This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor’s Executive Order N-08-21 and the County of Los Angeles Public Health Officer’s Order (revised August 23, 2021). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

HOW TO VIEW THE MEETING: No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at https://malibucity.org/video and https://malibucity.org/VirtualMeeting.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to mlinden@malibucity.org before the meeting begins.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public may speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Chair and then you must be present in the Zoom conference to be recognized.

Please visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

Homelessness Task Force
Special Meeting Agenda
(to be held during COVID-19 emergency)

Thursday, September 9, 2021

2:00 P.M.
Various Teleconference Locations
YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT MALIBUCITY.ORG/VIDEO

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – September 7, 2021

1. Ceremonial / Presentations

None.
2. **Written and Oral Communications from the Public and Task Force Members**
   A. Communications from the Public concerning matters which are not on the agenda but for which the Task Force has subject matter jurisdiction. The Task Force may not act on these matters at this meeting.
   B. **Staff updates.**
   C. **Task Force Member and Ad Hoc Committee reports, comments, and inquiries.**

3. **Consent Calendar**
   A. **Previously Discussed Items**
      1. **Homelessness Task Force Meeting Schedule (continued from August 12, 2021)**
         
         **Recommended Action:** Affirm the third Tuesday of each month at 2:00 p.m. as the schedule for Regular monthly meetings of the Homelessness Task Force.
         
         **Staff Contact:** Public Safety Manager Dueñas, 456-2489, ext. 313
   B. **New Items**
      
      None.

4. **Old Business**
   A. **Homelessness Task Force Charter (continued from August 12, 2021)**
      
      **Recommended Action:** 1) Review the Homelessness Task Force Charter and develop a strategy for implementation of the Charter; 2) Review the proposal for ad hoc committees; and 3) Establish and make appointments to ad hoc committees, as appropriate.
      
      **Staff Contact:** Public Safety Manager Dueñas, 456-2489, ext. 313

5. **New Business**
   A. **Current Efforts to Address Safety Issues Related to Encampments**
      
      **Recommended Action:** Receive and file a report regarding current efforts to address safety issues related to encampments.
      
      **Staff Contact:** Public Safety Manager Dueñas, 456-2489, ext. 313
B. **Future Agenda Items**

**Recommended Action:** Review items tentatively scheduled for the next Regular meeting agenda and provide feedback to staff.

**Staff Contact:** Public Safety Manager Dueñas, 456-2489, ext. 313

**Adjournment**

**Future Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Type</th>
<th>Location</th>
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<tbody>
<tr>
<td>Tuesday, September 21, 2021</td>
<td>2:00 p.m.</td>
<td>Regular Meeting</td>
<td>Location to be determined</td>
</tr>
<tr>
<td>Tuesday, October 19, 2021</td>
<td>2:00 p.m.</td>
<td>Regular Meeting</td>
<td>Location to be determined</td>
</tr>
<tr>
<td>Tuesday, November 16, 2021</td>
<td>2:00 p.m.</td>
<td>Regular Meeting</td>
<td>Location to be determined</td>
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**Guide to the City Task Force Proceedings**

**The Oral Communication** portion of the agenda is for members of the public to present items which are not listed on the agenda but are under the subject matter jurisdiction of the Task Force. Although no action may be taken, the Task Force and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three (3) minutes. Members of the public wishing to speak during the meeting must participate through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Chair and then you must be present in the Zoom conference to be recognized. Please visit [https://MalibuCity.org/VirtualMeeting](https://MalibuCity.org/VirtualMeeting) and follow the directions for signing up to speak and downloading the Zoom application.

**Items in Consent Calendar Section A** have already been considered by the Task Force at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

**Items in Consent Calendar Section B** have not been discussed previously by the Task Force. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Task Force Members may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Task Force following the action on the Consent Calendar. The Task Force first will take up the items for which public speaker requests have been submitted. Public speakers shall follow the rules as set forth under Oral Communication.

**Old Business** items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

**Items in New Business** are items which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

Copies of the staff reports or other written documentation relating to each item of business described above are on file in the Public Safety office, and available upon request by emailing MLinden@MalibuCity.org.

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Yolanda Bundy, Environmental Sustainability Director, at (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II].

I hereby certify under penalty of perjury, under the laws of the State of California, that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated this 7th day of September 2021, at 3:00 p.m.

Mary Linden, Executive Assistant
Homelessness Task Force
Agenda Report

To: Interim Chair Roven and Members of the Homelessness Task Force
Prepared by: Susan Dueñas, Public Safety Manager
Approved by: Steve McClary, Interim City Manager
Date prepared: September 1, 2021  Meeting date: September 9, 2021
Subject: Homelessness Task Force Meeting Schedule (continued from August 12, 2021)

RECOMMENDED ACTION: Affirm the third Tuesday of each month at 2:00 p.m. as the schedule for Regular monthly meetings of the Homelessness Task Force.

DISCUSSION: At the August 12, 2021 meeting of the Homelessness Task Force, the Task Force voted to continue this item until a poll could be sent to Task Force Members to gather preferences and availability. An initial poll was sent to Task Force Members, which identified Tuesdays and Thursdays from 2:00 p.m. to 4:00 p.m. as the best option. Another poll was issued to narrow down which Tuesday or Thursday of the month was best. Results from this poll indicated that the third Tuesday of the month at 2:00 p.m. was the best day for a Regular meeting of the Task Force.

ATTACHMENTS: None.
Homelessness Task Force
Agenda Report

To: Interim Chair Roven and Members of the Homelessness Task Force

Prepared by: Susan Dueñas, Public Safety Manager

Reviewed by: Trevor Rusin, Assistant City Attorney

Approved by: Steve McClary, Interim City Manager

Date prepared: August 1, 2021 Meeting date: September 9, 2021

Subject: Homelessness Task Force Charter (continued from August 12, 2021)

RECOMMENDED ACTION: 1) Review the Homelessness Task Force Charter and develop a strategy for implementation of the Charter; 2) Review a proposal for ad hoc committees; and 3) Establish and make appointments to ad hoc committees, as appropriate.

