



Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Councilmember Cohen

SUBJECT: QUICK-BUILD INTERIM HOUSING **DATE:** August 3, 2022
CONSIDERATIONS

Approved

Date 07/28/2022

RECOMMENDATION

1. Accept recommendation 2 from the memorandum of Mayor Liccardo and Councilmembers Jimenez and Foley with the following revision:
Return to the City Council within 120 days of the posting of this memo, to enable the public to share feedback and concerns about specific sites approved by Council, and about any other options explored by staff within each council district.
2. Pause all planning, design and construction activity for the Noble EIHC site until the following issues are resolved:
 - a. The legitimacy of utilizing a city park for an EIHC site
 - b. A thorough community conversation has been completed and the feedback has been gathered, recorded, and responded to
 - c. The list of alternative sites for D4 that are being evaluated are completely vetted and the explanation of feasibility, viability, and practicality are reviewed with the Council Office and community for corroboration of staff's recommendations
3. Direct the City Manager to explore privately owned properties and consider public-private partnerships for potential repurposing of underutilized spaces for Emergency Interim Housing Communities (EIHCs).
4. Remove arbitrary, internal deadlines that limit staff's ability to perform the necessary scopes of work to identify a practical EIHC site in District 4.

BACKGROUND

When addressing an issue as complex as homelessness, it is important and necessary to find potential solutions that best serve everyone involved and meet their requirements. Proactive dialogue and engagement with the impacted communities needs to occur before a site is chosen.

Being sympathetic to the large scope of work that City staff must undertake, the removal of arbitrary deadlines is essential to ensure that staff have a suitable amount of time to conduct

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thorough and proactive analysis of all possible EIHC sites. Holding staff to a non-negotiable due date causes far too many short-cuts through the process, impacting the quality of the deliverables. When evaluating locations for EIHCs, City of San Jose staff need to perform due diligence and examine potential properties beyond the typical, publicly owned spaces. This may involve exploring and prioritizing public-private partnerships for the use of underutilized spaces for EIHC sites. Staff simply needs more time to find creative solutions to the obstacles that have been identified so far and which led to the recommendation of the Noble site in D4.

The Noble site is not near a park; it **is** a park. A master plan has been approved by a previous Council and the City has actively invested in and treated this site as a park. The City has planted trees and installed irrigation systems to water said trees. There are multiple City of San Jose signs that say, “Welcome to your neighborhood park” and list the park rules. A water fountain and trash receptacles have been installed and are maintained by the City of San Jose. There are also heavily used trails that connect around the Valley Water percolation ponds where people interact with wildlife. When groups have asked to use the percolation ponds, they were required to obtain a ‘Special Use’ permit from the Parks and Neighborhood Services Department. The park was overseen and operated by a Parks Facility Supervisor and Park Rangers had patrolled the area. The city even installed picnic tables and dog waste bags in this park.

This site is established parkland. The City of San Jose has been experiencing a park deficiency for years, so to utilize this park as an EIHC site sets the terrible precedent of reducing parkland. If this can happen in Berryessa, it can happen in Willow Glen, it can happen in Cambrian Park, it can happen in West San Jose, it can happen in Evergreen, it can happen in Downtown. It could happen anywhere. This contradicts our collective efforts of preserving parkland as we routinely do throughout the rest of the city.



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The impact of this Council decision on our community is significant. The Mayor talks about being a good neighbor. A good neighbor does not make such a significant change to the land use of a neighborhood park without a single conversation with the surrounding neighborhood first.

We listen to community member after community member talk about their fear regarding these EIHC projects. In District 4, our community agrees with me that we need to create Emergency Interim Housing solutions for the unhoused. They don't fear the people who will be living at this site, they fear the unknown about the change this project will make in their neighborhood.

Decisions have consequences, and the consequence of this decision is our residents continued and furthered distrust and dissatisfaction towards the City. If the City truly wants to make an impact on street homelessness, we must do so with the trust and partnership of the community. Continuing to do what we've always done in the past is simply exacerbating the problem. It makes it harder and harder to govern because it erodes the consent of the governed.

Moving forward, staff must engage in proactive conversations and receive feedback from the residents in the community before any decisions with the site have been made. Additionally, all arbitrary deadlines imposed on staff that limit their ability to thoroughly examine all potential sites must be removed to alleviate any burden on the staff to do their jobs. Lastly, since street homelessness continues to be a significant crisis, staff must explore every option for potential EIHC sites. These options must include public-private partnerships to identify underutilized properties that can be prioritized for EIHC sites.

It is time that we be creative and do not limit ourselves to only the kinds of sites that we have used in the past. Yes, this takes more work, but to begin to restore our community's confidence in our City it is far more important that we do the work right, rather than do the work fast and create more unintended outcomes that must be remediated.