



Administrative Report

DISCUSSION ITEM

TO: HONORABLE CITY COUNCIL

FROM: Mark Scott, Interim City Manager

DATE REPORT

PREPARED: September 19, 2023

MEETING DATE: September 26, 2023

SUBJECT: Discussion and Possible Budget Allocation relating to Strategies for Management of the City Hall Campus, including Maintenance of Habitat and Public Safety, and Policies and Public Services for the Community Gardens and the Unhoused Resident Population

Recommendation:

That the City Council discuss the broad topic of managing City Hall Campus property assets and direct the City Manager and City Attorney on further steps desired at this time.

Discussion:

The City owns the roughly 8 acres of property that houses the City Hall, Kent Hall and the Finance Department offices. The site currently also serves 2 pickleball courts, a community garden and somewhere between 20-35 unhoused persons who have been camping there for some time without permit or regular supervision. There are also natural features, including a creek and wetlands on the site that are felt to be worthy of protection.

Development of strategies for managing this property asset was ranked as the top priority by the City Council at the August 30 Priorities Workshop. The pickleball courts are subject of a different high priority task, so will not be addressed in this report.

In addressing this property, there are several objectives that drive the need for action:

- Fiduciary responsibility of the City as landlord and resource steward
- Maintenance of public safety
- Maintenance of a natural habitat
- Opportunity to expand public services (i.e., the community garden, environmental education, future establishment of public buildings, etc.)
- Legal and humanitarian concerns about the rights and needs of the unhoused.

Options for Action:

It would seem to be obvious that this property represents a significant community asset, and the City clearly needs to take a more proactive role in addressing our landlord/fiduciary

stewardship. As such, maintaining the status quo (i.e., no strategy) does not seem realistic and will only result in compounded problems for the City and community. Efforts to maintain the habitat, support the community garden, and provide for public safety all seem to be dependent on addressing the unplanned, unsupervised and growing encampment of unhoused individuals. For that reason, the remainder of this report addresses how the City might take positive steps to address those needs.

The plight of homelessness is certainly not a unique Ojai problem. This is a truly a global challenge, exacerbated in California by housing inaffordability, the COVID pandemic, and the shortage of mental health resources and temporary housing options. Longer term solutions require local, regional and statewide efforts to provide housing and wrap-around services to serve the unhoused and to reach housed individuals before they become homeless.

With assistance from Ventura County Continuum of Care Coordinator Jennifer Harkey, there is a very admirable effort being advanced by local citizens (Ruth Miller, George Gaines, Betsy Vanliet and others) to secure grant funding that would allow development of physical housing (transitional and permanent) for some percentage of Ojai's growing unhoused population. We invite those citizens to speak to this issue as part of the City Council discussion.

Efforts to build new housing is critical but takes time. There is need to advance a variety of opportunities for this purpose, most likely as nonprofit enterprise. Beyond traditional solutions, part of the City's strategy needs to be identification of lesser common opportunities and affirmative efforts to make it easier to realize those solutions. In other cities, such opportunities have included supervised encampments with services available on-site, adaptive reuse of converted older physical structures (such as hotels and even office buildings), building "tiny houses" and "tiny shelters," building ADUs on church properties or even private properties, expanding rescue missions, etc. Sometimes the solutions are not housing – perhaps job training, addiction treatment, mental health care, or reconnecting people to their families. Options that used to be dismissed out of hand are becoming more common.

Short-term Strategy:

While all of the above is critical, the City faces a very rapidly growing emergency on the City Hall campus. The numbers of campers is growing, perhaps due to cooler weather and perhaps because there is a sense among the unhoused population that it is a safer place for unhoused people to set up camp. In any case, there is an urgency because the site has limitations and because history would suggest that uncontrolled growth of unsupervised campers on a site may lead to serious health and safety problems. This suggests one of two strategies that have been used by cities throughout the country:

The **first alternative** (not recommended) would be to make efforts to remove the encampment -- to do so legally and with referrals to services that they may need. This approach has sometimes become necessary when growth of campers grows out of control, where dangerous public health conditions have spiked or crime incidents have made the encampments unsafe.

Federal law makes it very challenging to implement this strategy. Given that the current encampment is on public property, the City would need to identify to displaced campers alternative locations within the area where they may obtain immediate housing, and the City would need to provide storage for possessions left behind. This strategy tends to move a problem without solving it. It becomes harder to maintain connections with unhoused people for whom service plans have been initiated. There is also a trust factor that gets broken. Local advocates for the unhoused often object strongly to this approach and litigation is common.

The second alternative (which is recommended here) is to fund resources to begin supervising and improving the safety of the encampment. This strategy is certainly not without major challenges, but is more realistic and hopeful in many respects.

Ideally, the City would fund a position (a contract employee perhaps) who has experience both in working with unhoused populations and in organizing volunteer, nonprofit and governmental programs. In other words, we would be looking for an extraordinary individual who is capable of significant organization in “enterprises of the heart.” Sometimes this resource is found in a simple contract with an individual. Sometimes it is found through a nonprofit that provides this type of service in other communities. The challenge will be finding this person (or people),

The task at hand would be to:

- fully appraise the current situation
- to establish and enforce limits on future growth
- to create a site map identifying boundaries for camping
- to establish basic camp rules (recognizing that unhoused populations are sometimes resistant to rules)
- to coordinate with County Continuum of Care staff and local Sheriff’s Office personnel who specialize in this function
- to coordinate on-site service provisions, including moving portions of the encampment within the site as needed, and to assist residents who need off-site assistance
- to seek and organize volunteer efforts (which can be very challenging)
- and to be a resource for the City in coordinating other regional efforts.

The intention is to organize the current campsite and make it more sanitary and comfortable in certain respects. As interim steps, additional portable restroom facilities are being ordered, as well as hand-washing stations. We will attempt to arrange for shower equipment to be brought to the site perhaps weekly. In return, we would intend to enforce some basic health, safety, sanitation, environmental protection and community stability rules. The City, through this new position, would seek to enforce these rules in partnership with the Sheriff’s staff as needed – mindful that the goal is safety and security, not displacement.

Aside from the cost and significant challenge is pursuing this strategy, the City will be faced with the challenge of other campers who would be told that the City Hall campus is at

capacity. In fact, it is likely that our efforts will attract other unhoused campers. To the extent that campers settle on public property, City will have the same kinds of challenges that have been faced at City Hall. Staff has been advised on several recent occasions that all of the emergency shelter beds in the area have been occupied.

Staff recommends this approach to the City Hall campus situation because it is the more realistic and kinder approach to a much greater problem. It is not offered as a solution in and of itself. However, it is unwise to allow single camp sites to grow beyond manageable size.

Other Property Uses – As mentioned above, the urgency associated with the growth of camping takes precedence over other programs and uses on the site, but it does not minimize that objective. It is still possible to secure the Community Gardens portion of the property. And clearly there are other desirable property maintenance and natural resource preservation efforts that need to be taken. The Middle Stewart Canyon Restoration project has brought crews to the lower levels of the City Hall campus property, but workers have balked and at working there due to taunting from the unhoused campers they encountered there. So.....first things first.

Fiscal Impact:

Implementing a program as described above will be costly. Once enacted, it is likely that the annual cost will approach, and perhaps exceed, \$150,000 to \$200,000 for the supervision and for site maintenance. The reason for pursuing such a strategy is both practical and humanitarian in nature. It is not driven by fear of litigation. It may be worth mention, however, that cities that are not legally astute in how they handle these situations often suffer serious legal costs. A single civil rights case in federal court can run into dramatically higher numbers.

While the homelessness crisis has increased funding sources, most funds are focused on the building of housing and, hopefully, mental health support. The City should work with the County to see if operational funds are possible, perhaps on a matching basis.



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