

City of Laguna Beach
AGENDA BILL

No. 16
Meeting Date: 10/6/09

**SUBJECT: RECOMMENDATIONS REGARDING ISSUES RELATED TO HOMELESSNESS
AND THE USE OF BEACHES AND PARKS**

SUMMARY OF THE MATTER:

On September 1, 2009, the City Council considered a report that included recommendations from Mayor Boyd and Councilmember Iseman and from the Advisory Committee on Homelessness. The City Council took no action at the time and directed that the subject be placed on the agenda this evening for further discussion and possible action.

I. ADVISORY COMMITTEE ON HOMELESSNESS

The City Council created the Advisory Committee on Homelessness (Advisory Committee) on January 27, 2009. The Advisory Committee has met eight times, most recently on September 9, 2009. As the City Councilmembers appointed to the Advisory Committee, we participated in Committee meetings but did not vote on their recommendations. We considered the Advisory Committee recommendations as we developed our recommendations to the City Council. Throughout the body of this Agenda Bill, it will be noted when our recommendations also address the recommendations from the Advisory Committee. The full text of the recommendations is included in Attachment A.

II. IMPACTS ON THE COMMUNITY

During the policy debates regarding homelessness, and while the City was dealing with the American Civil Liberties Union (ACLU) lawsuit, the problems related to homelessness have increased. Citizens and visitors are upset and feel that their use and enjoyment of public parks and beaches has been diminished. Business owners are complaining about the adverse impacts on their establishments arising from behavioral and conduct issues. Although some actions have been implemented, it appears to us and many in the community that only limited progress has been made in addressing concerns. People,

RECOMMENDATION: See Attachment A for recommendations from the Advisory Committee on Homelessness and pages 8-9 for recommendations from Mayor Boyd and Councilmember Iseman.

Appropriations Requested: \$ 285,000

Fund: Property Tax Revenues and Housing-In-Lieu Fund

Attachments: See Page 9

Submitted by: Kelly Boyd & Councilmember Iseman
Mayor Boyd & Councilmember Iseman

Coordinated with: _____

John Kelly

Approved: Kenneth M. ...

City Manager

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including our own employees and homeless representatives and advocates, believe that the number of homeless individuals in town has increased during the last year. We believe that actions must be taken immediately to protect the welfare and safety of the community and to assist the homeless. These actions must not result in Laguna Beach becoming a magnet for homeless persons from other communities.

III. ALTERNATIVE SLEEPING LOCATION & ENFORCEMENT OF ILLEGAL LODGING AND CAMPING LAWS (*Addresses Advisory Committee Recommendations Numbered 1,3,8,9 & 10*)

Several of the Advisory Committee's recommendations relate to the possible establishment of a location for homeless persons to sleep in lieu of sleeping in parks and on beaches. The belief and expectation is that by providing an alternative location for homeless persons to sleep at night, the City can enforce laws against lodging or camping on public properties. We have spent many hours discussing possible locations around town. Unfortunately, given the shortage of available land and potential impacts to existing uses, finding a suitable location for sleeping has been very difficult. During our deliberations, we considered numerous possible locations to allow sleeping at night. Some examples (listed alphabetically) include, but are not limited to:

- ACT V parking lot (non-summer months)
- Big Bend property
- Churches (rotating shelter)
- City Garage underneath Hagan Place
- Day Laborer site
- Friendship Shelter (although a change in mission might be required)
- Garage in the Community/Senior Center
- Legion Hall Building
- North end of the parking lot near the digester building
- Old shuffleboard area in Heisler Park

Unfortunately, none of the sites are ideal and all of them have opposition.

A) ACT V Parking Lot – Pilot Program

The Agenda Bill prepared for the September 1 City Council meeting recommended that an alternative sleeping location be established at the North End of the City parking lot near the digester building. This location was opposed by many people in town. We have reconsidered the list of alternative sites and are now recommending that a pilot program be conducted at the ACT V parking lot. The program would last only through mid-June when a different location will have to be found for the summer months. This location is generally available during the non-summer months, although there will be some impacts because the parking lot is periodically used with rental of City buses and trolleys and during the Winter Festival. Establishment of an alternative sleeping location in the ACT V parking lot is expected to take up 20-25 parking spaces until the summer. This property is already owned by the public, is within 1.2 miles of Main Beach, and does not adjoin residential or commercial uses. An aerial photograph of the proposed site is shown in Attachment B.

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After much debate and thoughtful consideration, we recommend that the City Council approve the temporary establishment of an alternative sleeping location at the ACT V parking lot as soon as possible, with the goal of having the site available on or before November 1 of this year.

We propose that the alternative sleeping location would have the following features:

- An event style tent (50' X 60') or portable trailers with the ability to accommodate at least 50 people
- Three portable toilets with hand washing features - one toilet dedicated for use by women only
- Cots or mats available for use
- An on-site supervisor when the area is open
- A chain link fence to separate and screen the toilets and entrance to the sleeping area from other uses
- A small desk and area from which the on-site supervisor could work
- Duffle bags provided to regular attendees
- Two picnic tables
- Bus Service from Bus Depot to ACT V parking lot Mon.-Sat. at 6:15 p.m. One time only per day (No Sunday or summer service but OCTA bus service is available for a fee)

Rules will have to be established and enforced at the location. We propose that, at a minimum, the following rules be applied:

- The site will open at 6:30 p.m. and be vacated and closed by 7:30 a.m. on the following day
- Attendees must be in the shelter by 9 p.m. and remain in the shelter until 6:30 a.m.
- Persons under the influence of drugs will not be permitted in the tent or trailer
- Persons under the influence of alcohol and engaging in disruptive behavior will not be permitted in the tent or trailer
- No pets, weapons, use of radios, televisions, excess light or noise will be permitted
- No smoking will be permitted inside the tent or trailer, or in the ACT V parking lot
- Those persons who disturb the peace and/or safety of others will be expelled
- Meals or services provided at the site must be approved by the City
- Persons using the site will have to clean up and remove all of their belongings each day

In order to prohibit smoking on the ACT V parking lot, it is necessary for the City Council to enact an ordinance. The City Attorney has prepared the necessary ordinance for the City Council's consideration and it is included as Attachment C to this report.

