Legislation Text

File #: 13-1015, **Version:** 1

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, 2013 and March 15, 2014, inclusive; and

Authorize City Manager to execute any and all documents necessary for a Lease between the Long Beach Rescue Mission Foundation and/or Eddie N. John, an individual, as successor-in-ownership (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 $6,000 for use as a winter shelter, and increase appropriations in the General Fund (GP) in the Department of Health and Human Services (HE) by $21,000. (District 9)

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 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 current owner is the Long Beach Rescue Mission Foundation, which is currently in escrow for its sale of the Site. The prospective purchaser is Eddie N. John, who has committed to leasing the Site for this year's Winter Shelter Program.

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. 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 1st - March 15th, inclusive).

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 2013-2014 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 main goal of the Winter Shelter Program is to increase the number of emergency shelter beds available throughout Los Angeles County during the winter months (December through March) each year.

The Winter Shelter Program, funded and managed by the County of Los Angeles, 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 Long Beach Rescue Mission Foundation, the City of Long Beach and, the Long Beach Rescue Mission, and/or affiliated entities has been negotiated by the Asset Management Bureau of the Department of Public Works. The proposed Lease will contain the following major terms and provisions:

• Lessor: Long Beach Rescue Mission Foundation and/or Eddie N. John, an individual, as successor in ownership.

• Lessee: City of Long Beach.

• Leased Premises: Approximately 12,000 rentable square feet of industrial space located at 6845 Atlantic Avenue.

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• Use: The Leased Premises shall be used as a temporary winter shelter.

• Term: The term of the Lease shall commence December 1, 2013 and shall terminate on March 15, 2014 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 Linda Vu on October 31, 2013 and by Budget Management Officer Victoria Bell on November 4, 2013.

City Council action is requested on November 19, 2013, to adopt the Resolution declaring a shelter crisis and to execute the Lease and Sublease to ensure the winter shelter is operational by December 1, 2013.

The Sublessee, the Long Beach Rescue Mission, shall pay base rent to the City in the estimated amount of $21,000 for the three-month term of the Lease. The rent will be deposited to the General Fund (GP) 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 is no local job impact associated with this action.

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 DECEMBER 1, 2013 AND MARCH 15,2014, INCLUSIVE

KELLY COLOPY,
DIRECTOR, HEALTH AND HUMAN SERVICES

ARA MALOYAN, PE

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INTERIM DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER