

MINUTES
MALIBU HOMELESSNESS TASK FORCE
SPECIAL MEETING
FEBRUARY 1, 2022
TELECONFERENCED – VARIOUS LOCATIONS
2:00 P.M.

The following meeting was held pursuant to AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

CALL TO ORDER

Chair Roven called the meeting to order at 2:04 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Chair Ian Roven; Vice Chair Bill Winokur; and Task Force Members Deborah Benton, Wayne Cohen, Paul Davis, Terry Davis, Scott Dittrich, Chris Frost, Kelly Pessis, and Bill Sampson

ALSO PRESENT: Susan Dueñas, Public Safety Manager; Luis Flores, Public Safety Liaison; Parker Davis, Media Technician; and Mary Linden, Executive Assistant

PLEDGE OF ALLEGIANCE

Task Force Member Frost led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Task Force Member Terry Davis moved, and Vice Chair Winokur seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Executive Assistant Linden reported that the agenda for the meeting was properly posted on January 31, 2022.

ITEM 1 CONSENT CALENDAR

Item No. 1.B.1. was pulled by the Task Force.

Task Force Member Paul Davis requested his comment on page five of the January 18, 2022 minutes be changed to state City counsel, not City Council.

MOTION Task Force Member Terry Davis moved, and Task Force Member Dittrich seconded a motion to approve the minutes of the Homelessness Task Force Regular meeting of January 18, 2022 as amended. The question was called, and the motion carried unanimously.

The Consent Calendar consisted of the following items:

- A. Previously Discussed Items
None.
- B. New Items
 - 1. Approval of Minutes – January 18, 2022
Staff recommendation: Approve minutes of the Homelessness Task Force Regular meeting of January 18, 2022.

ITEM 2 OLD BUSINESS

- A. Alternative Sleeping Locations (ASL) Recommendations (continued from January 18, 2022)

Recommended Action: 1) Review the revised ASL Recommended Action Plan, prepared by the Emergency and Temporary Services Ad Hoc Committee and revised by the Legal Analysis Ad Hoc Committee, and provide edits, if appropriate; and 2) Approve the revised ASL Recommended Action Plan for submittal to the City Council.

Public Safety Manager Dueñas presented the report. She invited the Legal Analysis Ad Hoc Committee (LAAHC) to explain any changes to the ASL Recommended Action Plan (Plan) presented at the January 18, 2022 meeting.

Task Force Member Cohen stated the LAAHC determined that either the City Council, a zoning lawyer or the City Attorney would have to look at zoning issues.

Task Force Member Pessis inquired about the elimination of Item 1.D. from the original Plan. Task Force Member Cohen stated the LAAHC only came to the conclusion that legal zoning issues needed investigation.

Kay Gabbard, Homelessness Working Group, thanked the Task Force for its work. She expressed concern about being accepted by a community chosen for the City to place a facility. She suggested getting in contact with any cities being considered. She discussed the terminology section. She discussed the definition of mental illness.

Barton Krop expressed concern about Sheriff's deputies transporting homeless people and the need to frisk them. He discussed problems dealing with the individual's personal property. He stated he hoped this was not just a Martin v.

Boise workaround and that the homeless would actually be helped. He commended the Task Force members for their work.

In response to Task Force Member Cohen, Task Force Member Dittrich stated anything presented to the Council would be reviewed by the City Attorney. He suggested including “subject to review by the City Attorney” in the recommendation.

Task Force Member Pessis thanked Ms. Gabbard and Mr. Krop for attending and for their comments. She stated the recommendation would be more than a band aid.

In response to Task Force Member Pessis, Vice Chair Winokur stated he and Chair Roven made some of the suggested final edits.

In response to Task Force Member Dittrich, Task Force Member Cohen stated the LAAHC review was to ensure the best possible product was presented to the City Council. He stated the zoning issues were not straightforward.

Task Force Member Terry Davis stated the zoning issues may be involved in any type of facility. She stated she disagreed with limiting options for City Council consideration as indicated in the first section under Facilities. She discussed a meeting she and Task Force Member Pessis had with a zoning expert utilized by other cities.

Task Force Member Pessis stated the provider, not the City, would be renting the facility.

Task Force Member Cohen discussed the differences in tenancy between a commercial versus a residential area. Chair Roven displayed the Los Angeles County Department of Regional Planning’s Interim and Supportive Housing Ordinance (ISHO) Summary Chart, which Task Force Member Cohen stated the LAAHC considered. He stated the issue to be determined was who was the tenant and the relationship between the tenant and those being placed in the facility.

Task Force Member Dittrich thanked Ms. Gabbard and Mr. Krop for their input. He discussed a recent visit to Baldwin Park’s pallet housing. He stated Malibu did not have an equivalent location. He stated the cost was \$500,000 for set-up and \$800,000 annually for expenses. He discussed a homeless center planned near Taft High School. He stated Baldwin Park limited housing to 90 days. He stated 12 residents were senior citizens, and two were employed full time and assisting others. He discussed the need for locations where those with mental issues could be placed. He stated locating the ASL outside the City would limit the availability of services currently provided. He discussed kickback against the location near Taft High School.

Task Force Member Sampson thanked the speakers for attending. He stated *Martin v. Boise* has been badly misinterpreted. He stated smoking should be prohibited. He stated authority for rehabilitation facilities from the State overrides local ordinances. He thanked Mr. Krop for pointing out that deputies had to frisk any individuals before placing them in the patrol vehicle.

Vice Chair Winokur discussed the sharing of opinions that were worked into the revised Action Plan. In response to Mr. Krop, he stated the revised Plan did not indicate that Sheriff's Deputies would be providing transportation. He expressed concern about the potential of challenges or litigation over placing a shelter in another community. He asked if it was a practical, legal, ethical, or moral solution to the problem.

Task Force Member Frost stated he agreed with Task Force Member Pessis that all options needed to be explored. In response to Task Force Member Dittrich, he stated the facility by Taft High School was going to be a family-only facility as part of Project Roomkey. Public Safety Manager Dueñas stated the County advised the Homelessness Working Group this morning that the facility was not wanted by the community. Task Force Member Frost stated rehab facilities were controlled by the State under the Americans with Disabilities Act (ADA). He disagreed with having Sheriff's Deputies transporting individuals outside the City since it would reduce vital resources in the City.

Task Force Member Pessis stated section 1.A. in the revised Plan still included a recommendation to establish an ASL outside the City. She suggested considering mixed use, commercial or retail areas. She stated the City could partner with a non-profit organization to access beds currently unavailable. She stated the ASL could also be shared with another municipality, such as the one where the ASL is located.

In response to Vice Chair Winokur, Task Force Member Sampson agreed the Sheriff would not transport individuals unless they were under arrest. He discussed problems related to finding a location.

Vice Chair Winokur stated modular housing was removed but could be added back into the Plan.

Task Force Member Terry Davis stated modular housing should be included as an option. She stated the biggest challenge was location, no matter which option was chosen. She stated the City could begin working in collaboration with any community selected.

Task Force Member Dittrich suggested contacting Malibu residents or organizations interested in helping with transportation.

MOTION Task Force Member Dittrich moved, and Vice Chair Winokur seconded a motion to approve the revised ASL Recommended Action Plan, with amendments, for submittal to the City Council.

Public Safety Manager Dueñas agreed with including the City reaching out to establish a partnership with any jurisdiction being considered for placement of an ASL.

Vice Chair Winokur suggested that be added to the Location section of the Plan.

Task Force Member Benton stated it was important to include public input if or when considering placement of an ASL in Malibu.

Task Force Member Sampson stated he wished to be on record as not supporting placement of an ASL in Malibu under any circumstances. In response to Vice Chair Winokur, Task Force Member Sampson stated he would support an ASL outside the City if the budget was available.

In response to Task Force Member Dittrich, Public Safety Manager Dueñas stated Measure H funds would be available if the ASL was placed in the City's Service Planning Area (SPA). She discussed the County's offer of assistance.

Task Force Member Terry Davis stated there were other funding opportunities available in addition to Measure H.

The Task Force discussed further edits to the Revised ASL Recommended Action Plan.

The question was called, and the motion carried 9-1, Task Force Member Sampson dissenting.

Task Force Member Benton commended Vice Chair Winokur for his work in producing the Plan.

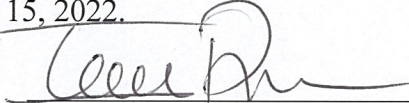
Public Safety Manager Dueñas stated she was in communication with the Mayor about whether this would be presented to the City Council at a Special meeting or in a joint meeting of the City Council and Homelessness Task Force.

Task Force Member Dittrich suggested the Emergency and Temporary Services Ad Hoc Committee identify at least two potential locations in Malibu. Vice Chair Winokur suggested that be included for discussion on the agenda for the next Regular meeting.

ADJOURNMENT


MOTION At 3:54 p.m., Chair Roven adjourned the meeting.

Approved and adopted by the Homelessness Task Force of the City
of Malibu on March 15, 2022.



IAN ROVEN, Chair

ATTEST:



MARY LINDEN, Executive Assistant