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DEPARTMENT OF ELECTIONS

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

[TITLE]

[SUMMARY]

Be it ordained by the People and City of San Francisco.

SECTION 1. Title.

This Initiative shall be known and may be cited as "Limitations on Navigation Centers" (referred to herein as the "Measure").

SECTION 2. Findings and Purposes.

The People of the City and County of San Francisco (the "City") declare their findings and purposes in enacting the Measure to be as follows:

(a) Despite skyrocketing budgets for homeless services, street conditions in San Francisco have deteriorated. Between 2015 and 2019, the point-in-time count of the unsheltered homeless in the City rose by 19%. According to the count, 1/3rd of the unsheltered are substance abusers. 1/3rd are severely mental ill, a statistic that is up 140% in 4 years.

(b) In 2015, San Francisco began an experiment: invite unsheltered homeless into emergency, short-term shelters with few preconditions, and rapidly "navigate" them to temporary or permanent supportive housing, healthcare and other services.

(c) The Department of Homelessness and Supportive Housing ("DHS") classifies stays at the City's navigation centers as:

- (1) Homeward Bound: 1-2 nights until reunified with friends or family;
- (2) Emergency Beds: up to 7 days;
- (3) Time-Limited Beds: up to 30 days, persons not prioritized for housing; or
- (4) Pathway to Housing: indeterminate exit date, Coordinated Entry, awaiting housing.

(d) According to DHS, between March 2015 and February 2019, 4,563 unsheltered homeless exited a City navigation center. Only 46% of exits were "successful": 28% Homeward Bound, 4% temporary housing and 14% permanent supportive housing. Homeward Bound—often little more than an overnight stay and a bus ticket—was by far the most common successful exit from the City's navigation centers. Only 18% obtained a housing placement. 58% of exits were "unstable" (failures), including 30% "by client choice", 14% at the end of a limited stay, and 10% were "denied service".

(e) During this birthing period, the Board of Supervisors and Mayor have repeatedly changed the terms under which the City establishes and operates navigation centers. Under Ordinance No. 117-16 (2016), which added Section 106 to the City Administrative Code, navigation centers were to pop up in a community, rapidly address needs of the local unsheltered homeless, then close within two years. In Ordinance No. 29-18 (2018) and Ordinance No. 61-19 (2019), the Board of Supervisors and Mayor suspended the application of the City Environmental Code,

competitive bidding and non-discrimination requirements in the construction of new navigation centers—extraordinary exemptions that might reduce costs and speed up opening—but also eliminated the requirement of a two year limited life, enabling centers to become permanent fixtures in our neighborhoods. This has encouraged the City to spend significantly more on capital improvements, and raised concerns about cronyism, and potential fraud and abuse.

(f) The Measure returns the City to the original requirement of a maximum two year operating life of a navigation center, to keep initial capital investment modest, and encourage centers to resolve the most difficult cases in a neighborhood during a limited time frame. The Measure removes from the Board of Supervisors and the Mayor, without voter approval, the authority to extend the longevity of any navigation center.

(g) The Board of Supervisors and Mayor decided initially, in Ordinance No. 117-16, to open a mandatory minimum number of at least 6—at the time, temporary—navigation centers by 2018, without specifying location. According to Ordinance No. 61-19, the City now plans to open at least one center in the majority of City's 11 supervisory districts. In 2019, five members of the Board of Supervisors proposed to require a navigation center in every supervisory district, without regard to local need—their idea of a "fair" distribution across the City.

(h) The Measure adopts a strict location rule. Any new navigation center must open in the census tract in the City with the largest number of unsheltered homeless (or, if already hosting a navigation center, optionally, the census tract with the next largest number), or a contiguous census tract, in accordance with the latest annual or biennial point-in-time count.

(i) The Measure allows a separate census tract prioritization based on the unsheltered homeless count among a subpopulation used in regular point-in-time Continuum of Care reporting of the U.S. Department of Housing and Urban Development, including transitional age youth, veterans, transgender, the severely mentally ill and chronic substance abusers.

(j) In the 2010 census, San Francisco comprised 197 census tracts, each with, on average, 4,108 persons and 1,915 households. The drill down to census tract counts will help ensure that the location of any new navigation center is precisely targeted to local needs, not politics.

(k) Under prior law as of 2016, each navigation center must accommodate 40 to 100 residents. However, the City Administrator has discretion to waive the maximum. In 2019, the "Embarcadero" navigation center opened with 200+ beds based on such a waiver. But centers of predictable size fit better in our communities, cost less to open and facilitate navigation of a manageable caseload to available resources. The Measure removes waiver authority.

(l) In 2019, five members of the Board of Supervisors proposed a 90 days minimum stay for any resident, with no limitation on length of stay. This would effectively eliminate Homeward Bound and other limited-term stays, dramatically reduce the number of unsheltered homeless that a center might navigate over time, and simply warehouse the chronically homeless.

(m) The Measure limits the stay of any resident to 60 days, extended or renewed only if the resident is discharged from a medical or mental health related hospital admission, completes off-site residential drug addiction rehabilitation, or spends 120 days outside a City navigation center. Residents with serious mental health disorders who remain prescription compliant may qualify for routine extension of their residence. Together, these limits will encourage rapid navigation to transitional or permanent supportive housing, mental health hospitalization, off-site residential drug addiction rehabilitation, Homeward Bound placement with friends or family, and other

successful exits. With higher turnover, navigation centers can attend to the needs of more unsheltered homeless.

(n) Navigation centers host residents with alcohol and controlled substance addiction, and justice system involvement, which raises issues of resident, staff and neighborhood safety, and potential interference with navigation. The Measure expressly prohibits on the premises alcohol, controlled substances, guns or knives; also drinking, using, misdemeanors or felonies—including assault, drug dealing, larceny, pimping or pandering, prostitution, sexual battery or rape. Any violation terminates residence. Furthermore, if staff neglects to enforce these restrictions, the center is required to close.

(o) The Measure provides that the priority exit for any resident with a serious mental health disorder who refuses prescribed medication is to mental health hospitalization.

(p) The Measure provides that the priority exit for any resident with an alcohol or controlled substance addiction is to off-site residential rehabilitation. Navigation centers will fail if addicted residents may simply step outside to buy alcohol or controlled substances, and drink or use. Centers must not be tasked to provide medically supervised detoxification/withdrawal.

(q) The City has partnered with the AIDS Foundation to dispense syringes and needles used to inject controlled substances, at a cost of \$34 million. This includes funding for facilities, staff and drug abuse education that promote addiction rehabilitation—services that should not be decoupled or duplicated.

(r) The Measure prohibits navigation centers from distributing syringes and needles. Furthermore, no navigation center may become, or permit on its premises, a so-called “safe injection site”, “consumption site”, “managed alcohol shelter” or similar, under any provision of law that might be enacted by the Board of Supervisors and Mayor.

(s) The State of California has established a broad definition of “Low Barrier Navigation Centers” in Section 65660 of the Government Code of the State of California, enacted in AB 101 (2019), to grant “use by right” status in mixed use and nonresidential zones permitting multifamily uses, and exemptions from the California Environmental Quality Act, including from the right of neighborhood residents to seek an injunction in court.

(t) The Measure adopts this definition of navigation centers to ensure that restrictions will be applied to new and existing centers in the City, regardless of evolution in local terminology or re-branding by the Board of Supervisors and the Mayor.

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SECTION 3. Amendment of Chapter 106 of the Administrative Code.

The following is marked for convenience to show changes against Chapter 106 of the Administrative Code as at February 10, 2020, at which time this amendment comprises revisions of Sections 106.1, 106.2, 106.3 and 106.5, removal of Section 106.4, and addition of Sections 106.2-1, 106.2-2, 106.2-3 and 106.2-4.

Chapter 106 of the San Francisco Administrative Code is hereby amended to read in its entirety as follows:

SEC. 106.1. NAVIGATION CENTERS ~~REQUIRED~~.

(a) Definitions.

