

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Jeff Kositsky, Director, Department of Homelessness and Supportive Housing

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: April 22, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Haney on April 16, 2019:

File No. 190418

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing to open a Navigation Center within six months in each of two Supervisorial districts where no Navigation Center currently exists, and to open at least one Navigation Center within 30 months in each Supervisorial district where no Navigation Center currently exists; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

c: Abigail Stewart-Kahn, Department of Homelessness and Supportive Housing

1 [Administrative Code - Location of Navigation Centers for the Homeless]

2
3 **Ordinance amending the Administrative Code to require the Department of**
4 **Homelessness and Supportive Housing to open a Navigation Center within six months**
5 **in each of two Supervisorial districts where no Navigation Center currently exists, and**
6 **to open at least one Navigation Center within 30 months in each Supervisorial district**
7 **where no Navigation Center currently exists; and affirming the Planning Department's**
8 **determination under the California Environmental Quality Act.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Environmental Findings.

18 The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
21 Supervisors in File No. ___ and is incorporated herein by reference. The Board affirms this
22 determination.

23 Section 2. Findings.

24 (a) San Francisco faces a significant challenge in its efforts to assist people who are
25 experiencing unsheltered homelessness. The 2017 San Francisco Point-in-Time Count

1 estimated 7,500 individuals experiencing homelessness, with approximately 4,400 of those
2 individuals living unsheltered, on any given night. The length of the City's shelter waitlist has
3 grown steadily since 2014, and consistently there have been more than 1,000 people waiting
4 to access a 90-day bed.

5 (b) The Navigation Center model was first piloted in March 2015 to provide a low-
6 barrier, service-rich alternative to traditional homeless shelters, with the goal of transitioning
7 people off the streets and into longer-term solutions. Since then, the Department of
8 Homelessness and Supportive Housing ("HSH") has opened eight Navigation Centers, six of
9 which are still in operation as of April 2019. According to HSH, 46% of clients who access a
10 Navigation Center "exit" homelessness, which is defined as obtaining permanent housing,
11 securing temporary housing, or being reunified with family or friends through the Homeward
12 Bound program. Between March 2015 and February 2019, 3,606 different individuals were
13 served by a Navigation Center.

14 (c) Navigation Centers have been opened in only three out of the eleven
15 Supervisorial Districts, even though 1) the Board of Supervisors has declared there to be a
16 "shelter crisis" in the City and County of San Francisco, 2) the Navigation Center model has
17 proven to be successful, and 3) there is a significant number of people experiencing
18 homelessness in every Supervisorial District.

19 (d) Mayors Ed Lee and London Breed have expressed support for having
20 Navigation Centers in every Supervisorial District. In 2017, Mayor Lee asked every
21 Supervisor to identify a site in their district for a Navigation Center, and in 2019, Mayor Breed
22 declared in her State of the City address that, "every part of our city, every neighborhood must
23 be open to being part of the solution."

24 (e) The San Francisco Chamber of Commerce's 2017 Dignity Health CityBeat Poll
25 found that 60% of respondents identified homelessness and street behavior as a major issue

1 facing San Francisco, 90% of respondents said they support Navigation Centers, 77% of
2 respondents said they would support having Navigation Centers in their neighborhood, and
3 79% said they support giving budget priority to creating enough shelter beds.

4 (f) Los Angeles and Washington, D.C., which both have significant levels of people
5 experiencing homelessness, have mandated that at least one shelter be opened in every
6 Council District and Ward, respectively. Similarly, New York City has adopted “Fair Share
7 Criteria” that require the city to consider fair and equitable geographic distribution when siting
8 homeless shelters and services. San Francisco currently has no such policy requiring
9 geographic equity when siting shelters or Navigation Centers.

10 (g) Mayor London Breed announced in October 2018 that she plans to open 1,000
11 new shelter beds by 2020 to clear the City’s nightly waitlist for shelter.

12 (h) Homelessness is a public health issue that impacts the entire City of San
13 Francisco, not just select parts of the City. The current distribution of shelters and Navigation
14 Centers is densely concentrated and does not provide geographic equity, preventing San
15 Francisco from providing resources on a city-wide scale.

16
17 Section 3. Chapter 106 of the Administrative Code is hereby amended by adding
18 Section 106.3-1, to read as follows:

19 **SEC. 106.3-1. REQUIREMENT TO OPEN NEW NAVIGATION CENTERS.**

20 **(a) Definitions.**

21 “Department” shall mean the Department of Homelessness and Supportive Housing.

