



Legislation Details (With Board Report)

**File #:** A 17-134      **Name:** Community Homeless Solutions Occupancy Agreement  
**Type:** BoS Agreement      **Status:** Passed  
**File created:** 5/2/2017      **In control:** Board of Supervisors  
**On agenda:** 5/23/2017      **Final action:** 5/23/2017

**Title:** a. Approve and authorize the Contracts/Purchasing Officer, or his designee, to sign a no cost Occupancy Agreement with Community Homeless Solutions, effective upon execution, for use of a confidentially located facility used for operation of an emergency shelter program;  
b. Accept non-standard mutual indemnification language (Section VI.) as recommended by the Director of the Department of Social Services; and  
c. Authorize the Contracts/Purchasing Officer, or his designee, to sign up to three (3) amendments to this Agreement where the amendments do not significantly change the terms of the Agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Comm Homeless Solutions Occupancy Agreement - Redacted, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
5/23/2017	1	Board of Supervisors	approved	

a. Approve and authorize the Contracts/Purchasing Officer, or his designee, to sign a no cost Occupancy Agreement with Community Homeless Solutions, effective upon execution, for use of a confidentially located facility used for operation of an emergency shelter program;  
b. Accept non-standard mutual indemnification language (Section VI.) as recommended by the Director of the Department of Social Services; and  
c. Authorize the Contracts/Purchasing Officer, or his designee, to sign up to three (3) amendments to this Agreement where the amendments do not significantly change the terms of the Agreement.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Approve and authorize the Contracts/Purchasing Officer, or his designee, to sign a no cost Occupancy Agreement with Community Homeless Solutions, effective upon execution, for use of a confidentially located facility used for operation of an emergency shelter program;  
b. Accept non-standard mutual indemnification language (Section VI.) as recommended by the Director of the Department of Social Services; and  
c. Authorize the Contracts/Purchasing Officer, or his designee, to sign up to three (3) amendments to this Agreement where the amendments do not significantly change the terms of the Agreement.

**SUMMARY/DISCUSSION:**

Formerly known as Shelter Outreach Plus, Community Homeless Solutions plays a significant role in Monterey County as a provider of shelter and homeless services to many of the most vulnerable residents in the community. Community Homeless Solutions operates a 24-hour emergency shelter for women and children who are facing emergency homeless situations and/or who are victims or survivors of domestic violence at a County owned facility (the Facility). This action provides for Community Homeless Solutions' continued use of the Facility to

operate the emergency shelter.

The funding and operational terms of this emergency shelter program are contained in a separate agreement that does not reference the location of the Facility. This Occupancy Agreement is necessary to outline the terms of use and shared responsibilities for the Facility between the County and Community Homeless Solutions. This no cost Occupancy Agreement becomes effective upon execution and is valid until terminated or amended.

For the safety of the women and children at the shelter, it is critical that the Facility location is kept confidential. Therefore, the Occupancy Agreement being brought forward for consideration has all references to the location redacted. A fully executed, non-redacted version will be kept on file at the Department and provided to Community Homeless Solutions.

Community Homeless Solutions requires that leases and occupancy agreements include non-standard mutual indemnification. The Department is recommending approval of this exception to the County's standard indemnity language due to the limited number of alternative providers of emergency shelter services and the County's long-standing relationship with Community Homeless Solutions in providing shelter programs.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved the Agreement as to form. Risk Management did not approve the mutual indemnification provisions. Contracts/Purchasing has reviewed and approved this Agreement.

FINANCING:

Approval of this action has no impact on the County General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This Agreement correlates to the Health & Human Services and Public Safety Strategic Initiatives adopted by the Board of Supervisors by using existing County facilities to provide emergency shelter services for homeless families and victims of domestic violence.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Kim Petty, Administrative Operations Manager, x4492

Approved by: Elliott Robinson, Director of Social Services, x4430

Attachments: Occupancy Agreement - Redacted Location

Proposed agreement is on file with Clerk of the Board as an attachment to this Board Report