When used in this Chapter 106, the following terms, regardless of capitalization, have the meaning indicated:

"Alcohol" means any alcoholic beverage or powdered alcohol as defined in Sections 23003 and 23003.1 of the Business and Professions Code of the State of California;

"Census Tract" means a geography in the City constituting a census tract delineated by the United States Bureau of the Census in the most recent decennial census;

"Commitment" means involuntary commitment under Sections 5150 or 5250 of the Welfare and Institutions Code of the State of California;

"Conservatorship" means conservatorship under Section 5350 of the Welfare and Institutions Code of the State of California;

"Consumption Site" means any location at which Drinking or Using is permitted, regardless of the presence of medically trained staff or level of supervision, or designation by law as a "safe injection site," "consumption site," "managed alcohol shelter" or similar;

"contiguous" means, with regard to Census Tracts, sharing a common border;

"Controlled Substances" means any controlled substance classified in Schedule I, II, III, IV or V under Part 1308 of Title 21 of the Code of Federal Regulations of the United States; unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in the State of California, or unless otherwise legal for adult possession and use without a prescription in the State of California;

"Drinking or Using", or "Drinks or Uses", means any consumption or use of Alcohol or Controlled Substances including, without limitation, by ingestion, inhalation, intranasal or rectal administration, or intravenous, intramuscular or subdermal injection;

"Guns, Knives or other Weapons" means any firearm as defined in Section 16520 of the Penal Code of the State of California, or any dangerous or deadly weapon as defined in the Section 1291 of the Police Code of the City; in each case, unless in the possession of a peace officer as defined in Section 830 of the Penal Code of the State of California;

"HUD" means the United States Department of Housing and Urban Development;

"Medical Triage" means assessment of health concerns and symptoms via communication with a physician, registered nurse, or other qualified health professional acting within his or her scope of practice who is trained to screen or triage, for the purpose of determining the urgency of a need for care and connecting the resident with appropriate off-site medical services;

"Navigation Center" means Low Barrier Navigation Center as defined in Section 65660 of the Government Code of the State of California;

"number of unsheltered homeless" means, with respect to a specified geography, the point-in-time count of unsheltered homeless;

"point-in-time count" means the most recent annual or biennial point-in-time count undertaken by the City in consultation with HUD pursuant to Part 578 of Title 24 of the Code of

Federal Regulations of the United States, applying Continuum of Care best practices;

"Prescription Compliant" means in ongoing voluntary material compliance with an appropriate course of prescription psychiatric medication, according to a current assessment by a Psychiatrist;

"Psychiatrist" means a psychiatrist licensed by the Medical Board of California acting within his or her scope of practice;

"Serious Mental Health Disorder" means a condition that meets one or more of the definitions of schizophrenia spectrum or other psychotic disorders, bipolar disorders or neurocognitive disorders under the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association; and

"subpopulation" means a subpopulation used by HUD for regular aggregate Continuum of Care reporting of statistics on homelessness, including, without limitation, transitional age youth, veterans, transgender, the severely mentally ill and chronic substance abusers.

(b) As specified further in this Chapter 106, the City may open and operate Navigation Centers exclusively upon the terms and conditions of this Chapter, in order to address street homelessness and connect homeless people to health and mental health services, housing, benefits, and other services. For purposes of this Chapter, "Navigation Center" means a temporary, low barrier to entry shelter that, through case management and social service programs, aids in moving homeless people off the streets and into permanent housing or transitional or stable supportive housing that eventually leads to permanent housing —

SEC. 106.2. OPERATIONAL REQUIREMENTS FOR NAVIGATION CENTERS.

(a) Each Navigation Center shall offer the following services:

(1) Beds for no fewer than 40 and no more than 100 residents at a time, including, to the extent feasible, flexible housing arrangements whereby groups, families, and couples may stay together, ~~provided that the 100 resident cap maybe exceeded at a specific any Navigation Center or Centers upon a written finding by the City Administrator that exceeding the cap would not compromise the objectives of this Chapter 106 or the operations of the affected Navigation Center or Centers;~~

(2) Adequate showers and bathroom facilities;

(3) Adequate storage for residents' personal property;

(4) In-and-out privileges allowing residents to leave and re-enter the facility, provided that the City Administrator has discretion to impose reasonable restrictions on in-and-out privileges at all Navigation Centers, and the City Administrator or City Administrator's designee has discretion to impose such restrictions at a specific Navigation Center, including reasonable restrictions to reduce off-site use of Controlled Substances;

