

1 [Apply for Grant - The Related Companies of California, LLC and San Francisco Housing
2 Development Corporation - Assumption of Liability - Dept. of Housing and Community
3 Development Affordable Housing and Sustainable Communities Program - 160 Freelon
4 Family]

5 **Resolution authorizing the Mayor's Office of Housing and Community Development on**
6 **behalf of the City and County of San Francisco to execute a grant application, as**
7 **defined herein, under the Department of Housing and Community Development**
8 **Affordable Housing and Sustainable Communities ("AHSC") Program as a joint**
9 **applicant with The Related Companies of California, LLC and San Francisco Housing**
10 **Development Corporation, for the 100% affordable housing project identified as 160**
11 **Freelon Family; authorizing the City to assume any joint and several liability for**
12 **completion of the projects required by the terms of any grant awarded under the AHSC**
13 **Program; and adopting findings under the California Environmental Quality Act**
14 **("CEQA"), the CEQA Guidelines, and Administrative Code, Chapter 31.**

15 WHEREAS, The State of California, the Strategic Growth Council ("SGC") and the
16 Department of Housing and Community Development ("Department") has issued a Notice of
17 Funding Availability ("NOFA") dated January 30, 2023, under the Affordable Housing and
18 Sustainable Communities ("AHSC") Program established under Division 44, Part 1 of the
19 Public Resources Code commencing with Section 75200; and

20 WHEREAS, The SGC is authorized to approve funding allocations for the AHSC
21 Program, subject to the terms and conditions of the NOFA, AHSC Program Guidelines
22 adopted by SGC on December 15, 2022 ("Program Guidelines"), an application package
23 released by the Department for the AHSC Program ("Application Package"), and an AHSC
24 standard agreement with the State of California ("Standard Agreement"), the Department is
25 authorized to administer the approved funding allocations of the AHSC Program; and

1 WHEREAS, The AHSC Program provides grants and loans to applicants identified
2 through a competitive process for the development of projects that, per the Program
3 Guidelines, will create new affordable housing and achieve greenhouse gas reductions and
4 benefit disadvantaged communities through increased accessibility to affordable housing,
5 employment centers and key destinations via low-carbon transportation; and

6 WHEREAS, The AHSC Program requires that joint applicants for a project will be held
7 jointly and severally liable for completion of such project; and

8 WHEREAS, The Related Companies of California, LLC and San Francisco Housing
9 Development Corporation (together, "Developer"), have requested the City and County of San
10 Francisco (the "City"), acting by and through the Mayor's Office of Housing and Community
11 Development ("MOHCD"), to be a joint applicant for a nine story, 85-unit, 100% affordable
12 housing project, including 22 units reserved for homeless or formally homeless families and
13 five units set aside for referrals from the City's Plus Housing list (the "Project") identified as
14 160 Freelon Family ("160 Freelon Family"); and

15 WHEREAS, On February 9, 2023, by Notice of Final Approval of an AB-2162 Project,
16 the Planning Department has determined that the development of the proposed project with a
17 ground floor community facility, met all the standards of the Planning Code and would be
18 eligible for ministerial approval under California Government Code, Section 66583 (Assembly
19 Bill 2162) and the CEQA Guidelines, Sections 15002(i)(1), 15268 and 15369, and would
20 therefore not be subject to the California Environmental Quality Act (CEQA); and

21 WHEREAS, The Municipal Transportation Agency ("SFMTA") plans to perform transit
22 improvements in the vicinity of the Project (the "SFMTA Work"); and

23 WHEREAS, The City, acting by and through MOHCD, desires to apply for AHSC
24 Program funds and submit an Application Package as a joint applicant with the Developer;
25 and

1 WHEREAS, The City, acting by and through MOHCD, desires to apply for AHSC
2 Program funds and submit an Application Package as a joint applicant with the Developer;
3 now, therefore, be it

4 RESOLVED, That the Board of Supervisors delegates to MOHCD, on behalf of the
5 City, the authority to execute an application to the AHSC Program as detailed in the NOFA
6 dated January 30, 2023, for Round 7, in a total amount not to exceed \$50,000,000 of which
7 up to \$35,000,000 will be provided as a loan to the Developer for the Project as an Affordable
8 Housing Development ("AHD") ("AHSC Loan") and a grant to the City for Housing-Related
9 Infrastructure ("HRI") and up to \$15,000,000 will be provided as a grant to the City, SFMTA,
10 and DPW for, Sustainable Transportation Infrastructure ("STI"), Transit-Related Amenities
11 ("TRA") or Program ("PGM") activities ("AHSC Grant") as defined the AHSC Program
12 Guidelines and sign AHSC Program documents; and, be it

13 FURTHER RESOLVED, The Board of Supervisors specifically agrees that the City
14 shall assume any joint and several liability for completion of the Project required by the terms
15 of any grant awarded to the City and any loan awarded to the Developer under the AHSC
16 Program; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors acknowledges that if the
18 Application is successful, the City, through MOHCD, shall seek Board of Supervisors approval
19 of the Standard Agreement, with terms and conditions that AHSC Program funds are to be
20 used for allowable capital asset project expenditures to be identified in Exhibit A of the
21 Standard Agreement, that the Application Package in full is incorporated as part of the
22 Standard Agreement, and that any and all activities funded, information provided, and
23 timelines represented in the application are enforceable through the Standard Agreement;
24 and, be it

25 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of

1 MOHCD (or his designee) to execute and deliver any documents in the name of the City that
2 are necessary, appropriate or advisable to secure the AHSC Program funds from the
3 Department, and all amendments thereto, and complete the transactions contemplated herein
4 and to use the funds for eligible capital asset(s) in the manner presented in the application as
5 approved by the Department and in accordance with the NOFA and Program Guidelines and
6 Application Package; and, be it

7 FURTHER RESOLVED, That all actions authorized and directed by this Resolution and
8 heretofore taken are ratified, approved, and confirmed by this Board of Supervisors.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RECOMMENDED:

 /s/

Eric D. Shaw, Director,
Mayor's Office of Housing and Community Development