B) Cost

It will cost the City approximately \$115,000 to set up an alternative sleeping location and \$20,000 a month for its operation. The spreadsheet shown in Attachment D sets forth the basis for the estimates. With an opening date of November 1, there will be eight months left in this fiscal year, which results in some savings from the annual cost estimates.

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The City Manager has notified the City Council that the property tax assessment from the County will increase by 4% although the budget only includes a 3% increase. Each 1% increase equates to \$200,000 for the City's General Fund. We recommend that \$175,000 of this unanticipated windfall of funds be appropriated to cover expenses for the alternative sleeping area for the rest of this fiscal year.

The Housing Fund has an available balance of \$145,000. The cost to acquire and setup an alternative sleeping area is about \$115,000 and we recommend that \$100,000 of this amount come from the Housing Fund. In total, it is recommended that \$275,000 be appropriated to operate the alternative sleeping location from November 2009 through June 2010.

We also recommend that the City Manager be given the authority to issue purchase orders on an emergency basis and enter into any agreements that may be necessary to establish an alternative sleeping site, as described in this report, in an expedited manner.

C) Contracting with a Collaboration of Mercy House, Laguna Beach Relief and Resource Center, and Friendship Shelter for Operation of the Alternative Sleeping Location

In order to explore the possibility of the City contracting out operation of the alternative sleeping area, Mayor Boyd, Councilmember Iseman and City staff met with Larry Haynes, Executive Director of Mercy House. Mercy House runs the armories in Santa Ana and Fullerton along with the Mercy House program. Mr. Haynes has subsequently met with representatives of the Friendship Shelter and the Laguna Relief and Resource Center and confirmed their interest in a collaborative effort to operate the alternative sleeping area. The City would still be responsible for setting up the area, including tents or portable trailers, cots or mats, toilets, etc., while these groups are working on a proposal to operate the program for the City. It is recommended that the City Manager be authorized to negotiate with Mr. Haynes and representatives from the Friendship Shelter and the Resource Center to develop an operating agreement for consideration by the City Council.

D) Expanding Hours at the Laguna Relief and Resource Center

The Laguna Relief and Resource Center is currently open from 8 a.m. – noon, Monday thru Friday. The Center has two bathrooms, three washers and dryers and provides counseling services to homeless persons. It also distributes food to low-income families and provides other services to victims of disasters. In conjunction with the alternative sleeping location, we would like to see the Resource Center expand its operations to eight hours a day during the week to allow more people to use the Center, especially the showers and laundry facilities. Towards this goal, we recommend that the City approach the Resource Center with an offer to pay for water, gas, electric, sewer utilities and a new water heater, if needed, to expand its operations to eight hours a day. The proposed budget includes up to \$500 a month to cover these costs should the Laguna Relief and Resource Center be interested in this opportunity.

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E) Sleeping Area Space is Limited

Since the number of homeless in town has already increased over the last year, it is recommended that the City Manager be directed to return to the City Council before December 1 with criteria to limit City funded services to homeless persons that lived, worked, or attended school in Laguna Beach or that have been known to be homeless in town for more than two years.

IV. PROJECT HOMECOMING

Other communities offer funding for transportation to help homeless persons permanently relocate in order to reconnect with their families. We believe this is a commendable program and we recommend that the City Council approve a similar program by: a) appropriating \$10,000 from the unanticipated property tax revenues; b) limiting possible participants in the program to those homeless persons who were residing in town as of September 1, 2009; and c) authorizing the City Manager to administer the expenditure of these funds under this program and to work with the Laguna Relief and Resource Center or other volunteers to coordinate transportation to bus depots, rail lines, etc., as necessary for qualified persons to take advantage of the program.

V. PUBLIC SAFETY & PROTECTION OF BEACHES, BLUFFS AND OTHER PUBLIC AREAS

The City Council has received numerous complaints from people concerned about their safety and/or illegal behavior in Heisler Park, Main Beach Park and the adjacent beaches. There are also complaints about people using the parks and beaches for camping, lodging, or storing personal belongings when the parks were not designed or intended for such uses. City staff will provide examples of complaints and pictures depicting concerns at the City Council meeting. In order to address these concerns and ensure that public parks, beaches, bluffs and other public areas are safe and available for their intended use by all members of the public, it is recommended that the City Council:

- A) Direct the City Manager to maintain a 24-hour police presence in Heisler Park, Main Beach Park, and the adjacent beaches until such time as the complaints and concerns regarding public safety and illegal activity have materially decreased;
- B) Direct the City Manager and the City Attorney to:
 - 1) Undertake the preparations necessary to enforce existing state laws regarding illegal lodging on public property as soon as an alternative sleeping location is opened (The City already has the ability to enforce similar prohibitions on illegal lodging on private property);
 - 2) Return to the City Council with an ordinance prohibiting camping on public property not designated for such use, similar to the City of Santa Ana's ordinance, which has withstood challenge in the courts;
 - 3) Return to the City Council with a report regarding enactment of a curfew for City parks and beaches from 12 o'clock midnight to 5 a.m.;

- C) Introduce and give first reading to an ordinance tonight that will preserve the use of beaches and parks for their intended purposes by: protecting bluffs and vegetation from damage due to inappropriate use; preventing items from being affixed to public buildings, structures and improvements without the City's approval; prohibiting the storage of personal belongings on public property; prohibiting the placement of items within 15 feet of the boardwalk; prohibiting lingering around public restrooms without lawful purposes related to use of the restrooms; prohibiting conduct that unreasonably interferes with any City employee in the performance of their duties or that interferes with the use of any City parks or beaches by other persons; prohibiting the use of barbeques one-half hour after sunset; and prohibiting the possession (consumption is already prohibited except with a permit or during specified events) of alcohol in Heisler Park and Main Beach Park. The proposed ordinance is shown in Attachment E.

VI. COLD WEATHER SHELTER

The churches in town host a cold weather shelter using the City's Community Development Block Grant (CDBG) of \$7,000. During the current fiscal year, the City has had to subsidize operation of the shelter by \$10,000 of General Fund monies. The presently recommended alternative sleeping area does not include heat. It is assumed that the alternative sleeping area will shut down when the Cold Weather Shelter is opened.

