



City of Palo Alto

City Council Staff Report

(ID # 3965)

Report Type: Action Items

Meeting Date: 8/5/2013

Summary Title: Living in Vehicles Ordinance

Title: Public Hearing: Approval of Ordinance Adding Section 9.06.010 to the Palo Alto Municipal Code to Prohibit Human Habitation of Vehicles

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

The Policy and Services Committee recommends that the City Council introduce the first reading of the attached ordinance to:

1. Amend Chapter 9.06 (Public Peace, Morals, and Safety) of the Palo Alto Municipal Code, by adding section 9.06.010, prohibiting the human habitation of vehicles (Attachment A); and
2. Approve an ordinance roll out plan that will defer full implementation of the ordinance for six months (Attachment B).

Executive Summary

The following report discusses a proposed amendment to the Palo Alto Municipal Code for the purpose of prohibiting the human habitation of vehicles. The Policy and Services Committee at its June 25, 2013 meeting voted to recommend that the City Council adopt an ordinance (Attachment A) prohibiting vehicle habitation but including outreach, referral, and enforcement procedures (Attachment B). Staff reported to the Committee that staff continues to receive occasional complaints from the public about persons living in vehicles. Appended to this report as Attachment C is a survey of the ordinances of surrounding cities. Attachment D is the Staff Report prepared for the June 25, 2013 meeting detailing key background information, actions, and options developed over the past two years. Attachment E is the Policy and Services Committee Meeting Minutes from June 25, 2013. Attachment F contains public comments.

Background

Over the years, the City has received complaints regarding incidents of persons living in vehicles in or near residential neighborhoods or commercial districts. In July 2011 a draft ordinance was prepared to address complaints received by the City regarding people living in their vehicles and was scheduled for consideration by the City Council. However, after vehicle dwellers and advocates voiced their opinions to the City Council, the City Manager requested the item be removed from the agenda to allow for additional community outreach. The City Council suggested the matter be reviewed by the Policy and Services Committee (P&S Committee) in advance of full Council review and called for additional community outreach.

Over the past two years Planning, Community Services, and Police Department staff have conducted additional community outreach and established a working group made up of various stakeholders in order to provide city staff with input. The culmination of these actions led to the proposal of a Pilot Vehicle Dwelling Program (Pilot Program) modeled after the City of Eugene Oregon's Car Camping Program. In summary, the Pilot Program would have temporarily allowed the human habitation of vehicles within designated parking lots throughout the City, generally at faith-based community parking lots and businesses. The objective was to obtain a commitment from a minimum of three congregations in order to launch the Pilot Program. While staff received some interest from the faith-based community, it was not enough to implement the Pilot Program.

Based on a lack of support for the Pilot Program, staff returned to the P&S Committee on May 14, 2013 requesting direction whether to a) discontinue efforts to develop an ordinance or program, but to coordinate social service outreach with the Downtown Streets Team, or b) to request that Council direct staff to draft an ordinance prohibiting vehicle habitation as part of a complaint-driven enforcement approach that includes education, outreach, and referral to social service agencies. After taking public comment, the P&S Committee directed staff to prepare an ordinance prohibiting human habitation of vehicles, including an implementation plan with an emphasis on outreach and referrals to social service agencies.

Staff prepared a draft ordinance based on similar ordinances adopted in neighboring communities and presented it to the P&S Committee at their June 25, 2013 meeting. A chart containing a survey of the ordinances of surrounding cities is attached. (Attachment C) Approximately 20 comments were received from the public urging the City to consider an alternative to the ordinance. Two members of the public expressed their support for the ordinance and Chair Kniss indicated the P&S Committee was in receipt of various emails from residents in support of the ordinance. The P&S Committee voted to recommend that the City Council adopt an ordinance prohibiting the human habitation of vehicles. The Committee had also briefly discussed the situation at the Cubberley Community Center. The Committee directed staff to return to the Committee on August 13, 2013, to discuss issues related to people living in their vehicles and unsheltered throughout the Cubberley campus.

Surrounding Cities

Palo Alto is one of the only cities in Santa Clara County without a ban on human habitation of vehicles.

In Santa Clara County:

- 92% of the cities regulate habitation of vehicles;
- 13 cities regulate habitation of vehicles, while only one does not (Monte Sereno).
- Stanford University prohibits dwelling in a vehicle.

In San Mateo and San Francisco Counties:

- 84% of the cities regulate habitation of vehicles;
- 18 cities regulate habitation of vehicles, while only three do not (Colma, East Palo Alto, and Portola Valley)

Discussion

The presence of persons living in vehicles is a recurring issue for residents and business owners. Currently, Palo Alto Municipal Code provides as follows:

- PAMC 10.36.030 prohibits the use of streets for storage of vehicles and states no vehicle shall be parked on any street or alley or public parking facility for more than 72 consecutive hours.
- PAMC 10.40.040 regulates parking distance from curbs. Prohibits parking, stopping or leaving a vehicle more than 18 inches from the curb and requires both right-hand wheels (or either both, right-hand wheels or both left-hand wheels on a one-way street) turned other than parallel with the curb in certain circumstances.

These municipal codes, while helpful, do not squarely address the conduct that concerns some residents and prompts complaints to the city. For example, vehicle dwellers are aware of the 72-hour limit and often move their vehicles within that time period.

Ordinance

The proposed ordinance (Attachment A) prohibits the human habitation of vehicles. “Human habitation” is defined as “the use of a vehicle for a **dwelling place**,” but contains specific exclusions for mobile living units allowed by another provision of the code (this includes mobile home parks) and for guests of city residents for up to forty-eight consecutive hours when parked adjacent to the resident’s dwelling. It should be noted the intent of the ordinance is to provide the Police Department with an enforcement tool not currently available. Response will be limited primarily to a complaint basis. The Police Department will not generally have officers self-initiate contacts for violations of the ordinance. As current practice dictates, the Police Department will continue to work with local social service providers.

Implementation

Police and Community Services Department Staff will partner with local social service providers to make sure implementation is empathetic and thorough. Recognizing the sensitivity of this issue, a framework for a rollout plan was presented to the P&S Committee (Attachment B). Below is a summary of the proposed framework:

- Extensive notification program through the media and fliers to known vehicle dwellers
- Personal outreach to known vehicle dwellers with our social service partners
- 60 days for education, outreach, and transition
- Warnings given for 30 additional days
- Police response primarily to complaints with citations issued only as needed

Enforcement Procedures

Recognizing the sensitivity of the issue, the proposed ordinance will be accompanied by enforcement procedures based on an outreach, social service, and incremental enforcement approach. Staff is aware that for many individuals living in vehicles there may be extenuating economic, mental, or physical health issues that are difficult to overcome and that may be best addressed by one or more of the local social service providers.

Timeline

If adopted by Council, the ordinance will require a second reading no fewer than 11 days after the first reading.

The ordinance will be effective thirty one days after the passage of the second reading of the ordinance. However, the P&S Committee included in their recommendation a phased implementation that defers full enforcement for six months.

Resource Impact

If the ordinance is adopted by Council, the Police Department will utilize two officers from the Special Enforcement Detail (SED). SED works with downtown issues and rapid response to crime trends. These officers, along with Community Services staff, will take the lead on the roll out plan and implementation. All police calls for service are prioritized based on established protocols. Violations of living in vehicles municipal code section would receive a lower response priority for police officers than “in progress” or other more urgent police related duties. Moreover, there could be some increased demand in social service requests resulting from referrals to those agencies and organizations.

Environmental Review

Pursuant to Section 15003 of the California Environmental Quality Act (CEQA) Guidelines, this ordinance is exempt from CEQA based on the fact his ordinance is not a project within the meaning of CEQA Section 15378 because it has no potential for resulting in physical change to the environment, either directly or indirectly.

Attachments:

- Attachment A: Ordinance (PDF)
- Attachment B: Transition Plan (PDF)
- Attachment C: Survey of the Ordinances of Surrounding Cities (DOCX)
- Attachment D: June 25, 2013 Staff Report to Policy and Services (PDF)
- Attachment E: June 25, 2013 Policy and Services Meeting Minutes (PDF)
- Attachment F: Public Comment (PDF)

ORDINANCE NO. _____

Ordinance of the Council of the City of Palo Alto Amending
Chapter 9.06 (Public Peace, Morals, and Safety) to add Section
9.06.010 – Human Habitation of Vehicles Prohibited

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

- (a) The City Council hereby updates Title 9 of the Palo Alto Municipal Code to provide for prohibition of human habitation of vehicles, to provide for the continued effective management of public property, and to provide for the continued enjoyment and accessibility of public property by all Palo Alto residents and the public at large; and
- (b) Vehicle parking and storage restrictions are necessary to promote the health, safety, aesthetic appearance and general welfare of the public and to stabilize and protect the residential character of the neighborhoods and residential districts; and
- (c) The human habitation of vehicles causes the City to incur increased costs for policing, maintenance, sanitation, garbage removal, animal control, and other problems which may arise; and
- (d) The human habitation of vehicles creates a risk to the health, safety, and welfare of those persons in the vehicles, as well as the public at large.

SECTION 2. Chapter 9.06 of Title 9 (Public Peace, Morals, and Safety) of the Palo Alto Municipal code is hereby added to read as follows:

“9.06.010 Human Habitation of Vehicles Prohibited

It is unlawful for any person to use, occupy, or permit the use or occupancy of, any vehicle for human habitation on or in any street, park, alley, public parking lot or other public way.

The following uses are exempt from the provisions of this section:

any mobile living unit used for human habitation allowed by another provision of this code or required procedure of the city;

*** NOT YET APPROVED ***

and guests of city residents for up to forty-eight consecutive hours when parked adjacent to the resident's dwelling.

For purposes of this section, "human habitation" means the use of a vehicle for a dwelling place, including but not limited to, sleeping, eating or resting, either single or in groups and "vehicle" is defined as set forth in Section 670 of the California Vehicle Code, as amended."

SECTION 3. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

City Attorney

City Manager

Director of Planning and Community
Environment

Director of Administrative
Services

PALO ALTO POLICE DEPARTMENT

Memorandum

To: Curtis Williams

From: Bob Beacom, Police Department
Minka Van Der Zwaag, Community Services

Date: June 12, 2013

Re: Rollout and Enforcement of Living in Vehicles Ordinance

If a living-in-vehicles ordinance is passed, the Police and Community Service Departments, along with the City's social service partners, will work collaboratively on notification and enforcement of the new ordinance to ensure that the roll-out is as empathetic and thorough as possible. Generally, the framework for this rollout would be as follows:

- Robust notification program through the media and fliers to known vehicle dwellers
- Personal outreach to known vehicle dwellers with our social service partners
- 60 days for education, outreach and transition
- Warnings given for 30 additional days
- Police response, primarily to complaints, with citations issued only as needed

The goal of the ordinance rollout plan is to provide as much information and assistance as possible to individuals living in vehicles prior to any enforcement action taking place. The Community Services Department and their social services partners will play a key role in this plan along with necessary support from the Police Departments Special Enforcement Detail. Once the rollout has reached an enforcement phase, the Police Department anticipates responding primarily on a complaint basis and will generally not have officer's self-initiate contacts for violations of the ordinance. As current practice dictates, officers will continue to provide affected parties with referrals to social service agencies. The goal will be to assist these individuals, who violate the ordinance, to find appropriate social services and utilizing the judicial system only as a last resort.

Upon implementation of this ordinance, the Police Department will deliver a detailed training plan regarding this ordinance for Public Safety Dispatchers and Patrol Officers. The plan will include the intent of the ordinance, the history and complexities of this social issue and the desire to be empathetic in our efforts. This plan will also be covered in the new officer/new dispatcher training programs.

Please let either one of us know if you have any questions. Thanks.

Human Habitation of Vehicles, Survey of Surrounding Cities' Ordinances

July 2013

SANTA CLARA COUNTY		
Jurisdiction	Code Cite	Summary
Santa Clara County		No county-wide prohibition on vehicle habitation
Campbell	10.24.135	Prohibits overnight parking
Cupertino	11.28.020	"No vehicle shall be used for living or sleeping quarters on any public street"
Gilroy	15.8	Prohibits living, cooking, sleeping or dwelling in a vehicle.
Los Altos	8.20.220	"No person shall stop, stand, or park a vehicle on any street for a period of time longer than thirty (30) minutes between the hours of 2:00 a.m. and 6:00 a.m. of any day if notice thereof is posted in the block."
Los Altos Hills	4-3.1006	4-3.1006: "No person shall stop, stand, or park a vehicle on any street for a period of time longer than thirty (30) minutes between the hours of 2:00 a.m. and 4:00 a.m. of any day."
Los Gatos	15.40.060	"Any person who sleeps in a vehicle parked in a public place in the Town for any time during a 24 hour period shall be given a warning. No person shall sleep in a vehicle parked in a public place within a 30 day period after warning"
Milpitas	V-19-3.00	"It is unlawful for any person or persons to use a vehicle for human habitation on or in any public residential street, alleyway or parking area or any privately owned, commercial, off-street parking area without the written permission of the property owner or authorized property manager."
Monte Sereno		No prohibition on vehicle habitation
Morgan Hill	8.08.050	All trailers, when occupied or used for living or sleeping purposes, shall be kept within approved mobile home parks or trailer parks; provided, however, that a trailer may be so used or occupied for a period not exceeding forty-eight hours upon obtaining the prior consent of the chief of police or of his deputy. This period may be extended for three additional weeks or any fraction thereof only upon prior consent of city council.

Mountain View	19.111(c); 36.27.16	19.111(c): no vehicle on public street can be used for dwelling; 36.27.16: habitable trailers not to be stored in setback area in any office, commercial or industrial zone except where permitted by zoning administrator
San Jose	6.46.040	No person shall use any trailer or house car for sleeping or living outside mobile home park; 48 hour exemption for residential guests and exemption for temp trailer use for security purposes in guarding of industrial or institutional properties under issued permit
Santa Clara	10.05.540	Unlawful to use mobile home, trailer, bus, any vehicle etc for living or sleeping outside of mobile home park, except as authorized in other Code sections
Saratoga	9-15.065	No vehicle used as living/sleeping quarters; exception: only 1 vehicle may be used for living or sleeping for total period not to exceed 18 days in 1 year – can apply for extension of this period
Stanford (CDP)	Section 3.5.5 of Stanford University Parking and Traffic Code (Aug 2011)	“Dwelling or lodging on campus in any motor vehicle, motor home, trailer, boat, or house car on the grounds and roadways of the University without written authorization or special permit from the Stanford Director of Public Safety and the Director of Parking & Transportation Services, or their designee, is prohibited.”
Sunnyvale	9.54.010	Unlawful to use, occupy vehicles for human habitation, defined use as dwelling place; exempts temporary use for alleviation of sickness or physical inability to operate vehicle; also exempts permitted uses (per Code) and guests for 48 hours if parked near resident dwelling

SAN MATEO COUNTY		
Jurisdiction	Code Cite	Summary
San Mateo County	7.96.030	<p>Sleeping in vehicles, campers and trailers for human habitation—Prohibited in public places during designated hours.</p> <p>Between the hours of 10:00 p.m. of any day and 6:00 a.m. of the next ensuing day, no person shall sleep in any vehicle, camper or trailer located on any public street, on or in any public easement, in any public park, or in any off-street lot designated for parking, within the unincorporated area of San Mateo County. The prohibition against sleeping in vehicles, campers, or trailers in off-street lots designated for parking shall not apply to any person possessing written authorization from the owner of the lot authorizing the person to sleep in the lot.</p>

Atherton	8.20.050(K)	Listed as a nuisance per se: "Tents, trailers, campers or other similar vehicles or equipment that are being used for sleeping, cooking or living purposes; no tent, vehicle or trailer shall be used for living purposes or permitted as an accessory structure"
Belmont	15-82	"No person shall use or occupy or permit the use or occupancy of any house car, camper, or trailer coach, recreational vehicle or any other motor vehicle, car, truck, or bus, etc., for human habitation, including but not limited to sleeping, eating or resting, either singly or in groups, on any street, park, beach, square, avenue, alley or public way within the city, between the hours of 10:00 p.m. and 6:00 a.m."
Brisbane	10.24.230	"Whenever the city council, by resolution, prohibits all night parking on any street, no person shall stop, stand or park a vehicle on any street for a period of time longer than thirty (30) minutes between the hours of two (2:00) a.m. and four (4:00) a.m. of any day; provided, that this section shall not apply to a vehicle of any regularly licensed physician when actually engaged in making professional calls."
Burlingame	13.32.190	"No person shall use any trailer, semitrailer, camper, camp trailer, house car, trailer coach, mobile home or any other vehicle for the purpose of sleeping or living quarters whether on public or private property."
Colma		No prohibition on vehicle habitation
Daly City	10.76.020	"No person shall use, occupy, or permit the use or occupancy of any automobile, truck, camper, house car, mobile home, recreational vehicle, trailer, trailer coach, or similar conveyance for human habitation on any public property, beach, square, avenue, alley, or other public way, within the city between the hours of ten p.m. and six a.m., except where such use occurs lawfully in areas officially designated for such purpose by the city."
East Palo Alto		No prohibition on vehicle habitation
Foster City	17.64.060	"No vehicle, recreational vehicle, commercial vehicle, camper, camper shell, or mobile home of any type shall be used for temporary or permanent human habitation, including sleeping, while parked or stored on private property in any zoning district except in accordance with the provisions of Section 17.64.030(B) ."
Half Moon Bay	9.24.020	"No person shall use or occupy or permit the use or occupancy of any house car, camper or trailer coach or any other motor vehicle, car, truck or bus, etc. for human habitation, including but not limited to sleeping, eating or resting, either singly or in groups, on any street, park, beach, square, avenue, alley or public way within the city, between the hours of ten p.m. and six a.m."
Hillsborough	10.32.230	"No person shall stop, stand, store or park any vehicle including passenger cars, trucks, commercial vehicles, trailers and other conveyances on any street in the town

		between the hours of two a.m. and six a.m. of any day, without a permit from the police department”
Menlo Park	8.04.010(18); 11.24.050	8.04.010(18): Listed under public nuisance: human occupation of vehicle; 11.25.050: “No person shall stop, stand or park a vehicle at any time between the hours of two a.m. and five a.m. upon those certain streets or portions thereof located within a residential zone or located within three hundred feet (300’) of a residential zone. Physicians engaged in professional calls, persons engaged in governmental duties or emergency activities are exempt from this provision.”
Millbrae	5.35.020	“No person shall use or occupy or permit the use or occupancy of any motor vehicle, house car, camper or trailer coach for human habitation, including but not limited to sleeping, eating or resting, either singly or in groups, on any street, park, square, avenue, alley or public way, within the city, between the hours of ten p.m. of any day and six a.m. of the next ensuing day.”
Pacifica	4-7.1114(b)	“No person shall use, occupy, or permit the use or occupancy of any automobile, truck, camper, house car, mobile home, recreational vehicle, trailer, trailer coach, or similar conveyance for human habitation on any public property, including any park, beach, square, avenue, alley, or other public way, within the City between the hours of 10:00 p.m. and 6:00 a.m., except where such use occurs lawfully in areas officially designated for such purpose by the City.”
Portola Valley		No prohibition on vehicle habitation
Redwood City	14.72(N); 34.4(A)	34.4(A) states that it shall be unlawful for any person to occupy or use any trailer living or sleeping unless located in trailer park; 14.72(N) lists as a public nuisance: any vehicle used for sleeping or other living purposes
San Bruno	4.52.110(A)	“No person shall use or occupy any motor vehicle, camp car, or trailer coach for human habitation, either singly or in groups, on any street, in any park, or in any public or private off-street parking lot within the city, between the hours of ten p.m. of any day and six a.m. of the next ensuing day. As used in this section, use or occupancy for human habitation shall mean use or occupancy of a vehicle in lieu of a place of residence.”
San Carlos	8.40.020	No person shall use/occupy any vehicle except where lawfully permitted by Chief of Police
San Mateo	10.04.140	PROHIBITING VEHICLE USE FOR HABITATION OR TO SLEEP. It is unlawful: (a) For any person to occupy or use or permit the occupation or use of any motor vehicles, trailer, camp car, motor home or other vehicle as defined in the California Vehicle Code for purposes of lodging, residence, guest accommodations, habitation

		<p>or if such vehicle is not in transit as a place for sleeping within the City of San Mateo; or</p> <p>(b) For any person to connect any camp car, motor home, travel trailer or any other vehicle which is equipped for sleeping or cooking or both, to any public utility, such as water, electricity, gas or sewer services, except as may be necessary for the maintenance and preparation of the vehicle; and</p> <p>(c) For any maintenance or preparation connections of any camp car, motor home, travel trailer or any other vehicle which is equipped for sleeping or cooking or both, to any public utility, such as water, electricity, gas or sewer services for more than 8 hours in any seven consecutive days. (Ord. 1995-7 § 1, 1995).</p>
South San Francisco	11.40.300	Unlawful for any person to use or occupy as dwelling; except for alleviation of sickness or temp physical inability to operate vehicle
Woodside	72.29	"No person shall stop, stand, or park a vehicle on any street for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 4:00 a.m. of any day."

CITY AND COUNTY OF SAN FRANCISCO		
San Francisco	Art 1.1 of Police Code, Sec. 97(a)-(b)	Sec. 97(a)-(b): no person shall occupy vehicle, trailer, house car for habitation between 10PM and 6AM; defines "residential neighborhood"



City of Palo Alto

Policy and Services Committee Staff Report

(ID # 3904)

Report Type:**Meeting Date: 6/25/2013****Summary Title: Living in Vehicles Ordinance****Title: Consideration of Ordinance Prohibiting Human Habitation of Vehicles****From: City Manager****Lead Department: Planning and Community Environment**

Recommendation

Staff recommends that the Policy and Services Committee recommend that the City Council adopt an ordinance (Attachment A) prohibiting vehicle habitation, to be used together with education, outreach and referral to social services agencies.

Executive Summary

Over the past several years there has been an increase in the number of incidents of persons living in vehicles in or near residential neighborhoods or commercial districts. While many of these cases have not created problems, others have resulted in nuisances or more serious disturbance to residents and businesses. The Policy and Services Committee at its May 14, 2013 meeting directed Staff to prepare an ordinance prohibiting vehicle habitation, including an implementation plan, with emphasis on outreach and referrals to social services agencies. Staff has prepared a draft ordinance, Attachment A, based on similar ordinances adopted in neighboring communities. In addition, the Police Department has discussed a rollout plan with outreach and social service referral in addition to enforcement action (Attachment B). Appended to this report as Attachment C is the Staff Report prepared for the May 14, 2013 meeting detailing key background information, actions, and options developed over the past two years.

Background

In July 2011 the City Council was scheduled to consider enacting an ordinance to address complaints received by the City regarding people living in their vehicles. However, after residents and advocates voiced their opinions to the City Council, the City Manager requested the item be removed from the agenda to allow for additional community outreach. The City

Council referred the matter to the Policy and Services Committee (P&S Committee) and called for additional community outreach.

Over the past two years Planning, Community Services, and Police Department staff have conducted additional community outreach and established a working group made up of various stakeholders in order to provide city staff with input. The culmination of these actions led to the proposal of a Pilot Vehicle Dwelling Program (Pilot Program) modeled after the City of Eugene Oregon's Car Camping Program. In summary, the Pilot Program would have temporarily allowed the human habitation of vehicles within designated parking lots throughout the City, generally at faith-based community parking lots and businesses. The objective was to obtain a commitment from a minimum of three congregations in order to launch the Pilot Program. While staff received interest from the Faith-Based Community, only one congregation was able to commit to the Pilot Program. It should be noted, however, the congregation has not conducted any formal outreach to the neighborhood and their parking lot is relatively small.

At the May 14, 2013 P&S Committee meeting, staff provided an update to the status of the Human Habitation of Vehicles issue (Attachment C). Staff requested direction whether to a) discontinue efforts to develop an ordinance or program, but to coordinate social service outreach with the Downtown Streets Team, or b) request that Council direct staff to draft an ordinance prohibiting vehicle habitation as part of a complaint-driven enforcement approach that includes education, outreach and referral to services. Approximately eight comments were received from the public, mostly recognizing there are valid concerns with this issue but advocating for a continuation of the conversation instead of the adoption of an ordinance prohibiting human habitation of vehicles. The Committee voted 2-1 to direct staff to return to the Committee with a proposed ordinance.

Discussion

Staff continues to receive occasional complaints from the public about persons living in vehicles, with many of those recent complaints related to the Cubberley Community Center site. Community Services Department staff at Cubberley continue to address issues related to the rising number of people apparently living on the Cubberley campus, both in their vehicles and camping unsheltered around the campus. Outreach by social service providers has proven helpful, but will on its own not resolve the whole scope of the issue. An increase in the population living at Cubberley may correlate with the temporary closure of other public sites for construction such as the Art Center and Mitchell Park Library and Community Center. The presence of persons living in vehicles is a recurring issue for residents and business owners. Calls for services received by the Police Department are not classified based on residential status and without an incident type it creates a challenge to properly document an accurate account of the number of incidents.

While the Police Department currently does not have the means to specifically track this activity they have analyzed calls for service over the past four years that were related to individuals living in their vehicles. On an annual basis the Police Department receives approximately 50,000 total calls for service of all types. Table 1, Service Calls for Individuals Living in their Vehicles, illustrates the number of service calls received by year related to people living in their vehicle.

Table 1: Service Calls for Individuals Living in their Vehicles

Year	City-wide Service Calls (excluding Cubberley)	Cubberley Service Calls	Total Service Calls
2010	31	10	41
2011	18	16	34
2012	24	39	63
2013 (to date)	9	12	21

Source: Palo Alto Police Department

In addition to these incidents the parking division receives between 80 and 100 calls a month for abandoned or stored vehicles. Of these the parking staff approximates that twenty-five percent are related to people living in their vehicles. These calls are not included with the total number of calls for service received or in the numbers outlined in Table 1.

Currently, Palo Alto Municipal Code regulations provide the City with the following enforcement capabilities regarding vehicles and non-motorized vehicles on City Streets.

- PAMC 10.36.030 prohibits the use of streets for storage of vehicles and states no vehicle shall be parked on any street or alley or public parking facility for more than 72 consecutive hours.
- PAMC 10.40.040 regulates parking distance from curbs. Prohibits parking, stopping or leaving a vehicle more than 18 inches from the curb and both right-hand wheels (or either both right-hand wheels or both left-hand wheels on a one-way street) turned other than parallel with the curb in certain circumstances.

These municipal codes require repeated monitoring by Police staff to ensure the vehicles are not exceeding the designated time limits. In addition, individuals who are living in their vehicles may be aware of and in compliance with the 72-hour limit.

Ordinance

The proposed ordinance (Attachment A) prohibits the human habitation of vehicles. “Human habitation” is defined as “the use of a vehicle for a dwelling space,” but specifically excludes mobile living units allowed by another provision of the code. This includes mobile home parks or for guests of city residents for up to forty-eight consecutive hours when parked adjacent to the resident’s dwelling.

It should be noted the intent of the ordinance is to provide the Police Department with an enforcement tool not currently in place. The Police Department in general will respond to resident complaints and will not have officer's self-initiate contacts for violations of the ordinance. As current practice dictates, the Police Department will continue to work with local social service providers.

Implementation

Police and Community Services Department Staff will partner with local social service providers to make sure implementation is empathetic and thorough. Recognizing the sensitivity of this issue, a framework for a rollout plan has been drafted (Attachment B). Below is a summary of proposed framework:

- Robust notification program through the media and fliers to known vehicle dwellers
- Personal outreach to known vehicle dwellers with our social service partners
- 60 days for education, outreach and transition
- Warnings given for 30 additional days
- Police response, primarily to complaints, with citations issued only as needed

Prior to the ordinance moving forward to council, interested parties that have been engaged with this issue for well over two years will be given the opportunity to review the draft ordinance and implementation plan.

Resource Impact

If an ordinance prohibiting the human habitation of vehicles is adopted, the Police Department will utilize the two officers from the Special Enforcement Detail (SED). SED works with downtown issues and rapid response to crime trends. These officers, along with Community Services staff, will take the lead on the roll out plan and implementation. During the 60-90 day roll-out phase, these duties will become part of their primary responsibilities. Moreover, there could be some increased demand in social service requests resulting from referrals to those agencies and organizations. All police calls for service are prioritized based on established protocols. Violations of the Living in Vehicles Municipal Code Section would receive a lower response priority for police officers than in progress or other more urgent police related duties.

Environmental Review

No environmental review is required under the California Environmental Quality Act (CEQA), as there are no physical environmental impacts expected from the implementation of the ordinance.

Attachments:

- Attachment A: Draft Ordinance (PDF)
- Attachment B: Transition Plan (PDF)
- Attachment C: May 14, 2013 Staff Report to Policy and Services (PDF)
- Attachment D. Public Comment (PDF)

NOT YET APPROVED

Ordinance No. _____
Ordinance of the Council of the City of Palo Alto Prohibiting Human
Habitation of Vehicles

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations. The City Council finds and declares as follows:

- (a) Updating Title 9 of the Palo Alto Municipal Code to provide for prohibition of human habitation of vehicles, to provide for the continued effective management of public property, and to provide for the continued enjoyment and accessibility of public property by all Palo Alto residents and the public at large; and
- (b) Vehicle parking and storage restrictions are necessary to promote the health, safety, aesthetic appearance and general welfare of the public, to stabilize and protect the residential character of the neighborhoods and residential districts; and
- (c) The human habitation of vehicles causes the City to incur increased costs for policing, maintenance, sanitation, garbage removal, animal control, and other problems which may arise; and
- (d) The human habitation of vehicles creates a risk to the health, safety, and welfare of those persons in the vehicles, as well as the public at large.

SECTION 2. Chapter 9.06 of Title 9 (Public Peace, Morals, and Safety) of the Palo Alto Municipal code is hereby added to read as follows:

"9.06.010 Human Habitation of Vehicles Prohibited

It is unlawful for any person to use, occupy, or permit the use or occupancy of, any vehicle for human habitation on or in any street, park, alley, public parking lot or other public way.

The following uses are exempt from the provisions of this section:

- Any mobile living unit used for human habitation allowed by another provision of this code or required procedure of the city; and

NOT YET APPROVED

- Guests of city residents for up to forty-eight consecutive hours when parked adjacent to the resident’s dwelling.

For purposes of this section, “human habitation” means the use of a vehicle for a dwelling place, including but not limited to, sleeping, eating or resting, either single or in groups.

For purposes of this section “vehicle” shall mean any self-propelled structure designed to transport persons or property.

SECTION 3. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Mayor

APPROVED:

City Manager

Director of

Director of Administrative
Services

PALO ALTO POLICE DEPARTMENT

Memorandum

To: Curtis Williams

From: Bob Beacom, Police Department
Minka Van Der Zwaag, Community Services

Date: June 12, 2013

Re: Rollout and Enforcement of Living in Vehicles Ordinance

If a living-in-vehicles ordinance is passed, the Police and Community Service Departments, along with the City's social service partners, will work collaboratively on notification and enforcement of the new ordinance to ensure that the roll-out is as empathetic and thorough as possible. Generally, the framework for this rollout would be as follows:

- Robust notification program through the media and fliers to known vehicle dwellers
- Personal outreach to known vehicle dwellers with our social service partners
- 60 days for education, outreach and transition
- Warnings given for 30 additional days
- Police response, primarily to complaints, with citations issued only as needed

The goal of the ordinance rollout plan is to provide as much information and assistance as possible to individuals living in vehicles prior to any enforcement action taking place. The Community Services Department and their social services partners will play a key role in this plan along with necessary support from the Police Departments Special Enforcement Detail. Once the rollout has reached an enforcement phase, the Police Department anticipates responding primarily on a complaint basis and will generally not have officer's self-initiate contacts for violations of the ordinance. As current practice dictates, officers will continue to provide affected parties with referrals to social service agencies. The goal will be to assist these individuals, who violate the ordinance, to find appropriate social services and utilizing the judicial system only as a last resort.

Upon implementation of this ordinance, the Police Department will deliver a detailed training plan regarding this ordinance for Public Safety Dispatchers and Patrol Officers. The plan will include the intent of the ordinance, the history and complexities of this social issue and the desire to be empathetic in our efforts. This plan will also be covered in the new officer/new dispatcher training programs.

Please let either one of us know if you have any questions. Thanks.



City of Palo Alto
Policy and Services Committee Staff Report

(ID # 3644)

Report Type:

Meeting Date: 5/14/2013

Summary Title: Habitation of Vehicles Issue

Title: Consideration of Approaches to Address Concerns Related to Human Habitation of Vehicles

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

Staff recommends that the Policy and Services Committee recommend to the City Council to either:

1. Abandon current efforts and no longer pursue a program or an ordinance, but coordinate social service outreach; **OR**
2. Direct staff to prepare an ordinance prohibiting vehicle habitation, but including gradual outreach, referral and enforcement procedures.

Executive Summary

Staff is providing this update to the status on the Human Habitation of Vehicles issue to determine whether to reconsider or revise the Committee's prior recommendation, since there has been a change in the Committee's composition. Key background and options are addressed in this report, followed by various attachments fully detailing actions over the past two years. The focus over the past year has been the initiation of a Pilot Vehicle Dwelling Program, "Pilot Program," described in Attachment A. In November 2012, staff presented the Policy and Services Committee with two approaches to address concerns related to the Human Habitation of Vehicles (Attachment B). Staff was directed to continue pursuing a Pilot Program and take a more active role in both outreach to the faith-based community and a leadership role in administering the program and providing City sites for housing vehicle dwellers.

While staff has taken a more active role in providing direct assistance to interested congregations, there is still only commitment from one congregation, and no City effort has yet been authorized by City Council. As such, staff recommends that the Committee provide direction as to whether to a) discontinue efforts to develop an ordinance or program, but to coordinate social service outreach with the Downtown Streets Team or b) request that Council direct staff to draft an ordinance prohibiting vehicle habitation that includes a complaint-driven enforcement procedures based on a gradual approach with outreach and social service referral prior to enforcement action.

Background

A draft ordinance was prepared in July of 2011 to address complaints received by residents and business owners related to alleged disturbances by persons living in vehicles in or near residential neighborhoods and commercial districts. Staff scheduled consideration of the draft ordinance for City Council review on July 25, 2011. However, after homeless residents and advocates voiced their opinions to the City Council, the City Manager requested the item be removed from the agenda to allow for additional community outreach. The City Council concurred and suggested the matter be reviewed by the Policy and Services Committee in advance of full council review. In response to a desire to allow for additional community outreach staff took several measures. This included hosting community wide forums and forming a working group to develop approaches and solutions.

