



Legislation Text

File #: 2023-0240, **Version:** 1

To: Board of Supervisors of the County of Sonoma and the Board of Commissioners of the Sonoma County Community Development Commission

Department or Agency Name(s): Health Services, Regional Parks, and County Administrator's Office

Staff Name and Phone Number: Dave Kiff, DHS Homelessness Services Division Director (707) 565-4090, Tina Rivera, Director of Health Services, (707) 565-4700, Bert Whitaker, Director of Sonoma County Regional Parks (707) 565-2041, Maria Christina Rivera, CAO (707) 565-2431

Vote Requirement: 4/5th

Supervisory District(s): Third, Fourth

Title:

Shelter Crisis, Safe Sleeping Locations for persons experiencing homelessness

Recommended Action:

- A) Adopt a Resolution declaring a Shelter Crisis on or around the portion of the Joe Rodota Trail located within the City of Santa Rosa due to a threat to health and safety of those experiencing homelessness and to the natural environment, public health, and well-being of the community. (4/5th Vote Required)
- B) Approve the creation and operation of emergency housing facilities at the Santa Rosa Veterans Building and the Sonoma County Administration Center, along with the provision of behavioral health, medical, and social services as called for in Sonoma County's Regional Continuum of Care 5-Year Plan. (Majority)
- C) Authorize Regional Park Director to close sections of the Joe Rodota Trail as necessary to reduce health and safety risks for the trail users and the community.
- D) Adopt Resolution Adjusting the Health Services Department FY 22/23 Budget by \$3.0 million to program \$1.5 million of available one-time Medi-Cal based Inter-governmental Transfer (IGT) fund balance, and \$1.5 million from unprogrammed American Rescue Plan Act (ARPA) to finance the emergency outdoor shelters set up and operating costs for a period of up to 1 year. (4/5th Vote Required)
- E) Adopt Resolution Adjusting the Regional Parks Department FY 22/23 Budget by \$50,000 to program General Fund Contingencies needed to finance trail clean-up and readiness for users. (4/5th Vote Required)
- F) Adopt Resolution delegating authority to the Director of Health Services or Designee to execute goods and service agreements in support of the declared Shelter Crisis, as needed.
- G) Authorize the Chair to execute the first amendment to the Regional Park's current agreement with FS Global Disaster Solutions, LLC for Joe Rodota Trail cleanup to increase the agreement's amount by \$100,000 for the total amount of not to exceed \$150,000
- H) Authorize the Chair to execute the third amendment to the Regional Park's current agreement with ESP & Alarms for Joe Rodota Trail security to increase the agreement's amount by \$50,000 for the total amount of not to exceed \$150,000.

(4/5th Vote Required) (Third and Fourth District)

Executive Summary:

The 8.5-mile-long Joe Rodota Trail (JRT) is owned by the County of Sonoma and managed by its Regional Parks department. The trail provides cyclists, runners, walkers, and others with a paved trail connecting Santa Rosa to Sebastopol. It is heavily used by commuters, recreational cyclists, and others as a Class 1 Bikeway offering safety and separation from vehicles.

The JRT is experiencing growing encampments with a number of unsheltered individuals camping adjacent to the trail creating health and safety issues for trail users, the unhoused residents, and the adjacent residential communities. As of this writing, about 50 individuals are camping on the trail (primarily west of Brittain Lane) adjacent to Santa Rosa neighborhoods. In addition to the health and safety risks, these unsanctioned encampments are physically limiting the public's safe use and enjoyment of the trail with frequent instances of debris blocking the corridor, open fires, accumulations of hazardous materials, and loitering. Therefore, staff are presenting a resolution to declare a Shelter Crisis relating to individuals camping on the portion of the Joe Rodota Trail within the City of Santa Rosa so that emergency housing facilities can be created expeditiously to provide a safe place for relocating these individuals.

Consistent with the County's Strategic Plan and the Continuum of Care's 2023-2027 Regional Strategic Plan on Homelessness, staff recommends establishing up to two **emergency housing facility locations** (including but not limited to tents and places for RVs and/or cars) with site supervision, perimeter fencing and security, and wrap-around services at two locations: (1) the Santa Rosa Veterans Building parking lot (likely on the west side of the building); and (2) the County Administrative Center (likely on the parking lot south of Permit Sonoma), with a goal of being operational within the first part of March 2023.

The recommendations include budgetary adjustments totaling \$3.05 million coming from Medi-Cal-related Intergovernmental Transfer (IGT) funds, American Rescue Plan Act (Ac), and General Fund Contingencies to finance the effort. We expect to partner with the City of Santa Rosa to partially address homeless emergency shelter needs within city limits, and partner with city law enforcement agencies to clear and close the trail once the County has offered individuals placements at the new housing facilities or at other shelter locations as space permits.

