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 19 Capistrano, and City of San Clemente

20 **UNITED STATES DISTRICT COURT**  
 21 **CENTRAL DISTRICT OF CALIFORNIA**

22 HOUSING IS A HUMAN RIGHT  
 23 ORANGE COUNTY, et al.,

24 Plaintiffs,

25 v.

26 THE COUNTY OF ORANGE, et al.,

27 Defendants.

Case No. 8:19-cv-00388-DOC  
 Honorable David O. Carter

**DECLARATION OF ROBERT A.  
 NAEVE IN SUPPORT OF MOTION  
 OF DEFENDANTS CITY OF ALISO  
 VIEJO, CITY OF SAN JUAN  
 CAPISTRANO, AND CITY OF SAN  
 CLEMENTE TO RECUSE THE  
 HON. DAVID O. CARTER**

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**DECLARATION OF ROBERT A. NAEVE**

I, Robert A. Naeve, declare and state:

1. I am a Partner with the law firm Jones Day, counsel for defendants City of Aliso Viejo, City of San Juan Capistrano, and City of San Clemente (the “Movant Cities”) in this matter. I make this Declaration in support of the Movant Cities’ Motion to Recuse the Honorable David O. Carter. I am over 21 years of age, am licensed to practice law in the State of California, and have personal knowledge of all of the matters and facts set forth in this Declaration.

2. In preparation of this Declaration, I obtained publicly available news articles from Westlaw’s NewsRoom and the Internet. True and correct copies of those news articles are attached as Exhibits A through S to this Declaration:

- a. Attached as Exhibit A is a true and correct copy of: Hannah Fry & Doug Smith, *Judge Tells O.C. to Find Place for Homeless*, Los Angeles Times (Feb. 14, 2018), obtained through Westlaw’s NewsRoom.
- b. Attached as Exhibit B is a true and correct copy of: Anh Do, *Judging a Homeless Quandary Up Close*, Los Angeles Times (Feb. 15, 2018), obtained through Westlaw’s NewsRoom.
- c. Attached as Exhibit C is a true and correct copy of: Thy Vo, *Federal Judge in Homeless Case Keeps Everyone Running*, Voice of OC (May 14, 2018), obtained online at <https://voiceofoc.org/2018/05/federal-judge-in-homeless-case-keeps-everyone-running/>.
- d. Attached as Exhibit D is a true and correct copy of: Nick Gerda, *Federal Judge Sets June 13 Deadline for OC Cities to ID New Shelter Sites*, Voice of OC (May 25, 2018), obtained online at <https://voiceofoc.org/2018/05/federal-judge-sets-june-13-deadline-for-oc-cities-to-id-new-shelter-sites/>.

- 1 e. Attached as Exhibit E is a true and correct copy of: Alicia  
2 Robinson, *City Leaders Propose Shelter Sites to Judge*, Orange  
3 County Register (June 14, 2018), obtained through Westlaw’s  
4 NewsRoom.
- 5 f. Attached as Exhibit F is a true and correct copy of: Nick Gerda  
6 & Thy Vo, *North OC Commits to 700 New Homeless Shelter*  
7 *Beds; South County Identifies Zero*, Voice of OC (June 13, 2018),  
8 obtained online at [https://voiceofoc.org/2018/06/north-oc-](https://voiceofoc.org/2018/06/north-oc-commits-to-700-new-homeless-shelter-beds-south-county-identifies-zero/)  
9 [commits-to-700-new-homeless-shelter-beds-south-county-](https://voiceofoc.org/2018/06/north-oc-commits-to-700-new-homeless-shelter-beds-south-county-identifies-zero/)  
10 [identifies-zero/](https://voiceofoc.org/2018/06/north-oc-commits-to-700-new-homeless-shelter-beds-south-county-identifies-zero/).
- 11 g. Attached as Exhibit G is a true and correct copy of: Susan  
12 Christian Goulding, *Huntington Beach Scraps Plan for 50-Bed*  
13 *Homeless Shelter Near Marina High Shool After Resident Outcry*,  
14 Orange County Register (Apr. 2, 2019), obtained online at  
15 [https://www.ocregister.com/2019/04/02/huntington-beach-](https://www.ocregister.com/2019/04/02/huntington-beach-scratches-proposal-for-50-bed-homeless-shelter-near-marina-high-school-after-resident-outcry/)  
16 [scratches-proposal-for-50-bed-homeless-shelter-near-marina-](https://www.ocregister.com/2019/04/02/huntington-beach-scratches-proposal-for-50-bed-homeless-shelter-near-marina-high-school-after-resident-outcry/)  
17 [high-school-after-resident-outcry/](https://www.ocregister.com/2019/04/02/huntington-beach-scratches-proposal-for-50-bed-homeless-shelter-near-marina-high-school-after-resident-outcry/).
- 18 h. Attached as Exhibit H is a true and correct copy of: Ben Brazil,  
19 *Federal Judge Tours O.C. Armory as He Works Toward*  
20 *Homeless Solution*, Daily Pilot (June 5, 2018), obtained through  
21 Westlaw’s NewsRoom.
- 22 i. Attached as Exhibit I is a true and correct copy of: Thy Vo &  
23 Kassidy Dillon, *Judge Demands Progress on Homeless Shelters*  
24 *By September 7*, Voice of OC (Aug. 3, 2018), obtained online at  
25 [https://voiceofoc.org/2018/08/judge-demands-progress-on-](https://voiceofoc.org/2018/08/judge-demands-progress-on-homeless-shelters-by-september-7/)  
26 [homeless-shelters-by-september-7/](https://voiceofoc.org/2018/08/judge-demands-progress-on-homeless-shelters-by-september-7/).
- 27 j. Attached as Exhibit J is a true and correct copy of: Anh Do, *Judge*  
28 *Pushes for More Beds to Help Resolve Housing for Orange*

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*County's Homeless*, Los Angeles Times (Aug. 3, 2018), obtained online at <https://www.latimes.com/local/lanow/la-me-ln-oc-homeless-hearing-20180803-story.html>.

k. Attached as Exhibit K is a true and correct copy of: Theresa Walker, *Santa Ana Homeless Shelter Will Open Sooner than Expected, Federal Judge Reveals in Court Hearing*, Orange County Register (Oct. 30, 2018), obtained through Westlaw's NewsRoom.

l. Attached as Exhibit L is a true and correct copy of: Theresa Walker, *Santa Ana to Begin Clearing Homeless People from Civic Center Area as Resettlement of Riverbed Homeless Winds Down*, Orange County Register (Mar. 31, 2018), obtained through Westlaw's NewsRoom.

m. Attached as Exhibit M is a true and correct copy of: Thy Vo & Spencer Custodio, *Judge to Keep Up Pressure on OC Leaders After "Decades of Neglect" of Homeless*, Voice of OC (Mar. 30, 2018), obtained online at <https://voiceofoc.org/2018/03/judge-to-keep-up-pressure-on-oc-leaders-after-decades-of-neglect-of-homeless/>.

n. Attached as Exhibit N is a true and correct copy of: Polly Stryker, *Federal Judge Holds Orange County Cities' Feet to the Fire Over Homeless Crisis*, KQED (Apr. 5, 2018), obtained online at <https://www.kqed.org/news/11659893/federal-judge-holds-orange-county-cities-feet-to-the-fire-over-homeless-crisis>.

o. Attached as Exhibit O is a true and correct copy of: Thy Vo & Spencer Custodio, *Federal Judge Calls on OC City Leaders to Step Up on Homelessness*, Voice of OC (Apr. 4, 2018), obtained

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online at <https://voiceofoc.org/2018/04/federal-judge-calls-on-oc-city-leaders-to-step-up-on-homelessness/>.

p. Attached as Exhibit P is a true and correct copy of: Spencer Custodio, *Santa Ana Opens New Interim 200-Bed Homeless Shelter*, Voice of OC (Nov. 16, 2018), obtained online at <https://voiceofoc.org/2018/11/santa-ana-opens-new-interim-200-bed-homeless-shelter/>.

q. Attached as Exhibit Q is a true and correct copy of: Nick Gerda, *Santa Ana Close to Opening 200-Bed Shelter; Suit Preps for Shift to South County*, Voice of OC (Oct. 30, 2018), obtained online at <https://voiceofoc.org/2018/10/santa-ana-close-to-opening-200-bed-shelter-suit-preps-for-shift-to-south-county/>.

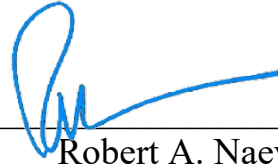
r. Attached as Exhibit R is a true and correct copy of: Hannah Fry, *Federal Judge Warns O.C. Cities to Find Shelter for Homeless or Risk a Ban on Enforcing Anti-Camping Laws*, Daily Pilot (Apr. 3, 2018), obtained online at <https://www.latimes.com/socal/daily-pilot/news/tn-dpt-me-carter-hearing-20180403-story.html>.

s. Attached as Exhibit S is a true and correct copy of: Nick Gerda and Spencer Custodio, *Federal Judge Presses OC Officials on Lack of Mental Health Shelter, Housing*, Voice of OC (April 3, 2019), obtained through Westlaw’s NewsRoom.

3. On April 2, 2019, the Court held a joint status conference in this matter and the deemed-related *Catholic Worker* case. A true and correct copy of the transcript from that hearing is attached as Exhibit T to this Declaration.

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I declare, under penalty of perjury, under the laws of the United States of America, that the foregoing is true and accurate. Dated this 23rd day of May, 2019, in Irvine, California.



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Robert A. Naeve

# **Exhibit A**

## NewsRoom

2/14/18 L.A. Times 1  
2018 WLNR 4672023

Los Angeles Times  
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February 14, 2018

Section: Main News

Judge tells O.C. to find place for homeless  
Federal jurist demands solution to evictions at river encampments.

Hannah Fry, Doug Smith

Orange County's decision to remove hundreds of homeless people from encampments along the Santa Ana River has turned into a legal showdown over how the affluent region treats some of its most needy citizens, a battle being watched by other areas struggling with growing transient populations.

U.S. District Judge David Carter on Tuesday demanded that Orange County officials, cities and homeless advocates collaborate to find shelter for hundreds of people who have been living in the camps, saying he would survey the area for himself on Wednesday.

Carter last week granted a temporary restraining order barring Orange County sheriff's deputies from arresting homeless people who refuse to leave, stalling what has been an aggressive effort to clear out the encampments that stretch from Fountain Valley to Anaheim.

That order will stand until public officials can identify an alternative place to house those living along the river trail. The goal, the judge said, is to create a temporary answer that can eventually be fashioned into a long-term housing solution.

Carter said he doesn't want homeless people who leave the river trail for the streets to be cited, put in jail for a day and then released only to be cited again.

"I'm tired of the paperwork and the 'we can't get it done' nonsense," Carter said. "I'm looking for solutions now."

The outcome in Orange County will add to an evolving body of case law as courts across the country seek to balance the constitutional rights of homeless people and the interests of government agencies in protecting the public health and safety.

As cities have responded to burgeoning homeless encampments with laws prohibiting overnight camping and vigorous enforcement of vagrancy laws, civil liberties groups have brought cases defending the due process rights of homeless people under the 4th, 5th and 14th Amendments, as well as the 8th Amendment's protection against cruel and unusual punishment.



"Taking away the only shelter homeless people have is not only cruel, it's ineffective in solving homelessness," said Maria Foscarinis, executive director of the National Law Center on Homelessness and Poverty, one of the advocacy groups that filed friend of the court briefs in the case. "Affordable and available housing is what will end homelessness, not arresting people for trying to survive."

Tuesday's hearing was prompted by a lawsuit filed Jan. 29 seeking to halt a continuing effort to clear homeless people from the river trail.

The suit also sought to prevent three cities -- Anaheim, Costa Mesa and Orange -- from enforcing anti-camping, trespassing and loitering laws.

Carter said in a packed courtroom in Santa Ana that he plans to be in nearly continuous session over the next several days until a solution is hammered out.

"People are going to get killed out there while we're talking in court," he said, urging officials to act.

He also accused the county of "chipmunking" millions of dollars in federal and state resources that he said could be used to alleviate the concentration of homeless people along the river.

He pressed county officials to determine how much money could be allocated to provide temporary housing and food to the homeless.

"I can pledge to you my unwavering commitment that we will get to the bottom of what resources we have on hand," said Andrew Do, chairman of the Orange County Board of Supervisors.

Do and Supervisor Todd Spitzer identified pieces of land in Santa Ana and Orange that could be used for temporary housing.

Carter also asked lawyers representing the cities named in the lawsuit whether there was open land that could provide a place for temporary accommodations.

James Touchstone, an attorney representing Costa Mesa, said it was unlikely. City officials, he said, have identified five people living on the river trail who have ties to Costa Mesa and were working to get housing for them.

"The city of Costa Mesa can't bear this burden alone," Touchstone said. "It's going to take cooperation."

Carter told attorneys that he wants to see evidence of available housing and shelter beds, as well as how often and why citations for camping and loitering are doled out.

"You have the power to move these people and I have the power to make sure they're treated humanely," Carter said.

On Tuesday night, attorneys for both sides worked to draft a tentative agreement that could include the county providing as many as 400 motel vouchers for those displaced from the river trail. The county also indicated it would add beds to existing homeless shelters to accommodate people.

Under the tentative agreement, which has not been finalized, the county could begin clearing the encampments next week.

Orange County is just the latest jurisdiction to face legal battles over its homeless policies.

Los Angeles has been the defendant in two prominent cases that curtailed the city's response to encampments. In one, a ruling prohibited the city from summarily destroying property left by homeless people on the sidewalks.

In the other case, the U.S. 9th Circuit Court of Appeals ordered a stop to the practice of arresting people for sleeping on the street when no shelter beds were available. That ruling was later withdrawn as part of a settlement.

Although those cases resulted in Los Angeles ceasing enforcement activity that was deemed illegal, a 2016 lawsuit against the city of Pomona ended in a settlement that led to a city plan to build a shelter. The shelter, which will be operated by a services contractor, is being constructed on land purchased by Pomona. Under terms of the settlement, the city can resume enforcement of anti-camping ordinances when the shelter opens. City officials said completion was planned this spring.

Two cases from Texas and Arizona show the fractured status of homelessness case law.

According to the National Law Center's survey, a Texas court granted a temporary restraining order preventing a new anti-camping ordinance on the theory that an injunction was appropriate under the 8th Amendment even though no one actually had been punished because "alleged unconstitutional conduct is imminent or in process."

But an Arizona court found that such constitutional protection "could only be invoked by persons convicted of a crime."

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Fry writes for Times Community News.

[doug.smith@latimes.com](mailto:doug.smith@latimes.com)

PHOTO: A JUDGE granted a temporary order barring O.C. deputies from arresting homeless people who won't leave the Santa Ana River area.

PHOTOGRAPHER: Gary Coronado Los Angeles Times

---- **Index References** ----

Company: CITY OF COSTA MESA CALIFORNIA

News Subject: (Health, Education & Welfare (1HE31); Judicial Cases & Rulings (1JU36); Legal (1LE33); Social Issues (1SO05); Social Welfare (1SO83))

Industry: (Housing (1HO38); Real Estate (1RE57))

Region: (Americas (1AM92); California (1CA98); North America (1NO39); Texas (1TE14); U.S. Southwest Region (1SO89); U.S. West Region (1WE46); USA (1US73))

Language: EN

Other Indexing: (Maria Foscarinis; Andrew Do; David Carter; James Touchstone; Todd Spitzer)

Keywords: (ORANGE COUNTY); (HOMELESS); (CAMPS); (COURT RULINGS); (SHELTERS)Keywords:

Edition: Home Edition

Word Count: 1070

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**NewsRoom**

# **Exhibit B**

## NewsRoom

2/15/18 L.A. Times 1  
2018 WLNR 4792879

Los Angeles Times  
Copyright (c) 2018 Los Angeles Times

February 15, 2018

Section: California

Judging a homeless quandary up close  
Federal jurist tours O.C. camp at center of lawsuit

Anh Do

The judge must have been a strange sight as he walked in the early morning darkness through the vast homeless camp.

People peeked out from ragged tents along the Santa Ana River trail next to Angel Stadium. U.S. District Judge David O. Carter whipped out his cellphone Wednesday just after 6 a.m.

He snapped pictures of the trash-strewn landscape and the human beings who called it home.

"When was the last time the trash was picked up out here? How often do they come? How many needles are you finding? What kind of help are folks accepting and refusing?" the judge asked in a rapid-fire fashion.

Carter is presiding over a federal case pitting homeless advocates against Orange County and the cities of Anaheim, Costa Mesa and Orange -- where officials are bent on removing the illegal tent city. The judge said he agrees that this population can create a public safety issue.

But during his miles-long walk, the 73-year-old judge -- a Marine and Vietnam War veteran -- warned that eviction must be handled "humanely and with dignity."

In late January, Orange County officials began the process of clearing people from the encampment. They first launched a "soft sell," seeking volunteers before arrests had to be made. Then last week, Carter granted a temporary restraining order barring county sheriff's deputies from arresting people who refuse to leave the encampment.

The judge's order was related to a lawsuit filed Jan. 29 trying to halt the effort to remove the homeless. Brooke Weitzman, co-founder of the Elder Law & Disability Rights Center in Santa Ana, initiated it, hoping to prevent Anaheim, Costa Mesa and Orange from enforcing anti-camping ordinances and trespassing laws to deal with the encampment.

Carter is pushing the different sides to meet with their clients and staff to fine-tune an agreement to finally start clearing the encampment Feb. 20.

In the meantime, the judge wanted to tour the trail himself as an alternative to "listening to hours and hours of testimony" inside a courtroom, he said.

It was Carter's fifth visit. During more than four hours, some of the homeless people who were awake in the cold air rushed up to him, shaking his hand and expressing gratitude.

"Instead of a he said/she said situation, he actually came out to judge, so to speak, with his own eyes. Looks like he's holding people accountable. He gets things done," said Kathy Schuler, one of seven homeless plaintiffs suing the county and cities for violation of their civil rights.

On Tuesday, before Carter's tour, all of the parties reached a verbal agreement allowing the county to start clearing the encampment next Tuesday. County officials will offer motel vouchers, good for 30 days, to an estimated 400 people still at the riverbed. They also have ordered pop-up tents and are working to retrofit two county-owned properties in Orange and Santa Ana to provide temporary housing later.

As Carter walked and took pictures of eviction announcements taped to chain-link fences, a group of about 30 people followed him.

"Your honor, that's a needle up there. Don't touch it!" shouted Laura Knapp, an attorney representing Orange County.

"Can't believe I'm telling a federal judge what to do," she added.

The entourage included managers from the county's public works department, county Supervisor Todd Spitzer, city council members, social workers and a pastor. Carter embraced homeless men and women who shared their struggles with him. The judge vowed to help a Marine veteran, Shane Allen, who was diagnosed with stage IV colon cancer. He told him he would get him a motel voucher.

Carter exclaimed, "Semper fi," before pulling county officials up to Allen, who sat in a wheelchair.

"Here's who you need to talk to for services," he reassured Allen. "We're going to get you and your wife a suitable place to live and food. Don't you worry."

Spitzer leaned over to ask Allen more questions, before pointing to the judge.

"Obviously, this is a very unorthodox approach coming out here to meet with the homeless, but then Dave Carter is an unorthodox guy who understands what's needed," he said. "He's pulling everyone from every agency and pushing them to work together."

Susan Price, the county's homeless czar who shadowed Carter, said: "Cooperation -- that's his message. This place used to be absolutely full, but people have moved out on their own, and I appreciate him coming to see the progress we've made."

Anaheim Councilwoman Kris Murray, who last September persuaded her fellow leaders to declare a state of emergency over homelessness in her city, drew Carter's attention to an especially large dumping ground for furniture, dirty syringes and debris.

"When you see lots of strollers and bikes, you must figure they're taken from residential areas. We get calls from families who live in some of the nearby apartments and they can't leave anything on their front porch," she said. "Ultimately, we have to move the homeless to a higher quality of life to help everyone be safer."

Murray, Carter and two law clerks continued huddling with more residents who emerged from their tents, some cuddling pets, to meet the judge.

M.J. Diehl, who found refuge in the camp with his English mastiff three years ago, was grateful to hear he could be transferred to a motel soon.

"I'm overwhelmed -- relieved," he said, touching his sticky hair. "The stress is gonna roll right off, at last, when I can take a shower."

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anh.do@latimes.com

Twitter: @newsterrier

PHOTO: U.S. DISTRICT Judge David O. Carter, center, visits a contested encampment on the Santa Ana River.

PHOTOGRAPHER: Gary Coronado Los Angeles Times

PHOTO: A VERBAL agreement was reached Tuesday to start clearing out the Santa Ana River homeless camp next week, with motel vouchers for those who live there.

PHOTOGRAPHER: Gary Coronado Los Angeles Times

---- **Index References** ----

Company: CARTERS INC

News Subject: (Government Litigation (1GO18); Health, Education & Welfare (1HE31); Legal (1LE33); Prisons (1PR87); Social Issues (1SO05); Social Welfare (1SO83))

Language: EN

Other Indexing: (Elder Law & Disability; Gary Coronado Los Angeles Times) (Shane Allen; Laura Knapp; drew Carter; M.J. Diehl; David J. Carter; David Carter; David Carter; Kathy Schuler; Brooke Weitzman; Kris Murray; Susan Price; Todd Spitzer)

Keywords: (ORANGE COUNTY); (HOMELESS); (SUITS); (JUDGES)Keywords:

Edition: Home Edition

Word Count: 982

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**NewsRoom**

# **Exhibit C**



# Voice of OC stands among California's top newsrooms



CALIFORNIA  
JOURNALISM  
AWARDS

HOUSING & HOMELESSNESS

## Federal Judge in Homeless Case Keeps Everyone Running



*SPENCER CUSTODIO, Voice of OC*

Federal Judge David. O Carter, center of the group and pointing, walks with numerous city and county officials during his tour of the Santa Ana Riverbed Homeless encampment Feb. 14, 2018.

By  **THY VO** ([HTTPS://VOICEOFOC.ORG/AUTHOR/TVO/](https://voiceofoc.org/author/tvo/))   
([HTTPS://TWITTER.COM/THYANHVO](https://twitter.com/thyanhvo))\_May 14, 2018

Just before dawn on a dewy February morning, U.S. District Court Judge David O. Carter led a march of county workers, elected officials, lawyers and reporters (<https://voiceofoc.org/2018/02/federal-judge-walks-entire-length-of-santa-ana-riverbed-homeless-camp-for-firsthand-information/>), through the county's largest homeless encampment, a village of tents and makeshift shelters for more than 500 people along the Santa Ana Riverbed.

Unsatisfied with secondhand information about living conditions at the riverbed, the 74-year-old Carter, dressed in jeans and a blue sweater bearing the federal court's seal, went to see for himself, talking to dozens of homeless people, picking up trash and recruiting volunteers.

If judges are normally weary of media attention, Carter embraced the pack of reporters trailing him along the river trail, saying the exposure would raise public consciousness about homelessness and spur people to "do the good thing."

"We get it up there, and get it to boil," the federal court judge said.

It was not Carter's first visit to a homeless encampment, and it wasn't his last.

Over the last few months, Carter, a Marine combat veteran who was seriously wounded during the Vietnam War, has demanded public officials run to catch up with "decades of neglect" on homelessness.

Under his pressure, county officials worked around the clock for a week to dismantle the riverbed encampment and relocate more than 700 people to emergency shelters and motels. Before officials could take another breath, he demanded they act on a second major encampment at the Santa Ana Civic Center.

Throughout the process, Carter visited shelters and encampments, announced in the early morning, to get an unsupervised glimpse of how people were faring. He once visited the riverbed at 4:30 a.m. (<https://voiceofoc.org/2018/02/one-man-dead-after-fight-in-santa-ana-riverbed-homeless-encampment/>), to check on a homeless couple he had met the previous evening, saying he could not sleep and had come to see if the couple was okay.

Now he wants city officials in south Orange County to find locations for new emergency shelters, or possibly face suspension of the anti-camping and anti-loitering laws that cities have used to police the presence of homeless people in public spaces.

“I was literally begged by one of your (county) supervisors to take a breath and slow down,” Carter said at a court hearing in early April. “No. Absolutely not.”

Some public officials were unwilling to go on the record criticizing Carter, while others who have been at odds with the judge didn’t return calls for comment. But his actions in the homelessness case have garnered plenty of controversy, including private accusations of judicial activism and that he is legislating from the bench.

Earlier this month, State Senator John Moorlach (R-Costa Mesa) told television journalist Rick Reiff the judge is taking public officials to task on what they are doing to directly help the homeless.

“I just hope that he has an end game that works out well for everybody,” Moorlach said. “but it’s certainly rattling the cages of every single council member in Orange County.”

### **Combat Veteran**

If the judge has surprised county politicians, for those who know Carter, he’s exactly in character.

“He gets down in the trenches. That’s the way he was in Vietnam, and in our platoon,” said former Marine Sgt. Al Anderson, who served as Carter’s platoon sergeant in Vietnam and remains a close friend.

The judge has been a fixture in the Orange County legal community from his time as a senior deputy district attorney in the late 1970s to his later appointments to the state Superior Court and federal bench.

Often described in articles and by those who know him as the hardest-working judge in Orange County, Carter is known to open his courtroom as early as 7 a.m. and work late into the evening, on weekends and holidays. Combined with his athleticism, younger attorneys often struggle to keep up with Carter.

A former college track athlete, as a deputy district attorney Carter would run 23 miles from the courthouse in Santa Ana to his home in Laguna Beach once a week, unless he was engaged in a major trial. He later ran the Boston Marathon in 2 hours and 36 minutes, and still exercises rigorously.

Carter declined to speak with Voice of OC for this story, citing a desire to stay out of the media until the end of litigation over homelessness.

Former state Assemblyman Tom Umberg, a Democrat living in Santa Ana who is currently a private attorney, said he has worked with Carter for years as part of the Public-Private Partnership for Justice Reform in Afghanistan, a project of the State Department to provide support to the Afghan legal community.

Umberg recalled an appointment he made with Carter, about 15 years ago, to go running in Newport Beach.

“He just pulled up, got out of the car, and started running. I had to catch up with him,” Umberg said. “That’s emblematic of how he does things. He said ‘hi’ once I caught up to him.”

Carter was born in Providence, Rhode Island and raised by his grandfather after his father abandoned him at age four. His grandfather, a court bailiff, had a fourth grade education and worked in coal mines before joining the Army at sixteen, Carter told Orange County Lawyer magazine last year (<http://www.ocbar.org/AllNews/NewsView/tabid/66/ArticleId/2191/October-2017-Judge-Carter-Fighter-on-a-Hill.aspx>). He fought in the Philippines and achieved the rank of captain.

Carter was supposed to go on to the military, joining the Marines after graduating from the University of California, Los Angeles (UCLA) with a 4.0 grade point average.

He arrived in Central Vietnam as a 24-year-old lieutenant on Christmas Eve 1967, just before the start of the Tet Offensive, and immediately sought out Anderson, who was acting platoon commander. The two went back to Anderson's bunker and talked for three and a half hours.

Anderson had already been in Vietnam for six months and their battalion, 1st Battalion, 9th Regiment, known as the "[One Nine](http://articles.latimes.com/1994-09-10/news/mn-36865_1_vietnam-war)" had seen heavy combat. "You have to read people quick," said Anderson.

"We were both sizing one another up. Can I trust this person?" Anderson said. "And the end result of that conversation was, 'yeah, I can trust you with my life and I can trust you with the life of our platoon'."

Most of Carter's four months in Vietnam were spent in combat. The One Nine has the grim nickname "[The Walking Dead](http://articles.latimes.com/1994-09-10/news/mn-36865_1_vietnam-war)" because of its reputation for high casualties and seeing heavy combat.

Carter's experience lived up to that expectation. On April 16, 1968, outnumbered by North Vietnamese soldiers at Khe Sanh, 38 men from Carter's platoon went up a hill, and only 8 came down. Carter was seriously wounded: a grenade blew off his lip, sniper fire shattered his arm in multiple places, and his face and teeth were injured.

He continued to fight for hours despite his injuries, but at the end of the battle, Carter was so seriously hurt he was mistaken for dead and put in a body bag.

Carter later received a Bronze Star and Purple Heart for his actions at Khe Sanh, and spent nine months recovering at a hospital in Guam. It was while recovering that he decided to become a lawyer, telling [Orange County Lawyer magazine](http://www.ocbar.org/AllNews/NewsView/tabid/66/ArticleId/2191/October-2017-Judge-Carter-Fighter-on-a-Hill.aspx) last year that he struggled with "survivor's guilt."

War changes many people, Anderson said, but many of the qualities he saw in Carter that first night in his bunker, he still sees today.

"He's down to earth, very intelligent, but not presumptuous," said Anderson. "I never want to hurt another person in my life. And he's the same way."

### **A Respected Jurist**

After Vietnam, Carter went back to UCLA and received his law degree. He joined the Orange County District Attorney's office in 1972, where he rose to Senior Deputy District Attorney in charge of homicide. Carter prosecuted the serial killer William Bonin, known as the "freeway killer," who later became the first person executed in California by lethal injection.

In 1982, Carter was appointed a Superior Court judge by Gov. Jerry Brown, where he earned the nickname "King David." He was known for pushing rehabilitative and educational alternatives to jail time for juvenile offenders, before it became a norm. He also created a tattoo removal program for gang members to encourage people to find jobs and transition back to society.

In 1986, while still a judge, Carter was recruited by the Democratic Party to run for the 38th Congressional District seat against first term Republican incumbent Robert Dornan.

If ambitious, highly motivated and driven, Carter was "raw," said George Urch, Carter's campaign manager at the time.

In addition to traditional campaign staples like direct mail, Carter's strategy included "walking like crazy" across the district and standing on street corners and street medians during rush hour with a "Carter for Congress" sign, talking to voters.

"I kept trying to say, 'that's great, but most of those people aren't registered voters and Democrats,'" Urch said.

If Carter had his way, his campaign would be on “Tulsa Xmas” and I’d bring of speakers.” Mike Houlihan, another campaign staffer, told the Los Angeles Times in 1986. ([http://articles.latimes.com/1986-05-28/local/me-8073\\_1\\_carter-campaign](http://articles.latimes.com/1986-05-28/local/me-8073_1_carter-campaign)).

