

1 [Accept and Expend Grant - California Department of Housing and Community Development
2 Infill Infrastructure Grant Program - Catalytic Qualifying Infill Area - \$45,000,000]

3 **Resolution authorizing the Mayor’s Office of Housing and Community Development**
4 **(“MOHCD”) to execute a Standard Agreement with California Department of Housing**
5 **and Community Development (“HCD” or “Department”) under the Infill Infrastructure**
6 **Grant Program - Catalytic Qualifying Infill Area for a total award of \$45,000,000**
7 **disbursed by HCD as a grant to the City for infrastructure improvements for the**
8 **housing development related to the revitalization and master development of up to**
9 **1770 units of replacement public housing, affordable housing and market rate housing,**
10 **commonly known as the Sunnydale HOPE SF Development (“Sunnydale Project”); the**
11 **housing development related to the revitalization and master development of up to**
12 **8,000 units of affordable housing and market rate housing, commonly known as the**
13 **Treasure Island Project (“Treasure Island Project”); and the housing development**
14 **related to the mixed-use urban village, including up to 1575 units of affordable and**
15 **market rate housing commonly known as the India Basin Development (“India Basin**
16 **Project”), for the period starting on the execution date of the Standard Agreement**
17 **through June 30, 2031, and any and all other documents required or deemed necessary**
18 **or appropriate, as defined herein.**

19
20 WHEREAS, The State of California Department of Housing and Community
21 Development (“Department”) issued a Request for Concept Proposals for the Infill
22 Infrastructure Grant - Catalytic Qualifying Infill Area Program (“IIGC Program”) dated
23 November 30, 2022, and issued Infill Infrastructure Grant - Catalytic Qualifying Infill Area
24 Program Guidelines and Notice of Funding Availability (collectively, the “NOFA”) dated
25

1 March 15, 2023, as amended March 22, 2023, and as further amended on August 3, 2023,
2 under the IIGC Program established under Part 12.5 of Division 31 of the Health and Safety
3 Code commencing with Section 53559; and

4 WHEREAS, The Department is authorized to approve funding allocations for the IIGC
5 Program, subject to the terms and conditions of the NOFA IIGC Program Guidelines adopted
6 by the Department on March 15, 2023, as amended March 22, 2023, and as further amended
7 on August 3, 2023 (“Program Guidelines”), an application package released by the
8 Department for the IIGC Program (“Application Package”), and an IIGC Program standard
9 agreement with the State of California (“Standard Agreement”), the Department is authorized
10 to administer the approved funding allocations of the IIGC Program; and

11 WHEREAS, The IIGC Program provides infrastructure for Capital Improvements
12 Projects in support of Qualifying Infill Projects or Qualifying Infill Areas to applicants identified
13 through a competitive process for the development of projects that, per the Program
14 Guidelines, support higher-density affordable and mixed-income housing and mixed-use infill
15 developments; and

16 WHEREAS, The City and County of San Francisco, through MOHCD, submitted an
17 application to the Department in response to the NOFA (the “Application”) and based on the
18 Application the Department made an award of Program funds (the “Program Award”); and

19 WHEREAS, On January 31, 2017, by Ordinance No. 18-17, the Board of Supervisors
20 approved the Development Agreement between the City and County of San Francisco, the
21 Housing Authority of the City and County of San Francisco, and Sunnydale Development Co.,
22 LLC, for the Sunnydale Project , which Ordinance is on file with the Clerk of the Board of
23 Supervisors in File No. 161164 and incorporated herein by reference; and

24 WHEREAS, On January 31, 2017, by Ordinance No. 20-17, the Board of Supervisors
25 made findings for the Sunnydale Project under the California Environmental Quality Act

1 (Public Resources Code Sections 21000 et seq.) and findings of consistency with the General
2 Plan, and the eight priority policies of Planning Code, Section 101.1, which Ordinance is on
3 file with the Clerk of the Board of Supervisors in File No. 161309 and is incorporated herein by
4 reference; and

