



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 15-0755, Version: 1

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Presentation from County of Santa Clara Regarding Proposed Temporary Winter Homeless Shelter on County Property Located at Fair Oaks Avenue between East California Avenue and Central Expressway in Sunnyvale, and Possible Action by City Council

#### **BACKGROUND**

This public hearing is a presentation by the County of Santa Clara (County) regarding its proposal to establish a temporary winter shelter on County property bordered by Fair Oaks Avenue, East California Avenue and Central Expressway for homeless individuals and households. Council action is not required since the proposal would be a County facility on County property; the County is seeking the City Council's comments on this proposal.

County staff has been seeking a new site for a winter shelter in the northern portion of Santa Clara County, specifically in Palo Alto, Mountain View, or Sunnyvale, for more than a year following direction by the County Board of Supervisors. On August 12, 2014 (RTC 14-0733) Council expressed support for the County's efforts to obtain a new site and develop a new winter shelter in Sunnyvale or elsewhere in the County. Based on Council direction, staff provided information requested by the County on possible Sunnyvale sites, such as lists of surplus property, zoning maps, and land use permitting information.

County staff researched several sites for a permanent facility within and outside of Sunnyvale, but none have thus far been found to be available or suitable. Concerns have been voiced by stakeholders from throughout the County and beyond, including elected officials, residents, non-profit agency staff, advocates and religious leaders, that a shelter is needed in the North County in time for the next winter season. Since winter is approaching, County staff recently shifted its focus to find a site to establish a temporary shelter for the upcoming winter season only. The County is now proposing a temporary shelter on County-owned property at the corner of Fair Oaks and East California Avenues in Sunnyvale until a permanent facility can be secured. Meanwhile, the County has informed staff that it will continue to seek a permanent site in the North County.

#### **EXISTING POLICY**

##### **General Plan Housing Element**

Policy E.6. Participate in the County Collaborative on Affordable Housing and Homeless Issues to support its efforts to prevent and end homelessness. Facilitate and sponsor the provision of permanent supportive housing for homeless people. Support local service providers that offer facilities and support services to homeless individuals and families, and persons at risk of homelessness.

#### **ENVIRONMENTAL REVIEW**

Because the property is owned by the County and the proposed use is a County program, the City does not have authority to approve or disapprove the project. The County of Santa Clara is the agency responsible for completing the required California Environmental Quality Act (CEQA) review of its proposed project. The County is currently evaluating the level of environmental review that will be required for the proposed temporary use. This decision is pending. If an environmental document is issued, the City can provide comments on this document during the public review period.

## **DISCUSSION**

### **Prior Council Action on August 12, 2014 (RTC 14-0733)**

At its August 12, 2014 regular meeting, the City Council considered allowing the County to use the gymnasium at the Community Center for one season as a temporary winter shelter. While the Council decided to not authorize this use, it passed a motion to support the County's efforts to find and develop a new North County winter shelter at another location. That Council direction is summarized below (full text provided in Council Minutes in **Attachment 1**):

- Continue to actively support the County's effort on a replacement cold weather homeless shelter;
- Remove the Community Center [gym] from the current possible list of options;
- Request that the County look at prioritizing a location for an interim cold weather shelter, including but not limited to the following locations: San Jose's Georgia Travis Center, the City's Onizuka site, the County's property at Fair Oaks and California; and
- As an additional item, in working with the County as the lead agency, take a look at an inclement weather program.

### **Description of Proposed Temporary Winter Shelter Facility**

In June 2015, County Supervisor Simitian informed the City Council of the County's proposal to establish a temporary winter shelter on County property located at Fair Oaks Avenue between East California Avenue and Central Expressway. The property is an undeveloped remnant parcel from the Central Expressway construction, and is approximately one acre. The County provided a project description, site plan and schedule for the temporary winter shelter (**Attachment 2**). The County also prepared a Frequently Asked Questions (FAQ) sheet, and distributed that at their August 17 community meeting (**Attachment 3**). The FAQ addresses a number of residents' questions including hours of operations, the eligible population for the shelter, shelter staffing and public safety response. The County initially discussed installing a tent on the County site that would be large enough to provide sleeping area for approximately 100 people per night. However, the County recently informed City staff that it is now proposing to install a 7,200-square foot modular structure on the site, which would accommodate about 100 people.

As reflected in the attachments and presented by the County, key features of the proposed facility include:

- The temporary shelter is proposed to operate from December 1, 2015 through March 31, 2016.
- While County staff is continuing its search for a permanent site for a North County shelter, they indicated that if a permanent facility cannot be established by the end of 2016, they may need to consider operating a temporary shelter for a second year at either this site or another location.
- The project will require one or more curb cuts along the street frontage of the property, connections to various City utilities, a City encroachment permit, and temporary PG&E

service. Encroachment permits, required by the Department of Public Works in order to connect to City utilities, are ministerial (non-discretionary) permits that cannot be denied as long as the applicant complies with all application requirements and pays the required permit fees.

- The County Board of Supervisors will consider on August 25 a budget appropriation for the temporary shelter and in September (date pending) a contract agreement to have HomeFirst operate the shelter.

### **City's Role Related to Proposed Shelter**

The City does not have land use authority over county facilities located on county property, and consequently has no power to approve or deny the proposed use. Staff provided comments on infrastructure and operational issues which should be addressed before placing a shelter facility at this location. Staff recommended early community outreach to inform surrounding residents and businesses about the proposal and provided a mailing list of property owners and residents located within 2,000 feet radius of the site. The City Manager sent a letter with comments and questions about the proposed facility to the County Chief Operating Officer on June 30, 2015 (**Attachment 4**). Since that time, County staff has discussed the details of the proposal with Community Development, Public Works and Public Safety staffs.

Council is not required to take action on this item. However, County Supervisor Joseph Simitian and County staff have asked the City to support this project. The hearing tonight allows the County to present their proposal to the City Council, allows interested community members to provide public testimony about the proposal, and allows Council to comment and respond to the County's presentation.

### **FISCAL IMPACT**

The County has indicated that it has already appropriated sufficient funds to develop and operate the proposed new facility, and that it is not requesting any funds from the City for this project. It is expected that the facility will require Department of Public Safety resources to respond to incidents and issues that arise from this use. The impact on Public Safety resources would be similar to when the shelter operated at the Armory site. Staff has met with County staff and HomeFirst (the proposed shelter operator) to coordinate law enforcement, public safety and emergency response issues.

### **PUBLIC CONTACT**

Santa Clara County staff held a community outreach meeting on the proposed temporary winter shelter on August 17 at the Braly Park Community Room. At the City's request, the County mailed notice of the proposal and outreach meeting to all addresses within 2,000 feet of the site location in late July, and posted the meeting flyer on the County site and in various public facilities throughout the city. The City also included the notices and meeting flyer in the City Manager's biweekly blog on July 27 and August 10. Approximately 200 people attended the meeting. County staff presented the proposal and answered questions and received comments from residents. Significant concerns were voiced about the potential impact of this facility on the adjacent neighborhood. Attached are meeting notes prepared by County staff that summarize the comments and concerns of residents that attended the meeting (**Attachment 5**).

In addition to the above community meeting, City staff and several Councilmembers attended a meeting on August 13 organized by a Victory Village resident that was held across the street from the

County site. A large number of written comments have also been submitted to the City Council expressing concerns about the proposed shelter. These have been compiled by staff and are included in **Attachment 6**.

Public contact for this Council item was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

### **ALTERNATIVES**

1. Provide comments to the County regarding their proposal to establish a temporary winter homeless shelter on County property bordered by Fair Oaks Avenue, East California Avenue and Central Expressway for the FY 2015-16 winter season.
2. Adopt a motion to provide the County with the City Council's position on a temporary winter homeless shelter on County property bordered by Fair Oaks Avenue, East California Avenue and Central Expressway for the FY 2015-16 winter season.
3. Provide other direction to staff and/or input to the County.

### **STAFF RECOMMENDATION**

Alternative 1: Provide comments to the County regarding their proposal to establish a temporary winter shelter on County property bordered by Fair Oaks Avenue, East California Avenue and Central Expressway for the FY 2015-16 winter season.

While the City Council does not have authority to approve or deny the proposed County facility, the Council has the opportunity to provide comments on the presentation by County staff and to provide input to address the concerns of residents. The Council could also choose to approve a motion to support or not support the proposal.

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Reviewed by: Hanson Hom, Director, Community Development Department

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. August 12, 2014 Council Minutes (Excerpt)
2. County Project Proposal w/ Site Plan and Schedule
3. County FAQ
4. Letter from City Manager to County Chief Operating Officer, June 30, 2015
5. Meeting Notes from County Outreach Meeting, August 17, 2015
6. Public Comments on Proposed Temporary Winter Shelter