



MEMORANDUM

April 23, 2020

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Willie Adams, Vice President
Hon. Gail Gilman
Hon. Victor Makras
Hon. Doreen Woo Ho

FROM: Michael Martin
Acting Executive Director

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Michael Martin
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SUBJECT: Request approval of a resolution authorizing the Executive Director to amend a Memorandum of Understanding between the Port and the Department of Homelessness and Supportive Housing to extend the term of the Central Waterfront Navigation Center for five years.

DIRECTOR'S RECOMMENDATION: Approve the Attached Resolution

EXECUTIVE SUMMARY

A significant number of people in San Francisco cannot obtain adequate or appropriate shelter. According to the San Francisco biennial "Point-in-Time" homeless count and survey taken in January 2019, there were 8,035 people experiencing homelessness including 5,180 people living unsheltered in the City.

On September 13, 2016, the Port Commission approved a Memorandum of Understanding (MOU) between the Port of San Francisco and the Department of Homelessness and Supportive Housing (HSH) to authorize the use of 600 25th Street for use as a 64-bed temporary navigation center. The Central Waterfront Navigation Center opened in May 2017, has proved to be a successful and effective program to address homelessness in the Central Waterfront. The current MOU is set to expire on June 6, 2020.

THIS PRINT COVERS CALENDAR ITEM NO. 6A

Since its opening in May 2017, the Central Waterfront Navigation Center has provided assistance to over 660 individuals. Central Waterfront residents have indicated satisfaction with the effectiveness of the navigation center. While the current MOU is set to expire in June, the Port and HSH propose to amend the existing MOU to extend the term for an additional five years.

This staff report summarizes the City's community outreach efforts conducted before and since the opening of the Central Waterfront Navigation Center, terms of the existing MOU and the proposed amendment to the MOU.

STRATEGIC PLAN

The City's objective to expand shelter for homeless residents and provide a pathway to permanent housing is aligned with the Port Commission's Strategic Plan Livability strategy:

"Livability: Work with City and community partners to ensure that Port improvements result in advances in the environment, social equity and San Francisco's livability."

BACKGROUND

San Francisco faces persistent and significant challenges regarding homelessness. The 2019 Point-In-Time count estimates that 8,035 people experience homelessness in San Francisco on any given night, including 5,180 unsheltered individuals living on the streets. Based on data gathered by HSH, there are currently approximately 1,000 individuals waiting for shelter beds in San Francisco each night.

San Francisco began operating Navigation Centers in 2015. Navigation Centers are a shelter model that provides 24/7 access, allows residents to bring their partners, pets, and belongings with them, as well as connect residents with services and housing. The City currently operates seven Navigation Centers, including two temporary sites on Port property, the Central Waterfront Navigation Center and the Embarcadero SAFE Navigation Center.

- Civic Center (112 beds)
- Central Waterfront/Dogpatch (64 beds)
- Division Circle (186 beds)
- Bayshore (128 beds)
- Bryant (84 beds)
- Hummingbird Navigation Center (29 beds)¹
- Embarcadero SAFE Navigation Center (200 beds)

¹ Hummingbird Navigation Center is funded and operated by the San Francisco Department of Public Health

In October 2018, Mayor London Breed announced a plan to open 1,000 new shelter beds for homeless residents by 2020; the City has expanded capacity at existing Navigation Centers and opened new programs including:

- Bryant (84 beds)
- Bayshore (128)
- Buena Vista Horace Mann Elementary School (60 beds)
- Hummingbird (14 new beds)
- Civic Center expansion (20 new beds)
- Division Circle expansion (60 new beds)
- Jelani House (17 new beds)
- Embarcadero SAFE Navigation Center (up to 200 new beds)

The City also has three new programs in the pipeline, including:

- The Transitional Age Youth Navigation Center at 888 Post (75 beds)
- The Upper Market SAFE Navigation Center at 33 Gough (200 beds)
- The Bayview SAFE Navigation Center at 1925 Evans (~200 beds)

CENTRAL WATERFRONT NAVIGATION CENTER: SERVICES AND OPERATION OF THE FACILITY

Services

The Central Waterfront Navigation Center serves as a critical piece of the City's response to the homelessness crisis, by creating a temporary housing solution in a safe, nurturing, and welcoming environment for people, pets, and their belongings. The navigation currently operates with 64 beds and under the proposed extension will continue to operate with 64 beds. No capacity expansion is proposed.

The Central Waterfront Navigation Center offers a place to sleep and provides meals, facilities for personal hygiene, and access to City services, including counseling, community services, and integrated mobile medical and mental health services. HSH partners with the Human Services Agency and the Department of Public Health to provide these services on-site. The Central Waterfront Navigation Center is not intended to provide permanent housing but rather a temporary program to assist homeless individuals in finding more permanent housing while guiding them to find the help they need in response to their current situation.

All guests are assessed for housing and enrolled in the City's ONE System, the centralized database for all homeless services in San Francisco. The ONE System allows HSH to coordinate referrals to housing, and to track program utilization and client outcomes. Guests also have access to case management, health care, and benefits enrollment onsite.

Facility operations

In May 2017, Episcopal Community Services (ECS), a nonprofit 501(c)(3), was selected by HSH to operate and manage the Central Navigation Center. ECS subcontracts with Providence Foundation to bring a multiagency and multi-expertise approach to the project. Site staff includes an on-site site manager, program manager, shift supervisors, service coordinators, case managers, and janitorial staff for 24/7 operations. In addition, there is 24/7 on-site security.

Episcopal Community Services is contractually bound by a Good Neighbor Policy. The Good Neighbor Policy is attached as Exhibit C. The Good Neighbor Policy requires that the facility operator:

- Collaborate with neighbors and city agencies to address neighborhood concerns;
- Attend community meetings;
- Provide the 24/7 phone number of the Central Waterfront Navigation Center to residents and area businesses;
- Minimize client impacts upon the neighborhood by prohibiting walk-ins;
- Discourage noise and loitering, including on all sidewalks adjacent to the Premises;
- Inform residents and area businesses about Central Waterfront Navigation Center services;
- Ensure that staff and clients maintain the site and the immediate surrounding area in a safe and clean manner.

Failure to adhere to the Good Neighbor Policy is cause for a default under the MOU, and, if not cured, could result in termination of the MOU. To date, Episcopal Community Services have adhered to the principles outlined in the Good Neighbor Policy.

COMMUNITY OUTREACH

Before opening the site in 2017, HSH conducted significant community outreach with neighboring organizations, especially the Dogpatch Neighborhood Association (DNA), the Port's Central Waterfront Advisory Group and Southern Waterfront Advisory Committee, the Dogpatch Business Association, and the Dogpatch Green Benefit District.

Since opening the site in 2017, HSH and ECS have attended multiple DNA meetings upon invitation and have stayed in regular contact with DNA leadership.

The Central Waterfront Navigation Center has been well received by the community with minimal reported issues or incidents. In March of 2019, the DNA sent a letter to

HSH supporting the extension of the Central Waterfront Navigation Center and stated that “The City’s Navigation Centers have proven to be effective and attractive choices for people on the street, providing them with a safe place to be, services and access to resources to help them change their lives in dignified settings marked by compassion, and respect. Since opening, the Central Waterfront Navigation Center has been a good neighbor, well-maintained and an invaluable resource in addressing encampments in our neighborhood.”

Before advancing the proposed five-year extension, HSH, in partnership with Supervisor Walton and the Port, reached out to the DNA to confirm their ongoing support for the navigation center and did a public posting about the extension as required by San Francisco Administrative Code Chapter 79 and 79A. During the week of April 20 HSH and Port staff also collaborated in providing notice to DNA members and members of the Port’s Southern Waterfront Advisory Committee of the intent to bring this item to the Port Commission on today’s agenda.

CENTRAL WATERFRONT NAVIGATION CENTER MOU

On May 15, 2017, the Port and HSH entered into a MOU for use of the premises located on a portion of 25th Street between Georgia Street and Louisiana Street as a Navigation Center for market rent for an interim period of up to 42 months.

Table 1 below describes the terms of the MOU when it was originally executed:

Table 1: Central Waterfront Navigation Center MOU	
Effective Date	May 15, 2017
Premises	The area located on a portion of 25th Street between Georgia Street and Louisiana Street, in the City and County of San Francisco, California, shown on Exhibit A, consisting of approximately 13,715 square feet of paved land.
Term	The Term shall commence on the Effective Date and shall expire on the earliest of: (i) the date that is forty-two (42) months after the Effective Date, (ii) the date that the temporary vacation of 25th Street approved by the Board of Supervisors expires, or (iii) the cancellation or termination of the MOU in accordance with its terms. There shall be no holding over on a month to month basis after the expiration of this MOU. HSH may cancel the MOU upon thirty (30) days written notice to the Port.
Port’s Right of Termination	If the Premises is required for a public trust purpose, the Port may terminate the MOU with 6 months’ notice.
Rent	\$0.42/square foot, or \$5,760.30/month, escalated 3% annually, consistent with the Port Commission approved FY 2016-17 Parameter Rent Schedule for paved land. No rent for four (4) month construction period and two (2) month removal period.
Security Deposit	Two months’ rent.

Permitted Uses	The construction and, subject to the requirements of the Good Neighbor Policy attached as Exhibit C, operation of the Navigation Center to provide temporary housing and services to homeless individuals which may include: food preparation and service, storage of personal property, restroom and personal hygiene facilities, laundry services, provision of medical and social services for up to 70 homeless individuals and kennel services for pets.
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PROPOSED MOU AMENDMENT

In light of the continued homelessness crisis in the City and County of San Francisco, the Port and HSH propose amending the current MOU to allow HSH to continue providing services at the Central Waterfront Navigation Center.

Table 2 summarizes terms for the proposed amendment to the MOU. All other terms and conditions of the MOU, including those summarized above, shall remain unchanged:

Table 2: Proposed Central Waterfront Navigation Center MOU Amendment	
Amendment Effective Date	April 15, 2020
Term	The Term shall commence on the Amendment Effective Date and shall expire on the earliest of: (i) April 30, 2025, (ii) the date that the temporary vacation of 25th Street approved by the Board of Supervisors expires, or (iii) the cancellation or termination of the MOU in accordance with its terms. There shall be no holding over on a month to month basis after the expiration of this MOU. HSH may cancel the MOU upon thirty (30) days written notice to the Port.
Rent	\$0.46/square foot or \$6,308.90/month, escalated 3% annually, commencing August 1, 2020. Rate is consistent with the Port Commission approved FY 2019-20 Parameter Rent Schedule for paved land. No rent shall be charged during the two-month removal period
Security Deposit	Security Deposit shall be equal to two month's rent during the final month of the term or \$14,263.60.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

On September 8, 2016, the Planning Department issued a determination that the Central Waterfront Navigation Center satisfied the criteria for a Categorical Exemption pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15303.

In 2019, the State California passed Assembly Bill 101, exempting certain homeless shelters and navigation centers from CEQA clearance requirements. On April 2, 2020, the Planning Department issued a determination that the Central Waterfront Navigation Center is an eligible “Low Barrier Navigation Center” and pursuant to Government Code sections 65660 *et seq.*, that actions taken to approve the Central Waterfront Navigation Center do not require further review under CEQA, including extension of the term of the Central Waterfront Navigation Center.

RECOMMENDATION

Port staff recommends that the Port Commission approve the resolution authorizing the Executive Director to amend the MOU between the Port and HSH, allowing HSH to extend the term of the Central Waterfront Navigation for five years.

