



POLICY AND SERVICES COMMITTEE MINUTES

Special Meeting
August 13, 2013

Chairperson Kniss called the meeting to order at 6:15 P.M. in the Council Chambers, 250 Hamilton Avenue, Palo Alto, California.

Present: Holman, Klein, Kniss (Chair), Price

Absent:

Chair Kniss wanted to continue Agenda Items that pertained to the Auditor's Office to a date uncertain.

Molly Stump, City Attorney clarified that all three Agenda Items were continued.

Chair Kniss reiterated that the "Auditor's Office Quarterly Report as of June 30, 2013," "Report on the Status of Audit Recommendations (June 2013)," and "City Auditor's Office Fiscal Year 2014 Proposed Workplan and Risk Assessment" were continued.

Oral Communications

Mila Zelkha requested a civil discourse regarding homelessness. She welcomed comments and ideas from everyone.

Aram James reported that there was a great deal of conversation occurring since the Vehicle Habitation Ordinance was adopted. He mentioned that a petition to reverse the Ordinance could be found on change.org. The Ordinance had the opportunity to be overturned if a state-wide homeless persons' bill of rights was adopted. On August 19, 2013 a second reading of the Ordinance was scheduled.

Cybele thought Council's vote on the Vehicle Habitation Ordinance not being held prior to the break was a surprising.

Chair Kniss requested clarification of Cybele's comments regarding the Council's vote.

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Cybele left the Council meeting prior to the Council voting on the Vehicle Habitation Ordinance. The TV monitor in the lobby indicated that the Council adjourned the meeting prior to voting on the Ordinance. It appeared to her that Council made their decision in private.

Chair Kniss requested the City Attorney speak with Cybele regarding the issue.

Palo Alto Free Press warned Council Member Klein against slanderous comments. He noted charges filed against the Palo Alto Police Department. Chuck Jagoda mentioned that the parking lots used for the Santa Barbara Parking Program were owned by the city, county, state, and private entities.

Lynn Huidekoper reported the average monthly rental cost for a one-bedroom apartment in Palo Alto was approximately \$2,500 to \$3,400 for a two-bedroom apartment. She noted that the homeless could not be expected to pay these rental amounts, and an insufficient number of landlords accepted rent vouchers. Sequestration caused rent subsidies to be reduced.

Agenda Items

1. Consideration of Approaches to Positively Impact Homelessness and Ordinance Regarding Establishment of Community Center Hours, including Cubberley, Stern and Mitchell Community Centers.

Rob De Geus, Assistant Director of Community Serves reported Cubberley Community Center (Cubberley) was a de facto homeless shelter with approximately 20 people residing on the campus and 18-20 vehicle dwellers using the parking lot nightly. Fighting, bathing, cooking in bathrooms, storage of belongings across the campus, verbal abuse of City Staff, use of alcohol and illegal drugs, and trespassing in classrooms occurred daily.

Minka Van Der Zwaag, Community Services Program Manager indicated a point-in-time count found 7,600 homeless people in Santa Clara County and 157 homeless people in Palo Alto. Requests for homeless services totaled 28,000. A shortfall of affordable rental housing and an increase in poverty were primarily responsible for the rise in homelessness. Staff worked with the Police Department, the City Manager's Office, and service providers to analyze potential workable solutions. Since July 31, 2013, Staff and counselors from the Downtown Streets Team monitored showers at Cubberley and attempted to connect individuals with services. Staff decided to close the showers at Cubberley effective August 31, 2013.

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Chris Richardson, Downtown Streets Team mentioned that the purpose of the needs assessment and outreach was to inform the Council about the nature of the problem and possible solutions. The average number of people using the Cubberley showers was 20.75. Approximately 13 vehicles utilized the parking lot at Cubberley nightly, and an average of 11 people camped on the Cubberley campus without a vehicle. Respondents to the assessment lived in Palo Alto for an average of 12 years. Respondents primarily utilized programs for food and meals, medical care, and lockers for storage. Of the 16 respondents, nine utilized showers at the Opportunity Center, and seven did not; 11 were interested in transitional or emergency shelter; and 14 wanted to work with a case manager on permanent subsidized housing.

