



MOTION ON HOMELESSNESS

DATE: 02/12/2019

TO: Santa Cruz City Council

FROM: Councilmember Drew Glover

SUBJECT: Motion for Action on the Issue of Homelessness

MOTION

I move that the City Council direct staff put on the agenda the following items for Council consideration and action:

1. Between now and the next City Council Meeting on February 26th instruct staff to:
 - a. Provide A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ PROCLAIMING A LOCAL HOMELESS STATE OF EMERGENCY (Government Code Sections 8630 et seq.); and
 - b. A report identifying all potential locations for a transitional encampment on City-owned property, and any identified opportunity sites on private property, within the City of Santa Cruz or City-owned property in unincorporated Santa Cruz County; and
 - c. An action item to remove overnight parking restrictions on Delaware Avenue between Swift Street and Shaffer Road [more specific language to be provided before Tuesday's Meeting];
 - d. A report and recommendations, based on the ordinance submitted this evening, the establishment of transitional encampments for people experiencing homelessness as an interim use on publicly owned or private property within the City of Santa Cruz including,
 - e. if necessary, a draft ordinance amending the Municipal Code to establish a permit process for such encampments; and
 - f. A report and timeline to enter into negotiations with UCSC with the intention of leasing the vacant parking lot at the rear of the UCSC Administration Building at 2300 Delaware Avenue for the establishment of a Safe Parking Program.
 - g. The first draft of an ordinance, based off of the framework submitted this evening, to come back for a first reading at the next City Council meeting to hear community input and response.
 - h. A report from Parks and Rec regarding the reopening of public facilities and bathrooms based on the materials submitted this evening.
 - i. Direct the City Attorney to Coordinate City Staff efforts to examine specific City Ordinances concerning the disproportionate effect on residents without homes and to examine the potential conflicts with both the specific law and the spirit of the US Constitution as interpreted by the Boise Decision. Return to the City Council with this data within 90 days.
 - i. Camping / Sleeping Ordinance: 6.36.010
 - ii. Trespass: 9.62.010, 9.60.010, 9.64.030
 - iii. Urination/ Defecation 9.50.016
 - j. Direct staff to make data available in an organized format on the following ordinances to allow the Council and the Community to monitor the potentially disproportionate impact on residents without homes. This data shall include the address and the race and gender of the person cited, the charges, the location, date and arresting officer or ranger. Concerning stay-away orders, the length of the stay-away order shall also be included.
 - i. Conduct in Parks: 13.08.090
 - ii. Obstructing Sidewalks and Benches: 9.50.010, MC 15.32
 - iii. Obstructing Sidewalks and Benches after Dark: 5.32.040
 - iv. Sitting- 9.50.21, 9.50.013

- v. Lying- 9.50.011
- vi. 24 Hour Stay-away Orders: 13.04,13.08.100, 13.08.100
- vii. Smoking Bans in Public Places MC 6.04.060(1)(b,s,u,w,x):
- viii. Dogs Downtown and Elsewhere MC 8.14.200, MC 8.14.201, MC 8.14.205
- ix. Arrest 3 Infractions without a Warrant: MC 4.04.010(4)
- x. Authority of the City Attorney to Reduce Misdemeanors to Infractions to Avoid Due Process: MC 4.04.010(3)
- xi. Open Container MC 9.12.030
- xii. Parking Garage 'Loitering' MC 9.64.010
- xiii. Median 'Loitering' MC 10.36.040
- xiv. Safety Enhancement Zones MC 9.02
- xv. Youth Curfew Laws MC 9.04
- xvi. Aggressive Solicitation MC9.10
- xvii. Vendor Licensing Required for Handicrafts MC 5.04.080: MC 5.04.090

BACKGROUND/SUMMARY

After weeks of working with fellow Councilmembers, interns, community members, advocates, people experiencing homelessness, residents of the "Ross Camp" and people living in cars, I submitted many agenda items to prioritization on this agenda. Even though the agenda items were co-sponsored by Councilmembers Krohn and Brown, Mayor Watkins refused to place them on the agenda citing it would make the meeting go "too long" according to City Manager Martin Bernal. I feel that this was a decision that signals a lack of urgency to the community.

To make forward movement on the issue of homelessness, I submit the following motion with the attached agenda reports and suggested ordinance language for my colleagues to review. I hope that we can move forward expeditiously to ensure a human and compassionate approach to addressing the issues facing one of our most vulnerable population. In addition, these actions are to respond to the concerns expressed by our housed community members who are experiencing the impact of homelessness in their neighborhoods and have demanded intentional action from this Council.

ATTACHMENTS

- Agenda reports:
 - Declaration of a State of Homeless Emergency
 - Permitting of Transitional Encampments
 - Safe Parking for Residents who Live in Vehicles in the City of Santa Cruz
 - Hour of Public Facilities
 - Impact of City Ordinances on People Without Homes
- DRAFT Ordinance Language:
 - Permitting of Transitional Encampments