

Potential Homeless Task Force Action Items

Short, Medium and Long Term Goals, Priorities and Recommendations

The Costa Mesa Homeless Task Force has identified short, medium and long term strategies to meet community needs. Successful implementation will depend on a variety of factors including resources available, City Council priorities and community input. Once City Council has prioritized programs and recommendations, Staff will begin putting together an implementation plan which will include a financing strategy as well as resources needed.

Many of the goals and recommendations listed below will take a considerable amount of time and resources to implement, should the City Council determine that these action items viable. For purposes of discussion:

- Short Term is defined as Completed-6 months
- Medium Term is defined as 12 months
- Long Term is defined as 12-24 months

GOAL 1: Define who is a Costa Mesa Homeless Individual

As communities throughout the nation tackle the issues of chronic homelessness, the question of public resource allocation inevitably becomes one of the first steps to developing a realistic and effective strategy to address the issue. The current economic recession has added significant pressure on local governments to identify resources to meet the basic municipal needs of residents and businesses. This primary responsibility of local government must be balanced against the needs of local and regional homeless; therefore, an effective homeless strategy must first recognize it cannot solve all issues related to homelessness and that there are insufficient resources to address the needs of those at risk of becoming homeless and those already homeless.

In recognition of the limited availability of public resources, program priorities/preferences can be established with the goal of targeting resources to those most in need, but that also have a direct connection to the community. To this end, a definition of a Costa Mesa homeless individual is considered necessary. Based on direct input of members of the Homeless Task Force and the public, the following definition has been devised:

Residency in Costa Mesa must have been **within the last 24 months and for no less than 90 days or:**

An individual must have strong ties to the community. These ties include:

- Current residency of an **immediate family member** (for example, mother, father, sibling, grandparent, son or daughter)
- Proof that the **individual and/or their dependent(s) attend or attended a Costa Mesa K-12 school**
- Knowledge - either first hand or recorded - by the **Costa Mesa Police Department** and/or the **Costa Mesa Code Enforcement Department** that the

individual has been living on Costa Mesa's streets for **24 months** prior to adoption of the homeless definition.

- Examples of acceptable documentation to confirm residency includes:
 - Copy of a **previous lease**
 - Confirmation of **previous utility service**
 - Written **confirmation of residency** from a previous landlord, or proof of residency in transitional living facility
 - Confirmation of **School records** confirming previous residency
- Special Circumstances – exceptions to the definition include the following:
 - Homeless individuals that are “Medically Compromised”¹
 - Elderly homeless (65+)
- Exclusions – the following individuals may be excluded from the definition:
 - Residents living in a motel or recovery home
 - Intentionally homeless - A person who has the means to occupy reasonable accommodations and refuses to do so, or a person who deliberately does or fails to do anything, which would allow them to occupy or continue to occupy such reasonable accommodations, shall be considered intentionally homeless

Action Item: Homeless Task Force Action
Time Frame: Short-term (Completed)
Resources: Not Applicable

Recommendations: Adopt definition as presented including reducing exception age from 65 to 60.
Ensure park is closed at night.

GOAL 2: To Protect the Health and Safety of Costa Mesa Residents through Enforcement of “Civility” Laws & Provision of Alternate Storage Facilities

Action Item: Ordinances
Time Frame: Short-Long Term
Resources: General Fund

Reducing homelessness in the City of Costa Mesa will require coordinated effort and action in creating the processes and policies that will lead to its reduction and increases in the City's quality of life. These avenues include the establishment of ordinances that create the means by

¹ “Medically compromised” is defined as those persons no longer able to perform “Activities of Daily Living” (ADL). Most often the persons are diagnosed with co-morbidities that can include but are not limited to diabetes, coronary artery disease, hypertension, high blood pressure, cancer, liver disease, and mental illness. Added to this definition can be those persons who by virtue of their treatment or disease are susceptible to infections or serious complications. Let me know if you need further clarification.

“Activities of daily living” as used in elder law refer to the activities usually performed for oneself in the course of a normal day. Examples include bathing, dressing, grooming, eating, toileting and the like. People may need assistance with ADLs regardless of their living arrangements. Such assistance may usually be performed by a family member, a home health aide or attendant, or a nurse's aide in a nursing facility. Inability to perform a certain number of ADLs is a criterion used by many insurance companies to determine eligibility for benefits.

which the city can enforce desired outcomes, the personnel and standard operating procedure of law enforcement to manage infractions and the political buy-in from parties involved in the process to reach an acceptable outcome for the community. It is recommended that any action be taken with a mentality of having a “carrot-and-stick” approach, whereby any ordinance enacted or adopted have an appropriate alternate provision in the existing strategy that alleviates opposition by providing a certain measure of relief to those impacted.

