

1 [Accept and Expend Grant - California Department of Housing and Community Development -  
2 Affordable Housing and Sustainable Communities Program - Transbay Block 2 East Family -  
3 \$41,011,377]

4 **Resolution authorizing the Mayor's Office of Housing and Community Development**  
5 **("MOHCD") to execute the Standard Agreements with the California Department of**  
6 **Housing and Community Development ("HCD" or "Department") under the Affordable**  
7 **Housing and Sustainable Communities Program for a total award of \$41,011,377**  
8 **including \$28,000,000 disbursed by HCD as a loan to the Transbay 2 Family, L.P. a**  
9 **California limited partnership ("Developer") for a 100% affordable housing project at**  
10 **200 Folsom (commonly known as Transbay Block 2 East), \$7,711,377 to be disbursed**  
11 **as a grant to the Developer for regional transit and infrastructure and programmatic**  
12 **funding near Transbay Block 2 East, and \$5,300,000 to be disbursed as a grant to the**  
13 **City for public transportation improvements near Transbay Block 2 East, for the period**  
14 **starting on the execution date of the Standard Agreements through November 30, 2043;**  
15 **and authorizing MOHCD to accept and expend the grant of up to \$5,300,000 for**  
16 **transportation, streetscape and pedestrian improvements and other transit oriented**  
17 **programming and improvement as approved by HCD.**

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19 WHEREAS, The State of California, the Strategic Growth Council ("SGC") and the  
20 Department of Housing and Community Development ("Department") issued a Notice of  
21 Funding Availability ("NOFA") dated January 30, 2023, as amended March 15, 2023, under  
22 the Affordable Housing and Sustainable Communities ("AHSC") Program established under  
23 Division 44, Part 1 of the Public Resources Code commencing with Section 75200; and

24 WHEREAS, The SGC is authorized to approve funding allocations for the AHSC  
25 Program, subject to the terms and conditions of the NOFA, AHSC Program Guidelines

1 adopted by SGC on December 15, 2022, ("Program Guidelines"), an application package  
2 released by the Department for the AHSC Program ("Application Package"), and an AHSC  
3 standard agreement with the State of California ("Standard Agreement"), the Department is  
4 authorized to administer the approved funding allocations of the AHSC Program; and

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

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

12 WHEREAS, Developer, requested that the City and County of San Francisco (the  
13 "City"), acting by and through the Mayor's Office of Housing and Community Development  
14 ("MOHCD"), be a joint applicant for AHSC Program funds for Developer's affordable housing  
15 project located at 200 Folsom Street consisting of new construction of a 184-unit 100%  
16 affordable multifamily rental housing development affordable to low- to moderate-income  
17 households (excluding two manager units), with 40 units set aside for households  
18 experiencing homelessness, and 8,406 square feet of commercial space divided into one  
19 childcare facility and two community-serving commercial units (the "Project") identified as  
20 Transbay Block 2 East Family; and

21 WHEREAS, The Department of Public Works ("DPW") intends to perform bicycle and  
22 pedestrian improvements in the vicinity of the Project (the "DPW Work"), and on March 31,  
23 2023, DPW and MOHCD entered into a Memorandum of Understanding to make  
24 commitments related to completion of the DPW Work; and

1 WHEREAS, The Municipal Transportation Agency (“MTA”) intends to perform  
2 improvements to improve bus service in the vicinity of the Project (the “MTA Work”), and on  
3 March 31, 2023, MTA and MOHCD entered into a Memorandum of Understanding to make  
4 commitments related to the MTA Work; and

5 WHEREAS, The Developer intends for AHSC grant funds to purchase two San  
6 Francisco Bay Area Rapid Transit (“BART”) cars and fund improvements to the Embarcadero  
7 BART station (“the BART Work”) to further reduce greenhouse gas emissions, and on April 3,  
8 2023, the Developer and BART entered into a Memorandum of Understanding regarding the  
9 BART Work; and

10 WHEREAS, On April 4, 2023, the Board of Supervisors authorized MOHCD to apply for  
11 AHSC Program funds and submit an Application Package as a joint applicant with the  
12 Developer through Resolution No. 154-23; and

