



EXECUTIVE SUMMARY

MEETING DATE: June 15, 2023

HCR23-071

SUBJECT: Execution of Memorandum of Understanding Between the City of San Diego and the San Diego Housing Commission for the Administration of the City's Homelessness Services Programs

COUNCIL DISTRICT: Citywide

ORIGINATING DEPARTMENT: Strategic Initiatives and Homelessness Innovations Division

CONTACT/PHONE NUMBER: Lisa Jones (619) 578-7696

REQUESTED ACTION:

Authorize the execution of a Memorandum of Understanding between the San Diego Housing Commission and the City of San Diego (City) for the oversight and administration of the City's Homelessness Services Programs for an initial term from July 1, 2023, through June 30, 2024, with three one-year options to renew.

EXECUTIVE SUMMARY OF KEY FACTORS:

- The Housing Commission has administered homelessness services contracts on the behalf of the City based on a Memorandum of Understanding (Homelessness Shelters and Services MOU) that first took effect on July 1, 2010.
- The Homelessness Shelters and Services MOU details the roles and responsibilities of both the City and Housing Commission in the oversight and administration of programs funded through the City's Economic Development Department. The current Homelessness Shelters and Services MOU expires June 30, 2024.
- The Housing Commission and the City have subsequently entered into separate MOUs for the operation and administration of other programs that are funded by other City departments and not subject to the Homelessness Shelters and Services MOU. These MOUs expire on June 30, 2023. Another MOU for the administration of a subset of the Homeless Housing, Assistance, and Prevention (HHAP) funding expires on June 30, 2025.
- The proposed Master MOU consolidates the five existing MOUs between the Housing Commission and the City into one comprehensive MOU to ease the administration of the processes related to drafting, negotiating, approving and executing five separate MOUs. The five MOUs include the Homelessness Shelters and Services MOU, Bridge Shelter MOU, Transitional Storage Center MOU, Homelessness Response Center MOU, and the Homeless Housing, Assistance, and Prevention (HHAP) MOU. Any program administered by the Housing Commission on behalf of the City must be governed by an MOU.
- The Master MOU also serves as an overarching agreement between the City and Housing Commission to enter into program-specific agreements and administrative agreements detailed in separate Subrecipient Agreements, Scopes of Work, and Budget documents related to the programs described in the Action Plan and the Consolidated Plan.
- The Master MOU further details funding sources and requirements, including Housing Commission contributions; the process for the Housing Commission to request reimbursement of funds; indemnification; insurance and noticing requirements; and other miscellaneous provisions.
- Funding for programs administered under the Master MOU is contingent upon the City's annual budgeting process.



REPORT

DATE ISSUED: June 7, 2023

REPORT NO: HCR23-071

ATTENTION: Chair and Members of the San Diego Housing Commission
For the Agenda of June 15, 2023

SUBJECT: Execution of Memorandum of Understanding Between the City of San Diego and the San Diego Housing Commission for the Administration of the City's Homelessness Services Programs

COUNCIL DISTRICT: Citywide

REQUESTED ACTION:

Authorize the execution of a Memorandum of Understanding between the San Diego Housing Commission and the City of San Diego (City) for the oversight and administration of the City's Homelessness Services Programs for an initial term from July 1, 2023, through June 30, 2024, with two one-year options to renew.

STAFF RECOMMENDATION

That the San Diego Housing Commission (Housing Commission) Board of Commissioners (Board) recommend that the Housing Authority of the City (Housing Authority) of San Diego and the San Diego City Council (City Council) take the following actions:

Housing Authority:

- 1) Authorize the Housing Commission to enter into a Memorandum of Understanding with the City of San Diego (City) for an initial term from July 1, 2023, through June 30, 2024, with two one-year options to renew, for oversight and administration of the City's Homelessness Services Programs in San Diego.
- 2) Authorize the Housing Commission's President and Chief Executive Officer (President & CEO), or designee, to execute all documents and instruments that are necessary and/or appropriate to implement these approvals, in a form and format approved by General Counsel, and to take such actions 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.

City Council:

- 1) Authorize the City to enter into a Memorandum of Understanding with the Housing Commission for an initial term from July 1, 2023, through June 30, 2024, with two one-year options to renew, for oversight and administration of the City's Homelessness Services Programs in San Diego.
- 2) Authorize the Mayor of the City of San Diego, or designee, to execute all documents and instruments that are necessary and/or appropriate to implement these approvals, in a form and format

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approved by the City Attorney, and to take such actions necessary and/or appropriate to implement these approvals.

