

**RESOLUTION NO. 2022-59**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS AUTHORIZING A THREE-YEAR EXTENSION OF THE SAFE PARKING PROGRAM AT THE ENCINITAS COMMUNITY AND SENIOR CENTER LOCATED AT 1140 OAKCREST PARK**

WHEREAS, the San Diego Regional Task Force on Homelessness 2019 Point-In-Time Count found that there were 1,975 homeless individuals residing throughout North County, of which 354 are living out of their vehicles;

WHEREAS, the San Diego Regional Task Force on Homelessness 2020 Point-In-Time Count found that there were 1,191 homeless individuals residing throughout North County, of which the number living out of their vehicles is unknown;

WHEREAS, in Encinitas the 2020 Point-In-Time Count was 65 (18 sheltered, 47 unsheltered), 2019 Point-In-Time Count was 120 (41 sheltered, 79 unsheltered) and the 2018 Point-In-Time Count was 125 (39 sheltered, 86 unsheltered of which 51 were living out of their vehicles);

WHEREAS, the San Diego Regional Task Force on Homelessness did not conduct a Point-In-Time Count in 2021 due to COVID;

WHEREAS, the Community Resource Center (CRC), the City's largest homeless services provider, served 755 households (1,291 persons) experiencing homelessness in fiscal year 2020-21;

WHEREAS, the Homeless Outreach Program for Empowerment (HOPE) Social Worker, contacted 167 individuals in fiscal year 2020-21;

WHEREAS, individuals without shelter are at risk of injury and harm due to exposure to the elements and due to other health safety and welfare related circumstances and consequences associated with living outdoors;

WHEREAS, such individuals generally camp or lodge overnight on or in City parks, sidewalks, parking lots, and beaches leading to conditions that are in some cases unsanitary for individuals experiencing homelessness and for those visiting our using these City parks, sidewalks, parking lots, and beaches;

WHEREAS, the effects and impacts of such camping and lodging activates have an adverse effect on the health and safety of the people in the City, including the population of individuals experiencing homelessness and the public at large;

WHEREAS, on October 17, 2018, the City Council of the City of Encinitas adopted Resolution No. 2018-85 declaring a shelter crisis pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code 8698.2) in the City of Encinitas;

WHEREAS, on September 25, 2020 the Governor signed AB 2553 Shelter Crisis Declarations modifying Government Code Section 8698.4 allowing for local jurisdictions to adopt reasonable local standards by ordinance when strict compliance with state and local standards or laws in existence at the time of that adoption would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis;

WHEREAS, AB 2553 revised the definition of a "homeless shelter" to include a parking lot allowed for safe parking by homeless or unstably housing individuals;

WHEREAS, the City Council adopted the Homeless Action Plan on February 24, 2021, which sets forth goals, implementable strategies, measurable outcomes, and identifies potential partners, and funding opportunities to address the shelter crisis including the development of homeless shelters, permanent supportive housing, and plan to transition residents from homeless shelters to permanent housing;

WHEREAS, the City of Encinitas is committed to addressing homelessness as identified in the programs and objectives of the Housing Element and Consolidation Action Plan FY2020-25;

WHEREAS, the Jewish Family Service has received Homeless Housing Assistance and Prevention ("HHAP") funds from the San Diego Regional Task Force on Homelessness to establish a Safe Parking Program which provides a safe environment for unsheltered homeless individuals living out of their vehicles and resources and services to help them stabilize and transition back into permanent housing;

WHEREAS, the Encinitas Community and Senior Center property located at 1140 Oakcrest Park Drive is a City facility;

WHEREAS, it is in the public's interest for a public facility to be used for the operation of the Safe Parking Program;

WHEREAS, the Shelter Crisis Law provides that a local jurisdiction may suspend regulatory statutes to the extent the statutes would in any way prevent, hinder or delay the mitigation of the effects of the Shelter Crisis;

WHEREAS, the Encinitas Community and Senior Center is zoned for open space or park use;

WHEREAS, it is necessary and in the public interest to suspend the use restriction in order to implement the Safe Parking Program;

WHEREAS, the City Council finds that the Safe Parking Program will be operated at a City designated public facility and will be operated without interference with the administration of the City;

WHEREAS, the terms, conditions, and requirements of the Use Agreement with JFS will ensure that the Safe Parking Program will be operated in a manner which will not adversely impact the Encinitas community;

WHEREAS, the Safe Parking Program will be operated in a location and manner which does not constitute "development" pursuant to the California Coastal Act (Public Resources Code section 30106) and will not have any impacts to coastal resources and a Coastal Development Permit was obtained for the use of a temporary trailer onsite;

WHEREAS, the California Environmental Quality Act does not apply to actions taken by the City of Encinitas to allow for a homeless shelter allowed by Government Code Section 8689.4; and

WHEREAS, on September 29, 2021 and October 13, 2021, the City Council held duly noticed public meetings and considered the entire record, as well as, public comment, an approved Resolution No. 2021-89 authorizing the City Manager to execute the Use Agreement with Jewish Family Service;

WHEREAS, Jewish Family Service submitted monthly reports on the Safe Parking Program and no major issues were reported; and

WHEREAS, on June 15, 2022, the City Council held a duly noticed public meeting and considers the record and public comments for this action.





NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Encinitas that:

1. Based upon the evaluation, the City Council approves the extension of the Use Agreement for an additional three-year period ending June 30, 2025, subject to approval of extension of the Homeless Housing Assistance and Prevention grant funding;
2. The City Manager is hereby authorized to execute the Use Agreement with JFS.
3. Staff shall provide regular reports on the Safe Parking Program data that shall be made publicly available.
4. Staff shall provide written quarterly reports for City Council review. Such reports shall contain information consistent with monthly reports submitted to the City of Encinitas by Jewish Family Services.

PASSED, APPROVED AND ADOPTED this 15<sup>th</sup> day of June 2022 by the City Council of the City of Encinitas, State of California.

**APPROVED:**

  
Catherine S. Blakespear, Mayor 

**ATTEST:**

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Kathy Hollywood, City Clerk

**APPROVED AS TO FORM:**

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Tarquin Preziosi, City Attorney

**CERTIFICATION**

I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing Resolution was adopted at a meeting of the City Council on this 15<sup>th</sup> day of June, 2022 by the following vote:

AYES:	<b>Blakespear, Hinze, Kranz, Lyndes, Mosca</b>
NOES:	<b>None</b>
ABSENT:	<b>None</b>
ABSTAIN:	<b>None</b>

DocuSigned by:



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Kathy Hollywood, City Clerk