2a. Parking (New)

The issue of parking stems from the discovery of vehicles known to park for long periods of time, allowing the owner/occupant to use the space for lodging purposes as well as prevent the usage of space for those citizens using the park for recreation. A few of the options discussed for meeting this problem are:

- Red-curbing
- Meters
- Permit Parking
- Gated Parking
- Limited Nighttime Parking

Recommendations: Overnight parking in parks by permit only.

2b. Sleeping (Existing)

Anti-camping/lodging ordinances on their face are not necessarily unlawful, but in order to avoid violating the civil rights of the homeless, their ability to sleep at some location must be unabridged. This means that an approach of providing the ability to sleep somewhere within the city could create feasibility for the enforcement of an anti-camping/lodging ordinance problem.

Recommendations: Enforce anti-camping & lodging ordinances as part of a legal strategy connected to actions that link homeless housing.
Ensure the park is closed at night.

2c. Storage Ordinance and Alternative Storage Site (Revision)

Implementation of an anti-storage ordinance has been explained as a problem of language. Legal counsel has shown that the term “storage” is unlikely to be defined effectively. It has been recommended that any language pertaining to the confiscation of personal property belonging to the homeless include language based on the phrase “unattended” which has a much more defensible connotation in regards to grounds upon which enforcement action may be taken. The finding so far is that confiscated goods must be held for 90 days.

In addition to enacting an effective storage ordinance, the City should consider providing an alternative storage site for the homeless population so that the costly citation and confiscation process can be viewed as a last resort. HCD staff has begun a dialogue with the Church Consortium regarding utilizing church property for this purpose. Church leaders are currently discussing different alternatives regarding provision of a storage site for Costa Mesa homeless. If this option fails, the City will need to consider alternate storage space.

Recommendations: Update and enforce existing personal property storage ordinances and (if possible) partner with faith-based/nonprofit organizations to provide accessible and secure locations for homeless to store and retrieve personal property. Provide grace period (e.g., one month) before implementing.

2d. Food Sharing (New)

The practice of feeding the homeless is an activity that has proven to be the subject of many lawsuits and creates the environment for further difficulty in tackling the root of the issue. While providing a meal, the active and regular feeding of homeless populations provides incentive for them to congregate in the area where these events take place. Legal counsel is reviewing food sharing ordinances in place in different cities which will eventually be presented to the Task Force.

Recommendations: Research ordinance(s) limiting food sharing programs in City parks and other public locations with permits issued only for advocates who have been through outreach training.

2e. Prohibition on Smoking

Currently, the City's Municipal Code prohibits smoking in City-owned public facilities such as a building, structure or room within a building. This code section does not provide for a smoking ban for outdoor facilities. California Health and Safety Code Section 104495(6b) prohibits smoking within 25 feet of a playground or tot lot sandbox area.

The Youth Sports Council proposed a smoking ban ordinance for City-owned athletic facilities. The Parks and Recreation Commission recommended expanding the proposed smoking ban:

- Within all City-owned buildings, facilities and motor vehicles
- Within the fenced areas, including parking lots if not within the fenced areas, of City owned sports fields
- Within the fenced areas of the City owned Community Gardens
- Within fifty (50) feet of any City park. Parking lots are included in the park boundaries

The item is scheduled to go before the City Council on November 1, 2011.

Recommendations: Reaffirm support of the Parks and Recreation Commission's recommendation to expand current smoking ban ordinance to parks, sports fields, parking lots, etc.

2f. Ban on Sex Offenders in Park

The City Attorney is researching the feasibility of an ordinance that would exclude registered sex offenders from city parks and youth sports fields owned or operated by the city. The restriction potentially implicates some constitutional rights, such as the liberty interest of the Fourteenth Amendment of the US Constitution and interference with certain aspects of free speech rights. The City Attorney is preparing a legal analysis for the City Council so they can evaluate whether they want to adopt such a restriction.

Recommendations: No further recommendations.

