

1 [Accept and Expend Grant - California Department of Housing and Community Development -  
2 Infill Infrastructure Grant Program - 850 Turk Street and 750 Golden Gate Avenue -  
3 \$8,091,600]

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4 **Resolution authorizing the Mayor’s Office of Housing and Community Development to**  
5 **execute a Standard Agreement with California Department of Housing and Community**  
6 **Development (HCD) under the Infill Infrastructure Grant Program for a total award of**  
7 **\$8,091,600 disbursed by HCD as a grant to the City for infrastructure improvements**  
8 **related to property located at 850 Turk Street and 750 Golden Gate Avenue selected by**  
9 **the State of California for 100% affordable housing projects for the period starting on**  
10 **the execution date of the Standard Agreement to June 30, 2030, and as amended.**

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12 WHEREAS, The State of California Department of Housing and Community  
13 Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated June 16,  
14 2022, under the Infill Infrastructure Program (“IIG Program”) established under Division 31,  
15 Part 12.5 of the Public Resources Code commencing with Section 53559; and

16 WHEREAS, The Department is authorized to approve funding allocations for the IIG  
17 Program, subject to the terms and conditions of the NOFA IIG Program Guidelines adopted by  
18 the Department on June 16, 2022 (“Program Guidelines”), an application package released by  
19 the Department for the IIG Program (“Application Package”), and an IIG standard agreement  
20 with the State of California (“Standard Agreement”), the Department is authorized to  
21 administer the approved funding allocations of the IIG Program; and

22 WHEREAS, The IIG Program provides infrastructure for Capital Improvements Projects  
23 in support of Qualifying Infill Projects or Qualifying Infill Areas to applicants identified through  
24 a competitive process for the development of projects that, per the Program Guidelines,  
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1 support higher-density affordable and mixed-income housing and mixed-use infill  
2 developments; and

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

5 WHEREAS, On January 15, 2019, Governor Gavin Newsom signed Executive Order  
6 No. N-06-19, which allows the production of Affordable housing on state-owned Excess Sites  
7 (“Excess Sites”); the Executive Order authorizes the Department of General Services (“DGS”)  
8 and the Department to identify and prioritize Excess Sites for sustainable, cost-effective, and  
9 innovative affordable housing projects; and

10 WHEREAS, The State of California owns those certain properties located at 850 Turk  
11 Street and 750 Golden Gate Avenue in San Francisco (the “Properties”), which have been  
12 declared Excess Sites for affordable housing; and

13 WHEREAS, MidPen Housing Corporation, a nonprofit public benefit corporation  
14 (“Developer”), has requested the City and County of San Francisco (the “City”), acting by and  
15 through the Mayor’s Office of Housing and Community Development (“MOHCD”), to be a joint  
16 applicant for its application for a grant to provide funding for infrastructure improvements  
17 related to the Properties selected by the State of California for three affordable housing  
18 developments, including approximately 262 units, a picnic area, children’s playground, and  
19 replacement parking for California Employment Development Department employees,  
20 identified as (the “Project”); and

21 WHEREAS, The Project is a Qualifying Infill Area under the IIG Program; and

22 WHEREAS, On April 8, 2022, by Notice of Exemption, the California Department of  
23 General Services by SCH No. 2022040213 determined that the development of the Project  
24 met all the standards of the Class 32 “Infill” Categorical Exemption (CEQA Guideline, Section  
25 15332) and the California Public Resources Code, Sections 21000 et seq., and would

1 therefore not be subject to the California Environmental Quality Act (“CEQA”); a copy of the  
2 Notice of Exemption is on file with the Clerk of the Board of Supervisors in File No. 240020,  
3 and is incorporated herein by reference; and

4 WHEREAS, The grant terms prohibit including indirect costs in the grant budget; and

5 WHEREAS, Through an award letter dated February 9, 2023, the Department made an  
6 award in the total amount of \$8,091,600 to be disbursed by HCD as a grant to the City for  
7 infrastructure work as approved by HCD, subject to the terms and conditions of the STD 213,  
8 Standard Agreement (“Standard Agreement”), a copy of which is on file with the Clerk of the  
9 Board of Supervisors in File No. 240020; now, therefore, be it

10 RESOLVED, That the Board of Supervisors approves and authorizes the MOHCD to  
11 enter into the Standard Agreement with the Department, with terms and conditions that IIG  
12 Program funds are to be used for allowable capital asset project expenditures identified in  
13 Exhibit A of the Standard Agreement; and, be it

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

16 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
17 MOHCD (or his designee) to execute and deliver any documents in the name of MOHCD that  
18 are necessary, appropriate or advisable to execute the Standard Agreement and to accept  
19 and expend the IIG Program funds from the Department, and all amendment thereto, and  
20 complete the transactions contemplated herein and to use the funds for eligible capital  
21 asset(s) in the manner presented in the application as approved by the Department and in  
22 accordance with the NOFA and Program Guidelines and Application Package; and, be it

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

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

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1 Recommended:

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3 /s/  
Eric D. Shaw, Director  
4 Mayor's Office of Housing and Community Development

5 Approved:  
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7 /s/  
London N. Breed, Mayor

/s/  
Ben Rosenfield, Controller

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