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ENCINO NEIGHBORHOOD COUNCIL HOMELESSNESS COMMITTEE

Wednesday, October 2, 2019 @ 7pm

**Encino Community Center Crafts Room or adjacent
4935 Balboa Blvd. Encino, CA, 91316**

Voting Members – ENC Members:

Pat Bates* (Chair), Samantha Greitzer*,

Voting Members – Stakeholders:

**Lauren Telegdy, Heather Rim, Jodie Francisco, Janel Bishop, Alyssa Boyle, Katie Bull,
Eve Greitzer**

Alternate Committee Members:

Victoria Miller*, Rochelle Mitchell, Nick Greitzer

* Indicates ENC Board Member or Alternate, no more than 5 Encino Neighborhood Council Board-Members or Alternates may be seated at a time to vote during a committee meeting

Motion, Discussion, and Vote may be taken on all items

1. **Call to Order. Roll call; determination of quorum.**
2. **Opening comments from chairperson**
3. **Presentation from Los Angeles Police Department Lt. Marc Evans explaining the plan for cleanup of the Sepulveda Basin. 20 min.**
4. **Questions related to preceding presentation 10 min**
5. **Reports from Public Officials/Departments/Community Agencies (20 minutes)**
6. **Approve minutes of August , 2019 Meeting**
7. **Old Business: Assignments:**
 - a. **Safe Parking:** Potential Safe Parking sites in our territory?

- b. **Sanctioned Encampments:** Many cities are trying this (Modesto, Oakland, Rochester NY of all places – and on and on). The chairperson has not given up. Discuss in light of Sepulveda Basin activities.
- c. **Census 2020** It is crucially important that we advocate for a significant role of the neighborhood councils in the 2020 U.S. Census. For our area we need to have an advisory role in counting the unsheltered homeless. The Encino Neighborhood Council is now a member of the San Fernando Valley Complete Count Committee. Our Homelessness Committee will be partnering with the outreach committee to publicise the US Census. The Homelessness Committee specifically will volunteer to participate in the Census Homeless Enumeration Program.
- d. **January 2019 PIT count:** The plan is to get on board with this especially with respect to basin encampment areas before it gets done wrong yet again. We realise the extent of the encampment areas will depend on the results and sustainability of the clean out program.
- e. Regarding the constellation of measures passed by city council and approved by the mayor on advice from the LA Bureau of Sanitation regarding services to encampment areas. (cf 14-1499-s7, 14-1499-s8, 19-0600-s89, 19-0600-s156 et al. Of particular interest to our committee is a provision in the Energy, Climate Change, and Environmental Justice Committee Report of 6/25/19 (attached) that ..."**BOS is to develop and report in 30 days on strategies and an implementation schedule for a) The Sepulveda Basin, in coordination with Department of Recreation and Parks and the Los Angeles homeless Service Authority (LAHSA).**" We still have no idea what was reported, if anything.
- f. Follow progress on proposed audit of the Lanterman-Petris-Short (LPS) act by the California legislature, as supported by Los Angeles City Council Resolution 19-0002-s116. It is looking to me like this died – can someone look into it.

8. New Business (Vote may be taken)

- a. Cell phone chargers/related: An impediment to obtaining data on the effectiveness of outreach and enforcement actions is being able to reach homeless people as they move around. Possible collaboration with LA Family Housing to provide NPG for chargers or other ways to help maintain contact. Other ways to maintain contact?
- b. **Motion HOM 19-10 0005:** Discussion and possible action Community Impact Statement in support of Council File 19-0002-S172: Resolution dated 9/25/2019 requesting that the City of Los Angeles include in its 2019-2020 Legislative Program SUPPORT for the action by Governor Gavin Newsom to declare a State of Emergency on Homelessness in the State of California.
- c. **Motion HOM 19-10 0006:** Discussion and possible action Community Impact Statement opposing Council File 19-0602-S1 relative to a request for an Ordinance to amend the Los Angeles Municipal Code (LAMC) Section 41.18 to conform to the 9th Circuit decision in the Martin v. Boise case.

9. Future Homelessness Projects/Events:

10/5/2019 10am-12:30 pm Weekend to End Homelessness flyer attached

10. Public Comment on Issues NOT on this Agenda

11. Committee Member Comment on Items NOT on this Agenda

12.Date of next Homelessness Committee Meeting is November 6 , 2019

13 Adjournment by 8:30 pm

The Encino Neighborhood Council (ENC), is a Certified Neighborhood Council of the City of Los Angeles which ADVISES City, other Governmental Officials' and the Community on issues or concerns that are affecting the community of ENCINO. The ENC is made up of volunteers who are ELECTED by the community who live, work or otherwise are involved in the community of ENCINO. The ENC also makes appropriations of City Funds for Community Projects and needs as requested and approved by various committees and the general board.

PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS – The public is requested to fill out a “Speaker Card” to address the Board on any agenda item before the Board takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Board’s jurisdiction will be heard during the General Public Comment period.

Please note that under the Brown Act, the Board is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Board meeting. Public comment is limited to 2 minutes per speaker per item, unless adjusted by the presiding officer of the Board or Committee.

PUBLIC POSTING OF AGENDAS - ENC agendas are posted for public review as follows: Glass case outside the Encino Chamber of Commerce office at 4933 Balboa Blvd, Encino, Encino-Tarzana Branch Library, and Encino Woman’s Club Room www.encinonc.org You can also receive our agendas via email by subscribing to L.A. City’s Early Notification System at <http://www.lacity.org/government/Subscriptions/NeighborhoodCouncils/index.htm>

THE AMERICAN WITH DISABILITIES ACT - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and other auxiliary aids and/or services, may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting Alex Garay, Board President, at (818) 971-6996 or email via president@encinonc.org

PUBLIC ACCESS OF RECORDS – In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at our website: [encinonc.org](http://www.encinonc.org) or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Alex Garay, Board President, at (818) 971-6996 or email via president@encinonc.org.

RECONSIDERATION AND GRIEVANCE PROCESS

For information on the ENC's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the ENC Bylaws. The Bylaws are available at our Board meetings and our website <http://www.encinonc.org/bylaws.ph>

SERVICIOS DE TRADUCCION

Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte a Alex Garay, Presidente de la Mesa Directiva, al [\(818\) 971-6996](tel:8189716996) o por correo electrónico president@encinonc.org para avisar al Concejo Vecinal.

RESOLUTION

WHEREAS, the annual point-in-time homeless count conducted by the Los Angeles Homeless Services Authority (LAHSA) revealed that homelessness in the City of Los Angeles has increased an estimated 16% since 2018 with over 36,000 people living on the streets or in vehicles, and;

WHEREAS, the drastic increase in homelessness in 2019 strongly impacted the City's most vulnerable populations, with a 24% rise in youth, 8% rise in families, 13% rise in women and 17% rise in the chronically homeless, and;

WHEREAS, in 2018, there was a 68% increase in Part I crimes involving a homeless victim in the City, and;

WHEREAS, In 2018, there were nearly 130,000 people on the streets on any given night throughout the State of California - the most of any state in the nation, and;

WHEREAS, numerous cities in California are struggling to adequately respond to the homelessness crisis, and;

WHEREAS, deplorable conditions in and surrounding areas with a high density of homeless encampments has led to multiple cases of individuals, both housed and unhoused, contracting diseases borne by fleas and feces, including typhus, typhoid fever, hepatitis A, tuberculosis, and staph infection, and;

WHEREAS, the public health and safety of the residents of California, both unhoused and housed, will be in great danger unless drastic, immediate measures are taken, and;

WHEREAS, despite new funding sources and other resources to aid the City's homeless population, a crisis persists. All tools made available to address the homelessness crisis plaguing all major cities throughout the state must be leveraged, and;

WHEREAS, California Government Code §8625 grants the Governor the authority to declare a regional or statewide emergency and coordinate emergency response activities, and;

WHEREAS, a state of emergency is defined in subdivision (b) of California Government Code §8558 as "any occurrence which by reason of its magnitude is or is likely to become beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions..." and;

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WHEREAS, the declaration of a state of emergency enables state and local agencies to act quickly and without normal constraints to address an emergency situation, request mutual aid from other governmental organizations and seek emergency funding, and;

WHEREAS, when a state of emergency is declared, public employees and governing bodies are afforded certain legal immunities for emergency actions taken, and;

WHEREAS, a declaration of a State of Emergency allows agencies and departments to more efficiently procure materials and services necessary to address the situation, and;

NOW, THEREFORE, BE IT RESOLVED the Los Angeles City Council does hereby find that homelessness has ballooned into a crisis of seismic proportions outside of the control of the City of Los Angeles and the cities of the State of California alone to address with existing resources, and that the plight of individuals living on the streets jeopardizes the public health and safety of those individuals and imperils the broader citizenry of the State of California.

BE IT FURTHER RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2019 - 2020 State Legislative Program SUPPORT for action by Governor Gavin Newsom to declare a **State of Emergency on Homelessness** in the State of California.

Gilbert Anthony Cedillo

PRESENTED BY: *Joe Buscaino*
JOE BUSCAINO
Councilmember, 15th District

SECONDED BY: *MB*

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Paul J. Newsom

The Encino Neighborhood Council is registering this Community Impact

Statement in support of council file 19-0002-s172

To quote and paraphrase from the Council File: A state of emergency is defined in subdivision (b) of California Government Code §8558 as “any occurrence which by reason of its magnitude is or is likely to become beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions. The declaration of a state of emergency enables state and local agencies to act quickly and without normal constraints to address an emergency situation, request mutual aid from other governmental organizations and Seek emergency funding. When a state of emergency is declared, public employees and governing bodies are afforded certain legal immunities for emergency actions taken. A declaration of a State of Emergency allows agencies and departments to more efficiently procure materials and services necessary to address the situation. It is obvious that homelessness has ballooned into a crisis of seismic proportions outside of the control of the City of Los Angeles and the cities of the State of California alone to address with existing resources, and that the plight of individuals living on the streets jeopardizes the public health and safety of those individuals and imperils the broader citizenry of the State of California. The Los Angeles City Council proposes to advise, with the concurrence of the Mayor, that the City of Los Angeles hereby include in its 2019 - 2020 State Legislative Program SUPPORT for action by Governor Gavin Newsom to declare a State of Emergency on Homelessness in the State of California. It is the opinion of the Encino Neighborhood Council that this action is long overdue.

HOMELESSNESS AND POVERTY COMMITTEE REPORT relative to a request for an Ordinance to amend the Los Angeles Municipal Code (LAMC) Section 41.18 to conform to the 9th Circuit decision in the Martin v. Boise case.

Recommendation for Council action, as initiated by Motion (O'Farrell - Martinez):

REQUEST the City Attorney to draft an Ordinance, repealing the current version of the LAMC Section 41.18 and replacing it with the language below:

(a) No person shall obstruct the public right of way in a manner that restricts ten feet of clearance from any operational and utilizable entrance, exit, driveway or loading dock.

(b) No person shall obstruct the public right of way in a manner that restricts passage as required by the Americans with Disabilities Act (ADA).

(c) No person shall obstruct the free passage of pedestrians in the public right-of-way by engaging in the following aggressive behavior:

(1) Approaching, following closely or speaking to a person in a manner that is intended to or is likely to cause a reasonable person to:

(i) Fear bodily harm to oneself or another, or damage to or loss of property.

(ii) Otherwise be intimidated into giving money or other thing of value.

(iii) Respond immediately with a violent reaction because of the inherent nature of the reasonably perceived harm.

(2) Intentionally touching or causing physical contact with another person without that person's consent.

(3) Intentionally blocking or interfering with the safe or free passage of a pedestrian, including unreasonably causing a pedestrian to take evasive action to avoid physical contact.

(d) No person shall sit, lie or sleep in or upon any street, sidewalk, or other public right-of-way as follows:

(1) At any time in a manner that restricts ten feet of clearance from any utilizable and operational entrance, exit, driveway or loading dock.

(2) At any time in a manner that restricts passage as required by the ADA.

(3) At any time:

(i) Within 500 feet of a park.

(ii) Within 500 feet of a school.

(iii) Within 500 feet of a daycare center.

(iv) In or upon any tunnel, bridge or pedestrian subway that is on a route designated by City Council resolution as a school route.

(v) Within 500 feet of a facility opened after January 1, 2018 to provide housing, shelter, supportive services, safe parking, or storage to homeless persons.

(vi) Bike and other recreational paths.

(vii) Public areas (non-sidewalk) posted with *No Trespass* signs for safety purposes.

(viii) Public areas posted with closing times for safety and maintenance purposes.

(ix) Crowded public sidewalk areas like those exempted in the Citywide vending ordinance and other large venue-adjacent areas.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

(Council may recess into closed session, pursuant to California Government Code Section 54956.9(d)(2) and (e)(1) to confer with legal counsel relative to significant exposure to one litigation case).

Summary:

At its regular meeting held on August 21, 2019, the Homelessness and Poverty Committee considered Motion (O'Farrell - Martinez) relative to a request for an Ordinance to amend the LAMC Section 41.18 to conform to the 9th Circuit decision in the Martin v. Boise case. The Motion attached to the Council file, includes some details of the matter.

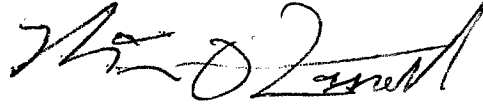
After consideration, and after providing an opportunity for public comment, the Committee approved the recommendation as reflected above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

HOMELESSNESS AND POVERTY COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
O'FARRELL:	YES
RODRIGUEZ:	ABSENT
BONIN:	ABSENT
HARRIS-DAWSON:	YES
RYU:	YES

EV
19-0602-S1_rpt_hp_8-21-19
hp_19-0602-S1_rpt_8-21-19



-NOT OFFICIAL UNTIL COUNCIL ACTS-

MOTION

In September 2018, the United States, Ninth Circuit Court made a ruling in the Case Martin v. City of Boise. The case did not apply to the City of Los Angeles directly, however, as the Ninth Circuit Court presides over California, the City Attorney should be requested to provide an ordinance ensuring that the City's Municipal Code abides by the Court's ruling.

I THEREFORE MOVE that the City Attorney be requested to draft an ordinance amending Los Angeles Municipal Code Section 41.18 to delete subsection (a), with the exception of the language making it unlawful to obstruct or interfere with the free passage of pedestrians in the public right of way, to delete subsections (b) and (c) and to amend subsection (d) to conform to the 9th Circuit decision in the Martin v. Boise case.

PRESENTED BY:



MITCH O'FARRELL
Councilmember, 13th District

SECONDED BY:



JUL 30 2019



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The Encino Neighborhood Council is registering this Community Impact

Statement in opposition to council file 19-0602-S1. This ordinance, the city's response to the Martin v. Boise circuit court decision, which renders the current writing of LAMC 41.18 unconstitutional, continues the city's counter-productive approach to the homelessness crisis. This bill would make it illegal to sit, sleep or lie within 500 feet of a school, park or daycare center, and 10 feet from any utilizable entrance, driveway or loading dock. Instead of funding much needed services like storage, refuse collection, sanitation, addiction treatment, etc., if this ordinance were to pass, resources would again be diverted to criminalize the unhoused and punish them for their poverty. This policy as written would be nearly impossible to enforce, and would bring about a host of unwanted side effects. For example, children waiting for their parents to pick them up after school would be turned into criminals if they were to sit down on the sidewalk. Measurements related to doorways will be litigated ad nauseam at enormous expense to the taxpayers of Los Angeles. This ordinance, much like its predecessor, would struggle to withstand a legal challenge. As such we oppose the adoption of this ordinance as written, and strongly urge the city to reconsider its approach to the issue of homelessness and utilize proven best practices from other cities.



WELCOMES YOU TO

Concert & Community Information Fair on Homelessness!!

w/ Winter Theme Donation Drive (New Blankets, Socks, and Coats)



2019 County-Wide Community Engagement Event Series Addressing Homelessness

Saturday Oct 5 10 am-12:30pm
ONEgeneration Senior Enrichment Center
18255 Victory Blvd, Reseda, CA 91335



Hosted By Silvana Caruana, LAHSA
Lead Homeless Community Engagement Coordinator for SFV

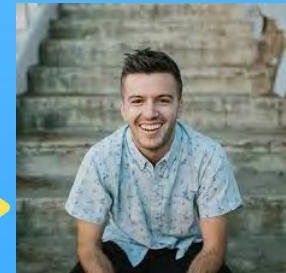


Special Guests:
Peter Lynn, Executive Director of LAHSA
Christina Miller, Homeless Initiatives, Mayor Garcetti's Office
Bob Blumenfield, City Councilmember, CD 3
Jesse Gabriel, Assemblymember 45th District

Musical Performances by:
Don and Jenny Albert



Invited Musicians Evan Craft and Lorelei Taron



Presented by:



For more info email: [Erin Thompson \(w2eh@innercitylaw.org\)](mailto:Erin.Thompson@innercitylaw.org)