

1 [Accept and Expend Grant - Agreement - Transit Oriented Development Housing Program -
2 \$4,700,000]

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4 **Resolution authorizing any designee of the Mayor from the Mayor’s Office of Housing**
5 **to enter into a standard agreement and disbursement agreement with the California**
6 **State Department of Housing and Community Development to accept and expend**
7 **\$4,700,000 of Transit Oriented Development Infrastructure Grant Program funds**
8 **associated with the 1180-4th Street affordable housing project; the execution of an**
9 **agreement with the Project Sponsor for disbursement of grant funds; and the**
10 **execution of any related documents necessary to participate in the Transit Oriented**
11 **Development Infrastructure Grant Program.**

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

20 WHEREAS, HCD has issued a conditional commitment of \$17,000,000 of grant
21 funds to the 1180 4th Street project (Project) in a letter dated May 20, 2010, of which
22 \$4,700,000 was awarded to the City and County of San Francisco (City) and
23 designated for purposes of the design and construction of street and utility
24 improvements serving the site; and

25

1 WHEREAS, FOCIL-MB, LLC, a Delaware limited liability company ("FOCIL")
2 (Project Sponsor) will be responsible for the design and construction of the street and
3 utility improvements serving the Project; and

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

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

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

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

16 NOW, THEREFORE, BE IT RESOLVED, That the Mayor's Office of Housing is
17 hereby authorized to enter into: (i) a standard grant agreement and disbursement
18 agreement with HCD for funding not to exceed \$4,700,000; and (ii) an agreement with
19 Project Sponsor, each for the purposes of funding infrastructure associated with the
20 Project. The infrastructure will include construction of sanitary service, storm drain
21 lines, low pressure and reclaimed water services, joint utility trench electric and gas,
22 curb, gutter, grading, paving, sidewalk, street lights and street trees in the mid block
23 mews on block 13, Long Bridge block 13 Phase II, El Dorado, China Basin streets and
24 portions of Merrimac, Mission Bay Boulevard North and South. This work will complete
25 the utility services and loops required for block 13, block 5 and parks P5, P6 and P13,

1 connecting Long Bridge, Channel Street, China Basin and Fourth Street, allowing for
2 the circulation of emergency vehicle, vehicular and pedestrian traffic and future bus
3 service planned for Long Bridge Street.

4 and, be it

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

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

16

17 Recommended:

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19 Teresa Yanga, Director of Housing Development

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21 Approved:

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23 Edwin M. Lee, Mayor

Ben Rosenfield, Controller

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