



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHWEST
1220 PACIFIC HIGHWAY
SAN DIEGO, CA 92132-5190

IN REPLY REFER TO:

11011
Ser OPUB1.LG.LG/006
October 18, 2017

City of San Diego, Real Estate Assets
Attn: Aurora Brown
1200 Third Avenue
Suite 1700
San Diego, CA 92101

Dear Ms. Brown:

Enclosed please find one copy of fully executed License Agreement N62473-18-RP-00030, which authorizes the City of San Diego's use of space at Naval Base Point Loma for a homeless shelter until 30 May 2018.

If you have any questions please contact Ms. Leslie Geary, Realty Specialist at (619) 556-7315 or leslie.geary@navy.mil.

Sincerely,

ESTHER P. EWELL
Real Estate Contracting Officer

Encl: (1) License N62473-18-RP-00030

ORIGINAL

LICENSE FOR NONFEDERAL USE OF DEPARTMENT OF THE NAVY REAL PROPERTY: THIS LICENSE TO USE THE U.S. GOVERNMENT PROPERTY HEREIN DESCRIBED IS ISSUED BY THE DEPARTMENT OF THE NAVY TO THE LICENSEE NAMED BELOW FOR THE PURPOSE HEREIN SPECIFIED UPON THE TERMS AND CONDITIONS SET FORTH BELOW AND IN THE ATTACHED GENERAL PROVISIONS. BY ITS EXECUTION, THE LICENSEE AGREES TO COMPLY WITH ALL THOSE TERMS, CONDITIONS, AND GENERAL PROVISIONS.		1a. WORK ORDER NO: 1b. FILE NO: 1c. LICENSE (CONTRACT) NO: N62473-18-RP-00030	
2. PROPERTY LOCATION <i>(Installation Name and Address)</i> NAVAL BASE POINT LOMA SAN DIEGO, CALIFORNIA		3. DATES COVERED: FROM: 12 OCTOBER 2017 THROUGH: 30 MAY 2018 Provided Licensee has delivered the required insurance certificates to the Licensor.	
4. DESCRIPTION OF PREMISES <i>(Room and building numbers where appropriate)</i> Non-exclusive use of 32,640 square feet of Staging Area III of Old Town Campus at Naval Base Point Loma. See Exhibit "A".			
5. PURPOSE AND USE AUTHORIZED <i>(Specific use, times and recurring/part-time basis, and land use controls)</i> To erect a temporary "sprung structure" to provide homeless veterans with shelter from inclement weather and other support services.			
6. LICENSOR UNITED STATES OF AMERICA BY THE SECRETARY OF THE NAVY		6a. NAVY/USMC LOCAL REPRESENTATIVE <i>(Name, Title, Address, Telephone, Email)</i> CDR Jeremy Ramberg, Naval Base Point Loma Public Works Officer, (619) 524-8500 / Jeremy.Ramberg@navy.mil	
7. LICENSEE <i>(Name, Address, Telephone Email)</i> CITY OF SAN DIEGO 1200 Third Avenue, Suite 1700 San Diego, CA 92101		7a. LOCAL REPRESENTATIVE OF LICENSEE <i>(Name, Title, Address, Telephone, Email)</i> Cybele Thompson, Director, Real Estate Assets, (619)236-6145, ThompsonC@sandiego.gov	
8. CASH PAYMENT BY LICENSEE - DUE IN ADVANCE			
a. AMOUNT <i>(Each payment)</i> N/A	b. FREQUENCY PAYMENTS DUE N/A	c. FIRST DUE DATE N/A	d. SEND PAYMENT TO: <i>(Name and Mailing Address)</i> N/A
9. EXHIBITS: The following are attached and incorporated into this License - A. MAPS & OTHER DESCRIPTION OF LICENSED PREMISES B. GENERAL PROVISIONS C. ENVIRONMENTAL CONDITION OF PROPERTY-Receipt Acknowledged D. RECORD OF CATEGORICAL EXCLUSION- Receipt Acknowledged			
10. EXECUTION OF LICENSE			
FOR THE SECRETARY OF THE NAVY	NAME: ESTHER P. EWELL Real Estate Contracting Officer	SIGNATURE: 	DATE: 10/17/17
NAME, ADDRESS AND EMAIL OF NAVFAC REAL ESTATE POINT OF CONTACT: LESLIE GEARY, Realty Specialist (619) 556-7315 / Leslie.Geary@navy.mil			
LICENSEE I represent that I am authorized to bind Licensee	NAME: CYBELE THOMPSON Director, Real Estate Assets	SIGNATURE: 	DATE: 10/13/17

Approved As To Form

Mara W. Elliott

Version: 26 Nov 2013

BY: Melissa Apple Date: 11/7/17

Melissa Apple Deputy City Attorney

Veterans Site

SPORTS ARENA

15 60 192 20 15 24

Tent

- ADA Portajon
- Handwash
- ADA Shower
- Light Tower
- Portajon

Trailer

- Security
- Shower
- Storage
- Trash

SANDAG Technical Services - GIS

SANDAG Technical Services - GIS

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EXHIBIT "B"

GENERAL PROVISIONS TO LICENSE FOR NON-FEDERAL USE OF REAL PROPERTY

1. USE OF AND ACCESS BY LICENSEE. The Licensor grants to the Licensee the right to use the premises or facilities described in block 4 and Exhibit "A" ("Premises"), together with the necessary rights of ingress and egress authorized by the Installation Commanding Officer. The Licensee and its invitees and contractors agree to absorb all costs, including time and expense, associated with gaining access to the Installation under the Defense Biometric Identification System (DBIBS) or similar program. Any parking that accompanies the use of, and any routes of access to and from, the Premises are subject to change at the sole discretion of the Installation Commanding Officer.
2. TERM. This License shall be effective for the period stated in block 3 and is revocable at any time without notice at the option and discretion of the Licensor or its authorized representative.
3. USE OF PREMISES. The use of the Premises shall be limited to the purposes specified in block 5, and no other.
4. ASSIGNMENT/TRANSFER OF RIGHTS. This License is neither assignable nor transferable by the Licensee. This license does not grant exclusive use or control of the licensed premises and grants no interest in the real property of the Licensor.
5. UTILITIES AND SERVICES. The Licensee shall be solely responsible for obtaining at its sole cost and expense any and all services, including but not limited to utilities such as electricity, potable water, sewage/grey water disposal, portable toilets, shower facilities, bedding, security or other services in conjunction with Licensee's operation of this homeless shelter. Licensee shall provide electricity to the Premises by installing the necessary electrical equipment and running electrical cable in a protective conduit to the sprung structure and other structures as needed.
6. PROTECTION AND MAINTENANCE OF PREMISES. The Licensee, at its own cost and expense, shall protect, maintain, and keep the Premises under its control in good order. Licensee is responsible for repairing any damage to the Premises caused by Licensee, or its agents, employees, contractors, guests or invitees.
7. IMPROVEMENTS AND RESTORATION. Licensee is authorized to install an emergency fire gate which must be outfitted with an audible and visual alarm. In addition, the Licensee is authorized to raise and/or adjust the grade of the tent footprint (as needed) to prevent flooding during rain events. No other additions to, or alterations of, the Premises shall be made without the prior consent of the Licensor. Upon revocation or surrender of this License, to the extent directed by the Licensor, the Licensee shall remove all alterations, additions, betterments and improvements made, or installed, and restore the Premises to the same or as good condition as existed on the date of entry under this License, reasonable wear and tear excepted.
8. INDEMNIFICATION.
 - a. The Licensee releases the Licensor and its employees from liability for death or injury to persons at the Premises.
 - b. The Licensee, to the extent allowed by law, agrees to release and hold the Licensor and its employees harmless from, and to indemnify and defend them against, loss or damage to property caused by or arising from its use of the Premises, regardless of any contributory fault of the Licensor.
 - c. The Licensee shall indemnify and save harmless the Licensor, its officers, agents, servants and employees from, and defend it and them against, all liability under the Federal Tort Claims Act (28 U.S.C. §§ 2671 and 2680) or otherwise, for death or injury to all persons, or loss or damage to the property of all persons resulting from its use of the Premises.
 - d. The Licensee agrees that the Licensor, its officers, agents and employees shall be released from all liability on all suits, claims, actions or demands in any way related to or arising under the Licensee's use of the property. This release includes, but is not limited to, all environmental suits, claims, and enforcement actions, whether arising during the Licensee's construction on or use of the property, or after such use has ended.

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GENERAL PROVISIONS TO LICENSE FOR NON-FEDERAL USE OF REAL PROPERTY

9. INSURANCE. The Licensee shall procure and keep continuously in effect during the term of this License the insurance required as follows on terms and conditions satisfactory to the Licensor, with an insurer whose rating is acceptable to the Licensor or Licensee shall self-insure with respect to any of the insurance requirements set forth below.

Insurance Required from Licensee (If any or all insurance requirements have been waived, enter "None" as appropriate)			
Type	Amount (Per Occurrence)	Type	Amount (Per State Law)
Commercial General Liability (Occurrence Policy Only)		Worker's Compensation	
Bodily Injury (Single Limit)	\$2,000,000.00		
Property Damage	\$2,000,000.00		
Fire/Legal Liability	None		
Deductible			

- Licensor shall be named as additional insured.
- The insurer must be authorized to write insurance in the state where the Premises is located.
- Proceeds of policies shall be made payable to "Treasurer of the United States".
- Each policy of insurance covering bodily injuries and third party property damage shall contain an endorsement waiving the insurer's right of subrogation against the United States of America.
- No cancellation, reduction in amount, or material change in coverage shall be effective until at least sixty (60) days after receipt by the Licensor of written notice.
- Notwithstanding the foregoing, any cancellation of insurance coverage based on nonpayment of the premium shall be effective only upon thirty (30) days' written notice to the Licensor.
- The Licensee shall provide proof of insurance to the Licensor, or satisfactory proof of that Licensee is self-insured, throughout the term of this License.

The Licensee will not be allowed entry on the Premises until it first delivers a certificate or certificates of required insurance, or satisfactory proof of self-insurance, to the Licensor.

a. The Veterans Village of San Diego will be responsible for the day to day operation of the Premises pursuant to the agreement between the Housing Commission and the Veterans Village of San Diego. Licensee shall require the Veterans Village of San Diego to carry insurance in accordance with the INSURANCE REQUIREMENTS FORM provided to the Licensee.

10. DAMAGE TO THE PREMISES.

a. In the event of damage, including damage by contamination, to any Government property by the Licensee, its officers, agents, servants, employees, or invitees, the Licensee, at the election of the Licensor, shall promptly repair, replace, or make monetary compensation for the repair or replacement of that property to the satisfaction of the Licensor. That obligation includes any damage discovered from the physical condition and environmental condition inspections notwithstanding the expiration or earlier termination or revocation of this License.

b. In the event that any item or part of the Premises shall require repair, rebuilding or replacement (collectively, "repair") resulting from loss or damage, the risk of which is assumed under this License, the Licensee shall promptly give notice to the Licensor and, to the extent of its liability as provided in this paragraph, shall either compensate the Licensor for any loss or damage within thirty (30) days of receipt of a statement, or repair the lost or damaged item or items of the Premises, as the Licensor may elect. If the cost of repair exceeds the liability of the Licensee for any loss or damage, the Licensee shall effect the repair if required to do so by the Licensor, and the excess of cost shall be reimbursed to the Licensee by the Licensor within thirty (30) days of receipt of a statement provided that

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appropriations are available for that purpose. In the event the Licensee shall have effected any repair that the Licensee is required to effect, the Licensor shall direct payment to the Licensee of so much of the proceeds of any insurance carried by the Licensee and made available to the Licensor on account of loss of or damage to any item or part of the Premises that may be necessary to enable the Licensee to effect the repair. In the event the Licensee shall not have been required to effect the repair, and the insurance proceeds allocable to the loss or damage that has created the need for the repair have been paid to the Licensee, the Licensee shall promptly refund to the Licensor the amount of the proceeds.

11. OFFICIALS NOT TO BENEFIT. No member of, or Delegate to Congress, or Resident Commissioner shall be admitted to any share or part of this License or to any benefit that may arise from it; but this provision shall not be construed to extend to this License if made with a corporation for its general benefit.

12. COVENANT AGAINST CONTINGENT FEES. The Licensee warrants that it has not employed any person to solicit or obtain this License upon any agreement for a commission, percentage, brokerage or contingent fee. Breach of this warranty shall give the Licensor the right to annul this License or in its discretion to recover from the Licensee the amount of that commission, percentage, brokerage or contingent fee in addition to the consideration for this license. This warranty shall not apply to commissions payable by the Licensee upon contracts or sales obtained or made through *bona fide* established commercial or selling agencies maintained by the Licensee for the purpose of acquiring business.

13. NON-DISCRIMINATION. In connection with the performance of work under this License, the Licensee agrees not to discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, gender identity, or national origin. Non-discrimination shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Licensee agrees to post in conspicuous places available for employees and applicants for employment, notices to be provided by the Licensor setting forth the provisions of the nondiscrimination clause. The Licensee further agrees to insert the foregoing provision in all subcontracts for work under this License, except subcontracts for standard commercial supplies or raw materials.

14. APPLICABLE RULES AND REGULATIONS.

a. All activities authorized under this License shall be subject to rules and regulations regarding supervision or otherwise, that may, from time to time, be prescribed by the local representative of the Licensor.

b. Upon request, the Licensee shall submit to the Licensor evidence of compliance with local, state, and Federal environmental laws and regulations.

15. FEDERAL FUNDS. This License does not obligate the Licensor to expend any appropriated funds. Nothing in this License is intended or should be interpreted to require any obligation or expenditure of funds in violation of the Anti-Deficiency Act (31 U.S.C. § 1341).

16. STORAGE OF TOXIC OR HAZARDOUS CHEMICALS.

a. Storage, treatment, or disposal of toxic or hazardous materials on the Premises is prohibited except as authorized by the Licensor in accordance with 10 U.S.C. § 2692. Any hazardous materials that the Licensor authorizes the storage, treatment, or disposal of in connection with the use of the Premises shall be identified on a Hazardous Materials List and made a part of this License. Any such approved storage, treatment, or disposal of toxic or hazardous material by Licensee on the Premises shall be strictly limited to that material required or generated in connection with the authorized and compatible use of the Premises and shall be conducted in a manner consistent with the best interest of national defense as determined by the Secretary of the Navy and applicable law and regulations. As and to the extent caused by or attributable to the Licensee, Licensee shall have continued financial and environmental responsibility or liability for any and all direct or indirect consequences of the storage, treatment, or disposal of toxic or

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hazardous material within the Premises. Licensee will manage, control and dispose of its hazardous waste and hazardous materials in accordance with Federal, state, and local laws. In addition, Licensee shall implement the environmental requirements of applicable facility plans including but not limited to Spill Plans, Emergency Response Plans, and Hazardous Waste Management Plans. In the event the Licensor approves the storage, treatment, or disposal of toxic or hazardous materials, the Licensee shall obtain insurance or post a bond in an amount sufficient to cover possible cleanup costs.

b. The Licensee shall strictly comply with the hazardous waste permit requirements under Resource Conservation and Recovery Act, or its California equivalent. Licensee must provide at its own expense such hazardous waste storage facilities, complying with all laws and regulations, as it may need for storage. Licensor's hazardous waste storage facilities and accumulation points for hazardous and other wastes shall not be available to the Licensee. Neither shall the Licensee permit its hazardous wastes to be commingled with hazardous waste of the Licensor. Any violation of the requirements of this condition shall be deemed a material breach of the license.

17. ENVIRONMENTAL CONDITION OF PREMISES. Exhibit "C", Environmental Condition of Property, sets forth the existing environmental condition of the Premises as represented by a baseline survey conducted by the Licensor. Licensee is hereby made aware of the notifications contained in Exhibit "C" and shall comply with all restrictions set forth therein.

19. ADMINISTRATIVE COSTS. At the termination or expiration of this License, at the Licensor's discretion, Licensee shall be responsible for administrative costs associated with completing a final inspection of the premises and updating the Environmental Condition of Property.

20. NOTICES. Correspondence concerning this License shall be provided to both the Local Representative identified in Block 6a. and the Real Estate Contracting Officer identified in Block 10.

21. STATEMENT OF COMPLIANCE. Pursuant 10 U.S.C. § 2662:

a. This license is not subject to the requirements of this section;

22. INSPECTION. Any agency of the United States, its officers, agents, employees, and contractors, may enter upon the Premises or facilities, at all reasonable times for any purposes including, but not limited to, the purpose of inspection. The Licensor normally will give the Licensee twenty-four (24) hours prior notice of Licensor's intention to enter the Premises or facilities, unless it determines the entry is required for safety, environmental, operations, or security purposes. The Licensee shall have no claim on account of any entries against the United States or any officer, agent, employee, or contractor thereof.

23. SECURITY. Licensee will provide 24 hour a day security staff and fire prevention. The use of any police department and other security personnel shall be funded entirely by the Licensee. Licensee is authorized to install an emergency fire gate which must be outfitted with an audible and visual alarm. In the event the emergency fire gate alarm activates, Licensee's security staff shall immediately notify the NBPL Command Duty Officer (619-726-7423) and NBPL security (619-524-6999).

24. ADDITIONAL REQUIREMENTS. In the event that the Licensor determines that the necessity exists for additional security, maintenance, repair or other unforeseen eventuality that may require the expenditure of funds, the Licensor will promptly notify the Licensee of the need to address such eventuality and allow Licensee a reasonable amount of time to effectuate a solution. If Licensee does not diligently pursue a solution to any such problem, and Licensor determines that expenditure of funds is still required, Licensee shall reimburse Licensor for such expenditure upon demand.

25. CONTACT INFORMATION. Local representative for day to day management of the Premises is as follows:

The local representative for the City of San Diego will be Aurora Brown, and may be reached at (619)236-6124. Written correspondence should be addressed to:

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CITY OF SAN DIEGO
REAL ESTATE ASSETS
AURORA BROWN, PROPERTY AGENT
1200 THIRD AVENUE, SUITE 1700, MS 51A
SAN DIEGO, CA 92101

All matters concerning the license, or any amendment thereto, shall be addressed to:

DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHWEST
1220 PACIFIC HIGHWAY
SAN DIEGO, CA 92132-5190
ATTN: LESLIE GEARY (619) 556-7315

26. ADDITIONS, MODIFICATIONS AND DELETIONS. Prior to the execution of this License, the following provisions were added, modified or deleted:

1. Provision 5 added.
2. Provision 7 modified.
3. Provision 9a added.
4. Provision 16b added.
5. Provision 18 deleted.
6. Provision 22 added.
7. Provision 23 added.
8. Provision 24 added.
9. Provision 25 added.

ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

Page 1 of 5

Installation: Old Town Campus (OTC), Naval Base Point Loma, San Diego, CA

Parcel/Site Location and Description: location is within an industrial area that is secured by perimeter fencing with its own separate entrance gate. The site is an asphalt lot with a potential for class 2 or cement treated base beneath the existing asphalt. The site is generally used as a temporary staging and storage area for NBPL ongoing projects (most recently the fuel pipeline replacement project was storing materials and equipment at the site). Staging Area III is considered part of the Old Town Campus of Naval Base Point Loma in a highly developed area of San Diego. It is bounded by Midway Drive and Sports Arena Boulevard and near Pacific Highway, the San Diego Airport, and MCRD.

Proposed Real Estate Action Description: Approximately 32,000 square feet is proposed for use as a temporary homeless shelter. The subject parcel is within Naval Base Point Loma (NBPL) area of responsibility near Old Town. The temporary license will be effective from time of signature for 2 years.

Site Preparation:

The Navy will prepare the site by clearing over grown brush/weeds and trash. The navy shall remove soil, asphalt and gravel stock piles. The rear chain link fence shall be removed to provide more room. Concrete utility vaults and other equipment (i.e., tactical equipment) at the site may need to be relocated as well.

The Proposed Action Will:

- (1) Permit the use of 32,000 square feet at Staging Area III, Old Town Campus.
- (2) Re-surface asphalt within the compound.
- (3) Allow the erection of a temporary tent structure (approximately 60'x140'), which will provide shelter for 150 homeless.
- (4) Set up 150 Beds or cots
- (5) Allow vehicular traffic access to provide necessary supplies and services (i.e., food and solid waste services).
- (6) Allow connection of temporary utilities. Provide hard utility connections at the site for sewer, potable water and electricity. Utility connections may require some ground disturbances.
- (7) Restroom trailers with showers will be installed at the site and will meet American with Disabilities Act requirements (ADA). A previously existing temporary shower collection tank may be reused. The tank has been installed below grade in order to provide wheel chair access. The tank required the excavation of an area 4' wide, 4' long and 30" deep to place the gray water collection tank below grade. The area was backfilled and paved so that the pavement was flush with the sidewall of the shower for easy wheel chair access.

SITE SUMMARY INFORMATION

1. Information regarding site uses and any hazardous materials, contamination, or conditions. All available and pertinent files, records, reports and aerial photographs were reviewed and, where necessary, a site inspection and/or personal interviews were conducted to document the environmental conditions of the property to support the proposed real estate action. A summary of the conditions, sources of information (including location), and any required use restrictions are provided for each environmental condition.

ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

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A. Parcel/Site Uses:

Prior Uses: The site is an asphalt lot used as a temporary staging and storage area for SSC Pacific. Staging Area III has been the site for a Veteran's Village homeless shelter for many years.

Current Uses: The site is an asphalt lot used as a temporary staging and storage area for SSC Pacific or NBPL ongoing projects (most recently the fuel pipeline replacement project was storing materials and equipment at the site).

Future Uses: Continued use as a temporary staging and storage area for SSC Pacific and NBPL ongoing projects.

B. Contaminants: ☐ Yes ☒ No ☐ Unknown

If yes, identify contaminant and media: _____

Source of information: Subject Matter Expert

Previous Installation Restoration Program Manager Reviews that included (IR) Site Map reviews and a site visit provided no evidence of current or historical release of petroleum products or any other contaminants at the subject property. However, the adjacent Staging Area II is approximately 1,000 feet hydrologically down gradient of a known Volatile Organic Compound (VOC) plume at Building 3, that is part of IR Sites 10 and 11.

A review was conducted of all IR Program studies or other documentation produced in accordance with procedures being carried out at NBPL Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA). The mission of the IR Program is to identify and clean up contamination resulting from past DoD use and disposal practices for the protection of human health and the environment.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

C. Hazardous Materials Use: ☐ Yes ☒ No ☐ Unknown

Hazardous Materials Storage: ☐ Yes ☒ No ☐ Unknown

Type of HM: _____

Type of Use and/or Storage: _____

Source of information: Site visit, confirmed that no hazardous materials are commonly used or stored at the subject property.

However, 1 5 gallon bucket of latex sealant was found in one of the concrete utility vaults stored at the site. The material will be removed for proper storage or disposal

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

D. Treatment, Storage, Disposal of Hazardous Waste: ☐ Yes ☒ No ☐ Unknown

Source of information: Site visit conducted by NBPL Installation Environmental Dept, confirmed that no hazardous waste is treated, stored or disposed of at the subject property.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

E. Underground Storage Tanks: ☐ Yes ☒ No ☐ Unknown

UST No. _____ Gals. _____

Source of information: Site visit conducted by NBPL Installation Environmental Dept.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

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F. Above-Ground Storage Tanks: ☐ Yes ☒ No

AST No. _____ Gals. _____

Source of information: Site visit conducted by NBPL Installation Environmental Dept.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

G. Presence of Polychlorinated Biphenyl's (PCB's): ☐ Yes ☒ No ☐ Unknown

Source of information: Site visit conducted by NBPL Installation Environmental Dept, suggested no PCBs.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

H. Asbestos: ☐ Yes ☒ No ☐ Unknown

If yes: ☐ Friable ☐ Non-friable ☐ Unknown

Source of information: Site visit conducted by NBPL Installation Environmental Dept, There are no buildings located within the subject property boundaries. No demolitions or renovations that would disturb regulated asbestos containing materials are proposed..

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

I. Lead Paint: ☐ Yes ☒ No ☐ Unknown

Source of information: Site visit conducted by NBPL Installation Environmental Dept, There are no buildings located within the subject property boundaries. No demolitions or renovations that would disturb regulated lead containing materials are proposed...

