



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

Date: February 12, 2001

Hearing Date: March 6, 2001

TO: Honorable Board of Supervisors

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

RE: RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT TO AGREEMENT WITH THE LESLEY FOUNDATION TO PROVIDE FUNDING FOR LAND ACQUISITION FOR DEVELOPMENT OF AFFORDABLE SENIOR HOUSING

RECOMMENDATION

Adopt a resolution authorizing execution of an amendment to agreement with The Lesley Foundation to provide funding for land acquisition for development of affordable senior housing in an amount totaling \$1,202,269.

Background

Subject project is a 64-unit senior housing development in the City of Half Moon Bay. The project, while sponsored by The Lesley Foundation, is being developed by Mid-Peninsula Housing Coalition.

When The Lesley Foundation initially requested CDBG and HOME funds for the project, the intention was for the funding to be over a two-year period. Most of the funds will be used for acquisition (approximately \$808,000) and the rest for the City of Half Moon Bay's water hook-up fees assessed against newly constructed housing units.

Discussion

FY 99-00 CDBG/HOME funding of \$629,640 was approved by the Board of Supervisors on October 19, 1999 (Resolution No. 63137). Subsequent FY 00-01 CDBG/HOME funding of \$572,629 was set aside in the CDBG and HOME Action Plans by the Board respectively on April 25 and June 6, 2000. Subject amendment would combine the CDBG/HOME funding amounts from the two fiscal years into a single sum of \$1,202,269.

Honorable Board of Supervisors Memorandum
Amendment with the Lesley Foundation - Main & Arnold Sr. Housing
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Total project costs are estimated at \$8.3 million, with the balance of project funding secured from the following sources: HUD Section 202 (\$5.9 million); the Affordable Housing Program of the Federal Home Loan Bank (\$298,500); and The Lesley Foundation (\$813,226). County funding of \$1,202,269 represents just under 15% of total development costs. While 11 of the 64 units will be restricted for low income seniors under the HOME program, in fact all the units will be made affordable to low income seniors.

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

The total County obligation under this Amendment is \$572,629, provided by the CDBG/HOME Program. This project is included in the current Housing & Community Development budget. There are no General Funds used in this project.

[Marina Yu, HCD Specialist III, Ext 5039]

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RESOLUTION NO. _____

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

**RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT TO AGREEMENT BETWEEN
SAN MATEO COUNTY HUMAN SERVICES AGENCY OFFICE OF HOUSING AND THE
LESLEY FOUNDATION TO PROVIDE FUNDING FOR LAND ACQUISITION FOR
DEVELOPMENT OF AFFORDABLE SENIOR HOUSING**

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

WITNESSETH

WHEREAS, pursuant to Title 24 Section 570.201 of the Code of Federal Regulations for the Community Development Block Grant (CDBG) Program, grant assistance may be used to fund eligible activities to be carried out by private non-profit entities which are duly organized to undertake community development activities or by public agencies; and

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, The Lesley Foundation had requested acquisition and predevelopment funding over a two-year period, formally requesting funds in both the FY 99/00 and FY 00/01 CDBG and HOME funding cycles for site acquisition and other development costs to construct 64 units of senior housing in Half Moon Bay; and

WHEREAS, the Board of Supervisors, on October 19, 1999, by Resolution No. 63137, approved and entered into agreement with The Lesley Foundation to provide FY 99/00 CDBG and HOME funds of \$629,640 to assist in land acquisition; and

WHEREAS, the County has set aside FY 00/01 CDBG and HOME funds of respectively \$272,629 and \$300,000 for a total of \$572,629 to assist in consummation of the land purchase and other eligible costs; and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance an Amendment to Agreement, reference to which is hereby made for further particulars, whereby The Leslie Foundation and the County agree to amend the existing agreement between them in order to increase the amount of funds provided by the County from \$626,640 to \$1,202,269; and

WHEREAS, this Board has been presented with a form of such Amendment to Agreement and said Board has examined and approved same as both form and content and desires to enter into same:

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED, that the President of this Board of Supervisors be, and he 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 his signature thereto.