(5) Medical Triage and Access to off-site health services, including drug and alcohol treatment, and harm reduction interventions conforming to the Department of Public Health's Policy on Harm Reduction, as that policy may be amended from time to time off-site mental health services and off-site medically supervised withdrawal management/detoxification services;

(6) Intensive case management to help ~~connect~~ navigate people to off-site mental health hospitalization, off-site residential addiction rehabilitation, off-site abuse counseling and shelter, and other off-site transitional or permanent supportive housing;

(7) Integration of low-threshold access to City services, including benefits screening and eligibility, transportation of belongings, and other services that will effectively reduce barriers to housing; and

~~—(8) To the maximum extent feasible, a site that is at least 10,000 square feet in size, including outdoor space located within the boundaries of the Navigation Center site where residents may congregate; and~~

(98) Three meals per day.

(b) Each Navigation Center shall allow residents to keep their pets with them.

~~—(c) At least one Navigation Center shall focus on the needs of homeless persons, aged 18-29, who have experienced street homelessness.~~

~~—(d) The City Administrator shall explore the feasibility of operating one Navigation Center as a managed alcohol shelter that would allow residents to consume alcohol within the facility, and would provide those residents with alcohol treatment and supportive shelter services.~~

SEC. 106.2-1 OPERATIONAL RESTRICTIONS

(a) No Navigation Center shall permit on its premises:

(1) Alcohol or Controlled Substances;

(2) Drinking or Using, regardless of whether a Navigation Center, or any portion of its premises, is designated as a Consumption Site;

(3) Guns, Knives or other Weapons.

(4) misdemeanors or felonies, including without limitation, assault, drug dealing, larceny, pimping or pandering, prostitution, domestic battery, sexual battery or rape;

(b) No Navigation Center shall distribute to residents syringes or needles used for the consumption of Controlled Substances.

SEC. 106.2-2. LIMITED RESIDENCE; PRIORITY EXIT; EXIT FOR CAUSE

(a) Residence at a Navigation Center shall last no longer than 60 days, measured from the first date of residence, whether or not resident is consistently present; provided, however, that residence may be renewed one or more times for up to another 60 days, on the same terms, exclusively upon one of the following:

(1) discharge from an inpatient medical or mental health related hospital admission;

(2) completion of at least 30 days of off-site residential drug rehabilitation;

(3) current assessment by a Psychiatrist that resident has a Serious Mental Health Disorder, is Prescription Compliant, and does not meet the standards for Commitment or Conservatorship;

(4) 120 consecutive days without residence at a Navigation Center in the City.

(b) The priority exit for any resident with a Serious Mental Health Disorder who is not Prescription Compliant is transfer to off-site mental health hospitalization.

(c) The priority exit for any resident assessed as addicted to Alcohol or a Controlled Substance is transfer to off-site residential addiction rehabilitation.

(d) Any resident who possesses Alcohol, Controlled Substances, or Guns, Knives or other Weapons, Drinks or Uses, or commits misdemeanors or felonies on the premises of a Navigation Center shall lose the privilege of continued residency and be removed forthwith from the premises, and shall not qualify for readmission to any Navigation Center for a period of 120 days.

SEC 106.2-3. LOCATION PRIORITY REQUIREMENT

(a) The City shall locate any new Navigation Center in the Census Tract with the highest number of unsheltered homeless, or any contiguous Census Tract;

(b) In the event either the Census Tract or any contiguous Census Tract determined in accordance with paragraph (a) above, or this paragraph (b), already contains an existing, open and operating Navigation Center, the City may locate a Navigation Center in the Census Tract with the next highest number of unsheltered homeless, or any contiguous Census Tract (paragraph (a) above and this paragraph (b) referred to herein, collectively, as the "Location Priority Requirement);

(c) The City may locate a new Navigation Center that is restricted by irrevocable contract or covenant to admitting only the members of a subpopulation by considering separately, in the

application of the Location Priority Requirement, only the unsheltered homeless among the subpopulation;

(d) The Location Priority Requirement shall be the exclusive requirement for the location of Navigation Centers; without limitation, notwithstanding any other provision of law, the City shall have no requirement for the number of Navigation Centers to be established or operating by a calendar date, or require the location of Navigation Centers on the basis of any electoral subdivisions of the City or the State of California, or otherwise apply any requirement of geographic distribution across neighborhoods other than the Location Priority Requirement;

SEC. 106.2-4. TEMPORARY FACILITIES; SAFETY CLOSURE; RE-OPENING RESTRICTIONS.

(a) Navigation Centers shall be temporary facilities that, once opened, shall operate on a specific site for no more than two years, and then close, with no provision for extension;

(b) Any Navigation Center that fails to enforce Section 106.2-1(a) or Section 106.2-2(d) of this Chapter shall close within 7 days; and

(c) A Navigation Center, once closed, shall not re-open or convert into a Consumption Site.

SEC. 106.3. PROGRAM IMPLEMENTATION.

~~—(a) The City shall have opened no fewer than three Navigation Centers under this Chapter 106 no later than 12 months after the effective date of the ordinance in Board File No. 160278, enacting this Chapter. The City shall have opened no fewer than six Navigation Centers no later than 24 months after the effective date of that ordinance.~~

~~—(1) If the City opens any Navigation Centers meeting the operational requirements set forth in Section 106.2 of this Chapter between the introduction of the aforementioned ordinance and its effective date, such Navigation Centers shall be treated as Navigation Centers under this Chapter and shall be counted among the three Navigation Centers to be opened within 12 months after the effective date of that ordinance, and among the six Navigation Centers to be opened within 24 months after the effective date of that ordinance.~~

~~—(2) If the City converts any existing homeless shelters into Navigation Centers meeting the operational requirements set forth in Section 106.2 of this Chapter, such Navigation Centers shall be counted among the three Navigation Centers to be opened within 12 months after the effective date of that ordinance, and among the six Navigation Centers to be opened within 24 months after the effective date of that ordinance; provided, however, that any Navigation Centers that are converted from homeless shelters are not required to comply with the 40-100 bed limit set forth in subsection (a)(1) of Section 106.2 or the requirement to allow residents to keep their pets with them set forth in subsection (b) of Section 106.2.~~

(ba) The City may enter into grant agreements with nonprofit organizations to provide services relating to Navigation Centers; provided, however, that said agreements include covenants to enforce the restrictions of this Chapter; provided further, that the City Administrator shall amend existing grant agreements to include such covenants, or terminate said agreements, within two months of the effective date of this requirement.

~~—(c) The homelessness services provided at the Navigation Centers may not be taken from homeless services at other shelters or drop ins provided as of the effective date of this Chapter 106, but rather shall be in addition to those services.~~

(db) The City shall attempt to locate Navigation Centers in areas accessible to homeless people. When practicable, The City shall give first priority to unused or vacant sites owned or controlled by the City. The City shall give, 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. The City shall give, and third priority to private property or property owned by other, non-City public agencies, that could be leased or acquired by the City; provided, however, that these

priorities shall be subordinate to the Location Priority Requirement.

(ec) After identifying a site where a Navigation Center may be located, but before opening a Navigation Center on that site, the City Administrator, in consultation with the member of the Board of Supervisors who represents the district in which the identified site is located, shall conduct a thorough community outreach process with neighbors, neighborhood associations, and merchant associations on the site selection.

~~—(f) The City Administrator shall, no later than within 120 days of the effective date of the ordinance enacting this Chapter 106, submit to the Board of Supervisors for its review and comment an implementation and funding plan for this Chapter.~~

(gd) Within 90 days of the opening of each new Navigation Center, the City Administrator shall present the Board of Supervisors with a housing exit plan, ~~consistent with the Equitable Exit Plan set forth in subsection (b) of Section 106.4,~~ for that Navigation Center's residents to ensure regular turnover of its residents. This housing exit plan shall include ~~stable housing options, including but not limited to shelters for victims of abuse, transitional housing,~~ SRO beds, supportive housing, public housing, and below-market rate housing, and shall take into consideration the need to preserve permanent housing resources for individuals in the shelter system and others seeking permanent housing. ~~This housing exit plan may include transitional or temporary housing, but must be part of a long term housing plan.~~

~~—(d) The City Administrator shall develop and submit to the Board of Supervisors the plans set forth below:~~

~~—(a)—~~

~~—(1) Within 120 days of the effective date of this Chapter 106, the City Administrator, in close consultation with the Local Homeless Coordinating Board and community partners, including homeless and formerly homeless people, shall develop an "Equitable Entry Plan" that will identify the factors and circumstances to be considered when assigning homeless adults without minor children to Navigation Centers, and any circumstances that might give rise to a priority in placement.~~

~~—(b)—~~

~~—(2) Within 120 days of the effective date of this Chapter 106, the City Administrator, in close consultation with the Local Homeless Coordinating Board and community partners, including homeless and formerly homeless people, shall develop an "Equitable Exit Plan" that will identify the factors to be considered when moving homeless adults without minor children from Navigation Centers, homeless shelters, the street, or such other locations where they may reside, to transitional, supportive, and/or permanent housing, and any circumstances that might give rise to a priority in placement. The Equitable Exit Plan shall also identify the factors to be considered when moving homeless young adults from Navigation Centers, homeless shelters, the street, or such other locations where they may reside, to transitional, supportive, and/or permanent housing, and any circumstances that might give rise to a priority in placement.~~

~~—(c) Within 120 days of the effective date of this Chapter 106, the City Administrator, in close consultation with the Local Homeless Coordinating Board, community partners, including homeless and formerly homeless people, and the Mayor's Office of Housing and Community Development, shall develop a "Housing Revenue Plan" that will identify sustainable revenue sources to support the Mayor's commitment to identify housing for 8,000 homeless individuals, including individuals in families, in the next four years. The Housing Revenue Plan shall estimate the costs associated with constructing new units, subsidizing turnover units in nonprofit housing, subsidizing market rate units, expanding rapid re-housing and other programs, and increasing supportive housing, and shall identify potential sources of revenue that could support the development of housing sufficient to meet the Mayor's goal.~~

~~SEC. 106.4. EQUITABLE ENTRY PLAN; EQUITABLE EXIT PLAN HOUSING REVENUE PLAN~~

~~—To facilitate the equitable distribution of shelter and housing resources, and promote the development of new, permanent housing sufficient to meet the needs of San Francisco's homeless adults and young adults, the City Administrator shall develop and submit to the Board of Supervisors the plans set forth below.~~

~~—(a) Within 120 days of the effective date of this Chapter 106, the City Administrator, in close consultation with the Local Homeless Coordinating Board and community partners, including homeless and formerly homeless people, shall develop an "Equitable Entry Plan" that will identify the factors and circumstances to be considered when assigning homeless adults without minor children to Navigation Centers, and any circumstances that might give rise to a priority in placement.~~

~~—(b) Within 120 days of the effective date of this Chapter 106, the City Administrator, in close consultation with the Local Homeless Coordinating Board and community partners, including homeless and formerly homeless people, shall develop an "Equitable Exit Plan" that will identify the factors to be considered when moving homeless adults without minor children from Navigation Centers, homeless shelters, the street, or such other locations where they may reside, to transitional, supportive, and/or permanent housing, and any circumstances that might give rise to a priority in placement. The Equitable Exit Plan shall also identify the factors to be considered when moving homeless young adults from Navigation Centers, homeless shelters, the street, or such other locations where they may reside, to transitional, supportive, and/or permanent housing, and any circumstances that might give rise to a priority in placement.~~

~~—(c) Within 120 days of the effective date of this Chapter 106, the City Administrator, in close consultation with the Local Homeless Coordinating Board, community partners, including homeless and formerly homeless people, and the Mayor's Office of Housing and Community Development, shall develop a "Housing Revenue Plan" that will identify sustainable revenue sources to support the Mayor's commitment to identify housing for 8,000 homeless individuals, including individuals in families, in the next four years. The Housing Revenue Plan shall estimate the costs associated with constructing new units, subsidizing turnover units in nonprofit housing, subsidizing market rate units, expanding rapid re-housing and other programs, and increasing supportive housing, and shall identify potential sources of revenue that could support the development of housing sufficient to meet the Mayor's goal.~~

SEC. 106.5. ADMINISTRATIVE IMPLEMENTATION.

