

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at [NCsupport@lacity.org](mailto:NCsupport@lacity.org).

This is an automated response, please do not reply to this email.

#### Contact Information

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The Board approved this CIS by a vote of: Yea(13) Nay(2) Abstain(6) Ineligible(0) Recusal(0)

Date of NC Board Action: 11/30/2020

Type of NC Board Action: Against unless Amended

#### Impact Information

Date: 12/02/2020

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 20-0376

Agenda Date:

Item Number:

Summary: At its regularly-scheduled meeting on November 30, 2020, the NoHo Neighborhood Council voted to oppose Council File 20-0376, which would ban sitting, sleeping, and lying within 500 feet of freeways, ramps, and tunnels and within 500 feet of any facility opened after January 2018 that provides housing, shelter, services, safe parking, or storage to unhoused people. The decision to enact heavier enforcement mechanisms to remove tents/persons from overpasses and similar public places is in violation of existing statutes restricting the criminalization of the unhoused, does nothing to ensure available housing options are in line with the magnitude of the population in need, and will only exacerbate problems for persons experiencing homelessness by interfering with present assistance efforts.

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Allyson Sereboff  
Joanna Stein  
Russell Wolff

## Community Impact Statement in opposition of City Council File 20-0376

### Amendment of Municipal Code 41.18

November 30, 2020

Dear Honorable Councilmembers,

At its regularly-scheduled meeting on November 30, 2020, the NoHo Neighborhood Council voted to oppose Council File 20-0376, which would ban sitting, sleeping, and lying within 500 feet of freeways, ramps, and tunnels and within 500 feet of any facility opened after January 2018 that provides housing, shelter, services, safe parking, or storage to unhoused people. The decision to enact heavier enforcement mechanisms to remove tents/persons from overpasses and similar public places is in violation of existing statutes restricting the criminalization of the unhoused, does nothing to ensure available housing options are in line with the magnitude of the population in need, and will only exacerbate problems for persons experiencing homelessness by interfering with present assistance efforts.

The new enforcement mechanisms allow for the coerced removal of unhoused persons from exclusionary zones on the prerequisite that housing had first been offered, yet the housing alternatives mentioned in the motion **do not presently exist**. Los Angeles currently has 15,000 shelter beds<sup>1</sup> while 28,000 remain unsheltered<sup>2</sup> as of January 2020. Almost all existing shelter and permanent supportive housing resources are at capacity, and many have occupancy restrictions that limit their applicability to narrow bands of the unhoused population. The promised mixture of temporary shelters (such as the Tiny Home Pallet Villages), restored Project HomeKey sites, and new Bridge Housing facilities will take months to build or lease and already have to contend with virulent local opposition. Assuming the promised housing stock is constructed, newly available beds will not be nearly enough to handle the influx of persons who will experience homelessness anew *this very year* due to the economic conditions surrounding the pandemic (in 2019 an average of 207 people exited homelessness every day, while 227 people became homeless)<sup>3</sup>. Ultimately, this

<sup>1</sup> <https://www.lahsa.org/documents?id=3674-2019-housing-inventory-count>

<sup>2</sup> <https://www.lahsa.org/documents?id=4692-2020-greater-los-angeles-homeless-count-total-point-in-time-homeless-population-by-geographic-areas>

<sup>3</sup> <https://www.lahsa.org/news?article=726-2020-greater-los-angeles-homeless-count-results>

motion will only result in the City shifting people from region to region without addressing the structural inequalities and limitations of its broken safety net.

This motion, if passed, will also warp the priorities of homeless service non-profits and authorities, who will be forced to prioritize assistance to populations based on proximity to the exclusion zones (such as overpasses) rather than via a needs-based or morbidity-risk-based approach, which is already creating confusion and administrative dysfunction between LAHSA, the City, and the County<sup>4</sup>. Forcing the dispersal of folks from relatively stable tent locations will also make it harder for outreach teams to find individuals for follow-up appointments.

Finally, the motion does not comply with the federal legal decision in the Boise case, which states: “no jurisdiction in the Ninth Circuit may criminalize the act of lodging in public unless it has sufficient beds for its homeless population or offers shelter to a specific individual before commencing enforcement”. The number of beds in LA for the unhoused is *not* sufficient, and the argument that the City needs this enforcement mechanism first to obtain the goodwill of communities that will let them build more beds is disingenuous, as the City’s rapid response to free up shelter spaces in rec centers at the onset of the COVID crisis demonstrated that extraordinary steps can be taken via emergency declaration without local approvals.

The NoHo NC cannot support the motion as presently proposed. While we acknowledge that more support is needed to maintain thoroughfares that comply with the ADA and facilitate pedestrian safety, revised enforcement rules to restore and maintain the public right of way must also come with a commitment to provide the offered housing, shelter and services that help transition unhoused residents from living on streets. Those provisions should comprise:

- The existence and identification of housing resources.
- A commitment to *appropriate* housing placements rather than a “one-size-fits-all” solution.
- A real-time and accessible database, maintained by LAHSA, of available housing and shelter options.
- A commitment that housing, shelter and services **will actually be provided if accepted** (not merely offered).

Sincerely,

Paul Storiale, President of the NoHo Neighborhood Council



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<sup>4</sup> <https://www.latimes.com/homeless-housing/story/2020-10-23/judge-efforts-bolster-complicate-homeless-housing>