Discussion:

Previously, in late 2019 and early 2020 the Joe Rodota Trail (JRT) experienced a large unsanctioned encampment of more than 200 persons. After 3-4 months and an investment of up to \$12 million, the unhoused population at the time was offered alternative shelter and the trail was restored and reopened to the public. Efforts resulted in the creation of the Los Guilicos Village in early 2020, a non-congregate shelter (NCS) with 60 individual pallet shelters. LG Village is still in operation today and serves as a place for encampment and other unhoused residents to stabilize and receive case management and related behavioral and physical health care.

The LG Village has served more than 260 individuals since early 2020, with an average stay of 6-9 months. Following this effort, the County in partnership with or alongside several Sonoma County cities have completed several projects that add to the region's inventory of interim and permanent supportive housing. These include, but are not limited to:

- In Healdsburg:
 - The L&M Village (an interim housing site funded via Homekey-2 with 22 units);
- In Petaluma:

- Petaluma's Peoples Village (an NCS site with 25 units);
- The Studios at Montero Place (a permanent supportive housing [PSH] Homekey-2 site with 60 units, planned to be open later in Spring 2023);
- In Rohnert Park:
 - Labath Landing (an interim housing site funded via Homekey-2 with 60 units);
 - Roberts Lake "safe sleeping location," a sanctioned encampment with services housing about 45 people;
- In Santa Rosa:
 - The Utilities Field Office (UFO) safe RV parking location off of Stony Point Road near Finley, which houses about 50 individuals within cars or RVs;
 - Catholic Charities' Caritas Center, a location for family shelter, individual shelter, and medical respite which added about 60 interim units (200 new units will replace the 138-beds at the old family; shelter) and opened in Fall 2022. Later PSH units will include housing for at least 30 very low income formerly homeless individuals under California's *No Place Like Home* effort;
 - The County's Mickey Zane Place (a Homekey-1 project in Santa Rosa with 44 high-needs client care beds, planned to transition to PSH later in 2023);
 - The County's Ballfield Fairgrounds Trailers, which include up to 35 trailers housing about 40 persons coming out of homelessness.
- In the Russian River area:
 - The County's George's Hideaway site (a Homekey-2 PSH project with 21 units, planned to be open in late 2023)
- In Sebastopol:
 - With the City of Sebastopol, the Horizon Shine Village, an 18-spot RV and car safe sleeping location.
 - The County's Elderberry Commons (a Homekey-1 project in Sebastopol with 33 rooms, planned to transition to PSH in Summer 2023); and
- The County's 3 scattered site homes, which include up to 18 beds for persons coming out of homelessness.

Inclusive of LG Village, each of the above sites has had financial contributions from the County of Sonoma via discretionary and pass-through funds, except for the Roberts Lake encampment. Tallying up the above, this has added (or will soon add) about 521 total beds, including 422 NCS or Interim Housing beds and up to 99 PSH units. Despite this, there is no existing capacity to provide shelter or house individuals presently on the JRT due to the persistent growth and concentration of encampments in this stretch of the JRT area over the past few years.

Even after the County placed more than 25 individuals into shelter from an encampment on the JRT in late January 2023 (after offering shelter to more than 35 individuals in total), the JRT is once again attracting unsheltered individuals to camp in unauthorized areas. After the most recent encampment of approximately 35 individuals was finally cleared and closed for cleaning on and around January 24, within less than a week, some of the population reestablished a new encampment further down on the JRT. As of this writing, there are approximately 50 tents in two encampments along a stretch of the JRT within the Santa Rosa city limits. Security gates have been compromised and, in some cases, used to support new make-shift shelters. Security gates at this time are no longer being restored. Since July 2022, Regional Park's has spent more than \$200,000 in private security, trash removal, and fencing along these impacted sections of the JRT.

Consistent with the Sonoma County's Continuum of Care (CoC) 2023-2027 Homelessness Strategic Plan, staff recommends offering alternative outdoor emergency safe sleeping locations to the JRT campers and availing some limited RV capacity to address "wait listed" residents for the City of Santa Rosa's safe parking location.

EMERGENCY SAFE SLEEPING LOCATION PROJECT(S)

Similar to the effort at Roberts Lake in the city of Rohnert Park, we envision up to two managed emergency housing facilities, with one in the parking lot at the Veterans Memorial Building site (1351 Maple Avenue, Santa Rosa) across from the Fairgrounds and one at the County Administrative Center at the Permit Sonoma parking lot (2550 Ventura Avenue, Santa Rosa). Attachment A includes maps/diagrams of the two locations.

