

File No. 210308

Committee Item No. 6

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date April 21, 2021

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Expenditure Schedule Amendment</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Linda Wong

Date April 16, 2021

Completed by: Linda Wong

Date _____

1 [Expenditure Schedule Amendment - Retroactive - U.S. Department of Housing and Urban
2 Development Emergency Solutions Grants Program - ESG-CV Round 2 Entitlement Grant -
3 \$10,000,000]

4 **Resolution retroactively approving amendment of the CARES Act Emergency Solutions**
5 **Grants Coronavirus (ESG-CV) Round 2 Entitlement Expenditure Plan from the U.S.**
6 **Department of Housing and Urban Development in the amount of \$10,000,000 for**
7 **Operations and Services for a congregate shelter for the period of July 1, 2020, through**
8 **June 30, 2023.**

9
10 WHEREAS, Under the Stewart B. McKinney Homeless Assistance Act and Cranston
11 Gonzalez National Affordable Housing Act of 1990, the Secretary of the U.S. Department of
12 Housing and Urban Development (HUD) is authorized to make a grant to the City and County
13 of San Francisco under the Emergency Solutions Grants Program (ESG); and

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

17 WHEREAS, The CARES Act allocated \$4 billion in Emergency Solutions Grant
18 Coronavirus (ESG-CV) funds to be used to prevent, prepare for, and respond to COVID-19, of
19 which \$1 billion shall be allocated based on FY2020 ESG formula and \$3 billion shall be
20 allocated to states and units of local government based on a separate formula to be
21 developed by the Secretary of HUD; and

22 WHEREAS, San Francisco's received an award letter for a ESG-CV allocation based
23 on the FY2020 ESG formula for \$5,501,459 (Round 1 Entitlement) and an additional
24 allocation based on a new needs-based formula for \$43,605,003 (Round 2 Entitlement); and

25

1 WHEREAS, San Francisco enacted Ordinance No. 301-20 (File 200617) on July 20,
2 2020, authorizing the Mayor to apply for, accept, and expend ESG-CV Round 1 Entitlement
3 according to the ESG-CV Round 1 Expenditure Plan; and

4 WHEREAS, San Francisco enacted Ordinance No. 374-20 (File 200851) on August 21,
5 2020, authorizing the Mayor to apply for, accept, and expend ESG-CV Round 2 Entitlement
6 according to the ESG-CV Round 2 Expenditure Plan and amend the ESG Program Round 1
7 Entitlement Plan in the amount of \$3,250,000; and

8 WHEREAS, ESG-CV eligible uses include the rehabilitation or conversion of buildings
9 for use as emergency shelters for the homeless, payment of certain operating and social
10 service expenses in connection with emergency shelters and for homeless prevention
11 activities, and other flexible uses for low and moderate-income individuals, including
12 reimbursement for the costs of eligible activities incurred during the pandemic regardless of
13 date; and

14 WHEREAS, The CARES Act authorizes the Secretary to grant waivers and alternative
15 requirements of statutes and regulations to expedite and facilitate the use of funds to prepare
16 for and respond to COVID-19, including the following flexibilities: may deviate from applicable
17 procurement standards when using these funds to procure goods and services; the availability
18 of a 5-day public comment period for amendments to the Consolidated Plan/Action Plan, and
19 uncaps the percentage of CDBG funding for public services to prevent, prepare for, and
20 respond to coronavirus; and

21 WHEREAS, The ESG-CV Round 1 Entitlement Expenditure Plan was posted on
22 Mayor's Office of Housing and Community Development's (MOHCD) website on June 8,
23 2020, and was open for public comment for five days, and a proposed amendment to the
24 Round 1 Entitlement Expenditure Plan (Amended Round 1 Expenditure Plan) was posted on
25

1 MOHCD's website on August 3, 2020, and was open for public comment for five days, a copy
2 of which is incorporated in File No. 200851; and

3 WHEREAS, The ESG-CV Round 2 Entitlement Expenditure Plan was posted on
4 MOHCD's website on August 3, 2020, and was open for public comment for five days, a copy
5 of which is incorporated in File No. 200851; and

6 WHEREAS, A proposed amendment to the Round 2 Entitlement Expenditure Plan
7 (Amended Round 2 Expenditure Plan) was posted on MOHCD's website on March 16,
8 2021, and was open for public comment for five days, a copy of which is incorporated in File
9 No. 210308 and incorporated herein by reference; and

10 WHEREAS, The proposed grant does not require an Annual Salary Ordinance
11 amendment; and

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

13 RESOLVED, That Mayor of the City and County of San Francisco is hereby authorized
14 to amend the ESG-CV Round 2 Expenditure Plan in the amount of \$10,000,000 for the period
15 beginning July 1, 2020, through June 30, 2023; and

