

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: December 6, 2016

To: Honorable Members of the Homelessness and Poverty Committee

From: Miguel A. Santana 
City Administrative Officer

Sharon M. Tso 
Chief Legislative Analyst

Subject: **SAFE PARKING PILOT PROGRAM FRAMEWORK (C.F. 15-1138-S15)**

RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

- 1) Instruct the Department of City Planning to prepare and present an ordinance to the City Planning Commission to effectuate the establishment of a Safe Parking Pilot Program;
- 2) Request the City Attorney, with the assistance of the City Administrative Officer, to prepare and present an ordinance to establish a Homeless Services and Financial Assistance Trust Fund to accept gifts, contributions, donations, and bequests to the City to support homeless services and allow for the creation of financial assistance programs to support the implementation of the City's Comprehensive Homeless Strategy;
- 3) Instruct the Los Angeles Homeless Services Agency (LAHSA) to:
 - A) Prepare and present their final recommendations for programmatic rules and regulations for a Safe Parking Pilot Program for consideration at the next scheduled Homelessness and Poverty Committee (HPC);
 - B) Effectuate the procurement process necessary to implement the Safe Parking Pilot Program and present an implementation timeline at the next scheduled HPC; and,
 - C) Begin identifying parking lots, with the assistance of the CAO, CLA, Bureau of Engineering, Department of City Planning, Department of Transportation, and other necessary City departments, to be considered for the Safe Parking Pilot Program and presented to Council for approval.

SUMMARY

On February 9, 2016, the City adopted the Comprehensive Homeless Strategy (CHS), which included a series of targeted strategies aimed at addressing the City's growing homelessness crisis. According to the 2016 Homeless Count that was conducted by the Los Angeles Homeless Services Authority (LAHSA), the City has approximately 28,464 homeless individuals on any given night. As stated in Strategy 6B of the CHS, within the City's current homeless population, an often underserved population of the homeless exists which consists of individuals and families who reside within their vehicles as a form of shelter. LAHSA estimates that there are over 3,900 vehicles occupied by the homeless throughout the City.

This report presents the framework for establishing an 18-month (January 1, 2017 to June 30, 2018) Safe Parking Pilot Program (SPPP) in the City, which would allow for homeless individuals and families who currently reside in their vehicles to do so legally in designated parking lots within the City. The 2016-17 Adopted Homeless Budget included an appropriation of \$770,198 to establish the SPPP and provide mobile showers for the homeless. The SPPP would provide homeless individuals the opportunity to enroll in case management and receive social services which may lead to long-term housing. Additionally, this report provides an overview of the program elements that the Council would need to consider when creating a pilot program.

FISCAL IMPACT STATEMENT

There is no additional General Fund impact. The 2016-17 Adopted Homeless Budget included an appropriation of \$770,198 to establish the SPPP and provide mobile showers for the homeless. Funding for the Safe Parking Pilot Program in future fiscal years will be subject to the City's annual budget process.

BACKGROUND

At its meetings on August 25, 2016 and November 17, 2016 the Homeless Strategy Committee (HSC) considered a joint City Administrative Officer and Chief Legislative Analyst Report, which provided a framework for the SPPP. Since the Homeless Strategy Committee's meeting, City staff has gathered input from City departments and the Committee members to make the following changes to the program:

1. The SPPP should operate on publicly and private-owned lots throughout the City.
2. The City has adopted an updated version of Section 85.02 of the Los Angeles Municipal Code (LAMC), which allows for overnight vehicular dwelling between the hours of 9 p.m. to 6 a.m. on City streets in non-residential areas of the City.
3. The SPPP must be enabled through an ordinance that allows the operation of a program in compliance with certain land use restrictions and operating conditions.
4. LAHSA and its affiliated service providers should conduct general and targeted outreach to individuals who are dwelling in their vehicles in order to better understand this population and more effectively focus homeless services and resources to vehicle dwellers.

5. The SPPP should run as a pilot that will expire on July 1, 2018, unless extended by ordinance.

PILOT PROGRAM FRAMEWORK ELEMENTS

As requested by the Council, the CAO and CLA, with the assistance of LAHSA, are providing a framework for the Safe Parking Pilot Program for Council consideration as proposed in Strategy 6B of the Comprehensive Homeless Strategy.