The Policy and Services Committee (P&S Committee) met in November of 2012 to review this issue and recommended (3-1 vote) that the City Council direct staff to: 1) initiate a six-month trial pilot Vehicle Camping Program; 2) search for partnerships with faith-based and not-for-profit organizations, businesses, and Stanford organizations to sponsor a pilot Vehicle Camping Program as outlined in Attachment A; 3) take more active role in offering direct help; 4) look for partners to provide sites, including City properties, for a limited number of people; and 5) enlist Downtown Streets Team to assist with implementation and oversight of the program. The recommendation has not been considered by the full Council, however, as a new Council was seated and a new P&S Committee was appointed. The City Manager has asked that the current P&S Committee review the available options and the November Committee recommendation prior to the Council's review of the matter. There have also been some recent related developments regarding activities at the Cubberley Community Center and outreach to the faith-based community that the Committee and the community should be aware of.

Discussion

The following provides a summary of the outreach and issues reported to the P&S Committee in November and updates of related issues since.

Community Outreach

1. Community Forum on September 15, 2011:

On September 15, 2011 the City staff, in conjunction with the Community Cooperation Team held a “Living In Vehicles Community Forum” to invite public comment regarding individuals living in their vehicles and others affected by these activities. Approximately sixty individuals participated in the forum. The meetings notes are appended to this update as Attachment D.

2. Working Group Established:

A working group was established comprised of various stakeholders in order to provide input to City Staff. The working group included representatives from the unhoused community, local social service providers, neighborhood residents, businesses, the faith-based community, and City staff from the Planning, Police, City Attorney, and Community Services Departments. A total of seven working group meetings took place. Multiple issues were identified and a distinction was made between a) the parking and storage of multiple vehicles in or around certain commercial/residential areas and b) people living in their vehicles and parking within residential and/or commercial neighborhoods. The working group discussed a number of options and approaches that are described below. A primary focus was placed on a proposal to establish and implement a 3-month pilot program modeled after the Eugene, Oregon Homeless Car Camping program administered by the St. Vincent de Paul Society.

3. Faith-Based Community Outreach:

On April 20, 2012 a meeting was held with the faith-based community to discuss their role, leadership, and potential participation in the proposed Pilot Program. Forty-two (42) organizations were invited with seven participating in the meeting. Several concerns were raised, including but not limited to current participation in the Hotel de Zink Program, liability insurance requirements, sanitary bathrooms, and background checks. Overall the faith-based community expressed its support for the program and willingness to participate in formulating a solution.

Several congregations indicated interest in participating in a permanent program but required additional time to consider the logistics, discuss it with their congregation, and coordinate outreach to their neighbors. Ultimately, staff received a commitment from two congregations: First Presbyterian Church and University Lutheran Church. Participation from First Presbyterian Church was not feasible due to neighborhood concerns and they subsequently retracted their commitment. Specifically, neighbors expressed concerns about the small site, the proximity to homes there, and that the 20-foot suggested buffer between vehicles and residential properties is inadequate.

4. Community Forum on June 26, 2012:

A second community forum was held to present approaches developed in conjunction with the working group. Staff presented a range of options and approaches to about thirty-five attendees. Comments shared through comment cards and questions received are summarized in Attachment E.

Approaches Identified

Staff and the Working Group identified four component approaches to address the Vehicle Habitation issue (not necessarily mutually exclusive):

1. Pilot Vehicle Dwelling Program

A 3-month Pilot Vehicle Dwelling Program could be established temporarily allowing the human habitation of vehicles within designated parking lots throughout the City. Key parameters of the proposed program are outlined in Attachment A. The proposed program has been modeled after the City of Eugene Oregon's Program allowed under Section 4.816 of the Eugene Municipal Code (Attachment F). Downtown Streets Team would serve in an administrative role and would be the first point of contact when a complaint related to the human habitation of a vehicle is received by the Palo Alto Police Department. The individual would be connected to available social services and matched with a host church. Staff has been aiming to obtain the commitment from three congregations to launch the Pilot Program with little success. If implemented the benefits of this approach might address some of the parking and safety concerns raised, but it is unclear whether participation would be from those currently of concern. Moreover, the criteria should be modified to better assure the site is suitable, compatible, and is buffered from residential uses.

2. Enhanced Social Service Outreach

Another option is to "do nothing" in the way of establishing new regulations or programs. Instead, an increased effort would be implemented to better connect social service providers with homeless who are now living in vehicles, with particular attention to those of concern to residents or businesses. The Downtown Streets Team has offered to be the first point of contact when a complaint is received by Police, but where no crime or violation has been committed. A representative from Downtown Streets Team would approach the person of concern and offer to assist with finding appropriate services and housing. This approach may help target the relatively few instances of concern without imposing an ordinance. Moreover, it could be implemented on a trial basis for several months to see what the outcome is. This could also provide Downtown Streets Team and the Police Department an opportunity to access and document the extent of the problem.

3. Ordinance Prohibition

The overall perception most participants in the Working Group and other members of the community is that an ordinance to prohibit the human habitation of vehicles is not

necessary. Some contend that adopting the proposed ordinance would criminalize the poor. Others, particularly neighborhood and commercial representatives, feel that an ordinance is needed to police the vehicle dwellers of concern and spur them to seek help from social service providers. Several variations to the ordinance were discussed including: 1) postponing the ordinance until after the Pilot Program; 2) adopting the proposed ordinance only upon implementation of the Vehicle Dwelling Program alternative; or 3) adopting the proposed ordinance without the Vehicle Dwelling Program.

4. Parking Restrictions

One issue that may be addressed separate from the ordinance and/or program would be to implement more aggressive parking restrictions within the identified problem areas. This relates to the parking and storage of multiple vehicles in or around certain commercial and neighborhood areas, particularly College Terrace. According to Section 10.36.030 of the Palo Alto Municipal Code, a vehicle is not allowed to be parked or left standing for seventy-two or more consecutive hours. Vehicle dwellers of concern are aware of this regulation and manage to move their vehicles to comply with the Code. Signs prohibiting overnight parking between 1:00 and 4:00 a.m. have been posted in the College Terrace commercial area near El Camino Real, which seems to have eased the problem in that neighborhood. The benefit of this approach is that it would solve parking related issues in a few specific instances where parking multiple vehicles is as much of a problem as living in vehicles. However, it would not solve the larger social problem and may result in relocating the problem to another part of the city.

Policy and Services Committee Review

Staff has provided the P&S Committee with two formal updates over the past two years. The staff report and related meeting minutes for the first update are appended as Attachments G and H. On November 20, 2012 staff requested that the P&S Committee review the approaches described above and made a two-prong recommendation for consideration (Attachment B). In summary, the options were to either initiate an ordinance in conjunction with a Pilot Vehicle Camping Program, with delayed (6-months) implementation or the ordinance, or to abandon current staff efforts and no longer pursue an ordinance or program.

Over twenty comments were received from the public, mostly urging the City not to adopt an ordinance. The Faith-based community expressed their willingness to help but clarified there are complexities in implementing this type of program. A few members of the public felt there was clear evidence the issue is not large enough to warrant an ordinance. Finally, several members stated the City needed to step up and identify City-owned sites as potential sites for the Pilot Program.

The P&S Committee, on a 3-1 vote, adopted a modified motion to request that Council: 1) initiate a six-month trial pilot Vehicle Camping Program; 2) Staff to search for partnerships with faith-based and not-for-profit organizations, businesses, and Stanford organizations to sponsor a pilot Vehicle Camping Program as outlined in Attachment A; 3) City to take more active role in offering direct help (including using City sites); 4) look for partners to provide sites for a limited number of people; and 5) enlist Downtown Streets Team to assist with implementation and oversight of the program. The Policy and Services Committee meeting minutes are included as Attachment C.

Councilmember Klein was opposed to the motion and felt there were two issues at hand; parking/storage of multiple vehicles on city streets and people sleeping in cars. He felt the number of people sleeping in vehicles determined the amount of effort the City needed to resolve the issue. Given the small number of people sleeping in cars, the issue does not warrant further action and the City would be involved in a program that benefitted few people.

Council Member Espinosa did not oppose an ordinance but wanted to ensure the Council had done everything possible to find an alternative to a ban. He felt the motion provided a good compromise and ensured the Council fully explored the option. In addition, he noted staff's outreach efforts were not aggressive and the faith based community needed more time to consider making a commitment to participate.

Council Member Schmid was unsure of the City's responsibility for unhoused people but noted the City could potentially benefit from dealing with some of the homeless problem through vehicle dwelling. He made the motion and supported a more proactive City role.

Chair Holman asked if Council Members would consider using City facilities and if that would encourage other organizations to come forward. She generally supported the trial period for the pilot program but wanted to remove the responsibility of the program administration from staff.

Cubberley Community Center

In recent months, the extent of homeless dwelling at the Cubberley Community Center has increased substantially (20-30 per evening), including those in vehicles (5-10 per night). There has been increased conflict between the site dwellers, and staff at the Center report feeling intimidated and unsafe on some occasions. A more frequent City Police presence has been required. Staff continues to assess solutions to limit the activity at Cubberley and is concerned that allowed vehicle dwelling there may lead to further incidents, and would require further City resources for management and administration.

Recent Faith-Based Community Outreach

Since the November 20, 2012 update, staff has teamed up with the Downtown Streets Team to meet with interested congregations. Over the past four months Staff has worked closely with

an ad hoc committee of the Palo Alto Friends Meeting (PAFM). Specifically, PAFM requested staff's assistance with an outreach strategy, attendance of their ad hoc committee meetings, and participation in community meetings to discuss the logistics of the Pilot Program. Two community meetings were held with immediate neighbors and the Friends Nursery school currently operating out of the site. Neighbors circulated a petition against PAFM's intention to participate in the Pilot Program. The petition is appended as Attachment I.

During the meetings there was a general concern with safety, privacy, and they felt the site was inadequate to accommodate the proposed activity. Based on the concerns raised through the outreach efforts, PAFM decided with much regret not to participate as a host in the Pilot Program.

Current Recommendations

1. Abandon Efforts

Staff resources are extremely limited to continue effort on this subject, given the many other Council priority assignments. Despite staff efforts, five months after the November report there is still only a commitment from one congregation to sponsor a program. While staff believes the Pilot Program could provide an alternative solution for some vehicle dwellers, the enticement to participate as a host is not presently strong enough to continue and identifying City sites to host vehicles dwellers is not presently feasible and would demand further staff and financial resources. Another potential issue is the future availability of Downtown Streets. Their ability to commit themselves to serve as the administrative role for a 3-month pilot program at no cost is reduced as they become more committed elsewhere. Should their availability change, City staff may have to play a more active role in the administration of the Pilot Program.

2. Ordinance Prohibition

Several approaches have been considered since July 2011 to address complaints received regarding persons living in vehicles, including the adoption of an ordinance prohibiting the human habitation of vehicles. The City currently does not explicitly prohibit such activity and the only available enforcement tool to the Police Department is a parking regulation. Given the Police Department does not have the proper tools to respond to complaints received there are members of the community that feel an ordinance is needed to serve as that tool. The Palo Alto Chamber of Commerce has outlined in a letter its position and recommendation for the drafting of an ordinance concurrently with the Pilot Program (Attachment J).

Recognizing the sensitivity of the issue, a proposed ordinance could include accompanying enforcement procedures based on a gradual outreach, social service, and incremental enforcement approach. If the P&S Committee, and ultimately the City Council, direct staff to prepare an ordinance, it could be accompanied by procedures to include: a) response on a complaint basis, b) an education and outreach period prior to issuing citations, c) referrals to social services, and d) actual enforcement only upon continued violation. If staff is directed to prepare an ordinance and procedures, interested parties that have been engaged with this issue will be given the opportunity to review the draft ordinance and enforcement procedures prior to their review by Council.

It is staff's position that abandoning the pilot program efforts at this time and pursuing enhanced social service outreach is a preferable approach. Collectively, these actions should address most concerns raised by complainants.

Resource Impacts

Staff from Planning and Community Environment, Community Services, Police, and the City Attorney's Office have coordinated this effort and have been involved in meetings with the Working Group and community. Planning staff has taken the lead to organize the group and prepare materials and staff reports.

Resource impacts associated with a trial 6-month program sponsored by the faith community and monitored by the Downtown Streets Team would require minimum resources from the City, likely on the order of \$20,000 for portable toilets and minimal incidentals. Funding would likely come from social service funding (HSRAP or CDBG), Council contingency funds, or Stanford University Medical Center Development Agreement funds, from accounts designated for health services.

Resource impacts of a City-sponsored trial program have not been estimated, but would require considerably more staff time and at least similar facility support.

Attachments:

- Attachment A: Proposed Program Highlights (PDF)
- Attachment B: November 20, 2012 Staff Report to Policy and Services (PDF)
- Attachment C: November 20, 2012 Policy and Services Meeting Minutes (PDF)
- Attachment D: September 15, 2011 Community Forum Notes (PDF)
- Attachment E: Community Forum Notes June 26, 2012 (PDF)

- Attachment F: Eugene Oregon Permitted Overnight Sleeping Ordinance (PDF)
- Attachment G: November 15, 2011 Staff Report to Policy and Services (PDF)
- Attachment H: November 15, 2011 Policy and Services Meeting minutes (PDF)
- Attachment I: Petition on the Vehicle Dwelling Program at Friends Meeting (PDF)
- Attachment J: Chamber of Commerce Position Letter (PDF)

Proposed Pilot Vehicle Dwelling Program

Program Highlights

Persons may sleep overnight in a vehicle, camper or trailer in a parking lot of a religious institution, place of worship, or business with the written permission of the owner as a transitional housing alternative under the following limited circumstances:

1. Such overnight use does not conflict with express conditions imposed by the City on a permit for the religious institution, place of worship, or business.
2. No more than three (3) vehicles shall be allowed on the religious institution, place of worship, or business' real property for overnight accommodation use at any one time.
3. During the overnight use, each vehicle shall be sited at a location not less than twenty (20) feet from any real property being used for residential purposes.
4. Such vehicles are properly and currently licensed for operation on the highway in accordance with the California Vehicle Code.
5. The religious institution, place of worship, or business has sole and exclusive control of the parking being used for this purpose. The organization shall furnish each vehicle owner an approval letter on letterhead stipulating specific guidelines.
6. The religious institution, place of worship, or business makes adequate and sanitary bathroom facilities available to the occupants of the recreational vehicles.
7. No rent shall be received for this overnight accommodation use.
8. Limited security will be provided by Downtown Streets Team.



City of Palo Alto

Policy and Services Committee Staff Report

(ID # 2768)

Report Type: Meeting Date: 11/20/2012

Summary Title: Habitation of Vehicles Issue

Title: Consideration of Approaches to Address Concerns Related to Human Habitation of Vehicles

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

Staff requests that the Policy and Services Committee review the proposed approaches to the Human Habitation of Vehicles issue and recommend to Council that staff:

- 1) Initiate an ordinance and a vehicle camping pilot program, including the following:
 - a. Enact an ordinance prohibiting vehicle habitation, but deferred from taking effect until six (6) months following adoption; and
 - b. Continue to solicit input from the faith-based community and others in sponsorship of a 3-month Pilot Vehicle Dwelling Program, consistent with the parameters outlined in Attachment A; and
 - c. Enlist the assistance of the Downtown Streets Team to provide outreach upon requests of residents or businesses where concerns are registered about persons living in vehicles, and to assist with implementation and oversight of the Pilot Vehicle Dwelling Program;

OR

- 2) Abandon current staff efforts and no longer pursue a program or ordinance.

Background

A draft ordinance was prepared in July of 2011 to address complaints received by residents and business owners related to alleged disturbances by persons living in vehicles in or near residential neighborhoods and commercial districts. Staff scheduled consideration of the draft ordinance for City Council review on July 25, 2011. However, after homeless residents and advocates voiced their opinions to the City Council, the City Manager requested the item be removed from the agenda to allow for additional community outreach. The City Council

concluded and suggested the matter be reviewed by the Policy and Services Committee in advance of full Council review.

A working group was established comprised of various stakeholders in order to provide input to City Staff. The working group includes representation from the unhoused community, local social service providers, neighborhood residents, businesses, the faith-based community, and City staff from the Planning, Police, City Attorney, and Community Services Departments. To date, two community forums and seven working group meetings have taken place to obtain additional input and discuss alternative solutions.

On November 15, 2011, staff provided an informational report to the Policy and Services Committee on the status of the Human Habitation of Vehicles issue and related programs. The report included information from the first community forum and a summary of the first two working group meetings (Attachment D). The Policy and Services Committee meeting minutes are included as Attachment E.

Staff continues to receive occasional complaints about homeless persons living in vehicles, with most of those related to the Cubberley Community Center site (an increase probably due to the temporary closure of other sites for construction, such as the Art Center, Mitchell Park Library, etc.). Community Services Department Staff is experiencing an increase in issues at Cubberley Community Center and is working on approaches to address the various matters and obtain compliance with campus rules. The total number of complaints coming to Planning in the past 8-10 months probably amounts to a half dozen, and the Police Department does not isolate those complaints from many other disturbance calls, so it's difficult to gauge a total citywide. Staff still estimates that a total of 25-50 persons or perhaps more live in vehicles throughout the community, most of whom have not been of concern to neighbors, businesses, and visitors in the city.

Discussion

Since the November 2011 update, the Working Group met on four other occasions to discuss approaches and possible solutions to the issue. Three primary approaches were identified: 1) a car "camping" program modeled after the Eugene, Oregon Homeless Car Camping Program; 2) an ordinance prohibiting vehicle habitation on City streets or City-owned sites; and 3) parking regulations and limits. Each of these approaches is described in further detail later in this report.

Some members of the Working Group expressed interest in pursuing the car camping program in tandem with the adoption of an ordinance (note: Eugene has an ordinance prohibiting camping on public streets). Others argue there is no guarantee of participation in the program

and/or if the program would resolve the issue. Moreover, they questioned the timeline of the program, what is to follow, and what the accomplishments of the program would be. It was recognized that the intent of the program was not to end homelessness in Palo Alto. Instead, a program like this could serve as a transitional housing alternative. The Palo Alto Chamber of Commerce has outlined in a letter its position and recommendation for the drafting of an ordinance concurrently with a program modeled after the Eugene Oregon program (Attachment F).

The subsequent Working Group meetings focused on a proposal to establish and implement a 3-month pilot program modeled after the Eugene Oregon Homeless Car Camping Program and determine whether it would provide a benefit for homeless persons and for affected residents or businesses. Several concerns were raised, including finding a social service agency to take on the administrative role for the program (the St. Vincent de Paul Society does so in Eugene) and determining whether there was expressed interest from property owners, business owners, and the faith-based community. The Downtown Streets Team has volunteered to administer the program during the 3-month pilot phase at no cost. Staff indicated that a commitment was needed from at least three congregations to launch a pilot program. The Working Group reached out to the faith-based community about their role and leadership.

On April 20, 2012, a meeting was held with the faith-based community to discuss their role, leadership, and potential participation in the pilot program. Forty-two (42) organizations were invited and seven congregations participated in the meeting. Several concerns were raised, including but not limited to current participation in the Hotel de Zink program, insurance requirements, sanitary bathrooms, and background checks. Overall the faith-based community expressed its support for the program and participation in formulating a solution. Congregations were then asked to submit their intent to participate in the program by May 31, 2012.

Staff received confirmation from only one congregation about its intent to participate in the pilot program, though a number of neighbors of that church have expressed concern about the small site, the proximity to homes there, and that the 20-foot suggested buffer between vehicles and residential properties is inadequate. There were, however, several congregations indicating interest in participating in a permanent program but who require additional time to consider the logistics, discuss it with their entire congregation, and coordinate outreach to their neighbors. For instance, some do not currently have the restroom facilities or parking space to participate in the pilot program. To that end, members of the faith-based community restated their interest but requested additional time to consider whether a commitment is possible. Staff has subsequently received strong interest from one additional church (note: staff believes that participation of the prior interested congregation was not feasible due to neighborhood concerns).

Community Forum on June 26, 2012

The City sponsored a second “Living in Vehicles Community Forum” on June 26, 2012 in order to present alternative approaches and solutions developed in consultation with the Working Group. Staff presented a range of options and approaches to about 35 attendees. These approaches are summarized in the section below. Comments shared through comment cards and questions received at the community forum are summarized in Attachment C. In general, the comments received mirrored those expressed within the Working Group, including: 1) some homeless persons are of the opinion this is a parking issue, 2) others are opposed to an ordinance but supportive of the car camping effort, and 3) some residents believe an ordinance is necessary to police vehicle dwellers of concern. For the most part, the speakers represented viewpoints of homeless advocates or religious institutions. A representative of the Downtown Streets Team indicated his organization’s commitment to the car camping program as well as in a role as an initial point of contact for outreach to vehicle dwellers. A representative of First Presbyterian Church (the one church that had to that point committed to hosting as part of a pilot) also spoke, reiterating his support of the program and surprise about the negative responses of the church’s neighbors.

Since then, Staff has been working with the Downtown Streets Team and Mayor Yeh in outreach to individual congregations to solicit support for a pilot program. First Presbyterian Church representatives offered their leadership within the faith-based community to promote interest in the program. Although First Presbyterian Church will not be a host congregation, given the concerns raised by their neighbors, they have offered ancillary support for the program including but not limited to limited security checks in the morning. An additional congregation has stepped forward with several others requesting additional information and time to make a formal commitment. Despite these efforts, there is still only one congregation that has made a commitment.

Approaches

Staff developed the following approaches that were presented at the second community forum.

1. Pilot Vehicle Dwelling Program

A 3-month Pilot Vehicle Dwelling Program could be established, temporarily allowing the human habitation of vehicles within designated parking lots throughout the City, generally at churches or businesses (the Policy and Services Committee previously directed that the program not be located at City facilities, though several vehicle campers currently reside at Cubberley Community Center). Key parameters of the proposed program are outlined in Attachment A. The proposed program has been modeled after the City of Eugene Oregon’s

Homeless Car Camping Program allowed under Section 4.816 of the Eugene Municipal Code (Attachment B). A presentation made to the Eugene City Council in 2011 is also included as Attachment G. The Downtown Streets Team would serve in an administrative role and would be the first point of contact when a complaint related to the human habitation of a vehicle is received by the Palo Alto Police Department. The individual would be connected to available social services and matched with a host church. As noted, a commitment from only one congregation to implement the pilot program has thus far been received, which staff does not consider adequate to proceed. If implemented, the benefits of this approach might address some of the parking and safety concerns raised by residents and business owners, but it is unclear whether participants would be those currently of concern to residents and businesses or others, perhaps even from outside of Palo Alto. Staff also believes that the criteria should be modified to better assure compatibility and buffering from residents and to incorporate neighborhood outreach efforts by the congregation. Most recently Staff was approached by a member of the Working Group regarding a similar program the City of Santa Barbara developed as a result in a substantial increase in vehicle dwellers in south Santa Barbara County. New Beginnings, a social service provider organized around a counseling center, administers the Safe Parking Program under a contract with the City of Santa Barbara. An overview of the program is included as Attachment H. Staff has contacted staff from the City of Santa Barbara, and notes that the program is administered by the City and is fairly staff-intensive and costly.

2. Enhanced Social Service Outreach

Another option is to “do nothing” in the way of establishing new regulations or programs, but to better connect social service providers with homeless who are now living in vehicles, particularly those of concern to residents or businesses. The Downtown Streets Team has offered to be the first point of contact when a complaint is received by Police, but where no crime or violation has been committed (or at least is not occurring when the Police arrive). The Downtown Streets Team representative would approach the person of concern and offer to assist with finding appropriate services and housing, upon referral by the Police Department. This approach may help to target the relatively few instances of concern without imposing an ordinance, and could be implemented on a trial basis for several months. Staff also believes that the Downtown Streets Team and the police could better assess and document the extent of the problem.

3. Ordinance Prohibition

The overall perception of many in the Working Group is that an ordinance to prohibit the human habitation of vehicles is not necessary. Some contend that adopting the proposed ordinance would criminalize the poor. Others, however, particularly neighborhood and commercial representatives, feel that an ordinance is needed to police the vehicle dwellers of concern and spur them to seek help from social service providers. Several variations to the ordinance were discussed, including: a) postponing the ordinance until after the pilot

program; b) adopting the proposed ordinance only upon implementation of the car camping program alternative; or c) adopting the proposed ordinance without the car camping program.

4. Parking Restrictions

Another issue that may be addressed separate from the ordinance and/or program would be to implement more aggressive parking restrictions within at least a couple of the problem areas. One issue relates to the parking and storage of multiple vehicles in or around certain commercial and neighborhood areas (particularly College Terrace). According to Section 10.36.030 of the Palo Alto Municipal Code, a vehicle is not allowed to be parked or left standing for seventy-two or more consecutive hours. The vehicle dwellers of concern are aware of this regulation and manage to move their vehicles to comply with the code. In the College Terrace commercial area near El Camino Real, staff has surveyed affected businesses and expects to post signs prohibiting overnight parking (1:00 – 4:00 a.m.) on those streets within the next 30 days. Another area near Boulware Park is also under evaluation for additional parking restrictions around the park itself. The benefit of this approach is that it would solve parking related issues to the human habitation of vehicles in a couple of specific instances where parking multiple vehicles is as much of a problem as living in vehicles. However, it would not resolve the larger social problem and may result in relocation to another part of the city. Staff would monitor for those impacts following installation of new parking signage.

At this time, staff believes that implementing options 2 (social service contact) and 4 (parking restrictions) are low-cost alternatives that should be pursued immediately and don't require Council direction. Staff believes that the Pilot Vehicle Dwelling Program could provide an alternative for some of the vehicle dwellers, at a minimal cost to the City, but interest in the community sponsoring the program is not sufficient at this time. Adoption of an ordinance prohibiting vehicle habitation, with a deferred implementation (six months), however, may provide the necessary impetus for the initiation of the program. This approach also pairs the regulatory prohibition with an option for providing assistance to those who wish. The ordinance would be enforced on a complaint basis only. Staff recommends either this approach (deferred ordinance plus an opportunity to implement a Vehicle Dwelling Program) be offered to Council, or that the Vehicle Habitation effort be abandoned at this time. Staff considers the issue to be important and valid for those residents and businesses (and homeless) who have been affected by concerned actions of a few individuals, but does not believe this is pervasive throughout Palo Alto. Staff (and community members) has devoted considerable time to the issue and if the above approach is not acceptable, then perhaps it is most appropriate to pursue other priorities. Staff would continue to work with the Downtown Streets Team to evaluate whether they could assist the Police Department as initial responders when incidents are reported.

Resource Impact

Staff of Planning and Community Environment, Community Services, Police and the City Attorney's Office have coordinated this effort and have been involved in the meetings with the Working Group and the community. Planning staff has taken the lead to organize the group and prepare materials and staff reports. Staff expects that the results of any program or ordinance would not have substantial fiscal impacts on the City, particularly as staff understands the Policy and Services Committee's prior direction that the City should not include City lands or administration in any potential vehicle camping program. However, if a Vehicle Dwelling Program is pursued, staff recommends allocating minimal funds (up to \$5,000 total) that would help pay for the portable toilets required of the host congregations during the trial period.

Attachments:

- Attachment A: Proposed Pilot Vehicle Dwelling Program Outline (PDF)
- Attachment B: Eugene, Oregon Permitted Overnight Sleeping Program (PDF)
- Attachment C: Community Forum Notes June 26, 2012 (PDF)
- Attachment D: November 15, 2011 Staff Report to Policy and Services Committee (PDF)
- Attachment E: November 15, 2011 Policy and Services Committee Meeting Minutes (PDF)
- Attachment F: Chamber of Commerce Position Letter (PDF)
- Attachment G: Eugene, Oregon Car Camping Presentation 2011 (PDF)
- Attachment H - Santa Barbara Safe Parking Program Overview (PDF)
- Public Comment Letters (PDF)

Proposed Pilot Vehicle Dwelling Program

Program Highlights

Persons may sleep overnight in a vehicle, camper or trailer in a parking lot of a religious institution, place of worship, or business with the written permission of the owner as a transitional housing alternative under the following limited circumstances:

1. Such overnight use does not conflict with express conditions imposed by the City on a permit for the religious institution, place of worship, or business.
2. No more than three (3) vehicles shall be allowed on the religious institution, place of worship, or business' real property for overnight accommodation use at any one time.
3. During the overnight use, each vehicle shall be sited at a location not less than twenty (20) feet from any real property being used for residential purposes.
4. Such vehicles are properly and currently licensed for operation on the highway in accordance with the California Vehicle Code.
5. The religious institution, place of worship, or business has sole and exclusive control of the parking being used for this purpose. The organization shall furnish each vehicle owner an approval letter on letterhead stipulating specific guidelines.
6. The religious institution, place of worship, or business makes adequate and sanitary bathroom facilities available to the occupants of the recreational vehicles.
7. No rent shall be received for this overnight accommodation use.
8. Limited security will be provided by Downtown Streets Team.

Eugene Code

- the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
- (2) It is found and declared that:
 - (a) From time to time persons establish campsites on sidewalks, public rights-of-way, under bridges, and so forth;
 - (b) Such persons, by such actions create unsafe and unsanitary living conditions which pose a threat to the peace, health and safety of themselves and the community; and,
 - (c) The enactment of this provision is necessary to protect the peace, health and safety of the city and its inhabitants.
 - (3) No person shall camp in or upon any sidewalk, street, alley, lane, public right-of-way, park or any other publicly-owned property or under any bridge or viaduct, unless otherwise specifically authorized by this code or by declaration of the Mayor in emergency circumstances.
 - (4) Upon finding it to be in the public interest and consistent with council goals and policies, the council may, by motion, exempt a special event from the prohibitions of this section. The motion shall specify the period of time and location covered by the exemption.

(Section 4.815 amended by Ordinance No. 19163, enacted July 11, 1983; and Ordinance 20062, enacted September 16, 1996, effective October 16, 1996.)

4.816 Permitted Overnight Sleeping.

- (1) Notwithstanding any other provision of this code:
 - (a) Persons may sleep overnight in a vehicle, camper or trailer in a parking lot of a religious institution, place of worship, business or public entity that owns or leases property on which a parking lot and occupied structure are located, with permission of the property owner. The property owner may not grant permission for more than three vehicles used for sleeping at any one time.
 - (b) Persons may sleep overnight in the back yard of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. Not more than one family may sleep in any back yard, and not more than one tent or camping shelter may be used for sleeping in the back yard. As an alternative, but not in addition to sleeping overnight in the back yard, not more than one family may sleep in a vehicle, camper or trailer parked in the driveway of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. For purposes of this subsection, "family" means persons related by blood or marriage, or no more than two unrelated adults.
 - (c) Persons may sleep overnight in a vehicle, camper or trailer on a paved or graveled surface located on a vacant or unoccupied parcel, with the permission of the property owner, if the owner registers the site with the city or its agent. The city may require the site to be part of a supervised program operated by the city or

Eugene Code

- its agent. The property owner may not grant permission for more than three vehicles used for sleeping at any one time.
- (2)** A property owner who allows a person or persons to sleep overnight on a property pursuant to subsections (1)(a), (1)(b) or (1)(c) of this section shall:

 - (a) Provide or make available sanitary facilities;
 - (b) Provide garbage disposal services as required by sections 6.050 and 6.055 of this code;
 - (c) Provide a storage area for campers to store any personal items so the items are not visible from any public street;
 - (d) Require a tent or camping shelter in a backyard to be not less than five feet away from any property line; and
 - (e) Not require payment of any fee, rent or other monetary charge for overnight sleeping, as authorized by this section.
 - (3)** A property owner who permits overnight sleeping pursuant to subsection (1) and (2) of this section, may revoke that permission at any time and for any reason. Any person who receives permission to sleep on that property as provided in this section shall leave the property immediately after permission has been revoked.
 - (4)** Notwithstanding any other provision of this section, the city manager or the manager's designee may:

 - (a) Prohibit overnight sleeping on a property if the city finds that such an activity on that property is incompatible with the uses of adjacent properties or constitutes a nuisance or other threat to the public welfare; or
 - (b) Revoke permission for a person to sleep overnight on city-owned property if the city finds that the person has violated any applicable law, ordinance, rule, guideline or agreement, or that the activity is incompatible with the use of the property or adjacent properties.
 - (5)** The city manager or the manager's designee may impose administrative civil penalties on property owners who fail to comply with the requirements of subsections (1) and (2) of this section, as provided in section 2.018 of this code.
 - (6)** In addition to any other penalties that may be imposed, any campsite used for overnight sleeping in a manner not authorized by this section or other provisions of this code shall constitute a nuisance and may be abated as such. As used in this section, "campsite" has the meaning given in section 4.815 of this code.
 - (7)** The city manager may adopt administrative rules in the manner provided in section 2.019 of this code to implement this section.
 - (8)** With authorization from the city manager or designee in connection with a specific special event, persons may sleep overnight on public property which has a community center, swimming pool, or other city-operated athletic facility located thereon at which the special event is

being held. The authorization shall be limited to no more than eight days in any two-week period.

- (9) Nothing in section 4.815 or 4.816 of this code creates any duty on the part of the city or its agents to ensure the protection of persons or property with regard to permitted overnight sleeping.

(Section 4.816 added by Ordinance No. 20130, enacted August 5, 1998; and amended by Ordinance No. 20255, enacted June 10, 2002, effective July 10, 2002.)

4.820 Petty Larceny.

(Section 4.820 amended by Ordinance No. 19500, enacted September 28, 1987; administratively amended by Ordinance No. 20113, enacted April 6, 1998, effective May 6, 1998; and amended by Ordinance No. 20161, enacted July 26, 1999, effective August 26, 1999; and repealed by Ordinance No. 20446, enacted December 14, 2009, effective January 1, 2010.)

4.822 Theft.

- (1) Theft in the Third Degree. A person commits the crime of theft in the third degree if the total value of the property in a single or an aggregate transaction is less than \$100, and the person, by means other than extortion, with the intent to deprive another of property or to appropriate property to the person or a third person:
- (a) Takes, appropriates, obtains or withholds such property from an owner thereof; or
 - (b) Comes into control of property of another that the person knows or has good reason to know to have been lost, mislaid or delivered under a mistake as to the nature or amount of the property or the identity of the recipient, and with the intent to deprive the owner thereof fails to take reasonable measures to restore the property to the owner; or
 - (c) Obtains property of another, and with the intent to defraud:
 - 1. Creates or confirms another's false impression of law, value, intention or other state of mind which the actor does not believe to be true; or
 - 2. Fails to correct a false impression which the person previously created or confirmed; or
 - 3. Prevents another from acquiring information pertinent to the disposition of the property involved; or
 - 4. Sells or otherwise transfers or encumbers property, failing to disclose a lien, adverse claim or other legal impediment to the enjoyment of the property, whether such impediment is or is not valid, or is or is not a matter of official record; or
 - 5. Promises performance which the person does not intend to perform or knows will not be performed.
 - (d) Receives, retains, conceals or disposes of property of another knowing or having good reason to know that the property was the subject of theft. For purposes of this subsection, "receiving"

**LIVING IN VEHICLES SECOND COMMUNITY FORUM
JUNE 26, 2012
COMMENT CARDS AND NOTES**

Attachment C

QUESTIONS
<p>Q: Is Palo Alto the only City that does not have a similar ordinance in Santa Clara County? A: It is the City's understanding that Palo Alto is the only City along the Peninsula that does not have such an ordinance.</p>
<p>Q: Has anyone challenged these ordinances? If so, what has been the result? Has there been grass root opposition? A: Don Larkin is not aware of any. It is unknown if there has been grass root opposition on these other ordinances.</p>
<p>Q: What is the Status Quo? A: No ordinance prohibiting living in vehicles. The primary regulation is the 72 hours or more parking limit. The second are general violations such as urinating in public or other nuisances.</p>
<p>Q: How many complaints have been received in the last year? A: It is difficult to provide a specific number. The Police Department does not keep statistics separately and they do not track whether they are unhoused.</p>
<p>Q: How did City staff reach out to the Faith Based Community? Why does the program only identify "places of worship" A: Rick Toker provided a contact list for the 42 various congregations. City property was not considered due to the cost associated with maintenance and monitoring.</p>
COMMENT CARDS
<p>I would like to make a brief statement outlining my most important reasons for opposing the vehicle dwelling ban portions of the proposed City Ordinance-</p>
<p>I've been living in my vehicle for the past 2 years. I'm 64 years old and on the waitlist for senior housing. I'm against the ordinance because it will not solve the problem but would aggravate the situation worse.</p>
<p>Vehicle dwelling; the problems of poverty and job loss</p>
<p>I wanted to share recent experience learning about other community's obstacles in enforcing such an ordinance. I also wanted to express Downtown Streets Team's willingness to help out.</p>
<p>Having lived in Palo Alto since 1960, I know it to be a caring community which does not want to criminalize good people.</p>
<p>Many years of experience working as an RN. Concerned about the health of those living in vehicles and how it could decline further if forced to the streets. Also remember many living in vehicles are employed and can't afford the high rents in the area.</p>
<p>With large layoff like the ones at HP's many people who have homes today could find themselves living in their vehicles. I do not want vehicle habitation to become a crime.</p>
<p>Why?</p>
<p>My outreach experience with the unhoused.</p>

**LIVING IN VEHICLES SECOND COMMUNITY FORUM
JUNE 26, 2012
COMMENT CARDS AND NOTES**

Legal view
1) How many complaints; 2) Church vs. public lots; 3) ; 4)personal experience
Newspaper article on motor home example in Palo Alto
Living in vehicles is not a problem it is the result of a lack of housing.
Why 1 st Presbyterian Church of Palo Alto said yes the Pilot Program
Seems to be enough support here. Each person who supports vehicle residents to take them home to their driveway and use their bathrooms.
ADDITIONAL COMMENTS
<ul style="list-style-type: none"> • A suggestion was made that if churches are going to participate in such a program then they should outline a plan of how to approach their neighbors before making a commitment. • When First Presbyterian Church started their Wednesday meal program there was a firestorm. • Having a program that can be controlled will give people a sense of security and wellbeing. • In land use controversy “one side out organizes the other.” Willing to participate in outreaching. Suggestion that the community does everything and pulls together. Staff can’t be expected to do the outreach as it would not be fair to staff.
<ul style="list-style-type: none"> • The pilot program discussed was not a consensus of the Working Group.



City of Palo Alto

Policy and Services Committee Staff Report

(ID # 2211)

Report Type: Meeting Date: 11/15/2011

Summary Title: Habitation of Vehicles Ordinance

Title: Status of Habitation in Vehicles Ordinance/Programs

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

This is an informational report to provide a status on the Human Habitation in Vehicles Ordinance and related programs. No action is required. Staff will return with specific proposals following further community outreach.

Background

Over the past several years there have been a number of incidents reported by residents and business owners related to alleged disturbances by persons living in vehicles in or near residential neighborhoods and commercial districts. Specific incidents have sometimes been troublesome for residents and businesses, in some cases including public urination, trespassing, belligerent behavior, or other actions that are perceived as threats to safety or health. The Police Department does not track these complaints, so there is not an accurate measure of the number and frequency of calls, but Police estimate that there are about 20 vehicle dwellers who are scattered throughout the city. Accordingly to homeless advocates, however, there are probably about 100 vehicle dwellers in total, so for the most part such persons are peaceful, do not bother residents, and in some cases provide helpful services to the community. Some of the complaints, particularly in the College Terrace neighborhood, also relate to parking an excessive number of vehicles in the area.

In July of 2011, a draft ordinance was prepared to address complaints received by residents and businesses. The draft ordinance would have prohibited human habitation of vehicles, with limited exceptions, and was modeled after similar ordinances in other cities located within Santa Clara County and San Mateo County. Currently, the City of Palo Alto appears to be the only city located in Santa Clara County that does not have an ordinance addressing this issue. The City's current requirements do not limit sleeping or living in a vehicle, but do prohibit parking a vehicle in the same space for more than 72 hours. The vehicle dwellers of concern, however, are aware of the regulations and are able to move their vehicles to comply with the 72-hour limit. The Police Department therefore is only able to approach these cases as complaints arise and generally attempt to address the individual cases by contacting the vehicle dweller and, if they are available at the time, referring them to local shelters and service

providers. In most cases, the vehicle dweller does not take advantage of those services, but sometimes they are persuaded to move and then relocate to another neighborhood.

Staff scheduled consideration of the draft ordinance for Council review on July 25, 2011. Homeless residents and advocates, however, voiced their opinions to the City Council before that date that an alternative solution be proposed and that additional community outreach be pursued. The City Manager then requested that the City Council remove the item from the July 25, 2011 meeting in order to allow additional community outreach, including discussions with the Community Cooperation Team (homeless advocates) before an ordinance or other approach is presented and a decision on the matter is rendered. The Council concurred and suggested that the matter should also be reviewed by the Policy and Services Committee in advance of full Council review.

Discussion

A working group has been established, comprised of various stakeholders in order to provide input to City Staff. The working group includes representation from the unhoused community, local social service providers, neighborhood residents, businesses, and the faith based community, as well as City staff (Planning, Police, City Attorney and Community Services departments). To date, a community forum and two working group meetings have taken place to obtain additional input and to discuss alternative solutions. Another working group meeting is scheduled for the morning of November 15th and a verbal report will be provided to the Committee that evening.

Community Forum

On September 15, 2011, the City in conjunction with the Community Cooperation Team held a "Living in Vehicles Community Forum" to invite public comment regarding individuals living in their vehicles and others affected by these activities. The goal of the meeting was to reach out to the community and discuss issues and approaches to address problems experienced by both persons living in vehicles and affected residents and businesses. Approximately sixty individuals participated in the forum. The meeting notes are appended to this update as Attachment "A".

A website has been established on the Community Services Department at:

<http://www.cityofpaloalto.org/depts/csd/news/details.asp?NewsID=1882&TargetID=271>.

Working Group

On October 26, 2011, the expanded working group held a meeting to define and frame the issue and continue the conversation about plausible solutions and/or options. There was a general consensus that there were multiple issues at hand and clearly defining the problem was the first step. Specifically, a distinction was made between a) the parking and storage of multiple vehicles in or around certain commercial/residential areas and b) people living in their vehicles and parking within residential and/or commercial neighborhoods. Distinctions were also drawn to recognize that the majority of vehicle dwellers are not causing any problems, while there are valid safety, security and health concerns of neighbors and businesses that are affected by the minority of vehicle dwellers.

Members of the Community Cooperation Team have offered suggestions for an ordinance modeled after Eugene, Oregon's Camping Ordinance. The ordinance would allow private businesses, places of worship, and government facilities to designate parking to accommodate either three medium vehicles or one large vehicle on the property. Providers of these parking spaces would govern their property and issue approval letters with corresponding dates and any required provisions. Concurrently, the City's Community Service Officer would serve as a facilitator for those living in their vehicles by providing a list of approved parking lots and social service programs. The group will also discuss how parking regulations might be modified to address some of the specific parking-related issues.

Other approaches, including something similar to the original draft ordinance, are also still to be discussed. The second expanded working group meeting is scheduled for November 15, 2011 to further review these options and discuss the potential implications of each.

Next Steps

Staff expects to conduct one more working group meeting, and then to present options at a community meeting in December or early January 2012. A final working group meeting would follow prior to staff's presentation of a recommended program to the Policy and Services Committee in February.

Attachments:

- Attachment A: September 15, 2011 Community Forum Notes (PDF)
- Public Doc (PDF)

Prepared By: Curtis Williams, Director

Department Head: Curtis Williams, Director

City Manager Approval: James Keene, City Manager

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

COMMENT CARDS	COMMENT
	How about the churches donate their parking lots for overnight parking for the homeless vans? I suggest that the van dwellers have a permit and are registered with the city just like the homeowners and renters. Right now we do not know who these people are living in front of our homes or down the street.
	Solutions should be provided to all affected area not just R-1 districts. Business and mixed used neighborhoods are also affected.
	Do nothing. Enforce the exiting laws to deal with those who are harassing people and violating the laws. People have same right to own a vehicle and use the public streets. To deny only poor people the right to own a vehicle and use the public street while allowing wealthy people is unconstitutional. I want to be a member of the task force.
	How many people are there sleeping in vehicles in Palo Alto? How many are causing concerns? What can be done when someone does cause problems? Rumor-vans being rented by "van guys"? Future meetings should be at city facilities. Parking areas should be dispersed around the city.
	Solution: Corporate sponsorship of individuals and of programs.
	Compassion is very important. Is there any way that Palo Alto PD could step up enforcement on a case by case basis? I feel for the mother who is concerned about her children. What about creating specific "safety zones?" Industrial areas where homeless in vehicles can be directed rather than residential.
	Liked the idea of Baylands/designated areas, city supported and/or limited number in designated places.
	Separate the problem. Deal with each alone. First, sleeping in cars; second, deal with persons who exhibit criminal behavior; third where to park. Once that is done, bring these three together and resolve differences if needed.
	Problem is getting even worse with the economic downturn and the aging "baby boomers". Look into nearby models-San Mateo County Mental Health; engage corporate models for funding; use the resources to extend what we have; H.I.P. Housing-a program in San Mateo to house homeless people.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	I was thrown out of my house as a teenager. Homeless and afraid. I would not want to see other teenagers in that situation.
	Preschool Family, across from Cubberley at the Greendell site. Several car-dwellers are currently living right behind my classroom without causing any trouble recently. In the past, we have had homeless people sleeping on play structures, leaving trash, urinating and defecating in classroom doorways. Parents are concerned about safety for their children and themselves, since they come to at night. Improved lighting in the parking lot around the friends of the Library portable would be a good thing. As a private individual, I think the idea of several locations for small numbers of vehicles where dwellers have access to water and toilets and where social services /homeless outreach organizations would visit or a regular basis is good. It should also be possible to enforce laws about harassment against anybody who are in a threatening way to children or other people in the community.
	An issue that was not discussed is that of sanitation/hygiene. The city needs to provide toilets, water, showers, etc. for the car dwellers. Why is the P.D. unable to enforce the 72-hour rule with the person who owns the fleet of vans, that park on Staunton, Oxford and Cambridge in College Terrace?
	The City of Palo Alto should provide safe parking, toilets and showers for vehicle dwellers. Add a small tax or solicit subscription from residents. Many would be happy to donate.
	I'm homeless and live in my car.
	Safety.
	Praying for individuals to open their homes.
	Impact of van storage on neighborhood – health and safety issues causing at least one family to move out.
	One person with 12 vans started this problem. Don't punish the rest of us. I've lived in an apartment 30 years-went homeless last year.
	Living outside and ideas on accommodating those with vehicles.
	Opportunity Center origins.
	I would like the staffs, the city council to be compassionate to the plight of the homeless as we are making effort to work on an alternative that work out for everybody.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	If a person living in a vehicle near your residence began to rent a room out of the house next door and their vehicle remained on the street, how would that change your perception of that person and why?
	Parking during day-sprawl downtown. Slippery slope of what is objectionable.
	I would like to speak as a person who dwells in a vehicle.
	Am a teacher and resident in Palo Alto. Have a mentally ill adult son who is homeless. Palo Alto is part of the giant Santa Clara County and most services are in south county. Could there be process where we model a support network like San Mateo. Palo Alto's criminalizing poverty without the support services needed is criminal.
	Wow. I guess I would like to say I feel very strongly about attempts to make every square inch the property of only those who own or have an interest in real property. It's inhumane. I am an attorney and an entrepreneur and I will allow people to park on the street by my house.
	Will we make it over the mountain?
	2 minutes, for students about research projects (in law, public health, technology and social entrepreneurship).
	I cried because I had no shoes, till I saw a man with no feet.
	In order to save money for 1 st and last month rent: 1973 – Seven weeks sleeping in Volkswagen Square back with my family-3 children in San Mateo. 1975-One month sleeping with my family-3 children and two dogs (in between house rentals); 1979 – Winter-23 days in van with 3 children and two dogs (in between house rentals). I do not want a law that prevents folks from sleeping in their vehicle.
	My children's experience with vans and cars on our street.
	Brown van experience with kids.
	Concern for community, housed and homeless. Working together to be of service to each other.
	Want to know-what ordinances currently exist that cover this issue? How many "car dwellers" are we talking about? Who has counted them?

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	<p>I would like to see this as a social services issue instead of civil. But the homeowners do need some recourse to persons “behaving badly”. I have investigated several cities who have allowed 2-3 vehicles per lot and in each case the police refer to a social service center some are city run, one is faith based. This program has saved the City of Eugene, Oregon approximately \$210k. They used to use up court time, towing services, etc. This is a possibility for progressive Palo Alto and perhaps the Opportunity Center could be the administrator of such a plan.</p>
	<p>Eugene Oregon has a program in which churches, businesses, government organizations and other organizations allow pre-approved people to park in their lots overnight. I would like Palo Alto to consider a similar program rather than a ban.</p>
	<p>I believe we can find good alternatives to an ordinance. Suggestions: It is important to get an accurate count of the vehicles involved. Deal with the “van” guy-there must be an ordinance that covers him. Do not criminalize homelessness-criminalize sleeping in cars in residential neighborhoods. Get help for community service officer. Have separate brainstorming meeting.</p>
FLIP CHART	
	<p>Case Management Outreach - Any person can become un-housed, we are already doing innovative things, we can find solutions; Palo Alto had ban on overnight parking; person in car is solution; neighborhoods relieved if equipped area.</p>
	<p>We are all compassionate. Cubberley facilities open without communication with Green Meadows; surge of people. Children feel unsafe around large numbers.</p>
	<p>Is Palo Alto a magnet? Many people still live in other areas. Many people have community ties, make contributions. Palo Alto as role model. There is a 72 hour parking limit and permit program in CT.</p>
	<p>Being homeless is not a crime. Individuals sharing space with homeless. Humanitarian, we are blessed. See us all help each other, share. Dalai Lama. Status quo is unacceptable. Problem is concentrated. Verbal assault of children from one individual. Police cannot respond with current laws.</p>
	<p>Shut down magnets, say to go to other services. Situations which are already enforceable. Parking limits. Identifying people’s individual needs, including mental health. It has worked with city and fire department to address panhandling, encourage people to join team. Peer to peer outreach in parking lots.</p>
	<p>Need to wait 48 hours. People can move. Children have to change routes, feel unsafe. Something needs to change. Experience LG in some neighborhoods. Don’t want Palo Alto to make it illegal to live in car. People have different reasons. Others who are housed can cause same incidents.</p>

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

<p>Don't need to put more in jail, do need to solve problem. Tragedy of the commons. Sleep on tarp rather than car? We can do better. Wrong to punish others for living in vehicles. Respond to incidents, not condemn group of people. Black holes out of reach.</p>
<p>Address specific problem rather than criminalize all. Stored vehicle issue, not people. Has been going on for ten years in College Terrace. Strengthening 72 hour limit. 2008: Many more people illegal behaviors. Only one person who works with abandoned vehicles.</p>
<p>Social service not civil issue. Look into programs other city does. City lots/church lots with rules/guidelines but with compassion. Part of CCT-Eugene, OR program for car dwellers. Ask parking info -1 law need to move vehicle every 72 hours-some areas have permits.</p>
<p>20-25 in PA have contact with on a regular basis. City has CS officer that responds to that issue. Neighbor-Addison-homeowner. Safety issue affects family-van on block-verbally assaulted kids. Access to restroom, children observed public urination. Concern for their safety. Live in CT long time-likes parking permit, but does not extend to commercial area – individual with 12 vans. CN zone in parking zone.</p>
<p>Give police tools to deal with CT issue. Neighbor-Addison-also have kids who are afraid on man in vehicle. Man moves vehicle around every 72 hours. Has compassion. Needs to give police “tools” to deal with issue. Barron Park-Understands problem with person with 12 cars, but is willing to let person in front of his house.</p>
<p>Stanford charter has looked into homeless issues for 10 years for projects that work on issue. Norm-living outside puts health at risk. If parking problem fix that . Look at Milpitas ordinance consider using some city parking garages.</p>
<p>Palo Alto is a community that cares. Faith based group have cared. There are good and bad citizens. Need to come up with solution that is positive.</p>
<p>Has lived in car. Never broken law. Bothers others. Not clean if parking or behavior issue. If ordinance passes, may be faced to live on streets. Punish people who cause problems. But leave others alone. Car dweller-he does not cause problems. Deal with people causing problems. Son-homeless-mentally ill. Living in vehicle. Palo Alto services not wrap around. Redwood City has rapid re-housing. Need to come up with solutions. Not police based.</p>
<p>Working with CCT-hard to tell housed and un-housed. Lives in CT-suggestion to deal with issue in CN Zone-was targeted by rock in window. They know why I live not visa versa. Solution should involve all local cities. Permit parking-more areas.</p>
<p>Street outreach from Stanford. Community can come up with solutions. Think about values that city holds and uphold for all citizens. Oregon program.</p>

Minor, Beth

CITY OF PALO ALTO, CA
CITY CLERK'S OFFICE

From: Tony Ciampi [t.ciampi@hotmail.com]
Sent: Tuesday, November 08, 2011 5:50 PM
To: Venable, Mark; Williams, Curtis; Council, City; Larkin, Donald
Cc: abjpd1@gmail.com; bkenny5678@gmail.com; chuckjagoda1@gmail.com; yvonnekenyon66@yahoo.com; prgreg@stanford.edu; ricktoker@yahoo.com; mqbaylon@stanford.edu
Subject: Question regarding Vehicle Habitation Ordinance

11 NOV -9 AM 8:17

Mark Venable
Asst. Police Chief of Palo Alto,
&
Curtis Williams,

during the October 25, 2011 Working Group Meeting regarding the "Vehicle Habitation Ordinance" Mr. Williams asserted that the ordinance that had been drafted in no longer on the table. Additionally Mr. Williams asserted that the City does not want to criminalize "Vehicle Dwellers" whose behavior is not a problem. However during your presentation that Mr. Venable gave, Mr. Venable asserted that the Palo Alto Police needs another too, "an ordinance" to deal with those few "Vehicle Dwellers" that are a problem, to get them to move.

For clarification please identify exactly what problem and or problem behaviors you need an ordinance to address.

Additionally please specify how such an ordinance would be used to deal with the so called problem behaviors of "Vehicle Dwellers."

I would appreciate it if you could provide me with your response before the end of the week.

Thank you.

Tony Ciampi



POLICY AND SERVICES COMMITTEE

Special Meeting
November 15, 2011

Roll Call

Chairperson Price called the meeting to order at 7:08 p.m. in the Council Chambers, 250 Hamilton Avenue, Palo Alto, California.

Present: Burt (arrived 7:15 pm), Holman, Klein, Price (Chair)

Absent:

Oral Communications

Aram James spoke regarding the resolution of social issues plaguing the community.

Erick Deizel spoke regarding work with the elderly and how they were affected by loss of income.

AGENDA ITEMS

1. Status of Habitation in Vehicles Ordinance/Programs

Curtis Williams, Director of Planning and Community Environment gave an update on the status of the vehicle habitation issues. He noted there was no proposal presented because Staff was not asking for action to be taken. They were asking for the Policy & Services Committee input on the progress to date. Staff worked closely with the Community Cooperation Team, a group of homeless advocates. Together they formed working groups to discuss community concerns. Community forums were held where experiences and alternatives were discussed. Among the ideas shared was an Ordinance similar to one the State of Oregon implemented which allowed Churches, commercial

properties, and the City to provide areas for refuge. There would be certain limitations on the number of vehicles on the site, vehicle registration, and time limits. Participants also discussed a set of regulations for parking permits or restricted time limits in commercial areas. Also discussed was an Ordinance that would provide assistance to the Police Department in the event further activity was needed. He noted there had been a positive approach to the concerns throughout the community. They were working together to provide an alternative to criminalizing those who were not causing negative incident. More meetings were planned with the intent to offer proposal to the City Council in February 2012.

Council Member Holman asked if the proposal included a mechanism to deal with persons who park multiple vehicles in residential neighborhoods.

Mr. Williams stated it would depend on the type and height of vehicle, and whether there was a permit parking program in the area. He noted it would be more difficult to limit parking in a non-permitted residential zone.

Council Member Holman asked if there was any way to characterize the general situation that caused people to live in their vehicles.

Mr. Williams stated it would be difficult to generalize. There were scenarios where living in the vehicle was a more secure environment than being exposed to other outdoor hazards. There were situations where there were mental ailments or times when their vehicle was their only possession.

Council Member Holman asked if there was any thought that the Community Cooperation Team would continue. She cited the Downtown Streets Team as an example. They provided a network and a structure for people to belong to. The people needing the service became a part of the community.

Mr. Williams stated the Community Cooperation Team had come together in a unique way and the anticipation was they would remain in tact since this was a long term issue. He noted the process currently being addressed was not the wide range of issues he believed they would like to address in the future.

Council Member Holman asked if the Human Relations Commission (HRC) was involved.

Mr. Williams stated no, Minka Van der Zwaag from the Community Services Department had attended the meetings, was aware of the situation and the movement.

Council Member Holman asked if there was an understanding that most people that inhabited their vehicles did not cause a problem but there was none-the-less safety factor that some people expressed.

Mr. Williams stated that was understood by most of the community but there was a concern over how many incidents would be needed before an Ordinance was drafted for the safety and well-being of the community.

Council Member Burt stated he was surprised the HRC had not been formerly brought into the program. The purpose of the HRC was to advise the Council and their realm was Human Relations. He asked for more specifics on the Eugene program.

Mr. Williams said the Community Development Block Grant (CDBG) Coordinator had been researching the Eugene Program and the Santa Barbara County program as well. He noted the research found both programs had been successful but neither was able to fully meet housing needs in the available facilities. His understanding was there was a waiting list but he was uncertain where people went while on the waiting list.

Council Member Burt asked about the participant's perception of the programs. He also wanted to know what had happened to those who were placed on a waiting list.

Mr. Williams stated he was uncertain at the time but Staff would look into the deeper issues during the next phase. He mentioned there had been discussion at the HRC meeting on whether the matter should go to the full Council. The HRC decided the Policy & Services Committee needed to be involved first.

Chair Price asked if there was expressed interest from property owners, faith based groups, or commercial property owners to be involved in this type of program.

Mr. Williams stated the intent to involve faith organizations in the next meeting. The subject had not been formally discussed with commercial entities. There would need to be facilities for bathrooms, a clean-up area, and room for the vehicles, which could not be accommodated in the downtown area.

Chair Price asked if Staff had talked with service providers or networks of individuals who were currently providing services in the Eugene Program.

Mr. Williams said there would be more detailed discussions with the service providers to see if there were more examples of other places they may be aware of. The Eugene Program was City based so Staff had focused their discussions with the City Staff.

Council Member Klein asked if Staff had coordinated with other cities in Santa Clara and San Mateo counties to learn from their experiences.

Mr. Williams stated the Police Department had discussions with surrounding cities and even though there were Ordinances in motion they were informed there were people living in their vehicles. If there were no issues being caused city officials did not act on the Ordinance. He noted members of the Community Cooperation Team had positive responses when speaking with faith based communities in Mountain View about their interest in participating in the program if it were to move forward.

Council Member Klein asked if neighboring cities were receiving complaints similar to those in Palo Alto with respect to the vehicle dwellers.

Mr. Williams said he was not familiar with any such complaints.

Council Member Klein asked if there was evidence of Palo Alto attracting vehicle dwellers because of the Ordinances in the other 14 cities within Santa Clara County.

Mr. Williams stated there was no evidence but the Police had come across a few persons who were from elsewhere.

Rick Tocker spoke regarding his discussions with the faith community, where a number of churches had expressed interest in getting involved if the City accepted a Eugene type plan.

Saint George said the main issue appeared to be poverty and Palo Alto was an affluent community and was not versed in handling such circumstances. The situation was ongoing and she felt it was a regional issue.

Chuck Degota said the word homeless was not accurately used, they had homes but they were mobile. The solution was engagement by instituting a program such as the City of Eugene who saved \$200,000 in staff time and expenses by no longer needing to respond to complaints. He noted the situations some were in were not decided lightly but mandated by their state of affairs.

Aram James spoke regarding the Policy & Services Committee members' involvement in the community working groups. Some had attended meetings and were involved while those who had not were invited to do so. He felt the arrests and ticketing of people staying in their vehicles would cause judicial costs to rise.

Bruce Kenyon read from an article he wrote. There was no stepladder to assist people to get back on their feet and become a productive part of society. The current system was broken and there needed to be a replacement program put into place.

Herb Borock said when the issue was raised there was a draft Ordinance already written. He felt the HRC should be involved and advise the Policy & Services Committee prior to the Committee recommending policy to the full Council.

Chris Sacre spoke regarding the proposed Ordinance and the working group. The vehicle habitation issue should not be treated as a criminal issue but rather a social issue. The group had been actively reaching out to the community to come up with a long term solution for those affected.

Erick Deisel said to pass an Ordinance that removed a person's vehicle when that vehicle was their home would prevent them from re-involving themselves back into society. He asked if there was a list of problems related to people residing in the vehicles.

Mr. Williams gave a brief list of issues associated with safety, security, sanitation, and health complaints believed to be connected with some vehicle dwellers.

Fred Smith spoke regarding the difficulties of getting back into the work force and how living in his vehicle was a detriment to the community. He requested the Policy & Services Committee pass regulations that did not hurt those who were already injured socially.

Tina Lovercheck recalled the sit-lie Ordinance discussion in consideration with the HRC who did not support the passing of the Ordinance because there was no documentation to support the need. She felt the vehicle habitation was a similar situation and that the HRC needed to be involved.

Council Member Burt asked how much engagement had taken place with businesses regarding use of their sites. In the Eugene Program there were instances when the vehicle dweller and the commercial site forged a relationship

where the vehicle dweller in effect provided around the clock security.

Mr. Williams stated Staff had not had any discussions with the commercial based participants in Eugene but he was also familiar with those comments.

Council Member Burt asked whether the community working groups had any engagement with the commercial base community.

Mr. Williams declared he did not believe so.

Council Member Burt stated there were responsible members of the community who were in a situation beyond their control. He asked to what degree Palo Alto had been able to distinguish the two groups; those in need of assistance and those with criminal intent. He felt there could be a shared interest between the vehicle dweller and the business owner.

Mr. Williams said the Police Department did not currently have a tracking system in place since there was not a Municipal Code that could be violated. He noted there were a couple of the Community Officers who indicated during prior meetings there may have been 15 to 20 issues over the past few years but acknowledged there were three times that amount without any incident.

Council Member Burt said the Downtown Streets Team was an innovative program initiated by Palo Alto residents and subsequently supported by the City. The program was a model being replicated elsewhere in the region. This was an example of Palo Alto using a model that helped people help themselves. He felt the Eugene model had a solid base to start a program in the City.

Council Member Klein asked about the overnight parking ban.

Mr. Williams stated it was a suggestion but there was not a limitation as of yet.

Council Member Klein said an element not frequently discussed was that while City government was not equipped to solve poverty, Palo Alto did have compassion. There were laws available to the police to protect the community against public nuisance. He disagreed the City government should be involved in a program such as the one in Eugene; he felt it would add a bureaucratic element which was not practical.

Council Member Holman thought it was important to consider an ongoing Community Cooperation Team potentially using the Downtown Streets Team model to locate work for those in need. Her concern was how the negative

actions of a few may impact the group as a whole in the form of an Ordinance. She felt the HRC should be involved, admitting it would slow the process although their role was to advise the Council on Human Relation matters. She understood the safety concerns of residents. She felt City facilities should not be involved.

Chair Price was concerned about the lack of hard data. With out this information it would be difficult to define the challenges. She was undecided whether or not City facilities should be considered. She appreciated the work that had been contributed to date. She recommended more detailed discussions with the service providers and more consideration for HRC involvement.

Council Member Holman asked if the focus of the Community Cooperation Team was to be a facilitating group or was it to develop solutions.

Mr. Williams clarified the group felt facilitating and reaching for solutions were a part of their purpose. He noted they were reviewing models elsewhere to bring forth suggestions to be considered.

Chair Price asked Staff to inform the audience how they could get involved.

Mr. Williams said interested parties could contact him or Consuelo Hernandez in the Planning Department at (650) 329-2404 and there was information on the Community Services Department web page:

www.cityofpaloalto.org/depts/csd/human_services/default.asp .

Council Member Burt asked the City's role in the forum versus various community organizations.

Mr. Williams stated Staff saw the role as collaboration between the City and the Community Cooperation Team but ultimately the team was providing input for Staff to bring to the Council as recommendations.

Council Member Burt asked how broadly the group was representing the community.

Mr. Williams stated the Community Cooperation Team worked with advocates and clergy while the Working Groups had neighborhood and business representatives.

NO ACTION REQUIRED

2. Magical Bridge Partnership Project Update

Director of Community Service Department, Greg Betts gave an update on the community partnership project that related to the Council Priority on youth wellbeing programs. There were currently two projects being presented Project Safety Net and the Magical Bridge. One of the reasons the Magical Bridge project was so important was it was not just building a playground but building a public awareness of persons with special needs in the community. He noted there were over 1,500 children and adults with special needs within Palo Alto. The Magical Bridge was a program that made a play area universally accessible where the children could play together or caregivers could play with children. In July of 2011, the Council approved a Letter of Intent (LOI) which outlined what the City was responsible for so the Friends of the Magical Bridge could focus on fundraising. The City had allocated \$300,000 in its Capital Improvement Project budget as seed monies. The funds were being used for the design, review, and permits. Some funds may also be used to build the bridge over Adobe Creek leading to the play area in the northern corner of Mitchell Park.

Landscape Architect/Park Planner, Peter Jennings said there were currently six proposals for review to select the consultant for the project. The consultant would be responsible for the design of the playground. Staff would present their findings for selection to the Council at the beginning of the 2012 year. The consultant would be responsible for development of the design, set the construction documentation, and then move into the construction phase of the project. He noted the design and construction documentation was anticipated to extend through 2012.

Olenka Villarreal, Friends of the Magical Bridge, said fundraising was at the top of their priority list. They were also working with Mr. Jennings to create the vision of the playground. She encouraged people who wished to participate, donate, or receive more information on the project to visit the web site at www.magicalbridge.org.

Council Member Burt acknowledged it was an important program for the community. He recognized there were few communities with such accessible playgrounds and he was glad to have Palo Alto lead the way. He said the wellbeing of the youth of Palo Alto was intertwined with the wellbeing of the community and both needed to be solid to support the other. He was not under the impression the allocations from the Capital Improvement would go towards the repair or replacement of the Adobe Creek Bridge; he was aware the bridge was in need of repair but the funds to do so should be part of the infrastructure

not any special project.

Mr. Betts clarified part of the design funding would assist in addressing the uniqueness of the bridge, the hydraulic study and the accessibility to the other pathways in the park. Because the City would be dealing with the Santa Clara Valley Water District, the permitting for the bridge was going to be managed by the City.

Council Member Burt asked if Staff had reviewed the Water District Funds for assistance through their grant programs.

Mr. Betts stated yes and Staff would aggressively apply for those funds. Staff had previously received indication that CDBG funds would be available since the bridge was being retrofitted.

Chair Price asked whether Staff had approached philanthropic groups for funding assistance.

Ms. Villarreal stated yes, those groups had been approached. The groups had pledged a significant amount of money and time but were waiting for the when the project was ready for their contributions.

Chair Price asked if small family foundations had been contacted as well.

Ms. Villarreal stated the Friends had received funds from a few small family foundations. However because of Palo Alto's affluent status grant assistance was not an option.

Council Member Holman felt the project was a terrific idea and appreciated the creativity, innovation, and the initiative taken to get it started.

NO ACTION REQUIRED

3. Project Safety Net Update

Recreation Manager, Rob De Geus provided background on the Community Coalition which began to take shape in summer of 2009. The group was formed in response to five teen suicides within an eight month period. He presented the Project Safety Net Report which defined 22 strategies in three categories; intervention, prevention, and education. The report was reviewed by the Policy & Services Committee who determined there were specific policy implications for the City. The City had taken action on most of the items listed in the report and

adopted a Developmental Assets Policy, a Suicide Prevention Policy, support for the track watch year round, elevating the youth voice, and administrative capacity for Project Safety Net. The Council and Staff had negotiated monies to support the position although it had not yet been filled.

