



Homeless Commission

CONSENT CALENDAR
September 27, 2005

To: Honorable Mayor and
Members of the City Council

From: Homeless Commission

Submitted by: Kokavulu Lumukanda, Chair, Homeless Commission

Subject: Homeless People With Vehicle Impoundments (CF 22-05)

RECOMMENDATION

Adopt a Resolution committing Council to establishing permanent housing for the homeless as its first priority; allocating funding for solutions to homelessness; and addressing the loss of a vehicle through no-cost strategies including: 1) establishing a legal place for homeless people to park; 2) waiving time limits for working off fines through the performance of community service; and 3) establishing a mechanism to prevent compounding of unpaid fines.

FISCAL IMPACTS OF RECOMMENDATION

This recommendation would not result in the expenditure of any funds.

CURRENT SITUATION AND ITS EFFECTS

Homeless people who own vehicles often find it difficult to avoid having their vehicle impounded. There are few places in the city a homeless person can legally park their vehicle for more than a few hours without risk of obtaining a parking ticket. A homeless person with limited income may have difficulty affording the fine and eventually fines and penalties compound to the point where the vehicle is impounded. For a homeless person, a vehicle impoundment can be devastating as the vehicle may be the place s/he sleeps.

BACKGROUND

On May 10, 2005, Councilmembers Dona Spring and Kriss Worthington recommended that the City of Berkeley assist a homeless woman to recover her ticketed and impounded truck and dogs. The Council agreed to waive animal pound fees and release her dogs, and to waive time limits on performing community services in lieu of paying fines. The homeless woman raised funds from private sources to pay impoundment fees to the towing company and fees to the DMV to have her registration reinstated. The Councilmembers requested that the Homeless Commission consider the establishment of a City program to provide assistance to homeless people who find themselves in this predicament.

RATIONALE FOR RECOMMENDATION

The Homeless Commission considered the issue at their meetings of June 8, 2005 and July 13, 2005. While Commissioners strongly agree that loss of property, including vehicle impoundment, is a huge concern for the homeless community, the Commission believes that the City should not create a program that simply provides emergency assistance to recover impounded vehicles but does not address the underlying issues. A person assisted through such a program may find themselves in the same predicament several months later. The issue the City must remain committed to addressing is increasing permanent housing opportunities for homeless people.

The Commission recommends that the City further explore no-cost strategies to assist homeless people who have a vehicle impounded. The first strategy is to explore providing parking areas in which there are more lenient time limits so that homeless people are less likely to have their vehicles ticketed in the first place. The second, is instituting a policy, as was done in this case, to waive time limits for homeless people and allow them an opportunity to perform community service in lieu of paying fines. Finally, exploring a mechanism through which late penalties can be waived for homeless people so that fines do not continue to compound.

CITY MANAGER

Refer Commission recommendations to the Work Session on Anti-Poverty and Homeless Programs currently scheduled for November 29, 2005.

CONTACT PERSON

Jane Micallef, Homeless Commission Secretary, 981-5426

RESOLUTION NO. -N.S.

ESTABLISHING PERMANENT HOUSING AS FIRST PRIORITY FOR ADDRESSING
HOMELESSNESS

WHEREAS, homelessness is an issue of tremendous community concern; and

WHEREAS, the City must commit to targeting resources toward expanding permanent housing opportunities for homeless people; and

WHEREAS, allocating funds to provide assistance to homeless people whose vehicles have been impounded does not address the underlying issue; and

WHEREAS, there are no-cost strategies to mitigate the impact of vehicle impoundment on homeless people.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley establishes permanent housing as its first priority for addressing homelessness.

BE IT FURTHER RESOLVED, that since the loss of a vehicle is a serious problem for homeless people, the City of Berkeley will make efforts to address this issue through no-cost strategies and will study the feasibility of: 1) establishing a legal place for homeless people to park; 2) waiving time limits for working off fines through the performance of community service; and 3) establishing a mechanism to prevent compounding of unpaid fines.