




Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jacky Morales-Ferrand

SUBJECT: SEE BELOW

DATE: November 8, 2018

Approved 

Date 11/15/18

COUNCIL DISTRICT: 3, 5, 6, 7

SUBJECT: DECLARATION OF A CONTINUED SHELTER CRISIS, DESIGNATING FACILITIES FOR OVERNIGHT WARMING CENTER ACTIVATION, AND FUNDING AWARD TO HOMEFIRST SERVICES OF SANTA CLARA COUNTY FOR OVERNIGHT WARMING LOCATION ACTIVATION

RECOMMENDATION

1. Adopt a resolution declaring the continued existence of a shelter crisis in the City of San José pursuant to, and in accordance with, the provisions of California Government Code section 8698 *et seq.* and designating the following four city-owned facilities to be occupied as overnight warming facilities by homeless individuals and families during the crisis:
 - Bascom Community Center, 1000 S. Bascom Avenue, San José, CA 95128;
 - Leininger Community Center, 1300 Senter Road, San José, CA 95112;
 - Alum Rock Library, 3090 Alum Rock Ave, San José, CA 95127; and,
 - Roosevelt Community Center, 901 E Santa Clara St, San José, CA 95116.
2. Adopt a resolution authorizing the Director of Housing to negotiate and execute an Agreement with HomeFirst Services of Santa Clara County in the amount of up to \$350,000 to operate the Overnight Warming Locations during inclement weather in the 2018-2019 cold weather season.

OUTCOME

The City Council's approval of this recommendation will support an inclement weather response plan that will provide added services and up to 120 additional shelter beds for homeless individuals and families in San José during periods of severe inclement weather.

BACKGROUND

San José City Council first declared a shelter crisis on December 8, 2015, under California Government Code Section 8698, allowing the City to use publicly-owned buildings for the purpose of temporary shelter. City Council has declared a continued shelter crisis on December 13, 2016 and again on November 28, 2017.

Each winter, the possibility of inclement weather poses a threat to the health of thousands of unsheltered individuals in San José. The regional crisis response to these life-threatening conditions has been limited, especially given that 74% of the 4,350 homeless people counted in the 2017 San José Homeless Census and Survey are unsheltered. Of the 7,394 homeless people counted in Santa Clara County, 59% were in San José.

During the cold weather season, generally from mid-October through mid-April, the County of Santa Clara funds the operation of shelters in Sunnyvale, Gilroy, and Mountain View. Offering a warm place to sleep, with meals and access to basic hygiene services, four sites in three cities are managed by two non-profits, Homefirst and St. Joseph Family Center, who were selected through a competitive procurement process. The sites are supported by a large network of non-profit agencies and add 425 emergency shelter beds to the system of care. These beds increase the County-wide year-round emergency shelter bed total of 746 to a total of 1,171 beds in the cold weather season. The City coordinates with the County to increase the number of emergency shelter beds during inclement weather both through the Overnight Warming Locations (OWL) as well as within various County-funded emergency shelters, most of which are located in San José.

The proposed OWL's operate only during periods of inclement weather offering short-term emergency shelter overnight for a set period of time when temperatures or a combination of precipitation, wind and temperature become severe. The main purpose of OWL is to prevent death and injury related to exposure to the elements.

Over the last three cold weather seasons, the City contracted with HomeFirst to operate OWL during periods of inclement weather and serve up to 120 unsheltered persons across four sites in San José. The Housing Department worked collaboratively with staff from the Library, Parks Recreation and Neighborhood Services, Planning, Building, and Code Enforcement, Public Works, Fire, Police and the City Attorney's Office to identify each location and operate during each activation. Since its launch, the program has operated at seven different locations. Each season, locations were selected based on a number of different factors, including proximity to known concentrations of homeless populations living in potentially unsafe and exposed areas, site accessibility, accessible restroom and/or shower facilities, heating, and access to additional nearby supportive services and public transportation. The following table displays the utilization rates at each location in the past three years of operation:

FY 2015-16 OWL Utilization: Total Individuals Served 5 inclement weather activation periods (14 days total)			
Tully Library	Bascom Community Center	Washington United Youth Center	Biblioteca Library
42	60	64	50
FY 2016-17 OWL Utilization: Total Individuals Served 9 inclement weather activation periods (31 days total)			
Tully Library	Bascom Community Center	Washington United Youth Center	Biblioteca Library
708	565	441	105
FY 2017-18 OWL Utilization: Total Individuals Served 10 inclement weather activation periods (36 days total)			
Tully Library	Alum Rock Library	Southside Community Center	Roosevelt Community Center
895	20	192	652

Throughout each season, staff from Housing, Parks Recreation and Neighborhood Services, and Library met regularly with HomeFirst to address needs and concerns at each site. Some of the issues included a need for increased security, janitorial support, outreach assistance, and additional resources to address participant service needs. This collaborative and responsive partnership ensured that all lessons learned were implemented the next season and that the overall program was successful and well-received by the community.

