

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: TIM MILLER, COMMANDER *TMM*
SUBJECT: THE IMPACT OF THE LOCAL HOMELESS POPULATION TO THE CITY OF GROVER BEACH

BACKGROUND

The purpose of this report is to provide the Council with information regarding the impact of the local homeless population on the City of Grover Beach. The City of Grover Beach has seen an increase in the homeless population over the past few years and with that increase there have been a number of negative impacts on the community in the form of increased illegal camping, trespassing, public intoxication and drinking alcohol in public, peace disturbances, pan handling, and loitering. In 2013, the Homeless Services Oversight Council (HSOC) conducted a Point-In-Time (PIT) count of the homeless population in San Luis Obispo County. The count found 2,186 homeless people in a single 24-hour. They estimate as many as 3,497 people in the county are homeless at some point over a course of a year. The homeless are generally categorized into three groups. Those who are willing to accept help and make life style changes, those that are unable to seek help due to mental health problems or addiction, and those that are unwilling to accept help or make life style changes. The Police Department has held a number of community meetings as well as taken numerous complaints regarding these issues and is providing information to Council for further direction.

DISCUSSION

The exact number of homeless individuals in Grover Beach is presently unknown. The issues created by this population have had a negative impact on the City, generating a significant number of calls for service for law enforcement. The majority of these calls for service are related to vagrants who typically are either resistive to making life style changes or suffer from mental illness or addiction. The homeless population, referred to as "vagrants", includes those who have no place to live, no job, who ask people for money, and who wander idly from place to place without lawful or visible means of support. These vagrants are responsible for a majority of the calls for service handled by the Grover Beach Police Department in the W. Grand Avenue corridor.

The area of the city most impacted by these vagrants is the W. Grand Avenue corridor and the Ramona Garden Park area. For the purpose of this report, the W. Grand Avenue corridor includes W. Grand Avenue, from Oak Park Boulevard to Highway 1, and between Ramona Avenue and Rockaway Avenue. The vagrants are attracted to the W. Grand Avenue corridor because they are able to obtain a variety of free services as well as patronize businesses to

APPROVED FOR FORWARDING



ROBERT PERRAULT
CITY MANAGER

Please Review for the Possibility of a Potential Conflict of Interest:

- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> None Identified by Staff | <input type="checkbox"/> Bright |
| <input type="checkbox"/> Peterson | <input type="checkbox"/> Marshall |
| <input type="checkbox"/> Lee | <input type="checkbox"/> Nicolls |

purchase food, drinks, and alcohol. The area around these businesses continues to be a good place to pan handle because of the higher density of pedestrians and the fact that members of the community continue to give them money.

The Ramona Garden Park area is a convenient location for them to congregate as it is in close proximity to the businesses along W. Grand Avenue and they are able to get free food every day from the Peoples Kitchen. Peoples Kitchen has been serving food daily to the food challenged in town for many years, serving at various locations throughout the city. Peoples Kitchen has not been able to secure a permanent location to serve food and has moved to different locations throughout their tenure. Peoples Kitchen was denied a use permit in 2013 to operate in the 200 block of S. 16th Street due to the determination that the site was not suitable for this type of service and that the type, density, and intensity of use being proposed constituted a hazard to the public interest, health, safety, and welfare. Since that time they have been serving meals to the food challenged at the Ramona Garden Park, S. 16th Street Park, as well as a location in Oceano. The meal service at the Ramona Garden Park has given additional enticement for the vagrants in this area to frequent the park more regularly and remain on site before and after the food service. The prolonged presence of the Peoples Kitchen clientele has generated additional concerns from the community surrounding the Park, translating into increased calls for service to the Police Department.

In 2013, the Grover Beach Police responded to numerous complaints regarding vagrants. The complaints were caused by illegal camping, pan handling, trespassing, interfering with businesses, causing disturbances, littering, public intoxication, drinking in public, public urination, and public defecation. The Police Department responded to Ramona Garden Park for 159 calls for service related to vagrants in response to complaints from the community in 2013. In addition to the calls for service, Police Officers conducted 328 officer initiated security checks for a total of 487 calls for service just for Ramona Garden Park. Officers arrested 93 vagrants for public intoxication in 2013 with 86 of those arrests occurring along the W. Grand Avenue corridor and the Ramona Garden Park. Vagrants accounted for approximately 62% of our overall public intoxication arrests. Vagrants also accounted for 40 trespassing arrests and 40 warrant arrests.

Despite the Police Department's efforts, vagrant activity continues to impact the W. Grand Avenue corridor and Ramona Garden Park. Between January 1, 2014 and June 24, 2014, Police Officers have responded to the Ramona Garden Center for 202 calls for service and have conducted 251 officer initiated security checks. At this rate, the calls for service are expected to increase over 150% for 2014. Officers have arrested 47 vagrants for public intoxication with 11 of those occurring at Ramona Garden Park. This accounts for 70% of the public intoxication arrests during this time period, an increase from 2013. Warrant arrests regarding vagrants for the first six (6) months of 2014 have already exceeded that from 2013.

