



CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NB-29

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November 21, 2006

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to adopt the attached 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 between the dates of December 1, 2006 and March 15, 2007, inclusive. (District 2)

DISCUSSION

Who Started the Winter Shelter Program and Why?

In the late 1980's, four homeless persons died on the streets of Los Angeles County due to inclement weather during the winter months.

In response to the deaths, then Mayor Thomas Bradley started the first Los Angeles City and County Winter Shelter Programs. The City of Los Angeles and Los Angeles County operated two separate Winter Shelter Programs. The Los Angeles County Emergency Food and Shelter Program Local Board also assisted with planning and funding the Winter Shelter Program.

Today, the County places one winter shelter in each of the five Supervisorial Districts. For Los Angeles County Supervisorial District 4, the site identified is at 1500 Anaheim Street, the former Community Rehabilitation Industry (CRI) building, which is soon to be owned by Redevelopment Agency of Long Beach (RDA).

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

The main goal of the Winter Shelter Program is to increase the number of high tolerance and low demand emergency shelter beds available throughout Los Angeles County during the winter months (December through March) each year.

As the capacity of providers has increased the goals have expanded to include mainstreaming clients back into housing and jobs. The Winter Shelter Program is accessible to any individual or family that is homeless and resides in Los Angeles County.

What is LAHSA?

One of the main milestones of the Winter Shelter Program was the creation of the Los Angeles Homeless Services Authority, (LAHSA), in 1994. LAHSA is a joint powers agreement between the City of Los Angeles and Los Angeles County to oversee homeless services Countywide. With the creation of LAHSA the Winter Shelter Program has become a coordinated effort to increase the number of beds available in Los Angeles County. The County of Los Angeles, the City of Los Angeles and the Los Angeles County Emergency Food and Shelter Program Local Board provide funds to LAHSA to operate the Winter Shelter Program. Starting in 2001 LAHSA changed the format of the winter shelter program from weather activated days (approximately 85 per year) to a continuous shelter program that operates 105 days per year (December 1 – March 15).

The winter shelter provider is required to provide the following services: nightly shelter, two daily meals, restrooms and showers. When additional funds are available case management services are also provided.

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 of Long Beach and LAHSA. The City of Long Beach does expand the hours of operation of the Multi-Service Center (MSC) to accommodate the influx of clients accessing services and there is transportation to and from the winter shelter program to the MSC. Winter Shelter clients can access supportive services including case management, job training, life skills assistance, mail services, etc.

As the administrative authority, LAHSA is responsible for selecting the Winter Shelter operators through a competitive application process, contracting with providers and overseeing the winter shelter operations. For the 2006-07 fiscal year, in anticipation of the RDA's approval and the City's consent, LAHSA has selected the Long Beach Rescue Mission to provide the Winter Shelter Program at 1500 Anaheim Street for Los Angeles County Supervisorial District 4.

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 extend that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis."

This matter was reviewed by Assistant City Attorney, Michael J. Mais, on November 16, 2006 and Budget Management Officer David Wodynski on November 17, 2006.

TIMING CONSIDERATIONS

City Council action is requested on November 21, 2006 to adopt the Resolution declaring a shelter crisis.

FISCAL IMPACT

There will be no fiscal impact associated with the requested action on the General Fund.

SUGGESTED ACTION:

Approve the recommendation.

Respectfully submitted,



RONALD R. ARIAS
DIRECTOR
HEALTH AND HUMAN SERVICES

APPROVED:



GERALD R. MILLER
CITY MANAGER

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH 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 1500 E. ANAHEIM STREET, IN THE CITY OF LONG BEACH, BETWEEN THE DATES OF DECEMBER 1, 2006 AND MARCH 15, 2007, 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 1500 E. Anaheim Street, in the City of Long Beach, for the purpose of a homeless shelter between the dates of December 1, 2006 and March 15, 2007, inclusive; and

WHEREAS, pursuant to Government Code section 8698.1 et seq., the City Council hereby finds and declares that there 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; and

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

Section 1. That the provisions of any state or local regulatory statute, regulation or ordinance, including but not limited to the City's zoning regulations prescribing standards of use, housing, health or safety shall be suspended with respect

1 to the above-described winter shelter to the extent that strict compliance would in any
2 way prevent, hinder or delay the operation of the winter shelter during the declared
3 shelter crisis; and

4 Sec. 2. Notwithstanding any other provisions of local law, the City
5 Manager is hereby authorized and directed to take all steps as may be reasonably
6 necessary or appropriate to facilitate the operation of a winter shelter between the
7 dates of December 1, 2006 and March 15, 2007, inclusive, which shelter is to be
8 located at 1500 E. Anaheim Street, in the City of Long Beach.

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

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

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

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

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Robert E. Shannon
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Long Beach, California 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 _____, 2006,
by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk