



AGENDA
CITY OF SEASIDE
HOMELESS COMMITTEE

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Thursday, May 23, 2019
6:30 PM

1. CALL TO ORDER

2. ROLL CALL - ESTABLISHMENT OF QUORUM

HOMELESS COMMITTEE

Jessica Hare	Chair
Natalia Molina	Vice Chair
Kenneth Murray	Committee Member
Molly Fittro	Committee Member
Latoya Allen	Committee Member
Merrilyn Mancini	Committee Member
Lynda Cunningham	Committee Member

3. WELCOME AND INTRODUCTION OF NEW COMMITTEE MEMBER

A. WELCOME AND INTRODUCTION OF NEW COMMITTEE MEMBER LYNDIA CUNNINGHAM AND THANK AND RECOGNIZE ALESSANDRO TANI FOR HIS TIME AND SERVICE TO THE COMMITTEE

4. REVIEW OF AGENDA

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

5. PUBLIC COMMENT

Members of the public wishing to address the Committee on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. APPROVAL OF MINUTES

A. APPROVE MINUTES FROM THE APRIL 25, 2019 REGULAR MEETING

7. PRESENTATION

A. PRESENTATION FROM "THE GATHERING"

8. BUSINESS ITEMS

**A. RECOMMEND AMENDMENT AND RESTATEMENT OF ORDINANCE:
CAMPING AND SLEEPING ON PUBLIC PROPERTY AND THE ADDITION OF
ORDINANCE: STORAGE OF PERSONAL PROPERTY ON CITY PROPERTY
AND FORWARD TO CITY COUNCIL FOR APPROVAL.**

RECOMMENDATION: Recommend amendment and restatement of ordinance: Camping and Sleeping on Public Property and the addition of ordinance: Storage of Personal Property on City Property and forward to City Council for approval.

**B. REVIEW AND DISCUSS COMMITTEE NAME CHANGE AND PROPOSED
COMMITTEE CODIFICATION**

RECOMMENDATION: Discuss and provide direction regarding proposed change to the committee name as adopted by the Council and proposed codification of the committee.

**C. RECOMMEND TO CITY COUNCIL THE USE OF BUDGETED FUNDS TO
SERVE THE HOMELESS COMMUNITY.**

RECOMMENDATION: Recommend to City Council the use of budgeted funds from FY19 to serve the homeless community.

9. DISCUSSION

**A. DISCUSSION REGARDING THE MONTEREY COUNTY "SAFE PARKING"
PROGRAM WITHIN THE CITY OF SEASIDE**

RECOMMENDATION: Engage in a discussion pertaining to the Monterey County "SAFE Parking" program within the City of Seaside.

10. REPORTS FROM COMMITTEE MEMBERS

11. REPORTS FROM STAFF

12. ADJOURNMENT

Next Regularly Scheduled Meeting:

June 27, 2019

Seaside City Hall

6:30 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings. City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Live streamed meeting videos as well as videos of past meetings are available on the City's website at: <http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



DRAFT MINUTES

CITY OF SEASIDE
HOMELESS COMMITTEE

REGULAR MEETING
COUNCIL CHAMBER
Thursday, April 25, 2019
6:30 PM

1. CALL TO ORDER

Call to order at 6:31 p.m.

2. ROLL CALL - ESTABLISHMENT OF QUORUM

Present: Murray, Hare, Allen, Fittro and Mancini
Absent: Molina and Tani

3. REVIEW OF AGENDA

Presentation by Monterey County Food Bank cancelled.

4. PUBLIC COMMENT

Bob Oliver working with homeless issue for over 40 years, recently assisted women that got stranded in Seaside with RV. Previous member of the Monterey Art and History Commission. Look for ways to remain perpetual and not diminish importance. Can you share the mission of the Commission? Hare gave brief mission of organization, Fittro stated importance of public input, Murray, important for public to engage.

5. APPROVAL OF MINUTES

A. APPROVAL OF MINUTES FROM THE MARCH 28, 2019 SPECIAL MEETING

Motion: Allen, Second: Murray, unanimous

6. PRESENTATIONS

A. PRESENTATION FRO LILAH HANDLER WITH COMMUNITY HUMAN SERVICES REGARDING THE "SAFE PLACE" PROGRAM

Questions from committee members: Biggest needs: affordable single rooms for youth, funding, towels, hygiene kits, clothes, socks and basic needs.