SUMMARY

The Housing Commission has administered homelessness services contracts on the behalf of the City based on a Memorandum of Understanding (Homelessness Shelters and Services MOU) that first took effect on July 1, 2010. The Homelessness Shelters and Services MOU details the roles and responsibilities of both the City and Housing Commission in the oversight and administration of programs funded through the City's Economic Development Department. The current Homelessness Shelters and Services MOU expires June 30, 2024.

The Housing Commission and the City have subsequently entered into separate MOUs for the operation and administration of other programs that are funded by other City departments and not subject to the Homelessness Shelters and Services MOU. These MOUs include the City's Bridge Shelter Program, Transitional Storage Program, and Homelessness Response Center. These MOUs expire on June 30, 2023. Another MOU for the administration of a subset of the Homeless Housing, Assistance, and Prevention (HHAP) funding expires on June 30, 2025.

The City and the Housing Commission began exploring the viability of incorporating the existing MOUs into one comprehensive document to streamline the administrative processes associated with the MOUs. The City and the Housing Commission have worked together over the course of several months to finalize a draft MOU that will cover all programs the Housing Commission administers on behalf of the City. The proposed actions in this report will allow the Housing Commission to enter into the Master Memorandum of Understanding (Master MOU) with the City to administer homelessness services programs on behalf of the City.

The Master MOU supports the Community Action Plan on Homelessness for the City of San Diego (Action Plan), a comprehensive, 10-year plan that builds on recent progress, lays out short-term achievable goals and serves as a guide for long-term success in addressing homelessness. As the Master MOU authorizes the partnership between the City and the Housing Commission to administer homelessness services programs in San Diego, it is an important administrative instrument to enact the vision, principles and strategies identified in the Action Plan.

OVERVIEW

The Master MOU consolidates the five existing MOUs between the Housing Commission and the City into one comprehensive MOU to ease the administration of the processes related to drafting, negotiating, approving and executing five separate MOUs. The five MOUs include the Homelessness Shelters and Services MOU, Bridge Shelter MOU, Transitional Storage Center MOU, Homelessness Response Center MOU, and the Homeless Housing, Assistance, and Prevention (HHAP) MOU. Any program administered by the Housing Commission on behalf of the City must be governed by an MOU.

The Master MOU describes the responsibilities of both the City and the Housing Commission related to the operation of the various homelessness shelters, services and programs described in the Action Plan and the Consolidated Plan, an annual plan that the City submits to the U.S. Department of Housing and Urban Development (HUD), which serves as the City's application to HUD for federal grant funds. The Master MOU also serves as an overarching agreement between the City and Housing Commission to enter into

program-specific agreements and administrative agreements detailed in separate Subrecipient Agreements, Scopes of Work, and Budget documents related to the programs described in the Action Plan and the Consolidated Plan.

The Housing Commission manages and oversees City programs that assist individuals and families experiencing homelessness or a housing crisis, including shelter, services system navigation, rapid rehousing and other types of assistance to support individuals and families in accessing appropriate crisis response, supportive services and housing solutions.

The Housing Commission is responsible for the general management, administration, and oversight of the City's shelters and services for individuals and families experiencing homelessness, as detailed in the executed Subrecipient Agreements, the Annual Action Plans, and City Budget documents. The Housing Commission shall generally manage and oversee the City programs as follows:

1. Shelter and Related Services, including Crisis Response Services
 - a. Provision of beds and/or units, with supportive services, for individual adults, families and/or youth, including congregate bridge shelters and special populations shelters.
 - b. Provision of shelter beds and/or units for individual adults, including a certain number of beds for individuals with special needs, including substance use disorder.
 - c. Provision of beds and/or units for current and future City-funded diversion programs, including Homeless Outreach Team (HOT), and Serial Inebriate Program (SIP).
 - d. Provision of crisis response services, which may include outreach or other field-based services.
2. Day Facilities, Homelessness Response Center and Related Services
 - a. Provision of a centralized access point for referral and walk-in services
 - b. Provision of services for basic needs
 - c. Provision of housing and system navigation
 - d. Transitional storage services
3. Homelessness Prevention Programs and Rapid Rehousing Assistance Program.
 - a. Provision of Rapid Rehousing Assistance to assist families and individuals experiencing homelessness in exiting homeless situations (e.g., shelters and transitional housing programs) and secure permanent housing
 - b. Provision of Homelessness Diversion and Prevention Programs
 - c. Provision of Landlord Engagement Programs
 - d. Provision of Rapid Stabilization Programs
4. Other Programming and Services-related Workforce Capacity and Training

