

STAFF REPORT

DATE: December 17, 2019

TO: City Council

FROM: Mike Webb, City Manager
Kelly Stachowicz, Assistant City Manager
Darren Pytel, Police Chief
Ryan Collins, Police Services Specialist Supervisor – Homeless Outreach and Services Coordinator

SUBJECT: Status Update on Pilot Daytime Respite Center for Unhoused Persons and Approval of Initial Implementation Steps

Recommendation

1. Receive a status update on efforts to establish a pilot daytime respite center for unhoused persons located at 1717 Fifth Street
2. Adopt a resolution (Attachment 2) authorizing the City Manager or the City Manager's designee to:
 - a. Finalize and execute agreements with the Yolo County Health and Human Services Agency and CommuniCare Health Centers to provide staffing support for the respite center
 - b. Finalize and execute a budget adjustment appropriating up to \$350,000 toward the respite center through June 30, 2020
3. Adopt a resolution declaring a shelter crisis pursuant to Government Code Section 8698 (Attachment 3)
4. Direct staff to file a Notice of Exemption finding that the respite center is not subject to the California Environmental Quality Act.

Fiscal Impact

As reflected in Table 1, staff estimates the pilot will cost the City approximately \$316,197 for one-time start-up costs and for the first six months of operation. Although staff is only seeking a budget adjustment through the end of FY 2019-20, staff recommends operating the pilot for up to 12 months. If Council is amenable, staff will incorporate the costs for the second six months, \$134,197, into the City's FY 2020-21 budget.

To offset the appropriation of local funds, staff will aggressively pursue all applicable grant opportunities. For example, staff is assessing the notice of funding availability recently released by the California Homeless Coordinating and Financing Council for the Homeless, Housing, Assistance and Prevention grant program.

| Table 1: Pilot Daytime Respite Center Budget (only reflecting City of Davis hard costs and does not reflect in-kind contributions) | | | |
|--|---|--|--|
| Budget Line Item | Six Month Total January 1, 2020 through June 30, 2020 | Six Month Total July 1, 2020 through December 31, 2020 | One-Year Total January 1, 2020 through December 31, 2020 |
| Staffing | | | |
| 1 FTE Program Manager (employed by CommuniCare Health Centers) | \$61,330* | \$61,330* | \$122,660* |
| .80 FTE Navigator (employed by CommuniCare Health Centers) | \$31,867 | \$31,867 | \$63,734 |
| Subtotal | \$93,197 | \$93,197 | \$186,394 |
| Site Preparation | | | |
| One-time site preparation costs | \$155,000 | N/A | \$155,000 |
| One-time shower/restroom modular purchase | \$100,000** | N/A | \$100,000** |
| One-time Yolo County cash contribution | +\$125,000 | N/A | +\$125,000 |
| Subtotal | \$130,000 | \$- | \$130,000 |
| Ongoing Operations | | | |
| Three-month shower/restroom modular rental | \$27,000** | N/A | \$27,000** |
| Utilities | \$6,000 | \$6,000 | \$12,000 |
| Janitorial services | \$10,000 | \$10,000 | \$20,000 |
| Program costs | \$50,000 | \$25,000 | \$75,000 |
| Subtotal | \$93,000 | \$41,000 | \$134,000 |
| Total | \$316,197 | \$134,197 | \$450,394 |

*Assumes licensure as a Licensed Clinical Social Worker (LCSW) and/or License Marriage/Family Therapist (LMFT), but if the candidate is not licensed, the salary will be less

**Staff is still conducting further research as to whether purchasing or renting a shower/restroom modular is more cost efficient. While purchasing may be the most cost effective option long-term, the lead time on a purchase may be months. Therefore, staff budgeted for three months of rental and a one-time purchase.

In addition to the costs listed above, there are several in-kind contributions to note. First, the City plans to allocate the time of the following already existing staff to the pilot:

- .25 Police Services Specialist
- .25 Management Analyst

Assuming a one-year pilot, this contribution equates to approximately \$68,934. While difficult to predict the exact implications, staff wants to underscore that this will require the impacted staff, particularly the Management Analyst, to defer other responsibilities in order to devote time to this net new project.

Second, the Yolo County Health and Human Services Agency (HHSA) will fund the following:

- 1 FTE Case Manager (employed by CommuniCare Health Centers through HHSA's Mental Health Services Act navigation contract)
- 1 FTE Case Manager (employed by HHSA and field-based, not onsite at the respite center)

Assuming a one-year pilot, this contribution equates to approximately \$260,000. This \$260,000 in-kind contribution combined with Yolo County's one-time cash contribution of \$125,000 means the County's total financial contribution to the project is \$385,000.

Third, the Interfaith Rotating Winter Shelter (IRWS) will offer volunteer assistance via its network.

A final fiscal impact includes the expenses the City already incurred. To date, the City invested \$69,762. Of this amount, \$50,642 was in staff/consultant time and the other \$19,120 was to dismantle, transport, and temporarily store two decommissioned Public Works modular buildings for potential reuse as part of the pilot.