Supervisor of Recreation Programs, Minka Van der Zwaag discussed the structure of Project Safety Net and explained it was broken out into three capacities, 1) the steering community who opened, coordinated, and advised, 2) the community collaboration teams which were groupings of individuals and organizations to further the strategies of Project Safety Net, and 3) gatekeeper training which was a group trained in recognizing a youth in suicidal trouble. Staff had enlisted the assistance of a group named QPR to train all of the Community Services Department (CSD) Staff who deal with youth and the first and secondary level of staff at the Palo Alto Unified School District (PAUSD). The Developmental Assets group had given numerous presentations to community groups explaining the concept of Developmental Assets, developed the implementation of the Developmental Assts Survey for PAUSD which covered over 4,000 students, and in an effort to publicize Developmental Assets the overpasses were adorned with banners denoting the "asset of the month". She noted youth would prefer to talk amongst themselves rather to an adult and as the QPR training was geared more towards the adult the Gunn High students began a peer support group called Sources of Strength. She noted there was a monthly meeting held at the Lucy Stern Community Center to discuss implementations, make decisions, networking, and each month there was a major topic of discussion. There were partner organizations and each one determined which strategy they would implement based on their strengths. Each organization signed a Memorandum of Understanding (MOU) annually to solidify their commitment to the project.

Mr. De Geus said the next milestone in the program was the hiring of an administrative support person. Staff was aware the funds had been set aside for the support person but was in a holding account and they needed to request a Budget Amendment Ordinance to move them. Project Safety Net was attempting to build the relationship between the City and PAUSD. The schools tended to keep the inner workings of the students' issues on campus.

Chair Price asked if the Human Relations Commission (HRC) had an MOU related to Project Safety Net.

Ms. Van der Zwaag stated they did.

Mr. De Geus noted the Parks & Recreation Commission (PARC) had also signed

an MOU.

Council Member Burt said given the School Board and School Administration levels had committed and the Parent Teacher Association (PTA) had been very active he asked whether they had an MOU as well.

Mr. De Guess stated they did.

Council Member Burt discussed the struggle with school participation even though the Board and Administration were participating. He asked if Staff knew why the Board or Administration did not take ownership in building the bridge between the schools and the Project Safety Net.

Mr. De Geus stated there were 13 schools within the PAUSD and despite the name they were not necessarily unified and there was a lot of bureaucracy within the District. He noted in 2012 there would be two meetings on each High School campus after school hours so students could participate.

Council Member Burt asked if the PTA offered insight into why there were remaining barriers or provided suggestions on how to break them down.

Mr. De Geus believed the disconnect was more one of history and the culture of the school; although because of the PTA involvement there had been more progress made recently than in the past years.

Council Member Burt said school principals had a high commitment to a broad definition of youth wellbeing, measurements of success, and engagement as defined in the Developmental Assets. He was aware the Principals at both High Schools were part of the reason the value structure was being transformed in a positive manner and that was reassuring to him.

Council Member Holman said as liaison to the PARC she had been exposed to the work Public Safety Net was accomplishing. She believed the Project was an enormous undertaking for the City and Staff and she thanked them for their commitment.

Mr. De Geus stated he was surrounded by a great Staff and an amazing community who were very supportive of the wellbeing of all youth.

Council Member Holman left the meeting at 9:30 PM

Council Member Klein asked how other communities might view the work being

done by Project Safety Net. He asked if there had been thought to having an outside evaluator review the Project to see if there were areas in need of improvement.

Mr. De Geus stated the County of Santa Clara reviewed Project Safety Net. They reported that the uniqueness of the program inspired them to invest \$30,000 in a strategic plan to share the program with the rest of the county. Council Member Klein noted the educational field frequently utilized outside evaluators and he recommended if the Project could fund such a resource it would be a benefit.

Mr. De Geus stated if an outside evaluator could provide input so Project Safety Net would be more effective he was in support of the recommendation.

Council Member Klein asked how the youth was able to add input. It was difficult to receive input from them and they did not necessarily have a breadth of understanding of the situation.

Mr. De Geus said not having input from the youth would be disastrous. There were surveys completed by the youth asking how they viewed the value of the community and the school climate. There were teen forums where the youth discussed topics like stress and suicide.

Council Member Klein asked if the surveys had been done before.

Mr. De Geus acknowledged the County of Santa Clara had performed similar surveys and Palo Alto had up until October 2011 declined to participate. The county also had a California Healthy Kid Survey released every two years and the Palo Alto Reality Check (PARC) Survey was performed. In addition to the surveys there were a variety of teen groups that met regularly; the Palo Alto Youth Council, the Teen Advisory Board, the Teen Arts Council from the Children's Theatre, the Library has a Teen Advisory Group, and the Mid Peninsula Media Center has a Teen Advisory Group that the Project Safety Net Staff visits to hear their input.

Council Member Klein hoped there was close to no overlap between the teen advisory groups.

Mr. De Geus explained some of the groups had leadership overlap because of the school connection but they were of very diverse groups.

Ms. Van der Zwaag said the Developmental Assets subcommittee should talk to

the youth about the survey.

Council Member Klein asked why the teen groups involved in sports were not mentioned in the overview of involved groups.

Mr. De Geus had realized the lack of sport oriented teen groups so there had been two forums held on sports; one included a speaker from the Stanford Sports Department.

Council Member Klein asked if there was a way to cross reference the surveys; he was aware they were anonymous but they could be grouped by activity.

Mr. De Geus did not believe the surveys allowed that much detail.

Council Member Burt said the importance of the Development Assets Survey and its data was the benchmarking that the City did not previously have. He noted achieving the cooperation of the school to complete the Survey was because of the Project Safety Net initiative.

Council Member Klein asked if private schools participated.

Mr. De Geus stated Castilleja School was participating and regularly attending the meetings. He agreed it was an area where there could be more outreach.

Chair Price recommended Staff seek ways to share the results of the Surveys with other cities. She asked what the relationship was with Stanford research efforts in terms of Stanford Graduate students working with the Project.

Mr. De Geus said the Project had a close relationship with Stanford and the Lucille Packard Children's Hospital; both entities sat on the steering committee. He did not believe there was any student involvement although the journalism department had attended meetings and wrote on the matter.

NO ACTION REQUIRED

ADJOURNMENT: Meeting adjourned at 9:45 p.m.



June 7, 2012

Honorable Mayor Yiaway Yeh
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94303

Dear Mayor Yeh,

The Palo Alto Chamber of Commerce joins Palo Alto residential groups in supporting the City Council's beginning the process of drafting a "Living in Vehicles" ordinance in consultation with all affected constituencies and in parallel with outreach to homeless people based on the Eugene Oregon program.

As you are aware, the City of Palo Alto is one of the few cities in Santa Clara County which does not have an ordinance disallowing individuals to live in their vehicles. Currently if a business or resident observes in-appropriate behavior from individuals living in their vehicles and calls the police, the police are unable to approach the individual unless they observe the behavior themselves. The Police Department presented the Living in Vehicles Ban to businesses and residents after receiving complaints about this type of situation. They are unable to breach the personal rights of the vehicle owner.

Key Arguments for Recommended Position:

1. The ordinance would give police the ability to approach and investigate incidents reported by businesses and residents.
2. The ordinance provides a fall back remedy when other methods are unsuccessful.

How does this issue impact the business community?

Palo Alto does not restrict overnight street parking in any part of the city. By extension, people can permanently park and live in their vehicles. When this becomes an eventuality, the police are unable to approach the person living in their vehicle unless they witness specific violations such as public urination/defecation, disposition of garbage, etc.

Parking lots and all public spaces are exposed to this activity. The police need tools to be able to approach citizens, offer services and alternatives to effect change.

In closing, the business community, through the Palo Alto Chamber of Commerce, is prepared to play a leadership role in working towards solutions to this important issue.

Regards,

Paul Wright, Ed.D.

President/C.E.O.

Palo Alto Chamber of Commerce

Cc City Council

James Keene, City Manager

Curtis Williams, Planning & Community Environment Department Director



Council Work Session

Homeless Car Camping Program



City of Eugene – June 13, 2011
Planning and Development Department
Community Development Division

Off-Street Camping Code

Eugene City Code 4.816 allows off-street overnight camping if certain criteria are met. These criteria include:

Public & Private Parking Lots

- Up to 3 vehicles

Residential

- One family

Sanitation

- Trash Removal
- Restroom Facilities

Homeless Car Camping Program

Proactive

- Management of public and private overnight parking sites

Responsive

- Coordination
- Enforcement of on-street camping regulations

Management of public and private overnight parking sites



Downtown



Alton Baker Park



River Road



Autzen Stadium

Management of public and private overnight parking sites

Car Camping Sites for Homeless Families 2011



0 0.5 1 Miles

Caution: This map is based on imprecise source data, subject to change, and for general reference only.

City of Eugene - June 13, 2011
Planning and Development Department - Community Development Division



Management of public and private overnight parking sites

Car Camping Sites for Homeless Individuals 2011



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Management of public and private overnight parking sites

Total for all sites



Responsive Measures

Eugene City Code 4.815 prohibits camping

Camping:

- Any place for the purpose of bedding, or
- Where any stove or fire is placed for temporary inhabitation

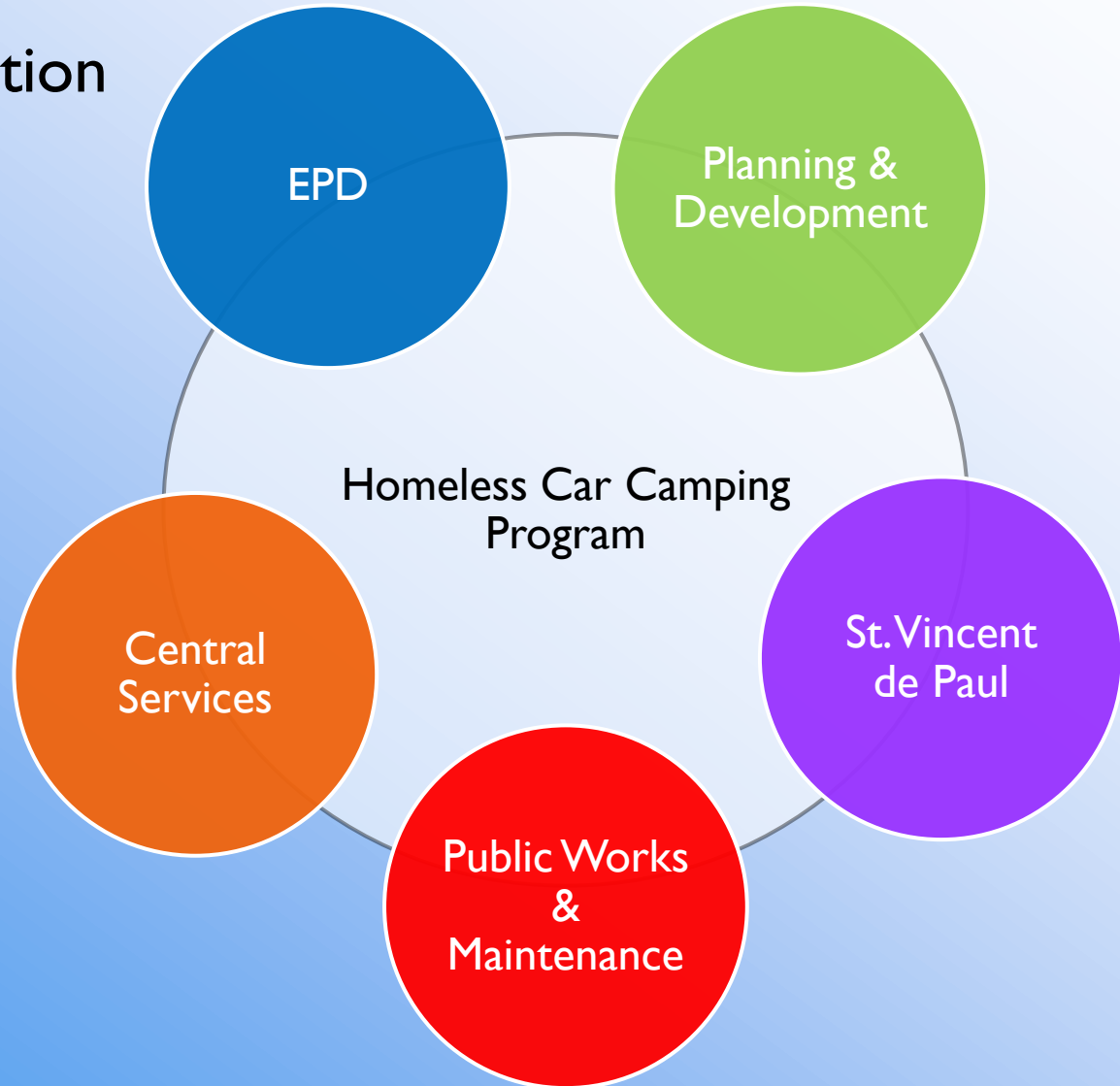
Prohibited:

- Right of Ways
- Parks
- Streets
- Alleys



Coordination Efforts

Internal Coordination



Coordination Efforts

Community Coordination

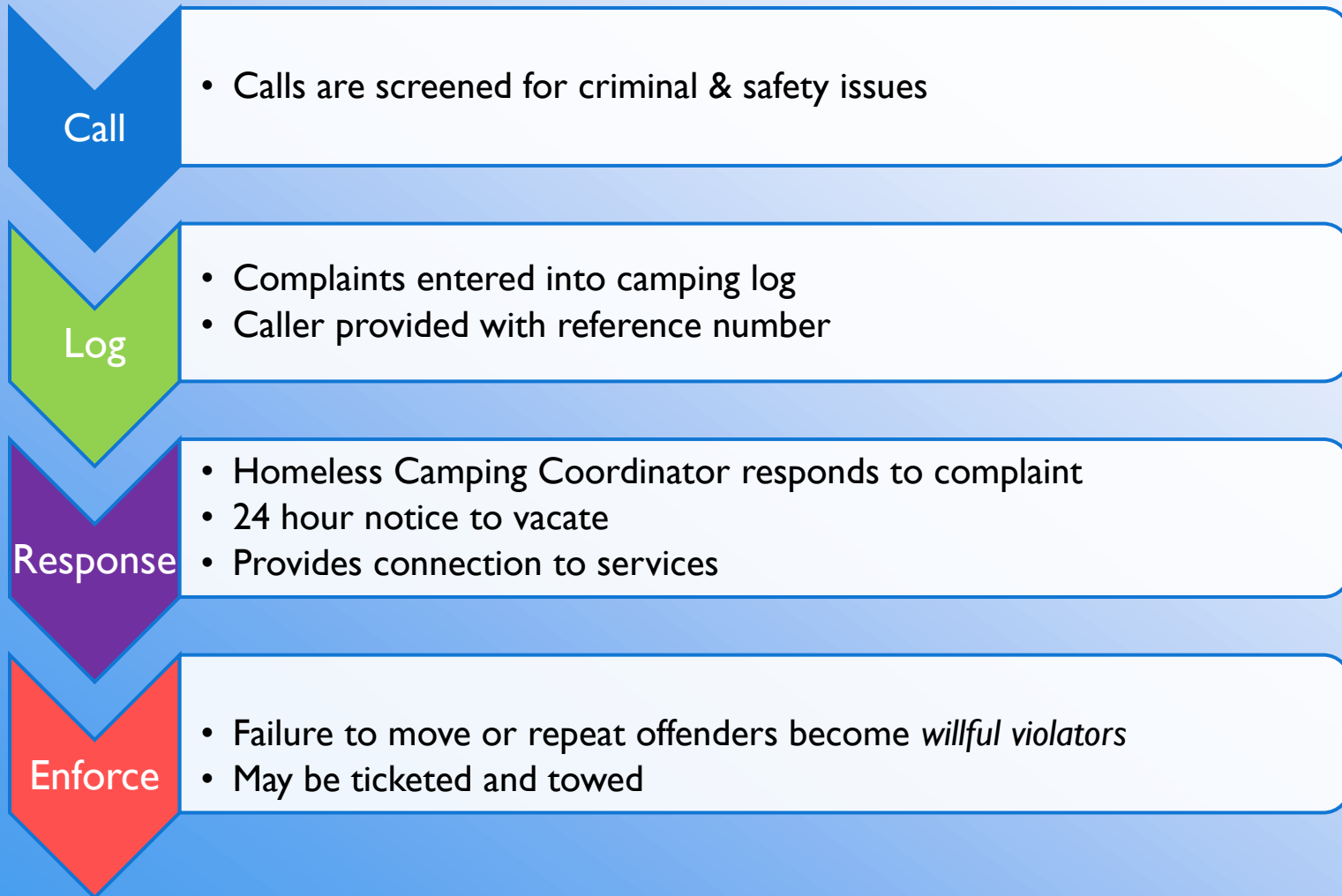
Strategies
for Hot
Spots

Signage and
Enforcement
Requests



Enforcement of On-Street Parking Regulation

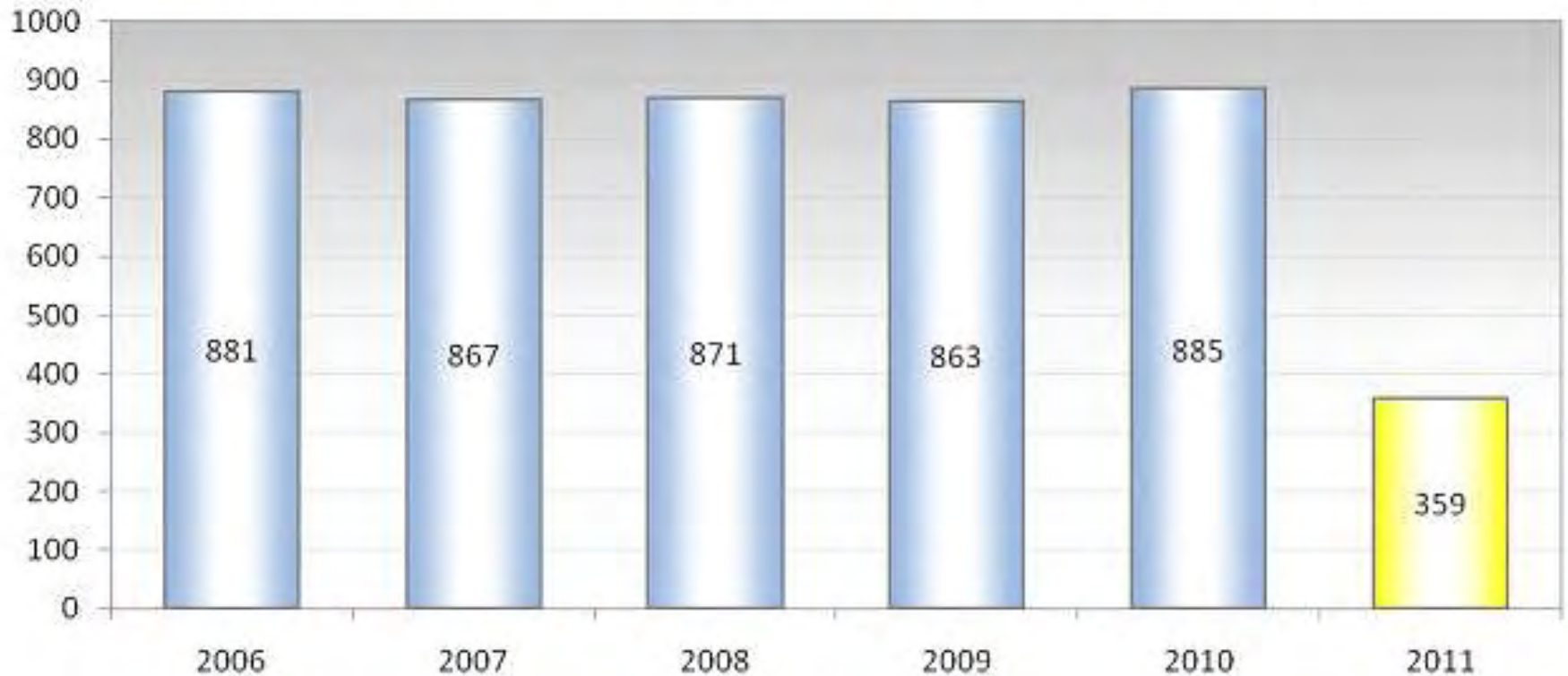
Dispatch Protocol



Enforcement of On-Street Parking Regulation

Annual Calls for Service

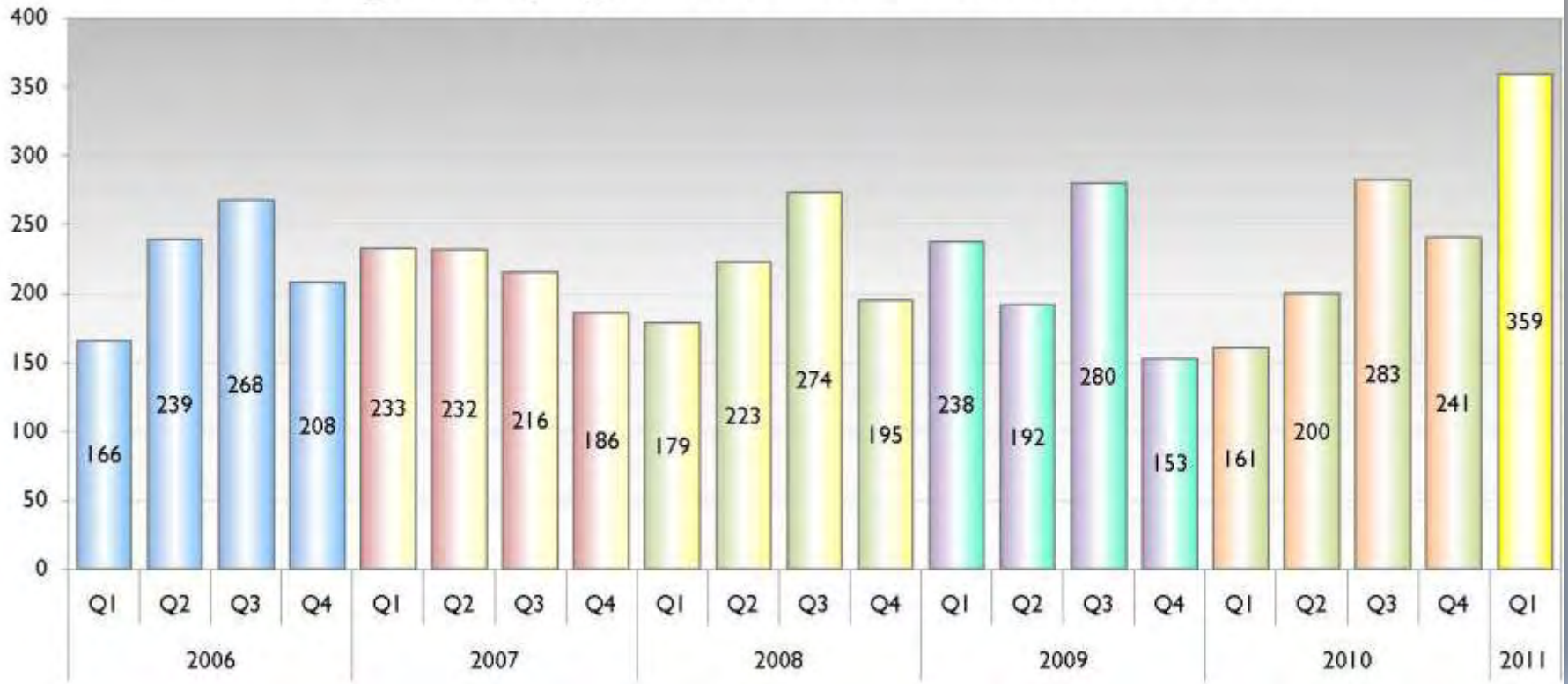
Illegal Camping Calls for Service from eAIRS CAD*



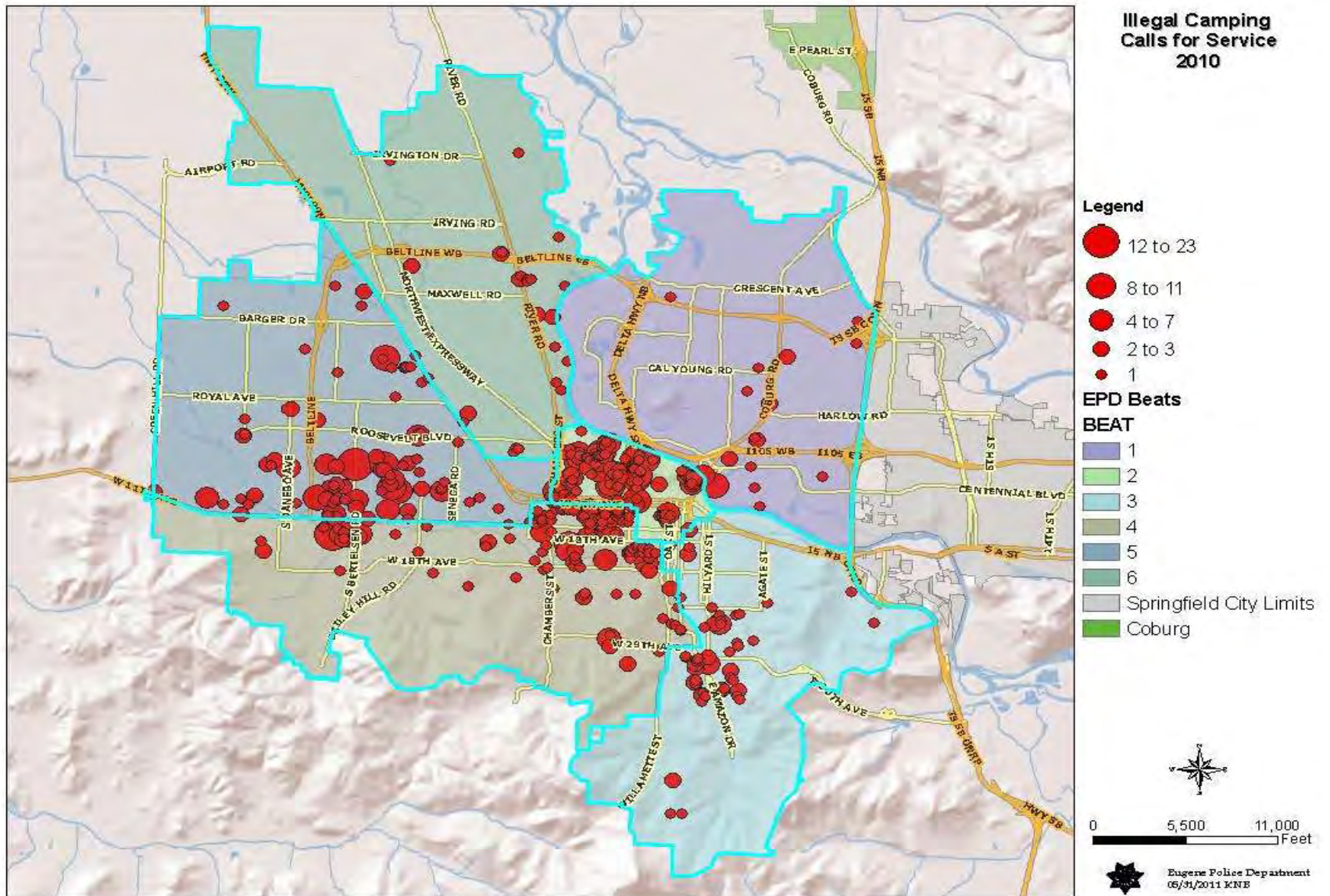
Enforcement of On-Street Parking Regulation

Quarterly Calls for Service

Illegal Camping Calls for Service Trend 2006 - 2010



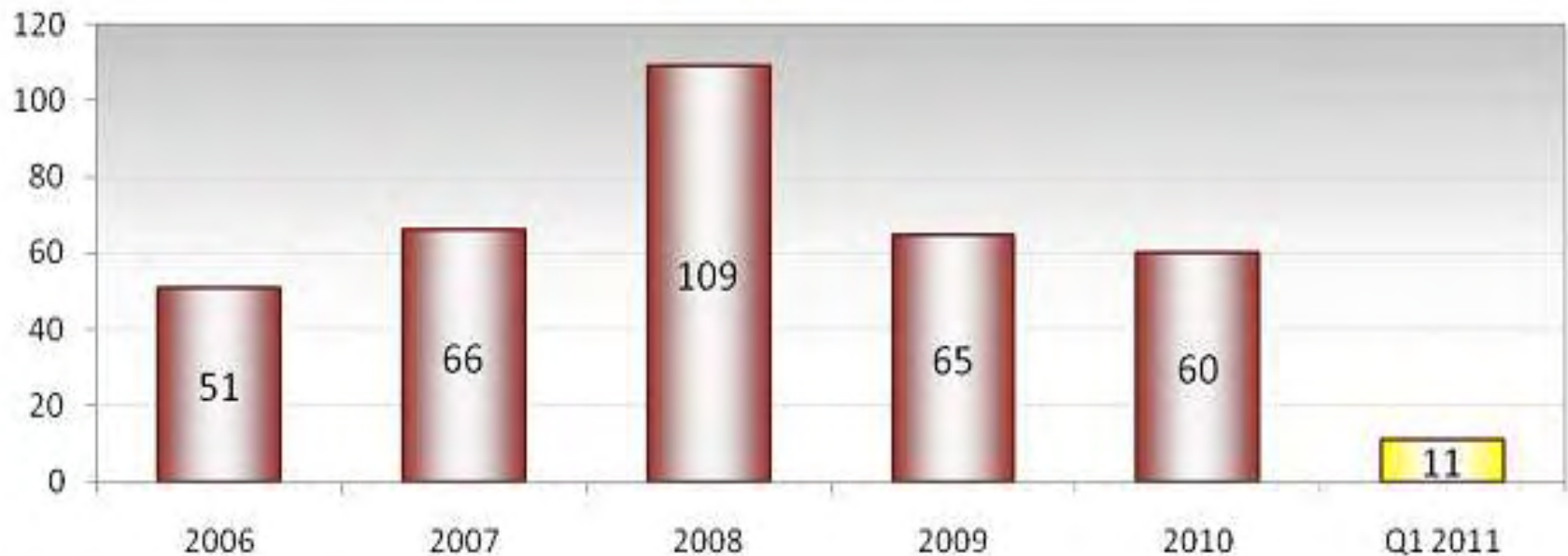
Enforcement of On-Street Parking Regulation



Enforcement of On-Street Parking Regulation

Willful Violator Citations

Illegal Camping All Citations Trend 2006 - Q1 2011*



Going forward...

- Modifications to enforcement procedures
- Community solutions
- Enhanced interdepartmental coordination
- Police dispatch training on car camping code

Contact

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Community Programs Analyst

Planning & Development

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Pete Deshpande

Lieutenant

Eugene Police Department

541.682.8467

pete.n.deshpande@ci.eugene.or.us

NEW BEGINNINGS
COUNSELING CENTER

324 East Carrillo Street, Suite C
Santa Barbara, California 93101
(805) 963-7777 (Administrative Headquarters)
(805) 963-8135 (Fax)
(805 637-6242 (Safe Parking Program Coordinator Cell Phone))

SAFE PARKING PROGRAM OVERVIEW

Due to the alarming increase in vehicle dwellers in south Santa Barbara County, coupled with the crackdown on overnight parking enacted by the City of Santa Barbara, New Beginnings Counseling Center currently operates a program to provide safe overnight parking for individuals and families who are living in their vehicles. The program is a cooperative between New Beginnings, area churches, non-profits, the City of Santa Barbara and the County of Santa Barbara, where the participating institutions provide parking places for vehicle dwellers.

The program currently includes 118 spaces at 23 dispersed locations in downtown Santa Barbara, Goleta, and Isla Vista. Each lot offers free nightly parking for one, five, and up to fifteen vehicles, depending on location. Three of the parking lots are at business locations in the City of Santa Barbara. The purpose of the program is to provide the level of stability needed for vehicle dwellers to effectively make positive changes in their lives. In addition to parking, New Beginnings offers social services and case management to help them achieve this end.

HOW IT WORKS

Churches, non-profits and businesses interested in participating in the program sign an informal contract with New Beginnings and agree to a basic set of rules for the vehicle dwellers on their property. The participating institutions are currently free to augment or edit the rules as they see fit in accordance with County and/or City codes.

Clients seeking to participate in this program receive an intake assessment. Potential clients are screened via an in-depth interview designed to identify immediate crises and establish long-term goals. Typical issues include the following.

- ❖ Determine immediate crises, both personal and vehicle-related
- ❖ Verify identification or assist in obtaining identification
- ❖ Income verification if any—employment, government, food stamps, etc.
- ❖ Obtain pertinent info and ID regarding children and dependents
- ❖ Determine legal issues pending
- ❖ Determine medical issues/establish medical history
- ❖ Determine substance abuse issues
- ❖ Determine mental health issues

- ❖ Determine what other agencies, if any, are providing assistance
- ❖ Access the vehicle being occupied
 - Insured?
 - Operational?
 - Registered?

After the intake, a goal-oriented plan of action is established and the client is issued a permit and allowed to park overnight at an assigned location. The client and case manager continue to work together on goals toward stability, weekly at first, and after short-term goals have been achieved, the case is reviewed bi-weekly and then monthly. There is currently no formal limit to the amount of time that a client may occupy a site. Some clients take advantage of the service for a short period of time; others occupy a parking space for up to a year or more, depending on their needs. For clients who either do not qualify or are not willing to abide by the rules of the program, case management, referral and services are still available from New Beginnings.

