



City Council Agenda Item

City Council Meeting Date: August 7, 2018

TO: Jim Throop, City Manager

FROM: Pat Walsh, Police Chief
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Laura Dubbels, Deputy City Manager
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SUBJECT: Approval of Plan for Santa Ynez Riverbed Encampments Removal;
Adoption of Resolution No. 6206(18) Approving Appropriations for Funding
for Staffing

Recommendation:

Staff recommends the City Council:

- 1) Approve the proposed Plan for the Santa Ynez Riverbed (Riverbed) Encampments Removal (Plan) (Attachment 1) and
- 2) Adopt Resolution No. 6206(18) (Attachment 2) approving appropriations for funding to cover Lompoc Police Department (LPD) staffing costs for the project the City Council requested at the meeting of February 6, 2018.

Background:

Portions of the Riverbed are located in the City of Lompoc (City), and many of the parcels comprising the Riverbed are owned by the City, yet it falls under the jurisdiction of the Santa Barbara County Sheriff's Office (SBSO) for law enforcement. Due to its proximity to the City, and the mutual aid agreement with the SBSO, the LPD responds to many of the calls for service in the Riverbed. The complaints often concern health and safety, criminal activity, and other concerns with respect to the homeless encampments located in the Riverbed.

A large majority of the City's homeless population resides in various encampments throughout the Riverbed. Often those encampments are in difficult to reach locations and contain vast amounts of personal property. Many encampments are not limited to basics

and have been expanded into makeshift homes, which include furniture, makeshift appliances, solar panels, and fire areas, as well as many other makeshift modern conveniences. That area is not a suitable environment for residential use, pursuant to numerous health, safety and welfare laws, rules and regulations.

There are currently approximately 60-75 encampments in the Riverbed area along the border of the City that impact our community. In addition to the current occupied encampments, there are also encampments that have been vacated, and where large amounts of garbage and other refuse were left behind.

The Riverbed does not offer sanitary facilities for people to care for themselves in a manner consistent with preventing the spread of illness and disease. In contrast, due to its mere nature, it often provides an environment that actually supports breeding grounds for pathogens. With this in mind, when the inhabitants leave their encampments during the day and interact with other persons in the community, it creates a possibility of danger to public health.

Homelessness is a growing national issue, especially in California where housing costs continue to rise. Over the years, the number of homeless persons coming into our community has increased exponentially. That issue, in addition to where they choose to live, is a safety concern for those homeless as well as the general community.

Discussion:

In order to address the increasing issue of homelessness in the Riverbed, the Plan was developed by the LPD and City Administration in conjunction with other governmental agencies and private non-profit community groups. The Plan would (i) establish and maintain, on a temporary basis, a homeless triage center to facilitate providing needed services in order to transition Riverbed inhabitants into regular housing, (ii) provide for a Riverbed clean up and removal of encampments, and (iii) provide ongoing enforcement to prevent homeless persons from returning to the Riverbed.

The purpose of the Plan is to set forth the City's procedures to remove encampments in the Riverbed. The Plan balances the needs and rights of the homeless, who use such temporary shelters located in the Riverbed, with the public health, safety and welfare needs of the community.

Other cities have tried to tackle homeless issues in many different ways and some have been newsworthy, even resulting in devastatingly high litigation costs. The City is addressing the issues by taking the appropriate steps, not only to preserve a valuable natural resource in the Riverbed, but also by assisting homeless individuals to seek and receive the appropriate services they may need to find permanent housing. That all takes a lot of patience, heart, and time, not to mention money. By not allocating the resources needed and taking the proper actions up front when dealing with homelessness issues, agencies have paid out millions of dollars in attorney's fees and lawsuits afterwards.

Improperly relocating the homeless from the Riverbed without providing alternate housing options, or properly accounting for, and storing their property until it can be picked up, could cause legal action against the City.

The homeless often use shopping carts, which are often stolen from local businesses, to transport their belongings into the Riverbed or to gather items and store them. Businesses are also being fiscally impacted as the shelters that are being constructed in the Riverbed are relatively sophisticated and made up of building materials that are also often stolen.

LPD also receives many calls for homeless persons causing some type of disturbance that is disruptive to the lives of many community members, as well as businesses. There have also been violent crimes in the Riverbed, including stabbings, rapes and even one murder last year. From January 1, 2018, to July 11, 2018, LPD officers were dispatched to 137 calls for service regarding the homeless throughout the City and Riverbed.

The Lompoc Fire Department has also responded to numerous fires as well in the Riverbed, already tallying 12 incidents from just the beginning of this year (7 months). This is significantly higher than historical statistic totals showing only four in 2014, seven in 2015, four in 2016, and thirteen in 2017. The Riverbed inherently has a greater threat due to enormous dry brush. The types of fire related incidents in the Riverbed are 55% brush or brush-and-grass mixture fires; 22% outside rubbish, trash or waste fire; 10% passenger vehicle fire; 8% dumpster or other outside trash receptacle fire; and 5% natural vegetation fire, or other.

In June 2018, the Police Chief took positive action to begin to address issues in the Riverbed by creating a Homeless Liaison Position (HLP) officer. The HLP officer teams with restorative workers daily to contact the homeless in the Riverbed and encourage them to partake in the services being offered by the restorative groups in the area. In addition to the services offered, the HLP officer advises the homeless they are violating the law by living in the Riverbed. That encourages the homeless to accept the assistance being offered to eventually retain regular housing.

