

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF PUBLIC WORKS, THROUGH JUNE 30, 2025, UNLESS REMOVED BY THE CITY COUNCIL PRIOR TO THAT DATE, TO: (1) REVIEW AND APPROVE CEQA DOCUMENTATION FOR SELECTED SITES FOR SUPPORTIVE OUTDOOR SLEEPING AND/OR BASIC NEEDS SITES; (2) REVIEW AND APPROVE CEQA DOCUMENTATION FOR THE CERONE YARD INTERIM HOUSING PROJECT SITE; (3) AWARD AND EXECUTE CONTRACT(S) FOR THE CONSTRUCTION OF PROJECT(S) FOR THE PURPOSE OF SUPPORTIVE OUTDOOR SLEEPING AND/OR BASIC NEEDS SITES AT VARIOUS LOCATIONS TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$5,000,000 FOR EACH SITE; (4) AWARD AND EXECUTE CONTRACT(S) FOR THE CONSTRUCTION OF INTERIM HOUSING PROJECTS AT CERONE AND/OR CHERRY SITES TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER IN AN AMOUNT NOT TO EXCEED \$25,000,000 EACH; (5) DECIDE ANY TIMELY BID PROTEST(S) AND MAKE THE CITY'S FINAL DETERMINATION AS TO THE LOWEST RESPONSIVE BIDDER THAT IS RESPONSIBLE AS NEEDED TO AWARD THE CONTRACT(S); AND (6) APPROVE CONTINGENCY IN THE AMOUNT OF 10% OF THE CONTRACT AMOUNT FOR EACH CONTRACT

WHEREAS, ongoing efforts by the City of San José ("City") to establish safe sleeping sites were initiated following the City Council's endorsement of the Community Plan to End Homelessness (2020-2025) in August 2020, which outlines strategies to address homelessness, including the development of Supportive Outdoor Sleeping ("SOS") sites designed to provide managed and secure environments for unsheltered individuals as an alternative to encampments, to improve the quality of life for unsheltered individuals and help them move toward self-sufficiency; and

WHEREAS, in accordance with Section 1204 of the San José City Charter, the City Council approved the Mayor's March Budget Message for Fiscal Year 2024-2025, which emphasized the urgent need for safe sleeping sites; and

WHEREAS, in accordance with City Council direction, the City Manager's 2024-2025 Proposed Operating Budget allocates \$10,000,000 in Fiscal Year 2024-2025, \$5,000,000 ongoing, to establish basic, low-cost, low-barrier safe sleeping sites by the end of December 2024, contingent upon City Council approval of one or more sites before July 2024; and

WHEREAS, on October 24, 2023, the City Council adopted a Shelter Crisis declaration and proclamation of a local emergency caused by conditions and threatened conditions of homelessness in the City, and the City Council will consider extending the declaration and proclamation on June 18, 2024; and

WHEREAS, SOS sites, primarily consisting of a secured and managed individual tent area for adults with food, potable water, toilets, showers, laundry, and waste disposal, can add additional infrastructure and service opportunities for individuals living in encampments by creating an alternative to encampments that includes a combination of services and case management and will provide a supportive environment until participants access housing opportunities; and

WHEREAS, Basic Needs Sites can add additional service opportunities by providing basic trash services, portable toilets, hand washing stations, showers and laundry, trash disposal, and some form of limited site security or monitoring; and

WHEREAS, the City has identified several potential sites for the development of SOS sites, Basic Needs Sites, or other temporary housing options, and has conducted initial environmental assessments and preliminary analyses to assess real estate feasibility,

including an assessment of geographic constraints and an evaluation of each site's suitability for development, and desires to move forward with further analysis and, if determined viable, to proceed with development of managed and secure environments for unsheltered individuals; and

WHEREAS, the City has consistently sought ways to accelerate delivery of all types of housing related solutions; and

WHEREAS, the City desires to authorize the Director of Public Works to review and approve CEQA documentation, award and execute construction contracts, decide any timely bid protests, and approve contingencies for the SOS and Basic Needs Sites identified in Exhibit A to this resolution, as well as for the Cerone Yard Interim Housing Project site ("Cerone") and the Cherry site, with any CEQA appeal heard by the City Council in accordance with Title 21 of the San José Municipal Code and state law, in order to provide the necessary flexibility for City staff to expedite the contract award process, reduce the project schedules by approximately six to eight weeks, and allow for an earlier construction start date;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Director of Public Works is hereby authorized to take the following actions through June 30, 2025, unless such authorization is removed by the City Council prior to that date:

1. Review and approve CEQA documentation for selected sites for supportive outdoor sleeping and/or basic needs sites;

2. Review and approve CEQA documentation for the Cerone Yard Interim Housing Project site;
3. Award and execute contract(s) for the construction of project(s) for the purpose of supportive outdoor sleeping and/or basic needs sites at various locations to the lowest responsive, responsible bidder in an amount not to exceed \$5,000,000 for each site;
4. Award and execute contract(s) for the construction of interim housing projects at the Cerone and/or Cherry sites to the lowest responsive, responsible bidder in an amount not to exceed \$25,000,000 each;
5. Decide any timely bid protest(s) and make the City's final determination as to the lowest responsive bidder that is responsible as needed to award the contract(s); and
6. Approve contingency in the amount of 10% of the contract amount for each contract.

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ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT A

Potential Sites for Supportive Outdoor Sleeping Sites and Basic Needs Sites

Site Name/Location	Parcel Number	Due Diligence (partial summary)
South Parcel off Lelong Street	434-04-003, -004, -011, -012, -013, -066, -083, -084, -088	Staff performed preliminary site analysis and determined that it is potentially suitable for SOS.
North Parcel off Willow Street	264-48-098	Staff performed preliminary site analysis and determined that it is potentially suitable for SOS.
14020 and 3278 Almaden Road	459-01-021 459-02-001	No air quality or flood zone studies needed. Site is potentially suitable for SOS.
Almaden Road at Canoas Garden Avenue	456-18-001	No air quality concerns; further flood zone analysis and possible noise impacts require additional analysis.
1157 E. Taylor Street	249-21-006	No flood zone concerns; proximity to US-101 and to aircraft flyover will require further analysis.
South Coyote Valley site	725-01-023	Preliminary analysis indicates the project is consistent with the Mitigated Negative Declaration for the Emergency Interim Housing Programs project. Further analysis required.
Tully/Monterey Property	477-25-044 477-23-036	No air quality concerns; no flood measures required; potential noise analysis may be required.
Kelley Park/Phelan Parking Lot	477-12-032, -020	Staff performed preliminary site analysis and determined that it is potentially suitable for Safe Parking or SOS.