ANALYSIS

Shelter Crisis Declaration

California Government Code Section 8698 allows a city to declare a state of emergency due to a shelter crisis, and such a declaration allows the City to suspend certain regulations and standards of housing, health or safety to the extent strict compliance would prevent, hinder, or delay mitigation of the shelter crisis. It also provides that any city may allow homeless persons to occupy designated public facilities for the duration of the state of the emergency. In order to declare a shelter emergency, a city must find that there is an existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety.

The information below may support a recommendation to the Council to reaffirm the existence of a shelter crisis in San José:

- According to the 2017 San José Homeless Census and Survey, a total of 4,350 homeless people was counted on the mornings of January 24 and 25, 2017.
- Approximately 3,231 (74%) of San José homeless population were unsheltered, including 643 people living in encampment areas.
- The County Office of Supportive Housing identified 684 year-round emergency shelter beds in San José (684 of 746 = 92% of the emergency beds in the County).
- Homeless individuals and homeless advocates have testified that there are insufficient shelter beds to house all of the people living outside.
- Homeless individuals are at risk of injury and harm due to exposure to the weather and the result of having to live outside.
- People sleeping overnight in City parks, sidewalks, parking lots, and creeks impact neighborhoods and the environment.

Given the lack of available shelter and housing to meet the needs of the existing homeless population, Housing Department staff is recommending that the City Council reaffirm the existence of a shelter crisis, which will allow City-owned sites to be used for OWL. Housing Department staff also anticipates that it may need to seek a further extension of the shelter crisis next fall.

OWL Sites

Since 2015, the City utilized seven facilities for OWL based on their location in areas that were close to known concentrations of homeless populations living in potentially unsafe and exposed areas, as well as ADA compliance, accessible restroom and/or shower facilities, heating, and access to additional nearby supportive services and public transportation. These sites, along with their Council districts, are listed below:

Location	Address	Council District
Tully Community Library	880 Tully Rd, San José, 95111	7
Bascom Community Center	1000 S Bascom Ave, San José, 95128	6
Washington United Youth Center	921 S 1st St, San José, CA 95110	3
Bibliotheca Branch Library	921 S 1st St, San José, CA 95110	3
Alum Rock Library	3090 Alum Rock Ave, San José, CA 95127	5
Southside Community Center	5585 Cottle Rd, San José, CA 95127	2
Roosevelt Community Center	901 E Santa Clara St, San José, CA 95116	3

Housing Department staff evaluated the City-owned library and community center sites used in the 2017-18 cold weather season for potential use in 2018-19. The analysis concluded that returning to both Alum Rock Library and Roosevelt Community Center is essential to the success of the program given the accessibility of those facilities. While Tully Library had high

utilization, the Library and adjacent ballfields are currently impacted by a large homeless population in the surrounding area, impacting Library operations. Library staff requested removing Tully as an OWL site for 2018-19. Housing Department staff has recommended using the Leininger Center as an alternative site located in the same neighborhood. Further, Housing Department staff will cease OWL operations at Southside Community Center and return to Bascom Community Center based on the high utilization in previous years and the need in that location. Housing Department staff will assess the site selections after the cold weather season and consider rotating the sites every three years.

Each site will have capacity of up to 30 individuals and will generally operate from 9:00 p.m. to 8:00 a.m., when the facilities are ordinarily closed to the public. The goal is to operate OWL with minimal or no impact to the regular services and programs conducted at these sites. Hours of operation will vary slightly from site-to-site based on the City services and programs at each site. The Housing Department staff communicates the activation of these sites to vulnerable populations through several channels, including direct street outreach by City-funded outreach teams, service provider and community advocates notification through Housing Department eblasts, media advisories, and activation notice posting both online and at the OWL facilities.

OWL activation, in coordination with the County, is triggered by a forecast 48-72 hours in advance by the National Weather Service of the following conditions:

- Forecasted overnight low of 40 degrees or lower with a probability of rain less than 50%;
- Forecasted overnight low of 45 degrees or lower with a probability of rain of 50% or greater; or
- Persistent rainfall forecasted for two or more days.

OWL Site Operation Agreement

On September 4, 2018, the Housing Department issued a Request for Proposal for a Crisis Response Program inviting non-profit organizations to propose to operate OWL and a Motel Voucher Program for Vulnerable Populations. The Request for Proposal process resulted in one proposal for OWL operations. A team of two City Housing Department staff and one County Office of Supportive Housing staff reviewed and rated the proposal based on standard evaluation criteria. The applicant's proposal was scored on the strength of its program description and design, organizational experience and capacity, budget, goals and outcomes. HomeFirst was selected to operate OWL with funding from the Housing Department's Housing Trust Fund.

Housing Department staff is recommending that Council approve the new agreement with HomeFirst in the amount of \$350,000 to operate OWL through the 2018-19 cold weather season. With OWL operating in conjunction with the County's expanded cold weather season, the term of the amended agreement will run from December 1, 2018 through June 30, 2019. This will allow HomeFirst an additional 45 days from the end of the cold weather season to close out sub-agreements and provide all necessary documentation and reports before closeout of the grant.

The proposed agreement will fund operations of all four recommended sites for an estimated 30 days of activation. Billing is based on the actual services and the number of actual days of cold weather activations. HomeFirst will be responsible for providing the following:

1. Access to restroom facilities and food.
2. Site set up, supervision, and clean up.
3. Security services to be provided by subcontract with a professional and established agency to provide service during all hours of operation at each site.
4. Cleaning services to be provided by subcontract with a professional cleaning service to clean each site in the morning after activation so that the sites can be returned to regular programming without interruption or delay.
5. If site staff identifies any issue, it will be addressed within the same business day by HomeFirst or Housing Department staff.
6. Provide bus tokens and shuttle service to offer transportation as participants exit the site to ensure no loitering occurs at the site.
7. Onsite supportive services to participants, including assessments and other case management as needed.
8. Survey participants to ensure high quality of services and the customer satisfaction at each site during each activation period.

EVALUATION AND FOLLOW-UP

The results of the program will be reported through annual update on homeless activities to the City's Neighborhood Services and Education Committee.

PUBLIC OUTREACH

A neighborhood outreach meeting was facilitated by Housing Department staff in coordination with District 7 where a new OWL was proposed.

This memorandum will be posted on the City's Council Agenda website for the November 27, 2018 Council Meeting.

COORDINATION

This memorandum was coordinated with San José Public Library, the Department of Parks, Recreation, and Neighborhood Services, the City Attorney's Office, and the City Manager's Budget Office.

COMMISSION RECOMMENDATION/INPUT

At the June 14, 2018 Housing and Community Development Commission meeting, the Commission passed the Housing Trust Fund Expenditure Plan for FY 2018-19 (6-3), which included a funding allocation for Overnight Warming Locations.

Statement indicating the City commission action on the item being heard by Council. Include the outcome of any votes if taken. Also, include any additional relevant input, suggestions or concerns made by the commission.

COST IMPLICATIONS

Approval of these actions will enable the Housing Department to operate overnight warming centers during periods of inclement weather. Funding for this agreement has already been appropriated in the Housing Trust Fund (440). There are no impacts to the General Fund as a result of the proposed actions.

1. AMOUNT OF RECOMMENDATION:

<u>PROPOSED USES</u>	<u>AMOUNT</u>
HomeFirst Agreement	\$350,000
TOTAL	\$350,000

2. SOURCE OF FUNDING: Housing Trust Fund (440)**3. FISCAL IMPACT:** This action will have no impact on the General Fund.**BUDGET REFERENCE**

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2018-2019 Adopted Operating Budget Page	Last Budget Action (Date, Ord. No.)
440	2453	Housing and Homeless Projects	1,150,000	\$350,000	X-49	10/16/18, 30172

HONORABLE MAYOR AND CITY COUNCIL

November 8, 2018

Subject: Shelter Crisis Declaration and Overnight Warming Location Activation

Page 8

CEQA

Public Project Exemption, File No.—PP18-093.

/s/

JACKY MORALES-FERRAND

Director, Housing Department

For questions, contact Kelly Hemphill, Homelessness Response Manager, at (408) 975-4483.