Triage Center

Multiple homeless restorative agencies will be involved with the triage center. Ideally, the agencies conducting the restorative outreach to the homeless will do most of the work up front. That will include offering services and possible housing options or reunification with family. In some cases, the homeless have accepted the assistance offered and removed themselves from the Riverbed voluntarily.

For those who do not voluntarily vacate the Riverbed, a proactive approach will be taken including legal notice and forcible removal by law enforcement, if necessary. Those who voluntarily leave, or are removed from, the Riverbed will be transitioned to the triage center, which will be a one-way trip through the triage center to acceptable housing, without a return to the Riverbed. Each participating agency will have a station in the triage

center where people will be referred for services. Those removed from the Riverbed can either accept the services offered, or not; however they will not be permitted to return to the Riverbed.

Below are some, but not all, of the agencies that will be involved in the Plan in one way or another. The restorative outreach will be conducted by groups familiar with the issues at hand and will be contacting the homeless population prior to law enforcement involvement.

- Americorps Mission United
- Santa Barbara County Mental Health
- Coast Valley Detox Center
- Good Samaritan Shelters/Bridgehouse
- ACT
- Home For Good
- Planting A Seed

The triage center is planned to be active in the Park for no more than 30 days. During that period, portions of River Park will be closed to the public.

Riverbed Cleanup and Removal of Encampments

The schedule of events leading up to the abatement is the following:

- 1) Ongoing notifications and engagement of services by outreach groups (this has already begun);
- 2) Official 30-day notice to vacate the Riverbed given by law enforcement;
- 3) Continued engagement of services during the 30-day notice period;
- 4) Official 21-day, 14-day and 7-day notices to vacate the Riverbed given by law enforcement;
- 5) 72-hour final notification given by law enforcement;
- 6) Removal to triage center with law enforcement action, if needed;
- 7) Removal of encampments and Riverbed cleanup (will take months).

Ongoing Enforcement

Following removal of the encampments from the Riverbed, ongoing management may consist of, but not be limited to, weekly or biweekly identification, and removal of new homeless encampments.

Fiscal Impact:

The scope of the overall project is still being determined so staff is unable to estimate a total cost through completion of the clean-up. It is likely the cost of the entire plan will be

hundreds of thousands of dollars and take many months to complete entirely. The elements we have been able to identify and estimate so far are listed below:

Notice and Abatement: There will be overtime costs for law enforcement to properly notice and abate the homeless sites. Subsequent to clean-up, the sites will be monitored daily to prevent the return of the homeless. Those personnel will be on overtime, as they would have other primary duties to accomplish during their normally scheduled work day.

The approximate cost will be: \$21,305 (Attachment 3). Staff is requesting City Council appropriate that funding at this time; and it is proposed to come from the General Fund.

Triage Center: In order to mitigate liability, those removed from the Riverbed will be offered a triage center with temporary lodging. The triage center will be in a fenced-in area of River Park. During the time the triage center is active, River Park will be partially closed to the public. The triage center will be staffed by a restorative outreach partner for a period of 90 days. Those choosing to move from the Riverbed to the triage center will be allowed to stay for a 30-day period, as long as they have entered a program to receive services. They will be allowed to bring their belongings from the Riverbed encampment in order to re-establish their basic living arrangements and store what is not being used in a large clean bin. During that time, they will be given necessary mental health services, veterans' services, substance abuse services, health services, etc., in order to transition them into regular housing. The County of Santa Barbara has agreed to provide needed staffing in their service areas during this time.

The approximate cost will be: \$40,000 (Attachment 4). This amount is currently not funded and will be dependent upon community donations and partner agency efforts. That amount has also been forwarded to the administrative offices of the County of Santa Barbara to see if there may be any assistance they can possibly provide.

Clean Up: The cost to contract with a clean-up specialist who is trained and capable of cleaning up the encampments and all the hazardous waste that goes along with it has yet to be determined. The contractor could also be on a retainer and available for clean-up as requested during the ongoing relocation of additional homeless encampments.

The approximate cost has not been determined yet, but will be substantial, most likely reaching into the hundreds of thousands. The main, immediate focus is to clear the area first of the inhabitants so the clean-up may begin. There are currently funds in the amount of \$65,000 that have already been appropriated and approved by the City Council for activities in our storm water division that may be used for these purposes. Once these funds are depleted, staff will return to request the additional funding needed to complete the project.

Once the Riverbed is totally clean, there will be a need to provide additional monitoring and patrolling to ensure the situation never re-occurs. At that time, staff may also have to return to Council for additional funding for necessary measures.

Conclusion:

Cleaning the Riverbed and finding homes for the homeless is a large and important project. It will impact many in the community and be a great benefit to all, including the homeless who are in need of the assistance. It is anticipated the number of homeless disturbances and the police response will be much lower once the Plan is implemented. That will allow LPD to continue to focus its efforts on other important issues.

Respectfully submitted,

Pat Walsh, Police Chief

Laura Dubbels, Deputy City Manager

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Jim Throop, City Manager

- Attachments: 1) [Santa Ynez Riverbed Encampments Removal Plan](#)
2) [Resolution No. 6206\(18\)](#)
3) [LPD Cost Estimates](#)
4) [Triage Center Cost Estimates](#)