

City of Santa Paula

City Council

MAYOR LESLIE CORNEJO
VICE MAYOR PEDRO A. CHAVEZ
COUNCILMEMBER JENNY CROSSWHITE
COUNCILMEMBER CARLOS JUAREZ
COUNCILMEMBER ANDY SOBEL



CITY COUNCIL SPECIAL MEETING OF THE SANTA PAULA CITY COUNCIL

WEDNESDAY, AUGUST 21, 2024

4:00 PM - City Council Special Meeting

SANTA PAULA CITY HALL
970 VENTURA STREET
SANTA PAULA, CA 93060

JULIE LATSHAW, CITY CLERK
DAN SINGER, CITY MANAGER
MONICA CASTILLO, CITY ATTORNEY

BRINGING ITEMS BEFORE THE CITY COUNCIL

You are invited to participate in all Regular City Council meetings. Agendas are posted in the front of Santa Paula City Hall, 970 Ventura Street, Santa Paula, 72 hours in advance of the scheduled meetings. The City Council's regular meetings start at 6:30 p.m. the first and third Wednesday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula. Special and Closed Sessions vary by date and time.

HOW TO PARTICIPATE IN PERSON DURING THE MEETING: If you wish to speak at a City Council meeting, please fill out a **Public Comment Form** noting your name and address and submit the form to the City Clerk. Include the Agenda item number you wish to speak on. Members of the public may address the Council on items on this agenda only. **Public Comments are limited to 3 minutes.**

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence on any agenda item by sending an email to cityclerk@spcity.org. All public correspondence received by three hours before the meeting date will be provided to the legislative body before the meeting. Public Comments received after, will be provided to the legislative body the next day.

Your Participation in this meeting is in the public domain; meetings are cablecast; minutes of this meeting will reflect your participation in this meeting and are posted on the city's website.

PLEASE NOTE: Be advised that if you bring a legal challenge to an action, you may be limited to raising only those issues you or someone else raised at the meeting described in this Agenda, or in written correspondence delivered to the City Council at or before the meeting. Any action is subject to the ninety-day time period set forth in Code of Civil Procedure § 1094.6.

In compliance with the **Americans with Disabilities Act**, if you need special assistance to participate in this meeting, please contact the City Clerk at (805) 933-4208. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35, 102-35.104 ADA Title II). Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office.

SPECIAL MEETING - COUNCIL CHAMBERS

1. CALL TO ORDER

REMINDER: in order to minimize distractions during public meetings, all personal communication devices should be turned off or put in a non-audible mode.

2. ROLL CALL

3. PUBLIC COMMENT

At this time, members of the public may comment on any item appearing on the agenda only. Individual Councilmembers may briefly respond to Public Comments or ask questions for clarification. **Public Comments are limited to three minutes.**

4. CITY BUSINESS

4.A STUDY SESSION - RESPONSE TO GRANTS PASS v. JOHNSON SUPREME COURT DECISION ON UNHOUSED PERSONS IN PUBLIC SPACES

RECOMMENDATION:

Discuss potential City response to unhoused individuals in public spaces.

5. CLOSED SESSION

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section 54956, et seq.) for the following purpose:

5.A CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO

GOVERNMENT CODE § 54956.8 - Property: 1430 Santa Clara Street (91,590 square feet); Ventura County APN: 104-0-220-115; Agency Negotiator: James Mason, Community and Economic Development Director; Negotiating Parties: City of Santa Paula, CEMEX and Santa Paula Materials; Under Negotiation: Price and Terms of Lease

6. CLOSED SESSION REPORT

7. ADJOURNMENT

State of California)-

County of Ventura)- ss

City of Santa Paula)-

I declare under penalty of perjury that I posted this City Council Agenda on the bulletin board near the front door of City Hall, 970 Ventura Street, Santa Paula, California.

On _____, at _____ Signed: _____

Julie Latshaw

City Clerk

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Caesar Hernandez, Management Analyst

Subject: STUDY SESSION - RESPONSE TO *GRANTS PASS v. JOHNSON*
SUPREME COURT DECISION ON UNHOUSED PERSONS IN PUBLIC
SPACES

Date: August 21, 2024

Agenda Item: 4.A

RECOMMENDATION:

Discuss potential City response to unhoused individuals in public spaces.

