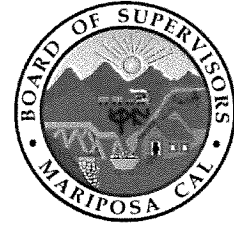




MARIPOSA COUNTY

Health and Human Services · (209) 966-2000



RESOLUTION - ACTION REQUESTED 2019-545

MEETING: September 17, 2019

TO: The Board of Supervisors

FROM: Chevon Kothari, Health and Human Services Director

RE: Approve the Health and Human Services Agency Establishing Phase 2 of the Homeless Shelter Program

RECOMMENDATION AND JUSTIFICATION:

Resolution Approving the Health and Human Services Agency Establishing Phase 2 of the Homeless Shelter Program.

Staff recommends that the Board reaffirm its findings made on November 13, 2018 and authorize HHSA to implement Phase 2 of the Homeless Shelter program, as outlined below :

1. Pursuant to California Government Code Chapter 7.8, the Board of Supervisors adopted Resolution No. 2018-518 on November 5, 2018, declaring a Shelter Crisis in Mariposa County, finding a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety.
2. At each meeting since November 5, 2018, the Mariposa County Board of Supervisors has adopted a Resolution Continuing a Shelter Crisis Local Emergency in Mariposa County.
3. In adopting these resolutions, the Board of Supervisors considered the impending on-set of the winter season, during which the average daily low temperatures in Mariposa County are 36°F for the month of November, 31°F during the month of December, 31°F during the month of January, 33°F during the month of February, and 35°F during the month of March.
4. The Board of Supervisors considered the Declaration of a Local Health Emergency by the County Health Officer, dated October 31, 2018. The Public Health Officer declared that:
 - a. the homeless situation created a potential for an imminent and proximate threat of a communicable disease, particularly Hepatitis A;
 - b. the homeless situation placed the homeless at risk for exposure to the elements; and
 - c. a local health emergency is threatened to exist in areas of the County where the accumulation of waste can occur due to unregulated

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encampments.

5. Pursuant to California Government Code Section 8698.1, as a result of the Board of Supervisors' declaration of a shelter crisis, the provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety are suspended to the extent that strict compliance would in any way prevent, hinder or delay the mitigation of the effects of the shelter crisis.
6. Pursuant to California Government Code Section 8698.2(b), upon a declaration of a shelter crisis, the County may allow persons unable to obtain housing to occupy designed public facilities during the duration of the state of emergency.
7. Pursuant to California Government Code Section 8698(c), public facility means any facility of the county, including parks.
8. Mariposa County owns property adjacent to the Health and Human Services Agency Building known as APNs 012-142-026 and 012-142-027. This property was acquired for park purposes.
9. The Board of Supervisors finds that zoning ordinance provisions, including both land use requirements and design review standards, are a local regulation which would prevent, hinder and delay the mitigation of the effects of the shelter crisis.
10. Pursuant to California Government Code Section 8698.1, the Board of Supervisors may establish standards to be operative during the housing emergency, consistent with ensuring minimal public health and safety standards. These standards shall only apply to additional public facilities open to the homeless.
11. For both Phases 1 and 2, the Board of Supervisors finds and directs county staff, including Health and Human Services Agency staff, Public Works staff, County Fire staff, Planning staff, and Sheriff's staff, to determine and implement the minimal necessary public health and safety standards to be applicable for the establishment of the temporary emergency shelter site, and for its on-going operation and maintenance. This direction includes consideration of potential environmental consequences of the development and use of the shelter site, as well as potential public safety impacts.
12. Pursuant to California Government Code Section 8698.2(b), a shelter crisis is a local state of emergency. Specific actions necessary to prevent or mitigate an emergency are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269(c). The Board's action to approve the use of county property near the Health and Human Services Department for establishing a temporary emergency shelter site for homeless individuals and approving the expenditure of funds to develop the site and support operations of the program is done for the express purposes of:



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- (a) Providing emergency housing to a significant number of homeless who are without the ability to obtain shelter
- (b) Improving the health and safety of unsheltered persons in the County of Mariposa who lack of shelter by:
 - (i) Providing climate-controlled environments to mitigate the impact of cold temperature
 - (ii) Providing sanitation facilities to mitigate the impacts of waste and wastewater that may cause disease
 - (iii) Providing screenings and health services to identify and reduce the risk of both communicable and chronic diseases

The Phase 2 Homeless Shelter Program will be established through a contract with a community based organization, Alliance for Community Transformations. The project site is located on a one acre property located on St. Andrews Road in Mariposa. This site has two existing buildings which are being modified to provide an 18 bed shelter, with room for overflow, plus office space. Additionally, two trailers will be provided, containing 6 individual rooms each (with each room being 180 sq. ft.). The two trailers can house up to 24 more individuals in total, and will be set up to allow space for individuals who require alternative accommodations depending on their individual needs. Toilets are located in the shelters and a shower unit will be placed on the property. Snacks will be provided on site, however, meals will be served at the Mariposa Heritage House Program. On-site case intake and case management will occur. County HHSA will continue to provide behavioral health, public health and other supports. The site is in the town of Mariposa, where response time by emergency response agencies is minimal. Transportation will be provided for shelter residents to and from the Homeless Shelter Program and Mariposa Heritage House.

