



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 4, 2018

FROM: OFFICE OF HOMELESS SOLUTIONS WARDS: ALL

SUBJECT: DECLARATION OF A SHELTER CRISIS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 8698.2 ENABLING AN APPLICATION FOR GRANT FUNDS IN THE AMOUNT OF \$3,000,000 TO THE HOMELESS EMERGENCY AID PROGRAM - SUPPLEMENTAL APPROPRIATION

ISSUE:

Adopt a Resolution to declare a shelter crisis pursuant to California Government Code Section 8698.2 enabling an application for grant funds in the amount of \$3,000,000 to the Homeless Emergency Aid Program.

RECOMMENDATIONS:

That the City Council:

1. Adopt the attached Resolution declaring a shelter crisis pursuant to California Government Code Section 8698.2 enabling application for grant funds to the Homeless Emergency Aid Program;
2. Find that a significant number of persons within the City’s jurisdiction are without the ability to obtain shelter, and that the inability to obtain shelter is a threat to the health and safety of those unsheltered persons; and
3. Authorize the City Manager, or his designee, to submit a grant application to the Homeless Emergency Aid Program in the amount of \$3,000,000 to fund improvements to the Hulen Place Campus;
4. Upon grant award, authorize an increase in estimated revenues in the amount of \$3,000,000 to HEAP Project account 9408900-334300 and appropriate expenditures in the same amount to HEAP Project account 9408900-440220; and
5. Authorize the City Manager, or his designee, to execute all grant related documents to carry out the related programs.

BACKGROUND:

On September 5, 2018 the State of California released a Notice of Funding Availability for Homeless Emergency Aid Program (HEAP) funds, which allocated \$9,791,805 to the Riverside County Continuum of Care. The Office of Homeless Solutions (OHS) proposes to apply for approximately \$3 million of HEAP funds to improve the Hulen Place Campus.

The application for HEAP funds requires that the City declare a shelter crisis pursuant to California Government Code Section 8698 et seq. This process requires that the City Council make the following findings: (1) that a significant number of persons within the City's jurisdiction are without the ability to obtain shelter, and (2) that the situation has resulted in a threat to the health and safety of those persons. Such a declaration is the intent of the proposed adoption of the attached resolution.

In addition to supporting an application for HEAP funds, this declaration also provides agencies additional protections and powers set forth in Government Code Section 8698 et seq. Specifically, a declaring agency would have the ability to shelter persons in designated public facilities only for the duration of the crisis and would be immune from liability for ordinary negligence in the provision of such emergency housing for all conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing. Furthermore, upon adoption of the declaration, any state or local law or regulation prescribing standards of housing, health, and safety would be suspended, as to public facilities only, to the extent that strict compliance would prevent, hinder, or delay the mitigation of the effects of the crisis.

In an effort to provide statewide uniformity pursuant to the declaration of a shelter crisis, on April 18, 2018, the State Department of Housing and Community Development implemented voluntary emergency housing regulations during the current building code cycle which may be adopted locally when a shelter crisis exists. Local agencies have the ability to develop and adopt these more flexible regulations for emergency housing and emergency housing facilities prior to the next code adoption cycle scheduled to become effective January 1, 2020.

The OHS recommends that the City Council adopt the attached resolution in order to be eligible for the grant funding opportunity provided by HEAP. At this time, staff is not recommending the implementation of any voluntary emergency housing regulations. The HEAP funding will facilitate improvements to the Hulen Place Campus that would provide basic needs and services to the unsheltered homeless population in the City, including through overnight shelter and bridge housing. Accordingly, staff does not expect compliance with state or local laws or regulations to prevent, hinder or delay the mitigation of the effects of the crisis.

DISCUSSION:

Declaring a Shelter Crisis

Government Code Section 8698 defines a declaration of a shelter crisis as the duly proclaimed existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety.

