



DATE: March 19, 2019

CATEGORY: Unfinished Business

DEPT.: City Manager's Office

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

RECOMMENDATION

1. Accept an update on short-term homeless initiatives and the City's three-pronged strategy.
2. Provide direction on parking enforcement strategies and options.
3. Provide direction on safe parking policy, specifically whether to consider or move forward with safe parking at Shoreline Lot A/B or other City property, and/or to adopt a safe parking ordinance.
4. Introduce an Ordinance Adding Section 19.70.1 to Chapter 19, Division 2, of the Mountain View City Code Related to the Parking of Vehicles that Discharge Domestic Sewage on the Public Right-of-Way, to be read in title only, further reading waived, and set second reading for April 9, 2019 (Attachment 1 to the Council report).
5. Adopt a Resolution of the City of Mountain View Declaring a Shelter Crisis, to be read in title only, further reading waived (Attachment 2 to the Council report).
6. Provide direction to the City Manager to include appropriations, as applicable, for one or more housing, enforcement, public safety, and health-focused programs, in the Fiscal Year 2019-20 budget, up to a total of approximately \$833,000 (if all options are included):
 - a. Enforcement-Related (Initial Recommended Funding Source – General Fund): approximately \$551,000.
 - b. Links to Housing/PSH/Safe Parking (Initial Recommended Funding Source – Restricted Housing Funds): approximately \$250,000.

- c. Waste Management (Initial Recommended Funding Source – General Fund): approximately \$32,000+.

To guide the Council’s discussion, the first section of this report provides an update on the City’s current three-pronged strategy to address the unstably housed and homeless. It requires Council direction associated with extending funding for one or more programs. The second section outlines a range of parking enforcement strategies and recommends adoption of an ordinance related to vehicles discharging sewage on the public right-of-way; approval of a long-term safe parking policy; and declaration of a shelter crisis. Council direction will be sought on the second part of the report with associated fiscal impacts. An executive summary is also provided on Pages 2 to 5 of this report.

EXECUTIVE SUMMARY

Homelessness and Unstably Housed in Mountain View

Over the past several years, there has been an increase in the number of people in Mountain View who are without stable housing, either living in vehicles or more traditionally homeless, living on the streets or in makeshift encampments. According to the Santa Clara County point-in-time count, the number of homeless in Mountain View has increased from 139 in 2013 to 416 in 2017. Concentrations of Recreational Vehicles (RVs) have been a particularly visible sign of this issue, with the most recent count in December 2018 identifying 290 vehicles that appeared to be used for habitation. Following *Council direction from a series of meetings and included in Attachments 3, 4, 5, 6, and 7* (February 23, 2016, October 4, 2016, March 7, 2017, March 6, 2018, and December 11, 2018), the City has been working for the past three years to learn more about this population and develop solutions that meet their immediate needs, increase access to and the supply of more stable housing, and address the impacts of people living in the City’s rights-of-way. Staff refers to this as the City’s three-pronged strategy, with most of the services becoming operational in the last one to two years.

The City’s Three-Pronged Strategy

As described in *Part One of this report and in Attachments 7, 8, 9, 10, and 12*, the elements of the three-pronged approach included funding basic hygiene services, outreach to assess needs and link people to comprehensive health and social services, and assistance to find housing. The City has also partnered with community-based organizations to develop short-term housing solutions, including the beginning of a

safe parking program. The City has made great strides to establish plans, policies, and investments to increase the supply of affordable housing. Staff has assessed traffic safety issues and the need for parking restrictions in areas where large vehicles impede lines of sight for drivers, bikers, and pedestrians.

The Police Department has expanded its community outreach program to establish a connection with vehicle residents and help them get the assistance they need. The Police Department also proactively addresses any criminal activity associated with people living in vehicles and follows a process of noticing and citations to enforce the City's 72-hour parking regulation. Staff monitors and cites for leakage from RVs and has increased street sweeping in some locations to address the accumulation of trash and debris. Staff seeks Council's direction regarding the continuation of the current strategies related to outreach, services, and enforcement, the costs of which are indicated in the Fiscal Impact section of this report. In addition, staff recommends that Council introduce an ordinance to facilitate towing of vehicles that discharge sewage on the right-of-way.

Current Status and Outcomes

The City's current efforts have mitigated some of the impacts of vehicles being used as housing and have improved the lives of some who are living in very challenging circumstances. As noted in *Part One and Attachments 8, 9, and 12* of this report, this includes placing 116 Mountain View affiliated households in housing and approximately another 44 households on the path to housing. However, due to the magnitude of the regional housing crisis and the complexities of homelessness, the needle has not moved much in reducing inhabited vehicles in Mountain View. When working with homeless and disenfranchised populations, it can take multiple contacts to establish trust and engage people in services and some people do not ever engage.

The varying levels of engagement and the limits of the various assessment and intake system to generate specific, unduplicated data means we do not have as clear of a picture as we would like regarding the circumstances of each vehicle residence. In general, we know there is no one description of people living in vehicles in Mountain View.

Parking Restrictions

At its last meeting on this topic in December 2018, the Council asked staff to return with options for parking restrictions. *Part Two of this report and Attachments 15 through 19* present a number of possible strategies for regulating the City's rights-of-way,

providing as context current City regulations, State regulations, and other legal considerations, neighboring cities' regulations, and examples from other jurisdictions who have been working to address the same issues.

As noted in the report, developments in case law have impacted cities' options for enforcement, with rulings or pending rulings that limit a city's ability to prohibit using vehicles as sleeping quarters, prosecute homeless for sleeping on public property when no other sleeping spaces are practically available, or towing vehicles whose owners have an inability to pay citations. In general, it is important to note that State law prescribes what cities may do in the regulation of street parking and stresses the need for adequate notice and equitable application.

The strategies for regulating parking vary in scope depending on the outcome desired. The four options outlined in the report describe how parking can be limited based on location, time, vehicle size, or the activity impacts of the vehicle owner/occupant. These options involve tradeoffs between the needs of those living in vehicles and residents and businesses in proximity to these uses of the City's rights-of-way, as well as possible trade-offs of shifting parking from one location to another. Each of these options is described, including the Council action steps required and the estimated time for implementation.

Safe Parking

In its past meetings, the City Council has supported enforcement of the existing 72-hour parking regulation, but has not pursued greater parking restrictions, stating an interest in finding alternative locations for vehicles being used as housing to park. However, such locations are difficult to find and only recently has a local organization been formed to provide support services and help manage safe parking. *The last section of this report related to safe parking* summarizes a number of transitional options and seeks Council direction regarding development of a safe parking policy to address permit and environmental requirements. Staff also recommends Council adoption of a resolution declaring a shelter crisis, which may provide the City with immunity from claims of negligence and possibly better enable the City to compete for future County homeless service grants.

Conclusion

With the Council's direction on goals, priorities and budget authorization, staff would proceed to develop the appropriate parking resolution or ordinance for introduction at a future meeting and include appropriations, as applicable for one or more housing,

enforcement, public safety, and health-focused programs in the Fiscal Year 2019-20 budget.

BACKGROUND

The City has been studying and taking actions to address the challenging rise in homelessness and unstably housed individuals over the past three years. The four main phases have included a report on the feasibility of safe parking options in February 2016, at which time safe parking was not viable due to a lack of providers and locations. The interim measures directed after the February 2016 report included 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 the Community Services Agency (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 explore safe parking on nonprofit premises.

This stakeholder and engagement process led to the October 2016 Council report (Attachment 3) that addressed a number of shorter- and longer-term strategies. In March 2017, the Council provided direction for balancing compassion and parking enforcement (Attachment 4). Then, in March 2018, the Council reviewed additional options for parking enforcement, but did not reach agreement to significantly change parking restrictions until more options could be developed, such as the launching of a pilot safe parking program by local faith-based groups (Attachments 5 and 6). The four Council reports led to the development of a 73-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.

The status of all work plan items is detailed in Attachment 7 and summarized below:

Action Items	Work Plan Status
53	Action items are completed
14	Action items have been implemented and are now ongoing
4	Action items are in progress
1	Action item is no longer being pursued

Two-Year/Three-Pronged Strategy

Staff is now two years into implementation of the Council direction authorized in March 2017 and the subsequent development of the three-pronged strategy to address homelessness in Mountain View. This strategy was planned to last at least two years in order to help those in need while trying to minimize impacts on neighborhoods. The program reporting data sets included in this report are comprised of approximately 20 months of implementation, as programs and services came online at different times in 2017. The components of the strategy included:

1. 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 two years with most programs coming online in spring 2017, or Fiscal Year 2017-18.*
2. Several long-term strategies to increase the overall housing supply with an emphasis on affordable housing. *Multi-year strategy approved in November 2017.*
3. A new Community Outreach Police Officer to further enhance and coordinate community outreach and law enforcement operations. *Implemented for Fiscal Year 2017-18 and Fiscal Year 2018-19.*

Though the three-pronged strategy has provided important basic human services to homeless and unstably housed residents and has seen progress in increasing the overall housing supply, homelessness at large and the visible manifestation of unstable housing of residents living in vehicles remains a significant issue that the region continues to grapple with.

As will be discussed in the data analysis section of this report, the “outflow” measured by the number of clients housed does not match the number of “inflow” clients assessed for housing, nor is there ever enough affordable housing for all who need it. This, combined with an absence of other actions to regulate parking in the public right-of-way, has created a perception that actions are not being taken to address the challenge of unstable housing and homelessness. However, the City, the County, and numerous community-based providers have taken many actions to address this challenge.

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 strategies and actions taken thus far demonstrate an investment in addressing this important and complex regional concern. These actions

have included leveraging \$1 million of City investment. The majority of City funding was one-time, public benefit funding with General Funds used only for the new Police Outreach Officer and the most recent safe parking site improvements.

The table below shows how the City and its partners have generated over \$1 million in donations:

Item	Private Contributions
Grant to <i>Destination:Home</i> for homeless prevention in Mountain View and Sunnyvale.	\$1,000,000 from Google
Private lot use and in-kind project management/contract management.	~\$30,000 in-kind value, plus lease value from Palo Alto Housing Corporation (PAHC)
Grant to MOVE Mountain View for safe parking services.	\$15,000 from LinkedIn plus \$15,000 in matching grant funds for future donations that may come in to MOVE
Faith volunteer labor for site debris clearance.	~\$5,000 in-kind value to MOVE/PAHC

The table below shows how the City continues to work with Santa Clara County to secure funding commitments for the Mountain View community, resulting in over \$16 million in funding:

Item	County Contributions
Hope & Mercy Resource Center Construction	\$500,000
Capital Improvement Funds via Housing Trust	\$190,000
No-Interest Loan until City Granted Community Benefit Funds are Available	\$200,000
Culinary Skills Job Training (2-1/2 years of funding)	\$700,000
Homeless Cold-Weather Shelter (4 years of funding)	\$1,400,000
Move Mountain View Safe Parking Program (2 years of funding)	\$287,525
CSA of Mountain View Outreach (2-1/2 years of funding)	\$300,000
County Homeless Outreach Team (one-time, 18-month funding) focus areas include North County starting March 2019	\$600,000
Mountain View Dedicated Permanent Supportive Housing (PSH) subsidies (Approximates Annual Costs as subsidies vary based on rent amount)	\$370,000

Item	County Contributions
Construction funding for affordable rental units Linda Vista Site (1012 Linda Vista Avenue)*	\$3,633,750
Construction funding for affordable rental units El Camino Real Site (950 West El Camino Real)*	\$4,044,000
Construction funding for affordable rental units near Eagle Park (1701 West El Camino Real)*	\$4,000,000
Total:	\$16,225,275
* A portion of these affordable housing developments will be for housing homeless or those at risk of homelessness.	

ANALYSIS

PART ONE – UPDATE ON TWO-YEAR/THREE-PRONGED STRATEGY

The following analysis provides status of the three-pronged strategy implementing Council direction, current data across programs and services from outreach to enforcement, what we know about homelessness/residents living in vehicles, and community feedback about residents living in vehicles. This information is provided as context for Council’s direction.

General Data about Homelessness and the Unstably Housed in Mountain View

CSA Safety Net and Homeless Data

CSA, which serves as the City’s main safety net provider, continues to experience a high demand for services. CSA provides a variety of services, from food and nutrition to rental assistance for all people living in poverty, not only homeless clients. CSA has provided services to 4,102 clients (means-tested clients) during Fiscal Year 2017-18, and 8,564 unduplicated individuals receiving food services only. CSA presently manages 2,830 client cases, with 220 served specifically as part of the homeless client services. This includes the mobile outreach clients (of which 98 percent reside in Mountain View and the remainder in Los Altos).

County Homeless Data

Santa Clara County’s biannual Point-in-Time count of homeless residents serves as a baseline for understanding homelessness in the region. This survey counts 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, and rose again to 416 homeless individuals in 2017. Nearly 6 percent of the homeless population reported in the 2017 County survey were counted in Mountain View. The 2019 Point-in-Time count was conducted in late January and the results will be available in summer 2019.

Mountain View Count

In addition to the County's counts, the Police Department has conducted counts of vehicles showing signs of habitation. An initial count in February 2017 found approximately 150 inhabited vehicles on Mountain View streets. This count was not a full-scale survey like the one the City contracted with LifeMoves to conduct in summer 2016, which identified 126 inhabited vehicles in the select locations surveyed. Rather, the City count was throughout the City and spread over multiple days, evening hours, and several weekends. A second count was conducted in December 2017 which identified 291 inhabited vehicles, of which 58 were Recreational Vehicles (RVs), 94 were passenger cars, and 39 were other vehicles (unhitched trailers, boats, buses, etc.).

In December 2018, the Police Department assessed the public rights-of-way and several known parking lots and located 290 vehicles that appeared to be used for habitation, including 192 RVs, 89 standard passenger vehicles (typically vans or SUVs), and 9 categorized as "other" (box trucks, buses, etc.).

Staff has become aware that a number of RV occupants also have cars. The 2018 count conducted by the Police Department identified 58 "associated vehicles" that were located near the RVs and did not appear to be used for habitation. These associated vehicles are not included in the 2018 count. Though the totals for December 2017 and December 2018 counts were similar, in 2018 there were more RVs and fewer vehicles of other types.

Summary of Services Provided, the Number Served, and Service Outcomes

Data Challenges

It is important to note some of the challenges in generating comprehensive information to describe the demographics, needs, and outcomes associated with homeless and unstably housed individuals. First, because people are being assisted through a variety of programs and "tracked" through different data systems (County, City, and CSA), there is a possibility of duplicative counting. Wherever possible, the data in this report includes notations to indicate possible duplication.

Second, a definitive identification of residency is inherently complicated for people who are unstably housed and mobile. Homeless assistance and housing programs comply with Federal law in which the location is defined by “affiliation.” That is, an individual is considered affiliated with a location if this is where they work, go to school, or spend most of their time or if they lived there prior to homelessness.

A third challenge is that some people choose not to engage with outreach workers and service providers. For those who do engage, it may take multiple rounds of contact for them to develop trust and a willingness to provide information about their situation or to participate in services.

Outreach and Engagement Programs

The outreach program’s aim is to provide services to the unstably housed, conduct an assessment to identify needs and strategies for housing, get them into housing when feasible, and track outcomes. The current data shows that approximately 40 percent of those living in vehicles or homeless residents are engaged with service providers or Police Outreach; approximately one-quarter have had some contact with law enforcement; and the remaining are not engaging.

Law enforcement data 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 are more likely to experience challenges like substance abuse or behavioral health issues. The different outreach programs implemented since 2017 are summarized briefly in this section, with additional details in Attachments 8 and 9.

The data indicates that outreach is successfully reaching clients overall; households affiliated with Mountain View are taking homeless assessments for the first time at a faster rate than they are being placed into housing destinations. Homeless assessments are the first step to entry into the coordinated care system to access Countywide human services.

CSA Mobile Outreach: The Council approved funding for a Mobile Outreach Worker based at CSA in October 2016 and continued funding it through Fiscal Year 2018-19, sharing the cost with the County. This program has reached out to 367 vehicles over a period of 21 months. The majority of these vehicles or individuals (54 percent) have been reached out to 10 or more times. More than 35 percent of those receiving this intensive outreach have continued to be engaged or have completed a homelessness

assessment that will enable the provision of support services and a potential path to housing.

CSA Client Metrics from Participation with Outreach				
Metric	April 2017 to June 2017	July 2017 to June 2018	July 2018 to December 2018	Total
Vehicles reached out to with information posted on the vehicle	97	144	126	367
Vehicles reached out to 10 or more times*	73	75	52	200* <i>* The overall outreach to ALL vehicles mapped by area of higher concentration is well over 25+ rounds</i>
Client case management appointments	39	27	63	129
Number of individuals who had one-on-one interaction with case manager	17	50	46	113*
Number of individuals who had ongoing engagement with case manager (became clients or were found to be existing clients, were enrolled in Mobile Outreach Program, or completed homeless assessment)	12	53	63	128* <i>*Some duplication with above</i>
County homeless assessments completed	1	28	11	40
<i>*Unduplicated data unless otherwise noted.</i>				

Upcoming Outreach Program for Harder-to-Serve Clients

Starting in spring 2019, the County will be assigning a specialized outreach team to the North County region. The team's primary role will be to work with various stakeholders to identify unsheltered homeless individuals or families who are unable to accept or use services or even permanent housing due to an untreated physical, cognitive, behavioral, or emotional impairment. The team will work to build rapport with the individuals over a period of 18 months to help them seek services, address their basic needs, and reduce their impact on nearby businesses and residences.

Housing Programs

The City's housing initiatives to assist unstably housed and homeless individuals is summarized briefly in this section with details in Attachments 8 and 9.

Homelessness Prevention Program (Google funds via Destination:Home/Sacred Heart – Community Services Program): The Homelessness Prevention Program aims to provide funds to keep individuals in stable housing to prevent homelessness. *Destination:Home* awarded \$3.3 million, including the \$1 million grant from Google for Mountain View and Sunnyvale, administered by Sacred Heart Community Services to distribute funding to the consortium of seven Emergency Assistance Network (EAN) agencies (including CSA) to provide a Homelessness Prevention pilot program.

Rental Assistance: Rental assistance is an important tool used as a part of preventing homelessness. 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. This program is implemented by CSA. 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. However, use of the program had been limited given its parameters and the passage of the Stabilization and Fair Rent Act (CSFRA).

According to CSA, in recent years, the number of rental assistance clients has steadily decreased due to Mountain View residents moving out of the area because they are not able to afford the rents. However, the amount of funds spent to keep people housed has increased over the years due to increasing rents. To increase the use of the Rent Assistance Program, in the March 2018 meeting, the Council approved expanding the program to include households in the City who have experienced a reduction in income or loss of employment and to increase the funding to \$70,000. Due to staffing capacity and transitions, discussions with CSA are still in progress to revise the agreement and are expected to be completed shortly.

Rapid Rehousing: The Rapid Rehousing Program (RRH) provides short-term financial assistance and support to quickly rehouse homeless households in their own independent permanent housing. The City entered into an agreement with the County in early 2019 to supplement this program with \$100,000 of additional funds to rehouse Mountain View-affiliated households.

Permanent Supportive Housing (PSH): PSH provides longer-term rental assistance, case management, and supportive services to the most vulnerable and chronically homeless individuals and families in the community. PSH is funded by the County and the City, which has provided \$125,000 per year through Peninsula Healthcare Connections (PHC).

Safe Parking: The Lots of Love (LoL) Program launched on July 2, 2018, operated by MOVE, a new nonprofit. St. Timothy's Episcopal Church was the first site and hosted its first client on July 9, 2018. On August 1, 2018, Lord's Grace Christian Church joined as the second site. In early 2019, MOVE will also provide program services at the PAHC lot, which was approved by the City Council in December 2018.

Even for established housing programs, it can take several years for enrolled clients to transition to stable housing. The reasons vary and may include external barriers such as a multi-year waiting list for Section 8 housing, lack of employment eligibility, or individual barriers like behavioral or health issues. However, the Homelessness Prevention, rental assistance, and Permanent Supportive Housing programs are showing significant positive impacts. Unfortunately, the need for Permanent Supportive Housing far exceeds program availability. Most of the assessed clients living in RVs are assessed at the Rapid Rehousing or PSH level of intervention. RRH is a relatively new program that focuses more on families.

While these programs change lives and help prevent additional homelessness, the numbers in need are so great that the City's efforts have not moved the needle much to bring about a visible reduction in the number of vehicles used as housing in Mountain View. Generally, individuals living in RVs assess at a lower level of vulnerability/need than those living outside with no type of structural shelter. In fact, as discussed in previous reports, some do not identify themselves as homeless. Some individuals living in RVs see it as an interim housing solution. Therefore, these individuals may not engage with outreach or other assistance programs. They may also have other significant challenges such as mental health or substance abuse issues that can make it more difficult for them to engage in services and achieve stable housing. The table below summarizes the housing program data over the reporting period with associated information included on the demographics of the clients and success cases.

Summary of Mountain View Affiliated Households/Individuals Kept in Housing		
Program	Households Kept Housed	Individuals Kept Housed
County/Grant Funded HP	121	232
All Funders CSA Rental Assistance	190	422
Total for Reporting Period (see Attachments 8 and 10)	311	654

Summary of Mountain View Affiliated Households/Individuals Housed		
Program	Households Housed	Individuals Housed
City/County PSH	73	87
County RRH	39	68
City/County Safe Parking (then exited to housing)	4	4
Total for Reporting Period (see Attachment 8)	116	159

Of the Total, the number known to have lived in vehicle is less than 20 percent. Homeless Outreach uses an assessment tool that notes an RV/vehicle in the Homeless Management Information System (HMIS) equates to "outdoors/other/blank" because an RV/vehicle is considered a place not fit for human habitation. This estimate is drawn from case notes.

Summary of Mountain View-Affiliated Households/Individuals Currently Enrolled in Housing Programs – Waiting for Housing	
Program	Households Enrolled
City/County PSH	22
County RRH	10
City RRH*	Pending/In process ~10-12
Total for Reporting Period (see Attachment 8)	~44

**City funding of \$100,000 will provide RRH services, but data not yet available as the program was funded for Fiscal Year 2018-19 with contracts finalized in January 2019.*

Demographics

The demographics of the individuals living in vehicles are as diverse as those living in fixed housing in Mountain View. Some are families and some are individuals with single men and seniors reflected the most in the data across programs. Some lived in Mountain View before losing their housing, some work here, some have other affiliations, and some are new to the area. While the high cost of housing is a common theme, some vehicle residents have other challenges that make it unlikely that they could remain housed without ongoing financial assistance and support services. The demographic summary below draws available data across programs.

The housing programs comply with Federal law, which bases homeless services on a needs assessment with location defined by affiliation, a concept that is described in the data challenges section above. Under this definition, all of the clients served through the City’s partnership with the County have a Mountain View affiliation. CSA reports that 98 percent of their clients state that they spend 50 percent or more of their time in Mountain View. While individuals are not required to provide a form of government-related identification as part of homelessness assessments, such identification is often required during law enforcement interactions. From their interactions with transients and residents living in vehicles, the Police Department indicates that as many as 50 percent are not affiliated with a prior Mountain View address.

Whereas, as discussed earlier, the broader Federal definition of affiliation by location that aims to capture the fluid nature of homelessness can make it more difficult to capture exact “displacement data,” on average, more than half of the clients are directly connected and lived in Mountain View prior to homelessness.

Households	Percent with Closest Mountain View Affiliation
Enrolled PSH	62%
Housed PSH	60%
Pending PSH (Waiting for Housing)	59%
Enrolled RRH	39%
Housed RRH	33%
Pending RRH (Waiting for Housing)	70%
Homelessness Prevention – <i>Destination:Home</i>	64%
Homelessness Prevention – County	78%
Enrolled PSH and RRH Together	52%
Housed PSH and RRH Together	49%

The data shows individuals assisted with Homelessness Prevention and Rapid Rehousing tend to have the ability to be employed and have more stable incomes. Permanent Supportive Housing clients have greater needs, with over half of the Mountain View clients classified as extremely low-income and/or are receiving government benefit assistance. Similarly, more than half of the clients served by the CSA mobile outreach are classified as extremely low-income and/or are receiving government benefit assistance. For example:

- Of the 121 Mountain View-affiliated households that have been kept housed through the Homelessness Prevention program, 28 percent earn no income; 13 percent earn from \$1 to \$999 in monthly income; 35 percent earn from \$1,000 to \$1,999; 13 percent earn from \$2,000 to \$2,999; and 11 percent earn \$3,000 or more in monthly income.
- Of the 39 Mountain View-affiliated households that have been enrolled in the RRH, 22 percent earn no income; 30 percent of households earn from \$1 to \$999 in monthly income; 22 percent earn from \$1,000 to \$1,999; 15 percent earn from \$2,000 to \$2,999; and 11 percent earn from \$3,000 to \$3,999 in monthly income.

CSA Mobile Outreach notes that many of the people 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.

Success Cases

A sampling of success stories from the various programs is shared below. A Case Manager with the Peninsula Healthcare Connection has been working with a 51-year-old male who is currently living in his vehicle in Mountain View after losing his housing in large part due to his wife's medical bills. The client and his wife are scheduled to move into an apartment in Sunnyvale in early 2019. The CSA Case Manager helped a couple who were living in an RV obtain full-time jobs and housing in October 2018. The couple had been unhoused in Mountain View for almost two years.

Also in October 2018, the CSA Case Manager helped an unhoused single man, recently released from incarceration, to find a job and provided a bicycle so that he could have reliable transportation to work. Lastly, the CSA Case Manager assisted an unhoused male client who had become homeless following an extended hospitalization get into the Sunnyvale Shelter. He had been spending the last year sleeping nights on a bus route. He was accepted into the shelter in September 2018 and is sleeping nights there to this date.

Mountain View Vehicle Residents Group

Staff has also met with the recently formed self-advocacy group representing the residents living RVs and passenger cars. Six representatives attended and exemplified the diverse, broad base of residents living in vehicles. The group highlighted five interests of their stakeholders.

Enforcement

Mountain View Police Department's Neighborhood Event Services (NES) unit established a Community Outreach Officer (COO) position in 2017. In addition to the normal duties of a Police Officer, the COO acts as a liaison between social service providers and the homeless. The approach of the COO is to balance compassion with enforcement when addressing the issues that come up with this vulnerable population.

The enforcement data trends shown on the table below between the program start in July 2017 to the end of 2018 are reflective of Council direction in March 2018 for enhanced enforcement on violations (Attachment 8).

Police Community Outreach Metrics			
Metric	July 2017 to June 2018	July 2018 to December 2018	Total
Homeless subjects that have been referred to CSA for assistance	176	15	191
RVs impounded after numerous warnings, multiple citations (five or more unpaid parking citations or violation of the 72-hour ordinance)	82	29	111
72-hour violation citations	169	429	598
Homeless individuals or residents living in vehicles that have been arrested (violations include narcotics possession, being under the influence of narcotics, trespassing, and possession of stolen property and various Municipal Code violations)	178	162	340
Arrests related to vehicle dwellers	176	101	277
Arrests made within the homeless population as a whole	278	181	459
Arrests related to homeless subjects sleeping on the streets or encampments	102	80	182
Encampments Removed	45	18	63

NES also developed and implemented 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 participating in required programs to collect assistance from CSA. The NES has also attended neighborhood association meetings in Mountain View, conducts crime prevention meetings throughout the City, and provides outreach presentations to schools, associations, and senior home facilities. The NES also addresses existing and new encampments. To date, 63 encampments, including a

number requiring major interagency coordination, have been cleared. In addition, NES, in partnership with the Santa Clara County District Attorney's Office, created the Community Outreach Association (COA) to work with vulnerable populations within Santa Clara County and provide training on various topics related to homelessness. NES also has collaborated with the nonprofit group Community Cycles of California (CCOC). CCOC recruits and trains homeless individuals with skills such as bike maintenance, sales, advertising, customer service and finance.

Community Feedback and City Staff Activity

As the City has implemented the three-pronged strategy to address the issue of people living in the rights-of-way, we have continued to receive service requests, complaints, and other feedback (Attachments 10 and 11). Data collected by the Police, Fire, Public Works, Community Development, and Community Services Departments, and the City Manager's Office, shows ongoing staff activity and calls for service associated with residents living in vehicles (Attachment 10). For the first half of Fiscal Year 2018-19, the monthly average was 419 hours of staff time across all departments with an average of 177 incidents per month. This compares to a monthly average of 297 staff hours and 98 incidents in Fiscal Year 2017-18. A total of approximately 3,570 staff hours were spent in Fiscal Year 2017-18 on a total of 1,177 incidents.

The City receives feedback about this issue through e-mails, letters, calls, social media, and *Ask Mountain View*. City staff maintains a webpage (www.mountainview.gov/homeless) with information about the City's initiatives. Staff also created new topics in *Ask Mountain View*, with an anonymous option to elicit easier feedback from residents. Between July 2016 and December 2018, the City has received 190 communications from the community by letter, e-mail, or *Ask Mountain View* cases (not including correspondence directly to the Council).

The issues raised include the visual impact of the vehicles, many of which are large and poorly maintained; reduced motor vehicle safety due to the line-of-sight impacts; reduced bicycle and pedestrian safety; reduced parking availability and frustration with the 72-hour parking limit enforcement; encroachment of items outside, on top, or attached to the RV; excessive litter and garbage; leakages; requests for debris removal; noise from generators; unleashed pets; and increased reports of encampments in parks, trails, and creeks. There is a concern about the potential for criminal activity associated with some people living in vehicles and a more general sense of unease about having people who are unknown and transient living in such close quarters in residential areas.

Staff continues to receive reports of ongoing issues such as debris, trash, and loitering at Rengstorff Park. Activities occur while the park is open and after hours. Staff has received fewer overall complaints in the last year due to the Community Center being closed for renovations; however, it is notable that from 2016 to 2018, reservations for barbecue season at Rengstorff Park decreased by approximately 8 percent, while barbecue reservations at Cuesta Park increased by about the same amount. Complaints at Eagle Park have been increasing over the last 18 months in regard to bike lane access issues along Shoreline Boulevard, and by patrons of pool bathrooms and showers. Community Services staff works with the Police Department in response to these complaints, but many of the adverse impacts are outside of law enforcement.

2018-19 Community Survey

As a follow-up to the “Living in Vehicles Survey” conducted in 2016, staff conducted a new survey to understand current community sentiment related to people living in vehicles and the homeless in Mountain View. The survey was available from December 17, 2018 through January 31, 2019 in various formats (online, paper copies at all City facilities and the Day Worker Center, digital download from the City website’s Homeless page, and links provided on social media promotions). Surveys were available in English, Spanish, and Mandarin. Please note that this brief summary will not include an analysis of the write-in portions and that respondents were allowed to skip questions. As a result, some questions had a higher total response rate than others. Below is a brief highlight of the survey responses.

There were 1,170 surveys returned (including 187 in Spanish and 6 in Mandarin). The majority of the respondents reported that they have seen people living in vehicles, and were seriously concerned about not enough housing in Mountain View for those who need it and about the needs of people living in vehicles. Their top two concerns were *Substandard living conditions* (819 or 70.8 percent) and *Impacts on quality of life* (771 or 66.6 percent) for those living in vehicles. Just over half were seriously concerned about how streets being used as housing impacts nearby residents, businesses, parking, or traffic (576 or 50.2 percent of respondents answering). Specifically, the top two concerns were *Trash and/or waste spills* (909 or 79.5 percent) and *Blighted or obstructed views* (727 or 63.5 percent).

Survey respondents were most familiar with City programs that *Collaborated to launch a Safe Parking Pilot Program* (446 or 40.5 percent) and *Employed a Police Department Outreach Officer for outreach and enforcement* (434 or 39.4 percent) and felt that the most responsible entities for addressing the problem were *City government* (965 or 84.4 percent), *County government* (804 or 70.3 percent), and *Community-based service providers* (673 or 58.9

percent). When asked what respondents would like to see the City and its regional partners do to address the issue of people living in vehicles, the top two responses were *Build more affordable housing* (690 or 60.4 percent) and *Provide services to help people become more stably housed* (681 or 59.6 percent). Additionally, 440 (37.6 percent) of the 1,170 survey takers provided comments or feedback.

The survey shows within the Mountain View community there is both compassion for those in need and an increasing frustration that the situation does not seem to be improving. The survey results are available at www.MountainView.gov/LivinginVehiclesSurvey, and the survey results are further described in Attachment 11.

Other Services

Additional actions from the October 2016 and March 2017 Council direction related to support for basic human services. Many services only required staff coordination, but those that did require City funding will be depleted in June 2019, excepting some contracts that extend through 2019. A summary update on these services is in the next section of this report.

Porta-Potti: A Porta-Potti at Rengstorff Park was funded for two years. 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.

RV Sanitary Waste Disposal Pilot Program: The Council also approved funding for a pilot RV sanitary waste disposal program. The goal was to both offer free waste disposal services to residents living in RVs and to test whether a permanent sanitary waste dump was viable. Staff provided a Council report on the outcomes in May 2018 and did not recommend continuation of the program or permanent sanitary waste dump facility. The option to include vouchers at the local waste facility in Redwood City became viable in fall 2018, and this was incorporated into the safe parking program at the PAHC lot.

Dignity on Wheels (DOW): The City provided funding for CSA to subcontract for mobile shower and washer/dryer services for hygiene support to the homeless in Mountain View. After a slow start, the program has been successful overall, serving as many as 17 clients per service day. However, currently, the average has dropped to about five clients per service day (Tuesdays from 1:00 p.m. to 4:00 p.m.).

Washer and Dryer: Funds were also provided to CSA for a commercial-grade washer and dryer. This will be located at Trinity United Methodist Church/Hope's Corner that will open with the kitchen renovation in early 2019.

Biohazard Waste Cleanup: Funds were also provided for ad hoc biohazard waste cleanup for professional contract services needed to protect health and safety.

RV/Vehicle Repair Funds: Modest vehicle repair funds were provided for CSA for residents in need, including residents living in their vehicles. This funding was limited and the needs can be high.

Towing Fees: Towing subsidies were also provided to assist with the 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 cleanup needs.

Right-of-Way Noticing: Staff also coordinated noticing of work in the public right-of-way to reach out to residents living in vehicles and ensure a minimum notice of 72 hours, 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. The Police COO and CSA conduct outreach with flyers in English and Spanish if there is a tow notice.

Street Cleaning and Clean Sweeps: In addition to regular street sweeping, the City has coordinated quarterly "clean sweeps" to reduce the potential debris. The cleaning needs have leveled off on Crisanto Avenue, and it is possible less frequent clean sweeps may be needed in the future.

Donations Outreach: The City has reached out to many organizations to seek support and create partnerships to find solutions for homelessness and the unstably housed, including to Silicon Valley Community Foundation, Los Altos Community Foundation, CalWater, PAHC, LinkedIn, the Grove Foundation, and other private donors.

Grant Review: Staff has reviewed grants offered by the Santa Clara Valley Water District to see if any address waste disposal concerns related to homeless in the right-of-way, but did find not a match. Staff continues to monitor potential District grants, as well as other funding sources, including the \$500 million in block grants to address homelessness in California. As the local administrator of these funds, the County will fund nonprofits to provide emergency shelter, transitional housing, and basic needs services; capital improvements for shelter and transitional housing; and an expansion of homelessness prevention programming across the County.

Protecting Waterways: Staff from the Fire–Environmental Services Division have worked 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.

Valley Homeless Health-Care Program: The City and nonprofit partners assisted Santa Clara County Public Health in providing their mobile medical and mental health services at CSA on Thursdays from 8:30 a.m. to 4:00 p.m., as well as a mobile “backpack” medicine unit.

Silicon Valley Food Rescue–A La Carte: The City and nonprofit partners also assisted with a mobile food delivery program for those in need in Mountain View and Sunnyvale.

Program Extension Budget Consideration

Staff recommends the following be considered for the Fiscal Year 2019-20 budget if the Council desires extending one or more human services programs to assist the homeless and unstably housed (**up to ~\$282,000** to continue some existing programs). There is a funding source of up to \$250,000 for one or more years from the nearly \$1 million restricted housing reserve (General Housing, Boomerang), which could provide funding for approximately four years of ongoing homeless programs focused on permanent supportive housing and safe parking noted below:

- Continue Outreach Worker, with possible scope change, depending on needs of policy direction (the County will match \$60,000) (**~\$60,000**).
- Continue Case Worker for Permanent Supportive Housing for chronically homeless (**~\$125,000**).
 - Optional for safe parking or as discussed later in this report, Option 4D is the possible expansion of waste disposal voucher program. (**The total would depend on scale at a cost of \$25 per RV, per week.**)
- Safe parking continuation or expansion at the PAHC lot or at Shoreline Lot A/B, etc. (**~\$65,000**).

- Continue Biohazard Waste Cleanup (~\$20,000).
- Continue Porta-Potti at Rengstorff Park (~\$12,000).

There are other human services options that are not included above, which could be considered such as additional Rapid Rehousing funding (~\$100,000), extending or expanding DOW hygiene services (~\$30,000), and/or vehicle repair funding (~\$10,000).

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.

Faith Community Engagement: Two meetings of the faith community were held in April 2017 and October 2017 to address the growing need for assistance in serving the unhoused in Mountain View. Supervisor Simitian continues to foster these efforts developing “Mountain View Area Faith Collaborative.”

Sheltering: 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.

Cold-Weather Shelter Commercial Kitchen and Job Training: The City facilitated a pilot cold-weather shelter in Mountain View at Trinity United Methodist Church (TUMC), which opened on December 23, 2017. Supervisor Simitian and his staff spearheaded this project and have funded it for four years. In 2019, the site will include job training provided by the Downtown Streets Team in the culinary arts for homeless individuals to improve their employment prospects.

Safe Parking Pilot Program: Safe parking efforts also continued and, in spring, Lord’s Grace Church received its 501(c)(3) nonprofit status. Calling the new nonprofit “MOVE Mountain View,” they formed the Pilot Safe Parking Program under the name “Lots of Love.” This program has resulted in two faith sites being launched and the recent Council approval for use of the PAHC corporation lot.

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 recommendations for an overall affordable housing strategy to facilitate a diversity of housing opportunities and which the City Council reviewed in September and adopted in November 2017 (Attachment 12). The strategy includes investing approximately \$50 million from the City's housing fee program for 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 Department staff continues to actively work with the County, nonprofit developers, and external partners to implement this goal.

Increasing Housing Supply: Since September 2017, and in alignment with the City Council's Goal to increase the availability, affordability, and diversity of housing in Mountain View, there are a number of projects in the pipeline and potential opportunities that are estimated to create 700 to 800 affordable housing units, including permanent supportive housing/rapid rehousing units. In addition, construction for two affordable housing developments, the 114-unit Evelyn Avenue Apartments and the 66-unit development at 1701 West El Camino Real are very close to completion.

Overall, since 2010, over 5,900 housing units have been built or permitted (e.g., in the "pipeline") for a net increase of about 5,400 units, including both market-rate and affordable housing as shown in the table below.

Status	Total New Built	Net New (Built – Demo)
Completed	2,651	2,416
Approved, but not yet completed	3,328	3,006
Total	5,979	5,422

Measure A: Staff continues to work with County staff and affordable housing developers to explore various opportunities to secure Measure A funds for Mountain View affordable housing developments. The Council will likely consider a new project in April that could add approximately 70 new affordable housing units on a two-acre site near transit for affordable housing. One of the potential uses for the site is for permanent supportive housing and/or rapid rehousing.

Below-Market-Rate Housing: The City continues to implement the Below-Market-Rate (BMR) program. On February 27, 2018, the City Council approved Phase One modifications for the BMR Ordinance that increased the requirement for affordable rental housing from 10 percent to 15 percent. Staff is currently in the process of Phase Two of the BMR revisions per Council direction, which includes updating the affordable requirements of ownership housing developments, adding/expanding the moderate-income category to the program, and shifting the ownership In-Lieu Fee from a percent of sales price to a per-square-foot amount. It is anticipated that the Phase II revisions will be considered by the Council prior to the end of this fiscal year. To date, 134 affordable units have been built/approved through the BMR program.

PART TWO – PARKING ENFORCEMENT OPTIONS

Part of the City's strategy over the last two years has been to understand needs and seek solutions to inform enforcement options. The four phases of actions taken by the Council since late 2016 focused on balancing enforcement with compassion, while recognizing that vehicle-to-vehicle outreach, human services programs, and active law enforcement of existing City codes were unlikely to meet the ultimate goal of getting each resident living in a vehicle assessed and into housing. Additional action is likely necessary to address the impacts of individuals living in vehicles on City streets. Most recently, in October 2018, the Council approved an expanded safe parking option on a private lot that will serve a limited number of RVs, and requested a follow-up discussion of parking enforcement options be provided in early 2019.

In response to this direction, staff presents a range of policy options to consider based on additional research that expands on the March 2018 report. This section addresses strategies for regulating RVs and oversized vehicles in the right-of-way, existing City or State regulations related to vehicles/living in vehicles, and neighboring cities' regulations related to vehicles/living in vehicles, and outlines potential parking enforcement policy options.

Case Law Affecting Enforcement

Recent developments in case law have affected cities' enforcement options. In the first of these cases, *Desertrain v. Los Angeles*, the Ninth Circuit Court of Appeals held in 2014 that a provision of the City of Los Angeles City Code prohibiting people from using their vehicles as living quarters was unconstitutional based upon the particular language in the ordinance. In light of this decision, Mountain View suspended enforcement of a similar provision in our City Code, which makes it unlawful to dwell in vehicles on a public street.

In 2018, the Ninth Circuit Court of Appeals, *Martin vs. Boise*, held that Boise could not criminally prosecute the homeless for sleeping, sitting, or lying outside on public property when no other sleeping spaces are practically available. In essence, a city cannot criminalize homeless behavior, such as sleeping in a vehicle or on public property, if there are no alternatives, such as shelter beds, available.

Lastly, a third case making its way through the courts involves vehicles towed by the San Francisco Municipal Transit Agency (SFMTA). The case addresses whether the towing of a vehicle and the inability to pay for the associated numerous parking citations violates the owner's constitutional rights. The case calls into question the City's ability to tow under similar circumstances.

Summary of City and State Regulations Related to Vehicles/Living in Vehicles

When considering local restrictions of the public right-of-way, it is important to understand that State law limits cities' ability to regulate street parking. In addition, any parking restrictions or prohibitions require that adequate notice be provided through signage and other outreach.

Current restrictions to on-street/public parking include time-limited parking zones where posted; parking prohibited during street cleaning; parking within 15' of a fire hydrant (whether or not the curb is painted) prohibited at all times, and parking in a fire lane marked by red paint; and 6' height restrictions where posted.

The City also restricts parking in the same location in excess of 72 hours. All vehicles parked on public streets 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 a hotline at 650-903-6358 and with some proactive enforcement. The 72 hours is enforced from the time when the vehicle is tagged by the Police Department, not from when it is first parked or reported. Enforcement can be difficult, as a vehicle could potentially move short distances and the Police Department would only know that it moved. (Data on enforcement of the 72-hour rule can be found in Attachment 8.)

Other City Code violations enforced in association with living in vehicles include discharge/threatened discharge to curbside gutter, storm sewer, storm drain or natural outlets, and encroachment on City property due to the storage of items in the public right-of-way, the sidewalk, and on City property.

The City has limited authority under the State Vehicle Code to tow vehicles. The City tows vehicles with five or more unpaid parking citations; or if a vehicle registration has been expired for over six months. Generally, vehicles are marked and noticed and cited for a first violation rather than towed. Warnings are generally given verbally or included in the parking citation. Vehicles may be towed for a second violation of the 72-hour parking ordinance. In the 17 months between August 1, 2017 and January 1, 2019, Police towed 111 RVs, or an average of 6.5 RVs per month.

A limited number of RVs parked on City streets that leak waste onto the street have been an enforcement challenge for the City. Leaking sewage onto the public right-of-way is a violation of the City Code and is currently enforced through warnings, administrative citations, and criminal citations.

Action Item on Tow Processes: While leaking RVs may be towed for other parking/Vehicle Code violations (e.g., parked in excess of 72 hours), staff has prepared an ordinance that will prohibit the parking of an RV or other vehicle that is leaking sewage onto the public right-of-way (Attachment 1), in order to have one more tool to use. The City will need to provide adequate notice of the parking restriction before it could be enforced, which would include posted signage.

Summary of Neighboring Cities' Regulations Related to Vehicles/Living in Vehicles

The approach of adjacent communities is part of the analysis because vehicles 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.

Los Altos—Does not specifically ban living in vehicles, but three provisions of their municipal code effectively restrict RVs/oversized vehicle parking. One provision bans overnight parking on any public street or alley for more than 30 minutes between the hours of 2:00 a.m. and 6:00 a.m. the next day where notice is posted on the block. 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—Adopted an ordinance prohibiting human habitation in vehicles in 2013, but was never enforced. It was eventually repealed in November 2014 following *Desertrain v. Los Angeles*. Palo Alto has no current bans in effect on RVs/oversized vehicles. 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. In addition, Palo Alto 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—Repealed an ordinance prohibiting human habitation in vehicles in February 2017, again based upon the ruling of *Desertrain v. Los Angeles*. In terms of parking restrictions, Sunnyvale has a petition-based Residential Permit Parking Boundary System for residential areas throughout the city limits. Sunnyvale’s code also authorizes 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. Finally, Sunnyvale 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 raised some of these issues in March 2018 (Attachment 5).

Four main strategy options are presented below. The desired outcomes are grouped by the nature of the limitation or prohibition that could be placed on parking and associated activities. The categories are: (1) locational parking limits; (2) parking time limits; (3) vehicle size restrictions; and (4) vehicle owner/occupant activity impact limits.

Each strategy presents challenges for the Council to balance the needs and impacts experienced by residents using vehicles as temporary and unstable housing, and residents, businesses, pedestrians, and bicyclists in proximity to these uses of the public right-of-way. The majority of these options involve significant costs, are staff- and/or contractor-intensive, and in all cases require increased Police enforcement.

The Council could also consider implementing transitional options—phasing in any parking enforcement with further exploration or implementation of safe parking options to facilitate temporary vehicle living and sheltering. The strategies are summarized in the table below and discussed in the next two sections.

Outcome Desired	Parking Enforcement Strategy Options*
1. Locational Parking Limits	A. No Parking for all vehicles adjacent to all parks or at adversely impacted parks such as Rengstorff Park and Eagle Park B. Other locational modifications due to particular health and safety impacts (e.g., motor vehicle line-of-sight impacts, adverse impacts on bicycle and pedestrian safety, litter, improper sewage disposal, noise, and encroachment) C. Parking studies to review desired locations for restriction (scope to be defined)
2. Parking Time Limits	A. Restrict on-street parking by hours, e.g., five-hour, three-hour, or two-hour parking zones adjacent to parks or other designated locations B. Amend overnight parking in all zones, or specific areas, between the hours of 2:00 a.m. and 6:00 a.m.
3. Vehicle Size Limits	A. Oversized Vehicle Parking Prohibition Ordinance Citywide B. Oversized Vehicle Parking Prohibition Ordinance by Location with Exceptions due to health and safety concerns – Exemptions would include vehicles parked adjacent to their residence or business (property owner, tenant, or their guest), government authorities, utilities, emergency vehicles, and disabled placard or license plate holders. C. Continued case-by-case review for parking prohibitions for vehicles in excess of 6’ due to line of sight visibility concerns
4. Vehicle Owner/Occupant Activity Impacts Limits	A. Adopt a carefully crafted ordinance to prohibit living in all types of vehicles B. Prohibit living in vehicles a certain distance from specific “sensitive sites” where there are health or safety concerns (e.g., motor vehicle line-of-sight impacts, adverse impacts on bicycle and pedestrian safety, litter, improper sewage disposal, noise, and encroachment) C. Enforce state of California health and safety codes related to RV occupancy D. Offer waste management programs with sanitary waste voucher, trash/recycle services, etc.
<p>*With one or more of the parking enforcement strategies the Council could consider implementing programs for parking <i>with scope, scale, capacity, and time limit to be defined as a transitional measure while phasing in parking changes:</i></p> <ul style="list-style-type: none"> – Safe parking program options in a City-owned lot (e.g., <i>Shoreline on a temporary basis when not contractually obligated, or on a longer-term basis if the existing contract could be amended. Or, other lots to be found that are available for safe parking use.</i>) – A parking access program in a City-owned lot (such as other parks)—restricted to self-contained RVs, with no on-site program services, etc. – Develop an incentive program for businesses to host limited RVs (one to five) on private property for individuals living in vehicles employed or hosted by the business. 	

OPTION 1 – LOCATIONAL PARKING LIMITS

On October 9, 2018, the Council indicated that it may wish to consider a broad range of on-street parking changes associated with oversized vehicles and the concerns

associated with living in vehicles. To assist in the discussion, maps of the location with residents living in vehicles are provided that show areas of higher-concentration City facilities and zoning (Attachments 13 and 14).

A. No Parking Adjacent to Rengstorff and Eagle Parks

In March 2018 and October 2018, the Council mentioned considering no parking at specific locations. In particular, RV parking near parks was raised as a concern. Based on the data shown from our recent count, the on-street parking immediately adjacent to Rengstorff Park and Eagle Park show higher concentrations of vehicles used as housing on one or more sides of the street near each park. Cuesta Park and the neighborhood parks do not show similar concentrations. Prohibiting all parking can be challenging as it removes needed parking supply. Should the Council desire such changes they could be made by resolution, and the affected streets would be signed.

B. Other Locational Modifications

Other location modifications could be implemented to address particular health and safety impacts (e.g., motor vehicle line-of-sight impacts, adverse impacts on bicycle and pedestrian safety, litter, improper sewage disposal, noise, and encroachment). For example, existing bike lanes (e.g., Shoreline Boulevard) could be modified to address visibility or safety concerns. Adding a second stripe adjacent to the parking lane would provide additional space and safety around the oversized vehicles. This has been included as part of a Capital Improvement Project (CIP) to address Shoreline Boulevard. Should similar needs be determined they could be addressed in a similar fashion.

Parking Studies

At the October meeting, a suggestion was made to undertake a broad review of parking restrictions. Parking studies are usually undertaken to review specific locations, such as the recent downtown parking study, or by neighborhood. A wide variety of restrictions evolved over time. A Citywide review could assess the current situation and result in recommendations for changes to reflect the current conditions. The specific scope of a parking review would need to be defined and then incorporated into Council goals and priorities.

Decision Factors

There are challenges to locational parking approaches that only address parking enforcement in an ad hoc way. While high concentration areas could be addressed more quickly, location-based restrictions can have the unintended consequence of shifting parking to another area (e.g., the outcome of changes to Latham Street and Crisanto Avenue). Further, restrictions also reduce on-street parking supply.

On-street parking is generally a topic of great concern to adjacent residents and businesses, so an effort to review or modify existing restrictions, or impose new restrictions, could require a considerable amount of public outreach and staff time. The actual construction cost (installations of signs) is relatively modest, at \$300 to \$500 per sign. As a point of reference, approximately 230 signs were installed in the area bounded by El Camino Real, Evelyn Avenue, Shoreline Boulevard, and Calderon Avenue for the Levi's Stadium Permit Parking Pilot Program.

A high-level summary of action steps and estimated costs is summarized in the table below:

Project Scale and Departments Involved	Council Action Steps	Estimated Cost and Time
Scale is medium and involves Public Works, Police, City Attorney's Office, and the City Manager's Office.	<ul style="list-style-type: none"> – Council direction on scope of project. – Council direction on goals, priorities, and budget authorization. – Possible adoption of a resolution. 	<ul style="list-style-type: none"> – Moderate for both cost and time. – Cost of signage is relatively moderate, though variable, depending on scale of project. – Staff time could vary widely depending on scope of project. – A considerable amount of public outreach could be involved. – Estimated 3 to 12 months to implement, depending on scope.

OPTION 2 – PARKING TIME LIMITS

Time-limited parking may be a better option than no parking areas for on-street parking because it can maintain access to high-use sites without taking away parking supply.

A. Restrict On-Street Parking by Hours

Time limits (e.g., five-hour, three-hour, or two-hour parking zones in various locations) could be considered for all vehicles near high-use service locations such as parks, open space, community facilities, or schools. This could ensure sufficient turnover and access for park visitors and/or other members of the public. The upcoming Community Garden on Shoreline Boulevard is a recent example of using time-limited parking adjacent to a City facility and there are time restrictions for the downtown. If City Council is interested in this option, clear direction on the locations and restrictions should be given, and staff could return with a draft resolution or ordinance depending on direction.

B. Restrict Overnight Parking

The City Code currently prohibits parking for longer than one hour between 2:00 a.m. and 6:00 a.m. Citywide without a permit. The existing Citywide restriction on overnight parking was initially adopted in the 1960s and is only enforced where signs are posted. The restriction has been implemented primarily in industrial areas where large commercial vehicles and construction equipment blocked business frontages and created visibility issues near driveways and intersections. The restrictions were generally implemented in response to complaints from neighboring businesses. The restrictions were not implemented in residential areas. In recent years, the complaints have been more about RVs rather than large trucks. If Council wishes to explore the overnight parking restrictions, options could include consideration of additional overnight restrictions in specific locations or zones.

Decision Factors

Time-limited parking could impact neighborhoods with new restrictions or have unintended consequences, including more traffic congestion as vehicles seek other options to park for longer durations and move their vehicles around. A high-level summary of action steps and costs is in the table below:

Project Scale and Departments Involved	Council Action Steps	Estimated Cost and Time
Scale is medium and involves Public Works, Police, City Attorney’s Office, and the City Manager’s Office.	<ul style="list-style-type: none"> • Council direction on goals, priorities, and budget authorization. • Adoption of a resolution and/or ordinance. 	<ul style="list-style-type: none"> • Moderate for both cost and time. • To include, but not be limited to, staff time for further analysis, potential need for contract services, community outreach process implementation, and overall signage. • Estimated 3 to 12 months to implement, depending on scope.

OPTION 3 – VEHICLE SIZE RESTRICTIONS

RVs can be very large in relation to City streets and other vehicles, and create traffic hazards by presenting a line-of-sight concern and safety challenges for motorists, bicyclists, and pedestrians. In some cases, access by fire and emergency vehicles can also be impaired. The Council could consider various options to address oversized vehicles while providing exceptions that meet the needs of the community.

A. Citywide Oversized Vehicle Parking Prohibition Ordinance

The Council could consider restricting oversized vehicles that exceed a defined measurement, such as greater than 6’ or 7’ in height. This approach would not restrict living in smaller-scale vehicles or cars, which accounts for about a third of the lived in vehicles from the last Police count. The City could look to recent examples, including Berkeley, East Palo Alto, several cities in the North Bay, and the City of Santa Barbara which have adopted similar ordinances and programs (Attachments 15 and 16).

B. Oversized Vehicle Parking Prohibition Ordinance by Location, with Exceptions

The Council could consider adopting an ordinance to prohibit oversized vehicle parking at particular locations such as commercial, industrial, office, or residential zones, or by streets based on particular health and safety concerns. Exemptions would include vehicles parked adjacent to their residence or business (property owner, tenant, or their guest), government authorities, utilities, emergency vehicles, and disabled placard or license plate holders.

Options for permitting oversized vehicles in the right-of-way was preliminarily discussed in the March 2018 report. Staff explored several ideas, but with further

study, staff has determined that State law constricts the type of permit system the City could adopt and such a system targeted at oversized vehicles raises concerns that it could be deemed arbitrary.

C. Designated Locations

The City restricts parking of any vehicle exceeding 6' in height at designated locations. The Traffic Division currently reviews height limits where tall vehicles create visibility concerns (this is often near corners and driveways). The following streets or portions of streets are designated and signed to address oversized vehicle visibility concerns on the following streets: Continental Circle, Easy Street, El Camino Real, Latham Street, Oak Lane, Ortega Avenue, San Leandro Avenue, and Wyandotte Street. The Council can direct staff to continue case-by-case review for parking restrictions of vehicle heights in excess of 6' due to line-of-sight visibility concerns.

Decision Factors

The size limit approach addresses the concerns associated with traffic visibility (e.g., line-of-sight), and would not restrict living in cars or smaller-scale vehicles. Challenges for vehicle size restrictions include providing adequate notice and moving large numbers of vehicles from one zone to another, unless the prohibition is Citywide. In addition, the number of lawsuits challenging other cities' regulations that affect the parking of vehicles being used as habitation has increased, so an oversized vehicle ban is not without risk. A high-level summary of action steps and estimated costs are in the table below:

Project Scale and Departments Involved	Council Action Steps	Estimated Cost and Time
Scale is medium to large and involved Public Works, Police, City Attorney’s Office, Community Development, and the City Manager’s Office.	<ul style="list-style-type: none"> • Direction on goals, priorities, and budget authorization. • Adoption of an ordinance. 	<ul style="list-style-type: none"> – Moderate to high for both cost and time. – To include, but not limited to, staff time; requires signage that provides adequate public notice, costs for installing extensive signage, community outreach, and communications. – Estimated 6 to 18 months to implement, depending on scope. A prohibition ordinance could be brought quickly with time thereafter for implementation.

OPTION 4 – VEHICLE OWNER/OCCUPANT ACTIVITY IMPACT LIMITS

The use of vehicles as housing presents a challenge to address both the vehicle owner/occupant rights and needs and the overall neighborhood quality of life. City streets are not designed or intended for habitation as they lack the infrastructure for basic human services (e.g., utilities, sanitary waste facilities, and garbage services). The Council may wish to consider approaches to address the behavior/conditions/actions/impacts associated with living in vehicles either by prohibiting living in vehicles or addressing the associated adverse impacts that are of concern to many in the community.

A. Prohibiting Living in All Types of Vehicles

As discussed at the beginning of this section of the report, the current City Code provision prohibiting sleeping in a vehicle is neither enforced nor enforceable. However, the City could amend the current Code to make it defined, clear, and enforceable. Staff would look to other examples, including the City of San Mateo and the City of Fairfield, who 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, and there is a some risk to this approach.

B. Prohibiting Living in All Types of Vehicles by Location

Prohibiting living in vehicles by location could include enacting 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) and other specific sites where there are health or safety concerns (e.g., motor vehicle line-of-sight impacts, adverse impacts on bicycle and pedestrian safety, litter, improper sewage disposal, noise, and encroachment). This was adopted by Los Angeles in November 2016, and hundreds of additional streets have been added to the original areas since. This temporary prohibition was set to sunset in July 2018 but has since been extended for 18 months while Los Angeles looks at other options, including additional safe parking sites and living in vehicle parking permits in certain zones.

Options A and B would likely require additional legal resources to draft an enforceable ordinance, along with a substantial outreach process. It should also be noted that in light of the recent decision in *Martin v. Boise*, criminal enforcement may not be possible if shelter spaces are full.

C. Codes Associated with RV Rental or Occupancy

As the City began its analysis of vehicles used as housing, it became clear that some occupants were paying rent to the owner of an RV. Staff believes a number of RVs in the City are rented. State law does not prohibit an RV owner from leasing it to another individual, but it is unusual for a business to occur in the public right-of-way without regulation. Regulation of the rental market for RVs would likely require State action, and the City could advocate for such authority.

Some residents have expressed concern about the condition of many RVs in the community. State law provides RV safety and sanitation requirements which the City could enforce on City streets. The City could explore enforcing the health and safety codes for RV occupancy and the prevention of substandard recreational vehicles parked within the community. This would require new substantial staff resources to perform inspections and abatement of RVs under State law.

D. Enforcement of Codes with Waste Management Programs

The Council may wish to consider developing trash bio-waste programs for residents living in vehicles as these are also areas of community concern. Offering expanded trash and recycling bins at public facilities could be an option to ensure

the residents living in vehicles have access to trash removal. Or, the Council may wish to expand the sanitary waste dump pilot voucher program recently approved for the safe parking program.

- Optional costs could include a possible expansion of waste disposal voucher program if desired as part of a safe parking program **(the total cost would depend on the scale of the services at a cost of \$25 per RV, per week).**

Decision Factors

Most of the options to regulate or mitigate vehicle owner/occupant actions/conditions (such as the inspection of RVs) are outside the scope of common City services. It is a challenge to design an effective and enforceable policy that controls individuals' behavior. A high-level summary of the actions steps and estimated costs is in the table below:

Project Scale and Departments Involved	Council Action Steps	Estimated Cost and Time
Scale is large and involves Public Works, Police, Fire, City Attorney's Office, Community Development and the City Manager's Office.	<ul style="list-style-type: none"> • Direction on goals, priorities and budget authorization. • Adoption of an ordinance. 	<p>High for both cost and time.</p> <p>To include, but not limited to, staff time for further analysis, need for outside counsel, costs for installing extensive signage, community outreach, and communications rollout.</p> <p>To include, but not limited to, new staff or contract services for new programmatic areas like inspection or more waste management.</p> <p>Estimated 12 to 18 months to implement, depending on scope.</p>

Enforcement Program Budget Options

Staff recommends the following be considered for the Fiscal Year 2019-20 budget, if the Council desires implementing one or more of the existing and/or new enforcement strategies **(up to ~\$551,000 if all options are included):**

- Continue Police Outreach Officer (~\$260,000).

- Continue Police extra hourly funding for parking enforcement (~\$40,000).
- Continue Police Tow Enhancement (~\$40,000).
- New (placeholder) flexible funding for new enforcement initiatives that will require more resources (**estimated ~\$200,000**).
- New Esri GIS Program data management system that includes Citywide mapping and in-field apps for data tracking and case management (~\$11,000).

SAFE PARKING STRATEGIES

In conjunction with one or more of the parking enforcement strategies, the Council could consider implementing a short-term parking program as a transition for some residents living in vehicles while phasing in parking enforcement. However, the scale and scope would likely never be to meet the need of hundreds of parking spaces. Safe Parking is occurring in many cities in the County at present, though most are modest in scale (San Jose, Saratoga, Morgan Hill, and Cupertino) with the current Countywide capacity including faith-based communities at 71 vehicles, serving an average of 178 individuals in total.

In addition, the Council could consider establishing policy options to extend existing safe parking efforts at the existing lots, or in City lots. These options and most policy considerations were discussed in October 2018. They were reviewed again by staff and some are briefly discussed further in this section.

Transitional Options for Living in Vehicle Parking

The review of safe parking options are grouped into three areas. Any safe parking program would require the local provider, MOVE, to substantially expand or seek alternate providers if available/feasible.

(1) Safe Parking Program in a City-owned Lot—the safe parking model, such as the one actively used by MOVE at the faith sites and recently funded by the City on the PAHC lot on Terra Bella Avenue, aims to offer site safety, security, and supportive services. This model could be implemented at the Shoreline Amphitheatre Parking Lots A or B on a temporary basis when not contractually obligated to Live Nation, the current operator (November 15 through March 15), or on a longer-term basis if the existing contract was modified to allow the lots for safe parking when not in use. This second

option would require negotiation with Live Nation and may or may not have cost implications.

Additionally, efforts could continue to locate additional lots. Over the last two years, the City has pursued a number of options associated with safe parking, including engagement at the Federal level related to NASA Ames, which was determined to be not a compatible use, a State-owned lot, and multiple private properties in Mountain View. None, beside PAHC, have agreed to the use of their lots. The most viable option for temporary safe parking may be a site the City is currently in negotiations with on a long-term lease with an option to purchase for future affordable housing. The City has submitted a preliminary proposal for temporary safe parking use of this property for approximately 20 vehicles. The negotiations are expected to be completed by April 2019.

(2) *Parking Only in a City-owned Lot*—a streamlined model could allow for parking at a City-owned lot for self-sufficient and self-contained RVs with functioning systems only, with no on-site program services. This option would simply offer a directed place to park at certain hours. This use would potentially be unwieldy and could risk becoming an “encampment destination” instead of transition to housing. It could require a significant Police role if the scale is large and/or concentrated.

Staff research found one model that is a hybrid of a higher-capacity parking model with some elements of a safe parking program. “Dreams for Change” operates three fenced, gated lots, two with 60 parking spaces and one with 30, in San Diego. It offers services with case managers on-site at all three locations for several hours every night. Clients stay in the program an average of a little more than five months. The program is mainly for passenger cars, but the nonprofit is also operating a pilot for five RVs at a separate site. This program operates on private land permitted as parking lots, and the site used for RVs allows for RV parking.

(3) *Develop an Incentive Program for Businesses to Host a Limited Number of RVs (1 to 5)*—this concept would be for vehicles hosted on private property and could include businesses receiving a small incentive (to be explored) to host one to five RVs or vehicles. This would need to be explored further and would likely require significant staff resources to conduct outreach and administer.

Policy Considerations

Should the City Council wish to implement safe parking on City land, a number of issues, including liability exposure and the unintended consequences of creating an RV

or mobile home park and relocation under State law need to be considered as summarized in the recent October 2018 report.

Shelter Crisis Declaration

The Government Code authorizes cities to declare the existence of a number of persons who are without the ability to obtain shelter, resulting in a threat to their health and safety. Santa Clara County and the City of San Jose have declared a shelter crisis. It should be noted that special legislation was enacted for a number of public entities, including San Jose, Berkeley, Emeryville, Los Angeles, Oakland, San Diego, Santa Clara County, and the City and County of San Francisco that contains some unique provisions that are not applicable to the City of Mountain View. Declaration of a shelter crisis would provide immunity under State law from ordinary negligence in the provision of emergency housing and suspends State and local housing, health, and safety standards to the extent that strict compliance would hinder mitigation of the shelter crisis. It also allows the City to enact operative municipal health and safety standards during the housing crisis consistent with ensuring minimal public health and safety.

Action Item—Shelter Crisis Declaration: A shelter crisis declaration does not expressly apply to a parking program. A shelter crisis declaration typically applies to opening public facilities for the provision of shelter beds. Even assuming application to a safe parking program, a shelter crisis declaration would have limited applicability in light of the fact that Building and Fire are currently imposing the minimum health and safety requirements they would require a safe parking site. This declaration applies to government property only and allows the homeless to occupy designated public facilities. However, a declaration could provide the City some immunity from claims of negligence and possibly better enable the City to compete for future County homeless service grants in the provision of a safe parking program on City property. Consequently, the declaration of a shelter crisis is an option included in this report. Staff recommends the adoption of a resolution declaring a shelter crisis in Mountain View to offer potential assistance with transitional housing strategies or future grant opportunities (Attachment 2).

Safe Parking Policy

In October 2018, the Council approved the use of a Temporary Use Permit (TUP) for the PAHC property to host more than a four-vehicle safe parking program in an MM (General Industrial) Zone, and for TUPs in any zoning district, if future lots are identified for a safe parking program. Longer use (over 360 days) for a safe parking

program would be subject to Provisional Use Permit (PUP) or Conditional Use Permit (CUP) requirements. Under the CUP and PUP processes, additional conditions, including infrastructure, may be required. CEQA review would be needed and included in the PUP or CUP process.

In addition, if the Council directs staff to return with a safe parking program located on City property, an environmental review will be performed once the parameters of the project have been further defined and before Council commits to a definite course of action. An extension beyond the existing TUP process for longer than one year would also require a zoning ordinance amendment. To better guide staff and encourage new safe parking, or for the extension of the existing sites, it is recommended that the Council consider adoption of an ordinance for safe parking.

If an ordinance were to be developed, the Council could consider allowing safe parking in certain zoning districts in the City with or without performance standards and permit requirements. The City of San Jose just adopted a new ordinance, and Santa Clara County is looking at drafting a “model” ordinance in the near term. Staff could work directly with the County and bring the sample ordinance to the Council when ready, or draft our own. Excerpted examples of ordinance options include:

- *The City of San Jose (Attachment 17):* Will provide safe parking provisions for homeless individuals on city-owned sites and sites consisting of legal assembly uses, incidental safe parking use may be allowed on a legal parcel that is at least 3,000 square feet in size; no assembly building or other structure shall be erected, enlarged, or modified without an approved Development Permit; all persons receiving incidental safe parking shall shelter within their vehicles; no person shall eat or be housed in tents, lean-tos, or other temporary facilities; no site shall be enlarged or modified for incidental safe parking use without an approved Development Permit; the incidental safe parking use shall be operated in a manner that is fully in conformance with all State and local laws; no fires of any kind shall be permitted; no audio, video, or other amplified sound may be played or generated that is audible outside participants’ vehicles; no cooking or food preparation shall be performed outside of the participants’ vehicles; camping tarps or equipment erected beyond the participant’s vehicle are prohibited; restroom, water, and trash dumping shall be provided for the participants; and a Use Permit may be required on a case-by-case basis subject to specific findings.
- *The City of Santa Barbara “Recreational Vehicle Accommodation Program” Resolution (Attachment 18):* Allows the use of recreational vehicles as overnight accommodations in certain nonresidential zones of the City and on church and

nonprofit parking lots and, under some circumstances, in parking lots owned and operated by the City in accordance with a process to be established by the City Council; program assures that the use is safe and appropriate for the participants, minimizes any potential impacts on the adjacent neighbors, and defines the use transitional and designed to assist recreational vehicle dwellers in eventually obtaining safe and decent housing alternatives within the Santa Barbara community; requires nonprofit social service organization to administer.

The Santa Barbara resolution requires a certification that the intended RV site appears to meet the established site locational and the health and safety requirements (also in Attachment 18). The resolution also established regulations minimizing any adverse impact on the neighboring property owners and on the safe and healthy use of the site.

- *The City of San Luis Obispo Safe Parking Ordinance (Attachment 19):* includes requirements for: participation with a social service provider; current driver's license, vehicle registration, and insurance; no illegal drugs or alcohol or any weapons or firearms; participation in the Federal Homeless Management Information System (HMIS); case management, self-sufficiency program; background check with a criminal records check; a Planning Commission Use Permit; and basic human services like restroom, water, and trash facilities. The ordinance includes a "Residency Preference" to those with proof of residency in San Luis Obispo County for a minimum period of six months within the last two years. Evidence of residency may include, but is not limited to, rental agreements, mortgage, utility, hotel, and medical facility bills, paystubs, and intake from homeless service programs.

FISCAL IMPACT

The table below summarizes initial prospective costs and initial funding recommendations that are housing, enforcement, public safety, and health focused to align with Council and community concerns discussed in this report. If all options were funded the estimated cost would be approximately \$833,000.

Staff has estimated some initial costs below for increased enforcement discussed in Part Two of this report, and includes a proposal for use of \$250,000 per year from the nearly \$1 million restricted housing reserve (General Housing, Boomerang), which could provide funding for approximately four years of ongoing homeless programs focused on permanent supportive housing and safe parking, as discussed in Part One of this report.

Based on Council direction, staff may need to refine estimates to implement the desired parking enforcement strategy. If any funding is recommended, it would be included in the recommendations for the Fiscal Year 2019-20 budget appropriations, as applicable.

Enforcement-Related <i>(Initial Recommended Funding Source – General Fund):</i>	Links to Housing/PSH/Safe Parking <i>(Initial Recommended Funding Source – Restricted Housing Funds)</i>	Waste Management <i>(Initial Recommended Funding Source – General Fund):</i>
<ul style="list-style-type: none"> • Continue Police Outreach Officer (~\$260,000) • Continue Police extra hourly for enforcement (~\$40,000) • Continue Police Tow Enhancement (~\$40,000) • Enforcement initiatives that will require more resources (flexible funding ~\$200,000) • New Esri GIS Program data management system to achieve the next step of enforcement priorities (~\$11,000) 	<ul style="list-style-type: none"> • Continue Outreach Worker with possible scope change depending on characteristics of new policy direction (County will match \$60,000) (~\$60,000) • Continue Case Worker for Permanent Supportive Housing for chronically homeless (PSH) (~\$125,000) • Safe parking continuation or expansion at the PAHC lot, City acquired lot, or Shoreline, etc. (~\$65,000) 	<ul style="list-style-type: none"> • Continue Biohazard Waste Cleanup (~\$20,000) • Continue Porta-Potti at Rengstorff Park (~\$12,000) • Optional for Option 4D or safe parking is the possible expansion of waste disposal voucher program (The total would depend on scale/\$25 per RV, per week)
TOTAL: ~\$551,000	TOTAL: ~\$250,000	TOTAL: ~\$32,000+

CONCLUSION

Staff has been working to balance compassion and enforcement for nearly two years in implementing the 73-item work plan. To date, 53 action items are completed; 14 have been implemented and are now ongoing; four are in the process of being implemented; and one item is no longer being pursued.

It is recommended that the Council:

1. Accept an update on short-term homeless initiatives and the City’s three-pronged strategy.

2. Provide direction on parking enforcement strategies and options summarized in the table below:

OPTION	PARKING ENFORCEMENT STRATEGY OPTIONS*	EXAMPLES	ESTIMATED COSTS AND RESOURCES	ESTIMATED TIMELINE
Locational Parking Limits	<p>A. No Parking for all vehicles adjacent to all parks or at adversely impacted parks such as Rengstorff and Eagle</p> <p>B. Other locational modifications due to particular health and safety impacts (e.g., motor vehicle line-of-sight impacts, adverse impacts on bicycle and pedestrian safety, litter, improper sewage disposal, noise, and encroachment)</p> <p>C. Parking studies to review desired locations for restriction (scope to be defined)</p>	<p>The City of Santa Barbara has regulated for health and safety by location.</p>	<ul style="list-style-type: none"> • Moderate for both cost and time. • Cost of signage is relatively moderate, though variable depending on scale of project. • Staff time could vary widely depending on scope of project. • A considerable amount of public outreach could be involved. 	<p>Estimated 3 to 12 months to implement, depending on scope.</p>
Parking Time Limits	<p>A. Restrict on-street parking by hours, e.g., five-hour, three-hour, or two-hour parking zones adjacent to parks or other designated locations</p> <p>B. Amend overnight parking in all zones, or specific areas, between the hours of 2:00 a.m. and 6:00 a.m.</p>	<p>Many cities regulate time limits in this manner.</p>	<ul style="list-style-type: none"> • Moderate for both cost and time. • To include, but not limited to, staff time for further analysis, potential need for contract services, community outreach process implementation, overall signage are modest. 	<p>Estimated 3 to 12 months to implement, depending on scope.</p>
Vehicle Size Limits	<p>A. Oversized Vehicle Parking Prohibition Ordinance Citywide</p> <p>B. Oversized Vehicle Parking Prohibition Ordinance by Location with Exceptions due to health and safety concerns - Exemptions would include vehicles parked adjacent to their residence or business (property owner, tenant, or their guest), government authorities, utilities, emergency</p>	<p>Oversized restrictions have been adopted recently by East Palo Alto and Berkley, several cities in the North Bay, and the City of Santa Barbara is another example.</p>	<ul style="list-style-type: none"> • Moderate to high— both cost and time. • To include, but not limited to, staff time; requires signage that provides adequate public notice, costs for installing extensive signage, community 	<p>Estimated 6 to 18 months to implement, depending on scope. A prohibition ordinance could be brought quickly with time thereafter for implementation.</p>

OPTION	PARKING ENFORCEMENT STRATEGY OPTIONS*	EXAMPLES	ESTIMATED COSTS AND RESOURCES	ESTIMATED TIMELINE
	<p>vehicles, and disabled placard or license plate holders.</p> <p>C. Continued case-by-case review for parking prohibitions for vehicles in excess of six (6) feet due to line of sight visibility concerns</p>		<p>outreach, and communications.</p>	
<p>Vehicle Owner/ Occupant Activity Impact Limits</p>	<p>A. Adopt a carefully crafted ordinance to prohibit living in all types of vehicles</p> <p>B. Prohibit living in vehicles a certain distance from specific “sensitive sites” where there are health or safety concerns (e.g., motor vehicle line-of-sight impacts, adverse impacts on bicycle and pedestrian safety, litter, improper sewage disposal, noise, and encroachment)</p> <p>C. Enforce state of California health and safety codes related to RV occupancy</p> <p>D. Offer waste management programs with sanitary waste voucher, trash/recycle services, etc.</p>	<p>Numerous cities have adopted new ordinances regulating living in vehicles.</p> <p>No known cities regulate RV rental or habitability in the right-of-way.</p>	<ul style="list-style-type: none"> • High for both cost and time. • To include, but not limited to, staff time for further analysis, need for outside counsel, costs for installing extensive signage, community outreach, and communications rollout. • To include, but not limited to, new staff or contract services for new programmatic areas like inspection or more waste management. 	<p>Estimated 12 to 18 months to implement depending on scope.</p>
<p>* With one or more of the parking enforcement strategies the Council could consider implementing programs for parking <i>with scope, scale, capacity and time limit to be defined as a transitional measure while phasing in parking changes:</i></p> <ul style="list-style-type: none"> – Safe parking program options in a City-owned lot (e.g., Shoreline on a temporary basis when not contractually obligated, or on a longer-term basis if the existing contract could be amended. Or, other lots to be found that are available for safe parking use.) – A parking access program in a City-owned lot (such as other parks) – restricted to self-contained RVs, with no on-site program services, etc. – Develop an incentive program for businesses to host limited RVs (one to five) on private property for individuals living in vehicles employed or hosted by the business. 				

3. Provide direction on safe parking policy, specifically whether to consider or move forward with a Shoreline or other City property, and/or to adopt a safe parking ordinance.
4. Introduce an Ordinance adding Section 19.70.1 to Chapter 19, Division 2, of the Mountain View City Code Related to the Parking of Vehicles that Discharge Domestic Sewage on the Public Right-of-Way, to be read in title only, further reading waived (Attachment 1).
5. Adopt a Resolution of the City of Mountain View Declaring a Shelter Crisis, to be read in title only, further reading waived (Attachment 2).
6. Provide direction to the City Manager to include appropriations, as applicable for one or more housing, enforcement, public safety, and health-focused programs, in the Fiscal Year 2019-20 budget, up to a total of approximately \$833,000 (if all options are included).
 - a. Enforcement-Related (Initial Recommended Funding Source – General Fund): approximately \$551,000.
 - b. Links to Housing/PSH/Safe Parking (Initial Recommended Funding Source – Restricted Housing Funds): approximately \$250,000.
 - c. Waste Management (Initial Recommended Funding Source – General Fund): approximately \$32,000+

ALTERNATIVES

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

1. Council could modify one or more recommendations.
2. Council could direct staff to pursue options that were not recommended by staff.
3. Council could decide not to approve any recommendations at this time.
4. 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, MOVE, 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/
Chief Operating Officer

Daniel H. Rich
City Manager

KST/3/CAM
609-03-19-19CR
190003

- Attachments:
1. Ordinance Related to the Parking of Vehicles Discharging Sewage on the Public Right-of-Way
 2. Resolution Declaring an Emergency Shelter Crisis in Mountain View
 3. [Council Report for October 4, 2016](#)
 4. [Council Report for March 7, 2017](#)
 5. [Council Report for March 6, 2018](#)
 6. [Council Report for December 11, 2018](#)
 7. Work Plan Summary – Four Phases
 8. Outreach and Programmatic Data Summary
 9. Safe Parking and Sheltering Data Summary
 10. City Department Data Summary
 11. Community Survey Summary 2018-19
 12. Housing Data Summary
 13. Map of Locations with Residents Living in Vehicles – overlay with Zoning
 14. Map of Locations with Residents Living in Vehicles – overlay with the parks, trails, and City facilities
 15. Santa Barbara Oversized Ordinance

16. East Palo Alto Oversized Ordinance
17. San Jose Safe Parking Ordinance
18. Santa Barbara Safe Parking Resolution
19. San Luis Obispo Safe Parking Ordinance