby authorized to enter into: (i) a standard grant agreement and disbursement agreement with HCD for funding not to exceed $4,700,000; and (ii) an agreement with Project Sponsor, each for the purposes of funding infrastructure associated with the Project. The infrastructure will include construction of sanitary service, storm drain lines, low pressure and reclaimed water services, joint utility trench electric and gas, curb, gutter, grading, paving, sidewalk, street lights and street trees in the mid block mews on block 13, Long Bridge block 13 Phase II, El Dorado, China Basin streets and portions of Merrimac, Mission Bay Boulevard North and South. This work will complete the utility services and loops required for block 13, block 5 and parks P5, P6 and P13,
connecting Long Bridge, Channel Street, China Basin and Fourth Street, allowing for the circulation of emergency vehicle, vehicular and pedestrian traffic and future bus service planned for Long Bridge Street; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the City hereby agrees to use the Transit Oriented Development Infrastructure Grant Program funds for eligible activities in the manner presented in the application and with such modifications as approved by HCD and in accordance with program guidelines and the HCD Standard Agreement and Disbursement Agreement. It also may execute any and all other instruments necessary or required by HCD for participation in the Transit Oriented Development Housing Program; and, be it

FURTHER RESOLVED, That the City authorizes any designee of the Mayor from the Mayor's Office of Housing to execute the standard agreement, disbursement agreement, and all other documents required by HCD for participation in the Transit Oriented Development Housing Program, and any amendments thereto.

Recommended:

Teresa Yanga, Director of Housing Development

Approved:

Edwin M. Lee, Mayor

Ben Rosenfield, Controller
Resolution authorizing any designee of the Mayor from the Mayor's Office of Housing to enter into a standard agreement and disbursement agreement with the California State Department of Housing and Community Development to accept and expend $4,700,000 of Transit Oriented Development Infrastructure Grant Program funds associated with the 1180-4th Street affordable housing project; the execution of an agreement with the Project Sponsor for disbursement of grant funds; and the execution of any related documents necessary to participate in the Transit Oriented Development Infrastructure Grant Program.

February 15, 2012 Budget and Finance Committee - RECOMMENDED

February 28, 2012 Board of Supervisors - ADOPTED
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120085

I hereby certify that the foregoing Resolution was ADOPTED on 2/28/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved