

1 [Apply for Grant - Delegation of San Francisco Municipal Transportation Agency as Co-
2 Applicant for Grant - Assumption of Liability - Affordable Housing and Sustainable
3 Communities Program - 480 Eddy Street Project]

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4 **Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA),**
5 **on behalf of the City and County of San Francisco, to execute a grant application, grant**
6 **agreement, and related documents under the State of California’s Affordable Housing**
7 **and Sustainable Communities Program (AHSC Program) as a joint applicant with the**
8 **Tenderloin Neighborhood Development Corporation for the project at 480 Eddy Street;**
9 **authorizing the City to assume any joint and several liability for completion of the**
10 **project required by the terms of any grant awarded under the AHSC Program; and**
11 **adopting findings under the California Environmental Quality Act (CEQA), the CEQA**
12 **Guidelines, and Administrative Code, Chapter 31.**

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14 WHEREAS, The AHSC Program was established by Division 44, Part 1 of the Public
15 Resources Code of the State of California (Section 75200 et seq.); and

16 WHEREAS, The AHSC Program was developed and is administered by the State of
17 California’s Strategic Growth Council, which adopted the 2015-2016 AH Guidelines, dated
18 December 17, 2015 (the Guidelines); and

19 WHEREAS, The Guidelines state that the State of California’s Department of Housing
20 and Community Development shall implement the transportation, housing and infrastructure
21 component of the AHSC Program; and

22 WHEREAS, The AHSC Program provides grants and loans to applicants identified
23 through a competitive process for the development of projects that, per the Guidelines, will
24 achieve greenhouse gas reductions and benefit disadvantaged communities through

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1 increased accessibility to affordable housing, employment centers and key destinations via
2 low-carbon transportation; and

3 WHEREAS, The application selection and scoring criteria in the Guidelines state that
4 additional points will be awarded to joint applications from a housing developer and a public
5 agency that has authority over public transit or transportation infrastructure, such as the
6 SFMTA; and

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

9 WHEREAS, The Tenderloin Neighborhood Development Corporation has asked
10 SFMTA to be a joint applicant for its project located at 480 Eddy Street, San Francisco (the
11 Yosemite Project); and

12 WHEREAS, The SFMTA plans to perform pedestrian improvements in the vicinity of
13 the Project (the SFMTA work), and will receive a portion of any grant funds awarded for the
14 SFMTA work; and

15 WHEREAS, The SFMTA does not have the authority under the Charter to assume
16 liability for completing affordable housing projects; therefore, in order for the City to make
17 such a commitment, the Board of Supervisors must agree to assume such liability for the City
18 and may delegate the authority to SFMTA to make such a commitment on behalf of the City;
19 and

20 WHEREAS, The Planning Department has determined that the actions contemplated in
21 this Resolution in connection with the Yosemite Project comply with the California
22 Environmental Quality Act (California Public Resources Code, Sections 21000 et seq.); and

23 WHEREAS, Said determination is on file with the Clerk of the Board of Supervisors in
24 File No. 160671 and is incorporated herein by reference; and

25 WHEREAS, The Board affirms this determination; and

1 WHEREAS, On September 5, 2014, the SFMTA, under delegation from the Planning
2 Department, determined that the extension of red zones in the vicinity of the Yosemite Project
3 were categorically exempt from environmental review under CEQA (Class 1(c)(9) - changes in
4 traffic and parking regulations where such changes do not establish a higher speed limit
5 and/or result in more than a negligible increase in the use of the street); and

6 WHEREAS, Said determination is on file with the Clerk of the Board of Supervisors in
7 File No. 160671 and is incorporated herein by reference; and

8 WHEREAS, The Board of Supervisors herein affirms this determination; and

9 WHEREAS, On May 24, 2016, the SFMTA, under delegation from the Planning
10 Department, determined that the construction of sidewalk bulb-outs in the extended red zones
11 in the vicinity of the Yosemite Project were categorically exempt from environmental review
12 under CEQA (Class 1(c)(9) - changes in traffic and parking regulations where such changes
13 do not establish a higher speed limit and/or result in more than a negligible increase in the use
14 of the street); and

15 WHEREAS, Said determination is on file with the Clerk of the Board of Supervisors in
16 File No. 160671 and is incorporated herein by reference; and

17 WHEREAS, The Board of Supervisors herein affirms this determination; and

18 WHEREAS, On June 7, 2016, the SFMTA Board of Directors adopted Resolution
19 No.16-069, recommending that the Board of Supervisors delegate to the SFMTA the authority
20 to apply for and sign AHSC Program documents as a co-applicant for the Project, provided
21 that the City accept liability for completion of the Project if required under the terms of any
22 grant awarded under the AHSC Program; authorizing the SFMTA to accept and expend the
23 grant funds for the SFMTA work should the City be awarded the grant; and

24 WHEREAS, The CEQA-related documents are on file with the Clerk of the Board of
25 Supervisors in File No. 160671; now, therefore, be it

1 RESOLVED, That the Board of Supervisors delegates to the SFMTA, on behalf of the
2 City and County of San Francisco, the authority to execute a grant application to the AHSC
3 Program and sign AHSC Program documents as a co-applicant for the Yosemite Project at
4 480 Eddy Street, San Francisco; and, specifically, the Board of Supervisors agrees that the
5 City shall assume any joint and several liability for completion of the Project required by the
6 terms of any grant awarded to the City and the private developer under the AHSC Program;
7 and, be it

8 FURTHER RESOLVED, That in accordance with the recommendation of the
9 SFMTA Board of Directors, the Board of Supervisors authorizes the Director of the
10 SFMTA (or his designee) to execute and deliver any documents that are necessary or
11 advisable to complete the transactions contemplated herein; and, be it

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

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Approved: _____
Mayor