Calls For Service comparison relating to Vagrant issues from 2013 to 6 months of 2014:

	6 months	
	<u>2013</u>	<u>2014</u>
Calls For Service	159	202
Officer Initiated	328	251
Drunk in Public arrests at Park	7	11
Drunk in Public arrests on W. Grand	86	47
Trespassing arrests	40	5
Warrant arrests	40	41

There are two general areas in Grover Beach on the outskirts of our city where vagrants are staying; one is in the wooded area to the south of the El Camino Real just east of the Oxford Inn and along the creek, and the other in the wooded area east of Highway 1 and south of the Grover Beach Train Station. These illegal camps are hidden from public view and therefore do not generate a high volume of calls for service from the public. There are concerns regarding these sites due to the environmental impact caused from garbage and human waste, unreported criminal activity, and the fire hazard from transient camp fires. The Five Cities Fire Authority has responded to two (2) brush fires in the woodland area along Highway 1 in 2013 and three (3) additional brush fires to date this year. It is expected that the Train Station expansion project scheduled for 2016 would eliminate the wooded/encampment area south of the Train Station.

The volume of complaints and calls for service from the community, and the criminal conduct by the vagrants within the homeless population, has had a significant impact on the Police Department's resources. A majority of the criminal conduct is committed by repeat offenders. The Police Department has attempted to reduce criminal activity by implementing a zero tolerance policy for violations on the W. Grand Avenue corridor and the Ramona Garden Park areas. Actions as a result of this policy include more security checks and patrols of these areas.

A large number of vagrant arrests are for public intoxication and alcohol violations. The Police Department has been working with the District Attorney's Office to place the repeat offenders on probation in order to assist Police Officers in preventing them from possessing alcohol and getting intoxicated. The Police Department has also been working with Alcohol Beverage and Control (ABC) to ensure that all local businesses are complying with alcohol sales regulations. The concept is to help the businesses identify the problems impacting our community with continued sales of alcohol to the vagrants and the prevention of sales to intoxicated persons in violation of state laws.

The impact of the homeless population within Grover Beach is not unique to Grover Beach and is not only a law enforcement issue, but a community issue. Community complaints regarding the homeless population are not always related to criminal conduct but include social issues that surround the problem. It is not illegal by state law or by City Ordinance to panhandle, loiter, or hang out in the park.

On April 8, 2014, the Police Department held a community meeting at the Ramona Garden Center to discuss the issues and impacts of the vagrants to the city. There were 80-90 people in attendance at the meeting with a lot of participation. Citizens expressed a great amount of concern regarding the impact the transients are having on the community, specifically the area around Ramona Garden Park. Notes from the meeting were taken by Duke and Lori Sterling and compiled (Attachment 1). There was a lot of concern specifically regarding Peoples Kitchen being allowed to feed the homeless at the Ramona Garden Park on a daily basis. Community members brought up issues at the meeting such as:

- aggressive panhandling,
- aggressive dogs,
- disturbances,
- disrespectful behavior,
- intoxicated vagrants,
- drug activity,
- garbage and used syringes being left behind,
- why Peoples Kitchen doesn't have to rent the park like everybody else,
- additional influx of mentally ill people,
- the control and/or removal of outside electrical outlets at park, and
- the need for more bathrooms due to the number of people who now visit the park.

In addition to comments received at the meeting, staff has received additional complaints regarding disrespectful people at the park and in vehicles at lunch time, fights, yelling, screaming and off color language. During the community meeting people also expressed concerns about some of the aggressive dogs that have been in the park. This has been an issue in the past, not just at Ramona Garden Park. The County adopted an ordinance in 2012 dealing with the problems associated with menacing and aggressive animals and has asked that each city also adopt an ordinance in order to make animal control enforcement consistent throughout the County. In general, members of the community commented that they no longer felt safe at the park and that the park was no longer usable by all families and children of the community.

Staff presented updated information to the Parks, Recreation & Beautification Commission on August 21, 2014 and received feedback from the Commission regarding issues surrounding Ramona Garden Park. There have been a number of complaints from people who rent or want to rent the facilities at the Ramona Garden Center. Some people have either not rented the facility due to these issues or have asked for their money back because of the problems they encountered while using the facilities. The loss in revenue is directly due to the type of behavior going on in the park. Rentals are down about 12% and revenue is down about \$7,000.

