

**COUNTY OF SAN MATEO
HUMAN SERVICES AGENCY
OFFICE OF HOUSING**

Date: January 31 2001

Hearing Date: February 27, 2001

TO: Honorable Board of Supervisors

FROM: Maureen Borland, Director, Human Services Agency
Steve Cervantes, Director, Office of Housing

for MB

RE: RESOLUTIONS AUTHORIZING EXECUTION OF 2ND AMENDMENT TO AGREEMENT WITH THE HOUSING AUTHORITY OF SAN MATEO COUNTY TO ASSIST WITH DEVELOPMENT OF AFFORDABLE RENTAL HOUSING TO BE KNOWN AS EL CAMINO VILLAGE

RECOMMENDATION

1. Acting as the Board of Supervisors adopt a Resolution authorizing execution of a 2nd Amendment to Agreement with the Housing Authority of San Mateo County providing an additional \$175,000 of HOME funding to assist with the development of affordable rental housing in the Colma BART Station area.
2. Sitting as the Board of Commissioners of the Housing Authority, adopt Resolution No 605-C authorizing execution of this 2nd Amendment to Agreement between the County of San Mateo and the Housing Authority of San Mateo County accepting HOME funding to assist with the development of affordable housing.

Background

On June 23, 1998 the Board of Supervisors approved an agreement which provided \$200 000 of HOME program funding for Fiscal Year 97/98 to assist with the development of a 20 unit family rental complex near the Colma BART station. Shortly thereafter it was decided to acquire an adjoining parcel to increase the size of the project to 30 units. On August 18, 1998 the Board of Supervisors approved an amendment to the agreement providing an additional \$350 000 from Fiscal Year 98/99 HOME funding to support this enlarged project.

A combination of factors including unanticipated environmental hazards geotechnical conditions design constraints required by the area specific plan coordination with the pedestrian way construction, and the higher construction costs caused by the huge demand for construction services due to the expanding economy of the area have led to

significantly higher costs than originally projected. The Housing Authority has been successful in obtaining a higher 1st mortgage from SAMCO and an Affordable Housing Program grant as well as contributing a significant amount from its operating reserves to fill the gap. However, the additional funding provided by this second amendment is still needed.

This additional project funding was approved for inclusion in the HOME Action Plan for Fiscal Year 2000/01 on June 6, 2000.

Discussion

This 2nd amendment provides an additional \$175,000 to cover cost overruns on the project. The construction is almost completed. The Grand Opening was held on December 14, 2000. Initial occupancy is set for January 2001 with full rent up expected by the end of March. The project provides a mix of 1, 2, 3 and 4 bedroom units designed to serve working families meeting the required income standards. The units are designed as townhouses constructed above underground parking and include a central courtyard, community room with adjoining play yard and computer training room.

The amendment has been approved by the County Counsel's Office, and meets HUD regulations. Risk Management has reviewed and approved the contractor's insurance coverage.

Fiscal Impact

This project is included in the current Office of Housing Budget. The total new County obligation under this Amendment is \$175,000 which brings the total County contribution to \$725,000 which is all being provided by the HOME Program. There are no General Funds used in this project.

[Jack D. Marquis, HCD Specialist III, Ext 5035]

C:\TEMP\2ndpagerpt.wpd

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

*** * * * ***

**RESOLUTION AUTHORIZING EXECUTION OF
2ND AMENDMENT TO AGREEMENT WITH THE
HOUSING AUTHORITY OF SAN MATEO COUNTY
PROVIDING HOME FUNDING TO ASSIST WITH
DEVELOPMENT OF AFFORDABLE RENTAL HOUSING**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, pursuant to the National Affordable Housing Act of 1990, Public Law 101-625, enacted November 28, 1990, federal funds through the HOME Investment Partnership Act may be used to assist eligible housing development activities, and

WHEREAS, County and Contractor entered into an Agreement dated June 23, 1998, Board of Supervisors Resolution No 62048, providing \$200,000 of Fiscal Year 97/98 HOME funds to assist with the development of 20 affordable family rental units to be owned and operated by the Housing Authority of San Mateo County; and

WHEREAS, County and Contractor entered into a 1st Amendment on August 19, 1998, Board of Supervisors Resolution No 62229, providing an additional \$350,000 HOME Program funding to acquire additional land and add 10 more units to the project; and

WHEREAS, on June 6, 2000, the Board of Supervisors approved the recommendation of the HOME Program Review Committee, setting aside an additional \$175,000 of FY 2000 HOME funds to assist with said development

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance, an amendment to agreement between the County of San Mateo and the Housing Authority of San Mateo County, reference to which is hereby made for further particulars, and the Board of Supervisors has examined and approved the same as to form and content and desires to enter into the same;

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED, that the President of this Board of Supervisors be, and the President is hereby authorized and directed to execute said Amendment to Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto

*** * * * ***

RESOLUTION NO. 605-C

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO
SITTING AS THE BOARD OF COMMISSIONERS OF
THE HOUSING AUTHORITY OF THE COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

*** * * * ***

**RESOLUTION AUTHORIZING EXECUTION OF 2ND AMENDMENT TO AN
AGREEMENT WITH COUNTY HOUSING AND COMMUNITY DEVELOPMENT
ACCEPTING A LOAN FROM THE "HOME" PROGRAM**

RESOLVED, by the Board of Commissioners of the Housing Authority of the County of San Mateo, State of California, that

WHEREAS, under the State Health and Safety Code Section 34212, the Housing Authority may execute loan agreements, and

WHEREAS, the Housing Authority of the County of San Mateo is constructing new housing near the Colma BART Station for working families with a broad range of incomes who meet the income limits published annually by the U.S. Department of Housing & Urban Development (HUD); and

WHEREAS, on June 23, 1998, the Housing Authority entered into an agreement with the County of San Mateo accepting a loan in the amount of \$200,000 to assist with the financing of the new housing, which agreement was amended on August 18, 1998 to add an additional \$350,000 to the financing, and

WHEREAS, the Housing Authority applied for and was approved for an additional loan of \$175,000 of County HOME funds to complete the project; and

WHEREAS, there has been presented to this Board of Commissioners for its consideration and acceptance, a 2nd Amendment to Agreement between the County of San Mateo and the Housing Authority of the County of San Mateo, reference to which is hereby made for further particulars, and the Board of Commissioners has examined and approved the same as to form and content and desires to enter into the same,

NOW, THEREFORE, it is hereby determined and ordered that the President of the Board of Commissioners and/or Executive Director are hereby authorized to execute said Amendment to Agreement and all necessary loan documents for and on behalf of the Housing Authority of the County of San Mateo.

This Resolution shall take effect immediately

*** * * * ***

**2ND AMENDMENT TO
AGREEMENT BETWEEN
COUNTY OF SAN MATEO
AND
HOUSING AUTHORITY
OF SAN MATEO COUNTY**



Agency Contact Person.
Jack D Marquis
HCD Specialist III
802-5035

**2ND AMENDMENT TO AGREEMENT WITH
HOUSING AUTHORITY OF SAN MATEO COUNTY
PROVIDING HOME FUNDING TO ASSIST WITH
DEVELOPMENT OF AFFORDABLE RENTAL HOUSING**

THIS 2ND AMENDMENT TO AGREEMENT, made and entered into this _____ day of _____, 19__, by and between the COUNTY OF SAN MATEO, a political subdivision of the State of California, hereinafter referred to as "County", and HOUSING AUTHORITY OF SAN MATEO COUNTY, hereinafter referred to as "Contractor"

WITNESSETH

WHEREAS, pursuant to the National Affordable Housing Act of 1990, Public Law 101-625, enacted November 28, 1990, federal funds through the HOME Investment Partnership Act may be used to assist eligible housing development activities; and

WHEREAS, County and Contractor entered into an Agreement dated June 23, 1998, Board of Supervisors Resolution No. 62048, providing \$200,000 of Fiscal Year 97/98 HOME funds to assist with the development of 20 affordable family rental units to be owned and operated by the Housing Authority of San Mateo County; and

WHEREAS, County and Contractor entered into a 1st Amendment on August 19, 1998, Board of Supervisors Resolution No. 62229, providing an additional \$350,000 HOME Program funding to acquire additional land and add 10 more units to the project; and

WHEREAS, on June 6, 2000, the Board of Supervisors approved the recommendation of the HOME Program Review Committee, setting aside an additional \$175,000 of FY 2000 HOME funds to assist with said development; and

WHEREAS, County and Contractor desire to amend said Agreement;

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS

1. Paragraph A4 of the aforesaid agreement is amended to read as follows:

A. **Maximum Amount**. In full consideration of Contractor's performance of the services described in Exhibit A, the amount that the County shall be obligated to pay under this agreement shall not exceed \$725,000 for the contract term.

2. The first paragraph of that portion of Exhibit A identified as "Security" is amended to read as follows:

Contractor shall execute and deliver a Note and Deed of Trust in favor of the County in the amount of \$725,000 to secure the performance of all terms and condition of this Agreement as amended. The previous Note and Deed of Trust for \$550,000 shall be surrendered and reconveyed; the new instruments for \$725,000 shall take their place.