(a) The City Administrator shall be responsible for implementing this Chapter 106.

(b) The City Administrator may issue rules, regulations, and/or guidelines, applicable to all Navigation Centers, consistent with the objectives and requirements of this Chapter 106. The City Administrator or the City Administrator's designee may issue rules, regulations, and/or guidelines applicable to a specific Navigation Center, consistent with the objectives and requirements of this Chapter.

(c) Consistent with Charter requirements, the City Administrator may enter into, or terminate, contracts or other agreements with other City departments, public agencies, and private entities, including not-for-profit organizations, to administer this Chapter 106.

(d) The Controller shall track and evaluate the Navigation Centers' outcomes, including but not limited to the number of residents served by the Navigation Centers, residents' lengths of stay, residents' destinations upon exit (e.g., permanent housing, skilled nursing facility), and the number of residents receiving and retaining public assistance benefits. The Controller shall summarize these outcomes in a report to be submitted to the Board of Supervisors no later than within six months of the effective date of this Chapter 106, and every six months thereafter, until

such time as the Navigation Centers are no longer in operation. ~~Within one year of the effective date of this Chapter 106, the Controller, in consultation with the City Administrator, shall submit to the Board of Supervisors a report that describes any lessons learned from the operation of the Navigation Centers, and makes recommendations as to how and whether the Navigation Centers' approach to reducing barriers to shelter could be applied to the City's full shelter system, along with a proposed resolution to accept the report.~~

(e) All City officers and entities shall cooperate with the City Administrator in the implementation and administration of this Chapter 106.

SEC. 106.6. TRANSFER OF RESPONSIBILITIES TO A NEWLY CREATED DEPARTMENT.

If at any time after the adoption of this Chapter 106 the City establishes a City department charged with the coordination of services and supportive housing for the homeless, all responsibilities assigned to the City Administrator under this Chapter 106 shall transfer by operation of law to the new department upon its creation.

SEC. 106.7. UNDERTAKING FOR THE GENERAL WELFARE.

In enacting and implementing this Chapter 106, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SECTION 4. Interpretation.

The Measure must be interpreted so as to be consistent with all federal and state laws, rules and regulations. It is the intent of the voters that the provisions of the Measure be interpreted or implemented in a manner that facilitates the purposes set forth in the Measure. The title of the Measure and the captions preceding the sections of the Measure are for convenience of reference only. Such title and captions shall not define or limit the scope or purpose of any provision of the Measure. The use of the terms "including," "such as" or words of similar import when following any general term, statement or matter shall not be construed to limit such term, statement or matter to the specific item or matters, whether or not language of non-limitation is used. Rather such terms shall be deemed to refer to all other items or matters that could reasonably fall within the broadest possible scope of such statement, term or matter.

SECTION 5. Severability.

If any provision of the Measure, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end, the provisions of the Measure are severable. The voters declare that the Measure, and each section, sub-section, sentence, clause, phrase, part or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part or portion is found to be invalid. If any provision of the Measure is held invalid as applied to any person or circumstance, such invalidity does not affect any application of the Measure that can be given effect without the invalid application.

SECTION 6. Conflicting Ballot Measures.

In the event that the Measure and another measure or measures relating to navigation centers, or emergency shelters for the homeless generally, shall appear on the same municipal election ballot, the provisions of such other measures shall be deemed to be in conflict with the

Measure. In the event that the Measure shall receive a greater number of affirmative votes, the provisions of the Measure shall prevail in their entirety and each and every provision of the other measure or measures shall be null and void in their entirety. In the event that the other measure or measures shall receive a greater number of affirmative votes, the provisions of the Measure shall take effect to the extent permitted by law.

SECTION 7. Effective Date

In accordance with the provisions of Municipal Elections Code §380 and California Elections Code §9217, if a majority of the voters vote in favor of the Measure, the Measure shall go into effect ten days after the official vote count is declared by the Board of Supervisors.

SECTION 8. Amendment.

Pursuant to Municipal Elections Code §390 and California Elections Code §9217, the provisions of the Measure may only be amended by a vote of the people.