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

J. Radon: ☐ Yes ☐ No ☒ Unknown

Source of information: Radon is a radioactive gas that is found in certain geologic environments and is formed by the natural breakdown of radium, which is found in the earth's crust. Radon is an invisible, odorless, inert gas that emits alpha particles, known to cause lung cancer. Radon levels are highest in basements (areas in close proximity to the soil) that are poorly ventilated. According to the "U.S. EPA Map of Radon Zones" and EDR Database Report, the County of San Diego is Located within Zone 3, which has a predicted average indoor screening level of < 2.0 Picocuries Per liter. The EPA recommends remedial actions when radon levels are greater than 4.0.

No site specific surveys have been conducted

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

K. Radiological Materials: ☐ Yes ☒ No ☐ Unknown

Source of information: Site visit conducted by NBPL Installation Environmental Dept.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

L. Solid/Bio-Hazardous Waste: ☐ Yes ☒ No ☐ Unknown

Source of information: Site visit conducted by NBPL Installation Environmental Dept.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

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M. Munitions and Explosives of Concern: ☐ Yes ☒ No ☐ Unknown

Source of information: Installation Restoration Program Department, Site Maps and Site Visit

IR investigations have not identified the subject properties as a location where munitions or explosives of concern were used, stored, or disposed

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

N. Threatened or Endangered Species: ☐ Yes ☒ No ☐ Unknown

Source of information: NBPL Integrated Natural Resources Management Plan

The subject properties are now developed and no T&E species have been recorded or are expected to occur.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

O. Natural or Cultural Resources: ☐ Yes ☒ No ☒ Unknown

Source of information: Cultural Resources Dept.

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

P. Use of Adjacent Property:

Current Use: Surrounding land uses consist of Navy-owned and operated SPAWAR, various commercial properties (industrial area) and Pacific Coast Hwy.

Past Use: Navy-owned and operated SPAWAR, various commercial properties (industrial area) and Pacific Coast Hwy.

Source of information: _____

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

Q. Has the site had any Notices of Violation? ☐ Yes ☒ No.

If yes, please explain: _____

Source of information: _____

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

R. Additional information or comments regarding questions shown above (attach sheet(s) if additional room is needed):

Source of information: _____

Restrictions or Land Use Controls: ☐ Yes ☒ No

If yes, please identify and explain in detail in Section 2 below.

2. List of Land Use Controls required for Real Estate Action:

None

ENVIRONMENTAL CONDITION OF PROPERTY (ECP) CHECKLIST

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3. Signature:

Based on records reviews, site inspections, and interviews, the environmental professional(s) certify that the environmental conditions of the property are as stated in this document and this property is suitable for outgrant.

Environmental Professional:

SANDOVAL.JUAN.J.11768
34630

Digitally signed by SANDOVAL.JUAN.J.1176834630
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=USN, cn=SANDOVAL.JUAN.J.1176834630
Date: 2017.09.25 14:45:56 -07'00'

Signature

Juan J. Sandoval

Print Name

Environmental Protection Specialist

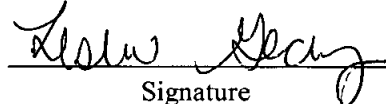
Title

9/25/2017

Date

The real estate professional(s) acknowledge these restrictions and/or LUCs identified above and will ensure they are made a part of the outgrant document.

Real Estate Professional:



Signature

Leslie Grany

Print Name

Reality Specialist

Title

10/12/17

Date

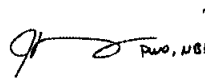
Property Owner (Activity or Region) acknowledges and accepts the foregoing statement of environmental conditions and the land use controls (if any) that will be required for this real estate outgrant:

Signature

CDR Ramberg

Print Name

NBPL Public Works Officer


Digitally signed by
RAMBERG.JEREMY.DUWAYNE.1136725
331
Date: 2017.10.04 15:58:08 -07'00'

Date

ECP Temporary Homeless Shelter Site Photos

(Photos Taken September 18, 2017)

Figure 1: Site Entrance Gate



Figure 2: Inside Compound (View From Entrance)

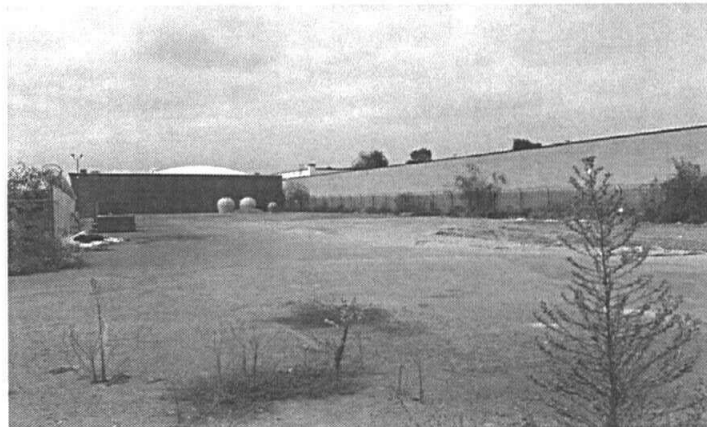


Figure 3: Inside Compound (View From Back of Compound)



Figure 4: Soil, Asphalt & Gravel to be Removed

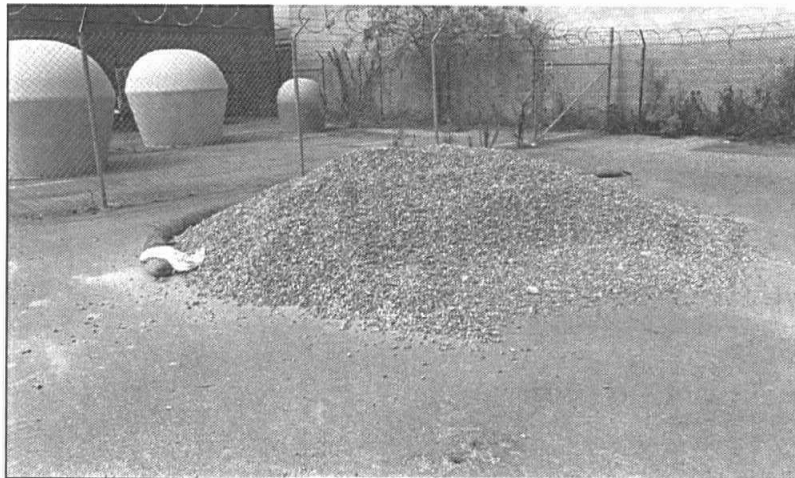


Figure 5: Utility Vaults Stored at Site for Possible Relocation

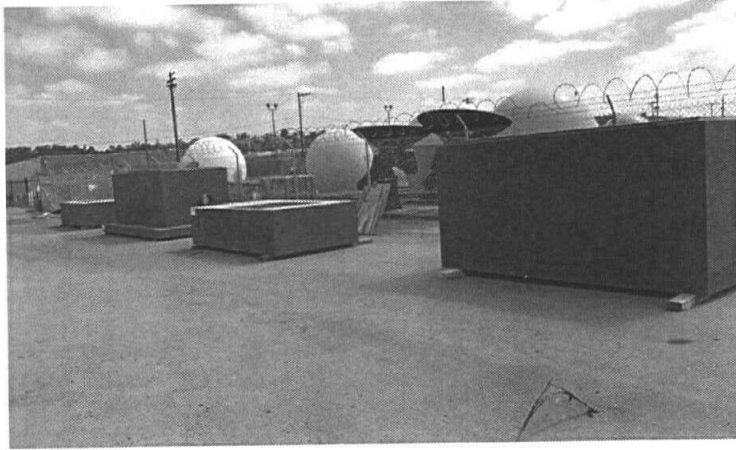


Figure 6: Back Fence to be Removed

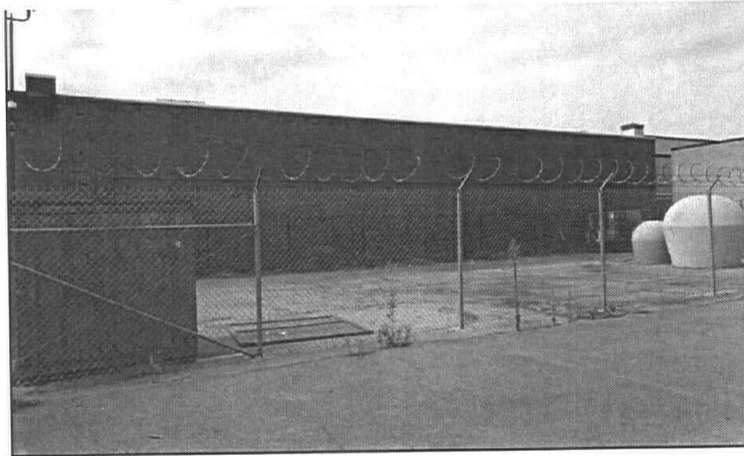


Figure 7: Tactical Equipment & Radar Domes Stored at Site for Possible Relocation

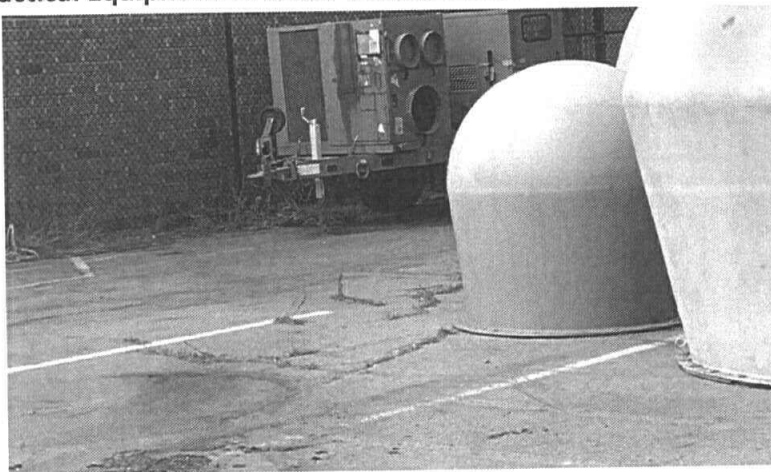
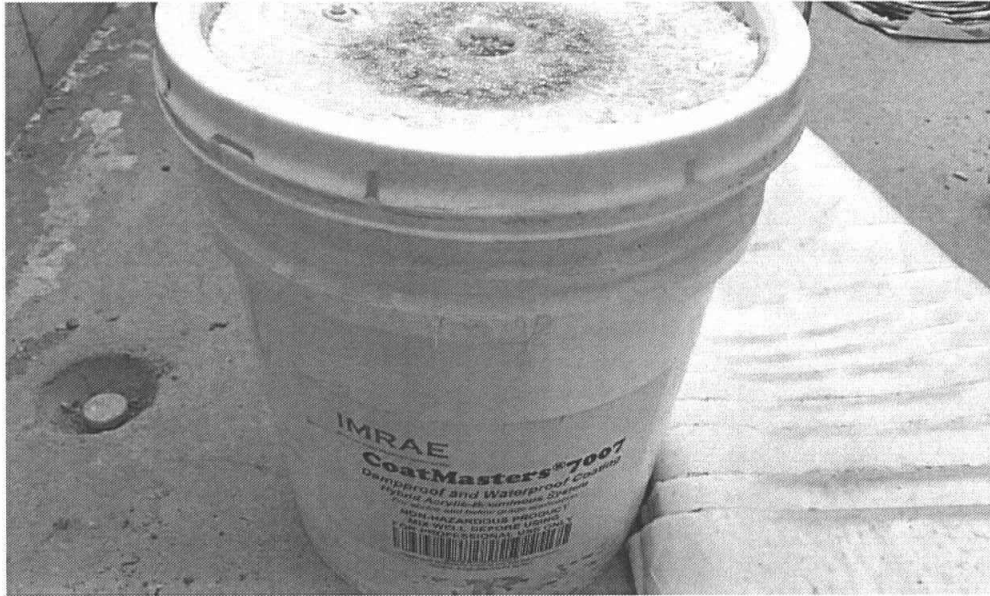


Figure 8: Latex Sealer in Utility Vault for Removal/Proper Storage or Disposal



RECORD OF CATEGORICAL EXCLUSION
--

**TEMPORARY HOMELESS SHELTER
OLD TOWN COMPLEX, POINT LOMA, SAN DIEGO, CALIFORNIA**

Project Description:

The Navy proposes to provide a temporary license to the City of San Diego (Veteran's Village San Diego) for use of an underutilized parcel of land. Approximately 32,000 square feet is proposed for use as a temporary homeless shelter. The subject parcel is within Naval Base Point Loma (NBPL) area of responsibility near Old Town. The site is located along Sports Arena Boulevard. The temporary license will be effective from the date of signature for 2 years. NBPL shall take the lead with the Region and Naval Facilities Engineering Command Southwest (NAVFACSW) in support of this action.

The shelter proposes to provide the following tentative services: case management, mental health & substance use disorder, employment, housing assistant and placement; medical screening and referrals. These services will be available to homeless veterans.

Veteran's Village San Diego previously operated a Veteran Seasonal Shelter at the proposed site for approximately 13 years. The shelter had traditionally operated from 01 December until 30 April. The City of San Diego eliminated the temporary shelter project a couple of years ago in lieu of a permanent facility located at Father Joe's Village. However, the need for emergency shelter beds has outgrown the capacity at Father Joe's, and now the City and County are exploring the possibility of bringing the Veteran's Shelter back to the subject location.

Navy Site Preparation:

The Navy will prepare the site by clearing over grown brush/weeds and trash. The navy shall remove soil, asphalt and gravel stock piles. The rear chain link fence shall be removed to provide more room. Concrete utility vaults and other equipment (i.e., tactical equipment) at the site may need to be relocated as well.

The Proposed Action Will:

- (1) Permit the use of 32,000 square feet at Staging Area III, Old Town Campus.
- (2) Re-surface asphalt within the compound.
- (3) Allow the erection of a temporary tent structure (approximately 60'x140'), which will provide shelter for 150 homeless.
- (4) Set up 150 Beds or cots
- (5) Allow vehicular traffic access to provide necessary supplies and services (i.e., food and solid waste services).
- (6) Allow connection of temporary utilities. Provide hard utility connections at the site for sewer, potable water and electricity. Utility connections may require some ground disturbances.
- (7) Restroom trailers with showers will be installed at the site and will meet American with Disabilities Act requirements (ADA). A previously existing temporary shower collection tank may be reused. The tank has been installed below grade in order to provide wheel chair access. The tank required the excavation of an area 4' wide, 4' long and 30" deep to place the gray water collection tank below grade. The area was backfilled and paved so that the pavement was flush with the sidewall of the shower for easy wheel chair access.

Proposed Dates of Shelter Operation:

Nov 20, 2017, VVSD access site

Dec 4, 2017, Shelter opens

May 4, 2018, Shelter closes

May 15, 2019, VVSD return site to Navy.

Site Conditions:

The location is within an industrial area that is secured by perimeter fencing with its own separate entrance gate. The site is an asphalt lot with a potential for class 2 or cement treated base beneath the existing asphalt. The site is generally used as a temporary staging and storage area for NBPL ongoing projects (most recently the fuel pipeline replacement project was storing materials and equipment at the site). Staging Area III is considered part of the Old Town Campus of Naval Base Point Loma in a highly developed area of San Diego. It is bounded by Midway Drive and Sports Arena Boulevard and near Pacific Highway, the San Diego Airport, and MCRD. Staging Area III has been the site for a Veteran's Village homeless shelter for many years.

The project site does not contain any historic properties and no known archeological deposits exist in the area of potential effect. Due to previous development, there is very low potential for unanticipated discovery of archeological material.

The project site is outside the Point Loma Ecological Conservation Area and there are no known natural resources (i.e., federally listed threatened or endangered wildlife or botanical species) that occur or have the potential to occur at the project site.

The project site is not located within any known underground storage tanks (USTs), Department of Navy (DON) Installation Restoration (IR) Sites, Areas of Concern (AOC), or Solid Waste Management Units (SWMUs). However, Staging Area II is approximately 1,000 feet hydrologically down gradient of a known Volatile Organic Compound (VOC) plume at Building 3, that is part of IR Sites 10 and 11.

The project occurs on Navy land, and is thus not considered part of the "coastal zone" per Section 304 of the California Coastal Act. The project will not affect coastal zone resources.

Project-Specific Environmental Requirements:

The temporary facility will be operated by the City of San Diego (Veteran's Village San Diego). The facility is required to operate in accordance with applicable environmental laws, health codes and safety regulations. Recent City of San Diego Hepatitis "A" out-breaks and concerns will be managed by the City of San Diego. Proper Sanitation services will be provided and medical screening and treatment is an operational protocol for the shelter. The site shall be sanitized/disinfected after seasonal use prior to turnover back to the Navy.

For more information on Hepatitis "A" see link:

<https://www.cdc.gov/hepatitis/hav/pdfs/hepageneralfactsheet.pdf>

Regulated Wastes: Proponent shall review the proposed actions for hazardous/regulated wastes and store and dispose in accordance with applicable Federal, state, city, and local regulations and the Commander Navy Region Southwest (CNRSW) Hazardous Waste Management Plan. Soil, asphalt, and gravel stock piles removed from the site shall be recycled or disposed of properly.

Wood Disposal: Wood that is not treated or painted can be recycled. Pallets are recyclable. Wood that is painted shall be tested for lead or presumed hazardous and managed/disposed of in accordance with local, state and federal regulations. Wood that is treated (i.e., indentations or color tinted) should be presumed hazardous and managed/disposed of in accordance with local, state and federal regulations. Contact NPBL Environmental Department for disposal guidance @ 619-553-8566.

Medical Waste Management:

Activities that generate medical wastes shall ensure that the required site-specific Medical Waste Management Plan (MWMP) is completed and posted at or near where medical waste is accumulated.

- a. Medical waste generators shall comply with the waste acceptance criteria as specified by all applicable laws or ordinances that pertain to medical waste management and disposal including obtaining proper permits.
- b. Ensure personnel assigned to manage or handle medical waste are trained to identify and segregate these wastes from other solid wastes or trash prior to disposal.

c. Retain medical waste management plan, disposal and training documentation at the generator location for review from regulatory agencies.

Air Permit Requirements: Any equipment or operation requiring an operating permit from the San Diego County Air Pollution Control District or from any regulatory body will be obtained by the owner/operator of that equipment/operation. Executing agent, in consultation with Base Environmental Department shall be responsible for obtaining and processing required permit for any permitted equipment or operation they install or repair. Examples of such equipment and operations are, but not limited to, any non-mobile equipment utilizing an internal combustion engine 50 BHP or greater (diesel fueled electrical generators, lighting units, air compressors, etc.), rock crushing operation, and concrete batching operation. The use of off-road diesel vehicles during construction, such as but not limited to, loaders, crawler tractors, skid steers, backhoes, and forklifts with engines rated at 25 BHP or greater shall comply with California Air Resources Board (CARB) regulations (CCR 13 Section 2449).

The use of cutback and emulsified asphalts as paving materials for parking lots, driveways, and similar structures shall conform to San Diego County Air Pollution District Rule 67.7. Operators of equipment used in this process must obtain permit, if required, from local and/or state regulators.

-Visible emissions will be kept below Rule 50 limits (i.e., a person shall not discharge into the atmosphere from any single source of emissions whatsoever any air contaminant for a period or periods aggregating more than three minutes in any period of 60 consecutive minutes which is darker in shade than that designated as Number 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or of such opacity as to obscure an observer's view to a degree greater than does smoke of a shade designated as Number 1 on the Ringelmann Chart).

-APCD Rule 51 on nuisance emissions will also be followed (i.e., a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. The provisions of this rule do not apply to odors emanating from agricultural operations in the growing of crops or raising of fowls or animals).

Sewer discharges: Gray water and sewage generated from the shower stall will not be discharged down a storm drain. Shower stall water shall be removed via pump truck and transported to a licensed receiving station or hard plumbed to the sanitary sewer. Sewer discharges shall be coordinated with the City of San Diego prior to any hard connections and discharges.

Storm Water: In addition the project will implement the following best management practices:

- All loose piles of soil, silt, clay, sand, debris, or other earthen materials shall be protected in a reasonable manner to eliminate any discharge to waters of the U.S.
- Temporary gravel or sandbag dikes shall be used as necessary to prevent discharge of earthen materials from the site during periods of precipitation or runoff.
- Galvanized metal that will be exposed to precipitation shall be avoided coated (e.g. paint, powder coat, vinyl coat).
- All trash containers shall have covers

SPCC/APSA Requirements:

- Portable/mobile fuel containers and above ground tanks (AST) associated with engine powered equipment must be positioned to prevent a discharge. Adequate security (e.g. temporary fencing and gates) must be employed at fuel storage areas throughout project duration.
- Measures to prevent fuel discharges must be implemented throughout project duration. Preventive measures include, but not limited to, the use of secondary containment and overflow protection procedures during refueling.
- Secondary containment must be kept clear of debris and potential fire hazards. Accumulated rain water must be removed within 24 hours of rain events. No standing liquid of any kind are allowed in the secondary containment.

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- Spill response clean-up materials must be readily available in close proximity to any fuel storage areas. Egress pathways to fuel storage areas must be kept clear at all times.

Application of Categorical Exclusion:

The following Categorical Exclusion listed in OPNAVINST 5090.1D CH-10, dated 10 January 2014 applies to the proposed action:

(34) New construction that is similar to existing land use and, when completed, the use or operation of which complies with existing regulatory requirements (e.g., a building within a cantonment area with associated discharges/runoff within existing handling capacities);

After a thorough review of the potential impacts associated with the proposed action, it is determined that this proposal does not trigger any of the following extraordinary circumstances which would preclude the use of a categorical exclusion.

1. Does not affect public health or safety

The proposed action will not affect public health or safety. The temporary facility will be operated by the City of San Diego. The facility is required to operate in accordance with applicable environmental laws, health codes and safety regulations. Recent City of San Diego Hepatitis A out-break concerns will be managed by the City of San Diego. Proper Sanitation services will be provided and medical screening is an operational protocol for the shelter. The site is expected to be sanitized/disinfected after seasonal use.

2. Does not involve effects on the human environment that is highly uncertain, unique or contain unknown risks, or which are scientifically controversial

The proposed action does not involve any effects that are uncertain or unknown. There is no scientific controversy associated with this action.

3. Does not establish precedents or make decisions in principles for future actions with significant effects

The proposed action is not precedent setting. Land use will not change and all temporary construction will be removed at the end of the license period.

4. Does not threaten a violation of federal, state or local environmental laws applicable to the DON:

A detailed review by subject matter experts supports the determination that this action does not threaten a violation of federal, state or local law or requirements. The executing agent will be required to follow such laws and requirements.

5. Does not involve an action that, as determined in coordination with the appropriate resource agency, may:

(a) Have an adverse effect on Federally-listed endangered/threatened species or marine mammals:

The proposed action will have no significant effect on federally sensitive wildlife species nor federally listed endangered or threatened wildlife species, including marine mammals because these species are not known to occur in the location of the temporary homeless shelter, as identified in the NBPL Integrated Natural Resources Plan.

(b) Have an adverse effect on coral reefs or on Federally-designated wilderness areas, wildlife refuges, marine sanctuaries, or parklands:

The project will have no adverse effect on such areas since none are located within or are in the immediate vicinity of the project area.

9/25/2017

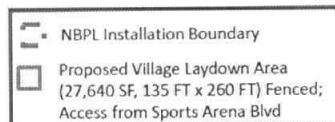
Figure 1 (Vicinity Map)



Figure 2. Site Location

Veterans Village Proposed Location

Vicinity Map



-Land currently used: Vacant
-Previously Miramar Pipeline Contractor Laydown
-Time Period: 24 months.
-Area of land to be provided: 27k Sq ft
Impact on Tenant Commands: None
Security Responsibilities: City of San Diego will assume
Liability Concerns: Previously City of San Diego was liable for area for duration of Real Estate agreement



RCE: TEMPORARY HOMELESS SHELTER
OLD TOWN COMPLEX, POINT LOMA, SAN DIEGO, CALIFORNIA

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(c) Adversely affect the size, function or biological value of wetlands and is not covered by a nation-wide or regional permit:

There will be no adverse effect on such areas since no wetlands exist within or near the vicinity of this action, and the project does not require an Army Corps of Engineers permit.

