

CITY OF ANAHEIM
HOMELESS POLICY WORKING GROUP

MINUTES
October 6, 2017

Agenda Posting: A complete copy of the Homeless Policy Working Group Agenda was posted on Tuesday, October 3, 2017 at 8:30 a.m. at Anaheim City Hall and at the Anaheim West Tower.

I. CALL TO ORDER

The meeting was called to order at 8:30 a.m. on Friday, October 6, 2017 at the Gordon Hoyt Conference Room, Anaheim West Tower, 201 S. Anaheim Blvd., Anaheim, California.

1. Mike Robbins, People's Taskforce
2. Eve Garrow, ACLU
3. Linda Lehnkering, Poverty Taskforce
4. Captain Eric Carter, City of Anaheim
5. Matt Bates, CityNet
6. Mayor Pro Tem James Vanderbilt, City of Anaheim
7. Council Member Jose Moreno, City of Anaheim
8. Council Member Denise Barnes, City of Anaheim
9. Jesse Ben-Ron, State Assembly
10. Norma Campos Kurtz, State Assembly
11. Sebastian Calderon, State Senate
12. Jay Burress, Visit Anaheim
13. Esther Wallace, West Anaheim Development Council
14. Kevin Sorkin, Central Anaheim Resident

The following Policy Member were absent:
Natalie Wieckert, County of Orange

The following staff members were present:
Kristine Ridge, Assistant City Manager
Jackie Rodarte, Senior Council Aide to Council Member Moreno

II. PUBLIC COMMENT

Public comments were open for two minutes.

Wes Jones discussed the purpose of the Working Group. The focus was supposed to be the confiscation of property that belongs to those experiencing homelessness. Jones said he would like the Group to refocus on this issue, including looking into storage and reviewing the seizure of property. Jones then discussed shelters versus housing, saying that shelters are not a long-term solution, but a transitional thing at best. Jones then mentioned how the Bridges at Kraemer is coming to its 6-month stay limit, which is

placed by the county, and many people are hitting the 6-month limit. Jones then asked if they are going to be allowed to stay or if they are going to be homeless.

Matthew Skaggs said he is a community development support advocate volunteer, and a team member of Alfresco Gardens. Skaggs mentioned that the cities of San Diego and Oakland have approved outdoor living communities for those facing eviction or homelessness. Skaggs said that each of those temporary campsites would have 24-hour security, bathroom facilities and storage; however, there is no mention of social services, adult workforce training, or career counseling, which Skaggs believes, is necessary for long term stability. Skaggs also mentioned that San Diego announced that while they work to increase housing, the transitional camp areas would provide hundreds of homeless men and women a clean space as an alternative to living on the sidewalks. Skaggs said that he has personally walked on the river channel many times and that he recently handed out brochures for San Diego Canyon Community College promoting their workforce-training program. Skaggs said that he was turned down by only a couple of people, adding that when you have nothing you will accept help from almost anyone. Skaggs then said to not forget hope, without hope there is no future and when there is no future, you die inside, which leads to addiction and other substance abuses. Skaggs concluded by asking the Working Group, on behalf of those who cannot speak for themselves, that they be the hope for tomorrow.

Jeanine Robbins said she was going to talk about two issues, the first being criminalization of the homeless. Robbins said that when Googling this topic there were two repetitive items that were continuously listed, one was list of cities that had enacted such ordinances, the majority of which are now being sued, and the other are the reports that say criminalization of the homeless does not work; Robbins stated that the reports came from hospitals, non-profits, universities, etc. Robbins said that the most interesting report that she read was one from the National Law Center on Poverty and Homeless. Robbins then read something from their findings; the NLCPH recommends more sensible, humane, and effective policies that range from repealing laws that criminalize homelessness to expanding access to affordable housing. Local governments face dwindling resources particularly for affordable housing and rather than focus on the root causes of homelessness, cities have enacted laws that make life-sustaining activities illegal. These laws represent a clear intent for removing the homeless from public spaces despite the lack of other options for homeless individuals; these laws are in violation of the homeless individuals' constitutional rights. The report also recommends repealing laws that criminalize homelessness and training law enforcement officials on how to respond to a homeless person with a mental health crisis to reduce the likelihood of them going to jail rather than getting treatment. The report identifies the lack of affordable housing as the key issue driving homelessness. Robbins mentioned the UCI/United Way study, which identifies the lack of a livable wage as a key issue, with neither study referencing addiction nor criminal behavior as even a top three reason for homelessness. Robbins mentioned the report recommends strengthening tenant protections, increasing the minimum wage, and expanding the supply of housing affordable to the lowest income households. Robbins stated there are laws on record for criminal actions such as theft and laws do not need to be added to target the homeless population, and the rhetoric needs to

change regarding the homeless population. Robbins added that by criminalizing the homeless, their future is affected by making it harder for them to get housing, jobs, etc. Robbins moved to discuss housing, by saying that a 500-bed shelter or the armories will not work as alternative housing and that each homeless individual qualifies under the ADA act, which protects those with mental disabilities, physical disabilities, addictions, and illnesses such as PTSD and anxiety.

Omar Rizvi said that he is a new resident in Anaheim and is interested in finding out more about homelessness and the problems he has seen in the newspaper. Rizvi said that he has not gone down to the river trail but does know people who have suffered from substance abuse and who have found themselves in places where they have lost their home. He believes, after having reviewed the set of bills, that there is nothing out there that proactively brings treatment centers or funds the process of helping some of the people. Rizvi references the mention of not all those who are homeless are suffering from alcoholism or drug addiction, but Rizvi said that statistics show that nearly half are. Rizvi said that those setbacks are the ones that need to be addressed. Rizvi said that building affordable housing for people who cannot seem to see straight does not make sense.

Chad Hoffman said that he had many little points to make on statistics corrections, policy recommendations, and some research suggestions. Hoffman said, as for statistics corrections, last week it was mentioned that when you put people in housing it reduces the crime calls to 0%; Hoffman said that he disagreed with that as it might reduce the calls about homelessness to 0%, but not the crime calls. Hoffman said that the UCI/United Way cost comparison for someone living on the street is \$220,000 versus \$50,000 to house them, does not factor in the opportunity costs of the land and building the land. Hoffman said that for policy recommendations, the community is trying to hear all aspects such as housing and services, but there is also a rule of law aspect and he recommends that the Working Group refrain from feeding the narrative that the community is negative on this issue. Hoffman also mentioned the increase of people living in RVs and he said that the problem might be cleared out just to find that 1000s of RVs are now around. Hoffman said that it is important to find the legal options and recommendations as the problem is solved. Hoffman then mentioned business rights and how it helpful it would be if small business owners know their rights. Hoffman said that two research suggestions are (1) prevention programs to help people not live check to check, and (2) for the Working Group to look into San Jose and the Jungle.

Brian Kaye thanked the audience for being there as well as the Working Group. Kaye then said that enforcement is not the answer. Kaye then discussed his situation with his family, enforcement, being arrested, and having to go to court. Kaye then discussed the case of Keira Sandoval being arrested.

Bill Taormina mentioned the need of putting the homelessness issue into perspective. Taormina then discussed various policy recommendations: global impact by making this issue top priority, funding sources, ACLU collaboration, increase enforcement efforts on the impacts being done in the neighborhoods, private sector involvement, joint powers authority, and continue this work with a group that will continue this work.

Chair Moreno asked if there was any one else from the public who would like to speak. There being none, Chair Moreno moved to the next item on the agenda.

III. APPROVAL OF MINUTES

Chair Moreno discussed the importance of the minutes and asked everyone to review the minutes so that they could be approved.

Chair Moreno asked for a Motion to approve the minutes from the September 5, 2017 and September 8, 2017 Homeless Policy Working Group meetings.

Council Member Barnes offered a Motion to approve the minutes and Esther Wallace seconded the Motion.

Chair Moreno asked for questions or comments.

Council Member Vanderbilt had one correction for the September 8 minutes on page five.

Chair Moreno asked if minutes are transcribed from the recordings.

Kristine Ridge said yes.

Chair Moreno said the approval of the September 8 minutes would be pending while the change on page five, from “that” to them” was made.

Chair Moreno asked for any abstentions from the vote due to members not being present; abstentions included Kevin Sorkin, Jay Burress, and Captain Eric Carter.

Chair Moreno moved to the next agenda item.

IV. DISCUSSION ON POLICY FRAMEWORK

Chair Moreno discussed that this meeting as well as the next meeting would focus on the policy framework and recommendations.

Chair Moreno then read the Working Group’s Purpose and Objectives.

Chair Moreno reminded the Group of the recommendation he made at the previous meeting where he recommended that the Group do some prep work around the three areas that the group has looked at over the last couple of months:

1. Economics including the economics that create or sustain conditions of homelessness
2. Mental Health Conditions, and
3. Addiction and Substance Abuse

Chair Moreno asked for ideas that should begin being thought about or start to process.

Mike Robbins mentioned that policy for the city is being discussed but you cannot help people if they are not alive and that there is a crisis. Robbins referenced paperwork that the Working Group was given. Robbins then mentioned the Hepatitis A epidemic and about sanitation, specifically how it is the basis of all society. Robbins discussed the number of individuals who have died in various cities because of Hepatitis A and how that is not something that should be brought to Anaheim. Robbins also mentioned how sanitation goes back many years to ancient civilizations. Robbins said that the problem is disease related to human waste and that the solution is access to restrooms. Robbins said it is important to ensure that the health of the City is safe and the health of the homeless is safe. Robbins said the bathrooms need to be open, with portable toilets available wherever there are large groups of homeless individuals, there needs to be code enforcement or people sent out to the restrooms to check on them every hour, and they should be open from about 6am to midnight, if not all night long. Robbins said this is a number one issue.

Chair Moreno clarified that the first idea to include is a policy recommendation on basic sanitation.

Robbins said basic sanitation and bathrooms for everyone, open certain hours, at least checked on every hour, and it is important to note how the bathrooms are taken care of in places like Wal-Mart and McDonald's, and that is that people need to check in on those restrooms every hour.

Chair Moreno thanked Robbins and then asked for other thoughts.

Council Member Vanderbilt said that he understood that many statistics were just given, but as he understands there are vaccinations taking place, therefore he wanted to know Robbins' opinion on the vaccination effort in comparison to round the clock bathrooms.

Robbins said that even in Roman times, flies could have transferred pathogens beyond Hepatitis A to people, so sanitation is the number one importance dating back 6,000 years. Robbins added he checked with CityNet to see how many vaccinations have been given and was told that at the riverbed there were 23 given out of 450 people and that was as of Tuesday. Robbins said that there is a health problem and it is explosive.

Matt Bates said for clarification, CityNet is contracted with the County to provide a resource hub at the flood control channel and one of the services that has been offered in partnership with the Orange County Healthcare Administrators Association is to provide the vaccinations. Bates said that the nurses provided 23 vaccinations this past Tuesday and that was the second time at that particular location. Bates said that the first time they went they must have done about 20 vaccinations and they plan to go back on a weekly basis. Bates said that countywide he believes they are at about 500 vaccinations. Bates said that he would agree with Robbins in that there is an ongoing sanitation issue because the nearest restrooms are at a far distance.

Council Member Barnes asked if sanitation pumps are provided at the riverbed.

Bates said that when the resource hub is there, then that is provided and some donations are also given out by others, but unfortunately he was told that Purell doesn't work against Hepatitis A and it's actually the scrubbing of your hands with water that is effective which is typically done at a washbasin, and which is not available.

Chair Moreno said that that would seem to be a problem for law enforcement and code enforcement, when they go out and they are at risk. Chair Moreno then asked what kind of protections there are now for people who go out to do patrolling.

Captain Eric Carter said there is a lot of personal protection equipment such as rubber gloves, paper suits, masks, etc. Captain Carter said it is not always easy to transition from law enforcement mode to someone who is doing collection of something like soiled debris. Captain Carter then said that they have recently purchased equipment in order to address the contamination that they may be faced with.

Chair Moreno said that he would assume that if appropriate protections were not provided for employees who are required to go and enforce, then that puts the City in the path of liability.

Captain Carter agreed.

Kevin Sorkin asked if it was a matter of resources in regards to people not being vaccinated and why is it that only 10% of the homeless in the City have been vaccinated.

Bates said that that was a good question and that he does not have a complete answer beyond speculation. He believes that because it is a service population where many come from a position of trauma, when the healthcare administration shows up with nurses and law enforcement it might create an untrustworthy environment since people might not know what the nurses and enforcement are there for, as well as mistrust about what is in the vaccine.

Sorkin said that that makes a lot of sense, and to Robbins' point, he also does not want people to die, but he is trying to solve the dilemma of incentivizing someone to do what is right so that they do not die.

Robbins said that he agrees with people being reticent to accept the vaccinations, perhaps because they do not trust the system. Robbins also said that when restrooms are placed in the riverbed, people do line up to use them.

Sorkin then mentioned residents like Lou Noble, and others who the people trust, and if they could help to rally people to get the vaccination.

Robbins said that it's interesting because he's talked to people who know him and yet they didn't accept the vaccination and he believes it is different when it comes to people sticking needles in your arm in comparison to offering them food or an apartment. Robbins said that even he was resistant to getting his vaccination there, as his first thought was to go to his doctor so not to take away from the supply. Robbins said that taking the shot at a table as opposed to a doctor's office might deter people and they need to be given a sense of reliability.

Chair Moreno recommended since the group is not made up of programmatic experts that everyone focus on the idea itself and how it gets implemented should be thought about but not be the main focus, as the experts will be asked about how to do implementation.

Robbins said people used and lined up the restrooms when they are there.

Council Member Barnes mentioned that on September 22, the Orange County Register published an article that stated 364 people received the vaccine and that other clinics will continue to assist at pop-ups to give out the vaccination.

Robbins said yes, but 364 is out of 4,500.

Council Member Barnes said that the group is addressing homelessness period, not just a city and that she is trying to get her head around having those who are homeless at the parks, libraries, and eateries, and that the policy is supposed to protect the community and help the homeless get stable housing. Council Member Barnes then said that she believes Robbins is addressing those at the riverbed and Hepatitis A.

Robbins said he meant that the city put restrooms across the city wherever homeless people are in order to increase sanitation.

Council Member Barnes said that in a perfect world that would be great but she's seen librarians be at the library late at night and then someone walks in, with the question being how are people going to be protected. Council Member Barnes said that the OC Register article is something she found to show that the problem is being addressed proactively.

Chair Moreno said that the basic provision of basic sanitation and vaccination is important to think about this, but in terms of policy, the Working Group is thinking of the City proper since that is all that can be enforced and the policies cannot be enforced in the riverbed without an expansion of the MOU.

Chair Moreno asked if there were other ideas or different ideas on basic sanitation, and he asked if there was anyone on the panel that thought that a policy around basic sanitation should not be considered.

Esther Wallace asked if there are many nonprofits/mobile clinics in the City of Anaheim, like CleanCity, and asked if they are going out to the riverbed or other areas and promoting vaccinations.

Chair Moreno said he did not know.

Eve Garrow said she doesn't have a comprehensive list, but she knows that Illumination Foundation sends a nurse out to the river trail, and she also knows of another nonprofit that provides free medical services out at the river trail once a week. Serve the People parks by the CityNet van and provides some services. Garrow said she does not know if it is sufficient but she does know that there are several nonprofits who do this.

Wallace said that there are organizations who come to schools for families to get health checks and she felt that this was a way to get people to take the vaccinations, with a health check and they would feel friendlier toward a health clinic in comparison to just having a nurse at a table.

Council Member Vanderbilt added that the Fire Department has their nurse practitioner and they regularly go down to the trail and individuals are working with those cases and providing healthcare as well, so this is another service that is available and that the City provides.

Chair Moreno asked if there were other ideas around policies that the Working Group should be thinking about.

Garrow said that she wanted to pivot while observing at the same time that she does believe that there is a health crisis, especially in encampments where people do not have access to hygiene, restrooms, and showers. Garrow said that the survey that CityNet recently did of people at a two-mile stretch of encampment showed that 50% reported some sort of health problem and she has heard of many with infections that will not heal which are the result of living in an unsanitary environment. Garrow said that she feels that emergency services are needed. Garrow then discussed her recommendations: criminalizing people for sleeping in public, with the two ordinances, one being about sleeping in public and the other being about storing property in public places, enforcement of these ordinances is very problematic from a constitutional perspective if people do not have anywhere to go.

Garrow mentioned the lack of affordable housing that was discussed by a previous speaker and the lack/shortage of shelter space, the shortage of program space, and even the shortage of motel vouchers. Garrow said that within the context it cannot deter being homeless. Garrow said that the ACLU is not against enforcement of actual crimes, but sleeping in public should not be considered a crime if people do not have an alternative.

Garrow thinks there is a way for this group to affirm that notion that was clearly stated by the City Attorney during a City Council meeting, where the City Council passed the emergency resolution. Garrow said they were asked to look at three different buckets, an

economic bucket, which has to do with poverty as a cause of homelessness, a bucket having to do with mental health issues/people with disabilities, and a bucket having to do with addiction. As someone had mentioned, addiction is covered under the American with Disabilities Act as a disability. Garrow said that she is uncomfortable separating these buckets because if federal policy they are really considered together.

Garrow gave the example of chronically homeless people with disabilities. Garrow said that decades of research, after the 1980s when the McKinney Act was passed and a policy was developed to address homelessness, have shown that the initial policies which entailed treating people's disabling conditions, their mental health issues, their addictions, their substance abuse issues as a prerequisite for housing or as a way to solve their homelessness, has failed. Garrow said that what we have now is over 80% of the chronically homeless are unsheltered because they either can't tolerate the programs, the programs don't work for them, or they become very symptomatic and they are kicked out of these programs. Garrow said that those are the facts and people need housing to get better, combined with mental health services, substance abuse services, etc. Garrow said that the research does not support the notion that people need to become stabilized in terms of their mental health, their substance use, etc. before they receive housing.

Garrow said that the continuum of care demonstrates that it is using the Housing First Model that you house people first. Garrow said when you come to think of the population that is disabled, or suffers from mental health issues, she encourages the Working Group to think of the Housing First model; to consider an interim step like looking at a motel voucher where people can have privacy and stability, or a group home model, both with services. Garrow said that the housing lists are very long and reminded the working group of Angel who came to a meeting once to discuss how she was working two jobs and still could not afford rent plus everything else she needed to survive. Garrow said that thinking about an affordable housing program that would address the needs of people without mental health issues and without disabilities will be very important. Garrow added that working with other cities and working with the County is also very important.

Chair Moreno summarized what he understood from Garrow's comments: asking to what extent do policies criminalize individuals and which are unconstitutional, especially around the enforcement of sleeping in public spaces; instead of a stabilization first approach it should be a housing first approach and through that provide the services that could create the stability.

Garrow said yes and especially when it comes to the chronically homeless population that has been identified by outreach workers.

Chair Moreno said right, and lastly the provision of policies related to affordable housing, in particular for the population who are strictly economic conditions.

Garrow said yes.

Chair Moreno continued by saying this idea was reinforced by Angel when she said that she did not have mental health issues or a drug problem, and that she simply could not afford a place to live.

Chair Moreno asked if there were any questions for Garrow based on her ideas.

Wallace asked how you would stabilize people that have mental problems if they are not housed and without a system that ensures they are taking their medication.

Garrow asked for clarification by asking if Wallace meant if she was referring to if, they are housed or when they are not housed.

Wallace said that Garrow said that they should be stabilized before they are housed.

Garrow, said no, and that she meant the exact opposite. Garrow said in a sense, the earlier discussion on the Hepatitis A vaccination is almost an example of this, meaning it is very difficult to treat people when they are struggling just to survive. Garrow said that she was talking to someone who lived in the riverbed who lost his wife to heroin. Garrow said that they wanted help but it was hard to drive to the clinic from where she was living. Garrow said it is a very big ask to ask people to get better when they are homeless, living in unsanitary conditions, and struggling for survival. There are research findings that show that housing people is a prerequisite to improved health and health outcomes.

Chair Moreno said that it is the reverse; we should not wait to stabilize people but we need to stabilize their housing. Chair Moreno then said that right now that it is not the case since shelters have certain requirements before people can go into them.

Council Member Vanderbilt said that it appears that there are two schools of thought; one being that there is a continuum from being on the streets to being in supportive housing. Council Member Vanderbilt said that some speakers spoke about the San Diego model, where they are establishing a camp, which sounds like the Alfresco Gardens concept, and this is a step in the continuum with the shelters falling into this as well. Council Member Vanderbilt said they are not supportive housing, but they are a kind of transitional, emergency housing. Council Member Vanderbilt said if you want to follow that model then this Group would support some suggestions along those lines. Council Member Vanderbilt said that the other school of thought that he is hearing is the idea of status quo remaining in place until there is a climax of continuum housing which is supportive housing or something close to it. Council Member Vanderbilt said that it seems that this school of thought is saying to leave everyone where they are until we can have the golden standard bed. Council Member Vanderbilt then said that if this Working Group could give direction on either of these two schools then he would feel a lot better about some consistent message, otherwise he feels that the work will not go anywhere.

Garrow said that she does not believe it is an either or, but it must be recognized that the chronically homeless population is disproportionately represented in many programs, which is consistent with research that shows that they do not tolerate those programs.

Garrow said that we can create those programs, but people who have been on the street for a long time are not going to be able to tolerate the congregate living. Garrow said that people then deteriorate and become very symptomatic and then they are kicked out. Garrow said that this is not fair to the service providers who are being told to accommodate and provide services to this extremely ill population.

Garrow said that another issue that the ACLU has run into with their lawsuit in Laguna Beach is that they are trying to accommodate the population but from the ACLU's perspective, they are not providing reasonable accommodations, for example: private places for people who cannot tolerate living in a room with 45 people. Garrow said that she believes the Working Group needs to realize that there is population out there that will not benefit from additional emergency shelter.

Chair Moreno asked for other questions/comments.

Jay Burress asked if it would be appropriate for the Working Group's recommendation to address short-term solutions as well as long-term solutions. Burress said that he agreed with Robbins about the importance of addressing Hepatitis A, health and hygiene, etc. Burress said that it would be important to look at the short-term solutions to address these concerns and the long-term solutions such as affordable housing, potentially through a Joint Powers Authority. Burress also mentioned increased enforcement and said that there are about three or four levels of policy recommendations that might need to be included into any recommendations. Burress said that this problem would continue to affect every aspect of the City if immediate if short and long-term actions are not taken. Burress then said that he was not sure how the Working Group would make recommendations on affordable housing, other than saying that it is needed.

Robbins said that perhaps the recommendations could be that the Council establish another committee that looks over proposals like bills, and compares them to other actions, while committing to move on those actions within a couple months.

Chair Moreno said that there are a couple things to keep in mind so far; it is different to think of preventing homelessness and addressing homelessness. Chair Moreno said that history has shown that this condition of homelessness will always exist when people have certain conditions and when the economy shows ebbs and flows. Chair Moreno said that for him, the goal of policy is to say when this hits us again, in the same way, what will be our responses at that time, so we do not have to get to an emergency level.

Chair Moreno said that for the long term, affordable housing is crucial, but that it is tied to the idea that the idea of affordable has to have a reason. Policy needs to be addressed through an affordability component but also through the private sector, which should work with the public sector to examine why wages are so different from housing costs.

Chair Moreno also discussed how enforcement is part of the process but not the way to get out of the problem; he says it is important to implement enforcement in a way that is supportive and not punitive. Chair Moreno then said that the idea of chronically homeless

is something that he is becoming more familiar with and as Garrow said, all the services can be provided but they might not be enough if the person does not have the trust and/or is inflicted with various conditions. Chair Moreno said that when policies are done to say, take what we are giving you or else you will be arrested, that is what leads to criminalization. Chair Moreno then asked Garrow a question related to sleeping in public spaces: would the Constitution allow people to be told that they cannot sleep in public spaces like the park, but instead go to a public space designated for sleeping, such as Alfresco Gardens, or outdoor shelters from other cities.

Garrow responded not under the ADA if the place is not accessible to that person, for example. That is what the lawsuit in Laguna Beach is about, particularly with the threat of citation where people are given an alternative to sleep in a shelter where they are deteriorating and decompensating, and then being kicked out because of their behavior, and then being cited again for sleeping public. Garrow said that she doubts problems would be avoided by solely having a designated place for people to sleep at.

Chair Moreno then tried to clarify what Garrow said, and said is what you are saying that even if you designated a corner, even if it is across the street and someone is told to go to that corner, then once it is designated, we are bound by constitutional law.

Garrow said that she did not know about the corner example, but if it is a program where people are forced to go to a shelter because that is the alternative, and it is a city program or within city limits then that becomes a problem. Garrow said she would get back to the Working Group at the next meeting or via email about the constitutionality of saying, you cannot be on this corner but you can be on this corner. Garrow said that she thinks the problem starts when you start bouncing people around. Garrow said she did not think there was good case law on creating particular zones where people cannot be as long as there are other public places where people are allowed to be.

Kevin Sorkin discussed that this point is something he constantly talks about with neighbors, business owners, etc. He said it is very confusing because if you force someone to go somewhere and it is not ADA compliant then a lawsuit will occur and that is very frustrating for tax paying residents. He asked then how is it that the alternative, just to leave people sleeping on the street/park is better. He referenced the Laguna Beach lawsuit by saying that the city was trying to do something, but it is being sued because it was not ADA compliant. He then said that it is very frustrating that the bar is being set so high.

Garrow said that it is not that high.

Kevin Sorkin speaker said to look at where folks are starting, they are sleeping on concrete, so to give them a temperature controlled environment with a cot, four walls, protections, and showers, that in his opinion is a big step up. He said it is a very dissuasive situation when some actions are not good enough. We need intermediate steps.

Chair Moreno said that he agreed that the Constitution is very frustrating at times, but it is the Constitution. Chair Moreno said that that is what the Working Group is trying to figure out while instilling basic humanity.

Burress said that he believes San Francisco now offers transportation to some of their sites, and some of their sites are ADA compliant. Burress asked if the ACLU offers guidance as to what would be acceptable.

Garrow said that she understands the frustration, but as a Working Group, those who are homeless should be viewed as people with rights, the right to a safe place that meets their needs. Garrow said that to think of only a short-term solution that will get people out of the neighborhoods would not be respecting people's rights. Garrow said that no matter what program you have for people experiencing homelessness, they need a clear process by which they can request and obtain accommodations to meet this needs under the ADA. Garrow said then you try the best you can to create a program, but if you have that process in place, where people can exercise their rights, then the program begins to improve because as people make their requests, then the program adjusts.

Bates said that he agreed with that and suggested that the Working Group and the City commit to the process. Bates said that it is challenging as people each has their independent needs and recommends that the work continue to move forward despite all of the tensions amongst different groups. Bates said that the tension can be paralyzing, but he applauds Anaheim for consistently trying to move forward and work with the different constituencies to provide progressive solutions.

Bates then said that it is important to set realistic expectations with policy because so much of the work is with the actual implementation and the implementation can be challenging. Bates recommends having the Working Group create some sort of statement that will commit the sufficient resources to implement these policies and/or acknowledge that these resources do not exist and will therefore need assistance from outside of the City. Bates discussed the difficulties realized when attempting to meet different individuals' needs when implementing programs. Bates said that Housing First suggests that there are additional steps, with housing as the first step and services as the next steps. Bates said that this an appropriate framework to think about for any proposals that will come before the City; meaning that there needs to be an additional service provision that is appropriate for the population you want to address.

Council Member Barnes discussed the importance of defining certain terms, such as chronically homeless and rapid rehousing. Council Member Barnes referenced the Glossary of terms provided to the Working Group. Council Member Barnes would like to adopt this Glossary of terms into the policy in order to ensure that terms are adequately defined. She recommended that the Group look into these terms and their definitions.

Chair Moreno said that was a good suggestion and that clearly articulated criteria should be used to define these terms.

Council Member Barnes asked why a wraparound service on wheels cannot be provided to contact all the parks and address identification cards, Hepatitis A vaccination, etc., so that people can begin receiving services now, while informing people of where services are available. Council Member Barnes said that it is important to take services to the people and that is what she would like to see stipulated in the policy.

Chair Moreno asked for other questions/comments.

Robbins asked if one of the policy proposals could be to fund a project like the one Council Member Barnes discussed.

Council Member Barnes said that we have resources and people are always asking about how they can help. Council Member Barnes said that if those resources could be championed to provide services since they might have their own funding. Council Member Barnes asked if it would come into a county financial responsibility for the care of the county.

Ridge said she agreed that there are a number of nonprofits and that is why the City has been successful with CityNet since that is what they did; they mobilized existing nonprofits who were already providing those types of services.

Council Member Barnes asked who pays for that.

Robbins said that depending on the charities and the services, the word is that they have unstable funding, where funding is sometimes available or sometimes not. Robbins then said that to stabilize these services, there needs to be committed funding, which could come from the City.

Council Member Barnes said what about the Anaheim Community Foundation.

Ridge said that ACF is a nonprofit and they actually have the funds set up under the umbrella that is the Homeless Resource Center and that is one of the things that helps CityNet.

Chair Moreno said that the Working Group needed to start wrapping up and thanked everyone for adjusting his or her calendars until 10:30 a.m.

Chair Moreno reviewed the ideas brought up at the meeting:

1. That the policy framework/recommendation take into consideration questions of basic sanitation and public health;
2. Reviewing policies around confiscation of property and the enforcement of sleeping in public spaces;
3. That they recommend a Housing First Model approach for the policy framework as opposed to stabilization first;

4. Affordable housing;
5. Housing in regards to zoning recommendations, maximizing SB 2 Zones and looking at spaces that are available across the city/county to provide needed shelter, transitional and permanent housing developments across the city so they are not concentrated on one part of the city;
6. Defining the terms and categories clearly both for legal purposes and purposes of clarity and policy, and
7. Provision of services that are constant such as wrap-around services on wheels around the city and that they consider it a budgetary item that gets funded by the City as a way of implementing policies that they may recommend.

Chair Moreno also mentioned looking at the policies of the police department around enforcement and training procedures that they use when they encounter someone in the condition of homelessness. Chair Moreno asked Ridge for a copy of those policies and Ridge advised the policies are on the website.

Chair Moreno said that that is a summary of the suggestions he has noted, but asked if there was anything he missed.

Linda Lehnkering thought it was important to list Housing First and to look at inclusionary zoning changes to the City. She also would like to add to the list of recommendations incentivizing accessory dwelling units and looking at rent stabilization.

Chair Moreno said that summarizes the proposals that have been made so far.

Chair Moreno moved to the next agenda item.

V. WORKING GROUP MEMBER COMMUNICATIONS

Chair Moreno asked if there was anything that the Working Group wanted to communicate.

Burress asked if city staff would have a chance to review some of these proposals to see what is already being done.

Chair Moreno said that he has asked all of the speakers as well as city staff to review any proposals that come about, including Susan Price, City Attorney, Brooke Weitzman, and certainly residents like Angel to review.

Chair Moreno communicated that he agendaized an item on funding for Operation Home Safe at the October 17 Council Meeting.

VI. ADJOURNMENT

There being no further business, the meeting adjourned at 10:30 a.m. to Friday, October 20.