22 “Navigation Center” shall mean a shelter meeting the definition in Section 106.1, and all the
23 operational requirements of Section 106.2(a)-(b).

24 **(b) Requirement to Open New Navigation Centers.**

1 (1) By no later than six months after the effective date of the ordinance enacting this
2 Section 106.3-1 in Board File No. _____, the Department, with the assistance of all other appropriate
3 City departments, shall open Navigation Centers in at least two Supervisorial districts in which no
4 Navigation Center was operating on April 16, 2019.

5 (2) By no later than 30 months after the effective date of the ordinance enacting this
6 Section 106.3-1 in Board File No. _____, the Department, with the assistance of all other appropriate
7 City departments, shall open at least one Navigation Center in each Supervisorial district in which no
8 Navigation Center was operating on April 16, 2019. Navigation Centers opened under subsection
9 (b)(1) shall count toward the requirement imposed by this subsection (b)(2).

10 (3) If the Department opens any Navigation Centers between the introduction of the
11 forementioned ordinance and its effective date, such Navigation Centers may count toward the
12 requirements imposed by subsections (b)(1) and (b)(2).

13 (4) After selecting a site where a Navigation Center may be located, but before
14 approving the opening of a Navigation Center on that site, the Director of the Department, in
15 consultation with the member of the Board of Supervisors who represents the district in which the
16 identified site is located, shall conduct a thorough community outreach process with neighboring
17 residents and businesses, neighborhood associations, and merchant associations on the site selection.
18 The community outreach process shall consist of no fewer than three community meetings. For
19 purposes of this subsection (b)(4), “approving” shall have the meaning set forth in Section 79.2(a) of
20 the Administrative Code.

21 (c) **Navigation Centers Supporting Specific Populations.** The Department may operate
22 any of the Navigation Centers opened during the 30-month period referenced in subsection (b)(2) to
23 meet the needs of one or more of the specific populations identified in subsections (c)(1)-(c)(5) below.

1 (1) At least one Navigation Center may be operated as a managed alcohol shelter
2 that allows residents to consume alcohol within the facility, and that provides residents with alcohol
3 treatment and supportive services.

4 (2) At least one Navigation Center may focus on the needs of homeless persons
5 between the ages of 18 and 29 (transitional-aged youth), inclusive, who have experienced street
6 homelessness.

7 (3) At least one Navigation Center may focus on serving transgender and gender
8 non-conforming individuals who may be experiencing homelessness.

9 (4) At least one Navigation Center may focus on providing safe space and on-site
10 services to individuals who live in cars and recreational vehicles.

11 (5) At least one Navigation Center may focus on the needs of another specific
12 population of people experiencing homelessness, as determined by the Department, in consultation with
13 the member of the Board of Supervisors who represents the district in which the identified site is
14 located.

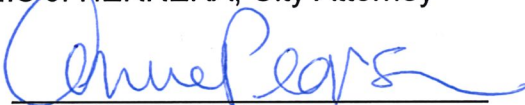
15 (d) **Fair Share Siting Criteria.** By no later than 60 days after the effective date of the
16 ordinance enacting this Section 106.3-1 in Board File No. _____, the Department, in consultation
17 with other City departments as the Department deems appropriate, shall adopt Fair Share Siting
18 Criteria to inform the selection of sites for Navigation Centers that consider the fair geographic
19 distribution of Navigation Centers among communities as well as communities' needs for services, the
20 efficacy of service delivery, and the social and economic impact of Navigation Centers on their
21 surrounding areas. Criteria shall include, but are not limited to: the size of the facility and the lot on
22 which it is located, proximity to public transportation, a preference for publicly-owned land, proximity
23 to persons who have a need for social services, and ease of making capital improvements.

1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 5. Undertaking for the General Welfare. In enacting and implementing this
7 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
8 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
9 is liable in money damages to any person who claims that such breach proximately caused
10 injury.

