

1 [Authorizing Application for BEGIN Funds]

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3 **Resolution authorizing the submittal of an application to the California State**
4 **Department of Housing and Community Development for funding under the BEGIN**
5 **Program; the execution of a standard agreement if selected for such funding and any**
6 **amendments thereto; the execution of a designation agreement if selected for such**
7 **funding and any amendments thereto; the execution of any related documents**
8 **necessary to participate in the BEGIN Program.**

9

10 WHEREAS, The City and County of San Francisco, (the "City") a municipal
11 corporation, (hereinafter "City") wishes to apply for and receive an allocation of funds through
12 the BEGIN Program; and

13 WHEREAS, The California Department of Housing and Community Development
14 ("HCD") has issued a Notice of Funding Availability on March 17, 2005 ("NOFA") for the
15 BEGIN Program established by Chapter 14.5, Sections 50860 through 50866 of Part 2 of
16 Division 31 of the Health and Safety Code (the "Statute"). Pursuant to the Statute, HCD is
17 authorized to approve funding allocations utilizing monies made available by the State
18 Legislature to the BEGIN Program, subject to the terms and conditions of the Statute and the
19 BEGIN Program Guidelines adopted by HCD on March 4, 2005; and

20 WHEREAS, Chapter 14.5, Section 50860 subdivision (b) of the Statute requires that
21 BEGIN funds be made available to qualifying cities and counties that provide incentives, or
22 reduce regulatory barriers ("regulatory concessions"), that promote local housing
23 development; and

24 WHEREAS, The Planning Commission has granted a Conditional Use Authorization to
25 reduce the number of parking spaces required for the proposed development at 4800 Third

1 Street in San Francisco (the "Project") from 15 spaces for 15 units to 4 spaces for 15 units;
2 and

3 WHEREAS, Supervisor Sophie Maxwell will introduce legislation to amend the
4 Planning Code Zoning Map and create a Special Use District ("SUD") to allow for a mixed-use
5 building of 44 feet in height and containing 18 residential units at 4800 Third Street in San
6 Francisco.

7 WHEREAS, the Conditional Use Authorization constitutes a regulatory concession that
8 makes the Project eligible for BEGIN funds; and

9 WHEREAS, if approved, the creation of the SUD would constitute yet another
10 regulatory concession; and

11 WHEREAS, The City wishes to submit an application to obtain from HCD an allocation
12 of BEGIN funds in the amount of \$540,000 to be used by the Redevelopment Agency of the
13 City and County of San Francisco ("Agency") to provide down payment assistance to first-time
14 home buyers of condominiums to be developed by the San Francisco Housing Development
15 Corporation at 4800 Third Street in San Francisco; and

16 WHEREAS, The City wishes to enter into an agreement with the Agency ("Designation
17 Agreement") pursuant to which (i) the City will designate the Agency as the responsible party
18 for administering the Begin funds in full compliance with the terms and conditions of the
19 Statute, the Begin Program Guidelines, any other requirements that may be included in the
20 application or related documents and the Designation Agreement; (ii) the Agency will pay City
21 for all of City's costs incurred with respect to the City's involvement in the BEGIN Program's
22 funding of the Project; and (iii) the Agency will indemnify and defend the City from and against
23 all claims, losses, liability, etc. arising directly and indirectly from the City's application to the
24 Begin Program and the City's involvement in the BEGIN Program with respect to the funding
25 of the Project; now, therefore, be it

1 RESOLVED, That the Board of Supervisors hereby permits the City to submit to HCD
2 an application to participate in the BEGIN Program in response to the NOFA, which
3 application will request a funding allocation of \$540,000 to provide \$30,000 in down payment
4 assistance to 18 eligible first-time home buyers of condominiums to be constructed at 4800
5 Third Street in San Francisco by the San Francisco Housing Development Corporation; and,
6 be it

7 FURTHER RESOLVED, That if the application for BEGIN funds is approved, the City is
8 permitted to accept the BEGIN funds, and if so, agrees to use the BEGIN funds for eligible
9 activities in the manner presented in the application as approved by HCD, and in accordance
10 with the BEGIN Program regulations cited above. The City also may execute any and all
11 other instruments necessary or required by HCD for participation in the BEGIN Program; and,
12 be it

13 FURTHER RESOLVED, That if the application for BEGIN funds is approved, the City is
14 permitted to enter into a Designation Agreement and all other instruments necessary or
15 required to carry out the terms of the Designation Agreement; and, be it

16 FURTHER RESOLVED, That the Director of the Mayor's Office of Housing is hereby
17 authorized and urged in the name and on behalf of the City, to execute and deliver the BEGIN
18 Program application, the Standard Agreement, the Designation Agreement and all other
19 documents required by the terms of the Designation Agreement or HCD for participation in the
20 BEGIN Program, together with any amendments thereto, and to take any and all steps as the
21 Director of the Mayor's Office of Housing deems necessary or appropriate in order to comply
22 with the terms of the BEGIN Program and to designate the Agency as the administrator of the
23 BEGIN funds, or to otherwise effectuate the purpose and intent of this resolution, such
24 determination to be conclusively evidenced by the execution and delivery by the Director of
25 the Mayor's Office of Housing of any such documents