13 WHEREAS, The Project is located on Block 2 of Zone One of the Transbay  
14 Redevelopment Project Area and subject to the land use controls set forth in the  
15 Redevelopment Plan for the Transbay Redevelopment Project Area (approved by Ordinance  
16 No. 124-05 (June 21, 2005) and by Ordinance No. 99-06 (May 9, 2006), and amended by  
17 Ordinance No. 84-15 (June 18, 2015), Ordinance No. 62-16 (April 28, 2016), and Ordinance  
18 No. 009-23 (January 24, 2023) (“Redevelopment Plan”) and Development Controls and  
19 Design Guidelines for the Transbay Redevelopment Project Area, as administered and  
20 enforced by the Successor Agency to the Redevelopment Agency of the City and County of  
21 San Francisco (“Successor Agency”); and

22 WHEREAS, On June 15, 2004, the Board of Supervisors affirmed, by Motion No. 04-  
23 67, the certification under the California Environmental Quality Act (California Public  
24 Resources Code, Sections 21000 et seq., and the CEQA Guidelines (14 California Code of  
25 Regulations, Sections 15000 et. Seq. (“CEQA Guidelines”, and collectively “CEQA”)) of the

1 Final Environmental Impact Statement/Environmental Impact Report (“Final Environmental  
2 Document”) for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project  
3 (“EIS/EIR Project”), which included the Redevelopment Plan; subsequently, the Board of  
4 Supervisors adopted, by Resolution No. 612-04 (October 7, 2004), findings that various  
5 actions related to the EIS/EIR Project complied with CEQA and the Redevelopment Agency of  
6 the City and County of San Francisco Commission adopted, by Resolution No. 11-2005  
7 (January 25, 2005), findings and a statement of overriding considerations and a mitigation  
8 monitoring and reporting program, adopted in accordance with CEQA; subsequent to the  
9 adoption of the Final Environmental Document and the findings, the former Redevelopment  
10 Agency of the City and County of San Francisco or the Successor Agency have approved and  
11 incorporated ten addenda into the analysis of the Final Environmental Document (as  
12 incorporated, the “FEIS/EIR”) and made requisite findings under CEQA, a copy of which is on  
13 file with the Clerk of the Board of Supervisors in File No. 230261; and

14 WHEREAS, The grant budget includes a provision for indirect costs of up to  
15 \$1,951,706.55; and

16 WHEREAS, Through an award letter dated September 1, 2023, the Department made  
17 an award in the total amount of \$41,011,377, which includes a \$28,000,000 loan and a  
18 \$13,011,377 grant that will be disbursed subject to the terms and conditions of the form  
19 Standard Agreement (STD 213) that will result in a loan standard agreement and a grant  
20 standard agreement (together the “Standard Agreements”), a copy of which is on file with the  
21 Clerk of the Board of Supervisors in File No. 240373; now, therefore, be it

22 RESOLVED, That the Board of Supervisors approves and authorizes MOHCD to enter  
23 into the Standard Agreements with the Department, with terms and conditions that AHSC  
24 Program funds are to be used for allowable capital asset project expenditures identified in  
25 Exhibit A of the Standard Agreements; and, be it

1           FURTHER RESOLVED, That the Board Supervisors authorizes the City to accept and  
2           expend the grant funds disbursed under the Standard Agreement and, be it

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

10          FURTHER RESOLVED, That all actions authorized and directed by this Resolution and  
11          heretofore taken are ratified, approved and confirmed by this Board of Supervisors; and, be it

12          FURTHER RESOLVED, That within thirty (30) days of the Standard Agreements being  
13          fully executed by all parties, MOHCD shall provide the final agreement to the Clerk of the  
14          Board for inclusion into the official file.

1 Recommended:

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3 /s/  
4 Daniel Adams, Director  
Mayor's Office of Housing and Community Development

5 Approved:

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7 /s/  
8 London N. Breed, Mayor

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/s/  
Greg Wagner, Controller