



## Legislation Text

---

**File #:** 21-0130, **Version:** 1

---

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

George Gabriel, Senior Management Analyst

**SUBJECT:**

Report on the Use of Homeless Court Services and Funding Sources for Homeless Services (City Manager Moe).

**DISCUSS AND PROVIDE DIRECTION**

---

**RECOMMENDATION:**

Staff recommends that the City Council discuss and provide direction regarding the City's exploration of homeless court services.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

At the March 16, 2021 Council Meeting, the City Council directed staff to agendize Council consideration of homeless court and an analysis of potential funding sources for various homeless services.

The City has taken an active role in addressing homelessness, strategically and regionally. In doing so, the City is doing everything possible to ensure public safety while also assisting homeless in obtaining the services needed, and respecting their rights. Over the past three years, the City of Manhattan Beach has taken the following steps so far:

- Approved the "Five-Year Plan to Address Homelessness in our Community" that creates goals that align with the County of Los Angeles's objectives;
- Adopted an Anti-Camping Ordinance prohibiting camping and storing personal property in public areas. Signage with this information, has been placed in multiple locations within the City;
- Appointed a Homelessness Liaison responsible for homelessness initiatives and concerns;
- Participated in the county-wide Homelessness Counts the past two years to assist with understanding the size and scope of homelessness. Fifteen individuals were counted in Manhattan Beach in 2020 (down from 41 individuals in 2018 and 21 in 2019);
- Created a Homelessness Task Force of 11 residents and stakeholders to assist in: 1) developing a proposal to obtain County Measure H funds, and 2) conduct community

outreach/education on homelessness;

- Increased the number of mental health clinicians provided by the Los Angeles County Department of Mental Health available to the Manhattan Beach Police Department to address mentally ill homeless individuals;
- Created and distributed a Homeless Resource Guide and Card that summarizes a variety of resources and phone numbers to refer to, for residents and those experiencing homelessness;
- Awarded a \$330,666 grant by the County of Los Angeles to offer case management and coordination services to homeless individuals in the cities of Redondo Beach, Hermosa Beach, and Manhattan Beach.
- Approved a City Homelessness Plan Implementation Grant contract with the County of Los Angeles that would provide homeless coordination, case management and trainings in the beach cities of Manhattan, Hermosa and Redondo.
- Developed specifications in order to obtain proposals from qualified service providers to assist in moving people off the streets into interim and permanent housing.
- Awarded a subcontract to a qualified homeless services firm, Harbor Interfaith Services (HIS), to provide:
  - A full-time Homeless Coordinator/City Liaison to leverage the cities' fiscal and administrative resources to systematize, coordinate and help oversee multi-sectoral homeless efforts to enhance and expand regional access to services.
  - Developing and implementing internal city-level homelessness response protocols and beach city regional response;
  - Tailoring training material and lead training sessions with staff;
  - Planning and holding an annual homelessness stakeholder roundtable/community meeting;
  - Providing two full-time Homeless Case Managers to assist homeless individuals and families by getting individual "document ready;" and make successful referrals to interim housing, treatment centers, and permanent housing.
- Since November 2019, HIS has interacted with over 153 homeless individuals, placing 37 into interim housing, 14 in the State/County sponsored Project Room Key locations, 7 into treatment programs, and 16 in stable housing placements.
- Adopted Resolution No. 20-0031 approving a Memorandum of Understanding (MOU) between the City of Manhattan Beach, the City of Redondo Beach and the City of Hermosa Beach regarding the implementation of the South Bay Beach Cities Homelessness Project for homeless coordination, housing navigation and training services.
- Promoted the Los Angeles Homeless Outreach Portal (LA-HOP), web-based portal to help make it easier to request coordinated county services for homeless individuals and ensure constituents can easily submit requests for homeless outreach;
- Joined a coalition of California local public agencies in support of the City of Boise's Petition for a Writ of Certiorari with the United States Supreme Court to clarify homeless enforcement mechanisms for our Police Department (the Supreme Court rejected the petition);
- Explored contracting with a regional homeless shelter to assist homeless with immediate shelter options; and
- Increased the presence of outreach workers in the City by conducting "ride-alongs" with the City's Police Department.