Prepared by: Boris Delepine
Legislative Affairs Director

Kimberley Beal
Senior Property Manager

Exhibits

- A. Premises
- B. Good Neighbor Policy
- C. Planning Department CEQA Determination Letter
- D. Dogpatch Neighborhood Association Letter of Support

EXHIBIT A: Premises

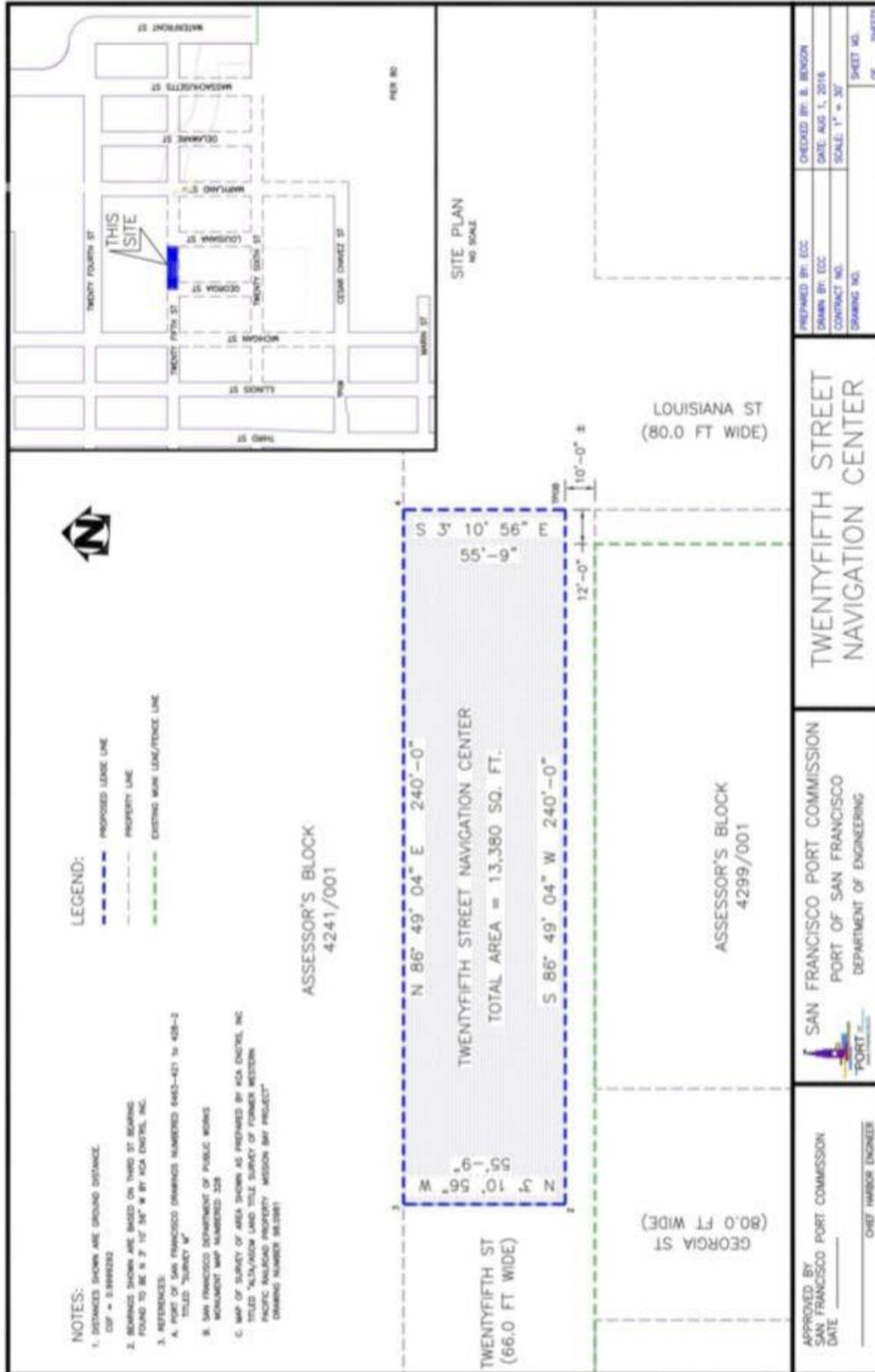


Exhibit B: Good Neighbor Policy

Good Neighbor Policy:

1. Grantee shall work with neighbors, HSH, SFPD, Department of Public Works (DPW), Department of Public Health (DPH) and other relevant city agencies to ensure that neighborhood concerns about the facility are heard and addressed.
2. Grantee shall assign a director, manager, or representative to participate in and attend appropriate neighborhood and community meetings.
3. Grantee shall 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 Central Waterfront Navigation Center as they arise.
4. Grantee shall minimize the impact on the neighborhood of Central Waterfront Navigation Center guests entering, exiting, or waiting for services. The Central Waterfront Navigation Center will do this by limiting referrals, not allowing walk-ins, and having 24/7 access to the site for registered guests.
5. Grantee shall actively discourage and address excessive noise from program participants and others who may be just outside the program site.
6. Grantee shall actively discourage loitering in the area immediately surrounding the program. Coordinate with other service providers and City agencies, as necessary, to address this issue.
7. Grantee shall, in conjunction with HSH and other City agencies, inform neighborhood businesses and residents of the services available at the Central Waterfront Navigation Center and how individuals are referred.
8. Grantee shall implement management practices necessary to ensure that staff and participants maintain the safety and cleanliness of the area immediately surrounding the facility and do not block driveways of neighboring residents or businesses.
9. Grantee shall take all reasonable measures to ensure the sidewalks adjacent to the facility are not blocked.

Exhibit C: Planning Department CEQA Determination



San Francisco
Planning

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STPLANNING@ORG / 415.575.9000

MEMO

TO: Emily Cohen
Department of Homelessness and Supportive Housing

FROM: Joy Navarrete, Principal Environmental Planner

DATE: April 2, 2020

PROJECT: Extension of the Central Waterfront Navigation Center at 600 25th Street

SUBJECT: Planning Department / Environmental Review Officer Concurrence
California Environmental Quality Act (CEQA) Exemption per AB 101

This memorandum is in response to a memorandum from Department of Homelessness and Supportive Housing dated April 1, 2020 requesting Planning Department confirmation that no environmental review is required for the Extension of the Central Waterfront Navigation Center at 600 25th Street. The memo will confirm that the Extension of the Central Waterfront Navigation Center is not subject to the California Environmental Quality Act (CEQA) under the terms of recent changes to California law set forth in Assembly Bill 101, California Government Code Sections 65660 – 65668 (AB 101).

AB 101 provides that a low barrier navigation center that meets certain criteria and is located in a mixed-use zoning district or a non-residential zone that permits multifamily uses is a use by right and is not subject to CEQA (Government Code Section 65660(b)). A “use by right” is defined in Government Code Section 65583.2(i) to mean that the local government’s review of the use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of CEQA.

The zoning designation for this site is PDR-1. A Homeless Shelter is currently allowed by right in the PDR-1 Zoning District. This Zoning District (and all PDR Districts) could be classified as a “mixed-use zone” because it permits a mix of uses including industrial, institutional, residential (homeless shelters), retail, and more. It could also be classified as a “non-residential zone” because most of the allowed uses are non-residential. Further, it can be classified as permitting “multifamily uses” because homeless shelters serve multifamily populations.

The memorandum dated April 1, 2020 from the Department of Homelessness and Supportive Housing explained how the Extension of the Central Waterfront Navigation Center at 600 25th Street complies with the criteria set forth in AB 101. It meets the definition of a low barrier navigation center set forth in Government Code Section 65660(a) and meets the criteria set forth in Government Code Section 65662. Accordingly, the Extension of the Central Waterfront Navigation Center at 600 25th Street is not subject to CEQA.

Exhibit D



Emily Cohen
Policy Advisor, Homelessness, Mayors Office of San Francisco
San Francisco City Hall
1 Dr Carlton B Goodlett Pl,
San Francisco, CA 94102

Dear Ms. Cohen:

The Dogpatch Neighborhood Association (DNA) is pleased to express our support for continued operations at the Central Waterfront Navigation Center. DNA welcomes a second, extended five-year lease term at the current site.