Council Goal(s)

This item aligns with Council's goal of ensuring a safe, healthy, equitable community and Council's objective to reduce the number of persons who are experiencing homelessness.

Background and Analysis

On [February 19, 2019](#), Council directed staff to research options for establishing a pilot daytime and nighttime respite center to serve persons experiencing homelessness in Davis.

On [July 30, 2019](#), staff shared its preliminary findings and Council directed staff to continue exploring implementation options.

On [November 5, 2019](#), Council directed staff to pursue siting a pilot daytime respite center on the City's Public Works Corporation Yard located at 1717 Fifth Street. After evaluating all city-owned parcels, Council selected this site for several reasons:

- The site is centrally located and near other social services such as Yolo County's Helen Thomson Health and Human Services Center.
- The site offers a large enough footprint to accommodate the proposed amenities and services and is City owned and controlled.

- The site features a level of existing infrastructure that did not exist on the other city-owned parcels. Such infrastructure includes several buildings and utility hookups. These features significantly reduce start-up time and costs.

Pilot Need

According to Yolo County's 2019 point-in-time-count, 190 persons experience homelessness on any given night in Davis. Of the 190 persons, 114 experience unsheltered homelessness and the remaining 76 experience sheltered homelessness. This number reflects a 30% increase from the last point-in-time count from 2017 when the number of persons experiencing homelessness was 146.

However, staff believes the 190 count does not fully portray what is happening on the streets. According to public safety officials, the homeless situation in Davis has reached a public health emergency. There are individuals currently living, or staying for long periods of time both during the day and night, in parks, greenbelts, open space areas, and along water drainage canals. Several of the locations are not suitable for human habitation because they lack basic necessities such as toilets, waste disposal, and running water. Several locations have been contaminated with human waste, vermin, parasites, rodents, scabies, and lice. This represents a serious health hazard resulting in the potential for e-coli contamination in local drainage facilities and parks. Other California cities have experienced outbreaks of hepatitis A.

Moreover, in a statistically significant resident satisfaction survey, for the first time, respondents identified homelessness as Davis' third most important problem. Residents did not identify homelessness in the 2007 or 2014 survey.

All of these factors demonstrate the importance of addressing homelessness in Davis.

Pilot Overview

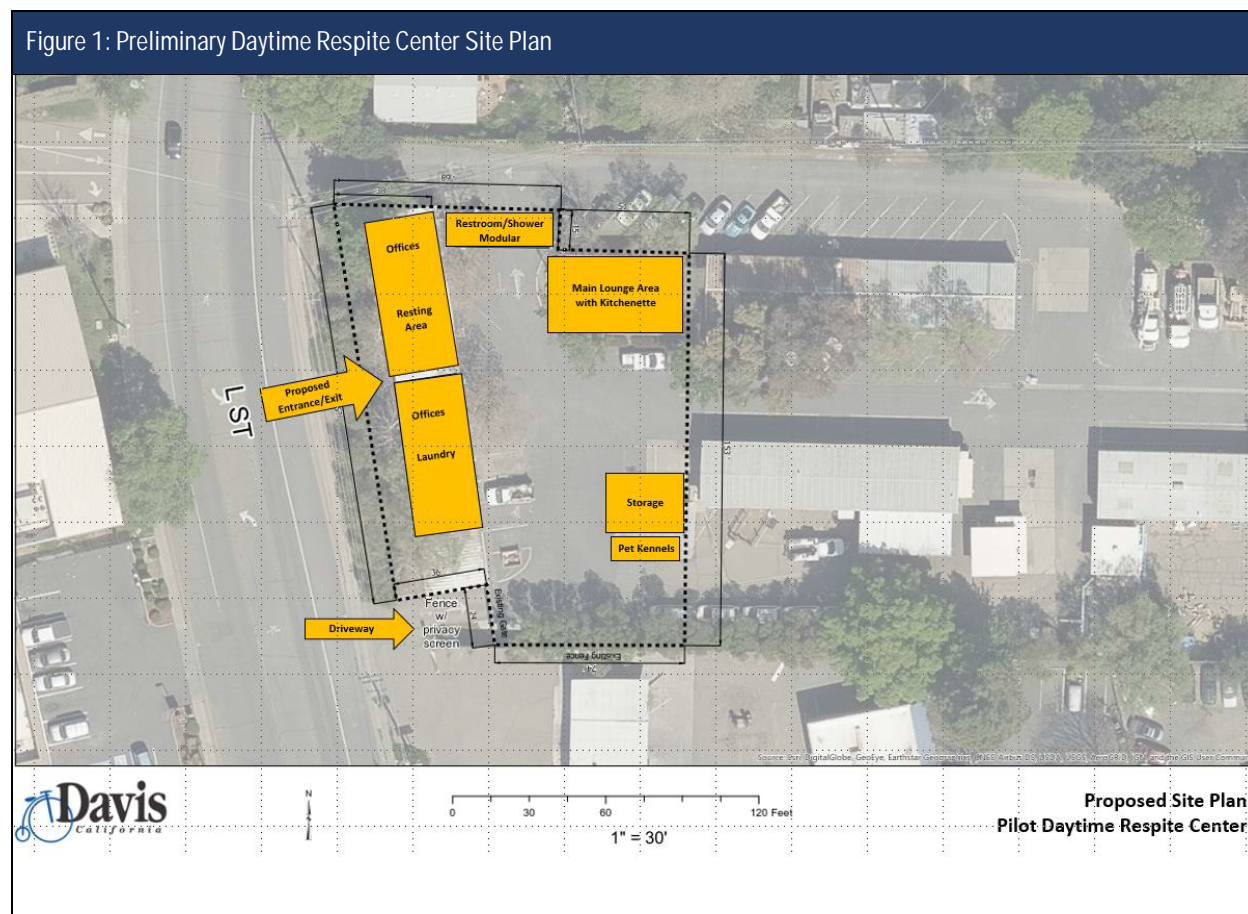
To address some of the unmet need, the pilot daytime respite center aims to improve the quality of life for individuals experiencing homelessness in Davis. Open daily for eight hours, the daytime center will provide a safe, temperature-controlled, and welcoming space where individuals can access basic needs resources and services, including:

- Individualized case management, service linkages, and permanent housing plans for willing participants
- Food
- Laundry facilities
- Pet kennels
- Resting/lounging areas
- Restrooms
- Showers
- Storage
- Bicycle and vehicle parking

The remainder of this report provides status updates on the site plan, staffing plan, and community outreach. The report concludes by asking Council to consider taking the first steps towards implementation including declaring a shelter crisis, finding the project exempt from the California Environmental Quality Act, and clarifying zoning requirements.

Site Plan

As currently envisioned, staff proposes to site the daytime respite center on the western end of the Public Works Corporation Yard with the entrance located off of L Street. Figure 1 shows a preliminary layout.



Staff hired a consultant to prepare a professional site plan and cost estimate. The costs listed in the fiscal impact section are estimates based on previous building improvements and the judgement of staff. The City staff who occupied the buildings have already vacated. The next immediate action is for staff to secure the site by erecting fencing around the project's perimeter. Concurrently, a multi-departmental team is finalizing the site plan needs to ensure it not only complies with building and fire code, but it is also safe and optimizes programmatic functionality.

Staffing Plan

To staff the daytime center, staff is proposing to partner with the Yolo County Health and Human Services Agency (HHSA), and two nonprofit agencies, CommuniCare Health Centers and the Interfaith Rotating Winter Shelter (IRWS). The preliminary staffing plan is as follows:

- ***City of Davis***
 - .25 FTE Police Services Specialist to provide programmatic and volunteer oversight
 - .25 FTE Management Analyst to provide administrative support and evaluate program performance
- ***CommuniCare Health Centers***
 - 1 FTE Program Manager, preferred qualification will be licensure as an LCSW/LMFT, to oversee daily operations and manage the center (City funded)
 - 1 FTE Case Manager to provide direct services including individualized permanent housing plans for willing participants (County in-kind contribution)
 - .80 FTE Navigator to support the Program Manager and provide general site supervision on weekends (City funded)
- ***Interfaith Rotating Winter Shelter***
 - Volunteers to assist with daily operations

This staffing plan ensures at least two people are onsite during all hours of operation. In addition, the County will provide a Case Manager for homeless outreach services in Davis, which will be field-based and not onsite at the center.

The City also plans to provide daily transportation from the daytime center to the IRWS intake site and eventually to the host congregation. The IRWS operates a nighttime shelter through March 14, 2020. Once the daytime component is operational, however, staff will return to Council for further direction on nighttime shelter options.

Community Outreach

To inform community members about Council's direction, staff completed the following:

- Mailed an English/Spanish notice to 733 property owners and renters
- Held a community meeting convened by a professional facilitator
- Held an informational meeting with Public Works staff
- Posted information on the City's Nextdoor account
- Created a project webpage (www.cityofdavis.org/respitcenter)
- Created a project email address (respitcenter@cityofdavis.org)
- Created a project eNotification category (homeless respite center)

Through these channels, staff received extensive feedback. Attachment 1 summarizes the feedback received, both from the Community Meeting and feedback from individuals. While all of the input is pertinent, the sections below highlights several issues that arose numerous times.

