



# CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

2525 GRAND AVENUE • LONG BEACH, CALIFORNIA 90815 • (562) 570-4000 • FAX: (562) 570-4049

December 5, 2017

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt a Resolution declaring 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 5571 Orange Avenue, for the period of December 6, 2017 and March 31, 2018. (District 8)

## DISCUSSION

### What is the Los Angeles Homeless Services Authority (LAHSA)?

LAHSA is a joint powers agency between the City of Los Angeles and Los Angeles County established to oversee homeless services county-wide. With the creation of LAHSA, the Winter Shelter Program has become a coordinated effort to increase the number of temporary emergency shelter beds available in Los Angeles County during the period of time in which the region usually experiences its most inclement weather: December 1<sup>st</sup> through March 31<sup>st</sup>, inclusive. 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 City-owned property located at 5571 Orange Avenue (Site).

The County of Los Angeles and the City of Los Angeles provide funds to LAHSA to operate the Winter Shelter Program. As the administrative authority, LAHSA is responsible for selecting the winter shelter providers through a competitive application process, contracting with providers and overseeing the winter shelter operations. A building was located in Long Beach on November 10, 2017. Given the timing of securing a site, the earliest the winter shelter can commence operations is December 6, 2017. The Site shall be operated by LAHSA's selected provider, U.S. VETS, for the 2017-2018 program year.

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

### What is the Goal of the Winter Shelter Program and Who Does it Serve?

The Winter Shelter Program, managed by LAHSA, provides a significant benefit for the City of Long Beach. Historically, most individuals and families entering the program originate from within the City of Long Beach (City), referred by the City-operated Multi-

Service Center (MSC) and the Police Department. The Winter Shelter Program provides increased engagement opportunities with individuals experiencing homelessness to encourage enrollment into case management services, employment and housing programs through the MSC, and further maximizes the effectiveness of those services to reduce visible homelessness in the City.

The role of the Long Beach Department of Health and Human Services is to coordinate with LAHSA and continue to be a 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 from the MSC to and from the Site.

California Government Code Sections 8698.1 and 8698.2 allow local jurisdictions to declare a shelter crisis. In making such a declaration, State law enables 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.

This matter was reviewed by Deputy City Attorney Linda T. Vu on November 15, 2017 and by Revenue Management Officer Geraldine Alejo on November 16, 2017.

TIMING CONSIDERATIONS

City Council action is requested on December 5, 2017, to adopt the Resolution declaring a shelter crisis and open the temporary Winter Shelter located at 5571 Orange Avenue.

FISCAL IMPACT

City costs associated with coordinating with LAHSA and expanding MSC hours to accommodate clients will be supported within current resources. Funding is appropriated in the Health Fund (SR 130) in the Health and Human Services Department (HE). There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



KELLY COLOPY  
DIRECTOR  
HEALTH AND HUMAN SERVICES

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 RESOLUTION NO.  
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH DECLARING A SHELTER CRISIS;  
5 SUSPENDING APPLICABLE PROVISIONS OF LOCAL LAW,  
6 INCLUDING THOSE CONTAINED IN THE CITY'S ZONING  
7 ORDINANCES AND REGULATIONS; AND AUTHORIZING  
8 THE OPERATION OF A WINTER SHELTER AT 5571  
9 ORANGE AVENUE, IN THE CITY OF LONG BEACH,  
10 BETWEEN THE DATES OF DECEMBER 6, 2017 AND  
11 MARCH 1, 2018  
12

13 WHEREAS, the purpose and intent of this resolution is to provide shelter  
14 and supportive services for the homeless in the City of Long Beach during the winter  
15 months by maintaining such services at, and allowing the use of, the real property  
16 located at 5571 Orange Avenue, in the City of Long Beach, between the dates of  
17 December 6, 2017 and March 1, 2018; and

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

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

25 Section 1. That the provisions of any state or local regulatory statute,  
26 regulation or ordinance, including but not limited to the City's zoning regulations  
27 prescribing standards of use, housing, health or safety shall be suspended with respect  
28 to the above-described winter shelter to the extent that strict compliance would in any

1 way prevent, hinder or delay the operation of the winter shelter during the declared  
2 shelter crisis.

3           Section 2. Notwithstanding any other provisions of local law, the City  
4 Manager is hereby authorized and directed to take all steps as may be reasonably  
5 necessary or appropriate to facilitate the operation of a winter shelter between the dates  
6 of December 6, 2017 and March 1, 2018, which shelter is to be located at 5571 Orange  
7 Avenue, in the City of Long Beach.

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

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

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

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

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
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Long Beach, CA 90802-4664

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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 \_\_\_\_\_, 2017  
by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

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Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Clerk