In addition to the resources that New Beginnings provides, a network of community referral agencies is also employed for the benefit of clients. Below is a partial list of agencies that New Beginnings might refer to or cooperate with in assisting the vehicle dwelling population:

- | | |
|---------------------------------------|--|
| ❖ City and County Housing authorities | ❖ Hospice |
| ❖ County Mental Health | ❖ The various sober living programs in the area |
| ❖ Employment Development Dept. | ❖ St. Vincent's PATHS (housing for single-mothers) |
| ❖ CalWorks | ❖ Casa Esperanza |
| ❖ Centro Familia – daycare | ❖ Transition House |
| ❖ Community Action Commission | OTHER SERVICES THE CLIENTS MAY ACCESS: |
| ❖ <i>Veteran's Administration</i> | ❖ Ongoing Case Management |
| ❖ Department of Social Services | ❖ Housing Assistance |
| ❖ Project Recovery | ❖ Outside Agency Referrals |
| ❖ Legal Aid Foundation | ❖ Job Development |
| ❖ Committee for Social Justice | ❖ Resume Preparation |
| ❖ Unity Shoppe | ❖ Job Coaching |
| ❖ Department of Rehabilitation | ❖ Problem Solving |
| ❖ Community clinics | ❖ Counseling |
| ❖ Temporary employment agencies | |
| ❖ The Salvation Army | |
| ❖ The Rescue Mission | |

PROGRAM OPERATIONS, RULES AND REGULATIONS:

Each client is required to attend case management meetings on a regular basis to determine how they are meeting their goals. In addition, Program Coordinators Nancy

Kapp and Roslyn Scheuerman conduct weekly checks of the participating sites to assess usage and identify potential problems. Below is a list of rules and regulations that the client must agree to in order to be able to qualify for our services

PARKING RULES, RESTRICTIONS AND RESPONSIBILITIES ASSOCIATED WITH THE SAFE PARKING PROGRAM:

- 1) Guns or firearms of any kind are strictly prohibited, and the use of alcohol and/or drugs will not be tolerated. Failure to abide by this rule will result in immediate removal from the assigned location.
- 2) Camping tarps or camping equipment beyond the top of the vehicle are prohibited
- 3) Cooking outside the vehicle is absolutely not allowed.
- 4) All trash will be disposed of offsite and the area will be kept tidy.
- 5) Loud music is not permitted.
- 6) Parking lot is for sleeping use only.
- 7) Overnight stays will be limited to the hours assigned. Adherence to in and out times is mandatory.
- 8) Users must keep barking dogs in their vehicle at all times. Animals must be kept on a leash at all times on the property. Animal waste must be picked up immediately and disposed of properly.
- 9) Under absolutely no conditions will the client(s) invite other vehicle dwellers to occupy the site or invite any visitors or any type of patrons into the parking lot.
- 10) If bathroom facilities are provided, showering or bathing is not permitted.
- 11) The owner of the parking lot cannot be held liable for damages caused by a third party to the parked vehicle or its occupants.
- 12) Absolutely no more than one vehicle allowed per individual or family staying at the site.
- 13) Absolutely no use of the facility services i.e., ELECTRICITY, water, trash or any of the hoses at the site. Failure to comply with this rule will result in immediate termination from our program.
- 14) Please respect the privacy of the surrounding neighbors and their property.
- 15) Children will be watched and kept safe at All Times—No Exceptions!!!!

These rules will be enforced. Failure to comply with these rules and regulations will result in termination from the Safe Parking Program.

In addition to these rules, all clients sign a release of information and a waiver of liability towards our company and your organization, indicating that neither party is responsible for damages to the vehicle, and allowing us to share client information. New Beginnings Counseling Center carries liability insurance for each Safe Parking lot location.

CONCLUSION

In closing, we hope you will consider participating in this program. If you have any questions about this introductory packet, please call the Safe Parking Program Coordinators: Nancy Kapp at 284-3463, or Roslyn Scheuerman at 637-6242.

Also, if your organization would like to communicate with one of our churches or non-profit organizations that are currently working with us we would be happy to connect you with those organizations. It is important to gain various perspectives on the program in order to make a balanced decision that is in the best interest of your organization, while also thinking about the needs of homeless individuals in our community who are forced to live in their vehicles.

To reach New Beginnings Counseling Center to speak with the Executive Director, Kristine Schwarz, please call 963-7777. If we do not hear from you, we will follow up in the next several weeks with a phone call to offer further information and answer any questions you might have. Thank you for your interest in our program.

Sincerely,

Nancy Kapp, (805) 284-3463
Roslyn Scheuerman, (805) 637-6242
Safe Parking Program Coordinators

Gonsalves, Ronna

CITY OF PALO ALTO, CA
CITY CLERK'S OFFICE
12 NOV 13 PM 12:05

From: Tom Dittmar <tomdittmar@comcast.net>
Sent: Friday, November 09, 2012 3:33 PM
To: Council, City .
Cc: marcine@seidlawgroup.com; Tom Dittmar
Subject: Message from the City Council Home Page Motor homes in Palo Alto

Hello Council members

My wife and I are owners of a commercial building on Industrial street in Palo Alto. We are doing our best to make the building a nice place for prospective tenants (the building is currently vacant).

There are normally two to three motor homes parked at the end of transport street. We suspect they (or someone) is using our trash cans, tapping into our outside power and using our outside water faucets. As I said suspect, we have no proof. Our maintenance man found adapters screwed into our outside light fixture to tap the power. I have found a baby car seat in the trash. No idea how that may have gotten there. A person who we hope will rent the place to found the outside water faucet running and the lawn area flooded.

I have been calling the cops once to twice a week to get the motor homes moved. They do move but only a matter of feet. As I understand it this is legal.

Why does our city allow people to live in there motor homes on our city streets? As I understand it Mountain View and Menlo Park do not allow people to live in there motor homes. Please use your power and influence to make Palo Alto a place where people can easily and freely conduct business. Thank you for your dedication and service to the community.
Tom Dittmar

Gonsalves, Ronna

12 NOV 13 12:05 PM
CITY CLERK'S OFFICE

From: gailt1225@earthlink.net
Sent: Tuesday, November 13, 2012 9:42 AM
To: Council, City
Subject: possible vehicle habitation ban

12 NOV 13 PM 12: 05

Please do not adopt a vehicle habitation ban which could be proposed by the Policy and Services Committee. Palo Alto has an opportunity to become a role model of support for low income housed and unhoused citizens. Let's move forward with a No Ban policy and also an option for a city supported program wherein parking is providing in church parking lots for those who choose this option. Thank you for your consideration.

gailt1225@earthlink.net
EarthLink Revolves Around You.



POLICY AND SERVICES COMMITTEE MINUTES

Special Meeting
Tuesday, November 20, 2012

ROLL CALL

Chairperson Holman called the meeting to order at 6:05 P.M. in the Council Chambers, 250 Hamilton Avenue, Palo Alto, California.

Present: Holman (Chair), Espinosa, Klein, Schmid

Absent:

ORAL COMMUNICATIONS

None

AGENDA ITEMS

1. Consideration of Approaches to Address Concerns Related to Human Habitation of Vehicles.

Curtis Williams, Director of Planning and Community Environment reported the current Item was consideration of a method to deal with persons living in vehicles in Palo Alto. The issue had been discussed for approximately 1 1/2 years, and arose from complaints of people creating disturbances and from feelings of insecurity among residents and businesses. Currently, there was not a legal means to address the issue, unless a crime took place. In July 2011, Staff drafted an Ordinance prohibiting persons from sleeping in vehicles overnight. The City Manager felt more outreach was needed before presenting an Ordinance to the Council. Staff held a community forum in September 2011, and then established a working group composed of various stakeholders. The primary focus of the working group was to review the potential for a vehicle dwelling program, particularly one similar to a program adopted in Eugene, Oregon. Staff provided a draft program in the Staff Report. Staff hosted a meeting with faith-based organizations and discussed the potential for churches to sponsor that kind of program. A second community forum was held in June 2012 focusing on the potential for

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a vehicle dwelling program. One congregation committed to a program. Three congregations were necessary to make the program viable. Staff identified four approaches to the issue. First, a pilot vehicle program would limit vehicles on a site to no more than three vehicles located a set-back distance from residential property lines. The Downtown Streets Team offered to assist with outreach to the community and to provide a minimal level of security if a program were enacted. The pilot program was modeled generally after the program in Eugene, Oregon. Eugene also had an ordinance prohibiting people from sleeping in vehicles on streets. Another program in Santa Barbara, while successful, was Staff intensive and an expense to the city. The second approach was enhanced social service outreach. When police officers were called to a scene, they often were unable to do anything. Staff suggested a social service provider make the initial contact. The Downtown Streets Team offered to fill the role of social services. A third approach was an Ordinance prohibiting habitation of vehicles. The Police Department suggested enforcement of an Ordinance be made on a complaint basis. Police officers would issue a warning for the first offense, and follow enforcement procedures for subsequent offenses. A fourth approach was parking restrictions. A small subset of cases could be addressed effectively with parking restrictions. Staff planned to install signage in a commercial area of College Terrace within two to four weeks to prohibit parking between 1:00 A.M. and 4:00 A.M. on those streets. That action could move the problem to another site. Staff used parking restrictions in a few other instances to address residents' concerns. Staff preferred to initiate a pilot program; however, efforts had not been successful. Thus, Staff recommended presenting an Ordinance to the Council that would prohibit living in vehicles and would not become effective for six months. In that six-month period, congregations could develop programs for their particular sites. If a pilot program was not initiated and the Council did not wish to enact an Ordinance, then Staff suggested the Council work with the Downtown Streets Team and any other social service provider to identify assistance for individuals living in their vehicles. Staff felt an Ordinance and a program needed to work hand-in-hand. If an Ordinance was adopted, Staff suggested its effective date allow time for programs to develop. Many members of the working group were strongly opposed to an Ordinance. Given the lack of interest in a program, Staff felt an Ordinance was necessary.

Council Member Espinosa wished to understand the nature and extent of outreach. He asked Staff to comment on that and the likelihood of additional congregations initiating programs if an extended period was allowed.

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Mr. Williams stated several congregations expressed interest in participating, but they had questions regarding liability, insurance, and internal processes for creating a program. Additional time could allow congregations to answer those questions. Perhaps enacting an Ordinance would create a sense of urgency. He would not characterize Staff's outreach as aggressive due to limited resources and extensive workload. Staff sent multiple messages to congregations. Mayor Yeh worked with one congregation and the Downtown Streets Team to further outreach efforts.

Council Member Espinosa inquired whether Staff had a plan that would lead to a different result if additional time were allowed.

Mr. Williams answered no. He did not foresee expending further Staff effort to develop programs.

Council Member Klein felt there were two separate problems. With regard to the complaints in College Terrace, he asked if vehicles were commercial or private.

Mr. Williams indicated the vehicles were private vans parked in a commercial area. He understood the owner lived in one, and moved the vehicles so as not to violate the 72-hour regulation.

Council Member Klein inquired whether anyone had asked the individual about his reasons for having ten vehicles.

Mr. Williams believed people had attempted to talk to the owner; however, it was difficult to talk to him.

Council Member Klein asked if the City Manager had the authority to declare parking restrictions in a commercial zone between 1:00 A.M. and 4:00 A.M.

Mr. Williams responded yes.

Council Member Klein inquired whether other people parked their vehicles in the commercial zone.

Mr. Williams was unsure if other vehicles were parked in the area. Staff canvassed businesses in the area, and they agreed to the restriction.

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Rafael Rius, Transportation Project Engineer reported other vehicles parked in the area, but not for an extended time period. The issue was not cars parked in the area, but the length of time they remained parked there.

Council Member Klein expressed concern about the unintended consequence of vehicle owners violating the parking ban, but not flagrantly violating the ban as the one vehicle owner did.

Mr. Williams indicated the vehicles parked in the area did not appear to be related to the businesses located in the area.

Council Member Klein inquired whether the vehicle owner could simply move his ten vehicles to another neighborhood with a 72-hour parking restriction if a ban on parking between 1:00 A.M. and 4:00 A.M. was imposed.

Mr. Williams answered yes.

Council Member Klein asked if another mechanism was available to prevent the vehicle owner from parking ten cars on City streets.

Molly Stump, City Attorney stated the Code contained a variety of rules for vehicle parking, but she had not discussed the issue extensively with Staff.

Council Member Klein understood the vehicle owner complied with existing rules, and asked what could be done beyond existing laws and without banning overnight parking on all City streets.

Ms. Stump noted some cities had city-wide bans on overnight parking, and those bans had significant impacts on a variety of people.

Council Member Klein felt there was not a viable solution at the current time.

Mr. Williams was not aware of any other solution short of posting additional restrictions, such as limiting the number of vehicles one person could park on the street.

Council Member Klein suggested an Ordinance limiting the number of vehicles one person could park on the street to two or three.

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Ms. Stump needed time to review the suggestion carefully as she was not aware of the precedent of such a restriction. It could have significant impacts on some people.

Council Member Klein requested Staff explain its rationale in limiting the number of vehicles to three in a vehicle dwelling program.

Mr. Williams reported a limit of three was somewhat arbitrary, but was suitable for a pilot program. If sites could accommodate more vehicles and the pilot program was successful, the limit could be modified. Staff did not want to overtax the system and wanted to determine results of a pilot program using a minimal number of vehicles.

Council Member Klein asked if the Police Department could track the number of complaints regarding people sleeping in vehicles to determine the extent of the problem.

Karen McAdams, Police Parking Management reported the Police Department did not capture that information. She was unsure whether the Police Department should capture that information, because of potential Constitutional issues.

Council Member Klein inquired whether the Police Department could track the types of complaints made by residents.

Ms. McAdams felt most complaints concerned abandoned vehicles. The complaining party usually did not state whether or not someone was living in the vehicle. Police officers could guess whether someone was living in the vehicle, based on the type of vehicle and repeat complaints. Typically, officers did not see anyone in the vehicle when they marked vehicles in 72-hour zones.

Council Member Klein asked if the Police Department could gather some data, based on information from the complaining party and visual inspection of the vehicle, to estimate the number of people sleeping in vehicles on streets.

Ms. McAdams would have to discuss the issue with the Chief to determine possible impact. The Police Department did not capture information as to whether someone was housed or unhoused, because the determination would be subjective.

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Council Member Klein stated the number of people sleeping in vehicles determined the amount of effort the City used to resolve the issue.

Council Member Schmid recalled the Police Department previously estimated approximately 20 people were dwelling in vehicles.

Ms. McAdams reported the Police Department estimated 25-50 people lived in vehicles, based on information from the Community Cooperation Team and community meetings. Many people could be living in their vehicles; however, the Police Department did not receive complaints about the majority of them. Residents complained about larger vehicles, because they were more obvious.

Council Member Schmid was unsure of the City Council's responsibility for unhoused people. Federal, state and county governments had responsibility for the welfare, housing, disability, and mental health of citizens. The Housing Element indicated the City had some responsibility for homeless people. The City also had responsibility for the health and safety of citizens on streets. Vehicle dwelling was a unique situation in that the individual was neither housed nor homeless. The City could potentially benefit from dealing with some of the homeless problem through vehicle dwelling; however, there were restrictions on creating incentives for people to live in that manner. He asked Staff to comment on the role the City should have.

Mr. Williams reported the County had broad programs to assist the homeless. The City did provide some assistance through Human Services Resource Allocation Process (HSRAP) and social service providers in the community. State law required the City to provide zoning to accommodate homeless shelters.

Council Member Schmid asked if vehicle dwelling could fulfill a portion of the City's obligation to provide shelters for the unhoused.

Mr. Williams would have to check on that, but felt Senate Bill 2 required an enclosed building.

Council Member Espinosa had hoped the community would provide services to the homeless rather than the City Council enacting an Ordinance that would criminalize the homeless lifestyle. He requested Staff explain their rationale in recommending an Ordinance before a pilot program had been tried.

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Mr. Williams explained the lack of interest in a pilot program left the Council with the decision of no action or enacting an Ordinance. A subsequent question was whether an Ordinance was appropriate to address business and resident concerns regarding safety and security. Staff preferred to provide a pilot program before considering an Ordinance. Staff was not comfortable with their recommendation, but few alternatives were available.

Council Member Espinosa asked Staff to describe a timeline should organizations wish to participate in a pilot program after hearing the current discussion.

Mr. Williams stated a few months were needed for a pilot program to become operational and to receive Council authorization. Staff could present a draft Ordinance to the Council in January 2013 with an effective date six months from that time. A three-month pilot program could be implemented and its results studied before the Ordinance became effective. If the pilot program appeared promising, then the Council could revisit the Ordinance at that point.

Chair Holman noted the Downtown Streets Team would monitor the pilot program for the first three months at no cost, and inquired about the costs after three months.

Mr. Williams reported Staff had considered the cost for portable toilets, which amounted to a few thousand dollars for three sites. Staff needed to hold discussions with the Downtown Streets Team to determine ongoing costs.

Chair Holman wished to know the costs and whether the Downtown Streets Team was interested in monitoring the program beyond a three-month trial period. She recalled the prior discussion regarding co-locating individuals to provide a safe harbor, and inquired if that perspective remained valid.

Mr. Williams felt it was valid, because oversight would be provided at the locations.

Chair Holman noted in the prior discussion Council Members did not want to consider City facilities as temporary housing sites. She asked if Council Members considered using City facilities, would that encourage other organizations to come forward.

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Mr. Williams stated some groups would be more inclined to participate if the City were to participate as well. However, the Council would need to consider costs and issues for the City.

Tom Dittmar reported his experience with two motor homes parked in front of his office building. He suspected they tapped into his power supply, and utilized his water and garbage. He called police officers 1-2 times per week; however, the motor homes returned after each complaint.

John Barton did not wish to criminalize the poor. The City should participate with congregations in a pilot program. Rather than limiting the pilot program to three vehicles, he suggested utilizing a percentage of available parking spaces. Most issues could be addressed with parking restrictions.

Doria Summa indicated stored vehicles in College Terrace did not comply with the 72-hour restriction, because there was no real penalty for violating the restriction. She did not wish to criminalize the issue; however, residents needed a solution. Other Code restrictions could be used when people caused problems for residents and businesses.

Diane Finkelstein felt the Council should focus on the many residents impacted by people living in their vehicles. The Council could not let the issue continue unresolved. Police officers could not enforce regulations, because they often did not see the violations.

Greg Schaefer, Pastor of University Lutheran Church opposed an Ordinance, and felt most complaints could be resolved through existing laws. Theft, vehicle storage, and sleeping in vehicles were separate problems.

Bruce Kenyon stated the Community Cooperation Team met with Staff to find a solution. He was unclear whose safety was a concern. An Ordinance would not change the behavior of the few people who would always rebel against authority.

Brent Parker felt pilot programs were necessary, whether or not an Ordinance was enacted. Any program should be developed and monitored carefully.

Litsie Indergand did not believe criminalizing unhoused people would be helpful. Her church was eager to participate in a pilot program; however, it could not afford a monitor for restroom facilities.

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Norma Grench felt a ban on vehicle dwellers was opposed to the community value of caring for others. She urged the Council to work with the homeless and community groups to determine a reasonable solution.

Geoff Browning, Campus Minister with United Campus Christian Ministry applauded the efforts of the Council and the working group to find a solution. Churches were concerned about liability, access to bathrooms, limited use restrictions, and being good neighbors. The City should participate in a program as well.

Tony Ciampi reported most members of the working group did not support implementation of the Eugene plan or the Santa Barbara plan. The group advocated a parking program without an Ordinance. An Ordinance would not address behavior problems.

Heiri Schuppisser, homeless outreach specialist stated people living in vehicles had fewer medical, legal, and mental health problems than people living on the street. Many of the homeless did not like living in shelters.

Rick Toker spoke with the director of the Eugene program, who stated a large number of people at a vehicle parking site resulted in interpersonal problems. The Santa Barbara program did not require on-site bathrooms. If Palo Alto did not require on-site bathrooms, perhaps more congregations would participate.

Mark Petersen-Perez suggested more vehicles would be located on streets, because of unemployment. He expressed concern that the Human Relations Commission had not addressed the issue.

Chuck Jagoda understood congregations did not respond, because they received short notice. He attempted to speak with the owner of the ten vehicles in College Terrace; however, the owner would not discuss the matter. Fear and isolation were major concerns.

Herb Borock urged the Council to abandon an Ordinance and a program, and suggested the Council compare any program to the Hotel de Zink program. Mr. Williams should name the organizations interested in participating in a pilot program. The Opportunity Center was a possible solution.

Fred Balin, Vice President of College Terrace Residents' Association recalled residents did not request but did support a ban on vehicle dwelling in July 2011. The proposed ban on parking in the commercial area directly

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addressed the specific issue. The City needed to retain a stock of affordable housing.

Cybele Lavolorashon urged the Council to support Option 2, and suggested use of the Veterans Hospital parking lot and the utility parking lot on Bayshore.

Reverend Dr. Eileen Altman, Associate Minister at First Congregational Church of Palo Alto stated the faith community was willing to work with others to address the needs of unhoused people. Each faith community needed to discuss complex issues for each location.

Chris Richardson, Downtown Streets Team agreed that each faith-based organization would have a unique set of needs. He felt the City could be successful with a pilot program, and the Downtown Streets Team would be a willing participant. They did not have funding for more than three months, but were willing to discuss that issue. Costs would be slightly more than \$5,300 per quarter.

Gail Thompson was unclear whether First Presbyterian was willing to be a host site. The City should also be involved in a pilot program. She believed neighbors of First Presbyterian would support a program at the church. A vehicle ban would not eliminate behavior problems. More low-cost housing was needed.

Hana Chandler stated the owner of the ten vehicles parked on the street where a parking permit was not required. She suggested a program require the homeless people to work in the community in exchange for parking areas.

Aram James indicated the Staff Report was evidence that an Ordinance was not needed. He noted statements in Staff Reports indicating most unhoused people did not cause concern for residents.

Jonathan Brown said people lived in vehicles at Boulware Park for months. This was an issue for the Parks and Recreation Commission. The Council could enact a simple Ordinance to prevent people from vehicular habitation in residential areas.

Faith Brigelle agreed with Mr. Brown's comments. She hoped the Council would enact an Ordinance.

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Dr. Cindy Mason was familiar with the problems of homeless people. The long-term issues were mental illness, addiction, and poverty. Short-term issues included health hazards. She suggested residents be made aware of violent histories and sexual offenses of unhoused persons.

Trina Lovercheck urged the Council not to criminalize all unhoused people. Current laws should cover situations that arose. The Police Department should document the nature of complaints in order to determine the number of complaints regarding homeless people.

Council Member Klein felt vehicle habitation was a minor problem, and that existing laws could resolve most issues. He noted a law prohibiting theft of electricity, and asked if there was a regulation prohibiting cooking in parks at night.

Mr. Williams was unsure.

Council Member Klein believed the small number of people sleeping in cars did not warrant further action. However, Palo Alto could become a magnet for unhoused people, because other cities enacted ordinances banning vehicle habitation. He suggested Staff monitor the problem of sleeping in vehicles. It was appropriate for faith groups to create and implement programs.

MOTION: Council Member Klein moved, seconded by Council Member XXXX to recommend the City Council: 1) abandon current Staff efforts and no longer pursue a program or Ordinance; 2) direct Staff to return within one year with a report regarding Police Department data collection about people sleeping in vehicle complaints; and 3) direct Staff to return as soon as possible with suggestions on how to eliminate people storing vehicles on City streets.

MOTION FAILED DUE TO THE LACK OF A SECOND

Council Member Schmid felt people sleeping in vehicles was a concern, because the people were down on their luck. He suggested a six-month trial program with the City as a partner, a limited number of participants, dispersed sites limited to three or less vehicles per site, and participant registration.

Chair Holman inquired whether Council Member Schmid was providing comments or a Motion.

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Council Member Schmid was enumerating elements of a program, and then would make a Motion. Other elements were a counseling program; information regarding other governmental programs available, lists for senior housing and low-income housing, and groups of organizations involved; and monitoring of sites to identify complaints and problems. The goal of such a program was for vehicle dwellers to find permanent situations.

MOTION: Council Member Schmid moved, seconded by Council Member Espinosa to: 1) initiate a six-month trial pilot Vehicle Camping Program; 2) Staff to search for partnerships with faith-based and not-for-profit organizations, businesses, and Stanford organizations to sponsor a pilot Vehicle Camping Program as outlined in Attachment A; 3) City to take more active role in offering direct help; 4) look for partners to provide sites for a limited number of people; and 5) enlist Downtown Streets Team to assist with implementation and oversight of the program.

Council Member Espinosa asked if the intention of the Motion was to develop a pilot program with the Downtown Streets Team performing outreach.

Council Member Schmid replied yes. City participation could begin with funding. The City had funds in the Council Discretionary Fund, HSRAP funds, and Stanford funds that could be used to support this type of program.

Council Member Espinosa did not oppose an Ordinance; however, he preferred an option for City residents. The community had a problem that was not addressed by existing Ordinances and police enforcement. Before considering an Ordinance, he wanted to ensure the Council had done everything possible to find an alternative where vehicle dwellers could be housed within the City. Service providers could approach those members of the community about services. Locations for overnight parking needed bathroom and kitchen facilities. Obviously, bathroom and kitchen facilities were not available at City parking lots. He wanted to galvanize non-profit and faith-based organizations, businesses, citizens and the City to find other appropriate solutions. The Motion provided a good compromise and ensured the Council fully explored that option.

Chair Holman asked for clarification of the trial period.

Council Member Schmid indicated the trial period was for Staff to continue to search for partnerships from faith-based communities, not-for-profit organizations, businesses, Stanford and to sponsor a pilot Vehicle Dwelling Program consistent with the parameters outlined in Attachment A. He added

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language to the Motion to enlist the assistance of the Downtown Streets Team to provide outreach.

Chair Holman generally supported the trial period for a Vehicle Camping Pilot Program. She felt Staff had searched for partnerships with faith-based communities, not-for-profit organizations, businesses, and Stanford, and requested Staff respond to that point.

Mr. Williams stated Staff had searched for partnerships with those organizations. The difference here was the City was actively participating with funding. Use of City sites could make a difference in the participation of those groups.

Council Member Schmid heard a number of the public speakers say organizations needed time to work through licensing and insurance issues. With an active City role, some of the organizations could be willing to participate in a trial program.

Council Member Klein opposed the Motion. City involvement was not free, and the City did not have any free money. The City would be involved in a program that benefited few people. This was not a good expenditure of the City's limited resources. Public enthusiasm for a trial program was limited, which indicated vehicle dwelling was not much of a problem. The City should monitor the problem, and Staff should spend their time on more important topics.

Council Member Espinosa believed vehicle dwelling was a larger issue than some stated. Staff's outreach was not aggressive, and response time was limited. Organizations needed time to resolve liability and insurance issues. Staff had not given a trial program a chance to determine if it could be successful. Vehicle dwelling affected enough people that the Policy and Services Committee should at least provide that opportunity.

Chair Holman interpreted the Motion as providing six months for Staff to search for partnerships. She asked the maker and Staff to interpret the language of the Motion.

Mr. Williams understood Staff was to initiate a six-month trial vehicle dwelling program, and then look for partnerships.

Council Member Schmid agreed with Mr. Williams' interpretation.

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Chair Holman noted the Staff Report indicated the Downtown Streets Team volunteered to administer the program, and inquired whether the maker intended for the Downtown Streets Team to administer the program. She wanted to remove that responsibility from Staff.

Council Member Schmid stated the wording should be for the Downtown Street Team to assist with implementation and oversight of the vehicle dwelling program.

Chair Holman asked Staff if they understood that to be the Downtown Streets Team's role.

Mr. Williams indicated the Downtown Streets Team was willing to do that with three organizations. He assumed they would be willing to accept that role under this scenario, but could not speak for them.

Chair Holman inquired whether the City's active role in offering direct help meant Staff would explore use of City-owned sites.

Council Member Schmid answered yes.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to direct City Staff to take a more active role to provide direct help including exploring City owned locations.

Chair Holman wished to discuss separately the subject of multiple vehicles parked in neighborhoods.

Council Member Klein suggested the first enumerated item in the Motion include "Program as outlined in Attachment A" similar to the second enumerated item.

MOTION PASSED: 3-1 Klein no

Chair Holman requested a Motion regarding the vehicle storage issue.

Council Member Espinosa recalled Council Member Klein's request for the City Attorney to provide alternatives regarding vehicle storage, and inquired whether the City Attorney would provide an analysis of options.

MINUTES

Ms. Stump stated the Legal Staff could provide general, lawful options. If the Policy and Services Committee was interested in a thorough analysis including Police Department input regarding enforceability and community input regarding impacts of options, then it should indicate that.

Council Member Schmid felt installation of signage regarding parking restrictions would provide an opportunity to determine if restrictions were effective.

Council Member Espinosa believed vehicles would simply move into residential areas.

MOTION: Council Member Klein moved, seconded by Council Member Espinosa to direct Staff to report back to Policy and Services Committee regarding potential solutions to the parking storage issue.

Chair Holman inquired whether Staff knew if the vehicles in College Terrace were registered and insured.

Mr. Williams understood they were operable, registered, and insured.

Chair Holman inquired whether police officers could chalk the tires of vehicles in the area if the Council dedicated some resources to that endeavor.

Ms. McAdams explained the Police Department had received complaints for several years from that area regarding the same person. Officers marked those vehicles approximately every two weeks or whenever there was a complaint. The owner moved each vehicle. In the prior five years, the City had towed one vehicle. Officers marked tires constantly in a number of areas, particularly College Terrace.

Chair Holman asked if tickets were issued.

Ms. McAdams answered no, because the owner complied with the law. The current Municipal Code regarding 72-hour parking required a person drive his vehicle at least 1/2 mile every 72 hours. The owner could legally park in the same space after driving that 1/2 mile. People were in their vehicles and able to move them to comply with the current law.

Chair Holman inquired when Staff could return with alternatives.

MINUTES

Mr. Williams would need to consult with the City Manager before indicating a date to return.

Chair Holman asked the City Attorney the same question.

Ms. Stump would coordinate with the City Manager, and return when she could provide a productive recommendation.

Chair Holman supported the Motion, but did not want it to languish. She requested an expeditious response time.

MOTION PASSED: 4-0

2. Auditor's Office Quarterly Report as of September 30, 2012.

Jim Pelletier, City Auditor would provide a detailed update at the end of the second quarter, when the Policy and Services Committee (Committee) would review the audit plan in more detail. At that time, he would recommend **changes to the audit plan and provide more information.** The City Auditor's Office Staff was working on the annual Service Efforts and Accomplishments (SEA) Report. They were redesigning the report to make it user friendly and visually appealing, and to focus on performance management. The Contract Oversight Audit was complete; the Utilities Reserves Audit and the Human Resources Employee Benefits Audit were in the final reporting stages and scheduled to be reported in early December 2012. Ongoing assignments were the sales and use tax allocation review and quarterly audits. As of the end of the first quarter, the City received slightly more than \$44,000 in total sales and use tax recoveries, approximately \$7,000 from direct analysis by the Audit Staff and approximately \$40,000 from the vendor. Potentially 54 misallocations remained outstanding with the State Board of Equalization, 29 from Audit Staff and 25 from the vendor. Staff anticipated additional recovery as the year progressed. New for the quarterly report was an update on the fraud, waste and abuse hotline, implemented on August 16, 2012. As of the end of September 2012, the hotline received one call, which was an inquiry regarding City policy. No follow-up action was required. The hotline received two additional calls, which would be reported in the next quarter.

Council Member Schmid inquired whether the Human Resources Employee Benefits report would be available prior to the December 10, 2012 City Council meeting.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

ATTACHMENT D

COMMENT CARDS	COMMENT
	How about the churches donate their parking lots for overnight parking for the homeless vans? I suggest that the van dwellers have a permit and are registered with the city just like the homeowners and renters. Right now we do not know who these people are living in front of our homes or down the street.
	Solutions should be provided to all affected area not just R-1 districts. Business and mixed used neighborhoods are also affected.
	Do nothing. Enforce the exiting laws to deal with those who are harassing people and violating the laws. People have same right to own a vehicle and use the public streets. To deny only poor people the right to own a vehicle and use the public street while allowing wealthy people is unconstitutional. I want to be a member of the task force.
	How many people are there sleeping in vehicles in Palo Alto? How many are causing concerns? What can be done when someone does cause problems? Rumor-vans being rented by "van guys"? Future meetings should be at city facilities. Parking areas should be dispersed around the city.
	Solution: Corporate sponsorship of individuals and of programs.
	Compassion is very important. Is there any way that Palo Alto PD could step up enforcement on a case by case basis? I feel for the mother who is concerned about her children. What about creating specific "safety zones?" Industrial areas where homeless in vehicles can be directed rather than residential.
	Liked the idea of Baylands/designated areas, city supported and/or limited number in designated places.
	Separate the problem. Deal with each alone. First, sleeping in cars; second, deal with persons who exhibit criminal behavior; third where to park. Once that is done, bring these three together and resolve differences if needed.
	Problem is getting even worse with the economic downturn and the aging "baby boomers". Look into nearby models-San Mateo County Mental Health; engage corporate models for funding; use the resources to extend what we have; H.I.P. Housing-a program in San Mateo to house homeless people.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	I was thrown out of my house as a teenager. Homeless and afraid. I would not want to see other teenagers in that situation.
	Preschool Family, across from Cubberley at the Greendell site. Several car-dwellers are currently living right behind my classroom without causing any trouble recently. In the past, we have had homeless people sleeping on play structures, leaving trash, urinating and defecating in classroom doorways. Parents are concerned about safety for their children and themselves, since they come to at night. Improved lighting in the parking lot around the friends of the Library portable would be a good thing. As a private individual, I think the idea of several locations for small numbers of vehicles where dwellers have access to water and toilets and where social services /homeless outreach organizations would visit or a regular basis is good. It should also be possible to enforce laws about harassment against anybody who are in a threatening way to children or other people in the community.
	An issue that was not discussed is that of sanitation/hygiene. The city needs to provide toilets, water, showers, etc. for the car dwellers. Why is the P.D. unable to enforce the 72-hour rule with the person who owns the fleet of vans, that park on Staunton, Oxford and Cambridge in College Terrace?
	The City of Palo Alto should provide safe parking, toilets and showers for vehicle dwellers. Add a small tax or solicit subscription from residents. Many would be happy to donate.
	I'm homeless and live in my car.
	Safety.
	Praying for individuals to open their homes.
	Impact of van storage on neighborhood – health and safety issues causing at least one family to move out.
	One person with 12 vans started this problem. Don't punish the rest of us. I've lived in an apartment 30 years-went homeless last year.
	Living outside and ideas on accommodating those with vehicles.
	Opportunity Center origins.
	I would like the staffs, the city council to be compassionate to the plight of the homeless as we are making effort to work on an alternative that work out for everybody.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	If a person living in a vehicle near your residence began to rent a room out of the house next door and their vehicle remained on the street, how would that change your perception of that person and why?
	Parking during day-sprawl downtown. Slippery slope of what is objectionable.
	I would like to speak as a person who dwells in a vehicle.
	Am a teacher and resident in Palo Alto. Have a mentally ill adult son who is homeless. Palo Alto is part of the giant Santa Clara County and most services are in south county. Could there be process where we model a support network like San Mateo. Palo Alto's criminalizing poverty without the support services needed is criminal.
	Wow. I guess I would like to say I feel very strongly about attempts to make every square inch the property of only those who own or have an interest in real property. It's inhumane. I am an attorney and an entrepreneur and I will allow people to park on the street by my house.
	Will we make it over the mountain?
	2 minutes, for students about research projects (in law, public health, technology and social entrepreneurship).
	I cried because I had no shoes, till I saw a man with no feet.
	In order to save money for 1 st and last month rent: 1973 – Seven weeks sleeping in Volkswagen Square back with my family-3 children in San Mateo. 1975-One month sleeping with my family-3 children and two dogs (in between house rentals); 1979 – Winter-23 days in van with 3 children and two dogs (in between house rentals). I do not want a law that prevents folks from sleeping in their vehicle.
	My children's experience with vans and cars on our street.
	Brown van experience with kids.
	Concern for community, housed and homeless. Working together to be of service to each other.
	Want to know-what ordinances currently exist that cover this issue? How many "car dwellers" are we talking about? Who has counted them?