Goal 3: Proactive Problem Resolution with Regard to High Crime/Vice Motels which Cater to Transient Population Enforcement of local codes and ordinances at problem Halfway Houses

One of the root causes of crime and influx of homeless individuals is the proliferation of halfway houses and deteriorated motels in the City. These establishments attract not only homeless substance abusers but are also utilized/owned by people outside of the City and State as well as law enforcement in other jurisdictions.

Actions in this area should focus on better regulation of these establishments and removal/enforcement of nuisance properties.

The following action items fall under this category:

3a.Action Item: Halfway Houses/Sober Living Homes/Planning Measures
Time Frame: Short-Long
Resources: Existing Staff

Changes in code regarding the addition of bedrooms onto a house could help to curb the impact that commercial recovery homes are having on the community by preventing them from building a larger facility and impacting the financial motive for becoming involved in the business. The previous effort to enact this was based on the requirement to build additional garaged parking in order to build a fifth room onto any residence. The thought is that the cost of building the extra parking would be so prohibitive as to render the motivation null. This action would require an application for variance with the Planning Commission, requiring an appearance before the Commission and allowing them to judge whether the project is of adequate use.

Recommendations: Staff should explore changes to current building codes that could reduce or mitigate impacts of halfway houses/sober living homes on residential and business neighborhoods.

3b.Action Item: Halfway Houses/Sober Living Homes/Proactive Code Enforcement/ Church Outreach
Time Frame: Medium-Long Term
Resources Needed: To be determined

Halfway Houses also offer opportunities for proactive code enforcement. Conversations with County probation and parole agents have suggested that the City combine forces with County agents to ensure the houses are operating in accordance with their C.U.P. and that the individuals living there are not living in conditions which would be in violation of their parole. Any future solutions will look at opportunities to combine City code enforcement staff with county law enforcement.

Recommendations: City Staff should pursue a partnership with Probation and Parole personnel to proactively halfway houses/sober living homes to ensure code compliance.

3c.Action Item: Halfway Houses/Sober Living Homes Church Outreach Ministry
Time Frame: Medium Term
Resources Needed: Existing Staff, Church Driven

City staff has also asked the Church Consortium to develop a program to reach out to individuals living in halfway houses in Costa Mesa to help support their transition into permanent housing vs. living on the streets. The Church Consortium is currently working on this ministry.

Recommendations: Provide support for Church Consortium halfway houses/sober living homes outreach program.

3d.Action Item: Reactivation of the Motel Task Force
Time Frame: Medium-Long
Resources Needed: To be determined

The Motel Task Force was created in 1997 to focus on the collective efforts of several departments to resolve problems at motels and was successful in fostering clean up of the worst properties and achieved significant improvement in property appearances and reduction in criminal activity. The Motel Task Force was renamed the Code Enforcement Task Force in 2002. It was restructured with a CMPD special enforcement detail, county health, code enforcement and other departments as needed. It was extremely successful in citing and inspecting these problem motels and noted a drop in calls for service during its operation.

HCD and CMPD believe that a proactive effort is needed to address criminal and code enforcement issues associated with many of Costa Mesa's motels and that these motels directly contribute to the vagrancy issues plaguing the City. HCD, Development Services and CMPD are currently reviewing the structure for a future multi-departmental task force to address ongoing motel issues in the city.

Recommendations: Reactivate the Motel Task Force.

Goal 4: Centralized In-House Homeless Services Coordination

Because homeless services affect so many governmental jurisdictions and outside entities, it is suggested that one department in the City be responsible for overall coordination of homeless services and complaints. This department will lead both an in-house and outside task force and be responsible for implementing a long term homeless strategy and taking all calls and complaints regarding the homeless, with a particular emphasis on coordinating homeless issues and responses with CMPD and the City Attorney's office. Tasks will include assessing a problem situation and working with City and County staff and outside entities to resolve these issues, community outreach, following up with residents/businesses originating complaints, evaluating new techniques for addressing problems due to vagrancy and implementing Homeless Task Force short term and long term strategies.

4a.Action Item: Centralize Homeless Services Coordination within City
Time Frame: Completed - Ongoing
Resources Needed: Existing Staff and PT Analyst

Homeless services and coordination are currently being managed by City Manager's office in conjunction with CMPD, Recreation and other relevant City departments as needed. It is suggested that centralized coordination continue due to the plethora of both in-house and outside providers, interest groups, governmental jurisdictions and citizens partnering in this program.

Recommendations: Continue centralized homeless service coordination through the Housing and Community Development Division.

4b.Action Item: Create Smaller HTF to Monitor HTF Implementation Plan
Time Frame: After CC Adoption of HTF Plan – Short Term
Resources Needed: Existing Staff and PT Analyst

The HTF has developed a very sophisticated and intricate implementation plan which will involve coordinating services as well as researching funding sources, developing programs, etc. It is suggested that a smaller HTF continue to operate to monitor this program and report back to the City Council.

Recommendations: Create a smaller HTF to monitor implementation of HTF priorities and action plan.

Goal 5: Integrating law enforcement, mental health and legal strategy as a Three Pronged Approach to Homelessness

Beyond the inclusion of ordinances in the effort to meet this problem, the enforcement of code and policy requires that a new approach must be created in order to leverage the available resources in the most suitable way. This effort will include a more “homeless-specific enforcement” policy/legal strategy for a more “homeless-specific” solution. The best practices have shown that because the motivations of homeless individuals differ from the motivation of average citizens, enforcement response needs to be tailored to the situation at hand. The City needs to consider adopting a three-pronged approach to law enforcement which involves arresting chronic offenders and criminals while working alongside the City Attorney, Police Department and mental health outreach workers to help move the homeless off the streets.

The following items fall under this category:

5a.Action Item: Homeless Enforcement Team
Time Frame: Short-Medium Term
Resources: To be determined

It is suggested that the City explore the implementation of a “Homeless Outreach Officer” who has overall responsibility for homeless enforcement throughout the City. Even though Lions Park is currently the hub of activity, this officer would work closely with both the police department, the City Manager’s office and mental health providers to adopt a two pronged approach to law enforcement. As with other cities which have had levels of success with this issue, this officer would be trained in “homeless specific” solutions to law enforcement and be trained in defusing potentially volatile situations and assist patrol officers in assessing a person’s need for mental health services as an alternative to incarceration. Hopefully they would be the first responders to any homeless or mental health related call for service which would free up patrol officers and avoid unnecessary incarcerations. This allows the team to build rapport to work towards long term solutions with the transient population. However, it is important to note that public safety is CMPD’s first responsibility and arrest is not ruled out when warranted.

Recommendations: The City should explore the deployment of a “Homeless Police Officer”

5b.Action Item: Park Ranger
Time Frame: Short Term - Completed

Two park rangers will be posted on-site at Lion’s Park. Staff feels that the future Lions Park ranger position must fall under a more specific homeless enforcement strategy under the supervision of a Homeless Enforcement Team as described below.

Recommendations: Hire 4 Park Rangers to be posted on-site at various Costa Mesa parks including Lions, Wilson and Canyon (This number includes the 2 already placed at Lions Park).

5c.Action Item: Coordinated Mental Health/Street Outreach
Time Frame: Short Term
Resources: \$25,000-\$50,000 per Year
CDBG/RDA/County

Local service providers visit libraries and parks on a weekly basis. CMPD calls them for assistance when needed. However, removing people off the street oftentimes takes multiple encounters in order to build trust and enlist cooperation of business owners and

residents which detract from time a police officer can spend focusing on more urgent crime fighting activities. As part of the homeless policing team, the City may want to look at formalizing this relationship by funding part time street outreach team to assist the Homeless Policing Team.

The CMPD can call on these professionals to assist them in the field. However, it is suggested that a more formal approach be adopted with perhaps additional mental health resources so that the Police department is freed up to do law enforcement. This street outreach team could assist Police in moving homeless individuals off the street and thus lessen the constant patrol checks during a police officer's shift.

Recommendations: Staff should explore contract opportunities with qualified providers to coordinate mental health and street outreach services.

5d. Action Item: Formalize Legal Assistance to Prosecute Chronic Homeless Violators

Time Frame: Short Term

Resources: GF, Underway

The City needs to develop a multi-faceted legal strategy which will involve having a stronger presence in court when these transients appear before a judge. The City Attorney's office needs to prosecute municipal code violations for repeat offenders and be in communication with the DA's office regarding specific cases of interest who are prosecuted for state code violations. This approach could result in the ability to remove people from the community who commit repeated offenses and who refuse assistance by aggressively prosecuting problem individuals. Additionally, it provides the City with the opportunity to work closely with the DA to track Homeless Court referrals.

Recommendations: Formalize support for this current legal strategy.

5e. Action Item: Emergency Motel Vouchers for CMPD

Time Frame: Short-Medium

Resources: General Fund/\$22,000 (12 vouchers/week x \$50 per voucher for 36 weeks)

The CMPD should have a supply of vouchers for emergency situations in which people, in particular families with children, are found sleeping in the street.

Recommendations: Staff should identify resources to provide CMPD with motel vouchers for emergency situations and help develop criteria for the use of vouchers.

Goal 6: Create Permanent Supportive Housing and Possible Access Center

One of the common themes which have surfaced during 5 months of meetings is the lack of supportive housing for the homeless population and day time facilities where they may congregate.

Some members of the Homeless Task Force have suggested exploring the concept of an access center and purchase of existing motel for use as transitional/supportive housing. These facilities would only be accessed by Costa Mesa homeless residents based on a definition conceived by the Homeless Task Force. Location of such a facility will be challenging to ensure that impacts to surrounding neighborhoods are mitigated.

6a.Action Item: Develop Financing Strategy for Supportive Housing based on existing HOME and RDA funds as well as HUD Continuum of Care financing
Time Frame: Short Term
Resources: Existing staff

6b.Action Item: Supportive Housing and Access Center
Time Frame: Long Term
Resources: To be determined (combination of federal, state, county & private resources)

Recommendations: Staff should develop a financing strategy for supportive housing based on existing HOME, RDA and other sources such as HUD Continuum of Care grant financing.
Develop supportive housing and access center.

Goal 7: Review Interim Housing Options

The armory is only open in the Winter Months (November-March) and the only other emergency beds close by are at the Salvation Army. Options may be needed for interim housing until such time as permanent housing is constructed. Motel vouchers to Costa Mesa Homeless residents until such time as permanent housing is constructed.

Action Item: Explore Short Term Motel Voucher Program for Costa Mesa Homeless Residents
Time Frame: Medium Term
Resources: General Fund and private donations

Action Item: Explore keeping either the Fullerton or Santa Ana Armory Open Longer
Time Frame: Medium Term
Resources: CDBG or General Fund

Action Item: Explore utilizing Shelter + Care Vouchers to target Costa Mesa Homeless
Time Frame: Short term – In progress
Resources: County Shelter + Care Vouchers

Recommendations: Explore implementation of a motel voucher program for CM homeless.
Work with County to explore ways to keep Armories open longer.

Goal 8: Development of an Appropriate Metrics System to Monitor Reduction in Homelessness

In order to successfully measure any reduction in homelessness due to the above-mentioned recommendations, the City needs to develop an appropriate metrics system by which to measure success. Although most non profits use the HUD-generated on-line Client Management Information System to record the activities and services which serve homeless clients, there is oftentimes no tracking of these clients on a long term basis and therefore no way to really measure whether or not there is a true reduction in homelessness. Additionally, many service providers in the community (such as churches and other faith based organizations) do not even use CMIS to track those that they serve. The City hopes to develop a tracking system by which to measure the success of its homeless reduction programs so it can be assured that the appropriate actions are being taken to reduce homelessness.

Action Item: Develop Analytical Tool to Measure Homeless Reduction
Time Frame: Medium Term
Resources: CDBG

Recommendations: Develop an analytical tool to measure homeless reduction resulting from implementation of the City's homeless strategy.

Goal 9: Promotion of Lions Park as a Local Venue for Special Events and Change in Facilities to more Creative Usage

Lions Park is located in the center of downtown Costa Mesa. Besides being located near a major transportation node and neighborhood shopping center, it is part of a large community center complex bounded on two sides by residential neighborhoods. The community centers are utilized by both adults and children taking advantage of the wide array of classes and services offered. Additionally, it contains both passive and active recreational facilities and has the potential of being transformed into a more vital recreational center. Part of this revitalization will be the removal of underused facilities including the shelter and surrounding hardscape to be replaced by a more active and engaging use.

With the new emphasis on special event promotion, it is suggested that the City explore utilization of this park for more dynamic event programming. There is already a built-in audience comprised of residents utilizing services at the community centers and County library. This combined with more proactive law enforcement and effective programming could help draw even more people to this park and transform it from a homeless encampment to an exciting recreational venue.

Action Item: Removal of Shelter and Integration of Recreational Facilities
Time Frame: Medium Term
Resources: Redevelopment

Action Item: Special Event Programming in Lions Park
Time Frame: Long Term
Resources: Existing Staff

Recommendations: Remove picnic shelter and integrate new recreational equipment/facilities.
Identify special event programming opportunities for Lions Park.