- ***Transition from daytime to nighttime.*** A key concern was where unhoused participants will go when the daytime center closes each evening. As already described in the staffing section above, the City will partner with IRWS, which operates a nighttime shelter through March 14, 2020. The City will provide transportation from the daytime center to the IRWS' intake site every evening. In the meantime, as already directed by Council per the December 3, 2019 focus items discussion, staff will prioritize developing options for overnight, year-round emergency shelter.
- ***Safety and security.*** Another issue identified numerous times was the need to address safety concerns and the desire for a safety plan. The concerns ranged from worries about increased crime to the safety of individuals living and working in the vicinity. Another issue was the safety along the corridor connecting Community Gardens and N Street Park. Given the isolated nature of this corridor, many residents expressed concerns, but offered conflicting suggestions for improvement. Some supported the outright closure of this corridor or nighttime closure of this corridor during the pilot's duration, while others supported improvements such as formalizing and widening the path, adding lighting, installing security cameras, as well as removing overgrown vegetation and dying city trees.
- ***Definition of the term pilot.*** Residents stated their desire to understand Council's interpretation of what the term pilot means. This includes the pilot's duration and how Council defines success. A key request was for the City to develop a comprehensive evaluation plan and establish a feedback loop with the community to ensure transparency as well as accountability.
- ***Need for ongoing engagement.*** Residents voiced their desire for ongoing engagement throughout the pilot's duration. This includes playing a greater role in the planning and evaluation process.
- ***Need for more information about operations.*** Residents detailed several concerns relating to the daytime center's operations. In particular, residents questioned how staff would manage the low-barrier admission policy, manage the storage, and manage the pet kennels.
- ***Decision-making process.*** A final issue was the overwhelming displeasure with the decision-making process. Residents expressed consternation that Council sited the pilot without noticing residents or giving them an opportunity to weigh in on the location. Residents also questioned the equity of the decision-making process, as according to them, this particular area of town is already heavily impacted. Residents stated the area has one of the lowest household median incomes and the lowest ratio of park acreage to 1,000 residents (1.5 park acres per 1,000 residents).

It is important to note that not all of the feedback received was in opposition. Some residents expressed support and others expressed support if the City adequately mitigates concerns.

Shelter Crisis Declaration

Pursuant to Government Code Section 8698, localities can declare a shelter crisis if "a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety." Earlier this year, numerous jurisdictions declared a shelter crisis, as it was a requirement

in order to receive state grant funding from the Homeless Emergency Aid Program (HEAP). The State, however, exempted the City from the declaration requirement because Yolo County has less than 1,000 persons experiencing homelessness and the City received a \$129,000 HEAP grant.

Nonetheless, the crisis declaration offers other provisions that are helpful as the City looks to provide emergency shelter. Specifically, the shelter crisis declaration enables localities to obtain immunity from liability for ordinary negligence in the provision of emergency housing during the period of the crisis. The statute states:

- a) The political subdivision shall be immune from liability for ordinary negligence in the provision of emergency housing pursuant to Section 8698.2. This limitation of liability shall apply only to conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing. This section does not limit liability for grossly negligent, reckless, or intentional conduct which causes injury.
- b) The provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. Political subdivisions may, in place of such standards, enact municipal health and safety standards to be operative during the housing emergency consistent with ensuring minimal public health and safety. The provisions of this section apply only to additional public facilities open to the homeless pursuant to this chapter.

Therefore, declaring a shelter crisis allows the City to rely on building and fire codes, which offer flexibility for this site as well as any future projects.

California Environmental Quality Act

Staff is recommending the filing of a Notice of Exemption finding that the project is not subject to the California Environmental Quality Act (CEQA).

The daytime center as currently envisioned would not have a significant physical effect on the environment because the proposed uses would operate within existing buildings, temporary restroom/shower modulars and serve existing residents. Therefore, the CEQA general rule would apply and the project would be exempt from CEQA. A “significant effect on the environment” is defined in CEQA as a “substantial, or potentially substantial, adverse change in the environment” (Public Resources Code section 21068).

The actions requested also relate to ongoing staffing and funding for the daytime centers. These actions are exempt from CEQA review because they are not considered a “project.” The actions relate to the creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, as well as organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment (CEQA Guidelines section 15378(b)(4) and (5)).

The project will have beneficial effects on the environment, which will be relevant to project review. It was the intent of the legislature that one of the policies of the state is to take action to “protect, rehabilitate and enhance the environmental quality of the state” (PRC section 21001(a)).

The legislature also identified the following policy, which is relevant to the purposes of the proposed project: “Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.” Living conditions of those who are experiencing homeless are unhealthy, dangerous and fall well below the standards established by the legislature. The presence of substantial populations of people experiencing homelessness create conditions that are dangerous not only to the health of those living in homelessness, but to others living and working in the community.

The City has committed substantial time and resources in recent years in an effort to clean up properties impacted by trash, needles and human feces/urine on City properties and drainage facilities. This represents a serious nuisance resulting in the introduction of e-coli contamination in local drainage facilities and parks. Identifying and acknowledging the proposed project’s beneficial effects does not take the place of the required examination of potential significant adverse effects, but is a legitimate policy consideration. Additionally, the proposed project is Categorically Exempt from CEQA pursuant to exceptions 15301, 15304, 15307, 15308 as discussed in Attachment 4.

Zoning

Besides the CEQA exemption, the project does not require any zoning action. The pilot daytime respite center as proposed most closely follows the zoning category of Public Use. Public Use is defined as a use operated exclusively by a public body, having the purpose of serving the public health, safety or general welfare. The project site at 1717 Fifth Street is zoned Commercial Service (CS). Public Use is listed as a Conditional Use within the CS District.

The City has the authority under its State Constitutional powers to take any actions necessary to address the health and safety of the community. The City has the legal right to enact police powers to protect the public health, safety and welfare of its residents. This right is set forth in the California Constitution, which states “A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.” Cal. Const. at. XI, Section 7. The City is exempt from zoning compliance on this public project. Government Code Chapter 7.8. Shelter Crisis 8698.2 (b) states: “Upon a declaration of a shelter crisis pursuant to subdivision (a), the political subdivision may allow persons unable to obtain housing to occupy designated public facilities during the duration of the state of emergency.” With the declaration of the shelter housing crisis in addition to the City’s authority under the State Constitution the proposed project is not subject to the Conditional Use Permit process.

The proposed site is designated as Industrial in the General Plan. The intent of the General Plan Industrial designation is - “To provide areas for basic industries, manufacturing and employment in Davis, with adequate separation from incompatible uses and appropriate environmental

controls.” The allowable use in the Industrial land use designation is – “Manufacturing, warehousing and distribution, research and development, commercial recreation, open space areas for buffering, transportation and employee recreation.” The typical corresponding zoning for the Industrial land use is Industrial zoning. The Industrial zone allows small emergency shelters as a permitted use and large emergency shelters as a Conditional Use. While the City is exempt from strict compliance with General Plan consistency the intent of industrial areas to accommodate emergency shelters is clear.

Next Steps

Staff is seeking Council approval for the following actions:

1. Adopt a resolution (Attachment 2) authorizing the City Manager or the City Manager’s designee to:
 - a. Finalize and execute agreements with the Yolo County Health and Human Services Agency and CommuniCare Health Centers to provide staffing support for the respite center
 - b. Finalize and execute a budget adjustment appropriating up to \$350,000 toward the respite center through June 30, 2020
2. Adopt a resolution declaring a shelter crisis pursuant to Government Code Section 8698 (Attachment 3)
3. Direct staff to file a Notice of Exemption finding that the respite center is not subject to the California Environmental Quality Act

These steps are integral to starting the project, but there are several other areas where staff needs further council direction.

- ***Defining the term pilot.*** As staff stated in the fiscal impact section, the recommended duration of the pilot is up to 12 months. This up to 12-month assurance will not only help recruitment efforts for project staff, but is also likely to yield more meaningful outcome data.
- ***Evaluation of Success.*** To define success, staff sees two sets of performance measures—one to measure internal programmatic success and one to measure external community impacts.

For the internal programmatic measures, staff proposes to utilize the same results-based accountability (RBA) model as staff currently uses to measure the performance of its other homeless service programs. Social services agencies across the nation utilize this framework including the Yolo County Health and Human Services Agency.

| Table 2: Proposed Internal Programmatic Measures | |
|--|--|
| Purpose | To increase the quality of life for unhoused individuals by offering basic need resources and facilitating linkages to supportive services |
| How much did we do? | |
| 1.1 | Average # of individuals who seek day shelter each day |
| 1.2 | # of unique individuals served |
| 1.3 | # of unique supportive service referrals |
| How much did we do? | |
| 2.1 | Capacity: Average # of individuals turned away each day due to lack of capacity |
| 2.2 | Cost effectiveness: Average cost per unique individual served |
| Is anyone better off? | |
| 3.1 | Quality of life: #/% of unique individuals who report an increased quality of life |

In addition, staff proposes to enter data into Yolo County's Homeless Management Information System and complete a Vulnerability Index Service Prioritization Decision Assistance Tool assessment to link all participants to Yolo County's coordinated entry system. Both of these actions are in alignment with best practices as prescribed by the federal government.

For the external community impacts, staff proposes to work with residents to establish several measures to capture externalities such as crime statistics in the area and return to Council at a later date with a final evaluation plan that includes internal and external performance measures.

- **Phased Implementation.** As staff prepares for opening the respite center it has become clear that staff will need to phase implementation. Specifically, in the coming weeks, staff will focus on getting the doors open, which means preparing the site, hiring staff, and devising operational policies and procedures. While staff will not open the facility unless minimum standards are met such as safety protocols, there are some ancillary services such as laundry, storage, and pet kennels that staff may need to phase in over time. As underscored by the community, the storage and pet kennels in particular pose myriad safety and logistical challenges and will likely require more time to devise thoughtful policies and procedures.
- **Further Evaluation of Community Concerns Expressed and Solutions Offered.** Given the extensive feedback received, staff proposes to return to Council at a later date with a thorough analysis of each concern and if the City will address the concern. This gives staff the proper time to assess the feasibility of the solutions suggested.

Attachments

1. Summary of Concerns Expressed and Solutions Offered
2. Staffing and budget adjustment resolution
3. Shelter crisis declaration resolution
4. CEQA findings of fact

Attachment 1: Summary of Concerns Expressed and Solutions Offered

| Concerns Expressed | | Solutions Offered |
|---|--|--|
| Pilot Definition | | |
| <ul style="list-style-type: none"> • Duration of pilot • What is Council's definition of success? • If successful, will the center remain at the same site and become permanent? | | |
| Location/Site | | |
| <ul style="list-style-type: none"> • The City did not consider equity, area is already impacted by the following factors: <ul style="list-style-type: none"> ◦ Low-income/economically disadvantaged ◦ Poorly resourced, particularly park poor ◦ Anchored by two liquor stores ◦ Home to several affordable housing complexes • The City targeted this area because it is the poorest area of Davis and other neighborhoods would not accept it • Dislike entrance on L Street, prefer entrance on Fifth Street • Prefer entrance on L Street • Not enough street parking available on L Street • Parking impacts to N Street and K Street • Increase in trash/litter • Bushes/attractive camping spots in the vicinity • Proximity of liquor stores • Prefer on the outskirts of town and not near residential neighborhoods | | <ul style="list-style-type: none"> • Offer equity training to staff • Complete an equity analysis to help inform future decision-making, especially when siting undesirable projects • Decentralize impacts and services throughout the City and do not concentrate them all in one area • Rotate the location of the project throughout the City • Cut back bushes |
| Safety | | |
| <ul style="list-style-type: none"> • Safety of corridor between N Street Park and Community Gardens <ul style="list-style-type: none"> ◦ Concerned about people climbing city trees, getting into backyards, and breaking into homes • Safety of N Street Park and Cedar Park <ul style="list-style-type: none"> ◦ Problematic design because so isolated ◦ Already issues with people sleeping in the park • Increase in crime • Increase in loitering • Safety of participants • Safety of children, families, and the elderly • Safety measures for storage area • Safety measures for pet kennels/pet management • Concerned about the potential for dog attacks • What is the point of fencing? | | <ul style="list-style-type: none"> • Block off N Street Park corridor during the duration of the pilot • Block off N Street Park corridor access at night • Invest in amenities to offset impacts such as N Street Park and trail improvements/investment as mitigation <ul style="list-style-type: none"> ◦ Widen it ◦ Add lighting ◦ Formalize the trail ◦ Beautify it ◦ Have the City assume maintenance responsibilities ◦ Equalize wall heights • Analyze data on crime in the area now and compare to in the future • Increased police presence/patrols in the area • Create a safety plan • Increase fencing height |

| Concerns Expressed | Solutions Offered |
|---|--|
| <ul style="list-style-type: none"> • Poor lighting on L Street • Transportation safety for pedestrians | <ul style="list-style-type: none"> • Add speed bumps to Duke and Colgate • Add cameras in N Street Park • Increase lighting • Prohibit living in cars • Offer locks for storage and document belongings • Offer coat check like services to avoid health and safety concerns associated with storage • Partner with UC Davis to offer veterinary services • Complete a Crime Prevention Through Environmental Design (CPTED) analysis of the area • Add a crosswalk on L Street and/or a flashing beacon • Conduct an evaluation of City trees in area and ask Tree Commission for removal of unsafe city trees • City to assume maintenance of corridor connecting N Street Park and Community Gardens • Increase neighborhood watch • Add public art • Enforcement of the open container carry law • Require pets remain on leash • 24 hour security for the facility, the Community Gardens, and N Street Park corridor |
| Services | |
| <ul style="list-style-type: none"> • Concerned about participants with substance use disorder and/or mental health issues • Concerned about where people will go when the daytime center closes each night—especially after the Interfaith Rotating Winter Shelter stops operating in March • Bathroom access outside of the center • Concerned about the operations plan—want more information on: <ul style="list-style-type: none"> ○ What is a behavior contract? ○ What constitutes immediate expulsion? • What is the program's capacity? • What will the City do when the center reaches capacity? • Managing coming and goings/migratory patterns | <ul style="list-style-type: none"> • Offer bus passes to individuals when closing the respite center • Add porta-potties outside of the center • Legalize camping and place a respite center in each district based on the success of the pilot • Offer a shuttle service • Create a disbursement plan • Set intention with guests on treating the neighborhood with respect • Ensure there is room for social gathering • Establish a group dynamic with participants and neighbors • Need bike parking |
| Systemic Issues | |
| <ul style="list-style-type: none"> • Concerned the project will increase/attract people experiencing homelessness to Davis • City's long-term plan for addressing homelessness | <ul style="list-style-type: none"> • Volunteering at the respite center could reduce fear |

| Concerns Expressed | Solutions Offered |
|---|--|
| <ul style="list-style-type: none"> • City's plan for nighttime shelter year-round • Concerned about ongoing funding | |
| <p>Process</p> <ul style="list-style-type: none"> • Dislike how Council made the decision • Dislike how the City notified the community • Poor outreach process • Dislike lack of communication • Found the engagement process disturbing • Feel like feedback was not solicited • Feel like residents are being forced to accept the project with no say • Feel like residents have no rights and no way to stop the process and/or change the location • Do not think the City asked what people experiencing homelessness want • Concerned about ongoing plan for community involvement and communication • Concerned about 500 foot policy and how it is not sufficient • Concerned about how the City will measure success • City needs to think through impacts before starting the project • Same as Mace mess | <ul style="list-style-type: none"> • Conduct an impact study to evaluate impacts to safety, property values • Establish an inclusive process where individuals can feel heard • Establish a point of contact for issues • Want notification about December 17 City Council meeting • Want a community liaison • Establish a communication channel • Establish clear measures to evaluate the project with community input |

RESOLUTION NO. ##-XXX, SERIES 2019

**RESOLUTION AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S
DESIGNEE TO EXECUTE AGREEMENTS WITH THE YOLO COUNTY HEALTH AND
HUMAN SERVICES AGENCY AND COMMUNICARE HEALTH CENTERS TO PROVIDE
STAFFING SUPPORT FOR THE PILOT DAYTIME RESPITE CENTER**

WHEREAS, on November 5, 2019, the City Council directed staff to establish a pilot daytime respite center to serve persons experiencing homelessness in Davis, and

WHEREAS, given that City staff possesses minimal experience with direct service provision, the City sought partnerships with other local agencies to provide staffing support for the respite center; and

WHEREAS, the Yolo County Health and Human Services Agency offered the in-kind support of one full-time equivalent case manager employed by CommuniCare Health Centers to be onsite at the respite center and one full-time equivalent case manager to provide general homeless outreach services in Davis; and

WHEREAS, to ensure continuity among staff, CommuniCare Health Centers agreed to hire one full-time equivalent program manager and 0.8 full-time equivalent navigator to ensure robust staffing onsite at the respite center; and

WHEREAS, in addition to staffing, the City needs to appropriate funding toward the respite center; and

WHEREAS, staff is still awaiting a professional cost estimate and therefore is seeking authorization to allow the City Manager or the City Manager's designee to finalize and execute a budget adjustment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davis to authorize the City Manager or the City Manager's designee to:

- Finalize and execute a memorandum of understanding with the Yolo County Health and Human Services Agency to formalize the details of their in-kind and one-time cash contribution to support the respite center
- Finalize and execute a professional services agreement with CommuniCare Health Centers to formalize the hiring of staff to support the respite center
- Finalize and execute a budget adjustment appropriating up to \$350,000 toward the respite center through June 30, 2020

PASSED AND ADOPTED by the City Council of the City of Davis on this 17th day of December, 2019 by the following vote:

AYES:

NOES:

ABSENT:

Brett Lee
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk

RESOLUTION NO. ##-XXX, SERIES 2019

**RESOLUTION DECLARING A SHELTER CRISIS
PURSUANT TO GOVERNMENT CODE SECTION 8698**

WHEREAS, Government Code Section 8698 authorizes localities to declare a shelter crisis if a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety; and

WHEREAS, according to 2019 point-in-time-count data, 190 persons experience homelessness on any given night in Davis; and

WHEREAS, of the 190 persons, 114 experience unsheltered homelessness; and

WHEREAS, the City's only shelter is operated by the Interfaith Rotating Winter Shelter from December through mid-March; and

WHEREAS, the City's dearth of shelter is forcing persons experiencing homelessness to live or stay for long periods of time in locations not suitable for human habitation because they lack basic necessities such as toilets, waste disposal, and running water; and

WHEREAS, several locations have been contaminated with human waste, vermin, parasites, rodents, scabies, and lice.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davis that a shelter crisis pursuant to Government Code Section 8698 exists in the City of Davis.

PASSED AND ADOPTED by the City Council of the City of Davis on this 17th day of December, 2019 by the following vote:

AYES:

NOES:

ABSENT:

Brett Lee
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk

Attachment 4: CEQA Findings of Fact

Pilot Daytime Respite Center Exemption Discussion

The proposal to establish a pilot daytime respite center is a “project” as defined by the California Environmental Quality Act (CEQA). The City is required to review the project pursuant to CEQA requirements.

CEQA Background

The City has determined that the proposed project would be covered by the general rule that if it can be seen with certainty that the project would not have a significant effect on the environment then the project is not subject to CEQA review. A “significant effect on the environment” is defined in CEQA as a “substantial, or potentially substantial, adverse change in the environment.” (Public Resources Code section 21068).

Additionally, the proposed project is Categorically Exempt from CEQA pursuant to exceptions 15301, 15304, 15307, 15308 as discussed in this report.

Beneficial Effects

Projects may have beneficial effects on the environment, and these may be relevant to project review. It was the intent of the legislature that one of the policies of the state is to take action to “protect, rehabilitate and enhance the environmental quality of the state.” (PRC section 21001(a)) The legislature also identified the following policy, which is relevant to the purposes of the proposed project: “Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.” Living conditions of those who are experiencing homelessness are unhealthy, dangerous and fall well below the standards established by the legislature. The presence of substantial populations of people experiencing homelessness create conditions that are dangerous not only to the health of those living on the street, but to others living and working in the community. As just one example, the City has committed substantial time and resources in recent years to clean up homeless encampments where human feces and urine is present. Human feces and urine are known to introduce e coli into drainage and waterways. The unsanitary conditions have resulted in outbreaks of hepatitis A in other California cities. Public Safety personnel are exposed to these conditions when answer calls for service at the encampments. Identifying and acknowledging a proposed project’s beneficial effects does not take the place of the required examination of potential significant adverse effects, but is a legitimate policy consideration.

