

City of Capitola Agenda

Mayor: Jacques Bertrand
Vice Mayor: Kristen Petersen
Council Members: Ed Bottorff
Yvette Brooks
Sam Storey



CAPITOLA CITY COUNCIL SPECIAL MEETING

MONDAY, JANUARY 14, 2019

6:00 PM

CITY COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Sam Storey, Kristen Petersen, Yvette Brooks, Ed Bottorff, and Mayor Jacques Bertrand

2. ADDITIONAL MATERIALS

Additional information submitted to the City after distribution of the agenda packet.

3. ADDITIONS AND DELETIONS TO AGENDA

4. PUBLIC COMMENTS

For a Special Meeting, Government Code 54954.3(a) allows a legislative body to limit Oral Communications to comments related to items on the agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their names may be accurately recorded in the minutes.

5. CITY COUNCIL / STAFF COMMENTS

City Council Member /Staff may comment on matters of a general nature or identify issues for staff response or future council consideration. No individual shall speak for more than two minutes.

6. GENERAL GOVERNMENT / PUBLIC HEARINGS

All items listed in "General Government" are intended to provide an opportunity for public discussion of each item listed. The following procedure pertains to each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

- A. Consider a Homeless Shelter Crisis Declaration
RECOMMENDED ACTION: Council discretion to consider a resolution declaring a Homeless Shelter Crisis within Capitola.

7. ADJOURNMENT

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes "final." Please be advised that in most instances the decision become "final" upon the City Council's announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City prior to the meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.cityofcapitola.org by clicking on the Home Page link "Meeting Video." Archived meetings can be viewed from the website at anytime.



CAPITOLA CITY COUNCIL SPECIAL MEETING AGENDA REPORT

MEETING OF JANUARY 14, 2019

FROM: City Manager Department

SUBJECT: Consider a Homeless Shelter Crisis Declaration

RECOMMENDED ACTION: Council discretion to consider a resolution declaring a Homeless Shelter Crisis within Capitola.

BACKGROUND: California Government Code Sections 8698-8698.2 allow for the legislative body of a city to formally declare a homeless shelter crisis within the city when a situation exists “where a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety.”

Declaring a homeless shelter crisis enables the city to suspend any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety to the extent that strict compliance “would in any way prevent, hinder, or delay mitigation of the effects of the shelter crisis.” More simply put, the declaration allows the city to enact alternative health and safety standards during the shelter crisis while still ensuring minimal public health and safety, and grants immunity from liability for ordinary negligence in the provision of emergency shelter.

Perhaps most importantly, the declaration of a shelter crisis allows eligible grant sub-recipients (cities, counties, nonprofits, etc.) to tap into one-time grant funds for capital expenditures within the jurisdictions. For example, with the declaration of a shelter crisis in Capitola, grant funds could be used to develop the following types of facilities within Capitola:

- emergency shelters
- navigation centers
- transitional housing
- drop-in centers
- permanent supportive housing
- small/tiny houses
- improvements to current structures that serve homeless and address a public health crisis

In order to declare a shelter crisis, the state requires the City find that the number of homeless based on the past point-in-time count is significant, that the health and safety of unsheltered persons is threatened by a lack of shelter, and that a shelter crisis pursuant to Government Code 8698.2 exists in Capitola. A draft resolution is included as agenda packet.

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The most recent biennial point-in-time homeless census was released in July 2017. That report found 21 unsheltered individuals in Capitola.

Total Number of Homeless Persons by Jurisdiction and Shelter Status, 2017
Source: Applied Survey Research. (2013-2017). Santa Cruz County Homeless Census.

JURISDICTION	UNSHELTERED	SHELTERED	TOTAL	2015-2017 NET CHANGE
Total Incorporated	1,314	429	1,707	410
City of Capitola	21	0	21	9
City of Santa Cruz	934	306	1,204	373
City of Scotts Valley	19	0	19	5
City of Watsonville	340	123	463	23
Total Unincorporated Confidential Scattered Site	485	21	542	201
Total	1,799	450	2,249	285

The cities of Santa Cruz and Watsonville have each declared a shelter crisis, as has the County of Santa Cruz. While originally Capitola staff was informed the deadline to declare a shelter crisis was the end of January, on January 4 the City was informed the deadline had shifted to January 15.

Through SB 850, a bill signed by the Governor in June 2018, California made \$500 million available statewide in one-time surplus funding through the Homeless Emergency Aid Program, or HEAP. For our region, \$9.67 million has been made available to, and will be disbursed from, the Watsonville/Santa Cruz Continuum of Care (CoC).

