



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Councilmember David Cohen

**SUBJECT:** SEE BELOW

**DATE:** November 29, 2022

Approved

Date: 11/21/2022

**SUBJECT: CITY INITIATIVES ROADMAP - EMERGENCY HOUSING SYSTEM  
EXPANSION: QUICK-BUILD EMERGENCY INTERIM HOUSING**

## **RECOMMENDATION**

1. Accept the staff report from the memorandum dated November 16, 2022 and approve staff recommendations a) and b) with the following amendments:
  - a. In staff recommendation a.1 permanently remove the Noble site from consideration for Emergency Interim Housing.
  - b. In staff recommendation a.2 accelerate the timeline for implementation of an EIH at the Cerone site by executing planning and procurement activities concurrently to negotiations with VTA.
  - c. In staff recommendation b) add current and future safe parking sites to the scope of the sites where service enhancements will be considered.
2. Direct the City Manager to continue to evaluate sites in District 4 in the Emergency Interim Housing Alternative Suggested Sites List (attachment A) that could be utilized as a safe parking site and report progress to the council office on an ongoing basis.
3. Direct the City Manager to develop a citywide definition for parkland-chartered status and a process to retroactively declare all PRNS properties that meet the definition as Chartered Parks. Bring the definition and process to the Parks and Recreation Commission for review in calendar Q1 of 2023, and then to council for any council action that is required.

## **BACKGROUND**

We thank staff for the comprehensive report and recommendations on this item. We wholeheartedly agree with the direction from the Budget to expand Emergency Interim Housing, especially in District 4 where a site had not yet been identified. However, it is important to recognize that the direction put forth in the September 29, 2021 Rules Memo and its early consideration form created a process that produced an outcome that could not be supported by the council office and the Berryessa community. While the efforts to find an alternative site in District 4 since the August 3, 2022 Rules Committee meeting have been much more productive

and engaged the community in a meaningful way, we hope that the lessons learned from the original effort will be integrated into all future work in this area.

In 2017, a site selection process for an EIH site in District 4 recommended the Noble site. Subsequently, the Noble site was removed from consideration, yet, after 9 months of evaluation in the current process, and without any outreach to the community, the Noble site was the only viable site in District 4 put forward for council consideration on June 21, 2022. From the perspective of the community this was a surprise since there had been a process 5 years ago to remove the site from consideration as an EIH.

Approving the Noble site without adequate community outreach resulted in the community's loss of trust in our City government. As we look for needed solutions to homelessness, there is nothing more valuable than community trust. Therefore, outside of the process to declare the Noble site, also known as Penitencia Creek Trail Reach 2, as a charter protected park, it is essential that the City Manager take the measures necessary to memorialize this council action to permanently remove the site from consideration for EIH.

The Cerone VTA site is an ideal location for EIH, and I am appreciative that negotiations are underway with VTA for the use of this site. On November 16, 2022, my office, in partnership with the City Manager's office, held an initial community meeting for residents within 1000+ feet of the Cerone site to inform them of this project, the importance of EIH, and expectations of communications as this project progresses. I am delighted to report that the community responded positively to the information that was shared that evening.

However, it has come to my attention that the actual development and implementation of the EIH at the Cerone site could take up to 12 months after the negotiations are completed. This timeline runs counter to the intent for the original council direction to quickly expand the number of Emergency Interim Housing units available in the city. That is why I am asking the City Manager to find ways to accelerate the timeline to implement these EIH units for use as this will have a significant impact to improving the quality of life for all.

Council District 4 has an especially large population of RV encampments in both residential and business areas. Therefore, in addition to implementing an EIH in District 4, it is of the highest priority that we identify a site for safe parking in the district. For this reason, I ask that the City Manager continue to evaluate sites to find candidates for safe parking, which by the nature of the land use, will have less stringent requirements. Additionally, staff's recommendation to provide service enhancements in the areas adjacent to temporary interim housing should be clarified to include current and future safe parking sites.

Throughout the discussions of the viability of the Noble site, we all came to understand that this site is a park. However, there is ambiguity regarding the definitions in the City Charter to determine Charter protected status, especially in the area of improvements made to the site. Since the August 3, 2022 Rules Committee meeting, the City Manager's Office and the Director of

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PRNS have been working on a project to provide a citywide definition for Charter protected status. As part of this effort, they are also working on a process to retroactively apply this new status of Charter protected to all PRNS properties that meet the definition. While it is possible that there will be some properties that do not meet the new definition, Penitencia Creek Trail Reach 2 is not one of them. Therefore, since there is no other way to declare a given space as charter protected, and we have established that Penitencia Creek Trail Reach 2 should be included in the retroactive declaration, we ask that the project be completed no later than March 2023.