



**HOMELESS SERVICES OVERSIGHT COUNCIL (HSOC)  
Housing Committee Meeting Agenda**

January 19, 2016, 3:00-4:30 p.m.  
*Department of Social Services  
3433 S. Higuera, Room 356  
San Luis Obispo, CA*

***San Luis Obispo  
Countywide 10 Year  
Plan to End  
Homelessness***

*We envision a future in which the housing and comprehensive services necessary to remain housed are available for all, affording everyone maximum self-sufficiency, and the opportunity to be productive and participating members of our community*

1. Call to Order and Introductions
2. Public Comment
3. Review and Approval of Minutes
4. Action/Information/Discussion:
  - 4.1 Discussion – Follow up from Continuum of Care application
    - 4.1A. HUD Orders of Priority for Permanent Supportive Housing
    - 4.1B. Federal timelines for addressing chronic, families and youth homelessness
  - 4.2 Shelter Crisis Declarations
    - 4.2A Action Item: Vote to recommend local jurisdictions consider declaring a shelter crisis for purposes of making government owned buildings available for use as Warming Centers
  - 4.3 Discussion –Possible tour of Sunny Acres
5. Future Discussion/Report Items:
6. Next Meeting Date: TBD
7. Adjournment



**HOMELESS SERVICES OVERSIGHT COUNCIL  
 HSOC HOUSING COMMITTEE  
 October 20, 2015, 3:00-4:30pm  
 Department of Social Services  
 3433 S. Higuera St, San Luis Obispo  
 Room 145**

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF &amp; GUESTS</b>	
John Ashbaugh Anne Wyatt Martin Meltz Dee Torres	Jim Patterson Theresa Scott Tim Waag Bob Kelley Marianne Kennedy Shirley Wright Dana Cummings	Laurel Weir Joanna Balsamo-Lilien Ivana Yeung Becky Jorgesen Dan Duvall Judie Najarian John Stafford	
<b>AGENDA ITEM</b>	<b>CONCLUSIONS/ACTIONS</b>		<b>FOLLOW UP</b>
1. Call to Order and Introductions of Guests	John Ashbaugh welcomed the group and introductions were made.		
2. Public Comment	<p>Martin Meltz spoke about Sec 8698 -8698.2 of the 2010 Government Code which allows cities, counties, special districts and other public agencies authorized by law to declare a shelter crisis. Doing so under the law would allow the jurisdictions or bodies to utilize facilities as a warming shelter.</p> <p>Shelter Crisis was defined as “The dually proclaimed existence of a situation in which a significant number of persons are without opportunity to obtain shelter, resulting in a threat to their health and safety.”</p> <p>Marty asked that all local jurisdictions be made aware of that code.</p> <p>Dee asked whether anyone had heard whether there would be a Warming Shelter in South County. Marty noted that there was a coalition in South County that was working to try to establish one.</p> <p>Dee reported that Grover Beach had agreed to have a</p>		

	<p>public workshop on homelessness for the local business owners. Will be on December 10<sup>th</sup> at 6 p.m. Dee said there was a possibility there might be a separate workshop at a later date for people who were homeless to talk about their concerns.</p>		
<b>ACTION/INFORMATION/DISCUSSION</b>			
<p>3. Review and Approval of Minutes</p> <p>4.1 Discussion</p> <p>4.1A-Presentation on Sunny Acres</p>	<p>Judy (sp?) presented about Sunny Acres. She is on the Board. Where they're at with their building.</p> <p>Got permits and broke ground in Sept 2014. Old farmhouse 100 years old, 6 ? recovery rooms. 14 cottages built to house people but that use denied and so now they will be used as classrooms.</p> <p>14 brdms 10 baths, potential for more residents. Duvall house – Sunny Acres clients did stucco and finish coats.</p> <p>John Stafford</p> <p>Duvall House courtyard will provide outdoor meeting space. Were trying to get (outdoor?) showers approved but so far have been denied.</p> <p>Duvall House has 1 accessible bedroom. Have a multi-purpose room.</p> <p>Commercial kitchen. Has a serve and return dish window. Showed pictures of the rooms and facilities, including laundry.</p> <p>Sunny Acres clients provide the labor for their recovery home. Received donated labor from several</p>	<p>No vote taken due to the lack of a quorum.</p>	

