



EXECUTIVE SUMMARY

HOUSING COMMISSION EXECUTIVE SUMMARY SHEET

MEETING DATE: May 12, 2023

HCR23-065

SUBJECT: Authorization to Apply for State of California Department of Housing and Community Development Homekey Program Grant Funds – 2147 Abbott Street

COUNCIL DISTRICT(S): 2

ORIGINATING DEPARTMENT: Real Estate

CONTACT/PHONE NUMBER: Emily S. Jacobs (619) 578-7423

REQUESTED ACTION:

Authorize and direct the San Diego Housing Commission (Housing Commission) to submit a joint application with Wakeland Housing and Development Corporation (Wakeland) to the State of California Department of Housing and Community Development Homekey Program for grant funds in an amount up to \$5,000,000 in accordance with the March 29, 2023, Notice of Funding Availability (NOFA) for the Homekey Program and to enter into, execute, and deliver a Standard Agreement in a total amount up to \$5,000,000 and any and all other documents required or deemed necessary or appropriate to secure the Homekey Program funds, as more specifically set forth within the report.

EXECUTIVE SUMMARY OF KEY FACTORS:

- The State of California Department of Housing and Community Development (Department) issued a Notice of Funding Availability (NOFA), dated March 29, 2023, for the Homekey Program, which continues a statewide effort to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness.
- The San Diego Housing Commission (Housing Commission) is requesting approval from the Board of Commissioners to submit a joint application with Wakeland for grant funds to support the acquisition and rehabilitation of a currently vacant multifamily housing property at 2147 Abbott Street, San Diego, CA 92107, in Council District 2.
- The proposed development would consist of 13 affordable rental housing units for households experiencing chronic homelessness in the City of San Diego.
- The Housing Commission has committed 13 Project-Based Housing Vouchers to help pay rent for residents.
- Acceptance of the grant funds, if awarded, will be presented to the Housing Authority of the City of San Diego together with staff-recommended actions to approve the proposed project that the Homekey Program funds would support.
- The potential award of Homekey Program funds is not included in the Housing Commission's proposed Fiscal Year 2024 budget, which is scheduled to be presented to the Housing Authority of the City of San Diego for action on June 12, 2023. If the Housing Commission is authorized to apply for funds and if the funds are awarded to the Housing Commission, it will increase the Fiscal Year 2024 funding sources and uses available by up to \$5,000,000 to support the proposed project.



REPORT

DATE ISSUED: May 4, 2023

REPORT NO: HCR23-065

ATTENTION: Chair and Members of the San Diego Housing Commission
For the Agenda of May 12, 2023

SUBJECT: Authorization to Apply for State of California Department of Housing
and Community Development Homekey Program Grant Funds – 2147
Abbott Street

COUNCIL DISTRICT: 2

REQUESTED ACTION

Authorize and direct the San Diego Housing Commission (Housing Commission) to submit a joint application with Wakeland Housing and Development Corporation (Wakeland) to the State of California Department of Housing and Community Development Homekey Program for grant funds in an amount up to \$5,000,000 in accordance with the March 29, 2023, Notice of Funding Availability (NOFA) for the Homekey Program and to enter into, execute, and deliver a Standard Agreement in a total amount up to \$5,000,000 and any and all other documents required or deemed necessary or appropriate to secure the Homekey Program funds, as more specifically set forth within the report.

STAFF RECOMMENDATION

That the San Diego Housing Commission (Housing Commission) Board of Commissioners (Board) take the following actions:

- 1) Authorize and direct the Housing Commission to submit a joint application with Wakeland Housing and Development Corporation (Wakeland) to the State of California Department of Housing and Community Development (Department) Homekey Program for grant funds in an amount up to \$5,000,000 in accordance with the March 29, 2023, Notice of Funding Availability (NOFA) for the Homekey Program for the acquisition and rehabilitation of a 13-unit multifamily housing property at 2147 Abbott Street, San Diego, CA 92107.
- 2) If the application is approved and the proposed project is subsequently approved by the Housing Authority of the City of San Diego, authorize and direct the Housing Commission to join Wakeland in entering into, executing, and delivering a Standard Funding Agreement with the Department in a total amount up to \$5,000,000 and any and all other documents required or deemed necessary or appropriate to secure Homekey Program funds from the Department, and to participate in the Homekey Program, provided that a copy of the documents, signed as to form by General Counsel, are submitted to each Housing Commissioner.

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The Housing Commission acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement, and that the NOFA and application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the application are enforceable through the Standard Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.

- 3) Authorize Jeff Davis, the Housing Commission's Interim President & Chief Executive Officer, or designee, to execute the application and the Homekey Program documents on behalf of the Housing Commission and Wakeland for participation in the Homekey Program.
- 4) Authorize the Housing Commission's Interim President & CEO, or designee, to execute all documents and instruments that are necessary and/or appropriate to implement these approvals, in a form approved by General Counsel, and to take such actions as are necessary and/or appropriate to implement these approvals. provided that a copy of the documents, signed as to form by General Counsel, are submitted to each Housing Commissioner.

SUMMARY

The Department has issued a NOFA, dated March 29, 2023, for the Homekey Program, which continues a statewide effort to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness, and who are, thereby, disproportionately impacted by and at increased risk for medical diseases or conditions due to the COVID-19 pandemic or other communicable diseases. The Department has issued the NOFA for Homekey Program grant funds pursuant to Assembly Bill 140 (2021-2022 Regular Session), which provided the statutory basis for Round 3 of the Homekey Program by adding section 50675.1.3 to the California Health and Safety Code .

The Housing Commission is requesting the Housing Commission Board's approval to submit a joint application with Wakeland to the Department's Homekey Program for grant funds. Acceptance of the grant funds, if awarded, will be presented to the Housing Authority of the City of San Diego for consideration together with staff-recommended actions to approve the proposed project that the Homekey Program funds would support.

Through the Homekey Program, the Department is making \$736 million in grant funding available to local public entities, including cities, counties, or other local public entities, including housing authorities or federally recognized tribal governments within California. Awarded funds may be used for acquisition or rehabilitation of hotels, apartments, or homes, including manufactured housing, to be converted into permanent or interim housing; conversion of nonresidential properties into residential units; new construction; master leasing of properties for non-congregate housing; purchase of affordability covenants and restrictions for units; relocation costs for individuals being displaced as a result of the Homekey Program project; and capitalized operating subsidies for units purchased, converted, constructed, or altered.

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The proposed joint application by the Housing Commission and Wakeland Abbott LLC, if funds are awarded, would support the acquisition and rehabilitation of a currently vacant multifamily housing property at 2147 Abbott Street, San Diego, CA 92107, in Council District 2. In 1997, the Housing Commission restricted the then 14 units at the property to persons with income at or below 80% of San Diego's Area Median Income (AMI). The Housing Commission subsequently allowed the property to be reconfigured to provide 10 transitional housing units for victims of domestic violence, with nine units restricted at or below 35% of AMI and one unit restricted at or below 50% of AMI. The foregoing restrictions further provided that if the property is no longer utilized as transitional housing, the restrictions would revert back to 14 units at 80% of AMI. The proposed development would eliminate and replace the prior Housing Commission restrictions and would consist of 13 affordable rental housing units for households experiencing chronic homelessness with income under 30 percent of AMI, currently \$27,350 per year for a one-person household, and one office/service space. The Housing Commission has committed 13 Project-Based Housing Vouchers to help residents pay their rent. Residents would be identified through referrals from the Coordinated Entry System and would include individuals experiencing chronic homelessness. Residents would receive supportive services to support housing stabilization, enhance quality of life and make connections to community resources, including but not limited to, primary health needs, mental and behavioral health needs and other community-based programs to best meet a resident's individual needs.

The proposed project aligns with the goals of the Community Action Plan on Homelessness for the City of San Diego to increase access to permanent housing solutions for people experiencing homelessness and increase access to services for people with behavioral health needs.

Homekey Program funds consist of \$435 million derived from the federal Coronavirus State Fiscal Recovery Fund (CSFRF), established by the federal American Rescue Plan Act of 2021 (ARPA) (Public Law 117- 2), and \$301 million from the state's General Fund.

The Department is authorized to administer the Homekey Program pursuant to the Multifamily Housing Program (Chapter 6.7, commencing with Section 50675, of Part 2 of Division 31 of the Health and Safety Code). Homekey Program funding allocations are subject to the terms and conditions of the NOFA, ARPA guidance, the Application, the Department-approved STD 213, Standard Agreement (Standard Agreement), and all other legal requirements of the Homekey Program.

AFFORDABLE HOUSING IMPACT

The application, if selected for funding, would increase funds available for use within the City of San Diego by \$5,000,000 to support the acquisition and rehabilitation of a 13-unit multifamily housing property to provide affordable rental housing for individuals experiencing homelessness.

FISCAL CONSIDERATIONS

If Homekey Program funds are awarded to the Housing Commission, the award is anticipated to occur early in Fiscal Year 2024. The potential award of Homekey Program funds is not included in the Housing Commission's proposed Fiscal Year 2024 budget, which is scheduled to be

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presented to the Housing Authority of the City of San Diego for action on June 12, 2023. If the Housing Commission is authorized to apply for funds and if the funds are awarded to the Housing Commission, it will increase the Fiscal Year 2024 funding sources and uses available by up to \$5,000,000 to support the proposed project.

Funding sources and uses approved by this action will be as follows:

Wakeland OB Project	
Source	Amount
State Homekey Program Funds	Up to \$5,000,000
Uses	Amount
OB acquisition and rehabilitation	Up to \$5,000,000
TOTAL SOURCES	Up to \$5,000,000
TOTAL USES	Up to \$5,000,000

HOUSING COMMISSION STRATEGIC PLAN

This item relates to Strategic Priority Area No. 1 and No.4 in the Housing Commission Strategic Plan for Fiscal Year (FY) 2022-2024. No.1: Increasing and Preserving Housing Solutions. No.4: Advancing Homelessness Solutions – Supporting the City of San Diego Community Action Plan on Homelessness.

EQUAL OPPORTUNITY CONTRACTING AND EQUITY ASSURANCE

The Housing Commission and Wakeland Housing have developed a comprehensive Racial Disparity Analysis and Community Engagement plan in accordance with the Homekey Program application requirements.

KEY STAKEHOLDERS and PROJECTED IMPACTS

This funding opportunity would benefit individuals and families experiencing homelessness in the City of San Diego who are disproportionately impacted by and at increased risk for medical diseases or conditions due to the COVID-19 pandemic or other communicable diseases.

ENVIRONMENTAL REVIEW

The City of San Diego conducted an environmental review and determined the project is exempt from CEQA pursuant to CEQA Guidelines Section 15301 (d) (Existing Facilities), 15302 (c) (Replacement or Reconstruction), and 15304 (Minor Alterations to Land). This activity is exempt pursuant to CEQA Guidelines Section 15301 (d) (Existing Facilities), as there are no changes planned to the building footprint or property use and it will restore or rehabilitate the facility to meet current standards of public health and safety. The activity is also exempt pursuant to CEQA Guidelines Section 15302 (c) (Replacement or Reconstruction), which consists of the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity, and CEQA Guidelines Section 15304 (Minor Alterations to Land) that consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees. None of the exceptions to the exemptions outlined in CEQA Guidelines Section 15300.2 would apply as no cumulative

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impacts were identified, no significant effects on the environment were identified, the project is not adjacent to a scenic highway, and no historical resources would be affected by the action. The parties agree that the provision of any federal funds as the result of this action is conditioned on the City of San Diego's final NEPA review and approval.

Respectfully submitted

Emily S. Jacobs

Emily S. Jacobs
Executive Vice President, Real Estate
San Diego Housing Commission

Approved by,

Jeff Davis

Jeff Davis
Interim President and Chief Executive Officer
San Diego Housing Commission

Docket materials are available in the "Governance & Legislative Affairs" section of the San Diego Housing Commission website at www.sdhc.org.

AUTHORIZING RESOLUTION

RESOLUTION NO. _____

A RESOLUTION OF THE GOVERNING BODY OF THE SAN DIEGO HOUSING COMMISSION AUTHORIZING JOINT APPLICATION TO AND PARTICIPATION IN THE HOMEKEY PROGRAM

WHEREAS:

- A. The Department of Housing and Community Development (“**Department**”) has issued a Notice of Funding Availability, dated March 29, 2023 (“**NOFA**”), for the Homekey Program (“**Homekey**” or “**Program**”). The Department has issued the NOFA for Homekey grant funds pursuant to Health and Safety Code section 50675.1.3 (Assem. Bill No. 140 (2021-2022 Reg. Sess.), § 20.).
- B. **The San Diego Housing Commission** (“**Co-Applicant**”) desires to jointly apply for Homekey grant funds with Wakeland Abbott, LLC (“**Corporation**”). Therefore, Co-Applicant is joining Corporation in the submittal of an application for Homekey funds (“**Application**”) to the Department for review and consideration with respect to the acquisition and rehabilitation of a 13-unit multifamily housing property at 2147 Abbott Street, San Diego, CA 92107.
- C. The Department is authorized to administer Homekey pursuant to the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code). Homekey funding allocations are subject to the terms and conditions of the NOFA, the Application, the Department-approved STD 213, Standard Agreement (“**Standard Agreement**”), and all other legal requirements of the Homekey Program.

THEREFORE, IT IS RESOLVED THAT:

- 1. Co-Applicant is hereby authorized and directed to submit a joint Application to the Department in response to the NOFA, and to jointly apply for Homekey grant funds in a total amount not to exceed **\$5,000,000** with respect to the acquisition and rehabilitation of a 13-unit multifamily housing property at 2147 Abbott Street, San Diego, CA 92107.
- 2. If the Application is approved, Co-Applicant is hereby authorized and directed to enter into, execute, and deliver a Standard Agreement in a total amount not to exceed **\$5,000,000**, any and all other documents required or deemed necessary or appropriate to secure the Homekey funds from the Department and to participate in the Homekey Program, and all amendments thereto (collectively, the “**Homekey Documents**”).
- 3. Co-Applicant acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement, and that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard

Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.

4. Jeff Davis, Interim President and CEO of the San Diego Housing Commission, or designee, is authorized to execute the Application and the Homekey Documents on behalf of Co-Applicant for participation in the Homekey Program.

Approved as to Form
Christensen & Spath

By _____
Charles B. Christensen
General Counsel
San Diego Housing Commission

I certify that the foregoing actions in this Resolution were approved by the San Diego Housing Commission Board of Commissioners at its meeting on May 12, 2023.

By: _____
Scott Marshall
Vice President, Communications &
Government Relations

Approved: _____
Jeff Davis
Interim President & Chief Executive Officer
San Diego Housing Commission

[NOTICE AND INSTRUCTIONS APPEAR ON THE FOLLOWING PAGE]

NOTICE AND INSTRUCTIONS

1. **Notice.** The Department is providing this template Authorizing Resolution as informational guidance only. The Department encourages each Co-Applicant to consult with professional legal counsel during the development of its own formal, legally binding statement that it is authorized to apply to and participate in the Homekey Program.
 - a. Please note, however, that any limitations or conditions on the authority of the signatory or signatories to execute the Application or the Homekey Documents may result in the Department rejecting the Authorizing Resolution.
2. **Accuracy, Verification.** The Department will verify that this Authorizing Resolution comports with the legal authority and composition of Co-Applicant's governing body. Co-Applicant must timely notify the Department, in writing, of any factors that limit its ability to provide an Authorizing Resolution which is materially in line with this template.
3. **Dollar Amounts of Grant Awards.** The Department recommends identifying an authorized dollar amount that is at least double the anticipated award (based on current formula calculations). Award amounts are subject to change. If Co-Applicant is ultimately awarded an amount in excess of the amount identified in the Authorizing Resolution, the Department will require a new Authorizing Resolution from Co-Applicant before execution of a Standard Agreement.
4. **Authorized Signatory or Signatories, Designee.** Co-Applicant, as a state, regional, or local public entity, may designate an authorized signatory by title only. In addition, Co-Applicant may authorize multiple signatories, so long as there is clarifying language as to whether the signatories are authorized to execute the Homekey Documents individually or collectively. In addition, Co-Applicant may authorize a designee of the authorized signatory to execute the Homekey Documents. In such case, Co-Applicant must append a supporting document (e.g., memorandum, meeting notes of official action), which indicates the name and title of the designee who is authorized to legally bind the governing body.
5. **Vote Count.** Please fill out the field by every voting category (i.e., Ayes, Nays, Abstain, Absent). If none, please indicate zero (0) for that field. The vote count must comport with the legal authority and membership of the Co-Applicant's governing body.
6. **Certification of Authorizing Resolution.** The individual who certifies the Authorizing Resolution cannot also be authorized to execute the Homekey Documents on behalf of Co-Applicant.