Under the Master MOU, the Housing Commission is further responsible for:

1. Coordinating access to City-owned or City-leased facilities and promptly informing the City of any issues and/or problems at the facilities
2. Ensuring that program operators input program data input into the Homeless Management Information System
3. Maintaining general membership in the Regional Task Force on Homelessness
4. Procuring, managing and monitoring contracts with subcontracted service providers
5. Maintaining inventory of non-expendable property purchased with grant funds

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6. Ensuring that program operators obtain all appropriate County or State agency permits to operate the program(s)
7. Ensuring compliance with Federal, State and Local laws and regulations governing grant funds
8. Reporting and providing program data
9. Documenting performance metrics and outcomes
10. Coordinating regular meetings with City representatives
11. Coordinating with the City in advance of responding to media requests or attending public meetings

The City maintains responsibility for:

1. Drafting annual Subrecipient Agreements between the Housing Commission and the City to define the Scope of Services and annual Budgets by funding source and obtaining City Council approval
2. Obtaining all required City permits related to site location and improvements
3. Covering ancillary costs related to the use of City-owned or leased properties, such as lighting, electricity, water, and maintenance, including unforeseen maintenance costs unless otherwise agreed upon in writing

The Master MOU further details funding sources and requirements, including Housing Commission contributions; the process for the Housing Commission to request reimbursement of funds; indemnification; insurance and noticing requirements; and other miscellaneous provisions.

FISCAL CONSIDERATIONS

Funding for programs administered under the Master MOU is contingent upon the City's annual budgeting process. Funding sources covered under the terms of the Master MOU, include, but are not limited to, the federal Community Development Block Grant; federal Emergency Solutions Grant; State of California Homeless Housing, Assistance, and Prevention funds; and City General Funds.

HOUSING COMMISSION STRATEGIC PLAN

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

AFFORDABLE HOUSING IMPACT

Homelessness remains a crisis in the City of San Diego, and homelessness services programs are critical to the well-being of persons experiencing homelessness. The programs the Housing Commission administers under the terms of the Master MOU provide a range of interventions to address the needs of this community.

EQUAL OPPORTUNITY CONTRACTING AND EQUITY ASSURANCE

The Housing Commission generally contracts with nonprofit service providers. Nonprofit agencies are not subject to the requirement to submit a Workforce Report. As part of the Housing Commission's request for proposal evaluation process, the Housing Commission reviews and assesses the agency's equity and inclusion policies and practices and requests the proposer to describe how they will address racial equity and inequities within the program and incorporate diversity into hiring practices and training.

AD HOC COMMITTEE ON HOMELESSNESS AMONG BLACK SAN DIEGANS ACTION PLAN

The Housing Commission supports and is committed to applying the action items identified in the regional Ad Hoc Committee on Homelessness Among Black San Diegans' (Ad Hoc Committee) Action Plan. The staff-recommended actions proposed for Housing Commission Board consideration in this report relate to Ad Hoc Committee Action Item 6, Transform the Crisis Response System, by increasing availability of shelter and other basic survival needs and increasing access to mainstream systems identified as having barriers.

PREVIOUS COUNCIL and/or COMMITTEE ACTION

On October 27, 2020, the Housing Authority approved entering into an MOU between the Housing Commission and the City for the administration and operation of the Homelessness Response Center for an initial eight-month term from November 1, 2020, through June 30, 2021, with two one-year options to renew (Resolution HA-1821) without further action from the Housing Authority or City Council. The City Council approved execution of the Homelessness Response Center MOU on October 30, 2020 (Resolution No. R-313275).

On June 16, 2020, the City Council approved an MOU with the Housing Commission regarding the administration of Homeless Housing, Assistance, and Prevention (HHAP) program funding (Resolution No. R-313113) for a five-year term from July 1, 2020, through June 30, 2025, to renew annually until the expiration, without further action from the Housing Authority or City Council.

On June 16, 2020, the Housing Authority (Resolution HA-1859) and City Council (Resolution No. R-313111) authorized execution of the Bridge Shelter MOU with the Housing Commission for a one-year term from July 1, 2020, through June 30, 2021, with two one-year options to renew, to operate the City's Bridge Shelter Program without further action from the Housing Authority or City Council. The City Council approved the removal of references to Transitional Storage Center Program from the Bridge Shelter MOU (Resolution No. R-313112). The Housing Authority (Resolution HA-1862) approved a separate MOU between the Housing Commission and the City for an initial one-year term from July 1, 2020, through June 30, 2021, with two one-year options to renew, to operate the Transitional Storage Center Program without further action from the Housing Authority or City Council.