Another option is to provide heat to the tent or portable trailers at the alternative sleeping site. Providing heat would require trenching for electrical conduits and possibly the placement of temporary propane tanks at an estimated cost of \$11,000. It would also cost about \$10,000 for propane to provide heat 140 nights a year. The City Council could transfer \$10,000 City funding for the Cold Weather Shelter to the alternative sleeping location to cover heating and operating costs and appropriate another \$11,000 of unanticipated property taxes to provide heat at the alternative sleeping location in lieu of opening a cold weather shelter. This would have the advantage of providing one location for homeless persons to go each night rather than trying to figure out if the cold weather shelter is open or not. Staff is still checking to see if any portion of the CDBG funds could be transferred to cover the costs of providing heat to the alternative sleeping location.

VII. HOMELESS OUTREACH COURT *(Addresses Advisory Committee Recommendation number 4)*

Orange County Superior Court Judge Wendy Lindley oversees Homeless Outreach Court. She has agreed to bring the court and outreach services to Laguna Beach on a trial basis starting November 4. The Reverend B.J. Beu has agreed to host the Court at the Neighborhood Congregational Church at 340 St. Ann's Drive in November and January and possibly on a routine basis if it continues. Homeless Court will also continue to be held at the Village of Hope in Tustin and in downtown Santa Ana.

VIII. COMMUNICATION PROGRAM *(Addresses Advisory Committee Recommendation number 5)*

One of the recommendations by the Advisory Committee is that the City Council consider a program to communicate to the public the steps taken by the City and other non-profit organizations to address the homeless situation. In order to address this recommendation, it is recommended that the City website be revised to include this Agenda Bill and related materials and that press releases be used to notify the local

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newspapers and the general public of significant milestones regarding implementation of the City Council's direction tonight.

IX. OTHER EFFORTS UNDERWAY TO ADDRESS HOMELESSNESS

- A) Community Outreach Officer Jason Farris - continues to work with County personnel and the non-profit groups in the community to address issues related to homelessness in the field. Many people have been helped into programs because of Officer Farris' efforts.
- B) Mari Hill, Registered Nurse – Ms. Hill is with the Orange County Health Care Agency and provides health-related outreach services to the homeless in South Orange County. The City has provided Ms. Hill with an office and a place to park a County vehicle near City Hall to help facilitate her efforts to work with homeless persons. We would like to have Mari Hill permanently assigned to and situated in Laguna Beach to work with the people who need assistance.
- C) Supervisor Patricia Bates – organized a meeting of involved County Departments in Laguna Beach to see how the County could partner with the City to address issues related to homelessness in the City and at the County Library. As a result of this meeting, the Assistant City Manager will be forming a group of outreach workers from the City, County and non-profit service providers, to coordinate an assessment of homeless persons in Laguna Beach with the intent of connecting them to support services in the County.
- D) Harbor Homeless Assistance Collaborative Grant - The Friendship Shelter has taken the lead in collaborating with the Resource Center and IHOPE to apply for a grant to be used over three years to prevent people from becoming homeless. The grant is to provide rental assistance, move-in assistance and case management support to people who are at risk of becoming homeless or could return to permanent housing with minimal financial assistance. On September 22, 2009, the Orange County Board of Supervisors approved a grant of \$190,000 for the proposed program.

X. FUTURE CONSIDERATIONS

The recommendations before the City Council have numerous political, financial, and legal ramifications, among others. The impetus of these recommendations is our belief that the City must take incrementally progressive actions to address the complex issues associated with homelessness the use of beaches and parks. The effectiveness of those actions must be carefully monitored and evaluated before initiating additional programs and services. We are recommending that the City Council establish an alternative sleeping location and enforce ordinances that promote the healthy and secure use of public beaches and parks for everyone. This does not preclude future action regarding Senate Bill 2.

XI. RECOMMENDATIONS:

It is recommended by Mayor Boyd, Councilmember Iseman and City staff that the City Council:

- 1) Direct staff to establish a temporary alternative sleeping location in the ACT V parking lot with the goal of having it operational from November 1, 2009 through June 30, 2010 by: a) appropriating \$175,000 of unanticipated property tax revenue and \$100,000 from the Housing In Lieu Fund, b) authorizing the City Manager to issue emergency purchase orders to purchase the equipment and services that are necessary to establish an alternative sleeping location in an expedited manner, c) authorizing the City Manager to negotiate with Larry Haynes representing a collaborative effort between Mercy House, the Friendship Shelter and the Laguna Beach Relief and Resource Center to operate the alternative sleeping location under contract with the City and d) prohibiting smoking in the ACT V parking lot by:
 - (i) asking the City Clerk to read the title of the ordinance (Attachment C) and
 - (ii) approving a motion to waive further reading of the ordinance and pass it to a second reading;
- 2) Authorize the City to approach the Laguna Relief and Resource Center with an offer to pay up to \$500 a month for water, gas, electric, sewer utilities and a new water heater, if needed, to help expand its operations to eight hours a day during the week;
- 3) Direct the City Manager to return to the City Council before December 1, 2009, with criteria to limit City funded services at the alternative sleeping location to homeless persons that lived, worked, or attended school in Laguna Beach or that have been known to be homeless in town for more than two years;
- 4) Approve "Project Homecoming" by: a) appropriating \$10,000 of unanticipated property tax revenue, b) limiting possible participants in this program to homeless persons already residing in town as of September 1, 2009, and c) authorizing the City Manager to administer the expenditure of these funds for this program and to work with the Laguna Relief and Resource Center to coordinate transportation to bus depots, rail lines, etc., as necessary for qualified persons to take advantage of the program;
- 5) Direct the City Manager to maintain a 24-hour police presence in Heisler Park, Main Beach Park, and the adjacent beaches until such time as the complaints and concerns regarding public safety and illegal activity have materially decreased;

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- 6) Direct the City Manager and the City Attorney to:
 - (a) Undertake the preparations necessary to enforce existing state laws regarding illegal lodging on public property as soon as an alternative sleeping location is opened,
 - (b) Return to the City Council with an ordinance prohibiting camping on public property not designated for such use, similar to the City of Santa Ana's ordinance which has withstood challenge in the courts, and
 - (c) Return to the City Council with a report regarding enactment of a curfew for City parks and beaches from 12 o'clock midnight to 5 a.m.;
- 7) Introduce and give first reading to an ordinance tonight that will preserve the use of beaches and parks for their intended purposes by: 1) asking the City Clerk to read the title of the ordinance and 2) approving a motion to waive further reading of the ordinance and pass it to a second reading;
- 8) Direct the City Manager to place this Agenda Bill on the City website and to use press releases to notify the newspapers and general public of significant milestones regarding implementation of the City Council's direction tonight; and
- 9) Determine whether or not to continue operation of the Cold Weather Shelter or to transfer the funds to offset the provision of heat in the tent used for the alternative sleeping area.

