

1 [Amend Expenditure Schedule - Retroactive - U.S. Department of Housing and Urban
2 Development - Housing Opportunities for Persons with AIDS Program - HOPWA-CV -
3 \$118,179]

4 **Resolution retroactively amending the CARES Act Housing Opportunities for Persons**
5 **with AIDS Coronavirus (HOPWA-CV) Program Expenditure Plan from the United States**
6 **Department of Housing and Urban Development to expend the amount of \$118,179 for**
7 **the period of March 15, 2020, through June 30, 2023.**

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9 WHEREAS, Under the AIDS Housing Opportunity Act, Subtitle D of Title VIII of the
10 National Affordable Housing Act of 1990, Public Law Number 101-625, the City and County of
11 San Francisco is eligible to apply for and receive funds from the Housing Opportunities for
12 Persons with AIDS (HOPWA) Program; and

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

16 WHEREAS, The CARES Act allocated \$65 million in HOPWA-CV funds to be used to
17 prevent, prepare for, and respond to COVID-19, of which \$53.7 million shall be allocated
18 based on fiscal year 2020 HOPWA formula; and

19 WHEREAS, San Francisco received an award letter for a HOPWA-CV allocation based
20 on the fiscal year 2020 HOPWA formula for \$1,028,483; and

21 WHEREAS, San Francisco enacted Resolution No. 303-20 (File 200619) on July 10,
22 2020, authorizing the Mayor to apply for, accept, and expend HOPWA-CV entitlement funding
23 according to the HOPWA-CV Expenditure Plan; and

24 WHEREAS, HOPWA-CV eligible uses include maintaining operations for rental
25 assistance, supportive services, and other necessary actions, to prepare, prevent, and

1 respond to coronavirus, including reimbursement for the costs of eligible activities incurred
2 during the pandemic regardless of date; and

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

9 WHEREAS, The HOPWA-CV Expenditure Plan was posted on Mayor’s Office of
10 Housing and Community Development’s (MOHCD) website on June 8, 2020, and was open
11 for public comment for five days, a copy of which is incorporated in File No. 200619; and

12 WHEREAS, The City and County of San Francisco is responsible for distributing a
13 portion of the HOPWA funds to the County of San Mateo as the lead agency for the San
14 Francisco Eligible Metropolitan Statistical Area (EMSA); and

15 WHEREAS, The County of San Mateo is proposing to apply its distribution of funds to
16 an amended time period starting March 15, 2020, through June 30, 2023 to allow funds to be
17 applied retroactively; and

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

20 WHEREAS, HUD does not allow use of grant on indirect costs; now, therefore, be it

21 RESOLVED, That the Mayor of the City and County of San Francisco is hereby
22 authorized to amend the HOPWA-CV Expenditure Plan in the amount of \$118,179 to allow
23 the funds distributed to the County of San Mateo to be expended in the time period starting
24 March 15, 2020, through June 30, 2023; and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors does hereby approve the
2 purposes and goals for HOPWA-CV Program funding as set forth in the Amended
3 Expenditure Schedule for recipient agencies and departments; and, be it

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

6 FURTHER RESOLVED, That the Mayor is hereby authorized to enter into and execute
7 agreements between the City and County of San Francisco and the various agencies
8 consistent with the HOPWA-CV Program and the Amended Expenditure Schedule; and, be it

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

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

1 Recommended:

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3 /s/
Eric D. Shaw, Director

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5 Approved:

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7 /s/
London N. Breed, Mayor

/s/
Ben Rosenfield, Controller

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