



City of San Clemente City Manager

James Makshanoff, City Manager

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Thursday, July 25, 2019

The Honorable Don Barnes
Sheriff-Coroner of Orange County, California
550 N. Flower Street
Santa Ana, CA 92703

Dear Sheriff Barnes,

I wanted to take this opportunity to get clarification from OCSD on enforcement of San Clemente's Municipal Code.

This past Wednesday I met with Lt. Manhart and two of his deputies to discuss the cleanup of the homeless camp in San Clemente. I asked Lt. Manhart if OCSD was going to enforce the City's trespassing ordinance if campers refused to leave the camp for the cleanup project. Lt. Manhart replied that OCSD would not enforce trespassing violations involving a homeless person. San Clemente's Assistant City Attorney, Matthew Richardson, asked if OCSD would enforce the trespassing ordinance if it involved a homeless person at City Hall. Lt. Manhart responded that they would do so only if it didn't involve a homeless person.

I followed that up by asking Lt. Manhart how OCSD would handle a homeless person camping in non-designated areas of the city, if the camper had violated the City's rules for the campground and the City refused the camper a spot in the campground. Lt. Manhart responded that OCSD would not enforce the City's camping ordinance.

I would like a documented response from OCSD regarding their position on enforcing trespassing and anti-camping ordinances in San Clemente.

I would also like a response to my letter to Lt. Manhart dated July 20th 2019.

If there is no response to this letter or the July 20, 2019 letter to Lt. Manhart by Thursday August 8, 2019, the City will assume that OCSD does not plan to enforce the City's ordinances as they are contractually obliged to.

Regards,

James Makshanoff
City Manager

cc: City Council
Erik Sund, Assistant City Manager
Scott Smith, City Attorney
Captain Jeff Puckett, OCSD
Lt. Edward Manhart, OCSD