ATTACHMENTS:

- A. Recommendations from the Advisory Committee on Homelessness
- B. ACT V aerial and Layout
- C. Ordinance prohibiting smoking in the ACT V parking lot
- D. Estimated costs of an Alternative Sleeping Area
- E. Ordinance to protect parks and bluffs

**LAGUNA BEACH ADVISORY COMMITTEE ON HOMELESSNESS
ACTION ITEMS**

Committee Members: Mayor Kelly Boyd, Councilmember Toni Iseman, Ed Sauls, Sheila Bushard-Jamison, Faye Chapman, Oakley Frost, Michael Gosselin, Rose Hancock, Arnold Hano, Colin Henderson, Korey Jorgensen, Daga Krackowizer, Jason Paransky and Robert Whalen (14 members)

Committee Actions Items – September 9, 2009

1. Motion by Whalen/Gosselin to recommend to the City Council that the City designate a temporary sleeping site, and work with interested groups within the community to assist in identifying features, including items 1-10 of the attached document (Report I) that would make the facility more likely to be utilized, and appoint a three-person sub-committee to work with the City to identify those features. The Committee appointed County of Orange Mental Health RN Mari Hill, and a representative from both the Laguna Relief and Resource Center and Friendship Shelter- Carried 12-0.

Yes: Bushard-Jamison, Chapman, Frost, Gosselin, Hancock, Hano, Henderson, Jorgensen, Krackowizer, Paransky, Sauls, Whalen

No: None.

Abstain: Boyd, Iseman

2. Motion by Henderson/Hano that the June 17, 2009 report (Report II) recommending pursuit of a general model supporting a Multi-Service Residential Center concept, wrapped around the hub of a Housing First approach to serve the needs of chronically homeless individuals, with City Council direction to the Committee to cite specific components with proposed business plans and possible contingencies, be included as a recommendation to the City Council at its October meeting – Carried 11-1.

Yes: Bushard-Jamison, Chapman, Frost, Gosselin, Hano, Henderson, Jorgensen, Krackowizer, Paransky, Sauls, Whalen

No: Hancock

Abstentions: Boyd, Iseman

Committee Action Items - July 22, 2009

3. Motion by Whalen/Jorgensen to recommend to the City Council that the City designate a temporary sleeping site, and work with interested groups within the community to assist in identifying features that would make the facility more likely to be utilized- Carried 9-0.

Yes: Frost, Gosselin, Hano, Henderson, Jorgensen, Krackowizer, Paransky, Sauls, Whalen

No: None.

Absent: Bushard-Jamison, Chapman, Hancock

Abstain: Boyd, Iseman

4. Motion by Gosselin/Krackowizer to recommend that the City offer Homeless Court in Laguna Beach – Carried 9-0.

Yes: Frost, Gosselin, Hano, Henderson, Jorgensen, Krackowizer, Paransky, Sauls, Whalen

No: None.

Absent: Bushard-Jamison, Chapman, Hancock

Abstain: Boyd, Iseman

**LAGUNA BEACH ADVISORY COMMITTEE ON HOMELESSNESS
ACTION ITEMS**

5. Motion by Frost/Jorgensen to recommend the City consider a program for communicating to the people of Laguna Beach the steps that have been taken by the City and non-profit organizations to address the homeless situation, taking into account both the interests of homeless individuals and the community as a whole – Carried 9-0.

Yes: Frost, Gosselin, Hano, Henderson, Jorgensen, Krackowizer, Paransky, Sauls, Whalen

No: None.

Absent: Bushard-Jamison, Chapman, Hancock

Abstain: Boyd, Iseman

6. Motion by Gosselin/Whalen to recommend the City Council direct staff to prioritize the identification of a zone or zones that would allow for the development of emergency shelters in compliance with SB 2 – Carried 9-0.

Yes: Frost, Gosselin, Hano, Henderson, Jorgensen, Krackowizer, Paransky, Sauls, Whalen

No: None.

Absent: Bushard-Jamison, Chapman, Hancock

Abstain: Boyd, Iseman

Committee Action Items- June 17, 2009

Motion by Hano/Jorgensen to recommend to the City Council the following measure:

7. That the Advisory committee recommends pursuit of a general model which supports a Multi-Service Center concept, wrapped around the hub of a Housing First approach to serve the needs of chronically homeless individuals. Furthermore, the Advisory Committee requests that the City Council direct the Committee in going forward to cite specific components with proposed business plans and possible contingencies - Carried 10-0.

Yes: Chapman, Frost, Gosselin, Hancock, Hano, Henderson, Jorgensen, Paransky, Sauls, Whalen

No: None.

Absent: Bushard-Jamison, Krackowizer,

Abstain: Boyd, Iseman

Committee Action Items- May 27, 2009

Motion by Frost/Paransky to recommend to the City Council the following interim measures for dealing with the homeless:

8. That the City Council adopt an ordinance at the earliest practical date, preferably prior to the onset of the summer season, prohibiting sleeping and camping on city beaches and in city parks and other public areas between specified hours in the nighttime, except in such areas, if any, as may be designated from time to time by the city council or its designated staff as areas where sleeping and/or camping during such nighttime hours will be permitted. The ordinance previously considered and based upon the Santa Ana ordinance which has been upheld by the courts, would appear to be a good model.

**LAGUNA BEACH ADVISORY COMMITTEE ON HOMELESSNESS
ACTION ITEMS**

9. That the City Council designate an area where sleeping will be permitted during such nighttime hours and where the persons using such area will have access to a public restroom and/or portable toilets and a place to sleep, so as to allow the ordinance proposed above to be lawfully enforced and to avoid a situation where it can be argued that the ordinance cannot be enforced against persons with no other place to sleep within the city.

10. The designation of such area is in no way intended to fulfill any obligation the City may have, or which it may wish to assume on a voluntary basis, to furnish social services, or short or long term housing for homeless persons – Carried 5-3.

Yes: Bushard-Jamison, Chapman, Frost, Paransky, Sauls

No: Gosselin, Henderson, Krackowizer

Absent: Hano, Hancock, Jorgensen, Whalen

Abstain: Boyd, Iseman

**Advisory Committee Summary
For Wednesday, September 09, 2009
3 PM at City Council Chambers
Summary Document 2 of 2, Agenda Item 2**

Regarding features that would make a temporary shelter facility more likely to be utilized.

Community input directed at increasing the usability of the designated sleeping areas suggest the following:

1. Begin with an education program for the homeless persons and neighboring businesses.
2. Operating Hours:
Make it 24 hours if possible but add hours to offer storage, services and meals.
If the sleeping area is in the proposed location, make the hours from 7 PM to reduce conflict between the Playhouse and similar uses.
3. Supervision, safety
 - Is one person enough? What do other shelters do?
 - They must feel safe or they will not use it.
 - Have LRRC, another non-profit or a social service agency control and contract to hire 1-2 local supervisors at a lower cost and having higher interest and attitude than security guards. Possibly hire Food Bank clients of LRRC who are looking for work, or hire qualified and supervised homeless persons.
4. Homeless Court.
Bring it to Laguna. It is part of the process for a successful alternative sleeping arrangement. Rotate it with other South OC cities
5. Facilities should, or could, include the following (some of which may be provided offsite):
 - Those proposed by the City Agenda Bill
 - Toilets and Wash Basins
 - Privacy, especially for women (tents, patricians or cubes)
 - Showers
 - Supervisor building inside the facility, not outside.
 - 3-4 old/new park benches and 1-3 picnic tables
 - Laundry (offsite?)
 - Meals (some moved from beaches and parks to the City-sponsored location)
 - Storage (Lockers or duffel bag check in/out) to secure belongings.
 - Limit the amount/size.
 - Maybe use the supervisor building with baskets or lockers for sleeping bags, etc. Maybe use tuff sheds.
 - Planting/screening. Soften the facility by planting (temporary, box planting).
6. Case Management and Volunteer Mentors
LRRC new case manager, Orange County Mental Health nurse, etc see Goal 2 below).
Note: Case Managers are not facility managers, security people or site supervisors.
Volunteer Mentors from the community and faith organizations (trained by current volunteers, professionals and case managers?)
7. Funding; private funding can be obtained to provide some of these facilities and services.
Question, should we provide separate services to "local homeless" and other homeless?
For example:
 - Local homeless qualify for staying longer, day use (longer term?) storage,
 - Other homeless qualify for no more than x days. They get services directed at connecting them with County services, County shelters, job placement if they are qualified and/or Project Homecoming.
8. Question, should we provide separate services to "local homeless" and other homeless?
For example:
 - Local homeless qualify for staying longer, day use (longer term?) storage,
 - Other homeless qualify for no more than x days. They get services directed at connecting them with County services, County shelters, job placement if they are qualified and/or Project Homecoming.
9. Comment; It should be a "shelter" defined as a cover, a protection a refuge, a haven
10. Monitor by staff and review this with Council in 3 months. Include interviews and recommendations from the homeless (including those at the parks and beaches).

June 8, 2009

Advisory Committee on Homelessness

Report of Subcommittee on items # 2 and 14 of the Homeless Task Force Report unanimously approved by the Laguna Beach City Council, meeting on January 22, 2008

Recommendation 2) Support the concept of a multi-service center operated by a non-profit organization to provide outreach and case management services; relationship building and mentoring; emergency shelter; lockers; and opportunities for homeless people to access available county provided services such as detoxification, mental health care and transitional housing.

Recommendation 14) Initiate discussion with neighboring cities to explore expanding the number of emergency shelter beds and permanent supportive housing, using the 'housing first' model.

An effective solution to homelessness in Laguna Beach, besides benefiting the homeless, needs to have wide community support. The solution proposed by this committee would positively affect residents, business people, visitors and police, all who come in contact, on a regular basis, with the homeless. After visiting many neighboring Cities and their successful programs for the homeless, this committee considers the Housing First model, first reported to the City by the Task Force (#14), to be the recommended solution to meet our needs in Laguna Beach. This report includes a description of what Housing First would look like in Laguna Beach and the components of what would be needed to see this accomplished. Knowing this is a long range goal, the Committee supports the development of an interim plan that meets the immediate needs of the homeless, the community and the City.

Housing First Works

Benefits for the City

- ♦ Saves money: Based on the experience of other communities who have initiated Housing First services, the approach will reduce reliance on law enforcement, emergency rooms, and jails as primary providers of services to this population.
- ♦ Focuses law enforcement efforts on illegal behavior.
- ♦ Showcases Laguna Beach as a leader in executing a smart, effective, compassionate response to homelessness.

Benefits for the Business Community

- ♦ Reduces the visibility of homelessness:
 - Residents and day program participants will be showered, well nourished, well rested.
 - Storage will eliminate the need for homeless people to carry their belongings with them.
 - Daytime activities provided for homeless on site.
- ♦ Reduces panhandling by providing daily necessities.
- ♦ Allows law enforcement to focus on illegal behavior.

Benefits for the Homeless

- ♦ Provides safe, stable and healthy place to live, restoring dignity.

- ♦ Meets basic needs: a place to sleep, meals, showers, laundry, storage.
- ♦ Provides, in a safe and accessible way, services that can help them begin to rebuild their lives (mental health, recovery, health care, etc).
- ♦ Connects them to an advocate.
- ♦ Reduces harm to themselves and others.
- ♦ Help reconnecting with family

Benefits for the Wider Laguna Beach Community

- ♦ Restores public parks and other areas to their intended use.
- ♦ Increases public safety.
- ♦ Instills pride in community.
- ♦ Provides meaningful volunteer/philanthropy opportunities.
- ♦ Eventually reduces the total number of homeless in Laguna Beach
- ♦ Eliminates the need for the cold weather shelter program.

The Bottom Line:

- ♦ It is cheaper and more effective than law enforcement & emergency services.
- ♦ It compassionately ends the cycle of homelessness.
- ♦ It relocates services from our public streets, beaches and parks.

The Basic Concepts

- ♦ A Housing First model that includes the following components:
 - outreach and engagement
 - non time limited accommodations and services at a Multi-service Residential Center
 - eventual placement in permanent supportive housing
 - These all depend on establishing the trust and confidence of homeless people
- ♦ A Multi-Service Residential Center (MRC) with a minimum of 25 sleeping cubicles without time limits plus 10 emergency sleeping spaces for cold weather and other emergency needs. There would need to be enough day space for 25 people and indoor/outdoor space for daytime programs.
- ♦ Basic services on site including meals, showers, laundry and space for day time activities
- ♦ Support services on site to include mental health services, alcohol and drug services, benefits specialist, housing locator etc. As far as possible these should be provided through the County
- ♦ Program staff will encourage residents to move into permanent supportive housing as it becomes available and when it is appropriate for them
- ♦ The location should be as near as possible the existing community so that day services for non residents can be offered, including meals, showers, laundry and storage. This will move these programs away from parks and beaches
- ♦ A Good Neighbor policy is needed. It would address community concerns, such as a requirement that program participants not loiter in the neighborhood

- ♦ Since this facility does not immediately offer enough space for the present number of homeless people, there should be recognition that those that stay outside will be able to sleep safely and legally.

The Facility

The site or building acquired will have a big influence on the facility. The Center is estimated to need about 6,000 to 7,000 sq. ft. as a minimum.

The following are essential:

- ♦ Sleeping (cubicles or larger) for 25. Separate areas for women and men.
- ♦ Kitchen
- ♦ Dining/Multi-purpose room
- ♦ Adequate office space for program staff/interviews
- ♦ Small meeting spaces
- ♦ Storage, including lockers
- ♦ Laundry facilities
- ♦ Bathrooms and showers

The facility should also include:

- ♦ Courtyard/outdoor communal space
- ♦ Room for resident phone/fax/computers
- ♦ Garden
- ♦ Reading/resource space

Operation

As the facility is planned, there are likely to be changes.

Staff required at launch:

- ♦ Manager
- ♦ Case manager
- ♦ Food service manager
- ♦ Cleaning/maintenance staff or service
- ♦ House supervisors around the clock

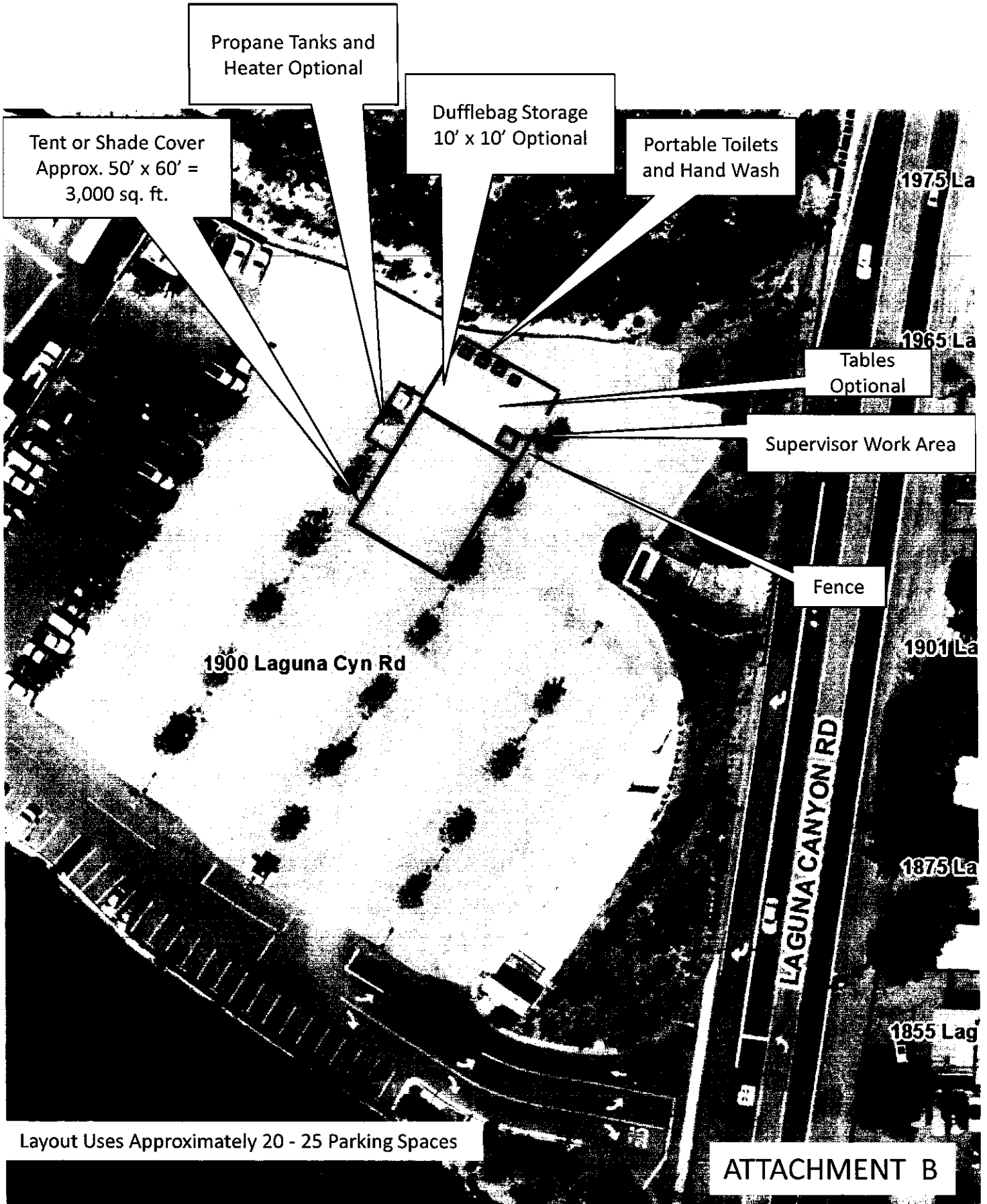
The above positions will be staffed by an appropriate combination of professional and volunteer workers.

