



MEMORANDUM

April 7, 2023

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Willie Adams, Vice President
Hon. Gail Gilman
Hon. Steven Lee

FROM: Elaine Forbes
Executive Director

SUBJECT: Informational Presentation on a proposed new Memorandum of Understanding with the Department of Homelessness and Supportive Housing (“HSH”) covering the Demobilization of the Shelter in Place Trailer Site in the Backlands at Seawall Lot 344 for a term of 10 months.

DIRECTOR'S RECOMMENDATION: Information Only – No Action Required

EXECUTIVE SUMMARY

On April 28, 2020, the Port Commission approved Resolution No. 20-20, authorizing Port staff to enter Memorandum of Understanding (“MOU”) M-16691 with the City and County of San Francisco Human Services Agency (“HSA”) for use of a portion of Seawall Lot (“SWL”) 344 in the Pier 94 Backlands for a temporary Shelter in Place (“SIP”) site to isolate, quarantine, and provide medical services for homeless persons potentially exposed to COVID-19 in District 10 (“D10”) during the Mayor’s Public Health Emergency Declaration.

The term of the MOU commenced on April 13, 2020, and was set to expire on the later of October 31, 2021, or the lifting of the Emergency Declaration. The COVID-19 local Public Health Emergency Declaration was rescinded on February 28, 2023. HSH, who took over the site from HSA, has requested a new MOU to give them a right to occupy the site and provide additional time to wind down operations, demobilize, and surrender the premises.

STRATEGIC OBJECTIVE

Entering the MOU to address the city's need to shelter the unhoused while providing for a planned winddown is in alignment with Port's Evolution objective.

Port's Economic Recovery objective will also be met through the MOU as Port will receive fair market rent totaling \$900,000 over the term of the agreement.

BACKGROUND

On February 25, 2020, Mayor London Breed issued the Proclamation by the Mayor Declaring the Existence of a Local Emergency (the "Mayor's Emergency Declaration") under Sections 8550 et seq. of the California Government Code, Section 3.100(14) of the San Francisco Charter, and Chapter 7 of the San Francisco Administrative Code, establishing the existence of an emergency within the City and County of San Francisco due to the ongoing spread of COVID-19.

In support of the City's efforts to meet the needs of vulnerable populations needing places to self-isolate and at the direction of the City's Emergency Operations Center, Port staff worked with HSA and the Department of Public Health ("DPH") to establish a temporary 3.4-acre SIP site for trailers and recreational vehicles ("RVs") for people in D10 to shelter in place on a portion of SWL 344, in the Backlands. Following the assessment of several public lands, the City selected this location for the RV and trailer deployment because it is on publicly-owned land, was large enough to provide adequate acreage for fire suppression, and it falls within the jurisdiction of San Francisco law enforcement agencies.

Ninety-one trailers provided by the State of California and 29 RVs that were leased by the City were placed on the site along with trailers for administrative functions and other support facilities, including a medical trailer. The site was originally managed and operated by HSA in partnership with DPH and HSH. HSA, who is party to the existing MOU is no longer involved with the site and looked to HSH to take over HSA's obligations in August 2021.

It was anticipated that the temporary SIP site would remain in operation throughout San Francisco's declared health emergency which ended on February 28, 2023. As of January 2023, there were a total of 118 guests at the site with a total of three (3) permanent placements completed for the month.

HSH has requested a new MOU to provide HSH permission to occupy the site and to allow additional time for demobilization.

SITE OPERATIONS

In May 2020, United Council of Human Services was selected by HSA to operate and manage the SIP site. During the winddown, HSH will be changing site operators so there will be no subcontractor role with United Council after June 30, 2023. HSH will continue to provide site staff through the Felton Institute to include a site manager, program manager, site monitors, care coordinators, janitorial staff and cooks as well as on site security.