- 13. The Board of Supervisors finds that the Special Occupancy Parks Act standards are a state regulation which would prevent, hinder and delay the mitigation of the effects of the shelter crisis.
- 14. Phase 2 is intended to be in place for approximately 1-2 years, while developing Phase 3.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

In 2015, the County Board of Supervisors adopted a Strategic Plan to Address Homelessness. One objective of the Plan was to develop an emergency shelter solution. This Plan was updated again in 2017 with the same goal. In September of 2017, Mariposa Open Arms which had been providing emergency shelter to the homeless community for the previous five years closed their doors. Due to several extenuating

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circumstances, namely several disasters which have taken the attention and time of the county and community, there had not been a replacement emergency shelter solution developed.

Over the past couple of years, there have been several changes in the landscape of homelessness. Mariposa County has seen an uptick of homeless individuals who are visibly sleeping outdoors. The 2016 HUD Point in Time (PIT) Count was 36, the 2018 count was 55 and the 2019 count was 86. Some of this increase reflects better counting strategies, however, all counties in California are reporting increases in their visibly homeless population. Additionally, there have been legal challenges to cities, counties and other jurisdictions which have not adequately addressed homelessness through the provision of overnight shelter accommodations. Finally, the Governor's budget in FY 18-19 and again in FY 19-20 has made a significant investment in housing and homeless funding.

The Mariposa County Board of Supervisors adopted the 2014-2019 Housing Element Update (October 25, 2016), the Comprehensive Housing Program Implementation Study (June 18, 2018), and the 2019-2024 Housing Element (August 20, 2019), documents which outline the significant need for the addition of affordable housing. Although this is the ultimate solution to address homelessness in our community, it will take several years to achieve the level of permanent housing necessary to meet the need.

In the meantime, an emergency shelter solution is critical. Prior to establishment of Phase 1, homeless community members did not have a place to legally place their tents without finding themselves either on public lands, that have public outward facing functions, or on private property. Additionally, there was nowhere to safely store their belongings so they may spend their days seeking work or obtaining services. The lack of accessible facilities for the homeless community, especially after hours, posed a public health and public safety risk. Additionally, fluctuations in temperatures during winter and summer months during the nighttime hours, pose a health and safety risk.

On October 31st, 2018, Mariposa County's Public Health Officer, Dr. Eric Sergienko, declared a Health Emergency surrounding the issue of homelessness. Other communities have noted health and safety risks associated with not having adequate facilities for homeless communities. As a result, Health and Human Services began providing a temporary emergency shelter at the County owned Darrah School site, at the intersection of Darrah and Triangle Roads. Although multiple locations were explored, this location had been chosen due to the limited site work that needed to be completed for its temporary use, as well as its quick availability.

On November 5th, 2018, in a Special Meeting, the Board of Supervisors adopted Resolution No. 2018-518, declaring a "Shelter Crisis". This declaration gave the County flexibility to determine the appropriate health and safety standards, without complying with state or local laws or regulations that may prevent, hinder or delay the mitigation of the effects of the crisis. At that time, the Board gave direction to County Departments, under the lead of Health and Human Services, to move the shelter that was set up at Darrah Road under the Health Emergency Declaration to a site near town and commence operations within 30 days. On November 13th, 2018, the Board of Supervisors adopted Resolution No. 2018-533, approving a Homeless Emergency



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Shelter Solution.

On November 8th, 2018, Mariposa County Health and Human Services established a temporary emergency shelter solution on County owned property near the Human Services Building. This solution was intended to last one year and was considered Phase 1 of the overarching strategy to address homelessness in the County. During this time period since the implementation of Phase 1, HHSA has been successful in securing funding through the Continuum of Care and the Department of Healthcare Services to support shelter operations to support Phase 2 of this strategy, described herein. Additionally, planning efforts have been underway in conjunction with community partners for the establishment of Phase 3.

Phase 3 represents both permanent solutions for emergency (or bridge) housing and increased permanent supportive housing. Funding has been awarded through No Place Like Home for the development of a 42 unit apartment complex for permanent supportive housing in partnership with Self-Help Enterprises. Additional applications have been made (Community Development Block Grant, Homeless Emergency Aid Program, etc.) and continue to be made through multiple state funding opportunities (Whole Person Care).

HHSA is currently seeking Board approval to commence Phase 2 of the emergency shelter project. Phase 2 will include the establishment of an emergency shelter located on St. Andrews Road in Mariposa. This shelter will be operated through a contract with the Alliance for Community Transformations, a community based organization who has been partnering with the County on homeless program efforts for the past several years. Mariposa County HHSA will provide the oversight and funding necessary to manage the emergency shelter program, in addition to health and behavioral health services to the program participants.

By the Board of Supervisors declaring a "Shelter Crisis" on November 5th, 2018, and continuing the Shelter Crisis on a regular basis, the County is given flexibility to determine the appropriate health and safety standards, without complying with state or local laws or regulations that may prevent, hinder or delay the mitigation of the effects of the crisis. The County will ensure it meets minimum health and safety standards as set forth by the recommendations of the California Housing and Community Department.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The County can choose not to support this effort. This will result in homeless individuals in our community needing to continue to camp on privately owned property or public lands. It has been demonstrated that this results in community

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complaints, as well as county staff time to monitor and mitigate the potential impacts to these properties where individuals find themselves forced to camp. A contained and well managed homeless emergency shelter will allow HHSA and our partners to provide effective oversight and management of such a program.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey