

1 [Apply for Grant - Sunnydale Block 3A Housing Partners, L.P. - Assumption of Liability -
2 Department of Housing and Community Development Affordable Housing and Sustainable
3 Communities Program - Sunnydale Block 3A]

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, as**
6 **defined herein, under the Department of Housing and Community Development**
7 **Affordable Housing and Sustainable Communities (“AHSC”) Program as a joint**
8 **applicant with Sunnydale Block 3A Housing Partners, L.P., a California limited**
9 **partnership, for the 100% affordable housing project as identified as Sunnydale**
10 **Block 3A in Sunnydale HOPE SF Development Agreement; authorizing the City to**
11 **assume any joint and several liability for completion of the projects required by the**
12 **terms of any grant awarded under the AHSC Program; and adopting findings under the**
13 **California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and**
14 **Administrative Code, Chapter 31.**

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16 WHEREAS, The State of California, the Strategic Growth Council (“SGC”) and the
17 Department of Housing and Community Development (“Department”) has issued a Notice of
18 Funding Availability (“NOFA”) dated February 26, 2021, under the Affordable Housing and
19 Sustainable Communities (“AHSC”) Program established under Division 44, Part 1 of the
20 Public Resources Code commencing with Section 75200; and

21 WHEREAS, The SGC is authorized to approve funding allocations for the AHSC
22 Program, subject to the terms and conditions of the NOFA, AHSC Program Guidelines
23 adopted by SGC on February 24, 2021 (“Program Guidelines”), an application package
24 released by the Department for the AHSC Program (“Application Package”), and an AHSC
25

1 standard agreement with the State of California (“Standard Agreement”), the Department is
2 authorized to administer the approved funding allocations of 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 create new affordable housing and achieve greenhouse gas reductions and
6 benefit disadvantaged communities through increased accessibility to affordable housing,
7 employment centers and key 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, Sunnydale Block 3A Housing Partners, L.P., a California limited
11 partnership (“Developer”), has requested the City and County of San Francisco (the “City”),
12 acting by and through the Mayor’s Office of Housing and Community Development
13 (“MOHCD”), to be a joint applicant for an 80 unit, 100% affordable housing project, with 4,300
14 square feet of ground floor commercial space (the “Project”) identified as Sunnydale Block 3A
15 (“Sunnydale Block 3A”); in Sunnydale HOPE SF Development Agreement (File No. 161164);
16 and

17 WHEREAS, By Ordinance No. 20-17, the Board of Supervisors made findings under
18 the California Environmental Quality Act (Public Resources Code, Sections 21000 et seq.)
19 and findings of consistency with the General Plan, and the eight priority policies of Planning
20 Code, Section 101.1, which Ordinance is on file with the Clerk of the Board of Supervisors in
21 File No. 161309 and is incorporated herein by reference; and

22 WHEREAS, In order to be highly competitive for the AHSC funds, the Developer and
23 MOHCD will also apply for AHSC grant funds to purchase Caltrain vehicles (“Caltrain
24 vehicles) in order to further reduce greenhouse gas emissions; and

25 WHEREAS, The Recreation and Parks Department (“SFRPD”) plans to perform bicycle

1 and pedestrian improvements in the vicinity of the Project (the “SFRPD Work”); and

2 WHEREAS, Caltrain and Developer will enter into a Memorandum of Understanding to
3 make commitments related to purchase of the Caltrain vehicles as included in the Application
4 Package; and

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

8 RESOLVED, That the Board of Supervisors hereby adopts the findings contained in
9 Ordinance No. 20-17 regarding the California Environmental Quality Act for the Project, and
10 hereby incorporates such findings by reference as though fully set forth in this Resolution;
11 and, be it

12 FURTHER RESOLVED, That the Board of Supervisors hereby finds that the Project is
13 consistent with the General Plan, and with the eight priority policies of Planning Code,
14 Section 101.1 for the same reasons as set forth in Ordinance No. 20-17, and hereby
15 incorporates such findings by reference as though fully set forth in this Resolution; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors delegates to MOHCD, on
17 behalf of the City, the authority to execute an application to the AHSC Program as detailed in
18 the NOFA dated February 26, 2021, for Round 6, in a total amount not to exceed \$21,700,000
19 of which \$10,850,000 will be provided as a loan for an Affordable Housing Development
20 (“AHD”) (“AHSC Loan”) and \$10,850,000 will be provided as a grant for Housing-Related
21 Infrastructure (“HRI”), Sustainable Transportation Infrastructure (“STI”), Transit-Related
22 Amenities (“TRA”) or Program (“PGM”) activities (“AHSC Grant”) as defined the AHSC
23 Program Guidelines and sign AHSC Program documents; and, be it

24 FURTHER RESOLVED, The Board of Supervisors specifically agrees that the City
25 shall assume any joint and several liability for completion of the Project required by the terms

1 of any grant awarded to the City and the Developer under the AHSC Program; and, be it

2 FURTHER RESOLVED, That the Board of Supervisors acknowledges that if the
3 Application is successful, the City, through MOHCD, shall seek Board of Supervisors approval
4 of the Standard Agreement, with terms and conditions that AHSC Program funds are to be
5 used for allowable capital asset project expenditures to be identified in Exhibit A of the
6 Standard Agreement, that the Application Package in full is incorporated as part of the
7 Standard Agreement, and that any and all activities funded, information provided, and
8 timelines represented in the application are enforceable through the Standard Agreement;
9 and, be it

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

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

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RECOMMENDED:

/s/ _____

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