Greg Penzinger, Downtown Streets Team Project Manager provided shower alternatives to the Cubberley homeless population. Many did not know where they would go for showers once the program ceased on August 31, 2013.

Ms. Van Der Zwaag believed the most effective method to address the homeless issue at City facilities was a comprehensive, community-wide approach. Staff requested the Policy and Services Committee (Committee) to review alternatives for multi-agency partnerships. One recommendation was funding the Homeless Outreach Team (HOT).

Mila Zelkha, InnVision Shelter Network noted a HOT Team was one of many tools that could be used. The proposal was meant to start a multi-agency dialog regarding homelessness. The community working group offered to convene a homeless services task force.

Ms. Van Der Zwaag explained that a HOT Team was a cross-functional group of service providers working together to move homeless people into housing and to provide people with stability. A HOT Team managed, engaged, transported and secured housing for homeless residents. The team first focused on individuals at Cubberley, then expanded to other homeless areas in Palo Alto. The cost for a HOT Team program was approximately \$150,000 annually. Staff's second recommendation was to have housing subsidies be provided by the County of Santa Clara (County). The County had possible funding for a combination of transitional and long-term rent subsidies for ten homeless individuals who primarily had contact with the criminal justice system. The suggested funding was divided between City and County: County provided funding for rental subsidies and the City provided funding for a case manager for two years. The project was managed by a local homeless service provider selected by the County. Experts indicated incentives worked best when combined with an element of enforcement. Staff, therefore supported a Committee recommendation to the Council of an

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Ordinance to define reasonable hours of public access to community facilities. The proposed Ordinance did not affect any prescheduled use of City facilities.

Greg Betts, Director of Community Services wanted to consider the best operation of Cubberley for the safety of Staff, visitors and program users when attempting to determine solutions to the homeless issue.

Chair Kniss was interested in taking a human services approach to the issue. She acknowledged residents' concerns about Cubberley, but wanted to work toward a solution that provided enforcement and oversight.

Ron Watson, Police Captain reported an increase in activity at Cubberley. He noted that it was a small number of the homeless population that was creating a problem. The previous evening, police officers arrested a female carrying a large number of baggies containing methamphetamines. Two weeks prior, police officers struggled with and arrested an intoxicated, belligerent individual at Cubberley. Enforcement and services were needed at Cubberley.

Chair Kniss noted that police officers utilized overtime to monitor Cubberley.

Council Member Klein inquired about the cost of overtime to monitor Cubberley.

Mr. Watson stated monitoring six hours a night cost the City approximately \$14,000 per month, \$170,000 per year.

Council Member Holman inquired about the length of time between funding a program for the homeless and seeing the positive results.

Dr. Brian Greenberg, InnVision Shelter Network explained HOT would ask police officers to identify homeless people with the most complaints and emergency room contacts. Moving the most difficult homeless people into housing created a different quality of life for the entire community. The implementation period of HOT was approximately 30-60 days. The HOT list was limited to 30-40 names; they needed to move one-fourth of those on the list to housing in the first year and one-half each subsequent year.

Council Member Holman felt one of the difficulties of any program was the immediate impact on the people. She inquired about the relationship between InnVision and healthcare providers in terms of services and funding.

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Mr. Greenberg worked with police officers to detain people that were chronically inebriated and try to offer them services. InnVision encouraged transition from the streets to a shelter, which included services and placement into housing. InnVision worked with police officers, medical professionals, and community-based organizations in a village approach. InnVision worked with homeless people to make better decisions and to move out of poverty.

Council Member Holman asked about InnVision's relationship with medical service providers.

Mr. Greenberg believed substance abuse recovery services were a critical component to sustaining housing. InnVision used Hotel de Zink as a transition to housing. InnVision attempted to engage homeless people for behavioral healthcare services prior to housing them.

Council Member Holman inquired whether the National Guard Armory in Sunnyvale could be utilized for housing outside of the November to March timeframe.

Ky Le, Director of Homeless Systems for the County believed the National Guard Armory could be utilized as interim housing from November to March if the individuals had a place to go after their interim stay at the shelter.

Council Member Holman asked if the National Guard Armory could be used as a shelter beyond the November to March timeframe.

Mr. Le reported the County did not budget for that service but could discuss the option with the Cities of Sunnyvale and Palo Alto. Generally, the County did not expand emergency shelter services, but attempted to provide direct access to permanent or long-term housing.

Council Member Holman inquired about InnVision's proposal to form a HOT Team.

Ray Bacchetti, Homeless Services Task Force indicated many areas of expertise were needed for the homeless issue. HOT Teams, along with other actions were being considered for a comprehensive program.

Council Member Holman wanted to see an organizational chart to identify services, responsibilities, and funding.

Mr. Bacchetti stated an organizational chart existed in part but needed to be compiled into one group.

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Council Member Price felt this conversation was a beginning to many partnerships. She inquired whether a HOT Team approach could provide resources in Palo Alto.

Mr. Greenberg related that HOT Teams were operating in Redwood City, San Mateo, and East Palo Alto, although they were not the answer to the entire homeless problem; many providers were still needed to work with homeless people. Moving the most difficult homeless situations into housing was going to provide the greatest impact to the community.

Ms. Zelkha listed three consistent questions regarding homelessness in Palo Alto were whether Palo Alto was a magnet for homeless people, did Palo Alto residents do their fair share, and what happened to a homeless person who was turned away from services. She assembled a multidisciplinary team to consider the three questions when conducting an audit of existing services for the homeless situation in the mid-Peninsula region. In working with the unhoused, the task force considered approaches that were specific to Palo Alto.

Council Member Price inquired about how to measure outcomes and/or success with the HOT Team approach and whether partner organizations already had existing strategic plans.

Ms. Zelkha did not know who the partner organizations were or what they offered. She mentioned that the task force would gather resources, expertise, and knowledge.

Mr. Greenberg explained that the HOT Team list never reached zero because police departments added new names to the list as others were removed. He encouraged the Committee to contact the chief of police in San Mateo and Redwood City regarding their experiences with the HOT Program. .

Council Member Klein asked where the homeless population would go if the proposed Ordinance closing community centers passed.

Ms. Zelkha replied saying that was the reason multiple agencies, including the County were needed for a solution. The task force included the Community Working Group and Palo Alto Housing Corporation, two housing service providers; the homeless were displaced as of August 31, 2013.

Council Member Klein believed the number of homeless people at Cubberley increased within the past year. He asked if there was another area where the homeless population would move to if Cubberley closed.

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Ms. Zelkha did not know but said one possibility was expanding the Hotel de Zink program. She added that it was not possible for a service provider to create housing.

Mr. Greenberg indicated that many graduates of the shelters frequently worked in the service sector on one side of the Bay and lived on the other side. Those workers were not able to afford to live in Palo Alto or San Francisco.

Mr. Watson reported the highest count of homeless people that were non-vehicle dwellers, living at Cubberley on a single night in the past two weeks was around 30. The number of people varied from four to 15 people. He noted that the police presence seemed to discourage the homeless population at Cubberley.

Council Member Klein inquired about the number of vehicle dwellers at Cubberley.

Mr. Watson indicated it varied from 9 to 20 over the past few weeks.

Chair Kniss opened the meeting up to public comment.

Edie Groner depended on Cubberley Community Center for education and recreation. The proposed Ordinance did not prevent Cubberley from being used as a shelter during the day.

Alice Smith thanked Staff for an interesting and detailed report. She thought a task force should be implemented to find a working solution to homelessness and she requested that the Committee not adopt the proposed Ordinance until the City had a working solution.

Karen Sundback supported adoption of the proposed Ordinance, but did not support the homeless program at Cubberley. The program did not have a schedule for removing homeless people from Cubberley. She did not think a community center should be a homeless shelter.

Palo Alto Free Press believed the homeless problem at Cubberley could have been prevented by the Human Relations Commission (HRC). They thought the Public Defender should be involved in the HOT Team, rather than the District Attorney.

Ray Bacchetti, Homeless Services Task Force expressed interest in working with City Staff to develop an implementation strategy to leverage City funds.

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He added that the expertise of many agencies could help with the homeless challenge.

Diane Jones offered her time and experiences as a homeless person to find a long-term solution to the problem. She added that most service providers catered to drug abusers.

Litsie Indergand, a supporter of The Opportunity Center endeavored to find a positive solution for the homeless.

Katie Fantin, Vineyard Christian Fellowship of the Peninsula reported several of the homeless people at Cubberley were open to other housing options. She was concerned about closing Cubberley without having alternatives in place for the homeless people.

Andrew Voltmer encouraged the City to preserve Cubberley as a community center and not a homeless shelter.

Judith Schwartz felt the ideas presented were good; however, the deadline for closing Cubberley was only two weeks away. She wanted the community to find an alternative location for a temporary shelter and suggested the transition time be extended.

Lynn Huidekoper inquired whether the Committee had completed a formal needs assessment at Cubberley.

Chair Kniss was unaware of an assessment being performed at Cubberley; she requested Staff to contact Ms. Huidekoper with information.

Ms. Huidekoper believed the bulk of vehicle dwellers were middle class citizens with jobs. The shower facilities at The Opportunity Center were not sufficient for the number of homeless people needing the facilities. She thought closing Cubberley should be delayed until an alternative site could be found.

Gertrude Reagan asked the Committee to delay implementation of the proposed Ordinance to allow a transition period.

Greg Rodgers noted the Vehicle Habitation Ordinance would not be enforced until the end of 2013; however, the Committee was considering a proposal that would implement the Vehicle Habitation Ordinance. He asked where the vehicle dwellers would go if the proposed Ordinance was adopted.

Aram James reported violation of the proposed Ordinance would be a misdemeanor punishable by up to six months in jail. He suggested the

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second reading of the Vehicle Habitation Ordinance be removed from the Consent Calendar at the August 19, 2013 Council meeting. The task force did not include representatives of the homeless population.

William Conlon wanted to ensure homeless people were not forced out of Palo Alto. He thought the City should give the community time to identify resources and possible solutions.

Lois Salo stated the homeless were humans and deserved to have a decent life.

Cybele supported formation of the task force. She suggested vehicle dwellers utilize the Veterans Administration parking lot, that a transition period be implemented, and that the second reading of the Vehicle Habitation Ordinance be removed from the Consent Calendar.

Penny Ellson supported the proposed Ordinance and requested additional restrictions be implemented at Cubberley. The homeless problem at Cubberley began two years ago and the homelessness situation required a regional solution.

Carolyn Doberuiv indicated Cubberley was important as a community center. A transitional shelter was a potential solution.

Elizabeth Alexis felt Cubberley should be closed to the homeless. Many parking programs for vehicle dwellers did not provide amenities.

Raj Achutha Narayan believed Cubberley was a magnet for homeless people. Homeless people left their belongings under the soccer stands and moved in once the games ended in the evening.

Mary Anne Deierlein expressed concern about homeless people occupying Cubberley during the daytime. He did not think Cubberley should serve as a de facto homeless shelter.

Chuck Jagoda stated the homeless population at Cubberley had pride.

Edie Keating inquired whether closing Cubberley at night would impede the work of the HOT Team. She requested the Committee consider a multi-city parking program for vehicle dwellers.

Nick Selby supported a multi-agency partnership and dialog. He thought that if Cubberley closed at night, homeless people would disperse to other areas.

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Mary Shaw did not feel safe walking at Cubberley. She wanted the proposed Ordinance to be adopted and wanted an alternative location to be found for the vehicle dwellers.

Michael Hollingshead reported that Stanford Hospital wanted to be a collaborative partner in the homeless issue and added that the Palo Alto Homeless Coalition included the Public Defender's Office.

Pastor Paul Bains founded Project "We Hope," which built a shelter in East Palo Alto. He announced that homeless people in Palo Alto were invited to the shelter and to use the showers.

Chair Kniss asked the location of the shelter.

Mr. Bains specified the address was 1858 Bay Road, East Palo Alto. The shelter fed and housed 50 people nightly; the Opportunity Center and Downtown Streets Team referred some people to We Hope.

Paul Mitchell was a vehicle dweller at Cubberley and said the Opportunity Center did not have enough showers. He suggested Cubberley not be closed to vehicle dwellers because of this fact.

Barbara Goodwin felt it was unfair for the "difficult" homeless people to receive the majority of attention and services proposed by the HOT Team and requested the Committee consider postponing the ban on vehicle habitation.

Stephanie Munoz felt the City should provide monitors for the homeless population at Cubberley and register all homeless people using Cubberley.

Mr. Betts clarified that The Opportunity Center had five operational showers.

Mr. De Geus reported The Opportunity Center had shower programs, drop-in centers for individuals and families, lockers for storage, healthcare, and case management.

Chair Kniss added that The Opportunity Center offered mental health services.

Mr. De Geus noted the closing of Cubberley in two weeks related to the showers only.

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Pam Antil, Assistant City Manager declared City Staff was not qualified to operate a shelter and said the proposed Ordinance should include the plazas around City Hall; therefore, Staff requested the Committee add those areas to the language of the proposed Ordinance.

Council Member Klein inquired whether Staff supported implementation of the HOT Program now or after review of a task force recommendation.

Mr. De Geus reported the HOT Program was the first program discussed. Partner agencies met and discussed other programs and requested time to draft a recommendation.

Council Member Klein requested Staff's recommendation.

Mr. De Geus indicated Staff's recommendation was to implement a HOT Team Program, with some flexibility within the program.

Council Member Klein suggested the recommendation to the Council should be to spend \$150,000 on a program to be determined by Staff, subject to approval by the Council.

Mr. De Geus agreed with Council Member Klein.

Ms. Antil added that Staff would provide more details regarding a program when the recommendation was presented to the Council.

Council Member Holman inquired about the cost to increase the police presence at Cubberley from 6:00 P.M. to 6:00 A.M. for 30 days.

Mr. Watson reported the cost would be \$28,000 per month. The Police Department was short of personnel and had difficulty filling normal overtime. With other overtime requests, officers were possibly not available for overtime at Cubberley.

MOTION: Council Member Holman moved, seconded by Council Member XXXX to recommend the City Council: 1) refer matter to the Human Relations Commission, charge Human Relations Commission and relevant City Staff to identify a structured proposal within 30 days with potential funding sources and a request for funding to address homeless issues discussed this evening with additional critical related matters. Such a structured proposal would include relevant organizations, related programs and responsibilities, relevant funding and a means to measure success. Proposal will not be the final word on this subject but intended to get the City on solid near-term footing for solutions; 2) provide \$75,000 to expand

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the Hotel de Zink program, continue Downtown Street Teams work, and look at expanding Sunnyvale Armory opening earlier; and 3) direct Staff to turn off Wi-Fi at library closing time until opening time the following day; turn off electricity to external outlets at closing time; provide alternative access to showers for people; lock dumpsters in non-work hours; increase patrols at Cubberley; tow unregistered vehicles; and discard unattended belongings.

MOTION FAILED DUE TO THE LACK OF SECOND

MOTION: Council Member Klein moved, seconded by Council Member Price to recommend to the full Council: 1) that Staff develop a program at a one-time cost not to exceed \$150,000 to deal with homeless issues discussed tonight; 2) that Staff provide the details of the program as soon as complete, or as soon as possible thereafter, for consideration and approval by the Council; 3) approval of Recommendation Number 2, page 7 of the Staff Report, "funding match with Santa Clara County for housing subsidies;" and 4) approve an Ordinance (Attachment A) that establishes hours of public access to the Cubberley Community Center and other City of Palo Alto Community Facilities as sunrise to 10:30 P.M. daily.

Council Member Klein believed homeless people had the same rights as other citizens; however, no one had the right to turn Cubberley Community Center into a homeless shelter. Limited data indicated the increased number of homeless people at Cubberley did not come from Palo Alto. The City alone was not able to solve the problem of homelessness. Delaying City action did not help the adjacent neighbors or increase the likelihood of a solution being identified in a short time. The Cubberley needs assessment referred to lease negotiations with the Palo Alto Unified School District (PAUSD). Agencies other than the City had the primary obligation to fund programs for homelessness. He did not expect City funding to continue annually. If the Committee approved the Motion, then the Council needed to receive the recommendation in late August or early September 2013.

Ms. Antil reported a first reading of the Ordinance was on August 19, 2013; however, a program and any details of a program were not going to be drafted that quickly.

Council Member Klein noted an Ordinance would become effective 30 days after a second reading and approval.

Mr. Betts inquired whether the \$150,000 amount would be a one-time expense.

Council Member Klein answered yes.

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Chair Kniss requested Council Member Klein comment on the shower closure at Cubberley.

Council Member Klein agreed with Staff that Cubberley shower facilities would close as of August 31, 2013.

Mr. Betts understood the showers would close as of August 31, 2013.

Council Member Klein explained that many suggestions from the adjacent neighbors would become effective with passage of the proposed Ordinance.

Council Member Price viewed the homeless problem as a public health, safety, and welfare issue for the individuals and facility users. Determining new ways to leverage funding was critical. The Motion provided opportunities to develop sophisticated strategies. Public resources for homelessness were insufficient.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER request that Staff bring forward to Policy and Services Committee a discussion of the utilization of the Community Health and Safety component of the Development Agreement with Stanford University Medical Center, including a discussion of health services to individuals most at risk including members of the homeless community.

Council Member Price inquired whether Stanford University was merely interested in participating or proposed participating in a homeless program.

Nadia Richardson, Downtown Streets Team was negotiating a contract with all hospitals in the County with respect to homeless people.

Council Member Price assumed homeless people would be included in the program discussions.

Ms. Zelkha met with members of the unhoused community to share ideas. The task force wanted to hold an interagency discussion.

Ms. Richardson reported the County had slots reserved for homeless men and women to share their experiences.

Chair Kniss noted the County continued to work on the homeless problem. One of the Council's responsibilities was to protect the community. The Motion was a balancing act between the neighbors and the homeless population. Mr. Bains invited homeless people to shelter and shower at We

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Hope. Other solutions were presented. The Opportunity Center was a regional agency.

Council Member Holman did not support the Motion because Staff, rather than the HRC were to develop a program. Of the \$150,000 provided in the Motion, \$100,000 was to be used to match County funds to provide housing for ten people.

Ms. Van Der Zwaag reiterated that funding for the HOT Team was \$150,000, and the County proposal for housing was \$50,000 for two years.

Council Member Holman inquired whether the \$150,000 stated in the Motion would fund both the HOT Program and the County program.

Ms. Van Der Zwaag stated one year of funding for the HOT Team was \$150,000, and \$50,000 per year, with a two-year request for funding was needed for the County to commit to provide the subsidy.

Council Member Holman did not feel the Motion clearly stated the funding aspect.

Council Member Klein indicated the first and second parts of the Motion covered the HOT Program and the County subsidy program.

Council Member Holman clarified that the funding commitment was \$250,000. The proposed Ordinance did not solve some issues raised by neighbors.

Chair Kniss inquired whether the first reading of the Ordinance would be placed on the Council Agenda for August 19, 2013. The next scheduled Council meeting after August 19, 2013 was September 9, 2013. She requested Staff to consider placing the second reading on a Special Meeting Agenda, in case one was scheduled before the end of August.

Ms. Antil was able to present the Ordinance for a first reading on August 19, 2013. A draft program was to be presented to the Council at a later time.

Molly Stump, City Attorney noted 11 days were required between the first and second readings of an Ordinance; therefore, a second reading occurred at a Special Meeting on August 30, 2013, or in the first week of September, or at the Regular Meeting scheduled for September 9, 2013.

MOTION PASSED: 3-1 Holman no

~~2. Auditor's Office Quarterly Report as of June 30, 2013.~~

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- ~~3. Report on the Status of Audit Recommendations (June 2013).~~
- ~~4. City Auditor's Office Fiscal Year 2014 Proposed Workplan and Risk Assessment.~~

ADJOURNMENT: The meeting was adjourned at 9:29 P.M.