	<p>local companies . A local union provided apprenticeships for clients</p> <p>Basic principles – hard work, show up for your job.</p> <p>Some clients come from the jail. Some have mental health issues.</p> <p>Some clients receive disability benefits. Program 550/month. Includes 3 meals per day. People who do chores can reduce it to \$410 by earning chore credits. They'll still work with people who can't pay anything.</p> <p>Leach field completed. High tech septic system – the first in the county.</p> <p>All has been done without a mortgage. Many local companies contributed materials and labor. If people who want to help, can make donations.</p> <p>Judy introduced John Stafford. John is the Program Manager at Sunny Acres. He is a recovering addict. Graduated from Drug Treatment Court. Earlier in his life, worked as a law enforcement officer.</p> <p>Talked about his struggle to find a treatment program after leaving prison. Dan Duvall said he would help.</p> <p>John said they weren't a recognized recovery program and wasn't sure why. They have NA and AA meetings, drug testing and full accountability. Help people get to county MH and Dand A treatment.</p> <p>He himself qualified for AB109 funding. He is working more than full time for the program. They would like recognition as a Clean and Sober program and referrals from County programs. Recognition would be helpful.</p> <p>Anne Wyatt asked what it meant to be a recognized</p>		
--	---	--	--

	<p>program. John said that qualified programs qualify for funding from the state but Sunny Acres can't get on that.</p> <p>Judy - Drug and Alcohol last year invited them to explore a contract with them. Judy asked if the handicapped accessible part could be removed from the contract b/c it's a 100 year old house. Dan noted that other houses getting contracts do not have ADA compliant housing.</p> <p>County said they'd just wait until the new house comes online.</p> <p>11,000 bed nights in the current facility. Avg. of 30 clients per nights.</p> <p>Clients are people who are not eligible for SSI or welfare benefits. Contract with people who get to a certain point of sobriety and they go out and get jobs. Sunny Acres help them to look for work.</p> <p>Dan noted that a lot of clients not on GA or SSI. Some had applied for SSI but couldn't keep up with meetings. Stayed in the creek.</p> <p>Dan noted that after a year, people get dropped from (GA?) benefits because they didn't tell DSS that they have a job and housing. Dan said Sunny Acres lets people live there as long as they want.</p> <p>John noted that there are only 30 people right now. SLO Housing Connection is working with Sunny Acres and has applied for some funding.</p> <p>Issues for further discussion - showers, recognition as an SLE.</p>		
--	--	--	--

4.2 Presentation on Hope's Village

Becky Jorgesen from Hope's Village. She commended John for his work.

Planning a village for at least 50 homeless people. Have a model developed. Have given away 45 RVs through the RV for Veterans program. Cherie Nicholson from Paso Cares has taken over.

What they have is licensed by the DMV. They just need a place to put them.

Everyone will work and a client council will bring concerns to the Board. Would be a transitional place for some persons until they are ready to move to other housing.

Will have a common house with bathrooms, a commercial kitchen, laundry facilities, etc. Solar powered.

Someone asked about zoning needs. Becky noted they had gone away from organizational camp concept and will be looking at other models.

Villagers will build their own cabins. Won't be a landlord-tenant situation, will charge program fees (30% of clients' income).

4.3 HUD Continuum of Care Notice of Funding Availability-Discussion of CoC application and overview of next steps

<p>4.4 Homeless Point in Time Count Report-update and discussion</p>			
<p>5. Future Discussion/Report Items:</p>	<p>John requested that representatives from Sunny Acres and Hope's Village be asked to present at a future meeting.</p> <p>Jerry would like 40 Prado to be put onto a future agenda.</p>		
<p>6. Next Meeting Date:</p>	<p>November 17, 2015: 3-4:30pm</p>		
<p>7. Adjournment</p>	<p>John Ashbaugh adjourned the meeting at 5:00pm</p>		



**HOMELESS SERVICES OVERSIGHT COUNCIL**  
**ACTION ITEM**  
**January 19, 2016**

**AGENDA ITEM NUMBER: 4.3**

**ITEM:**

Vote to recommend local jurisdictions consider declaring a shelter crisis for purposes of making government owned buildings available for use as Warming Centers.

**ACTION REQUIRED:**

Vote to recommend that local jurisdictions consider declaring a shelter crisis pursuant to Government Code 8698 et seq. for purposes of making government owned buildings available for use as Warming Centers.

