Resolution authorizing the Mayor’s Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities (“AHSC”) Program as a joint applicant with Sunnydale Block 3B Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3B in Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act (“CEQA”), the CEQA Guidelines, and Administrative Code, Chapter 31.

WHEREAS, The State of California, the Strategic Growth Council (“SGC”) and the Department of Housing and Community Development (“Department”) has issued a Notice of Funding Availability (“NOFA”) dated February 26, 2021, under the Affordable Housing and Sustainable Communities (“AHSC”) Program established under Division 44, Part 1 of the Public Resources Code commencing with Section 75200; and

WHEREAS, The SGC is authorized to approve funding allocations for the AHSC Program, subject to the terms and conditions of the NOFA, AHSC Program Guidelines adopted by SGC on February 24, 2021 (“Program Guidelines”), an application package released by the Department for the AHSC Program (“Application Package”), and an AHSC standard agreement with the State of California (“Standard Agreement”), the Department is
authorized to administer the approved funding allocations of the AHSC Program; and

WHEREAS, The AHSC Program provides grants and loans to applicants identified through a competitive process for the development of projects that, per the Program Guidelines, will create new affordable housing and achieve greenhouse gas reductions and benefit disadvantaged communities through increased accessibility to affordable housing, employment centers and key destinations via low-carbon transportation; and

WHEREAS, The AHSC Program requires that joint applicants for a project will be held jointly and severally liable for completion of such project; and

WHEREAS, Sunnydale Block 3B Housing Partners, L.P., a California limited partnership (“Developer”), has requested the City and County of San Francisco (the “City”), acting by and through the Mayor’s Office of Housing and Community Development (“MOHCD”), to be a joint applicant for an 90 unit, 100% affordable housing project, with 24,000 square feet of ground floor commercial space (the “Project”) identified as Sunnydale Block 3B (“Sunnydale Block 3B”); in Sunnydale HOPE SF Development Agreement (File No. 161164) and

WHEREAS, By Ordinance No. 20-17, the Board of Supervisors made findings under the California Environmental Quality Act (Public Resources Code, Sections 21000 et seq.) and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1, which Ordinance is on file with the Clerk of the Board of Supervisors in File No. 161309 and is incorporated herein by reference; and

WHEREAS, The Municipal Transportation Agency (“SFMTA”) plans to perform transit improvements in the vicinity of the Project (the “SFMTA Work”); and

WHEREAS, The Recreation and Parks Department (“SFRPD”) plans to perform bicycle and pedestrian improvements in the vicinity of the Project (the “SFRPD Work”); and

WHEREAS, SFMTA and MOHCD will enter into a Memorandum of Understanding to
make commitments related to completion of the SFMTA Work on the Project as included in the Application Package; and

WHEREAS, The City, acting by and through MOHCD, desires to apply for AHSC Program funds and submit an Application Package as a joint applicant with the Developer; and, therefore, be it

RESOLVED, That the Board of Supervisors hereby adopts the findings contained in Ordinance No. 20-17 regarding the California Environmental Quality Act for the Project, and hereby incorporates such findings by reference as though fully set forth in this Resolution; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby finds that the Project is consistent with the General Plan, and with the eight priority policies of Planning Code, Section 101.1 for the same reasons as set forth in Ordinance No. 20-17, and hereby incorporates such findings by reference as though fully set forth in this Resolution; and, be it

FURTHER RESOLVED, That the Board of Supervisors delegates to MOHCD, on behalf of the City, the authority to execute an application to the AHSC Program as detailed in the NOFA dated February 26, 2021, for Round 6, in a total amount not to exceed $16,381,500 of which $9,381,500 will be provided as a loan for an Affordable Housing Development ("AHD") ("AHSC Loan") and $7,000,000 will be provided as a grant for Housing-Related Infrastructure ("HRI"), Sustainable Transportation Infrastructure ("STI"), Transit-Related Amenities ("TRA") or Program ("PGM") activities ("AHSC Grant") as defined the AHSC Program Guidelines and sign AHSC Program documents; and, be it

FURTHER RESOLVED, The Board of Supervisors specifically agrees that the City shall assume any joint and several liability for completion of the Project required by the terms of any grant awarded to the City and the Developer under the AHSC Program; and, be it

FURTHER RESOLVED, That the Board of Supervisors acknowledges that if the
Application is successful, the City, through MOHCD, shall seek Board of Supervisors approval of the Standard Agreement, with terms and conditions that AHSC Program funds are to be used for allowable capital asset project expenditures to be identified in Exhibit A of the Standard Agreement, that the Application Package in full is incorporated as part of the Standard Agreement, and that any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Acting Director of MOHCD (or his designee) to execute and deliver any documents in the name of the City that are necessary, appropriate or advisable to secure the AHSC Program funds from the Department, and all amendments thereto, and complete the transactions contemplated herein and to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package; and, be it

FURTHER RESOLVED, That all actions authorized and directed by this Resolution and heretofore taken are ratified, approved and confirmed by this Board of Supervisors.
RECOMMENDED:

/s/ Eric D. Shaw, Director, Mayor's Office of Housing and Community Development
Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City and County of San Francisco, to execute a grant application, as defined herein, under the Department of Housing and Community Development Affordable Housing and Sustainable Communities ("AHSC") Program as a joint applicant with Sunnydale Block 3B Housing Partners, L.P., a California limited partnership, for the 100% affordable housing project as identified as Sunnydale Block 3B in Sunnydale HOPE SF Development Agreement; authorizing the City to assume any joint and several liability for completion of the projects required by the terms of any grant awarded under the AHSC Program; and adopting findings under the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31.

May 20, 2021 Government Audit and Oversight Committee - RECOMMENDED AS COMMITTEE REPORT

May 25, 2021 Board of Supervisors - ADOPTED
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210506

I hereby certify that the foregoing Resolution was ADOPTED on 5/25/2021 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