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	I would like to see this as a social services issue instead of civil. But the homeowners do need some recourse to persons “behaving badly”. I have investigated several cities who have allowed 2-3 vehicles per lot and in each case the police refer to a social service center some are city run, one is faith based. This program has saved the City of Eugene, Oregon approximately \$210k. They used to use up court time, towing services, etc. This is a possibility for progressive Palo Alto and perhaps the Opportunity Center could be the administrator of such a plan.
	Eugene Oregon has a program in which churches, businesses, government organizations and other organizations allow pre-approved people to park in their lots overnight. I would like Palo Alto to consider a similar program rather than a ban.
	I believe we can find good alternatives to an ordinance. Suggestions: It is important to get an accurate count of the vehicles involved. Deal with the “van” guy-there must be an ordinance that covers him. Do not criminalize homelessness-criminalize sleeping in cars in residential neighborhoods. Get help for community service officer. Have separate brainstorming meeting.
FLIP CHART	
	Case Management Outreach - Any person can become un-housed, we are already doing innovative things, we can find solutions; Palo Alto had ban on overnight parking; person in car is solution; neighborhoods relieved if equipped area.
	We are all compassionate. Cubberley facilities open without communication with Green Meadows; surge of people. Children feel unsafe around large numbers.
	Is Palo Alto a magnet? Many people still live in other areas. Many people have community ties, make contributions. Palo Alto as role model. There is a 72 hour parking limit and permit program in CT.
	Being homeless is not a crime. Individuals sharing space with homeless. Humanitarian, we are blessed. See us all help each other, share. Dalai Lama. Status quo is unacceptable. Problem is concentrated. Verbal assault of children from one individual. Police cannot respond with current laws.
	Shut down magnets, say to go to other services. Situations which are already enforceable. Parking limits. Identifying people’s individual needs, including mental health. It has worked with city and fire department to address panhandling, encourage people to join team. Peer to peer outreach in parking lots.
	Need to wait 48 hours. People can move. Children have to change routes, feel unsafe. Something needs to change. Experience LG in some neighborhoods. Don’t want Palo Alto to make it illegal to live in car. People have different reasons. Others who are housed can cause same incidents.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

<p>Don't need to put more in jail, do need to solve problem. Tragedy of the commons. Sleep on tarp rather than car? We can do better. Wrong to punish others for living in vehicles. Respond to incidents, not condemn group of people. Black holes out of reach.</p>
<p>Address specific problem rather than criminalize all. Stored vehicle issue, not people. Has been going on for ten years in College Terrace. Strengthening 72 hour limit. 2008: Many more people illegal behaviors. Only one person who works with abandoned vehicles.</p>
<p>Social service not civil issue. Look into programs other city does. City lots/church lots with rules/guidelines but with compassion. Part of CCT-Eugene, OR program for car dwellers. Ask parking info -1 law need to move vehicle every 72 hours-some areas have permits.</p>
<p>20-25 in PA have contact with on a regular basis. City has CS officer that responds to that issue. Neighbor-Addison-homeowner. Safety issue affects family-van on block-verbally assaulted kids. Access to restroom, children observed public urination. Concern for their safety. Live in CT long time-likes parking permit, but does not extend to commercial area – individual with 12 vans. CN zone in parking zone.</p>
<p>Give police tools to deal with CT issue. Neighbor-Addison-also have kids who are afraid on man in vehicle. Man moves vehicle around every 72 hours. Has compassion. Needs to give police “tools” to deal with issue. Barron Park- Understands problem with person with 12 cars, but is willing to let person in front of his house.</p>
<p>Stanford charter has looked into homeless issues for 10 years for projects that work on issue. Norm-living outside puts health at risk. If parking problem fix that . Look at Milpitas ordinance consider using some city parking garages.</p>
<p>Palo Alto is a community that cares. Faith based group have cared. There are good and bad citizens. Need to come up with solution that is positive.</p>
<p>Has lived in car. Never broken law. Bothers others. Not clean if parking or behavior issue. If ordinance passes, may be faced to live on streets. Punish people who cause problems. But leave others alone. Car dweller-he does not cause problems. Deal with people causing problems. Son-homeless-mentally ill. Living in vehicle. Palo Alto services not wrap around. Redwood City has rapid re-housing. Need to come up with solutions. Not police based.</p>
<p>Working with CCT-hard to tell housed and un-housed. Lives in CT-suggestion to deal with issue in CN Zone-was targeted by rock in window. They know why I live not visa versa. Solution should involve all local cities. Permit parking-more areas.</p>
<p>Street outreach from Stanford. Community can come up with solutions. Think about values that city holds and uphold for all citizens. Oregon program.</p>

**LIVING IN VEHICLES SECOND COMMUNITY FORUM
JUNE 26, 2012
COMMENT CARDS AND NOTES**

QUESTIONS
<p>Q: Is Palo Alto the only City that does not have a similar ordinance in Santa Clara County? A: It is the City's understanding that Palo Alto is the only City along the Peninsula that does not have such an ordinance.</p>
<p>Q: Has anyone challenged these ordinances? If so, what has been the result? Has there been grass root opposition? A: Don Larkin is not aware of any. It is unknown if there has been grass root opposition on these other ordinances.</p>
<p>Q: What is the Status Quo? A: No ordinance prohibiting living in vehicles. The primary regulation is the 72 hours or more parking limit. The second are general violations such as urinating in public or other nuisances.</p>
<p>Q: How many complaints have been received in the last year? A: It is difficult to provide a specific number. The Police Department does not keep statistics separately and they do not track whether they are unhoused.</p>
<p>Q: How did City staff reach out to the Faith Based Community? Why does the program only identify "places of worship" A: Rick Toker provided a contact list for the 42 various congregations. City property was not considered due to the cost associated with maintenance and monitoring.</p>
COMMENT CARDS
<p>I would like to make a brief statement outlining my most important reasons for opposing the vehicle dwelling ban portions of the proposed City Ordinance-</p>
<p>I've been living in my vehicle for the past 2 years. I'm 64 years old and on the waitlist for senior housing. I'm against the ordinance because it will not solve the problem but would aggravate the situation worse.</p>
<p>Vehicle dwelling; the problems of poverty and job loss</p>
<p>I wanted to share recent experience learning about other community's obstacles in enforcing such an ordinance. I also wanted to express Downtown Streets Team's willingness to help out.</p>
<p>Having lived in Palo Alto since 1960, I know it to be a caring community which does not want to criminalize good people.</p>
<p>Many years of experience working as an RN. Concerned about the health of those living in vehicles and how it could decline further if forced to the streets. Also remember many living in vehicles are employed and can't afford the high rents in the area.</p>
<p>With large layoff like the ones at HP's many people who have homes today could find themselves living in their vehicles. I do not want vehicle habitation to become a crime.</p>
<p>Why?</p>
<p>My outreach experience with the unhoused.</p>

**LIVING IN VEHICLES SECOND COMMUNITY FORUM
JUNE 26, 2012
COMMENT CARDS AND NOTES**

Legal view
1) How many complaints; 2) Church vs. public lots; 3) ; 4)personal experience
Newspaper article on motor home example in Palo Alto
Living in vehicles is not a problem it is the result of a lack of housing.
Why 1 st Presbyterian Church of Palo Alto said yes the Pilot Program
Seems to be enough support here. Each person who supports vehicle residents to take them home to their driveway and use their bathrooms.
ADDITIONAL COMMENTS
<ul style="list-style-type: none"> • A suggestion was made that if churches are going to participate in such a program then they should outline a plan of how to approach their neighbors before making a commitment. • When First Presbyterian Church started their Wednesday meal program there was a firestorm. • Having a program that can be controlled will give people a sense of security and wellbeing. • In land use controversy “one side out organizes the other.” Willing to participate in outreaching. Suggestion that the community does everything and pulls together. Staff can’t be expected to do the outreach as it would not be fair to staff.
<ul style="list-style-type: none"> • The pilot program discussed was not a consensus of the Working Group.

- the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
- (2) It is found and declared that:
 - (a) From time to time persons establish campsites on sidewalks, public rights-of-way, under bridges, and so forth;
 - (b) Such persons, by such actions create unsafe and unsanitary living conditions which pose a threat to the peace, health and safety of themselves and the community; and,
 - (c) The enactment of this provision is necessary to protect the peace, health and safety of the city and its inhabitants.
 - (3) No person shall camp in or upon any sidewalk, street, alley, lane, public right-of-way, park or any other publicly-owned property or under any bridge or viaduct, unless otherwise specifically authorized by this code or by declaration of the Mayor in emergency circumstances.
 - (4) Upon finding it to be in the public interest and consistent with council goals and policies, the council may, by motion, exempt a special event from the prohibitions of this section. The motion shall specify the period of time and location covered by the exemption.

(Section 4.815 amended by Ordinance No. 19163, enacted July 11, 1983; and Ordinance 20062, enacted September 16, 1996, effective October 16, 1996.)

4.816 Permitted Overnight Sleeping.

- (1) Notwithstanding any other provision of this code:
 - (a) Persons may sleep overnight in a vehicle, camper or trailer in a parking lot of a religious institution, place of worship, business or public entity that owns or leases property on which a parking lot and occupied structure are located, with permission of the property owner. The property owner may not grant permission for more than three vehicles used for sleeping at any one time.
 - (b) Persons may sleep overnight in the back yard of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. Not more than one family may sleep in any back yard, and not more than one tent or camping shelter may be used for sleeping in the back yard. As an alternative, but not in addition to sleeping overnight in the back yard, not more than one family may sleep in a vehicle, camper or trailer parked in the driveway of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. For purposes of this subsection, "family" means persons related by blood or marriage, or no more than two unrelated adults.
 - (c) Persons may sleep overnight in a vehicle, camper or trailer on a paved or graveled surface located on a vacant or unoccupied parcel, with the permission of the property owner, if the owner registers the site with the city or its agent. The city may require the site to be part of a supervised program operated by the city or

Eugene Code

- its agent. The property owner may not grant permission for more than three vehicles used for sleeping at any one time.
- (2)** A property owner who allows a person or persons to sleep overnight on a property pursuant to subsections (1)(a), (1)(b) or (1)(c) of this section shall:

 - (a) Provide or make available sanitary facilities;
 - (b) Provide garbage disposal services as required by sections 6.050 and 6.055 of this code;
 - (c) Provide a storage area for campers to store any personal items so the items are not visible from any public street;
 - (d) Require a tent or camping shelter in a backyard to be not less than five feet away from any property line; and
 - (e) Not require payment of any fee, rent or other monetary charge for overnight sleeping, as authorized by this section.
 - (3)** A property owner who permits overnight sleeping pursuant to subsection (1) and (2) of this section, may revoke that permission at any time and for any reason. Any person who receives permission to sleep on that property as provided in this section shall leave the property immediately after permission has been revoked.
 - (4)** Notwithstanding any other provision of this section, the city manager or the manager's designee may:

 - (a) Prohibit overnight sleeping on a property if the city finds that such an activity on that property is incompatible with the uses of adjacent properties or constitutes a nuisance or other threat to the public welfare; or
 - (b) Revoke permission for a person to sleep overnight on city-owned property if the city finds that the person has violated any applicable law, ordinance, rule, guideline or agreement, or that the activity is incompatible with the use of the property or adjacent properties.
 - (5)** The city manager or the manager's designee may impose administrative civil penalties on property owners who fail to comply with the requirements of subsections (1) and (2) of this section, as provided in section 2.018 of this code.
 - (6)** In addition to any other penalties that may be imposed, any campsite used for overnight sleeping in a manner not authorized by this section or other provisions of this code shall constitute a nuisance and may be abated as such. As used in this section, "campsite" has the meaning given in section 4.815 of this code.
 - (7)** The city manager may adopt administrative rules in the manner provided in section 2.019 of this code to implement this section.
 - (8)** With authorization from the city manager or designee in connection with a specific special event, persons may sleep overnight on public property which has a community center, swimming pool, or other city-operated athletic facility located thereon at which the special event is

being held. The authorization shall be limited to no more than eight days in any two-week period.

- (9) Nothing in section 4.815 or 4.816 of this code creates any duty on the part of the city or its agents to ensure the protection of persons or property with regard to permitted overnight sleeping.

(Section 4.816 added by Ordinance No. 20130, enacted August 5, 1998; and amended by Ordinance No. 20255, enacted June 10, 2002, effective July 10, 2002.)

4.820 Petty Larceny.

(Section 4.820 amended by Ordinance No. 19500, enacted September 28, 1987; administratively amended by Ordinance No. 20113, enacted April 6, 1998, effective May 6, 1998; and amended by Ordinance No. 20161, enacted July 26, 1999, effective August 26, 1999; and repealed by Ordinance No. 20446, enacted December 14, 2009, effective January 1, 2010.)

4.822 Theft.

- (1) Theft in the Third Degree. A person commits the crime of theft in the third degree if the total value of the property in a single or an aggregate transaction is less than \$100, and the person, by means other than extortion, with the intent to deprive another of property or to appropriate property to the person or a third person:
- (a) Takes, appropriates, obtains or withholds such property from an owner thereof; or
 - (b) Comes into control of property of another that the person knows or has good reason to know to have been lost, mislaid or delivered under a mistake as to the nature or amount of the property or the identity of the recipient, and with the intent to deprive the owner thereof fails to take reasonable measures to restore the property to the owner; or
 - (c) Obtains property of another, and with the intent to defraud:
 1. Creates or confirms another's false impression of law, value, intention or other state of mind which the actor does not believe to be true; or
 2. Fails to correct a false impression which the person previously created or confirmed; or
 3. Prevents another from acquiring information pertinent to the disposition of the property involved; or
 4. Sells or otherwise transfers or encumbers property, failing to disclose a lien, adverse claim or other legal impediment to the enjoyment of the property, whether such impediment is or is not valid, or is or is not a matter of official record; or
 5. Promises performance which the person does not intend to perform or knows will not be performed.
 - (d) Receives, retains, conceals or disposes of property of another knowing or having good reason to know that the property was the subject of theft. For purposes of this subsection, "receiving"



City of Palo Alto

Policy and Services Committee Staff Report

ATTACHMENT G

(ID # 2211)

Report Type: Meeting Date: 11/15/2011

Summary Title: Habitation of Vehicles Ordinance

Title: Status of Habitation in Vehicles Ordinance/Programs

From: City Manager

Lead Department: Planning and Community Environment

Recommendation

This is an informational report to provide a status on the Human Habitation in Vehicles Ordinance and related programs. No action is required. Staff will return with specific proposals following further community outreach.

Background

Over the past several years there have been a number of incidents reported by residents and business owners related to alleged disturbances by persons living in vehicles in or near residential neighborhoods and commercial districts. Specific incidents have sometimes been troublesome for residents and businesses, in some cases including public urination, trespassing, belligerent behavior, or other actions that are perceived as threats to safety or health. The Police Department does not track these complaints, so there is not an accurate measure of the number and frequency of calls, but Police estimate that there are about 20 vehicle dwellers who are scattered throughout the city. Accordingly to homeless advocates, however, there are probably about 100 vehicle dwellers in total, so for the most part such persons are peaceful, do not bother residents, and in some cases provide helpful services to the community. Some of the complaints, particularly in the College Terrace neighborhood, also relate to parking an excessive number of vehicles in the area.

In July of 2011, a draft ordinance was prepared to address complaints received by residents and businesses. The draft ordinance would have prohibited human habitation of vehicles, with limited exceptions, and was modeled after similar ordinances in other cities located within Santa Clara County and San Mateo County. Currently, the City of Palo Alto appears to be the only city located in Santa Clara County that does not have an ordinance addressing this issue. The City's current requirements do not limit sleeping or living in a vehicle, but do prohibit parking a vehicle in the same space for more than 72 hours. The vehicle dwellers of concern, however, are aware of the regulations and are able to move their vehicles to comply with the 72-hour limit. The Police Department therefore is only able to approach these cases as complaints arise and generally attempt to address the individual cases by contacting the vehicle dweller and, if they are available at the time, referring them to local shelters and service

providers. In most cases, the vehicle dweller does not take advantage of those services, but sometimes they are persuaded to move and then relocate to another neighborhood.

Staff scheduled consideration of the draft ordinance for Council review on July 25, 2011. Homeless residents and advocates, however, voiced their opinions to the City Council before that date that an alternative solution be proposed and that additional community outreach be pursued. The City Manager then requested that the City Council remove the item from the July 25, 2011 meeting in order to allow additional community outreach, including discussions with the Community Cooperation Team (homeless advocates) before an ordinance or other approach is presented and a decision on the matter is rendered. The Council concurred and suggested that the matter should also be reviewed by the Policy and Services Committee in advance of full Council review.

Discussion

A working group has been established, comprised of various stakeholders in order to provide input to City Staff. The working group includes representation from the unhoused community, local social service providers, neighborhood residents, businesses, and the faith based community, as well as City staff (Planning, Police, City Attorney and Community Services departments). To date, a community forum and two working group meetings have taken place to obtain additional input and to discuss alternative solutions. Another working group meeting is scheduled for the morning of November 15th and a verbal report will be provided to the Committee that evening.

Community Forum

On September 15, 2011, the City in conjunction with the Community Cooperation Team held a "Living in Vehicles Community Forum" to invite public comment regarding individuals living in their vehicles and others affected by these activities. The goal of the meeting was to reach out to the community and discuss issues and approaches to address problems experienced by both persons living in vehicles and affected residents and businesses. Approximately sixty individuals participated in the forum. The meeting notes are appended to this update as Attachment "A".

A website has been established on the Community Services Department at:

<http://www.cityofpaloalto.org/depts/csd/news/details.asp?NewsID=1882&TargetID=271>.

Working Group

On October 26, 2011, the expanded working group held a meeting to define and frame the issue and continue the conversation about plausible solutions and/or options. There was a general consensus that there were multiple issues at hand and clearly defining the problem was the first step. Specifically, a distinction was made between a) the parking and storage of multiple vehicles in or around certain commercial/residential areas and b) people living in their vehicles and parking within residential and/or commercial neighborhoods. Distinctions were also drawn to recognize that the majority of vehicle dwellers are not causing any problems, while there are valid safety, security and health concerns of neighbors and businesses that are affected by the minority of vehicle dwellers.

Members of the Community Cooperation Team have offered suggestions for an ordinance modeled after Eugene, Oregon's Camping Ordinance. The ordinance would allow private businesses, places of worship, and government facilities to designate parking to accommodate either three medium vehicles or one large vehicle on the property. Providers of these parking spaces would govern their property and issue approval letters with corresponding dates and any required provisions. Concurrently, the City's Community Service Officer would serve as a facilitator for those living in their vehicles by providing a list of approved parking lots and social service programs. The group will also discuss how parking regulations might be modified to address some of the specific parking-related issues.

Other approaches, including something similar to the original draft ordinance, are also still to be discussed. The second expanded working group meeting is scheduled for November 15, 2011 to further review these options and discuss the potential implications of each.

Next Steps

Staff expects to conduct one more working group meeting, and then to present options at a community meeting in December or early January 2012. A final working group meeting would follow prior to staff's presentation of a recommended program to the Policy and Services Committee in February.

Attachments:

- Attachment A: September 15, 2011 Community Forum Notes (PDF)
- Public Doc (PDF)

Prepared By: Curtis Williams, Director

Department Head: Curtis Williams, Director

City Manager Approval: James Keene, City Manager

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

COMMENT CARDS	COMMENT
	How about the churches donate their parking lots for overnight parking for the homeless vans? I suggest that the van dwellers have a permit and are registered with the city just like the homeowners and renters. Right now we do not know who these people are living in front of our homes or down the street.
	Solutions should be provided to all affected area not just R-1 districts. Business and mixed used neighborhoods are also affected.
	Do nothing. Enforce the exiting laws to deal with those who are harassing people and violating the laws. People have same right to own a vehicle and use the public streets. To deny only poor people the right to own a vehicle and use the public street while allowing wealthy people is unconstitutional. I want to be a member of the task force.
	How many people are there sleeping in vehicles in Palo Alto? How many are causing concerns? What can be done when someone does cause problems? Rumor-vans being rented by "van guys"? Future meetings should be at city facilities. Parking areas should be dispersed around the city.
	Solution: Corporate sponsorship of individuals and of programs.
	Compassion is very important. Is there any way that Palo Alto PD could step up enforcement on a case by case basis? I feel for the mother who is concerned about her children. What about creating specific "safety zones?" Industrial areas where homeless in vehicles can be directed rather than residential.
	Liked the idea of Baylands/designated areas, city supported and/or limited number in designated places.
	Separate the problem. Deal with each alone. First, sleeping in cars; second, deal with persons who exhibit criminal behavior; third where to park. Once that is done, bring these three together and resolve differences if needed.
	Problem is getting even worse with the economic downturn and the aging "baby boomers". Look into nearby models-San Mateo County Mental Health; engage corporate models for funding; use the resources to extend what we have; H.I.P. Housing-a program in San Mateo to house homeless people.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	I was thrown out of my house as a teenager. Homeless and afraid. I would not want to see other teenagers in that situation.
	Preschool Family, across from Cubberley at the Greendell site. Several car-dwellers are currently living right behind my classroom without causing any trouble recently. In the past, we have had homeless people sleeping on play structures, leaving trash, urinating and defecating in classroom doorways. Parents are concerned about safety for their children and themselves, since they come to at night. Improved lighting in the parking lot around the friends of the Library portable would be a good thing. As a private individual, I think the idea of several locations for small numbers of vehicles where dwellers have access to water and toilets and where social services /homeless outreach organizations would visit or a regular basis is good. It should also be possible to enforce laws about harassment against anybody who are in a threatening way to children or other people in the community.
	An issue that was not discussed is that of sanitation/hygiene. The city needs to provide toilets, water, showers, etc. for the car dwellers. Why is the P.D. unable to enforce the 72-hour rule with the person who owns the fleet of vans, that park on Staunton, Oxford and Cambridge in College Terrace?
	The City of Palo Alto should provide safe parking, toilets and showers for vehicle dwellers. Add a small tax or solicit subscription from residents. Many would be happy to donate.
	I'm homeless and live in my car.
	Safety.
	Praying for individuals to open their homes.
	Impact of van storage on neighborhood – health and safety issues causing at least one family to move out.
	One person with 12 vans started this problem. Don't punish the rest of us. I've lived in an apartment 30 years-went homeless last year.
	Living outside and ideas on accommodating those with vehicles.
	Opportunity Center origins.
	I would like the staffs, the city council to be compassionate to the plight of the homeless as we are making effort to work on an alternative that work out for everybody.

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	If a person living in a vehicle near your residence began to rent a room out of the house next door and their vehicle remained on the street, how would that change your perception of that person and why?
	Parking during day-sprawl downtown. Slippery slope of what is objectionable.
	I would like to speak as a person who dwells in a vehicle.
	Am a teacher and resident in Palo Alto. Have a mentally ill adult son who is homeless. Palo Alto is part of the giant Santa Clara County and most services are in south county. Could there be process where we model a support network like San Mateo. Palo Alto's criminalizing poverty without the support services needed is criminal.
	Wow. I guess I would like to say I feel very strongly about attempts to make every square inch the property of only those who own or have an interest in real property. It's inhumane. I am an attorney and an entrepreneur and I will allow people to park on the street by my house.
	Will we make it over the mountain?
	2 minutes, for students about research projects (in law, public health, technology and social entrepreneurship).
	I cried because I had no shoes, till I saw a man with no feet.
	In order to save money for 1 st and last month rent: 1973 – Seven weeks sleeping in Volkswagen Square back with my family-3 children in San Mateo. 1975-One month sleeping with my family-3 children and two dogs (in between house rentals); 1979 – Winter-23 days in van with 3 children and two dogs (in between house rentals). I do not want a law that prevents folks from sleeping in their vehicle.
	My children's experience with vans and cars on our street.
	Brown van experience with kids.
	Concern for community, housed and homeless. Working together to be of service to each other.
	Want to know-what ordinances currently exist that cover this issue? How many "car dwellers" are we talking about? Who has counted them?

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

	COMMENT
	<p>I would like to see this as a social services issue instead of civil. But the homeowners do need some recourse to persons “behaving badly”. I have investigated several cities who have allowed 2-3 vehicles per lot and in each case the police refer to a social service center some are city run, one is faith based. This program has saved the City of Eugene, Oregon approximately \$210k. They used to use up court time, towing services, etc. This is a possibility for progressive Palo Alto and perhaps the Opportunity Center could be the administrator of such a plan.</p>
	<p>Eugene Oregon has a program in which churches, businesses, government organizations and other organizations allow pre-approved people to park in their lots overnight. I would like Palo Alto to consider a similar program rather than a ban.</p>
	<p>I believe we can find good alternatives to an ordinance. Suggestions: It is important to get an accurate count of the vehicles involved. Deal with the “van” guy-there must be an ordinance that covers him. Do not criminalize homelessness-criminalize sleeping in cars in residential neighborhoods. Get help for community service officer. Have separate brainstorming meeting.</p>
	<p>FLIP CHART</p>
	<p>Case Management Outreach - Any person can become un-housed, we are already doing innovative things, we can find solutions; Palo Alto had ban on overnight parking; person in car is solution; neighborhoods relieved if equipped area.</p>
	<p>We are all compassionate. Cubberley facilities open without communication with Green Meadows; surge of people. Children feel unsafe around large numbers.</p>
	<p>Is Palo Alto a magnet? Many people still live in other areas. Many people have community ties, make contributions. Palo Alto as role model. There is a 72 hour parking limit and permit program in CT.</p>
	<p>Being homeless is not a crime. Individuals sharing space with homeless. Humanitarian, we are blessed. See us all help each other, share. Dalai Lama. Status quo is unacceptable. Problem is concentrated. Verbal assault of children from one individual. Police cannot respond with current laws.</p>
	<p>Shut down magnets, say to go to other services. Situations which are already enforceable. Parking limits. Identifying people’s individual needs, including mental health. It has worked with city and fire department to address panhandling, encourage people to join team. Peer to peer outreach in parking lots.</p>
	<p>Need to wait 48 hours. People can move. Children have to change routes, feel unsafe. Something needs to change. Experience LG in some neighborhoods. Don’t want Palo Alto to make it illegal to live in car. People have different reasons. Others who are housed can cause same incidents.</p>

**LIVING IN VEHICLES COMMUNITY FORUM
 SEPTEMBER 15, 2011
 COMMENT CARDS & FLIP CHART NOTES**

<p>Don't need to put more in jail, do need to solve problem. Tragedy of the commons. Sleep on tarp rather than car? We can do better. Wrong to punish others for living in vehicles. Respond to incidents, not condemn group of people. Black holes out of reach.</p>
<p>Address specific problem rather than criminalize all. Stored vehicle issue, not people. Has been going on for ten years in College Terrace. Strengthening 72 hour limit. 2008: Many more people illegal behaviors. Only one person who works with abandoned vehicles.</p>
<p>Social service not civil issue. Look into programs other city does. City lots/church lots with rules/guidelines but with compassion. Part of CCT-Eugene, OR program for car dwellers. Ask parking info -1 law need to move vehicle every 72 hours-some areas have permits.</p>
<p>20-25 in PA have contact with on a regular basis. City has CS officer that responds to that issue. Neighbor-Addison-homeowner. Safety issue affects family-van on block-verbally assaulted kids. Access to restroom, children observed public urination. Concern for their safety. Live in CT long time-likes parking permit, but does not extend to commercial area – individual with 12 vans. CN zone in parking zone.</p>
<p>Give police tools to deal with CT issue. Neighbor-Addison-also have kids who are afraid on man in vehicle. Man moves vehicle around every 72 hours. Has compassion. Needs to give police “tools” to deal with issue. Barron Park-Understands problem with person with 12 cars, but is willing to let person in front of his house.</p>
<p>Stanford charter has looked into homeless issues for 10 years for projects that work on issue. Norm-living outside puts health at risk. If parking problem fix that . Look at Milpitas ordinance consider using some city parking garages.</p>
<p>Palo Alto is a community that cares. Faith based group have cared. There are good and bad citizens. Need to come up with solution that is positive.</p>
<p>Has lived in car. Never broken law. Bothers others. Not clean if parking or behavior issue. If ordinance passes, may be faced to live on streets. Punish people who cause problems. But leave others alone. Car dweller-he does not cause problems. Deal with people causing problems. Son-homeless-mentally ill. Living in vehicle. Palo Alto services not wrap around. Redwood City has rapid re-housing. Need to come up with solutions. Not police based.</p>
<p>Working with CCT-hard to tell housed and un-housed. Lives in CT-suggestion to deal with issue in CN Zone-was targeted by rock in window. They know why I live not visa versa. Solution should involve all local cities. Permit parking-more areas.</p>
<p>Street outreach from Stanford. Community can come up with solutions. Think about values that city holds and uphold for all citizens. Oregon program.</p>

Minor, Beth

CITY OF PALO ALTO, CA
CITY CLERK'S OFFICE

From: Tony Ciampi [t.ciampi@hotmail.com]
Sent: Tuesday, November 08, 2011 5:50 PM
To: Venable, Mark; Williams, Curtis; Council, City; Larkin, Donald
Cc: abjpd1@gmail.com; bkenny5678@gmail.com; chuckjagoda1@gmail.com; yvonnekenyon66@yahoo.com; prgreg@stanford.edu; ricktoker@yahoo.com; mqbaylon@stanford.edu
Subject: Question regarding Vehicle Habitation Ordinance

11 NOV -9 AM 8:17

Mark Venable
Asst. Police Chief of Palo Alto,
&
Curtis Williams,

during the October 25, 2011 Working Group Meeting regarding the "Vehicle Habitation Ordinance" Mr. Williams asserted that the ordinance that had been drafted in no longer on the table. Additionally Mr. Williams asserted that the City does not want to criminalize "Vehicle Dwellers" whose behavior is not a problem. However during your presentation that Mr. Venable gave, Mr. Venable asserted that the Palo Alto Police needs another too, "an ordinance" to deal with those few "Vehicle Dwellers" that are a problem, to get them to move.

For clarification please identify exactly what problem and or problem behaviors you need an ordinance to address.

Additionally please specify how such an ordinance would be used to deal with the so called problem behaviors of "Vehicle Dwellers."

I would appreciate it if you could provide me with your response before the end of the week.

Thank you.

Tony Ciampi



POLICY AND SERVICES COMMITTEE

Special Meeting
November 15, 2011

Roll Call

Chairperson Price called the meeting to order at 7:08 p.m. in the Council Chambers, 250 Hamilton Avenue, Palo Alto, California.

Present: Burt (arrived 7:15 pm), Holman, Klein, Price (Chair)

Absent:

Oral Communications

Aram James spoke regarding the resolution of social issues plaguing the community.

Erick Deizel spoke regarding work with the elderly and how they were affected by loss of income.

AGENDA ITEMS

1. Status of Habitation in Vehicles Ordinance/Programs

Curtis Williams, Director of Planning and Community Environment gave an update on the status of the vehicle habitation issues. He noted there was no proposal presented because Staff was not asking for action to be taken. They were asking for the Policy & Services Committee input on the progress to date. Staff worked closely with the Community Cooperation Team, a group of homeless advocates. Together they formed working groups to discuss community concerns. Community forums were held where experiences and alternatives were discussed. Among the ideas shared was an Ordinance similar to one the State of Oregon implemented which allowed Churches, commercial

properties, and the City to provide areas for refuge. There would be certain limitations on the number of vehicles on the site, vehicle registration, and time limits. Participants also discussed a set of regulations for parking permits or restricted time limits in commercial areas. Also discussed was an Ordinance that would provide assistance to the Police Department in the event further activity was needed. He noted there had been a positive approach to the concerns throughout the community. They were working together to provide an alternative to criminalizing those who were not causing negative incident. More meetings were planned with the intent to offer proposal to the City Council in February 2012.

Council Member Holman asked if the proposal included a mechanism to deal with persons who park multiple vehicles in residential neighborhoods.

Mr. Williams stated it would depend on the type and height of vehicle, and whether there was a permit parking program in the area. He noted it would be more difficult to limit parking in a non-permitted residential zone.

Council Member Holman asked if there was any way to characterize the general situation that caused people to live in their vehicles.

Mr. Williams stated it would be difficult to generalize. There were scenarios where living in the vehicle was a more secure environment than being exposed to other outdoor hazards. There were situations where there were mental ailments or times when their vehicle was their only possession.

Council Member Holman asked if there was any thought that the Community Cooperation Team would continue. She cited the Downtown Streets Team as an example. They provided a network and a structure for people to belong to. The people needing the service became a part of the community.

Mr. Williams stated the Community Cooperation Team had come together in a unique way and the anticipation was they would remain in tact since this was a long term issue. He noted the process currently being addressed was not the wide range of issues he believed they would like to address in the future.

Council Member Holman asked if the Human Relations Commission (HRC) was involved.

Mr. Williams stated no, Minka Van der Zwaag from the Community Services Department had attended the meetings, was aware of the situation and the movement.

Council Member Holman asked if there was an understanding that most people that inhabited their vehicles did not cause a problem but there was none-the-less safety factor that some people expressed.

Mr. Williams stated that was understood by most of the community but there was a concern over how many incidents would be needed before an Ordinance was drafted for the safety and well-being of the community.

Council Member Burt stated he was surprised the HRC had not been formerly brought into the program. The purpose of the HRC was to advise the Council and their realm was Human Relations. He asked for more specifics on the Eugene program.