(d) Have an adverse effect on archaeological resources or resources (including but not limited to ships, aircraft, vessels and equipment) listed or determined eligible for listing on the National Register of Historic Places:

No historic properties exist within the project area of potential effect (APE) as identified by various updated constraints maps provided by Navy subject matter experts. In conformance Stipulation 8A of the NBPL PA, the project will not affect listed, contributing or eligible properties. Consistent with 36 CFR 800.4(d)(1), no historic properties will be affected for the proposed project. In accordance with Stipulation 8A of the NBPL PA, no further compliance under Section 106 or 36 CFR 800 is required.

(e) Result in an uncontrolled or un-permitted release of hazardous substances, or require a conformity determination under the standards of the Clean Air Act General Conformity Rule:

Applicable laws and regulations will be followed to ensure that uncontrolled and un-permitted releases of hazardous substances do not occur.

The project does not trigger the conformity rule. Per 40 CFR 93.153, conformity requirements do not apply to the following actions:

(iv) Routine maintenance and repair activities, including repair and maintenance of administrative sites, roads, trails and facilities.

(xi) The granting of leases, licenses such as for exports and trade, permits, and easements where activities conducted will be similar in scope and operation to activities currently being conducted.

GHG: Based on reasonable assumption and the type as well as duration of the equipment that will be used, this action will not cumulative or individually meet or exceed the facilities general emissions threshold of 25,000 metric tons of CO_{2e} per year.

This CATEX serves as a Record of Non-Applicability (RONA) for this project.

Determination:

The Department of the Navy has determined that the proposed action conforms to the requirements of a categorical exclusion. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is required.

Prepared by :

SANDOVAL.JUAN.J.117683463

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Digitally signed by SANDOVAL.JUAN.J.1176834630

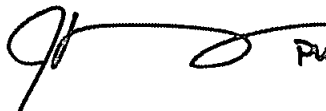
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cn=SANDOVAL.JUAN.J.1176834630

Date: 2017.09.25 14:37:12 -07'00'

JUAN J. SANDOVAL, NEPA COORDINATOR
NBPL Environmental Program

Approved by:

 J.D. RAMBERG

Digitally signed by

RAMBERG.JEREMY.DUWAYNE.11367

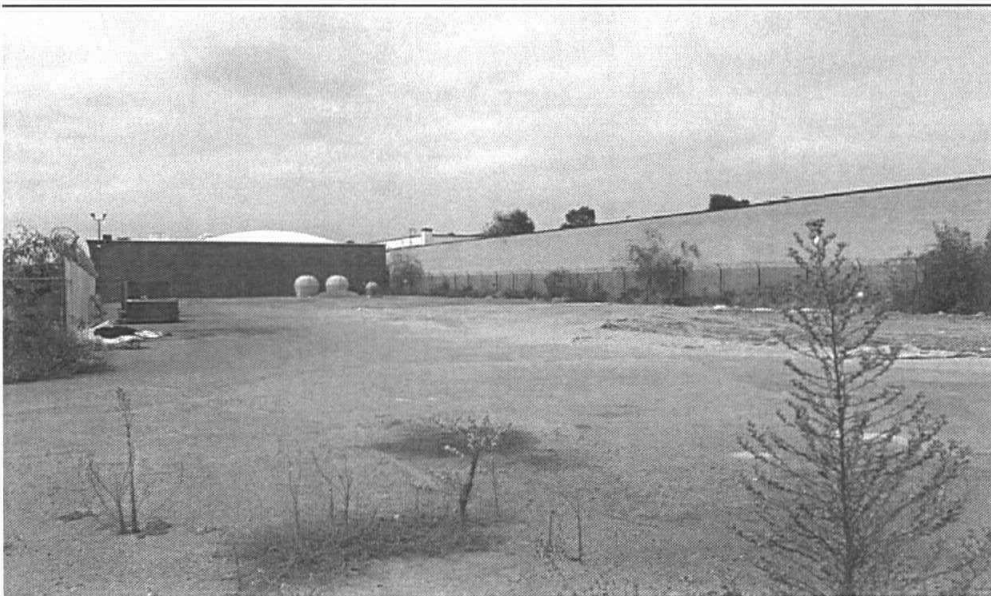
25331

Date: 2017.10.04 15:57:13 -07'00'

J.D. RAMBERG
By Direction

9/25/2017

Figure 2 (Site Photos)



RCE: TEMPORARY HOMELESS SHELTER
OLD TOWN COMPLEX, POINT LOMA, SAN DIEGO, CALIFORNIA



Risk Management Department

October 11, 2017

Naval Base Point Loma
140 Sylvester Road
San Diego, CA 92106

Attention: Leslie Geary

Reference: Declaration of Self-Insurance by the City of San Diego to Naval Base Point Loma regarding the Veteran's Village Homeless Shelter scheduled from October 12, 2017 through May 30, 2018.

Please accept this letter as compliance with your request for a statement of self-insurance covering the above-referenced agreement between the City of San Diego and the Naval Base Point Loma. The City of San Diego is currently self-insured for its liability insurance, which includes general liability and automobile liability coverage for property damage and bodily injury claims. The City of San Diego budgets annually for its self-administered claims program handled through the Risk Management Department. Claims are processed and administered in accordance with the California Government Code Section 900, et.seq.

The City of San Diego is also currently self-insured for Workers' Compensation for all City employees.

Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Claudia Castillo del Muro".

Claudia Castillo del Muro
Public Liability Manager



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHWEST
1220 PACIFIC HIGHWAY
SAN DIEGO, CA 92132-5190

IN REPLY REFER TO:

11011
Ser OPUB1.LG.LG/029
November 9, 2017

City of San Diego, Real Estate Assets
Attn: Aurora Brown
1200 Third Avenue
Suite 1700
San Diego, CA 92101

Dear Ms. Brown:

Enclosed please find one copy of fully executed Amendment One to License Agreement N62473-18-RP-00030, which authorizes the City of San Diego's use of space at Naval Base Point Loma for a homeless shelter until May 30, 2018.

If you have any questions please contact Ms. Leslie Geary, Realty Specialist at (619) 556-7315 or leslie.geary@navy.mil.

Sincerely,

ESTHER P. EWELL
Real Estate Contracting Officer

Encl: (1) Amendment One to License N62473-18-RP-00030

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE N6247318RP00030	PAGE OF PAGES 1 1
2. AMENDMENT/MODIFICATION NO. ONE (1)	3. EFFECTIVE DATE 2 NOVEMBER 2017	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (if applicable)	
6. ISSUED BY NAVAL FACILITIES ENGINEERING COMMAND SOUTHWEST REAL ESTATE DEPARTMENT 1220 PACIFIC HIGHWAY SAN DIEGO, CA 92132-5190		7. ADMINISTERED BY (If other than Item 6)	CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county State and ZIP Code) CITY OF SAN DIEGO 1200 THIRD AVENUE, SUITE 1700, SAN DIEGO, CA 92101 EXP.: 30 MAY 2018		9A. AMENDMENT OF SOLICITATION NO.		
		9B. DATED (SEE ITEM 11)		
		10A. MODIFICATION OF CONTRACT/ORDER NO. N6247318RP00030		
CODE NBPL	FACILITY CODE N63406	10B. DATED (SEE ITEM 13)		

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning 3 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference of the solicitation and amendment numbers. FAILURE TO YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIED THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDERED IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☒	D. OTHER (Specify type of modification and authority) BY MUTUAL AGREEMENT OF BOTH PARTIES

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 3 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible)

THE INTENT OF THIS MODIFICATION IS TO MAKE THE FOLLOWING CHANGE:

1.) The following provision is added to "Exhibit B":

26. FIRE. The Licensee shall be responsible for any and all fire protection, fire prevention, and fire response at its sole cost and expense.

2.) Renumber existing number 26 to 27 and add "Provision 26 added" to Provision 27.

ALL OTHER TERMS AND CONDITIONS REMAIN IN FULL FORCE AND EFFECT.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect

15A. NAME AND TITLE OF SIGNER (Type or print) Cybelle Thompson, Director Real Estate Assets		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) ESTHER P. EWELL, Lindsay Green REAL ESTATE CONTRACTING OFFICER	
15B. CONTRACTOR/OFFEROR BY <u>[Signature]</u> (Signature of Person Authorized to Sign)	15C. DATE SIGNED 11/2/17	16B. UNITED STATES OF AMERICA BY <u>[Signature]</u> (Signature of Contracting Officer)	16C. DATE SIGNED 11/7/17

Approved As To Form

Mara W. Elliott

BY: [Signature] DATE: 11/3/17

NAME: Heather Ferbert

NOTICE OF EXEMPTION

(Check one or both)

TO: X Recorder County Clerk
P.O. Box 1750, MS-A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Planning Department
1010 2nd Avenue, Suite 1200
East Tower, MS 413
San Diego, CA 92101

 Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

PROJECT TITLE: Temporary Shelters

PROJECT LOCATION-SPECIFIC: The project has four (4) locations:

2700 block of Sports Arena Boulevard, San Diego, CA (Council District 2)
14th Street and Commercial Street, San Diego, CA (Council District 3)
16th Street and Newton Avenue (Council District 8)
20th Street and B Street (Council District 3)

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: The project consists of the construction, operation, and maintenance of three temporary shelters. One temporary shelter would be located at the 2700 block of Sports Arena Boulevard (behind the Goodwill Store); one would be located at 16th Street and Newton Avenue; and the third would be located at 14th and Commercial Streets. The three temporary shelters would be prefabricated industrial tents that could include beds, restrooms, showers, storage areas, generators, and security.

The 20th and B Streets (City Operations Yard) site would be used as a temporary camp site anticipated to be in use for the duration of the construction of the Temporary Shelters. The temporary camp site would be fenced and would include restrooms, storage areas, and security.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Jonathan Herrera, Senior Advisor
City of San Diego
Office of the Mayor
202 C Street, MS 9A
San Diego, CA 92101
(619) 236-6213

EXEMPT STATUS: (CHECK ONE)

- () MINISTERIAL
- () DECLARED EMERGENCY
- () EMERGENCY PROJECT
- (X) CATEGORICAL EXEMPTION: Sections 15302 (Replacement or Reconstruction), 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations to Land), 15311

(Accessory Structures), 15323 (Normal Operations of Facilities for Public Gatherings), and 15327 (Leasing New Facilities)

() STATUTORY EXEMPTION Sections 15268 (Ministerial Projects) and 15269 (Emergency Projects)

REASONS WHY PROJECT IS EXEMPT: The CEQA and Environmental Policy Section of the Planning Department has reviewed the Temporary Shelters Project and determined that the activity is exempt from CEQA pursuant to one or more of CEQA Guidelines Sections 15269 (Emergency Projects), which allows for specific actions to prevent or mitigate an emergency; 15302 (Replacement or Reconstruction), which allows for the replacement or reconstruction of existing facilities; 15303 (New Construction or Conversion of Small Structures), which allows for the construction or location of new, small facilities or structures; 15304(e) (Minor Alterations to Land), which allows for minor temporary use of land having negligible or no permanent effects on the environment; 15311 (Accessory Structures), which allows for the construction or placement of minor structures accessory to existing facilities; 15323 (Normal Operations of Facilities for Public Gatherings), which allows for the normal operations of existing facilities for public gatherings for which the facilities were designed; and 15327 (Leasing New Facilities), which allows for the leasing of a newly constructed facility by a local or state agency where the local governing authority determined that the building was exempt from CEQA. The exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; there are no hazardous waste sites identified; and no historical resources would be affected by the action.

Further, the use of the 20th and B Streets (City Operations Yard), should it not require discretionary action for use as a temporary camp site would be a ministerial project, and thus, pursuant to CEQA Guidelines Section 15268 would be exempt from the requirements of CEQA.