The managed emergency housing facilities would include, but not be limited to:

- Tent and/or pallet shelter facilities for up to 50 individuals or pairs, including portable restrooms, washing stations, and a shower service. Pets would be allowed if deemed safe to others. A community gathering area would provide a place to rebuild community and independently plan for next housing steps.
- If appropriate, staff intend to collaborate in both programming and funding participation with the City of Santa Rosa a Safe RV/Car Parking element that would include up to 25 RVs or cars, to allow more people to move off the waitlist at the current SR Safe Parking location off of Stony Point Road.
- Site management that includes resident safety protocols, security, aesthetic and safety fencing, sanitation, rule adoption and enforcement, visitor restrictions, places for bikes and storage of possessions, and community responses as required.
- Resident case management, including behavioral and physical health care, recovery services, housing navigation, benefit assistance, and related wrap-around services. This would include travel assistance to medical professionals, jobs and job training, and more.
- Rules and standards that protect resident safety and the safety of adjacent neighborhoods.

The locations would be both **housing first** (individuals cannot "use" onsite and substance use disorder would be managed via harm reduction principles) and **housing-focused** (meaning a top priority during a person's stay is to regularly and diligently pursue housing), with a routine review of residents' progress in securing long-term housing, either at another interim site, PSH, or other housing. Residents would be expected to follow a case manager's direction to pursue long-term housing, which would be reviewed on a 28-day recurrence. Those that were making progress on their path to stable housing may be able to stay longer than 28 days, those who were not making progress could be directed to leave. A stay duration limit would be applied consistent with the US Department of Housing and Urban Development's (HUD's) Continuum of Care rules. Staff envision this safe sleeping and RV parking location to be operative for up to a year, but this timeline may need to be adjusted based on conditions in the field.

Staff envision one or more service providers assisting with this effort, likely from existing area vendors. For example, one vendor may provide site management, with another providing case management. Alternatively, one provider may be selected to manage one or both sites. The emergency declaration noted in this staff report would allow the rapid assignment of these roles.

It is likely that current County staff at the Department of Health Services' Interdepartmental Multi-Disciplinary Team (IMDT-HEART) within the Division of Homelessness Services may assist in standing up the safe sleeping location, but staff hope that this time-intensive need will not be required for more than a few initial weeks. In the longer term, it is likely that the IMDT-HEART and IMDT-Expansion cohorts would assist service providers and safe sleeping location individuals with additional case management, behavioral health or substance use

disorder support as needed (as the teams do for existing sites).

SHELTER CRISIS RESOLUTION

Pursuant to Government Code section 8698.2, the County and Community Development Commission (CDC) have the ability to declare a Shelter Crisis upon a finding that “a significant number of persons within the jurisdiction of the governing body are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those persons.” In making this declaration, the County and CDC may limit the declared Shelter Crisis to any geographic portion of the state. Given the persistent and ongoing encampments the County has been responding to along the Joe Rodota Trail over the past year, at this moment there are not a sufficient number of shelter placements available to accommodate all of the individuals currently living along the Joe Rodota Trail. Consequently, staff recommends that the Board of Supervisors and Board of Commissioners of the CDC declare a Shelter Crisis on and around the portion of the Joe Rodota Trail located within the City of Santa Rosa so that additional emergency housing facilities can be created expeditiously to address the growing encampments in the area.

The Joe Rodota Trail is a recreational and commuter trail intended to be enjoyed by the public at large, and the existence of encampments on the trail impedes the public use of this property for its intended purpose, blocks the safe and efficient passage of bicycles, pedestrians, and emergency vehicles through the designated right-of-way, and creates significant health and safety concerns for the persons living on the trail as well as a threat to the environment, public health, and the safety and well-being of the community at large. With the rapid growth of the current encampments, the situation has resulted in a threat to the health and safety of those persons living on the trail as well as adjacent property owners, neighborhoods, the environment, and the general public, and immediate action is needed to mitigate the growing health and safety risks in the area.

The County and CDC previously declared a Shelter Crisis on October 9, 2018, pursuant to Government Code § 8698.2. Despite significant efforts the County, CDC, and other local jurisdictions to increase housing units in the County by more than 420 interim housing beds and another nearly 100 permanent supportive housing beds over the past five years, large homeless encampments still continue to grow, particularly on the portion of the Joe Rodota Trail within the Santa Rosa. Over the past five years, individuals have congregated on the trail and established a number of large homeless encampments that have grown exponentially in a short amount of time, exposing individuals experiencing homelessness as well as the surrounding areas to serious health and safety risks.

A declaration of a Shelter Crisis under Sections 8698.2 provides the County and CDC with the following options and benefits:

- Any vacant or underutilized facility or property currently owned, leased, operated, or maintained by the County may be designated as a public facility to be used as an emergency housing facility for individuals that are unable to obtain housing during the Shelter Crisis.
- The County may suspend the provision of any state or local law or regulation prescribing standards of housing, health, or safety to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the Shelter Crisis or the creation of the emergency housing facility, so long as the County has established certain minimum standards for such emergency facilities. In addition, any homeless shelter established under the declaration, is expressly exempt from specified occupancy and residency laws and related provisions of the health and safety code and civil code.

- CEQA expressly does not apply to actions by the County to facilitate the use of the designated property for purposes of the emergency shelter.
- The County and CDC are immune from liability for ordinary negligence in the provision of emergency housing to unsheltered persons during the declaration, limited to conditions, acts, or omissions directly related to, and which would not occur but for the provision of emergency housing.
- A Shelter Crisis declaration triggers specified annual reporting requirements to the state for the duration of the Shelter Crisis relating to homeless population figures, shelter capacity, and the progress being made to reduce homelessness and transition individuals to permanent housing.

Attachment B is the proposed Shelter Crisis Resolution.

TRAIL CLEAN UP AND RESTORATION, PUBLIC SAFETY PATROLS AND POSTING NO CAMPING

As the encampments are vacated, the JRT will be temporarily closed for up to one week to facilitate the removal of hazardous materials, trash and other repairs as necessary. Regional Parks will be installing additional signage on the trail to inform individuals of the camping prohibition. Park Rangers and private security will continue to provide public safety patrols along the trail multiple times daily educating individuals that camping is not permitted, providing contact information to seek help and support with shelter, and the formal issuance of notices to vacate consistent with the emergency ordinance as necessary. Individuals using the trail are encouraged to report any illegal, non-housing related, behaviors or activities in progress to the City of Santa Rosa Police Department consistent with the current Memorandum of Understanding between the Santa Rosa Police Department and the Sonoma County Sheriff's office for the delivery of law enforcement services within their respective jurisdictions.

The Regional Park's is requesting the Board's approval to execute the third amendment to the existing agreement with FS Global Disaster Solutions, LLC to increase the total amount of the agreement by \$100,000 to pay for the ongoing and unplanned cleanup services at the Joe Rodota Trail. On August 31, 2022 Regional Parks entered into a professional services agreement with FS Global Disaster Solutions, LLC in the amount of not to exceed \$50,000 for the ongoing cleanup needs along the Joe Rodota Trail. The increase to the contract's amount will allow Regional Parks to continue the ongoing cleanups on Joe Rodota Trail while a request for proposals is advertised and a new contract is negotiated.

Additionally, Regional Park's is also requesting the Board's approval to execute the third amendment to the existing agreement with ESP & Alarms to increase the total amount of the agreement by \$50,000 to pay for unplanned services provided while addressing encampments on the trail during the fiscal year 22-23. On March 15, 2022, Regional Parks entered into a professional services agreement with ESP & Alarms, Inc. in the amount of not to exceed \$100,000 for the patrolling of Joe Rodota Trail. The contract amount covers the costs of ongoing patrolling for 12 months with \$8,750 for the additional as-needed services. Amendment 1 was issued on May 10, 2022, to update the scope and the price sheet of the agreement to include 24-hour emergency patrolling needs at Joe Rodota Trail. To date the trail has required 290 hours of 24-hour patrolling and we anticipate additional 24-hour patrolling over the next month. The current contract's amount will not fully cover the additional cost of the unplanned 24-hour patrolling. ESP & Alarms, Inc. was the only supplier able to respond to an emergency request and provide staff for 24-hour patrolling. Additionally, they have a historical knowledge of the encampments patrolling and reporting that other suppliers do not have.

FUNDING SOURCES

The total estimate for the up to 12-month emergency safe sleeping location, trail restoration, and

implementation of the amended ordinance limiting camping on public property is estimated to cost Up to \$3,050,000. The following funding plan has been developed for the Board's consideration and the associated budget resolutions are Attachment C and D.

