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To Whom It May Concern:

Putting forth this petition to solidify the first steps of forming a tenants' union, named The Candlestick 35, as a concerted effort to confront who (i.e. Dept of Homelessness) has organized this "navigation center" specifically for vehicle dwellers about the living conditions at the Bayview Vehicle Triage Center (VTC) located at 500 Hunter's Point Expressway, San Francisco.

The 22 signees (*footnote 1*) represent more than the required 50% of the units per *SF Admin Code Sec. 49A.4*. While the Dept. of Homelessness (HSH), declares there are 41 units in operation, we count only 35. Nonetheless, we bring 22 union members, more than sufficient.

Grounds to form a tenants' union was seen in a memo from the Dept of Public Works dated Aug 2023, referring to the VTC specifically:

"Regarding terminology, Government Code Section 65662(c) and Welfare and Institutions Code Section 8255 refers to residents of low barrier navigation centers as 'tenants', HSH prefers to use the word 'client' instead, as people staying in HSH-owned and operated navigation centers neither sign a lease nor provide payment for services and shelter."

Dept. of Homelessness prefers to call us "clients", while their non-profit subcontractor that manages the VTC physical location (i.e. provides janitorial services, 24/7 security, meal delivery, etc) Urban Alchemy and the case managers from the Bayview Hunters' Point Foundation (BVHPF) use the word "guest". However, Welfare and Institutions Code 8255, the law that controls the social construct that is a "navigation center" (which the VTC is to be allowed, by right, under Government code 65662) states we are "tenants".

The word tenant, or tenancy, is used 13 times in *WIC 8255*, so it would appear that if the Legislature had intended us a different status, they would have used a different word.

In light of the Dec 5, 2023 unanimous vote at the States' Land Commission to extend a two-year extension for the continued operation of the VTC (old lease ends Jan 13, 2024), along with approval from the Board of Supervisors to set aside \$12.2 million for two-years of operating costs (plus over \$4 million for *more* capital improvements), thus we have come to the conclusion it is necessary to form a union to address these following issues:

A) Never informed we are 300' from Parcel F of Hunter's Point Shipyard, a NPL Superfund site. It is scheduled for clean-up to begin in 2024, until 2028, thus encompassing the time the new lease for the VTC is in effect. Are we supposed to be here exposed to that too? There have been ongoing digging in toxic dirt, without dust control or apparent purpose, which has been documented. This past week-and-half, there has been a work crew out with high pressure water spray removing rat feces underneath RVs. They are vaporizing who knows what in the air. Besides being next door to a Superfund site, this plot is under the Maher Ordinance, as being hazardous in its own right. Also, where is the daily smell of sewage - or is it methane gas - coming from?

B) No fire suppression system and no intention of installing it; just a few fire extinguishers here and there. There has already been one RV burn to the ground.

C) No electricity has been installed, in spite of endless promises. The office has it (w/ AC + heat). We, the people here, only get an outdoor "charging station", covered on only the top with a piece of plastic. It cuts out if too many things are plugged in. No seats while you wait for your devices to recharge. There have been different sets of equipment for the security lighting - never for our use as a community. First, sixteen (unpermitted) industrial-size diesel generators, removed due to the locals filing a lawsuit under the Clean Air Act; then two monster-size generators which never got permits to be used; over the summer, (likely unpermitted) trenches were dug and electric lines were laid, with a pile of wooden electric poles installed, but again, not hooked up to anything. Now, there sits at the fenceline, three large lithium battery packs on wheels, which are to (eventually) provide us with electricity from 5 pm to 2 am. None of us feel like our safety is being considered at all. Are these even safe? Lithium batteries are known to blow up. We were made to sign a dire warning notice to not plug in anything, else we'd be thrown out immediately. Why exactly are we exposed to something that needs a warning like that?

D) We are told not to cook, nor can we heat ourselves. This was on the document signed upon moving in - that we agreed to disconnect our stoves - so made to agree to this! Also the bulletin board contains rules saying "no flame". This is an illegal order because there is no authority on the planet that can deny free citizens the "tools of survival" per *the Geneva Convention*. Yet the Dept. of Homelessness finds this an acceptable solution to their failure to provide a safe living environment. We are stripped of our dignity and our self-determination, to be told that in order to live in this toxic, ill-prepared location (*i.e the former boat parking lot for Candlestick Park*). There needs to be a good reason to make adults change their personal way of eating. It's so that THE RULE-BREAKER who uses his or her kitchen or propane heaters, then they would be responsible in event of a fire, not the landlord, HSH. One of our first acts as a tenant's union will be to write and ask the fire marshall where does it get its authority from to command people not to cook or heat themselves? It is a crime on both state and federal levels to be in conspiracy to deny someone of their civil rights, which surely using amenities in one's own home must (logically) be.

E) Inedible food served at unsafe temperatures. Only 2 meals a day. Repetitive menu with insufficient protein, fiber, and vitamins. Disrespectful treatment of ethnic cuisine. There have been three different non-profits in charge, (Mother Brown's; an unknown source; and currently, Farming Hope). None have adhered to rule #9 of SEC. 20.404. CONTRACT REQUIREMENTS *to engage a nutritionist, who shall develop all meal plans, including meal plans for children and pregnant women and post menus on a daily basis; and #10, to make dietary modifications to accommodate requests from clients based on religious beliefs and practices, health, or disability reasons;*

Speaking again to the toxic location, these meals are delivered by staff, who bring around our meals in a wagon or on a golf cart, collecting dust from the roadway. No kitchen trailer, unlike the site @ 33 Gough, another program operated by Urban Alchemy in San Francisco. No place to wash dishes. No refrigeration. No way to cook. Just an unsheltered microwave. Imagine having to walk up at night, alone as a woman, in this remote, scary location. No lights in the actual rows. No, you would eat cold food. Same for when it rains: go stand outside and use an electrical appliance? No, you would eat it cold.

F) Generators and propane tanks seized. Let's go back to no fire suppression and how the fire marshall is supposedly making these inspections. How does he drive right past 30+ seized various-sized

propane bottles behind a fence, in between three containers, next to seized generators and gas cans? If there was a fire, these would act like a bomb. Furthermore, it has been reported that a suspicious man was seen hanging around on the outside (NOTE: park and rec has a popular trail that people use – no privacy curtain used anymore - they blew away in the storms last winter and were never replaced). He appeared to be looking at the collection of gas and propane-filled items. Approximately half-an-hour later, a fire broke out in the field outside the VTC, with 30 some odd trees burnt down.

G) rats everywhere ... absolutely inadequate pest control. The mechanic hired by BVHPF is quoted in City paper saying the rats are eating our engine wiring. We have seen no increase in the boxes put out, nor any other pest control methods except the aforementioned high pressure spray cleaning of rat feces from underneath some of the RVs, as well as some work done by someone else, to cover holes where the rats get in; again, only some got this.

H) No written notice of government hearings of what is going on where we live. Not once informed of the status of the lease extension (except an early eviction notice Jan 2023). Certainly no inclusion in the neighborhood working group about the VTC. This monthly event is hosted by HSH. That is the mechanism for the nearby residents to complain about both the place and the people inside it.

I) We are not allowed to leave our 2nd passenger vehicle next to our RVs, except for 15-minutes unloading. This is an ongoing ADA violation, for disabled people not being allowed to park their 2nd passenger vehicle nearby, especially with the new double fencing that makes us have to walk all the way down and around. However, for most in the VTC, they are not allowed a 2nd passenger vehicle at all! Many have been forced to leave there 2nd passenger vehicle outside VTC and it was towed or broke into. Since most of our RVs do not run, many people must walk out of this remote location. It's nearly a mile to nearest bus stop.

J) Regarding the previous non-ADA shower, here for the past two years: it is only because one of our union members filed a complaint with (federal) Fair Housing Agency and an investigator ordered that an ADA shower (with a ramp for wheelchairs) be brought in. However, the shower is only open Mon, Wed, Fri, Sun 9-1. For women with menstrual needs, that is insufficient. We need a safe shower accessible 24/7 without a MAN outside with a clipboard asking name, birthdate and an invasive personal question: *"when was the last time you saw a doctor?"*.

K) The birth certificate of the VTC specified there would be a laundry trailer. Instead, our laundry is collected on Tuesday, returned Friday, or collected Friday, returned Tuesday. We need to be able to wash (or dry) our own clothes and use them right then, especially our bed linens.

J) Where are the alleged donations? Posted notice said "winter blankets arriving". I was told verbally at the most recent community meeting there would be socks + gloves handed out. It's winter NOW.

K) What is being done to prepare the front road to prevent us from getting flooded in again?

L) Insufficient site security. Last month, there was an invasion of the site at 2 am that we can prove happened. Two car loads of people with guns were let in, half got arrested, other half got away. Only reason the police came out was because one of our union members called 911.

M) Denial of Service. We can be refused entry over just about anything. This should never be in the hands of one Urban Alchemy staff, too much power. Where is the posted grievance process? This is not a warehouse shelter or a SRO. These RVs are our property, our homes. It is a violation of the 4th amendment of the constitution to even make us afraid that we won't be able to access our homes.

N) Human Zoo Tours by "officials" who want to study Urban Alchemy's business model for use in their city. Visits by the media, by religious groups, by community outreach. No notice given. Just a group walking around, observing, taking pictures. Also, night staff has a habit of taking our photo (with their cell phone) as we accept the dinner. I can think of no good reason for this to be happening as it's truly disturbing. One Urban Alchemy staff hands the food while another, on the cart or walking behind it, takes the photo; there have been many other occasions when our photos have been taken by staff. Yet it's a posted rule that WE can't photograph the staff.

O) No visitors, thus social isolation by *policy*. Even prisons have to allow visitors. This is a violation of right to assemble.

P) It is culturally insensitive to be told constantly that we need to move out of our RVs into SROs or "other housing options".

Q) HSH put forth a project for RVs with no one on staff who knows a damn thing about RVs. For example, although there is a (more or less) weekly blackwater pump service, there is no matching truck (as

there usually is) adding water to our tanks. We must physically haul water to pour in our toilets to flush (disabled people get no assistance whatsoever in this task). Insufficiency of water in RV blackwater tanks damages them.

R) It is not "*quiet enjoyment of the premises*" to have to listen to staff yell out our names for meals, laundry, and the most insulting invasion of privacy: the "wellness checks". It implies that we are all hard drug users and need to be checked on to make sure we haven't overdosed. That doesn't happen at a regular RV park. It also tells people out here (staff and residents alike) who exactly is home or not. Furthermore, no naps can be had, which is injurious to sick or older people. Recently, "wellness checks" have begun in the evening.

S) No one can access the ONE data that HSH and their non-profits collect on us. You can not access services unless you give up an extraordinary amount of personal information. We do comprehend that one of the basis for the City having power to bring cases for the newly-created CARE Court, but what is reported in our files is put there by possibly ill-trained or even outright hostile staff. We want copies of what is written about us.

T) The seizure (*and the threat of seizure*) of property is out-of-control. Each union member has to file his or her own grievance. However, we would ask HSH and its subcontractors to immediately halt the threat of towing our HOMES, as well as secondary vehicles, under ANY circumstances at the VTC. That's the *only* actual benefit we get from this place. In that same spirit, we would like the written policy instituted that is the same as the SROs that have a 30-day "coroner's hold". As it is, our people only have two days before it is impounded.

California Constitution Article I - Declaration of Rights

Section 1. All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.

We ask of our Landlord, the Dept. of Homelessness (HSH):

1. Stop the digging and disturbance of the air in this toxic location. Post permits and sufficient notice of any future digging. Supply masks. Clear this VTC of its many uncovered piles of loose dirt. Plant proper ground cover. Provide written notice this is 300' from NPL Superfund site (especially for future VTC tenants who might have health issues and want to refuse placement here). Soil testing on the dirt recovered during the summer digging. Tell us where the water in the pipes comes from. Address the lack of fire suppression.
2. Remove the double chain link fences that divide each lane of the VTC which make it a fire trap. Copper wire that it is protecting is a fake situation, the boxes aren't turned on. They are just for looking at.
3. Remove the 30+ confiscated propane tanks that are in a fenced-area dangerously close to occupied RVs.
4. Release us to return to normal living conditions with rules changed so as to allow us to use our kitchens, etc. Instead of confiscating our propane bottles, use your staff van to help us go fill them up, especially for the disabled.
5. Provide electric service, potable water, 24/7 showers (already on-site but not in service).
6. Set up (with post office) to have an address here because many of us have had important mail sent here and inadvertently returned. Also food and other items, like from Amazon or Safeway, could be delivered, making life more normal here.

7. Workshop area stocked with power tools, supplies, and the equipment needed to work on small projects ourselves, provide a stock of plywood, roof seal, proper RV caulking supplies, etc.
8. Cards to Home Depot, Loews, O'Reillys, AutoZone so we can repair our RVs. This is called a vehicle triage center. Nothing out here helps us with our vehicles, not even a place to work.
9. Individual storage sheds so we can tackle deep cleaning/remodeling our RV. Currently if our outdoor space is messy, then we get "wrote up" and when we get 3 demerits in one month, we can just be thrown out (i.e. "Denial of Service").
10. Because many out here don't have an RV but live in their car or truck or van, add a kitchen trailer with a refrigerator, an ice maker, use the food bank deliveries and the food suppliers to provide basic (raw) foodstuff that we can prepare ourselves in a more healthy manner, how we wish to eat, and when we want to eat – no more being woke by staff calling out our names before 8 am. Also having a kitchen trailer would fit the call for a meeting trailer, as stated in birth certificate of VTC.
11. 24/7 access to potable drinking water - presently we are *allowed* 2 to 3 personal-size bottles per day. These are handed out with meals. Approx. 1/4th of meals are delivered without water. There was an announcement 3 months ago about the City "thinking about putting in a potable water fountain". Presently there are two taps, one that has a hose.
12. A laundry trailer, not the current service that loses/damages our clothes without any recourse.
13. ADA compliant showers 24/7 without an attendant, no questions, no clipboard observer.

14. Replace the black fabric privacy curtains on the chain link fences.
15. To be allowed to park our 2nd passenger vehicle next to our RVs (especially the disabled). Again, we are told that this is a rule of the fire marshall and his power overrides the ADA.
16. Do something about the rats. Working cats would clear this place within days. Pets need the inoculations to prevent rat-borne illness. Clean rat feces with vacuum power, not high-pressure water.
17. Post the grievance process, display grievance forms in an obvious place, and change the rule that we must directly confront the service provider as this is intimidating for some tenants. Give notice on meetings where the VTC is discussed including working neighbor groups run by HSH. Inform us of the status of where we live.
18. Stop taking our photos things are delivered, or at least ask. Where is the signed consent form/ where are these photos being sent?
19. Regarding *Denial of Service*: we want a panel of tenants that hears this type of inner STAFF -to- TENANT conflict before someone loses access to their home and property.
20. Covered meeting area or a meeting trailer (it's in the birth certificate of this place).
21. Picnic table to each unit (it's in the birth certificate of this place).

22. WI FI (it's in the birth certificate of this place).
23. Allow visitors from 9 am to 9pm; realize we know there's NO background check on who *moves* in, so rethink what the "no visitors" rule represents: SOCIAL ISOLATION which is deadly, says the Surgeon General.
24. Stop the walk-thru name-called-out wellness checks, especially the nighttime ones that began recently.
25. Access to our ONE files/ paper copy immediately upon request.
26. In advance of repairs/ weatherization: provide the contractor's credentials, the choice of contractors, a work order and/or estimate BEFORE work begins so we know what to expect. Use cultural sensitivity with appropriate care given to rehouse the vehicle dweller how they prefer; for example, those RVs deemed by the assessing mechanic as being "too far gone", then use the repair funds for a used RV as replacement.
27. Add to the staff someone actually experienced in repair and upkeep of RVs
28. All staff to wear name tags, per City code.
29. Everyone to be given emergency phone numbers of who to call after hours, as well as an evacuation plan in event of flooding.
30. Property seizure policy to include 30-day coroner's hold on RVs whose owners die.

31. The same tenant rights that are accorded to all other Californians.

For example, in listening to the Sept 19, 2023 meeting between San Francisco Homelessness Oversight Commission and HSH, it was immediately how different we (people who live in their vehicles) are treated at the (*Prop C-sponsored*) VTC.

https://sanfrancisco.granicus.com/player/clip/44752?view_id=227&redirect=true&h=cbd78a0cfc910cc99f86e8b1e2800adb

@ 37.48 minute it is stated tenants in other HSH properties have eviction protection rights as well as "Prop C sponsored RIGHT TO COUNSEL".

In closing, we request that our landlord, the Dept of Homelessness (HSH), inform their VTC service providers, Urban Alchemy and Bayview Hunter's Point Foundation (BVHPF), that to engage in "union organizing activities" is allowed in San Francisco and that we are not to be discriminated against, or harassed, for forming, or belonging to, the tenants' union: The Candlestick 35.

Sincerely,

Ramona Mayon (#F-4 of the Bayview VTC)

Footnote 1

Signed notice to form a tenants union:

- 1) Ramona Mayon #F-4 "see <https://bayviewvvtc.wordpress.com> with documentation on the conditions at the VTC"
- 2) Paul Razura Reyes #E-6 "get electricity, access to clean water, decent food, a way to cook our own food"
- 3) Charles Wesley Keener Jr. #F-6 "City is throwing them money. We can manage this place better than Urban Alchemy"
- 4) Henry Borreo #G-7 "shower, water, power"
- 5) Monica # "electricity, water, visitors, better food"
- 6) Kelly Hughes #D-7 "handicap access, electricity, be able to have car"
- 7) Elmer Mancía #G-1 "electricity, clean water"
- 8) Peter T. Tousignant #E-12 "secure (a) site for long-term living, work to set up rules + safety guidelines that are a bit more reasonable than current, yet still retain safety and security of site"
- 9) Curtis Granger #F-9 "all accomplished"
- 10) Enrique Olivas #F-9 "electricity, food quality, park truck inside"
- 11) Olda Madera #E-7 "We would like electricity, access to visitors and allowed car"
- 12) Mauricio A. Castro #D-10
- 13) Oswaldo Reyes #D-2
- 14) Edward R. Lugo #D-9 "favoritism and drug screen"
- 15) Andrew Kucharski #D-11 "light on 24/7, use water here 24/7, 24/7 access for toilet and shower, power 24/7, lunch meal"
- 16) Mark Noti #E-9
- 17) Jorge Gallardo #D-6 "stop this fascist regime that violates my BASIC HUMAN RIGHTS"
- 18) Robert P. McCrory III #F-3 "showers open 24/7 + food pantry + mental health services + work program"
- 19) Carlos Macay #F-4
- 20) Brandi Wildman #F-12 "water, power, shower 24/7, respect from Urban Alchemy, visitors, new RV"
- 21) Mike Price #F-11 "Everything"
- 22) Ruby Whiteley + Bruce Pense #D-4 "Give us electricity, renter's rights, a physical address, and all the promised things actually happen and not just be talked about"
- 23) Mike Magnusen D-3 "Fairness and equality for all. Follow through on what they have already stated was going to be. Electricity, lights, and better treatment of us. Not just using us as \$ for their gain."

Ca. Gov. Code § 65662 Added by Stats 2019 ch 159 (AB 101)

[Effective until 1/1/2027] Use by right: A Low Barrier Navigation Center development is a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses, if it meets the requirements of this article. A local jurisdiction shall permit a Low Barrier Navigation Center development provided that it meets the following requirements:

(a) It offers services to connect people to permanent housing through a services plan that identifies services staffing.

(b) It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

(c) It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code. (*below*)

(d) It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

WELFARE AND INSTITUTIONS CODE

CHAPTER 6.5. Housing First and Coordinating Council [8255 - 8257.2] 8255:

(a) "Council" means the California Interagency Council on Homelessness, formerly known as the Homeless Coordinating and Financing Council established pursuant to Section 8257.

(b) "Core components of Housing First" means all of the following:

(1) **Tenant** screening and selection practices that promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services.

(2) Applicants are not rejected on the basis of poor credit or financial history, poor or lack of rental history, criminal

convictions unrelated to **tenancy**, or behaviors that indicate a lack of "housing readiness."

(3) Acceptance of referrals directly from shelters, street outreach, drop-in centers, and other parts of crisis response systems frequented by vulnerable people experiencing homelessness.

(4) Supportive services that emphasize engagement and problem solving over therapeutic goals and service plans that are highly **tenant**-driven without predetermined goals.

(5) Participation in services or program compliance is not a condition of permanent housing **tenancy**.

(6) **Tenants** have a lease and all the rights and responsibilities of **tenancy**, as outlined in California's Civil, Health and Safety, and Government codes.

(7) The use of alcohol or drugs in and of itself, without other lease violations, is not a reason for eviction.

(8) In communities with coordinated assessment and entry systems, incentives for funding promote **tenant** selection plans for supportive housing that prioritize eligible **tenants** based on criteria other than "first-come-first-serve," including, but not limited to, the duration or chronicity of homelessness, vulnerability to early mortality, or high utilization of crisis services. Prioritization may include triage tools, developed through local data, to identify high-cost, high-need homeless residents.

(9) Case managers and service coordinators who are trained in and actively employ evidence-based practices for client engagement, including, but not limited to, motivational interviewing and client-centered counseling.

(10) Services are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of **tenants'** lives, where **tenants** are engaged in nonjudgmental communication regarding drug and alcohol use, and where **tenants** are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the **tenant** so chooses.

(11) The project and specific apartment may include special physical features that accommodate disabilities, reduce harm, and promote health and community and independence among **tenants**.