LEAD AGENCY CONTACT PERSON: Rebecca Malone TELEPHONE: (619)446-5371

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
() YES () NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

 Senior Planner

October 2, 2017

SIGNATURE/TITLE

DATE

CHECK ONE:

- (X) SIGNED BY LEAD AGENCY
() SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

Brown, Aurora

From: Neff, Jasiah
Sent: Friday, October 13, 2017 1:14 PM
To: Brown, Aurora; Herrera, Jonathan
Subject: Re: Access not finalized for tomorrow - Navy Site

Hi Aurora,

I wanted to follow up with you in regard to obtaining access to both the VVSD (Navy) site and to FJV. In regard to the navy site we will need to provide access to City crews while they do their site prep and suggest getting a combo lock. Also, would you be able to determine if the City still owns the electric meter at the 16th and Newton site as well as the meter at the Navy site. I also want to confirm we have permission from St. Vincent de Paul to tap into there electric panel as done previously. Thank you.

Jasiah Neff
Associate Engineer-Civil
Public Works Department
T(619) 533-7462
C(619) 481-1786

From: Brown, Aurora
Sent: Wednesday, October 11, 2017 3:49:07 PM
To: Herrera, Jonathan
Cc: Neff, Jasiah
Subject: Access not finalized for tomorrow - Navy Site

Hi Jonathan,

Just want to confirm we will not have access to the site tomorrow. There are still some items being looked at on the license agreement. I will give you an update tomorrow.

Thank you, Aurora

Aurora Brown
Property Agent
City of San Diego
Real Estate Assets
1200 Third Avenue
Suite 1700
San Diego, CA 92101

T (619) 236-6124
sandiego.gov

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October 11, 2017

Naval Base Point Loma
140 Sylvester Road
San Diego, CA 92106

Attention: Leslie Geary

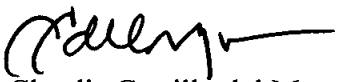
Reference: **Declaration of Self-Insurance by the City of San Diego to Naval Base Point Loma regarding the Veteran's Village Homeless Shelter scheduled from October 12, 2017 through May 30, 2018.**

Please accept this letter as compliance with your request for a statement of self-insurance covering the above-referenced agreement between the City of San Diego and the Naval Base Point Loma. The City of San Diego is currently self-insured for its liability insurance, which includes general liability and automobile liability coverage for property damage and bodily injury claims. The City of San Diego budgets annually for its self-administered claims program handled through the Risk Management Department. Claims are processed and administered in accordance with the California Government Code Section 900, et.seq.

The City of San Diego is also currently self-insured for Workers' Compensation for all City employees.

Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,


Claudia Castillo del Muro
Public Liability Manager

Brown, Aurora

From: Thompson, Cybele
Sent: Thursday, September 14, 2017 2:22 PM
To: LoMedico, Stacey; McCusker, April; Brown, Aurora
Subject: Re: NEWS: Mayor Faulconer: City to Open Temporary 'Bridge' Shelters to Help the Homeless

Hi, Stacey -

April McCusker, Aurora Brown and I will represent READ.

Thanks!

Cybele L. Thompson, RPA, FMA, CCIM, LEED AP - Lic # 01176298
Director
City of San Diego
Real Estate Assets
1200 Third Avenue
Suite 1700
San Diego, CA 92101

T (619) 236-6145
C (858) 775-9662
F (619) 236-6706
sandiego.gov

----- Original message -----

From: "LoMedico, Stacey" <SLomedico@sandiego.gov>
Date: 9/14/17 12:14 PM (GMT-08:00)
To: Department Directors Mayoral <DepartmentDirectorsMayoral@sandiego.gov>, Executive Secretaries Mayoral <ExecutiveSecretariesMayoral@sandiego.gov>
Cc: "Miller, Tyra" <TYMiller@sandiego.gov>, "Herrera, Jonathan" <HerreraJ@sandiego.gov>, "Lebron, Jen" <JLebron@sandiego.gov>
Subject: FW: NEWS: Mayor Faulconer: City to Open Temporary 'Bridge' Shelters to Help the Homeless

Good morning,

As this has been made very clear by the Mayor - moving this forward with these is a top priority. As such I am creating a contact / point person for each department.

While many departments will not have direct contact with moving these forward (e.g. Library) others will have key roles in various areas of your department (e.g. DSD). As such we are having a kick off meeting to update everyone where we are and next steps. We will also discuss timelines, and expectations.

By COB 9/15 please provide Tyra your department point of contact(s) depending upon your preference. Some departments may choose to have more than one POC.

Questions - please call me directly.

Thank you,
Jonathan and Stacey

Stacey LoMedico
Assistant Chief Operating Officer
T (619) 533-4548



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From: Miller, Tyra

Sent: Thursday, September 14, 2017 9:28 AM

To: Bagos, Cynthia <CBagos@sanidiego.gov>; Carter, James <JMCarter@sanidiego.gov>; Gustafson, Craig <CGustafson@sanidiego.gov>; Herrera, Jonathan <HerreraJ@sanidiego.gov>; Hunter, Darnisha <DHunter@sanidiego.gov>; Jensen, Anne <AJensen@sanidiego.gov>; Jones, Misty N <MNJones@sanidiego.gov>; Kaye, Charles <ckaye@pd.sanidiego.gov>; Keach, Katie <KKeach@sanidiego.gov>; LoMedico, Stacey <SLomedico@sanidiego.gov>; Maduli-Williams, Stephen <SMaduliWilli@sanidiego.gov>; McFadden, Kris <KMcfadden@sanidiego.gov>; Miller, Tyra <TYMiller@sanidiego.gov>; Monroig, Felipe <FMonroig@sanidiego.gov>; Morris, John <jmorris@pd.sanidiego.gov>; Santoro, Kerry <KSantoro@sanidiego.gov>; Sierra, Mario <MSierra@sanidiego.gov>; Smith, Casey <CDSmith@sanidiego.gov>; Thompson, Cybele <ThompsonC@sanidiego.gov>; Vacchi, Robert <RAVacchi@sanidiego.gov>

Cc: Frick, Michelle <MFrick@sanidiego.gov>; Wenceslao, Stefanie <SWenceslao@sanidiego.gov>; McCartney, Rosemary <RMcCartney@sanidiego.gov>; Morse, Teresa <TMorse@sanidiego.gov>; Spriggs, Nicole <NSpriggs@sanidiego.gov>

Subject: NEWS: Mayor Faulconer: City to Open Temporary 'Bridge' Shelters to Help the Homeless

Good morning,

Based on the news release below, Stacey & Jonathan will meet with the group early next week to discuss the next steps and the creation of a working group to move forward with the "Temporary Bridge Shelters" under Jonathan's leadership.

Thanks!

Tyra Miller

Executive Secretary to Stacey LoMedico, Assistant Chief Operating Officer
T (619) 533-5966



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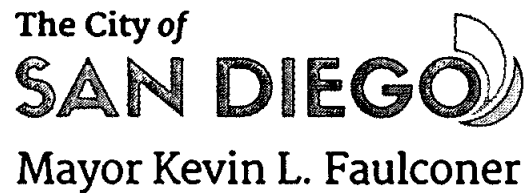
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From: Gustafson, Craig

Sent: Wednesday, September 13, 2017 9:38 AM

Subject: NEWS: Mayor Faulconer: City to Open Temporary 'Bridge' Shelters to Help the Homeless

NEWS RELEASE



FOR IMMEDIATE RELEASE
Wednesday, Sept. 13, 2017

CONTACT:

Craig Gustafson at (619) 453-9880 or cgustafson@sandiego.gov

Mayor Faulconer: City to Open Temporary 'Bridge' Shelters to Help the Homeless

**CITY WILL OPEN THREE NEW FACILITIES THAT WILL ACCOMMODATE
HUNDREDS OF HOMELESS INDIVIDUALS & PROVIDE SUPPORTIVE
SERVICES AS PEOPLE TRANSITION TO PERMANENT HOUSING**

San Diego – With the goals of reducing homelessness across the San Diego region and combatting the regional hepatitis A outbreak, Mayor Kevin L. Faulconer was joined today by elected officials and community leaders as he announced the creation of three new temporary “bridge-to-housing” shelters as part of a new public-private partnership to help homeless individuals get off the street for good.

“San Diegans are compassionate people who want to help solve this crisis. Their government must channel that compassion into action,” Mayor Faulconer said. “Offering more clean and safe spaces that transition the homeless from living on the streets to living in a permanent home is exactly what San Diego needs right now. This represents a significant expansion of our homeless service network and is one of the most immediate and effective actions we can take to provide relief to unsheltered people who are suffering and want help.”

Working with homeless service providers, Mayor Faulconer has identified three locations for the temporary bridge shelters with the goal of opening one or more of them by the end of December. The locations are:

- The parking lot on Father Joe's Villages campus at 14th and Commercial Streets in the East Village.
- A vacant lot in the 2700 block of Sports Arena Boulevard (behind the Goodwill store) in the Midway District to be run by the Veterans Village of San Diego.
- A vacated street at 16th Street and Newton Avenue with a shelter operated by Alpha Project.

Bridge shelters are an innovative approach that reflect best practices in serving the most vulnerable members of the homeless population. They serve as a crucial transition point where housing navigators will work with men and women without shelter to find them a permanent housing placement.

Each facility will consist of a large, industrial tent with more than 100 beds with restrooms, showers, meals and 24-hour security. The service providers will offer supportive services and connections to health care, alcohol and substance abuse counseling and job search training at all three locations.

Businessmen Peter Seidler and Dan Shea have generously offered to donate \$1.5 million toward the purchase of the large tents to help expedite the opening of the bridge shelters.

The total cost of operating the bridge shelters will be finalized in the coming weeks following further discussions with service providers and then Mayor Faulconer will seek City Council approval for funds to operate the shelters. The City is also exploring adding more bridge shelters in the future at other locations.

These new bridge shelters will operate alongside the City's current interim housing program at Father Joe's Villages – an indoor facility with 350 beds and supportive services for homeless individuals and veterans that is open every single night of the year.

The parking lot being used for the temporary bridge shelter at Father Joe's Villages is where the nonprofit plans to build a 16-story, 448-unit facility for veterans, families and chronic homeless individuals. Father Joe's Villages has agreed to operate a temporary bridge shelter at the site until September 2018, while the organization continues to prepare for the future development.

Joining Mayor Faulconer for today's announcement were City Councilmembers Chris Ward and Lorie Zapf, Alpha Project CEO Bob McElroy, Father Joe's Villages President & CEO Jim Vargas, Veterans Village of San Diego President & CEO Kimberly Mitchell and San Diego Housing Commission President & CEO Richard C. Gentry, Regional Task Force on the Homeless CEO Gordon Walker, the City's Senior Advisor on Homelessness Coordination Jonathan Herrera as well as representatives of the San Diego Regional Chamber of Commerce, the Downtown San Diego Partnership, the East Village Association and the San Diego Tourism Authority.

Here's what civic leaders are saying about the temporary bridge shelters:

City Councilmember Chris Ward, Chair of the Select Committee on Homelessness: "Temporary bridge structures are critical to our response to the Hepatitis A outbreak and will provide homeless San Diegans a safe and sanitary place of refuge as we address this health emergency. I'm grateful that our work to build strong collaboration has allowed so many community partners to quickly identify appropriate locations, programming, and operations that address immediate safety concerns while remaining focused on pathways to permanent housing."

City Councilmember Lorie Zapf: "I wholeheartedly support and applaud Mayor Faulconer for his leadership to sanitize our streets and shelter those individuals who live on the streets, parks, beaches and riverbeds."

County Supervisor Ron Roberts, Board Chair of the Regional Task Force on the Homeless: "I support Mayor Faulconer's work with the private sector and service providers to install and operate temporary homeless structures. It is critical that these shelters serve as linkages to support services and permanent housing, which remains the ultimate solution."

Richard C. Gentry, President & CEO of the San Diego Housing Commission: "These shelters complement the 'housing first' model by providing the additional capacity that is needed up-front to help homeless San Diegans leave the streets behind and start on the path toward permanent housing. This City collaboration with private-sector partners will create more opportunities within the current continuum of services, which already have helped thousands of homeless San Diegans begin to rebuild their lives."

Deacon Jim Vargas, President & CEO of Father Joe's Villages: "These are unprecedented times, and the public health emergency coupled with the increasing number of those who are homeless demands immediate action. We believe it is the right thing to set up this temporary shelter on our lot, while we prepare to construct permanent housing to address the shortage of affordable housing for those who are homeless. We look forward to working with the City, the County and our provider colleagues to help our brothers and sisters off the streets."

