Resolution retroactively approving the CARES Act Community Development Block Grant Coronavirus Round 3 (CDBG-CV3) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City’s CARES-CV3 program entitlement from the United States Department of Housing and Urban Development in the amount of $9,626,923 for the period beginning December 1, 2020, through June 30, 2023.

WHEREAS, Under Title I of the Housing and Community Development Act of 1974, as amended, and related Federal Regulations, the City and County of San Francisco is eligible to apply for and receive a Community Development Block Grant (CDBG); and

WHEREAS, The Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, was signed into law on March 27, 2020, to respond to the effects of the public health crisis caused by the COVID-19 pandemic; and

WHEREAS, The CARES Act allocated $5 billion in CDBG-CV funds to be used to prevent, prepare for, and respond to COVID-19, of which $2 billion shall be allocated based on fiscal year 2020 CDBG formula and $3 billion shall be allocated based on needs in the following tranches: $1 billion to States and insular areas and $2 billion to states and local governments; and

WHEREAS, San Francisco’s received an award letter for a CDBG-CV allocation based on the fiscal year 2020 CDBG formula for $10,972,734 (CDBG Round 1 Entitlement); and

WHEREAS, San Francisco received an award letter for an Emergency Solutions Grants Coronavirus (ESG-CV) allocation based on the FY2020 Emergency Solutions Grant Program.
Program formula for $5,501,459 (ESG Round 1 Entitlement) and an additional allocation based on a new needs-based formula for $43,605,003 (ESG Round 2 Entitlement); and

WHEREAS, San Francisco received an additional CDBG-CV Round 3 allocation based on a new needs-based formula for $9,626,923 (CDBG-CV3); and

WHEREAS, CDBG-CV eligible uses include rental assistance, eviction prevention services, foreclosure intervention services, capital improvements to community facilities, digital connectivity, financial assistance to small businesses, food programs, and other flexible uses for low and moderate-income individuals, including reimbursement for the costs of eligible activities incurred during the pandemic regardless of date; and

WHEREAS, The CARES Act authorizes the Secretary to grant waivers and alternative requirements of statutes and regulations to expedite and facilitate the use of funds to prepare for and respond to COVID-19, including the following flexibilities: may deviate from applicable procurement standards when using these funds to procure goods and services; the availability of a 5-day public comment period for amendments to the Consolidated Plan/Action Plan, and uncaps the percentage of CDBG funding for public services to prevent, prepare for, and respond to coronavirus; and

WHEREAS, The CDBG-CV3 expenditure plan was posted on March 16, 2021, and will be open for public comment for five business days; and

WHEREAS, The proposed grant does not require an Annual Salary Ordinance amendment; and

WHEREAS, The United States Department of Housing and Urban Development (HUD) does not allow use of grant on indirect costs; now, therefore, be it

RESOLVED, That the Mayor of the City and County of San Francisco is hereby authorized to retroactively apply for, accept, and expend the City’s CDBG-CV3 funds from HUD and expend $9,626,923 in accordance with the purposes and goals for the funding as
generally set forth in 2020-2024 Five Year Consolidated Plan and the Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby approve the purposes and goals for CDBG-CV3 funding as set forth in the Expenditure Schedule for recipient agencies and departments; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to enter into and execute agreements between the City and County of San Francisco and various agencies consistent with CDBG-CV3 Expenditure Schedule; and, be it

FURTHER RESOLVED, That the Mayor is hereby authorized to submit documentation and certifications as may be requested or required by HUD, and to take such additional actions as may be required to apply for, accept and expend the CDBG-CV3 funds consistent with this Resolution and the goals of the CDBG-CV3 Program and all applicable legal requirements, and any such actions are solely intended to further the purposes of this Resolution, and are subject in all respect to the terms of this Resolution, and any such action cannot increase the risk to the City, or require the City to expend any resources, and that the Mayor shall consult with the City Attorney prior to execution and provided that within 30 days of the agreements approved by this Resolution being executed by all parties, such final documents (showing marked changes, if any) shall be provided to the Clerk of the Board, for inclusion in the official file, together with a brief explanation of any actions from the date of the adoption of this Resolution; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the application for, or the acceptance or expenditure of CDBG-CV3 funds as
consistent with the documents herein and this Resolution, are hereby approved, confirmed and ratified.

Recommended:

/s/
Eric D. Shaw, Director

Approved:

/s/
London N. Breed, Mayor

/s/
Ben Rosenfield, Controller
Resolution retroactively approving the CARES Act Community Development Block Grant Coronavirus Round 3 (CDBG-CV3) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's CARES-CV3 program entitlement from the United States Department of Housing and Urban Development in the amount of $9,626,923 for the period beginning December 1, 2020, through June 30, 2023.

April 21, 2021 Budget and Finance Committee - RECOMMENDED

April 27, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210309

I hereby certify that the foregoing Resolution was ADOPTED on 4/27/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved

4/30/21