

R-15

November 12, 2019

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution redeclaring a shelter crisis, suspending applicable provisions of local law, including those contained in the City's Zoning Ordinances of the Long Beach Municipal Code and regulations; and, authorizing the operation of a Winter Shelter for the period of December 1, 2019 through March 31, 2020, inclusive; and,

Authorize the City Manager, or designee, to execute a Lease Agreement, including any necessary documents and amendments, with the United States Veterans Initiative, for approximately 5,400 rentable square feet of space at 1718-1722 Hayes Avenue, for use as a Winter Shelter. (District 1)

DISCUSSION

The County of Los Angeles (County) and the City of Los Angeles provide funding to the Los Angeles Homeless Services Authority (LAHSA) through a Joint Powers Agreement to oversee countywide homeless services and to operate the Winter Shelter Program (Program). The Program is a coordinated effort to increase the number of temporary emergency shelter beds available in the County during the period from December 1 through March 31, when the region usually experiences its most inclement weather. As such, the County places winter shelters in each of the five Supervisorial Districts. For Los Angeles County Supervisorial District 4, the location identified is at 1718-1722 Hayes Avenue in Long Beach (Site).

As the administrative authority, LAHSA is responsible for selecting the Program providers through a competitive application process, contracting with providers, and overseeing Program operations. Subject to City Council approval, the Site will be operated by LAHSA's selected provider for the 2019-2020 program year, the United States Veterans Initiative.

The Program provider is required to furnish the following services: intake, nightly shelter for individuals, vouchers, showers, and two daily meals. Overnight staffing will further provide security and case management services that link participants to additional programs aimed at establishing improved health and economic sufficiency.

The Program provides a significant benefit to the City of Long Beach (City). Historically, most individuals and families entering the program originate from within Long Beach, referred by the City-operated Multi-Service Center (MSC) and the Long Beach Police Department. The Winter Shelter Program provides increased engagement opportunities with individuals experiencing

homelessness to encourage enrollment into case management services, or employment and housing programs through the MSC, and further maximizes the effectiveness of those services to reduce visible homelessness in the City.

The Long Beach Department of Health and Human Services coordinates with LAHSA for the determining the location of the shelter site and access points, and serves as liaison between the City and LAHSA. The City may expand the hours of operation of the MSC to accommodate the volume of clients accessing services, including transportation to and from the Site.

At its meeting on November 20, 2018, the City Council adopted Resolution RES-18-0174 redeclaring a shelter crisis, pursuant to California Government Code Sections 8698.1 and 8698.2, which allow local jurisdictions to suspend local laws and regulations "to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis" for any City-owned, leased or maintained property. The Site requires this local declaration to ensure the Winter Shelter opens in a timely manner.

To facilitate the use of 1718-1722 Hayes Avenue for the Winter Shelter as a City-leased property, a Lease between the City and the United States Veterans Initiative has been negotiated by the Economic Development Department. The proposed Lease will contain the following major terms and provisions:

Lessor: City of Long Beach, a municipal corporation.

Lessee: United States Veterans Initiative.

Leased Premises: Approximately 5,400 rentable square feet of industrial space at 1718-1722 Hayes Avenue.

Use: The Lease Premises will be used as a temporary winter shelter.

Term: The Lease will commence December 1, 2019 and terminate on March 31, 2020, inclusive.

Rent: The City will not charge rent.

Utilities and Incidentals: Lessee will be responsible for reimbursement to Lessor of approximately \$13,750 for utilities and incidental costs for the Leased Premises.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on October 28, 2019 and by Budget Management Officer Rhutu Amin Gharib on October 25, 2019.

TIMING CONSIDERATIONS

City Council action is requested on November 12, 2019, to adopt the Resolution redeclaring a shelter crisis and execute the Lease to ensure the Winter Shelter is operational by December 1, 2019.

FISCAL IMPACT

The Lessor will not charge the Lessee any rent for the use of this space; however, the Lessee will be responsible for reimbursement to Lessor of approximately \$13,750 for utilities and incidental costs for the Leased Premises. These reimbursements will be deposited in the General Fund Group in the Economic Development Department, to offset the utilities and incidental costs for the Leased Premises. This recommendation has no staffing impact beyond the budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN KEISLER
DIRECTOR OF ECONOMIC DEVELOPMENT



KELLY COLOPY
DIRECTOR OF HEALTH AND HUMAN SERVICES

APPROVED:



THOMAS B. MODICA
ACTING CITY MANAGER

W PACIFIC COAST HWY

W PACIFIC COAST HWY

W ESTHER ST

W 17TH ST

W 16TH ST

HAYES AVE

SEABRIGHT AVE

COTA AVE

W 16TH ST

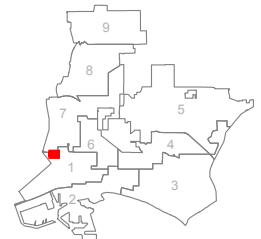
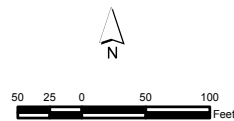


Leased Premises:

APN: 7429-028-034

Council District : 1

Attachment A



OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH REDECLARING A SHELTER CRISIS; SUSPENDING APPLICABLE PROVISIONS OF LOCAL LAW, INCLUDING THOSE CONTAINED IN THE CITY'S ZONING ORDINANCES AND REGULATIONS; AND AUTHORIZING THE OPERATION OF A WINTER SHELTER AT 1718-1722 HAYES AVENUE, IN THE CITY OF LONG BEACH, BETWEEN THE DATES OF DECEMBER 1, 2019 AND MARCH 31, 2020, INCLUSIVE

WHEREAS, the purpose and intent of this resolution is to provide shelter and supportive services for the homeless in the City of Long Beach during the winter months by maintaining such services at, and allowing the use of, the real property located at 1718-1722 Hayes Avenue, in the City of Long Beach, between the dates of December 1, 2019 and March 31, 2020; and

WHEREAS, at its meeting of November 20, 2018, the City Council of the City of Long Beach adopted Resolution No. RES-18-0174 redeclaring a "shelter crisis" pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code Sections 8698.1 and 8698.2); and

WHEREAS, pursuant to Government Code section 8698.1 et seq., the City Council hereby finds and re-declares that there still exists a "shelter crisis" in that a significant number of persons within the City are without the ability to obtain shelter during the months of inclement weather, and that the situation has resulted in, and will continue to result in, a threat to the health and safety of those persons;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

1 Section 1. That the provisions of any state or local regulatory statute,
2 regulation or ordinance, including but not limited to the City's zoning regulations
3 prescribing standards of use, housing, health or safety shall be suspended with respect
4 to the above-described winter shelter to the extent that strict compliance would in any
5 way prevent, hinder or delay the operation of the winter shelter during the declared
6 shelter crisis.

7 Section 2. Notwithstanding any other provisions of local law, the City
8 Manager is hereby authorized and directed to take all steps as may be reasonably
9 necessary or appropriate to facilitate the operation of a winter shelter between the dates
10 of December 1, 2019 and March 31, 2020, which shelter is to be located at 1718-1722
11 Hayes Avenue, in the City of Long Beach.

12 Section 3. Any and all provisions of the City's Zoning Ordinance and
13 regulations, which otherwise might regulate, apply to or govern the continued operation of
14 the winter shelter, are hereby suspended and declared inapplicable to the proposed
15 winter homeless shelter.

16 Section 4. The City Manager, or his designee, is hereby authorized to
17 develop such rules and regulations related to health and safety standards which the City
18 Manager deems necessary and appropriate to protect the public health, safety and
19 welfare of the residents of the winter shelter and those residents and/or businesses which
20 may be affected by the operation of said shelter. To the extent applicable to those
21 homeless individuals who occupy the shelter, such rules and regulations may be posted
22 in at least one conspicuous location on the site.

23 Section 5. Pursuant to California Environmental Quality Act ("CEQA"),
24 Public Resources Code section 21000, et seq., the Council hereby finds that this project
25 is exempt from further environmental review under CEQA Guidelines 15301.

26 Section 6. This resolution shall take effect immediately upon its adoption
27 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2019 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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Lona Beach, CA 90802