The City continues to be responsive to concerns, and actively monitor incidents where the public safety is threatened or homeless outreach can be coordinated.

### **DISCUSSION:**

In 2019, the Los Angeles County Board of Supervisors provided funding to the South Bay Cities Council of Governments to administer “Innovation Funds” for homeless services in the South Bay. The City of Redondo Beach is the only jurisdiction that was awarded an innovation grant to provide a Homeless Court as a pilot program titled, “Enhanced Homelessness Response Pilot Program.” The Homeless Court Program offers an informal diversion program and services such as mental health counseling, substance abuse treatment and housing placement. This effort is coordinated in cooperation with the Public Defender, Alternate Public Defender, Sheriff’s Department, Community Partners, City of Redondo Beach, South West District Administrator, Torrance Criminal Operations Manager, and Judge Gilbertson.

At the April 13, 2021, Redondo Beach City Council agenda, the following summary of homeless court was provided:

“Harbor Interfaith, PATH and City Net are the homeless service providers that attend Homeless Court. Every participant of Homeless Court is connected with a housing navigator of their choice. The housing navigators give the attorneys recommendations and updates on each participant, and the attorneys will ask the judge to make the appropriate orders to get the participants to work towards becoming housing ready. Judge Rene Gilbertson is the presiding judge of Homeless Court, who compassionately encourages the participants while at the same time is firm when the participants are not following her orders. Homeless Court continues to grow into a one-stop shop with multiple agencies offering services. The Public Defender Expungement Van attends every month to assist defendants in clearing their criminal records to help pass background checks for housing. Clear Recovery Center donates substance abuse counseling and mental health therapy. The Department of Mental Health is able to conduct evaluations and refer people to treatment and services. In addition, these services are not only available to the participants of Homeless Court, but also to any interested person experiencing homelessness in Redondo Beach.”

Based on the City of Redondo Beach’s homeless count conducted by the Los Angeles Homeless Services Authority in 2020, Redondo Beach’s homeless population is substantially larger than Manhattan Beach. Redondo Beach totaled 176 individuals experiencing homelessness while Manhattan Beach totaled 15 individuals. Upon conducting an unofficial count by the City’s Police Department in April 2021, the Police Department identified about 7 individuals that may benefit from a homeless court program.

The homeless court program has been viewed as a success in Redondo Beach and has provided an additional tool to incentivize homeless individuals to seek housing options.

### Prosecution Services and Homeless Court

The District Attorney (DA) is an elected county official established by Government Code Section §26500-26543. The DA is responsible for the prosecution of criminal violations of state law and county ordinances occurring within the county in which they are elected. This includes investigation and apprehension, as well as prosecution in court.

The elected District Attorney, George Gascón, is in charge of the office that prosecutes felony and misdemeanor crimes that occur within Los Angeles County. The Los Angeles District Attorney's Office prosecutes felony crimes and misdemeanor crimes in unincorporated areas and in 78 of the county's 88 cities, including the City of Manhattan Beach.

The cities of Burbank, Hawthorne, Inglewood, Long Beach, Los Angeles, Pasadena, Redondo Beach, Santa Monica, and Torrance have their own City Attorneys who prosecute misdemeanor crimes and municipal code violations that occur within their jurisdictions. With the exception of Hawthorne and Pasadena, all of the other cities are charter cities. In some cities, such as Burbank and Hawthorne, the City Council appoints the City Attorney and in other cities, such as Long Beach and Los Angeles, the City Attorney is elected.

The City of Hermosa Beach, which is a general law city, contracts with the City of Redondo Beach for City Prosecutor services.

