



DATE: June 8, 2021

CATEGORY: Consent

DEPT.: City Manager's Office

TITLE: **Continuation of 24/7 Safe Parking Program Operation for City-Secured Sites and Authorization of Associated Agreements**

RECOMMENDATION

1. Authorize the City Manager to amend the lease agreement with the County of Santa Clara for the use of Shoreline Amphitheatre Lot B for safe parking, to extend the agreement through June 30, 2022, and eliminate the use of the Shoreline Dog Park for commuter parking of passenger vehicles as of June 30, 2021.
2. Authorize the City Manager to amend the lease agreement with the County of Santa Clara for the use of the Evelyn Lot for safe parking to extend the agreement through June 30, 2022.
3. Authorize the City Manager to execute a lease agreement with Terra Bella II, LLC (an Alta Housing company), for use of the Terra Bella lot for safe parking through June 30, 2022.
4. Authorize the City Manager to execute a sublease agreement with the County of Santa Clara for the use of the Terra Bella lot for safe parking through June 30, 2022.
5. Authorize the City Manager to execute an agreement with the County of Santa Clara to provide safe parking operations through a contracted provider, a case worker for Permanent Supportive Housing, and case management/housing information and referral services through June 30, 2022 for a total agreement amount not to exceed \$585,000 for Fiscal Year 2021-22.

BACKGROUND

This Council report focuses on timely actions related to the City's safe parking program with additional attached information regarding homelessness in Mountain View and the City's extensive homeless programs and initiatives. A summary table of City initiatives is included as Attachment 1. A more comprehensive memorandum describing needs and

services was provided to Council on October 30, 2020 and is included as Attachment 2. Updated information will be provided in a second biannual memorandum later in June 2021.

The purpose of this Council report is to recommend Council action to continue 24/7 safe parking use of the three City-secured lots, all of which are leased to the County of Santa Clara (County). Two of the three lots (Shoreline Lot B and Evelyn) are currently owned or controlled by the City, and staff is recommending amendments to existing agreements to extend 24/7 safe parking use at these sites. As for the third lot (Terra Bella), staff is recommending that the City enter into a lease agreement with the property owner, Terra Bella II, LLC (an Alta Housing company). The City would then sublease the site to the County for continued operation of safe parking. This last action is recommended due to the June 30, 2021 end date of the resolution of the City authorizing the temporary allowance of 24/7 safe parking in response to the COVID-19 emergency.

Homelessness Trends in Mountain View and Living in Vehicles Count

Over the past three County “point-in-time” counts, the number of homeless people in Mountain View has increased from 276 in 2015, to 416 in 2017, to 606 in 2019, more than doubling in four years. The vast majority of the people counted were unsheltered. The County’s count considers residents living in recreational vehicles (RVs) and other vehicles as unsheltered. The 2019 count represents the latest numbers since the County received a waiver from Housing and Urban Development (HUD) to postpone the next count until 2022.

To augment the information from the County count, the City also conducts a street-by-street count of vehicles that appear to be in use for living purposes. Over the past three years, the count of vehicles in the public right-of-way used for living has ranged from 250 to 300 vehicles. There were 265 vehicles counted on the public streets when the most recent count was conducted in July 2020. The next City count will be conducted in July 2021.

Homelessness and Housing Services

For the past five years, the City has been studying and taking action to address the challenging rise in homelessness and unstably housed individuals. Today, the City is a recognized leader in addressing this regional problem, looking at all options and forging strong partnerships with the County of Santa Clara and many community-based organizations. Sixteen (16) associated Council reports, available at

www.mountainview/homeless.gov, have led to the development and execution of an extensive work plan, including well over 100 action items.

Based on Council direction, staff aimed early on to connect with the Countywide system to leverage resources and expand public and private partnerships to address the needs of those who live in vehicles and others experiencing or at risk for homelessness in Mountain View. The needs and services related to homelessness can be viewed within a continuum for “coordinated care,” which includes Homelessness Prevention, Rapid Rehousing, and Permanent Supportive Housing. Highlights of key City actions related to increase housing options along the continuum are summarized below. Attachment 1 provides a more detailed chart of actions and initiatives.