Services

These services could be provided in collaboration with public/private entities, including Orange County:

- ♦ Additional case managers
- ♦ Mental health staff
- ♦ Alcohol/Drug abuse staff
- ♦ Benefits coordinator
- ♦ Housing coordinator

Act V Site



Layout Uses Approximately 20 - 25 Parking Spaces

ATTACHMENT B

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LAGUNA BEACH
ADDING SECTION 7.40.105 TO THE LAGUNA BEACH
MUNICIPAL CODE, RELATING TO SMOKING AT THE ACT
V LOT

The City Council of the City of Laguna Beach does hereby ORDAIN as follows:

SECTION 1: Section 7.40.105 is hereby added to the Laguna Beach Municipal Code to read in its entirety as follows:

7.40.105 Smoking prohibited – Act V lot.

Smoking is prohibited and is unlawful at the Act V lot located at 1900 Laguna Canyon Road, except in areas approved by the City Manager or his or her designee and so designated.

SECTION 2: All ordinances and provisions of the Laguna Beach Municipal Code and sections thereof inconsistent herewith hereby shall be repealed to the extent of such inconsistency and no further.

SECTION 3: If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such invalidity shall not affect the validity of this entire Ordinance or any of the remaining portions hereof. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, subdivision, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 4: The City Clerk of the City of Laguna Beach shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the manner required by law in the City of Laguna Beach. This Ordinance shall become effective on the expiration of thirty (30) days from and after the date of its adoption.

Adopted this _____ day of _____, 2009.

Kelly Boyd, Mayor

ATTEST:

City Clerk

I, MARTHA ANDERSON, City Clerk of the City of Laguna Beach, certify that the foregoing Ordinance was introduced at a regular meeting of the City Council held on _____, 2009 and was finally passed and adopted at a regular meeting of the City Council of said City held on _____, 2009 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

City Clerk, City of Laguna Beach

ESTIMATED Costs For An Alternative Sleeping Location at ACTV

	Quantity	Units	Rate	Events/yr	Totals
One-time Costs (1)					
Tent Canopy that can withstand windshear (approx. 3,000 square feet)	1	Each	\$ 63,000	1	\$ 63,000
Installation of Tent Canopy that can withstand windshear (Approximately 3,000 square feet)	1	One-time	\$ 10,000	1	\$ 10,000
Asphalt	1	Each	\$ 8,000	1	\$ 8,000
Cost of additional on-site supervisor during startup	4	Hours	\$ 25	70	\$ 7,000
Cots (vinyl covered for daily use and frequent cleaning) or mats	50	Each	\$ 100	1	\$ 5,000
Storage area for Duffie bags with locks	1	Each	\$ 3,000	1	\$ 3,000
Picnic Tables 8' long	2	Each	\$ 800	1	\$ 1,600
Contingency Fund	1	One-time	\$ 15,000	1	\$ 15,000
				Subtotal	\$ 112,600
Operational Costs					
On-site supervisor salary, social security, etc. (8 p.m. to 7 a.m.)	13	Hours	\$ 25.00	365	\$ 118,625
On-site supervisor Holiday Pay	13	Hours	\$ 37.50	11	\$ 5,363
3 Portable Toilets with twice weekly service, plus hand sanitation station	3	Each	\$ 58	104	\$ 18,096
Portable/Removable Fencing (six feet high with screening material)	300	Each	\$ 1.50	12	\$ 5,400
Sleeping Area Cleaning (two cleanings per week, 12 emergency cleanings)	1	Hours	\$ 35	116	\$ 4,060
Replacement Cots (vinyl covered for daily use and frequent cleaning) or mats	50	Each	\$ 100	1	\$ 5,000
Rental of work area for on-site supervisor (8'X8')	1	Annual	\$ 2,000	1	\$ 2,000
Administration and supervision of the program	1	Monthly	\$ 3,000	12	\$ 36,000
City payment of Laguna Relief and Resource Center utilities to expand hours	1	Monthly	\$ 500	12	\$ 6,000
Duffie bags with locks	80	Each	\$ 50	1	\$ 4,000
Overtime for Bus Service from downtown bus depot to ACTV (Mon. - Sat.) at 6:15 p.m.	1	Monthly	\$ 700	12	\$ 8,000
Utilities	1	Monthly	\$ 300	12	\$ 4,000
Contingency expenses (cell phone, etc.)	1	Each	\$ 15,000	1	\$ 15,000
				Subtotal	\$ 231,544
					\$ 79,083
					\$ 4,875
					\$ 12,064
					\$ 3,600
					\$ 2,707
					\$ 5,000
					\$ 2,000
					\$ 24,000
					\$ 4,000
					\$ 4,000
					\$ 5,333
					\$ 2,667
					\$ 15,000
					\$ 164,329

Total One-time and Operational Costs \$ 344,144
Monthly Operational Costs \$ 19,295
Annual cost per person @ 50 occupants \$ 4,600

\$ 276,929

Possible Additional Items	Quantity	Units	Rate	Events/yr	Totals
Heating (2)					
Tent Heater with Ducts and Register - Purchase	2	Each	\$ 2,500	1	\$ 5,000
Trenching for Electrical Power	1	Each	\$ 6,000	1	\$ 6,000
Propane	14	Hours	\$ 5.00	140	\$ 10,000
				Subtotal	\$ 21,000

(1) The estimated spaced needed for 50 occupants is 60 square feet per occupant which equates to 3,000 square feet.
(2) There could be up to \$10,000 of savings in the City Budget if the ACTV sleeping location replaced the Cold Weather Shelter program at churches.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LAGUNA BEACH ADDING SECTIONS 18.04.025, 18.04.035, 18.04.045, 18.04.055 AND 18.04.065 TO THE LAGUNA BEACH MUNICIPAL CODE, REPEALING CHAPTER 18.24 OF THE LAGUNA BEACH MUNICIPAL CODE, AND AMENDING SECTION 8.04.010 OF THE LAGUNA BEACH MUNICIPAL CODE, RELATING TO CONDUCT IN PUBLIC PARKS AND BEACHES

THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 18.04.025 is hereby added to the Laguna Beach Municipal Code to read in its entirety as follows:

18.04.025 Bluffs and vegetation. (a) Purpose and intent. The public bluffs and vegetation constitute aesthetically pleasing and sensitive features and resources, provide stability to land formations, and mitigate erosion, among other public benefits. They are not intended or designed to be traversed by the public, used for the disposal of refuse, used for the storage of personal property, or used for other activities that can result in damage to or destruction of such areas, with associated adverse visual and/or functional impacts as well as substantial public expense to maintain, repair or replace. Stairs, designated trails, sidewalks, and marked pathways exist to allow the public to move through public areas.