Description	Source	Estimated Amount
Project Set Up, up to 12-mos Operations including Security for two (2) county owned sites	MediCal Reimbursement - IGT \$5.6M Fund Available Balance Estimated as of 6/30/2023	\$1,500,000
	American Rescue Plan Act (ARPA)	\$1,500,000
Trail restoration, cleaning, and removal of hazardous materials	General Fund Contingencies	\$25,000
No Camping on Parks Signage Implementation Sonoma County Code 20-25 < https://library.municode.com/ > General Fund Contingencies	\$5,000	
Private security and temporary fencing for trail	General Fund Contingencies	\$20,000
TOTAL		\$3,050,000

DELEGATED AUTHORITY TO ENGAGE GOODS AND SERVICES

As part of the creation and operation of the two emergency housing facilities, staff have identified urgent services contract needs due to the concurrently declared Shelter Crisis and to address the growing encampments on the Joe Rodota Trail and relocate individuals from the trail to the newly established emergency housing facilities. In addition to the procurement of tents, shelters, and other goods necessary for the operation of the emergency housing facilities, these needs include site operation, security, housing, food, transportation, navigation services, as well as wrap-around services, including social, medical, and behavioral health services. Many of these services will meet interim, short-term needs and are necessary to stabilize existing conditions pending long-term, comprehensive plans for effectively resolving the homelessness emergency. Because existing County personnel and resources are insufficient to meet the extent, breadth, and specialization of services needed, especially while maintaining normal County services and operations, the County will need to contract out for a number of these service needs.

The standard County procurement process required for obtaining services is often lengthy in duration, and typically involves competitive process. The urgency of the Shelter Crisis and the serious health and safety risks of the growing encampments on the Joe Rodota Trail are such that standard procurement process timeframes are unacceptable to meet the existing and expected needs for creation and operation of the two emergency housing facilities and associated services recommended by staff. Accordingly, staff recommend that your Board adopt the attached resolution delegating authority to the Director of Health Services or her designee to negotiate and execute agreements for interim emergency services needed to respond to the current Shelter Crisis, in a cumulative amount not to exceed \$3 million, on condition that informal competitive bidding and such other methods and procedures be used to secure best value consistent with emergency needs, a single or sole source waiver be obtained for any such agreements over \$50,000 in accordance with Sonoma County Code 2-58, and contingent on funding being available and identified for such agreements. In addition, the resolution includes related provisions directing the County Purchasing Agent 1) to process and

expedite sole and single source waivers and 2) prioritize and expedite procurement and processing of all said contracts and agreements and as requested by the Director of Health Services in accordance with this Resolution.

Under the County's policies for procurement of services, interim emergency agreements may, among other reasons, be executed in light of urgent emergency needs to preserve life, health or property and to maintain essential public operations. Pursuant to Government Code section 23005 and other applicable law, in general the Board of Supervisors may delegate authority subject to its agents and officers to exercise certain powers.

The Delegated Authority Resolution is Attachment E.

Strategic Plan:

This item directly supports the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

Pillar: Healthy and Safe Communities

Goal: Goal 1: Expand integrated system of care to address gaps in services to the County's most vulnerable.

Objective: Objective 3: Increase investment in programs that treat underlying causes of homelessness, including substance abuse, mental illness, poverty, and lack of affordable housing.

Prior Board Actions:

March 10, 2020 - The Board took further action to expand housing options related to the Trail, including creating the HEART Team (Item 2020-0132)

December 23, 2019 - The Board acted to address the JRT encampment, including authorizing housing solutions such as LG Village (Item 2019-1922)

FISCAL SUMMARY

Expenditures	FY 22-23 Adopted	FY 23-24 Projected	FY 24-25 Projected
Budgeted Expenses	\$3,050,000		
Additional Appropriation Requested			
Total Expenditures	\$3,050,000		
Funding Sources			
General Fund/WA GF			
State/Federal	\$1,500,000		
Fees/Other: ARPA	\$1,500,000		
Use of Fund Balance			
Contingencies	\$50,000		
Total Sources	\$3,050,000		

Narrative Explanation of Fiscal Impacts:

Purchase of common sanitary facilities, site readiness, and up to 12 months of site operation and management are estimated to be \$3 million, while trail clean up and hazard materials removal by Regional Parks is estimated to be up to \$50,000. Unprogrammed \$1.5 million of ARPA funds and up to \$1.5 million of state medical reimbursement Inter-governmental Transfer (IGT) fund balance are available for homeless support services. General Fund contingency is requested for trail clean up, restoration, and security.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

There will be no changes to current staff allocations for this Board action, but some re-direction of work for the IMDT cohorts may be required in the initial set-up stages of this effort.

Attachments:

Attachment A: Possible Locations for Managed Safe Sleeping Locations

Attachment B: Resolution Declaring Shelter Crisis

Attachment C: Outdoor Shelter Budget Resolution

Attachment D: Trail Clean-up Budget Resolution

Attachment E: Resolution Delegating Authority to the Director of Health Services

Related Items "On File" with the Clerk of the Board:

None