- LifeMoves Mountain View (Project Homekey), which adds 100 units of interim housing (with up to 124 beds) for homeless and unstably housed residents seeking a path to more stable options.
- Safe Parking Program Lots, with capacity of 101 parking spaces, currently serving on average approximately 150 individuals.
- Emergency Sheltering, with capacity of 65 beds (includes partial-year cold-weather season).
- Upcoming Opportunities, including the Crestview Hotel, being explored with the County of Santa Clara to serve unstably housed people.
- Affordable Housing Units, including 1,149 affordable housing units the City has in the pipeline (this includes projects under review and under construction as well as both Notice of Funding Availability and Below-Market-Rate units).

Safe Parking Background

The City began exploring safe parking in 2015, at which time there were no responders to the City’s Request for Proposals for a safe parking operator. Since then, the City has been working actively to form partnerships, encourage regional solutions, and put in place policies and programs in an arena where best practices are still evolving and the level of need far outstrips what any one entity can do on its own. As a result of these consistent efforts, the City has been instrumental in: supporting the formation of a local, nonprofit safe parking provider (MOVE Mountain View); helping to launch small safe parking programs at faith-based locations; adopting a Safe Parking Ordinance to facilitate the creation of safe parking locations on private lots; securing three dedicated safe

parking lots; partnering with the County to provide safe parking and a range of other services to support unstably housed residents on a path to permanent housing; and growing to become the largest safe parking provider in the region with the capacity for up to 101 vehicles (includes faith-based lots).

City Safe Parking Ordinance

Adopted on September 24, 2019, the City's Safe Parking Ordinance (Ordinance) sets forth regulations for safe parking facilities to meet basic health and safety requirements, facilitate participants' transitions to permanent housing, and promote compatibility with surrounding uses. These regulations include the provision of restrooms, water, and trash facilities; a black/graywater disposal plan; minimum 10' clearance distance between vehicles used for living to address fire safety issues; and a minimum 25' buffer from residential property lines. The Ordinance established hours of lot operation of 5:00 p.m. to 9:00 a.m. and lot capacity at 30 vehicles (which was recommended as consistent with the size of safe parking operations in the County, operator capacity to assist participants, and resources available to manage the sites).

The Ordinance also sets forth the process for establishing safe parking facilities, requiring a Temporary Use Permit (TUP) and Police Department administrative permit. During a declared housing emergency, such as is currently in place in Mountain View through June 2022, the approval process is streamlined, and a TUP is not required. While the Ordinance does not apply to City-owned or -controlled property, the City has chosen to comply with the Ordinance with some limited exceptions related to the extension of lot hours to 24/7, capacity, and other adjustments that have provided an increased service level for health and safety, such as running water related to the COVID-19 pandemic.

City-Secured Lots

The City has been instrumental in securing three lots for the provision of safe parking at Shoreline Amphitheatre Lot B, which is owned by the City but leased to Live Nation, during the concert season; Evelyn Avenue, which is leased from the Valley Transit Authority (VTA); and Terra Bella Avenue in collaboration with Alta Housing, for one year. The City has taken the lead in identifying and negotiating the use of these lots, funding lot preparation, providing funding for safe parking services, and identifying opportunities for increasing vehicle capacity on the sites. The current capacity of the lots (including the faith-based lots) is summarized in Table 1 below.