Review of the Proposed Project

Users

The pilot project is intended to serve current residents of the city experiencing homelessness. The residents typically do not have cars. The residents are currently served by existing public safety services.

Construction

The project site consists of existing building that have always been in use for public services. The project will include modular restrooms and showers to supplement the existing restrooms in

the buildings. The project site already has water, sewer and electrical services. The City would return the site to its existing condition at the termination of the proposed use.

Operation

The proposed project would serve as day shelter for people experiencing homelessness and as a location for providing various social services that respond to needs of those persons. The facility would be designed to serve approximately 50 persons. Approximately 5 persons would be employed or present as volunteers at any one time at the facility. Visitors, such as external service partners, City staff, and first responders, to the site are expected on an occasional basis.

The facility would have normal operating hours of approximately 8:00 a.m. to 5:00 p.m. During these hours employees and volunteers would be on site providing services to users, and those using the facility for day shelter or services would arrive and depart. Outside of those hours users will be encouraged to participate in the interfaith rotating night shelter.

The site would have access via L Streets. Users would not have personal vehicles. Some employees and visitors may utilize transit or bicycle, and some may walk. Parking would be accommodated on L Street. The proposed facility has as its primary purpose a day center sheltering of people experiencing homelessness as well as providing various social services. Transportation would be provided between the Respite Center and interfaith rotating night shelter. Trips would occur within the City limits, and the number of trips, based on the existing City street infrastructure capacity and use, would not result in any significant effect on transportation.

The shelter and service would operate within the existing structures on the site. No activities that would generate loud noise would occur; no amplified sound would be used or permitted inside or outside the building. Noise outside the building would be generated by vehicle use and conversation, and from guests exercising pets. Noise from the outside activities would be consistent with normal activities and would not be significant. There are no sensitive receptors near the site.

Staff would clean the project site on a regular basis. Lighting exists on site and will comply with all applicable Building Code requirements. Any added lighting would be designed to ensure that no spill or glare to surrounding properties or streets would occur.

The site is developed with impervious surfaces, and provides no habitat for rare, endangered or threatened species. Use of the site would have no effect on water quality.

No excavation would occur at the site, and there would be no impact on cultural or historic resources. The building as approved for occupancy would not result in exposure of persons to geologic or seismic hazards.

Persons using the facility are present in the City and currently utilize recreational resources such as parks. Operation of the facility would not have a significant effect on recreation resources, and could result in beneficial effects in that persons experiencing homelessness currently camping or

loitering in City parks will be encouraged to come inside to shelter, and the shelter would accommodate them with their belongings.

The proposed facility would provide services to people experiencing homelessness in a facility within the City limits and served by all City utility services, including water, wastewater and solid waste, as well as police, fire and emergency services. The presence of health care providers will have a beneficial effect of addressing physical and mental health needs of the users. The facility would have predictable and planned occupancy with resulting predictable needs for service. The City has substantial capacity to provide such services, and providing such services in a known location with predictable demand would reduce the overall demand on City utilities and services, thus having a beneficial effect. Hazards associated with human waste have been acknowledged as one of the concerns associated with substantial numbers of people experiencing homelessness within the community. The project facility would include adequate sanitary facilities and would reduce the concerns associated with such hazards. The project would have a beneficial effect in this regard.

Staff at the center will work with user to insure that proposed facility would not adversely affect operations in nearby properties, and would not initiate a use that would interfere with existing uses.

CEQA focuses on the potentially significant effects a project may have on the physical environment. The CEQA Guidelines set forth a general rule that CEQA does not apply to a project when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (CEQA Guidelines section 15061(b)(3)).

In addition to the general rule CEQA provides a list of Categorical Exemptions. The proposed project in part and cumulatively meets the standards of the Categorical Exemptions as noted below.

15301. Existing Facilities - Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. While the proposed project involves a change in use at the project site the project will occupy buildings that had previously been used for public purposes. The only physical change to the property involves the use of temporary modular restrooms, showers and dumpsters. This exemption only speaks to the fact that the project will use existing buildings.

15304. Minor Alterations to Land - Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The proposed use is a minor temporary use of land having negligible or no permanent effects on the environment. The proposed project is a pilot program. At the termination of the project the property can easily be returned to its current condition.

15307. Actions by Regulatory Agencies for Protection of Natural Resources - Class 7

consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the State Department of Fish and Game.

Construction activities are not included in this exemption. The proposed project provides a day center for persons experiencing homelessness. Currently many of these persons are camping in drainage channels, parks and other open space areas that do not have adequate sanitary facilities. As a result, defecation, urine and e coli are causing significant negative impacts to the environment. The proposed project will result in a day center that provides restrooms and showers reducing those impacts.

15308. Actions by Regulatory Agencies for Protection of the Environment - Class 8

consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption. As previously stated, the project will provide access to restrooms and shower reducing the introduction of feces, urine and e coli in the environment.