BACKGROUND:

On June 28, 2024, the Supreme Court reversed the U.S. 9th Circuit Court of Appeals decision in the case of *Johnson v. Grants Pass* (9th Cir. 2022) 50 F.4th 787, setting precedent that public agencies may now enforce local laws restricting sleeping and/or camping in public space, regardless of the availability of shelter options. This staff report includes a summary of this ruling, how enforcement may be implemented, and how City Council recommendations will be incorporated into the City of Santa Paula's current homelessness response.

Overview

This decision overturns the previous legal precedent set by the 9th Circuit in *Martin v. Boise* (9th Cir. 2019) 920 F.3d 584, which ruled that enforcement of ordinances restricting camping or sleeping in public spaces without first offering adequate, available shelter options constituted a violation of the U.S. Constitution's Eighth Amendment cruel and unusual punishment clause. While this ruling does not mandate any action by local jurisdictions nor provide additional resources or funding towards homelessness response, it does enable cities and other public agencies to exert full discretion on enforcement of any anti-camping ordinances. In Santa Paula, this enforcement mechanism will be used as an additional tool when appropriate, while continuing to apply a human-centered approach to addressing homelessness.

The City has been, and will continue to invest in proven long-term solutions, including meeting basic needs, providing supportive services, and providing immediate access to temporary and permanent housing. Though widespread issuance of citations or arrests solely for violations of the illegally occupying public spaces may impact the reduction of the overall rates of homelessness, and could create additional barriers for people to access housing and services, they also can be used as a tool to address locations where there is a threat to public health or safety and when other solutions are not working. Despite the absence of an anti-encampment

ordinance, existing City ordinances would be enforced including Parking Hours, Sidewalk Encroachments, the Prohibited Use of Streets for Vehicle Storage, and Nuisance Abatements. In the meantime, Staff can verify that all required signage is posted on public property including parks.

Priority Areas

The City also remains committed to ensuring all residents of Santa Paula and visitors alike have access to and use of crucial public resources. The additional enforcement mechanism will be incorporated into the City's interdepartmental (SPPD, C&EDD, Public Works & Parks & Rec) approach to resolving encampments that pose significant and persistent obstruction to use of public resources like parks, libraries, businesses and public spaces. Once identified, these specific areas will be subject to an engagement effort, including offers of supportive services and shelter, clean-up protocols, and notification that the area needs to be vacated. Enforcement may be used as a means of dispersing encampments in specific areas if other outreach and service provision measures prove ineffective.

Identification of these sites will be based on the following criteria:

- Encampment(s) causing significant and persistent obstruction of access or use of crucial, highly used public resources and space, such as parks, libraries, businesses. Significant obstruction would result in the inability of the public to use a space or resource as intended.
- Encampment(s) taking up a significant amount of space relative to the overall space available.
- Priority problematic areas as identified by consistent community and Council input where other methods of outreach and services have not been effective.
- Activities or characteristics representing significant public health or safety concerns, including observed behaviors.

Governor's Executive Order

On July 25, 2024, the Governor's Office issued an Executive Order N-1-24 directing state agencies to address homeless encampments on state property with a similar approach of services. However, this is not a mandate for local governments. Caltrans has confirmed that currently no Priority 1 encampments exist in Ventura County. [The executive order](#) declares all California agencies and departments should implement policies with these key points in mind:

- When possible, assess the site prior to removal to determine if the encampment indeed poses an immediate threat, danger to life, health, safety, or infrastructure, requiring urgent removal.
- If the immediate danger is present, provide as much advance notice to vacate as possible.
- If immediate danger is not present, post a notice to vacate the site at least 48 hours prior to removal.

- Reach out to homeless services to request assistance for individuals at the encampment.
- Collect, label, and store any personal property found at the encampment for 60 days unless it poses a health or safety risk.

Temporary Encampment Strategy & Other Resources

In response to the Grants Pass Decision and the Governor's Executive Order, the abatement of homeless encampments has been deferred to the local jurisdictions. To appropriately and effectively implement the City's efforts, City Staff will work to identify an effective encampment strategy to address those unsheltered. This includes the following:

- Establish an overnight temporary camp for the unsheltered at the City-owned vacant parcel located at 1435 Harvard Blvd.
- City-owned parcel project would be part of a 120-day pilot trial.
- The vacant parcel would be designated for the City's Safe Sleep Program initiative.
- Staff would identify and minimize ongoing operational costs.

City Staff will coordinate with Spirit's Harvard Navigation Center to conduct outreach and engagement at the temporary encampment, building trust with case workers to successfully connect the person(s) to supportive services. This will include an assessment of basic needs (food, water, and immediate medical care), an offer of emergency shelter as available, and an offer of case management services to work towards available permanent housing resources. Misdemeanor citations for violations of the City's anti-camping ordinance may be issued after multiple attempts of outreach and engagement.

The approved FY 24-25 Budget does not include funding resources towards the ongoing operations for the proposed Safe Sleep Program. One-time costs associated with any site improvements could be programmed from some of the City's allocation of unused ARPA funds.

Other Resources:

- Establish a Safe Park Program initiative to provide individuals and families experiencing unsheltered homelessness, and residing in their personal or recreational vehicles, with a safe and secure location to park. This may be coordinated with a local faith-based organization with the use of their parking lot or available parking spaces.
- Continue to expand affordable housing resources in order to increase availability for the shelter system.
- Request additional vouchers and/or shelter capacity to provide credible offers of interim housing to those from those identified areas.
- Increase partnerships with community and faith-based organizations who may provide additional shelter capacity.

Additionally, City Staff will continue to pursue additional funding resources, such as grants, that may provide additional interim and permanent housing resources to expand capacity. City staff will also continue advocacy at the County, State, and Federal level for additional resources, including additional rounds of Encampment Resolution Funding.

City Staff is monitoring the approach of surrounding cities and continue to advocate to maintain a service-based approach to the regional homelessness crisis. Staff would avoid any enforcement designed to criminalize and push out residents experiencing homelessness and thus irresponsibly propagate the problem to other jurisdictions without offering housing or services.

Next Steps

Once again, City Staff is inquiring for policy direction from City Council and any recommendations. Staff will also provide an update after 120 days and include a presentation to City Council, reviewing the impact of the City's approach through qualitative and quantitative data with adjustments as needed. Staff believes the approach identified above is in alignment with the law, and in alignment with best practices that resolve homelessness as opposed to merely addressing symptoms of homelessness yet will provide additional tools to address some very difficult situations and encampments the City is facing.

ANALYSIS:

STRATEGIC PLAN:

FISCAL IMPACTS:

OPTIONS:

ATTACHMENTS:

[Governor EO N-1-24.pdf](#)

[NBC Article_Homeless.pdf](#)

[CC Study Session PwrPt_8-21-2024.pdf](#)

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-1-24

WHEREAS California is experiencing a homelessness crisis decades in the making, with over 180,000 people estimated to have experienced homelessness on any given night in 2023, including 123,000 people who experienced unsheltered homelessness, living in tents, trailers, and vehicles across the state; and

WHEREAS within the first year of my Administration I fast-tracked the development of shelter through Executive Order N-23-20, which directed departments to assess and facilitate the use of available state land and resources for short-term emergency homeless shelters; and

WHEREAS since the beginning of my Administration, the State has made unprecedented investments to address the homelessness crisis head on, investing more than \$24 billion across multiple state agencies and departments, including \$4.85 billion in flexible funding to local jurisdictions to prevent and reduce homelessness through Homeless Housing, Assistance and Prevention grants, \$1 billion in Encampment Resolution Funding to assist local jurisdictions in providing services and supports to people living in encampments, and \$3.3 billion to rapidly expand housing for persons experiencing homelessness through Homekey; and

WHEREAS the State has redoubled its commitment to holding local jurisdictions accountable to reduce homelessness, including by strengthening and enforcing requirements that local jurisdictions plan for their fair share of housing and by conditioning state homelessness funding on rigorous reporting and measurable performance metrics; and

WHEREAS it is imperative to act with urgency to address dangerous encampments, which subject unsheltered individuals living in them to extreme weather, fires, predatory and criminal activity, and widespread substance use, harming their health, safety, and well-being, and which also threaten the safety and viability of nearby businesses and neighborhoods and undermine the cleanliness and usability of parks, water supplies, and other public resources; and

WHEREAS while every jurisdiction must do more to address encampments, state and local agencies taking proactive steps to remove encampments have been stymied in those efforts by lawsuits and injunctions, leaving officials without the tools or guidance necessary to address the crisis on their streets; and

WHEREAS in September 2023, I called on the United States Supreme Court to grant review in *City of Grants Pass v. Johnson* to clarify that state and local officials can take reasonable actions to resolve encampments while respecting the humanity of all Californians; and

WHEREAS in June 2024 the Supreme Court overturned Ninth Circuit Court of Appeals precedent that restricted the government's authority to enforce laws regulating encampments, recognizing that jurisdictions may tailor their enforcement practices to reflect policy-driven approaches to addressing homelessness; and

WHEREAS with the threat of these types of injunctions removed, there is no longer any barrier to local governments utilizing the substantial resources

provided by the State, in tandem with federal and local resources, to address encampments with both urgency and humanity, or excuse for not doing so; and

WHEREAS guidelines that prioritize offers of shelter and services as a first step to resolving any encampment best respect the dignity of every Californian and provide meaningful paths to ending homelessness; and

WHEREAS the California Interagency Council on Homelessness leads California's efforts to prevent and end homelessness; and

WHEREAS the California Department of Transportation maintains a policy directive that prioritizes removal of encampments that pose threats to life, health, and safety, while partnering with local governments and nonprofit providers to facilitate offers of shelter and supportive services in advance of a removal; and

WHEREAS the California Department of Transportation has, since July 2021, removed 11,188 encampments and 248,275 cubic yards of debris from these encampments along the state rights of way.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

- 1) Agencies and departments subject to my authority shall adopt policies, generally consistent with California Department of Transportation's Maintenance Policy Directive 1001-R1, to address encampments on state property, including through partnerships with other state and local agencies, and shall prioritize efforts to address encampments consistent with such policy. Such policies shall include the following:
 - a. Whenever feasible, site assessment in advance of removal operations to determine whether an encampment poses an imminent threat to life, health, safety or infrastructure such that exigent circumstances require immediate removal of the encampment.
 - b. Where exigent circumstances exist, as much advance notice to vacate as reasonable under the circumstances.
 - c. Where no exigent circumstances exist, posting of a notice to vacate at the site at least 48 hours prior to initiating removal.
 - d. Contacting of service providers to request outreach services for persons experiencing homelessness at the encampment.
 - e. Collection, labeling, and storage for at least 60 days of personal property collected at the removal site that is not a health or safety hazard.
- 2) All departments and agencies not under my authority are requested to adopt policies consistent with the guidelines in Paragraph 1.
- 3) Local governments are encouraged to adopt policies consistent with this Order and to use all available resources and infrastructure,

including resources provided by the State's historic investments in housing and intervention programs where appropriate and available, to take action with the urgency this crisis demands to humanely remove encampments from public spaces, prioritizing those encampments that most threaten the life, health, and safety of those in and around them.

- 4) The California Interagency Council on Homelessness shall develop guidance and provide technical assistance consistent with this Order for local governments to follow in implementing their local homelessness programs.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
California to be affixed this 25th day
of July.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, Ph.D.
Secretary of State

POLITICS NEWS

'It's mayhem and craziness': Californians react to Gavin Newsom's order to remove homeless encampments

Local officials and advocates are divided over how to respond to the directive, which has left homeless people without a clear idea where they will wind up.



— A homeless encampment in San Diego on July 27.

Ariana Drehsler / Bloomberg via Getty Images file

Aug. 10, 2024, 4:00 AM PDT / Updated Aug. 10, 2024, 7:08 PM PDT

By Elleiana Green

Local officials and advocates in California are divided over [Gov. Gavin Newsom's recent executive order](#) requiring state agencies to remove homeless encampments on public property, leaving the homeless community caught in the middle and uncertain where they will go.

In June, [the Supreme Court ruled](#) that punishing homeless people for sleeping on public property does not violate the Eighth Amendment's prohibition against cruel and unusual punishment. [According to an assessment provided to Congress last year by the Department of Housing and Urban Development](#), there were about 180,000 homeless people across the state, making California's homeless population one of the highest in the nation along with New York's, Florida's and Washington's.

In an effort to [address the rising levels of homelessness](#), Newsom, a Democrat, [ordered state agencies](#) to adopt plans to remove homeless encampments across the state – one of the most direct reactions to the Supreme Court's decision and a path other states could soon follow.