**SUMMARY NARRATIVE:**

The most recent homeless Point in Time Count identified 1,515 homeless persons in San Luis Obispo County on a single night in January 2015. Of those persons, 74% were unsheltered. Due to the lack of sufficient shelter beds, many persons have no choice but to live outdoors, even in inclement weather.

Living unsheltered may put the health and safety of unsheltered persons at risk. This winter, an El Nino condition has been forecasted, bringing the possibility of increased rain.

California Government Code Sections 8698 et seq. allow local governments to declare a shelter crisis if a significant number of people are not able to obtain shelter and their health and safety may be threatened as a result (see Attachment 4.3A). Such a declaration allows a jurisdiction to make government owned buildings available to use as Warming Center or shelter. Additionally, it provides for immunity from liability for “ordinary negligence in the provision of emergency housing” provided that the jurisdiction has declared a shelter crisis under this code and made 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.”

Section 8691.1 also allows for the temporary waiver of certain provisions regarding housing habitability, health and safety, if those rules would hinder efforts to mitigate the shelter crisis and allows jurisdictions to establish their own guidelines for the Warming Center of shelter. This waiver applies only to government buildings and is not applicable to privately owned property.

Several other California jurisdictions have adopted or are considering adopting such a waiver, including San Diego, Los Angeles, Oakland, San Jose, Napa County, and Berkeley. Some communities have adopted it for the first time this winter in anticipation of upcoming storms, while others, including Los Angeles, have adopted it in previous years as well. In November 2015, the City of Los Angeles also declared a “State of Emergency” with regard to homelessness, pursuant to city ordinances, because city ordinances allowing for shelter crisis

declarations were more restrictive than the state ordinances. A declaration of a “State of Emergency” was not made pursuant to state government code.

Among the jurisdictions identified where a shelter crisis declaration had been made, there was variation in whether specific properties were identified as part of the declaration process. For example, the City of Berkeley identified specific properties to be made available, whereas the City of Oakland did not.

## **BUDGET/FINANCIAL IMPACT**

There is no immediate budgetary impact from this recommendation. Should a jurisdiction make a building available in the future, there could be a cost.

## **STAFF COMMENTS**

Declarations of a shelter crisis would provide jurisdictions with the option of making government owned property available more quickly than might be possible without the declaration. While the statute does not indicate specific standards that may be waived, several jurisdictions specified in their declarations that the provisions of CEQA would be waived.

The City of Los Angeles declared a State of Emergency under its own local ordinances because the city’s code in place at the time of the Shelter Crisis declaration was more restrictive than the state code and adopting the state of emergency allowed the City to move forward more quickly. Staff recommend that any jurisdiction considering a shelter crisis declaration direct their counsel and planning staff to review their local ordinances and authorities to determine whether additional legislative actions would be needed in conjunction with the declaration.

Declaring a shelter crisis would not allow private properties to be made available without those properties going through the usual steps. And if a government building were to be made available, it would still be necessary to identify an agency or organization willing and able to operate a Warming Center.

# GOVERNMENT CODE

## SECTION 8698-8698.2

8698. For purposes of this chapter, the following definitions shall apply:

(a) "Political subdivision" includes the state, any city, city and county, county, special district, or school district or public agency authorized by law.

(b) "Governing body" means the following:

(1) The Governor for the state.

(2) The legislative body for a city or city and county.

(3) The board of supervisors for a county.

(4) The governing board or board of trustees for a district or other public agency.

(5) An official designated by ordinance or resolution adopted by a governing body, as defined in paragraph (2), (3), or (4).

(c) "Public facility" means any facility of a political subdivision including parks, schools, and vacant or underutilized facilities which are owned, operated, leased, or maintained, or any combination thereof, by the political subdivision through money derived by taxation or assessment.

(d) "Declaration of a shelter crisis" means 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.

8698.1. Upon a declaration of a shelter crisis, the following provisions shall apply during the period of the emergency.

(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.

8698.2. (a) (1) The governing body may declare a shelter crisis, and may take such action as is necessary to carry out the provisions of this chapter, upon a finding by that governing body 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.

(2) For purposes of this chapter, the governing body of the state, in making a declaration of a shelter crisis pursuant to paragraph (1), may limit that declaration to any geographical portion of the state.

(b) 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.

---