

1 [Loan Amendment - 2530 18th, LLC - 100% Affordable Housing - 2530-18th Street - Not to
2 Exceed Aggregate Amount of \$11,846,900]

3 **Resolution approving and authorizing the Mayor and the Director of the Mayor’s Office**
4 **of Housing and Community Development to execute a First Amendment to the Loan**
5 **Agreement with 2530 18th, LLC, a California limited liability company relating to a loan**
6 **for the acquisition of real property located at 2530-18th Street intended for the**
7 **development of a 100% affordable multifamily rental building for families (the**
8 **“Project”), for a new total loan amount not to exceed \$6,900,000 and an aggregate**
9 **funding amount not to exceed \$11,846,900 for the Project; approving the form of the**
10 **loan agreement and ancillary documents; ratifying and approving any action heretofore**
11 **taken in connection with the Project; granting general authority to City officials to take**
12 **actions necessary to implement this Resolution, as defined herein; and finding that the**
13 **loan is consistent the General Plan, and the eight priority policies of Planning Code,**
14 **Section 101.1.**

15
16 WHEREAS, The City and County of San Francisco, acting through the Mayor’s Office
17 of Housing and Community Development (“MOHCD”), administers a variety of housing
18 programs financing the development of new affordable housing and rehabilitation of single-
19 and multifamily housing for low- and moderate-income households and resources for
20 homeowners in San Francisco; and

21 WHEREAS, MOHCD enters into loan agreements with affordable housing developers
22 for the purpose of acquiring and developing 100% affordable housing within the City, including
23 permanent supportive housing for families experiencing homelessness; and

24 WHEREAS, MOHCD and the Department of Homelessness and Supportive Housing
25 (“HSH”) published a Notice of Funding Availability for acquisition and development financing

1 for Affordable Rental Housing for Families, Including Families Experiencing Homelessness,
2 on April 25, 2022 (“NOFA”); and

3 WHEREAS, Mercy Housing California, a California nonprofit public benefit corporation
4 (“MHC”), and Homeless Prenatal Program, a California nonprofit public benefit corporation
5 (“HPP”), were selected as joint developers for a predevelopment loan and an acquisition loan,
6 respectively, under the NOFA; and

7 WHEREAS, HPP established 2530 18th, LLC, a California limited liability company
8 (“Acquisition Borrower”) as an affiliate to acquire real property located at 2530-18th Street,
9 San Francisco (the “Property”), and MHC established Mercy Housing California 104, L.P., a
10 California limited partnership (the “Predevelopment Borrower”) as an affiliate to conduct
11 predevelopment activities in furtherance of the development and construction of a 100%
12 affordable, multifamily rental housing project for extremely-low, very-low, low-, and moderate-
13 income households with 1-bedroom, 2-bedroom and 3-bedroom units, and ancillary space for
14 residential property staff offices and social services support, on the Property (the “Project”);
15 and

16 WHEREAS, On August 18, 2023, the Citywide Affordable Housing Loan Committee,
17 consisting of MOHCD, HSH, Office of Community Investment and Infrastructure, and the
18 Controller’s Office of Public Finance, recommended approval to the Mayor of an acquisition
19 loan to Acquisition Borrower in the amount of \$4,900,000 and a predevelopment loan to the
20 Predevelopment Borrower in the amount of \$4,946,900 for an aggregate funding amount of
21 \$9,846,900 to finance the Project; and

22 WHEREAS, MOHCD provided a loan in the amount of \$4,900,000 (the “Loan”) to the
23 Acquisition Borrower under that certain Loan Agreement dated October 3, 2023, to finance
24 Acquisition Borrower’s purchase of the Property, and Acquisition Borrower executed that
25 certain Secured Promissory Note dated October 3, 2023, Deed of Trust, Assignment of Rents,

1 Security Agreement and Fixture Filing dated October 18, 2023, and Declaration of
2 Restrictions and Affordable Housing Covenants dated October 18, 2023, copies of which are
3 on file with the Clerk of the Board of Supervisors in File No. _____ (all of the
4 foregoing, collectively, the “Original Loan Documents”); and

5 WHEREAS, MOHCD provided a loan in the amount of \$4,946,900 to the
6 Predevelopment Borrower under that certain Loan Agreement dated December 1, 2023, to
7 finance the predevelopment activities of the Project; and

8 WHEREAS, In conjunction with Acquisition Borrower’s purchase of the Property,
9 Acquisition Borrower obtained a loan in the principal amount of \$2,000,000 from
10 CommonSpirit Health Operating Investment Pool, LLC (“Bridge Loan”); and

11 WHEREAS, The Acquisition Borrower desires to repay the Bridge Loan in order to
12 reduce holding costs of the Property while it partners with Predevelopment Borrower to further
13 design the Project and until the Project can be financed and start construction, and Acquisition
14 Borrower has requested an increase to the Loan in the amount of \$2,000,000 for such
15 purpose; and

16 WHEREAS, On November 15, 2024, the Citywide Affordable Housing Loan Committee
17 recommended approval to the Mayor of an additional loan to Acquisition Borrower in amount
18 not to exceed \$2,000,000 (“Additional Loan”), for a total loan amount not to exceed
19 \$6,900,000, and an aggregate funding amount equal to \$11,846,900 to finance the Project;
20 and

21 WHEREAS, MOHCD desires to provide the Additional Loan to the Acquisition Borrower
22 pursuant to a First Amendment to Loan Agreement, an Amended and Restated Secured
23 Promissory Note, and a First Amendment to Deed of Trust (collectively, “Loan Amendment
24 Documents”), in substantially the forms on file with the Clerk of the Board in File
25

1 No. _____, and in such final form as approved by the Director of MOHCD and the City
2 Attorney; and

3 WHEREAS, The terms and conditions of the Original Loan Documents, as amended by
4 the Loan Amendment Documents, will continue in full force and effect; and

5 WHEREAS, The Planning Department, through the General Plan Referral letter dated
6 November 14, 2024, found that the Project would be eligible for ministerial approval under
7 California Government Code, Section 65913.4 (Senate Bills 35 and 765), California Public
8 Resources Code, Section 21080, and the CEQA Guidelines, Sections 15002(i)(1), 15268 and
9 15369, would therefore not be subject to the California Environmental Quality Act (“CEQA”,
10 Pub. Resources Code, Section 21000 et seq.), and is consistent with the General Plan, and
11 the eight priority policies of Planning Code, Section 101.1; which letter is on file with the Clerk
12 of the Board of Supervisors in File No. _____, and incorporated herein by this
13 reference; now, therefore, be it

14 RESOLVED, This Board affirms the Planning Department’s determination that the
15 proposed Project and Loan is not subject to CEQA and is consistent, on balance, with the
16 General Plan, and with Planning Code, Section 101.1, for the reasons set forth in the Director
17 of Planning’s letter; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors hereby approves the Original
19 Loan Documents, as amended by the Loan Amendment Documents, and authorizes the
20 Mayor and the Director of MOHCD or the Director’s designee to enter into the Loan
21 Amendment Documents, including, without limitation, modifications of the Original Loan
22 Document and/or the Loan Amendment Documents, and preparation and attachment of, or
23 changes to, any of all of the exhibits and ancillary agreements, and any other documents or
24 instruments necessary in connection therewith, that the Director determines, in consultation
25 with the City Attorney, are in the best interest of the City, do not materially increase the

1 obligations or liabilities for the City or materially diminish the benefits of the City, or are
2 necessary or advisable to effectuate the purposes and intent of this Resolution and are in
3 compliance with all applicable laws, including the City Charter; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes and
5 delegates to the Director of MOHCD and/or the Director of Property, and their designees, the
6 authority to undertake any actions necessary to protect the City's financial security in the
7 Property and enforce the affordable housing restrictions, which may include, without limitation,
8 acquisition of the Property upon foreclosure and sale at a trustee sale, acceptance of a deed
9 in lieu of foreclosure, or curing the default under a senior loan; and, be it

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

13 FURTHER RESOLVED, That within thirty (30) days of the Loan Amendment
14 Documents being fully executed by all parties, MOHCD shall provide the Loan Amendment
15 Agreement to the Clerk of the Board for inclusion into the official file.

1 RECOMMENDED:

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/s/

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Daniel Adams, Director
Mayor's Office of Housing and Community Development

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