Mr. Williams said the Community Development Block Grant (CDBG) Coordinator had been researching the Eugene Program and the Santa Barbara County program as well. He noted the research found both programs had been successful but neither was able to fully meet housing needs in the available facilities. His understanding was there was a waiting list but he was uncertain where people went while on the waiting list.

Council Member Burt asked about the participant's perception of the programs. He also wanted to know what had happened to those who were placed on a waiting list.

Mr. Williams stated he was uncertain at the time but Staff would look into the deeper issues during the next phase. He mentioned there had been discussion at the HRC meeting on whether the matter should go to the full Council. The HRC decided the Policy & Services Committee needed to be involved first.

Chair Price asked if there was expressed interest from property owners, faith based groups, or commercial property owners to be involved in this type of program.

Mr. Williams stated the intent to involve faith organizations in the next meeting. The subject had not been formally discussed with commercial entities. There would need to be facilities for bathrooms, a clean-up area, and room for the vehicles, which could not be accommodated in the downtown area.

Chair Price asked if Staff had talked with service providers or networks of individuals who were currently providing services in the Eugene Program.

Mr. Williams said there would be more detailed discussions with the service providers to see if there were more examples of other places they may be aware of. The Eugene Program was City based so Staff had focused their discussions with the City Staff.

Council Member Klein asked if Staff had coordinated with other cities in Santa Clara and San Mateo counties to learn from their experiences.

Mr. Williams stated the Police Department had discussions with surrounding cities and even though there were Ordinances in motion they were informed there were people living in their vehicles. If there were no issues being caused city officials did not act on the Ordinance. He noted members of the Community Cooperation Team had positive responses when speaking with faith based communities in Mountain View about their interest in participating in the program if it were to move forward.

Council Member Klein asked if neighboring cities were receiving complaints similar to those in Palo Alto with respect to the vehicle dwellers.

Mr. Williams said he was not familiar with any such complaints.

Council Member Klein asked if there was evidence of Palo Alto attracting vehicle dwellers because of the Ordinances in the other 14 cities within Santa Clara County.

Mr. Williams stated there was no evidence but the Police had come across a few persons who were from elsewhere.

Rick Tocker spoke regarding his discussions with the faith community, where a number of churches had expressed interest in getting involved if the City accepted a Eugene type plan.

Saint George said the main issue appeared to be poverty and Palo Alto was an affluent community and was not versed in handling such circumstances. The situation was ongoing and she felt it was a regional issue.

Chuck Degota said the word homeless was not accurately used, they had homes but they were mobile. The solution was engagement by instituting a program such as the City of Eugene who saved \$200,000 in staff time and expenses by no longer needing to respond to complaints. He noted the situations some were in were not decided lightly but mandated by their state of affairs.

Aram James spoke regarding the Policy & Services Committee members' involvement in the community working groups. Some had attended meetings and were involved while those who had not were invited to do so. He felt the arrests and ticketing of people staying in their vehicles would cause judicial costs to rise.

Bruce Kenyon read from an article he wrote. There was no stepladder to assist people to get back on their feet and become a productive part of society. The current system was broken and there needed to be a replacement program put into place.

Herb Borock said when the issue was raised there was a draft Ordinance already written. He felt the HRC should be involved and advise the Policy & Services Committee prior to the Committee recommending policy to the full Council.

Chris Sacre spoke regarding the proposed Ordinance and the working group. The vehicle habitation issue should not be treated as a criminal issue but rather a social issue. The group had been actively reaching out to the community to come up with a long term solution for those affected.

Erick Deisel said to pass an Ordinance that removed a person's vehicle when that vehicle was their home would prevent them from re-involving themselves back into society. He asked if there was a list of problems related to people residing in the vehicles.

Mr. Williams gave a brief list of issues associated with safety, security, sanitation, and health complaints believed to be connected with some vehicle dwellers.

Fred Smith spoke regarding the difficulties of getting back into the work force and how living in his vehicle was a detriment to the community. He requested the Policy & Services Committee pass regulations that did not hurt those who were already injured socially.

Tina Lovercheck recalled the sit-lie Ordinance discussion in consideration with the HRC who did not support the passing of the Ordinance because there was no documentation to support the need. She felt the vehicle habitation was a similar situation and that the HRC needed to be involved.

Council Member Burt asked how much engagement had taken place with businesses regarding use of their sites. In the Eugene Program there were instances when the vehicle dweller and the commercial site forged a relationship

where the vehicle dweller in effect provided around the clock security.

Mr. Williams stated Staff had not had any discussions with the commercial based participants in Eugene but he was also familiar with those comments.

Council Member Burt asked whether the community working groups had any engagement with the commercial base community.

Mr. Williams declared he did not believe so.

Council Member Burt stated there were responsible members of the community who were in a situation beyond their control. He asked to what degree Palo Alto had been able to distinguish the two groups; those in need of assistance and those with criminal intent. He felt there could be a shared interest between the vehicle dweller and the business owner.

Mr. Williams said the Police Department did not currently have a tracking system in place since there was not a Municipal Code that could be violated. He noted there were a couple of the Community Officers who indicated during prior meetings there may have been 15 to 20 issues over the past few years but acknowledged there were three times that amount without any incident.

Council Member Burt said the Downtown Streets Team was an innovative program initiated by Palo Alto residents and subsequently supported by the City. The program was a model being replicated elsewhere in the region. This was an example of Palo Alto using a model that helped people help themselves. He felt the Eugene model had a solid base to start a program in the City.

Council Member Klein asked about the overnight parking ban.

Mr. Williams stated it was a suggestion but there was not a limitation as of yet.

Council Member Klein said an element not frequently discussed was that while City government was not equipped to solve poverty, Palo Alto did have compassion. There were laws available to the police to protect the community against public nuisance. He disagreed the City government should be involved in a program such as the one in Eugene; he felt it would add a bureaucratic element which was not practical.

Council Member Holman thought it was important to consider an ongoing Community Cooperation Team potentially using the Downtown Streets Team model to locate work for those in need. Her concern was how the negative

actions of a few may impact the group as a whole in the form of an Ordinance. She felt the HRC should be involved, admitting it would slow the process although their role was to advise the Council on Human Relation matters. She understood the safety concerns of residents. She felt City facilities should not be involved.

Chair Price was concerned about the lack of hard data. With out this information it would be difficult to define the challenges. She was undecided whether or not City facilities should be considered. She appreciated the work that had been contributed to date. She recommended more detailed discussions with the service providers and more consideration for HRC involvement.

Council Member Holman asked if the focus of the Community Cooperation Team was to be a facilitating group or was it to develop solutions.

Mr. Williams clarified the group felt facilitating and reaching for solutions were a part of their purpose. He noted they were reviewing models elsewhere to bring forth suggestions to be considered.

Chair Price asked Staff to inform the audience how they could get involved.

Mr. Williams said interested parties could contact him or Consuelo Hernandez in the Planning Department at (650) 329-2404 and there was information on the Community Services Department web page:

www.cityofpaloalto.org/depts/csd/human_services/default.asp .

Council Member Burt asked the City's role in the forum versus various community organizations.

Mr. Williams stated Staff saw the role as collaboration between the City and the Community Cooperation Team but ultimately the team was providing input for Staff to bring to the Council as recommendations.

Council Member Burt asked how broadly the group was representing the community.

Mr. Williams stated the Community Cooperation Team worked with advocates and clergy while the Working Groups had neighborhood and business representatives.

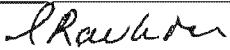

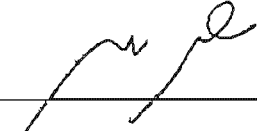
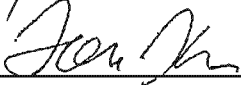

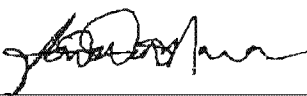

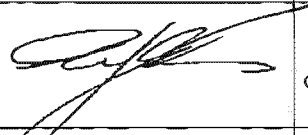
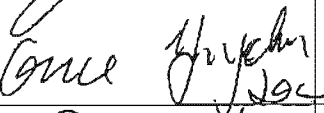

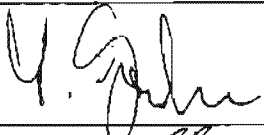
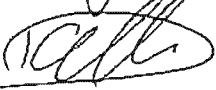
NO ACTION REQUIRED

Neighborhood Objections to the Vehicle Dwelling Program at Friends Meeting

We, as neighbors of the Palo Alto Friends Meeting, strongly object to the use of their premises as a site of the proposed Vehicle Dwelling Program. We support a responsible approach to solving the homeless problem in Palo Alto, but we feel that this site is not suitable for this purpose.

1. Their parking lot is short and deep and is located in the heart of a residential area bordering nine residences.
2. Due to high prevalence of serious mental illness, drug abuse and communicable diseases in the homeless population, this is a safety concern.
3. Currently the Zink hotel clients (current program at Friends meeting to house homeless on their premises) are pacing the street the entire evening in anticipation of the check-in time, with all their carts and belongings. Likewise, the car dwellers will park in front of our houses on Colorado Avenue, Sandra Pl., Lawrence Ln. and Sycamore Dr. in the evening and morning hours.
4. There is a nursery school on the premises and a passageway to an elementary school through the parking lot. Introducing car dwellers in the same space potentially puts the children at risk.
5. Due to the small size and configuration of the parking lot, any disturbance, noise, smoking, and smell from portable toilets will have an immediate impact on the neighbors.
6. This project will invade our privacy because if the windows are open, any conversation within the neighboring houses can be heard, even in the area furthest from any houses.
7. The proposed portable toilets, in addition to being an eye sore, are not plumbed, leading to a sewage and chemical smell, especially if not cleaned properly or over used.
8. There is no monitoring proposed to ensure that the dwellers crowded in the small space for a few cars are not loud, quarrel, smoke tobacco, or use drugs at night.
9. We are concerned that allowing car dwelling in the heart of a residential community will impact property values.

The charity of the Religious Society of Friends towards strangers should not come at the expense of their neighbors.

Printed name	Signature	Address	Date
ILYA RAVKIN		945 Colorado Ave	12.30.12
Inna Ravkin		945 Colorado Ave	12.30.2012
Isaac Hakim		939 Colorado Ave	12-30-12
Tiki Keller		956 Colorado Ave	12-30-12
Erica Dulin		957 Lawrence Lane	12.30.12
Jonathan Moran		988 Lawrence Lane	12-30-12
Susan Jalilic		2914 Sandra Pl	12/30/12
ARMEN JACURIAN		2914 Sandra Pl	12/30/12
Grace Lee		927 Colorado Ave	12/30/12
Guoping Li		927 Colorado Ave	12/30/12
Yuri Goroshko		450 Sycamore Dr.	12/30/2012
DORON KELLER		956 COLORADO AVE.	12/30/2012

Printed name	Signature	Address	Date
Matt Tolbert	Matthew Tolbert	914 Colorado Ave	1/6
Jas Conley	Attorney	924 Colorado Ave	1-6-13
Sheree Poon	Sheree Poon	898 Colorado Ave	1-6-13
Jeff Grimes	Jeff Grimes	2928 Louis	1-6-13
JINGYUN ZOU	Jingyun Zou	2901 SEVYSON CT	1/6/2013
Aurelio Vaqueria	Aurelio Vaqueria	915 Colorado Ave	1/6/13
Janet Wang	Janet Wang	930 Colorado Ave	1/6/13
Gary Luo	Gary Luo	891 Colorado Ave	1/6/13
Hongbo Yang	Hongbo Yang	887 Colorado	1/6/13
Robyn Stanton	Robyn Stanton	879 Colorado	1/6/13
ODED GAL	Oded Gal	2904 SEVYSON	1/6/13
Ilait etc	Ilait etc	2904 Severson	1/6/13

Meir Chen Meir Chen 2908 Severson 1/6/13

JASON DAVIS Jason Davis 890 Colorado 1/6/13

Inna Ravkin, M.D.
Ilya Ravkin, Ph.D.
945 Colorado Ave.
Palo Alto, CA

We, as immediate neighbors of the Palo Alto Friends Meeting strongly object to the use of their premises as a site of the proposed Vehicle Dwelling Program. We support a responsible approach to solving the homeless problem in Palo Alto, but we feel that this site is not suitable for this purpose.

Their parking lot is short and deep. It is surrounded by nine residences. In addition there is a nursery school on the premises and a passageway to an elementary school. When someone is talking, smoking or coughing in the parking lot it is as if they are doing it in your living room. We have seven large windows overlooking this parking lot. We do not feel that 20 feet separation (as proposed in the Pilot Vehicle Dwelling Program) is adequate. Even at 20 ft offset, there is almost no parking space left - 6 spaces. This project will invade our privacy because any conversation in our house if the windows are open can be heard even in its widest area. It is quite different if people just park their cars and leave and if they stay for the whole night to hear.

As a physician I am aware of high prevalence of serious mental illness, drug abuse and communicable diseases in the homeless population. We have very strong personal safety concerns. In the past Zink Hotel clients have confused their hotel with our house and insisted we let them in. Occasionally, I have to come from work in the late hours and feel scared going from my car to my house. Also, I have to think twice before taking the garbage out.

My fear of homeless is especially strong as a result of a personal traumatic experience.

I can't comprehend how the community of faith may allow using their premises, which contain their own nursery school as well as the passageway for the Ohlone Elementary School students, as a dwelling for homeless through both the current Zink hotel program and the new vehicle dwelling program.

We are concerned with the impact of allowing car dwelling in the heart of a residential community on the house values.

Some of our friends and relatives are already reluctant to visit us in the evening because they are afraid of the current Zink hotel program, causing social isolation for us.

The charity of the Religious Society of Friends towards strangers should not come at the expense of their neighbors and the safety of the children.



20 ft offset from the surrounding residences onto the Friends Meeting parking lot.

School traffic in the Friends Meeting parking lot and on Colorado Avenue around 8am. Some children are not accompanied by adults.





June 7, 2012

Honorable Mayor Yiaway Yeh
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94303

Dear Mayor Yeh,

The Palo Alto Chamber of Commerce joins Palo Alto residential groups in supporting the City Council's beginning the process of drafting a "Living in Vehicles" ordinance in consultation with all affected constituencies and in parallel with outreach to homeless people based on the Eugene Oregon program.

As you are aware, the City of Palo Alto is one of the few cities in Santa Clara County which does not have an ordinance disallowing individuals to live in their vehicles. Currently if a business or resident observes in-appropriate behavior from individuals living in their vehicles and calls the police, the police are unable to approach the individual unless they observe the behavior themselves. The Police Department presented the Living in Vehicles Ban to businesses and residents after receiving complaints about this type of situation. They are unable to breach the personal rights of the vehicle owner.

Key Arguments for Recommended Position:

1. The ordinance would give police the ability to approach and investigate incidents reported by businesses and residents.
2. The ordinance provides a fall back remedy when other methods are unsuccessful.

How does this issue impact the business community?

Palo Alto does not restrict overnight street parking in any part of the city. By extension, people can permanently park and live in their vehicles. When this becomes an eventuality, the police are unable to approach the person living in their vehicle unless they witness specific violations such as public urination/defecation, disposition of garbage, etc.

Parking lots and all public spaces are exposed to this activity. The police need tools to be able to approach citizens, offer services and alternatives to effect change.

In closing, the business community, through the Palo Alto Chamber of Commerce, is prepared to play a leadership role in working towards solutions to this important issue.

Regards,

Paul Wright, Ed.D.

President/C.E.O.

Palo Alto Chamber of Commerce

Cc City Council

James Keene, City Manager

Curtis Williams, Planning & Community Environment Department Director

ATTACHMENT D

ATTACHMENT D
PUBLIC COMMENTS

Hernandez, Consuelo

From: Alan Stivers <alan@stivers.cc>
Sent: Monday, June 03, 2013 8:02 AM
To: Council, City
Cc: Hernandez, Consuelo
Subject: Comment on policy on human habitation in vehicles

Dear Members of the City Council,

This is my second email comment on the subject of human habitation in vehicles.

On the issue of the people living in cars I think this is a social welfare issue and not a criminal issue. The most expensive way to deal with it is to make it a crime and have the police deal with it. Police are entrusted with many important responsibilities, including deadly force, so they are necessarily going to be expensive. Of course, this would justifiably be the police's lowest priority, so nothing would get done. As a Palo Alto resident I wouldn't want my police force to waste their time with this. There are many more appropriate and less expensive ways to deal with this problem than having the police baby-sit people living in cars.

It is important to put this problem in perspective. People living in cars is a small problem compared to the real problems of alcoholism and drug addiction. The City should deal with these problems separately. One advantage of client management, such as that provided by Downtown Streets Team or InnVision Shelter Network, is that it can distinguish between the hard luck cases from those with more serious problems. An enlightened City policy on the use of public spaces such as the Cubberley parking lot can work hand-in-hand with client management to serve to separate these two populations and encourage those who need help to seek and accept help. I suggest using these public assets in a way that encourages people to take responsibility for themselves as we spend a small amount of money (compared to the cost of police) on case management.

Thank you.

Alan Stivers
2732 Ross Rd.
Palo Alto, CA 94303

Hernandez, Consuelo

From: Tony Ciampi <t.ciampi@hotmail.com>
Sent: Thursday, May 23, 2013 12:30 AM
To: Council, City; Scharff, Greg; Keene, James; Stump, Molly; Burns, Dennis; Williams, Curtis; Hernandez, Consuelo
Subject: P.A. Mayor Calls Tom Ammiano Misguided

In Calling a California Homeless Bill of Rights misguided Palo Alto Mayor Gregg Scharff has called Assemblyman Tom Ammiano misguided as well the entire state of Rhode Island for enacting one.

Palo Alto Council Members Larry Klein and Liz Kniss, Police Chief Dennis Burns, City Attorney Molly Stump and City Manager James Keene want a Vehicle Habitation Ordinance which will give them the power to do the following to homeless people:

John is homeless and sleeping on Cubberley property at night and elsewhere in the City of Palo Alto. John hides his belongings in alleyways, bushes and trees. John is working for the "Downtown Streets Team," and at a local coffee shop. John saves his money and buys a mini-van. John moves all of his belongings into his mini-van for safety and ease of use. John still does not make enough money for room and continues to sleep in the bushes, not in his mini-van.

One day John is sitting in his mini-van at 2:00 in the afternoon when the police arrive and demand to know his fixed residence. John tells them that he does not have a fixed residence. The police inform John that his is in violation of the Vehicle Habitation Ordinance and must leave the City in order not to be arrested.

Read entire article: <http://paloaltofreepress.com/cubberley-shelter-editorial-by-dave-price/>

Rhode Island Homeless Bill Of Rights Praised As U.S. Model

http://www.huffingtonpost.com/2012/06/27/rhode-island-homeless-bill-of-rights_n_1632411.html

20,000,000 adults between the ages of 18 to 34 would be living in their cars, that's if they have a car if it were not for FREE RENT. They are referred as being "HOMELESS" yet they are living in a house.

http://www.huffingtonpost.com/2011/11/05/adults-living-with-parents_n_1077067.html

<http://sanfrancisco.cbslocal.com/consumer/moving.home.parents.2.1332670.html>

It appears that Gregg Scharff is the one who is misguided and not Rhode Island and Tom Ammiano.

Hernandez, Consuelo

From: Joseph Ciampi <pressstrong@gmail.com>
Sent: Sunday, May 26, 2013 4:32 PM
To: Council, City; jaythor@well.com; Kniss, Liz (internal); Klein, Larry; barbara@gardencourt.com; k_tomlinson@mac.com; claught1@earthlink.net; Scharff, Greg; Williams, Curtis; Hernandez, Consuelo; dave@paloaltoglass.com; Burns, Dennis; psandas@paloaltochamber.com; pwright@paloaltochamber.com; ladoris.cordell@sanjoseca.gov
Subject: City of Palo Alto Kicks Class Valedictorian Out of Car Into Street
Attachments: homeless valedictorian.JPG

City of Palo Alto intends to take working mom's car from her kicking her and her four kids out of their car into the streets.

Homeless Georgia teen graduates as valedictorian

Sojourner Elleby

<http://tv.msnbc.com/2013/05/26/teenager-overcomes-homelessness-embarks-on-bright-future/>

Despite a life of adversity, poverty, and even homelessness, 18-year-old Chelesa Fearce is blazing a trail of academic success. Growing up in Clayton County, Georgia, Chelesa, along with her mother and three siblings, frequently moved from shelter to shelter, **even living in her family's car in times of need.....**



Homeless teen Chelsea Pearce

.....During Chelesa's high school years, her mother, Reenita Shepard, was laid off from her job more than once, resulting in the family losing their home. But Chelesa stayed focused on her studies even when bouncing from shelter to shelter, or on those most difficult nights spent in the car.

“At night I just had to open my book in the dark and use my cellphone light, just do what I had to do,” she said.

Even with a heavy workload and irregular living conditions, Chelesa managed to make time for extra-curricular activities. She was a member of her school’s swim team and played the baritone for the Marching Band. Her favorite subjects in high school were chemistry and literature. In her free time, she enjoys reading, swimming, watching action movies and hanging with friends, **just like any teenager.**

Chelesa admitted that she faced many struggles and at times found it difficult to maintain a positive spirit. “It was hard sometimes. **I kept my situation a secret because I didn’t want anyone to know my business;** I just went to school and did what I had to do.”

Part of what kept Chelesa going was her mother. “She works very very hard and I made sure I was doing the same, if not more. She was always helping me out and was such a great support so I had to do it for her,” she said. Shepard often read to Chelesa and her siblings at a young age. “I remember her reading Mrs. Nelson Went Missing, Are You My Mother, a lot of Dr. Seuss. She developed my love for reading at a very early age,” Chelesa said.

At Spelman, Chelesa plans to double major in chemistry and philosophy and is excited to see what will come next. She gives advice for those going through similar situations as hers, “I would tell anyone with obstacles to always keep their faith and to think about the future. Work hard now, so that tomorrow will be worth living.”

<http://www.foxnews.com/us/2010/05/19/homeless-student-valedictorian/>

Homeless Student Becomes Valedictorian of Texas High School

Published May 19, 2010

FoxNews.com

A homeless student was named Valedictorian of his Texas high school, MyFoxHouston reports.

Victor Cardenas is a film student at Houston Texas' Furr High school. He picked up a camera last year and crafted a haunting story of his life.

Vistor kept his homeless state to himself and slept most nights on a park bench in Denver Harbor.

Victor Cardenas is acing multiple advanced placement tests, mastering the Russian language and earning national accolades for his film work.

Gonsalves, Ronna

CITY OF PALO ALTO, CA
CITY CLERK'S OFFICE

From: Grider, Donna on behalf of Clerk, City
Sent: Monday, June 17, 2013 2:57 PM 13 JUN 19 AM 11:04
To: Trudy Myrrh Reagan; Council, City; Akin, Aaron; Williams, Curtis
Cc: Minor, Beth; Gonsalves, Ronna
Subject: RE: Living in Vehicles

This item is scheduled to be heard on June 25, 2013 beginning at 6 p.m. I am forwarding your comments to the City Council and Planning Department.

Donna J. Grider, City Clerk, MMC

250 Hamilton Avenue | Palo Alto, CA 94301

D: 650-329-2226 | E: donna.grider@cityofpaloalto.org

-----Original Message-----

From: Trudy Myrrh Reagan [mailto:trudy@myrrh-art.com]
Sent: Monday, June 17, 2013 1:38 PM
To: Clerk, City
Subject: Living in Vehicles

I can't attend the hearing Tuesday night, but I am for finding some way to accomodate the homeless living in cars.

Someone suggested that the parking lot of some city property, or even a parking structure might serve.

Our church at 957 Colorado was one that considered the pilot program, but it is a passageway for school kids. The parking lot is narrow, and the cars would be right under the windows of neighbors. We really wanted to help!

Beyond this, all cities should petition HUD to do its job, which it hasn't done since Reagan was elected! Homeless, even mentally ill people do much better with a roof over their heads, and most use far fewer emergency services, which cost us all a bundle! Extend, not cut Section 8, and build more units!

I know two homeless women who have been on the street for 10 years, and they say, "I'm getting too old for this!". One was brutally beaten as she slept. At least there is some safety in a car!

--Gertrude Reagan



POLICY AND SERVICES COMMITTEE MINUTES

Special Meeting
June 25, 2013

Chairperson Kniss called the meeting to order at 6:13 P.M. in the Council Chambers, 250 Hamilton Avenue, Palo Alto, California.

Present: Klein, Kniss (Chair), Price

Absent: Holman

ORAL COMMUNICATIONS

Aram James spoke regarding jury nullification or a jury's refusal to enforce laws.

Mark Petersen-Perez, Palo Alto Free Press stated the Human Relations Commission did not fulfill its mission when it did not provide input regarding homeless issues.

Roberta Ahlquist requested the Policy and Services Committee investigate rising rents. She noted that the Mediation Task Force could not provide assistance to tenants with respect to increased rents.

AGENDA ITEMS

1. Consideration of Ordinance Prohibiting Human Habitation of Vehicles.

Chair Kniss requested public speakers comment on the Draft Ordinance and clarified that vehicle habitation meant living in a vehicle.

James Keene, City Manager reported that Staff drafted the Ordinance at the direction of the Policy and Services Committee (Committee). Concern was raised about homeless persons spending the night at the Cubberley Community Center. The draft Ordinance regulated habitation of vehicles in the parking lot of the Cubberley Community Center, but not the overnight stays on the campus itself. In addition, the draft Ordinance did not deal with the full range and dynamics of the homeless issue in the community. City Staff attempted to resolve the issue through other means. Almost all surrounding communities had regulations concerning vehicle habitation. If adopted, the Ordinance would allow the Police Department to respond to complaints and would provide referrals for social services.

FINAL MINUTES

Consuelo Hernandez, Community Development Block Grant Coordinator explained that the draft Ordinance gave the Police Department a tool to address complaints regarding people living in vehicles. Enforcement was meant to be gradual and incremental, with the judicial system used as a last resort. Staff intended on working with social service partners and the media to notify known vehicle dwellers of the Ordinance and its provisions. The Ordinance allowed 60 days for education, outreach and transition; an additional 30 days was allotted for warnings; and issuance of citations as warranted thereafter. The Ordinance effective date was six months after adoption. Staff anticipated a first reading of the Ordinance in August and a second in September 2013. A 60-day outreach effort was to begin in October 2013, followed by a 30-day period of issuance of warnings only.

Council Member Price requested Staff comment on the ability and capacity of social service agencies to provide services, and inquired whether Staff had sufficient resources to enforce the Ordinance.

Chair Kniss noted the Opportunity Center provided resident and non-resident services.

Mr. Keene indicated capacity was insufficient for the larger homeless issue. With respect to the Ordinance, Staff was capable of supporting enforcement and outreach. Partner agencies indicated they could fulfill their obligations as well. Staff anticipated a low number of referrals because enforcement was by complaint only.

Minka Van Der Zwaag, Community Services Manager reiterated that Staff and social service agencies could meet the demand as the system was based on actual complaints.

Council Member Price understood the Opportunity Center had waiting lists for housing services.

Ms. Van Der Zwaag reported the Opportunity Center housing was filled, however, the Opportunity Center continued to work with drop-in clients.

Council Member Price wanted to understand the process for opportunities for referrals and services.

Ms. Van Der Zwaag explained that the Opportunity Center provided permanent housing, not shelter.

Chair Kniss stated the Opportunity Center had 90 rooms available, and other agencies were able to provide additional housing.

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Ms. Van Der Zwaag noted other agencies were limited and said Alma Place and The Barker were key agencies in Palo Alto.

Chair Kniss indicated Alma Place was a good resource.

Council Member Klein reported the Opportunity Center was not owned or operated by the City of Palo Alto. He requested Staff comment on the situation at the Cubberley Community Center and suggested it be agendaized for the August 2013 meeting.

Mr. Keene explained that Staff observed the number of homeless people congregating at Cubberley Community Center increased over the past year. Staff was working to provide a response and would discuss possible options and solutions with the Committee after the Council Break ending August 2, 2013. Any solutions made regarding the Cubberley Community Center would require partnership with other agencies and additional resources.

Rob De Geus, Assistant Director Community Services observed that there was a significant increase in vehicle dwellers and homeless people at the Cubberley Community Center. He noticed that on any given evening, 30 or more homeless people could be found on the campus. Custodians struggled to remove people from the classrooms. Homeless people bathed in the bathrooms, verbally and physically intimidated Staff, and many of the homeless people had drug addictions and mental health issues.

Ms. Van Der Zwaag worked with InnVision Shelter Network, Momentum for Mental Health and Downtown Streets Team to gain insight and request assistance with outreach. She believed that Staff needed to focus intervention efforts in order to achieve an impact and said Staff was reviewing a proposal to address the situation.

Chair Kniss identified several cars and vans located in the Cubberley Community Center parking lot during the Cubberley tour the previous day.

Dennis Burns, Police Chief reported that complaints emanated from the Cubberley Community Center campus and surrounding areas. The Police Department did not actively track the number of homeless and vehicle dwellers but patrol teams found 20 people living in vehicles and 13 people on the campus the previous night. In 2010, the Police Department received 10 calls in relation to vehicle habitation, in 2011 16 calls, in 2012 39 calls, and 12 calls through the first half of 2013. He also noted that the prior week there was an altercation between two homeless men that resulted in one being taken into custody and one being taken to the hospital.

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Leslie Carmichael knew a few people who slept in their vehicles at the Cubberley Community Center. She opposed the draft Ordinance because it penalized people who did not have alternatives. She thought people would not be able to find housing in 90 days because of extensive waiting lists. She questioned the grounds for a complaint against a vehicle dweller.

Rick Toker, member of the Community Cooperation Team opposed the Ordinance because he thought it would lead to the criminalization of people living in vehicles; existing laws covered most situations.

Dr. Joel Wolfberg stated no landlord would accept a Housing and Urban Development Department (HUD) voucher for the amount of the supplement. Outreach to the homeless was difficult. He wanted the City to provide concrete assistance to the homeless population.

Alice Smith opposed the Ordinance and suggested the Committee review the Staff Report regarding the Santa Barbara program. She thought Staff should find a solution that did not criminalize the homeless.

Dr. Marilyn Winkleby provided profiles of four people living in their vehicles at the Cubberley Community Center. These people did not have substance abuse problems, their children attended local schools, and most of them worked locally. Any proposal had to be a viable solution.

Greg Schaefer referenced the Executive Summary which stated that the majority of homeless people were not a nuisance. Existing laws addressed complaints and vehicle habitation was not against the law.

Tony Ciampi believed the Staff Report was filled with fabrications and falsehoods. He added that the Ordinance would not abate any of the problems. Living in a vehicle did not harm anyone.

Andrew Voltmer encouraged the City to prohibit dwelling in vehicles and he thought the ban should include the Cubberley Community Center.

Mary Klein felt the Ordinance was small minded and made the homeless outlaws.

Heiri Schuppisser, Outreach Specialist for Momentum for Mental Health provided information about vehicle habitation and the services offered to such like people.

Dana St. George read and submitted a petition from the Humanist Community opposing the Ordinance.

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Lois Salo, Women's International League for Peace and Freedom felt the Ordinance violated the Fourth Amendment to the United States Constitution and remarked that anyone could be homeless at any time.

Katie Fantin had encountered the homeless people at Cubberley and said she opposed the Ordinance. She asked the Committee to wait on enacting the Ordinance to allow more discussion of solutions.

Abby Mohaupt brought out that Staff did not reach out to faith communities with respect to the proposed pilot program. She suggested that Staff contact the faith community again.

Roberta Alquist stated the vacancy rate for housing in Palo Alto was very low. The proposed Ordinance was a statement about less fortunate people and the policy was punitive.

Edie Keating opposed the draft Ordinance. She was troubled by the broad definition of human habitation and questioned whether the faith-based pilot program required on-site supervision for three or more vehicles. Car dwellers needed a place within the City to sleep.

Norma Granch agreed with prior comments opposing the Ordinance and urged the Committee to continue the discussion for possible solutions.

Geoff Browning noted dwelling in vehicles, as opposed to living in a shelter, was often safer for women and children and said Social Services did not help that situation. He inquired whether the City allowed churches to modify their Use Permits to allow overnight parking in their parking lots.

Robert Gauntt suggested the City issue a statement in favor of amending the United States Constitution to align with the Declaration of Human Rights.

George Mills, Palo Alto Friends opposed the proposed ban on vehicle dwelling and said the proposed Ordinance unfairly penalized responsible vehicle dwellers for the inappropriate behavior of a few vehicle dwellers. He questioned the Police Department's data regarding homeless complaints.

Nick Selby supported prior comments opposing the proposed Ordinance and said the Committee should consider other options prior to adopting the Ordinance. He felt the definition of vehicle habitation was overbroad and vague, that the Ordinance lent itself to harassment, and it allowed arbitrary and discriminatory enforcement.

Aram James indicated vehicle dwelling, under the Ordinance, would be a crime under the Municipal Code, punishable by up to six months in the

FINAL MINUTES

county jail. He thought the criminal justice system would not support this type of criminal case.

Marc Marasco supported the proposed Ordinance because of safety issues at the Cubberley Community Center.

Sean Osteen indicated the proposed Ordinance was punitive, overbroad, elitist, exclusionary, discriminatory, and un-American.

Stephanie Munoz felt the proposed Ordinance was evil and un-American because the Constitution guaranteed equal protection for all citizens. She concurred with Mr. Borock's suggestion of a designated area for vehicle dwelling.

Chair Kniss reported the recommendation was to adopt the proposed Ordinance along with education, outreach, and referral to social service agencies. She requested the City Attorney review the proposed Ordinance and address concerns expressed by the public.

Molly Stump, City Attorney focused on section two of the Ordinance, the operative language to be included in the Municipal Code. Section one was a series of general findings relating to the adoption of the Ordinance. The Ordinance did not apply to private driveways or other parts of private property; it applied to streets, parks, alleys, and public parking lots. Two exceptions were: mobile living units used for human habitation allowed by another provision of the Code and guests of City residents for up to 48 consecutive hours. They were able to occupy vehicles when parked adjacent to the residents' dwelling. The definition section provided guidance with respect to human habitation and the key language was the use of a vehicle for a dwelling place. Eating a snack or taking a brief nap in a car did not qualify as using the vehicle as a dwelling place.

Chair Kniss inquired whether Santa Clara County had an Ordinance banning vehicle habitation.

Ms. Stump was not able to find an Ordinance for Santa Clara County.

Chair Kniss presumed people could live in their vehicles on Stanford University land because Santa Clara County did not have prohibition rights over that land.

Ms. Stump did not know whether Stanford University had an Ordinance prohibiting vehicle dwelling. The academic portion of Stanford University was located in an unincorporated area of Santa Clara County.

FINAL MINUTES

MOTION: Council Member Klein moved, seconded by Chair Kniss to recommend the City Council adopt the Ordinance entitled: 'Ordinance of the Council of the City of Palo Alto Prohibiting Human Habitation of Vehicles' dated June 25, 2013.

Council Member Klein was concerned that Palo Alto would become a magnet for homeless people and felt a regional or national solution to homelessness was needed. Under California law, cities were not meant to provide social services, so the City needed a concentrated approach to the homeless problem.

Chair Kniss received numerous emails from residents supporting the draft Ordinance and neighborhood residents were concerned about their safety. If the Council did not provide the Police Department with a tool to address the problem, then the Council did not treat the issue fairly. She emphasized that the Ordinance would be utilized only if there was a complaint. In addition, she hoped the faith-based community would continue to work with the City.

Council Member Price reported her biggest concern was providing assistance to human beings. She questioned whether allowing individuals and families to continue to live in their vehicles helped them when they needed intensive support and assistance. If the City did not provide needed and quality services, then it had failed the community.

MOTION PASSED: 3-0 Holman absent

Chair Kniss requested those opposing the proposed Ordinance consider Council Member Price's comments and inquired whether the Committee could provide direction to Staff regarding the Cubberley Community Center.

Ms. Stump was concerned that an extensive discussion or direction to Staff would not be appropriate. She reiterated that the City Manager requested Staff to return with an Item relating to the Cubberley Community Center in the fall.

MOTION: Chair Kniss moved, seconded by Council Member Klein to direct Staff to bring back an actionable Cubberley Community Center Item to the Policy and Services Committee in August.

Mr. Keene requested discretion for Staff to return in August or September 2013 regarding the Cubberley Community Center.

Council Member Klein had some ideas that could be adopted without a great deal of Staff time; therefore, he wanted Staff to return in August.

FINAL MINUTES

Council Member Price assumed the Item would include discussion of programs, approaches, and resources.

Mr. Keene noted he would not be available for any August meetings after August 5, 2013.

2. Stanford University Medical Center Development Agreement Funds Guiding Principles and Approval Process.

James Keene, City Manager understood the Council wished to establish Guiding Principles to inform expenditure of Stanford University Medical Center Development Agreement (SUMCDA) Funds. He felt the Item should be a conversation for the Committee, rather than Staff making a recommendation.

David Ramberg, Assistant Director Administrative Services reported the total amount received from Stanford University in the six categories was \$32.5 million. The City spent or committed \$4.9 million of the \$32.5 million that was allotted. When Occupancy permits were issued for the Stanford University Medical Center project, the City would receive an additional \$11.7 million. Staff proposed scenarios of spending \$30 million in 2014; \$44 million in 2017; \$51 million in 2023; \$2 million per year over 10 years; \$3 million per year over 10 years; and \$6 million per year over 10 years. Council comments indicated projects should have a lasting impact and funds were one-time in nature. Staff envisioned the Council providing input regarding projects twice a year outside the budget process.

Mr. Keene questioned the effectiveness of spending a specific amount each year for 10 years. Council considerations of projects outside the budget process allowed Staff to research and analyze information more readily. He preferred to spend the funds on worthwhile projects sooner, rather than later.

Chair Kniss felt it was financially responsible to fund projects now, rather than trying to increase the amount of funds through interest earnings.

Council Member Price believed a refined master list should be informed by considerations such as alternate funding sources, effects of a recession on costs and operational and maintenance costs of projects. Community Health and Safety funds supported programmatic projects.

Mr. Keene agreed that programs could leverage Community Health and Safety funds to obtain sustained funding.

Hernandez, Consuelo

From: Tony Ciampi <t.ciampi@hotmail.com>
Sent: Friday, July 12, 2013 1:42 AM
To: Council, City; Keene, James; Burns, Dennis; Stump, Molly; Klein, Larry; Scharff, Greg; gail.price3@gmail.com; Kniss, Liz (internal); HRC
Subject: 0.000667% Of calls for service related to vehicle dwelling

Palo Alto city Council:

53,877 calls for service and only 41 related to vehicle dwellers.

See: <http://paloaltofreepress.com/making-mountains-out-of-mole-hills/>

Tony

Hernandez, Consuelo

From: Tony Ciampi <t.ciampi@hotmail.com>
Sent: Sunday, July 07, 2013 7:45 PM
To: Council, City; Kniss, Liz (internal); Klein, Larry; Keene, James; Burns, Dennis; Beacom, Bob; Stump, Molly; Scharff, Greg; Police; HRC
Subject: Liz Kniss refuses to debate because she knows she is wrong!

If you are not willing to allow your position to be challenged by the opposition then you know that your position is illegitimate.

Thus forcing your will upon others against their will because you are closed minded and a bigot is UN-American, is UN-Democratic and therefore UN-Constitutional.

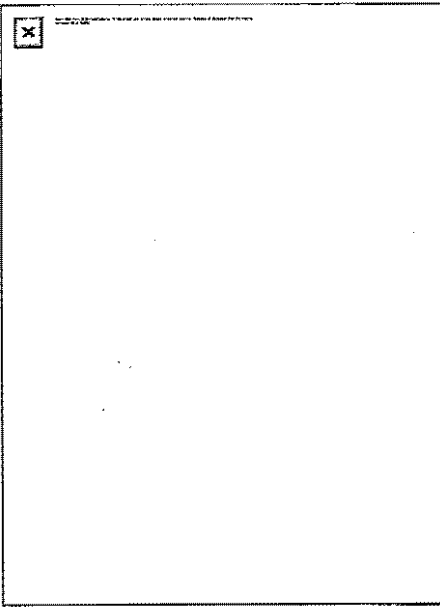
KKK refuses to engage in public debate revealing that they are nothing more than a bunch of dictators forcing their self-serving will upon everyone else regardless of how everyone else feels about what they forcing upon everyone.

James Keene, Larry Klein, and Liz Kniss all so called representatives of the citizens and residents of Palo Alto refuse to engage in a discussion regarding the Vehicle Habitation Ordinance that they intend to inflict upon the powerless, the most vulnerable and weakest community members and residents of Palo Alto.

<http://paloaltofreepress.com/july-13th-palo-alto-forum-on-homeless-bill-of-rights-and-vehicle-dwelling/>

July 13th Palo Alto Forum on Homeless Bill of Rights and Vehicle Dwelling

by Chad Brunswick • July 7, 2013



Western Regional Advocacy Project

Mission

WRAP was created to expose and eliminate the root causes of civil and human rights abuses of people experiencing poverty and homelessness in our communities.

Goals

- Unite local social justice organizations into a movement that is inclusive and shares power with all members of the community.
- Hold the federal government responsible for restoring affordable housing funding and protecting poor and homeless people's rights.
- Develop effective and socially just solutions to all barriers that prevent the ending of homelessness.
- Ensure the policies and priorities of local, state and federal governments are grounded in the common truths of poor and homeless people.

Community Discussion hosted by: Women's International League for Peace and Freedom (Peninsula branch), Unitarian Universalist Church of Palo Alto Action Council & The Peninsula Peace and Justice Center.

- California Homeless Person's Bill of Rights and Fairness Act (AB 5)
- Update on Local Homeless Issues
- STRATEGY SESSION: How Can We STOP a Ban on Vehicle Dwelling in Palo Alto

Paul Boden of the Western Regional Advocacy Project will talk with us about their; Without Housing Report and update us on the Homeless Bill of Rights pending in the California Assembly.

- Update on Local Homeless Issues
- STRATEGY SESSION: How Can We STOP a Ban on Vehicle Dwelling in Palo Alto Unitarian Universalist Church of Palo Alto Saturday July 13th, 2pm 505 East Charleston Road, Palo Alto CA For more info contact: Lois Salo..... Lsa1o@aol.com

Cubberley Shelter, Editorial by Dave Price

Jay Thorwaldson "It's long past time to ban 'vehicle dwelling'"

Tags: Paul Boden Western Regional Advocacy Project WRAP

Post navigation

[← For some it's no longer a walk in the park anymore](#)

1 comment for "July 13th Palo Alto Forum on Homeless Bill of Rights and Vehicle Dwelling"



Tony Ciampi

July 7, 2013 at 5:45 pm

Homeless Bill of Rights vs. Palo Alto Vehicle Habitation Ordinance

Public Discussion of Palo Alto's Proposed "Hate Legislation:"

It is abundantly clear why there needs to be a Homeless Person's Bill of rights as cities like Palo Alto have targeted the homeless with their laws. These laws are not based upon any logical rational of the causes of or remedies to homelessness, they are just "tools" by which to displace the homeless.

For two years Palo Alto City Staff and personnel from the police department have stated that they need an ordinance to deal with vehicle dwellers who are violating current laws because the police are not present to catch violators in the act.

Solutions other than a vehicle habitation ordinance have been provided to City Staff and the police department to address the above conundrum but City personnel has refused to implement these solutions revealing that they don't want the ordinance to resolve disrespectful behavior but for something else. Additionally, City Manager James Keene has failed at enforcing the muni-code and civic center rules for Cubberely Community Center in order to create an unnecessary problem so as to justify a vehicle habitation ordinance that won't even address the problems at Cubberely Community Center.

Given Asst. Police Chief Bob Beacom's remarks during the May 14th Policy and Services Committee Meeting, he and the rest of City Staff have now admitted the true purposes of the ordinance.

The true purpose of the Vehicle Habitation Ordinance is not to deal with disrespectful or illegal behavior but to displace vehicle dwellers from the entire city of Palo Alto.

The vehicle habitation ordinance is synonymous with San Francisco's "Ugly" and "Vagrancy" laws both of which have been ruled unconstitutional, the latter on "status" grounds.

Given that city staff and city council members Liz Kniss and Larry Klein are not capable of articulating the harm that a person who is living in his or her vehicle is causing to any person proves that the ordinance has absolutely nothing to do with health and safety.

The fact that some people rely on unfounded assumptions about the homeless to justify the ordinance and that community leaders Liz Kniss and Barbara Gross who are leading the charge for the ordinance refuse to have an in-depth and rational discussion regarding homelessness and vehicle habitation proves that the ordinance is founded upon an innate hatred for fellow human beings.

The Vehicle Habitation Ordinance is motivated by irrational fears, ignorance and classism which is a form of bigotry.

Current Amended Homeless Bill of Rights:

[http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_0001-0050/ab_5_bill_20130430_amended_asm_v97.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_0001-0050/ab_0001-0050_ab_5_bill_20130430_amended_asm_v97.pdf)

EXCERPTS FROM AB5

(3) Homeless persons are forced to flee specific districts due to local legislation that places burdens upon the homeless, burdens that are not incurred by housed residents. This segregation is contrary to the United States Constitution and the landmark decision of *Brown v. Board of Education of Topeka* – 347 U.S. 483 (1954).

53.2. (a)

The existence of homelessness requires that fundamental rights that are amply protected in the home and in private places be extended to the public domain to ensure the equal rights of all Californians, homeless and housed.

Every homeless person in the state, regardless of actual or perceived housing status, low income, sexual orientation, gender identity, citizenship, or immigration status, state shall have the right to all of the following basic human rights and legal and civil protections, except when prohibited by federal law

(10)

The right to occupy a motor vehicle, as defined in Section 415 of the Vehicle Code, or recreational vehicle, as defined in Section 18010 of the Health and Safety Code, either to rest, sleep, or use for the purposes of shelter, provided that the vehicle is legally parked on public property, without being subject to criminal or civil sanctions, harassment, or arrest from law enforcement, public or private security personnel, or BID agents.

SECTION 1. This act shall be known and may be cited as the “Homeless Person’s Bill of Rights and Fairness Act.”

SEC. 2. The Legislature finds and declares all of the following:

(a) In the State of California, there has been a long history of discriminatory laws and ordinances that have disproportionately affected people with low incomes and who are without homes, including, but not limited to, all of the following:

(1) Jim Crow laws:

After the Civil War, many states, especially in the south, passed laws denying African Americans basic human rights. In California, these laws also targeted Chinese immigrants.

In San Francisco, Chinese residents were forced to live in one area of the city.

The same segregation laws also prohibited interracial marriage between Chinese and non-Chinese persons.

(2) Ugly laws:

In 1867, San Francisco was the first city in the country to pass a law making it illegal for people with “Unsightly or disgusting” disabilities to appear in public. In many cities, these laws persisted until the 1970s.

(3) Anti-Okie laws:

In 1937, California passed an Anti-Okie law that criminalized “bringing or assisting in bringing” Extremely poor people into the state.

The United States Supreme Court struck down the law in 1941, when it declared that these laws are in violation of the Commerce Clause, and therefore unconstitutional.

(4) Sundown towns:

Town policies and real estate covenants were aimed at preventing minorities and other persons considered to be socially undesirable from remaining within city limits after sunset.

Thousands of these towns existed prior to the Civil Rights Act of 1968, which made these ordinances and covenants illegal.

(5) Vagrancy laws:

Vagrancy laws have been held to be discriminatory on their face because they criminalize a person’s status rather than a behavior.

Nevertheless, these laws existed in California until the Legislature revised them in 1961.

(b) “Quality of life” ordinances,

“civil side walk” ordinances, and similar initiatives are the modern reincarnations of laws designed to force homeless people to flee local jurisdictions. These local ordinances result in de facto segregation as homeless people are forced out of specific jurisdictions or out of specific neighborhoods within jurisdictions.

Gonsalves, Ronna

From: Mike Stahl <mail@changemail.org>
Sent: Tuesday, July 30, 2013 12:08 PM
To: Council, City
Subject: 10 new signers: Malaki VonReese, Leah Bermudez...

13 JUL 31 AM 11:18

10 new people recently signed Committee for the Homeless Bill of Rights's petition "The CA State Senate: Enact the "California Homeless Bill of Rights."" on Change.org.

There are now 380 signatures on this petition. Read reasons why people are signing, and respond to Committee for the Homeless Bill of Rights by clicking here:

<http://www.change.org/petitions/the-ca-state-senate-enact-the-california-homeless-bill-of-rights?response=bd0fcf554700>

Dear Local Leaders,

I just signed the following petition addressed to: California State Legislature. ----- Homeless persons are routinely discriminated against by numerous entities in our state depriving them of their Constitutional Rights. We the undersigned find it necessary that legislation should be passed to protect homeless people from the abuses visited upon them. We the undersigned request that you enact the following "California Homeless Bill of Rights" as framed below or in the alternative a "Homeless Bill of Rights" that will ensure that homeless people will no longer be deprived of the rights and privileges that all other California citizens receive. An act to add Chapter 10 Section 13000 to the Government Code within PART 2.8. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING relating to homeless persons and housing status. This act shall be known and may be cited as the "Homeless Bill of Rights." Legislative intent. – (1) At the present time, many persons have been rendered homeless as a result of economic hardship, a severe shortage of safe, affordable housing, and a shrinking social safety net. (2) Article 1, Section 1 of the California State Constitution states in part, "All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy." (3) All laws, therefore, should be made for the good of the whole; and the burdens of the state ought to be fairly distributed among its citizens. (4) Article 1 SEC. 7. (a) of the California State Constitution states in part, "A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws;" (5) Concordant with this fundamental belief, no person should suffer unnecessarily or be subject to unfair discrimination based on their homeless status. It is the intent of this act to ameliorate the adverse effects visited upon individuals and our communities when the state's residents lack a home. The people of the State of California do enact as follows: SECTION 1. CHAPTER 10 Section 13000 is added to PART 2.8. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING of the Government Code to read: CHAPTER 10. HOMELESS BILL OF RIGHTS SECTION 13000. (a) The People of the State of California find and declare all of the following: (1) In the State of California hereinafter referred to as the state, many people are denied: (A) Housing due to their housing status of being homeless, living in a shelter, a vehicle, the street and or the public domain; (B) Employment due to their current housing status of being homeless, living in a shelter, a vehicle, the street and or the public domain; (C) Housing and Employment and as a result of not having a fixed or residential mailing address or having a post office box as a mailing address; (D) Equal protection of the laws and Due Process by law enforcement and prosecuting agencies; (E) The ability to make certain purchases or enter certain contests as a result of not having a fixed or residential mailing address or having a post office box as a mailing address. (2) Homeless persons are unfairly targeted by law enforcement often resulting in the violation of the homeless persons' Constitutional Rights. Lacking the

resources homeless persons are often denied relief of damages through the courts. (3) Homeless persons are forced to flee specific districts due to local legislation that places burdens upon the homeless, burdens that are not incurred by housed residents. This segregation is contrary to the United States Constitution and the landmark decision of *Brown v. Board of Education of Topeka* - 347 U.S. 483 (1954). These segregation policies unfairly subject municipalities to an increased burden of caring for the homeless who have migrated there from their chosen home municipality in relief of the oppressive legislation. These practices tend unjustly to condemn large groups of inhabitants to dwell in segregated districts or under depressed living conditions which results in crowded, unsanitary, substandard, and unhealthful accommodations. These conditions breed intergroup tension as well as vice, disease, and crime; endanger the public health; jeopardize the public safety, general welfare and good order of the district and municipality accommodating refugee homeless which results in substantial burdens on the public revenues of those districts forced to accommodate the refugee homeless due to the neighboring districts' and municipalities' vexatious, oppressive and burdensome ordinances that affect the homeless without affecting the housed which is innately discriminatory. (4) Homeless persons are often provided accommodations and shelter by private and or public service providers that jeopardize their health, physical and mental safety. (b) Bill of Rights No person's rights, privileges, or access to public services may be denied or abridged solely because he or she is homeless. Such a person shall be granted the same rights and privileges as any other resident of this state. A Homeless Person: (1) Has the right to use and move freely in public spaces, including but not limited to public sidewalks, public parks, public transportation, public streets and public buildings, in the same manner as any other person, and without discrimination on the basis of his or her housing status; (2) Has the right to equal treatment by all law enforcement agencies, without discrimination on the basis of housing status, including the right to be free from searches or detention based upon his or her actual or perceived housing status; (3) Has the right not to face discrimination while seeking or maintaining employment due to his or her condition of being homeless; (4) Has the right not to face discrimination while seeking or maintaining employment due to his or her lack of permanent mailing address, or his or her mailing address being that of a shelter, or his or her mailing address being that of a post office box or social service provider; (5) Has the right not to face discrimination while seeking or maintaining housing due to his or her condition of being homeless; (6) Has the right not to face discrimination while seeking or maintaining housing due to his or her lack of permanent mailing address, or his or her mailing address being that of a shelter, or his or her mailing address being that of a post office box or social service provider; (7) Has the right to rent and use United States post office boxes; (8) Has the right not to be subject to criminal sanctions for resting or sleeping in a public place including vehicles legally parked on public property in a non-obstructive manner; (9) Has the right not to be subject to criminal sanctions for refusing to enter a public or private shelter or other accommodation; (10) Has the right to emergency medical care free from discrimination based on his or her housing status; (11) Has the right to vote, register to vote, and receive documentation necessary to prove identity for voting without discrimination due to his or her housing status; (12) Has the right to protection from disclosure to law enforcement agencies without appropriate legal authority his or her records and information provided to homeless shelters and service providers; and the right to confidentiality of personal records and information in accordance with all limitations on disclosure established by the federal Homeless Management Information Systems, the federal Health Insurance Portability and Accountability Act, and the federal Violence Against Women Act; (13) Has the right to confidentiality of personal records of housing status and to protection from disclosure to Landlords and Employers housing status; (14) Has the right to a reasonable expectation of privacy in his or her personal property including that of a vehicle to the same extent as personal property in a permanent residence. (15) Has the right to own and occupy a vehicle for twenty-four (24) hours a day seven (7) days a week while parked on public streets and public parking lots for the purpose of shelter. (16) Has the right of make purchases of goods and services and or enter contests from any and all businesses operating in California. (17) Has the right to equal protection of the laws and due process of the law by law enforcement and prosecuting agencies; (18) Has the right to restitution. (A) It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of being homeless shall have the right to seek and secure restitution from the person or persons who cause the losses they suffer. (B) Restitution shall be ordered from the wrongdoers in every case, regardless of the

sentence or disposition imposed, in which a homeless victim suffers a loss. (C) All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the homeless victim. (c) Damages and attorney's fees. (1) A homeless victim, the retained attorney of a homeless victim, a lawful representative of the homeless victim, or the prosecuting attorney upon request of the homeless victim, may enforce the rights enumerated in subdivision (b) in any trial or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request. (2) In any civil action alleging a violation of this section, the court may award appropriate injunctive and declaratory relief, actual damages, compensatory damages, general damages, special damages, punitive damages, exemplary damages and reasonable attorneys' fees and costs to a prevailing plaintiff. (d) All rights, privileges, policies and remedies granted to persons of race, religious creed, color national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation as provided in PART 2.8. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING Sections 12900 through 12966 of the California Government Code and Section 51 of the California Civil Code shall be granted to homeless persons and those persons of any housing status. (e) As used in this section: (1) "Housing status" means the status of having or not having a fixed or regular residence, including the status of living on the streets or in a vehicle or in a homeless shelter or similar temporary residence or elsewhere in the public domain. (2) "Homeless" means any person who does not have a fixed or regular residence including a person who lives on the streets, or in a vehicle or in a homeless shelter or similar temporary residence or elsewhere in the public domain. (3) "Habitation" means that place which a person spends the majority of ones time and existence. (4) "Losses" means but is not limited to any deprivation of constitutionally held rights as well as the loss of property or physical and mental well being. (5) "Damages" means to include losses but is not limited to losses. SECTION 2 This act shall take effect upon passage. ----- Sincerely,

Sincerely,

- 371. Malaki VonReese riverside, California
- 372. Leah Bermudez Los Angeles, California
- 373. Martha Bridegam San Francisco, California
- 374. Douglas Tooley Durango, Colorado
- 375. Shawn Nelson Seattle, Washington
- 376. Bill McKenzie Redmond, Washington
- 377. Tari Wiggins Kirkland, Washington
- 378. Anna DeMoss Las Vegas, Nevada
- 379. Pam Boland Grovetown, Georgia
- 380. Mike Stahl Seattle, Washington



Gonsalves, Ronna

13 JUL 31 AM 11:18
CITY CLERK'S OFFICE

From: Mary Anne Deierlein <mdeierlein@yahoo.com>
Sent: Tuesday, July 30, 2013 1:25 PM
To: Council, City
Subject: "Yes" for the Ban on Vehicle Dwelling in PA

Dear City Council,

First, I would like to thank you all for your attention to this issue in our Cubberley neighborhood while on vacation/summer break.
Your valuable time as city volunteers is very much appreciated.

The Cubberley patrons and surrounding neighborhoods have at least three separate issues (just what I've taken away from observations and experiences tho I have been away a bit this summer due to family emergencies in another state). As a resident, I see Cubberley field when I look out of my front door.

1. Yes on the Ban of Vehicle Dwelling in Palo Alto -

I'm hoping to see Peninsula cities partner together toward a solution of this shared homeless population, meanwhile I'm asking you to vote yes to pass the Ban on Vehicle Dwelling in Palo Alto.

The "StopTheBan13" group is putting flyers on all our car windshields city-wide.
The flyer is spreading mis-information claiming that no other peninsula city has banned vehicle dwelling, which is not helpful. While this group has concern and empathy for the homeless, this collective group does not live near Cubberley or understand the neighborhood impact. Let's get the facts. The following is the ordinance for Mountain View: (sec. 19.111.c) "No vehicle parked upon any public street shall be occupied or used for dwelling purpose."
Not sure if Cubberley counts as a public street. Maybe the ownership is the School District?
Misinformation is not constructive, and the safety of our residents is foremost. Agreed?

Cubberley is not a location on so many levels to house, care, and/or camp the homeless.
The risks for the residents, tenants, clients, senior citizens, students, children and the homeless at Cubberley are just not worth the possible outcome(s) of an incident, accident and/or crime. The environment at this facility should not provoke fear, avoidance, disinterest in the amenities and services, and cause unnecessary precaution on the part of community in which it serves and resides.

2. Homeless services at the Cubberley site - Peninsula cities need to partner their resources to identify and re-locate these services to the homeless population.

3. Camping/habitation issue

I am concerned a vehicle habitation ordinance will not address the camping issue.
Perhaps, it just means folks sleep in the covered areas around the campus, and not in their cars. This is not better. I do not believe it is specifically a "homeless" issue. It is about permitted land uses, and maybe zoning. Is Cubberly permitted to be a free campground? Was there a process to allow this? Habitation should be in designated areas, that are suitably prepared for that use. When a school randomly becomes a free campground, has anyone really been served? At best, it is temporary, and at worst it is highly disruptive to the surrounding area and dangerous for everyone (including the campers).

Recent observations-

July 27, 2013 Saturday:
-This morning, was walking in Cubberley this AM and saw a homeless guy with an old laptop and an extension cord plugged into a wall socket, using the library internet and grumpy that I was disturbing him.

-This afternoon, was in Cubberley and saw a full shopping cart with shoes and belongings hanging out of it, two homeless people next to a bed on the ground having a nice lunch, a tree stuffed with someone's belongings, and another guy with a bike full of trash.

-Meanwhile, two kids who were by the tennis courts were poking at an old sleeping bag sitting behind a bush and nearby there was a classroom entryway with another bed set up with some cardboard for insulation.

-At the car camp, the generator was going so someone could power their electronics and a new RV showed up to park under the tree.

Basically, a campground except the amenities are better.

July 28, 2013 Sunday:

-Was by Cubberley on the way to the Pet Store this am. Saw many people(8-10) living under the trees. They all looked very settled.

July 29, 2013 Monday:

-While riding my bike behind Piazza's (where I shop almost daily for my family of five), a homeless person jumped out of a dumpster and threw garbage while yelling.

July 30, 2013 Tuesday:

-While walking with my dog home from Piazza's on the Cubberley path to Nelson Drive, a homeless man yelled at us and provoked my dog.

I started to run (with dog and groceries) to avoid a confrontation where contact with my dog might be possible.

I'm not comfortable with such a new threat and liability in my neighborhood where I rely on walking and biking and where I support local retail in my neighborhood.

I can't emphasize enough the change in character, family usability and safety of our neighborhood since the homeless have moved to the grounds at Cubberley.

Sincerely,

Mary Anne Deierlein
318 Parkside Dr
Palo Alto, CA 94306

Gonsalves, Ronna

From: Bhushans@aol.com
Sent: Tuesday, July 30, 2013 3:11 PM
To: Council, City
Subject: Sleeping in cars...

CITY OF SAN FRANCISCO, CA
CITY CLERK'S OFFICE
13 JUL 31 AM 11:17

Dear City Council,

This letter is to request you **not** to enact a Ban on Sleeping in Cars. The Homeless community needs more time and support to organize and find solutions that can work for everyone. It is terrible to ask people to 'just move on' when there is really no place for them to go, and no real options for them to sustain their lives. Please do **not** take any action yet to Ban people (the poorest of the poor) from sleeping in their cars.

Many citizens of this city and the surrounding communities are organizing, forming a coalition to alleviate the situation, but of course a good solution will take time; have the patience, lend your best ideas and efforts to make a difference, and we will all benefit from an improved quality of life.

Please cut and paste the link below to get a more full understanding/picture of the grass roots movement behind this issue.

Thank you,

Cybele (nee' Judith) LoVuolo-Bhushan

<http://www.wraphome.org>

"Look to this day for it is life. In its brief course lie all the realities and truths of existence. The joy of growth, the glory of action, the splendor of beauty...today well-lived makes every yesterday a memory of happiness and every tomorrow a vision of hope. Look well, therefore, to this day."
-Ancient Sanskrit proverb

Gonsalves, Ronna

PALO ALTO CITY COUNCIL
CITY OF PALO ALTO, CA
CITY COUNCIL'S OFFICE

From: Mary Anne Deierlein <mdeierlein@yahoo.com>
Sent: Wednesday, July 31, 2013 9:18 AM
To: Council, City
Subject: Re: "Yes" for the Ban on Vehicle Dwelling in PA

Dear City Council,

A few more observations of a resident and neighbor of Cubberley. I hope by receiving resident observations, you all gain a defined sense of the situation at Cubberley.

Tuesday July 30, 2013 (continued) 5pm

- I walked around Cubberley with my neighbor starting from Nelson Dr up the north path along the track.
- There were a few cars/vans just past the bleachers on the right fence line and in parking lot.
- about 15 vehicles in total (that we saw at this time of day)
- Behind the track by the portable, the encampment of cars/RVs totaled nine vehicles
- the area under the portable ramp was fill with "day storage" of people's belongings in bags, blankets, sleeping bags
- there were bathroom toiletries in several places around the outside of the portable unit including hygiene products, hair waxing kit and jar of face mask.
- there were signs of camping in the bushes along the south entrance along the Piazza's border/dance studios
- walking through the breezeway, we noticed three people camping with belongings around buildings C & D, and one mentally ill man sitting on a bench talking loudly to himself with belongings near the dance studios.
- there was a brown van camping with door mat, shoes and dog leash under the big tree near Dance Connection on the south entrance road

6:30pm trip to Piazza's for groceries

- at the intersection of Nelson and Charleston, there were 6 individuals with belongings on foot and bicycles headed towards Cubberley presumably for the evening.
- in Piazza's parking lot, there were 4 car dwellers loading their cars with groceries. The giant Plymouth had all doors open exposing a fully stocked bar of liquor, ice chest, cups in the big backseat.
- these cars then drove into the north and south entrances of Cubberley presumably for the night.
- returning home on Nelson Drive, I noticed five more people with belongings entering Cubberley at the path by the track presumably for the night.

Needless to say, we are conflicted as we consider enrolling in future classes at Cubberley, walking with our children and neighbors after dinner at the track or Cubberley fields. While I have concern and empathy for the homeless population and their hardships, I feel the neighborhood where my family and I live, support with taxes, shopping and community building activities is becoming unsafe, unstable, and unpredictable.

Sincerely,
Mary Anne Deierlein
318 Parkside Dr
Palo Alto, CA 94306

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To: Palo Alto City Council <city.council@cityofpaloalto.org>
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Sincerely,

Mary Anne Deierlein
318 Parkside Dr
Palo Alto, CA 94306

Gonsalves, Ronna

From: chuck jagoda <chuckjagoda1@gmail.com>
Sent: Tuesday, July 30, 2013 6:56 PM
To: Tony Ciampi
Cc: Kniss, Liz (internal); Stump, Molly; Keene, James; Council, City
Subject: Re: Palo Alto's Segregation Law

CITY OF PALO ALTO, CA
CITY CLERK'S OFFICE
13 JUL 31 AM 11:16

This all comes down to discrimination.

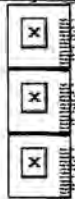
There are people who say, "Only WE (the housed) should have the use of Cubberley."

And there are those who say, "Cubberley is a public resource, available for use by all segments of our community--including the unhoused."

Those in the first group are trying to keep a public resource for their exclusive use. This is called greed, theft, or sometimes, unfortunately, public policy.

Chuck Jagoda

On Tue, Jul 30, 2013 at 5:23 PM, Tony Ciampi <t.ciampi@hotmail.com> wrote:



<http://crhr.weebly.com/>

The City of Palo Alto, California has proposed a Vehicle Habitation Ordinance that will deny the un-housed the use of their vehicles.

National Center For Policy Analysis

Criminalization through Regulation Is Not Just June 27, 2013

In recent years, advocates from across the political spectrum have increasingly criticized overcriminalization -- the tendency of government to use criminal law to regulate behavior that is not traditionally criminal, say Vikrant P. Reddy and Marc A. Levin, analysts for the Texas Public Policy Foundation.

States should strengthen their mens rea protections. Civil and criminal law have always been distinguished by the

requirement that a criminal must have a guilty state of mind, but an increasing number of regulatory offenses disregard the mens rea requirement because it is inconvenient for a speedy prosecution.

Read More.....http://www.ncpa.org/sub/dpd/index.php?Article_ID=23324

There is no guilty state of mind in someone seeking shelter in a vehicle, thus how can the City of Palo Alto justify enacting a law against a group of people who do not possess mens rea and who are not causing any harm to any other person or property?

There are hundreds and thousands of working people who choose to live out of vehicles to save money. Money that would otherwise be handed over to wealthy landlords.

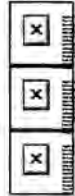
Vehicle Habitation Ordinances are in one context a form of extortion that forces working people to hand over the fruit of their labor, 70 to 90 percent of their income, to property owners. Not once, not twice, but month after month and year after year.

Gonsalves, Ronna

From: Tony Ciampi <t.ciampi@hotmail.com>
Sent: Tuesday, July 30, 2013 5:24 PM
To: Kniss, Liz (internal); Stump, Molly; Keefe, James; Council, City
Subject: Palo Alto's Segregation Law

CITY OF PALO ALTO, CA
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<http://crhr.weebly.com/>

The City of Palo Alto, California has proposed a Vehicle Habitation Ordinance that will deny the un-housed the use of their vehicles.

National Center For Policy Analysis

Criminalization through Regulation Is Not Just June 27, 2013

In recent years, advocates from across the political spectrum have increasingly criticized overcriminalization -- the tendency of government to use criminal law to regulate behavior that is not traditionally criminal, say Vikrant P. Reddy and Marc A. Levin, analysts for the Texas Public Policy Foundation.

States should strengthen their mens rea protections. Civil and criminal law have always been distinguished by the

requirement that a criminal must have a guilty state of mind, but an increasing number of regulatory offenses disregard the mens rea requirement because it is inconvenient for a speedy prosecution.

[Read More.....http://www.ncpa.org/sub/dpd/index.php?Article_ID=23324](http://www.ncpa.org/sub/dpd/index.php?Article_ID=23324)

There is no guilty state of mind in someone seeking shelter in a vehicle, thus how can the City of Palo Alto justify enacting a law against a group of people who do not possess mens rea and who are not causing any harm to any other person or property?

There are hundreds and thousands of working people who choose to live out of vehicles to save money. Money that would otherwise be handed over to wealthy landlords.

Vehicle Habitation Ordinances are in one context a form of extortion that forces working people