16 FURTHER RESOLVED, That the Board of Supervisors does hereby approve the
17 purposes and goals for ESG-CV Program funding as set forth in the Expenditure Schedule for
18 recipient agencies and departments; and, be it

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

21 FURTHER RESOLVED, That the Mayor is hereby authorized to enter into and execute
22 agreements between the City and County of San Francisco and various agencies consistent
23 with the ESG Program and the Expenditure Schedule; and, be it

24 FURTHER RESOLVED, That the Mayor is hereby authorized to submit documentation
25 and certifications as may be requested or required by HUD, and to take such additional

1 actions as may be required to apply for, accept and expend the ESG funds consistent with
2 this Resolution and the goals of the ESG-CV Program and all applicable legal requirements,
3 and any such actions are solely intended to further the purposes of this Resolution, and are
4 subject in all respect to the terms of this Resolution, and any such action cannot increase the
5 risk to the City, or require the City to expend any resources, and that the Mayor shall consult
6 with the City Attorney prior to execution and provided that within 30 days of the agreements
7 approved by this Resolution being executed by all parties, such final documents (showing
8 marked changes, if any) shall be provided to the Clerk of the Board, for inclusion in the official
9 file, together with a brief explanation of any actions from the date of the adoption of this
10 Resolution; and, be it

11 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City
12 with respect to the application for, or the acceptance or expenditure of, ESG-CV funds, as
13 consistent with the documents herein and this Resolution, are hereby approved, confirmed
14 and ratified.

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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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File Number: _____
(Provided by Clerk of Board of Supervisors)

Grant Resolution Information Form
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: CARES Act Emergency Solutions Grant (ESG-CV) – Round 2

2. Department: Mayor’s Office of Housing

3. Contact Person: Benjamin McCloskey Telephone: 415-701-5575

4. Grant Approval Status (check one):

Approved by funding agency Not yet approved

5. Amount of Grant Funding Approved or Applied for: \$43,605,003 Grant total / \$10,000,000 Amendment

6a. Matching Funds Required: \$0

b. Source(s) of matching funds (if applicable): N/A

7a. Grant Source Agency: US Department of Housing and Urban Development

b. Grant Pass-Through Agency (if applicable): N/A

8. Proposed Grant Project Summary: Proposed Amended Expenditure Schedule attached

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: July 1, 2020 End-Date: June 30, 2023

10a. Amount budgeted for contractual services: TBD

b. Will contractual services be put out to bid? No

c. If so, will contract services help to further the goals of the Department’s Local Business Enterprise (LBE) requirements? No

d. Is this likely to be a one-time or ongoing request for contracting out? One-time

11a. Does the budget include indirect costs? Yes No

b1. If yes, how much? \$

b2. How was the amount calculated?

c1. If no, why are indirect costs not included?

Not allowed by granting agency To maximize use of grant funds on direct services
 Other (please explain):

c2. If no indirect costs are included, what would have been the indirect costs? Typically 13%

12. Any other significant grant requirements or comments: CFDA 14.231

****Disability Access Checklist***(Department must forward a copy of all completed Grant Information Forms to the Mayor’s Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Existing Site(s) | <input type="checkbox"/> Existing Structure(s) | <input checked="" type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input checked="" type="checkbox"/> New Program(s) or Service(s) |
| <input type="checkbox"/> New Site(s) | <input type="checkbox"/> New Structure(s) | |

14. The Departmental ADA Coordinator or the Mayor’s Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor’s Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor’s Office of Disability Reviewer:

Eugene Flannery
(Name)

Environmental Compliance Manager
(Title)

Date Reviewed: 3/17/2021 | 5:23 PM PDT

DocuSigned by:
Eugene Flannery
79FDD8010510400
(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Eric D. Shaw
(Name)

Director
(Title)

Date Reviewed: 3/17/2021 | 5:31 PM PDT

DocuSigned by:
Eric D. Shaw
66E8DF01D006444...
(Signature Required)

CARES Act ESG Round 2 Proposed Expenditure Schedule Amendment

The following is a list of proposed amended expenditures for the CARES Act ESG (ESG-CV) Program Round 2. The list of recommended projects is organized by five-year objectives, priority needs and goals that are described in the 2020-2024 Consolidated Plan. While a recommended project may meet more than one goal, it is only listed under its primary goal.