While local governments are not forced to comply, Newsom said in a press conference on Thursday that he will withhold funding from cities and counties for not clearing encampments next year.

Newsom has pointed out that his administration has invested billions across multiple state agencies to provide services to homeless people, including more than \$9 billion for programs aimed at helping local governments move them out of camps and into housing. The investments – as well as the new authority that the Supreme Court gave to cities – will provide the tools needed to carry out the order, he said.

“No more excuses,” [Newsom said in a July 25 post](#) on X. “We’ve provided the time. We’ve provided the funds. Now it’s time for locals to do their job.”

But members of the homeless community say they have nowhere to go.

“It’s absolute mayhem and craziness,” said Jeni Shurley, a member of the homeless community in Los Angeles.

“I honestly feel like I need to leave the country, because I have so desperately searched the entire country trying to find some kind of a solution, literally gone coast to coast,” she added.

Shurley, 48, said she has been homeless for the decade, holding down a string of temporary and itinerant jobs in one location or another in Oregon, Colorado, Louisiana, Missouri, Washington, D.C., and now California, while also suffering serious health problems.

After Newsom announced his executive order on July 25, Shurley said she considered moving to another country because she didn't want to be criminalized for being homeless.

"I have done everything I can, every program that's been offered," she said. "I've taken up on it, and I haven't gotten any assistance that I need whatsoever. I feel like I'm just a rock in the river full of money and I can't touch \$1 of it."

Last year, the state had about 71,000 shelter beds available – less than half of the more than 180,000 beds needed to shelter the state's homeless population, according to the [Public Policy Institute of California](#), a nonprofit, nonpartisan think tank, citing the HUD report. This shortage makes Newsom's order that much more challenging for localities.

Homeless shelters across the state will have to extend their services to accommodate the influx of people coming off the streets, but many say they don't have adequate resources, even with the state's investments.

Mission Action, which provides emergency shelter and advocates for homeless people in San Francisco's Mission District, said in a statement to NBC News that it's concerned the city doesn't have enough emergency shelter beds for the population living in encampments.

The organization's 91-bed adult emergency shelter was already at capacity before the order was announced, and another 80-bed family shelter has just four beds available, it said.

"If the city is unable to provide emergency shelter to those who need and want shelter, then essentially, we are criminalizing the very act of being unhoused," Laura Valdez, organization's executive director, said in the statement.

A Newsom spokesperson, however, told NBC News that the concerns over resources are misguided.

"Local governments have been provided ample funding to help address this issue within their communities," said Tara Gallegos, Newsom's deputy director of communications, echoing the governor's statement that there is no excuse for communities to neglect the encampments.

As shelters in the San Francisco area continued to be nearly full, Mayor London Breed announced a directive earlier this month to provide relocation support for homeless people, including bus tickets, to help them move elsewhere. Breed's office said she has expanded the number of shelter beds by over 60% during her tenure, but shelters across the city have continued to fill up rapidly as the city's homeless population has risen.

San Francisco, the state's fourth-largest city, which has municipal and county governments serving the same geography and population, [has about 8,300 homeless people](#).

Santa Clara County, home to the wealth of Silicon Valley and to the state's third-largest city, San Jose, had [nearly 10,000 homeless people](#), as of its latest count in 2023. San Diego County, which has the state's second-largest city, [has about 10,600 homeless people](#). And [Los Angeles County, home to the nation's second-largest city, has about 75,300](#).

In a move championed by Mayor Todd Gloria, the city of San Diego last year banned camping on sidewalks and launched Newsom-style sweeps that leaders and organizers in neighboring communities said [sent homeless people their way](#).

The Los Angeles County Board of Supervisors passed a motion stating that individuals taken from encampments will not be taken to jail, despite the potential for penalties or citations for noncompliance with Newsom's order.

"Simply having law enforcement performing campus sweeps, in my opinion, does nothing to deliver permanent and lasting results. It just shuffles the problem around, and that's why my constituents want permanent results," Los Angeles County Supervisor Kathryn Barger, a Republican, told NBC News.

For Barger, the permanent solution is housing, but the question remains whether the city is able to provide it.

Newsom's order is an extension of the work already being done in Los Angeles to remove encampments, but adds an extra layer of coordination between state agencies, she said. Barger added that the city was working to maintain the trust of the homeless community while working to dismantle the camps.

Other officials applauded Newsom for addressing the encampments with the executive order.