HSH and the new facility operator will be contractually bound by a Good Neighbor Policy. The Good Neighbor Policy requires that the facility operator:

- Work with neighbors, SFPD, Public Works and other relevant city agencies to ensure that neighborhood concerns about the facility are heard and addressed.
- Assign a director, manager, or representative to participate in and attend appropriate neighborhood and community meetings.
- Provide a phone number to all interested neighbors that will be answered at all times by a manager or other responsible person who has the authority to respond to complaints and issues at the temporary RV and trailer shelter site as they arise.
- Minimize the impact on the neighborhood from the temporary RV and trailer shelter site by not allowing walk-ins and limiting guest to referrals only with 24/7 access to the site for registered guests.
- Actively discourage and address excessive noise from program clients and others who may be just outside the shelter site.
- Actively discourage loitering in the area immediately surrounding the site. Coordinate with other service providers and City agencies, as necessary, to address this issue.
- In conjunction with other City agencies, inform neighborhood businesses and residents of the services available at the temporary RV and trailer shelter site and how individuals are referred.
- Implement management practices necessary to ensure that staff and clients maintain the safety and cleanliness of the area within and immediately surrounding the facility.
- Take all reasonable measures to ensure the sidewalks and driveways of neighboring residents or businesses are not blocked.
- Engage SFPD along with private security to provide patrols and around-the-clock oversight to ensure public safety within the shelter and surrounding community.
- Help mitigate any damage to the adjacent wetlands by restricting program use to the 3.44 acres permitted under the MOU.

NEW MOU

Port and HSH have negotiated MOU M-17015 with the following terms:

<i>Premises:</i>	Approx. 3.44 acres (150,058 sq. ft.) of rentable unpaved land at Seawall Lot 344			
<i>Permitted Use:</i>	Demobilization of Shelter in Place site for District 10 residents			
<i>Term:</i>	Ten (10) months			
<i>Commencement Date:</i>	March 1, 2023 –which is subject to Port Commission approval			
<i>Rent Commencement Date:</i>	March 1, 2023			
<i>Termination Date:</i>	December 31, 2023			
<i>Monthly Base Rent:</i>	<u>Months</u>	<u>Sq. Ft.</u>	<u>Rate</u>	<u>Monthly Rent</u>
	1-10	150,058	\$0.40	\$60,023.20
		Electrical Capacity		<u>\$30,011.60</u>
				\$90,034.80
<i>Security Deposit:</i>	Waived			
<i>Quarterly Reporting:</i>	HSH to provide quarterly reports to the Port property manager to document its progress with demobilization of the site and surrender of premises.			
<i>Operational Requirements:</i>	<p>HSH must prepare and maintain Operational Requirements showing its procedures are consistent with Laws, industry standards, best management practices, and good housekeeping; supplies/deliveries plan; and storage and handling of Hazardous Materials (including a list of specific materials to be used and best management practices).</p> <p>The Operational Requirements must include a demobilization plan so there is a shared understanding of how operations will be managed during the wind-down and surrender of premises</p>			
<i>Maintenance and Repair and Utilities:</i>	HSH’s sole responsibility			

<i>Surrender of Premises</i>	All guests are to be relocated from the site no later than 30 days prior to expiration of the Term. HSH must remove all trailers and RVs from the site no later than 15 days after expiration of the Term.
<i>Southern Waterfront Community Benefits and Beautification Policy:</i>	Consistent with the latest adoption of Parameter Rates, 6.5% of revenues will be set aside in the Port's Southern Waterfront Community Benefits and Beautification fund, equating to \$58,000 over the term.
<i>Additional Requirements:</i>	<p>(1) No new placements will be allowed at the site 90 days prior to expiration of the Term.</p> <p>(2) HSH and operator staff (if the site is being operated by a different entity) will attend meetings as requested by the Port Commission, Port staff and the Southern Advisory Committee to address any concerns and/or provide updates on demobilization.</p>

Exit planning for people using the SIP site will be handled on a case-by-case basis. HSH is to use its entire homeless response system to find alternate housing including shelters, problem-solving, homeward bound, rapid rehousing, and permanent supportive housing.

At the March 29, 2023, Southern Advisory Committee (SAC) meeting, Port staff announced that staff was proposing to enter a new MOU with HSH to cover the winddown of the site by the end of 2023, which did not prompt any discussion.

NEXT STEPS

Port staff then intends to return to the Port Commission to seek authorization to enter Memorandum of Understanding M-17015 with the San Francisco Department of Homelessness and Supportive Housing for a 10-month term covering the winddown and demobilization of the Shelter in Place site at SWL-344 on such terms and conditions as described in this staff report.

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