

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

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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

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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
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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, 2021,
8 and was open for public comment for five days, a copy of which is incorporated in File No.
9 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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