**AMENDMENT TO
AGREEMENT BETWEEN
SAN MATEO COUNTY
HUMAN SERVICES AGENCY
OFFICE OF HOUSING**

AND

THE LESLEY FOUNDATION

**TO PROVIDE FUNDING FOR LAND ACQUISITION
FOR DEVELOPMENT OF
AFFORDABLE SENIOR HOUSING**



Agency Contact Person:
Marina Yu
HCD Specialist III
802-5039

**AMENDMENT TO
AGREEMENT BETWEEN SAN MATEO COUNTY
HUMAN SERVICES AGENCY OFFICE OF HOUSING
AND THE LESLEY FOUNDATION TO PROVIDE FUNDING FOR LAND
ACQUISITION FOR DEVELOPMENT OF AFFORDABLE SENIOR
HOUSING**

THIS AGREEMENT is made and entered into this ____ day of _____, 2001, by and between the County of San Mateo ("County"), a political subdivision of the State of California, and The Lesley Foundation, a California nonprofit ("Contractor"):

WITNESSETH

WHEREAS, The Lesley Foundation had requested acquisition and predevelopment funding over a two-year period, formally requesting funds in both the FY 99/00 and FY 00/01 CDBG and HOME funding cycles for site acquisition and other development costs to construct 64 units of senior housing in Half Moon Bay; and

WHEREAS, the Board of Supervisors, on October 19, 1999, by Resolution No. 63137, approved and entered into an agreement with The Lesley Foundation to provide FY 99/00 CDBG and HOME funds of \$629,640 to assist in land acquisition (the "original Agreement"); and

WHEREAS, the County has set aside FY 00/01 CDBG and HOME funds of respectively \$272,629 and \$300,000 for a total of \$572,629 to assist in consummation of the land purchase; and

WHEREAS, the Parties desire to enter into this Amendment to Agreement in order to increase the amount of funds provided by the County from \$629,640 to \$1,202,269;

NOW THEREFORE, in consideration of these mutual covenants, the parties agree as follows:

1. Paragraph 4, Section A of the original Agreement is amended in its entirety to read:

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 One Million Two Hundred Two Thousand, Two Hundred Sixty Nine Dollars (\$1,202,269) for the contract term.

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2. **Exhibit A** to the original Agreement is amended as follows:

Paragraphs A, 1 and 2 shall be replaced in their entirety with the following:

1. Funds of \$1,202,269 provided under this Agreement are provided through the CDBG and HOME programs as shown below:

	FY 99-00	FY 00-01	TOTAL
CDBG	\$400,000	\$272,629	\$672,629
HOME	\$229,640	\$300,000	\$529,640
TOTAL	\$629,640	\$572,629	\$1,202,269

These funds shall be applied toward real property acquisition, for related closing and other eligible costs for the development of 64 units of affordable senior housing located at Main Street and Arnold Way in the City of Half Moon Bay ("Project").

2. Purchase price of real property in connection with Project is currently established at \$807,797 Subject property is described in **Exhibit F**.
3. Regarding **Exhibit A, Section D. Security** of the original Agreement, Contractor and the Director of Housing shall mutually agree whether to amend the existing Note and Deed of Trust or execute a new Note and Deed of Trust to secure increased funding under this Agreement.
4. **Exhibit B, Method and Rate of Payment** of the original Agreement is deleted in its entirety and replaced by the following:

Disbursement of Funds

Funding provided under this Agreement shall be used for real property acquisition, related closing costs and other eligible development costs in connection with the acquisition and development described in **Exhibit A**. No funds shall be disbursed until the completion of the environmental review process required under the CDBG/HOME Programs. None of the funds under this Agreement shall be used for salary, fringe benefits or other compensation of employees of Contractor and/or its affiliates.

Property Acquisition

County shall deposit the necessary funds for property acquisition directly into escrow together with enabling escrow instructions. Escrow shall be held by a mutually agreed

IN WITNESS HEREOF, the parties hereto have executed this Amendment to Agreement on the day and year first above written.

COUNTY OF SAN MATEO

By: _____
President, Board of Supervisors

Date: _____

Attest:

Clerk of Said Board

Date: _____

THE LESLEY FOUNDATION

By: *Sarah Lambert*
Signature

Sarah Lambert, Executive Director

Print Name & Title

Date: February 7, 2006

Tax ID #: 94-6103170

**Office of Housing
MEMORANDUM**

DATE: September 23, 1999
TO: Priscilla Harris Morse, Risk Manager
FROM: Marina Yu **PHONE:** 802-5039 **FAX** 802-5049 **PONY HSA 209**
SUBJECT: Contract Insurance Approval

CONTRACTOR NAME: The Lesley Foundation

DO THEY TRAVEL:

PERCENT OF THE TIME:

NUMBER OF EMPLOYEES:

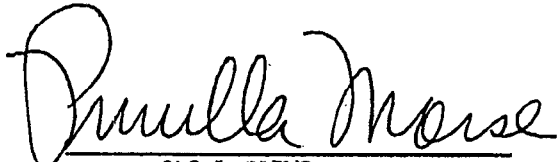
DUTIES (SPECIFIC):

Agreement provides \$629,640 to assist Contractor to purchase land to construct 64-unit senior housing complex in City of Half Moon Bay. Please note Contractor does not have auto liability insurance - their policy is for hired autos and non-owned autos.