Objective 1: Families and Individuals are Stably Housed

➤ Priority Need 1C: Prevent and Reduce Homelessness

- Goal 1Cii. Reduce homelessness for adults, youth and families

Agency Name	Project Description	Original ESG Funding Amount	Amended ESG Funding Amount
Department of Homelessness and Supportive Housing	Essential Services and Operations for Shelter in Place (SIP) Hotels. Estimated 360 clients. Average SIP Hotel costs is approximately \$255 per bed per night.	\$43,605,003	\$33,605,003
Department of Homelessness and Supportive Housing and Human Services Agency	Operations and Services for congregate shelter at Moscone Center, including site management, food, showers, security, utilities and other operating costs	\$0	\$10,000,000
	Subtotal	\$43,605,003	\$43,605,003

TOTAL CARES Act ESG Round 2: \$43,605,003

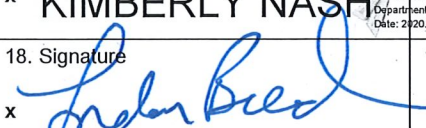
Funding Approval/Agreement

Emergency Solutions Grants Program – CARES Act Funding
 Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act,
 42 U.S.C. 11371 et seq., and the CARES Act, Public Law 116-136
 CFDA Number 14.231

U.S. Department of Housing and Urban
 Development
 Office of Community Planning and Development

1. Recipient Name and Address City Of San Francisco 1 S Van Ness Ave Fl 5 San Francisco, CA 94103-5416		2. Unique Federal Award Identification Number: E-20-MW-06-0016	
		3. Tax Identification Number: 94-6000417	
		4. Unique Entity Identifier (DUNS): 070384255	
5. Fiscal Year (yyyy): 2020 (Supplemental CARES Act funding)			
6. Previous Obligation (Enter "0" for initial CARES Act allocation)		\$5,501,459	
7. Amount of Funds Obligated or Deobligated by This Action (+ or -)		\$43,605,003	
8. Total Amount of Federal Funds Obligated		\$49,106,462	
9. Total Required Match: \$ 0			
10. Period of Performance Start Date (the date listed in Box 16) (mm/dd/yyyy) 10/13/2020		11. Period of Performance End Date (24 months after the date listed in Box 16) (mm/dd/yyyy) 10/12/2022	
12. Type of Agreement (check applicable box) <input type="checkbox"/> Initial Agreement (Purpose #1 – Initial CARES Act allocation) <input type="checkbox"/> Amendment (Purpose #2 – Deobligation of funds) <input checked="" type="checkbox"/> Amendment (Purpose #3 – Obligation of additional funds)		13. Special Conditions and Requirements <input type="checkbox"/> Not applicable <input checked="" type="checkbox"/> Attached	

General Terms and Conditions: This Agreement between the U.S. Department of Housing and Urban Development (HUD) and the Recipient is made pursuant to the authority provided under the "Homeless Assistance Grants" heading of title XII of Division B of the CARES Act (Public Law 116-136) and Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.). Subject to the CARES Act and any waivers or alternative requirements HUD shall make as provided by that Act, the Recipient's Consolidated Plan submissions (including the Recipient's approved annual Action Plan and any amendments), the Emergency Solutions Grants Program regulations at 24 CFR Part 576 (as now in effect and as may be amended from time to time), and this Agreement, including any special conditions and requirements attached to this Agreement, constitute part of this Agreement. Subject to the terms and conditions of this Agreement, HUD will make the funds available to the Recipient upon execution of this Agreement by the Recipient and HUD. The funds may be used for costs incurred by a State or locality before the Period of Performance, provided the costs are otherwise allowable and were incurred to prevent, prepare for, and respond to coronavirus. The Recipient agrees to assume all of the responsibilities with respect to environmental review, decision making, and action required under the HUD regulations at 24 CFR Part 58, subject to the exception the CARES Act provides for temporary emergency shelters. Nothing in this Agreement shall be construed as creating or justifying any claim against the federal government or the Recipient by any third party. Without the Recipient's execution of an amendment or other consent, HUD may amend this Agreement either to provide additional funds to the Recipient under the CARES Act or to deobligate funds under this Agreement in accordance with applicable law.

14. For the U.S. Department of HUD (Name, Title, and Contact Information of Authorized Official) Kimberly Nash CPD Director	15. Signature x KIMBERLY NASH <small>Digitally signed by: KIMBERLY NASH DN: CN = KIMBERLY NASH C = US O = U.S. Government OU = Department of Housing and Urban Development, Office of Administration Date: 2020.10.13 15:40:12 -0700</small>	16. Federal Award Date (mm/dd/yyyy) 10/23/2020
17. For the Recipient (Name and Title of Authorized Official) x London Breed, Mayor	18. Signature x 	19. Date (mm/dd/yyyy) 10/23/2020

Funding Information (HUD Accounting Use Only):

PAS Code: HAEV
 Appropriation: 00192
 Appro Symbol: F

Region: 09
 Office: (San Francisco)

Program Code: ES9
 Allotment: 868

Special Conditions and Requirements for CARES Act funding for ESG

Indirect Cost Rate

The Recipient shall attach a schedule of its indirect cost rate(s) in the format set forth below to the executed Agreement that is returned to HUD. The Recipient shall provide HUD with a revised schedule when any change is made to the rate(s) described in the schedule. The schedule and any revisions HUD receives from the Recipient shall be incorporated herein and made a part of this Agreement, provided that the rate(s) described comply with 2 CFR part 200, subpart E.

Instructions: The Recipient must identify each agency or department of the Recipient that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR §200.414(f)), and the type of direct cost base to which the rate will be applied (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rates for subrecipients.

<u>Recipient Department/Agency</u>	<u>Indirect cost rate</u>	<u>Direct Cost Base</u>
_____	_____ %	_____
_____	_____ %	_____
_____	_____ %	_____

Special Conditions and Requirements for CARES Act funding for ESG

Serving Youth Who Lack 3rd Party Documentation or Live in Unsafe Situations

Notwithstanding any contrary requirements under the McKinney-Vento Homeless Assistance Act or 24 CFR part 576, youth aged 24 and under who seek assistance (including shelter, services or rental assistance) shall not be required to provide third-party documentation that they meet the homeless definition in 24 CFR 578.3 as a condition for receiving assistance; and unaccompanied youth aged 24 and under (or families headed by youth aged 24 and under) who have an unsafe primary nighttime residence and no safe alternative to that residence shall be considered homeless for purposes of assistance provided by any private nonprofit organization whose primary mission is to provide services to youth aged 24 and under and families headed by youth aged 24 and under.

Recipient Integrity and Performance Matters

(applicable if the amount in Box 8 of the Agreement is greater than \$500,000)

The Recipient shall comply with the requirements in Appendix XII to 2 CFR part 200—Award Term and Condition for Recipient Integrity and Performance Matters.

Restriction on CARES Act Funds

The funds under this Agreement may only be used to prevent, prepare for, and respond to coronavirus, among individuals and families who are homeless or receiving homeless assistance, and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.

People experiencing homelessness shall not be required to receive treatment or perform any other prerequisite activities as a condition for receiving assistance.

Mayor's Office of Housing and Community Development
City and County of San Francisco



London N. Breed
Mayor

Eric D. Shaw
Director

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Brian Cheu, Director of Community Development
DATE: April 16, 2021
SUBJECT: CARES Act Emergency Solutions Grant (ESG-CV) Round 2 Amendment –
Retroactive Request (File 210308)

We respectfully request retroactive approval to modify the expenditure plan for the CARES Act Emergency Solutions Grant (ESG-CV) Round 2 grant for period beginning July 1, 2020 through June 30, 2023 (File 210308).

When the Board of Supervisors initially approved the ESG-CV Round 2 grant in August 2020, 100% of the grant was required to cover the City's anticipated expenditures for the COVID Shelter-in-Place (SIP) Hotel program serving homeless San Franciscans. In early 2021, the new Federal administration announced that FEMA would be covering additional costs related to the SIP Hotel program. This announcement allows \$10M of ESG-CV Round 2 grant funds to be redeployed to the COVID homeless shelter program at Moscone, reducing potential burden on the General Fund.

Mayor's Office of Housing and Community Development
City and County of San Francisco



London N. Breed
Mayor

Eric D. Shaw
Director

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Benjamin McCloskey, Deputy Director Mayor's Office of Housing and Community Development

DATE: March 21, 2021

SUBJECT: Amend Expenditure Schedule - ESG-CV Round 2

GRANT TITLE: CARES Act Emergency Solutions Grant (ESG-CV) – Round 2 Amendment

Attached please find electronic copies of each of the following:

- X Proposed resolution; original signed by Department, Mayor, Controller
- X Grant information form
- X Grant budget
- N/A Ethics Form 126
- X Grant agreement

Departmental representative to receive a copy of the adopted resolution:

Name: Benjamin McCloskey
Phone: 701-5575
Interoffice Mail Address: Benjamin.McCloskey@sfgov.org
Certified copy required Yes No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

From: [Peacock, Rebecca \(MYR\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Kittler, Sophia \(MYR\)](#); [Chan, Amy \(MYR\)](#); [Catapang, Rally \(MYR\)](#); [Owens, Morgan \(MYR\)](#)
Subject: Mayor -- [Resolution] -- [U.S. Department of Housing and Urban Development Emergency Solutions Grants Program - \$43,605,003 - Amend Expenditure Schedule \$10,000,000 - ESG-CV Round 2 Entitlement Grant]
Date: Tuesday, March 23, 2021 4:16:19 PM
Attachments: [\(3\) A&E MOHCD ESG CARES Grant.zip](#)

Attached for introduction to the Board of Supervisors is an **resolution approving amendment of the CARES Act Emergency Solutions Grants Coronavirus (ESG CV) Round 2 Entitlement Expenditure Plan in the amount of \$10,000,000.**

Please let me know if you have any questions.

Rebecca Peacock ([they/them](#))
(415) 554-6982 | Rebecca.Peacock@sfgov.org
Office of Mayor London N. Breed
City & County of San Francisco