The CoC is a federally mandated program designed to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and allow state and local governments to quickly rehouse homeless individuals and families. For Santa Cruz County, the certified CoC is the Housing Action Partnership (HAP), a broad-based community-wide action team (Attachment 1). The City is currently a participant on the HAP through its Executive Committee.

Under State rules, capital improvements made with these HEAP grant funds may only be spent in jurisdictions that have declared a shelter crisis.

However, other services, regional rental assistance, and subsidy programs funded by HEAP grants can be used in a city that does not have a shelter crisis resolution. Specifically, person-based rental assistance funded by HEAP can be used anywhere in the county, including in Capitola. It doesn't matter if the rental assistance provider is the County, a city, or a nonprofit. However, place-based rental assistance (e.g., a master-leased building) cannot be used in Capitola absent a shelter crisis declaration.

Late last year the CoC submitted our region's grant for HEAP funding to the State. Given the large amount of available funding, the HAP conducted localized stakeholder engagement meetings in late November and early December. That feedback was merged to inform the

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spending framework that was submitted with the HEAP application (Attachment 2). City staff participated in the stakeholder meeting held in Live Oak.

The State requires local CoCs to issue requests for proposals (RFPs) to allocate HEAP funding and ensure the money is spent within the next two years. Currently the HAP is finalizing the details of how to issue that RFP, how monies may be distributed across the county, and how grants will be awarded. The process to award grants has not been finalized, but if the current process for rating and ranking applications for HUD funding is used, then the HAP Board would be charged with awarding the HEAP grants. The City of Capitola shares a seat on the HAP Board with Scotts Valley. That seat, separate from the executive board on which Capitola sits, is currently held by Scotts Valley.

The City has been an active long-term participant in the HAP with the City Manager sitting on the HAP Executive Committee, which designates funding for the winter shelter, the biannual census, and strategic staffing assistance to the CoC. The City's commitment to the HAP includes allocating more than \$34,000 in Fiscal Year 18/19 to provide a regional winter homeless shelter and implement the improved regional coordinated entry program.

In addition, the City allocates funding through its Community Grant Program to a number of nonprofit entities who provide services to homeless individuals including the Homeless Services Center, Families In Transition, Encompass, Second Harvest, CASA, Big Brother Big Sister, and United Way.

The RFP for HEAP funding is scheduled for release later this month, with funding awarded later this winter.

FISCAL IMPACT: Unknown at this time.

ATTACHMENTS:

1. HAP Structure (PDF)
2. HEAP table (PDF)

Report Prepared By: Jamie Goldstein
City Manager

Reviewed and Forwarded by:



Jamie Goldstein, City Manager

1/11/2019

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RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
DECLARING A SHELTER CRISIS PURSUANT TO SB 850
(CHAPTER 48, STATUTES OF 2018 AND GOVERNMENT CODE 8698.2)**

WHEREAS, California's Governor Edmund G. Brown, Jr. and the members of the California Legislature have recognized the urgent and immediate need for funding at the local level to combat homelessness;

WHEREAS, The Governor and Legislature have provided funding to local governments under the Homeless Emergency Aid Program as part of SB 850 and the 2018-19 Budget Act (Chapter 48, Statutes of 2018);

WHEREAS, The Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code §8698.2;

WHEREAS, the City of Capitola has developed a homelessness plan and undertaken multiple efforts at the local level to combat homelessness;

WHEREAS, the City of Capitola finds that 21 persons within the City of Capitola are homeless and living without shelter;

WHEREAS, the City of Capitola finds that the number of homeless is significant, and these persons are without the ability to obtain shelter;

WHEREAS, the City of Capitola finds that the health and safety of unsheltered persons in is threatened by a lack of shelter;

WHEREAS, the City of Capitola affirms its commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola, that a shelter crisis pursuant to Government Code §8698.2 exists in the City of Capitola and authorizes Capitola's participation in the Homeless Emergency Aid Program.

I HEREBY CERTIFY that the above and foregoing Resolution was passed and adopted by the City Council of the City of Capitola, State of California, at its special meeting held on the 14th day of January, 2019, by the following vote:

AYES:

NOES:

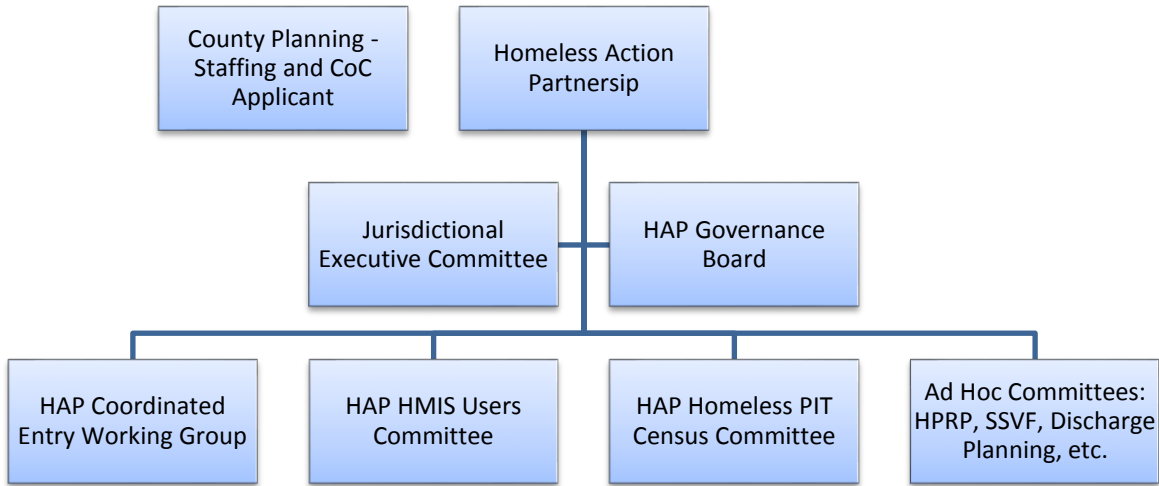
ABSENT:

ABSTAIN:

HAP Organizational Structure & Members

What is the Homeless Action Partnership (HAP)?

The Homeless Action Partnership is a broad-based, community-wide action team, which has met every two months since 1996 to implement a strategy for resolving homelessness. The HAP's *vision* is that all Santa Cruz County residents will have the stable housing and appropriate services they need to live in dignity and reach their highest potential. Its *mission* is to develop and implement a coordinated system of housing and services for preventing and ending homelessness in Santa Cruz County. Its current structure is as follows:



What Are Key HAP Roles and Activities?

Key HAP activities have included all of the following and more:

- **CoC Application** - Coordinating the community process, rating and ranking funding proposal, and being the applicant for annual HUD CoC funds (\$20 million secured since 2000);
- **State ESG Applications** - Reviewing, ranking, and prioritizing projects for annual State Emergency Solutions Grant (ESG) funding;
- **Encouraging New Innovative Programs** - Developing and securing funds for prevention and rapid rehousing programs, including Homelessness Prevention and Rapid Rehousing (\$4 million secured), ESG, and Supportive Services for Veteran Families (SSVF - currently seeking \$4 million), and mainstream sources;
- **HMIS and Other Homelessness Data** - Implementing and operating homelessness data and data systems, including CoC-wide Homeless Management Information System HMIS, biannual point-in-time homeless census, Annual Homeless Assessment Report (AHAR), and annual Housing Inventory Count (HIC);
- **Strategic Planning and CoC System Development** - Preparing and carrying out the 10-Year Plan to End Homeless (now being replaced);
- **HEARTH Act Implementation** - Taking steps needed to implement the federal homeless Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, such as updating governance documents, creating program standards, planning coordinated assessment, setting CoC performance measures, and redesigning the CoC system; and
- **Systems Coordination and Integration** - Coordinating with other homeless targeted and mainstream systems, including County Homeless Education, Consolidated Plan jurisdictions

Attachment: HAP Structure (Consider Homeless Shelter Crisis Declaration)

(State and Santa Cruz), Department of Veterans Affairs, Cities, and County departments of Planning, Health, and Human Services.

Who Are the Current HAP Members?

Nonprofit homeless service providers

- Families in Transition
- Homeless Services Center
- Pajaro Valley Shelter Services
- Community Action Board/Shelter Project
- Community Technology Alliance (HMIS Lead)

Victim service providers

- Defensa de Mujeres

Faith-based organizations

- Salvation Army Watsonville

Government (staff representatives)

- City of Watsonville
- City of Santa Cruz
- City of Scotts Valley
- City of Capitola
- County of Santa Cruz Human Services Department
- County of Santa Cruz Health Services Agency
- County of Santa Cruz Planning Department

Advocates

- United Way of Santa Cruz County
- California Rural Legal Assistance
- Smart Solutions
- 180/180 Santa Cruz

Public housing agencies

- Housing Authority of the County of Santa Cruz

School districts

- County of Santa Cruz Office of Education, Homeless Program

Social service providers

- Mountain Community Resource Center
- County of Santa Cruz Health Services Agency/HPHP
- Santa Cruz AIDS Project

Mental health agencies

- County of Santa Cruz Health Services Agency/Mental Health Division
- Encompass Community Services
- Central Coast Independent Living Center

Universities/Research

- Applied Survey Research

Affordable housing developers

- Front Street Housing, Inc.
- Abode Services
- Midpen Housing

Organizations that serve homeless veterans

- Veterans Administration--PAHCS-Monterey
- Veteran Resource Centers

Homeless and formerly homeless persons

- Linda Lemaster

2 at-large

- Paul O'Brien
- Don Lane

Who Staffs the HAP?