7. BUSINESS ITEMS

A. APPROVE AND ADOPT 2019-2020 DRAFT WORK PLAN AS FINAL HOMELESS COMMITTEE WORK PLAN

Approved; Motion, Murray, Second Allan, Unanimous

B. ELECTION AND APPOINTMENT OF COMMITTEE OFFICERS TO SERVE DURING 2019-2020

Chair Hare, Vice-Chair: Molina Motion Murray, Second, Allan

8. DISCUSSION

Committee name change; Committee decided not to pursue a name change at this time, item tabled until next meeting, business item for next meeting to take action.

9. REPORTS FROM COMMITTEE MEMBERS

Murray gave update on SAFE Parking program moving to Seaside at no cost to the City. Allan: Homeless Youth Collaboration, shared content of last meeting and that

the Village Project highlighted what they do and shared during meeting, next meeting: May 28th 10:30 to 12:00.

10. REPORTS FROM STAFF

None

11. ADJOURNMENT

7:26 p.m.

Respectfully submitted,

Brian Dempsey, Committee Clerk

Jessica Hare, Chair



**SEASIDE COUNTY SANITATION DISTRICT
STAFF REPORT**

Item No.: 8.A.

TO: Homeless Committee

FROM: Craig Malin, District Manager

BY: Brian Dempsey, Fire Chief

DATE: May 23, 2019

**SUBJECT: RECOMMEND AMENDMENT AND RESTATEMENT OF
ORDINANCE: CAMPING AND SLEEPING ON PUBLIC PROPERTY
AND THE ADDITION OF ORDINANCE: STORAGE OF PERSONAL
PROPERTY ON CITY PROPERTY AND FORWARD TO CITY
COUNCIL FOR APPROVAL.**

PURPOSE

Recommend amendment and restatement of ordinance: Camping and Sleeping on Public Property and the addition of ordinance: Storage of Personal Property on City Property and forward to City Council for approval.

RECOMMENDATION

Recommend amendment and restatement of ordinance: Camping and Sleeping on Public Property and the addition of ordinance: Storage of Personal Property on City Property and forward to City Council for approval.

BACKGROUND

With limited shelter space on the Monterey Peninsula the City of Seaside finds it necessary to amend Seaside Municipal Code Chapter 9.20 relating to camping and sleeping on public property. Furthermore, to strike a balance between the need of residents and the public at large to reasonable, safe access to public spaces and the needs of individuals without access to private spaces to retain access to a limited amount of personal property, the City also finds it necessary to introduce an ordinance that addresses the storage of personal property on City property.

FISCAL IMPACT

None

ATTACHMENTS

1. Chapter 9.20.021 Draft
 2. Chapter 9.21 Draft
 3. Map Aerial Proposed Camping Area
 4. Map of Coastal Zone
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ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE ~~IDEDE~~

AMEND CHAPTER 9.20.021 CAMPING AND SLEEPING ON PUBLIC PROPERTY

THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

Section 1. FINDINGS AND PURPOSE.

- A. The purpose of this Ordinance is to amend the Seaside Municipal Code Chapter 9.20 relating to camping and sleeping on public property. The streets and public areas within the city should be readily accessible and available to residents and the public at large. The use of these areas for camping, purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. Such activity can constitute a public health and safety hazard which adversely impacts neighborhoods and commercial areas. Camping on private property without the consent of the owner, proper sanitary measures and for other than a minimal duration adversely affects private property rights as well as public health, safety and welfare of the city. The purpose of these amendments is to maintain streets, parks and other public and private areas within the city in a clean, sanitary, and accessible condition and to adequately protect the health, safety and public welfare of the community, while recognizing that, subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the city. Nothing in this chapter is intended to interfere with otherwise lawful and ordinary uses of public or private property.

Section 2. AMENDMENT AND RESTATEMENT OF CHAPTER 9.20.021
RELATING TO OVERNIGHT CAMPING OR SLEEPING ON PUBLIC PROPERTY.

9.20.021 It is unlawful for any person or groups of people to camp, sleep, place, erect, or maintain any tent, house trailer, camper or other camping or sleeping paraphernalia of any kind in or on:

(A) Any street, right of way or access at any time; or

(B) Any parking lot, public area or open space, improved or unimproved; provided however, that no person shall be in violation of this section (B) unless (i) The person is informed of the whereabouts of homeless shelters within a reasonable proximity; (ii) Such shelter is actually available to such person; and (iii) Such person willingly refuses to stay in such shelter.

(C) On any public property between the hours of 7:00 a.m. and 7:00 p.m.

ORDINANCE NO. XXXX
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE
ADDING CHAPTER 9.21 STORAGE OF PERSONAL PROPERTY ON CITY PROPERTY

THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

Section 1. FINDINGS AND PURPOSE.

- A. The purpose of this Ordinance is to amend the Seaside Municipal Code to add a new chapter addressing the storage of personal property on public property to protect the health, safety, and welfare of the community and also recognize that there are members of the community without access to private spaces that need to retain access to a limited amount of private property. This Ordinance ensures the public areas within the city, including streets, sidewalks, parks, public buildings, and public land, be readily accessible and available to residents and the public at large for use in a safe and healthy manner while recognizing the needs of individuals without access to private spaces to sleep and be able retain access to a limited amount of personal property while doing so.

Nothing in this article is intended to interfere with otherwise lawful and ordinary uses of public or private property.

Section 2. ADDING CHAPTER 9.21 STORAGE OF PERSONAL PROPERTY ON CITY PROPERTY
SECTION 9.21.010 Definitions.

The definitions contained in this subsection shall govern the construction, meaning, and application of words and phrases used in this chapter.

- (a) ☐ "Administrative procedure" means the city's administrative procedure for the removal of personal property.
- (b) ☐ "Bulky item" means any item, with the exception of a constructed tent, operational bicycle or operational walker, crutch or wheelchair, that is too large to fit into a ninety-gallon container with the lid closed, including, but not limited to, a shed, structure, mattress, couch, chair, other furniture or appliance. A container with a volume of no more than sixty gallons used by an individual to hold his or her personal property shall not in itself be considered a bulky item.
- (c) ☐ "City property" means any real or personal property owned or controlled by the city and includes, but is not limited to, any publicly-owned park, building, street, sidewalk, way, path, alley, park, parking lot or other public property owned or controlled by the city and located within the city of Seaside.
- (d) ☐ "Excess personal property" means any and all personal property that cumulatively exceeds the amount of property that could fit in a 90-gallon container with the lid closed.
- (e) ☐ "Person" means any individual, group, business, company, corporation, joint venture, partnership or other entity or association composed of two or more individuals.
- (f) ☐ "Personal property" means any and all tangible property, and includes, but is not limited to, goods, materials, merchandise, tents, tarpaulins, bedding, sleeping bags, hammocks, and personal items such as luggage, backpacks, clothing, documents, medication, and household items.
- (g) ☐ "Store", "stored", "storing" or "storage" means to put personal property aside or accumulate for use when needed, to put for safekeeping, and/or to place or leave in a

public area. Moving personal property to another location in a public area or returning personal property to the same block on a daily or regular basis shall be considered storing and shall not be considered to be removing the personal property from a public area. This definition shall not include any personal property that, pursuant to statute, ordinance, permit, regulation or other authorization by the city or state, is stored with the permission of the city or state on real property that is owned or controlled by the city.

- (h) ☐ "Tent" means any tent, as that term is generally understood, and also includes any tarpaulin, cover, structure or shelter, made of any material which is not open on all sides and which hinders an unobstructed view behind or into the area surrounded by the tarpaulins, cover, structure or shelter.
- (i) ☐ "Unattended" means no person is present with the personal property who asserts or claims ownership over the personal property. Conversely, property is considered "attended" if a person is present with the personal property and the person claims ownership over the personal property.

SECTION 9.21.020 Regulation, impoundment, and discarding of stored personal property.

- (a) ☐ No person shall store any unattended personal property on city property. With pre-removal notice as specified in Chapter 9.21.030(a), the city may impound any unattended personal property stored on city property regardless of volume. Post-removal notice shall be provided as set forth in Chapter 9.21.030(b).
- (b) ☐ No person shall store any attended excess personal property in a public area. With pre-removal notice as specified in Chapter 9.21.030(a), the city may impound any unattended personal property stored on city property regardless of volume. Post-removal notice shall be provided as set forth in Chapter 9.21.030(b).
- (c) ☐ No person shall store any personal property on city property in such a manner that it does not allow for passage as required by the Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), as amended from time to time (ADA). Without prior notice, the city may move and may immediately impound any personal property, whether attended or unattended, stored in a public area in such a manner that it does not allow for passage as required by the ADA. Post-removal notice shall be provided as set forth in Chapter 9.21.030(b).
- (d) ☐ No person shall store any personal property on city property within ten feet of any operational and utilizable entrance, exit, driveway or loading dock. Without prior notice, the city may move and may immediately impound any personal property, whether attended or unattended, stored in a public area within ten feet of any operational and utilizable entrance, exit, driveway or loading dock. Post-removal notice shall be provided as set forth in Chapter 9.21.030(b).
- (e) ☐ No person shall store personal property on city property that has a clearly posted closure time at any after the posted closure time. Without prior notice, the city may remove and impound personal property, whether attended or unattended, stored on city property that has a clearly posted closure time, provided the personal property is removed and impounded after the posted closure time. Post-removal notice shall be provided as set forth in Chapter 9.21.030(b).
- (f) ☐ No person shall store personal property on city property that has been noticed for a cleanup pursuant to Seaside Municipal Code Chapter 9.21.030(c). Without additional notice to that notice required by Seaside Municipal Code Chapter 9.21.030(c), the city may remove and impound personal property, whether attended or unattended, stored on city property that has been noticed for a cleanup, provided the personal property is removed and impounded during the time of the noticed cleanup or within twenty-four

hours following any noticed cleanup. Post-removal notice shall be provided as set forth in Chapter 9.21.030(b).

- (g) ☐ No person shall store any personal property on public property if the personal property, whether attended or unattended, constitutes an immediate threat to the health or safety of the public. Without prior notice, the city may remove and may discard any personal property stored in a public area if the personal property poses an immediate threat to the health or safety of the public.
- (h) ☐ No person shall store any personal property in a public area if the personal property, whether attended or unattended, constitutes an evidence of a crime or contraband. Without prior notice, the city may remove and may discard any personal property that constitutes evidence of a crime or contraband, as permissible by law.
- (i) ☐ No person shall store any bulky item on city property. Without prior notice, the city may remove and may discard any bulky item, whether attended or unattended, stored in on city property unless the bulky item is designed to be used as a shelter. For any bulky item that is designed to be used as a shelter, but does not constitute a Tent as defined in Chapter 9.21.010, with pre-removal notice as specified in Chapter 9.21.030, the city may remove and discard the bulky item, whether attended or unattended. If the bulky item violates another subsection herein, even if it is designed to be used as a shelter, the city may remove, impound, or discard the bulky item pursuant to that subsection.

SECTION 9.21.030 Notices.

- (a) ☐ Pre-Removal Notice. Pre-removal notice shall be deemed provided if a written notice is provided to the person who is storing or claims ownership of the personal property, or is posted conspicuously on or near the personal property and the actual removal commences no more than seventy-two hours after the pre-removal notice is posted. The written notice shall contain the following:
 - (1) ☐ A general description of the personal property to be removed.
 - (2) ☐ The location from which the personal property will be removed.
 - (3) ☐ The date and time the notice was posted.
 - (4) ☐ A statement that the personal property has been stored in violation of Seaside Municipal Code Chapter 9.21.020.
 - (5) ☐ A statement that the personal property may be impounded if not removed from public areas within twenty-four (24) hours.
 - (6) ☐ A statement that moving personal property to another location in a public area shall not be considered removal of personal property from a public area.
 - (7) ☐ The address where the removed public property will be located, including a telephone number and the internet website of the city through which a person may receive information as to impounded personal property as well as information as to voluntary storage location(s).
 - (8) ☐ A statement that impounded personal property may be discarded if not claimed within ninety (90) days after impoundment.
- (b) Post-Removal Notice. Upon removal of stored personal property, written notice shall be conspicuously posted in the area from which the personal property was removed. The written notice shall contain the following:
 - (1) ☐ A general description of the personal property removed.

- (2) ☐ The date and approximate time the personal property was removed.
- (3) ☐ A statement that the personal property has been stored in violation of Seaside Municipal Code Chapter 9.21.020.
- (4) ☐ The address where the removed personal property will be located, including a telephone number and internet website of the city through which a person may receive information as to impounded personal property.
- (5) ☐ A statement that impounded personal property may be discarded if not claimed within ninety days after impoundment.

(c) Notice of cleanup of public property. It may be necessary to periodically close public property for cleaning and removal of accumulated garbage, refuse, hypodermic needles, and debris. The city council shall approve, by resolution, a form and procedure the promulgation of public notice for the closing of public property for such cleanings. No more than one fourth of the sidewalks in the city shall be closed for cleaning on any one day.

SECTION 9.21.040 Storage, disposal, and repossession of impounded property.

- (a) ☐ Except as specified herein, the city shall move impounded personal property to a place of storage.
- (b) ☐ Except as specified herein, the city shall store impounded personal property for ninety days, after which time, if not claimed, it may be discarded. The city shall not be required to undertake any search for, or return, any impounded personal property stored for longer than ninety days.
- (c) ☐ The city shall maintain a record of the date any impounded personal property was discarded.
- (d) ☐ The owner of impounded personal property may repossess the personal property prior to its disposal upon submitting satisfactory proof of ownership. A person may establish satisfactory proof of ownership by, among other methods, describing the location from and date when the personal property was impounded from a public area, and providing a reasonably specific and detailed description of the personal property. Valid, government-issued identification is not required to claim impounded personal property.

SECTION 9.21.050 Ban on attachments to public and private property.

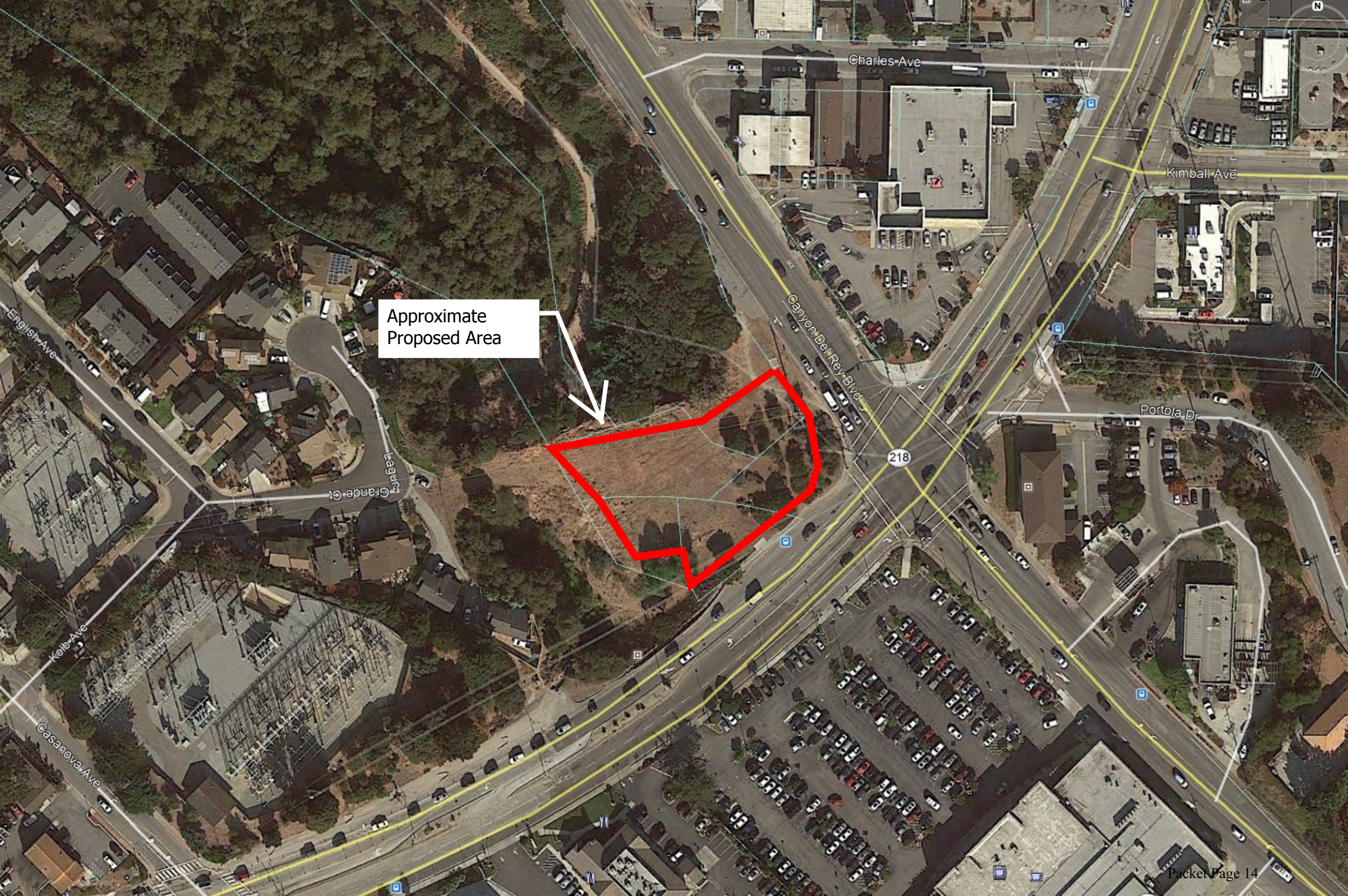
- (a) ☐ Public Property. No person shall erect any barrier against or lay string or join any wires, ropes, chains or otherwise attach any personal property to any public property, including, but not limited to, a building or portion or protrusion thereof, fence, bus shelter, trash can, mail box, pole, bench, news rack, sign, tree, bush, shrub or plant, without the city's prior written consent.
- (b) ☐ Private Property. No person shall erect any barrier against or lay string or join any wires, ropes, chains or otherwise attach any personal property to any private property in such a manner as to create an obstruction on or across any street or area where the public may travel.
- (c) ☐ Removal. Without prior notice, the city may remove any barrier, string, wires, ropes, chains or other attachment of personal property, whether attended or unattended, to any public property, or to any private property which creates an obstruction to any street or area where the public may travel.

