

1 [Redevelopment Agency Budget]

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3 **Resolution approving an amendment to the budget of the Redevelopment Agency of**
4 **the City and County of San Francisco for fiscal year 2009-2010 by increasing the**
5 **Agency's tax increment bond proceeds by \$28 million and authorizing expenditures in**
6 **an amount not to exceed \$28.8 million for payment to the Supplemental Educational**
7 **Revenue Augmentation Fund.**

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9 WHEREAS, The Redevelopment Agency of the City and County of San Francisco (the
10 "Agency") is implementing various Redevelopment Plans and programs in the City and
11 County of San Francisco (the "City") in accordance with the California Community
12 Redevelopment Law California Health and Safety Code section 33000 et. seq. (the "Law");
13 and,

14 WHEREAS, Section 33606 of the Law provides for approval of the annual budget of
15 the Agency, and any amendments to the budget, by the legislative body of the City (the
16 "Board of Supervisors"); and,

17 WHEREAS, The Board of Supervisors approved the Agency's budget for the fiscal year
18 2009-10 and approved the issuance of bonds in the principal amount of not to exceed \$87.5
19 million for the purposes of financing a portion of the budget by Resolution No. 267-09; and,

20 WHEREAS, on July 24, 2009, the California Legislature enacted, in a special legislative
21 session, Assembly Bill No. 26 (Statutes 2009, Chapter 21), which added Sections 33690 and
22 33690.5 and required the Agency to make a payment estimated to be \$28.8 million in fiscal
23 year 2009-10 for deposit into the Supplemental Educational Revenue Augmentation Fund
24 ("SERAF") of the City and County of San Francisco; and

1 WHEREAS, Section 33690 (b) of the Law authorizes the Agency to make its SERAF
2 payment by using any funds that are legally available and not legally obligated for other uses,
3 including but not limited to bond proceeds or other indebtedness; and

4 WHEREAS, the Board of Supervisors approved, by Resolution 473-09, amendments to
5 the Agency's fiscal year 2009-2010 budget (the "Budget") to authorize, among other things,
6 the Agency's expenditure of funds for the SERAF payment, but did not increase the Agency's
7 revenues to cover the amount of the SERAF payment;

8 WHEREAS, the use of existing Agency funds to cover the SERAF payment would
9 require the reprogramming of funds intended for the Low and Moderate Income Housing Fund
10 and thus result in the significant delay in four affordable housing projects;

11 WHEREAS, the Board of Supervisors has approved in a separate resolution
12 (Resolution No. _____) the issuance by the Agency of bonds in the additional principal
13 amount not to exceed \$28 million;

14 WHEREAS, The Agency wishes to amend its Budget for the fiscal year 2009-10 to
15 permit the receipt of additional tax increment bond proceeds in the amount of \$28 million for
16 the purpose of making the SERAF payment; now, therefore, be it

17 RESOLVED, By the Board of Supervisors of the City and County of San Francisco that
18 it does hereby approve the following amendment to the Budget, which is on file with the Clerk
19 of the Board of Supervisors in File No. _____ and is hereby declared to be a part of this
20 Resolution as if set forth fully herein: increasing the amount of tax increment bond proceeds
21 that the Agency receives in the amount of \$28 million and increasing the Agency's
22 expenditure authority by \$28.8 million to cover the required SERAF payment.