Sacramento Mayor Darrell Steinberg, a Democrat, said the governor's efforts to address mental health and homelessness are unlike anything he has seen done in the past 30 years.

Steinberg authored a bill as a state senator in 2004 aimed at taxing the wealthy to help provide mental health services to homeless people and others. Later approved by voters as a ballot initiative, the measure placed a 1% tax on personal incomes above \$1 million to fund such services across the state. But it did not provide direct funding for homeless shelters, which is the fundamental thing advocates and shelters say they're lacking following Newsom's order.

Despite concerns about resources, Steinberg says the governor's order mirrored what Sacramento has been trying to accomplish for years.

"People living in these large encampments, it's not safe, it's not healthy for them or for our community," he said.

His city was trying to combine "compassion and enforcement with aggressively adding more beds, more services and permanent housing for people," he said.

Last year, [the city saw a 29% decrease in homelessness](#) from the previous year, something Steinberg said is due to its commitment to address health and safety concerns across the community. While Sacramento has a smaller population than Los Angeles and San Francisco, the city also saw a 49% decline in unsheltered homelessness, one of the biggest drops across the state.

Still, Steinberg said they're not celebrating a victory given the number of people living in the streets. The order, he said, is a step "heading in the right direction."

"We just have to keep providing more alternatives for people, and people need to be willing to accept them," Steinberg said. "But it's not perfect, and I'm going to continue to argue and push in my city to make sure we have something for as many people as possible."

Elleiana Green

Elleiana Green is a Digital Politics intern with NBC News

Dennis Romero contributed.



Santa Paula
Citrus Capital of the World

COMMUNITY & ECONOMIC DEVELOPMENT / PLANNING DIVISION



HOMELESS ISSUES DISCUSSION

CITY COUNCIL STUDY SESSION

August 21, 2024

OVERVIEW

- WHY ARE WE HERE?
- SUPREME COURT: *GRANTS PASS* DECISION
- GOVERNOR'S EXECUTIVE ORDER
- CURRENT LAW ENFORCEMENT TOOLS
- TEMPORARY ENCAMPMENT STRATEGY
- SAFE SLEEP PROGRAM
- SAFE PARKING PROGRAM

WHY ARE WE HERE?

- Discuss the City's challenges to address the unsheltered in public spaces.
- Protect existing businesses, parks, libraries and maintain public places as a safe environment for residents and tourists in relation to encampment relocation.
- Inquire for any recommendations and direction from City Council.
- Reduce City's costs & provide basic amenities to the unsheltered not currently available.



