

## **LEGISLATIVE DIGEST**

[Temporary Housing for Homeless People During Shelter Crisis - LMC San Francisco I Holdings, LLC - 1515 South Van Ness Avenue]

**Ordinance approving an agreement between the City and LMC San Francisco I Holdings, LLC, to allow the City to use the property at 1515 South Van Ness Avenue to utilize and operate a facility to provide temporary housing and services to homeless persons; directing the City Administrator, Public Works, Department of Homelessness and Supportive Housing, Department of Building Inspection, and other City departments to make repairs or improvements, consistent with health and safety standards, to use the property for temporary housing to address encampments in the Mission District; authorizing Public Works, Department of Homelessness and Supportive Housing, and Department of Public Health to enter into contracts without adhering to competitive bidding and other requirements for construction work, procurement, and personal services at the facility; and affirming the Planning Department's determination under the California Environmental Quality Act.**

### **Existing Law**

California law authorizes the Board of Supervisors to declare the existence of a shelter crisis based on a finding that a significant number of people in the City are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those people. The law authorizes the City to suspend state or local laws setting housing, health, or safety standards for new homeless shelter facilities in response to the shelter crisis, to the extent that strict compliance would prevent, hinder, or delay the mitigation of the shelter crisis. In Ordinance No. 57-16, enacted on April 22, 2016, the Board of Supervisors declared the existence of a shelter crisis in the City and County of San Francisco, permitting the City to take necessary steps to facilitate temporary homeless housing without strict compliance with housing, health or safety laws.

Local law requires the Board of Supervisors to approve most gifts worth \$10,000 or more, and generally requires City departments to use a competitive bidding process and follow other contracting requirements for personal services, procurement, and construction contracts, subject to exceptions.

### **Terms of the Proposed Ordinance**

The proposed ordinance would approve an agreement between the City and LMC San Francisco I Holdings, LLC, an affiliate of Lennar Multifamily Communities ("Lennar"). The agreement would allow the City to use the property at 1515 South Van Ness temporarily to operate a facility to provide temporary housing and services to homeless people. Lennar owns the property and plans to develop it beginning around January 15, 2018. Lennar has offered a gift that would allow the City to use the property before Lennar begins construction

work on its new project. The ordinance would approve that gift and the agreement between Lennar and the City.

The ordinance would direct City departments—including the City Administrator, Department of Public Works, Department of Homelessness and Supportive Housing, and Department of Building Inspection—to take necessary and appropriate steps to repair or improve the property to provide temporary housing for homeless persons. The ordinance would not allow the City to commence work until the Fire Marshal and the directors of the Department of Public Works, Department of Homelessness and Supportive Housing, and Department of Building Inspection all make written determinations that the proposed repairs or improvements will satisfy basic public health and safety standards.

The ordinance would allow the Department of Public Works, Department of Public Health and Department of Homelessness and Supportive Housing to enter into contracts to prepare and manage the facility during the City's temporary use of the property.

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