11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By:



15 ANNE PEARSON
16 Deputy City Attorney

17 n:\legana\as2019\1900514\01353124.docx

LEGISLATIVE DIGEST

[Administrative Code - Location of Navigation Centers for the Homeless]

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing to open a Navigation Center within six months in each of two Supervisorial districts where no Navigation Center currently exists, and to open at least one Navigation Center within 30 months in each Supervisorial district where no Navigation Center currently exists; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Local law requires the City and County of San Francisco (the "City") to open and operate no fewer than eight Navigation Centers, which are temporary, low-barrier-to-entry shelters that, through case management and social service programs, aid in moving homeless people off the streets and into permanent housing or transitional or stable supportive housing that eventually leads to permanent housing.

Navigation Centers must comply with a variety of operational requirements. Among other things, they must: serve no more than 100 clients at a time, offer showers, bathrooms, and places to store client's belongings, allow clients to keep their pets with them, provide access to health services, including mental health services, drug and alcohol treatment, and harm reduction interventions, and offer intensive case management to help connect people to housing.

Local law requires the City to locate Navigation Centers in areas accessible to homeless people, and when selecting a site for a Navigation Center, to give first priority to unused or vacant sites owned or controlled by the City, second priority to sites owned or controlled by the City that are being used for other purposes but could feasibly be converted to Navigation Centers, and third priority to private property or property owned by other, non-City public agencies, that could be leased or acquired by the City. Local law does not otherwise impose any limits or requirements with respect to the location of Navigation Centers.

Amendments to Current Law

The proposed ordinance would require the Department of Homelessness and Supportive Housing ("HSH") to open a Navigation Center within six months in each of two Supervisorial districts where no Navigation Center currently exists, and to open at least one Navigation Center within 30 months in each Supervisorial district where no Navigation Center currently exists.

After selecting a site where a Navigation Center may be located, but before approving the opening of a Navigation Center on that site, the Director of HSH, in consultation with the member of the Board of Supervisors who represents the district in which the identified site is located, would be required to conduct a thorough community outreach process with neighboring residents and businesses, neighborhood associations, and merchant associations on the site selection. The community outreach process must consist of no fewer than three community meetings.

The ordinance would allow the City to operate at least one Navigation Center to meet the needs of each of the following populations: persons with alcohol dependency; homeless persons between the ages of 18 and 29 (transitional-aged youth) who have experienced street homelessness; transgender and gender non-conforming individuals who may be experiencing homelessness; and individuals who live in cars and recreational vehicles.

The ordinance would also require HSH to adopt Fair Share Siting Criteria to inform the selection of sites for Navigation Centers that consider the fair geographic distribution of Navigation Centers among communities as well as communities' needs for services, the efficacy of service delivery, and the social and economic impact of Navigation Centers on their surrounding areas.

Background Information

San Francisco faces a significant challenge in its efforts to assist people who are experiencing unsheltered homelessness. The 2017 San Francisco Point-in-Time Count estimated 7,500 individuals experiencing homelessness, with approximately 4,400 of those individuals living unsheltered, on any given night. The length of the City's shelter waitlist has grown steadily since 2014, and consistently there have been more than 1,000 people waiting to access a 90-day bed.

The Navigation Center model was first piloted in March 2015 to provide a low-barrier, service-rich alternative to traditional homeless shelters, with the goal of transitioning people off the streets and into longer-term solutions. Since then, HSH has opened eight Navigation Centers, six of which are still in operation as of April 2019. According to HSH, 46% of clients who access a Navigation Center "exit" homelessness, which is defined as obtaining permanent housing, securing temporary housing, or being reunified with family or friends through the Homeward Bound program. Between March 2015 and February 2019, 3,606 different individuals were served by a Navigation Center.

Navigation Centers have been opened in only three out of the eleven Supervisorial Districts, even though 1) the Board of Supervisors has declared there to be a "shelter crisis" in the City and County of San Francisco, 2) the Navigation Center model has proven to be successful, and 3) there is a significant number of people experiencing homelessness in every Supervisorial District.

Los Angeles and Washington, D.C., which both have significant levels of people experiencing homelessness, have mandated that at least one shelter be opened in every Council District and Ward, respectively. Similarly, New York City has adopted “Fair Share Criteria” that require the city to consider fair and equitable geographic distribution when siting homeless shelters and services. San Francisco currently has no such policy requiring geographic equity when siting shelters or Navigation Centers.

Homelessness is a public health issue that impacts the entire City of San Francisco, not just select parts of the City. The current distribution of shelters and Navigation Centers is densely concentrated and does not provide geographic equity, preventing San Francisco from providing resources on a city-wide scale.

n:\legana\as2019\1900514\01353137.docx