COVERAGE:	Amount	Approve	Waive	Modify
Comprehensive General Liability	\$1,000,000	✓		
Motor Vehicle Liability	1,000,000	✓		
Professional Liability	-0-		✓	
Worker's Compensation	statutory	✓		


REMARKS/COMMENTS:

Please review and approve.


 SIGNATURE
 9-23-99
 Date

PONY EPS 163	SUBMIT TO RISK MANAGEMENT OR	FAX 363-4864
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2/12/01 Ins. agreement requires 30-day cancellation notification. We have not rec'd such; therefore, insurance has been renewed for current period.



AGORD CERTIFICATE OF LIABILITY INSURANCE

DATE
09/15

PRODUCER
HEALTH CARE INSURERS
7011 CAMPUS DRIVE
SUITE 200
COLO SPGS CO 80920-3164

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
THE LESLEY FOUNDATION
209 2ND AVENUE
SAN MATEO CA 94401

COMPANIES AFFORDING COVERAGE
COMPANY A **GUIDEONE INSURANCE**
COMPANY B
COMPANY C
COMPANY D

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNERS & CONTRACTORS PROT	1182-656	7/01/99	7/01/00	GENERAL AGGREGATE \$3,000,000 PRODUCTS - COM PROP ADD \$3,000,000 PERSONAL & ADV INJURY \$1,000,000 EACH OCCURRENCE \$1,000,000 FIRE DAMAGE (Any one fire) \$1,000,000 MED EXP (Any one person) \$ 5,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA / OCCIDENT \$ OTHER THAN AUTO ONLY: \$ EACH / OCCIDENT \$ AGGREGATE \$
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR, PARTNER, AND/OR OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				THE STATUS: <input type="checkbox"/> FULL <input type="checkbox"/> PART <input type="checkbox"/> SEAS \$ EACH ACCIDENT \$ \$ DISEASE-POLICY LIMIT \$ \$ DISEASE-BA EMPLOYEE \$
A	OTHER PROFESSIONAL	1182-656	07/01/99	07/01/00	LI 1,000,000/3,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS
SAN MATEO COUNTY IS ADDED AS AN ADDITIONAL INSURED PER ENDORSEMENT CG2026, BUT LIMITED TO THE FINANCIAL GRANT PERTAINING TO PURCHASE OF LAND.

ENDORSEMENT
SAN MATEO COUNTY
HUMAN SERVICES AGENCY
OFFICE OF HOUSING

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 LIMIT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
DE A

6678
6/1/85

ADDITIONAL INSURED — DESIGNATED PERSON OR ORGANIZATION

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization: San Mateo County
Human Services Agency
Office of Housing
262 Harbor Boulevard, Building A
Belmont, CA 94002

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule as an insured but only with respect to liability arising out of your operations or premises owned by or rented to you.

ACORD CERTIFICATE OF LIABILITY INSURANCE

CSR: GA
LESLIE

DATE (MM/DD/YY)
09/17/99

PRODUCER
Earl Goldman Insurance
Lic.#0373985
P. O. Box 5457
Concord CA 94524

Robert Young
Phone No. 925-682-3140 Fax No. 925-682-0934

INSURED

The Lesley Foundation
209 Second Ave
San Mateo CA 94401

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.

COMPANIES AFFORDING COVERAGE

- COMPANY A **State Compensation Insurance**
- COMPANY B **GuideOne Insurance**
- COMPANY C
- COMPANY D

COVERAGES

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT				GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ PERSONAL & ADV INJURY \$ EACH OCCURRENCE \$ FIRE DAMAGE (Any one fire) \$ MED EXP (Any one person) \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	1182-656	07/01/99	07/01/00	COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: \$ EACH ACCIDENT \$ AGGREGATE \$
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL	434122	01/01/99	01/01/00	WC STATUTORY LIMITS OTHER \$ EL EACH ACCIDENT \$1,000,000 EL DISEASE - POLICY LIMIT \$1,000,000 EL DISEASE - EA EMPLOYEE \$1,000,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

SANMAT2

San Mateo County
Human Services Agency
Office of Housing

CANCELLATION

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

Earl M Goldman