5 WHEREAS, On April 21, 2011, by Motion No. 18325 (and related actions), the San
6 Francisco Planning Commission certified the Final Environmental Impact Report for the
7 Treasure Island/Yerba Buena Island Redevelopment Project, pursuant to the California
8 Environmental Quality Act (Public Resources Code §§ 21000 et seq.), which Motion is on file
9 with the Clerk of the Planning Commission and is incorporated herein by reference; and

10 WHEREAS, On June 14, 2011, the Board of Supervisors passed, and on June 15,
11 2011, the Mayor enacted Ordinance No. 95-11 (File No. 110226), approving the Development
12 Agreement between the City and County of San Francisco and Treasure Island Community
13 Development, LLC, for the Treasure Island/Yerba Buena Island Redevelopment Project, and
14 adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation
15 Monitoring and Reporting Program under CEQA for the project, which Ordinance is on file
16 with the Clerk of the Board of Supervisors and is incorporated herein by reference; and

17 WHEREAS, On June 28, 2011, the Treasure Island Development Authority and
18 Treasure Island Community Development, LLC entered into the Disposition and Development
19 Agreement (“DDA”) for the Treasure Island/Yerba Buena Island Redevelopment Project, and
20 by Resolution No. 241-11 (File No. 110291), the Board of Supervisors approved the DDA,
21 which requires that not less than twenty-five percent (25%) of the authorized residential units
22 be developed as affordable housing consistent with the City’s housing policies, which
23 resolution is on file with the Clerk of the Board of Supervisors and is incorporated herein by
24 reference; and

1 WHEREAS, On October 23, 2018, by Ordinance No. 252-18, the Board of Supervisors
2 approved the Development Agreement between the City and County of San Francisco and
3 India Basin Investment LLC, for the India Basin Project, which Ordinance is on file with the
4 Clerk of the Board of Supervisors in File No. 180681 and incorporated herein by reference;
5 and

6 WHEREAS, On January 31, 2017, by Ordinance No. 261-18, the Board of Supervisors
7 made findings for the India Basin Project under the California Environmental Quality Act
8 (Public Resources Code, Sections 21000 et seq.) and findings of consistency with the
9 General Plan, and the eight priority policies of Planning Code Section 101.1, which Ordinance
10 is on file with the Clerk of the Board of Supervisors in File No. 180816 and is incorporated
11 herein by reference; and

12 WHEREAS, MOHCD desires to award funds from the Program Award to these three
13 development agreement projects across San Francisco known as the Sunnydale Project, the
14 Treasure Island Project and the India Basin Project (the "IIGC Projects"); and

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

16 WHEREAS, The grant does not require an ASO amendment; and

17 WHEREAS, Through a conditional award letter dated August 22, 2023, the Department
18 made an award in the total amount of \$45,000,000 to be disbursed by HCD as a grant to the
19 City for infrastructure work as approved by HCD, subject to the terms and conditions of the
20 STD 213, Standard Agreement ("Standard Agreement"), a copy of which is on file with the
21 Clerk of the Board of Supervisors in File No. 251054; now, therefore, be it

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

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

3 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes and directs
4 the Director of the Mayor’s Office of Housing and Community Development to execute the
5 Standard Agreement and related documents necessary to participate in the Program; and, be
6 it

7 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes and directs
8 the Director of the Mayor’s Office of Housing and Community Development to accept and
9 incur an obligation for the Program Award in an amount not to exceed \$45,000,000, and to
10 enter into, execute, and deliver an STD 213, Standard Agreement (the “Standard
11 Agreement”), and any and all other documents required or deemed necessary or appropriate
12 to secure the Program Award from the California Department of Housing and Community
13 Development and to participate in the Program, including, but not limited to, an affordable
14 housing covenant, a performance deed of trust, a disbursement agreement, and all
15 amendments thereto (collectively, the “Program Award Documents”); and, be it

16 FURTHER RESOLVED, That the Director of the Mayor’s Office of Housing and
17 Community Development is hereby authorized to execute such documents; and, be it

18 FURTHER RESOLVED, That the Director of the Mayor’s Office of Housing and
19 Community Development, or their designee, is hereby authorized to execute the Program
20 Award Documents and all amendments thereto on behalf of the City and County of San
21 Francisco.

