



**DATE:** March 6, 2018

**CATEGORY:** Unfinished Business

**DEPT.:** City Manager's Office

**TITLE:** **Update on Initiatives to Assist Homeless and Unstably Housed Residents, and Consideration of Parking Enforcement Options**

### RECOMMENDATION

It is recommended that the Council:

1. Receive an update on short-term homeless initiatives.
2. Provide direction to staff to refine short-term programs to assist the homeless and unstably housed living in vehicles with appropriated funding (\$230,000 of \$250,000 total budgeted).
  - a. **Rapid Rehousing Fund:** Contract with the County to increase capacity to provide short-term financial assistance and support to quickly rehouse homeless households in their own independent permanent housing (\$100,000).
  - b. **Biohazard Waste Cleanup:** Contract services to protect health and safety (\$10,000).
  - c. **Waste Dump Pilot:** Supplemental funding required after bid process (\$5,000).
  - d. **Safe Parking Program Pilot:** Support for new Mountain View nonprofit Lots of Love (\$25,000 start-up to June 2018; \$30,000 for Fiscal Year 2018-19).
  - e. **RV/Vehicle Repair Funds:** One-time contribution to existing Community Services Agency (CSA) fund initiated by concerned community members (\$10,000).

- f. **Dignity on Wheels (DOW):** Existing City funding is provided through the summer of 2018, and funding is recommended to extend the service through Fiscal Year 2018-19 (\$20,000).
  - g. **Towing Fees:** Pilot program to assist in the towing of older vehicles with biohazard or hazardous material clean-up issues and excess traffic violations (\$30,000).
  - h. **Refine Rent Assistance Program:** To increase the use of the Rent Assistance Program, it is recommended that the program be made more flexible to meet the needs seen by CSA. Including being available to households in the City who have experienced a reduction in income or loss of employment. (Reprogram existing funds with CSA (\$70,000).
3. Provide direction to staff on which, if any, parking enforcement policy options are desired for further analysis and/or implementation:
- a. Use current tools with enhancements to parking and towing enforcement in order to enhance the management of City streets.
  - b. Consider a policy to restrict oversize vehicles Citywide.
  - c. Consider restricting overnight parking in all, or certain areas, or at certain times.
  - d. Study options for temporary parking permits for short-term living in vehicles.
  - e. Consider phasing in an ordinance prohibiting living in all types of vehicles.

To guide the Council's discussion, the first section of this report provides an update and recommendations related to short-term homeless initiatives, and the second section outlines a range of parking enforcement policy options. Council direction will be sought in two parts.

## **BACKGROUND**

The City has been studying and taking actions to address the challenging rise in homelessness and unstably housed individuals over the past two years. The path has included a report on the feasibility of safe parking options in February 2016. From March to September 2016, staff focused on preparation for the October 2016 Council

report (Attachment 1). This included implementing direction from October 2016—convening stakeholder groups of regional government agencies, community-based providers, and the local faith community; conducting a census and survey of individuals living in their vehicles in Mountain View; working with CSA and other nonprofits on ideas to offer basic human services; looking at waste disposal options; and working with leaders in the faith community to offer safe parking on nonprofit premises.

A March 2017 Council report led to the development of a 50-item work plan of action items focused on outreach, case management, basic human services, faith engagement, sheltering and safe parking, and a review of parking enforcement options (Attachment 2). The status of all work plan items is detailed in Attachment 3 is summarized below:

Data	Work Plan Status
35	Action items are completed
9	Action items have been implemented and are now ongoing
5	Action items are in progress
1	Item was superseded by the opening of a cold-weather shelter

### **Two-Year/Three-Pronged Strategy**

Staff is now 10 months into implementation of the direction authorized in March 2017 and the subsequent development of the three-pronged strategy. This strategy was planned to last two years in order to help those in need and minimize impacts on neighborhoods. Its components include:

1. Implementing several short-term initiatives aimed at providing basic human services, including mobile outreach and case management, designed to start those in need on the path to more permanent future housing. *Implemented over the last 10 months.*
2. Exploring several long-term strategies to increase the overall housing supply with an emphasis on affordable housing. *Approved in October 2017.*
3. Adding a new Community Outreach Police Officer to further enhance and coordinate community outreach and law enforcement operations. *Approved with a new Officer appointed in July 2017.*

The three-pronged strategy is well positioned to address many, but not all, aspects of what is a regional and even Statewide homelessness crisis. Reducing the number of individuals and families without a home is a complex issue that requires multi-agency and interdepartmental coordination, regional collaboration, and a long-term focus.

The City's investment in addressing this important and complex regional concern is leveraging amounts of City funding matched with County funding, as well as private donations and volunteer contributions, is resulting in shared accountability to address this community challenge.

There is no simple solution, and new programs and policies can have unintended consequences. Therefore, our goal is to continue to refine strategies as we implement initiatives and adapt our approach. The analysis in the next section of this report provides current data, community feedback, status on action items, and what has been learned over the last 10 months of implementation.

## **ANALYSIS**

### **Homeless Data and New Count**

The County's biannual count of homeless residents serves as a baseline for understanding homelessness in the region. This survey captures individuals and families sleeping in emergency shelters and transitional housing, as well as people sleeping on the streets, in vehicles, abandoned properties, or other places not meant for human habitation. Mountain View homelessness nearly doubled from 139 in 2013 to 276 in 2015. These numbers rose further to 416 homeless individuals in 2017; 5.9 percent of the homeless population reported in the 2017 Santa Clara County Point-in-Time count were counted in Mountain View.

Further illustrating the broad needs in our community, CSA that serves as our main safety net provider. It is also experiencing rising needs. CSA provides a variety of services, from food and nutrition to rental assistance for all people living in poverty (not only homeless clients). Locally, CSA has served 10,429 clients during Fiscal Year 2016-17. CSA presently manages 267 client cases.

A count of vehicles parked on the street showing signs of habitation (not abandonment) performed by the Police Department in February 2017 found approximately 150 inhabited vehicles on Mountain View streets. This count was not a full-scale survey like the survey the City contracted with LifeMoves in the summer of 2016, which identified 126 inhabited vehicles in the select locations surveyed. Rather, it was a "vehicle count

by location” throughout the City and spread over multiple days, evening hours, and several weekends. This data populated the map presented with the March 2017 Council report.

A new count was conducted in December 2017, which followed a similar process, but additionally tracked license plate numbers to increase the accuracy of the count; 291 inhabited vehicles were counted (Attachment 4).

<b>Data</b>	<b>Citywide Count by the Police Department – Conducted in December 2017</b>
158	RVs
94	Cars
39	Other Vehicles (unhitched trailers, boats, buses, etc.)
<b><u>291</u></b>	<b><u>Total</u></b>

The December 2017 count found 264 vehicles with a California license plate, 26 vehicles with out-of-state license plates, and one without a license plate. These may be visitors, rentals, loaners, or pending purchases. The numbers of vehicles shift (e.g., some have been housed, some have been towed, some have moved on), but the data clearly shows a rise in the number of inhabited vehicles.

