

# Tuolumne County Commission on Aging

Agenda for Meeting on Monday, May 10, 2021, 1:30 pm

To be held via Zoom

**To Join by Computer**

<https://us02web.zoom.us/j/89499336387>

**Or By Phone: 1 (669) 900-6387**

Meeting ID: 894 9933 6387

1. **Call to Order.**
2. **Introductions.**
3. **Public Comment:** Non-Commissioners are welcome to speak about senior-related issues NOT listed on this agenda (2 minutes maximum per speaker) – no discussion, please.
4. **Minutes:** Approval of Minutes of the April 12, 2021 meeting.
5. **Chair’s Report:** Rex Whisnand
6. **Treasurer’s Report:** Cathie Peacock
7. **Corresponding Secretary’s Report:** Kristi Conforti
8. **County Report:** Supervisor David Goldemberg, District 1/Jason Terry, CAO’s Office
9. **Guest Speaker:** Supervisor Kathleen Haff, District 4.
10. **Committee Reports on 2021 Goals:**

## **Transportation Committee:**

1. Report unmet needs in Senior Transportation to SSTAC (Social Services Transportation Advisory Council) and County.
2. Review a program of driver assistance to Seniors utilizing taxi and public transportation services.

## **Community Relations Committee:**

3. Continue to review viability of Senior Volunteer Event.
4. Continue to review viability of Centenarian Luncheon.

5. Have a Commissioner attend BOS (Board of Supervisors) meetings as needed and speak on Senior topics during Public Comment or on Agenda.
6. Attend Senior community meetings & events and publicize COA (Commission on Aging). Report back to COA as part of regular Agenda item.
7. Investigate establishment of County-wide network to provide services to seniors via phone, online, newspapers, etc.

**Legislative Committee:**

8. Continue to monitor State and Federal Legislation as it impacts Seniors, and report to BOS as needed.
9. Report periodically on the status of Senior Legislature proposals, and highlight items which will directly impact the County.
10. Study California Master Plan for Aging and make recommendations to BOS and other agencies.

**Governance Committee:**

11. Continue to recruit new members to fill openings and maintain a “bench strength”.
12. Develop an ongoing succession process for the COA.
13. Review COA ByLaws and present recommended changes to COA.

**Education Committee:**

14. Review information from applicable organizations and agencies on Senior homelessness, and report concerns to BOS.
15. Investigate impact of Homeowners Insurance situation on Senior homeowners and renters.
16. Review current County plans for emergency evacuation of Seniors and make recommendations as appropriate.
17. Develop list of relevant speakers for March – November meetings, to include all Supervisors.
18. Monitor and report on Covid-19 vaccination situation in County as it applies to Seniors.

**Senior Expo Task Force:**

19. Investigate putting on 10<sup>th</sup> Senior Expo later in year.

**11. Unfinished Business:**

Current Status of Commission membership/Revised Roster (Attached).

**12. New Business:**

Emergency Shelter Declaration (Attached).

Elder Abuse Seminar.

ByLaws Review.

Compensation for Zoom Host.

**13. Public Comment.**

**14. Adjournment.**

**Next COA Meeting:  
June 14, 2021, 1:30 PM  
Location: By Zoom**

**COA Executive Committee Meeting:  
June 7, 2021, 2:00 PM  
Location: By Zoom**

*In accordance with Government Section 54954.3(a), the public may comment on any item on the agenda. In accordance with the Americans with Disabilities Act, if you need special assistance (i.e. auxiliary aids or services) in order to participate in this public meeting, please contact the Commission on Aging Chair, Rex Whisnand (209) 743-3787. Notification 48 hours prior to the start of the meeting will enable staff to make reasonable accommodations to ensure accessibility to this public meeting. Agenda packet materials are available for public inspection at the office of the Tuolumne County Administrator, 2 S. Green St., Sonora CA 95370.*



# COUNTY OF TUOLUMNE

County Administrative Office– Health and Human Service Agency – Community Development Department

May 4, 2021

2 S. Green Street  
Sonora, CA 95370  
[www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov)

TO: Honorable Board of Supervisors

FROM: Tracie Riggs, County Administrative Officer  
Rebecca Espino, Health and Human Services Agency Director  
Kellae Brown, Homeless Prevention Coordinator  
Quincy Yaley, AICP, Community Development Department Director

RE: Declaration of a Shelter Crisis

## REQUESTED ACTION

Consideration of approving a Declaration of Emergency due to a shelter crisis pursuant to Government Code §8698.2.

