

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Lisa L. Kim
Dept: City Manager

From: Omar Sandoval
Dept: City Attorney
Date: 10/22/2024

Subject: Introduction and First Reading of an Ordinance adding Chapter 8.96 to the Municipal Code pertaining to camping on public places and interfering with public access.

Entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
ADDING CHAPTER 8.96 TO TITLE 8 OF THE GARDEN GROVE MUNICIPAL CODE
PERTAINING TO CAMPING ON PUBLIC PLACES AND INTERFERING WITH
PUBLIC ACCESS. (Action Item)

OBJECTIVE

For the City Council to introduce and pass to second reading an ordinance adding Chapter 8.96 to Title 8 of the Garden Grove Municipal Code pertaining to camping on public places and interfering with public access.

BACKGROUND

For the past few years, City residents and business owners have expressed concern that access to public and private property is being impeded or prevented by persons storing their personal items, camping or using the public rights of way or other public places to create encampments. This activity includes the storage of unattended personal property on public places which creates a safety and security risk to the public as it can create tripping hazards, impact a person's line-of-sight, and create other health and safety risks related to the accumulation of trash, food waste, human waste, and contaminated medical waste. The presence of unauthorized encampments has further been associated with increased criminal activity, including theft, vandalism, damage to property, noise violations, littering, prowling, trespassing, fires, and drug-related offenses, thereby undermining public health and safety.

DISCUSSION

The prohibitions under the ordinance

The attached ordinance will prohibit camping on public places and prohibit interfering with public access to public places to mitigate the health and safety concerns created by such activity.

For purposes of the ordinance, public places include various locations on public property, including streets, alleyways, sidewalks, medians, parkways, driveways, right of ways, public restrooms, public benches, bus benches or bus shelters, parks, open space, storm drains, public buildings or parking lots.

In addition, the ordinance will prohibit camping in locations where it would obstruct or impede passage for disabled persons; within 20 feet of an entrance or exit to any building, establishment, retail store, restaurant, office building or other place into which the public is invited; within 20 feet of an ATM or any door or entrance that provides access to the automatic teller machine; within 250 feet of a public or private school or day care center; or in a manner that unreasonably interferes with the use of the public right of way by motor vehicles, pedestrians or bicycles.

The ordinance will further authorize the City to remove unattended or abandoned personal property, subject to procedures that may be adopted by the City Council by resolution, or subject to retrieval for a period of up to 90 days.

Enforcement

While the predominant public perception is that individuals living in encampments have no place to go, the City's experience indicates that not every individual in an encampment is seeking permanent lodging or shelter. For those that do seek shelter, the City has implemented multiple programs in line with its *2021 Comprehensive Strategic Plan to Address Homelessness (CSPA)*. For example, the Garden Grove Police Department has a Special Resource Team (SRT) consisting of officers that are especially trained to serve the unsheltered community and those affected by mental health conditions. The SRT leads street outreach, connects unsheltered individuals to supportive services and housing resources, and helps advance the City's homeless assistance programs towards effective implementation through partnerships with Be Well Orange County, Moving Forward, and CalOptima Health.

Since 2021, deployment of the Be Well OC mobile mental health units in the City provides mental health services for all Garden Grove residents, including homeless individuals. The Be Well OC Garden Grove *Mobile Response Team* provides in-community assessment and stabilization of individuals experiencing substance abuse, psychological crises, and homelessness.

In 2022, the City also partnered with Moving Forward, a homeless outreach and mental health agency that provides *weekly street outreach* to homeless individuals. Moving Forward maintains ongoing case management to include access to the countywide Homeless Management Information System, which assists in housing homeless individuals seeking shelter options.

In 2023, the City partnered with CalOptima Health and Healthcare in Action to establish the County's *first street medicine pilot program*. CalOptima is the largest health insurer in the

County of Orange and provides health insurance to lower income individuals in the County. Healthcare in Action is an organization that serves patients experiencing homelessness through an innovative "street medicine" approach by contracting with Medicare and Medicaid health plans as well as hospitals and health systems. Through a contract with CalOptima, Healthcare in Action provides primary care to up to 200 CalOptima Health members using a medical van to canvas the Garden Grove community and reach members living in public places, under freeways, and other unsheltered spaces. Services include primary care, behavioral health, case management, and expanded whole-person care resources now available through CalAIM, a state initiative offering a new set of Medi-Cal benefits that includes housing services. Through the success of the street medicine pilot program in Garden Grove, CalOptima expanded its street medicine program in the cities of Anaheim and Costa Mesa this year. The City continues its collaboration with CalOptima towards implementation of Phase 2 to develop a *Street Medicine Support Center* (a service-enriched temporary supportive housing facility) focused on providing individuals enrolled in the Street Medicine Program with both continued medical wrap-around services. The support center in Garden Grove will prioritize families, women, older adults, and veterans.

Furthering the CSPAH through partnership with the Cities of Fountain Valley and Westminster, and the County, the City opened the *Central Cities Navigation Center (CCNC)* in June this year. The CCNC is a low-barrier transitional, emergency facility, with in-house services to provide emergency housing and wrap-around services to individuals experiencing homelessness in the City. The CCNC has 85 beds, a full kitchen, laundry facilities, on-site lockers for personal items, as well as staff to provide one-on-one case management, mental health and stabilization services and resources, service animals and pet accommodations, education services, employment assistance, and shuttle services, among other services. The City has contracted with Volunteers of America, a street outreach services nonprofit agency to manage the CCNC.

The foregoing services are in addition to *homeless prevention services* provided by the Garden Grove Housing Authority and other public and private agencies operating in the City, including 2-1-1 Orange County, Interval House, Mercy House, Illumination Foundation, and Thomas House Family Shelter.

The City will continue to provide the foregoing programs and services and intends to enforce the new regulations prohibiting encampments in a humane way, first by offering assistance to any individual who wishes to accept it. The proposed regulations are still necessary due to the City's experience with many individuals who prefer not to accept services and prefer to engage in dangerous and unhealthy activities that include drug use that further leads to other health problems not only to themselves but also to the surrounding community.

Due to the establishment of encampments by individuals who rather not accept the services provided by the programs being implemented by the City, County and other agencies, the GGPD has seen calls for service related to individuals residing in encampments increase by over 49% since 2017. The GGPD has also seen an increase in crimes committed by these individuals and are finding that nearly 50-60% of all petty crime and theft are committed by individuals residing in encampments.

The City has also seen an increase in open air drug use, most notably the use of fentanyl, an extremely potent and often deadly narcotic. Calls for service for narcotics overdoses have increased over 100% from 2018, and overdose deaths have increased nearly 40% since 2018. A large majority of individuals who overdose are residents or individuals who loiter around encampments.

Additionally, the City has experienced an increase of fires started at encampments that grow out of control and threaten the health and safety of the individuals within the encampment, as well as the homes and businesses nearby. On multiple occasions, homes and businesses have caught fire, causing large amounts of damage.

FINANCIAL IMPACT

There is no financial impact to adopt and enforce the proposed ordinance.

RECOMMENDATION

It is recommended that the City Council:

- Introduce and conduct the first reading of the ordinance adding Chapter 8.96 to the Municipal Code pertaining to camping on public places and interfering with public access, and pass it to second reading.

ATTACHMENT(S)

1. Ordinance