



SAFE PARKING PRIMER WORKING CONCEPT

Issue Summary and City Actions:

The County of Santa Clara completes a comprehensive biannual count of homeless, which includes the unsheltered and unstably housed. This count serves as a baseline for understanding homelessness in the region, capturing individuals and families sleeping in emergency shelters and transitional housing, as well as people sleeping on the streets, in vehicles, abandoned properties, or other places not meant for human habitation.



In 2017, the County Homeless Census counted 416 homeless persons in Mountain View, and in 2019, the number of homeless persons rose to 606. The City's Police Department conducted a street-by-street count of persons that appeared to be living in vehicles, and over the past two years the number has averaged 200-300 vehicles (more than half are Recreational Vehicles, RV's).

Existing shelter capacity cannot meet Mountain View's homeless need, having total capacity of ~63 persons, with the County's Cold Weather Shelter Program for Mountain View and North County residents only having capacity to serve fifty (50) people total (consisting of 10-15 families and single women); Graduate House (Life Moves) transitional shelter, having capacity for five (5) adults; and Quetzal House (Bill Wilson Center) youth shelter, having capacity for eight (8) youth.

The City is also working with a local non-profit to provide safe parking for persons living in vehicles in Mountain View, which currently provides eight (8) passenger vehicle parking spaces. A pending site will accommodate 10 to 11 passenger vehicles or 7 to 8 RVs (or some combination of both) and another 40 or more at City owned/leased lots are expected later this year. More lots are needed to help individuals and families living in vehicles.

In light of the inability to meet the needs for housing, the City sought to simplify and ease the process of providing emergency housing and safe parking, and has declared a shelter crisis in March 2019 and will adopt a safe parking ordinance in September/October of 2019 (See Attachment 1).

Safe Parking:

- A "Safe parking program" means programs that provided homeless individuals and families living in vehicles a safe place to park while accessing services to end their homelessness.

- Safe Parking programs aim to offer the stability needed for residents living in vehicles to make positive changes in their lives and, where applicable, become reemployed and ultimately rehoused.
- These programs aim to serve modest numbers of clients at this time and all are for nighttime safe parking. The most common option is to utilize church parking lots.
- Safe parking programs have been implemented in several areas across the State. Some of the most successful programs are operated in Santa Barbara, Monterey, Sonoma, San Luis Obispo, and San Diego. Cities usually play a limited role in the development and operation of safe parking programs, with County and nonprofit agencies taking the lead. The New Beginnings Counseling Center (New Beginnings) nonprofit program in Santa Barbara is the model most nonprofits use for starting similar programs.

Safe Parking in the Region:

- Safe Parking is occurring in many cities in the County at present, though most are modest in scale (San Jose, Saratoga, Morgan Hill, and Cupertino) with the current Countywide capacity including faith-based communities at an average of ~71 vehicles, serving an average of ~178 individuals in total (numbers subject to change)
- Local providers and cities served include:
 - *FOCUS Safe Parking Program in Morgan Hill*
 - *Rotating Faith Site Safe Park Program in the West Valley Region*
 - *Amigos de Guadalupe Safe Parking Pilot Program in the City of San Jose*
 - *LifeMoves Safe Parking Program in the City of San Jose*
 - *Project We Hope Safe Parking Pilot Program in East Palo Alto*
 - *MOVE Lots of Love Program in Mountain View*

Safe Parking in Mountain View:

- Nonprofit safe parking provider, MOVE, operates Lots of Love (LoL) Program launched on July 2, 2018. It currently operates two faith sites at St. Timothy's Episcopal Church and Lord's Grace Christian Church. MOVE will also provide program services at the PAHC lot, which was approved by the City Council in December 2018.
- With City and County Funding MOVE provides site management with case management services contracted with the Community Services Agency (CSA) and other supportive services coordinated with the County.
- The LoL program is modeled on the New Beginnings program and is operated according to the following general procedures and processes:



(1) provides safe parking on privately owned property from approximately 7:00 p.m. to approximately 7:00 a.m.; (2) provides client case management and an available Porta-Potti with hand-wash station; (3) subcontracts with Community Services Agency (CSA) to provide case management, interviews applicants, and recommends clients based on LoL admission criteria; (4) LoL makes all admission decisions in accordance with site criteria; (5) LoL requirements for clients include a valid driver's license, insurance, registration, and a working vehicle along with a client assessment and ongoing engagement with case management; (6) spaces are by application/referral only; (7) detailed guidelines and waivers, including tenancy, are given; (8) clients receive a one-month permit, renewable each month after check-in with CSA Case Worker; and (9) provides lot monitors who ensure that all clients observe program guidelines.

Property Owner Considerations:

- An operator agreement is signed with the property owner. The safe parking model is for a third-party program operator to manage the program and hold the property owner harmless from any liability related to the administration of the program.
- One of the primary legal considerations with the operation of a safe parking program is whether it is considered an RV park or mobile home park under State law. These parks require certain licensing, construction and compliance with occupancy standards, maintenance, and other operational requirements. That is not the intent of the safe parking program.
- To address this issue, cities/agencies typically take measures like offering the spaces free of rent, not making significant capital improvements to sites, limiting the hours of operation to overnight only, having the occupants sign a waiver further declaring that they are not occupants or tenants and are not entitled to relocation benefits, and providing limited services on-site.
- Even with these measures, there is some risk, which is why the City of Mountain View is seeking an amendment to the Government Code Section 8698.1. This amendment would, in the event of a shelter crisis (such as in effect), exempt local agencies from regulations regarding the rights and obligations of mobilehome park homeowners or tenants. These exemptions would only apply in the provision of emergency housing, and would be particularly helpful with safe parking programs.

Mountain View Safe Parking Requirements:

- After Council adoption of a safe parking ordinance (expected on September 24, 2019 with Second reading in October 22, 2019 (effective 30 days after), during a shelter crisis an application will be required to comply with the Code requirements of which the high points are summarized below, and subject to potential modifications made by Council.



- *A Safe Parking provider that meets the following would be required:*
 - Provider subject to City Manager’s Office approval.
 - Performs or contracts for case management services to transition participants into housing.
 - Only allows vehicles registered in the program to park overnight.
 - Maintains a roster of the Safe Parking participant and obtains a written agreement with each participant that requires a valid driver’s license, insurance and registration, and a working vehicle.

Safe Parking Operations Would Include:

- Operations plan, and site plan, including emergency evacuation procedure, maintenance of the emergency vehicle access road to the site for public safety, and 10’ clearance required between RVs/oversize vehicles.
- Lot hours when not in use by the business but not to exceed 7:00 p.m. to 7:00 a.m.
- A buffer of 25’ from any residence property line.
- Tents, pop-outs, temporary facilities, and other structures prohibited.
- One foot-candle minimum lighting required.
- Provision of restroom, water, and trash facilities.
- Black/graywater disposal plan required.
- Fire extinguishers required.

City staff and the non-profit will work with prospective property owners on these requirements.

For More Information:

Please contact Kimberly S. Thomas, Assistant to the City Manager, at (650) 903-6301 or by email at kimberly.thomas@mountainview.gov