All other terms and conditions of the aforesaid agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands

COUNTY OF SAN MATEO

By: _____
President, Board of Supervisors

Date _____

Attest:

Clerk of Said Board

Date. _____

HOUSING AUTHORITY
OF SAN MATEO COUNTY

By: _____
Print Name & Title

Signature

Date _____

Tax ID #. 94-6000761

COUNTY OF SAN MATEO
MEMORANDUM

DATE: January 24, 2001

TO: Priscilla Harris Morse, Risk Manager

FROM: Jack D. Marquis, HCD Specialist III

FAX 802-5049PONY HSA 209

SUBJECT: Contract Insurance Approval

CONTRACTOR NAME: Housing Authority of San Mateo County

DO THEY TRAVEL: no

PERCENT OF THE TIME: n/a

NUMBER OF EMPLOYEES:

DUTIES (SPECIFIC): Development of public housing - 2nd amendment to add additional \$175,000

COVERAGE:	Amount	Approve	Waive	Modify
Comprehensive General Liability	\$2,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Motor Vehicle Liability	\$1,000,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Professional Liability	na	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worker's Compensation	\$2,000,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS/COMMENTS:

Request approval of insurance as stated above.

Priscilla Morse
SIGNATURE

PONY EPS 163	SUBMIT TO RISK MANAGEMENT OR	FAX 363-4864
--------------	---------------------------------	--------------

ACORD CERTIFICATE OF LIABILITY INSURANCE

19-Jan-2001

PRODUCER

Driver Risk Services
500 Washington Street
Suite 300
San Francisco CA 94111 (415) 371-5400

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND
CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER THIS CERTIFICATE
DOES NOT AMEND EXTEND OR ALTER THE COVERAGE AFFORDED BY THE
POLICIES BELOW

INSURED Housing Authority of the County of San Mateo
264 Harbor Blvd
Bldg A
Belmont, CA 94002
Attn: Frank Salmeron

INSURERS AFFORDING COVERAGE

Please refer to Coverages section below

594

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING
ANY REQUIREMENT TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY
PERTAIN THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES
AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

CoverageType	Insurer	Policy	EffectiveDate	ExpirationDate	LimitType	Amount
General Liability	National Union Fire Insurance Company	GLU571005RA	02-Feb-2000	02-Feb-2001	Each Occurrence	\$1 000 000
					Fire Damage (Any one fire)	\$100 000
					Med Exp (Any one person)	\$5 000
					Personal & Adv Injury	\$1 000 000
					General Aggregate	\$2 000 000
					Products - Comp/Op Agg	\$2 000 000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENTS/SPECIAL PROVISIONS

RE \$175 000 Funding Agreement for El Camino Village

This certificate cancels and replaces any or all previously issued certificates.

IMPORTANT If the certificate holder is an ADDITIONAL INSURED the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). If SUBROGATION IS WAIVED subject to the terms and conditions of the policy certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER The Certificate of Insurance on this form does not constitute a contract between the issuing insurer(s) authorized representative or producer and the certificate holder nor does it affirmatively or negatively amend extend or alter the coverage afforded by the policies listed thereon.

CERTIFICATE HOLDER

County of San Mateo Human Services Agency
Office of Housing
El Camino Village
262 Harbor Blvd
Belmont CA 94002
Attn: Jack Marquis

5884 - 850

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE
EXPIRATION DATE THEREOF THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS
WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT BUT FAILURE TO
DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY
ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF COVERAGE

NO: 2001-29-001

Covered Member: Housing Authority of County of San Mateo
264 Harbor Boulevard
Belmont CA 94002

Date Issued: 01-Jan-01

This Certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the coverages below. The coverages provided are subject to all the terms, exclusions and conditions of such coverages. Limits shown below may have been reduced by paid claims.

TYPES OF COVERAGE	COVERAGE NUMBER	COVERAGE PERIOD	LIMITS OF COVERAGE
WORKERS' COMPENSATION	CHWCA 2001 - 29	1/1/2001 - 12/31/2001	Statutory
EMPLOYERS' LIABILITY	CHWCA 2001 - 29	1/1/2001 - 12/31/2001	\$2,000,000 Each Accident \$2,000,000 Disease Coverage Limit \$2,000,000 Disease Each Employee

Description of Operations/Locations Covered; Special Items of Restrictions:

Certificate Holder:

Cancellation:

	<p>Should any of the above described coverages be cancelled before the expiration date thereof, CHWCA will mail 30 days written notice of the certificate holder named to the left, but failure to mail such a notice shall impose no obligation or liability of any kind upon CHWCA, its agents or its representatives.</p> <p>AUTHORIZED REPRESENTATIVE.</p> <p><i>Angela J. Jean</i></p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

RECEIVED
JAN - 9 2001