#### BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

July 5, 2023

The Honorable Gavin Newsom Governor of the State of California 1020 O Street, Suite 9000 Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 330-23

Dear Governor Newsom:

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

One copy of Resolution No. 330-23 (File No. 230713)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: <a href="mailto:board.of.supervisors@sfgov.org">board.of.supervisors@sfgov.org</a>.

Sincerely,

Angela Calvillo
Clerk of the Board

II:jw:ak:ams

c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Tom Paulino, Mayor's Liaison to the Board of Supervisors

Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs

Andres Power, Mayor's Policy Director

Susanna Conine-Nakano, Mayor's Office

Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

WHERES, Developers can sell those tax credits to private investors looking to reduce their federal tax liability to generate additional capital, which can then be invested into affordable housing projects; and

WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

WHEREAS, The California Tax Credit Allocation Committee (TCAC) awards tax credits to qualified developers; and

WHEREAS, The California Debt Limit Allocation Committee (CDLAC) administers and awards allocation of the State's tax-exempt Private Activity Bonds ("PAB"), a critical vehicle to finance the new construction or acquisition and rehabilitation of multifamily affordable housing; and

WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

WHEREAS, In 2019, The California State Legislature signed into law a housing trailer bill, Assembly Bill No. 101, which provided an additional \$500 million in enhanced LIHTCs to encourage developers to seek out the 4% tax credits at a time when developers were not utilizing them; and

WHEREAS, Since 2019, there has been a significant uptick in developers applying for tax -exempt bonds, causing the available Private Activity Bonds to be over prescribed; and

WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

WHEREAS, Assembly Bill 346 would allow CDLAC to streamline the process to make amendments to the regulatory process to better meets the needs of the projects applying for LHITCs, by eliminating the requirement that any new regulation must go through the Administrative Procedures Act (APA) process; and

WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

WHEREAS, Ahead of CDLAC's April 27, 2022 meeting, the Mayor's Office of Housing and Community Development (MOHCD) submitted a number of comments on proposed regulations that threaten San Francisco's efforts to build and preserve affordable housing; and

WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date

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July 5, 2023

The Honorable Fiona Ma California State Treasurer 901 P Street, Suite 6630 Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 330-23

Dear Treasurer Ma:

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

One copy of Resolution No. 330-23 (File No. 230713)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: <a href="mailto:board.of.supervisors@sfgov.org">board.of.supervisors@sfgov.org</a>.

Sincerely.

Angela Calvillo Clerk of the Board

II:jw:ak:ams

c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Tom Paulino, Mayor's Liaison to the Board of Supervisors Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs

Andres Power, Mayor's Policy Director

Susanna Conine-Nakano, Mayor's Office

Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

WHERES, Developers can sell those tax credits to private investors looking to reduce their federal tax liability to generate additional capital, which can then be invested into affordable housing projects; and

WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

WHEREAS, The California Tax Credit Allocation Committee (TCAC) awards tax credits to qualified developers; and

WHEREAS, The California Debt Limit Allocation Committee (CDLAC) administers and awards allocation of the State's tax-exempt Private Activity Bonds ("PAB"), a critical vehicle to finance the new construction or acquisition and rehabilitation of multifamily affordable housing; and

WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

WHEREAS, In 2019, The California State Legislature signed into law a housing trailer bill, Assembly Bill No. 101, which provided an additional \$500 million in enhanced LIHTCs to encourage developers to seek out the 4% tax credits at a time when developers were not utilizing them; and

WHEREAS, Since 2019, there has been a significant uptick in developers applying for tax -exempt bonds, causing the available Private Activity Bonds to be over prescribed; and

WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

WHEREAS, Assembly Bill 346 would allow CDLAC to streamline the process to make amendments to the regulatory process to better meets the needs of the projects applying for LHITCs, by eliminating the requirement that any new regulation must go through the Administrative Procedures Act (APA) process; and

WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

WHEREAS, Ahead of CDLAC's April 27, 2022 meeting, the Mayor's Office of Housing and Community Development (MOHCD) submitted a number of comments on proposed regulations that threaten San Francisco's efforts to build and preserve affordable housing; and

WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date

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TDD/TTY No. (415) 554-5227

July 5, 2023

The Honorable Scott Wiener California State Senator California State Capitol 1021 O Street, Suite 6630 Sacramento, CA 95814-4900

Re: Board of Supervisors Resolution No. 330-23

Dear Senator Wiener:

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

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One copy of Resolution No. 330-23 (File No. 230713)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

II:jw:ak:ams

c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Tom Paulino, Mayor's Liaison to the Board of Supervisors
Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

WHERES, Developers can sell those tax credits to private investors looking to reduce their federal tax liability to generate additional capital, which can then be invested into affordable housing projects; and

WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

WHEREAS, The California Tax Credit Allocation Committee (TCAC) awards tax credits to qualified developers; and

WHEREAS, The California Debt Limit Allocation Committee (CDLAC) administers and awards allocation of the State's tax-exempt Private Activity Bonds ("PAB"), a critical vehicle to finance the new construction or acquisition and rehabilitation of multifamily affordable housing; and

WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

WHEREAS, In 2019, The California State Legislature signed into law a housing trailer bill, Assembly Bill No. 101, which provided an additional \$500 million in enhanced LIHTCs to encourage developers to seek out the 4% tax credits at a time when developers were not utilizing them; and

WHEREAS, Since 2019, there has been a significant uptick in developers applying for tax -exempt bonds, causing the available Private Activity Bonds to be over prescribed; and

WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

WHEREAS, Assembly Bill 346 would allow CDLAC to streamline the process to make amendments to the regulatory process to better meets the needs of the projects applying for LHITCs, by eliminating the requirement that any new regulation must go through the Administrative Procedures Act (APA) process; and

WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

WHEREAS, Ahead of CDLAC's April 27, 2022 meeting, the Mayor's Office of Housing and Community Development (MOHCD) submitted a number of comments on proposed regulations that threaten San Francisco's efforts to build and preserve affordable housing; and

WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date

### BOARD of SUPERVISORS



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TDD/TTY No. (415) 554-5227

July 5, 2023

The Honorable Sharon Quirk-Silva California State Assembly Member California Swing Space 1021 O Street, Room 4210 Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 330-23

Dear Assembly Member Quirk-Silva:

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

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Sincerely,

Angela Calvillo
Clerk of the Board

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Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

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WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

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WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

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WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

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WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

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## Resolution

File Number: 230713 Date Passed: June 13, 2023

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June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

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Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

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Angela Calvillo Clerk of the Board 06/23/2023

Date

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Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

July 5, 2023

The Honorable Phil Ting California State Assembly Member California State Capitol, Suite 8230 P.O. Box 942849 Sacramento, CA 94249-0019

Re: Board of Supervisors Resolution No. 330-23

Dear Assembly Member Ting:

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

One copy of Resolution No. 330-23 (File No. 230713)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo Clerk of the Board

II:jw:ak:ams

c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Jessica Duong, Assembly Member Phil Ting Chief of Staff
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

WHERES, Developers can sell those tax credits to private investors looking to reduce their federal tax liability to generate additional capital, which can then be invested into affordable housing projects; and

WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

WHEREAS, The California Tax Credit Allocation Committee (TCAC) awards tax credits to qualified developers; and

WHEREAS, The California Debt Limit Allocation Committee (CDLAC) administers and awards allocation of the State's tax-exempt Private Activity Bonds ("PAB"), a critical vehicle to finance the new construction or acquisition and rehabilitation of multifamily affordable housing; and

WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

WHEREAS, In 2019, The California State Legislature signed into law a housing trailer bill, Assembly Bill No. 101, which provided an additional \$500 million in enhanced LIHTCs to encourage developers to seek out the 4% tax credits at a time when developers were not utilizing them; and

WHEREAS, Since 2019, there has been a significant uptick in developers applying for tax -exempt bonds, causing the available Private Activity Bonds to be over prescribed; and

WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

WHEREAS, Assembly Bill 346 would allow CDLAC to streamline the process to make amendments to the regulatory process to better meets the needs of the projects applying for LHITCs, by eliminating the requirement that any new regulation must go through the Administrative Procedures Act (APA) process; and

WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

WHEREAS, Ahead of CDLAC's April 27, 2022 meeting, the Mayor's Office of Housing and Community Development (MOHCD) submitted a number of comments on proposed regulations that threaten San Francisco's efforts to build and preserve affordable housing; and

WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date

### **BOARD of SUPERVISORS**



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

July 5, 2023

The Honorable Matt Haney California State Assembly Member California State Capitol, Room 5310 P.O. Box 942849 Sacramento, CA 94249-0017

Re: Board of Supervisors Resolution No. 330-23

Dear Assembly Member Haney:

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

One copy of Resolution No. 330-23 (File No. 230713)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo Clerk of the Board

II:jw:ak:ams

c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Tom Paulino, Mayor's Liaison to the Board of Supervisors

Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs

Andres Power, Mayor's Policy Director

Susanna Conine-Nakano, Mayor's Office

Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

WHERES, Developers can sell those tax credits to private investors looking to reduce their federal tax liability to generate additional capital, which can then be invested into affordable housing projects; and

WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

WHEREAS, The California Tax Credit Allocation Committee (TCAC) awards tax credits to qualified developers; and

WHEREAS, The California Debt Limit Allocation Committee (CDLAC) administers and awards allocation of the State's tax-exempt Private Activity Bonds ("PAB"), a critical vehicle to finance the new construction or acquisition and rehabilitation of multifamily affordable housing; and

WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

WHEREAS, In 2019, The California State Legislature signed into law a housing trailer bill, Assembly Bill No. 101, which provided an additional \$500 million in enhanced LIHTCs to encourage developers to seek out the 4% tax credits at a time when developers were not utilizing them; and

WHEREAS, Since 2019, there has been a significant uptick in developers applying for tax -exempt bonds, causing the available Private Activity Bonds to be over prescribed; and

WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

WHEREAS, Assembly Bill 346 would allow CDLAC to streamline the process to make amendments to the regulatory process to better meets the needs of the projects applying for LHITCs, by eliminating the requirement that any new regulation must go through the Administrative Procedures Act (APA) process; and

WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

WHEREAS, Ahead of CDLAC's April 27, 2022 meeting, the Mayor's Office of Housing and Community Development (MOHCD) submitted a number of comments on proposed regulations that threaten San Francisco's efforts to build and preserve affordable housing; and

WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date

#### **BOARD of SUPERVISORS**



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

July 5, 2023

California Debt Limit Allocation Committee 901 P Street, Suite 213A Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 330-23

**Dear Committee Members:** 

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

One copy of Resolution No. 330-23 (File No. 230713)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo Clerk of the Board

Il:jw:ak:ams

c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Tom Paulino, Mayor's Liaison to the Board of Supervisors Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs

Andres Power, Mayor's Policy Director Susanna Conine-Nakano, Mayor's Office

Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

WHERES, Developers can sell those tax credits to private investors looking to reduce their federal tax liability to generate additional capital, which can then be invested into affordable housing projects; and

WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

WHEREAS, The California Tax Credit Allocation Committee (TCAC) awards tax credits to qualified developers; and

WHEREAS, The California Debt Limit Allocation Committee (CDLAC) administers and awards allocation of the State's tax-exempt Private Activity Bonds ("PAB"), a critical vehicle to finance the new construction or acquisition and rehabilitation of multifamily affordable housing; and

WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

WHEREAS, In 2019, The California State Legislature signed into law a housing trailer bill, Assembly Bill No. 101, which provided an additional \$500 million in enhanced LIHTCs to encourage developers to seek out the 4% tax credits at a time when developers were not utilizing them; and

WHEREAS, Since 2019, there has been a significant uptick in developers applying for tax -exempt bonds, causing the available Private Activity Bonds to be over prescribed; and

WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

WHEREAS, Assembly Bill 346 would allow CDLAC to streamline the process to make amendments to the regulatory process to better meets the needs of the projects applying for LHITCs, by eliminating the requirement that any new regulation must go through the Administrative Procedures Act (APA) process; and

WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

WHEREAS, Ahead of CDLAC's April 27, 2022 meeting, the Mayor's Office of Housing and Community Development (MOHCD) submitted a number of comments on proposed regulations that threaten San Francisco's efforts to build and preserve affordable housing; and

WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date

#### **BOARD of SUPERVISORS**



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

July 5, 2023

Senate Housing Committee 1021 O Street, Room 3330 Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 330-23

**Dear Committee Members:** 

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

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If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: <a href="mailto:board.of.supervisors@sfgov.org">board.of.supervisors@sfgov.org</a>.

Sincerely,

Angela Calvillo Clerk of the Board

II:jw:ak:ams

c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Tom Paulino, Mayor's Liaison to the Board of Supervisors Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs Andres Power, Mayor's Policy Director

Susanna Conine-Nakano, Mayor's Office

Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

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WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

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WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

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WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

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WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

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WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

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June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date

#### **BOARD of SUPERVISORS**



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San Francisco, CA 94102-4689
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Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

July 5, 2023

California Tax Credit Allocation Committee 901 P Street, Suite 213A Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 330-23

Dear Committee Members:

On June 13, 2023, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 330-23 (Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking), which was enacted on June 23, 2023.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

One copy of Resolution No. 330-23 (File No. 230713)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo Clerk of the Board

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c. Members of the Board of Supervisors, Supervisors Connie Chan, Shamann Walton, Rafael Mandelman

Tom Paulino, Mayor's Liaison to the Board of Supervisors
Sarah Owens, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

Supervisors Chan; Walton, Mandelman **BOARD OF SUPERVISORS** 

[Supporting California Assembly Bill No. 346 (Quirk-Silva): Income Tax Credits: Low-Income Housing: California Debt Limit Allocation Committee Rulemaking]

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

WHEREAS, In San Francisco and throughout California, affordable rental housing is financed with Federal Low-Income Housing Tax Credits (LIHTC), which enables affordable housing developers to raise financing through the distribution of tax benefits to investors; and

WHERES, Developers can sell those tax credits to private investors looking to reduce their federal tax liability to generate additional capital, which can then be invested into affordable housing projects; and

WHEREAS, Federal tax credits come in two forms, at 4% and at 9% tax credits, where 9% credits have a limited availability and are generally used for new construction and 4% credits are used for rehabilitation or new construction; and

WHEREAS, The California Tax Credit Allocation Committee (TCAC) awards tax credits to qualified developers; and

WHEREAS, The California Debt Limit Allocation Committee (CDLAC) administers and awards allocation of the State's tax-exempt Private Activity Bonds ("PAB"), a critical vehicle to finance the new construction or acquisition and rehabilitation of multifamily affordable housing; and

WHEREAS, In 1987, the California State Legislature created a State LIHTC program to increase the capacity of the federal tax credit program for projects that are already are receiving 4% in federal tax credits; and

WHEREAS, In 2019, The California State Legislature signed into law a housing trailer bill, Assembly Bill No. 101, which provided an additional \$500 million in enhanced LIHTCs to encourage developers to seek out the 4% tax credits at a time when developers were not utilizing them; and

WHEREAS, Since 2019, there has been a significant uptick in developers applying for tax -exempt bonds, causing the available Private Activity Bonds to be over prescribed; and

WHEREAS, A 2022 Demand Survey found that the demand for Private Activity Bonds was 3 times more than available volume cap, and as a result, no affordable housing projects in San Francisco received these bond allocations; and

WHEREAS, When the 4% bond volume cap is met, developers are not able to access the \$500 million made available in supplemental funding, Assembly Bill 346 would allow the state to transfer the remaining \$500 million in enhanced LIHTC funds to projects receiving 9% credits so that developers can still access this money; and

WHEREAS, Assembly Bill 346 would allow CDLAC to streamline the process to make amendments to the regulatory process to better meets the needs of the projects applying for LHITCs, by eliminating the requirement that any new regulation must go through the Administrative Procedures Act (APA) process; and

WHEREAS, Increasing eligibility of the state's LIHTC funds would reduce overall competition for Private Activity Bonds and increase the likelihood that San Francisco receives affordable housing funding; and

WHEREAS, Ahead of CDLAC's April 27, 2022 meeting, the Mayor's Office of Housing and Community Development (MOHCD) submitted a number of comments on proposed regulations that threaten San Francisco's efforts to build and preserve affordable housing; and

WHEREAS, As written in MOHCD's analysis at State Legislation Committee on Thursday, May 18, 2023, there was \$260 million in CDLAC funds allocated six projects in San Francisco in 2022, representing 575 units, and without this funding, these projects would not have been feasible, and streamlining the application process and increasing the availability of LIHTC would reduce the timelines for affordable housing projects to break ground; and

WHEREAS, In 2021, Supervisor Shaman Walton authored a resolution entitled "Urging Tax-Exempt Bonds Regulation Changes" which is on file with Clerk of the Board of Supervisors in File No. 210886, which is hereby declared to be a part of this Resolution as if set forth fully herein; and

WHEREAS, This resolution urged State Treasurer Fiona Ma and the California Debt Limit Allocation Committee to amend the adopted CDLAC regulation to address the regional inequities of the allocation system resulting in no awards to San Francisco; and

WHEREAS, State Assemblymember Sharon Quirk-Silva introduced Assembly Bill No. 346 which would allow the CTCAC to reallocate some of the \$500 million in enhanced state low-income housing tax credits made available from 4% federal credit projects to 9% federal credit projects; and

WHEREAS, Expanding the eligible use of the States LIHTC that also receive federal 9% credits, there could be reduced competition for private-activity tax-exempt bonds, which would bring more State funding for affordable housing projects in San Francisco; now, therefore be it.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports Assembly Bill No. 346 that would make various amendments to the low-income housing tax credits program and the California Debt Limit Allocation Committee rulemaking; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to State Senator Scott Wiener, State Assemblymember Matt Haney, State Assemblymember Phil Ting, the California State Senate Housing Committee, Governor Gavin Newsom, Treasurer Fiona Ma, the California Debt Limit Allocation Committee, the California Tax Credit Committee and the bill's primary sponsor, State Assemblymember Sharon Quirk-Silva.



# City and County of San Francisco Tails

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

## Resolution

File Number: 230713 Date Passed: June 13, 2023

Resolution supporting the passage of California State Assembly Bill No. 346, authored by Assemblymember Sharon Quirk-Silva, which would make various amendments to the Low-Income Housing Tax Credits program and the California Debt Limit Allocation Committee rulemaking.

June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230713

I hereby certify that the foregoing Resolution was ADOPTED on 6/13/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned 06/23/2023

London N. Breed Date Approved Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo Clerk of the Board 06/23/2023

Date