### **Community Feedback and City Data Collection**

Staff continues to track calls for service and staff activity associated with people living in vehicles or the homeless. Data collected by the Police, Fire, Public Works, Community Development, and Community Services Departments, the City Attorney’s Code Enforcement Division, and the City Manager’s Office shows ongoing activity associated residents living in vehicles.

The City continues to receive feedback about this issue through e-mails, letters, calls, social media, and *Ask Mountain View*. City staff developed and continues to update the webpage [www.mountainview.gov/homeless](http://www.mountainview.gov/homeless) to offer information. Staff also created new topics in *Ask Mountain View*, with an anonymous option, to elicit easier feedback from residents. Over the past 10 months, the City has received 41 *Ask Mountain View* cases and 19 letters or e-mails to the City Council.

The issues raised include the visual impact and safety concerns associated with inhabited RVs, parking near homes, frustration with the 72-hour parking limit enforcement, living in vehicles, excessive litter and garbage, leakages, requests for

debris removal, and increased reports of encampments in parks, trails, and creeks. Staff also receives reports of ongoing issues such as debris, trash, and cancelled reservations at Rengstorff Park. Increased complaints are emerging at Eagle Park, including concerns about bike lane access as more vehicles park on Shoreline Boulevard.

Staff's midyear update shows continued concerns associated with residents living in vehicles with some leveling off of requests (Attachment 5). The monthly average for first half of Fiscal Year 2017-18 was 247 hours of staff time spent and 131 incidents occurring per month, compared to an average of 298 staff hours spent and 188 incidents per month for all of Fiscal Year 2016-17. There were 2,898 total staff hours spent in Fiscal Year 2016-17 and a total of 2,201 incidents.

## **UPDATE ON COUNCIL-DIRECTED ACTION ITEMS**

### **Partnerships for Homeless Outreach and Case Management**

The Council first approved funding for an Outreach Worker based at Community Services Agency (CSA) in October 2016 and continued it through Fiscal Year 2018-19 with one-time public benefit funds (\$120,000 for the City's shared cost and contract with the County) and a Case Worker, County for Permanent Supportive Housing (PSH) (\$250,000), to continue through Fiscal Year 2018-19. Funds were also provided to CSA to complete their outreach plan (\$75,000) to include vehicle, insurance, technical, supply needs, and administrative support for data entry.

What staff has learned about the residents living in vehicles over the last 10 months is discussed in the next section of this report. Tracking the quantitative data and outcomes is a requirement for all of the short-term programs, but there are challenges with overlapping systems and the main goal is to get clients assessed and into coordinated care for tracking outcomes. To date, the data is imprecise and open to overstatement across the broad population of homeless and unstably housed individuals tracked through different programs and systems (County, City, and CSA). But overall, the current data set shows us that more than one-third of those living in vehicles or homeless residents are engaged with service providers or Police Outreach; a quarter or less have had some contact with law enforcement; and the remaining are not engaging. This includes individuals living in vehicles as well as those on the street or in encampments. The street or encampment cases tend to include individuals who are more chronically homeless and can be more likely to have challenges like substance abuse and related activities.

There are challenges that come with the painstaking outreach process, which involves multiple rounds of contact to build trust with potential clients in order to encourage enrollment into the homeless and housing case management system. Many of the RVs remain a unique challenge to reach the people living in them as many are not engaging with CSA or Police Outreach. However, we do gather data on the clients that are actively engaging. For people who are engaging, it helps to see more than numbers – here are a few client stories.

### *Success Cases*

Some of the success stories of the short-term initiatives have been accomplished through the Case Managers of Peninsula Healthcare Connection (PHCC) and Community Services Agency (CSA). With collaboration between the PHCC's Case Manager and a client, a single mother and her four children, who have been living in an RV in Mountain View, were able to gain access to medical care and additional resources. After their previous apartment burned down in April 2017, they obtained a housing voucher and will be housed in a new apartment in Santa Clara in February 2018. Another client, assisted by the CSA's Case Manager, not only discovered two different low-income housing options in Mountain View, but also helped provide insight and hope for a depressed client. She was an engineer who had to sell her home because of a failed relationship and health condition, which led to job loss and financial difficulty. Lastly, the CSA Case Manager provided rental and deposit assistance, while developing a positive relationship with an honorably discharged veteran and his wife who had lived in their van for the past year. They were helped to find an apartment that finally accepted their Housing and Urban Development (HUD) voucher.

### *Outreach Data*

The County provided the City with short-term assistance to help us meet our needs for homeless outreach and services referrals until the new CSA Outreach Worker was hired and the contract was implemented for a Case Manager through the County with Peninsula Healthcare Connections (New Directions) for Permanent Supportive Housing services. The initial phase of the outreach "pilot program" by the County helped us lay the groundwork for further efforts to identify and assess residents living in vehicles and homeless.

The transition and coordination between CSA, the City, and the County's outreach team was completed by March 2017.

Temporary and Ongoing Outreach from County Supportive Housing (Temporary Pilot Program Effort – Completed):

The goal of this pilot program was to provide a pilot for mobile outreach to link those living in vehicles to services. The County provided temporary assistance at the start of the year for a “pilot program” and offers some ongoing assistance.

Data	<b>County Temporary Outreach Pilot Program Metrics – January-March 2017</b>
<b><u>26 Total</u></b>	<b><u>Clients engaged, assessed and housed (7 from Crisanto Avenue)</u></b>

Peninsula Healthcare Solutions Case Worker – April 2017-January 2018 (10 months):

The goal of this program is to provide a Case Manager to serve 20 chronically homeless cases in Mountain View in order to get them into permanent supportive housing. In addition to housing support, clients receive comprehensive case management services, including connection to food resources, school-based services, temporary shelter, multi-disciplinary care coordination (including primary and specialty care providers, psychiatry, psychology, law enforcement, representatives from governmental and community-based organizations, etc.). Services are provided to clients in Spanish when appropriate.

Data	<b>Peninsula Healthcare Connection – New Directions (Social Work Case Manager) Metrics – April 2017-January 2018</b>
18	Clients Enrolled in Program
10	Referred with Vouchers for Housing
5	Households Housed (13 people total)
<b><u>33</u></b>	<b><u>Active service to 33 individuals, including 5 families with 8 minors</u></b>

CSA Mobile Outreach – April 2017 to January 2018

The goal of the Mobile Outreach program is to link those living in vehicles to services and housing programs which, over time, would reduce the number of cars and RVs being used as housing. The City partnered with CSA and the County to offer this new Mobile Outreach program. With comprehensive outreach and canvassing efforts, this program has reached out to over 350 vehicles and homeless individuals over a period of 10 months. Sixty-four percent (64%) of these vehicles or individuals received outreach



engagement efforts 10 or more times. Most individuals contacted were living in vehicles or RVs, but approximately 20 or more were homeless not associated with a vehicle.

