



Legislation Details (With Text)

**File #:** 15-1083      **Version:** 1      **Name:** DHHS/EPD - Winter Shelter D9  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/5/2015      **In control:** City Council  
**On agenda:** 10/20/2015      **Final action:** 10/20/2015

**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 November 2, 2015 and March 15, 2016, inclusive;

Authorize City Manager to execute any and all documents necessary for a Lease between Eddie N. John #1, a limited liability company (Lessor), and the City (Lessee), and a Sublease between the City (Sublessor) and the Long Beach Rescue Mission (Sublessee) and/or affiliated entities, and any necessary amendments at the discretion of the City Manager for approximately 12,000 rentable square feet of industrial space at 6845 Atlantic Avenue at the monthly base rent of \$6,500 for use as a winter shelter; and

Increase appropriations in the General Fund (GP) in the Health and Human Services Department (HE) by \$29,250. (District 9)

**Sponsors:** Health and Human Services, Economic and Property Development

**Indexes:** Leases

**Code sections:**

**Attachments:** 1. 102015-R-20sr&att.pdf, 2. RES-15-0135.pdf

Date	Ver.	Action By	Action	Result
10/20/2015	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 November 2, 2015 and March 15, 2016, inclusive;

Authorize City Manager to execute any and all documents necessary for a Lease between Eddie N. John #1, a limited liability company (Lessor), and the City (Lessee), and a Sublease between the City (Sublessor) and the Long Beach Rescue Mission (Sublessee) and/or affiliated entities, and any necessary amendments at the discretion of the City Manager for approximately 12,000 rentable square feet of industrial space at 6845 Atlantic Avenue at the monthly base rent of \$6,500 for use as a winter shelter; and

Increase appropriations in the General Fund (GP) in the Health and Human Services Department (HE) by \$29,250. (District 9)

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 beds available in Los Angeles County. 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 6845 Atlantic Avenue (Site) in Council District 9 in Long Beach.

The County of Los Angeles and the City of Los Angeles provide funds to LAHSA to operate the Winter Shelter Program. Historically, LAHSA changed 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<sup>st</sup> - March 15<sup>th</sup>, inclusive). This year, the City and County of Los Angeles have launched a Homeless Initiative and allocated funds to extend the operational period for this season's program for the period starting October 15<sup>th</sup> to March 15<sup>th</sup>, inclusive. This notification was made on October 5, 2015 to the Winter Shelter Providers. Given the timing of the notification, the earliest the winter shelter can commence operations is November 2, 2015.

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. Subject to City Council's consent, the Site shall be operated by LAHSA's selected provider for the 2015-2016 program year, the Long Beach Rescue Mission.

The winter shelter provider is required to furnish the following services: nightly shelter for individuals, vouchers for families with children and two daily meals. Overnight staffing shall further provide security, intake, 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, the majority of individuals and families entering the program originate from within the City of Long Beach, referred by the City-operated Multi-Service Center (MSC) and the Police Department. The Winter Shelter Program provides increased engagement opportunities with homeless individuals 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 of Long Beach and LAHSA. The City of Long Beach 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 in order to ensure the winter shelter opens in a timely manner.

As customary, in an effort to facilitate the use of 6845 Atlantic Avenue for the winter shelter as a City-leased property, a Lease and Sublease between the property owner, the City of Long Beach and the Long Beach Rescue Mission, and/or affiliated entities has been negotiated by the Department of Economic and Property Development. The proposed Lease will contain the following major terms and provisions:

- Lessor: Eddie N. John #1, a limited liability company.
- Lessee: City of Long Beach.
- Leased Premises: Approximately 12,000 rentable square feet of industrial space located at 6845 Atlantic Avenue.
- Use: The Leased Premises shall be used as a temporary winter shelter.
- Term: The term of the Lease shall commence November 2, 2015 and shall terminate on March 15, 2016 inclusive.
- Rent: The monthly base rent shall be \$6,000 and shall be prorated for any partial month.
- Utilities: The Lessor shall be responsible for all utilities for the Leased Premises.

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

- Sublessor: City of Long Beach.
- Sublessee: Long Beach Rescue Mission, and/or affiliated entities.
- 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 Gary Anderson on October 6, 2015 and by Budget Management Officer Victoria Bell on October 7, 2015.

City Council action is requested on October 20, 2015, to adopt the Resolution declaring a shelter crisis and to execute the Lease and Sublease to ensure the winter shelter is operational by November 2, 2015.

The Sublessee, the Long Beach Rescue Mission, shall pay base rent to the City in the estimated amount of \$27,000 for the four and one-half month term of the Lease. The rent will be deposited to the General Fund (GF) in the Department of Health and Human Services (HE), and an appropriations increase in the same amount is included in the recommendation. The City will then pass through the same amount to the building owner, resulting in a net zero fiscal impact to the General Fund. There will be no local job impact associated with this recommendation.

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 6845 ATLANTIC AVENUE, IN THE CITY OF LONG BEACH, BETWEEN THE DATES OF NOVEMBER 2, 2015 AND MARCH 15, 2016, INCLUSIVE

KELLY COLOPY  
DIRECTOR HEALTH AND HUMAN SERVICES

MICHAEL P. CONWAY  
DIRECTOR OF ECONOMIC AND PROPERTY DEVELOPMENT

APPROVED:

PATRICK H. WEST  
CITY MANAGER