Size/Capacity of the Pilot Program

LAHSA and its service providers have not primarily focused their resources on the homeless population that dwells in their vehicles. Therefore, in order to begin to address this population, LAHSA is proposing the establishment of a program that will be able to accommodate a total of approximately 25-50 vehicles spread across five lots throughout the City. The capacity of the proposed program is limited due to the need to consolidate resources, the size of the lots, and the identification of lots. The program, however, has the potential to continue to expand in size through the continued identification of lots and dedicated resources.

Public Lots

With regard to the SPPP, the Council may wish to instruct City departments as appropriate to evaluate City-owned lots for use in the SPPP. Evaluation of City-owned lots would explore impacts to revenue potential, use of the lot by the Film Industry, general community purposes, and parking capacity. City staff can also determine cost estimates and vehicular capacity according to each lot's specifications. Our Offices recommend that LAHSA, with the assistance of City staff, begin identifying parking lots to be considered for the SPPP.

Private Lots

In addition to the use of public assets, a SPPP may also include private lots and parcels. Private lots for the operation of a SPPP would include, but not be limited to, faith-based organizations and nonprofit agencies. Private Lot owners would be given discretion as to their program's requirements for participation, rules and regulations, hours of operation, and operational activities/amenities (i.e. access to or provision of bathrooms). The Council could also consider applying the City's Rules and Regulations for the SPPP to private lot operators. When operating a SPPP, private lot owners would also need to comply with certain land use restrictions as outlined by the ordinance, as well as permitted operating conditions. Additionally, private lot owners who wish to participate in a SPPP would need to register on the City's website (www.lacity.org) and be in compliance with posted regulations.

SPPP Enabling Ordinance

As potential lots (public and private) throughout the City will more than likely need a change or amendment in their respective zoning requirements and restrictions, the Office of the City Attorney and the Department of City Planning (DCP) advise that the City create and adopt an ordinance that enables the SPPP. The ordinance would establish the SPPP as an 18-month

pilot that sunsets on July 1, 2018, unless extended by ordinance. In order to enable the SPPP, our Offices recommend that City staff from the DCP be instructed to report and present an ordinance to the City Planning Commission and Council Committees to effectuate a Safe Parking Pilot Program.

Programmatic Hours of Operation

A SPPP should offer homeless individuals who reside in their vehicles a safe area to legally park on an overnight basis. Safe parking programs in other jurisdictions are operated between nine p.m. and six a.m. Ideally, hours of operation would be consistent with all aspects of the City's SPPP. However, hours of operation may vary on a lot-by-lot basis due to circumstances surrounding preexisting hours of operation and daily usage of the lots.

For public lots that are designated as Safe Parking areas, participants would need to vacate lots at posted hours in order to allow for the lots' original intended use. With regard to private lots, hours of operation would be at the discretion of the private owners.

Program Rules and Regulations

In order to ensure participants of the SPPP are within compliance of the program, as well as mitigate negative impacts on the surrounding communities, the SPPP should have a set of rules and regulations that participants would need to adhere to in order to remain enrolled in the program. The SPPP's Rules and Regulations would ensure that participants are held accountable to both the program and its other participants. If a program participant is found to be in violation of the SPPP Rules and Regulations, they would have several opportunities to remedy the issue or risk termination from the pilot program. To best serve the needs of the homeless population, our Offices recommend that LAHSA in collaboration with its service providers, create a standardized set of rules and regulations for the SPPP that takes into consideration standards from similar Safe Parking programs in other jurisdictions (i.e. Santa Barbara).

LAHSA Outreach Program

In order to better understand the population of homeless individuals who dwell in their vehicles, as well as more effectively focus resources to this population, LAHSA proposes to conduct both general and targeted outreach. The population of individuals who dwell in their vehicles is wide-ranging, and includes individuals who have the means for a self-sustaining lifestyle to individuals who are considered to be homeless or the working poor. In order to more effectively focus resources to those who are homeless or the working poor, outreach will need to be conducted in the form of assessments to better understand the needs of this population, in addition to the resources necessary for them to receive effective social services and achieve sustainable housing.

Outreach for the SPPP is anticipated to operate in both a general and targeted manner. General outreach will be conducted in a manner where individuals who dwell in their vehicles will be assessed through the Vulnerability Index-Service Prioritization Decision Assistance Tool (VI-SPDAT) survey to better understand their needs for homeless services and resources. The assessment component will be funded by contracting with five regional Service Planning Area (SPA) leads for the Coordinated Entry System (CES) whose regions are within the City's limits.

LAHSA and its service providers will be able to assess the acuity of these individuals to effectively determine who is considered to be homeless or the working poor, and are in the highest need for resources. Targeted outreach will be conducted based on lot locations as they become available in order to reduce the environmental impacts of individuals who dwell within their vehicles throughout the City and more effectively focus on homeless individuals in the immediate vicinity of the community in which the lot resides. Homeless individuals in the immediate community will be assessed, and if eligible, be given the opportunity to be placed in lots for overnight vehicular dwelling as they become available, as well as receive social services that may lead to sustainable housing.

LAHSA's efforts will also serve to inform vehicle dwellers of the impending parking restrictions resulting from the revised Los Angeles Municipal Code Section 85.02 which will become effective on January 7, 2017. Concurrently, our Offices recommend LAHSA issue a Request for Information to solicit interested providers for operations of the SPPP, and possibly procure services using a Request for Proposals (RFP) process.

The SPPP will provide the City with data and information regarding the following: 1) the nature and extent of the use of vehicles as dwellings within the designated lots; 2) the impacts to public health, safety and the physical environment from this use, and 3) the effectiveness of the program regulations in controlling the use and limiting its effects on various communities throughout the City. Our Offices will coordinate the gathering and analysis of this data and information by City departments, LAHSA, and third-party organizations with relevant expertise will prepare a report, inclusive of the environmental analysis required under the California Environmental Quality Act, to the Mayor and Council with recommendations regarding the nature and scope of regulations to address the use of vehicles as dwellings on a long-term basis. Approximately 18 months will be needed to collect data and information described above. The first six months will be used for hiring, training, outreach, and procurement followed by 12 months of data collection and analysis.

SUPPLEMENTAL CITY SERVICES

Homeless Services and Financial Assistance Trust Fund

When funding is available, Santa Barbara and other cities provide financial assistance to Safe Parking participants to defray a portion of vehicle registration and insurance costs which are required to participate in their respective programs. When funding is limited, the financial assistance programs are either reduced or eliminated. Therefore, our Offices recommend establishing a trust fund to accept gifts, contributions, donations and bequests to the City to support homeless services and allow for the creation of financial assistance programs to support the implementation of the City's Comprehensive Homeless Strategy. This trust fund could be utilized to supplement the SPPP and other programs to ensure that a stable funding is provided even during an economic downturn.

Parking Citation Homeless Community Service Program (PCHCSP)

The Department of Transportation (DOT) has developed a Parking Citation Homeless Community Service Program (PCHCSP) that would permit eligible individuals to perform community service in-lieu of payment of a parking penalty. The California Vehicle Code (CVC) allows the implementation of a community service program for parking citations only through

the authorization of the Mayor and Council. The proposed PCHCSP pilot provides a mechanism for homeless individuals, as defined in Title 42 of the Public Health and Welfare Code, who have received a parking citation to perform community service in-lieu of paying the outstanding parking fine. The PCHCSP would build on partnerships between DOT, LAHSA, City Attorney's Office, Council Offices, Mayor's Office, social service agencies, and parking and law enforcement. The goal is to have the PCHCSP pilot implemented parallel with the SPPP.

The PCHCSP only applies to fines and vehicle citations that have been issued by the City of Los Angeles. Once violations and citations have been remedied through this program, vehicle owners would be able to successfully obtain current registration and enroll into the SPPP. Eligibility for participation with the program would be limited to individuals that LAHSA and its service providers have determined to be homeless through the proper VI-SPDAT assessment.

Homeless Engagement and Response Team (HEART)

The Office of the City Attorney has developed the Homeless Engagement and Response Team (HEART) program, which helps homeless individuals to resolve pending judicial proceedings by connecting them to appropriate services to address challenges related to homelessness. The HEART program combines the responsibilities of the Homeless Court Citation Clinic with new priorities to secure and coordinate social services for homeless individuals. Participants in the HEART program are required to engage in social services and complete community service hours in order to resolve certain traffic and quality of life citations, some low level misdemeanors charges and related warrants, and fines. The above citations and misdemeanors can often hinder one's ability to gain self-sufficiency to access employment, social services, and permanent supportive housing opportunities.