Of this population of individuals, more than one-third of people reached out to 10 or more times have continued to be engaged or have been assessed. There have been 85 individuals who have engaged, including individuals living in vehicles, living at large in the community, or who are existing CSA clients. Six percent (6%) of CSA assisted households or individuals have since been successfully housed. Fifty-six percent (56%) of the individuals who have been successfully contacted by the outreach program are actively still engaging with the outreach program. One-half of these engaged individuals are from either Mountain View or elsewhere in Santa Clara County; the other one-half have not identified their last known residence.

One-quarter of these individuals are unemployed, and another one-quarter are classified as extremely low-income and/or are receiving government benefit assistance. The remaining are not identified, but CSA Outreach notes they do see many of the people who are living in an RV are working and are hoping to get out of the RV, but feel it is better than being on the streets, as they are challenged by the high cost of rent in the area.

The demographics of these individuals vary. The demographic information describes the 85 individuals. The individuals are primarily single men and seniors. Sixty-one percent (61%) are male and thirty-nine percent (39%) are female. Ten percent (10%) are children under the age of 17 living with their families.

<b>Data</b>	<b>CSA Client Metrics from Participation with Outreach (April 2017-January 2018):</b>
352	Vehicles reached out to with information posted on the vehicle
225	Vehicles reached out to 10 or more times
120	Client case management appointments
85	Number who participated and engaged with outreach to provide data became CSA clients, or where found to be existing CSA clients
34	County homeless assessments completed with the majority of people enrolled in the CSA vehicle outreach program (80 full assessments have been completed overall to date)
5	CSA has assisted five households (12 individuals) to secure housing with rent and security deposit, four of those being in vehicles and one who was living on the street

**Police Community Outreach – July 2017-January 2018:**

The Police Department Neighborhood Event Services (NES) has added a new Community Outreach Police Officer to further enhance and coordinate community outreach and law enforcement operations. NES has developed a process for monitoring and enhancing general awareness of homeless-focused reports from patrol and delegating reports to the Community Outreach Officer (COO). This process has been very successful in identifying those in need of assistance through CSA.

NES has coordinated with the District Attorney's Office to have a Community Prosecutor handle crimes related to the homeless and those living in vehicles as some of the violations are related to drug/alcohol addiction issues or are issues that could be prevented or addressed with the proper outreach assistance instead of jail time.

The COO attends the weekly Palo Alto Review Court (PAR Court) proceedings for Mountain View homeless subjects with pending cases. The COO provides feedback to the court on who may be treated best through deferred sentencing for drug/alcohol and/or mental health services treatment. This allows the Police Department to deeply understand how homeless subjects have historically experienced court so staff can work through issues in the future. PAR Court provides homeless subjects and those living in vehicles another chance to get the services they need.

The COO has also coordinated with Parking Enforcement personnel to make sure the 72-hour parking ordinance is being enforced, along with any other applicable State or City laws.

Based on Council direction, staff is balancing compassion and services for the unhoused with the health and safety concerns of the neighborhood residents. It is our goal not to paint any residents living in a vehicle with a broad brush; however, law enforcement concerns related to mobile residents are increasing.

With additional resources as of July 2017, staff has coordinated towing to address cases of leaking vehicles or excess unpaid parking citations. Nearly 200 homeless or unstably housed individuals have had incidents or contact by Police. Data is collected to document the contact and when services offered. Nearly 75 percent have been re-contacted for services, with many being connected to CSA.

81 of the 111 subjects that were arrested by the Police in the category of vehicle residents/homeless were directly related to residing in a vehicle. This correlates to 73 percent of the arrests.

Data	<b>Police Community Outreach Metrics – <i>July 2017-January 2018</i></b>
47	RVs impounded after numerous warnings, multiple citations (five or more unpaid parking citations, or were leaking sewage)
91	72-hour violation citations
111	Homeless individuals or residents living in vehicles that have been arrested within a total of 161 arrests within this group (11 of these individuals have been arrested multiple times). Sixty-eight (68) of arrests have been by NES (68) and by Patrol (43) for various violations, which include narcotics possession, being under the influence of narcotics, trespassing, and possession of stolen property.

NES has developed an MVPD/Community Service Agency Referral and Consent to Release Information Form. This form authorizes the COO to learn from CSA whether a homeless subject is attending or participating in the required programs to collect assistance from CSA. This allows the COO to best address specific homeless subjects who may be in need of assistance. The NES, CSA, and City administration staff also meets monthly to collaborate on issues.

The NES has also attended meetings of 12 of 17 neighborhood associations in Mountain View, answering questions and providing further information about the issue in general, what the City is doing to address the challenge, and talking about the residents' concerns about the growing homeless population and influx of RVs. The five remaining neighborhood associations have not coordinated a meeting but have been advised Police are available to meet when requested.

Addressing existing and new encampments throughout our community has also been a focus of the COO. Twelve (12) encampments, including a number requiring major interagency coordination, have been cleared to date.

### **County Data Summary of Mountain View Homeless**

The County supportive housing system housing programs fall into four categories: Emergency Shelter (ES), Transitional Housing (TH), Rapid Rehousing (RRH), and Permanent Supportive Housing (PSH). The City's homeless are assisted by all of these programs. Mountain View homeless may receive services from a program even if that program is not one that is specifically slated for Mountain View residents. The County has been an active partner and the City continues to pursue all potential opportunities to work with the County and others to achieve more permanent housing for these residents through a continuum of services.

The clients associated with Mountain View are tracked as part of the County's Continuum of Care and data management systems. As noted earlier in this section, the City provided \$125,000 in funding to the County in 2017 to assist the chronically homeless and provide for the assigning of a case manager to enroll individuals in housing programs or wait lists. Eighteen (18) are enrolled and their cases are managed by PHCC.

In addition to these 18 households, 42 Mountain View affiliated households were enrolled in Permanent Supportive Housing programs during the year, and 29 of these households are currently housed. These additional enrolled households are funded by the County. The County determines Mountain View affiliation through the following criteria, with the breakdown of the number of individuals enrolled based on each.

<b>Data</b>	<b>Permanent Supportive Housing <i>July-December 2017</i></b>
8	Mountain View address
5	Works in Mountain View
1	Goes to school in Mountain View
16	Spends most of time in Mountain View
10	Lived in Mountain View prior to homelessness
2	Zip code of last address is in Mountain view

Destination:Home awarded \$3.3 million to Sacred Heart Community Services for implementing new Homelessness Prevention Programs (includes the \$1 million grant from Google targeted for Mountain View and Sunnyvale). The program began implementation in July 2017. They will be leading a consortium of seven Emergency Assistance Network (EAN) agencies (City partner CSA is included) to provide a Homelessness Prevention pilot program. The goal is to implement a Countywide prevention model and system of care that is focused on outcomes and best practices.

<b>Data</b>	<b>Homeless Prevention Program Metrics <i>July to December 2017</i></b>
3	In Destination:Home/Sacred Heart Community Services Program
40	County Office of Supportive Housing funding

The County Rapid Rehousing Program for families and the survivors of domestic violence and sexual assault programs also began receiving referrals this summer, and the singles program began implementation in July 2017. To date, the clients range from singles to families and veterans.

<b>Data</b>	<b>Rapid Rehousing Program Metrics <i>July to December 2017</i></b>
21	Mountain View households are enrolled

All families in Santa Clara County are able to access these services from any of the seven Emergency Assistance Network (EAN) agencies. These EAN agencies have dedicated staff to support and address needs and connect family members to support services, including rent assistance, employment services, child care, and transportation. Already, partner organizations are making concerted efforts to increase outreach, expand the number of places across the County where families can be assessed, and ensure that all families that are on the brink of homelessness have access to the new system of care. New linkages are developing with school site community workers, McKinney-Vento-school homeless liaisons, and emergency shelters.

### **ADDITIONAL ACTIONS**

In addition to the outreach and case management actions discussed in this Council report, in March 2017, the Council directed staff to send a letter of engagement to the faith-based community; monitor and explore sheltering and safe parking; and add

enforcement as a work plan item. Status of these efforts is summarized in the next section of this report.

### *Faith Community Engagement*

A database of faith contacts was developed and the Mayor sent a letter in April 2017. The Mayor invited faith community leaders and City partners to attend a meeting to address the growing need for assistance in serving the unhoused in Mountain View. Pastor Michael Love of Trinity United Methodist and Pastor Brian Leong of Lord's Grace assisted in facilitation of the meeting held on May 30, 2017. A meeting to continue the conversation was held in October 2017.

The City hosted the second luncheon and meeting to further build collaboration to assist the homeless and unstably housed. The meeting was facilitated by Supervisor Joe Simitian and included presentations and a panel of the City, Office of Supportive Housing, CSA, San Jose Faith Collaborative, and Pastor Love and Pastor Leong. Over 50 people attended, with the majority responding to "call to action" interest cards in the areas of: (1) volunteering for the pilot cold-weather shelter; (2) interest in safe parking; and (3) exploring a local faith collaborative for our area that is similar to one on San Jose (information attached). Supervisor Simitian continues to foster these efforts and will be following up with all who are interested. The developing "Mountain View Area Faith Collaborative" held its first meeting on February 13 and anticipates holding bimonthly meetings in 2018.

### *Sheltering and Safe Parking Pilots*

The City continues its ongoing support to community-based shelter facilities, including the Graduate House transitional shelter for five adults and the Quetzal House youth shelter for 40; the Silicon Valley Independent Living Center, which provides emergency assistance, housing referrals, and other related support services to homeless disabled persons; and LifeMoves, which provides shelter and support services for the homeless. In addition, County staff had been in conversations with City staff and community members for about a year about establishing a pilot cold-weather shelter in Mountain View at Trinity United Methodist Church (TUMC). Supervisor Simitian and his staff have spearheaded this project over the last year with the County Office of Supportive Housing team to offer much-needed shelter services to North County.

The pilot shelter program is by referral only and aims to assist 10 to 15 families and single women or about 50 people total. The clients include unsheltered homeless persons from Mountain View and other North County areas. The pilot shelter program

is operated in a fashion similar to the other cold-weather shelters in the County run by an experienced, third-party nonprofit, HomeFirst. Services include case management services by CSA, dinner and breakfast meals, along with restrooms and shower facilities. In the future, once TUMC's commercial kitchen renovation is completed in 2018, job training in the culinary arts for homeless individuals who are under case management and interested in advancing their skills to improve their employment prospects will also be facilitated with Downtown Streets Team (DST).

The shelter received all its permits and opened on Saturday, December 23, 2017. To date, the pilot program has served as many as 47 clients per day and is averaging 30 or more. The existing approvals are for operations through March 31, but the County will be requesting an extension to be open until April 15, 2018, along with the rest of Cold-Weather Shelter Program (CWSP) sites. (This year, County expanded the program by nearly two months for the rest of the CWSP sites from October 15 to April 15).

Safe parking dialogue also continues and staff outreach has been done with two governmental agencies' sites and on two prospective temporary private sites. In the spring, Lord's Grace Church worked with a law firm for the filing of a 501(c)(3) nonprofit called "MOVE Mountain View" that will focus on the homeless and marginalized persons. St. Timothy's, Menlo Church-Mountain View, and Lord's Grace make up the board for MOVE. They received 501(c)(3) approval and aim to begin a Pilot Safe Parking Program under the name of "Lots of Love."

One church signed on and a number of others are seriously working on it and are going through their process of approval. Initial plans include three to four vehicles hosted at one to two churches through probably the first quarter to six months, with a goal of scaling up from there. Services would include case management by CSA. At this initial scale, permitting is not required. A Temporary Use Permit (TUP) application would be required for potential future sites that would like to host more vehicles and services. The City Council has already authorized funding (\$20,000) to assist with additional riders needed to facilitate liability insurance and additional support is discussed in the next section of this report for the pilot program.

## **BASIC HUMAN SERVICES ACTIONS**

A main action from the October 2016 and March 2017 Council direction was support for basic human services like the Porta-Potti, washer and dryer, and shower services funded by the City. These services are discussed in the next section of this report.

***Porta-Potti:*** The Porta-Potti at Rengstorff Park (\$12,000) was authorized to continue. The service is used presently and seems to assist in alleviating some issues associated with human waste in the park; however, there are still signs of illegal waste dumping. The service is funded through June 2018, and staff recommends using contingency funds to extend services through Fiscal Year 2018-19.

***RV Sanitary Waste Disposal Pilot Program:*** The Council also approved a pilot RV sanitary waste disposal program (\$25,000). An interdepartmental team developed a program scope and outreach plan for free waste disposal services to residents living in RVs. An RFP for this service was issued in May 2017. The goal was to both offer free waste disposal services to residents living in RVs and to test whether a permanent sanitary waste dump is viable for a 12-week pilot program at two sites: Shoreline and the Municipal Operations Center (MOC). Three prospective bidders qualified. In our first round of requests, all declined to submit a proposal. On the second round, a vendor was secured and the pilot project began in January 2018 and will last through April 2018.

For the first phase, 124 vouchers were handed out to RV's on Mountain View streets. The first phase of the pilot served 33 RVs. Outreach is in progress for the next phase at this time. Staff will provide a Council report on the final outcomes from the pilot to assess any future consideration of a permanent sanitary waste dump facility at either site.

***Dignity on Wheels (DOW):*** The City provided funding (\$26,000) for CSA to subcontract for mobile shower and washer/dryer services for hygiene support to the homeless in Mountain View. CSA completed a pilot round in the spring with Lava Mae that had limited success. This summer, Dignity on Wheels (DOW) opened up capacity to serve Mountain View, and they are off to a more successful start. CSA has conducted outreach to known areas of concentration for residents living in vehicles, surrounding nonprofit and faith communities, apartment complexes, and CSA Food and Nutrition Center clients. The start to the program was quite successful, serving as many as 17 clients, and average 8 per service day (Tuesdays, 1:00 p.m. to 4:00 p.m.).



***Washer and Dryer:*** Funds in the amount of \$15,000 were also provided to CSA for a commercial-grade washer and dryer. This will be located at Trinity United Methodist Church/Hope's Corner.

***Right-of-Way Noticing:*** Staff has been coordinating the noticing of work in the public right-of-way to reach out to residents living in vehicles. All departments ensure a minimum of a 72-hour notice is given in all cases, unless there is an emergency. Depending on the right-of-way activity, noticing is by letter, flyer, or on-street A-frame signs as needed. Police and CSA outreach with English/Spanish flyers if there is a tow notice. Staff is coordinating impacts on the right-of-way through a shared e-mail list to ensure outreach and notifications are completed.

***Street Cleaning and Clean Sweeps:*** In addition to regular street sweeping, the City conducts periodic “clean sweeps” to reduce the potential for debris and waste from residential use to clog or enter the storm drains and flow into the Bay. These cleanings also help prevent flooding and street erosion and are a necessary part of regular street maintenance. Staff added a quarterly clean sweep of Crisanto Avenue in addition to the regular one-time-per-month routine sweeping (conducted on the same day) that is already permanently signed as a part of Council March 2017 direction. This action has been taken because there has been an increase in vehicles that do not move for routine cleaning and to allow for the coordination of towing of oversize vehicles.

***Grant Review:*** Staff has also looked at the grants offered by the Santa Clara Valley Water District to see if any address waste disposal concerns related to homeless in our right-of-way, but did find not a match. Staff continues to monitor potential District grants.

***Protecting Waterways:*** Staff from Fire—Environmental Services are also working as part of a regional group on waterway waste matters that are associated with the rise in homeless living in vehicles in the Bay Area.

***CalWater Donation to CSA:*** Community Health Awareness Council (CHAC) staff reached out to the City and CSA to facilitate a CalWater donation of water for the homeless. CSA took delivery of two pallets recently and a CSA Outreach Worker distributed the water.

***Valley Homeless Health-Care Program:*** Santa Clara County Public Health is now providing their mobile medical and mental health services at CSA on Thursdays from 8:30 a.m. to 4:00 p.m.

## **Contingent Funding Updates and New Recommendations for Basic Human Services**

In March 2017, the Council directed that an appropriation be included in the Fiscal Year 2017-18 budget for Permanent Supportive Housing (PSH) assistance, Rapid Rehousing or other needs (\$250,000), and contingency funding for homeless initiatives (\$25,000).

### **A summary of the contingency uses is provided here:**

*Biohazard Waste Cleanup:* Staff has begun using a contractor for more ad hoc biohazard waste cleanup. This provides professional contract services as needed for this service to protect health and safety (\$10,000).

*Waste Dumping Pilot:* Contingency funding has also been used to supplement the waste dumping pilot as staff secured a vendor, but the cost was higher than anticipated with the allocation of previously approved funding (\$5,000).

### **Staff recommends the following to refine and enhance short-term programs to assist the homeless and unstably housed living in vehicles using previously appropriated funding (\$250,000):**

*Rapid Rehousing Fund:* Since many of the clients assessed so far are rated as eligible, the goal would be to supplement the County's efforts to provide short-term financial assistance and support (four to six months, on average) to quickly rehouse homeless households in their own independent permanent housing (\$100,000).

*Safe Parking Program Pilot:* Support for new Mountain View nonprofit program Lots of Love (\$55,000). This would be a one-time grant for implementing the initial start-up of the pilot safe parking program. The grant would fund start-up costs in the amount of \$25,000 for Fiscal Year 2017-18, which are expected to include case management through CSA for managing referrals and case services, a Porta-Potti, coordinators/lot monitors, etc., and then \$30,000 for Fiscal Year 2018-19 for operating program costs. Lots of Love has communicated their funding needs to the County, and County staff is reviewing the budget request to go to the Board of Supervisors in the Spring. The City contribution of \$55,000 would leverage County funding.

*Dignity on Wheels (DOW):* Existing City funding is provided through the summer of 2018. Dignity on Wheels (DOW) staff recommends an extension through Fiscal Year 2018-19 (\$20,000).

*RV/Vehicle Repair Funds:* Modest vehicle repair funds have been available from CSA for residents in need, including residents living in their vehicles. This was supplemented

with a \$1,200 donation from concerned Mountain View residents to assist residents living in RVs. Additional collaboration with City funding is recommended to supplement this effort (\$10,000).

*Towing Fees:* Staff has also looked at towing subsidies or fee incentives that are similar to those used by San Jose and Sacramento that could lessen complications currently being felt by tow companies. Staff recommends this regardless of which, if any, options are selected for parking enforcement directions as the Police Department is encountering challenges with the limited instances that require towing of older RVs (with numerous unpaid traffic violations) because the tow companies do not want to remove older vehicles that may be in poor condition and have biohazard and hazardous material clean-up needs (\$30,000).

### **LONGER-TERM STRATEGIES**

As part of the overall approach to homelessness, the Council provided input on longer-term strategies in March 2017. Based on the input, staff developed next steps to implement an affordable housing strategy. The Community Development Department provided a Council report in September and the strategies were adopted in October 2017. Staff recommended approximately \$50 million be invested in general affordable housing developments at 60 percent AMI and below for a goal of 350 to 400 units and up to \$28 million for permanent supportive housing/rapid rehousing for a goal of 200 to 250 units. The City Council supported this investment strategy. Community Development is working with the County, nonprofit developers, and external partners to explore how to achieve this goal.

*Measure A:* Staff continues to work with the County and affordable housing developers to access Measure A funding. Two applications have been submitted to the County for consideration of Measure A funding, and they are currently under review as of the writing of this report. If funded, these projects would include much-needed housing for the chronically homeless and the developmentally disabled.

*Increasing Housing Supply:* Mountain View is working to increase housing availability and stabilize the cost of housing by increasing the overall housing supply and creating opportunities to develop affordable housing. As of the end of 2017, over 2,500 housing units are approved in the “pipeline” (a net increase of about 2,400). Nearly 300 of these units are affordable, of which a majority are subsidized by the City through fees collected from residential, office and industrial developments. The last three years of

Planning approvals are summarized below, providing an overview of City housing production.

<b>Year</b>	<b>Approved New Units</b>	<b>Approved Demo Units</b>	<b>Approved Net Units</b>	<b>Affordable</b>
2015	735	-79	656	1
2016	1,134	-86	1,048	236
2017	424	-7	417	21
<b>TOTAL</b>	<b>2,293</b>	<b>-172</b>	<b>2,121</b>	<b>258</b>

Moreover, the Council just approved the Shorebreeze project that adds 62 new affordable housing units (50 net new units) to the existing location for families and seniors. The City Council also recently adopted the North Bayshore Precise Plan, an area with the capacity for up to 9,850 new housing units among one of the City’s major employment areas. In addition, the North Bayshore Precise Plan includes an affordable housing target of 20%.

*Below-Market-Rate Housing:* The City continues to implement the Below-Market-Rate (BMR) program. The current BMR program requires new housing developments over a certain unit count to provide at least 10 percent of their units to low- and moderate-income households or pay fees in lieu of the housing units. On February 13, 2018, Council directed that staff update the BMR ordinance to modify the BMR program to increase the percentage requirement for affordable rental housing from 10 percent to 15 percent.

*Rent Assistance Program:* On December 15, 2015, the Council approved funding for a Rent Assistance Program where low-income tenants can access short-term rent assistance equivalent to the amount of their rent increases for a period of four months and up to nine months. The intent of the program is to help tenants stabilize their living situations in the event of a steep and/or unexpected rent increase. The goal of the program was to assist 50 clients within a six-month period (100 clients annually), with clients being assisted until the fund balance was depleted or contract term ended.

<b>Data</b>	<b>Rent Assistance Program Metrics – 2016-17</b>
10	Assistance to households

To increase the use of the Rent Assistance Program, it is recommended that the program be made more flexible to meet the needs seen by CSA. Including being available to households in the City who have experienced a reduction in income or loss of

employment. As of the FY16-17 the Annual Compliance Report, BMR funds used for this program are not subject to annual reporting and required to be spent within a certain time. Staff recommends reprogramming the existing funds with CSA (\$70,000).

## **CONSIDERATION OF PARKING ENFORCEMENT OPTIONS**

The second section of this report outlines potential parking enforcement policy options. In March 2017, the Council provided direction that was aimed at not shifting residents living in vehicles from one location to another, but balancing compassion and parking enforcement to address issues related to residents living in vehicles in the public right-of-way.

Expansive vehicle-to-vehicle outreach, human services programs, and active law enforcement of existing City codes were noted as unlikely to meet the ultimate goal of getting each resident living in a vehicle assessed and into housing. The Council asked for a review of additional enforcement options.

Subject to the direction of the Council at this meeting, staff will return with a more detailed report with a timeline and cost analysis of any preferred option. The City will likely need to continue to employ additional strategies over time and ensure that our efforts are part of larger regional efforts.

### **Current Enforcement**

As noted in the October 4, 2016 and March 7, 2017 Council reports, enforcement of the Mountain View City Code section regulating sleeping in vehicles has been suspended in light of the *Desertrain v. Los Angeles* court case. In this case, the 9th U.S. Circuit Court of Appeals ruled that a provision of the City of Los Angeles City Code prohibiting people from using their vehicles as living quarters was unconstitutional based on the particular language in the ordinance. This case created uncertainty about local enforcement options.

The Police Department and Fire Department—Environmental Services Division reviewed procedures and continue to approach this issue with compassion using education, information, resource referrals, and enforcement of other current applicable City codes. The City does issue citations for violations of parking in excess of 72 hours, expired vehicle registrations, vehicles with five or more unpaid parking citations, discharge of hazardous material in the gutter/storm drain, illegal debris on City property, and discharge/threatened discharge to curbside gutter, storm sewer, storm drain, or natural outlets. As noted in this report, 91 citations have been issued and 47

vehicles with excess unpaid parking citations have been towed through the implementation of the Police Outreach program.

### **Existing City or State Regulations Related to Vehicles/Living in Vehicles**

***Restrictions to On-Street/Public Parking.*** Time limits are posted on signs in some areas of the public roadway and public parking lots and indicated by painted curbs. Parking within 15' of a fire hydrant (painted curb or not) is prohibited at all times, as is parking in a fire lane marked by red paint. All fire-lane parking and handicap parking restrictions apply on either City-owned or private property.

***SEC 19.72. Parking seventy-two (72) hours.*** All vehicles within City limits are required to move at least 1,000' (approximately two-tenths of a mile) every 72 hours. This law is enforced on a complaint basis with calls to the hotline at (650) 903-6358, and with some proactive enforcement as well. The 72 hours is enforced from when tagged, not first parked or reported.

The enforcement of the 72 hour ordinance provides challenges as there is no way to actually know if the vehicle has traveled two-tenths (2/10) of a mile without verification of an odometer that is often times not visible or not equipped on certain vehicles. A vehicle could potentially move short distances and the Police Department would only know that it moved.

***SEC. 19.21. Towing Away of Vehicles.*** Per existing code, a vehicle may be removed that has been parked or left standing upon a street, highway, or public parking lot for seventy-two (72) or more consecutive hours, or any vehicle obstructing the free flow of traffic on any street or in the traveling lane of any parking lot. Any vehicle discharging sewage can be towed. With an abundance of caution for noticing of the RV that may be used as housing, the current operational policy is not to tow RVs until five or more unpaid parking citations have been issued; or a vehicle registration is expired over six months. Warnings are generally given verbally or included in the parking citation.

There are also two alternative California Vehicles Code (CVC) sections the City may apply. CVC 22651(k): States a vehicle is only allowed to park in the same spot on a public street for up to 72 hours. Vehicles parked beyond this time may be issued a warning, cited and/or towed, even if they have a residential parking permit for that area. The authority to tow for parking citations is the CVC (22651(i)), which requires five or more unpaid citations before a vehicle may be towed.

***SEC. 19.92.4. Street cleaning.*** Parking prohibited on street cleaning days.

**SEC. 27.11 and 16.5. Leaving Debris on City Property and Encroachment on City Property.** Items should not be stored on the public right-of-way, sidewalk, and City property. In recent months, items have included, but were not limited to, chairs, barbecues, carpets, bicycles, generators, and general trash.

**SEC. 35.32.3.1. Discharge/Threatened Discharge to Curbside Gutter, Storm Sewer, Storm Drain, or Natural Outlets.** Prohibits discharge or threatened discharge to any curbside gutter, storm sewer, storm drain gutter, creek, or natural outlet any domestic sewage, sanitary sewage, industrial wastes, polluted waters, construction waste, litter, or refuse. Any vehicle discharging sewage can be towed under CVC 23112.7(a) (1) (d).

**SEC. 32.10. Trees, Shrubs, and Plants.** Prohibits the attachment of wire, rope, signs, etc. to the public landscape.

**SEC. 19.99.14. Residential Permit Parking (RPP).** Designated zones in which a residential permit, available to residents upon application, is required to park.

**CVC 23112.7(a)(1)(d).** In addition, if signs restricting parking are posted, vehicles on private property may be towed.

Staff has also looked at laws prohibiting operating a business renting an RV on a public street. State law does not prohibit an RV owner from leasing it to another. Generally speaking, the City can regulate conduct upon a street. However, the City is limited to some extent due to State preemption and constitutional protections. The City can potentially enforce the State law on habitability requirements for RVs outside of RV parks, but the staffing demands of such enforcement may be prohibitive. Habitability regulations would apply to vehicles whether owned or rented.

The approach of adjacent communities is also part of the analysis because vehicles in the immediate region can easily shift from one location to the other. The adjacent communities of Palo Alto, Los Altos, and Sunnyvale employ different strategies and regulations, and have different conditions in their rights-of-way.

### **Neighboring Cities' Regulations Related to Vehicles/Living in Vehicles:**

**Los Altos**—Does not specifically ban living in vehicles, but three specific ordinances restrict RVs/oversize vehicle parking. One ordinance bans overnight parking for RVs/motorhomes on any public street or alley for more than 30 minutes between the hours of 7:00 p.m. of one day and 7:00 a.m. the next day. Further, Los Altos specifies

that continued standing or parking of a vehicle after a citation for a parking violation constitutes a separate and additional violation of the provision for which the citation was issued. Los Altos also has a 72-hour limit on parking in one spot without moving.

***Palo Alto***—Had an ordinance prohibiting human habitation in vehicles that took effect in September 2013, but it was never enforced and was eventually repealed in November 2014 following *Desertrain v. Los Angeles*. There are no current Palo Alto bans in effect on RVs/oversize vehicles. Section 10.47.020 of Palo Alto’s code gives the City Manager sole discretion in the designation of “no large vehicle parking zones,” based upon factors such as safety hazards, pedestrian and vehicular visibility, citizen complaints, traffic, and other relevant data. Palo Alto also has Residential Preferential Parking Districts. These districts may be formed in neighborhoods across Palo Alto with City Council approval. Palo Alto also has a 72-hour limit on parking.

***Sunnyvale***—Also had an ordinance prohibiting human habitation in vehicles that was repealed in February 2017, again based upon the ruling of *Desertrain v. Los Angeles*. In terms of parking restrictions, Sunnyvale also has a petition-based Residential Permit Parking Boundary System for residential areas throughout the city limits. Sunnyvale’s code also specifies the removal of stored vehicles in excess of this period, with any public safety employee authorized by the Director of Public Safety able to remove the vehicle from the street, alley, or public parking facility in which it was left standing. Sunnyvale also has a 72-hour limit on parking.

## **POLICY OPTIONS FOR COUNCIL CONSIDERATION**

When thinking about how to address the impacts associated with living in vehicles, such as 72-hour parking limits, excessive litter and garbage, leakages, or debris, it is important to note that strategies vary in scale depending on the outcome desired. Staff is seeking Council direction regarding what, if any, additional parking enforcement tools are desired.

As requested by Council, staff has brought back a range of possible policy options to consider based on research done to date. Implementation of these enforcement options will require additional legal guidance, particularly associated with writing and enforcing new ordinances. The majority of these options involves costs, may be staff-intensive, and in all cases require the need for increased Police enforcement support.

The challenge in considering these options remains how to best balance the desires of the community and the needs and rights of people living in vehicles.



**1. Use current tools with enhancements to parking and towing enforcement in order to enhance the management of City streets.**

*1a—Continued Enforcement of Existing Codes with Increased Towing:* Continued enforcement of existing codes as discussed in the introductory section of this report, combined with increased towing. This approach would largely maintain the current status quo with some increase in vehicle tows. The Police Department is actively enforcing the current code sections, and it can tow a vehicle immediately for the 72 hour violation, but utilizes towing as a last resort. The department is also experiencing operational towing challenges. Tow incentives or subsidies could assist in having more operators available to tow and store oversize vehicles.

Options could include:

- Continue current general approach, but increase resources to enforce parking enforcement and towing.
- Provide policy direction to increase enforcement of the 72 parking limitation pursuant to CVC 22651(k).
- Look to further enhancing towing subsidies or fee incentives similar beyond the current recommendation of \$30,000 included in this report, in order to have more operators available to tow and store.

<i>Project Scale and Departments Involved</i>	<i>Estimated Cost and Time</i>
Scale is medium with Police and the City Manager’s Office having roles.	Moderate to high and could include additional parking attendants and additional costs for towing fee incentives. Could consider possible new tow fee offsets in increase of tow fees. A phased approach could begin immediately pending existing work demands.

*1b—Additional Traffic Measures and Parking Signage:* The City’s Traffic Engineer can designate modified parking for traffic safety concerns (Section 19.79). Based on direction received on parking enforcement, these modifications can range from a time limitation to a complete parking prohibition in a designated area and

require the adoption of an ordinance and the installation of signage. Further changes to parking configurations could include:

- Time-limited parking (five-hour, three-hour, or two-hour parking zones are used in our code for various locations). The time limits, which would apply to all vehicles, could be considered near high-use service locations, like near parks and open space. For example, it may be desired to have limited parking immediately adjacent to Rengstorff and Eagle Parks to ensure sufficient turnover for park visitors.
- Modification of existing bike lanes by adding a second stripe adjacent to the parking lane, (e.g., Shoreline Boulevard has an older bike lane without a second stripe). This would provide additional space and safety around vehicles.
- Review of passive measures like traffic delineators, barriers, or islands to break up concentrated areas of RV parking to increase visibility and limit the scale of vehicles. If so, a discussion of the higher concentration areas from the current count (Attachment 4) could be used as a guide for areas of focus. This could result in a loss of total parking.

This option provides a mechanism to address issues that arise in particular areas, but does not offer a Citywide solution. Refinements have already been made in some areas to address sight visibility concerns, and the RVs have moved elsewhere like Shoreline Boulevard. This option would allow RVs to remain on the streets, but would try to minimize the safety impacts of large concentrations. Additional review of changes to parking, signage in higher concentration areas, and outreach to the area would be required.

<i>Project Scale and Departments Involved</i>	<i>Estimated Cost and Time</i>
Scale is medium with Public Works, Police, and the City Manager’s Office having roles.	Moderate to include staff time for further analysis and implementation, sign installation averages \$150; overall signage and curbing costs are modest and could be absorbed. Phased approach could begin immediately.

2. **Consider a policy to restrict oversize vehicles Citywide.** An oversized vehicle restriction would be established for any vehicle, or combination of connected

vehicles, that exceeds a defined measurement based on the policy considerations described below. Options could include:

- Limit oversize by zone – commercial zones, industrial, office, or residential zones.
- Prohibit oversize vehicles Citywide, but develop a program to provide a permit for residents who own RVs and require short-term parking for loading/unloading or short-term permits for resident’s visitors with RVs.
- If this option is pursued, consider implementing a short-term program for safe parking in a City-owned lot (e.g., Shoreline on a temporary basis), as a transition while phasing in this ordinance. There are several considerations for implementing a safe parking program: understanding the target population to be served; determining suitable parking lot locations; identifying a program operator; deciding on and arranging for additional services; providing for waste disposal; addressing the need for hygiene services such as toilets, showers, laundry, and fresh water; addressing liability issues; determining the level of California Environmental Quality Act (CEQA) review; and securing program funding. Significant outreach would also be required with this option.