The HAP is staffed by the County of Santa Cruz Planning Department, which also serves as the CoC Collaborative Applicant for the annual CoC Applications. Key staff are Julie Conway at 831.454.5162 or Julie.conway@co.santa-cruz.ca.us, and CoC Consultant Tony Gardner at 415.458.2460 or tonygardnerconsulting@yahoo.com

Attachment: HAP Structure (Consider Homeless Shelter Crisis Declaration)

Estimated Budget for Approval for HEAP Block Grant Funding Application Purposes - \$9,674,883 (State will allow % & activities to be changed)

HEAP Eligible Activities	Summary of Activities to be Locally Prioritized for Funding	All In Priority Areas	Estimated % & Budget
<p>1. Services: Include but not limited to street outreach, health and safety education, criminal justice diversion programs, homeless prevention services, navigation services, and operating support for short-term or comprehensive homeless services.</p>	<ul style="list-style-type: none"> • Street Outreach • Emergency shelter operating support • Navigation center operating support • Support Services: case management, housing navigation, treatment, seniors, childcare, jobs • Smart path training/coordination • Safe parking • Landlord incentives and education • Reducing barriers to housing • Integrated support teams • Capacity building, networking, education • Restroom/hygiene facilities 24/7 throughout city; mobile shower/laundry to roam throughout county • Legal services regardless of the individual's status. 	<p>Crisis Response Sys. Supp. Families Chronic/Adults Vets So. Cty.</p>	<p>26% = \$2,515,470</p>
<p>2. Rental assistance or subsidies: Include but not limited to housing vouchers, rapid re-housing programs, flexible housing subsidies, and eviction prevention strategies.</p>	<ul style="list-style-type: none"> • Prevention • Diversion • Rapid Rehousing • Integrated support linked to housing • Rental assistance and security deposit guarantee program. 	<p>Crisis Response Permanent Housing Families Chronic/Adults Vets So. Cty.</p>	<p>17% = \$1,644,730</p>
<p>3. Capital improvements: Include but not limited to emergency shelter, navigation centers, transitional housing, drop-in centers, permanent supportive housing, small/tiny houses, and improvements to current structures that serve homeless. Solutions to address public health crisis e.g., hand-washing stations, public toilets and shower facilities.</p>	<ul style="list-style-type: none"> • Capital improvements for services above • Emergency shelter development/expansion - adults and families • Navigation centers development - low barrier • Incentives to build accessory dwelling units and tiny homes • New or existing affordable housing & PSH • Incentives to build childcare facilities with housing projects • Immediate solutions: storage, bathrooms, showers, laundry, charging stations. 	<p>Crisis Response Permanent Housing Families Chronic/Adults So. Cty.</p>	<p>35% = \$3,386,209</p>
<p>4. Homeless youth set-aside (minimum 5%): Establish or expand services meeting the needs of homeless youth or youth at risk of homelessness. Includes but not limited to homelessness prevention and intervention services, education surrounding tenant-landlord laws/independent living skills/etc., and criminal justice diversion services.</p>	<ul style="list-style-type: none"> • Immediate shelter/host home for <18 • Center for YYA - overnight shelter and drop-in center • Housing options: lofts, tiny houses, group homes, housing units, master leasing, set-asides, transitional housing, college-to-career rapid rehousing, and other • Services: mental health, LGBTQ, immigrant, justice-involved, foster care • Youth system team: coordination, planning, advocacy, evaluate • Unmet costs for required YHDP evaluation • Bring currently underfunded YHDP projects to full funding. 	<p>Crisis Response Sys. Supp. YYA So. Cty.</p>	<p>15% = \$1,451,232</p>
<p>5. Other:</p>	<ul style="list-style-type: none"> • Strategic planning, program evaluation and community outreach 	<p>Plan Admin</p>	<p>2% = \$193,498</p>
<p>HEAP Admin (5% cap)</p>	<ul style="list-style-type: none"> • HEAP admin staffing and related costs 	<p>Plan Admin</p>	<p>5% = \$483,744</p>
<p>Total HEAP Budget</p>			<p>100% = \$9,674,883</p>

Attachment: HEAP table (Consider Homeless Shelter Crisis Declaration)