The City's Navigation Centers have proven to be effective in providing our un-housed neighbors with safe accommodations, services and access to compassionate and respectful support resources. Since opening, the Central Waterfront Navigation Center has been a good neighbor, well maintained and an invaluable resource in helping to serve those living in encampments in our neighborhood.

DNA welcomes the Department of Homelessness and Supportive Housing's (HSH) methodical approach to addressing encampments and work with the Healthy Streets Operations Center to ensure that all concerns are properly addressed. We appreciate having the navigation center in our community and the work of the City to ensure that our community's concerns are prioritized.

DNA believes that the Central Waterfront Navigation Center is an important neighborhood and community asset and look forward to seeing operations continue at 25th and Michigan in Dogpatch.

Please feel free to contact me with questions.

Best regards,

Katherine

Katherine Doumani - President
Dogpatch Neighborhood Association
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CC - Elaine Forbes, Executive Director, Port of San Francisco | D10 Supervisor Shamann Walton

1459 18th Street • #227 • San Francisco • California 94107

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 20-17

WHEREAS, Charter Section B3.581 empowers the Port Commission with the power and duty to use, conduct, operate, maintain, manage, regulate, and control the Port jurisdiction of the City and County of San Francisco (City); and

WHEREAS, under Charter B3.581, leases granted or made by the Port Commission shall be administered exclusively by the operating forces of the Port Commission; and

WHEREAS, according to the January 2019, "Point in Time" homeless count administered by the Department of Homelessness and Supportive Housing (HSH), there were approximately 8,035 individuals experiencing homelessness in San Francisco on a single night; and

WHEREAS, on September 13, 2016 the Port Commission approved a Memorandum of Understanding (MOU) between the Port of San Francisco and the Department of Homelessness and Supportive Housing (HSH) to authorize the use of 600 - 25th Street for use as a temporary navigation center; and

WHEREAS, the Central Waterfront Navigation Center opened in May 2017 and has proved to be a successful and effective program to address homelessness in the Central Waterfront however the MOU is set to expire on June 3, 2020; and

WHEREAS, there continues to be numerous homeless individuals present in and around Port property; and

WHEREAS, HSH and Port wish to extend the term of the MOU for a period of five (5) years to allow the Central Waterfront Navigation Center to continue to operate; and

WHEREAS, under the proposed MOU amendment, the Port will be paid rent consistent with the Port's Parameter Rent Schedule; and

WHEREAS, the portion of 25th Street is not presently needed for public trust purposes, the Navigation Center continues to be an acceptable interim use of Port property, and the Port will maintain the right to terminate the MOU upon six months' notice if the property is needed for a public trust purpose; and

WHEREAS, the Port is willing to enter into an MOU amendment on the terms and conditions summarized in the attached Memorandum dated April 23, 2020, subject to the Board of Supervisors' approval of the proposed street vacation ordinance and the operation of the Central Waterfront Navigation Center for up to an additional 5 years under San Francisco Administrative Code Section 106.3(b); and

WHEREAS, the permitted uses in the MOU and amendment of the MOU are temporary in nature and on April 2, 2020, the Planning Department issued a determination that the Central Waterfront Navigation Center is an eligible "Low Barrier Navigation Center" and pursuant to Government Code sections 65660 *et seq.*, that actions taken by the Port to approve the Low Barrier Navigation Center conform with the California Environmental Quality Act; now therefore be it

RESOLVED, that the Port Commission hereby approves the proposed MOU amendment between the Port and HSH on terms substantially consistent with those described in the attached MOU amendment; and be it further

RESOLVED, that the following approval by the Director of HSH, the Port Commission authorizes the Executive Director of the Port, or her designee, to execute the MOU amendment on terms substantially consistent with those described in the attached Memorandum; and be it further

RESOLVED, that the Port Commission authorizes the Executive Director to enter into any additions, amendments or other modifications to the MOU that the Executive Director, in consultation with the City Attorney, determines are in the best interest of the Port, do not materially increase the obligations or liabilities of the Port or materially decrease the public benefits accruing to the Port, and are necessary and advisable to complete the transaction and effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Executive Director of any such documents.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of April 28, 2020.

Secretary