

1 [Accept and Expend Grant - Bayview Opera House -\$400,000]

2

3 **Resolution authorizing the Arts Commission to accept and expend a grant in the**
4 **amount of \$400,000 from the San Francisco Redevelopment Agency to make structural**
5 **upgrades and install accessibility improvements at the Bayview Opera House.**

6

7 WHEREAS, The City and County of San Francisco (the "City") owns the real property
8 located at 4705 Third Street in San Francisco, California, which is under the jurisdiction of the
9 City's Arts Commission and improved with a building commonly known as the Bayview Opera
10 House (the "Building"); and

11 WHEREAS, The Arts Commission wishes to have the Building structurally upgraded
12 and to install accessibility improvements that comply with the Americans with Disability Act
13 (the "Project"); and

14 WHEREAS, The Bureau of Architecture of the City's Department of Public Works
15 ("DPW") has agreed to manage the construction of the Project and has estimated that the
16 total cost of the Project will be \$748,000; and

17 WHEREAS, The Arts Commission previously allocated \$248,000 from its capital
18 improvement budget to develop a scope of work and produce preliminary design drawings for
19 the Project and the Mayor's Office of Community Investment has agreed to fund \$100,000 of
20 the Project costs; and

21 WHEREAS, The San Francisco Redevelopment Agency ("Agency") is willing to make a
22 grant of \$400,000 (the "Grant") to the City for the Project pursuant to a Grant Agreement
23 between the Agency and the City, acting by and through the Arts Commission (the "Grant
24 Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No.
25 110799, and is hereby declared to be a part of this Resolution as if set forth fully herein; and

1 WHEREAS, The Grant Agreement requires that the Grant funds be used solely to pay
2 for the necessary and relevant construction costs related to the Project work described in
3 Exhibit A to the Grant Agreement and City will be obligated to repay the Grant funds if there is
4 any uncured default by City of its obligations under the Grant Agreement; and

5 WHEREAS, On March 7, 2011, the Arts Commission adopted Resolution No. 0307-11-
6 067, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 110799,
7 and is hereby declared to be a part of this Resolution as if set forth fully herein, to approve the
8 proposed Grant and Grant Agreement and urge the Board of Supervisors to approve the
9 proposed Grant to help make needed facility improvements to the Building for the benefit of
10 the public; now, therefore, be it

11 RESOLVED, That the Arts Commission is authorized to accept and expend the
12 proposed Grant to perform the necessary and relevant construction costs related to the
13 Project work described in Exhibit A to the Grant Agreement and the Director of Cultural Affairs
14 of the Arts Commission is authorized to execute and deliver the Grant Agreement and take
15 any and all actions which the Director of Cultural Affairs, in consultation with the City Attorney,
16 determines are in the best interest of the City, do not materially increase the obligations of the
17 City or materially decrease the benefits to the City, are necessary or advisable to
18 consummate the performance of the purposes and intent of this Resolution, and comply with
19 all applicable laws, including the City's Charter, including any modifications or amendments to
20 the Grant Agreement.