Table 1: Safe Parking Lot Capacity

Lot	Planning Zone	Vehicle Type	Capacity <i>(Living Spaces are noted in bold)</i>
Alta Housing (formerly PAHC)	General Industrial (MM)	Oversized vehicles (OVs) with some passenger vehicles	8 OVs 1 passenger vehicle
Shoreline Lot B (on Crittenden Lane)	Public Facility (PF)	OVs with some passenger vehicles	29 OVs 4 passenger vehicles* <i>(*Not in use – being repainted)</i> 2 Americans with Disabilities Act (ADA) commuter vehicle parking 2 loading zone spaces
Evelyn Lot (former VTA parking lot)	General Industrial (MM)	OVs with some Passenger vehicles	30 OVs 21 flex spaces (living in or commuter parking for passenger vehicles) 17 commuter vehicle parking spaces (including 2 ADA spaces) 2 loading zone spaces
St. Timothy's Lot (faith) <i>* On hiatus</i>	Single-Family Residential (R-1)	Passenger vehicles	4
Lord's Grace (faith)	North Bayshore Precise Plan (P-39)	Passenger vehicles	4

County Agreements for 24/7 Safe Parking

In early 2020, in preparation for the opening of the lots, the City's partners, MOVE Mountain View and Community Services Agency (CSA), reached out to potential safe parking participants. During this outreach, there was limited interest in the City's safe parking program due to real and perceived barriers, including the safe parking hours of operation and the requirement to find alternative daytime parking. Around this same time, the County announced an expansion of its support for safe parking with a particular interest in facilitating the provision of 24/7 safe parking. The County proposed to do this by leasing the lots, administering the safe parking programs, assuming liability, and using its shelter crisis declaration under California Government Code Section 8698.4 to address concerns about the potential for safe parking programs to be subject to mobile home and special occupancy park laws.

With the COVID-19 pandemic and emergency and public health orders to Shelter-in-Place, the need for safe parking became even more urgent. Through a series of actions on February 25, March 17, and March 27, 2020, the City Council approved various lease and funding agreements for the County to administer 24/7 safe parking services at all three lots. This was further extended on September 8, 2020 with Council actions that authorized 24/7 safe parking operation on a temporary basis through an adopted resolution and made a number of other modifications to increase passenger vehicle spaces for a mix of commuter parking and living on City-owned or -controlled lots. (The September 8, 2020 Council report is included as Attachment 3.) This has led to near-full utilization of the City safe parking sites during the last year.

ANALYSIS

Safe Parking Program Status

The following sections provide information about the people who are participating in the City's safe parking program, including the number of participants compared to the sites' capacity, the number of participants in each of the City's preference areas, and the housing outcomes for those people who have left the program. Additional data regarding the demographics of program participants is included in Attachment 4.

Capacity Utilization

The summary and chart below show the current status of the City-secured and faith-based sites. The counts are based on use as of April 30, 2021 and do not include one of the two faith-based programs, which has been on hiatus.

The sites that are in operation are at or are near capacity currently with an average over time of 150 unduplicated participants living in 80 vehicles. A majority of the participants are families and are residing in oversized vehicles, such as RVs. The data included in Attachment 4 provides demographic details from the County assessments completed by the head of household.

Shoreline Amphitheatre Lot B was opened in February 2020. There are currently 60 participants living in 28 oversized vehicles and one passenger vehicle on the Shoreline Lot. Four passenger vehicle spaces are not currently being used, pending repainting.

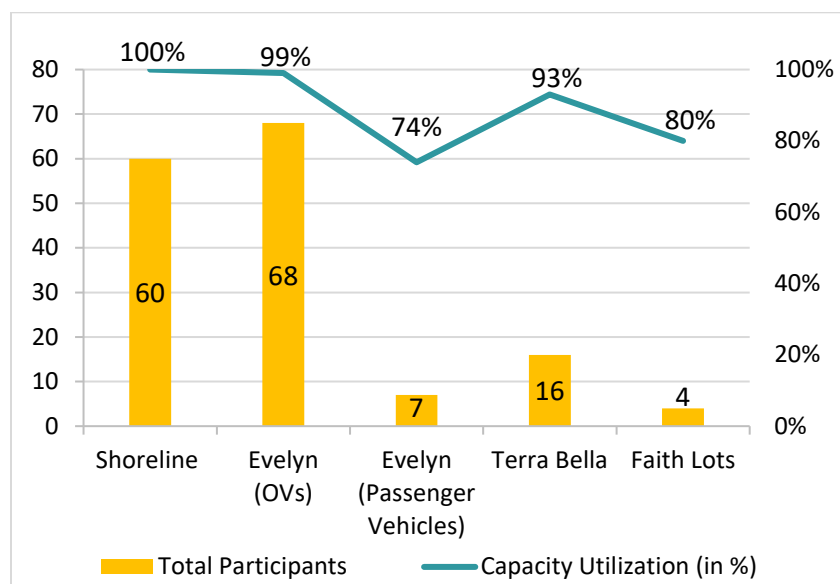
The Evelyn Lot was opened in March 2020. There are currently 75 participants living in 37 vehicles, of which 30 are oversized vehicles and seven are passenger vehicles.

The Terra Bella Lot opened in September 2020. There are currently 16 participants living in nine oversized vehicles.

The faith/congregation lots have capacity for up to eight passenger vehicles (four per lot). Currently, one site is in operation and is being used by four participants in four passenger vehicles.

Chart 1 below shows the number of participants and percent of capacity utilized at each site as of April 2021.

Chart 1: Participant and Capacity Utilization (April 2021)

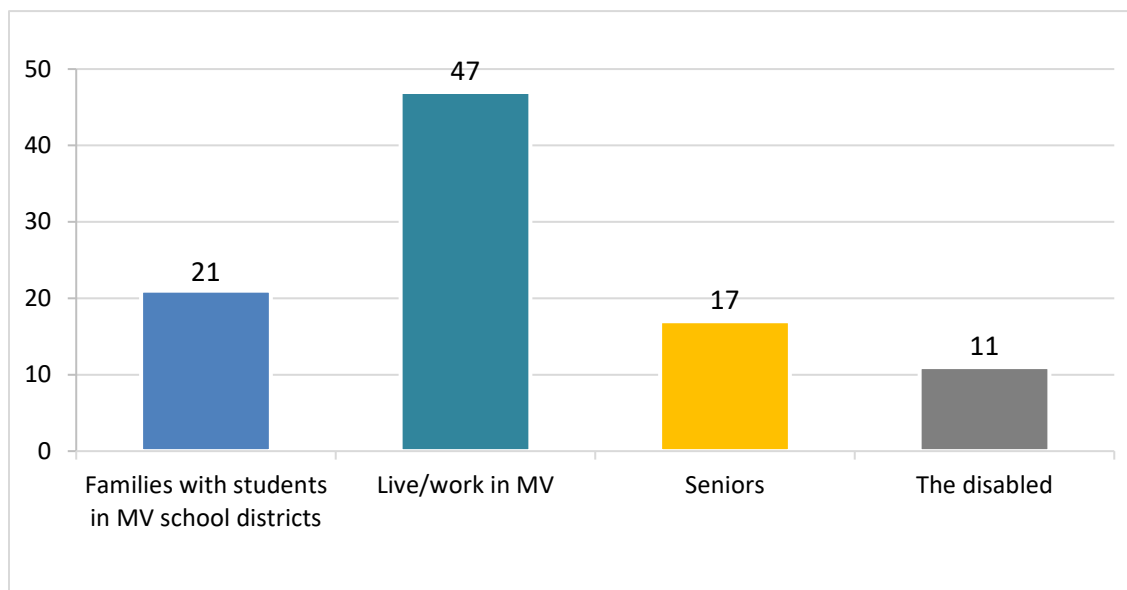


City Preference Areas

The City's preferences for safe parking are to serve people who have lived and worked in Mountain View, who have students in Mountain View schools, who are seniors, or who are disabled. Chart 2 below shows the number of participants in each of these priority areas during the period of April 1, 2020 to March 31, 2021. These numbers are based on data from the qualifying applications, not a census. There may be duplication across the preference areas and across the sites as some may have stayed in more than one lot during the reporting period.

As noted during the discussion of the September 8, 2020 Council report, MOVE Mountain View case managers were in the process of analyzing all clients that were assisted during the immediate aftermath of the COVID-19 pandemic and the Shelter-in-Place order to ensure compliance with City preferences. They subsequently determined seven clients were temporarily hosted on the lots that did not meet the preferences. Due to others meeting the preference priorities, they were transitioned to alternative locations.

**Chart 2: City Preferences Data by Vehicle Unit
for the Period April 1, 2020 to March 31, 2021**



NOTE: Data reported by vehicle unit as some participants fall into more than one category.

Assessments and Exit Data

All households (vehicle units) complete a standard assessment known as the Vulnerability Index-Service Prioritization Decision Assessment Tool (VI-SPDAT), which is entered into the County's Homeless Management Information System (HMIS). The assessment scores determine eligibility for Permanent Supportive Housing, Rapid Rehousing, or minimal intervention (scales vary for individuals and families with children) in that order. The City's safe parking program participant assessments reflect, 10 of the households (vehicle units) are eligible for Permanent Supportive Housing, 39 are eligible for Rapid Rehousing, and 37 require minimal intervention. Assessments have not yet been completed for 10 households (vehicle units), but are in progress by the MOVE Mountain View case managers.

The safe parking model is to provide a pathway to housing through intensive case management. MOVE Mountain View's mission is to provide safety and continuity of place for those living in their vehicles. They note that, for some, it is a safe way to reenter into a community after living in isolation. For others, with the assistance of case managers, clients learn to set obtainable goals that will lead toward permanent housing.

The County sets a target of 30% placement to permanent housing for emergency and temporary programs, such as safe parking. The goal is to get clients on the community queue for services and to transition to other housing options along the housing continuum. As clients move along the continuum, success rates and placement rates continue to rise. Overall, COVID-19 has affected Countywide housing exit rates during this reporting period due to the Shelter-in-Place Order, where many resources and opportunities were not available, and employment has been negatively impacted.

For the most recent reporting period of April 1, 2020 to March 31, 2021, MOVE Mountain View's placement rate was 29%, with four of the 14 households exiting the program and moving on to permanent housing. An additional 10 households have moved to nonpermanent destinations. The remaining 82 households are still participating in Mountain View's safe parking program. The average length of stay before exit is 97 days for permanent destinations and 65 days for nonpermanent destinations. There are also five MOVE Mountain View clients already hosted and six referrals in the queue for intake at the new LifeMoves Mountain View site. These transitions are not reflected in the placement data above.

Recommended Council Actions

The need for safe parking has continued throughout the COVID-19 pandemic and is expected to continue into the recovery period due to the pandemic's impact on economic stability and housing security for Mountain View's vulnerable populations. In addition, staff has observed several benefits of 24/7 operations at the City-secured lots. These full-time hours allow access to water, showers, and hygiene services, which continue to be essential, and also provide more effective on-site access to case managers. Furthermore, by not requiring safe parking vehicles to leave the sites during the day, these vehicles are not relocated to City streets, and participants can experience more consistency and stability to help them move onto the next steps on their path to housing. Since these City-secured lots do not have daytime uses, there is not an impact on availability of parking for other needs.

The continuation of a 24/7 safe parking at City-secured lots will require amendments to existing agreements for the Shoreline Lot B and Evelyn lots and a new lease agreement with Terra Bella II, LLC, for the Terra Bella lot in light of the set June 30, 2021 termination of the resolution that temporarily authorized 24/7 safe parking use on private lots.

Lease Agreements with the County of Santa Clara for Shoreline Lot B and the Evelyn Lot

Staff recommends that the City Council authorize the City Manager to execute an amendment to the no-cost lease agreements with the County to extend use of Shoreline Lot B and the Evelyn Lot for 24/7 use until June 30, 2022, under existing terms, with one change to eliminate the use of the Shoreline Dog Park as of June 30, 2021 for commuter parking of up to 15 passenger vehicles during Dog Park closure hours as these spaces are no longer desired. Council approved the amendment to the Live Nation agreement to effectuate this continued use of Shoreline Lot B on April 13, 2021 (Attachment 5).

The City's interim lease with the VTA for use of the Evelyn lot does not require an amendment because it allows for safe parking operations until a final lease is reached. Presently, City staff is waiting for a review by the Federal Transit Administration of the proposed long-term ground lease. The safe parking program is discussed and defined in the proposed ground lease as ending no later than 24 months after the effective date of the ground lease.

Lease Agreements with Terra Bella II, LLC, and the County of Santa Clara for the Terra Bella Lot

The Terra Bella lot is owned by Terra Bella II, LLC, an Alta Housing company. It is an unfinished, vacant lot with the exception of a vacant structure that remains on it. The

City funded site preparation for safe parking uses in 2019, and it has been used for safe parking since September 2020. The lot is intended for affordable housing in the future. In the interim, the County has been leasing the property from Alta Housing and operating a safe parking program as authorized under the City's Ordinance. The Terra Bella lot has been operating 24/7 under the resolution that authorizes temporary 24/7 safe parking uses due to COVID-19. However, this resolution is set to terminate June 30, 2021.

Given the fact that the lot remains vacant and the City and County's involvement in the Terra Bella lot's operation, staff recommends that Council authorize the City Manager to execute a no-cost lease agreement with Terra Bella II, LLC, under similar terms as included in the County's lease for the use of safe parking, through June 30, 2022, to align with the other lots. In addition, staff recommends a sublease of the Terra Bella lot to the County be executed to enable the lot to remain in use on a 24/7 basis beyond the June 30, 2021 expiration of the above-mentioned resolution and continued operation by the County. City-owned and -controlled lots are not subject to the City's Ordinance, which imposes operational hours for safe parking.

Funding Agreement with the County of Santa Clara

The Fiscal Year 2021-22 Recommended Budget includes \$400,000 to fund 24/7 safe parking services, which is at a similar funding level in the Fiscal Year 2020-21 Budget. This funding amount includes case management for all safe parking participants. The agreement with the County will provide for operations through a contracted provider. (The current provider is MOVE Mountain View. The County has recently conducted a Request for Proposals process for safe parking services for Mountain View and other locations in the County. City staff participated in the proposal review process. County staff's recommendation for safe parking providers is scheduled for the June 22, 2021 Board of Supervisors' agenda). The Recommended Budget also includes continued funding in the amount of \$125,000 for a case worker for Permanent Supportive Housing for the chronically homeless and continued funding of \$60,000 for case management and assistance with housing information and referral by CSA through June 30, 2022. The County provides a direct match for this \$60,000 payment to CSA as well as significant funding for safe parking and other continuum of care services. Staff recommends Council authorize the City Manager to execute a funding agreement with the County in the amount of \$585,000 for these services through June 30, 2022 in order to give staff time to work on the agreement so it is in place early July.

FISCAL IMPACT

City funds in the amount of \$585,000 are included in the Fiscal Year 2021-22 Recommended Budget. The funding is from several sources, including the General Housing Fund, Successor Housing Agency Fund, and American Rescue Plan Act (ARPA) Funds/Limited-Period Funds.

CONCLUSION

Staff recommends authorizing the agreements with the County and Terra Bella II, LLC, to continue 24/7 safe parking at the City-secured sites and execution of an agreement with the County to fund safe parking services, permanent supportive housing, and case management/housing information and referral services as per the recommendations included in this report.

ALTERNATIVES

1. Do not approve the staff recommendation.
2. Modify one or more staff recommendations.
3. Provide other direction to staff.

PUBLIC NOTICING

Agenda posting, web, and social media advisories, and a copy of the report was sent to Santa Clara County representatives, CSA, MOVE Mountain View, Alta Housing, Live Nation, other CBOs and stakeholder group members, shared with the safe parking lots via the operator, and as feasible, others who have corresponded with the City Manager's Office on this topic.

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KST/HM/6/CAM
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- Attachments:
1. Summary of City Actions and Initiatives
 2. [Homeless Initiatives Memo – Update as of October 30, 2020](#)
 3. [Council Report – September 8, 2020](#)
 4. Safe Parking Participant Demographic Data
 5. [Council Report – April 13, 2021](#)