SECTION 9.21.060 Illegal dumping.

Nothing herein precludes the enforcement of any law prohibiting illegal dumping.

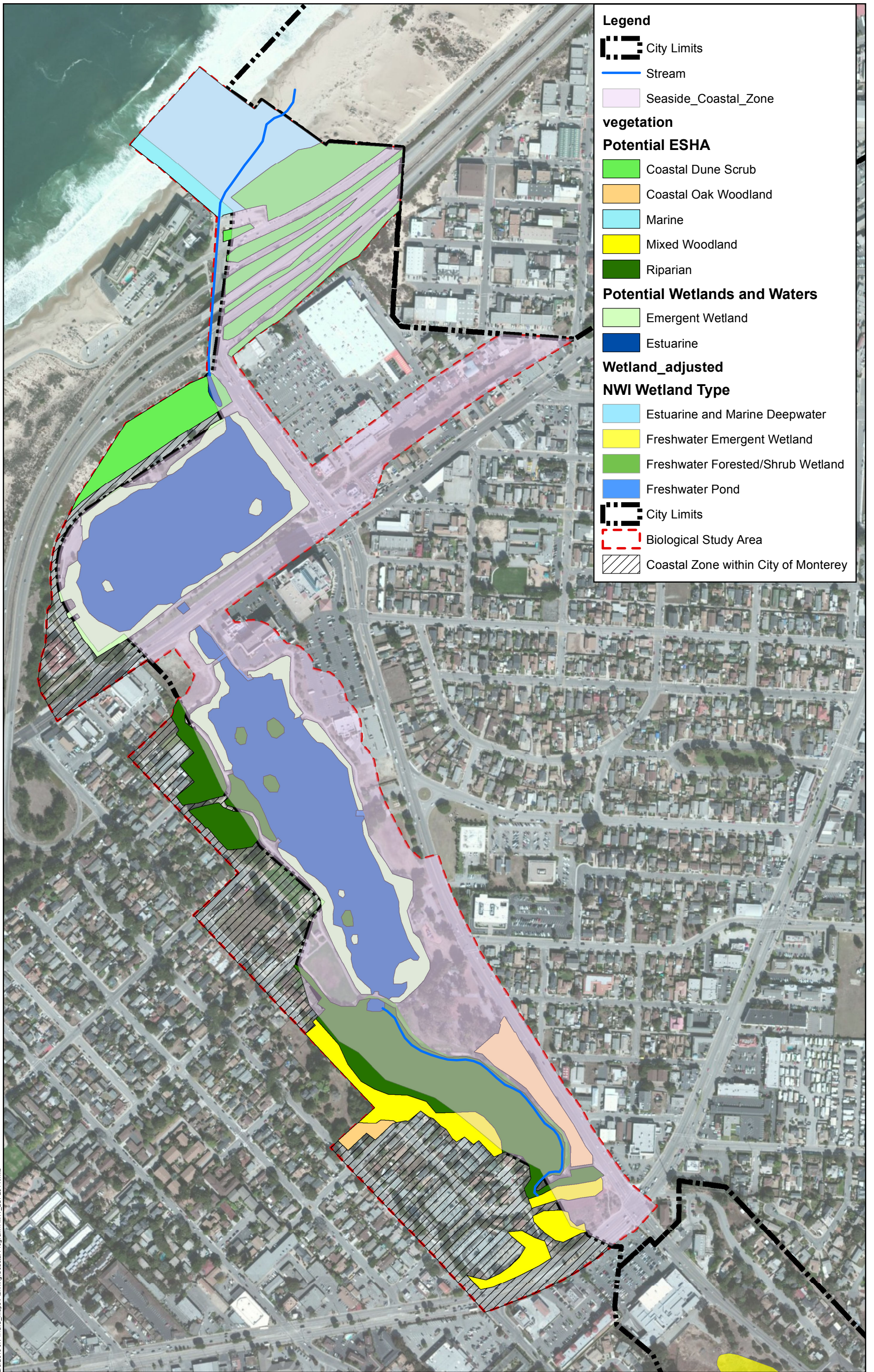
SECTION 9.21.070 Unlawful conduct.

