



COUNTY OF SAN DIEGO

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CLERK OF THE BOARD OF SUPERVISORS

COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

COUNTY OF SAN DIEGO

2020 JAN 17 PM 12:58

CLERK OF THE BOARD OF SUPERVISORS

DATE: January 28, 2020

06

TO: Board of Supervisors

SUBJECT

ADDRESSING IMMEDIATE AND ONGOING SOLUTIONS FOR HOMELESSNESS THROUGHOUT UNINCORPORATED COMMUNITIES OF SAN DIEGO COUNTY (DISTRICTS: 2, 5)

OVERVIEW

The unincorporated communities of San Diego County have experienced a significant increase in homelessness and its associated impacts in recent years. The County has a responsibility to serve and protect residents and community assets, which have been greatly impacted.

A 2019 ruling out of the U.S. Court of Appeals for the Ninth Circuit, *Martin V. City of Boise*, adds to the complexity of the issue of homelessness and its impact to local residents. The Court determined that municipal ordinances prohibiting sleeping or camping on public property could not be enforced by law enforcement without the provision of access to an alternative shelter location.

The County faces the task of maintaining the rule of law and public safety, while also serving individuals with dignity and compassion. To uphold this, a comprehensive team of county agencies and law enforcement have come together to identify immediate, short-term and long-term solutions. The following recommendations encompass a variety of solutions that would specifically serve the unincorporated area.

RECOMMENDATIONS

SUPERVISOR DIANNE JACOB AND VICE-CHAIRMAN JIM DESMOND

1. Find that the proposed actions are not a project as defined by the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines 15060(c)(3) and 15378(b)(5) and are exempt pursuant to Section 15061(b)(3) because these actions are organizational activities and it can be seen with certainty that they will not result in direct or indirect changes in the physical environment.

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2. Direct and authorize the Chief Administrative Officer to take the necessary actions allowed by law for immediate solutions to the homeless situation in unincorporated communities, subject to compliance with any environmental, regulatory and funding requirements, and availability of funding, which would include:
 - a. Expanding the pool of funding and the eligibility for the County's hotel/motel voucher program for up to 125 individuals.
 - b. The addition of four new HART team positions and all equipment and vehicles necessary for this program.
 - c. Identifying properties, and as allowed by law, acquiring or initiating the acquisition of properties by lease, license or purchase for safe and temporary emergency relocation options and/or a shelter, and where health services may be provided, possibly including property located at 11970 Singer Lane, Spring Valley, CA 91978.
3. Authorize the Director, Department of Purchasing and Contracting, to procure by any lawful method and upon a determination of fair and reasonable pricing, enter into agreements or amend existing agreements for goods and/or services in support of the activities in Recommendations 2 and 5, subject to available funding.
4. In accordance with Board Policy F-40, Procuring Architectural, Engineering, and Related Professional Services, approve and authorize the Director, Department of Purchasing and Contracting to procure any necessary as-needed professional services in support of the activities in Recommendations 2 and 5.
5. Direct the Chief Administrative Officer to return to the Board on February 25, 2020 with the necessary actions for short-term solutions to the homeless situation in unincorporated communities, which would include:
 - a. Identifying and securing property for temporary storage for personal belongings in Spring Valley and/or Lakeside.
 - b. Identifying and securing sites where factory-built housing units may be used for emergency and temporary housing.
 - c. Expediting a procurement of a homeless housing service agreement and coordinated care services.
 - d. The addition of four new HART team positions and all equipment and vehicles necessary for this program.
6. Direct the Chief Administrative Officer to return to the Board on February 25, 2020 with the necessary actions for long-term solutions to the homeless situation in unincorporated communities, which would include:
 - a. The acquisition and conversion of existing properties to permanent supportive housing.
 - b. Developing an implementation plan to increase service-supported homes for temporary housing to complete the homeless housing pipeline.
7. Direct the Chief Administrative Officer to return to the Board within 90 days on the following:

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- a. To review and propose strengthening County regulations to address sleeping in public areas such as parks and public right of way and obstruction of public spaces including parks, sidewalks, road right of ways and commercial loading docks, environmentally sensitive lands with endangered habitats, areas near watersheds and areas that present extreme fire danger.
- b. Exploring the feasibility of expanding the Homeless Court program to include warrant removals for homeless individuals in exchange for participation in a transitional living program.

