

63. Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate a retroactive option to extend lease agreement with the City of San José relating to use of 937 Locust Street as a temporary housing site in an amount not to exceed \$63,000 per year and a contract term that begins no earlier than July 1, 2023 and ends no later than June 30, 2033, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2026. (ID# 24-2083)



24-2083

**DATE:** February 6, 2024

**TO:** Board of Supervisors

**FROM:** Consuelo Hernandez, Director, Office of Supportive Housing

**SUBJECT:** Lease Extension for New Haven Inn

**RECOMMENDED ACTION**

Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend, or terminate a retroactive option to extend lease agreement with the City of San José relating to use of 937 Locust Street as a temporary housing site in an amount not to exceed \$63,000 per year and a contract term that begins no earlier than July 1, 2023 and ends no later than June 30, 2033, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2026.

**FISCAL IMPLICATIONS**

There is no additional impact to the General Fund as a result of the recommended action. The amount needed to fund the operations of the New Haven Inn is included in the Office of Supportive Housing's (OSH) Adopted Budget for Fiscal Year (FY) 2023-2024.

**REASONS FOR RECOMMENDATION AND BACKGROUND**

New Haven Inn opened in 2019 as an inclusive shelter in downtown San José with focused support for individuals who identify as LGBTQ+. The program was the second LGBTQ+ focused shelter in the Bay Area and one of only a handful throughout the country when it opened, and it has continued to provide critical services to the LGBTQ+ unhoused community in Santa Clara County since that time. If approved, the recommended action would approve a retroactive option to extend a lease agreement with the City of San José (City). The lease has been in effect as a hold over lease since July 1, 2023. Discussions around terms of the extension began in July 2023 and the documentation for the extension was just recently finalized. Shelter operations have continued at New Haven Inn during the time that the lease has been in effect as a hold over lease.

The recommended action is consistent with prior Board direction. On October 16, 2018 (Item No. 17), the Board of Supervisors approved delegation of authority for the County to enter

Approved: 02/06/2024

into the original lease agreement with the City for New Haven Inn. The original term of the lease agreement was scheduled to expire on June 30, 2023; however, the lease has continued under hold over status, as permitted by the terms of the lease.

The leased property consists of two buildings, a triplex and a two-story, 7,757 square feet, twelve-room, six-bathroom residential structure.

The latter structure is commonly referred to as The Haven, and is used for the New Haven Shelter program. Prior to 2019, the City's Housing Department had been operating the Haven as an emergency shelter for low-income families and individuals displaced by fire, flood, and other natural disasters since April 2001. The original lease agreement enabled the County and the City to optimize the property through continual shelter operations while providing the City with resources to assist San José families displaced by fires or other natural disasters.

#### *Reason for Delegation of Authority*

While a delegation of authority is discouraged except under certain circumstances, the Administration is seeking a delegation of authority to finalize the lease option as soon as possible. Additionally, in negotiating with the City, its Council requires that agreements are first signed by the other party prior to approval. A delegation of authority enables the County to complete the documentation of the option to extend and execute the agreement as expeditiously as possible.

#### **CHILD IMPACT**

The recommended action will have no/neutral impact on children and youth.

#### **SENIOR IMPACT**

The recommended action will have no/neutral impact on seniors.

#### **SUSTAINABILITY IMPLICATIONS**

The recommended action will have no/neutral sustainability implications.