



City Council Agenda Item

City Council Meeting Date: December 4, 2018

TO: Jim Throop, City Manager

FROM: Corey Cox, Police Sergeant
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Jeff Malawy, Assistant City Attorney
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SUBJECT: Consideration of Safe Parking Pilot Program and/or Potential Amendments to Safe Parking Ordinance/Program (Ordinance No. 1649(18) and Resolution No. 6179(18))

Recommendation:

Staff recommends City Council:

- 1) Discuss implementing a Safe Parking Program (Program) as a Pilot Program as approved by Resolution 6179(18); and/or
- 2) Discuss amendments to the Safe Parking Ordinance/Program as desired by the City Council; or
- 3) Provide alternate direction.

Background:

The City, like many other communities throughout the County of Santa Barbara and State of California, continues to struggle with the various effects of homelessness in the community. During the 2017 Point In Time (PIT) count, 219 persons were counted as experiencing homelessness and living without shelter in the City. While there is one homeless shelter that serves the City's homeless population, it is a 56-bed year round emergency shelter for clean and sober persons, and is currently full and often is full year-round. In fact, the City, like many other cities throughout the State of California, declared a housing shelter crisis in October 2018.

With the recent Riverbed homeless outreach the City has felt this crisis in an overwhelming way. The City recently allocated \$500,000 to assist with the Riverbed clean-up, which has led to many homeless individuals either receiving services, reunifying with family or turning to living in vehicles on City streets.

In October 2018, the City ceased operation of the 30-day Riverbed Triage Center where it encountered 69 persons experiencing homelessness. Multiple social service providers met daily to case manage and assist clients towards self-sufficiency and housing. While amazing success was accomplished with housing some of those experiencing homelessness, there are many who still are homeless. Some were able to find beds in shelters, rooms for rent, but overall, many found it challenging, even with Section 8 housing vouchers, to find housing in the City. Social service providers continue to meet on a monthly basis to work on those remaining homeless in the City. Successes continue to be achieved with finding shelter, services and housing.

Unauthorized homeless encampments have been prevalent throughout the City, exposing homeless person to traffic hazards, crime, risk of death, injury, exposure to weather, lack of adequate sanitation services, and other conditions that are detrimental to their health and safety.

The impact of homeless persons lodging in public parks, parking lots, bus benches and other places not meant for human habitation has an adverse effect on such resources, as well as the use and enjoyment of the public spaces for their intended purposes for the public at large.

In addition, homeless persons sleeping in their vehicles and recreational vehicles throughout the City is having an adverse effect on the residential community and business community. Large vehicles parked for long periods of time can block visibility when pulling out of driveways, for pedestrians crossing the streets and they can pose other health and safety hazards.

While the Police Department receives many complaints from City residents and business owners regarding vehicles parking overnight and creating such hazards, due to recent case law there is little the Police Department can do to enforce current regulations on residential use of vehicles without an alternative available place for those experiencing homelessness to sleep.

Discussion:

On June 5 and June 19, 2018, the City Council adopted the Safe Parking Ordinance codified at Lompoc Municipal Code (LMC) Chapter 10.30. (Attachment 1.) The Safe Parking Ordinance prohibits the overnight residential use of vehicles on City streets, alleys, and City-owned parking areas, and on most private property. (LMC 10.30.030 & 040.)

Safe Parking Programs are exempt from the prohibition. (LMC 10.30.060.) Resolution No. 6179(18) established rules for Safe Parking Programs. (Attachment 2.) A Program must be managed by a social service provider and must obtain a use permit approved by the Planning Commission. Further, participants in the program must be paired with a case manager and enrolled in a self-sufficiency program, and must follow certain rules

while parked onsite (no drugs/alcohol onsite, no dumping sewage onsite, etc.) (see Attachment 2).

The intent of the City Council was to establish a Program in the parking area at City Hall, during limited overnight hours. To date, that Program has not been implemented due to funding constraints and direction of resources toward the Riverbed clean-up.

At the November 20, 2018, City Council meeting, the City Council directed staff to bring back the Safe Parking Ordinance and Resolution No. 6179(18) for discussion of potential changes or amendments. Staff is open to City Council direction.

As part of that discussion, the City Council could consider a “pilot” safe parking program managed by the City for a temporary period and located in a designated area of the City Hall parking lot. A temporary pilot Program will allow the City to determine how much the Program will be utilized, the most beneficial method to assist the City’s vehicle homeless population, as well as determine if there will be a requirement for additional resources to be committed for successful operation of the Program. The City has never operated a program such as this before, and would like to start with a streamlined approach to determine what the needs are.

The proposal is for a three-month temporary time-period, where Program participants would be allowed to camp overnight in a designated parking area in the City Hall parking lot (directly across from the Police Department). Participants would be allowed to park safely between the hours of 9:00 p.m. to 6:00 a.m., seven days a week. Other parking lots are being considered, but proximity to the Police Department minimizes the cost of security at the site. Rather than start with a large budget, staff feels it is prudent to determine what the demand will be through initiation of the pilot Program. At any time during the three-month pilot period, the City Council can decide to terminate the program. At the end of the pilot period, the City Council can extend the Program for additional time or end it.

Establishment and operation of a pilot Program by the City, without management by a social service provider organization, may require amendments to the Safe Parking Ordinance and Resolution No. 6179(18). Those amendments can be brought back based on City Council direction before implementing the pilot Program.

Fiscal Impact:

The provision of the Program is a General Fund obligation. Since the proposed location is owned by the City, the primary cost to run the Program will be security services. The intention of using the proposed location for the Program will allow the Police Department to oversee security for the Program. Since the proposed site of the Program is adjacent to the Police Department facilities, the Police Department will be able to provide security services utilizing existing sworn and non-sworn staff. This economies of scale will minimize the cost of the Program to the General Fund to existing appropriations for security. Costs related to other operational component needs of the Program will be

determined during the pilot Program operations, but it is estimated there will be little or minimal incidental costs associated with the pilot Program. Actual cost to run the Program will be dependent on the number and type of vehicles that elect to utilize the Program. If the proposed location for the Program is other than adjacent to the Police Department facilities, then it is reasonable that the security costs to oversee the Program would grow as resources other than existing sworn and non-sworn staff would likely have to be used to provide the security needed to run the Program.

Conclusion:

Implementation of the pilot Program will allow staff to determine the level of Program participation, necessity of additional funding (if any) and will provide the City the necessary alternative option to allow citation of persons using vehicles for residential purposes overnight on City streets. The City Manager will provide to the City Council bi-weekly reports on the Program. At any time, the City Council may discuss augmenting or discontinuing the program.

Respectfully submitted,

Corey Cox, Police Sergeant

Jeff Malawy, Assistant City Attorney

APPROVED FOR SUBMITTAL TO THE CITY MANAGER:

Pat Walsh, Chief of Police

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Jim Throop, City Manager

Attachments: 1) Safe Parking Ordinance (LMC Chapter 10.30)
2) Resolution 6179(18)