FISCAL IMPACT

If approved today, Recommendation 2.a, to expand the County’s hotel/motel voucher program, will result in estimated costs of approximately \$2.3 million in Fiscal Year 2019-20, depending on the utilization. The annualized costs are estimated to be \$5.6 million, however, the need for this level of service is not expected to be on-going once other recommendations are implemented. Funds for this recommendation will be covered through HHS Management Reserves included in the Fiscal Year 2019-21 Operational Plan. Appropriations for Fiscal Year 2020-21 will be requested as part of the Fiscal Year 2020-22 CAO Recommended Operational Plan as needed.

If approved today, Recommendation 2.b, identifying resources for four additional dedicated Sheriff’s Deputies for HART and two patrol vehicles, will result in estimated costs of \$360,000 in Fiscal Year 2019-20. The annualized costs of four additional Sheriff Deputies are estimated to be \$860,000. Funds for annual costs in Fiscal Year 2020-21 will be requested as part of the Fiscal Year 2020-22 CAO Recommended Operational Plan as needed.

The costs are unknown at this time for Recommendation 2.c, to identify properties, and as allowed by law, acquire or initiate the acquisition of properties by lease. The Department of General Services has authority to procure up to \$250,000 and/or negotiate a lease for \$7,500 or under a month, however anything above that would require Board approval.

The costs are unknown at this time for Recommendations 3 and 4, which authorizes the Department of Purchasing and Contracting to procure necessary services related to Recommendation 2. It is anticipated any costs incurred could be covered using existing available appropriations in the current year.

The remaining Recommendations have no fiscal impact or require a return to the Board to take further action. There will be no change in net General Fund costs and no additional staff years in the current year.

BUSINESS IMPACT STATEMENT

n/a

BACKGROUND

The unincorporated communities of San Diego County have experienced a significant increase in homelessness and its associated impacts in recent years. The County has a responsibility to serve and protect residents and community assets, which have been greatly impacted.

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To address the increase in homelessness in unincorporated areas, the County established a multi-agency intensive outreach effort to provide engagement and access to resources focusing on the unincorporated communities of Lakeside, Spring Valley, El Cajon and Oro Valley. The effort was staffed by two Homeless Assistance Resource Team (HART) Deputies, one Health & Human Services Agency (HHS) Eligibility Homeless Outreach Team staff, and included coordination with the department of Public Works, Planning & Development Services and the Department of Parks and Recreation (DPR). This intensive outreach effort spanned 21 days with extended operation hours in the field between September 30, 2019 - November 30, 2019. The joint effort resulted in contacts with 171 individuals over approximately 53 locations.

The outreach team worked diligently to coordinate care, services and housing for individuals. Because of the tremendous need for a variety of support, this work incorporated outreach staff from County-funded organizations such as PATH, ResCare, Crisis House, McAlister, VA and local healthcare providers as needed. Of those contacted, 14 people experiencing homelessness were connected to temporary housing such as hotel/motel vouchers and 32 people were referred to other housing resources. Additionally, 110 referrals were made for services such as Medi-Cal, CalFresh, CalWorks and General Relief. These efforts were linked with existing ongoing HART Deputy weekly outreach that housed an additional 25 homeless residents. Critically, on a single morning in December of 2019, DPR identified nearly 100 unsheltered homeless at two Spring Valley Parks.

A 2019 ruling out of the U.S. Court of Appeals for the Ninth Circuit, *Martin V. City of Boise*, adds to the complexity of the issue of homelessness and its impact to local residents. The Court determined that municipal ordinances prohibiting sleeping or camping on public property could not be enforced by law enforcement without the provision of access to an alternative shelter location.

The County faces the task of maintaining the rule of law and public safety, while also serving individuals with dignity and compassion. To uphold this, a comprehensive team of county agencies and law enforcement have come together to identify immediate, short-term and long-term solutions. These solutions satisfy the health and safety of the homeless population and the public, as well as legal standards set forth by the *Martin V. Boise* ruling.

Recommendations 2-4 direct the Chief Administrative Officer to take the necessary actions for immediate solutions to the homeless situation in the unincorporated communities and would include:

- a. Expanding the pool of funding and the eligibility for the County's hotel/motel voucher program for up to 125 individuals for terms of up to one year per individual in order to temporarily relocate homeless individuals in public areas.
- b. The addition of four new HART team positions and all equipment and vehicles necessary for this program specifically for the purpose of homeless outreach in the unincorporated areas.
- c. Identifying properties, and as allowed by law, acquiring or initiating the acquisition of properties by lease, license or purchase for safe and temporary emergency relocation

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options and/or a shelter, and where health services may be provided, possibly including property located at 11970 Singer Lane, Spring Valley, CA 91978. Providing emergency and temporary housing in the short-term would further enable SDSO to enforce County ordinances and provide a safe environment for coordinated care services to individuals.

