

REPORT TO COUNCIL

SUBJECT

Approve a License Agreement with the County of Santa Clara to Allow Use of Parcel A of the City's Onizuka Site for a Temporary County Cold Weather Shelter for the 2015-16 Winter Season, and Find that the Project is Categorically Exempt pursuant to CEQA Guideline Section 15304(e)

BACKGROUND

On September 1, City Council directed staff to work with the County of Santa Clara to consider establishing a temporary County cold weather shelter (CWS) for the 2015-16 winter season at one of the City's Onizuka parcels. The City owns two parcels at the Onizuka site:

- Parcel A is an approximately one-acre site located at Innovation Way/Mathilda Avenue, south of the City's existing Fire Station 5 and north of the Department of Veterans Affairs (VA) parcel.
- Parcel D/E is an approximately 4.6-acre site located at Innovation Way/Moffett Park Drive, south of the education center that is currently being constructed by Foothill-De Anza Community College District (FHDA).

Council expressed a preference for locating the temporary County CWS on Parcel A. Staff indicated that approval at either of the Onizuka parcels could be authorized through a limited term license agreement. Council also requested that County staff provide monthly status reports on finding a permanent CWS location and on the operations at the temporary County CWS.

Following the September 1 meeting, City and County staff have been meeting weekly to collaborate on selecting a preferred site for the temporary County CWS. County staff has investigated both city-owned Onizuka parcels (A and D/E) to determine the feasibility of each site for the proposed shelter facility. Issues considered include pedestrian and transit accessibility, emergency vehicle access, utility connections, and related site design and engineering issues. Both City and County staff concluded that Parcel A was preferable, primarily due to better pedestrian/transit access, and fewer logistical concerns related to the adjacent Foothill-DeAnza construction project.

On September 10, City and County staff held two public outreach meetings (one in the morning and the second in the evening), at Detati Digital Marketing in Moffett Park, to receive input on the new shelter proposal. County staff provided a presentation on the CWS program and the proposed temporary facility. City staff assisted in answering questions about city policy or programs. Approximately 22 members of the public, including several representatives of the Moffett Park Business and Transportation Association (MPBTA) attended these meetings. Concerns expressed were primarily regarding potential off-site impacts such as loitering and minor crimes in the shelter vicinity, particularly in nearby parks and/or small businesses. Attendees also inquired about provisions for the shelter clients, such as intake procedures, meals, and volunteer opportunities.

City and County staff also met with representatives of the Veteran's Administration (VA) on September 10 to discuss the project and site coordination issues such as fencing, site access and utilities. City and County staff also contacted the Foothill-De Anza Community College District to discuss the project and any potential concerns. Neither agency raised any major concerns that could not be addressed through continued staff collaboration on site improvements and shelter operations.

EXISTING POLICY

General Plan: Housing Element

Policy E.6. Participate in the County Continuum of Care 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

Temporary use of the Parcel A site as a cold weather shelter is exempt from CEQA review to CEQA Guidelines Section 15304(e): Minor temporary use of land having negligible or no permanent effects on the environment.

DISCUSSION

Following an update to Council on September 15 indicating that Parcel A had been identified as the superior option, staff has focused on working with County staff to finalize the plans for placing the temporary County CWS on Parcel A. Staff has also prepared a draft limited-license agreement that would authorize the County to use the City's property for a temporary County CWS for the 2015-16 winter season. The shelter is scheduled to operate from November 30, 2015, to March 31, 2016, with the understanding that it may extend a few days beyond March 31 in the event of inclement weather. The License Agreement would allow the County to use the property from the date of approval of the license agreement through April 30, 2016, by which date that County is required to have surrendered possession to the City, with all County property removed and the site restored to its original condition. This period of time allows the County to make the necessary site improvements in October-November 2015, and to disassemble the facility in April after the shelter closes. The draft License Agreement is included as Attachment 1.

A detailed description of the proposed operations program and site improvements for the temporary County CWS facility is outlined in Exhibit B of the Agreement. This exhibit describes anticipated shelter staffing, security provisions, hours of operations, support services, shuttle bus services and temporary site improvements, and includes a site plan for Parcel A.

FISCAL IMPACT

Approval of this agreement will not have any immediately quantifiable fiscal impact. The City is not charging a fee for the County to license the property. It is unknown as yet what impact this project may have on the need for city services in the area, such as public safety and/or park maintenance services, which could have some fiscal impacts. However, since the project is temporary, such impacts will not be long-term.

PUBLIC CONTACT

Public contact 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.

In addition, notices about the proposed facility were mailed to all addresses within 2,000 feet of the Onizuka site, as well as all local businesses on the City's Economic Development mailing list, prior to the September 1, 2015 Council hearing. A second mailing was sent to the same mailing list, inviting the addressees to attend the public outreach meetings on September 10. The meeting flyer was also posted on the City Manager's Biweekly Blog and shared on NextDoor.

ALTERNATIVES

1. Approve the License Agreement in substantially the same form as shown in Attachment 1.
2. Find that the project is categorically exempt pursuant to CEQA Guideline Section 15304(e).
3. Approve the License Agreement with modifications.

STAFF RECOMMENDATION

Alternatives 1 and 2: 1) Approve the License Agreement in substantially the same form as shown in Attachment 1 to the report; and 2) Find that the project is categorically exempt pursuant to CEQA Guideline Section 15304(e).

The License Agreement has been prepared consistent with Council direction on September 1 and September 15, and County Board of Supervisors direction provided on August 25 and September 15.

Prepared by: Suzanne Isé, Housing Officer

Reviewed by: Hanson Hom, Director, Community Development Department

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. Draft License Agreement