

## REPORT TO THE CITY COUNCIL

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**DATE:** March 15, 2016

**TITLE:** Letter of Opposition for Senate Bill 876 (Liu) - Enforcement of Local Ordinances (Homelessness)

**Sponsored by:** Scott Matas, Mayor

**Prepared by:** Jerryl Soriano, City Clerk

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### RECOMMENDATION

**Authorize the Mayor to sign a letter in opposition to SB 876 (Liu) - Local Enforcement of Ordinances.**

### BACKGROUND / DISCUSSION

Senate Bill number 876, introduced by Senator Liu, would preempt local authority to address important issues affecting public health and safety in public spaces and on private property that is held open to the public, including but not limited to, plazas, courtyards, parking lots, sidewalks, public transportation facilities, public buildings, shopping centers and parks. In such areas, homeless individuals would be empowered to occupy such spaces indefinitely, including with tents and other shelter, while reducing access to all other members of the public.

Despite this bill being well-intended, SB 876 (Liu) would not solve the challenges of homelessness in our state and within our communities. The bill contains no solutions for homelessness. It offers no new programs, no funding for housing, and no effort to improve services. In fact, the bill (Exhibit 1) on page 3, line 19, specifically states, "Passing this Act will not reduce homelessness." Instead, it creates a special set of exemptions and privileges for one group of people and undermines the equal applicability of laws. Local agencies must continue to be able to protect the public, health, safety and welfare of their communities, and this measure will not make a positive impact in the effort to address chronic homelessness.

The key to getting people off of the streets is to provide more resources: permanent housing beds and accompanying social services, such as mental health treatment, job training, addiction counseling, etc. Cities and other local agencies need more funding and flexibility to provide these proven programs. Additionally, these services should be provided as a coordinated effort.

Removing local enforcement authority as proposed in SB 876 will do nothing to help the problem, and would actually undermine existing efforts. Removing local authority would also remove incentives for some chronically homeless to take advantage of existing resources and services being offered. For example, some local jurisdictions host legal clinics where homeless clinic participants can have citations and related fines removed from their records in exchange for community service and for taking advantage of housing and other services.

While we oppose this measure's approach, the League of California Cities has analyzed other proposals in great detail that are committed to supporting efforts across the State and in our communities that address the homeless issue in a constructive manner.

One such proposal is Senator de León's recent "No Place Like Home" proposal which will provide much needed funding for housing for the mentally ill homeless, and augmentations to existing shelter resources. Such an effort helps develop resources to provide affordable housing and services to actually serve our chronically homeless and help them get off of the streets.

### FISCAL IMPACT

There is no fiscal impact as a result of this action.

**EXHIBIT(S):**

- 1) Text of SB 876 (Liu)
- 2) League of California Cities – Action Alert SB 876 (Liu)
- 3) Draft Letter of Opposition