Short-term solutions have been identified to satisfy needs for the unincorporated areas within 30 - 180 days upon Board authorization. Recommendation 5 directs the Chief Administrative Officer to return to the Board on February 25, 2020 with the necessary actions for short-term solutions to the homeless situation and would include:

- a. Identifying and securing property for temporary storage for personal belongings in Spring Valley and/or Lakeside in order for individual property to be stored safely upon entering participation in housing programs and/or services.
- b. Identifying and securing sites where factory-built housing units may be used for emergency and temporary housing on property investigated during immediate phase, potentially procuring up to 60 units per location.
- c. Expediting a procurement of a homeless housing service agreement and coordinated care services, that may be Whole Person style, for up to 125 individuals to ensure wrap-around services accompany housing.
- d. The addition of four new HART team positions and all equipment and vehicles necessary for this program specifically for the purpose of homeless outreach in the unincorporated areas.

Long-term solutions have been identified to satisfy needs for the unincorporated areas within this calendar year upon Board authorization. Recommendation 6 directs the Chief Administrative Officer to return to the Board on February 25, 2020 with the necessary actions for long-term solutions to the homeless situation and would include:

- a. To authorize the acquisition and conversion of existing properties to permanent supportive housing.
- b. Developing an implementation plan to increase service-supported homes for temporary housing to complete the homeless housing pipeline.

Lastly, Recommendation 7 directs the Chief Administrative Officer to return to the Board within 90 days on the following:

- a. Review and propose strengthening County regulations to address sleeping in public areas such as parks and public right of way and obstruction of public spaces including parks, sidewalks, road right of ways and commercial loading docks, environmentally sensitive lands with endangered habitats, areas near watersheds and areas that present extreme fire danger.
- b. Explore the feasibility of expanding the Homeless Court program to include warrant removals for homeless individuals in exchange for participation in a transitional living program.

ENVIRONMENTAL STATEMENT:

The proposed action to authorize the Chief Administrative Officer to implement an immediate response to homelessness is exempt from California Environmental Quality Act (CEQA) review

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pursuant to CEQA Guidelines Section 15061(b)(3) because it is comprised of organizational activities, and it can be seen with certainty that it will not result in direct or indirect changes in the physical environment. Further, while the proposed action authorizes staff to acquire or initiate the acquisition of real property, CEQA Section 15004(b)(2)(A) allows the County to enter into land acquisition agreements when the County has conditioned the agency's future use of the site on CEQA compliance. These authorizations do not provide enough certainty to perform CEQA analysis at this time because the locations and types of projects are unknown, but the County will perform the appropriate CEQA analysis on future discretionary actions when there is more certainty and a viable project description to analyze. Prior to the acquisition of any property or the award of a contract for any construction activities, staff will perform the necessary environmental review and return to the Board for approval, as appropriate.

Today's proposed actions also direct staff to analyze short-term and long-term plans to address homelessness in the unincorporated County of San Diego and return to the Board for consideration of future actions. Today's actions do not constitute approval of a project as defined by CEQA Guidelines Sections 15060(c)(3), 15352, and 15378(b)(5) because they do not commit the County to a definite course of action and do not have the potential for resulting in a direct or indirect physical change in the environment. Staff will conduct the necessary CEQA review and return to the Board, as appropriate, prior to the approval of any project.

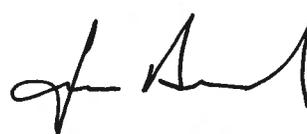
LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support Building Better Health, Living Safely and Thriving initiatives in the County of San Diego's 2020-2025 Strategic Plan, as well as the County's Live Well San Diego vision by increasing the availability of services and housing for people experiencing homelessness to most appropriately meet their needs.

Respectfully submitted,



DIANNE JACOB
Supervisor, 2nd District



JIM DESMOND
Vice-Chairman, 5th District

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ATTACHMENT(S)

n/a

AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

n/a

BOARD POLICIES APPLICABLE:

n/a

BOARD POLICY STATEMENTS:

n/a

MANDATORY COMPLIANCE:

Click here to enter text.

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

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ORIGINATING DEPARTMENT: BOS, Districts 2, 5

OTHER CONCURRENCE(S): n/a

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