

## Interoffice Memorandum City of Costa Mesa

**Date:** November 1, 2010

**To:** Members of the Parks & Recreation Commission and Planning Commission

**From:** Tom Hatch, Assistant City Manager  
Muriel Ullman, Neighborhood Improvement Manager

**Subject:** Update on Impacts from Homeless Issues within Lions Park

### **Introduction:**

Complaints and concerns have escalated to a higher level recently related to impacts from larger numbers of chronic homeless congregating within Lions Park. Over the years the number of homeless along with the number of complaints has fluctuated. The increased number of complaints and concerns are in need of immediate review and attention. This memorandum is provided to the joint meeting of the Parks and Recreation Commission and Planning Commission as background material for your discussion on this issue.

### **Background:**

Over the years, research has been conducted and various discussions have occurred to develop solutions and approaches that would help the community manage the impacts from the significant homeless population in and around Lions Park. These efforts have been moderately successful in the short term but unsuccessful in the long term. The historical impacts include the following and they continue today:

- Intoxicated and/or mentally unstable - Individuals creating an intimidating presence and harassing members of the Public, City Recreation and County Library staff and generally interfering with classes and functions taking place at adjacent public facilities;
- Consumption of alcohol and drugs within the park;
- Unsanitary conditions due to urination and defecation within the park;
- Oral and physical altercations between intoxicated homeless individuals;
- Medical aid calls due to alcohol and drug consumption or mental health issues;
- Use of loud, inappropriate language;
- Numerous municipal and State code violations like bathing in fountain or restrooms, dogs off leash, littering, presence in park after dark, possession of open container, disorderly conduct, drinking in public, assault, vandalism, indecent exposure, warrant arrest, property crimes, etc.

Recent efforts to learn more about the problem and enhance communication has improved general inter-departmental cooperation in an effort to more effectively troubleshoot and work together to reduce homelessness and its impact on the community. The research included reviewing the approaches taken by neighboring jurisdictions to combat the problem, as well as reviewing the efforts of larger cities in Los Angeles and Riverside Counties, which have implemented extensive homeless coordination programs to varying levels of success.

Additionally, staff has worked with the Orange County Homeless Coordinator at times to seek assistance with specific issues.

Neighborhood Improvement Manager Muriel Ullman will now coordinate homeless issues for the City and has begun reviewing the recent homeless impacts at Lions Park with City staff. This review was prompted by a series of both in-house staff and citizen complaints from numerous sources including County Library personnel, Recreation and Aquatic staff, contract class instructors and participants at the Downtown Recreation Center (DRC) and Neighborhood Community Center (NCC), the Costa Mesa Historic Society and residents regarding the impacts from homeless in Lions Park. According to those interviewed, one of the newer factors is the homeless feeding programs conducted by Orange County Churches every Wednesday and Sunday and once a month on Saturday.

Several meetings have occurred recently with staff and various service providers to examine the extent of the problems, size of the homeless population in the park, the characteristics of the homeless clientele, and types of violations. Additionally, City Manager's staff has been monitoring the homeless situation on a daily basis with an emphasis on the Wednesday and Sunday feeding programs. Staff has also met with personnel from the cities of Laguna Beach and Anaheim, homeless service providers, Mercy House, Vanguard University and churches. Findings, actions to date, and future options are listed below.

### **Issues and Impacts:**

#### 1. Impacts communicated by County staff working at Donald Duggan Library:

- More homeless individuals using restrooms because restrooms in the DRC and NCC are only available for guests of those facilities and/or because park restrooms have been closing earlier;
- Librarian forced to hire security guard for 25 hours per week which reduces the available resources for basic library services to the public. This cost of approximately \$16,000 per year is paid ½ each by the County and the Friends of the Library;
- Librarian orders homeless to leave when they are unwashed and unsanitary and/or intoxicated and gives them flyer telling where they can get food and showers;
- Restrooms left messy due to bathing activities that create general unsanitary conditions. Due to on-going problems with the bathrooms, they are now locked;
- Pads on chairs ruined and need to be regularly replaced due to unsanitary conditions;
- Chronic alcoholics and mentally ill homeless gravitate to the library since it is warm and safe, which deters both volunteers and Costa Mesa residents from frequenting the downtown branch; and
- Heavy smoking is connected to alcohol and drug use and is regularly occurring right outside of the entrance to the library.

#### 2. Impacts communicated by Costa Mesa Historical Society:

- The Costa Mesa Historical Society has provided the Commissions with a written report of the impacts they are experiencing.

#### 3. Impacts communicated by Staff, contract instructors and guests of the NCC, DRC and Park:

- Contractors working at the NCC (i.e. gymnastics) complain that intoxicated homeless individuals create an atmosphere of intimidation that negatively impacts parents and kids going to and leaving classes;
- Aquatics, NCC and DTCC staff constantly harassed as they go and come from work;
- Concerns expressed about unattended luggage, bags or other personal items; and
- Parents complain that the atmosphere is scary and not appropriate for kids.

#### 4. Impacts communicated by residents, staff and observed by staff at the Park Picnic Shelter:

- Several groups have instituted regular feeding programs at the Lions Park Picnic Shelter over the last few months. Staff has noticed several violations of the standard conditions for the reserved use of the shelter. The following are issues related to this use:
  - Recently staff had to require insurance related to safety concerns with the Wednesday reserved shelter use;
  - Based on recent staff observations, the following conditions have been noted, including individuals engaging in belligerent and/or aggressive behavior (fights, arguments, yelling); individuals engaging in intimidation including glaring at park visitors, yelling at them and approaching them to ask what they are doing at this public place; hanging wet sleeping bags over City monument signs; consumption of alcohol and the presence of intoxicated individuals in the immediate area; drug use; and
  - It is unclear if the intent behind the development of the Picnic Shelter Reservation System is for the occasional rental to allow individuals to host gatherings or if the community is comfortable with ongoing rental by the same group or individual week after week. The Commissions may want to explore a policy of instituting a cap on the number of Picnic Shelter rentals one individual or group could have each year?

#### 5. Impacts communicated by the Police and Fire Departments:

- Incidents tracked by the Police Department in Lions Park for calendar year 2009 were 129 and for calendar year 2010 through only September the number of incidents is 634;
- Many of these incidents involve the repeat offenders that are part of the chronic homeless population at the Park;
- Enforcement is conducted and citations are issued (arrests if necessary), only to have little impact to discourage Park rule and/or law breaking. PD reports that several chronic homeless have been issued numerous citations that are ignored. These homeless understand that officers in the field know that if they arrest a chronic homeless individual that they need to get them medically cleared at a hospital and then get them checked into county jail all of which can take a minimum of two hours and sometime six hours or more. This time away from other patrol duties is hard to justify when faced with higher priority issues in the community. Lt. Rob Sharpnack will be in attendance at the meeting if more information is needed about the challenges faced with enforcement of the code on chronic homeless;
- Significant time and effort is spent trying to assist individual chronic homeless. Without a coordinated effort and continuous daily effort, successfully helping members of this population is unlikely to occur and this causes frustration among officers and firefighters; and

- There is a feeling that new or different enforcement tools are needed – possibly changes to the municipal code, “stay away” orders from the Park for the continuously intoxicated and most flagrant rule breakers and where a public nuisance has been established. Other cities have tools/codes that should be further reviewed and that may be of benefit to our Police Department.

### **Current Actions:**

Several recent action steps have been taken or are being taken to further understand the impacts and to create solutions. These include:

- Staff has held meetings with numerous stakeholders including those mentioned above as well as staff from other cities, other local homeless service providers, local churches, veterans organizations, Interfaith Council of Orange County, etc.
- Staff met with the City Attorney’s Office on a variety of issues including development of a “stay away” ordinances for serious repeat offenders as well as other appropriate code provisions;.
- Staff is currently researching uniform insurance requirements for any group programs where over 50 individuals are anticipated as well as reviewing the park permit process as a whole;
- A no smoking ordinance is being evaluated as well as other ordinance provisions;
- Meet with the Santa Ana Police Officer that coordinates these issues for that community to understand the pros and cons of designating an officer to assist with enforcement approaches;
- Continue to research how other cities manage the legal and environmental impacts from homelessness;
- Participate in and support the Mercy House/Vanguard University homeless survey to determine how many individuals are actually homeless in Costa Mesa;
- Begin conducting a study to determine the monetary impact of homeless enforcement on general fund (police and fire in particular);
- Contact Department of Veterans Services in Long Beach for assistance with homeless veterans and to receive information about the Shelter-Plus program for Veterans;
- Meet with local pastors to discuss assisting Costa Mesa homeless residents;
- Continue to meet with local social service providers and churches regarding different approaches to end homelessness in Costa Mesa with the assistance of Mercy House; and
- Continue enforcement actions as appropriate and as resources are available.

### **Future Options:**

One option is to develop a long term strategy that will define Costa Mesa’s chronic homeless population from the general County homeless population (limit our scope) with the goal to develop solutions without in any way enlarging the problem or the scope of our responsibility. A meaningful strategy will involve a multitude of steps including:

- Develop and present a concept to the Commissions and City Council, discussing options and seek direction;
- Determine the extent of the chronic homeless population in Costa Mesa with the assistance of Mercy House and Vanguard University;
- Create a definition of how a chronic homeless individual is a Costa Mesa resident;

- Examining the cost impacts on homeless enforcement/coordination actions to the City organization and community in general; and
- Develop a data-driven, collaborative strategy to achieve solutions for Costa Mesa that appropriately limits our scope of the larger responsibility of chronic homelessness.

In summary, the key to our success would be to put appropriate limits on our scope of responsibility, collaborate with stakeholders and develop solutions that focus on Costa Mesa's own homeless population.