- (a) ☐ No person shall willfully resist, delay or obstruct a city employee from moving, removing, impounding or discarding personal property stored on city property in violation of Seaside Municipal Code Chapter 9.21 Section 9.21.020.
- (b) ☐ No person shall refuse to take down, fold, deconstruct or otherwise put away any tent erected or configured between the hours of 7:00 a.m. and 7:00 p.m., in violation of Seaside Municipal Code Chapter 9.21.020, or willfully resist, delay or obstruct a city employee from taking down, folding, deconstructing, putting away, moving, removing, impounding or discarding the tent, including by refusing to vacate or retreat from the tent.
- (c) ☐ No person shall refuse to remove any barrier, string, wire, rope, chain or other attachment that violates Seaside Municipal Code Chapter 9.21.050, or willfully resist, delay or obstruct a city employee from deconstructing, taking down, moving, removing, impounding or discarding the barrier, string, wire, rope, chain or other attachment, including by refusing to vacate or retreat from an obscured area created by the attachment.
- (d) ☐ No person shall willfully resist, delay or obstruct a city employee from removing or discarding a bulky item stored in violation of Seaside Municipal Code Chapter 9.21.020, including by refusing to vacate or retreat from within the bulky item or from an obscured area created by the bulky item.
- (f) ☐ A violation of Seaside Municipal Code Chapter 9.21.060 prohibiting illegal dumping.



Approximate
Proposed Area

2/5/2015 JN T:\GIS_maps\Planning\Coastal Program\11x17_LCP2014.mxd



0

1,250

2,500

Feet

Source: PMC

CITY OF SEASIDE
LCP 2014

Exhibit
Packet Page 15



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 8.C.

TO: Homeless Committee

BY: Brian Dempsey, Fire Chief

DATE: May 23, 2019

SUBJECT: RECOMMEND TO CITY COUNCIL THE USE OF BUDGETED FUNDS TO SERVE THE HOMELESS COMMUNITY.

PURPOSE & RECOMMENDATION

Recommend to City Council the use of budgeted funds from FY19 to serve the homeless community.

BACKGROUND

The fiscal year 2019 budget included \$60,000.00 in funds for the Homeless Committee to make recommendation to City Council for projects that serve the homeless community. City Council approved expending \$50,000.00 for two projects, \$10,000.00 remains for expenditures prior to June 30, 2019.

ATTACHMENTS

None
