

Dear members of Goleta City Council,

I am reaching out to you as one of the many concerned residents impacted by the proliferation of illegal camping on Phelps Road between Cannon Green Dr. and Pacific Oaks Road.

Below are my comments on the specific policy questions before you on October 7:

## **2. Regulatory options**

### **A. Encampment Ordinance Amendments**

#### **Policy Questions:**

#### **1. Should the City's ordinance incorporate some or all of the elements of the Governor's Model Ordinance?**

I support the City having a policy to always provide persons access to shelter or information on how to receive services. However, acceptance of those services or availability of a shelter bed should not prevent enforcement of existing laws. Additionally, exceptions should be made for repeat offenders who have been offered services multiple times and have consistently rejected those services.

In addition, I do not support language that limits camping prohibitions within 200 feet of public property or posted notice - illegal camping on any public property must be promptly corrected.

#### **2. In light of the Grants Pass decision, how should GMC 12.01.030(B) be amended? Should the entire provision be removed?**

I support the language amendment as follows:

*Absent exigent circumstances related to immediate threats to the public health, safety, or welfare, the provisions of this section will not be enforced against indigent homeless persons sitting, lying, or sleeping on City-owned public property, except in high fire areas, ~~when no alternative shelter or publicly available campsite is available in accordance with the holding in Martin v. City of Boise (9th Cir. 2019) 920 F.3d 584.~~*

In this case, the ordinance is in reference to the mere action of sleeping or resting, as opposed to illegally camping, and I do not oppose this basic human function.

### **B. Vehicular Dwelling Ordinance Amendments**

#### **Policy Question:**

#### **1. Should the City add more indicia of vehicle dwelling to GMC 10.04.040?**

I generally do not support limiting ordinances with "specific indicia," unless the phrase "included but not limited to" or "such as" are included in the ordinance.

Also, I am curious why specific indicia would be written into an ordinance rather than providing them in a training bulletin for PD? Writing specific examples in an ordinance would be limiting in the event of innovations in illegal camping, and amending an ordinance takes time.

**2. Does the City want to keep the concept of towing? The language either needs to be eliminated or, if kept, factors under the Community Caretaking Doctrine will need to be added.**

I support keeping language giving the option to tow. Additionally 72-hours in the event of illegal vehicular camping is too much time: 24 hours is sufficient. A person does not need a 72-hour window to remove a vehicle being used for illegal camping. All 72-hours does is prolong the problem and give people free camping for 72 hours.

**4. Enforcement Options**

**Policy Questions**

**1. Should there be any changes to the existing enforcement framework?**

Yes, as stated earlier, reducing the time frame to 24 hours. This is sufficient time to take down a tent or drive a vehicle away.

**2. Should the City start utilizing the administrative citation with a forgiveness component against individuals who set up encampments or dwell in their vehicles in violation of the City's laws? If Council supports the use of the administrative citation process, staff would develop a program in collaboration with the Sheriff's Office and begin this enforcement mechanism as soon as possible.**

Though not included in the staff report, at the August 12 meeting, the HISC received guidance from the Safe Parking program that an enforcement component is sometimes necessary in order for persons to accept service.

I support a forgiveness component for first time offenses. If a person actually enrolls in a program and in the event of vehicular camping relocates to a Safe Parking site.

**3. Should any of the components of the Governor's Model Ordinance on encampment clearing be incorporated into the City's encampment clearance policy? Public Works Open Space Division staff recommends Council allow staff to shorten its current 72-hour noticing policy to 48 hours and reduce the value of personal belongings from \$100 to \$50 to be eligible for storage and reclamation.**

As stated earlier, I support reducing it to 24 hours, which is plenty of time to pack up a tent or drive a car/bus/RV away.



Large RVs camp here at night - our neighborhood is not an RV park.



This truck regularly camps out directly across from me.



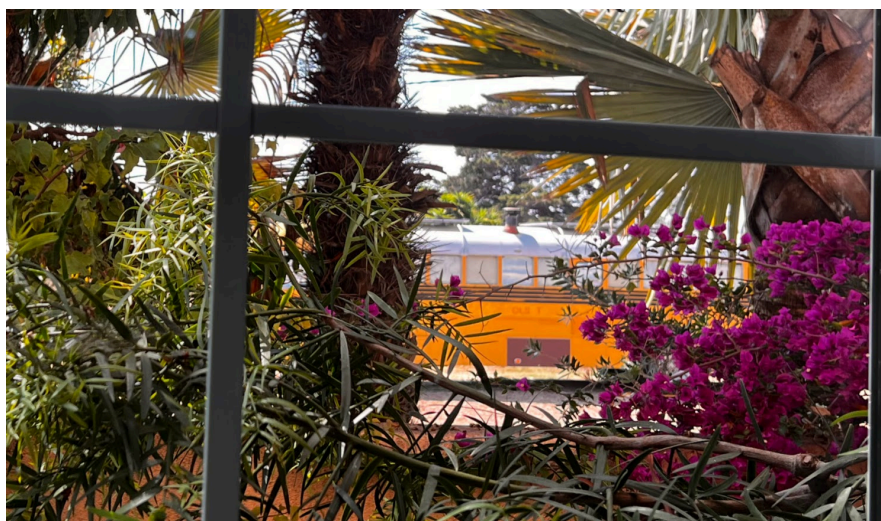
Imagine coming home to this van at night.



Stills from a video taken on a Friday night. I counted 8 vehicles just on the Coastal Zone sections of Phelps where no signage exists. I'll point out the yellow bus that regularly camps in the area with the owner often sitting outside of his bus on a camping chair.



Seen from my bedroom. This van regularly camps here.



The yellow bus, seen from my kitchen.

As we've mentioned previously the number of vehicles used for camping has gotten out of control. The photos above are examples of what occurs on a regular basis. More recently



people are parking their cars more haphazardly, facing all sorts of directions in the late night hours.

As I've said time and time again I do not feel safe walking outside my own street at night. My guests have expressed discomfort parking there when visiting me. This situation needs to be brought back under control.

I recognize the challenges of addressing homelessness and I applaud the City for its efforts to help persons experiencing homelessness. I am a strong supporter of our homeless service provider community, and am in favor of housing first and harm reduction programs. However, I also recognize the negative impacts that homelessness can have on communities and neighborhoods. Compassion should not come at the expense of safe neighborhoods, and that is the point in which we find ourselves here.

- Liz Stotts, Emily Lane resident