On June 25, 2019, the Housing Authority (Resolution HA-1821) authorized execution of a new Homeless Shelters and Services MOU for an initial one-year term from July 1, 2019, through June 30, 2020, with four one-year options to renew without further action from the Housing Authority or City Council. City Council adopted a resolution (Resolution No. R-312442) on April 26, 2019, authorizing the Mayor, or designee, to negotiate and enter into a new MOU with the Housing Commission.

On June 11, 2019, renewal of the Bridge Shelter MOU for oversight and administration of the Bridge Shelter Program and the Transitional Storage Program from July 1, 2019, through June 30, 2020, was approved by the Housing Authority (Resolution HA-1817) and City Council (Resolution No. R-312514).

On March 20, 2018, the first amendment to the Bridge Shelter MOU between the Housing Commission and the City was approved by the Housing Authority (Resolution No. HA-1777) and City Council (Resolution No. R-311627). The amendment incorporated references to the Transitional Storage Center Program into the Bridge Shelter MOU.

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On November 14, 2017, the Housing Authority (Resolution HA-1755) and City Council (Resolution No. R-311427) authorized execution of an MOU (Bridge Shelter MOU) with the Housing Commission for a one-year term with two one-year option to renew to operate the City's Bridge Shelter Program without further action from the Housing Authority or City Council.

On April 28, 2015, the Housing Authority (Resolution HA-1659) and City Council (Resolution No. R-309666) approved a First Amendment to the MOU by adding a section to include the year-round Interim Housing Facility, approved by the Housing Authority on March 24, 2015, to replace sections referencing the City's Single Adult and Veterans Emergency Winter Shelters; and revising the language in the Permitting section regarding the Interim Housing modifies the use of the Community Development Block Grant (CDBG) funds for the Interim Housing activities.

On June 17, 2014, the Housing Authority (Resolution HA-1623) and City Council (Resolution No. R-309057) approved a restated Homeless Shelters and Services MOU to synthesize the previous MOU and its amendments into one MOU and further delineated Housing Commission and City responsibilities for these programs and their funding sources. The MOU included an initial one-year term from July 1, 2014, through June 30, 2015, with four options to renew without further action from the Housing Authority or City Council.

On September 25, 2012, the Housing Authority (Resolution HA-1566) and City Council (Resolution No. R-307701) approved a third amendment to the MOU to set aside up to \$1,318,078 of federal Community Development Block Grant funds each year for certain homelessness programs as described in the MOU.

On July 31, 2012, the Housing Authority (Resolution HA-1564) and City Council (Resolution No. R-307656) approved a second amendment to the Homeless Shelters and Services MOU to extend the term until June 30, 2014.

On June 27, 2011, the Housing Authority (Resolution HA-1527) and City Council (Resolution No. R-306884) approved a first Amendment to the Homeless Shelters and Services MOU to extend the term until June 30, 2013.

On June 29, 2010, the Housing Authority (Resolution HA-1473) and City Council (Resolution No. R-305962) approved the initial Homeless Shelters and Services MOU between the City and the Housing Commission, transferring the administration of the City's Homeless Shelters and Services Programs to the Housing Commission.

KEY STAKEHOLDERS AND PROJECTED IMPACTS

Stakeholders for this project include persons experiencing homelessness and persons residing in the City of San Diego.

ENVIRONMENTAL REVIEW

The activities described in the report are not a project as defined in California Environmental Quality Act (CEQA) Section 15378 and, therefore, are not subject to CEQA pursuant to Section 15060 (c)(3) of the State CEQA Guidelines and/or are categorically exempt under multiple separate provisions of CEQA,

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including Sections 15301, 15304 (e), 15311(c) which includes the placement of temporary or seasonal facilities designed for public use. A final reservation of federal funds shall occur only upon satisfactory completion of a National Environmental Policy Act (NEPA) review. A preliminary determination has defined the activities contemplated herein, including administrative and management activities to be categorically excluded from NEPA pursuant to Section 58.35(b)(2) and (3) and exempt per Section 58.35(a)(3) and (4) of Title 24 of the Code of Federal Regulations. The parties agree that the provision of any federal funds to the project is conditioned on the City of San Diego's final NEPA review and approval.

Respectfully submitted,



Lisa Jones
Executive Vice President, Strategic Initiatives
San Diego Housing Commission

Approved by,



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

Hard copies are available for review during business hours at the information desk in the main lobby of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101. Docket materials are also available in the "Governance & Legislative Affairs" section of the San Diego Housing Commission website at www.sdhc.org."