

1 [Apply for, Accept, and Expend Grant - 1950 Mission Housing Associates, L.P. - Assumption
2 of Liability - Affordable Housing and Sustainable Communities Program - 1950 Mission Street
3 Project]

4 **Resolution authorizing the Mayor’s Office of Housing and Community Development on**
5 **behalf of the City and County of San Francisco to execute a grant application, grant**
6 **agreement, and related documents, as defined herein, under the Department of**
7 **Housing and Community Development Affordable Housing and Sustainable**
8 **Communities (AHSC) Program as a joint applicant with 1950 Mission Housing**
9 **Associates L.P., a California limited partnership for the project at 1950 Mission Street;**
10 **authorizing the City to assume any joint and several liability for completion of the**
11 **projects required by the terms of any grant awarded under the AHSC Program; and**
12 **adopting findings under the California Environmental Quality Act (CEQA), the CEQA**
13 **Guidelines and Chapter 31 of the San Francisco Administrative Code.**

14
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 October 2, 2017, 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 July 17, 2017, errata August 14, 2017 (“Program Guidelines”), an
23 application package released by the Department for the AHSC Program (“Application
24 Package”), and an AHSC standard agreement with the State of California (“Standard
25

1 Agreement”), the Department is authorized to administer the approved funding allocations of
2 the AHSC Program; and

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

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

10 WHEREAS, 1950 Mission Housing Associates LP, a California limited partnership
11 (“Developer”), has requested the City and County of San Francisco, acting by and through
12 MOHCD (the “City”), to be a joint applicant for its project located at 1950 Mission Street (the
13 “1950 Mission Project”); and

14 WHEREAS, On July 6, 2017, by Certificate of Determination, the Planning Department,
15 by case No. 2016-001514ENV, determined that the development of the 157 unit affordable
16 housing project at 1950 Mission Street is eligible for streamlined environmental review per
17 Section 15183 of the California Environmental Quality Act (“CEQA”) Guidelines and CEQA
18 Section 21083.3; and

19 WHEREAS, The Planning Department found that any environmental impacts of 1950
20 Mission Project were fully reviewed under the Eastern Neighborhoods Area Plan
21 Environmental Impact Report (“EIR”); and

22 WHEREAS, The EIR was prepared, circulated for public review and comment, and, at
23 a public hearing on August 7, 2008, by Motion No. 17659, certified by the Planning
24 Commission as complying with CEQA; and

1 WHEREAS, The San Francisco Municipal Transportation Agency (“SFMTA”) plans to
2 perform upgrades to its 22 Fillmore bus line in the vicinity of the Project (the “SFMTA Work”);
3 and

4 WHEREAS, On March 27, 2014, the San Francisco Planning Commission certified the
5 Environmental Impact Report for SFMTA’s Transit Effectiveness Project (“TEP”) and adopted
6 CEQA findings for Case No. 2011.0558E, which approved the transit improvements for the
7 construction of the 22 Fillmore bus line improvements; and

8 WHEREAS, The CEQA-related documents are on file with the Clerk of the Board of
9 Supervisors in File No. 140326; and

10 WHEREAS, The City and County of San Francisco acting by and through the Mayor’s
11 Office of Housing and Community Development (the “City”) desires to apply for AHSC
12 Program funds and submit an Application Package as a joint applicant with the Developer;
13 and

14 WHEREAS, In order for the City to make certain commitments in the Application
15 Package, SFMTA and MOHCD will enter into a Memorandum of Understanding to make such
16 commitments on behalf of the City; now, therefore, be it

17 RESOLVED, That the Board of Supervisors delegates to MOHCD, on behalf of the City
18 and County of San Francisco, the authority to execute an application to the AHSC Program as
19 detailed in the NOFA dated October 2, 2017, for Round 3, in a total amount not to exceed
20 \$15,000,000 of which up to \$10,000,000 is requested as a loan for an Affordable Housing
21 Development (AHD) (“AHSC Loan”) and up to \$5,000,000 is requested for a grant for
22 Housing-Related Infrastructure (HRI), Sustainable Transportation Infrastructure (STI), Transit-
23 Related Amenities (TRA) or Program (PGM) activities (“AHSC Grant”) as defined the AHSC
24 Program Guidelines and sign AHSC Program documents; and if the Application is approved,
25 to enter into, execute, and deliver AHSC Program documents, including a Standard

1 Agreement in a total amount not to exceed \$10,000,000 for the AHSC Loan and \$5,000,000
2 for the AHSC Grant), and any and all other documents required or deemed necessary or
3 appropriate to secure the AHSC Program funds from the Department, and all amendments
4 thereto (collectively, the “AHSC Documents”) as a co-applicant for the Project at 1950 Mission
5 Street, San Francisco; and, be it

6 FURTHER RESOLVED, the Board of Supervisors specifically agrees that the City shall
7 assume any joint and several liability for completion of the Project required by the terms of
8 any grant awarded to the City and the Developer under the AHSC Program; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors acknowledges that if the
10 Application is successful, the City, through MOHCD, shall be subject to the terms and
11 conditions as specified in the Standard Agreement, that AHSC Program funds are to be used
12 for allowable capital asset project expenditures to be identified in Exhibit A of the Standard
13 Agreement, that the Application Package in full is incorporated as part of the Standard
14 Agreement, and that any and all activities funded, information provided, and timelines
15 represented in the application are enforceable through the Standard Agreement; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
17 MOHCD (or her designee) to execute and deliver any documents in the name of the City that
18 are necessary, appropriate or advisable to secure the AHSC Program funds from the
19 Department, and all amendments thereto, and complete the transactions contemplated herein
20 and to use the funds for eligible capital asset(s) in the manner presented in the application as
21 approved by the Department and in accordance with the NOFA and Program Guidelines and
22 Application Package; and, be it

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

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1 FURTHER RESOLVED, That within thirty (30) days of the contract being fully executed
2 by all parties, the MOHCD shall provide the final contract to the Clerk of the Board for
3 inclusion into the official file.

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7 RECOMMENDED:

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10 Kate Hartley, Director, Mayor’s Office of Housing and Community Development