## BACKGROUND INFORMATION

1. Homelessness issues were declared a Board of Supervisors priority in 2021. Lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness, including those residing in the County. Unsheltered homeless individuals experience disproportionately high rates of poor overall health; they often do not seek treatment for their physical and mental health symptoms; they are more likely to become victims of crime and exploitation; and they face an increased risk of premature death. However, when individuals lacking shelter gain access to temporary shelter and supportive services, their health conditions generally improve, as do their prospects of securing permanent housing (which, in turn, often leads to substantial improvements in health, life expectancy, and personal safety).
2. In the context of the global COVID-19 pandemic, access to shelter has become even more critical to the health and safety of homeless individuals. In addition to the risk COVID-19 poses to all County residents, homeless individuals face a wider range of additional threats related to their limited ability to self-isolate, lack of personal protective equipment (PPE), and lack of access to hygiene facilities.
3. Given the complexity and magnitude of the homelessness crisis and the limited supply of affordable permanent housing in the County, there is a significant and immediate need for interim housing in the County, including emergency shelter, to protect the life, health, and safety of homeless individuals in the County.
4. Tuolumne County is a member of the Central Sierra Continuum of Care (COC) which is comprised of homeless advocates and service providers in the foothill counties of Amador, Calaveras, Tuolumne and Mariposa. The COC conducts the annual Point in Time (PIT) count with assistance from groups such as churches, food banks, shelters, community supportive service agencies, law enforcement and various county social services and behavioral health staff. The PIT count completed in January of 2019 of unsheltered individuals found that 385 persons within the County of Tuolumne are homeless and living without shelter.
5. The Health and Human Services Agency (HHS) monitors the number of individuals who report their physical location as "homeless". Data collected by HHS from individuals utilizing public

assistance programs, specifically CalFresh (food assistance program for single adults and families) and CalWORKs (cash assistance program for only families), provides additional information about individuals without shelter. In February of 2021, 516 individuals participating in the CalFresh program reported their location as “homeless, which included 57 individuals under the age of 18, and 324 individuals between the ages of 19 – 50. Forty-one individuals receiving CalWORKs assistance reported their location of “homeless”, including 26 individuals under the age of 18.

6. Additionally, HHS tracks a six-month range that captures individuals reporting as being homeless as least once in the past six months. This data is compelling because it shows homelessness is not a constant state that no one recovers from, but instead for some a temporary situation that can be remedied with support. For the period between August 1, 2020 and February 28, 2021, 871 individuals receiving CalFresh assistance reported as being “homeless”, including 134 individuals under the age of 18, and 541 individuals between the ages of 19-50.
7. The County of Tuolumne has developed a Plan to Combat Homelessness which was adopted by the Board of Supervisors on July 16, 2019. In a survey conducted during the drafting of this plan, more than 56 percent of community survey respondents indicated that lack of homeless shelters was among the top three barriers facing people experiencing homelessness in Tuolumne County. The four county Continuum of Care rate of homelessness was higher than the statewide average at 367 homeless per 10,000 people in the general population whereas the statewide wide average is 342 homeless individuals per 10,000 people.
8. Under Government Code Section 8698 et seq., the Board may find that a significant number of persons in the County are without the ability to obtain shelter, which results in a threat to their health and safety. In making such a finding, the Board may then declare that a shelter crisis exists. Upon the declaration of a shelter crisis, the County is empowered to take steps to mitigate the crisis.
9. In particular, the County may designate certain of its public facilities to be used as homeless shelters during the crisis, which would help to mitigate the emergency. By operation of law, when the Board declares a shelter crisis, any state or local regulatory statute, regulation or ordinance prescribing standards of housing, health or safety (pertaining to the additional public facilities to be used as homeless shelters) is suspended to the extent that strict compliance would prevent, hinder or delay the County's efforts to mitigate the effects of the shelter crisis. In place of such housing, health or safety standards, the County may enact alternative municipal health and safety standards, to be operative during the housing emergency, consistent with ensuring minimal public health and safety.
10. With the declaration of a shelter crisis, the County is required to adopt ordinances which at a minimum, meet the standards provided in the 2019 California Residential Code Appendix X and the 2019 California Building Code Appendix O. The Chief Building Official and the Community Development Director are proposing the County adopt Appendix X and Appendix O with local amendments into the Tuolumne County Ordinance Code, which will be considered by the Board under a separate agenda item on May 4, 2021.
11. The California Environmental Quality Act does not apply to actions taken by the County either directly construct, facilitate the lease, conveyance, or encumbrance of land owned by the County, or to provide financial assistance to, a homeless shelter constructed or allowed by Government Code Section 8698. The declaration of the crisis is exempt from CEQA pursuant to Sections 15061(b)(3), 15269(c), and 15378(b)(5).
12. The declaration of a shelter crisis would additionally exempt homeless shelters that are constructed or allowed pursuant to the shelter crisis declaration from the Recreational Vehicle Park Occupancy Law, which governs occupancy and tenancy of recreational vehicle parks.

13. Full text of Government Code Section 8698 et seq can be found here: [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=1.&chapter=7.8.&lawCode=GOV&title=2](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=1.&chapter=7.8.&lawCode=GOV&title=2). This code section will remain in effect only until January 1, 2026 or until the Shelter Crisis is resolved whichever occurs first.
14. In summary, to utilize provisions in the California Residential Code and the California Building Code to allow for the construction of emergency housing, the County must first declare a shelter crisis. Without the declaration of a shelter crisis, all standard, routine, and universal building code requirements must be met, which includes limitations on construction materials, standard HVAC systems, the inclusion of sprinkler systems, and energy efficient lighting systems. The declaration allows the use of emergency housing construction standards, which can include local modifications, which expands the range of housing solutions the County can implement for residents experiencing a housing crisis.

### **RECOMMENDATION**

It is recommended that your Board approve Resolution No. XX-21, declaring a Shelter Crisis Emergency pursuant to Government Code Section 8698.2.



# OFFICE OF ENVIRONMENTAL COORDINATOR

Quincy Yaley, AICP  
Environmental Coordinator

48 Yaley Avenue, Sonora  
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Sonora, CA 95370  
209 533-5633  
209 533-5616 (fax)  
209 533-5909 (fax – EHD)  
[www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov)

## NOTICE OF EXEMPTION

**PROJECT TITLE:** Declaration of Shelter Crisis Emergency

**PROJECT PROponent:** Tuolumne County

**LOCATION:** Unincorporated Tuolumne County

**COUNTY:** Tuolumne

**PROJECT DESCRIPTION:** Declaration of Emergency due to a shelter crisis pursuant to Government Code §8698.2.

**APPROVING AGENCY:** Tuolumne County

**RATIONALE FOR EXEMPTION:** 15061(b)(3). COMMON SENSE EXEMPTION: A project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

15269(c). EMERGENCY PROJECTS: Specific actions necessary to prevent or mitigate an emergency.

15378(b)(5). ORGANIZATIONAL GOVERNMENT ACTIVITIES: Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

**EXEMPT STATUS:**

	Ministerial
X	Emergency Project (Sec. 21080(b)(4); 15269(c))
	Categorical Exemption
	Statutory Exemption
X	Other (Sec 15061(b)(3)/Section 21065 and 15378(b)(5))

None of the exceptions to the use of an exemption found in Section 15300.2 of the *State CEQA Guidelines* apply to this project.

**LEAD AGENCY CONTACT:** Quincy Yaley

**TELEPHONE NUMBER:** (209) 533-5633

**Signature:** \_\_\_\_\_  
Quincy Yaley, AICP  
Environmental Coordinator

**Date:** \_\_\_\_\_



**RESOLUTION OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF TUOLUMNE**

- WHEREAS, California’s Governor Gavin Newsom and the members of the California Legislature have recognized the urgent and immediate need for funding at the local level to combat homelessness; and
- WHEREAS, The Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code §8698.2; and
- WHEREAS, The County of Tuolumne has developed a Plan to Combat Homelessness, adopted by the Board of Supervisors on July 16, 2019, and undertaken multiple efforts at the local level to combat homelessness; and
- WHEREAS, Tuolumne County is a member of the Central Sierra Continuum of Care (COC) which is comprised of homeless advocates and service providers in the foothill counties of Amador, Calaveras, Tuolumne and Mariposa.
- WHEREAS The COC conducts the annual Point in Time (PIT) count with assistance from groups such as churches, food banks, shelters, social service agencies, law enforcement and various county social services and behavioral health staff; and
- WHEREAS, The PIT count completed in January of 2019 of unsheltered individuals found that 385 persons within the County of Tuolumne are homeless and living without shelter; and
- WHEREAS, The County of Tuolumne finds that the number of homeless is significant and these persons are without the ability to obtain shelter; and
- WHEREAS, The County of Tuolumne finds that the health and safety of unsheltered persons in the County of Tuolumne is threatened by a lack of shelter; and
- WHEREAS, In the context of the global COVID-19 pandemic, access to shelter has become even more critical to the health and safety of homeless individuals, as homeless individuals face a wider range of additional threats related to their limited ability to self-isolate, lack of personal protective equipment (PPE). and lack of access to hygiene facilities; and
- WHEREAS, Given the complexity and magnitude of the homelessness crisis and the limited supply of affordable permanent housing in the County, there is a significant and immediate need for interim housing in the County, including emergency shelter, to protect the life, health, and safety of homeless individuals in the County; and
- WHEREAS, The County of Tuolumne affirms the County of Tuolumne’s commitment to combating homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities; and
- WHEREAS, Pursuant to Government Code Section 8698 et seq., for the term of this Resolution the provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended with respect to any County public

facilities that are owned, operated, leased, or maintained by the County and are designated for use as emergency housing pursuant to the Board's shelter crisis declaration, to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis; and

WHEREAS, In place of such suspended housing, health or safety standards, the County's additional public facilities that are made available for temporary housing for homeless persons during the declared shelter crisis will be subject to health and safety standards set forth in the Tuolumne County Ordinance Code, as approved by the Board, to be operative during the housing emergency consistent with ensuring public health, safety, and access for disabled individuals, and

WHEREAS, The County Administrative Officer, or her designee, is authorized to take any other actions consistent with and/or necessary for the implementation of the shelter crisis declaration and foregoing actions as authorized by Government Code Section 89698 et seq.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Supervisors of the County of Tuolumne, State of California affirms the following:

1. That a shelter crisis pursuant to Government Code §8698.2 exists in the County of Tuolumne and that the County of Tuolumne is authorized to participate in the Homeless and Emergency Aid Program.
2. Find that the proposed actions, which, among other things, declare that a shelter crisis exists within the County, are not subject to the California Environmental Quality Act ("CEQA") because a) they are activities that are excluded from the definition of a project by Section 21065 of the California Public Resources Code and Section 15378(b)(5) of the State CEQA Guidelines ("Guidelines") because they are organizational or administrative activities of government that will not result in direct or indirect physical changes to the environment; b) the proposed actions are necessary to prevent or mitigate an emergency and therefore are exempt from CEQA pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines, and c) pursuant to Section 15061(b)(3), the project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Upon your Board's approval of the recommended actions, the Environmental Coordinator will file a Notice of Exemption with the County Clerk in accordance with Section 21152 of the California Public Resources Code. Prior to approving any activities that would be considered projects under CEQA, the County will ensure that necessary environmental findings are made.
3. Per Government Code Section 8698 et seq., the County shall be immune from liability for ordinary negligence in the provision of emergency housing pursuant to Government Code Section 8698.2, limited to conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing.
4. Pursuant to Government Code Section 8698 et seq., for the term of this Resolution the provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended with respect to any County public facilities that are owned, operated, leased, or maintained by the County and are designated for use as emergency housing pursuant to the Board's shelter crisis declaration, to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis.
5. In place of such suspended housing, health or safety standards, the County's additional public facilities that are made available for temporary housing for homeless persons during the declared shelter crisis will be subject to health and safety standards set forth in the Tuolumne County Ordinance Code, as approved by the Board, to be operative during the housing emergency consistent with ensuring minimal public health and safety.
6. Authorize the County Administrative Officer, or her designee, to take any other actions consistent with and/or necessary for the implementation of the shelter crisis declaration and foregoing actions as authorized by Government Code Section 89698 et seq.

ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE ON \_\_\_\_\_, 2021

AYES: 1st Dist. \_\_\_\_\_ NOES: \_\_\_\_\_ Dist. \_\_\_\_\_  
2nd Dist. \_\_\_\_\_ Dist. \_\_\_\_\_  
3rd Dist. \_\_\_\_\_ ABSENT: \_\_\_\_\_ Dist. \_\_\_\_\_  
4th Dist. \_\_\_\_\_ Dist. \_\_\_\_\_  
5th Dist. \_\_\_\_\_ ABSTAIN: \_\_\_\_\_ Dist. \_\_\_\_\_

\_\_\_\_\_  
CHAIR OF THE BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
Board Clerk of the Board of Supervisors

No. \_\_\_\_\_