DISCUSSION: At the August 12, 2021 meeting of the Homelessness Task Force, the Task Force voted to continue this item to a future meeting. Since that meeting, the Task Force’s Interim Chair and Interim Vice Chair drafted a proposal (attached) that includes a mission statement and recommendations for the structure and creation of five ad hoc committees:

- Assessment of Current Affairs Ad Hoc Committee
- Legal Analysis Ad Hoc Committee
- ASL & Temporary Services Ad Hoc Committee
- Fire, Health & Public Safety Ad Hoc Committee
- Public Outreach & Mitigation Ad Hoc Committee

Staff recommends that the Task Force review the Charter and proposal and make edits, as needed, to develop the Task Force’s strategy for implementing the Charter. The Task Force may then establish ad hoc committees, either those included in the proposal and/or
others agreed upon by a consensus of the Task Force. Once the slate of ad hoc committees is finalized, appointments to ad hoc committees may be made, as appropriate.

ATTACHMENTS: Proposed Ad Hoc Committees
HOMELESSNESS
Task Force

PROPOSED
Ad Hoc Committees

Prepared by Interim Chairperson Roven and Interim Vice Chairperson Winokur
On Thursday, August 12th, 2021, the Homelessness Task Force (“HTF”) held its first public meeting. At such meeting, several portions of Agenda Item 5.B were postponed to the next meeting. Specifically, item 5.B, which contained the following language, “Recommended Action: “1) Review the Homelessness Task Force Charter; 2) Develop a strategy for implementation of the Charter; and 3) Establish and make appointments to ad hoc committees, as appropriate.”

In furtherance of allowing the HTF to have a framework of discussion as it addresses this rescheduled agenda item at the next meeting, Interim Chairperson Roven and Interim Vice Chairperson Winokur have prepared this draft for City staff’s review and assistance in presenting a properly formatted and delivered Working Proposal to the full HTF for its discussion purposes at its next regularly scheduled public meeting.

Please note that this presentation does not necessarily reflect the views or consensus of any or all of the HTF commissioners, it is not being offered or submitted for any vote by the HTF or City Council, and is offered solely for discussion purposes only.
On July 21, 2021, the Malibu City Council voted unanimously to form the HTF, and defined its Charter as:

1) Review the draft updated goals and objectives of the Homelessness Strategic Plan.

2) Review the concept, need and possible implementation of an Alternative Sleeping Location (ASL).

3) Develop a plan to mitigate public safety and environmental impacts, particularly fires, related to homeless encampments.

4) Explore new ideas to address homelessness, research strategies used by other jurisdictions, and identify best practices that could be implemented in Malibu.

5) Develop a robust public engagement and outreach plan to obtain community input on proposed strategies to protect the health, safety, and welfare of the community from the dangers of homelessness and provide assistance to Malibu residents experiencing homelessness.

6) Make recommendations to the City Council on all of the above.
The following verbiage is proposed as a possible Mission Statement for the HTF:

“The HTF shall make an unbiased, careful analytical review of all the items in its Charter, and then work diligently and efficiently to present our findings and recommendations to the City Council to allow it to make informed decisions and take appropriate actions concerning Homelessness and the health, safety and welfare of the entire Malibu community.”
Currently, the governance of the HTF is comprised of ten (10) Commissioners, with two of them, namely Ian Roven and William Winokur, having been elected to serve, respectively, as Interim Chair and Interim Vice Chair for a period of approximately sixty (60) days.

While this structure is subject to further consideration by the HTF, it has already been established by the City Council and discussed at the previous HTF meeting to form one or more ad hoc committees (“AHC”) as appropriate.

**THE PRIMARY PURPOSE AND BENEFIT OF FORMING SEVERAL AHCs IS TO:**

- Allow better focus on the various elements of the HTF’s Charter.
- Allow HTF commissioners with unique skill sets to focus their efforts on specific topics.
- Allow for more frequent and informal gatherings of subsets of Commissioners in which open sharing of topically “focused” HTF related work may be performed without violating the Brown Act.
- Maximize the overall efficacy of the HTF’s mission.
While the governance and operating procedures (i.e. how individual tasks are assigned, how meetings are set and held, how information is gathered and disseminated) within each AHC should be established within such committee, the following overriding policies, procedures and guidelines are suggested:

➢ Each AHC should be comprised of at least one and no more than three Commissioner(s), with no single Commissioner serving on more than three committees.

➢ Every Commissioner must serve on at least one AHC.

➢ Each AHC should assign a single Commissioner (which choice can be permanent or rotated as each AHC sees fit) to serve as a liaison with the HTF Chair and/or Vice Chair.

➢ Subject to Brown Act guidelines, each AHC is strongly encouraged to seek input from other: Commissioners, AHCs and/or non-HTF individual persons or entities in furtherance of such AHC’s objectives.

➢ Each AHC, and its liaison, must recognize that its work products should not merely represent or be skewed by a “majority” viewpoint within the AHC’s members. To that end, each AHC shall fairly present a “Minority” or “Dissenting” set of findings and recommendations (“Report”) should at least one AHC member so request.

➢ From time-to-time, the HTF may alter, add to or re-assign tasks to each AHC, and/or direct the AHC to work with one or more outside individuals or entities that the HTF deems important to the mission of such AHC.

➢ AHCs may only be comprised on TF members, will have specific scope and purpose and be of limited (non-standing/non-perpetual) duration.
THE FOLLOWING FIVE (5) AD HOC COMMITTEES ARE PROPOSED:

➢ Assessment of Current Affairs Committee
➢ Legal Analysis Committee
➢ ASL & Temporary Services Committee
➢ Fire, Health & Public Safety Committee
➢ Public Outreach & Mitigation Committee
The purpose of the Assessment of Current Affairs Committee ("ACAC") is to carefully research and provide an assessment of the current “State-of-the-Municipality” so that the HTF (and ultimately the Malibu City Council) can better evaluate an accurate number and demographic of the homeless population and what policies and services currently exist. To effect this, the ACAC should utilize as much pre-existing information as is available (such as from the People's Concern, and other City, County and State resources), combined with its own up-to-date research to produce:

- A statistical breakdown of the current homeless/un-housed/transient population.
- A statistical analysis of the demographics of such population (i.e. where did they come from, how long have they been in Malibu, where and when were they previously housed and/or employed, what are their plans and/or goals to become housed, what is their willingness and ability to seek employment and/or treatment options, etc.).
- Identity existing resources for homeless individuals (or families) within varying sets of radii, focusing on accessibility to food, shelter (temporary/mid/long term), mental & physical health care, employment counseling and actual employment opportunities, cost of living near such potential employment, government benefits, available financial assistance programs, drug and alcohol treatment centers, Veterans services, educational opportunities and other municipal and/or private organizations offering homeless services.
- An analysis on the added impact that the unhoused population presents to Malibu’s existing infrastructure of health care (i.e. how many urgent care doctors and beds do we have, how many paramedics and ambulances – and the risks to all housed and unhoused citizens when those limited resources and not available for the “next emergency.”
- A summary of what other municipalities have or are doing to resolve similar issues with an emphasis on how those municipality are similar or differ from Malibu. Such summary should include “solutions” that were not “successful” as an evaluation of “what didn’t work” may prove invaluable.
The primary purpose of the Legal Analysis Committee ("LAC") is to provide a condensed summary of the various laws, statutes and court rulings which directly impact Malibu’s ability to formulate an effective and sustainable “Homelessness” plan. Such analysis should utilize whatever outside resources are available (subject to cost concerns) such as the City Attorney’s Office, outside counsels representing the LASD and County, Third-Party legal counsel representing homeless advocacy groups and/or other parties with specific training and knowledge in such legal matters.

- Emphasis should be placed on Malibu’s ability to mitigate its liability and adversarial legal exposure in creating and enforcing reasonable camping, loitering and nuisance laws to reclaim and/or preserve public spaces for the safe utilization by the entire Malibu community (and visitors).

- Identifying potential plaintiffs who may seek to sue the City over such policies, and recommending whether such potential plaintiffs should be contacted and/or worked with to reduce future litigation.

- Analyze the legal issues concerning the formation of a local ASL (regardless of whether such a plan is ever adopted), what liabilities would the City have to participants and/or surrounding neighbors, and what issues may arise if Malibu were to provide transportation for homeless individuals to shelters (whether within or outside of Malibu).

- Propose some immediate and/or emergency solutions that comply with the law.
ASL & TEMPORARY SERVICES COMMITTEE

Utilizing City guidance regarding the various legal issues, the ASLC should perform the following tasks:

- Building upon work previously provided by the HWG, and examples from other municipalities, provide a detailed analysis of creating an ASL within or accessible to the City. Such analysis should include what it would look like, how many beds, in what form (temporary trailers, tents, etc.), what would be the hours of access, what would be the requirement for participants (i.e. nexus to Malibu) what would be the rules of behavior for participants, how would such rules be enforced, what obligations would participants have (i.e. drug testing, seeking/accepting employment, accepting treatment, etc.) where to keep their belongings, how long could they stay, what happens if they are requested to leave, etc.

- Provide a comprehensive list of viable locations with an emphasis on neighborhood impacts and safety. While accessibility to potential participants is a factor, the safety of the general public should be the overriding concern.

- Discuss how will a local ASL actually serve to solve homeless individuals mid to long term needs and why would such a local ASL be preferable to shelters in other municipalities where other services (and more “affordable” housing and employment opportunities) are much more readily available.

- How to ensure that any such created ASL would be “temporary” in nature, i.e. utilizing movable trailers, tents, or other non-permanent forms of shelter.

Continued on next page…
ASL & TEMPORARY SERVICES COMMITTEE (Cont’d)

Discuss whether such an ASL would uniquely provide the City and LASD the protection and ability to enforce existing or future camping, loitering, nuisance and other public health and safety laws and policies, or whether other solutions (discussed below) may provide similar protections and abilities.

Perform a comprehensive analysis on what alternative options exist (or could be created) to having an ASL established by and in the City of Malibu. This may include, without limitation, creating vouchers and/or other financial assistance to shelters or “homeless hotels” in other municipalities which can provide the sleeping alternative to homeless individuals currently in Malibu and possibly providing transportation to the same.

Analyze whether such alternative options (outside the City) are as viable in satisfying the City’s enforcement capabilities and other legal obligations.

Discuss potential “hybrid” solutions should no one option provide as robust of a solution as desired.

Carefully prepare potential responses to what may be community concerns and frequently asked questions (on the following page) relating to a locally created ASL.
• Will an ASL serve to increase, not reduce, the homeless population in Malibu?

• Can the participants come and go as they please from the ASL, or would there be a curfew?

• What about drugs and alcohol use – onsite or even offsite (i.e. will there be any expectation that participants would have to submit to drug testing)?

• What do Participants do during the day and will they simply loiter and panhandle all day long outside the ASL?

• What happens when all the beds fill up, do we need to keep adding capacity?

• How to distinguish between “Malibu’s Homeless” vs a never-ending stream of “transients” who migrate to Malibu with no prior residential, familial or employment nexus to the community?

• How would an ASL actually achieve “real” goals, i.e. “not just provide a bed” but offer a bed with realistic access to health care, homeless services, addiction/mental health treatment, employment and realistic longer-term residential opportunities?

• What about those individuals amongst the homeless who seem to have no desire to become productive members of the community or accept any form of mental health or substance abuse treatment - are we simply enabling them by giving them free food and a place to sleep?

• Will this become an eye sore in the community, or worse, a place that residents would fear and avoid?

• Where could such an ASL be located and how would any chosen area be adversely impacted?
FIRE, HEALTH & PUBLIC SAFETY COMMITTEE

Since the “health, safety and welfare” of all of Malibu is a primary directive of the HTF Charter, the FHPSC should:

- Analyze the impact of homeless encampments on the public’s safety in terms of fires and other sanitation and health issues.
- Analyze attractions for homeless individuals and encampments, i.e. Legacy Park and other public spaces in or near fire hazard areas.
- Analyze existing laws designed to protect the public from fires, sewage contamination and other health and safety threats.
- Propose how to use existing ordinances or draft new ones that can dramatically reduce the risks to the entire City of Malibu (including its homeless population).
- Consider petitioning the County to use its “emergency powers” to open its Winter Shelters as an immediate fire hazard response.
- Propose how the City can better enforce such rules and regulations, including best practices to utilize existing resources (i.e. LACFD, Health Officials, LACS, etc.).
PUBLIC OUTREACH & MITIGATION COMMITTEE

No findings of the HTF or plans ultimately adopted by the City will be sustainable without successful public outreach. The POMC should:

➢ Consider all issues regarding how the City can adopt Homelessness strategies that will be embraced by a majority of the Malibu citizenry, and how such plans may be viewed by the public and other agencies outside the City. Such PR will be to emphasize the benefits of Malibu’s policies, including such concepts as “Hand up vs hand Out,” “Rebuilding homeless individual’s self-esteem,” “Directing homeless individuals to appropriate services to ‘break the cycle’ of unemployment, addiction and/or homelessness” etc.

➢ Identify possible local work opportunities for individuals who show willingness to contribute to the community in return for pay, meals and/or vouchers for accommodations.

➢ Suggest strategies by which the City can work with the HWG and other non-profit and faith-based organizations to “re-direct” their efforts (i.e. feeding programs) in such a way as to allow these groups to continue their compassionate work without increasing Malibu’s homeless population (coming from elsewhere), without exacerbating the cycle of dependency (and thus continued homelessness) and without working at cross-purposes with City’s obligation to protect the health, safety and welfare of the entire community.

➢ Identify ways in which the Community can safely engage with elements of the un-housed in mutually beneficial cooperation. One suggested project could be something like an Urban Garden which would be managed by housed and un-housed individuals, and which would engage the entire Malibu community.
Core to any community’s goal of helping homeless individuals in a dignified manner is allowing its those who receive help to also give something back to the community.

This has the dual effect of improving the community while helping those who receive help rebuild self-esteem as they feel the pride of contribution, increased self-reliance and being “part of” the community, not “pariahs” who become either invisible or nuisances to be avoided.

For example, participants can engage in, for pay, projects such as cleaning community property, maintaining community landscaping, brush clearance for fire mitigation and/or other work opportunities created by the City and/or by local businesses. An example of this could be a Malibu owned “Urban Garden” located on currently unused/undeveloped City property. Such an urban garden could be staffed by unhoused individuals (paid for their work) and other volunteers from the Community, in which participants could learn gardening and other work skills and turn idle time and/or isolation into time spent creating something for themselves and for others. The produce from such a garden could be sold to local restaurants, there could be a stand at the local Farmers Market offering flowers and vegetables grown right in the middle of Malibu by the community and our participants, and the local schools like Pepperdine and/or SMC can offer programs for students desirous of helping the community for some “Life Experience” or “Community Service” credits. A portion of the proceeds would go towards remuneration of the unhoused participants, with the balance being used solely for Homeless initiatives.

While there is no doubt that this may appear to be a lofty goal, one thing for certain is that an idea that is never attempted is 100% assured of failing.
Homelessness Task Force
Agenda Report

To: Interim Chair Roven and Members of the Homelessness Task Force

Prepared by: Susan Dueñas, Public Safety Manager

Approved by: Steve McClary, Interim City Manager

Date prepared: August 1, 2021 Meeting date: September 9, 2021

Subject: Current Efforts to Address Safety Issues Related to Encampments

RECOMMENDED ACTION: Receive and file a report regarding current efforts to address safety issues related to encampments.

DISCUSSION: Since the beginning of 2021, Malibu has experienced 17 fires attributed to unhoused individuals living in the City’s hillsides and parks. As more individuals live unhoused in areas designated by CAL FIRE as a Very High Fire Hazard Severity Zone (VHFHSZ), the risk of vegetation fires started by warming and cooking fires increases, especially in the fall when the nights are cooler and Santa Ana winds may be present.

The City Council, City staff, Los Angeles County Sheriff’s Department (LASD) and the Los Angeles County Board of Supervisors have all been taking steps to address this critical safety issue. Following is an overview of those efforts.

Malibu City Council

On August 9, 2021, the City Council adopted Ordinance No. 490 amending the City’s Nuisance Code (Malibu Municipal Code (MMC) Section 8.28) (Attachment 1). The Ordinance, which goes into effect on September 9, 2021, strengthens the City’s ability to address hazards posed by homeless encampments on private property, including giving authority to the City Manager to take immediate action to address a nuisance that poses an imminent threat to the physical safety of the community.
On August 23, 2021, the City Council adopted Resolution No. 21-49 (Attachment 2) declaring the existence of a Local Emergency and establishing a program for reducing the risk of fires associated with individuals living unhoused and otherwise engaged in unpermitted and unregulated camping. The Resolution declares the existence of an emergency and, based thereon, prohibits homeless encampments in areas designated as a VHFHSZ in Malibu. Additionally, the Resolution directs:

- City staff to act in collaboration with Malibu’s Outreach Team (MOT), LASD and LASD’s Homeless Outreach Services Team (HOST) to provide appropriate notification of the prohibition to those people living unhoused residing in encampments;
- City staff to act in collaboration with the MOT, LASD and HOST to identify homeless encampments within areas designated a VHFHSZ, provide outreach, and offer available resources; and
- City to act in collaboration with the MOT, LASD and HOST to ensure that the VHFHSZ remains free of homeless encampments while also ensuring these efforts do not criminalize people living unhoused.

On August 23, 2021, the City Council reviewed a draft amendment to the City’s Camping Ordinance. The proposed amendment to the Camping Ordinance is scheduled for a first reading at a City Council Special meeting on September 13, 2021 at 4:30 p.m.

**City Staff**

After the City Council adopted the amendment to the Nuisance Code on August 9, 2021, staff identified key property owners that have had problems in the past and mailed them letters advising them of the changes to the Nuisance Code. Additional letters will be sent to all owners of undeveloped property.

Public Safety staff joined members of HOST on August 11 to conduct an initial assessment of encampments within the City of Malibu. During the assessments, HOST team members engaged homeless individuals, advised them of their purpose, and provided them with fire danger information. From this assessment, seven sites were identified for clean-up in the near future.

Public Safety staff met with members of HOST and the Homeless Liaison Deputy on August 25 to coordinate efforts in response to the directives within the Local Emergency resolution that the City Council adopted on August 23, 2021.
Public Safety staff worked with California State Parks staff and private property owners to help facilitate the clean-up of encampments in the Malibu Creek area on August 26, including the area under Pacific Coast Highway that recently had three fires.

Public Safety staff worked with a private property owner and HOST to clear an encampment in eastern Malibu on August 28.

Public Safety staff is exploring project options for grant funds being provided to the Las Virgenes-Malibu Council of Governments through Measure H to address homelessness issues. Possible options include purchasing motel vouchers and funding additional assistance from HOST to ensure encampments stay clear during Red Flag weather events.

Public Safety staff coordinated a Homeless Count on Tuesday, August 31. Members of the Task Force, Homelessness Working Group, and Public Safety Commission participated in the count. This data (Attachment 3) will be used to assist homeless outreach efforts and HOST efforts to clear encampments.

**Los Angeles County Board of Supervisors and Sheriff’s Department**

On August 10, 2021, the Los Angeles County Board of Supervisors passed a motion (Attachment 4) that prohibits homeless encampments in unincorporated regions of the County that are designated as VHFHSZ. The affected areas include all of the unincorporated Malibu (90265) area. As part of this effort, the Sheriff's HOST and Mental Evaluation Team will provide notification, outreach, and resources to those who reside in the VHFHSZ. However, even before this motion was made, HOST members were addressing encampments in the Topanga area.

In summary, due to the critical threat to life and property posed by encampments in the hillsides, a variety of efforts are being implemented to reduce the threat. It should not be overlooked that these efforts have been greatly assisted by the involvement and support of members of the Homelessness Task Force and Homelessness Working Group, as well numerous members of the community who took the time to reach out to the City and the County to provide input and information. These efforts will continue, and new efforts will be implemented as appropriate.

**ATTACHMENTS:**
1. Revised Ordinance No. 490 amending Nuisance Code (MMC Section 8.28)
2. Resolution No. 21-49
3. August 2021 Homeless Count Results
4. Los Angeles County Board of Supervisors Motion – August 10, 2021
ORDINANCE NO. 490

AN ORDINANCE OF THE CITY OF MALIBU AMENDING
CHAPTER 8.28 OF TITLE 8 OF THE MALIBU MUNICIPAL
CODE CONCERNING NUISANCE ABATEMENT; AND FINDING
THE SAME EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT

The City Council of the City of Malibu does hereby ordain as follows:

SECTION 1. Findings.

1. Local climatic conditions relating to the City’s location in a Very High Fire Hazard Severity Zone increase the risk of wildfire from unpermitted open heat sources.

2. More than ten local fires in the past nine months originated with fires started in local homeless encampments, including encampments on private, undeveloped property.

3. Local encampments have been associated with increased levels of trash and bacteria (pollutants) in nearby surface waters. The City is required to prevent these pollutants from being discharged to such waters by maintaining the authorized Total Maximum Daily Load requirements under the Clean Water Act.

4. Property owners’ failure to secure undeveloped land against trespassers, or to otherwise maintain their property or timely ameliorate the risk of hazard, has led to the proliferation of encampments and the accumulation of trash and human waste therein, which increases the risk of wildfire and creates a public health and safety hazard for the surrounding community.

5. The City’s summary abatement procedures are not suited to the realities of abating immediate fire and safety hazards, as the existing procedures require prior approval by the City Council.

6. On June 2, 2021, during a regular meeting of the Malibu Public Safety Commission, the Commission voted to recommend that the City Council amend Chapter 8.28 of the Malibu Municipal Code (Nuisance Abatement) to specify that certain conditions relating to property maintenance qualify as a public nuisance and to delegate summary abatement authority to the City Manager.

7. The proposed amendments are designed to promote the sound maintenance of private lands located in the City, to protect the life and property of the entire Malibu community, and to allow the public to duly recover any costs incurred by the City to abate dangerous conditions on private property from responsible property owners.

SECTION 2. Section 8.28.010 of Chapter 8.28 of the Malibu Municipal Code is hereby amended in its entirety to read as follows:
8.28.010 Nuisance defined.

A. For purposes of this chapter, a nuisance includes any one or more of the following:

1. Any activity, building, condition, development, installation, land, occupancy, structure, or use that violates the Malibu Municipal Code or the Malibu Local Coastal Program Local Implementation Plan (or any condition of any permit or license approved pursuant thereto).

2. Anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of river, bay, stream, canal, or basin, or any public park or street, and which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

3. Any condition of property that is injurious or potentially injurious to the public health, safety, or welfare, or which is injurious or potentially injurious to adjacent properties.

4. Any accumulation or storage of trash, biohazards (including human waste), or articles of personal property on undeveloped or vacant land that creates, or creates the conditions for, a fire or safety hazard to nearby persons or properties, including, without limitation, the maintenance or storage of cooking or heating paraphernalia or equipment on undeveloped or vacant land, which facilitates activity that creates a risk of fire or otherwise creates a public health hazard.

B. Property owners and other persons in lawful possession of property shall not allow, cause, create, maintain, or permit others to allow, cause, create, or maintain property in the City in such a manner so as to create a nuisance as set forth in Paragraph A of this section.

C. Notwithstanding any provisions of this chapter, the City Council may further define by ordinance any particular condition constituting a nuisance.

SECTION 3. Section 8.28.100 of Chapter 8.28 of the Malibu Municipal Code is hereby amended in its entirety to read as follows.

8.28.100 Summary abatement.

Notwithstanding any other provision of this Chapter to the contrary, if the City Manager determines that a nuisance presents a threat to the public health or safety or a danger to life or surrounding property, and there is insufficient time to follow the administrative process described in Malibu Municipal Code Section 8.28.050, the City Manager may summarily
abate the nuisance according to the following procedures:

A. **Notice.** Prior to undertaking summary abatement, the City Manager or designee shall reasonably attempt to identify and contact, by telephone or otherwise, the owner, occupant, or tenant of the property to notify such person of the nuisance and to seek immediate voluntary abatement.

B. **Abatement.** If the City Manager is unable to reasonably contact the persons specified in Paragraph A of this section, or if such person fails or refuses to act immediately to abate the nuisance, the City Manager or designee is authorized to summarily abate the nuisance, incurring such costs as are reasonably necessary to that effort, including but not limited to the costs of biohazard treatment services or the costs of collecting and storing individuals’ personal property.

C. **Costs.** Property owners and persons in legal possession of the property are jointly and severally liable for the costs of summary abatement actions taken pursuant to this section. Such costs shall be charged and collected in accordance with the methods allowed in Sections 8.28.070 through 8.28.090, or as otherwise provided by law.

**SECTION 4. Environmental Review.**

The City Council finds that adopting the foregoing amendments to the City’s nuisance abatement ordinance is exempt from the California Environmental Quality Act (“CEQA”), pursuant to the common sense exemption and the Class 8 exemption for actions taken to protect the environment. This ordinance establishes summary abatement procedures designed to encourage property owners to mitigate the risks of fire on undeveloped lands and the environmental impacts of encampment activity thereon. As such, there is no possibility that adopting this ordinance would adversely affect the environment in any manner that could be significant under CEQA. 14 Cal. Code Regs. § 15061(b)(3). The measure also qualifies for the Class 8 exemption for agency actions taken to assure the maintenance, restoration, enhancement, or protection of the environment. 14 Cal. Code Regs. § 15308. By authorizing the City to take more effective summary abatement measures and by holding property owners responsible for the fire and safety hazards found on their lands, the ordinance is intended to protect the Malibu community against the risk of wildfire and polluted waters. Staff is directed to file a notice of exemption within five (5) days of the adoption of this ordinance.

**SECTION 5. Severability.**

If any section, subsection, sentence, clause, or provision of this Ordinance is found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council expressly declares that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.
SECTION 6. Effective Date.

This ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 7. Certification.

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published or posted in the manner required by law.

PASSED, APPROVED AND ADOPTED this 9th day of August, 2021.

_________________________________
PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, Acting City Clerk
(seal)

APPROVED AS TO FORM:

JOHN C. COTTI, Interim City Attorney
I CERTIFY THAT THE FOREGOING ORDINANCE NO. 490 was passed and adopted at the Regular City Council meeting of August 9, 2021, by the following vote:

AYES:  5  Councilmembers:  Farrer, Pierson, Uhring, Silverstein, Grisanti
NOES:  0
ABSTAIN:  0
ABSENT:  0

KELSEY PETTIJOHN, Acting City Clerk
(seal)
RESOLUTION NO. 21-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU DECLARING THE EXISTENCE OF A LOCAL EMERGENCY AND ESTABLISHING A PROGRAM FOR REDUCING THE RISK OF FIRES ASSOCIATED WITH INDIVIDUALS LIVING UNHOUSED AND OTHERWISE ENGAGED IN UNPERMITTED AND UNREGULATED CAMPING

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. Wildfires are a frequent natural and man-made disaster in California, causing significant harm and loss to individuals, communities, wildlife. The frequency, duration and size of wildfires have significantly increased over the past several decades with six of the seven largest fires in California’s history occurring in the last 13 months. Malibu is among the areas devastated by wildfire in just the past few years – losing hundreds of homes and acres of vegetation, and suffering hundreds of millions of dollars in damages in the Woolsey Fire which also took three lives.

B. Researchers at UC Irvine reported that the State’s burn season has grown longer and longer over the last 20 years, now beginning in May, rather than June, with the peak shifting from August to July. Los Angeles County’s unusually extreme heat, coupled with bone-dry terrain, has created ideal conditions for more rapid spread when fires occur.

C. A vegetation fire in Malibu at any time of the year poses a danger to life and property. A vegetation fire during a Santa Ana wind event poses extreme peril to the safety of persons and property within Malibu. Historically, the most devastating wildfires in Malibu have occurred between the months of September through January when the wildland and chaparral are at their driest and the Santa Ana winds are most prevalent – with the Woolsey Fire being the latest and most severe wildfire in Malibu.

D. While most of California is subject to some degree of fire risk, specific features make some areas particularly hazardous. State law requires the California Department of Forestry and Fire Protection (“CAL FIRE”) to identify areas based on the severity of fire hazard that is expected to prevail there. These areas, or “zones,” are based on factors such as fuel, slope, and fire weather.

E. There are three zones based on increasing fire hazard: medium, high, and very high. As we go through the 2021 fire season, we must be diligent in reducing the risk of fire, particularly in areas with the highest hazard, which are designated Very High Fire Hazard Severity Zones (“VHFHSZ”).

F. Considering a host of factors, including historical fire patterns, proximity to wildland and parkland, extensive chaparral, and severe drought, CAL FIRE has designated the entirety of the City of Malibu a VHFHSZ.
G. The County currently has the largest population of individuals living unhoused in the nation. While many individuals living unhoused do so in urban centers, a growing number have migrated to more remote, mountainous regions, as well as coastal communities, such as Malibu. As more individuals elect to live unhoused within high fire zones, the risk of fires starting and causing harm and loss of life has also increased.

H. Unhoused individuals living in the VHFHSZ are at significant risk of loss of life due to being trapped by wildfires since they are not likely to receive traditional emergency alerts sent through cell phones. In addition, individuals who are attempting to leave the mountainous region during a wildfire could be trapped by fires that start from the ember cast that precedes the fire front in a wind driven fire. This situation also increases the risk that emergency responders may have to divert resources from fighting the fire to assist these individuals.

I. A 2018 Strategic Plan (“Plan”) developed by Malibu identified the City’s efforts to address this situation on many fronts. For example, the City of Malibu has explored and continues to explore ways to participate in a broad effort to address the root causes of homelessness.

J. Among other things, the City of Malibu’s Plan goals include connecting individuals with services and temporary and permanent housing solutions and preventing and mitigating the health and safety impacts of homelessness on individuals and the community.

K. To achieve these ends, the City of Malibu has worked closely with a “Homelessness Working Group” comprised of interested members of the public and outreach workers from The People Concern, a social services agency in the West Los Angeles area, dedicated to engaging the local homeless population.

L. Since 2018, the City of Malibu’s outreach team (the “MOT”) has helped 136 individuals move into either temporary (27) or permanent (28) housing or reconnect with their families (81). The City of Malibu also partners with the Los Angeles County Sheriff’s Department (“LASD”) and its Homeless Outreach Services Team (“HOST”) to clear and clean the sites of encampments of people living unhoused (“PLU”) according to established protocols (i.e. PLU are given advanced warning of any scheduled clean-up and offered access to outreach services).

M. Clean-up efforts have enabled the City of Malibu to (1) connect PLU with services and housing; (2) help prevent wildfires caused by fire and heating devices used for warming and cooking; and (3) remove human waste and other unsanitary conditions found in public parks, which create a health hazard for camp occupants and park visitors and impede the public’s use and enjoyment of the parks.
N. Despite Malibu’s efforts described above, Malibu continues to witness a significant number of PLU and otherwise engaged in unpermitted and unregulated camping in areas designated as VHFHSZ.

O. PLU may be reliant on fires for everyday activities, including cooking food and keeping warm. These activities also increase the risk of nearby brush catching fire and rapidly spreading. PLU in high-fire zones may miss emergency notifications and may experience challenges in safely evacuating. Additionally, efforts to notify or evacuate PLU in remote locations can cause undue harm to outreach workers and emergency responders.

P. In just the past year, Malibu has experienced seventeen fires attributed to PLU in area designated as VHFHSZ. In prior years, Malibu has experienced multiple other vegetation fires linked to PLU in area designated as VHFHSZ. Fortunately, those fires have been identified quickly, the winds were calm, and Los Angeles County Fire Department was able to extinguish these fires without loss of life and with only minimal loss of property— albeit not without injuries to some fire fighters. With less fortunate conditions, any one of those fires could have grown into the next Woolsey Fire (or worse).

Q. Despite a significant increase in fire prevention efforts, there are still areas designated as VHFHSZ where, because of location, access, terrain, and fuels, the risk of a fire starting and rapidly spreading remains incredibly high. As climate change extends and exacerbates our local fire season, particular areas of Malibu pose too much risk of harm or loss of life for PLU, residents, outreach teams, and first responders, to allow PLU to remain in those areas.

R. Local fire risk conditions in 2021 have hit historic levels. Live fuel moisture (LFM) is a key indicator of fire risk and an LFM of 60% or lower is considered critical. In the Santa Monica Mountains, the LFM is currently at 57%, far drier than in August 2020 when it stood at 70% which is the historical average for this time of year.

S. As we enter what may be the most devastating fire season on record, it is critical that we move with urgency to reduce the risk of occurrence and spread.

T. For these reasons, PLU in areas designated as VHFHSZ pose a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property and/or essential services.

U. California Government Code Section 8630 empowers the City Council to proclaim the existence of a Local Emergency when there is extreme peril to the safety of persons and property within the territorial limits of the City. Additionally, California Government Code Section 8634 empowers the City Council to promulgate orders and regulations necessary to provide for the protection of life and property during the time of a Local Emergency. These statutes codify the constitutional “police powers” of local governments to
adopt local legislation designed to protect the health, safety, and welfare of the community.

V. The extreme peril to the safety of persons and property within Malibu associated with PLU in areas designated as a VHFHSZ outweighs any arguable right that an individual may have to live unhoused or to camp in such areas. To mitigate the risk of fires, Malibu should prohibit PLU in areas designated VHFHSZ and which pose an extreme risk of fire danger. All necessary efforts to connect PLU to resources should occur and should be led by the best practices for addressing PLU such that no individual is criminalized simply for not having a home.

SECTION 2. It is hereby proclaimed that:

1. The potential for a wildfire in Malibu currently poses extreme peril to persons and property in Malibu. As such, a local emergency now exists throughout the City of Malibu, which will remain in effect until the extreme danger of wildfire subsides;

2. To prevent the occurrences of fire and loss of life and property, homeless encampments are prohibited in areas designated as a VHFHSZ in Malibu;

3. City Staff is directed to act in collaboration with the MOT, LASD and LASD-HOST to provide appropriate notification of the prohibition to those PLU residing in encampments;

4. City Staff is directed to act in collaboration with the MOT, LASD and LASD-HOST to identify homeless encampments within areas designated a VHFHSZ, provide outreach, and offer available resources. Homeless encampments offered outreach should be prioritized based on risk level associated with location, access, and terrain, and fuels;

5. City Staff is directed to act in collaboration with the MOT, LASD and LASD-HOST, to ensure that the VHFHSZ remains free of homeless encampments, while also ensuring these efforts do not criminalize PLU;

6. The City is directed to request that the County expand its August 10, 2021 Motion related to reducing risk of fires in VHFHSZ to all of Los Angeles County;

7. City Staff is directed to act in collaboration with the MOT, LASD and LASD-HOST, to provide an initial report back after 30 days on progress relocating PLU in homeless encampments, and an analysis of resources needed to sustain this effort and ongoing progress reports every 60 days thereafter; and
8. City Staff is directed to continue to monitor and report back quarterly on fires that have been linked to PLU in Malibu and to develop appropriate prevention strategies for areas that have seen multiple incidents.

SECTION 3. The local emergency shall be deemed to continue and exist until its termination is proclaimed by the City Council. As required by law, the City Council shall review the need to continue the state of emergency every 60 days until this resolution is terminated.

SECTION 4. This resolution and the actions taken and/or proposed herein are not a project pursuant to the California Environmental Quality Act (CEQA) since they are activities that are excluded from the definition of a project by section 21065 of the California Public Resources Code and section 15378(b) of the State CEQA Guidelines. The proposed actions are organizational or administrative activities of government which will not result in direct or indirect physical changes in the environment. In the alternative, find that the actions are exempt from CEQA as specific actions necessary to prevent or mitigate an emergency pursuant to section 21080(b)(4) and section 15269(c) of the State CEQA Guidelines.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 23rd day of August 2021.

_________________________________
PAUL GRISANTI, Mayor

ATTEST:

_________________________________
KELSEY PETTIJOHN, Acting City Clerk
(seal)

This proclamation has been issued in accordance with applicable law, is in effect and carries the force of law until October 25, 2021, on which date it expires unless the declaration of local emergency is extended by the City Council.

APPROVED AS TO FORM:

_________________________________
JOHN COTTI, Interim City Attorney
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Reduction of the Risk of Fires Associated with Homeless Encampments in High Fire Hazard Severity Zones

Wildfires are a frequent natural disaster in California, causing significant harm and loss to individuals, communities, wildlife and great swaths of natural landscape and the frequency, duration and size of wildfires have increased over the last several decades. Researchers at UC Irvine reported that the State’s burn season has grown longer and longer over the last 20 years, now beginning in May, rather than June, with the peak shifting from August to July. Los Angeles County’s unusually extreme heat, coupled with bone-dry terrain, has created ideal conditions for more rapid spread when fires occur. While most of California is subject to some degree of fire risk, specific features make some areas particularly hazardous. State law requires the California Department of Forestry and Fire Protection (CAL FIRE) to identify areas based on the severity of fire hazard that is expected to prevail there. These areas, or “zones,” are based on factors such as fuel, slope, and fire weather. There are three zones based on increasing fire hazard: medium, high, and very high. As we go through the 2021 fire season, we must be diligent in reducing the risk of fire, particularly in areas with the
highest hazard, which are designated Very High Fire Hazard Severity Zones (VHFHSZ).

Concurrently, Los Angeles County currently has the largest unsheltered homeless population in the nation. The 2020 Point-in-Time Homeless Count identified 66,000 County residents experiencing homelessness, 72% of whom are unsheltered. While many People Experiencing Homelessness (PEH) live in our urban centers, a growing number have taken refuge in more remote, mountainous regions. As more people, both housed and unhoused, live within high fire zones, the risk of fires starting and causing harm and loss of life has also increased. Unsheltered PEH may be reliant on fires for everyday survival activities, including cooking food and keeping warm, but these activities also increase the risk of nearby brush catching fire and rapidly spreading. PEH living in high-fire zones may miss emergency notifications and may experience challenges in safely evacuating. Additionally, efforts to notify or evacuate PEH in remote locations can cause undue harm to outreach workers and emergency responders. For these reasons, PEH in unincorporated County designated VHFHSZ pose a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property and/or essential services.

In response to the rising incidents of PEH impacted by outdoor elements, the Board of Supervisors (Board) instructed the Chief Executive Office (CEO) to create the Extreme Weather and Emergency Response Plan in 2018 to mitigate the impact that extreme weather has on PEH. As a result of this work, the Los Angeles Homeless Services Authority (LAHSA), in collaboration with the LA County Fire Department (LACoF) and the Los Angeles County Sheriff Department Homeless Outreach Services Team (LASD-HOST), have been conducting proactive outreach focused on the
County’s High Fire Hazard Zones (HFHZ). LACoF developed the Homeless Encampment Location Program (H.E.L.P.) to map encampments in high-risk regions, allowing outreach teams to better connect with unhoused residents. As a result of these efforts, hundreds of PEH have been engaged and warned of potential fire dangers. While some of the PEH engaged decided to remain, many willingly agreed to relocate to safer areas. LACoF believes that these preventative efforts significantly reduced the threat of fires during high wind periods.

Despite a significant increase in fire prevention efforts, there are still portions of the County within the designated VHFHSZ where, because of location, access, terrain, and fuels, the risk of a fire starting and rapidly spreading remains incredibly high. As climate change extends and exacerbates our local fire season, particular areas of the Unincorporated County pose too much risk of harm or loss of life for residents, PEH, outreach teams, and first responders, to allow encampments to remain. As we enter what may be the most devastating fire season on record, it’s important that we move with urgency to reduce the risk of occurrence and spread. To mitigate the risk of fires, LACoF should prohibit homeless encampments in Unincorporated County designated VHFHSZ’s. All necessary efforts to connect PEH in these regions to resources should be led by LAHSA’s best practices for addressing street encampments, ensuring that no individual is criminalized simply for not having a home.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Prohibit homeless encampments in Unincorporated County designated VHFHSZ’s to prevent the occurrences of fire and loss of life;

2. Direct LACoF and LASD-HOST to provide appropriate notification to the people living in the designated encampments of the prohibition;
3. Direct CEO-HI, in collaboration with LACoF, LAHSA, OEM, and LASD-HOST to identify encampments within Unincorporated County designated a VHFHSZ, provide outreach, and offer resources following LAHSA’s best practices for addressing street encampments. Encampments identified for outreach should be prioritized based on risk level associated with location, access, and terrain, and fuels;

4. Direct LACoF, in collaboration with CEO-HI, and LASD-HOST to ensure that VHFHSZ’s in Unincorporated County remain free of encampments, while also ensuring these efforts do not criminalize PEH;

5. Direct CEO-HI, in collaboration with LAHSA, and LACoF to provide an initial report back in 30 days on progress rehousing PEH, and an analysis of resources needed to sustain this effort and ongoing progress reports every 60 days thereafter;

6. Direct LACoF to continue to monitor and report back quarterly on fires that have been linked to encampments outside of VHFHSZs and to develop appropriate prevention strategies for areas that have seen multiple incidents; and

7. Find that the proposed actions are not a project pursuant to the California Environmental Quality Act (CEQA) since they are activities that are excluded from the definition of a project by section 21065 of the California Public Resources Code and section 15378(b) of the State CEQA Guidelines. The proposed actions are organizational or administrative activities of government which will not result in direct or indirect physical changes in the environment. In the alternative, find that the actions are exempt from CEQA as specific actions necessary to prevent or mitigate an emergency pursuant to section 21080(b)(4).
and section 15269(c) of the State CEQA Guidelines.

S:RS/ReducingTheRiskOfFiresAssociatedWithHomelessEncampmentsInHighFireHazardSeverityZones
RECOMMENDED ACTION: Review items tentatively scheduled for the next Regular meeting agenda and provide feedback to staff.

DISCUSSION: The following items are tentatively scheduled for the next Regular meeting agenda on October 19, 2021:

- Approval of Minutes – August 12, 2021
- Strategies implemented in other municipalities related to homelessness, and what has succeeded and failed
- Applicability of Martin v. Boise to the City of Malibu
- Discussion of pressuring the County to open emergency shelters during high fire season
- Update on Current Efforts
- Future Agenda Items

Approval of Minutes, Update on Current Efforts and Future Agenda Items will be scheduled for every Regular meeting agenda.

The Task Force is requested to provide feedback to staff regarding changes to the items listed or suggest other items that could be added.

ATTACHMENTS: None.