In general, the Parks, Recreation & Beautification Commission is very frustrated with what is occurring at the park. The Commission stated that the park is not being used for what it was intended to be used for when it was built. The Commission stated that currently the community in general does not feel safe to go to and use the park. They believe that the City should tighten up the rules and better control how the park is used, specifically regulating the feeding of large groups at the park. The Commission would support an ordinance that regulates the permitting process with specific rules that apply to all parks and park users so that everybody in the community can equally enjoy the City's park.

Some potential ideas gathered from the community and the Parks, Recreation & Beautification Commission that may help mitigate the problems caused by the vagrant population the City is experiencing have been discussed over the last couple months and are identified below: As the Council considers each of these alternatives, it will be important to consider the staff time and effort required to move forward towards implementation as well as unintended consequences that may be identified when presented in the future.

- 1) Establish a city ordinance that requires a permitting process for specific uses at City parks. The ordinance could set parameters for the general use of the parks by groups. The purpose would be to govern how and what the parks can be used for, to help alleviate some of the concerns recently expressed by the community, and to establish set guidelines for park use and rental of the public facilities. A few conditions that might be included in an ordinance that have been discussed were: use of City parks by large groups will be governed by permit; the restriction of the number of people that can use the parks without first obtaining a permit; if a permit is issued, require security before, during, and after the event as necessary; restrict large groups to only a few permitted events a year; require insurance; permits would allow the ability to set park rules that would need to be met; establish food and health standards for the types of food services allowed; and pay a fee for use of the park similar to fees established for the use of other park facilities. Research of laws and court cases would need to be conducted and brought back to Council for consideration before any implementation of an ordinance.

- 2) Establish a city ordinance governing aggressive animals to address the complaints and concerns from the community regarding threatening animals. The County has, as have other cities, already established a menacing and aggressive animal ordinance which our City may consider adopting.
- 3) Establish an ordinance restricting aggressive pan handling. Although there already is a state law addressing aggressive pan handling, the ordinance would define "aggressive" and provide an additional enforcement tool when officers respond to complaints from the community. The City of Paso Robles has recently established such an ordinance.
- 4) Establish a Feed The Meter Program. This program would install collection meters at specific locations along the W. Grand Avenue corridor for people to make donations to the homeless. This would provide an alternative means for the public to make donations to the homeless, hopefully reducing pan handling. San Luis Obispo has recently begun a two-year pilot program that uses meters to collect donations for the Prado Day Center.
- 5) Install surveillance cameras at the Ramona Garden Park area that could be monitored by the Police Department. Surveillance cameras could assist in providing a more effective police response, could be used as evidence in investigations of criminal activity, as well as be a deterrent to criminal activity. Staff has already identified a funding source by partnering with the Regional Transit Authority.
- 6) Establish a program to eradicate the transient encampments in the wooded area along Highway 1 south of the train station and along El Camino Real. This program would need to include some relocation assistance as well as additional enforcement support. A program would also need to include steps to prevent the encampments from returning.

It is not expected that the above options will completely eliminate the transient and vagrant problems facing our City. However, a multifaceted approach could be considered to reduce the impacts to the community.

ALTERNATIVES

The Council has the following alternatives to consider:

1. Receive and file the information.
2. Direct staff to bring back to Council further information or draft ordinances regarding permitting activities at the City parks, menacing and aggressive animals, and/or aggressive pan handling for Council consideration.
3. Direct staff to obtain, install and monitor surveillance cameras at Ramona Garden Park and bus transit area.
4. Direct staff to develop a program to eradicate the transient encampments along Highway 1 and the El Camino Real areas.
5. Direct staff to develop a Feed the Meter program.
6. Provide additional direction to staff.

RECOMMENDED ACTION

It is recommended that the Council receive this report and provide direction to staff.

FISCAL IMPACT

The fiscal impact will depend on what direction the Council provides staff. Should direction be given to draft any of the listed ordinances or programs, the impact will be staff time. Costs for implementation of any ordinance or program will be identified when that ordinance or program comes back before the Council for consideration. Costs associated with a program for the encampment eradication, video surveillance, and the Feed the Meter program have yet to be determined.

PUBLIC NOTIFICATION

The agenda was posted in accordance with the Brown Act. A copy of this report was sent to Betsy Ehrler, Peoples Kitchen; Duke Sterling, Business owner; and Janna Nicholls of 5Cities Homeless Coalition.

Attachments

1. Notes from the Grover Beach Community Meeting on April 8, 2014.

SUGGESTIONS FROM GROVER BEACH COMMUNITY MEETING 04/08/14
REGARDING VAGRANT POPULATION

- 1) Questions pertaining to the specifics of what constitutes aggressive panhandling.
- 2) Concerns about profiling vagrants from a homeless individual.
- 3) Concerns about aggressive dogs.
- 4) Do dogs need to be registered in the county? If not, can they be taken?
- 5) Desire for homeless shelter so people do not have to break the law.
- 6) Why has the problem with vagrants increased on Grand Avenue and Ramona Park? a) concerns about feeding people, b) economy, c) lots of services that enable people, d) need for more services for the homeless population.
- 7) Concern regarding disrespectful behavior (swearing, fighting, littering, smoking, etc.) which causes people to not want to bring their children to the park.
- 8) What can citizens do as voters to help the police department fix the judicial system?
- 9) Why can't Peoples Kitchen (PK) be moved to a private property so it can be more closely monitored?
- 10) If you go on the Grover Beach website (Parks & Rec) it has specific requirements to rent the park. Why is PK not subject to an application, staff review and fees?
- 11) Possible location for PK is the storage area on county land south of the train tracks.
- 12) Concerns about feeling safe in the park.
- 13) Why is PK not subject to county health standards (a health permit) as every other food service is subject to?
- 14) Why can't we move the PK service every 3 months so everyone can share in this service? Neighbors have no choice & want relief from the impacts of PK. PK affects rental/home values if in 1 area without changing locations.
- 15) 366 homeless (Lucia Mar) families & children. a) focus on them and not the "frequent fliers", b) identify those in need, c) many people in need, not just the 20-25 "frequent fliers", d) need to reach out to all in need.
- 16) Concerns about vagrants on personal residential properties and the safety of small children that may be at home. Pictures taken of man urinating in public & trash.
- 17) Concerns about the mentally ill population.
- 18) Discussion whether PK was to originally be a mobile operation and move their service from city to city.
- 19) Have more public bathrooms in GB. Have more trash cans in GB. These may be possible solutions.
- 20) Concerns about there being a larger number than 20-25 of the "problem" vagrants. GB has been too lenient with regards to transients.
- 21) If people are mentally ill/dangerous, they need to be taken off the streets.

- 22) Concerns that someone is going to get hurt in the community from an aggressive vagrant.
- 23) Concerns about people breaking into unoccupied businesses/houses.
- 24) How do we advocate to check on the welfare of the mentally ill and take them and their dangerous behaviors off the streets?
- 25) Can the location of the transit center (Ramona Park) be changed?
- 26) Homeowners want PK , PK advocates and the City of GB to understand what they have to deal with every day. They have a broken spirit.
- 27) Many parents spoke of various concerns for their children (from vagrants they observed being fed by PK) in regards to public urination, going through trash, safety, etc. They have a right to feel safe in their neighborhood.
- 28) Suggestion: Need good communication block to block (neighborhood watch). Talk to neighbors about problem vagrants. Make life miserable/uncomfortable for the "frequent fliers" so they either go away or get help.
- 29) Can PK feed the homeless at the encampments rather than bringing this service to the business/residential community?
- 30) Taxpayers can not enjoy the park.
- 31) People parked at Ramona Park 24 hours per day.
- 32) Concerns that PK is feeding people that are violent as evidence by homeowners witnessing fighting in public and seeing these same people fed.
- 33) Concerns about violent criminals and/or sex offenders in our community being fed by PK.
- 34) Community member questioned why an officer (or security guard) was not required during the feeding at PK. Security guards are required for other park events (with a minimum of 25 people?).
- 35) Homeless individual indicated he appreciates the services provided in the park.
- 36) Why does GB allow feeding at the park when the State Parks does not?
- 37) Are all the PK volunteers who bring the food a public nuisance?
- 38) Are there any city ordinances regarding feeding in the park?
- 39) Can we identify the aggressive vagrants and have someone direct them to help?
- 40) Is the City of GB working with PK to identify these people?
- 41) Is the City of GB communicating with PK about these issues?
- 42) Exploration Station is now discouraging teachers from coming in the late afternoon due to a problem few. They do, however, support PK.
- 43) Business owner needed to remove a bench in front of his business. His customers/employees felt unsafe.

- 44) Can citizens take pictures of vagrant issues and give them to the police? This may help stop behavior as police can keep a record of vagrant behavior affecting our community.
- 45) Chamber work with GB regarding helping promote business and family involvement on Grand Avenue. This is not a safe area for families.
- 46) Control outdoor power outlets at the park as these outlets promote a gathering place (cell phone charging, radios, etc.).
- 47) Concerns about people grooming/bathing at the park. Concerns about fighting. Vagrants in the park all day from 6am-10pm.
- 48) If police calls for service have increased at every location in which PK has operated and PK was denied a permit at their most recent location (with litigation threatened by neighboring businesses) why is PK allowed to operate in a residential community at Ramona Gardens Park?
- 49) If theft is a crime, the police should confiscate shopping carts (when in use and abandoned) as this is theft and an eyesore for our community.
- 50) One community member liked the idea of having an officer patrol the park.