

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING EXPANDED AND NEW SITES TO BE DEVELOPED FOR AND USED AS EMERGENCY INTERIM HOUSING AND APPROVING THE INITIATION OF DEVELOPMENT OF EMERGENCY INTERIM HOUSING ON SELECT SITES IN FISCAL YEAR 2022-2023**

**WHEREAS**, on December 8, 2015, the Council of the City of San Jose (“City”) declared a shelter crisis under California Government Code Section 8698 *et seq.* and subsequently declared a continued shelter crisis on December 13, 2016, November 28, 2017, and November 27, 2018 for the purposes of designating specific City-owned facilities to be occupied by homeless individuals and families during periods of inclement weather as overnight warming facilities; and

**WHEREAS**, on September 27, 2016, California Assembly Bill (“AB”) 2176 was signed into law by Governor Jerry Brown, effective January 1, 2017, amending the Shelter Crisis Act to authorize a five (5)-year pilot program allowing the City, upon declaration of a shelter crisis, to create Emergency Bridge Housing Communities for the homeless, including temporary housing in new or existing structures on City-owned or City-leased property, and the program was subsequently extended by AB 1745 through January 1 2025; and

**WHEREAS**, on December 18, 2018, the City Council adopted Resolution No. 78927 declaring a shelter crisis that shall continue until terminated by the City Council, allowing two sites, located at Mabury Road and Felipe Avenue, to be developed for and used as Emergency Bridge Housing Communities (“BHC”) serving as interim housing for unhoused residents, designed to provide shelter with supportive services, and to provide stability and support while participants searched for permanent housing; and

**WHEREAS**, on December 18, 2018, the City Council also approved an ordinance amending Title 5 of the San José Municipal Code, as authorized under AB 2176 and AB 1745, to provide development and operating standards for current and future BHC developments and suspending several local requirements such as zoning; and

**WHEREAS**, on April 7, 2020, following a series of federal, state, and local actions responding to the impacts of the COVID-19 pandemic, the City Council redirected over \$17,000,000 in State Homeless Housing Assistance and Prevention (“HHAP”) grant funds toward the purchase and/or construction of emergency housing, including prefabricated modular buildings, and directed the City Administration to “move aggressively” to build emergency housing to provide a place for unhoused residents to shelter-in-place; and

**WHEREAS**, on April 21, 2020, the City Council approved recommendations from staff to redirect HHAP funds as directed and authorized the construction of new Emergency Interim Housing (“EIH”); and

**WHEREAS**, in May 2020, work began on the first of three new EIH sites at Monterey and Bernal, and between September 2020 and April 2021 the three new EIH sites were substantially completed and ready for occupancy; and

**WHEREAS**, on September 29, 2021, the Rules and Open Government Committee directed the City Administration to (1) pursue initiatives aimed at increasing EIH capacity, expanding needed services for unhoused residents in collaboration with the County of Santa Clara, and exploring ways to identify additional funding and controlling costs to support these initiatives on an on-going basis; (2) identify a total of six sites in the Council Districts that do not have existing BHC/EIH projects; and (3) explore additional Caltrans sites and the potential to densify or expand existing EIH sites; and

**WHEREAS**, on March 15, 2022, the City Council approved the Mayor's March Budget Message for Fiscal Year 2022-2023, which directed the Administration to allocate a sufficient amount of one-time funding to enable the development, construction, and future ongoing operations of emergency and interim housing at six sites, including converted motels, while also considering densifying existing EIH sites, and included the goal of adding approximately 400 more EIH beds, beyond those projects already in the pipeline and planning stages, and an additional 300 converted motel units; and

**WHEREAS**, a City staff team with experience in real estate, housing, development/engineering, and BHC/EIH site selection and project delivery used a phased exploration and evaluation process for the remaining sites on the list, the current EIH sites, and additional Caltrans sites to efficiently evaluate sites through a method of assessing basic feasibility, then viability, and ultimately project practicality to arrive at a short list of sites that compare well against other sites; and

**WHEREAS**, the City desires to approve a slate of sites for EIH planning and project development to achieve the six site, 400 unit/bed Council goal, and allow the City to begin working on the development of up to four expanded/new EIH sites beginning in Fiscal Year 2022-2023;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

A. The City Council hereby approves the following for Emergency Interim Housing, as described in the joint memorandum from the Director of Public Works Matt Cano, Director of Housing Jacky Morales-Ferrand, and Deputy City Manager Rosalynn Hughey dated June 10, 2022:

1. Expand the currently under construction Guadalupe Site (City owned);

2. Expand the existing Rue Ferrari Site (Caltrans owned);
3. Develop the new Noble Avenue Site (City owned);
4. Develop the new 85 South @ Great Oaks Boulevard Site (Caltrans owned);
5. Prioritize for future development the 680 North @ Jackson Avenue Site (Caltrans owned); and
6. Prioritize for future development the 85 South @ Prospect Road Site (Caltrans owned).

B. The City Council hereby approves the initiation of development of Emergency Interim Housing on sites 1-4 in Section A. above in Fiscal Year 2022-2023.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

---

SAM LICCARDO  
Mayor

ATTEST:

---

TONI J. TABER, CMC  
City Clerk