(b) Protection of bluffs and vegetation in public areas. No person shall remove, destroy, damage, traverse over or through, lie on or within, or affix or attach any ropes, wires, cords, stakes, poles, hooks or similar objects to, or store, place or discard personal property or refuse on or within any public bluff or any vegetation planted in any public parks or beaches, including but not limited to open space areas and planters. For purposes of this section, "vegetation" shall mean any and all types of trees, plants, bushes, hedges and shrubs, but not including grass. No person shall be cited under this section unless he or she has first been notified by a police officer or public officer that he or she is in violation of the prohibition in this section and thereafter continues the violation.

SECTION 2. Section 18.04.035 is hereby added to the Laguna Beach Municipal Code to read in its entirety as follows:

18.04.035 Public buildings, structures and improvements. (a) No person shall affix or attach any ropes, wires, cords, stakes, poles, hooks or similar objects to any public buildings or structures in any public parks or beaches, including but

not limited to lifeguard towers, restrooms, administrative offices, boardwalks, flag poles, public artwork, drinking fountains, barbecues, picnic stoves, fences, walls, railings, benches, tables and trash receptacles, without the advance written consent of the City Manager or his or her designee. No person shall be cited under this section unless he or she has first been notified by a police officer or public officer that he or she is in violation of the prohibition in this section and thereafter continues the violation.

(b) No person shall store personal property in or on any public parks and beaches as follows: (1) on or upon any stairs, designated trails, sidewalks, marked pathways or boardwalks; (2) within twenty feet of any restroom; (3) within fifteen feet of any lifeguard towers or administrative offices; (4) within fifteen feet of the oceanward side of the Main Beach boardwalk, beneath or under such boardwalk, or any place where such boardwalk abuts the sand; or (5) during the period from one-half hour after sunset to 6:00 a.m. of the following day. No person shall be cited under this section unless he or she has first been notified by a police officer or public officer that he or she is in violation of the prohibition in this section and thereafter continues the violation.

(c) No person shall place or store any of the following items of personal property in or on any public parks and beaches: hammocks, cots, beds, sleeping bags, mattresses, luggage or portable cooking device. No person shall be cited under this section unless he or she has first been notified by a police officer or public officer that he or she is in violation of the prohibition in this section and thereafter continues the violation.

(d) For purposes of this section, “store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or to leave in a location.

SECTION 3. Section 18.04.045 is hereby added to the Laguna Beach Municipal Code to read in its entirety as follows:

18.04.045 Public restrooms. No person shall delay, linger, or idle about in the restroom of any City parks and beaches or in the approaches or walks adjacent to any restroom without lawful purpose for being present related to the use of such restroom, and for the purpose of preventing, inhibiting or impairing the intended use of the restroom. No person shall be cited under this section unless he or she has first been notified by a police officer or public officer that he or she is in violation of the prohibition in this section and thereafter continues the violation.

SECTION 4. Section 18.04.055 is hereby added to the Laguna Beach Municipal Code to read in its entirety as follows:

18.04.055 Disturbing the peace. Any person who willfully delays or obstructs any City employee in the performance of his or her duties in any City parks and beaches, or who by his or her conduct, or by threatening language, unreasonably annoys or unreasonably interferes with the use of any City parks and beaches by any other person, shall leave the park or beach upon request made by any police officer or other public officer authorized by the City, after a warning has not resulted in cessation of the conduct prohibited by this section.

SECTION 5. Chapter 18.24 (Open Fires) of the Laguna Beach Municipal Code is hereby repealed and replaced with the addition of Section 18.04.065 to the Laguna Beach Municipal Code to read in its entirety as follows:

18.04.065 Fires. No person shall build, set, kindle, make or maintain a fire in any public parks and beaches that is used or intended to be used for cooking, lighting or heating purposes except in City-designated barbeques, picnic stoves and fire pits provided for such purposes. Where specifically permitted, no fire shall be built, set, kindled, made or maintained during the period one-half hour after sunset to 6:00 a.m. of the following day. No person shall be cited under this section unless he or she has first been notified by a police officer or public officer that he or she is in violation of the prohibition in this section and thereafter continues the violation.

SECTION 6. Subdivision (b) of Section 8.04.010 (Drinking or Possession in Public Places) of the Laguna Beach Municipal Code is hereby amended to read in its entirety as follows:

(b) Except as otherwise expressly provided by this section, no person shall (1) possess any can, bottle or other receptacle containing any alcoholic beverage that has been opened, or a seal broken, or the contents of which have been partially removed, on or upon any public place, including any public street, right-of-way, sidewalk, alley, beach, park or parking lot, or (2) possess any can, bottle or other receptacle containing any alcoholic beverage in any public beach or park. This subsection does not apply when an individual is in possession of any alcoholic beverage container for the purposes of recycling or other related activity.

SECTION 7. If any portion of this Ordinance, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, of the application of such provision to persons or circumstances other than those

as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

SECTION 8. All ordinances and provisions of the Laguna Beach Municipal Code and Sections thereof inconsistent with this Ordinance shall be and the same are hereby repealed to the extent of such inconsistency and no further.

SECTION 9. The City Clerk of the City of Laguna Beach shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published in the manner required by law in the City of Laguna Beach. This Ordinance shall become effective thirty (30) days from and after the date of its adoption by the City Council.

ADOPTED this _____ day of _____, 2009.

Kelly Boyd, Mayor

ATTEST:

Martha Anderson, City Clerk

I, Martha Anderson, City Clerk of the City of Laguna Beach, do hereby certify that the foregoing Ordinance No. _____ was introduced at a regular meeting of the City Council on _____, 2009, and was finally adopted at a regular meeting of the City Council of said City held on _____, 2009 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

City Clerk of the City of Laguna Beach, CA