



City of San Diego

Councilmember Christopher Ward, Third District
Councilmember Monica Montgomery, Fourth District
Councilmember Scott Sherman, Seventh District

MEMORANDUM

DATE: May 21, 2019

TO: City Attorney Mara Elliott

FROM: Councilmember Christopher Ward
Councilmember Monica Montgomery
Councilmember Scott Sherman

RE: Safe Parking Program

Thank you for your response to our April 25, 2019 memorandum regarding the proposed vehicle habitation ordinance.

Based on the feedback provided in your May 9, 2019 memorandum, we request the following:

- 1) Please provide legal analysis and draft ordinance language for a future council action to grant amnesty for parking infractions within the previous year to current and future safe parking program participants.
- 2) Please prepare legal analysis and draft ordinance language for consideration of the Council of a codified permit system with the following direction:
 - A permit system shall be developed and implemented to allow individuals to safely be in their vehicle in the designated zones should there be a lack of capacity at safe parking sites, and further to allows those who are participants in safe parking programs to freely move about the city to conduct their personal business without risk of citation under the Vehicle Habitation Ordinance.
 - Permits will be obtained and regularly renewed through the safe parking program service provider(s).

- The permit application will serve as a touch-point into our regional homeless management information system and establish opportunities to help the applicants resolve their homelessness.
 - The development of the permit system and implementation process shall be done with the input of those experiencing homelessness and/or with lived experience.
 - The use permit will not be visible on the vehicle or to the public, but rather connected to the system via the vehicle's license plate or unique identifying feature. This will help protect against inappropriate citations and preserve the anonymity of the individuals.
 - Permits holders shall be provided with resource maps that include permissible areas for daytime and nighttime habitation, information on 24-hour restrooms, food bank sites, and other critical services.
 - Each council district without an operational safe parking lot shall identify at least one mile of industrial or commercial zoned area(s) that will allow permit holders to use their vehicles for nighttime habitation should there be a lack of capacity at safe parking sites.
- 3) Please prepare legal analysis and draft ordinance language for a future council action to ensure the City's ability to impose fines on the owners of vehicles being offered for rent for habitation on city streets or property.

We respectfully request your analysis and draft ordinances within the 90-day time frame by which the update on the Vehicle Habitation Ordinance enforcement and overcapacity plan will be brought by Department staff to Council so that Council may have the opportunity to vote on the items outlined above. We are available to discuss and further develop any of these concepts.