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COMMUNITY & ECONOMIC DEVELOPMENT / PLANNING DIVISION

SITE PHOTOS

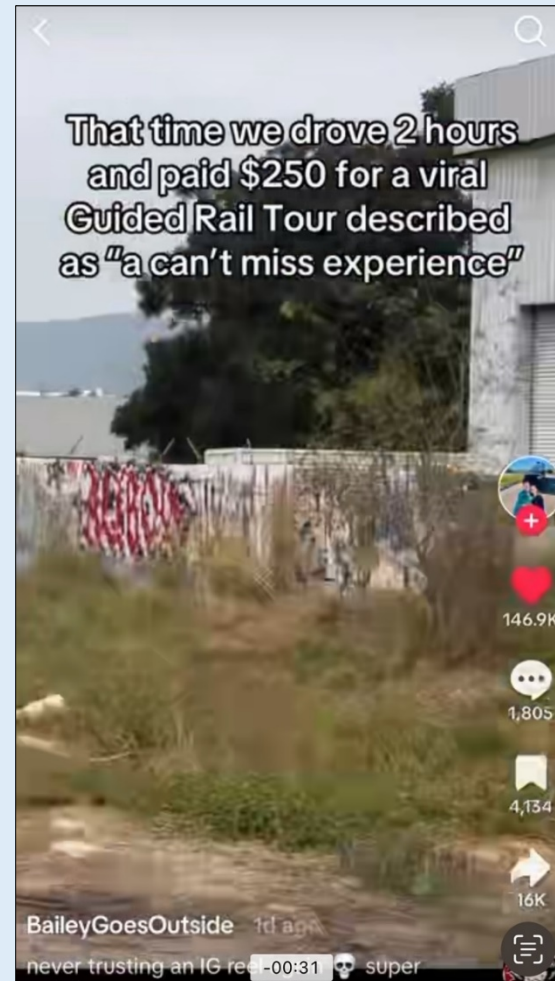




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COMMUNITY & ECONOMIC DEVELOPMENT / PLANNING DIVISION

RAILBIKE TOURIST SCREENSHOTS



SUPREME COURT: *GRANTS PASS* DECISION

The Supreme Court on 6/28/2024 ruled that cities may enforce laws restricting homeless encampments on sidewalks and other public property. The justices [disagreed with San Francisco's 9th Circuit Court](#) and ruled it is not “cruel and unusual” punishment for city officials to ban the homeless from sleeping on the streets or in parks.

- Deferred to local agencies to determine how to best regulate and enforce these issues.
- City of Santa Paula does not have an anti-camping ordinance.
- Cities do not need to have available overnight camping inventories. It is optional.

GOVERNOR'S EXECUTIVE ORDER N-1-24

On 7/25/2024, Governor Gavin Newsom signed an executive order following [the reversal of Johnson v. Grants Pass](#) by the U.S. Supreme Court. The Executive Order requires all State agencies and departments to adopt policies that align with Caltrans to address encampments on State property.

- This is not a mandate for local governments; however, the Governor recently said that he will withhold funding from cities and counties for not clearing encampments next year.
- Local governments are encouraged to adopt policies consistent with this Order.
- Caltrans has confirmed no Priority 1 encampments in Ventura County currently.

CURRENT LAW ENFORCEMENT TOOLS

- **USE OF STREETS FOR VEHICLE STORAGE PROHIBITED.**

It is prohibited for any person possessing, owning, controlling, or having custody of any vehicle to park such vehicle upon any street or alley for more than a consecutive period of 72 hours.

- **PARK HOURS**

Except when different hours must be established by resolution of the City Council and notice of those hours posted in the particular park area or recreation ground affected, all public parks and recreation grounds in the city owned or operated by the city must be closed to the public from 10:00 p.m. to 7:00 a.m.

- **SIDEWALK ENCROACHMENTS**

Except for the city or its contractors, it is unlawful for any person to encroach, or to make or cause to be made any encroachment, upon, over, under or within a right-of-way within the city without first obtaining a permit from the director.

- **NUISANCE ABATEMENT**

Anything that is injurious to health, is indecent, offensive to the senses, obstructs the free use of property so as to interfere with the comfortable enjoyment of life or property, or obstructs the free passage or use in the customary manner of any public park, square, street or highway, is a public nuisance.



TEMPORARY ENCAMPMENT STRATEGY

- Harvest Navigation Center is full to capacity. Being the case, the City may option to develop an overnight camping location.
- Triangle Parcel located at 1435 Harvard Blvd. Staff recommendation is this location may be set up as temporary housing for the unsheltered or supportive housing.
- City-owned parcel would be part of a 120-day trial or short-term plan. A long-term plan would include a transitional Tiny Home Village, if the City is successful in receiving funding support.
- The vacant parcel would be designated for the proposed Safe Sleep Program.



TRIANGLE PARCEL– PROPOSED SAFE SLEEP PROGRAM

1435 E. Harvard Blvd



SAFE SLEEP PROGRAM

The unsheltered currently have no amenities or services, so they use the City's public parks and spaces for camping, trash, defecation, and food preparation. Below is the list of existing conditions for the homeless and the list of proposed amenities to provide for a Safe Sleep Program.

Existing	Proposed
No Shelter	Screening
No showers	Restrooms
No restrooms	Picnic tables
No trash receptacles	Pallets
No Storage	Trash receptacles
	Storage