Reasons to limit oversize vehicles are based on public safety, traffic visibility, blight, and community impacts. This approach maintains options for living in cars or smaller-scale vehicles, which accounts for roughly one-half the existing count of homeless. Staff could look to recent examples, including several cities in the North Bay, which have adopted similar ordinances and programs. Any regulations would need to be drafted so they do not abridge constitutional rights.

<i>Project Scale and Departments Involved</i>	<i>Estimated Cost and Time</i>
Scale is large with the City Attorney, Public Works, Police, and the City Manager’s Office having roles.	The scope would need to be further defined, but costs and staff time are expected to be high. An estimated phased approach with a 2019 implementation target.

- 3. Consider restricting overnight parking in all, or certain areas, or at certain times.** The existing Citywide restriction on overnight parking was initially adopted in the 1960s, and is enforced in signed areas. Enforcement of overnight restrictions in

many residential areas would likely be problematic because most residents park on the street overnight. Additional resources would also be needed to enforce.

- Options could include enforcement of the prohibition on parking between the hours of 2:00 a.m. and 6:00 a.m. This could be Citywide, or in specified zones.

This approach risks unsettling neighborhoods with new restrictions, and concerns also of a loss of residential and visitor parking. Council would also provide direction regarding the accompanying outreach process, which would be extensive. Signage would be required throughout the City for enforceability.

<i>Project Scale and Departments Involved</i>	<i>Estimated Cost and Time</i>
Scale is large with the City Attorney, Public Works, Police, and the City Manager’s Office having roles.	The scope would need to be further defined, but costs and staff time are expected to be high. Phased approach with implementation target to be determined.

**4. Study options for Temporary Parking Permits for Short-term Living in Vehicles.**

Study the possibility of a new short-term parking permit program that requires individuals living in vehicles to obtain temporary permits to park on designated streets. This is an idea that can be explored further,, but requires further analysis regarding to the city’s role and responsibility for such a program as well as potential legal issues.

- The concept for this program is to designate zones or locations for short-term living in vehicles, but only for people who engage with outreach and services.
- There are operational concerns regarding implementation, which would involve significant staff resources. The costs and staff time associated with the process would likely be extensive.

<i>Project Scale and Departments Involved</i>	<i>Estimated Cost and Time</i>
Scale is large with the City Attorney, Police, and the City Manager’s Office having roles.	The scope would need to be further defined, but costs and staff time are expected to be high. Phased approach with implementation target to be determined.

**5. Consider phasing in an ordinance prohibiting living in all types of vehicles.** This would require a thoughtfully crafted new ordinance specifically addressing habitation in vehicles to make it defined, clear, and citable. Options could include:

- Enact a temporary or pilot regulation like the one in Los Angeles that prohibits parking/living in vehicles a certain distance from specific sites (e.g., a defined number of feet from parks, schools, and day-care centers for a specified time).
- If this option is pursued, Council could consider implementing a short-term program for safe parking in a City-owned lot (e.g., Shoreline on a temporary basis), while phasing in this ordinance. Key considerations for implementing a safe parking program include understanding the target population to be served; determining suitable parking lot locations; identifying a program operator; deciding on and arranging for additional services; providing for waste disposal; addressing the need for hygiene services such as toilets, showers, laundry, and fresh water; addressing liability and other legal issues; determining the level of California Environmental Quality Act (CEQA) review; and securing program funding.

This option would require substantive legal work as it comes with limitations and challenges of defining the terms used in the ordinance. Staff would look to other examples, including the City of San Mateo and the City of Fairfield. Any regulations would need to be drafted so they do not abridge constitutional rights. A number of cities have updated their ordinances since the *Desertrain vs. Los Angeles* decision. Although the cities have sought to define habitation to avoid constitutional challenge, they have not yet been tested in the courts. This effort would involve a substantial outreach process and may require traffic studies and/or additional legal resources.

<b><i>Project Scale and Departments Involved</i></b>	<b><i>Estimated Cost and Time</i></b>
Scale is high with the City Attorney, Public Works, Police, and the City Manager's Office having roles	The scope would need to be further defined, but costs and staff time are expected to be high. Phased approach with an implementation target to be determined.

## FISCAL IMPACT

The staff recommendations in this report, based on prior Council direction regarding outreach, case management, basic human services, and rent assistance are contracted for through June 2019. The \$230,000 of items are fully funded with one-time funds that were appropriated as part of the Fiscal Year 2017-18 Adopted Budget.

Based on Council direction, staff will bring back a more detailed discussion at a subsequent meeting with additional information and cost analysis on any desired parking enforcement options. The option(s) funding would need to be approved as part of the Fiscal Year 2018-19 budget.

## CONCLUSION

Staff has been working to balance compassion and enforcement for nearly a year as we have been working to implementing the 50-item work plan. To date, 35 items are completed, nine have been implemented and are now ongoing, and five are in progress with one item no longer being pursued. It is recommended that the Council:

1. Accept the update on short-term homeless initiatives.
2. Approve staff recommendations to refine short-term programs to assist the homeless and unstably housed living in vehicles with appropriated funding, as outlined in the report.
3. Provide direction to staff on which, if any, parking enforcement policy options are desired for further analysis and/or implementation:

<b>Option</b>
<b>1. Use current tools with enhancements to parking and towing enforcement in order to enhance the management of City streets</b>
a. Additional traffic measures and parking signs b. Continued enforcement and increased towing
<b>2. Consider a policy to restrict oversize vehicles Citywide</b>
• limit oversize by zone • permit oversize • allow limited safe parking on City property as a transition
<b>3. Consider restricting overnight parking in all, or certain areas, or at certain times.</b>

<b>Option</b>
<ul style="list-style-type: none"><li>• prohibit between 2:00 a.m. and 6:00 a.m. Citywide or by zone</li></ul>
<b>4. Study options for temporary parking permits for short-term living in vehicles</b>
<ul style="list-style-type: none"><li>• Review temporary permitting on designated streets</li></ul>
<b>5. Consider phasing in an ordinance prohibiting living in all types of vehicles</b>
<ul style="list-style-type: none"><li>• allow limited safe parking on City property as a transition</li></ul>

### ALTERNATIVES

The Council may wish to consider the following alternatives to the recommendation:

1. Stop or alter current short-term human services initiatives.
2. Modify one or more enforcement options.
3. Direct staff to pursue options that were not discussed by staff.
4. Decide not to change direction on the current approach to parking enforcement at this time.
5. Council could provide other direction.

### PUBLIC NOTICING

Agenda posting, web and social media advisories, and a copy of the report was sent to the County, CSA, stakeholder group members, and, as feasible, others who have corresponded with the City Manager's Office on this topic.

Prepared by:

Kimberly S. Thomas  
Assistant to the City Manager

Approved by:

Audrey Seymour Ramberg  
Assistant City Manager

Daniel H. Rich  
City Manager

679-03-06-18CR-E

- Attachments:
1. [Council Report for October 4, 2016](#)
  2. [Council Report for March 7, 2017](#)
  3. Homeless Initiatives Work Plan – Two Phases
  4. Map of Locations with Residents Living in Vehicles
  5. City Department Data