The City of Hawthorne's Prosecution Department also performs prosecution services for other entities such as the California Highway Patrol, Los Angeles County Health Department, California State Department of Alcoholic Beverage Control, and various police agencies in the South Bay area.

As a charter city which has an elected City Attorney, the City of Redondo Beach operates and conducts its own homeless court. MB staff has sent the City of Redondo Beach a non-binding letter of intent for Homeless Court Service and/or Prosecution Services. The City of Redondo Beach is still evaluating the feasibility of allowing Manhattan Beach to utilize Redondo Beach's services, and Redondo Beach City Attorney Mike Webb will raise the issue with the Redondo Beach City Council.

Should the City of Manhattan Beach seek to prosecute state law misdemeanors committed within city limits, the City must request the authority to prosecute state law misdemeanors from the LA County District Attorney. Government Code section 41803.5 provides:

“(a) With the consent of the district attorney of the county, the city attorney of any general law city or chartered city within the county may prosecute any misdemeanor committed within the city arising out of violation of state law. This section shall not be deemed to affect any of the provisions of Section 72193.

(b) In any case in which the district attorney is granted any powers or access to information with regard to the prosecution of misdemeanors, this grant of powers or access to information shall be deemed to apply to any other officer charged with the duty of prosecuting misdemeanor charges in the state, as authorized by law.”

A number of preliminary steps must be taken to effectuate that switch, including analyzing the existing contract with the County for prosecution services; staff would need further direction from the City Council for the City Attorney to research the legal steps necessary to enable the Redondo Beach to prosecute violations of state law in Manhattan Beach. Also, the Police Chief's input is essential.

### Funding Analysis

As mentioned earlier, the Homeless Court facilitated by Redondo Beach is funded by the County of Los Angeles via the South Bay Cities Council of Governments. For a years' worth of homeless court services, the City of Redondo Beach required \$245,287 to fund the program. Costs/Services

included: Police Department Overtime, Prosecutors (2), contract attorney services, security officers, homeless outreach services, LA County Sheriff's Department security, and treatment services. The itemized cost of Redondo Beach's program is attached for reference.

In preliminary discussions with County Supervisor Janice Hahn's Office, staff has been informed that Supervisor Hahn supports the homeless court program and is interested in expanding it. Should a proposal from the City be provided to Supervisor Hahn's Office, grant funds may be available to fund the initiative.

As indicated in the background section of the report, the cities of Manhattan Beach, Hermosa Beach and Redondo Beach, received a \$330,665 grant to fund homeless case management, regional coordination and training services. Since November 2019, the City has expended grant funds by subcontracting for homelessness initiatives with Harbor Interfaith Services. From December 2019 to March 2021, the City has expended \$211,789.74 in grant funding. The remaining \$118,875.26 will be expended to continue services until December 2021. This remaining amount will need to be supplemented by additional grant funding (i.e. "Bridge Funding") from the County of Los Angeles for services to prevent homeless service disruptions. Staff is processing this request.

After December 2021, the County of Los Angeles is planning to allocate a total of \$15.0 million in Measure H Strategy E7 funds be allocated to the Councils of Government (COGs) to facilitate a regional approach in preventing and combatting homelessness in Los Angeles County. The term of the new funding will be for 18 months, January 2022 through June 2023.

Grant funding requests to the County of Los Angeles will continue to be focused on increasing the supply of permanent and interim housing for people experiencing homelessness, and enhancing County service systems for those experiencing and/or at-risk of homelessness.

#### **CONCLUSION:**

Staff recommends that the City Council discuss and provide direction regarding the City's exploration of homeless court services. Specifically, staff is requesting whether staff should continue exploring the possibility of contracting with the City of Redondo Beach for prosecution services and explore options to fund a homeless court program for the City of Manhattan Beach.

#### **LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

#### **ATTACHMENT:**

1. Redondo Beach Homeless Court Cost Breakdown