SAFE PARK PROGRAM

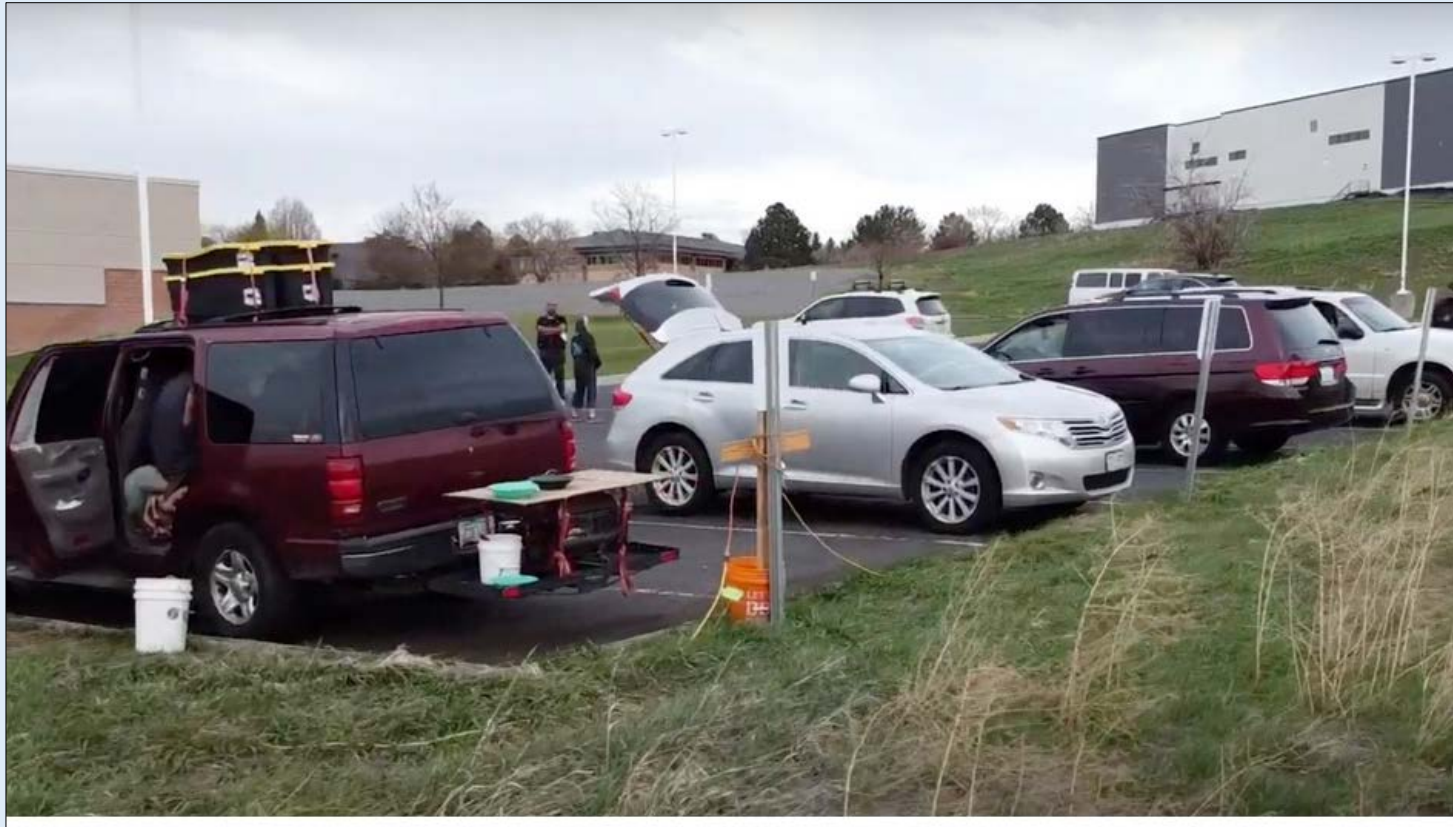
- The purpose of a Safe Park Program is to provide individuals and families experiencing unsheltered homelessness, and residing in their personal or recreational vehicles, with a safe and secure location to park.
- Through the program, an individual or family would be assigned a parking space where they could safely park and rest inside their vehicle, have access to restrooms and handwashing facilities, case management and referrals to community resources.
- The Cities of Santa Barbara, San Diego, Ventura and Los Angeles all have Safe Parking Initiatives.



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COMMUNITY & ECONOMIC DEVELOPMENT / PLANNING DIVISION

SAFE PARK PROGRAM EXAMPLE



SAFE SLEEP PROGRAM

Cost Estimates

- Tents (White Duck) 8' x 10', \$1,650 per 14 units = \$23,000.00
- Portable Deck 10' x 10', 1,266.67 x 14 units = \$17,733.38
- Fencing = \$1,200 per month*
- Park cleanup = \$7,500 over the past year*
- Restrooms = \$850 per month*

* Estimates based on Santa Paula Parks and Recs