



CITY COUNCIL AGENDA REPORT

DATE: March 7, 2019

AGENDA OF: March 12, 2019

DEPARTMENT: City Manager's Office; City Attorney

SUBJECT: Declaration of a Shelter Crisis, Transitional Encampment and Safe Parking Programs Ordinance and Listing of City-Owned Properties, Status of the Joint Plan for Emergency Shelter Provision and Encampment Management and Council Actions on Homelessness (CM/CA)

RECOMMENDATION:

- (1) Receive a report on implementation of the City/County Joint Action Plan for Emergency Shelter Provision and Encampment Management and other policy and action items related to homelessness, and take action as appropriate.
- (2) Resolution declaring a Homeless Shelter Crisis in the City of Santa Cruz.
- (3) Review and refer to the Planning Commission for consideration and recommendations an Ordinance adding Part 19 "Transitional Encampments and Safe Sleeping Programs" to Chapter 24.12 "Community Design" and adding Section 24.22.858.5 "Transitional Encampment" to Chapter 24.22 of the Santa Cruz Municipal Code.

AND/OR

Motion to adopt an Interim Urgency Ordinance adding Part 19 "Transitional Encampments and Safe Sleeping Programs" to Chapter 24.12 "Community Design" and adding Section 24.22.858.5 "Transitional Encampment" to Chapter 24.22 of the Santa Cruz Municipal Code, to be effective immediately.

- (4) Receive a report on a comprehensive list of possible City-owned locations for transitional encampment and safe parking locations and program elements and process, and take action as appropriate.
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BACKGROUND: At its meetings of February 12 and 26, 2019, the Santa Cruz City Council discussed and adopted various policy actions around homelessness as well as a response plan to the Gateway Encampment articulated in the City/County Joint Action Plan for Emergency Shelter Provision and Encampment Management (Joint Action Plan). The Council requested updates on the Joint Action Plan at its February 26 and March 12 meetings.

In addition, on February 26, 2019 the Council directed the following (note: this is a draft summary of actions from the currently unapproved minutes):

Motion carried to:

- Direct staff to return on March 12th with a comprehensive list of possible City-owned locations for transitional encampments and safe parking locations.
- Direct staff to return on March 12th with ordinance language for both transitional encampment permitting and safe parking programs permitting based off of previously submitted materials, including recommendations about process for adoption.
- Direct staff to share information with the County, encouraging maximum collaboration for pursuit of opportunities.

Motion carried to direct staff to, acknowledging a sense of urgency, provide additional information on how above motion is incorporated into the Project Charter.

Motion carried to:

- Remove the closure date of the Gateway Camp and revisit the date as alternatives come on-line.
- Provide signage at the camp about alternatives, including VFW Hall, Salvation Army, and any other shelter or warming facilities. The signage should include any information about the closure of the camp.
- Direct staff to amend the Shelter Crisis Declaration to generalize for broader applicability and include detailed statutory references and return to Council for adoption.

Motion carried to direct staff to communicate with County partners indicating that Council is committed to prioritizing the elements of the joint agreement and attempting to meet the target date for the camp closure.

Motion carried to continue with the Project Charter process for the public facilities analysis.

Finally, additional Council-directed items from February 12th may be reported on verbally on March 12th and in subsequent City Council meetings, as completed work items are ready for Council consideration.

DISCUSSION: This agenda item is responsive to the majority of City Council direction from February 26, 2019. Please note, however, that given publication deadlines for the March 12th City Council agenda, this written report presents a bare summary of actions, with a substantive staff presentation and discussion to occur on March 12th.

Joint Action Plan Update

On March 12th, staff will provide a verbal report and presentation on the current status and conditions at the Gateway Encampment, recent actions around outreach and noticing of shelter alternatives, and efforts toward additional safe sheltering programs.

Shelter Crisis Declaration

As directed, the City Attorney prepared a new Shelter Crisis Declaration Resolution (attached) with broader applicability to a range of solutions or options the City may wish to pursue, in addition to more clearly articulating local and state statutes subject to the Shelter Crisis Declaration.

Transitional Encampment and Safe Sleeping Programs

An ordinance creating a permitted land use for transitional encampment and safe sleeping programs under Title 24 of the Santa Cruz Municipal Code is attached. Per the Municipal Code, all proposed changes to Title 24 are subject to a public hearing at the Planning Commission before the City Council takes action. Accordingly, the recommendation is for Council review and referral of the draft ordinance to the Planning Commission, which would take up the ordinance at a future meeting and return recommendations to the City Council.

An alternate or complementary path that the City Council could take is to adopt the ordinance as an Interim Urgency Ordinance, if declared by the City Council to be necessary as an emergency measure for preserving the public peace, health, safety or property. An Interim Urgency Ordinance may be introduced and adopted at one and the same meeting if passed by at least five affirmative votes. The Interim Urgency Ordinance could remain in place until the Planning Commission completes its public hearing and until a regular ordinance takes effect following the Council's consideration of the ordinance.

On February 26, 2019, the City Council also directed that staff compile and return with a list of City-owned properties that could serve as locations for transitional encampments or safe parking programs. Attached are sets of maps, with the City-owned properties denoted by property type (parks and open spaces, parking facilities and other property). Staff will discuss these maps on March 12th, along with information about best practices for transitional encampment/safe parking program elements and processes gleaned from experienced Northwest communities. It is expected that the City Council will have an in depth discussion of possible site selection on March 12th.

This agenda item was prepared with the support of City Attorney Tony Condotti, Economic Development Director Bonnie Lipscomb, Fire Chief Jason Hajduk, Planning and Community Development Director Lee Butler, and Parks and Recreation Director Tony Elliot, in addition to City Manager's Office staff, with special effort from Assistant to the City Manager Susie O'Hara.

FISCAL IMPACT: Approval of the recommendations has no anticipated, immediate fiscal impact. Substantial staff time will be invested in implementation of the Transitional Encampments and Safe Parking Programs Ordinance, to include developing and promulgating operational rules, community outreach and communications, reviewing site plans and operational plans for proposed transitional encampments and safe parking programs. Additionally, if the Council undertakes any additional programs, there will be associated costs, as yet unknown.

Submitted by:

Approved by:

Tina Shull
Assistant City Manager

Martin Bernal
City Manager

Attachments: Shelter Crisis Declaration Resolution
Draft Transitional Encampment and Safe Parking Programs Ordinance
Maps of City-Owned Properties
Transitional Encampments Project Charter