According to the 2018 Point in Time count, the County of Riverside has a total of 2,316 individuals who are homeless, 1,685 of which are sheltered and 631 who are unsheltered. Of the 631 homeless individuals in the County without shelter, 366 reside in the City. Of these individuals,

approximately 252 are without the ability to obtain shelter in the City. When individuals are unable to find shelter, they frequently occupy public spaces and other places not meant for human habitation, which poses a threat to their health and safety as they are vulnerable to illness, crime, malnutrition, and harmful weather exposure. The number of homeless without shelter has resulted in a threat to the health and safety of those persons.

1. Finding No. 1 - *A significant number of persons within the City's jurisdiction are without the ability to obtain shelter.*

Approximately 252 homeless individuals are without the ability to obtain shelter in the City of Riverside. This is a significant number of persons without shelter.

2. Finding No. 2 - *The situation has resulted in a threat to the health and safety of those persons.*

The number of homeless without shelter has resulted in a threat to the health and safety of those persons.

The declaration of a shelter crisis, as required for HEAP, also enables the City to apply for and receive grant funding needed to improve the Hulen Place Campus to provide basic needs and services to the unsheltered homeless population in Riverside, including overnight shelter and bridge housing.

Hulen Place Campus

The City owns a campus of industrial buildings located around 2880 Hulen Place. Some of these buildings, like the Homeless Access Center, are occupied and operational, providing homeless street outreach, housing placement, employment development, benefits enrollment, healthcare access, substance abuse recovery, veteran's services, life skills training, legal services, client stabilization resources, computer resources, transportation assistance, basic needs emergency assistance, and homeless prevention resources.

The City has been collaborating with Path of Life Ministries, Health to Hope, and the Riverside County Department of Behavioral Health to offer emergency shelter beds, medical services, and transitional housing at the Hulen Campus. Other buildings at the Hulen Campus are vacant, including a vacant warehouse that lacks the accommodations to support emergency housing.

Proposed Improvements to the Hulen Place Campus

Using HEAP funding, the OHS proposes to permanently improve and occupy the Hulen Place Campus, offering the following physical and programmatic outcomes:

1. Relocate *The Place*, in cooperation with the Riverside County Department of Behavioral Health, a permanent supportive housing facility, to allow for the development of bridge housing units, which would in turn allow for the emergency shelter to operate as an emergency overnight shelter;
2. Expand the existing Medical Clinic to include respite care and behavioral health services;
3. Provide a day drop in center;

4. Construct shower and laundry facilities;
5. Support a furniture and clothing connection program;
6. Construct an outdoor space with shade and benches;
7. Update the computer lab, life skills classroom, and voicemail system to support client efforts to secure employment opportunities; and
8. Provide life skills courses, which will include financial literacy and money management programs.

It should be noted that the proposed improvements will comply with the current building code.

HOMELESS EMERGENCY AID PROGRAM	
Purpose	The Homeless Emergency Aid Program is a \$500 million block grant program designed to provide direct assistance to localities to address the homelessness crisis throughout California. The grant is authorized by Senate Bill 850, which was signed into law by Governor Brown in June 2018.
Eligible Uses	Funds may be used to fund: <ul style="list-style-type: none"> • emergency housing vouchers; • rapid re-housing; • emergency shelter construction; and • use of armories to provide temporary shelters, among other activities.
Funding Allocation	Riverside County Department of Public Social Services: \$9,791,805
Application Deadline	December 2018
City Application	\$3 million to fund the rehabilitation of the Hulen Place Campus to provide a Drop In Day Center and bridge housing.

FISCAL IMPACT:

The fiscal impact of this action is estimated grant revenue in the amount of \$3,000,000. Upon receipt of grant funds, an increase in estimated revenues in the amount of \$3,000,000 will be made in HEAP Project account 9408900-334300 and an appropriation of expenditures in the same amount will be made to HEAP Project account 9408900-440220.

Prepared by: Emilio Ramirez, Office of Homeless Solutions Director
 Certified as to availability of funds: Edward Enriquez, Interim Chief Finance Officer/City Treasurer
 Approved by: Rafael Guzman, Assistant City Manager
 Approved as to form: Gary G. Geuss, City Attorney

- Attachments:
1. Resolution
 2. Presentation