



Legislation Text

File #: 20-228, **Version:** 1

Resolution approving the Third Amendment to the Disposition and Development Agreement with Hisense REUS, LLC for the development of the properties located at 200 Linden and 212-216 Baden Avenue and authorizing the City Manager to execute the amendment

WHEREAS, in October 2017, the City of South San Francisco (“City”) entered into a Disposition and Development Agreement (“DDA”) with Hisense REUS, LLC (“Developer”) for the development of 97 condominium units (including 19 Below Market Rate units) (“the Project”) at 200 Linden and 212-216 Baden Avenue (“the Site”); and,

WHEREAS, pursuant to the DDA, Developer is obligated to complete the Project 18 months following the commencement of construction; and,

WHEREAS, Hisense commenced construction on November 14, 2018 and should complete construction by May 2020; and

WHEREAS, the Project has experienced delays from of six to seven months caused by heavy rain, soil contamination clean-up and complications relating to PG&E’s implementation of California Public Utilities Commission Rule 20, the Project will not be complete by May 2020; and,

WHEREAS, Hisense have requested an amendment to the DDA which will extend the construction schedule by seven months; and,

WHEREAS, staff supports the request because the delays were out of Developer’s control; and,

WHEREAS, due to current and future impacts of COVID-19, staff recommends the DDA be extended by seven months and also include an option for one additional six-month extension, to be granted administratively at the discretion of the City Manager.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of South San Francisco that the City Council does hereby resolve as follows:

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The proposed actions in this Resolution are consistent with the Long Range Property Management Plan.
3. The Third Amendment to the Disposition and Development Agreement, attached hereto as Exhibit A and incorporated herein, is hereby approved.

4. The City Manager, or his designee, is authorized to execute the Third Amendment to the Disposition and Development Agreement, attached hereto as Exhibit A and incorporated herein, and execute any necessary documents related to the Third Amendment to the Disposition and Development Agreement.

5. The City Manager, or his designee, is authorized take any and all other actions necessary to implement this intent of this Resolution, subject to approval as to form by the City Attorney.

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Exhibit A - Third Amendment to the Disposition and Development Agreement