Kimberly Mitchell, President & CEO of Veterans Village of San Diego: "Veterans Village of San Diego is proud to partner with the City of San Diego to address the critical issue of homelessness in our community. Particularly troubling are the veterans who have served our country over the course of the last 50 years, but now find themselves struggling with homelessness on our streets. We appreciate Mayor Faulconer's leadership on this issue and the City of San Diego's partnership with VVSD to be part of the solution."

Bob McElroy, CEO of Alpha Project: "This is the best day of my year. We are going to bring hope to hundreds of folks who may not have any today, but tomorrow is going to be bright."

Businessmen Peter Seidler and Dan Shea: "Homelessness in San Diego is not something any of us can ignore and that's why we have raised a significant amount of private donations to contribute to this solution. It's going to take all of us, from the city to the county to the business community, coming together to collaborate on real fact-based, tangible and measurable action steps. We thank the Mayor for his leadership because these temporary bridge shelters are the start of a regional effort to turn this crisis around."

###

Sincerely,

Craig Gustafson

Senior Director of Communications

The City of
SAN DIEGO
Mayor Kevin L. Faulconer

T 619-236-7064

C 619-453-9880

www.sandiego.gov/mayor

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Brown, Aurora

From: Thompson, Cybele
Sent: Friday, September 15, 2017 4:44 PM
To: Lebron, Jen; McCusker, April; Brown, Aurora
Subject: Re: Navy contacts

Hi, Jen -

Aurora Brown will be the property agent responsible for drafting these tent leases, however, she is out next week, so the Navy can contact Aurora's supervisor, April McCusker, in the meantime who is copied here.

Thanks!

Cybele L. Thompson, RPA, FMA, CCIM, LEED AP - Lic # 01176298
Director
City of San Diego
Real Estate Assets
1200 Third Avenue
Suite 1700
San Diego, CA 92101

T (619) 236-6145
C (858) 775-9662
F (619) 236-6706
sandiego.gov

----- Original message -----

From: "Lebron, Jen" <JLebron@sandiego.gov>
Date: 9/15/17 4:39 PM (GMT-08:00)
To: "Thompson, Cybele" <ThompsonC@sandiego.gov>
Subject: Navy contacts

Hi Cybele,

I'd like to connect you (or members of your team) to the Navy POCs who are going to manage the license at the VVSD tent site. CDR Eric Haun said that the Navy would be willing to execute an initial six month license and then follow up with three succeeding agreements for a total of 24 months. Who should I loop in from your team?

For your reference, I've copied the latest email below.

Thanks,

Jen Lebron
Director of Public Safety & Neighborhood Services Policy
LGBT Liaison

The City of
SAN DIEGO
Mayor Kevin L. Faulconer

T 619-236-7056
C 619-384-5289
www.sandiego.gov/mayor

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From: Haun, Eric C CDR CNRSW FISD, ARE [mailto:eric.c.haun@navy.mil]
Sent: Friday, September 15, 2017 4:22 PM
To: Lebron, Jen <JLebron@sandiego.gov>
Cc: Ramberg, Jeremy D CDR NAVFAC SW, Naval Base Point Loma <jeremy.ramberg@navy.mil>; Theroux, Debra M CIV NAVFACHQ, BRAC PMO <debra.theroux@navy.mil>; Geary, Leslie CIV NAVFAC SW, SDNI <leslie.geary@navy.mil>; Ewell, Esther P CIV NAVFAC SW, SDNS <esther.ewell@navy.mil>
Subject: RE: Veteran Tent Sync

Jen-

Thanks again for taking time to link up with me regarding the veteran's tent. Per your request, the two real estate POCs that are responsible for setting up the initial (and follow on) 6 month license are Leslie Geary and Esther Ewell. Both are copied above. I respectfully request you put them in touch with your real estate team.

V/r-
Eric
CDR Eric Haun, PE
NRSW ARE
W: (619) 532-3633
C: (619) 571-2296
-----Original Appointment-----
From: Haun, Eric C CDR CNRSW FISD, ARE
Sent: Friday, September 15, 2017 1:20 PM
To: Haun, Eric C CDR CNRSW FISD, ARE; Kimberly Mitchell (kimberly.m.mitchell@vvsd.net); Theroux, Debra M CIV NAVFACHQ, BRAC PMO (debra.theroux@navy.mil); Lebron, Jen; herreraaj@sandiego.gov; Ramberg, Jeremy D CDR NAVFAC SW, Naval Base Point Loma
Subject: Veteran Tent Sync
When: Friday, September 15, 2017 16:00-16:30 (UTC-08:00) Pacific Time (US & Canada).
Where: Conference Call
All-

I respectfully request a VERY QUICK call to ensure Navy is aligned with the City and VVSD for the approved veteran tent license at NBPL.

Conference line: (866) 624-5064

Participant Code: 1551475#

Agenda (Navy Questions/Comments):

- License planned to be in place before 1 November 2017.
- Navy license with City or VVSD?
- Duration of license 6 months, more?

- Who is funding for effort?
- What is the VA's interaction or part in this effort?
- Will VA provide resources, or plan to assume this mission long term?

Thanks for your time and help!

V/r-
Eric

Brown, Aurora

From: McCusker, April
Sent: Thursday, September 28, 2017 9:21 AM
To: Brown, Aurora
Subject: FW: Veteran Tent Sync

Hi Aroura,

Please swing by my office later today (this am is not good) to discuss. Thanks

April

From: Lebron, Jen
Sent: Monday, September 18, 2017 8:45 AM
To: Haun, Eric C CDR CNRSW FISD, ARE <eric.c.haun@navy.mil>
Cc: Ramberg, Jeremy D CDR NAVFAC SW, Naval Base Point Loma <jeremy.ramberg@navy.mil>; Theroux, Debra M CIV NAVFACHQ, BRAC PMO <debra.theroux@navy.mil>; Geary, Leslie CIV NAVFAC SW, SDNI <leslie.geary@navy.mil>; Ewell, Esther P CIV NAVFAC SW, SDNS <esther.ewell@navy.mil>; McCusker, April <AMcCusker@sandiego.gov>; Brown, Aurora <AlBrown@sandiego.gov>
Subject: RE: Veteran Tent Sync

Hi Eric,

I'd like to put Leslie Geary and Esther Ewell in contact with Aurora Brown (copied above), who will be the property agent responsible for drafting the tent lease. However, she is out of town this week so their point of contact for now will be her supervisor April McCusker, who is copied above as well.

Thank you,

Jen Lebron

Director of Public Safety & Neighborhood Services Policy
LGBT Liaison

The City of
SAN DIEGO
Mayor Kevin L. Faulconer

T 619-236-7056
C 619-384-5289
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Sent: Friday, September 15, 2017 4:22 PM
To: Lebron, Jen <JLebron@sandiego.gov>
Cc: Ramberg, Jeremy D CDR NAVFAC SW, Naval Base Point Loma <jeremy.ramberg@navy.mil>; Theroux, Debra M CIV NAVFACHQ, BRAC PMO <debra.theroux@navy.mil>; Geary, Leslie CIV NAVFAC SW, SDNI <leslie.geary@navy.mil>; Ewell,

Esther P CIV NAVFAC SW, SDNS <esther.ewell@navy.mil>
Subject: RE: Veteran Tent Sync

Jen-

Thanks again for taking time to link up with me regarding the veteran's tent. Per your request, the two real estate POCs that are responsible for setting up the initial (and follow on) 6 month license are Leslie Geary and Esther Ewell. Both are copied above. I respectfully request you put them in touch with your real estate team.

V/r-

Eric

CDR Eric Haun, PE

NRSW ARE

W: (619) 532-3633

C: (619) 571-2296

-----Original Appointment-----

From: Haun, Eric C CDR CNRSW FISD, ARE

Sent: Friday, September 15, 2017 1:20 PM

To: Haun, Eric C CDR CNRSW FISD, ARE; Kimberly Mitchell (kimberly.m.mitchell@vvsd.net); Theroux, Debra M CIV NAVFACHQ, BRAC PMO (debra.theroux@navy.mil); Lebron, Jen; herreraj@sanidiego.gov; Ramberg, Jeremy D CDR NAVFAC SW, Naval Base Point Loma

Subject: Veteran Tent Sync

When: Friday, September 15, 2017 16:00-16:30 (UTC-08:00) Pacific Time (US & Canada).

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All-

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Participant Code: 1551475#

Agenda (Navy Questions/Comments):

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- Who is funding for effort?
- What is the VA's interaction or part in this effort?
- Will VA provide resources, or plan to assume this mission long term?

Thanks for your time and help!

V/r-

Eric

Temporary Bridge Shelters for the Homeless –

Jonathan Hererra – Mayors Office Lead

Aurora to help with any non-profit agreements

IO - open for Staff time and for Rents, etc.

Sites

1. 16th and Newton – public ROW 1 large tent will be operated by Alpha Project – (Adult Men, some couples, no children) 400 people
2. Veterans Village – Navy Property – Veterans (men and women and couples) allow companion animals 200 people
3. Father Joes – back side of lot Midway area Woman and Children, some Families , 200?

Tents have been donated and are on “loan “to The City of San Diego

Expect project to be a minimum of 24 months

Background:

Individuals must have voucher for permanent housing and still be waiting for housing

7-800 individuals

Will try to cycle homeless through so they can get off the streets and find permanent housing. Generally will be in shelter for 90-120 days...

S400
10/2/17

RESOLUTION NUMBER R- 311331

DATE OF FINAL PASSAGE OCT 03 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THE EXISTENCE OF A SHELTER CRISIS IN THE CITY OF SAN DIEGO AND SUSPENDING APPLICABLE PROVISIONS OF STATE AND LOCAL LAW PURSUANT TO THE CALIFORNIA GOVERNMENT CODE AND TAKING RELATED ACTIONS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CALIFORNIA COASTAL ACT, ALL RELATED TO PROVIDING PUBLIC FACILITIES TO MITIGATE THE EFFECTS OF THE SHELTER CRISIS, INCLUDING THE EFFECT THE HEPATITIS A OUTBREAK HAS ON THE SHELTER CRISIS.

WHEREAS, a significant number of persons are living unsheltered in the City of San Diego, without the ability to obtain shelter; and

WHEREAS, the Regional Task Force on the Homeless conducted its Point-In-Time Count on January 27, 2017 to collect data related to homelessness in San Diego, which showed that:

- 9,116 individuals are experiencing homelessness in the San Diego region, 77% of whom indicated they became homeless while living in San Diego;
- 5,619 of those individuals live within the boundaries of the City of San Diego, which number represents a 62% share of the regional total; the city with the next-largest share has a 6% share of the regional total;
- The remaining population of 3,497, which represents 38% of the regional total, is spread among four areas made up of other city jurisdictions and the unincorporated County: North County Inland, North County Coastal, South County, and East County (each with 7%, 8%, 9%, and 14% of the total, respectively);

- The overall population of individuals experiencing homelessness in the San Diego region grew by 5% as compared to 2016 and the share of individuals experiencing homelessness within City boundaries grew by 10% in that one-year period;
- 2,388 members of the City of San Diego's homeless population are sheltered in emergency shelters, safe havens, or transitional housing;
- 3,231 members of the City of San Diego's homeless population are unsheltered; this means that 57% of the total number of unsheltered individuals in the region live within the boundaries of the City of San Diego;
- The number of unsheltered persons in the region has risen each year since 2014; the current number of unsheltered persons region-wide represents a 41% increase as compared to the 2014 count and is the highest number observed since at least 2011; in the City of San Diego, the current number of unsheltered persons represents a 31% increase compared to the 2014 count and an 18% increase as compared to last year's count; and
- In the region, there has been a 58% increase in the number of individuals sleeping in tents or hand-built structures since last year and a 157% increase since 2014; in the downtown area of the City of San Diego, there has been a 263% increase since 2014; and

WHEREAS, individuals without shelter are at risk of injury and harm due to exposure to the elements and due to other health-, safety-, and welfare-related circumstances and consequences associated with living outdoors; and

WHEREAS, such individuals generally camp or lodge overnight on or in City parks, sidewalks, parking lots, and beaches, leading to conditions that are in some cases unsanitary,

both for the population of individuals experiencing homelessness and the members of the public who use those City parks, sidewalks, parking lots, and beaches; and

WHEREAS, the effects and impacts of such camping and lodging activities have an adverse effect on the health and safety of the people in the City, including the population of individuals experiencing homelessness and the public at large, and those effects and impacts constitute a health hazard for which abatement is warranted; and

WHEREAS, these facts, on their own, are a sufficient basis on which to rely in order to declare the existence of a shelter crisis; however, there are additional facts that lend further support for such a declaration; and

WHEREAS, the Health Officer for the County of San Diego ("County") (the "County Health Officer") serves as the Health Officer for the City of San Diego and, under the California Health and Safety Code, has the responsibility to take measures to prevent the spread of contagious, infectious, or communicable disease or occurrence of additional cases of such disease; and

WHEREAS, the County Health Officer became aware of facts that indicated a higher-than-normal incidence of Hepatitis A infection in the San Diego region; and

WHEREAS, Hepatitis A is a type of virus and refers to the infection caused by that virus, which causes inflammation of the liver that can last weeks or months and may result in serious illness that, in some cases, may cause death; and

WHEREAS, the strain of Hepatitis A virus found in San Diego County is considered to be spread by close person-to-person contact with infected persons; specifically, by oral ingestion of even microscopic amounts of infected fecal matter; and

WHEREAS, a vaccine exists that provides an effective level of immunity against the infection, and, beginning in March 2017, the County undertook an effort to provide vaccines to the members of the population it deemed most at risk of contracting the infection and the County Health Officer maintains that vaccination is the most effective means to prevent infection; and

WHEREAS, the approach to stemming this outbreak focuses on three efforts: vaccination, sanitation, and education; and

WHEREAS, on August 31, 2017, consistent with and pursuant to the authority over public health vested in its office by state statute, the County Health Officer issued a directive ("Directive") to the City that described a means by which the City could assist in the abatement of this health hazard by participating in the sanitation effort; specifically, the Directive stated that the City was to implement a specific cleaning and sanitation protocol for sidewalks, streets, and gutters and expand access to public restrooms and wash stations adjacent to at-risk populations, identified by the County in that Directive as homeless individuals and illicit drug users; and

WHEREAS, the County Health Officer indicated as a basis for its Directive that unsanitary living conditions of a segment of the at-risk population contribute to the spread of the infection; and

WHEREAS, concurrent with delivery of the Directive, the County informed the City that this Hepatitis A virus was resilient and was not diminishing; and

WHEREAS, on September 1, 2017, the County Health Officer declared a local health emergency in San Diego County due to the threat to public health caused by the spread of the Hepatitis A virus; specifically citing the existence of contaminants in locations where significant numbers of homeless individuals reside as contributing to the increase and spread of the

infection, which declaration provided the City a means to take action using its emergency procedures; and

WHEREAS, the City provides funding for shelters for individuals experiencing homelessness, which improves access to sanitary conditions for those individuals, but the number of shelter beds that funding provides is at this time insufficient to house the number of unsheltered persons identified in the most recent Point-In-Time Count; and

WHEREAS, data made available by the County as of September 26, 2017 showed that there were 461 confirmed cases of Hepatitis A between that time and November 22, 2016 and that the infection resulted in a 68% hospitalization rate and 17 deaths among those affected; recent data also showed that approximately 42,000 vaccines have been administered, as vaccination efforts continue; and

WHEREAS, this outbreak is the second largest the United States has experienced since the vaccine was introduced to the public in 1995; and

WHEREAS, the City is participating in the efforts to increase the number of vaccinations offered to and accepted by members of the public at risk and to educate the public about the outbreak and, in compliance with the Directive, has implemented sanitation procedures and expanded access to restrooms and handwashing stations; and

WHEREAS, improved sanitary conditions for the population of the City's unsheltered homeless population would reasonably combat exposure to and help slow the spread of the Hepatitis A infection; and

WHEREAS, the sanitation procedures prescribed by the County Health Official for the treatment of sidewalks, streets, and gutters have the incidental but unavoidable effect of requiring individuals that may occupy such public rights-of-way at the time the sanitation

activities are scheduled to occur to temporarily relocate in order to allow the sanitation activities to occur, and the City desires that there be alternate shelter facilities for any of these individuals who lack access to shelter so that the City can properly and effectively carry out its sanitation efforts by cleaning the public rights-of-way and expanding access to restroom and handwashing facilities; and

WHEREAS, the City is pursuing options to open and operate certain public facilities to provide shelter for homeless individuals and their belongings, including on the public right-of-way at the cul-de-sac of 16th Street and Newton Avenue in Barrio Logan, on privately-owned property near the intersection of 14th and Commercial Streets in the Downtown community, and on a Navy-owned lot near the 2700 block of Sports Arena Boulevard in the Midway neighborhood, for use as shelters, which may include shelters of the type that provide a "bridge" to housing ("Temporary Bridge Shelters") for individuals who may be eligible for placement in permanent supportive housing, in addition to other public facilities that the City may determine are available for such a purpose or other shelter-related purposes, which facilities may include City-owned or operated buildings, vacant or underutilized land, or parkland, including a site located at 20th and B Streets for a temporary camp site specifically to provide facilities that will provide access to restrooms and hand wash stations until one or more of the three aforementioned shelter locations are operational, which use of that parkland location is a legitimate park purpose; and

WHEREAS, strict compliance with otherwise applicable state or local statutes, regulations, and ordinances that prescribe standards for housing, health, and safety would prevent, hinder, or delay the establishment and operation of such facilities for shelter purposes and would prevent, hinder, or delay the mitigation of the effects of the shelter crisis, including by

impeding the City's ability to provide improved sanitary living conditions for individuals experiencing homelessness and including those who are at risk of contracting the Hepatitis A virus; and

WHEREAS, pursuant to the provisions of California Government Code section 8698 et seq., the City may declare that a shelter crisis exists within its territory, and an effect of such a declaration is that state and local statutes, regulations, and ordinances that prescribe standards for housing, health, or safety that would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis shall be suspended, which state and local statutes include, but are not limited to, specific provisions of: the San Diego Municipal Code, including, but not limited to, rules that regulate specific activities that may occur in public facilities and public property; the California Environmental Quality Act (CEQA), the California Coastal Act, and local ordinances related to implementation thereof; and statutes, regulations, and ordinances related to building requirements, among other state and local statutes; and

WHEREAS, the Planning Department has established that, even if CEQA were not suspended for this limited purpose related to abatement of the shelter crisis, the class of activities anticipated to be carried out to mitigate the effects of the crisis would be statutorily or categorically exempt from CEQA pursuant to one or more of CEQA Guidelines sections 15268, 15269, 15302, 15303, 15304, 15311, 15323, and 15327, and that no exception to the exemptions, as set forth in CEQA Guidelines section 15300.2, would apply and, therefore, that the Council of the City of San Diego, using its independent judgment, may determine that the activity will not have a significant effect on the environment; and

WHEREAS, that even if the California Coastal Act were not suspended for this limited purpose related to abatement of the shelter crisis, the shelter crisis herein declared constitutes an

emergency, immediate action is required to protect individuals experiencing homelessness from imminent danger, including the danger associated with the Hepatitis A outbreak, the facilities are necessary and reasonable to prohibit and abate a nuisance, and the facilities will be designed, to the extent deemed feasible by the City, so as not cause or result in any adverse impacts or effects on any coastal resources or environmentally sensitive habitat areas, and to in fact cause or result in a reduction or elimination of current adverse impacts and effects on coastal resources associated with illegal camping and lodging activities by members of the public, including by individuals experiencing homelessness; and

WHEREAS, on October 2, 2017, the Council of the City of San Diego held a duly noticed public meeting and considered the written record for the action, as well as public comment; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego hereby finds and adopts the recitals above as findings and determinations.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego hereby finds and declares the existence of a shelter crisis in the City of San Diego pursuant to and in accordance with the provisions of California Government Code section 8698.2(a)(1) because it finds that a significant number of persons in the City are without the ability to obtain shelter, which results in a threat to their health and safety, which is on its own a sufficient basis for declaration of a shelter crisis and is compounded by the Hepatitis A outbreak.

BE IT FURTHER RESOLVED, that this declaration of the existence of a shelter crisis shall continue in effect until terminated by the Council of the City of San Diego, which termination shall not be effected while a significant number of persons remain without the ability to obtain shelter or while unsanitary sleeping and living conditions or other conditions endanger

the health and safety of those unable to obtain shelter and in no case shall be effected while either the local health emergency or the public health threat related to the Hepatitis A outbreak persists.

BE IT FURTHER RESOLVED, that the City asserts the immunity provided by California Government Code section 8698.1(a), which immunity applies to ordinary negligence in the provision of shelter to mitigate this crisis and that, pursuant to California Government Code section 8698.1(b), the provisions of state or local regulatory statutes, regulations, and ordinances prescribing standards of housing, health, or safety are deemed suspended and inapplicable to activities related to the shelter crisis because strict compliance with such statutes, regulations, and ordinances would prevent, hinder, or delay the mitigation of the effects of the shelter crisis; including specifically that they are suspended and inapplicable to the establishment and operation of the Temporary Bridge Shelters and the establishment and operation of any other public facilities that the City may make available to unsheltered individuals as reasonably determined by the City to be necessary to mitigate the effects of the shelter crisis and that, with respect to such facilities, the Council of the City of San Diego authorizes the Mayor to apply health and safety standards consistent with the requirements of California Government Code section 8698.1(b).

BE IT FURTHER RESOLVED, that, specifically, the provisions of CEQA are deemed suspended and inapplicable with respect to the Temporary Bridge Shelters and any other public facilities that the City may make available to unsheltered individuals, but that, nevertheless, the Council of the City of San Diego determines that the establishment and operation of such facilities is exempt from the provisions of CEQA and that no exception is applicable.

BE IT FURTHER RESOLVED, that, specifically, the provisions of the California Coastal Act are deemed suspended and inapplicable with respect to the Temporary Bridge Shelters and any other public facilities that the City may make available to unsheltered individuals, but that, nevertheless, the Council of the City of San Diego determines that such facilities are exempt from the provisions of the California Coastal Act.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego requests that the City's labor management representatives expeditiously resolve, in accordance with approved memoranda of understanding between the City and its recognized employee organizations and the Meyers-Milias-Brown Act, any labor relations matters related to the City's response to the shelter crisis, including as it relates to the Hepatitis A health crisis, as related to the use of any public facilities that the City may make available to unsheltered individuals.

BE IT FURTHER RESOLVED, that this declaration also constitutes an emergency for the purposes of making applicable the provisions of the City Charter and the San Diego Municipal Code related to emergency procurement of goods and services by contract, and that these facts would provide adequate justification for declaring a local emergency pursuant to California Government Code section 8550 et seq., as the conditions result in extreme peril to the safety of persons within the territorial limits of the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions, including but not limited to the County, other cities, and other government or public agencies, which declaration could be made by the Council of the City of San Diego should funding or mutual aid opportunities become available or be identified for this purpose.

Passed by the Council of The City of San Diego on OCT 02 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☒	☐	☐	☐
Lorie Zapf	☒	☐	☐	☐
Chris Ward	☒	☐	☐	☐
Myrtle Cole	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☐	☐	☒	☐
Scott Sherman	☒	☐	☐	☐
David Alvarez	☒	☐	☐	☐
Georgette Gomez	☒	☐	☐	☐

Date of final passage OCT 03 2017

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Sty Rios, Deputy

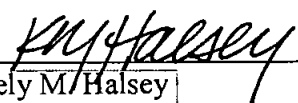
Office of the City Clerk, San Diego, California

Resolution Number R- 311331

BE IT FURTHER RESOLVED, that any one of the reasons stated herein as support for the declaration of a shelter crisis forms a sufficient basis on which to base that determination independent of any other justification for the determination.

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized to execute documents and to perform acts as are necessary and appropriate to implement these approvals.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Keely M. Halsey
Deputy City Attorney

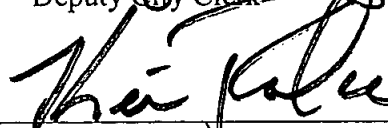
KMH:als
09/28/2017
10/02/2017 Cor. Copy
10/03/2017 Rev. Copy
Or.Dept: CD 3
Doc. No.: 1584669_4

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 02 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10/3/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor