



Legislation Details (With Text)

**File #:** 08-1175      **Version:** 1      **Name:** DHHS/CD - Operation fo a Winter Shelter D6  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/30/2008      **In control:** City Council  
**On agenda:** 11/18/2008      **Final action:** 11/18/2008

**Title:** Recommendation to adopt 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, 2008 and March 31, 2009; and

Authorize City Manager to execute any and all documents necessary for a lease between the Roman Family Trust (Lessor) and the City (Lessee) and a sublease between the City (Sublessor) and the Long Beach Rescue Mission (Sublessee) and any amendments at the discretion of the City Manager for approximately 6,900 rentable square feet of industrial space at 2235 Lemon Avenue at the monthly base rent of \$5,175 for use as a winter shelter. (District 6)

**Sponsors:** Health and Human Services, Community Development

**Indexes:** Leases

**Code sections:**

**Attachments:** 1. 111808-R-23sr&att.pdf, 2. RES-08-0148

Date	Ver.	Action By	Action	Result
11/18/2008	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt 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, 2008 and March 31, 2009; and

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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 the County of Los Angeles 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 2235 Lemon Avenue.

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 emergency shelter beds available throughout the County of Los Angeles 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 the County of Los Angeles.

#### What is the Los Angeles Homeless Services Authority?

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 authority comprised of the City of Los Angeles and the County of Los Angeles established to oversee homeless services throughout the County. 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 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 to continue as 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 volume of clients accessing services, and transportation is provided to and from the winter shelter to the MSC. Winter shelter clients can access supportive services including case management, job training, life skills assistance, mail services, etc., through the MSC.

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 2008-09 program year, in anticipation of the owner's and City Council consent, LAHSA has approved the selection of the site at 2235 Lemon Avenue for this year's winter shelter. Subject to the property owner's and the City Council's consent, the Long Beach Rescue Mission (LAHSA's current vendor) shall operate 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.

In an effort to facilitate the use of 2235 Lemon Avenue for the winter shelter, a Lease and Sublease between the property owner, the City and the Long Beach Rescue Mission have been negotiated. The proposed Lease shall contain the following major terms and provisions:

- Lessor: Roman Family Trust.

- Lessee: City of Long Beach.
- Leased Premises: Approximately 6,900 rentable square feet of industrial space located at 2235 Lemon Avenue.
- Use: The Leased Premises shall be used as a winter shelter.
- Term: The term of the Lease shall commence upon full execution of the agreement and shall terminate on March 31, 2009. The term may be extended upon mutual agreement by both parties pending additional funding for continuation of the winter shelter for an extended period up to April 30, 2009.
- Rent: The monthly base rent shall be \$5,175 and shall be prorated for any partial month.
- Utilities: The Lessee shall be responsible for reimbursement to Lessor for all utilities for the Leased Premises.
- Heating, Ventilation and Air Conditioning (HVAC): The Lessee shall be responsible for any/all modifications to the HVAC system necessary for the Leased Premises. At the end of the term, the Lessee shall be responsible for returning the HVAC to its original configuration.

The proposed Sublease will contain the following major terms and provisions:

- Sublessor: City of Long Beach.
- Sublessee: Long Beach Rescue Mission.
- Responsibilities: The Sublessee shall be responsible for any and all obligations of the Lessee under the terms of the Lease.

This matter was reviewed by Deputy City Attorney Rich Anthony on October 28, 2008, and by Budget Management Officer Victoria Bell on October 31, 2008.

City Council action is requested on November 18, 2008, to ensure the winter shelter is operational by December 1, 2008.

The base rent for the term of the Lease is estimated to be \$20,700 for a four-month period, not including additional costs for utilities and HVAC modifications. Sufficient funds are currently appropriated in the Health Fund (SR 130) in the Department of Health and Human Services (HE). The Sublessee, the Long Beach Rescue Mission, shall reimburse the City for all costs associated with the Lease including rent, utilities, HVAC modifications and any and all other obligations.

Approve recommendation.

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 2235 LEMON AVENUE, IN THE

CITY OF LONG BEACH, BETWEEN THE DATES OF DECEMBER 1, 2008 AND MARCH 31, 2009,  
INCLUSIVE

RONALD R. ARIAS  
DIRECTOR, HEALTH AND HUMAN SERVICES

DENNIS J. THYS  
DIRECTOR, COMMUNITY DEVELOPMENT

NAME  
TITLE

APPROVED:

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PATRICK H. WEST  
CITY MANAGER