



NATHAN FLETCHER

CHAIR

**SUPERVISOR, FOURTH DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS**

AGENDA ITEM

DATE: April 6, 2021

TO: Board of Supervisors

SUBJECT

CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)

OVERVIEW

While the County of San Diego serves as the primary governmental jurisdiction responsible for programs and services related to individuals who are experiencing homelessness in the unincorporated areas of the region, the County also provides vital health and human resources and services to assist and support individuals throughout the region, many of whom are homeless or at risk of homelessness.

In past decades, this Board was primarily interested in its responsibilities to the unincorporated areas when it came to homelessness issues. But the Board of Supervisors now has shown a commitment to leveraging County expertise and resources to help all vulnerable San Diegans because we have a regional leadership role to play. With the change in the Board and the associated change in priorities, now is the time to strengthen the County's role in addressing homelessness to determine how our approach can be better coordinated and effective.

I propose creating the Department of Homeless Solutions and Equitable Communities within the Health and Human Services Agency (HHS) and ask that staff report back to this Board with recommendations on how best to operationalize this proposal, including appropriate existing and additional resources necessary to realize such functions. A separate department is necessary to achieve sustained focus on this complex and interconnected issue. The creation of this new department will achieve better coordination of existing and future County homeless activities and programs and serve as a central point of contact and collaboration for outside partners in order to help vulnerable San Diegans and reduce homelessness in the region.

**SUBJECT: CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND
EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING
PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)**

In addition, this proposal outlines guiding principles that should be applied to any current and future County actions related to homelessness, and incorporated into Board Policy A-128, suspends the process on an ordinance that would risk criminalizing homelessness, and offers direction on a zoning amendment that will facilitate the siting of housing and facilities to support people experiencing homelessness.

RECOMMENDATION(S)

CHAIR NATHAN FLETCHER

1. Direct the Chief Administrative Officer (CAO) to use the guidelines outlined in this Board Letter to assess the current functions of County services related to persons experiencing homelessness and report back to the Board within 90 days as to how to better centralize related County functions, including reorganization of existing staff, resources and state and federal homeless funding and assess the need for additional staff and resources, under a Department of Homeless Solutions and Equitable Communities within the Health and Human Services Agency (HHS), in order to improve efficiency and effectiveness with a particular focus on equity, data, and working in collaboration with external partners.
2. Direct the CAO to revise Board of Supervisors Policy A-128, Comprehensive Homeless Policy, to incorporate the guidelines outlined in this Board Letter and report back to the Board within 90 days.
3. Direct the CAO to accelerate work on future Zoning Ordinance changes previously directed by the Board on May 19, 2020, in order to streamline the location of emergency and permanent supportive housing, and other facilities to support people experiencing homelessness, and seek input from the community, led by appropriate HHS staff, to establish a framework for the appropriate siting of such locations, to determine the best approach to address environmental or other regulatory considerations that are current barriers to such changes, and report back to the Board within 90 days.
4. Direct the CAO to suspend current efforts previously directed by the Board on May 19, 2020, that authorized the development of ordinances intended to minimize the impacts associated with homelessness on park and recreation users and facilities.

FISCAL IMPACT

There is no fiscal impact associated with the proposed action. The creation of a new Department of Homeless Solutions and Equitable Communities and any proposed changes to County reorganization that require additional resources would be brought before the Board for approval and allocation in the Fiscal Year 2021-22 Operational Plan.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

**SUBJECT: CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND
EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING
PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)**

BACKGROUND

While the County of San Diego serves as the primary governmental jurisdiction responsible for the programs and services related to individuals who are experiencing homelessness in the unincorporated areas of the region, the County also provides vital health and human resources and services to assist and support individuals throughout the region, many of whom are homeless or at risk of homelessness.

In fact, in Fiscal Year 2019-2020, the County supported over seventy-five programs and spent hundreds of millions of dollars serving people that are homeless or at risk of homelessness. Specifically, county workers and contractors provide invaluable support countywide through outreach and behavioral health services. In addition, over 500 million dollars in public assistance is provided annually to individuals and families, many of whom are housing unstable. This is a substantial investment of public resources, and while these programs provide critical support, there is an opportunity to better coordinate an integrated systems approach to providing services across the County enterprise.

In recent years, the County has made significant investments on programs that address the root causes of homelessness. Continued investment in our Behavioral Health System, my number one policy priority, takes time, but will result in significant impact for some of the more vulnerable individuals experiencing homelessness. The expansion of county-wide Mobile Crisis Response Teams, an alternative to law enforcement response for individuals in crisis, an initiative I first brought before the Board in June 2020 is gaining momentum and is set to operationalize late summer 2021. And Whole Person Wellness, an innovative program focused on people with significant health conditions in need of coordinated care and housing, represented a shift for the County and has led to success. Today's action will build on such programs and emphasize a strategic and long-term policy priority to reduce homelessness.

In past decades, this Board was primarily interested in its responsibilities to the unincorporated areas when it came to homelessness issues, rather than taking on a regional leadership role. But the Board of Supervisors today, through various initiatives, has shown a commitment to leveraging County expertise and resources to help vulnerable San Diegans throughout the region. And although the County must fulfill its responsibility to the unincorporated areas, it also has a regional role to play. With the change in leadership at the Board and the associated change in priorities, now is the time to reassess the County's role in addressing homelessness to determine how our approach can be better coordinated and more effective.

Many cities are stepping up to address homelessness more substantively, but the issue of homelessness does not stop at city borders; it is an issue the entire region must tackle comprehensively. While cities are obligated to provide for individuals experiencing homelessness within their jurisdictions, the County is poised to play a centralized role in addressing this significant challenge.

In addition to incorporated cities, the Regional Task Force on the Homeless (RTFH), our region's Continuum of Care, is a regional body that takes on important work in this space. RTFH leads on policy issues, including producing policy guidelines that outline best practices for those engaging

**SUBJECT: CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND
EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING
PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)**

in outreach with individuals experiencing homelessness, working collaboratively with community partners and jurisdictions throughout the region, and providing guidance on coordinating housing and service funding from the state and federal governments.

To make substantive change on this issue, the County must prioritize partnerships with other jurisdictions and organizations to address the issue of homelessness in a coordinated manner. Through such coordination, responses to homelessness will be more effective and efficient. Some examples of this coordination should include strategizing to leverage state and federal funding, facilitating shared agreements with other jurisdictions and partners for deep collaboration on solutions, and regular coordination services and programs.

To successfully approach the complex issue of homelessness requires focused and sustained attention. All jurisdictions must contribute toward increasing housing supply in the region. We must ensure adequate new permanent supportive housing as well as emergency, interim and specialty housing, including board and care, recuperative care, recovery residences and other types of housing necessary to have the appropriate housing options at the right time for an individual or family's need. Cities must remove the hurdles to siting various housing options and must, in partnership with each other and the County, dramatically increase the supply of housing types.

Centralize Related County Functions

The County's knowledge and expertise in trauma-informed practices, leveraging data and research, and having a skilled workforce places it in a unique position to drive a focused approach to coordination of services the region needs to be successful at addressing homelessness in the region.

The new priorities and energy at the Board provide an appropriate opportunity to assess the extensive work that the County is already doing related to homelessness and determine how we can better centralize related County functions. In addition to this assessment, now is the time to contemplate how the reorganization of existing staff and resources and the potential for expansion of new resources could improve efficiency and effectiveness and make the County a regional leader on homelessness.

As such, I propose creating the Department of Homeless Solutions and Equitable Communities within the Health and Human Services Agency (HHS) and ask that staff report back to this Board with recommendations on how best to operationalize this proposal, including appropriate existing and additional resources necessary. This entity should have both internal and external functions. First, this department must work within the County enterprise to serve as a connection between departments to better coordinate services and interventions. Additionally, this department must serve in an external leadership role, working collaboratively with jurisdictions, community partners, and RTFH on regional strategy and partnerships. In addition to solutions for individuals currently experiencing homelessness, this entity should devote efforts to upstream prevention and interventions with a particular focus on economic inclusion and poverty reduction.

**SUBJECT: CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND
EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING
PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)**

Guiding Principles for Homelessness

To create an equitable region that tackles homelessness head-on, the County must implement approaches that have proven successful in other parts of the country and have principles to guide this work. A new policy for our region must focus on equity, be grounded in science and data, and recognize the interdependent nature of the work required to address homelessness.

Guiding Principles: Any current and future County actions on homelessness in any department must adhere to the following guiding principles:

- Ensuring racial and social equity in all aspects of homelessness prevention and response.
- Committing to a Housing First approach and regular review of County programs to ensure implementation.
- Providing culturally and linguistically appropriate services.
- Creating a person-centered system that emphasizes trauma-informed care and provides low-barrier access to available services to individuals.
- Ensuring Countywide regional leadership for an integrated system that works collaboratively with outside partners.
- Increasing access to affordable and appropriate housing, including housing necessary for resolving behavioral or physical health conditions.
- Creating sustainable programs with long-term funding.
- Avoiding and eliminating policies and practices that criminalize homelessness.
- Moving away from outreach by law enforcement, focusing instead on programs that emphasize and consolidate outreach efforts to offer services, and public safety diversion, to avoid cycles of incarceration.
- Committing to evidence-based, data-driven solutions that encourage residents in need to utilize available supportive services.
- Investing in quality, timely and accurate data collection, analysis and reporting, including data management strategies, appropriate data sharing within the County and with outside partners, and the human infrastructure to measure the effectiveness of homelessness prevention and intervention efforts.
- Maximizing social service interactions to prevent homelessness.

Board Policy A-128, the County’s homelessness policy, should be amended to incorporate the guidelines above and to more accurately reflect the values of this Board. These revisions should be brought back to the Board in 90 days for review and approval.

Abandon Efforts that Criminalize Homelessness

Former efforts of this Board sought to emphasize a law enforcement approach to homelessness. Best practice shows us that criminalizing homelessness is ineffective and harmful to the individuals experiencing homelessness. Instead, a persistent outreach model that emphasizes low-barrier access to services is the more appropriate approach.

In January 2020, this Board approved resources for the unincorporated areas to address homelessness in areas with limited resources and infrastructure. Included in that proposal was a direction to “review and propose strengthening County regulations to address sleeping in public

**SUBJECT: CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND
EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING
PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)**

areas...” This item returned in May 2020 and authorized the Chief Administrative Officer to “develop proposed ordinances intended to minimize the impacts associated with homelessness on park and recreation users and facilities and return to the Board for consideration.” Making such changes to ordinances goes against best practice and risks punishing someone simply for being unsheltered.

Amending ordinances in this way is also constitutionally suspect. In *Martin v. Boise*, a panel of 9th Circuit judges held that “as long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property, on the false premise they had a choice in the matter.” Instead of spending energy on ordinances that criminalize homelessness, we instead should direct our efforts to create more housing and services needed to support unhoused individuals. Such an ordinance change would go against the guidelines outlined in this proposal. Therefore, I recommend that we suspend such efforts to strengthen related ordinances.

Move Forward with Urgency to Appropriately Place Facilities

On May 19, 2020, the Board authorized the Chief Administrative Officer to pursue permanent amendments to the zoning ordinance that broadened and expanded definitions related to emergency shelter and called for easing placement of various permanent and temporary housing options. This is critical work that is central to addressing homelessness in our region and staff should move with urgency on this issue.

This initiative requires the expertise of both HHSA and Land Use and Environment Group staff for an effective implementation of a homeless facilities ordinance. In line with the guiding principles identified in this action, HHSA staff should lead a public process, with the support of other county staff with land use expertise, to identify criteria for where emergency and temporary housing options may be located in the context of a larger effort to address homelessness throughout the region. Land use staff must retain the leadership for the development of the technical aspects of the ordinance to comply with applicable zoning and environmental laws.

I am requesting that this be brought back to the Board for approval in 90 days after the public engagement process.

Conclusion

In summary, this proposal will create the Department of Homeless Solutions and Equitable Communities, direct the CAO, using the guidelines outlined above, to assess current County functions and report back to the Board on reorganization necessary to more effectively address homelessness countywide, to amend Board Policy A-128, to suspend work on any future ordinance amendments that seek to strengthen bans on sleeping on County property, and continue work on future zoning amendments to facilitate the siting of housing, facilities and services in the unincorporated areas to support people experiencing homelessness.

I urge your support.

SUBJECT: CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND
EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING
PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support the Healthy Families, Safe Communities, and Operational Excellence Strategic Initiatives for Excellence in the County of San Diego's 2021-2026 Strategic Plan by increasing the availability of services and housing for people experiencing homelessness and improving the organizational efficiency of County departments working on related issues.

Respectfully submitted,

A handwritten signature in black ink that reads "Nathan Fletcher". The signature is written in a cursive style with a long horizontal stroke extending to the right.

CHAIR NATHAN FLETCHER
Supervisor, Fourth District

ATTACHMENT(S)

N/A

SUBJECT: CREATING A DEPARTMENT OF HOMELESS SOLUTIONS AND
EQUITABLE COMMUNITIES AND ADOPTION OF GUIDING
PRINCIPLES ON ADDRESSING HOMELESSNESS (DISTRICTS: ALL)

AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

January 28, 2020 (6) Addressing Immediate and Ongoing Solutions for Homelessness Throughout Unincorporated Communities of San Diego County; May 19, 2020 (7) Receive Plan on Ongoing Solutions to Address Homelessness in the Unincorporated Communities of San Diego County; Request Authorization to Expand Hotel and Motel Voucher Program and Implement Local Rental Subsidy Program; and Adoption of an Urgency Ordinance Expanding the Use Classification of Emergency Shelter and Permitting Such Activities on Additional Properties in the Unincorporated Area of the County of San Diego.

BOARD POLICIES APPLICABLE:

Board Policy A-128, Comprehensive Homeless Policy

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: Fourth Supervisorial District

OTHER CONCURRENCE(S): N/A

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