Carter ended up losing the primary to another Democrat and fellow former Marine, six-term state Assemblyman Richard Robinson, and returned to the state bench.

In 1998, President Bill Clinton nominated Carter to the federal bench, an appointment that was unanimously approved by the U.S. Senate in 1999. (<http://articles.latimes.com/1998/oct/22/local/me-35060>).

As a federal court judge, Carter has tackled some of the biggest cases to come to the Central District Court.

He presided over the longest trial in the history of the Central District, which involved the prosecution of more than 40 alleged Mexican Mafia members. The next year, Carter became involved in the indictment of more than 40 members of the Aryan Brotherhood prison gang.

Carter presided over a massive \$500 million intellectual property battle between MGA Entertainment and Mattel over the rights to Bratz dolls. And in 2009, he dismissed a lawsuit brought by Laguna Niguel attorney Orly Taitz, which challenged then-President Barack Obama’s election based on claims that Obama is not a natural born citizen.

“He had to control a court room and multiple attorneys in cases fraught with legal challenges and high emotions,” U.S. District Judge Jeffrey T. Miller said of the Aryan Brotherhood and Mexican Mafia cases. “He can do that. And his work ethic is legendary.”

At 74, many remark Carter appears to run as hard as he always has.

“He’s a Marine who has been temporarily reassigned as a judge,” said Umberg.

In addition to dealing with heavy caseloads in his own courtroom, Carter has spent significant time doing humanitarian work overseas. His wife, Mary Ellen Carter, who he met during his congressional campaign, runs a nonprofit supporting schools in Malawi (<http://www.latimes.com/tn-cpt-me-0117-african-charity-20140121-story.html>) out of their Laguna Beach home.

Kate Corrigan, a criminal defense attorney who frequently appears before Carter, alters her diet to prepare for trials in his courtroom, limiting her caffeine intake and consuming “slow burn” foods.

“If you’re going to practice in his courtroom, you’ve got to have stamina, know what you’re talking about, and you’ve got to be ready, because he will not tolerate laziness, not knowing your case, and not doing the best you can,” Corrigan said. “He causes everyone in the courtroom to really elevate their level of practice.”

Carter’s style has generated some controversy.

In the 1980s, Carter began duct-taping the mouths of unruly defendants ([http://articles.latimes.com/1990-07-31/local/me-1285\\_1\\_duct-tape](http://articles.latimes.com/1990-07-31/local/me-1285_1_duct-tape)) in his courtroom for spitting at court staff and shouting profanities, preferring to silence defendants rather than disrupt the proceedings. The American Civil Liberties Union reported Carter to the Commission on Judicial Performance, although he said he would continue the practice.

During the recent litigation on homelessness, Carter met privately with elected officials and power brokers, without attorneys on the case present; threatened cities with a Department of Justice investigation into the practice of dumping homeless people city-to-city; and held long court hearings where mayors and city officials from across the county were invited (his court staff took attendance to take note of who did not show up).

Moorlach said on a local television program earlier this month (<https://voiceofoc.org/2018/05/reiff-moorlach-rips-spitzer-assesses-judge-carter-considered-governor-run/>) that he has been assisting Carter with “strategies in Sacramento.”

“(Carter) approached me and said, ‘I cannot call you, but you can call me.’ So I did,” Moorlach told Reiff.

Although it is ineffective of the county's efforts to dig up his name, Carter could also be short-tempered, at one point angrily reprimanding the county's lead attorney. (<https://voiceofoc.org/2018/02/judge-scolds-countys-top-attorney-over-sheriffs-role-in-riverbed-evictions/>).

Corrigan believes Carter's critics just aren't used to a judge who does things differently.

"I've been on the podium examining a witness at 1:35 a.m. Was that a long day? Yeah, but it enabled the court to get all the information," Corrigan said. "So I think people are quick to criticize when people don't do things the way they see other judges do it."

She points to early morning probation conferences where Carter descends from the bench and talks face-to-face with her clients.

"He makes them feel part of the community and takes an interest in getting them back into the community. If they're messing up, he'll sanction them," Corrigan said. "When you have someone who comes out of a gang, to have a judge take the time to ask them how they're doing, how are things – it's a different type of relationship that develops."

Carter was the same way with the young men in his platoon, said Anderson.

"That's a real precarious place you're putting yourself into as a combat leader, because you're getting down on a very personal level with men that, tomorrow, you're going to send into harm's way, and through not of your own, some of them are not going to come back," said Anderson. "It's an emotional risk that you willingly engage in. Not all combat leaders do that, and that is part of who Judge Carter is."

Corrigan believes Carter's personal approach has made a difference in the lives of many of her clients.

"He becomes their champion," she said.

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# **Exhibit D**



HOUSING & HOMELESSNESS

## Federal Judge Sets June 13 Deadline for OC Cities to ID New Shelter Sites



*SPENCER CUSTODIO, Voice of OC*

U.S. District Judge David O. Carter speaks with county attorneys and lawyers representing the homeless people during an unorthodox court hearing in the Honda Center parking lot near the Santa Ana Riverbed homeless camp Feb. 20, 2018.

By  **NICK GERDA** ([HTTPS://VOICEOFOC.ORG/AUTHOR/NGERDA/](https://voiceofoc.org/author/ngerda/))   
([HTTPS://TWITTER.COM/NICHOLASGERDA](https://twitter.com/nicholasgerda)) May 25, 2018

Orange County cities have a June 13 deadline to identify locations for three new homeless emergency shelters, U.S. District Judge David O. Carter said Friday.

Among other issues, he pointed to Santa Ana and Anaheim residents and businesses he said are grappling with hundreds of homeless people who are on the streets due to a shelter shortage.

“I want sites. S. I. T. E. S. That spells ‘sites,’ ” Carter told county and city officials during a meeting in open court Friday.

Carter, who is presiding over a federal civil rights lawsuit regarding homeless people, scheduled a June 13 meeting with city officials from across Orange County. He called it a “big tent” meeting and said it would be his last.

At that meeting, the judge said he wanted local officials to identify locations for three shelters, or “emergency intakes,” dispersed among three county zones – one in south county, one along the coastal cities from Newport Beach north and central inland cities, and the third in inland north county. The zones are known as “service planning areas.”

“I’m not dictating to south or central or north [county] what they look like,” Carter said. But, he said, they need to be “dispersed” among the three zones.





The three “service planning areas” for homeless services. (Image by County of Orange.)

Carter got city officials to commit to finding new shelter locations during an April 3 court meeting (<https://voiceofoc.org/2018/04/federal-judge-calls-on-oc-city-leaders-to-step-up-on-homelessness/>), about 10 weeks before the June 13 deadline.

The judge said cities need to commit to specific dates for action, and that on June 13 he plans to ask the city officials if they found a site. If they respond that they’re still “studying” it, Carter said, he’ll know “people are playing with it” because they’ve “had plenty of time.”

“I don’t want to hear about what committees are going to do,” Carter said. “I don’t want to hear about you forming coalitions. I want sites. S. I. T. E. S.”

If the cities don’t do that, Carter said, “then I’ll know. I’ll know exactly what the court needs to do.”

Pointing to a federal appeals court ruling known as the Jones decision, Carter has repeatedly said he would consider limiting cities’ ability to enforce anti-camping and loitering laws against homeless people if additional shelter beds aren’t identified.

The Jones decision (<https://caselaw.findlaw.com/us-9th-circuit/1490887.html>) found the government cannot “criminalize conduct that is an unavoidable consequence of being homeless,” such as sleeping on public sidewalks, when there is a shortage of adequate shelter beds.

On Friday, Carter said the anti-camping and loitering laws could “potentially be a good thing,” if properly enforced, to push homeless people who don’t want services into services.

“But they’re not a good thing if they criminalize [homeless people] by virtue of being homeless,” Carter said of these laws. That would “cause the court to act.”

Carter said he nearly issued a restraining order when the county had women sleep on the men’s side of a shelter due to overcrowding. But, he said, he didn’t do so because county CEO Frank Kim and County Counsel Leon Page resolved the issue in “10 minutes” after speaking with Carter on the phone at 10 p.m. on a Friday night.

The court would have issued the restraining order “that evening,” Carter said, commending both men.

The judge suggested he’d hold off issuing a restraining order, or TRO, against anti-camping and loitering enforcement as long as he sees “good faith” efforts by local officials, as well as timelines for action.

“It would have been easy to issue a TRO three months ago,” Carter said. “That’s the easy part to do. The hard part,” he said, is to build a system to address homelessness.

If Brooke Weitzman and Carol Sobel, the chief lawyers for homeless people, “see hope” in the building of an infrastructure to help people get off the streets, Carter said he doesn’t think they would request a restraining order.

But if such a restraining order request is made, Carter wondered aloud if the two lawyers would have it apply countywide or divide it into different regions.

Since January, Carter has presided over the federal civil rights lawsuit over evictions of hundreds of homeless people from the Santa Ana riverbed, which was filed by Weitzman and Sobel on behalf of the Orange County Catholic Worker.



Although 700 people moved from the riverbed to motels for up to 30 days from February to March.

But the county shelter system was expanded enough to shelter only a portion of that population. Since the motel stays ended, hundreds of homeless people have ended up unsheltered again, according to county data.

Carter and Santa Ana officials have said many former riverbed residents have gone to the city's streets, prompting complaints from city officials, residents, and businesses.

"I've become very concerned about the impact on Santa Ana and Anaheim. Both of these cities [have been] dramatically impacted," Carter said Friday.

Santa Ana officials in late March counted 1,030 unsheltered homeless people in the city (<https://voiceofoc.org/2018/04/new-santa-ana-homeless-count-confirms-homeless-population-has-more-than-doubled-since-january-2017/>), up from 466 in the county's Santa Ana count the prior year.

Separately from the unsheltered homeless people, the county's Courtyard emergency shelter in an abandoned bus terminal in downtown Santa Ana, currently has about 400 people each night. Carter has said the county has been "cramming" people into the already-full shelter (<https://voiceofoc.org/2018/03/judge-warns-oc-desperately-needs-more-homeless-shelter-beds/>).

"I think it should be 380 [people] or less," Carter said Friday of the Courtyard, calling the shelter "over capacity."

He cited the same limit at a March 17 meeting with county and city officials, calling efforts to put more than 380 people there "nonsense."

Carter repeatedly has emphasized Santa Ana for decades has done more than its fair share to host homeless shelters and services, and that he expects other cities to step up with providing shelter (<https://voiceofoc.org/2018/04/federal-judge-calls-on-oc-city-leaders-to-step-up-on-homelessness/>). Carter also has commended Anaheim and Fullerton for hosting existing shelters as well.

Carter repeatedly has called on officials in other cities to find shelter for homeless people while longer-term housing solutions are pursued. He held two previous court meetings with city officials from across the county, on March 17 and April 3.

During Friday's court meeting, Carter scheduled an early-morning tour June 5 with top city and county officials to witness the effects of the Santa Ana armory shelter on nearby residents and businesses. Among those he invited were county CEO Frank Kim, Santa Ana Mayor Miguel Pulido, and Anaheim Mayor Tom Tait.

Carter said he wanted them to come with him to the Santa Ana armory at 5:30 a.m. to see people come "streaming out" of that armory "into Hispanic residential neighborhoods, just across the street." That community, including small businesses that can't afford security guards, are "inundated," he said.

Then, Carter said, he wants them to see a bus pull up and bring the homeless people to the Santa Ana Civic Center, where they walk into a "wonderful" retail area and "inundate" that area.

"Now why would the court [reward] the other cities [that] haven't stepped up" and shown the courage of supervisors' Chairman Andrew Do and the city of Santa Ana, in hosting the Courtyard and armory shelters.

"I'm not going to reward that," Carter said of the other cities. "So I haven't lost patience yet. But there are [some] deadlines now."

Carter also described July 16 as a "hard deadline" for when the county's two armory shelters are expected to close after a 90-day extension from their original April 15 scheduled closure.

Referring to July 16 as a "drop dead date," Carter said the people staying at the armories need to be accommodated when the armories close.

“Those are people actually seeking help,” the judge said of homeless people staying at the armories. “They don’t want to be sleeping” in people’s backyards, “and you need to accommodate them,” he told city and county officials.

The two armories – in Santa Ana and Fullerton – have a total capacity of about 400 people.

Carter called future spending on the armories “a ridiculous expenditure on the county’s part. It doesn’t get people off the street...It just dumps people into our neighborhoods.”

Another issue discussed during Friday’s meeting was Santa Ana’s stalled request to add the rest of the cities in Orange County to the federal case. The agencies sued so far are the county government and the cities of Anaheim, Santa Ana, Orange, and Costa Mesa.

In late April, Santa Ana tried to add all Orange County cities to the federal suit (<https://voiceofoc.org/2018/04/santa-ana-asks-court-to-order-all-oc-cities-to-provide-homeless-services/>), but the city abruptly put that effort on hold early in May. Santa Ana has not served the paperwork on any city not currently involved in the case, besides Tustin.

Carter acknowledged other cities are upset about the filing, and said Pulido, the Santa Ana mayor, said the filing was “only a placeholder” to grant jurisdiction to the court.

On Friday, Carter also said county officials had provided false information about when the armory shelters were originally closing for the season. County officials had said the final date would be April 15, though Carter said during the April 3 hearing that he learned the last day was actually several days earlier, on April 7, by talking with the National Guard official in charge.

“That was a fiction,” Carter said of the original closing date. “Nobody drove down and talked to the sergeant in charge.”

“Your information was bad,” he told county officials. “Don’t give me bad information in the future.”

Carter also took issue with the name county officials often use for the three homeless zones, or “service planning areas,” which are known as “SPAs” for short. County officials pronounce it the same way as “spa” resorts. Carter called it a “ridiculous term,” saying the homeless services are not luxurious.

During the ongoing court case, Carter has set aside many typical court procedures, saying he believes “good faith” collaboration on solutions would be most productive, rather than the usual adversarial litigation approach. His approach has included engaging in informal court sessions and private conversations with local officials, homeless people, service providers, and attorneys.

Carter responded Friday to pushback about it, saying those informal discussions have been very valuable.

“I think it’s been extraordinarily helpful,” Carter said of calls he’s received from mayors and members of the county Board of Supervisors. He said he wants to be sure those informal conversation channels are still in place.

Carter said he’s had informal discussions with police chiefs, the mayors of Santa Ana, Anaheim, Buena Park and Fullerton. “Remember – they called me. I didn’t initially call them,” Carter said.

If anybody changes their view of the informal conversations, Carter said he needs to know it, and the case will be very different. It will be “very, very formal,” he said.

The informal conversations “led to the court’s patience, by the way,” he said. “It would have been easy to issue a [restraining order] three months ago. That’s the easy part to do. The hard part” is to build a system.

Mentioning Page, the county’s top attorney, Carter said he wanted to continue having informal conversations, and “I just want to make sure I’ve got that continuing [permission].”

Carter later turned to Page and said it was important to continue having informal discussions.

“Okay,” Page said.

Carter also asked attorneys for Santa Ana and Orange if he has permission to speak with the high-ranking police officials who attended the meeting. "Yes, your honor," the attorneys replied.

He also asked attorneys for Santa Ana and the county if he has their permission to speak with Pulido, the mayor, and Do, the supervisors' chairman. The attorneys said yes.

Carter and Page had clashed previously. During riverbed evictions in February, the judge angrily reprimanded Page (<https://voiceofoc.org/2018/02/judge-scolds-countys-top-attorney-over-sheriffs-role-in-riverbed-evictions/>) for failing to prevent a mix-up that allowed sheriff's deputies to move into a homeless encampment before county health workers arrived to offer homeless people housing and services.

And Carter grew upset (<https://voiceofoc.org/2018/02/judge-scolds-countys-top-attorney-over-sheriffs-role-in-riverbed-evictions/>) after Page said it was unsafe and "reckless" for Carter to have attorneys meet in the dark along the riverbed camp for a 7 p.m. court meeting, where they were accompanied by two U.S. marshals and two sheriff's deputies.

The dynamic was warmer at Friday's court meeting. As Carter was inviting county and city officials on the early-morning tour, he extended the invitation to Page.

"Bring Leon along. I miss him," Carter said, smiling. Page let out a loud laugh from the audience.

Attorneys for homeless people have credited Page's lawyer team in recent days with collaborating to address problems as they've arisen.

Earlier this week, on Wednesday and Thursday, the county required at least 30 people to leave the Baymont Inn & Suites in Anaheim (<https://voiceofoc.org/2018/05/dozens-of-mentally-ill-homeless-people-may-leave-county-treatment-motel/>), where the county had been providing mental health beds through a contractor, Telecare Corp.

About 85 people remained at the Baymont motel, after the 30 people were required to leave said county spokeswoman Jennifer Nentwig.

Most of the people required to leave Baymont have moved to a residential program – run by the nonprofit Illumination Foundation under a county contract (<https://voiceofoc.org/2018/05/over-60-of-ocs-sickest-homeless-people-to-be-housed-with-health-services/>) – that advocates say is providing much better care than people were receiving at Baymont.

Weitzman, the lead attorney for homeless people, said of the Illumination Foundation program: "It sounds like they intend to have all the things a shelter should have," including private spaces for people, mental health services, transportation to and from appointments, and accommodations for partners, service animals and pets.

"We are still hopeful that there will be progress and that cities are working with the county on solutions," Weitzman said in a text message Friday evening.

"We are still disappointed at the low quality of care at the Baymont and the way in which reassessments seem to be done only to move people out of [the mental health program] rather than into it leaving many paid but empty rooms. And we continue to be worried about the impending downloads from temporary options with no available beds in overcrowded shelters," she added.

"It does sound like many of the cities are focused on solutions and we all agree that ending homelessness in our communities is better than simply ending criminalization."

"I think that [Carter's] comments today will expedite" the process of finding new shelter sites, Pulido told Voice of OC after Friday's court meeting. He said he expects officials will be "very active" over the next 45 days.

Earlier in the day, when Carter was meeting privately with local officials, Pulido said it was "a rough discussion."

Carter “looked a lot of people straight in the eye” Pulido said without explaining further. The discussion included Pulido, Anaheim Mayor Pro Tem Jose Moreno, county Health Care Agency Director Richard Sanchez, and high-ranking police officials from Anaheim and Santa Ana.

Carter expressed optimism during the open sessions that officials would rise to the occasion and expand shelter, services, and long-term housing. He said he has “a lot of hope” for south county.

“There’s an opportunity here to build infrastructure that’s never been built before,” Carter said of the overall effort.

If local officials and community members in Orange County can “get a thousand people off the street,” Carter said, he’d rather have that than issuing a restraining order against cities that 20 years from now sits on a “bookshelf.”

There is a “need for emergency intakes,” Carter said, referring to shelters. He added: “Long-term supportive housing makes tremendous sense,” calling it “the golden pot at the end of the rainbow.”

*Nick Gerda covers county government and Santa Ana for Voice of OC. You can contact him at [ngerda@voiceofoc.org](mailto:ngerda@voiceofoc.org) (<mailto:ngerda@voiceofoc.org>).*



# **Exhibit E**

## NewsRoom

6/14/18 Orange County (Cal.) Reg. A3  
2018 WLNR 18292181

Orange County Register, The (CA)  
2018 The Orange County Register

June 14, 2018

Section: A

City leaders propose shelter sites to judge

Alicia Robinson

Three Orange County cities have proposed building a handful of emergency homeless shelters that would house up to 700 people.

The announcement of the new shelters proposed in Anaheim, Huntington Beach and Santa Ana came Wednesday morning in U.S. District Court David O. Carter's courtroom in Santa Ana.

Carter gathered mayors, city managers, police chiefs and other representatives of Orange County and its 34 cities to share their progress at addressing a homeless situation residents and officials say has mushroomed in recent years, resulting in public

encampments along the Santa Ana River Trail, the Santa Ana Civic Center and along railroad tracks in several cities.

He cautioned officials during the morning portion of the court hearing not to give details on locations at that time.

Carter is overseeing a lawsuit brought on behalf of several homeless people who were living along the river trail when the county began a major effort to clear the encampment early this year.

The plaintiffs argued there was nowhere for them to go because the county has a shortage of affordable housing and its emergency shelter beds can't accommodate people with certain disabilities.

On Wednesday, Carter also heard from Orange County Supervisor Andrew Do, who presented a plan to build 2,700 units of affordable permanent housing over seven years at a cost of \$930 million.

Funding sources would include federal and state grants, but a gap of several hundred million remains.

No specific sites were mentioned for the affordable housing, but Do said they should be spread around the county rather than concentrated in a few cities.

Do also proposed the county and representatives of its north, central and southern cities could form a joint powers agency to coordinate their efforts and boost access to funding.

Carter said he#s pleased with the progress officials are making at forging a comprehensive plan to provide shelter and services, but noted they#re not yet finished.

After comments in open court, Carter continued discussions with city and county officials privately in his chambers well into the afternoon.

Outside the courthouse, Anaheim Councilman Jose Moreno said staying mum about shelter sites for now is important because some cities may still be negotiating with property owners or nonprofit groups that would run the shelters, and ultimately the plaintiffs will need to sign off on whatever solution is reached.

As to how Anaheim residents might react to proposed shelters in their city, Moreno said he hopes residents will "listen thoughtfully."

"I think at the end people want solutions," he said. "The alternative is what we have now."

Credit: By Alicia Robinson; arobinson@scng.com @ARobWriter on Twitter

---- **Index References** ----

News Subject: (Health, Education & Welfare (1HE31); Social Issues (1SO05); Social Welfare (1SO83))

Industry: (Housing (1HO38); Real Estate (1RE57); Zoning (1ZO58))

Language: EN

Other Indexing: (Alicia Robinson; Andrew Do; Jose Moreno) (Santa Ana River; United States--US; Anaheim California; Huntington Beach California)

Keywords: Affordable housing; Homeless people; CitiesKeywords:

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**NewsRoom**

# **Exhibit F**



# Voice of OC stands among

## California's top

### newsrooms



# CALIFORNIA JOURNALISM AWARDS

HOUSING & HOMELESSNESS

## North OC Commits to 700 New Homeless Shelter Beds; South County Identifies Zero



SPENCER CUSTODIO, *Voice of OC*

Federal Judge David O. Carter picks up trash from the bottom of the river during his tour of the Santa Ana Riverbed homeless encampment. Feb. 14, 2018.

By  **NICK GERDA** ([HTTPS://VOICEOFOC.ORG/AUTHOR/NGERDA/](https://voiceofoc.org/author/ngerda/)) 

([HTTPS://TWITTER.COM/NICHOLASGERDA](https://twitter.com/nicholasgerda)) AND  **THY VO**

([HTTPS://VOICEOFOC.ORG/AUTHOR/TVO/](https://voiceofoc.org/author/tvo/)) 

([HTTPS://TWITTER.COM/THYANHVO](https://twitter.com/thyanhvo)) June 13, 2018

Three north Orange County cities committed Wednesday to adding a total of 700 new homeless shelter beds at specific sites – on top of the more than 1,000 shelter beds already in north county – but south county mayors didn't identify any additional shelter sites.

U.S. District Judge David O. Carter two months ago called on south county cities to identify and develop additional shelter beds (<https://voiceofoc.org/2018/04/federal-judge-calls-on-oc-city-leaders-to-step-up-on-homelessness/>), and gave them until Wednesday to identify locations (<https://voiceofoc.org/2018/05/federal-judge-sets-june-13-deadline-for-oc-cities-to-id-new-shelter-sites/>). But at the court meeting Wednesday, south county city officials said they had not yet identified any shelter sites.

After more than two hours of private discussion, where Carter pressed mayors to find one or more sites for shelter beds in south county, Irvine Mayor Don Wagner said the mayors had made “no decisions” on sites, but did receive “more clarity” from Carter.

“I think [the south county mayors] are committed” to finding an additional shelter site or sites, Wagner told Voice of OC Wednesday evening. “I think the judge is going to insist on it.”

The mayors see industrial park areas as making the most sense for shelter beds because they're not near schools or parks, Wagner said, acknowledging “you don't have a lot of those in south county.”

The south county mayors plan to meet in about two weeks to discuss the issue further, he said.

Carter has been presiding over a federal civil rights lawsuit about a shortage of homeless shelters in Orange County. He has repeatedly said Santa Ana and Anaheim are doing more than their share to host shelters and services, and that Santa Ana has been “inundated” with homeless people because of a lack of shelter options elsewhere in the county.

On April 3, Carter called on other parts of the county – particularly south county – to each take care of their “proportional” share of the county’s homeless population (<https://voiceofoc.org/2018/04/federal-judge-calls-on-oc-city-leaders-to-step-up-on-homelessness/>).

And at a May 25 court meeting, Carter gave the cities until (<https://voiceofoc.org/2018/05/federal-judge-sets-june-13-deadline-for-oc-cities-to-id-new-shelter-sites/>) Wednesday, June 13 to identify locations for three new emergency homeless shelters (<https://voiceofoc.org/2018/05/federal-judge-sets-june-13-deadline-for-oc-cities-to-id-new-shelter-sites/>), and said the hundreds of homeless people who have been staying at the county’s two armory shelters need to be accommodated when the armories close July 16.

Carter commended Santa Ana, Anaheim, and Huntington Beach for committing to the 700 new shelter beds. The judge and a law clerk wrote the cities’ names on a large poster paper and whiteboard in the courtroom, along with the number of beds each city committed to.

Carter said city officials had provided him the specific locations of the shelter sites. But he would not disclose the locations, saying he was respecting the cities’ request to keep the locations confidential as discussions proceed.

Under state law, cities will be required to make the shelter locations public before city councils vote to purchase property for a shelter or allow existing city-owned property to be used for shelter.

The new shelter commitments were:

- An extra 300 beds in Santa Ana: replacing the 400-bed Courtyard shelter with a new 700-bed facility. Santa Ana currently has more than 600 shelter beds.
- An extra 325 beds in Anaheim: a 75-bed shelter, 50-bed shelter, and a 200-bed shelter in a building owned by businessman Bill Taormina. Anaheim currently has 200 shelter beds.
- An extra 75 beds in unincorporated Midway City: 55 beds in one shelter and 20 in another nearby, as part of a joint funding arrangement with Huntington Beach and Westminster. Midway City currently has 20 shelter beds.

“We are extremely serious about it,” Santa Ana Mayor Miguel Pulido said of the Santa Ana City Council’s view of the proposed 700-bed site. “Nothing is going to stop us. We are ready to proceed forward and move as quickly as we can on that.”

Carter said the proposed Santa Ana location is a “great site” near services, in an area where it would not have “much of an impact on residential communities.” He said the facility would help free police officers to enforce crime instead of spending time responding to homelessness issues.

There is no timeline for opening Santa Ana’s proposed shelter, but Taormina said the proposed shelter on his property in Anaheim could be open by the end of this year.

“We can do the 200-bed facility in Anaheim by New Years’ Eve, so we can all go there and have a party,” Taormina said. “I want to thank [attorneys] Brooke [Weitzman] and Carol [Sobel] for bringing this to the court,” because now “we have a catalyst” to get this done, he added.

“We need to prevent anarchy” on our streets, Taormina added.

Huntington Beach Mayor Mike Posey said one of the expanded-bed facilities in Midway City will be opening in 90 to 120 days, and the second in six to nine months.

Anaheim Mayor Pro Tem Jose Moreno told Carter his City Council is “prepared to move forward” with all three proposed sites in his city.

One of the sites he said would be a “75-bed emergency center” where police nonprofits and faith-based groups can collaborate with the city in helping homeless people move off the streets.

Going forward, Moreno said, he and other members of the city’s Homeless Policy Working Group (<http://www.anaheim.net/AgendaCenter/Homeless-Policy-Working-Group-21>) are looking to build 50 to 75-bed shelters in each of the city’s six council districts, so no single district is doing more or less than another.

Repeatedly during Wednesday’s meeting, Carter dangled the prospect that specific cities would be dismissed from the civil rights lawsuit, through settlements, once they commit to additional shelter beds and handle intake for their homeless population.

As for funding, Carter said enough money already exists for new shelters and housing and no new taxes are needed.

“I firmly believe that the money’s there,” Carter said, adding the issue really is finding sites.

Carter, as he has in the past, emphasized repeatedly that he wants to make sure cities are not pushing homeless people from city to city.

Cities elsewhere in the county have transported homeless people to the Courtyard shelter in Santa Ana, which is the county’s only walk-in homeless shelter for single men and women, according to Carter and security video disclosed by Santa Ana.

Undersheriff Don Barnes, speaking during the court meeting Wednesday, said the Sheriff’s Department continues to face a lack of places to take homeless people they encounter who have serious mental illnesses.

“[Our] behavioral health system has collapsed in California. And those solutions have to be addressed,” Barnes said.

“The challenge we have is tangible resources. Where do we take [people to get them into the] system of care?” asked Barnes, calling it the department’s “greatest challenge” with homelessness.

Carter commended the Sheriff’s Department for providing homelessness training to certain deputies who interact with homeless people. But Carter said the days of transporting people from south county to Santa Ana are over.

Referring to Barnes and the Sheriff’s Department, Carter said: “He can’t bring them to Santa Ana. He can’t bring them to Santa Ana.” Carter said again, raising his voice. “We’re done with that. It’s too impacted.”

Carter also said he would not be rigidly enforcing the Americans with Disabilities Act (ADA) at shelters, which is the subject of one of the lawsuits he’s presiding over related to the Santa Ana River evictions.

“For the women in this audience, I don’t know...what county allows our women...to be exposed to the degradation and sexual abuse that you hear walking up and down the river,” Carter said.

Referring to the ADA lawsuit by the Legal Aid Society of Orange County, whose lead attorney is Lili Graham, Carter said: “I’ve shoved Lili off.”

“I’ve pushed her off for one reason,” he added. “It’s better [that women have a safe place to sleep in a shelter] than being raped or sleeping with a taser.”

At the court meeting, county officials highlighted an action by county supervisors Tuesday to approve a business plan for funding 2,700 units of permanent supportive housing for homeless people (<http://bit.ly/2sVoTSV>). The plan estimates the total cost at \$930 million over the next six years.

A UC Irvine cost study last year (<https://www.unitedwayoc.org/wp-content/uploads/2017/03/Orange-County-Cost-Study-Homeless-Executive-Summary.pdf>) found the total cost to the public is cut in half when homeless people who have been living on the streets for more than a year move into permanent supportive housing.

In his public remarks in court on Wednesday, county supervisors’ Chairman Andrew Do emphasized the county would not force shelters on any cities.

“The county hates you because the county doesn’t want anything to be funded for people,” Do said. If it’s a “mandatory” process, “people will find loopholes around that,” Do said, saying cities should think of it as “a collaboration. Because it is.”

Do said the county needs one more emergency shelter with at least 200 beds and two new emergency mental health treatment centers, known as “crisis stabilization units.” He said there is only one such facility in the county, in Santa Ana, which has just 10 beds.

Do also said the county needs 2,700 supportive housing units, spread across the county.

The supervisors on Tuesday authorized the first \$13 million for mental health housing out of the \$70.5 million in additional Mental Health Services Act funding they designated in March for housing homeless people with serious mental illnesses.

That first \$13 million will fund 99 units of permanent supportive housing for homeless people with serious mental illnesses, within 11 projects that have a total of 451 housing units ([http://cams.ocgov.com/Web\\_Publisher/Agenda06\\_12\\_2018\\_files/images/O00318-000605A.PDF](http://cams.ocgov.com/Web_Publisher/Agenda06_12_2018_files/images/O00318-000605A.PDF)), according to county officials.

AB 448 ([https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB448](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB448)), a state bill to create a joint powers agency of city and county officials to pool together financing for the housing (<https://voiceofoc.org/2018/04/oc-cities-to-ask-legislature-for-regional-agency-to-speed-up-homeless-housing-projects/>), is moving quickly through the legislature, said Dan Young, a former Santa Ana mayor and Irvine Company housing development executive who has been involved in the effort.

“This is a bill that puts the cities at the table. You have a seat at the table for \$900 million-worth of money,” Young said. Cities are “not required” to join, but can only access the funds if they do join.

As for the county’s funding plan, Young said: “That becomes the business plan for how you get your 2,700 units done.” He added there’s “a lot of work to be done on that business plan.”

Carter said he wants “specifics,” including a timeline.

Young said the first 500 housing units would be available in six months, which would double to 1,000 within the next year.

Young said polling shows California voters are likely to approve \$4 billion in additional funding for homeless housing and other homeless programs, under a measure known as Senate Bill 3, which the legislature and Gov. Jerry Brown placed on the November ballot (<http://elections.cdn.sos.ca.gov/ballot-measures/pdf/sb3-ch365.pdf>).

The proposed joint-powers authority would be a place for county and city officials “to collaborate,” Young said.

He said legislators in Sacramento have said Orange County’s chances of getting funding for the 2,700 proposed housing units (<https://voiceofoc.org/2018/02/most-oc-cities-support-adding-2700-new-homes-for-homeless-organizer-says/>) are “excellent” if OC moves quickly to implement its plan.

Carter said the courthouse discussions of homelessness Wednesday started at 5:30 a.m. The public discussion ran from 8:42 a.m. to 11:01 a.m., then Carter spent another 8 ½ hours in rounds of meetings with officials about homelessness. Around 7:30 p.m., the last discussions apparently ended, and Carter let court security go home.

During Wednesday’s court meeting, Carter responded to pushback from some city officials who have cast doubt on whether he has jurisdiction to block enforcement of anti-camping laws.

Carter said he believes he has jurisdiction to issue a temporary restraining order banning any city in Orange County from enforcing anti-camping and loitering laws against homeless people, under the U.S. 9th Circuit Court of Appeals’ ruling in *Jones v. City of Los Angeles*.

The Jones decision (<https://caselaw.findlaw.com/9th-circuit/190487.html>) found government cannot “criminalize conduct that is an unavoidable consequence of being homeless,” such as sleeping on public sidewalks, when there is a shortage of adequate shelter beds.

The judge also said he believes an upcoming appellate ruling before the Ninth Circuit Court of Appeal, which apparently is being written by Justice Marsha S. Berzon, will strengthen the Jones decision even further.

Carter apparently was referring to the pending decision in the case of Robert Martin v. City of Boise, which was argued before the Ninth Circuit last summer ([https://www.youtube.com/watch?v=-niEQY-wp\\_c](https://www.youtube.com/watch?v=-niEQY-wp_c)) and centers on anti-camping enforcement.

Carter said he could have issued the restraining order in Orange County months ago, but that he’s been waiting to see how much progress can be made in developing a system of care for homeless people.

Carter also said the other federal judges in the regional court district – the Central District of California – have handed the issue of homelessness to him.

“I humbly went to all of my colleagues and I said because of [an earlier Santa Ana Riverbed homeless camp case in 2017, and other cases], that “I’m happy to take on the homeless issues.”

“And my colleagues” very graciously said “take it,” Carter said, prompting laughter from the audience. “We’ve got consistency now in the federal court.”

As for questions about Carter’s age and health – he is 74 years old – Carter said: “I’m very healthy,” adding he expects to live until he’s 110.

*Nick Gerda covers county government and Santa Ana for Voice of OC. You can contact him at [ngerda@voiceofoc.org](mailto:ngerda@voiceofoc.org) (<mailto:ngerda@voiceofoc.org>).*

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*Voice of OC reporter Spencer Custodio contributed to this report.*

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# **Exhibit G**



NEWS > LOCAL NEWS

## Huntington Beach scraps plan for 50-bed homeless shelter near Marina High School after resident outcry



Hundreds of residents packed the Huntington Beach City Council chambers Monday, April 1, to learn more about a proposed 50-bed homeless shelter that would sit kitty

By **SUSAN CHRISTIAN GOULDING** | sgoulding@scng.com | Orange

County Register

PUBLISHED: April 2, 2019 at 12:08 pm | UPDATED: April 2, 2019 at 1:27 pm

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Hundreds of residents packed the Huntington Beach City Council chambers Monday night, April 1, to learn more about a proposed 50-bed homeless shelter that would sit kitty-corner to Marina High School.

For those who came to protest, the evening began rather than ended in victory.

ADVERTISING



In his opening remarks, City Manager Fred Wilson said, "It's clear to me and all of us that this site isn't going to work."

That conclusion was greeted with robust applause and cheers.

Residents did not know about the shelter until it appeared on the council agenda a few days prior. Heeding an outcry, Wilson said, city staff would "drop this site permanently" and return with alternatives on April 15.

The city landed on what immediately would become a flashpoint after considering about 25 other candidates, Wilson said. Property managers

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Council members were slated to vote on the north Huntington Beach address, near McFadden Avenue and Springdale Street, just one day before a court-mandated deadline. Orange County cities were scheduled to [report progress updates on shelter sites](#) Tuesday, April 2, to U.S. District Judge David O. Carter.

Carter has been overseeing a lawsuit filed against Orange County and several cities on behalf of homeless people.

Mayor Erik Peterson told the chamber that he had “continuously been talking to the judge all weekend.” Carter granted the city two more weeks to find something else, Peterson said: “The judge also thought another site would be better.”

Cities throughout Orange County have been “scrambling to identify sites” for homeless shelters, as Wilson noted.

In August, [Carter determined that cities and the county must provide housing for 60 percent of their total homeless counts](#) based on 2017 statistics. For Huntington Beach, that number was 119 people – meaning that it eventually needs to come up with 72 beds.

Compounding the rush for shelters, the U.S. 9th Circuit Court of Appeals in September decided that a city cannot “criminalize indigent, homeless people for sleeping outdoors” if nothing else is available to them. That ruling prohibits law enforcement from arresting or citing people who have nowhere to go besides public sidewalks and parks.

In November, [Tustin ran into a dilemma similar to Huntington Beach’s](#) when it selected a shelter site next door to an elementary school. After parents protested, the city council voted to explore other places.

Upon hearing that a shelter near Marina High was off the table, dozens of spectators and would-be speakers filed out of the chamber Monday night. About 30 stayed behind either to thank council members for the change of heart or, citing safety concerns, to chide them for considering the location in the first place.

Galen Pickett, father of two Marina High students, called the city council members “cowards” for their “lack of transparency.”

“The mismanagement of this proposal rests solely with the seven people on the dais,” he said to applause.

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Jim Knapp questioned why Huntington Beach should shoulder responsibility for homeless people at any location.

“What gives a homeless person the right to plop his butt down in our city and say, ‘I’m a resident?’” Knapp asked, suggesting that the city sue over court edicts. “Who made Judge Carter king of the homeless problem?”

But others expressed compassion.

“These are not just drug addicts – they’re veterans and senior citizens,” said Shirley Dettloff, a former Huntington Beach mayor.

Several Marina High students took the podium to urge the city to go forward with a shelter, however controversial its location may be. Anthony Tran, a senior, summed up the challenge: “We have to put a shelter somewhere.”

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Tags: [homeless](#), [Top Stories OCR](#)



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By Upbeat News

**upbeat**

Grieving husband cleans out wife's closet, uncovers a slew of drivers' licenses revealing her true identity.

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## Susan Christian Goulding

After majoring in journalism at the University of Texas, Susan Christian Goulding got her start as a copy editor and reporter at the (late, great) Los Angeles Herald Examiner. She then worked at the (late, great) Santa Monica Outlook and the Daily Breeze as a features editor, writer and columnist. She

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teaching credential and masters at UCI. She taught English for four often rewarding and always challenging years in Compton, then at LMU and El Camino College. Missing journalism, Goulding circled back to her original career last year, joining the Orange County Register as a reporter. She also enjoys her return to column writing for the newspaper's OC Home magazine.

 Follow Susan Christian Goulding [@scgoulding](https://twitter.com/scgoulding)

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# **Exhibit H**

## NewsRoom

6/5/18 Daily Pilot (Costa Mesa, Cal.) (Pg. Unavail. Online)  
2018 WLNR 17323503

Daily Pilot (Costa Mesa, CA)  
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June 5, 2018

Federal judge tours O.C. armory as he works toward homeless solution

Ben Brazil; Daily Pilot, Costa Mesa, Calif.

June 05--U.S. DISTRICT COURT JUDGE DAVID O. CARTER GATHERED LOCAL OFFICIALS AND LAW ENFORCEMENT EARLY TUESDAY AT THE SANTA ANA ARMORY TO OBSERVE WHAT HOMELESS PEOPLE DO WHEN THEY LEAVE THAT SEASONAL SHELTER. -- U.S. District Court Judge David O. Carter gathered local officials and law enforcement early Tuesday at the Santa Ana Armory to observe what homeless people do when they leave that seasonal shelter.

The tour's aim was to gauge the adequacy of the armory, which, along with another armory in Fullerton, is serving a more prominent role in the county's homelessness efforts after two prominent encampments in the Santa Ana riverbed and Civic Center were removed.

Carter is overseeing a federal case launched by homelessness advocates that attempted to stop the removal of the riverbed encampment, which was cleared out in late February. He toured the riverbed camp before its closure.

By 5:30 a.m., Carter's group watched as the last of the homeless filtered out of the shelter at 612 E. Warner Ave. Neighbors and surrounding businesses have complained about the spread of homeless people into the community in the mornings.

Brooke Weitzman, who is behind the lawsuit and is co-founder of the Elder Law and Disability Rights Center in Santa Ana, said at the morning tour that the armory cannot sufficiently take care of the homeless situation because there is nowhere for individuals to go during the day. The armories do not have enough beds to serve Orange County's homeless: Each has a capacity of about 200.

Because of that, Weitzman believes it's incumbent on cities to refrain from enforcing anti-camping and loitering ordinances. Weitzman argued against enforcing anti-camping laws in the original complaint.

The county has been attempting to find a place for the uprooted homeless. A proposal to place temporary shelters in Irvine, Laguna Niguel and Huntington Beach was rescinded in late March.

The armories only operate in the winter. Although they were expected to close on April 15, the armories received a 90-day extension from Gov. Jerry Brown earlier that month.

After observing the armory, Carter led the group to the Mental Health Assn. of Orange County on Main Street where he spoke with a representative about the clients it deals with from the armory.

A short walk farther down Main, he turned down a gravel road bordering train tracks. In his black suit, Carter walked the uneven ground, stepping over abandoned railroad beams.

A man emerged from a tent as the group passed. Trash lay about the area.

Santa Ana police Acting Deputy Chief Ken Gominsky said the tracks are where homeless congregate, though the area looks better now than in the past.

Orange County Executive Officer Frank Kim said he has witnessed the flow of homeless people in the community surrounding the armory.

The armories "function quite well" and the county offers a morning bus that ferries homeless people to the Courtyard shelter in Santa Ana, Kim said.

"Like any community dealing with homeless challenges, we can always design more programs," Kim said. "The county is not in its final form yet. There is more to be done."

Anaheim Mayor Tom Tait also said more needs to be done to rectify the homeless situation in the county.

"There needs to be more permanent housing and more shelter beds that don't dump the homeless out in the early morning," Tait said.

Tait said he valued the way Carter was dealing with the homelessness issue.

"The county owes him a debt of gratitude," Tait said. "He's unorthodox, but that's what it takes to get everybody working together."

---- **Index References** ----

Company: CARTERS INC

News Subject: (Government (1GO80); Health, Education & Welfare (1HE31); Social Issues (1SO05); Social Welfare (1SO83))

Industry: (Healthcare (1HE06); Healthcare Practice Specialties (1HE49); Healthcare Services (1HE13); Psychiatric Services (1PS61))

Language: EN

Other Indexing: (Elder Law) (Ken Gominsky; Jerry Brown; David J. Carter; David Carter; Tom Tait; Brooke Weitzman; Frank Kim)

Word Count: 598

## NewsRoom

# **Exhibit I**





#### HOUSING & HOMELESSNESS

## Judge Demands Progress on Homeless Shelters By September 7



*Spencer Custodio/Voice of OC*

People at Maxwell Park in Anaheim on Friday, Aug. 3, 2018, where dozens of homeless people moved after the Santa Ana riverbed closure

**By THY VO AND KASSIDY DILLON August 3, 2018**

U.S. District Court Judge David O. Carter warned the County of Orange and its cities they will need to make significant progress on plans for new emergency shelter housing for the homeless, or face a possible court ruling or temporary injunction stopping the enforcement of anti-camping laws.

Carter told attorneys and public officials in his courtroom Friday he wants to see action to get people housed quickly, especially after the closure of two National Guard armories (<https://voiceofoc.org/2018/07/armory-homeless-shelters-close-many-unsure-whats-next/>) in mid-July that each housed up to 200 people.

“My breaking point were those armories – I’ve got three to 400 people seeking shelter sleeping in people’s backyards and parks,” Carter said. “This idea people aren’t seeking shelter is nonsense.”

Carter set a hearing for September 7 and said he wants to see a “resolution” or else he will consider issuing an order. He also invited attorneys for the homeless to file their own request for an injunction, and threatened to impose more restrictive requirements on the county and cities if they fail to come up with their own solutions.

“The last thing I want to do is come down with a TRO [temporary restraining order] – but unless I see progress, I’m now inviting counsel to bring it,” said Carter, looking at attorneys for the homeless. “Put up or shut up.”

Although Carter did not give specific goals, he outlined figures for the number of new shelter beds he expects in each of three geographic regions of the county, and pressed for the finalizing of a deal between Santa Ana and the county for a 700-bed shelter, which would replace the current 400-bed Courtyard Transitional Center and add another 300 beds.

Overall, Carter and the county agree they need at least 1,550 new shelter beds, 60 percent of the estimated 2,584 unsheltered homeless people countywide, according to a 2017 count.

Specifically, he called for at least 450 more beds in North Orange County, 300 beds in South Orange County and another 300 in South Orange County. It's unclear where the remaining 500 beds would come from, although Carter noted at least 500 new housing units for the homeless are expected to be built by the end of the year.

Friday's hearing was held because Carol Sobel and Brooke Weitzman, attorneys for the homeless, filed an amended complaint July 26 renewing a request for a court order banning the cities of Anaheim, Orange and Costa Mesa from enforcing anti-camping laws against homeless people until there are adequate shelter beds for them.

Carter said for months he has been asking the county and attorneys for specific numbers of beds needed to accommodate the county's unsheltered homeless. He received estimates from a document circulated by the county on July 3.

"If you can't give me numbers today, then I'm going to give you numbers I can live by," said Carter, directing his comments to county officials. "From your side, if I hear one more time that you don't have any money, I'm going to put up some very embarrassing figures. I'll put up initial figures that show you have all the money you need."

Sobel argued that the requirement for new beds in the north part of the county should be increased, [pointing to a survey which found 906 homeless people in Anaheim alone](https://voiceofoc.org/2017/03/797-unsheltered-homeless-in-anaheim-alone-report-says/) (<https://voiceofoc.org/2017/03/797-unsheltered-homeless-in-anaheim-alone-report-says/>), 797 who are unsheltered.

"The numbers in the Point-in-Time count are pre-riverbed dispersement [sic] – we have a lot of people who went into Anaheim," Sobel said. "For us the number might be closer to 600 or 650 [beds]."

At a June 13 hearing, Anaheim officials announced plans for a 75-bed shelter and a 200-bed shelter that will apparently be financed by private donors.

Another site with 100 to 125 beds is also being discussed by a coalition of 11 North Orange County city managers, according to Orange City Manager Rick Otto.

"The cities have agreed to share a proportional cost for the purchase and development of that site in conjunction with the County of Orange," Otto told Carter, adding no discussion has been had yet about sharing operating costs.

Santa Ana officials also announced in June plans to create a 700-bed shelter, although county officials recently suggested a lower number, 600 beds, in recent negotiations.

"I was told 700 and you're not going down 100 on me," Carter said.

Carter also questioned Santa Ana city and county officials over why the boards for both entities have yet to approve a partnership agreement for the construction, financing and operations of the new shelter.

Santa Ana and county officials exchanged drafts of the agreement Thursday, but talks appeared to slow down over the use of "two controversial, potentially politically sensitive words" in the agreement, although county counsel Leon Page said those words could be easily removed. Page did not disclose the words.

Santa Ana Deputy Police Chief Ken Gominsky also cited disagreements over aspects of the facility's operation, the city's financial contribution to the facility and aspects of the management and operation of the shelter.

Carter spoke extensively about his belief that the Fairview Developmental Center — a state-owned facility in Costa Mesa with dormitories and medical facilities that is slated to close — could easily accommodate most of the county's homeless, permanently or temporarily until other facilities are built. Carter said he considered holding Friday's hearing at the Fairview Center.

"Can you call the governor for me?" Carter asked Costa Mesa City Manager Thomas Hatch. "Would you tell him you met with the city council and we just want four [dormitories]?"

The Costa Mesa City Council voted unanimously in March to propose turning Fairview into a mental health facility for the homeless, although Hatch emphasized repeatedly Friday that the council is willing to “do its fair share,” they just don’t want to take on the entire county’s homeless population.

Hatch noted under the city’s general plan, 25 percent of the property is set-aside for institutional uses, such as a hospital or medical facility. Pressed by Carter, Hatch eventually said the city believes using four dormitories from the current facility for homeless housing is feasible.

Only one official from South Orange County was present at Friday’s hearing, Laguna Niguel City Manager Kristine Ridge. Except for the four cities directly involved in the litigation, other cities were not invited or asked to come.

Ridge told the judge South Orange County cities are happy to collaborate but disagree with the 300-bed estimate suggested by the county, noting that their region has 286 homeless people based on county estimates.

Carter urged cities to add enough beds to accommodate the ebb and flow of homeless people throughout the region.

“Watch out because if you just build it [shelter] for 50 what happens when the population shifts and we really need 75?” Carter asked. “Maybe just build out 50 beds at the present time but give room to build.”

While Carter has not taken any public actions in the weeks since the June 13 hearings, he said Friday he has been busy meeting with public officials, visiting shelter facilities and touring city parks.

After the closure of the armories, Carter said he and a law clerk drove to a number of shelters and found few or no open beds at any of them.

He also toured parks in Anaheim with Acting Police Chief Julian Harvey, later returning on his own in the early morning hours, he said.

“Our parks are a complete mess. There are folks who came out of armories who wanted shelter – these aren’t the folks who are resisting,” said Carter. “In the initial intake [at the Riverbed], I was surprised by how low the criminal element was from what I expected to be.”

Carter visited Maxwell Park, the city’s “most impacted” park in terms of homelessness, [according to a city staff report.](#)

[http://local.anaheim.net/docs\\_agend/questys\\_pub/16808/16838/16840/19030/19075/Staff%20Report19075.pdf](http://local.anaheim.net/docs_agend/questys_pub/16808/16838/16840/19030/19075/Staff%20Report19075.pdf).

A Voice of OC reporter was taking photographs of Maxwell Park Friday afternoon when he was confronted by a police officer for taking photos of the officer while he detained a homeless man and two other people.

Carter played a brief video clip of interviews he conducted in public parks with homeless people who told him they would stay at a shelter if there were beds available. Several of the people he spoke to were sleeping in parks after staying at the armories, Carter said.

Carter said although officials have told him they were in contact with Gov. Jerry Brown, Carter spoke with the governor’s staff recently and was told neither the county nor cities of Santa Ana and Fullerton had submitted a request to keep the armories open beyond July.

He urged the parties to reach a settlement rather than delve deeper into litigation and spend more taxpayer money, and said issuing a formal ruling would impose specific requirements that would require a lengthy and inflexible monitoring process by the court.

“It’ll take six months to a year, billing costs will go sky high, there will be a winner or loser with no projects built, nothing gets accomplished,” Carter said.

The judge said he wants to see major progress before September, when most schools are open again.

If the parties reach a settlement, Carter suggested a scenario where a panel of magistrates would rule on the details of individual cases — for example, disputes over whether a couple can be housed together — and he would be available on short notice for appeals.

“I’m 74 years old and I feel very good. I’m not going to die regardless of some of you thinking I might like to,” Carter said. “I believe in this cause so much that my family has had a discussion if I’m going to hang in there for another three years...if we don’t reach a resolution we’re going to take action faster than you can imagine.”

Contact Thy Vo at [tvo@voiceofoc.org](mailto:tvo@voiceofoc.org) and follow her on Twitter [@thyanhvo](https://twitter.com/thyanhvo).



# **Exhibit J**

TOPICS

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L.A. NOW LOCAL

## Judge pushes for more beds to help resolve housing for Orange County's homeless

By ANH DO  
AUG 03, 2018 | 6:30 PM



U.S. District Judge David Carter, right, greets homeless residents Frank Fabozzi, 56, and Amy Potter, 47, while surveying the homeless encampment along the Santa Ana River in Anaheim in February. (Gary Coronado / Los Angeles Times)

A federal judge Friday set a Sept. 7 deadline for Orange County officials to release housing plans to help a majority of the 2,584 people in the county without shelter.

U.S. District Judge David O. Carter threatened to consider a temporary restraining order preventing cities from enforcing anti-camping ordinances and citing the homeless for sleeping or setting up in public if “there’s no resolution for these men and women.”

Carter said his “breaking point” was the closure of two National Guard armories in Fullerton and Santa Ana on July 15, pushing an additional 200 people onto the streets.

“Folks are coming out of the armories and they need a place to stay,” he said.

“You’ve been wondering a while what the court will do while you’ve been complacent,” he told a room filled with city and county officials, along with the homeless and homeless advocates. He called the group to the courthouse, pressuring them to provide emergency and transitional housing for 1,550 people — equaling 60% of the population lacking shelter.

“We’re going to get down to actual numbers today,” he said. “You can accept them or reject them. Otherwise, litigate it.”

Carter is overseeing a lawsuit filed against Orange County and the cities of Anaheim, Costa Mesa and Orange on behalf of homeless people cleared from a Santa Ana River encampment in January. While allowing for their removal — followed by the eventual clean-up of an illegal tent city at the Santa Ana Civic Center — he has constantly pushed for “humane” evictions and forced officials to do the “hard math” to find places to house the homeless.

Carol Sobel and Brooke Weitzman, attorneys for the homeless, amended their lawsuit last week, writing: “Hundreds of people are, once again, without a place to sleep at night other than on the streets, in the parks and in other public places, where they are experiencing harassment and arrest by law enforcement.”

Carter scheduled Friday’s hearing in response to that update. He told the courtroom: “The good news is certain pockets, communities have really come forward,” tapping on representatives from Anaheim to share their example.

Anaheim Mayor Pro Tem Jose Moreno said his city expects to have an additional 200 beds by year’s end — 60 for emergency intake, with 140 for transitional use — working with a private partner at an undisclosed site.

“Extraordinary times call for extraordinary measures. We try to interrupt the usual because we can no longer tolerate the usual,” Moreno said, alluding to the homelessness crisis.

Others with proposals include Buena Park and Santa Ana — the latter being the O.C. city most affected by transient populations — where officials are talking about opening a facility with 600 to 700 beds, though they hesitate to reveal locations while negotiating with private property owners.

Carter, aided by Susan Price, the county’s homeless czar, divided O.C. into three service planning areas — north, central and south — directing that shelters with 450 beds be built in the north, and 300 beds assigned to each of the other two areas.

Twice, the judge showed a video of his visit to a park where a worker interviewed homeless people who, with nowhere to go, said they resorted to sleeping there but would welcome assistance.



Most of the homeless he has met come from diverse backgrounds, Carter said. They range from Disney workers, UC Irvine students, those who juggle service jobs for the Anaheim Ducks or Los Angeles Angels teams, along with veterans and battered women. Street populations are “open to help,” he said, adding that thinking “that people are not seeking shelter is nonsense.”

Carter said he may support releasing local governments from the lawsuit via settlements, should officials be willing to provide “enough” shelter.

Observers in the courtroom said that the judge probably extended the deadline because each time he pushes, cities make a little more progress, and that he should “shame” them to get to results.

“I’m optimistic, yes, that progress is being made, and we stay true to the belief that we don’t want people shoved off in isolation. We want them to be sheltered where they can access services,” Sobel said.

Still, she sees one missing component: “To try to get everyone into permanent supportive housing. That’s our ultimate goal.”

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Monday - Saturday

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## Anh Do



Anh Do is a Metro reporter covering Asian American issues and Orange County. A second-generation journalist, she has worked at the Dallas Morning News, the Seattle Times, the Orange County Register and Nguoi Viet Daily News, the first Vietnamese-language newspaper in the U.S. founded by her late father. Do, born in Saigon, is a graduate of USC who also studied international relations in London and Spanish in Mexico City. Apart from words, she’s passionate about travel and all things canine, spending 25 years volunteering with dog rescue groups around the globe.

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COMMENTS (25)

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### MOST READ

L.A. NOW

Nipsey Hussle likely knew his killer and the motive was likely personal, sources say

1h

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# **Exhibit K**

## NewsRoom

10/30/18 Orange County (Cal.) Reg. (Pg. Unavail. Online)  
2018 WLNR 33528594

Orange County Register, The (CA)  
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October 30, 2018

Santa Ana homeless shelter will open sooner than expected, federal judge reveals in court hearing

Theresa Walker; The Orange County Register

Oct. 30--The federal judge in the civil rights lawsuit over the county's removal of homeless tent encampments at the Santa Ana riverbed said during the latest court hearing Monday, Oct. 29, that settlement talks have gone "exceptionally well" with the county and several cities that have presented plans for homeless shelters in their communities.

U.S. District Judge David O. Carter gave his most effusive praise to the city of Santa Ana for an expedited effort to open a temporary shelter that will house up to 200 homeless people living on the streets of Santa Ana.

Santa Ana stepping up

Judge Carter declined to give an exact date but said the opening of a 200-bed shelter to serve Santa Ana's homeless population was "imminent."

The shelter will be operated by longtime homeless services organization Mercy House. The location was not disclosed.

Carter urged the county and the other cities with representatives in court to follow Santa Ana's example in putting together a project team of city staff that worked with Mercy House over a 28-day period to mitigate bureaucratic barriers in design and construction of the shelter.

The judge, who toured the shelter site three weeks ago and again early Monday morning, called the effort "a role model for the county, the state and maybe the nation" and encouraged other local officials to pay a visit.

Carter invited Santa Ana Councilwoman Michele Martinez, also the city's mayor pro tem, to showcase a cellphone video played on courtroom monitors that showed some of the work being done to refurbish what appeared to be an industrial building with concrete floors being refinished.

Construction started Oct. 2 and was expected to be "substantially" completed this week.

Martinez said the shelter will include men's and women's dormitories, as well as a sleeping area for couples.

Pets will be accommodated. Restrooms, showers and other areas of the shelter will be compliant with the Americans with Disabilities Act, Martinez added.

Later, in an interview during a court recess, Martinez said Mercy House is already engaged in hiring and training staff for the shelter.

Asked why the location was not being disclosed, Martinez said the city wants Mercy House to be able to proceed without any disruptions: "We realize there is always going to be an outcry, but we're in an emergency."

Other agreements underway

Lawyers for the county and plaintiffs in two consolidated lawsuits continued to hash out details of their own settlement proposal.

Once agreed on, the guidelines setting out a procedure that emphasizes outreach and engagement before taking any law enforcement action must be approved by the county Board of Supervisors.

The county also filed a document with the court listing the money it has committed -- tens of millions of dollars -- since 2017 toward building a system of care.

Carter commended that "good faith" effort and the work of several other settlement proposals whose status was briefly updated in court:

\* The 13 cities in the north Orange County service planning area are joining the county in funding two shelters with a total of 100 to 200 beds.

\* Costa Mesa expects to reach a settlement in less than a month that calls for a 12-bed crisis center and a 50-bed shelter to open by next summer.

\* Anaheim is working with the Salvation Army on a 200-bed temporary site to be constructed using modular units; another 125-bed site will be developed on property to be made available by private businessman Bill Taormina.

\* Tustin plans to open a 50-bed shelter that will be operated by Orange County Rescue Mission near its Village of Hope campus.

Only Tustin has revealed the site of any planned shelter -- in an empty building at Valencia and Red Hill Avenues. The disclosure last week promptly riled up homeowners in the area and parents with children at nearby Heritage Elementary.

In regard to the north county cities' proposal, First District Supervisor Andrew Do told the judge on Monday that he was concerned over language in the document about placing homeless people from the north service planning area in other areas of the county where beds might be more readily available or more acceptable to the client.

The judge encouraged closed-door talks to resolve that issue.

Carter also took note of the growing tensions over homeless people populating west Anaheim recreation areas, such as Maxwell and La Palma parks, during the day. Residents in that area may be ready to file their own lawsuit, Carter said.

Watching and waiting

One of the plaintiffs in the original lawsuit, homeless military veteran Larry Ford, came to court and met with attorneys behind closed doors.

Ford, 54, has returned to sleeping in a Huntington Beach park, blaming issues with the Veterans Administration in holding him up from getting benefits and assistance entitled to him for his eight years of service in the Army.

But Ford said if the settlement with the county provides outreach, assessment and appropriate placement to those who want it, he would consider that progress.

Ford believes smaller shelter sites with about 20 people each would work better, but, he said, "It has to start somewhere."

--- Index References ---

News Subject: (Health, Education & Welfare (1HE31); Social Issues (1SO05); Social Welfare (1SO83))

Industry: (Healthcare (1HE06); Healthcare Service Providers (1HE78); Healthcare Services (1HE13); Hospitals (1HO39); Real Estate (1RE57); Zoning (1ZO58))

Language: EN

Other Indexing: (Andrew Do; La Palma; Maxwell Palma; David Carter; Bill Taormina; Larry Ford; Michele Martinez; Valencia Hill Avenues)

Word Count: 848

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**NewsRoom**

# **Exhibit L**

## NewsRoom

3/31/18 Orange County (Cal.) Reg. (Pg. Unavail. Online)  
2018 WLNR 9712917

Orange County Register, The (CA)  
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March 31, 2018

Santa Ana to begin clearing homeless people from Civic  
Center area, as resettlement of riverbed homeless winds down

Theresa Walker; The Orange County Register

March 31--With all the riverbed homeless people out of the motels, most moved into shelters and other placements, the attention of a federal judge now turns to relocating the people who sleep in and around the Santa Ana Civic Center.

Plans to begin clearing the Civic Center next week were discussed at a court session on Friday, March 30. U.S. District Court Judge David O. Carter, who has been overseeing a pair of civil rights lawsuits filed when the county began to clear more than 700 people from Santa Ana River Trail encampments, had tough words for officials and for homeless people inclined to reject help.

Only recently, Carter said, has there been a "concerted and good faith effort" to address what he called "inattention" to Orange County's growing homelessness problem, adding that it's been a scramble to try and catch up with decades of neglect.

"We're going to have a lot to say about beds next week," Carter said in reference to a court session on Tuesday to which he once again has invited the mayors and city managers of all 34 Orange County cities, in addition to county officials. "If you're going to throw numbers at me, be prepared -- I'm going to throw some numbers back at you."

But Carter also said he has no mercy for those people who decline help in favor of illicit behavior involving drugs.

Katrina Horne, a homeless woman from Santa Ana who has lived at the Civic Center off and on the past two years, said she too has little tolerance for lawbreakers who abuse drugs and threaten other homeless people. But Horne, 41, said many homeless people at the Civic Center, like herself, are ready to accept help that is sensitive to their particular needs.

"If you really want these people out of here, find them a place to go," said Horne, who has battled depression since the loss of her mother to cancer six years ago. "But some want to just get high and stay here. The ones that aren't cooperating, there's nothing you can do for them."

Carter acknowledged that he doesn't have the power to order city officials to court to talk about fair measures to house homeless people, but added, "I would think that any mayor or city manager who cares about their city will be here."

Tumultuous two weeks

As he spoke those words, yet more drama unfolded over the thorny issue of where to shelter homeless people.

At a special meeting Friday, the Santa Ana City Council called for exploring legal options to force communities around the county to do their part in dealing with homelessness. Just days earlier, the Board of Supervisors rescinded an earlier 4-1 vote calling for temporary homeless shelters in Irvine, Laguna Niguel and Huntington Beach after tens of thousands of people signed petitions and showed up by the busload to protest.

Also on Friday: the county's behavioral health director, Mary Hale, retired less than two weeks after county supervisors admitted they'd failed to spend tens of millions of dollars in available mental health funding for homeless housing. Supervisors Andrew Do and Todd Spitzer alleged county Health Care Agency staff members essentially hid upwards of \$184 million in surplus Mental Health Services Act funding.

But news reports from recent years have repeatedly drawn attention to the unspent money. And county documents show that Hale told the board in Aug. 2015 that the MHSA dollars could be spent on housing for the homeless -- even highlighting it as a need.

Under pressure from Judge Carter, supervisors in recent weeks have voted to appropriate \$90.5 million in MHSA money for homeless housing.

Civic Center

Stepped-up efforts continue to provide shelter and services to homeless people under Carter's guidance.

Beginning Monday, April 2, Health Care Agency outreach workers and clinicians, assisted by Santa Ana Police Department officers, will assess and provide referrals to an estimated 200 people living around the Civic Center.

They will be offered beds at county-run shelters in Anaheim and Santa Ana, or in county-contracted facilities that can serve those in need of treatment for mental health and substance abuse issues, and women who suffered domestic violence.

There are no plans to offer motel vouchers as the county did with the riverbed population.

Officials said it was possible that the area outlined in notices posted at the Civic Center -- bounded by Flower and Sycamore streets on the west and east, Civic Center Drive on the north and 4th Street/Santa Ana Boulevard on the south -- could be cleared in a week's time.

Homeless people have lived in and around the county's seat of government for decades. In recent years their numbers exploded along with drug use and crime attributed to some who might be resistant to change. Those numbers have fallen since the opening of the Courtyard shelter on Santa Ana Boulevard in October 2016.

Horne, the homeless woman, was frustrated with her own efforts to use a housing voucher that she said ended up expiring in December. But she felt encouraged by the efforts of Santa Ana Police Commander Ken Gominsky, who heads field operations at the Civic Center, to get her into a bed at the nearby women-only WISEPlace shelter.

Gominsky stopped her on Friday to ask how she was doing.

"We will fix this," Gominsky told Horne as she began to cry. "I want you off the street."

Staff Writer Jordan Graham contributed to this report.

---- **Index References** ----

Company: CARTERS INC

News Subject: (Health, Education & Welfare (1HE31); Social Issues (1SO05); Social Welfare (1SO83))

Industry: (Healthcare (1HE06); Healthcare Practice Specialties (1HE49); Healthcare Services (1HE13); Psychiatric Services (1PS61); Psychiatry (1PS63))

Language: EN

Other Indexing: (Ken Gominsky; David J. Carter; David Carter; Katrina Horne; Supervisors Andrew Do; Jordan Graham; Santa Ana; Todd Spitzer; Mary Hale)

Word Count: 906

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**NewsRoom**



# **Exhibit M**

# Voice of OC stands among California's top newsrooms



CALIFORNIA  
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AWARDS

HOUSING & HOMELESSNESS

## Judge to Keep Up Pressure on OC Leaders After “Decades of Neglect” of Homeless



*SPENCER CUSTODIO, Voice of OC*

The Plaza of Flags homeless camp in the Santa Ana Civic Center, which is scheduled to be cleared out starting April 2. Photo taken March 30, 2018.

**By THY VO AND SPENCER CUSTODIO** March 30, 2018

U.S. District Court Judge David O. Carter said Friday that after “decades of neglect” by Orange County leadership on homelessness, he will continue to keep the pressure on county and city officials to find solutions.

“I was literally begged by one of your supervisors to take a breath and slow down,” Carter said, apparently referring to a conversation with Supervisor Todd Spitzer. “No. Absolutely not.”

The brief court conference came after a tumultuous week where county supervisors bowed to public pressure and reversed a vote to place three emergency shelters (<https://voiceofoc.org/2018/03/oc-supervisors-back-off-new-homeless-shelters-make-promise-to-work-with-cities/>) for homeless people in Irvine, Huntington Beach and Laguna Niguel.

It also comes as the city of Santa Ana and county health workers prepare to clear 206 homeless people from the Santa Ana Civic Center beginning Monday at 8:30 a.m.

“This county has been in a crisis situation from the time the court got this case. This county’s structure has been deplete, and I think only recently has there been a concerted and good faith effort to catch up with decades of neglect,” Carter said.

“The difficult decision for me was how much longer to be tolerant,” Carter said. “I’m hoping all of us can run faster to catch up.”

Carter has called on city officials and mayors from all 34 cities to attend a court hearing Tuesday, where he expects them to find locations where emergency shelters can be set up.

“We’ve taken the liberty of having annotations made so we can see why you have enough concern of interest in their community (to attend),” Carter said.

At a brief Santa Ana City Council meeting Friday morning, the council directed its staff to research a potential lawsuit against the county to recover the city’s costs of addressing homelessness, due to the county’s inaction on the issue.

The potential lawsuit will be voted on at a meeting Tuesday evening.

Mayor Miguel Pulido said at the Friday council meeting, and later told the judge, that the council also is considering “suing all the cities in the county in order to bring them into the court with Judge Carter” on an existing lawsuit brought by Orange County Catholic Worker against the county and three cities. But the council took no action on that Friday.

Carter said Pulido didn’t need to pursue legal action against the cities since he invited the mayors and city managers to Tuesday’s court hearing.

“I’m going to be really anxious to hear from the mayors and the city managers and their willingness to step up,” Carter said.

Attorneys [filed a lawsuit in late January](https://voiceofoc.org/2018/01/lawsuit-seeks-end-to-santa-ana-riverbed-homeless-<u>evictions-county-says-it-wont-stop/</u>) ([https://voiceofoc.org/2018/01/lawsuit-seeks-end-to-santa-ana-riverbed-homeless-evictions-county-says-it-wont-stop/](https://voiceofoc.org/2018/01/lawsuit-seeks-end-to-santa-ana-riverbed-homeless-<u>evictions-county-says-it-wont-stop/</u>)) on behalf of Orange County Catholic Worker and seven homeless clients living at the Santa Ana riverbed, alleging the county violated their civil rights by pushing people out of the camp without offering adequate services and housing.

A separate case also was [filed by the Legal Aid Society of Orange County](https://voiceofoc.org/2018/02/second-<u>federal-lawsuit-filed-against-county-on-behalf-of-riverbed-homeless/</u>) ([https://voiceofoc.org/2018/02/second-federal-lawsuit-filed-against-county-on-behalf-of-riverbed-homeless/](https://voiceofoc.org/2018/02/second-<u>federal-lawsuit-filed-against-county-on-behalf-of-riverbed-homeless/</u>)) alleging disabled homeless people have not been properly accommodated.

Over the past month and a half, the county has moved nearly 700 people from the Santa Ana riverbed to motels and other shelters. In the last two weeks, most of the people from motels have been moved to shelters, medical and mental health facilities, although CEO Frank Kim [acknowledged at a Costa Mesa City Council meeting](https://voiceofoc.org/2018/03/costa-mesa-<u>opposes-homeless-shelter-at-fairview-mental-facility/</u>) ([https://voiceofoc.org/2018/03/costa-mesa-opposes-homeless-shelter-at-fairview-mental-facility/](https://voiceofoc.org/2018/03/costa-mesa-<u>opposes-homeless-shelter-at-fairview-mental-facility/</u>)) Wednesday the county has struggled to find appropriate placements for everyone.

As the county manages shelter placements for the displaced riverbed population, they also will begin moving people out of the Santa Ana Civic Center, where a longstanding homeless encampment has proliferated between courthouses and a complex of government buildings.

The city of Santa Ana has “undertaken an incredible burden, unfairly,” Carter said.

The county will take an approach similar to the riverbed, with health workers taking the lead and conducting assessments of each individual before Santa Ana police are allowed to intervene.

Santa Ana police Commander Ken Gominsky told Carter police and health care workers expect to conduct assessments of up to 45 people a day. Gominsky said clearing out the whole area could take up to a week.

“We also understand this is one of the most difficult populations they (healthcare workers) have had to assess,” Gominsky said.

Carter said he won’t set a firm deadline for the Civic Center to be cleared, noting that he originally wanted the riverbed to be cleared in a day. “The court was absolutely wrong,” Carter said.

The clear-out will affect homeless people staying not only in the Plaza of the Flags, a public courtyard near the Superior Court building, but in a broader area bordered by Civic Center Drive and Fourth Street/Santa Ana Boulevard, and between Flower and Sycamore streets.

Carter warned the county while their efforts began with homeless people on the riverbed, they should not take the needs of the riverbed population and “[put] them ahead of” other homeless people countywide.

“Here’s what won’t happen: You will not take the riverbed population, use up resources in Santa Ana ... and tell me you don’t have resources,” Carter said.

Two National Guard cold weather armories in Santa Ana and Fullerton also are being explored, raising additional questions about where those people will be housed. County counsel Leon Page said the county is exploring options to keep those facilities open. Each armory holds up to 200 beds.

The judge told Gominsky that people who break the law should not be tolerated.

“For those people who have needles, [drug] paraphernalia, put them in jail,” Carter said.

County supervisors have [faced ongoing questions](https://voiceofoc.org/2018/03/country-government-has-at-least-230-million-it-could-use-to-address-homelessness/) about why they have \$186 million of unspent dollars in Mental Health Services Act (MHSA) funds, separate from reserves.

Spitzer and Supervisor Andrew Do have blamed staff, with Do publicly blaming the director of behavioral health, although not by name, for either misleading him or failing to inform him about the use of the MHSA money.

Health Care Agency spokeswoman Jessica Good confirmed Friday afternoon that behavioral health Director Mary Hale has retired, with Friday being her last day.

The scale of the unspent mental health money, and its potential use for housing people with serious mental illness, has been known for years in annual reports and budgets approved by supervisors.

Carter was stern and short-tempered at Friday’s court conference, which was more formal than past proceedings in this case.

At one point he scolded County Counsel Leon Page for whispering to another attorney while he was talking, and told another man to sit down.

But he also made a point to praise county officials for being responsive to problems as they arise, citing an instance where Kim and Do responded to a phone call “within minutes” to address a lack of cots at a women’s shelter.

“I think this court has been extraordinarily tolerant,” Carter said. “But you’re not resting. I’m not either.”

**Contact Thy Vo at [tvo@voiceofoc.org](mailto:tvo@voiceofoc.org) or Spencer Custodio at [scustodio@voiceofoc.org](mailto:scustodio@voiceofoc.org).**



# **Exhibit N**

THE CALIFORNIA REPORT

## Federal Judge Holds Orange County Cities' Feet to the Fire Over Homeless Crisis



By Polly Stryker Apr 5, 2018



Trash bags sit outside tents and tarps of a homeless encampment along the Santa Ana riverbed bicycle path near Angel Stadium in Anaheim on Jan. 25, 2018. Over 700 homeless people were evicted in February from encampments along the riverbed. (ROBYN BECK/AFP/Getty Images)

Orange County officials have begun to **clear about 200 homeless people** from the Santa Ana Civic Center's Plaza of the Flags, the central plaza by City Hall and the federal courthouse.

Support services began to triage people on Monday, and that work is ongoing. Officials are using the earlier model of **how the homeless were evicted** -- into temporary housing -- from the Santa Ana Riverbank in February.

Both orders came from federal **Judge David O. Carter**, who is overseeing a **lawsuit** filed by homeless advocates against the county to not simply evict people and move them along.

Carter invited stakeholders and the mayors of all 34 cities in Orange County for a Tuesday hearing focused on the ongoing wrangling over how to deal with the homelessness crisis.

His invitation came on the heels of an Orange County Board of Supervisors **meeting last week that reversed course** on placement of temporary emergency shelters for about 400 people in the cities of Irvine, Laguna Niguel and Huntington Beach.

Sponsored

Residents of those cities protested loudly against having shelters in their cities, drawing charges of nimbyism from homeless advocates.

"We've got five of the wealthiest 20 cities in America. This is not about money. We are better than this," Carter told a packed courtroom.



Federal Judge David O. Carter (R) took the unusual step of personally touring the Santa Ana riverbank encampment before hundreds of homeless people were evicted from the area in February. (*Orange County Register/YouTube*)

It was clear that the judge was frustrated at the temporary shelter impasse -- and the political impasse. He wanted to get things moving by bringing stakeholders in front of him to answer questions about what each city is doing toward sheltering a portion of Orange County's homeless population, estimated at 5,000 people in 2017.

Orange County mirrors the story of California -- 34 wealthy cities juxtaposed with substantial poverty and a growing divide between haves and have-nots. Add to this what Orange County Board of Supervisors Chair Andrew Do calls a "failure" of civic leadership over many years, and a homelessness crisis has blossomed.

Carter said the "good mayors" -- the ones seeking solutions -- were present in his courtroom for the hearing. He shamed those he called the "bad mayors" for being absent.

Mayors from Santa Ana, Orange, Anaheim, Fullerton, Garden Grove, Tustin and Irvine stood at a podium in front of the judge and spoke about the shelters in their cities, what they had done, what they would like to do. Carter grilled them, praised them and reminded the courtroom that he could issue a



temporary restraining order on any city's anti-camping ordinance to get officials to step up and build shelters in their communities.

Much of the talk was about money needed to create permanent supportive housing. Numbers flew around: Was there \$500 million in an account? More? Less? Of money available that could be leveraged to help the homeless in Orange County, Carter said: "That money has been sitting there, chipmunked away. At the state level and in Orange County. And OC is disproportionate in the chipmunking. It's embarrassing."

The Board of Supervisors recently pledged around \$90.5 million to help find permanent supportive housing for the homeless.

## **Judge Carter vs. Irvine Mayor Donald Wagner**

The liveliest exchange came when Carter got Irvine Mayor Donald Wagner in his sights.

Wagner told the judge that Irvine has identified at least one other potential place to put some beds, and he explained Irvine's outcry at the idea of the temporary shelter in the context of past experience, when churches tried to help the homeless and had trouble with a few violent people.

"I want this court to know that we appreciate you (Judge Carter) moving this forward and that Irvine stands ready to help," said Wagner.

And then the judge questioned the mayor. Here's how that went:

**Judge David O. Carter:** "Is this idea of regional responsibility acceptable to you? Are you dedicated right off the bat to the idea of holding your own down in South County? (and not moving people along to other cities like Santa Ana?)"

**Irvine Mayor Donald Wagner:** "We in Irvine have been accused of dumping (homeless people)."

**Judge Carter:** "Who accused you of that?"

**Mayor Wagner:** "I've read that in the press and on the blogs."

**Judge Carter:** "There are three types of dumping."

"One is what has been occurring," Carter said, referring to homeless people being brought to Santa Ana to get an assessment, with nobody taking them back.

"The other kind is what you hear walking down that river. I'm blessed that I took those unorthodox walks down that (Santa Ana) river."

Carter recalled how people told him that police picked them up and told them to get down to the Santa Ana River. And he invited Wagner to go out to the Civic Plaza homeless encampment with him.



"The third kind of dumping?" A fast transport system by some agencies.

**Judge Carter:** "So, which kind of dumping are you talking about?"

**Mayor Wagner:** "I'm going to tell you that we have done none of those things. I've been assured by our police that the only transport we do is contact the shelters in some of these other cities -- do you have room? -- and they are transported there. I am unaware of any efforts to transport them back. Irvine is fully behind the concept of regional centers. One of the problems we had with the tent city concept (the temporary shelter) was no mental health facilities, no job placement."

Carter pressed Wagner on how much time his city needs for a site to be found and realized. The judge threatened to step in and invalidate (by temporary restraining order) the anti-camping ordinances, and told Wagner that if he did that, "you'll be back" -- because Wagner's constituents would clamor for a solution over tent camps that the Irvine police would not be able to clear out legally.

**Judge Carter:** "Can you give me a time frame so we can get down to reality and a piece of property? I don't care what it is, but you can't keep shipping folks up here and turning them loose in Santa Ana."

**Mayor Wagner:** "Your honor, I'm going to push back. We are not shipping people to Santa Ana... You want a date? We have started. We started before this morning, trying to find those places. Can I tell you how long it takes to get the appropriate wraparound services?"

But Wagner couldn't give a date or a time frame for finding, funding and building an emergency shelter. He was able to set up a meeting for further discussion with the judge.

In spite of his frustration at the politics of finding solutions to the homeless crisis, Judge Carter sounded hopeful.

"One of the positive things that is happening is that there are coalitions of goodness happening. I'm going to give that time to keep fostering."

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# **Exhibit O**

# Voice of OC stands among California's top newsrooms



CALIFORNIA  
JOURNALISM  
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HOUSING & HOMELESSNESS

## Federal Judge Calls On OC City Leaders to Step Up on Homelessness



*SPENCER CUSTODIO, Voice of OC*

County healthcare workers begin to assess the homeless people living in the Santa Ana Civic Center's Plaza of Flags. April 2, 2018.

**By THY VO AND SPENCER CUSTODIO** April 4, 2018

U.S. District Judge David O. Carter Tuesday called on Orange County cities to each take care of their “proportional” share of the county’s homeless population, telling a crowd of public officials to drop the idea homelessness is not their problem.

“They’re already there,” Carter said of homeless people in cities throughout Orange County. “Let me say it again: they’re already there.”

The judge acknowledged he has no jurisdiction in this case over most of the county’s cities, but said officials should step up and commit properties as a site for a possible emergency homeless shelter.

“If we can’t find one piece of property...that means we can never reach any kind of proportionality,” Carter said. “I wish you gave me the power and I would just pick the location, but I can’t do that, I’m a judge.”

Although the judge has not issued any broad orders, he could be forced to act if attorneys on behalf of homeless people, Brooke Weitzman and Carol Sobel, decide to request a temporary restraining order to stop the county and three other cities named in the case, Anaheim, Costa Mesa and Orange, from enforcing anti-camping and anti-loitering laws.

Anti-camping ordinances make it a crime to sleep on the streets and other public spaces, but a 2006 Ninth Circuit Court of Appeals case, *Jones v. City of Los Angeles*, (<http://caselaw.findlaw.com/us-9th-circuit/1490887.html>) prohibits enforcement of those laws when shelter and services are not offered or unavailable.

Sobel was one of the attorneys defending homeless clients in the Jones case.

Carter repeatedly warned cities he believed they are not ready to file a lawsuit over those laws and noted if the City of Santa Ana follows through on a threat to file a cross-complaint, other cities could be added to the case and potentially subject to having their anti-camping laws suspended.

Sobel said at Tuesday's hearing that while she believes her team has worked well with Orange County, there have been issues.

"If you asked me today, knowing what I know about the beds, I think we need a TRO to prevent people from being pushed out on the street," Sobel said.

Tuesday's court hearing, where Carter invited mayors and city managers from all 34 Orange County cities, follows a tumultuous week where county supervisors bowed to public protests and reversed a plan to place emergency tent shelters in Irvine, Huntington Beach and Laguna Niguel.

The protests highlighted rifts (<https://voiceofoc.org/2018/03/santa-ana-alleges-class-based-discrimination-by-cities-that-reject-homeless-shelters/>) between wealthier south Orange County cities and the county's dense, urban core, where all of the county's publicly-run homeless shelters are located.

But Carter noted there are homeless people all around Orange County, briefly citing statistics from the most recent countywide homeless count.

The 2017 Point-in-Time count (<http://www.ocgov.com/civicax/filebank/blobdload.aspx?BlobID=64596>) estimated there were 4,792 homeless people in Orange County. Of that number, 2,584 were sleeping outside, 1,248 were in emergency shelters and 960 were in a transitional shelter.

The numbers also showed a regional disparity, with central county bearing the brunt of the homeless population at 1,362 people. North county had 936 homeless people while south county had 286 homeless people living there, according to the count.

**[READ: SANTA ANA PRESS RELEASE ON LATEST HOMELESSNESS COUNT.](https://LOCAL.NIXLE.COM/ALERT/6493591/?SUB_ID=1000000046)**

**(HTTPS://LOCAL.NIXLE.COM/ALERT/6493591/?SUB\_ID=1000000046)**

**[READ: COUNTY MEMO ON PLACEMENTS FOR SANTA ANA RIVERBED HOMELESS POPULATION.](https://CMS.OCGOV.COM/CIVICAX/FILEBANK/BLOBDLOAD.ASPX?BLOBID=73946)**

**(HTTPS://CMS.OCGOV.COM/CIVICAX/FILEBANK/BLOBDLOAD.ASPX?BLOBID=73946)**

This past weekend, Santa Ana officials conducted a citywide count and found 1,030 unsheltered homeless people living within city limits. More than half of the people who answered questions said they were not from the city, city staff said.

City officials have said they have evidence that other cities and organizations have been "dumping" homeless people in their city, especially at the Civic Center where there has been a homeless camp for years.

Santa Ana spends an estimated \$17 million per year on homelessness, according to city staff.

Santa Ana City Council members Tuesday night voted unanimously to have staff draft a letter to the other Orange County cities, demanding greater participation from them in addressing the county's homelessness crisis, and monetary compensation for Santa Ana's costs for homelessness.

"Everybody has to do their part," said Mayor Miguel Pulido. He said Santa Ana may sue the other cities to bring them under Carter's jurisdiction so he has "power over them" as officials try to address the regional homelessness issue.

Supervisor Andrew Do, whose central Orange County district includes Santa Ana, said less than half the people at the Courtyard Transitional Center, an emergency shelter at an open-air bus terminal, come from Santa Ana.

“We have people coming from Huntington Beach to Tustin, from Fullerton to San Clemente. It’s all over, it’s not just Central Orange County,” said Do. “So it’s accurate to say that every city in this county has a homeless problem.”

Do said he and Supervisor Shawn Nelson are not “wedded to any particular location” but the county selected three locations after cities failed to come forward with their own suggestions.

“But at this point, I see the county and cities as being at a standstill,” Do said. “Without judicial intervention, I think people’s rights will continue to be violated, and the homeless problem will continue to be punted back and forth.”

“I believe, your honor, the time has come for the court to act,” Do said.

At a hearing last month, Carter warned cities to stop any “dumping” activity or risk a possible federal investigation by Senior Counsel to the U.S. Attorney Dennise Willett, who is chief of the department’s Santa Ana office. Willett also was present at Tuesday’s hearing.

Carter said “dumping” not only includes allegations that police agencies and other organizations are dropping off homeless people in Santa Ana, but also scenarios where agencies take people to Santa Ana to sign up for social services and leave them there.

While the judge often has been a demanding and forceful presence at hearings in the past, he took a gentler approach to Tuesday’s hearing. Carter told officials that while he expects to see solutions quickly, he also wants to give them the time and space to collaborate and form “coalitions of goodness.”

Several mayors who spoke at Tuesday’s hearing, from cities like Anaheim, Santa Ana, Orange, Fullerton, Tustin and Huntington Beach, say their cities have and continue to step up to address homelessness.

Do noted that no city, including Santa Ana, wants to host homeless shelters and service centers, pointing to a 2014 Santa Ana City Council vote to reject a shelter site proposed by the county.

“Do not think for a moment Santa Ana said, ‘hey just bring it all into our city.’ That was never the case and still is not the case,” Do said. The city, however, eventually accepted the Courtyard Transitional Center, and “It was because of that magnanimous act that we have the only emergency homeless shelter in this county.”

The Costa Mesa City council last week also voted unanimously (<https://voiceofoc.org/2018/03/costa-mesa-opposes-homeless-shelter-at-fairview-mental-facility/>) to oppose a preliminary proposal to turn the state-owned Fairview Developmental Center into a homeless shelter.

The only official from South Orange County to speak was Irvine Mayor Don Wagner, who, despite the uproar from his residents to oppose the emergency shelter, rejected the notion that city leaders gave into a not-in-my-back-yard mentality.

Irvine leaders argued the 100-acre property identified by the county for an emergency shelter, just south of the Great Park, is not fit for human habitation and lacks infrastructure like electricity and plumbing. They also objected to the fact that city leaders were not consulted or warned about the selection of the site.

Irvine voted to sue the county over the shelter proposal, but after supervisors backed off the proposal, the city has decided not to pursue the lawsuit, Wagner told reporters after the hearing.

Wagner pointed to two nonprofits that help the homeless in Irvine, which receive city funding, and said the city has discussed committing \$29 million in former redevelopment agency money to a land trust dedicated to building affordable housing.

Wagner also said the city is exploring the use of a building owned by the Irvine Company as a possible emergency shelter for women and homeless veterans.

“I will assure this court that this city and I stand prepared to do our portion, our share, and perhaps a bit more,” Wagner said.

Carter pressed Wagner to commit to specifics.

“Are you dedicated to this idea of holding your own in south county?” Carter asked. Wagner said he could not speak for other cities, but “Irvine is absolutely committed to a regional concept.”

Carter said the organizing by Irvine residents is part of a healthy democracy, but it’s “not good if we can’t eventually get the minimal thing of an emergency shelter in south county and the western part of the county.”

“If I don’t have that kind of commitment, it’s meaningless — we’re just going through the same process year after year,” Carter said. “I might as well know that now.”

Wagner, after consulting with other officials, set April 19 for a discussion among south county mayors of a regional approach to homelessness.

As Carter adjourned Tuesday’s hearing just before noon, he asked city managers and mayors to stay behind and speak with a mediator he invited to the hearing. No action was reported from that discussion.

“You’ve accomplished amazing things,” Carter told the county officials during the hearing. “It’s just the hole was so deep to begin with. It’s almost running breathless to catch up to the crisis.”

*Voice of OC reporter Nick Gerda contributed to this story.*

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# **Exhibit P**

# Voice of OC stands among California's top newsrooms



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HOUSING & HOMELESSNESS

## Santa Ana Opens New Interim 200- Bed Homeless Shelter



*SPENCER CUSTODIO, Voice of OC*

Local artists painted murals throughout the new Santa Ana homeless shelter, seen here in the intake area before the opening Nov. 15, 2018.

By  **SPENCER CUSTODIO**

([HTTPS://VOICEFOC.ORG/AUTHOR/SCUSTODIO/](https://voiceofoc.org/author/scustodio/)) **November 16, 2018**

Santa Ana Thursday unveiled its new 200-bed interim homeless shelter, dubbed The Link, that has beds for single men and women, limited beds for couples and space for families.

Mayor Miguel Pulido said during the news conference, the opening of the shelter will help give U.S. District Judge David O. Carter some leverage over Orange County cities in a lawsuit against the county for evicting people from the [Santa Ana Riverbed in January](https://voiceofoc.org/2018/01/lawsuit-seeks-end-to-santa-ana-riverbed-homeless-evictions-county-says-it-wont-stop/) (<https://voiceofoc.org/2018/01/lawsuit-seeks-end-to-santa-ana-riverbed-homeless-evictions-county-says-it-wont-stop/>) without providing enough shelter beds.

“Judge David Carter, federal judge, he really wants to get things done. And I think by taking this step here today, we’re able to strengthen his hand because he deals with other cities in Orange County,” Pulido said. “Now other cities aren’t going to be able to say they can’t do it, because we did it here.”

The shelter, on Red Hill and Warner avenues, next to the 55 freeway and Tustin border, is a two-year interim shelter with 90 beds for single men, 60 beds for single women, 40 beds for families and 10 beds for couples — the sections are separated by walls, but there are no privacy barriers between the beds.





*SPENCER CUSTODIO, Voice of OC*

The men's sleeping area, which has 90 beds. The mattresses are made out of material designed to stave off bed bugs and other types of similar pests. Nov. 15, 2018.

Pulido said the city will now be able to enforce no-camping laws because there will be enough beds to house the Santa Ana homeless. In a separate case, the 9th Circuit Court of Appeals decision Sept. 4 (<https://voiceofoc.org/2018/09/oc-leaders-face-scrutiny-after-federal-court-ruling-on-homelessness/>), barred prosecuting homeless people for camping in public places if there aren't enough shelter beds available.

"That might be the most important benefit to the city, because currently it can't enforce any laws ... they (homeless people) can be in a park, they can be anywhere. They may not have homes, but they have lawyers, these homeless folks. Now we can work with the lawyers ... and enforce the laws — which means we won't be the dumping grounds for Orange County anymore, which is very important," Pulido told reporters after the news conference.

Pulido said the city is finalizing the purchase of a permanent homeless shelter site in roughly 30 days. He also said he met with U.S. Department of Housing and Urban Development (HUD) representatives at the site Wednesday night and learned Orange County receives roughly \$500,000 a year in HUD grants, which can be used to help alleviate homelessness.

"In the city of Houston, their collective HUD assistance ... it's about \$31 million a year. And we're a county of over 3 million people and if we're getting less than half a million ... they're obviously doing a better job trying to access federal money than we are," Pulido said.

He said other jurisdictions need to start applying for the money.

"It's not just up to us (Santa Ana), but it's up to all of us, including different branches of government ... city, county, state and federal — that's what I want, I want everybody to do their share. When we do that, we're going to see less homeless throughout the county," Pulido said, adding HUD is sending a coordinator to the county to assess the situation and make suggestions.

The building once housed Ricoh Electronics Inc. and the "RicoH" letters, although removed, are sun-stained into the top corner of the building. The building is in an industrial/warehouse part of town and is near an Orange County Sheriff's training facility.

Santa Ana homeless services manager Hafsa Kaka said The Link is not a walk-up shelter and people will have to get a referral through a city contractor and checked out by the police department's homeless liaison officer, before allowed in the shelter.

The shelter will have five computers so the people can access social services and look for work. The mess hall, which has a mural of Carter overlooking it, will have TVs in it and the family section has its own recreation room.



SPENCER CUSTODIO, *Voice of OC*

Mural of U.S. District Judge David O. Carter, who oversees the lawsuit against the county, by Brian Peterson, lead artist for Faces of Santa Ana. Nov. 15, 2018.

There's also washers and dryers and the shelter will have mobile showers so people can bathe. Local artists painted murals in the main halls and intake area, which has a metal detector installed at the entrance. The lead artist was Brian Peterson, who painted the Carter mural, according to shelter staff.

Mercy House, a nonprofit organization that provides homeless shelter services, will run The Link. The organization also runs the Bridges at Kraemer Place in Anaheim, another 200-bed shelter.

Larry Haynes, executive director of Mercy House, said the organization is leasing the site from the property owner, the Vineyard Development Corporation, for \$288,000 a year.

"It is my understanding the owner is donating a sizable chunk back to us for charitable reasons," Haynes said. "They've been really good to us."

Documents provided by Santa Ana staff show the projected operating budget at roughly \$2.5 million a year. Some of that cost includes security guards, staff, food, pet care, transportation, employment counselors and housing counselors.

Haynes said Thursday evening was the first day of operation and he expected about a dozen people to start using the shelter immediately.

"We're just going to gradually build up," Haynes said.

***Spencer Custodio is a Voice of OC reporter who covers south Orange County and Fullerton. You can reach him at [scustodio@voiceofoc.org](mailto:scustodio@voiceofoc.org). Follow him on Twitter [@SpencerCustodio](https://twitter.com/SpencerCustodio)***

***(<http://twitter.com/SpencerCustodio>)***



# Exhibit Q

# Voice of OC stands among California's top newsrooms



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HOUSING & HOMELESSNESS

## Santa Ana Close to Opening 200- Bed Shelter; Suit Preps for Shift to South County



*SPENCER CUSTODIO, Voice of OC*

U.S. District Judge David O. Carter speaks with a homeless woman about the situation on the Santa Ana Riverbed during his tour of the area, Feb. 18, 2018.

By  **NICK GERDA** ([HTTPS://VOICEOFOC.ORG/AUTHOR/NGERDA/](https://voiceofoc.org/author/ngerda/))   
([HTTPS://TWITTER.COM/NICHOLASGERDA](https://twitter.com/nicholasgerda)), October 30, 2018

Santa Ana is almost finished with a new 200 bed homeless shelter and Anaheim is preparing for another 325 beds in December and January, as a federal lawsuit prepares to focus on south Orange County cities that have so far declined to create shelter beds in their jurisdictions.

Local officials gave public updates in court Monday as part of the ongoing civil rights lawsuit. The suit centers on whether cities have enough available shelters to legally enforce anti-camping laws against homeless people by offering them an alternative to sleeping in public.

At the hearing, Santa Ana officials said they were able to design and construct the new 200-bed shelter in less than a month and that it will be opening soon at a location they have so far declined to disclose publicly.

“It took us 28 days to design and construct this temporary interim shelter, which is 35,000 square feet. It is going to take a total of 41 days for [the shelter operator] Mercy House to be fully operational,” said Councilwoman Michele Martinez, saying her message about the numbers is “to all Orange County cities and to the county of Orange.”

Martinez walked the packed courtroom through a video tour of the shelter’s interior, saying a goal was “bringing dignity and respect to this population.”

U.S. District Judge David O. Carter praised Santa Ana for moving quickly and said it’s a “role model” for the county, the state, and “maybe the nation.”

"I don't see it as meeting that very direct official demand by the county," Carter said of the 200-tour of their new shelter.

Anaheim officials also said they're pressing forward with plans for new shelters: a new 200-bed shelter at a Salvation Army facility, to open in late December to late January; and 125 beds operated by the Illumination Foundation in a building arranged by businessman Bill Taormina, to open potentially by Jan. 15. Carter pressed for both shelters to open by Dec. 15.

Other north OC cities have committed to opening 200 shelter beds in their cities, split between two shelters.

With the northern cities moving forward with shelters – and court-enforceable settlement agreements in the works – Carter is preparing to shift his focus to south county.

The lead lawyers for homeless people have said they will soon ask Carter to add south county cities to the lawsuit, and Carter has expressed frustration at the lack of a south county shelter site.

The judge has said he wants a shelter that's centrally located in south county for law enforcement in those cities to take homeless people for health assessments.

The lack of such a shelter in south county "causes a disproportionate share [of homeless people] to go to another part of the county, and you've known that from the beginning," Carter told county officials last month (<https://voiceofoc.org/2018/09/homeless-shelters-to-open-in-santa-ana-and-anaheim-by-end-of-december-cities-say/>).

Adding to the calls for a south county focus, county supervisors' chairman Andrew Do – who would vote on any settlement agreement involving the lead defendant, the county government – declared Monday that all OC cities need to be added to the case.

"North and Central Orange County are building homeless shelter space, while South County is rewarded for fear-mongering and obstruction," Do said in a news release he issued Monday as county officials engage in final negotiations to settle part of the case.

"I will not support a settlement without all cities named in the lawsuit," Do said, telling the attorneys for homeless people: "Bring every Orange County city as parties to this lawsuit."

In their request to add south county cities, the attorneys for homeless people do not plan to include Laguna Beach, which already has a 45-bed shelter for single homeless men and women.

Adding south county cities to the case sets up the potential for a showdown between Carter and these cities.

City council members in south county – who are in charge of their cities' legal strategy and land use – have been strongly resistant to the idea of adding shelter capacity *there*, and recognize their voters adamantly oppose hosting shelters in their cities as well, according to officials who have spoken directly to the council members.

Apparently referring to pushback he's gotten that south county city council members are concerned about the November local elections, Carter said last month (<https://voiceofoc.org/2018/09/homeless-shelters-to-open-in-santa-ana-and-anaheim-by-end-of-december-cities-say/>), "We're not gonna work on [an] election cycle. Constitutional issues don't work on an election cycle."

South county homeless shelters have become a campaign issue, with the mayor of Irvine, south county's largest city, featured in election ads promoting how he is blocking a proposed homeless shelter.

The mailers say Irvine Mayor Don Wagner, who is running for re-election next week, and Planning Commissioner Anthony Kuo, who is running for City Council, are "FIGHTING TO KEEP IRVINE SAFE BY BLOCKING THE PROPOSED HOMELESS SHELTER."

Wagner has been the lead elected city official in south county homeless shelter discussions.

Great Park developer FivePoint and its lobbying firm Starpointe Ventures funded at least two-thirds of the political action committee that paid for the ads, Alliance for Jobs and the Economy.



A mailer sent to Irvine voters, from a committee funded mostly by Great Park developer FivePoint. Photo was modified to blur the recipient's name and address.

FivePoint and Starpointe contributed \$737,700 to Friends of the Great Park PAC (94 percent of its total funding), which gave \$525,000 to Alliance for Jobs and the Economy (71 percent of its funding), according to campaign finance disclosures.

The Five Point-funded committee, while promoting Wagner's opposition to the proposed Irvine shelter, has also financed the distribution ([https://www.facebook.com/ads/archive/?active\\_status=all&ad\\_type=political\\_and\\_issue\\_ads&country=US&page\\_ids\[0\]=173347193549661&q=alliance%20for%20jobs%20and%20the%20economy](https://www.facebook.com/ads/archive/?active_status=all&ad_type=political_and_issue_ads&country=US&page_ids[0]=173347193549661&q=alliance%20for%20jobs%20and%20the%20economy)) of a social media video ad (<https://www.facebook.com/173347193549661/videos/249956782529759/>) in recent weeks promoting Santa Ana Mayor Miguel Pulido "solving homelessness," in which Pulido talks about the city's plans to open up new shelter beds in the city in the coming weeks.

The video (<https://www.facebook.com/173347193549661/videos/249956782529759/>) has been viewed about 16,000 times on Facebook, according to the social network.

The federal lawsuit now is moving into settlement agreements with the existing defendants – the county government and cities of Anaheim, Santa Ana, Orange, and Costa Mesa – as well as 13 cities in north OC.



Those proposed settlements, which Carter also called *consent decrees*, would force the cities to create additional shelter space, and have the county provide health outreach workers. The court would oversee their implementation for the next three years, and Carter has said the parties would be able to come to court within 48 hours to resolve disputes.

Throughout the hearing, the judge said he'd like to see police be able to enforce anti-camping and loitering laws, but that cities must have a shelter bed to offer people as an alternative.

Carter said under the U.S. 9th Circuit Court of Appeals' decision last month in *Martin v. Boise*, cities can't enforce anti-camping laws against homeless people until there's a place for them to go to.

Santa Ana officials emphasized the point of contact with homeless people at homeless encampments will be health outreach workers, known as "blue shirts" for their light blue collared shirts.

The outreach workers have an ability to engage with people who are "wary" of government workers and have done a "tremendous job," said Santa Ana Deputy Police Chief Ken Gominsky.

After cities provide additional shelter beds to Carter's satisfaction, and outreach workers offer a homeless person a bed, Carter said anti-camping enforcement can move forward.

"After fair warning's been given, then I'm right back to what I've promised – which is I do expect strong law enforcement," Carter said.

At Monday's hearing, Santa Ana officials said a crucial part of how they were able to work quickly on the new shelter was by creating a "war room" – a place where officials laid out all the potential obstacles from the beginning, communicated daily about any problems, and worked to fix them as they come up. Martinez said it created "a sense of urgency" and a "guiding coalition."

Carter said the approach probably saved three to six months of time, by helping "cut through" what he called "well-intentioned, bureaucratic inertia."

In recent months, as the lawsuit continues on the 9th floor of the federal courthouse in Santa Ana, there's been confusion on the streets about whether cities can enforce anti-camping laws against homeless people before the new shelters come online.

The cities of Santa Ana and Anaheim have issued hundreds of tickets this year for anti-camping, loitering, and storage of personal property in their cities, though the circumstances of the cases weren't clear as of Monday.

Homeless advocates said earlier this month homeless people at Anaheim's Maxwell Park were told by police they'd be arrested if they don't leave the park by a certain date in October.

Carter, speaking to Mayor Tom Tait and other Anaheim officials at Monday's hearing, said the park's neighbors deserve the park back but that officials need to create bed space.

"If you move too quickly [you're] going to get slapped with...injunctive relief," Carter added, referring to a court order requiring the city to stop certain behavior.

"They've even got videos," said Carter, who noted a few seconds earlier he had spoken directly with a homeless advocate who monitors the park.

"What you can't do is you can't move prematurely," the judge told Anaheim officials. "I've got to [have] the spaces in Anaheim."

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# **Exhibit R**



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DAILY PILOT NEWS DAILY PILOT

# Federal judge warns O.C. cities to find shelter for homeless or risk a ban on enforcing anti-camping laws

By HANNAH FRY  
APR 03, 2018 | 5:40 PM



U.S. District Judge David Carter visits an Orange County Social Services command post outside the Plaza of the Flags homeless encampment at the Santa Ana Civic Center on Tuesday. (Irfan Khan / Los Angeles Times)

A federal judge Tuesday pushed officials from Orange County cities to collaborate to find locations for temporary housing for the county's homeless population or risk an order from him barring them from

enforcing anti-camping ordinances.

A hearing before U.S. District Judge David Carter came as pressure mounts for local governments to find ways to house hundreds of homeless people moved from encampments along the Santa Ana River trail and, most recently, the Santa Ana Civic Center.

“This doesn’t have to be a nice thing,” Carter said of temporary shelters. “It just has to be humane and dignified. That will probably get us through this crisis.”

The county’s two armories in Fullerton and Santa Ana, which provide temporary shelter for up to 400 homeless people during the winter, are scheduled to close this month, adding a new layer of urgency as space is limited in other shelters around the county. Fullerton officials asked that the armory in their city be kept open, but it wasn’t clear whether that will happen.

Under pressure from Carter, county officials in February gave temporary motel vouchers to more than 700 homeless people removed from the Santa Ana River camps. But a longer-term answer has proved elusive.

Proposals for shelters in some Orange County communities have come under heavy fire recently.

The county Board of Supervisors last week moved away from a plan to have county staff study moving hundreds of homeless people to temporary shelters in Huntington Beach, Laguna Niguel and Irvine after receiving threats of lawsuits from those communities.

Board Vice Chairman Shawn Nelson has suggested that the 114-acre, state-owned Fairview Developmental Center in Costa Mesa be used as an emergency homeless shelter. But the Costa Mesa City Council last week voiced unanimous disapproval of the idea, supporting residents who said they were concerned that developing a shelter there would jeopardize public safety, reduce property values and unduly burden the city.

Board Chairman Andrew Do said Tuesday that he expects the problem to be punted back and forth among cities and the county unless Carter steps in with a ruling.

“At this point, I see us ... being at a standstill,” Do said. “With each passing day we betray our responsibility to care for all of our residents as required by law.”

Do said the county would pledge \$90 million toward permanent supportive housing.

Carter said he doesn’t have jurisdiction to tell cities or the county where they should place shelters. Instead, he proposed a regional approach in which the county would be broken into three zones — north, central and south — each with an equal distribution of shelters and homeless services.

The idea is that each zone would be able to care for its homeless population, lessening the burden on other regions. He pressed officials from cities in the southern and western parts of the county to work with neighboring cities to come up with suitable locations for temporary shelters.

Without adequate shelter, Carter said, he could prohibit the county and the cities of Anaheim, Costa Mesa and Orange from enforcing their anti-camping laws. The county and the three cities are defendants in a civil-rights lawsuit filed by seven homeless people and their advocates over the clearing of encampments along the Santa Ana River.

“We can’t criminalize homeless by citing them in one location and citing them in another location simply for being homeless,” Carter said.



Social workers from the Orange County Social Services Agency visit homeless people living in tents Tuesday at the Plaza of the Flags in Santa Ana to try to connect them with services. (Irfan Khan / Los Angeles Times)

Carter emphasized that the time has ended for cities like Santa Ana — which he said has the county’s only major emergency shelter — to bear the burden of sheltering and providing resources for the county’s homeless.

“Santa Ana is being forced to absorb all of the homeless because they’re brought to this area for assessments and services,” Carter said. “It’s disproportionate.”

According to data the city presented during the hearing, Santa Ana’s unsheltered homeless population has more than doubled in the past year — from 466 in 2017 to 1,030 as of Saturday.

More than half that population arrived in Santa Ana from other cities, according to city staff.

Anaheim, Irvine, Garden Grove, Fullerton, Huntington Beach, Orange and Costa Mesa are next behind Santa Ana in numbers of homeless people, Carter said at the hearing.

Santa Ana Mayor Pro Tem Michele Martinez said it’s time for every city to do its fair share to get people off the streets.

“The nation is watching,” she said. “We need fairness for all.”

Mayors from cities in the southern part of the county, including Irvine and Laguna Niguel, said they plan to discuss possible sites for a temporary shelter at a meeting April 19. Some, including Irvine Mayor Donald Wagner, said they have locations in mind but didn’t provide specifics.

“We have stepped up and we remain committed to stepping up,” Wagner said.

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Hannah Fry



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Hannah Fry is a Metro reporter covering breaking news in California. She joined Times Community News in Orange County in 2013 where she covered education, Newport Beach city hall, crime and courts. She is a native of Orange County and attended Chapman University, where she was the editor-in-chief of the college newspaper, the Panther.

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COMMENTS (1)

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The Weekly Brief | Mack Weldon

# Exhibit S



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HOUSING & HOMELESSNESS

## Federal Judge Presses OC Officials on Lack of Mental Health Shelter, Housing



SPENCER CUSTODIO, Voice of OC  
Federal Judge David O. Carter, center in blue sweater, is flanked by lead attorneys for the county and homeless people as he makes his way through the Santa Ana River homeless encampment during a Feb. 14, 2018 tour.

By  NICK GERDA ([HTTPS://VOICEOFOC.ORG/AUTHOR/NGERDA/](https://voiceofoc.org/author/ngerda/))  SPENCER CUSTODIO  
([HTTPS://TWITTER.COM/NICHOLASGERDA](https://twitter.com/nicholasgerda)) AND  
([HTTPS://VOICEOFOC.ORG/AUTHOR/SCUSTODIO/](https://voiceofoc.org/author/scustodio/)) April 3, 2019

One of Orange County's next homeless shelters could be in the region that so far has refused to host new shelters – the affluent south county suburbs.

A federal judge, expressing his frustration Tuesday at the lack of appropriate shelter in Orange County for homeless people with severe mental illnesses, suggested they might ultimately be sheltered and treated on a large tract of block-sized parking lots surrounding a pyramid-shaped federal complex in the affluent suburb of Laguna Niguel.

A year after county officials evicted hundreds of homeless people living in encampments on the Santa Ana riverbed, U.S. District Judge David O. Carter on Tuesday convened a public status meeting in ongoing federal civil rights lawsuits that [have the potential of blocking cities' ability to enforce anti-camping laws](https://voiceofoc.org/2018/09/oc-leaders-face-scrutiny-after-federal-court-ruling-on-homelessness/) (<https://voiceofoc.org/2018/09/oc-leaders-face-scrutiny-after-federal-court-ruling-on-homelessness/>).

Carter invited many top public officials in Orange County to the hearing. One by one, city officials stepped to the podium in front of Carter's dais and detailed their progress on creating shelters.

The only region not to speak at the hearing was south county cities, which so far have resisted shelter efforts. The only south county official to speak to Carter was Supervisor Lisa Bartlett, who did not report any progress on sheltering in her part of the county.

While Carter positively praised the progress of the last year in establishing certain basics of a homeless care system in Orange County, he also was visibly frustrated with the inability of county, state and federal elected officials to secure available public financing for homelessness efforts.

Carter also took issue with local government decision-makers not moving more quickly in treating people living on the streets, especially those suffering from mental disabilities.

He was particularly critical of official resistance to sheltering and treating homeless people with severe mental illnesses at the 114-acre state facility in Costa Mesa called Fairview Developmental Center, where buildings are largely unused.

Carter said he was "tired" of being "misled" and lied to about Fairview.

If not Fairview or someplace else, Carter told officials a mental illness treatment shelter could end up in Laguna Niguel, on the parking lot of the Chet Holifield Federal Building.

The judge said he's been asked to put a shelter there. "Because that's federal property, I don't have to wait for the city," the judge said.

Mentally ill people need different facilities from a typical homeless shelter, he said.

"You got 10 percent of our [homeless] populations who are so mentally infirm, you can't deal with them," Carter said. "They're the lady who eats the pebbles...we can't put those people in the [existing] shelter."

Police chiefs have told Carter violence in cities would fall if the 10 percent of homeless people with severe mental illnesses were off the streets, the judge said.

Pointing to the existing facilities at the state-owned Fairview property – including kitchens, medical facilities, and housing – the judge expressed frustration "at being misled" with reasons why Fairview supposedly wouldn't work.

"Somebody's lying to me [about Fairview]. Now that's outrageous," Carter said.

"It's a beautiful facility," retired OC Superior Court Chief Judge James L. Smith, who has been assisting Carter as his surrogate, said of Fairview. "It's a gift from heaven, or someplace."

"If you can produce a better system, I have no problem with Fairview [being used for other purposes]. You can sell it," Carter said, noting existing proposals to develop it into market-rate housing. "But I don't want to wait for the California Assembly on this."

The judge asked officials to immediately call Gov. Gavin Newsom, who oversees the state agencies that own and operate Fairview.

"In fact, why doesn't someone get on the phone right now and see if Gavin will talk to us," Carter asked the roomful of elected officials. "Anybody got a phone? I'm challenging you." Officials later told Carter the governor was out of the country in El Salvador.

### **'Moving at a Glacial Pace'**

In the wide-ranging 3.5-hour meeting, Carter praised officials for their "tremendous" homelessness efforts over the last year, while saying much more work remains.

"We're moving at a glacial pace," Carter said, mixing praise with pressure to move more quickly. "I've been slow-walked by more people than you can imagine," the judge later said.

### **'Hundreds of Millions of Dollars' Left On the Table**

Carter questioned why OC is far behind other counties in applying for millions in state dollars, particularly No Place Like Home grants that fund permanent supportive housing for homeless people with serious mental illnesses.

"This county has walked away from hundreds of millions of dollars," Carter said.

Orange County [recently applied for \\$13 million in No Place Like Home grants](https://cans.ocgov.com/Web_Publisher/Agenda01_08_2019_files/images/000818-001160A.PDF) ([http://cans.ocgov.com/Web\\_Publisher/Agenda01\\_08\\_2019\\_files/images/000818-001160A.PDF](http://cans.ocgov.com/Web_Publisher/Agenda01_08_2019_files/images/000818-001160A.PDF)), compared with [\\$125 million requested by San Diego County](https://timesofsandiego.com/politics/2019/02/12/county-to-pursue-state-funding-for-housing-mental-health-program/) (<https://timesofsandiego.com/politics/2019/02/12/county-to-pursue-state-funding-for-housing-mental-health-program/>), which has fewer homeless people on the streets, according to official counts.

### **Homeless Deaths Under Federal Court Scrutiny**

Throughout Tuesday's hearing, Carter brought up the roughly 250 homeless people known to have died in Orange County last year — a number he and others have said is likely an undercount. The true number could be "close to 400" people who died last year, the judge said.

San Diego County, which has a similar overall population size to Orange County, had about 100 homeless deaths last year, Carter said. "We have 255 deaths in Orange County. Something's wrong," the judge said.

Father Dennis Kriz, a Catholic priest at St. Philip Benizi Catholic Church in Fullerton, wrote opinion articles published by Voice of OC, detailing homeless deaths over 2018 and naming those who passed away. His posts caught Carter's eye, who cited them in an emergency court request in February to Sheriff-Coroner Don Barnes for homeless death data.

Carter called Kriz up to the podium to thank him and hear out his concerns, including what happens to the 40-plus percent of homeless people for whom there would not be shelter beds if cities comply with Carter's bed threshold.

"Obviously I read your comments in the Voice of Orange County," Carter told Kriz. "I'm going to ask you to stay involved...I've never met you before. This is the first time...Your advocacy is appreciated, because it keeps me on my toes...The deaths are too many."

Regarding his call for a mental health treatment shelter, Carter told Assemblywoman Sharon Quirk-Silva (D-Fullerton) and Rep. Lou Correa (D-Santa Ana): "I'll just lean on both of you and be patient a little while longer. But when I'm dealing with [homeless] death, that's a little different."

### **\$140 Million for Homeless Health Care Being Pursued**

Under pressure from Carter, officials at the public health plan CalOptima agreed to pursue investing \$140 million for homeless health care services, which studies have shown reduces taxpayers' overall costs due to fewer emergency room visits.

The agency is creating medical street teams to bring health care to homeless people at parks, shelters, and encampments. The goal is to deploy the first teams sometime this month, CalOptima CEO Michael Schrader said Tuesday.

The move was largely spurred by Carter's meetings with top executives from the agency.

"We had a series of many good meetings," Carter said. "Hard fought and there were disagreements."

CalOptima first moved to create the teams at a Feb. 22 emergency meeting and expedited the process at a March 7 meeting, when Supervisor Andrew Do heavily criticized the slow process. Do also sits on the CalOptima board.

CalOptima officials had previously agreed to adding a total of \$100 million for homeless health programs, though Carter pressed them Tuesday to add the \$100 million to a previous \$40 million they committed.

At first, CalOptima Chairman Paul Yost told Carter the board would decide Thursday on approving \$100 million. Carter then interjected.

"Actually \$140 million," the judge said. CalOptima officials were hesitant at first to agree, but CEO Michael Schrader said he would recommend or request the full \$140 million to the CalOptima board.

"These folks are CalOptima to begin with," Carter said, referring to CalOptima being responsible for health care for low-income and disabled people in Orange County.



### **Timeline for New 600-Bed Santa Ana Shelter Moved Up**

County and Santa Ana officials told Carter they planned to open a new 600-bed shelter on Yale St., a year from now. But the judge wanted a faster timeline, expressing concern about winter rains and cold he and health experts say are deadly for homeless people.

"This bickering back and forth between Santa Ana and the county has to stop," Carter told officials who described a potential slowdown to opening a new shelter. "Stop this bickering. People are losing lives because of it."

"Call me any time. I don't sleep," Carter told the officials.

Carter noted Santa Ana was able to open a new 200-bed shelter, The Link, in 28 days last year, and asked if the Yale shelter could be done in two months.

Back-and-forth negotiations with the judge then ensued in open court, and privately between city and county officials. Officials ultimately agreed to have the new shelter open by Thanksgiving, which Carter accepted.

Santa Ana officials stepped up to open the Link shelter despite being a poorer city than others in OC, city officials said Tuesday, in an apparent message to their colleagues in other parts of the county.

"We are not a rich city. We don't have a lot of money. But the...Santa Ana City Council took the brave step to go forward, find money, so we could take people off the street. Because everybody deserves a chance," Santa Ana Deputy Police Chief Ken Gominsky told Carter and the other officials at the hearing.

About 20 homeless children spend the night there each night, among about 160 people total on average with a separate area for families and children, he said.

The shelter cost Santa Ana "over a million dollars. But we found a way to make it happen," Gominsky said.

### **Railroads Under Scrutiny**

In hearings last year, Carter repeatedly expressed frustration at private railroads – which are federally-subsidized (<https://www.mcclatchydc.com/news/nation-world/national/economy/article24759688.html>) – not helping clean up the areas around urban tracks where encampments and trash gather.

Santa Ana officials, building on Carter's frustrations, announced Tuesday they would be taking legal action against railroads, beginning with code enforcement actions already underway, and invited other cities to join the legal action.

"It remains unfair that federally-subsidized railroads, making millions of dollars, can't find the [money] or energy to address" their problems that are negatively impacting local communities, Gominsky said.

A separate class-action lawsuit against railroads will be filed by private property owners in north Orange County, said Bill Taormina, a well-known Anaheim businessman and property owner.

Carter noted one of the major railroads through Orange County, the BNSF Railway Company, is owned by billionaire Warren Buffet, and suggested the county or others could reach out to Buffett.

### **Shelters Opening in Costa Mesa, Tustin, Buena Park, and Placentia**

In response to the homelessness lawsuits, city officials gave updates in court Tuesday on new shelters in their communities.

Tustin opened a 50-bed shelter about two weeks ago, and Costa Mesa will open a 50-bed shelter Friday, officials said. Buena Park and Placentia are planning to each open 100-bed shelters, as part of a collaboration among cities in north Orange County to avoid being added to a civil rights lawsuit.

Anaheim has 326 shelter beds at two separate shelters that have opened since the beginning of the year. And Santa Ana was the first to open a city-run shelter in November when it unveiled its 200-bed shelter known as The Link.

But Carter wanted to know what's next and said he doesn't want the shelters to become a permanent home for people.

### **Where Do People Go After Shelters?**

Carter pressed the County for plans following the shelters, like permanent supportive housing, which provides medical treatment, mental health services, job training, and other services.

The shelters can't become "permanent," Carter said. "It has to flow through."

Dan Young, a former mayor of Santa Ana and Irvine Company executive who's been very involved with homeless housing efforts, stepped in to tell Carter about a regional body recently formed, the Orange County Housing Trust Fund, he said will build at least 2,700 units of permanent supportive housing and some affordable housing.

The trust will help with gap funding, so any housing projects that fall short of the needed funds can apply for it, so long as the project is in a member city.

"It doesn't take much gap money ... now we know how to do it, we have a forum to do it ... it's a collaboration, it doesn't cost you anything," said Young.

Meanwhile, county officials – through contracted service providers – say many homeless people have been moving into housing.

According to county data provided March 22, a total of 249 homeless people have moved to housing since the beginning of 2018 from county-run shelters like Bridges at Kraemer Place in Anaheim and the Courtyard in Santa Ana. A large majority of that housing is permanent supportive housing, according to county officials.



During that time frame, the average wait times for people to get into housing is usually three to nine months long, according to county data.

### **'Warehousing' Homeless People**

Carter said without housing for people in shelters to eventually go to, homeless people would essentially be warehoused.

"Folks, these shelters cannot become permanent residences down in your communities," Carter said. "We've got plenty of money – we just need to connect the dots."

Some people sleeping at county-run shelters agree with the judge's assessment.

Callie Rutter, a 55-year old from Costa Mesa who's lived in Orange County most of her life, said in a Monday interview she became homeless in August after losing her office management job and that she's been trying to get into housing ever since. Although she works various temporary jobs, Rutter said she still doesn't make enough to rent a room from somebody or constantly stay in motels.

"The warehousing is unbelievable," she said. "What about an exit plan? Is there any kind of exit plan?"

"I definitely feel broke, I feel like this has broken me. I have to survive it – there is no other option. I just want a permanent job and they won't let me use this as an address," Rutter said of the Kraemer shelter. "I used to feel so good about myself, I used to look so pretty, and now I just feel like the ugliest thing on the planet...When I go to work I feel good."

A little over 3,300 people have slept at the county-run shelters since the beginning of 2018, including the cold-season Fullerton and Santa Ana armory shelters, according to the county.

At the shelters, "people sit around and talk about the good ole days because that's all that's left that they have to hang on to. There's nothing to look forward to because innately they know there's no exit plan," Rutter said.

The federally-mandated Point in Time count in January found about 3,400 people sleeping on the streets of Orange County. But those numbers are preliminary and the initial count didn't include people sleeping in shelters. The data is being combed through for duplicate headcounts and is expected to be released sometime this month.

### **Anti-Camping Enforcement Requires Available Shelter, Court Says**

Throughout Tuesday's court meeting, Carter described his authority as "a negative power" to issue court orders blocking anti-camping enforcement.

The judge has said he instead wants to see collaboration and solutions.

Carter has said he's deriving his authority from [last year's U.S. 9th Circuit Court of Appeals ruling in Martin v. City of Boise](https://www.9th.uscourts.gov/2018/09/leaders-face-scrutiny-after-federal-court-ruling-on-homelessness/) (<https://voiceofoc.org/2018/09/leaders-face-scrutiny-after-federal-court-ruling-on-homelessness/>), which found it's unconstitutional to punish homeless people for camping outside unless adequate shelter is available as an alternative.

"These are decent laws...those are good laws," Carter told police chiefs, referring to anti-camping laws. The court is okay with them "as long as we're not incarcerating" homeless people for being homeless, Carter said Tuesday.

The homeless population is diverse and can't be defined simply as criminals, the judge said.

"Yes there are criminals out there. But this is a cross-section of America," Carter said, showing a picture of a young girl he said was homeless.

"For every criminal you throw at me, I'm going to show you a little girl living in a box on the railroad tracks."

*Nick Gerda covers county government and Santa Ana for Voice of OC. You can contact him at [nagerda@voiceofoc.org](mailto:nagerda@voiceofoc.org) (<mailto:nagerda@voiceofoc.org>).*

# **Exhibit T**

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

ORANGE COUNTY CATHOLIC WORKER, )  
ET AL., )  
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PLAINTIFFS, )  
 )  
V. )  
 )  
ORANGE COUNTY, ET AL., )  
 )  
 ) SA CV 18-0155-DOC(JDEX)  
DEFENDANTS. ) APRIL 2, 2019  
 ) SANTA ANA, CALIFORNIA  
 ) (8:35 A.M. TO 12:00 P.M.)

STATUS CONFERENCE  
BEFORE THE HONORABLE DAVID O. CARTER  
UNITED STATES DISTRICT JUDGE

APPEARANCES: SEE NEXT PAGE  
COURT REPORTER: RECORDED; COURT SMART  
COURTROOM DEPUTY: DEBORAH LEWMAN  
TRANSCRIBER: DOROTHY BABYKIN  
COURTHOUSE SERVICES  
1218 VALEBROOK PLACE  
GLEN DORA, CALIFORNIA 91740  
(626) 963-0566

PROCEEDINGS RECORDED BY ELECTRONIC SOUND RECORDING;  
TRANSCRIPT PRODUCED BY TRANSCRIPTION SERVICE.

1 CASE INFORMATION:

2 DAVID RAMIREZ, ET AL., )  
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 4 PLAINTIFFS, )  
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SA CV 18-0220(DOC(KESX)  
 APRIL 2, 2019  
 SANTA ANA, CALIFORNIA

10 HOUSING IS A HUMAN RIGHT )  
 11 ORANGE COUNTY, ET AL., )  
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SA CV 19-0388-DOC(JDEX)  
 APRIL 2, 2019  
 SANTA ANA, CALIFORNIA

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I N D E X

SA CV 18-0155-DOC(JDEX)  
SA CV 18-0220-DOC(KESX)  
SA CV 19-0388-DOC(JDEX)

APRIL 2, 2019

PROCEEDINGS: STATUS CONFERENCE (ROUND TABLE DISCUSSION)

ALSO PRESENT:

THE HONORABLE JAMES L. SMITH  
SPECIAL MASTER

1 SANTA ANA, CALIFORNIA; APRIL 2, 2019; 8:35 A.M.

2 THE COURT: GOOD MORNING.

3 AND FOR ALL YOU FOLKS, YOU'RE MORE THAN WELCOME TO  
4 STAND. IF NOT, THERE ARE SEATS NEXT DOOR. WE'LL BRING YOU  
5 OVER. BUT IT WAS ESSENTIAL FOR THE COURT TO GET CERTAINLY THE  
6 POLICE CHIEFS, THE MAYORS, YOUR CITY COUNCIL PEOPLE, YOUR  
7 DECISION-MAKERS, YOUR CITY MANAGERS AND HOPEFULLY YOUR CITY  
8 ATTORNEYS IF YOU NEEDED ANY CONSULTATION, WHICH YOU WON'T  
9 TODAY, BY THE WAY, INTO ONE COURTROOM.

10 SO, WELCOME. I'M NOT GOING TO CALL THE ROLL. I'M  
11 NOT GOING TO ASK THAT THE PLAINTIFFS ARE HERE. YOU'RE HERE.  
12 OR THE DEFENDANTS. AND THAT WOULD TAKE AN HOUR TO DO.

13 SO, FIRST OF ALL, I WANT TO WELCOME YOU. AND I  
14 APOLOGIZE FOR THE LACK OF SEATING. THERE'S SPACE NEXT DOOR.  
15 AND WE'LL BRING YOU BACK AS QUICKLY AS POSSIBLE. BUT I WANT TO  
16 START ON A VERY POSITIVE NOTE.

17 I'VE BEEN READING THE PRESS. JUDGES CAN ACTUALLY  
18 READ. AND THERE'S A LOT OF THINGS THAT ARE FLYING AROUND THIS  
19 COUNTY THAT ARE JUST HEARSAY. AND IT'S A GREAT CHANCE FOR OUR  
20 COMMUNITY TO GET TOGETHER AND HAVE A FRANK DISCUSSION, BY THE  
21 WAY, ALL IN THE PRESENCE OF EACH OTHER, QUITE FRANKLY. AND YOU  
22 CAN ASK THE TOUGH QUESTIONS. AND I'LL ASK SOME TOUGH  
23 QUESTIONS.

24 BUT BY AND LARGE, I WANT TO START ON A VERY POSITIVE  
25 NOTE. YOU'VE DONE AN OUTSTANDING JOB. LET ME JUST START WITH

1 THAT.

2 AND IT MAY BE FROM THE ADVOCATES' PERSPECTIVE OR  
3 OTHER PEOPLES' PERSPECTIVE A LITTLE BIT TOO SLOW OR TOO LATE.  
4 AND WE'LL TALK ABOUT SOME PARTICULAR AREAS THAT WE WANT TO  
5 RESOLVE. BUT, YOU KNOW, THIS COUNTY SHOULD BE EXTRAORDINARILY  
6 PROUD OF ITSELF. AND I WANT TO STATE THAT PUBLICLY. AND I  
7 HOPE THE PRESS IS HEARING THIS. AND THAT'S NOT TO KOWTOW TO  
8 THE CITIES OR THE COUNTY. BUT YOU'VE MADE SOME SUBSTANTIAL  
9 PROGRESS HERE THAT YOU SHOULD BE PROUD OF, BOTH IN TERMS OF THE  
10 STATE -- AND QUITE FRANKLY, AS A MODEL FOR THE FEDERAL  
11 GOVERNMENT.

12 AND I'LL START BY JUST SAYING YOU DON'T HAVE  
13 HEPATITIS A OUTBREAKS IN THIS COUNTY LIKE SAN DIEGO. YOU DON'T  
14 HAVE 400 PEOPLE WITH HEPATITIS. AND YOU DON'T HAVE 40 PEOPLE  
15 DEAD. GOOD FOR YOU. THAT'S A PUBLIC HEALTH PROBLEM.

16 YOU MOVED AN ENCAMPMENT. THE PLANNING WASN'T THE  
17 GREATEST. BUT THE SHERIFF DID AN OUTSTANDING JOB.

18 AND I HOPE DON BARNES IS HERE BECAUSE I'LL COMPLIMENT  
19 HIM ACROSS THE COUNTRY FOR THE PROFESSIONALISM. BECAUSE I'LL  
20 SAY ONCE AGAIN REDUNDANTLY THAT YOUR SHERIFF'S DEPARTMENT MOVED  
21 DOWN THE RIVER WITH THE HELP OF THE ADVOCATES. AND YOU CLEARED  
22 BASICALLY AND HUMANELY AN ENCAMPMENT OF ABOUT 1500 PEOPLE.

23 AND I KNOW THE PRESS THINKS IT'S 500, ET CETERA.  
24 NOPE. IT'S WELL OVER A THOUSAND OF PEOPLE WALKING AWAY FOR A  
25 LONG TIME. THAT'S A TREMENDOUS CREDIT TO THIS COUNTY.

1           WAS IT, YOU KNOW, ALL THE THINGS WE HAD HOPED FOR.  
2 NO. BUT I DON'T KNOW OF ANY OTHER ROLE MODEL IN THE COUNTRY  
3 THAT'S DONE THAT.

4           AND GO TO SAN FRANCISCO -- AND I'M NOT PICKING ON SAN  
5 FRANCISCO -- BUT APPARENTLY THEY'VE GOT A FECS GUIDE UP THERE  
6 NOW. THAT HAS TO HURT THEIR CONVENTIONS, QUITE FRANKLY, AND  
7 THEIR CITIZENS. THE RETAIL ISN'T AS GOOD AS YOU'D LIKE UP IN  
8 SAN FRANCISCO. FOR GOODNESS SAKES, I GREW UP IN PORTLAND,  
9 OREGON. FIFTY-ONE PERCENT OF OUR POLICE TIME IN PORTLAND,  
10 OREGON IS DEVOTED TO HOMELESS ISSUES.

11           SEATTLE GOES WITHOUT DESCRIPTION.

12           I MEAN, WHEN YOU LOOK AROUND, AND YOU DRIVE INTO L.A.  
13 -- WITHOUT PICKING ON L.A. -- GOSH, I THINK HE'S A GREAT  
14 MAYOR. IT'S NOT A POLITICAL STATEMENT -- DOING A HECK OF A  
15 JOB. BUT THERE'S ENCAMPMENTS EVERYWHERE. JUST DRIVE DOWN THE  
16 FREEWAY AND TAKE A LOOK.

17           SO, TAKE A LOOK AROUND YOUR COUNTY. YOUR BEACHES ARE  
18 BASICALLY OPEN STILL. AND WE'LL TALK ABOUT THAT.

19           YOUR PARKS ARE BASICALLY COMING BACK, WHETHER IT'S  
20 DELHI OR WHATEVER. WE'LL TALK ABOUT THAT.

21           AND THERE'S SOME -- THERE'S SOME ROADBLOCKS RIGHT NOW  
22 THAT A COURT CANNOT RESOLVE FOR YOU. REMEMBER, MY POWER IS A  
23 NEGATIVE POWER. IT'S THE LAST POWER THAT I WANT TO USE. AND  
24 IF I EVER HAVE TO USE THAT POWER, I FAILED. AND I WANT TO SAY  
25 THAT.



1           ALSO, I'LL SAY THAT A LARGE PART OF THE  
2           RESPONSIBILITY FOR ANY FAILURE FALLS ON THE COURT'S PART. AND  
3           LET ME START AND TELL YOU WHY VERY HUMBLLY BECAUSE THIS HAS BEEN  
4           A JOURNEY THAT'S BROUGHT ME TO MY KNEES. AND I HAVE TO TELL  
5           YOU THAT IN A VERY HUMBLE WAY -- NOT AN ARROGANT WAY.

6           I NEVER DREAMED OF WALKING DOWN A RIVER BECAUSE I  
7           BELIEVED I STARTED WITH A BIAS. AND LET ME DISCLOSE THAT BIAS.

8           I THOUGHT -- AND I SAY THIS TO THE ADVOCATES WITH THE  
9           ACLU -- I THOUGHT THAT THE MAJORITY OF PEOPLE I WOULD SEE  
10          COMING FROM MY BACKGROUND, -- BROOK, WOULD BE OF PEOPLE WHO  
11          WERE ALWAYS STRUNG OUT ON NARCOTICS. THAT WAS MY PERCEPTION.

12          AND IF I OWN THAT, AND I SAY THAT OPENLY TO YOU, THAT  
13          THAT'S THE KIND OF THE TRANSPARENCY I THINK I -- HOPEFULLY,  
14          I'VE SHARED WITH YOU.

15          IT DRAMATICALLY CHANGED BECAUSE, YES, THERE ARE  
16          CRIMINALS OUT THERE. BUT THIS IS A CROSS-SECTION OF AMERICA.

17          AND I'M GOING TO SHOW YOU LOTS OF PICTURES TODAY.

18          SO, FOR EVERY CRIMINAL YOU THROW AT ME, I'M GOING TO  
19          THROW AT YOU A LITTLE GIRL LIVING IN A BOX ON THE RAILROAD  
20          TRACK. I'M GOING TO CHANGE YOUR PERCEPTION.

21          I'M GOING TO CHANGE YOUR PERCEPTION ABOUT WOMEN OUT  
22          THERE AND HOW AMERICA CAN LET WOMEN -- AND THAT'S A GENDER-BIAS  
23          STATEMENT -- LIVE IN THESE CONDITIONS, SUBJECT TO RAPE AND  
24          ABUSE -- IT'S BEYOND ME.

25          I STARTED A LONG TIME AGO WHEN WE FIRST MET BY ASKING

1 WHY MY COUNTRY CAN SPEND THIS KIND OF MONEY IN A PLACE CALLED  
2 REPUBLIC OF GEORGIA -- BECAUSE I DO A LOT OF COUNTER-TERRORISM  
3 WORK ACROSS THE WORLD -- IN AFGHANISTAN AND PAKISTAN. THIS IS  
4 IN GEORGIA, NEAR SOUTH OSSETIA WHEN THE RUSSIANS CAME DOWN.  
5 GUESS WHO BUILT IT? AMERICA BUILT THIS. THIS IS YOUR MONEY.

6 AND IF WE CAN PUT THAT UP OVER NIGHT, YOU HAVE TO  
7 WONDER WHY WE CAN'T GET THAT KIND OF HELP FROM STATE, FEDERAL  
8 OR COUNTY GOVERNMENT, CITIES, ET CETERA TO PUT UP THIS KIND OF  
9 STRUCTURE. SO, YOU'VE HEARD ME SAY THIS BEFORE IF YOU WERE  
10 HERE BEFORE. AND I WON'T WASTE YOUR TIME WITH IT. OKAY.

11 BUT BY GOD, THIS IS A GREAT COUNTRY. AND IT'S A  
12 GREAT COUNTRY. AND WE'RE A VERY INDEPENDENT COUNTRY. AND I HAVE  
13 THE FEELING OFTENTIMES THAT WE DON'T FIGHT GOVERNMENT. OKAY.  
14 YEAH. BUT IT'S GOING TO REQUIRE OUR COOPERATION, QUITE  
15 FRANKLY, WORKING TOGETHER.

16 BECAUSE THE COURT CAN DO SO MUCH IN A NEGATIVE POWER  
17 -- AND I'M GOING TO RAISE SOME QUESTIONS TO YOU AND ASK  
18 QUESTIONS -- NOT DEMAND, NOT BE OVERBEARING WITH YOU, BUT JUST  
19 ASK WHAT THE COMMUNITY CAN DO TO GO A LITTLE BIT FURTHER.  
20 BECAUSE WE'RE STARTING TO BUILD THE SHELTERS. BUT THESE  
21 SHELTERS ARE TURNING INTO PERMANENT ESTABLISHMENTS IN A SENSE.

22 SO, I READ THE ACLU REPORT THE OTHER DAY. AND IT WAS  
23 A PRETTY HEAVY-HANDED REPORT. I THINK I WAS MEETING WITH  
24 SUPERVISOR DO.

25 AND I THINK, ANDREW, I CAN SHARE THAT YOU WERE A

1 LITTLE BIT TAKEN ABACK BECAUSE YOU MADE A COURAGEOUS STAND,  
2 BUILT THE FIRST SHELTER HERE, SLEPT IN IT, CAME FROM AN  
3 IMMIGRANT BACKGROUND. AND I THINK YOUR FEELINGS WERE HURT BY  
4 THE CRITICISM OF THE COUNTY IN THAT REGARD. BUT THAT REPORT  
5 WAS WELL TAKEN.

6 IF YOU LOOK AT THE NEW SHELTERS THAT THE CITIES HAVE  
7 BUILT IN ANAHEIM AND TUSTIN OR COSTA MESA, IN SANTA ANA, THOSE  
8 SHELTERS ARE -- ARE BEYOND BELIEF. THERE'S JUST EXCELLENT AND  
9 HUMANE SHELTERS.

10 AND TODAY WE'RE GOING TO TALK ABOUT THE COURTYARD A  
11 LITTLE BIT. WE'RE GOING TO TALK ABOUT WISE PLACE, ET CETERA,  
12 AND SEE WHAT WE CAN DO AS A COMPOSITE GROUP IN TERMS OF  
13 TIMELINE. AND IF WE'RE WILLING TO KIND OF ALLEVIATE THAT KIND  
14 OF -- LET'S SAY, PRESSURE, IF YOU WILL, IN A HUMANE WAY.

15 I WANT TO START WITH A TAPE BECAUSE THIS IS WHAT YOUR  
16 COUNTY LOOKED LIKE ON THE RIVERBED.

17 IT'S NOT THERE ANYMORE.

18 THIS IS WHAT YOUR RAILROAD TRACKS LOOK LIKE IN YOUR  
19 VARIOUS CITIES.

20 I'M GOING TO TALK ABOUT THE RAILROADS AND THEIR  
21 RESPONSIBILITY TODAY OR NON-RESPONSIBILITY. IT'S GOING TO BE A  
22 VERY TRANSPARENT -- ASK WHO'S PAYING THOSE COSTS, WHY THEY'RE  
23 NOT POLICED.

24 AND AT THE END OF THE DAY I HOPE TO COME UP WITH SOME  
25 THOUGHTFUL GUIDELINES, ET CETERA, AND WHAT YOU BELIEVE YOU CAN

1 DO AS GOVERNMENT AND HOW THE COURT CAN HELP YOU.

2 AND, LASTLY, LET ME SAY THIS. THE COURTS ARE AT  
3 FAULT.

4 WE -- WE HAVE A DEEP RESPONSIBILITY TO YOU BECAUSE  
5 YOU DON'T KNOW WHICH ONE OF 29 FEDERAL JUDGES IN THE CENTRAL  
6 DISTRICT YOU'LL DRAW. AND IF THESE CASES WERE DISPERSED  
7 AMONGST 29 DIFFERENT FEDERAL COURTS WITH A SEPARATE LAWSUIT,  
8 YOU AND THE CITIES AND THE COUNTY WOULD ALWAYS BE REACTING TO  
9 EITHER THE MOST PROGRESSIVE OR CONSERVATIVE OR MIDDLE OF THE  
10 ROAD. YOU'D NEVER KNOW WHAT TO DO.

11 SO, WHAT YOU ALWAYS HAVE TO DO AS LOCAL GOVERNMENT IS  
12 WORRY ABOUT THE MOST PROGRESSIVE OR TAKE HEART IN THE MOST  
13 CONSERVATIVE OR VICE-VERSA. YOU HAVE NO GUIDELINES.

14 SO, WHEN THIS BROKE OUT, I WISH I WOULD HAVE GOTTEN  
15 THE CITY OF LAGUNA BEACH LAWSUIT, QUITE FRANKLY. I WISH IT  
16 WOULD HAVE BEEN IN ONE COURT. IT WENT TO ANOTHER COURT, A  
17 GREAT JURIST. MADE GOOD DECISIONS, ET CETERA. BUT IT GOT  
18 SEPARATED FROM THIS COURT.

19 SO, WHAT YOU HAVE TO KNOW IS THAT I WENT DOOR TO DOOR  
20 TO MY COLLEAGUES AND SAID, WOULD ANY OF YOU LIKE TO BE THE  
21 HOMELESS JUDGE.

22 GUESS WHAT THE ANSWER WAS?

23 NO.

24 WHY DON'T YOU TAKE IT, OLD TIMER. SO, I'M YOUR  
25 HOMELESS JUDGE.

1           AND, THEREFORE, HOPEFULLY, WORKING WITH YOU WE'VE GOT  
2           SOME MODICUM OF WORKING TOGETHER SO YOU KNOW WHAT THE  
3           EXPECTATIONS ARE ON MY PART AND I KNOW WHAT THE EXPECTATIONS  
4           ARE ON YOUR PART.

5           AND WHETHER WE AGREE OR NOT, AT LEAST WE HAVE A  
6           BASELINE. BECAUSE OTHER JUDGES MIGHT HAVE HAD INJUNCTIVE  
7           RELIEF BEFORE AND SIGNED IT LITERALLY THE FIRST MONTH. OTHER  
8           JUDGES MAY NOT HAVE EVER SIGNED INJUNCTIVE RELIEF.

9           YOU DON'T KNOW HOW THAT PLAYS OUT. OR YOU CAN GET A  
10          SPLIT DECISION, WHICH IS WHAT LAGUNA BEACH PERCEIVED HAPPENED  
11          TO THEM. THEY BELIEVED THAT THEY BUILD A SHELTER, QUITE  
12          FRANKLY, THAT THEY DID THE RIGHT THING. AND THEN THEY GOT SUED  
13          AGAIN. AND THAT HAD TO SPREAD A LOT OF FEAR AND CONCERN  
14          AMONGST THE CITIES. WHAT'S OUR BASELINE OF OPERATING HERE WITH  
15          OUR PUBLIC.

16                 AND LET ME TELL YOU LASTLY HOW DEEPLY I RESPECT YOU.

17                 IT DOESN'T MATTER WHETHER YOU TAKE SOME OF THE  
18          SETTLEMENT THOUGHTS THAT WE'VE HAD WITH OTHER CITIES OR NOT.  
19          THIS IS A DEMOCRACY. YOU HAVE DIFFERENT CONSTITUENCIES. YOU  
20          HAVE DIFFERENT GROUPS OF PEOPLE IN YOUR OWN COMMUNITY THAT MAY  
21          REACT IN DIFFERENT WAYS. I RESPECT THAT. LET ME JUST SAY  
22          THAT. YOUR -- YOUR COUNTY GOVERNMENT.

23                 SO, I'VE HEARD I DON'T HAVE JURISDICTION. YES, I DO  
24          IN THIS SENSE. I DON'T HAVE JURISDICTION TO SAY ANYTHING TO  
25          YOU ABOUT WHERE YOU BUILD A SHELTER, HOW YOU BUILD A SHELTER,

1 YOUR FINANCING, LOCATION, ET CETERA.

2 BUT WHEN WE HAVE THE NUMBER OF DEATHS WE HAVE --  
3 WHICH IS 255 IN THIS COUNTY. THEN, THE EIGHTH AMENDMENT AND  
4 FIFTH AMENDMENT AND DUE PROCESS AND THE FOURTEENTH AMENDMENT  
5 SAYS -- THE CONSTITUTION MAKES ROOM FOR THAT KIND OF TRAGEDY.  
6 AND HERE'S THE TRAGEDY.

7 WE'RE WORKING WELL TOGETHER. WHAT WE'RE GOING TO  
8 ANSWER I HOPE TODAY IS HOW WE CAN DO BETTER IN TERMS OF THESE  
9 DEATHS FOR ONE REASON. SAN DIEGO HAS A HUNDRED DEATHS WITH A  
10 HEPATITIS A OUTBREAK WHICH ACCOUNTED FOR ABOUT 40 OF THOSE  
11 DEATHS. WE HAVE 255 DEATHS IN ORANGE COUNTY. SOMETHING IS  
12 WRONG.

13 AND I THINK THAT THAT'S BEEN SOLVED WITH THE  
14 LEADERSHIP OF MIKE SCHRADER, DR. YOST, ANDREW DO AND THE BOARD.

15 WHERE'S RICHARD SANCHEZ?

16 WE'VE HAD A SERIES OF REALLY GOOD MEETINGS,  
17 HARD-FOUGHT MEETINGS, QUITE FRANKLY, WITH TREMENDOUS  
18 DISAGREEMENTS.

19 BUT TODAY I'M HOPEFUL THAT YOU AND THE CITIES HEAR A  
20 COUPLE OF THINGS THAT WILL MAKE YOUR EARS PICKED UP. WE'VE GOT  
21 MONEY. ISN'T THAT REFRESHING?

22 NOW, I DON'T WANT TO OVERSELL THAT BECAUSE I'M NOT  
23 CERTAIN QUITE WHAT I'M GOING TO HEAR. BUT AS OF SATURDAY  
24 NIGHT, I THINK WE'VE GOT SOME FOLKS STEPPING FORWARD WITH A  
25 VERY BOLD PLAN.

1           AND I HOPE THAT YOU ENJOY AS MUCH AS I HOPE TO ENJOY  
2 THE PRESENTATION IN JUST A FEW MOMENTS.

3           I WON'T TAKE MUCH MORE TIME BUT TO TELL YOU MY OTHER  
4 GOAL TODAY IS TO LEAVE THIS WITH A NEW SENSE OF COMMITMENT TO  
5 YOU AND A NEW SENSE OF COMMITMENT ON YOUR PART TO KEEP GOING  
6 WITH THIS.

7           THERE WILL BE LITIGATION WITH SOME OF THE CITIES.

8           AND I'M GOING TO ASK THE PLAINTIFFS THE FOLLOWING.

9           I DIDN'T KNOW THIS WHEN I SET THIS DATE FOR APRIL 2ND  
10 BECAUSE YOU HAD SERVED A COMPLAINT -- OR YOU FILED A COMPLAINT.  
11 BUT YOU HADN'T SERVED A COMPLAINT.

12           AND, SO, I SET APRIL 2ND, TODAY, WITH --

13           HOLD ON. YOU'RE NOT IN TROUBLE. YOU'RE OKAY.

14           BUT I SET APRIL 2ND ON THE EXPECTATION THAT YOU WOULD  
15 HAVE SERVED THE COMPLAINT. AND I HAVE THE FIVE SOUTH COUNTY  
16 CITIES THAT WERE NAMED AND THE COUNTY HERE TO TALK ABOUT A  
17 REASONABLE TRIAL SCHEDULE WITH YOU AND THEM.

18           IF THEY'RE NOT HERE TODAY, THAT'S NOT THEIR FAULT.

19           THEY MAY DECIDE TO CONSCIOUSLY NOT TO BE HERE. I DON'T KNOW IF  
20 THEY'RE HERE. ONE OR MORE MAY BE HERE. THAT'S FINE. THEY'RE  
21 NOT IN TROUBLE IF THEY'RE NOT. BUT I HAD ORDERED THEM IN ON  
22 THE EXPECTATION THAT YOU HAD OBVIOUSLY SERVED THEM. YOU HAVE  
23 NOT.

24           SO, IF ANY OF YOU CITIES ARE HERE FROM SOUTH COUNTY  
25 WHO IN A SENSE HAVE BEEN -- HAVE A COMPLAINT FILED AGAINST YOU,

1 YOU DON'T HAVE TO BE HERE TODAY. I HAVE NO JURISDICTION OVER  
2 YOU. THEY HAVEN'T SERVED YOU. BUT I WOULD ENCOURAGE YOU TO  
3 STAY. I THINK IT'S GOING TO BE A VERY INTERESTING CONVERSATION  
4 AND SOMETHING THAT MAY BENEFIT YOUR COMMUNITY.

5 MICHAEL, I'M GOING TO ASK YOU TO START OFF FOR A  
6 MOMENT. IF YOU WOULDN'T MIND -- AND DR. YOST. AND I JUST  
7 APPRECIATE BOTH OF YOU COMING FORWARD.

8 NOW, LET ME TELL YOU. CAL OPTIMA IS AN EXCELLENT  
9 AGENCY. IT PROVIDES SERVICES FOR OVER 800,000 PEOPLE. THEY DO  
10 A VERY GOOD JOB. EXCEPT WE'VE HAD SOME THOUGHTFUL DISCUSSIONS  
11 ABOUT THE HOMELESS ISSUE.

12 AND WITHOUT DISCUSSING THAT ISSUE, I'D LIKE TO TURN  
13 THIS OVER TO YOU, DR. YOST AND MICHAEL, AND HAVE YOU LEAD THIS  
14 DISCUSSION TODAY.

15 AND I WANT -- AND WOULD YOU IDENTIFY THE BOARD  
16 MEMBERS WHO ARE HERE SO I COULD PERSONALLY THANK THEM.

17 DR. YOST: ABSOLUTELY.

18 WE HAVE RON DI LUIGI --

19 THE COURT: RON.

20 DR. YOST: RON, WOULD YOU STAND UP.

21 RIA BERGER --

22 THE COURT: PLEASURE. IT'S NICE SEEING YOU. IT'S A  
23 PLEASURE.

24 DR. YOST: SUPERVISOR DO IS HERE.

25 THE COURT: SUPERVISOR.



1 DR. YOST: AND DOUG CHAFFEE IS OUR ALTERNATE FOR OUR  
2 BOARD AS WELL.

3 THE COURT: EXCELLENT.

4 DR. YOST: AND I ALSO WANT TO RECOGNIZE DAVID  
5 RAMIREZ, WHO'S OUR MEDICAL DIRECTOR, WHO HAS DONE AN ABSOLUTELY  
6 FABULOUS JOB OF ANALYZING THIS DATA AND HELPING US TO  
7 UNDERSTAND WHAT THE CAUSE OF HOMELESS DEATH IS AND TO HELP US  
8 TO SET A PLAN GOING FORWARD. BECAUSE WE ARE DETERMINED. AND  
9 WE WILL MAKE A DIFFERENCE IN THIS.

10 YOU KNOW, WE HAVE SET FORWARD A VERY AGGRESSIVE PLAN,  
11 A VERY INNOVATIVE PLAN WORKING WITH THE FEDERALLY QUALIFIED  
12 HEALTH CLINICS TO FIND A WAY TO BRING HEALTHCARE INTO THE  
13 HOMELESS AREAS WHERE THE HOMELESS PEOPLE ARE.

14 AND WE DO KNOW A FEW THINGS ABOUT HOMELESS DEATHS.

15 WE DO KNOW THAT IF YOU'RE HOMELESS YOU HAVE ABOUT A  
16 FOUR-TIME INCREASED CHANCE OF DYING JUST FROM BEING HOMELESS.

17 THE COURT: RIGHT.

18 DR. YOST: WE KNOW THE NUMBER ONE CAUSE OF DEATH FOR  
19 THE HOMELESS IS NATURAL CAUSES AT ABOUT 40 PERCENT. HOWEVER,  
20 NATURAL CAUSES IS THE CAUSE OF DEATH FOR 80 PERCENT OF OUR  
21 REGULAR POPULATION.

22 THE COURT: RIGHT.

23 DR. YOST: THE NUMBER TWO CAUSE OF DEATH IS OVERDOSE  
24 AND SUBSTANCE ABUSE.

25 NUMBER THREE AND FOUR ARE VIOLENCE AND SUICIDE.

1 AND, SO, WE REALLY NEED TO WORK ON SEVERE MENTAL  
2 HEALTH ISSUES.

3 AND WHAT WE'RE DETERMINED TO DO IS TO FIND WAYS TO  
4 DEAL WITH THAT -- TO SET OUR METRICS FOR WHAT WE'RE DOING.  
5 WE'RE GOING TO MANAGE THESE PATIENTS IN-HOUSE. WE'RE SETTING  
6 UP OUR OWN HOMELESS HEALTHCARE NETWORK. WE'RE DEDICATING A  
7 HUNDRED MILLION DOLLARS TOWARD DOING THIS.

8 THE COURT: OKAY. NOW, LET'S SLOW WAY DOWN. I DON'T  
9 WANT THAT LOST.

10 DR. YOST: OKAY. AND WE'RE --

11 THE COURT: I WANT TO JUST SLOW THIS WAY DOWN BECAUSE  
12 FOR YOUR CITIES, YOU'RE STRAPPED FOR MONEY.

13 AND ONE OF THE GOALS IN OUR DISCUSSION HAS BEEN HOW  
14 WE COULD POTENTIALLY START FREEING UP SOME MONEY FOR OUR  
15 CITIES. OKAY.

16 SO, I WANT TO SLOW DOWN FOR A MOMENT. I WANT TO GO  
17 TO PAGE 9 OF YOUR PROPOSAL.

18 DR. YOST: GO AHEAD.

19 THE COURT: AND THEN I WANT TO GO TO PAGE 14, THE  
20 FIRST BULLET POINT.

21 DR. YOST: OKAY. GO AHEAD.

22 THE COURT: OKAY.

23 DR. YOST: DO YOU WANT TO -- DO YOU WANT TO -- I HAVE  
24 A COPY, BUT --

25 THE COURT: WELL, LET'S -- JUST TO HAVE A

1 CONVERSATION LIKE WE DID IN CHAMBERS.

2 DR. YOST: SURE.

3 THE COURT: WE ONLY HAVE 300 OF OUR BEST FRIENDS  
4 HERE.

5 DR. YOST: SURE.

6 (LAUGHTER.)

7 DR. YOST: YES, SIR.

8 THE COURT: CAN YOU COME UP WITH A HUNDRED MILLION  
9 DOLLARS?

10 DR. YOST: YES.

11 THE COURT: YES.

12 BUT IF YOU'RE SMART, WE NEED PROGRAMS THAT ARE  
13 MEANINGFUL.

14 DR. YOST: CORRECT.

15 THE COURT: SO, WE DON'T WANT TO TAKE THE AFGHANISTAN  
16 EXPERIENCE, WHAT I GO THROUGH, WHERE THEY THROW CIA MONEY UP  
17 AGAINST THE WALL, RIGHT?

18 WE WANT TO TAKE A HUNDRED MILLION DOLLARS IN  
19 THOUGHTFUL PROGRAMS. SO, WE'RE GOING TO SPACE THAT OVER --

20 DR. YOST: WELL, AT LEAST AT A MINIMUM OF THREE  
21 YEARS.

22 THE COURT: THREE YEARS.

23 DR. YOST: YEAH.

24 THE COURT: NOT FIVE?

25 DR. YOST: THREE.

1 THE COURT: THREE.

2 DR. YOST: BUT IF IT'S UP TO ME -- I CAN'T MAKE ANY

3 --

4 THE COURT: NOW, I'LL TELL YOU WHAT.

5 DR. YOST: I HAVE TO TELL YOU. FIRST OF ALL --

6 THE COURT: WATCH MY FINGERS.

7 DR. YOST: YEAH. I CAN'T -- I CAN'T MAKE ANY

8 COMMITMENTS ON BEHALF OF MY BOARD.

9 THE COURT: I KNOW THAT. BUT WE'RE GOING TO --

10 DR. YOST: YEAH.

11 THE COURT: -- PRESENTATION ACCORDING TO JUDGE SMITH

12 AND OUR SATURDAY NIGHT CALLS --

13 DR. YOST: YEAH.

14 THE COURT: -- AND OUR SUNDAY NIGHT CALLS --

15 DR. YOST: YEAH.

16 THE COURT: -- FOR THREE YEARS.

17 NOW -- NOW, WHY DOES THAT MAKE SENSE. IN THREE YEARS

18 IT ALLOWS ALL OF US TO COME UP WITH THOUGHTFUL PROGRAMS. BUT

19 THAT MONEY IS NON-REFUNDABLE AS I UNDERSTAND IT.

20 IN OTHER WORDS, THERE'S NO CHANCE --

21 LISA, COME ON IN. AND WELCOME, BY THE WAY. IT'S

22 NICE TO HAVE YOU.

23 IN FACT, WE'VE GOT A -- OH, COME UP HERE AND SIT WITH

24 JUDGE SMITH. I'M JUST KIDDING YOU. THAT'S FINE.

25 (LAUGHTER.)

1 DR. YOST: AND BY THE WAY, LISA -- LISA SMITH IS A  
2 FORMER BOARD MEMBER OF CAL OPTIMA, TOO, AND SERVED AS WELL.

3 THE COURT: LOOK -- LOOK, THERE'S BEEN A LOT OF TALK  
4 ABOUT SLOW WALKING IN THE PAST. AND THAT MAY BE CONSCIOUS OR  
5 NON-CONSCIOUS. BUT THE BENEFIT IS THAT THERE'S A HUNDRED  
6 MILLION DOLLARS ON THE TABLE. AND THAT'S NON-REFUNDABLE.  
7 THEN THAT MONEY IS FOR THE HOMELESS. AND IT'S NOT GOING BACK  
8 TO CAL OPTIMA.

9 SO, WHETHER WE CAN GET THAT TO THE CITIES FOR SOME OF  
10 THE SHELTERS THAT ARE BEING BUILT TO HELP OFFSET THE SPACE, OR  
11 WHETHER WE GET THAT TO THE -- WHAT I CALL THE AMBULATORY  
12 SERVICES, OR WE PUT NURSES IN HOSPITALS, OR WE RECONNECT WITH  
13 E.R. CONNECT, THAT WHATEVER WE'RE DOING IT GIVES US TIME. BUT  
14 WE'VE GOT A TIMELINE BECAUSE THAT MONEY IS GONE.

15 DR. YOST: AND --

16 THE COURT: AND THAT'S THE BENEFIT. AND MY DEEP  
17 APPRECIATION TO YOU MAKING THIS PRESENTATION.

18 SO, ANDREW -- OR SUPERVISOR DO, I'VE LISTENED TO YOUR  
19 STATEMENT. I'VE LISTENED TO ALL THE AUDIO OF ALL THE CAL  
20 OPTIMA HEARINGS.

21 MY LAW CLERK AND I CAN ALMOST RECITE IT TO YOU. AND  
22 WE CAME UP WITH THIS THOUGHT BETWEEN US. AND I REALLY  
23 COMPLIMENT YOU FOR BEING THE LEADERSHIP IN THIS -- THAT A  
24 HUNDRED MILLION IS ON THE TABLE. AND IT'S FOR HOMELESS.

25 AND THE SECOND THING IS ON PAGE 14 YOU HAVE WHAT I --

1                   TURN TO PAGE 14 AT THE TOP --

2                   YOU HAVE SOME INCREDIBLE OPPORTUNITIES HERE.

3                   IN THE PAST YOUR PROVIDERS HAD A WHOLE MECHANISM  
4 WHERE I AS A HOMELESS PERSON WOULD GO TO A DOCTOR IN A  
5 DIFFERENT AREA WHICH HAD TO -- THEN DIDN'T WANT TO TREAT ME  
6 BECAUSE THEY DIDN'T GET PAID FOR THREE OR MORE MONTHS.

7                   THEY'RE PROPOSING IN A SENSE WHAT I'M GOING TO CALL A  
8 "CARVE OUT," WHICH IS VERY COMPLICATED, BY THE WAY. BUT NOW  
9 THERE'S GOING TO BE THE OPPORTUNITY FOR DIRECT PAYMENT IN A  
10 SENSE RIGHT TO THAT DOCTOR IN WHAT WE CALL A "FAST-TRACK  
11 SYSTEM," WHICH WILL ENCOURAGE THE TREATMENT OF THE HOMELESS.  
12 THAT'S GOING TO SAVE A LOT OF LIVES.

13                   IS THAT MY UNDERSTANDING?

14                   SUPERVISOR DO: SO -- WAIT. SO, WE'RE TAKING TO THE  
15 BOARD ON THURSDAY A PROPOSAL TO COMMIT A HUNDRED MILLION  
16 DOLLARS FOR HOMELESS HEALTH. OF THAT --

17                   THE COURT: ACTUALLY, 140 MILLION.

18                   SUPERVISOR DO: OF THAT --

19                   THE COURT: ACTUALLY, 140 MILLION. SO, WALK THROUGH  
20 THAT WITH US FOR A MOMENT.

21                   DO YOU WANT ME TO PUT THE FIGURE UP ON THE BOARD?

22                   SUPERVISOR DO: SURE.

23                   THE COURT: SURE.

24                   SUPERVISOR DO: SURE.

25                   THE COURT: OKAY.

1 LET'S PUT THIS UP FOR A MOMENT. AND WE'LL EVEN SHOW  
2 YOU THE NEGOTIATIONS. AND I WANT TO THANK YOU.

3 COULD YOU HELP ME WITH THIS. I'M LOOKING FOR --  
4 YEAH, CAL OPTIMA, PAGE 9.

5 ALL RIGHT. NOW, THIS IS IMPORTANT TO YOU CITIES.  
6 OKAY. YOU'RE ALWAYS ASKING FOR MONEY. AND WE THINK WE'RE  
7 STARVING TO DEATH.

8 ALL RIGHT. YOU CAN'T READ THAT. BUT LET'S START  
9 WITH LINE 1. THAT'S THE BE WELL -- THAT'S THE BE WELL CLINIC.  
10 THAT'S ORANGE COUNTY.

11 DAN YOUNG, THAT'S \$11 MILLION. OKAY. ALL RIGHT.

12 THEN WE HAVE THE RECUPERATIVE CARE SHOULD BE ABOUT 11  
13 MILLION.

14 RIGHT --

15 DR. YOST: RIGHT.

16 THE COURT: -- DOCTOR.

17 DR. YOST: CORRECT. YES.

18 THE COURT: EXCELLENT. AND I DON'T WANT TO UNDERSSELL  
19 WHAT YOU'RE DOING BECAUSE I THINK IT'S EXTRAORDINARY.

20 DR. YOST: AND WE'VE NEVER -- WE'VE NEVER DEDICATED  
21 THIS -- THESE TYPES OF FUNDS FOR A PROGRAM LIKE THIS IN OUR  
22 HISTORY.

23 THE COURT: I THINK IT'S BOLD. AND I DON'T THINK  
24 ANY OTHER ENTITY HAS DEDICATED THIS ACROSS THE STATE OR THE  
25 COUNTRY.

1 DR. YOST: YEAH.

2 THE COURT: I THINK YOU'RE GOING TO BE A ROLE MODEL,  
3 FRANKLY.

4 DR. YOST: YEAH.

5 THE COURT: AND I DON'T THINK THAT'S THE WAY OUR  
6 DISCUSSION STARTED, BUT I THINK IT'S BEEN A VERY GOOD  
7 DISCUSSION AND A VERY PRODUCTIVE DISCUSSION. I WANT TO  
8 COMPLIMENT YOU.

9 THEN YOU'VE GOT THE RESPONSE TEAM -- AND I HAD SAID  
10 TO YOUR CEO, I DON'T EXPECT EIGHT TEAMS IN PLACE. WE WERE  
11 GOING TO START WITH A COUPLE BECAUSE WE'LL MAKE MISTAKES --

12 DR. YOST: RIGHT.

13 THE COURT: AS LONG AS WE STARTED, I THINK I WISH IT  
14 WAS 7 TO 9 DAYS AGO. AND YOU'VE TRIED TO MOVE ON THAT. AND  
15 THEN I HEARD SUPERVISOR DO'S CRITICISM. WELL TAKEN. LOOK, YOU  
16 PROMISED, BUT IT'S NOT IN PLACE.

17 AND YOU SAID IT WOULD BE UP AND OPERATING BY APRIL  
18 1ST. AND YOUR RESPONSE ON -- ON FEBRUARY 7TH DISCUSSION.

19 THEN YOU'VE GOT OVER FIVE YEARS -- WHICH WE'RE  
20 CHANGING OF COURSE TO THREE -- THE 2 MILLION TO COORDINATE IN  
21 THE HOSPITALS. BUT THEN IN THAT INITIATIVE THERE'S A HUNDRED  
22 MILLION. SO, WHEN YOU ADD THIS UP THERE'S ABOUT \$140 MILLION.

23 NOW, HERE'S THE PROBLEM. CAL OPTIMA NEEDS TO COVER  
24 ITSELF UP AT THE STATE LEVEL. THEY CAN'T JUST -- SO, THEY'RE  
25 GETTING A SECOND LEGAL OPINION, AN OUTSIDE OPINION. AND WHAT



1 THAT OPINION IS GOING TO DO AS I UNDERSTAND IT THROUGH JUDGE  
2 SMITH --

3 TALKING TO YOU, MICHAEL, SATURDAY, SUNDAY --

4 MR. SCHRADER: RIGHT.

5 THE COURT: -- ET CETERA. ME MEETING WITH YOU OVER  
6 THE WEEKENDS -- IS IT'S GOING TO GIVE THEM HOPEFULLY CLEARANCE  
7 THAT THIS CAN BE USED FOR PROVIDER SERVICES.

8 SO, -- YOU'RE OUT IN ANAHEIM. YOU'RE PAYING \$2  
9 MILLION A YEAR, LET'S SAY, OUT AT THE LA MESA.

10 MAYOR PULIDO, YOU'RE OVER IN SANTA ANA. YOU'RE  
11 PAYING 1.6 OVER AT THE LINK.

12 SALVATION ARMY, YOU'RE PAYING ABOUT 2 MILLION OUT.

13 WELL, IF I ADDED UP ALL MY SHELTERS WITH TUSTIN,  
14 COSTA MESA, AND --

15 IS MAYOR FOLEY HERE? BECAUSE I REALLY WANT TO  
16 COMPLIMENT HER.

17 THE CLERK: SHE'S ON HER WAY.

18 THE COURT: SHE'S ON THE WAY. AND I KNOW CHUCK FROM  
19 -- FROM TUSTIN IS HERE.

20 THANK YOU, CHUCK.

21 AND I KNOW YOU ALL BY FIRST NAME.

22 THAT'S GOING TO BE A TREMENDOUS BENEFIT TO OUR CITIES  
23 FOR A CHANGE BECAUSE SO FAR IT'S OFTENTIMES BEEN THE IMPRESSION  
24 THAT THE COUNTY HAS GOT THE MONEY. THERE'S BEEN A LOT OF  
25 CONFLICT, QUITE FRANKLY.

1           AND I WANT TO PUT THAT TRANSPARENTLY ON THE TABLE SO  
2 WE'RE HAVING A GOOD DISCUSSION TODAY.

3           AND THE COUNTY FEELS THAT THEY'VE STEPPED UP. THE  
4 CITIES FEEL THAT THEY HAVEN'T STEPPED UP, THAT THEY'RE THE  
5 LEADERSHIP IN TERMS OF TRYING TO GET MONEY, ET CETERA. AND  
6 I'VE HEARD THAT BACK AND FORTH IN OUR DISCUSSIONS.

7           IF WE CAN GET THAT SECOND OPINION -- WHICH WE THINK  
8 ANY GOOD ATTORNEY -- LET ME WRITE THAT DOWN, JUDGE SMITH -- ANY  
9 DECENT ATTORNEY. BUT, OF COURSE, AS SECOND COUNSEL GIVE US THE  
10 CHANCE FOR PROVIDER SERVICES --

11           JUDGE SMITH: THAT MAY BE AN OXYMORON, JUDGE.

12           THE COURT: YEAH. YEAH.

13           (LAUGHTER.)

14           THE COURT: YEAH.

15           (LAUGHTER.)

16           THE COURT: THEN WITH THAT CLEARANCE I THINK YOU CAN  
17 GO TO THE STATE, QUITE FRANKLY, IN GOOD FAITH. AND WE COULD  
18 GET SOME MONEY.

19           AND IF WE ADDED ALL THAT UP, THAT'S ABOUT \$10 MILLION  
20 A YEAR. I DON'T WANT TO SAY THAT THAT'S CHUMP CHANGE, BUT  
21 THAT'S CHUMP CHANGE. THAT SHOULD BE AN INCENTIVE TO BUILD OUR  
22 SHELTERS, TO TAKE AWAY ANY EXCUSE THAT WE DON'T HAVE MONEY,  
23 THAT THE CITIES ARE MINIMALLY GETTING HELPED, YOU KNOW, WITH  
24 THIS PROVIDER SERVICES EVERY YEAR. THAT'S THE GOAL. THAT'S  
25 THE GOAL. AND IT'S A CITY GOAL.

1 DO YOU UNDERSTAND THAT?

2 NOW, YOU'VE HAD A TRUE CHAMPION FOR YOUR CITY.

3 MICHELLE MARTINEZ, STAND UP. THAT'S AN ORDER NOT A  
4 REQUEST.

5 (LAUGHTER.)

6 THE COURT: SHE'S THE FORMER VICE MAYOR. AND SHE'S  
7 GOTTEN IN AND PITCHED FOR EVERY CITY IN THIS COUNTY. OKAY.  
8 SHE HAS GONE TO BAT.

9 AND I'M GOING TO ASK YOU TO STAY INVOLVED ON BEHALF  
10 OF THE CITIES.

11 I'M GOING TO ASK DR. HANDLER TO STAY INVOLVED AND ED  
12 -- IN TERMS OF JUST HELPING ME UNDERSTAND THIS.

13 WE'RE GOING TO WORK WITH YOUR BOARD, MICHAEL.

14 BECAUSE YOU'RE THE GUIDING LIGHT, DR. YOST. IT'S  
15 YOUR BOARD. OKAY.

16 BUT I CERTAINLY WANT TO THANK -- MARK -- YEAH, MARK  
17 REFOWITZ AND ED COSSIX.

18 SO, MARK, JUST WAVE YOUR HAND FOR A MOMENT. YOU'VE  
19 BEEN A VERY --

20 AND DICK CHAMBERS.

21 A LOT OF FOLKS HAVE BEEN ABLE TO TALK TO ME A LITTLE  
22 BIT ABOUT CAL OPTIMA AS WELL AS CAL OPTIMA.

23 AND I WANT TO THANK RON FOR MEETING WITH US AT AD HOC  
24 COMMITTEE AND THE OTHER GENTLEMAN -- THE OTHER TWO GENTLEMEN.

25 DR. YOST: LEE PENROSE. LEE PENROSE.

1 THE COURT: LEE -- LEE PENROSE. YEAH. AND THE OTHER  
2 -- AND A DOCTOR.

3 DR. YOST: YES. DR. RAMIREZ. YEAH, HE'S HERE.

4 THE COURT: YEAH. AND THE DOCTOR.

5 AND I APOLOGIZE. DOCTOR, THANK YOU.

6 THE OTHER PRESUMPTION WAS THIS. I WANT TO GIVE YOU A  
7 HYPOTHETICAL. THIS IS WHAT'S COSTING US MONEY. IN MY HUMBLE  
8 OPINION, YOU HAVE TO SOLVE IT. I CAN'T.

9 I'M HOMELESS DAVE, AND I'M ON THE -- I'M LIVING ON  
10 THE RAILROAD TRACK. I MAY HAVE A DAUGHTER HERE LIVING ON THE  
11 RAILROAD TRACK WITH ME, BUT I MAY BE BY MYSELF.

12 I ONLY KNOW ONE PLACE TO GO WHEN I'VE GOT PNEUMONIA.  
13 AND I'VE GOT MILD BIPOLAR.

14 HI, MAYOR, COME ON IN. MAYOR FOLEY, I WAS JUST  
15 COMPLEMENTING YOU.

16 HAVE A SEAT. OKAY.

17 NOW, I ONLY KNOW ONE PLACE TO GO. WHERE DO I GO? --  
18 THE E.R. ROOM, RIGHT? I GET TREATED. BUT BECAUSE WE DIDN'T  
19 HAVE THE TRACKING SYSTEM, BECAUSE WE ABANDONED E.R. NET AND  
20 SAFENET BACK IN 2016 WHERE WE WERE SUPPOSED TO TRACK PEOPLE  
21 COMING OUT OF THE HOSPITAL, I GO RIGHT BACK TO THE RAILROAD  
22 TRACKS. NOW I GET SCABIES AND I GET PNEUMONIA AGAIN.

23 AND, BY THE WAY, PEOPLE ARE DYING OF HYPOTHERMIA. IF  
24 YOU'RE IN THE MILITARY, YOU KNOW ONE THING. WHEN IT RAINS, AND  
25 YOU COMBINE IT WITH COLD, THAT'S AN EXPONENTIAL FACTOR THAT

1 CAUSES DEATH.

2 YOU CAN GET REALLY COLD, FOLKS. I DON'T THINK YOU  
3 HAVE TO -- MEDALS IN THE MARINE CORPS TRAINING. WE'LL GET YOU  
4 COLD. YOU'LL LIVE. YOU WON'T LIVE WITH RAIN. AND YOU WON'T  
5 LIVE WITH HYPOTHERMIA.

6 NOW, WHAT HAPPENS? I NORMALLY KNOW ONE PLACE TO GO.  
7 I GO RIGHT BACK TO THE E.R. ROOM, DON'T I? AND I GET TREATED.  
8 BUT I'M BACK OUT ON THE STREET. THAT'S COSTING YOU AN AVERAGE  
9 OF \$400,000 A YEAR.

10 AND, SO, YOUR PROVIDERS, YOUR HOSPITALS ARE DOING A  
11 GREAT JOB. BUT UNTIL YOU'VE STEPPED FORWARD NOW LIKE YOU'RE  
12 STEPPING FORWARD, THAT WAS GOING TO BE A REDUNDANT SYSTEM WITH  
13 \$3.7 BILLION DOLLARS THAT CAL OPTIMA HAS THAT WE REALLY HADN'T  
14 GOTTEN TOGETHER AS A COURT. AND THAT'S MY FAULT -- NOT  
15 REACHING OUT TO YOU. I BEAR THAT RESPONSIBILITY. IF ANYTHING  
16 GOES WRONG, IT'S ME, NOT YOU.

17 BUT YOUR RECEPTIVENESS TO THAT NOW CARVES OUT AT  
18 LEAST A HUNDRED MILLION DOLLARS OF THAT THAT STOPS THAT CYCLE.

19 AND THAT'S WHAT UNITED WAY IS TALKING ABOUT WHEN WE  
20 CAN REDUCE THAT FROM \$400,000 DOWN TO \$50,000.

21 AND ARE THE HOSPITALS AND THE E.R. HURT? HECK, NO.  
22 THEY'RE GETTING A LOT OF MONEY. WE CAN AFFORD TO TAKE A  
23 HUNDRED MILLION DOLLARS OUT OF THAT E.R. SERVICE, IF YOU WILL,  
24 AND DEVOTE IT TO HOMELESS BECAUSE THAT'S GOING TO REDUCE OUR  
25 COST DOWN FOUR TIMES. AND IT'S GOING TO STOP OUR DEATH TOLL.

1 AND IT'S GOING TO LET US TRACK PEOPLE.

2 NOW, IF YOU UNDERSTAND THAT, IT TOOK JUDGE SMITH --  
3 WHAT? -- TWO DAYS AND ME TWO MONTHS TO UNDERSTAND THAT. BUT  
4 THAT'S THE SIMPLEST HYPOTHETICAL. AND I WANT TO THANK YOU.

5 THE OTHER PRESUMPTION IS THIS.

6 WHERE'S RON SANCHEZ -- OR SANCHEZ? WOULD YOU STAND  
7 UP BECAUSE I WANT TO THANK YOU.

8 WHERE IS MR. SANCHEZ?

9 UNIDENTIFIED SPEAKER: RICHARD?

10 THE COURT: WOULD YOU GET HIM.

11 UNIDENTIFIED SPEAKER: HE'S IN OVERFLOW.

12 THE COURT: YEAH. WELL, NO. HE CAN'T BE OVERFLOW.  
13 HE'S IMPORTANT.

14 DR. YOST: AND, JUDGE CARTER, I MEAN, THAT -- WHAT  
15 YOU'RE TALKING ABOUT IS RIGHT IN OUR WHEELHOUSE. AND --

16 THE COURT: YEAH.

17 DR. YOST: -- WE FULLY INTEND TO DEAL WITH THAT.

18 WE'RE GOING TO MANAGE THESE PATIENTS IN-HOUSE. WE HAVE SET UP  
19 A SYSTEM TO TRACK THEM. BECAUSE WE DO KNOW THAT THE HOMELESS  
20 ARE SEVEN TIMES MORE LIKELY TO VISIT THE E.R. THAN --

21 THE COURT: YEAH.

22 DR. YOST: -- THAN OUR REGULAR POPULATION.

23 THE COURT: YEAH. AND I COMPLIMENT YOU FOR THAT.

24 DR. YOST: AND THAT -- YEAH. AND THAT WILL BE ONE OF  
25 THE METRICS THAT WE WILL TRACK BECAUSE YOU'RE RIGHT. E.R. CARE

1 IS THE MOST EXPENSIVE CARE.

2 THE COURT: YEAH.

3 DR. YOST: IF WE CAN FIND A WAY TO TREAT THOSE --  
4 THOSE PATIENTS IN THE FIELD, IF WE CAN FIND THEM TO TREAT THEM  
5 CLOSER TO THEIR HOMES TO BRING THE HEALTHCARE TO THEM, THAT IS  
6 A MUCH MORE EFFICIENT MUCH BETTER WAY TO DELIVER HEALTHCARE.

7 THE COURT: NOW, YOU UNDERSTAND THAT THE COURTS CAN'T  
8 DO THAT.

9 YOU UNDERSTAND THAT? BUT WE'VE HAD SOME REALLY GOOD  
10 DISCUSSIONS ABOUT THAT.

11 SO, RICHARD, COME ON IN FOR A SECOND. AND WE WANT TO  
12 GIVE A HYPOTHETICAL.

13 THIS IS JUST A HYPOTHETICAL, FOLKS. I WON'T NAME THE  
14 HYPOTHETICAL HOSPITAL. BUT WE SAW THIS A NUMBER OF TIMES. AND  
15 THIS IS WHAT YOU'VE BEEN ABLE TO CURE IN GOOD FAITH.

16 AND I'VE HEARD THAT YOU'VE HAD SOME REALLY GOOD  
17 MEETINGS LATELY, RICHARD, IN THE COUNTY. AND YOU'VE HAD SOME  
18 REALLY GOOD MEETINGS WITH CAL OPTIMA. SO, THIS IS A VERY  
19 POSITIVE STATEMENT. BECAUSE I CAN'T BRING BACK THE PAST. BUT  
20 WE WANT TO DECREASE THE DEATHS.

21 AN 82-YEAR-OLD WOMAN COMES OUT OF A HOSPITAL -- I  
22 WON'T NAME THE HOSPITAL. IT'S A VERY PROMINENT HOSPITAL. A  
23 HOSPITAL HERE ABOUT A MONTH AGO ON A FRIDAY EVENING DOESN'T  
24 KNOW WHAT TO DO WITH THE 82-YEAR-OLD WOMAN WHO IS SYMPATHETIC,  
25 BABBLING, NOT A HEROIN OR DOPE ADDICT. AND THEY PUT HER IN AN

1 UBER AND DRIVE HER OVER TO A PROVIDER WHICH CAN'T TAKE HER.

2 IT'S A CITY PROVIDER.

3 AND THE CITY HAS LIMITATIONS -- LIKE SANTA ANA OR  
4 ANAHEIM HAVE TRIED TO TAKE CARE OF THEIR OWN BECAUSE THERE'S  
5 TREMENDOUS PUSH-BACK IF THEY'RE TAKING IN OTHER PEOPLE.

6 THE 82-YEAR-OLD IS DROPPED OUT. THERE'S A  
7 DISCUSSION. WE CAN'T RESOLVE IT, ET CETERA. FINALLY, THANK  
8 GOD, THE PROVIDER STEPS IN AND GETS A PLACE ON THEIR OWN DIME  
9 FOR THE 82-YEAR-OLD WOMAN.

10 NOW, THAT HAPPENED TO US OUT AT THE BAYMONT BECAUSE I  
11 STOOD IN THE PARKING LOT AND WATCHED IT.

12 WE HAD AN OLD CONFLICT -- WHICH IS NOT CHASTISING YOU  
13 -- WHERE CAL OPTIMA SAID, LOOK, THEY'RE MILD. OKAY. OR THE  
14 COUNTY DID. THEY'RE MILD. YOU TREAT THEM.

15 AND CAL OPTIMA SAID, NO, THEY'RE CHRONIC. YOU TREAT  
16 THEM. AND WE HAD THAT CLASH. SO, THAT'S NOT A CRITICISM.

17 BUT I'VE HEARD THAT YOU'VE BEEN ABLE TO WORK THAT OUT  
18 WITH THE HELP OF SUPERVISOR DO VERY RECENTLY.

19 IS THAT TRUE?

20 MR. RAMIREZ: CORRECT.

21 THE COURT: I WON'T GET INTO THE PAST BECAUSE IF YOU  
22 DWELL IN THE PAST YOU CAN'T MOVE TO THE FUTURE, RIGHT? SIMPLE  
23 AS THAT.

24 IF YOU'RE WORKING TOGETHER, THAT ALLEVIATES A  
25 TREMENDOUS AMOUNT OF WHAT I WAS GOING TO SAY TODAY.



1           AND IF YOU'LL CONTINUE THAT RELATIONSHIP SO I DON'T  
2           HAVE THOSE GAPS -- BECAUSE I'M BECOMING FIRMLY CONVINCED -- AND  
3           THIS IS NOT A JUDICIAL FINDING -- THAT ONE OF THE CAUSES OF  
4           DEATH WAS OUR INABILITY -- A WELL-INTENTIONED BUREAUCRACY AND  
5           THAT OVERLAP THAT CAUSED THE CHRONIC AND THE MILD TO BE PUSHED  
6           BACK AND FORTH TO EACH OTHER.

7           SO, INSTEAD OF CHASTISING YOU, I WANT TO COMPLIMENT  
8           YOU.

9           ISN'T THAT REFRESHING?

10          (LAUGHTER.)

11          THE COURT: THAT'S REFRESHING. OKAY. SO, THE PAST  
12          IS FORGOTTEN. LET'S MOVE FORWARD. OKAY.

13          RICHARD, THANK YOU. DO YOU HAVE ANYTHING YOU WANT TO  
14          SAY? ARE YOU OKAY?

15          MR. RAMIREZ: NO. WE'RE GOOD.

16          THE COURT: OKAY.

17          (LAUGHTER.)

18          THE COURT: GET OUT OF HERE AS FAST AS POSSIBLE,  
19          YEAH.

20          BY THE WAY, HE'S GOING TO RETIRE SOON. AND I MAY BE  
21          ASKING ANDREW AND LISA IF I CAN CALL UP RICHARD ON OCCASION,  
22          ALSO.

23          THE OTHER PRESUMPTION WAS THIS. IN THE PAST WE  
24          TALKED A LOT ABOUT A PRESUMPTION. AND HERE WAS THE PROBLEM.

25          I THINK YOU HAD 11,484 IN YOUR 2016 REPORT WHEN THE

1 -- WE WERE DEALING WITH E.R. NET, ET CETERA. AND IT'S ON PAGE  
2 37. OKAY.

3 AND YOU'LL SEE THEN YOU HAD ABOUT 5,000-SOME PEOPLE  
4 WHO CAME INTO THE HOSPITALS ON MORE THAN ONE OCCASION AND A  
5 THOUSAND ON MULTIPLE OCCASIONS. OKAY.

6 AND I CAN GET OUT THAT, YOU KNOW, IF YOU WANT TO.  
7 IT'S IN THE -- I WON'T WASTE TIME WITH IT, BUT I CAN FIND IT  
8 VERY EASILY.

9 THE PRESUMPTION IN THE PAST WAS, LOOK, I'M -- THE  
10 BABBLING DAVE OUT ON THE RAILROAD SYSTEM AGAIN.

11 AND CAL OPTIMA HAD A GOOD POSITION. AND THAT IS,  
12 WELL, YOU HAVEN'T SIGNED UP FOR CAL OPTIMA. BUT GUESS WHAT,  
13 FOLKS. IF YOU TELL ME TO SIGN UP FOR CAL OPTIMA, REMEMBER,  
14 I'VE GOT BIPOLAR. I'M LIVING ON THE RAILROAD TRACKS. AND YOU  
15 TELL ME TO GO TO SANTA ANA OR SOME PLACE. I CAN'T FIND SANTA  
16 ANA. AND IF YOU GIVE ME A CARD, I'M GOING TO EAT THE CARD.  
17 I'M NEVER GOING TO SHOW UP, IN OTHER WORDS. SO, WE'RE CHANGING  
18 THAT PRESUMPTION.

19 AND, DOCTOR, I WANT TO COMPLIMENT YOU BECAUSE THAT  
20 WAS SOMETHING THAT YOU AND RICHARD SANCHEZ AND SUPERVISOR DO  
21 AND I TALKED ABOUT. AND THAT IS A MODEL FOR THE NATION. AND  
22 THAT PRESUMPTION IS CHANGING THAT THESE FOLKS ARE ALL  
23 CAL OPTIMA TO BEGIN WITH. AND THAT THE FEW THAT AREN'T, WE'RE  
24 GOING TO OPT-OUT. AND THAT'S GOING TO SAVE AN INCREDIBLE  
25 AMOUNT OF MONEY AND AN INCREDIBLE AMOUNT OF LIVES.

1 AND I UNDERSTAND FROM JUDGE SMITH THAT THAT'S THE  
2 OTHER PROCESS YOU'RE PUTTING FORWARD, THIS PRESUMPTIVE PROCESS,

3 MR. RICHARD RAMIREZ: YOU WANT ME TO TAKE THAT --

4 THE COURT: AND IF I'M NOT, I WANT YOU TO CORRECT ME.

5 MR. RICHARD RAMIREZ: YEAH. SURE. WE'RE WORKING  
6 WITH FEDERALLY QUALIFIED HEALTH CENTERS SO THAT WE CAN SERVE  
7 THROUGH OUR CLINICAL FIELD TEAMS WHEN WE SEND THESE DOCTORS AND  
8 MEDICAL ASSISTANTS OUT INTO THE FIELD TO VISIT THE PARK OR TO  
9 VISIT A RIVERBED OR TO VISIT A SHELTER, THAT IF THERE'S A  
10 HOMELESS INDIVIDUAL THAT NEEDS MEDICAL -- MEDICAL CARE, THAT  
11 IT'S NOT GOING TO MATTER IF THEY'RE A CAL OPTIMA MEMBER OR NOT  
12 -- THAT THEY'RE GOING TO GET THE CARE. AND THAT IF IT IS A  
13 CAL OPTIMA MEMBER, THAT FEDERALLY QUALIFIED HEALTH CENTER WILL  
14 BE ABLE TO BILL CAL OPTIMA. AND IF IT'S NOT, THE FED -- THOSE  
15 HEALTH CENTERS GET FEDERAL FUNDING FOR PEOPLE WITHOUT  
16 INSURANCE.

17 SO, WE MET WITH THE --

18 THE COURT: EXCELLENT --

19 MR. RICHARD RAMIREZ: -- FOUR -- ALL FIVE OF THE  
20 FEDERALLY QUALIFIED HEALTH CENTERS LAST THURSDAY TO TALK ABOUT  
21 THE CLINICAL FIELD TEAMS AND THE ROLLOUT AND -- AND APPRECIATE  
22 THAT THEY NEED TO -- THEY POTENTIALLY NEED TO PURCHASE  
23 VEHICLES, AMBULANCE-LIKE VEHICLES, SO THAT THEY -- WHEN THEY  
24 VISIT SOMEONE IN THE PARK, INSTEAD OF JUST TREATING THEM ON THE  
25 GRASS -- COME INTO THE VEHICLE. YOU'RE GOING TO GET SOME SENSE

1 OF PRIVACY. WE HAVE EQUIPMENT IN THE VEHICLE.

2 THE COURT: GREAT.

3 MR. RICHARD RAMIREZ: WE CAN TAKE CARE OF YOU. WE  
4 HAVE PRE-PACKAGED MEDICATIONS. WE -- WE CAN DO POINT-OF-CARE  
5 LABS TO CHECK YOU FOR DIABETES, FOR A LOT OF DIFFERENT AILMENTS  
6 -- THAT THEY'RE GOING TO GET FULLY TREATED IN THE FIELD.

7 THE COURT: EXCELLENT.

8 MR. RICHARD RAMIREZ: AND THAT THEY'RE GOING TO BE  
9 ENCOURAGED LET'S GET YOU TO A CLINIC WHERE YOU CAN GET SOME  
10 REAL CARE, BE SEEN BY SPECIALISTS. LET'S SEE IF WE CAN GET YOU  
11 TO A CLINIC. BUT WE'RE GOING TO PROVIDE THAT BASIC CARE IN THE  
12 FIELD. AND IT WILL BE FOR ALL HOMELESS INDIVIDUALS REGARDLESS.

13 THE COURT: LET ME TOSS A COUPLE OF THOUGHTS FOR BOTH  
14 OF YOU.

15 DR. YOST: SURE.

16 THE COURT: AND JUST REMEMBER YOU DON'T HAVE TO DO  
17 THIS. OKAY.

18 DR. YOST: YEAH. WELL, I WOULD JUST ADD ON TO THAT  
19 THAT, YOU KNOW, YOU ONLY HAVE TWO REQUIREMENTS TO BE A MEMBER  
20 OF CAL OPTIMA. IT'S BASICALLY WHETHER YOU'RE A RESIDENT, YOU  
21 KNOW, OF THE UNITED STATES AND YOUR INCOME LEVELS.

22 THE COURT: RIGHT.

23 DR. YOST: SO, YOU CAN ASSUME THAT MOST OF THEM ARE.

24 HOWEVER, WE CAN'T DO THAT WITH PAYMENT FOR  
25 CAL OPTIMA. HOWEVER, WE ARE WORKING WITH THE COUNTY THROUGH

1 S.S.A. TO GET AS MANY PEOPLE SIGNED UP AS WE CAN.

2 WE'VE BEEN VERY EFFECTIVE I THINK AT THAT IN THE  
3 HOMELESS SHELTERS AND GETTING PEOPLE SIGNED UP AND GETTING THEM  
4 INTO THE SYSTEM.

5 THE COURT: YEAH.

6 DR. YOST: AND THEN GETTING THEM INTO OUR OWN  
7 HOMELESS NETWORK WHERE WE CAN MANAGE THE CARE WITHIN HOUSE.

8 AND WE'RE GOING TO MANAGE THIS POPULATION INSIDE OUR  
9 OWN ORGANIZATION AND USE CAL OPTIMA DIRECT TO DO THAT.

10 BUT PARTNERING WITH FEDERALLY QUALIFIED HEALTH  
11 CLINICS WAS FOR US THE BEST WAY TO BE ABLE TO TREAT PEOPLE,  
12 WHETHER THEY'RE A MEMBER OR NOT. AND I EVEN HAVE TO ASK THAT  
13 QUESTION SO THAT WE CAN BRING THE CARE DIRECTLY TO THEM.

14 AND KUDOS TO STAFF FOR -- FOR RECOMMENDING THAT AND  
15 DOING THAT AND PUTTING THAT TOGETHER.

16 THE COURT: THAT'S EXCELLENT.

17 I'M GOING TO ASK THE FOLLOWING JUST FOR YOU TO  
18 CONSIDER. REMEMBER, I CAN'T ORDER ANYTHING.

19 ONE, THAT WISE PLACE CERTAINLY IS A PLACE THAT YOU  
20 WOULD VISIT. AND I'VE HEARD RECENTLY YOU -- YOU'VE BEEN THERE.  
21 THAT YOU GO TO THE LINK. THAT YOU GO TO THE LA MESA, THE NEW  
22 SHELTER, THAT YOU GET OUT TO SALVATION ARMY, WHICH YOU'LL HEAR  
23 ABOUT. YOU'D CERTAINLY GET TO OUR TRANSPORTATION.

24 I HAD THE PRIVILEGE OF WALKING WITH THE NEW  
25 SUPERVISOR DOUG CHAFFEE THE RAILROAD TRACKS WITH HIS LOVELY

1 WIFE OUT IN FULLERTON. AND THAT TRANSPORTATION CENTER IS A  
2 MESS OUT THERE, QUITE FRANKLY.

3 THOSE ARE ALL CAL OPTIMA PEOPLE.

4 THE SECOND THING I SAW IN THE RIVERBED WAS -- AND  
5 DISCUSSING WITH FRANK KIM --

6 IS FRANK HERE?

7 UNIDENTIFIED SPEAKER: NO.

8 THE COURT: OKAY.

9 LEON, YOU WERE THERE AT THE TIME. ONE OF THE  
10 PROBLEMS WE HAD AT THE RIVERBED LITERALLY IS THAT WE WOULD  
11 CLEAN UP THE RIVERBED ONE EVENING. WE WERE OUT THERE. AND WE  
12 HAD TO STOP BECAUSE THE WORKERS WERE UNIONIZED.

13 REMEMBER? IT WAS FIVE O'CLOCK. AND YOU AND I WANTED  
14 TO WORK 'TILL MIDNIGHT.

15 I'M JUST KIDDING YOU. YEAH.

16 (LAUGHTER.)

17 THE COURT: AND, SO, THE UNION SAID YOU HAVE TO STOP.

18 AND WE WERE KIND OF APPALLED BECAUSE WE WANTED TO GET  
19 DOWN AS FAR AS -- I FORGET, BALL ROAD OR ORANGE, WHEREVER IT  
20 WAS. WE WANTED TO GET TO THAT INTERSECTION.

21 THE HOMELESS DON'T KEEP HOURS OF 8:00 TO 5:00. LET  
22 ME REPEAT THAT BECAUSE I'VE BEEN OUT IN THE SANTA ANA --

23 JIM -- WHAT? -- 4:00 IN THE MORNING WE STARTED?  
24 YEAH, 4:00 IN THE MORNING.

25 THE HOMELESS START MOVING ABOUT 5:00 OR 5:30. THE

1 REASON FOR THAT IS FOR THOSE CITIES ENFORCING, THEY'RE AFRAID  
2 OF ENFORCEMENT. SO, THEY'RE UP OUT OF THEIR TENTS. AND  
3 THEY'RE MOVING ON YOU EARLY IN THE MORNING OR THEY'RE JUST  
4 MOVING BECAUSE THE SUN IS COMING UP.

5 IF WE'RE GOING TO BE EFFECTIVE SOMEHOW, WE HAVE TO  
6 WORK DIFFERENT HOURS.

7 DR. YOST: RIGHT.

8 THE COURT: AND I SAW THAT OUT IN MAXWELL PARK  
9 STANDING THERE WITH MAYOR SIDHU. YOU AND I SAW WHAT WAS  
10 HAPPENING. WE SAW THAT WITH MAYOR PULIDO OVER HERE. THESE  
11 HOMELESS ARE NOT GOING ON 8:00 TO 5:00 SCHEDULES. SO, IF WE'RE  
12 GOING TO BE EFFECTIVE, I'M JUST IMPLORING YOU TO START AT 5:30  
13 OR 6:00 IN THE MORNING TO GET THESE FOLKS SIGNED UP, ET CETERA,  
14 AND GET CARE. MAYBE KNOCK OFF AT THREE O'CLOCK IN THE  
15 AFTERNOON INSTEAD. BUT IT WON'T WORK FROM 8:00 TO 5:00. OKAY.

16 DR. YOST: YES.

17 THE COURT: JIM, DOES THAT COVER YOUR DISCUSSIONS  
18 WITH -- AND I WANT TO MAKE SURE YOU STATE BACK EVERYTHING. BUT  
19 PLEASE JOIN IN. AND USE THE MICROPHONE.

20 JUDGE SMITH: THE JOINDER, THE INTERVENTION -- THE  
21 INTERVENTION --

22 THE RECORDER: I'M SORRY?

23 THE COURT: WHY DON'T YOU GO AHEAD AND STATE IT, JIM.

24 JUDGE SMITH: YES.

25 THE COURT: YEAH. GO AHEAD AND SAY IT.

1 JUDGE SMITH: WELL, I THINK THERE'S AN AGREEMENT IN  
2 PRINCIPLE THAT CAL OPTIMA WILL COME INTO THE LAWSUIT THROUGH --  
3 VOLUNTARILY THROUGH A PETITION OR COMPLAINT OR WHATEVER YOU  
4 MIGHT CALL IT, AN INTERVENTION, SO THAT AN AGREEMENT CAN BE  
5 ENTERED INTO BETWEEN CAL OPTIMA AND THE PARTIES THAT WILL BE  
6 ENFORCEABLE BY THE COURT BECAUSE THE COURT ANTICIPATES  
7 RETAINING JURISDICTION FOR THREE YEARS.

8 THE COURT: AND THAT MEANS I'M HOPING TO HEAD OFF A  
9 LAWSUIT.

10 DO PLAINTIFFS HEAR THAT? -- TRY TO AVOID THE  
11 LAWSUITS. OKAY.

12 SO, ONE OF THE GOALS IS LET'S GET AHEAD OF THIS IN  
13 TERMS OF WASTING MONEY IN LITIGATION FOR 10 YEARS, SEEING WHO  
14 IS RIGHT OR WRONG. AND NOBODY WINS, ET CETERA.

15 AND HELP ME, DOCTOR, IF YOU HAVE ANYTHING ELSE TO  
16 SAY.

17 DR. YOST: I WOULD JUST SAY THAT HAS TO GO TO OUR  
18 FULL BOARD. THE FULL BOARD HAS TO UNDERSTAND THAT, GET LEGAL  
19 COUNSEL ON THAT.

20 AND OUR DUTY OF LOYALTY IS TO CAL OPTIMA. AND THESE  
21 ARE, YOU KNOW, FEDERAL AND STATE TAXPAYER DOLLARS THAT ARE  
22 DEDICATED TO HEALTHCARE. AND WE'RE RESPONSIBLE FOR HOW THEY  
23 ARE SPENT. AND WE TAKE THAT JOB EXTREMELY SERIOUSLY.

24 THE COURT: YEAH.

25 DR. YOST: SO, THAT WILL HAVE TO GO TO OUR FULL



1 BOARD.

2 I DON'T THINK THERE'S ANY KIND OF AGREEMENT IN  
3 PRINCIPLE AT THIS POINT UNTIL THE FULL BOARD HEARS THAT --

4 THE COURT: WELL, YOU CAN'T.

5 DR. YOST: -- AND HEARS ALL OTHER OPTIONS.

6 THE COURT: WELL, YOU CAN'T. ALL YOU COULD DO IS  
7 MAKE A GOOD-FAITH REPRESENTATION.

8 DR. YOST: RIGHT.

9 THE COURT: YOU CAN'T VIOLATE THE BROWN ACT.

10 DR. YOST: RIGHT.

11 THE COURT: I UNDERSTAND THAT. BUT I HAVE EVERY  
12 CONFIDENCE THIS WILL BE DONE ON THURSDAY.

13 AND THIS RECOMMENDATION --

14 DR. YOST: IT WILL COME TO --

15 THE COURT: -- WILL BE MADE AS YOU STATED TO ME  
16 TODAY.

17 DR. YOST: IT WILL COME TO OUR BOARD ON THURSDAY.

18 YES.

19 THE COURT: THE RECOMMENDATION WILL BE MADE AS YOU'VE  
20 STATED TO ME TODAY.

21 IS THAT CORRECT?

22 DR. YOST: THIS WILL COME TO OUR BOARD ON THURSDAY.

23 YES. CORRECT.

24 THE COURT: WILL THE RECOMMENDATION BE MADE TO YOUR  
25 BOARD AS YOU'VE STATED TO ME TODAY IN COURT?

1 DR. YOST: RECOMMENDATION TO THEM?

2 THE COURT: YES. THE HUNDRED MILLION --

3 DR. YOST: MY RECOMMENDATION TO THEM WILL THEY --

4 WILL BE THAT THEY --

5 THE COURT: -- PLUS THE 40, 140 MILLION --

6 DR. YOST: -- LISTEN --

7 THE COURT: -- WITH THE COURT, ET CETERA, IN A

8 THREE-YEAR PERIOD OF TIME.

9 DR. YOST: THE -- THE CODE BAR AS LISTED IN OUR

10 PACKET THAT'S NOTICED TO THE PUBLIC, AND WE HAVE TO ABIDE BY

11 THAT, IS FOR \$100 MILLION TO BE DEDICATED FOR HOMELESS

12 HEALTHCARE. AND THAT IS GOING TO OUR BOARD AS POSTED AND

13 PUBLISHED.

14 THE OTHER ITEMS THAT WERE MENTIONED BY JUDGE SMITH

15 WILL BE BROUGHT TO OUR BOARD FOR CONSIDERATION, YES.

16 (PAUSE IN PROCEEDINGS.)

17 THE COURT: LET'S MAKE SURE WE'RE HEARING THIS --

18 UNIDENTIFIED SPEAKER: I -- I --

19 JUDGE SMITH: I THINK IF I MIGHT --

20 THE COURT: BECAUSE YOU NEGOTIATED SOME --

21 UNIDENTIFIED SPEAKER: I THINK IF I MIGHT --

22 JUDGE SMITH: I THINK IF I MIGHT --

23 UNIDENTIFIED SPEAKER: THERE ARE FOUR -- FOUR -- FOUR

24 REQUESTS --

25 JUDGE SMITH: IF I COULD -- IF I COULD JUMP IN HERE

1 --

2 THE COURT: JUST A MOMENT.

3 JUDGE SMITH: -- I THINK WHAT THE COURT IS PERHAPS  
4 ASKING FROM YOU IS A COMMITMENT ON THE PART OF YOU FOLKS, THAT  
5 YOU'RE GOING TO RECOMMEND THAT ACTION TO THE BOARD.

6 NOW, THE BOARD CAN TELL YOU YOU'RE FULL OF MUDDY  
7 CANAL WATER AND LITTLE GREEN MINNOWS, I GUESS.

8 BUT WE WANT A GOOD-FAITH REPRESENTATION FROM THE  
9 PARTIES THAT ARE HERE REPRESENTING CAL OPTIMA, THAT THAT  
10 SOLUTION THAT THE COURT HAS OUTLINED, AND THAT I SUPPLEMENTED,  
11 IS ONE THAT IS GOING TO BE STRONGLY RECOMMENDED TO THE BOARD OF  
12 DIRECTORS.

13 IS THAT A CORRECT STATEMENT?

14 MR. SCHRADER: YES. THAT AS WE DISCUSSED, WE'RE  
15 GOING TO TAKE THE FOUR REQUESTS TO THE BOARD, WHICH IS, ENTER  
16 THE CASE AS AN INTERVENOR.

17 SHARE THE ATTORNEY-CLIENT PRIVILEGED MEMORANDUM ON  
18 THE ALLOWABLE -- FROM THE OUTSIDE ATTORNEY ON THE ALLOWABLE  
19 USES FOR MEDI-CAL DOLLARS IS -- IS HELPING CITIES WITH SHELTERS  
20 ON ALLOWABLE USE OF MEDI-CAL DOLLARS. DON'T KNOW AT THIS  
21 POINT.

22 NUMBER THREE TAKING THE -- THAT AMOUNT FOR NEW  
23 INITIATIVES. IT'S 60 TODAY. MAKING THAT A HUNDRED.

24 THE COURT: OKAY.

25 MR. SCHRADER: SO THAT THE TOTAL IS 140.

1 THE COURT: COULD YOU PUT THAT BACK UP --

2 MR. SCHRADER: WE'RE GOING TO -- WE'RE GOING TO MAKE  
3 THAT REQUEST KNOWN TO THE BOARD SO THAT THE BOARD CAN CONSIDER  
4 THAT.

5 AND THEN NUMBER FOUR, YOUR REQUEST WAS TO ALLOCATE  
6 THE -- THE DOLLARS FOR NEW INITIATIVES, WHATEVER THE AMOUNT.

7 THE COURT: RIGHT.

8 MR. SCHRADER: SIXTY OR 100, WITHIN THREE YEARS.

9 SO, WE'LL BE MAKING ALL THREE -- ALL FOUR OF THOSE  
10 REQUESTS --

11 DR. YOST: AND -- AND HAVE CAL OPTIMA --

12 MR. SCHRADER: -- TO THE BOARD.

13 DR. YOST: AND TO HAVE CAL OPTIMA ENTER AS AN  
14 INTERVENOR.

15 MR. SCHRADER: CORRECT.

16 THE COURT: AND SO REALLY --

17 MR. SMITH: THE REPORTER HAS INDICATED THAT SHE WOULD  
18 APPRECIATE IT IF YOU FOLKS WOULD STATE YOUR NAMES FOR THE  
19 RECORD --

20 DR. YOST: SURE.

21 MR. SMITH: SO WE CAN GET AN IDENTIFICATION.

22 DR. YOST: SURE. PAUL YOST, M.D. I'M CURRENTLY THE  
23 CHAIR OF THE CAL OPTIMA BOARD.

24 THE COURT: OKAY.

25 MR. SCHRADER: MICHAEL SCHRADER, CEO OF CAL OPTIMA.

1 THE COURT: AND REALLY, I THINK YOU'VE DONE MORE THAN  
2 THE 100 MILLION. I'M GIVING YOU CREDIT FOR 140 MILLION.  
3 BECAUSE THE BOARD HAS ALREADY APPROVED 11 MILLION FOR WHAT I'M  
4 GOING TO CALL THE FIRST LINE ITEM. AND THAT IS "BE WELL  
5 CLINIC, ORANGE COUNTY." YOU DESERVE CREDIT FOR THAT.

6 MR. SCHRADER: YES.

7 THE COURT: THIS ISN'T A HUNDRED MILLION. THIS IS  
8 140 MILLION THAT YOU'RE COMING FORWARD THAT YOU'VE ALREADY  
9 COMMITTED PREVIOUSLY TO RECUPERATIVE CARE. AND I DON'T WANT  
10 THE PUBLIC TO LOSE SIGHT ON THAT COMMITMENT.

11 MR. SCHRADER: YEAH.

12 THAT COURT: THAT'S ALREADY BOARD APPROVED.

13 DR. YOST: NOW, THE BOARD HAS ALREADY APPROVED 25  
14 MILLION TOWARD HOMELESSNESS --

15 THE COURT: YEAH. YOU'VE GOT --

16 DR. YOST: -- ALREADY. THAT'S ALREADY APPROVED AND  
17 IS WORKING ON BEING --

18 THE COURT: EXACTLY. LET'S GO DOWN THE LIST.

19 DR. YOST: -- THOSE PROGRAMS ARE BEING IMPLEMENTED.  
20 CORRECT.

21 THE COURT: CLINICAL SERVICES. YOU'VE GOT I THINK  
22 4.8 BY THE TIME WE'RE DONE OR 1.8.

23 YOU'VE GOT 4.8 THAT YOU'VE ALREADY PROMISED.  
24 ALTHOUGH, IT MAY NOT BE BOARD APPROVED. AND WHEN YOU ADD ALL  
25 THAT UP IN A SENSE YOU'VE GOT ABOUT \$40 MILLION THAT YOU'VE

1 ALREADY COMMITTED TO. YOU'RE ADDING ON THIS 100 MILLION  
2 DOLLARS. SO, IT'S NOT A HUNDRED MILLION DOLLARS. YOU DESERVE  
3 MORE CREDIT THAN THAT. IT'S \$140 MILLION BECAUSE I'M GOING TO  
4 COUNT WHAT YOU ALREADY HAVE COMMITTED, ALSO. OKAY. AND THAT'S  
5 THREE YEARS.

6 OKAY. JIM. GOOD.

7 DR. YOST, GOOD?

8 DR. YOST: YEAH.

9 THE COURT: MR. SCHRADER, GOOD?

10 MR. SCHRADER: GOOD.

11 THE COURT: OKAY.

12 MR. SMITH: COULD I ADD, YOUR HONOR, MY THANKS TO THE  
13 CAL OPTIMA FOLKS.

14 THE COURT: YEAH.

15 MR. SMITH: MICHAEL AND DR. YOST THEY'VE BEEN VERY,  
16 VERY PLEASANT TO DEAL WITH. AND NOT ALWAYS IN AGREEMENT BUT  
17 ALWAYS RATIONAL AND RESPONSIVE.

18 THE COURT: WELL --

19 MR. SMITH: AND I VERY MUCH APPRECIATE THEM.

20 THE COURT: AND I DO TOO, ALSO. I APPRECIATE THOSE  
21 EARLY MORNING MEETINGS AT 6:00 AND 6:30. VERY MUCH APPRECIATE  
22 IT SO WE CAN GET BUSINESS DONE.

23 NOW, I'VE LISTENED ALSO TO YOUR BOARD PRESENTATIONS.

24 AND I KNOW THAT THERE'S BEEN A CATALYST, ALSO.  
25 THERE'S BEEN DISAGREEMENT.

1           AND SUPERVISOR DO ASKED TO SPEAK RIGHT AFTER YOU DID.  
2           I DON'T KNOW THAT HE WAS AWARE, YOU KNOW, OF WHAT WAS OCCURRING  
3           HERE. I DON'T KNOW WHAT'S HAPPENING IN YOUR OWN BOARD AND YOUR  
4           OWN COMMUNICATION.

5           SO, I WANT TO AFFORD HIM THAT COURTESY BECAUSE  
6           THERE'S BEEN SOME DISCOURSE BACK AND FORTH.

7           SO, SUPERVISOR DO, IF --

8           DR. YOST: YEAH. AND I WOULD SAY THAT SUPERVISOR DO  
9           HAS BEEN A CHAMPION AND HAS BROUGHT MANY OF THE ITEMS THAT ARE  
10          IN THAT CODE BAR THAT HAVE ALREADY BEEN APPROVED TO THE BOARD.  
11          AND HE'S BEEN A STALWART CHAMPION IN THIS AREA AND HAS REALLY  
12          STEERED THE BOARD IN THAT DIRECTION.

13          SO --

14          THE COURT: OKAY.

15          DR. YOST: -- SUPERVISOR DO.

16          SUPERVISOR DO: GOOD MORNING, YOUR HONOR.

17          THE COURT: GOOD MORNING.

18          SUPERVISOR DO: ANDREW DO, SUPERVISOR FOR THE FIRST  
19          DISTRICT AND ALSO DIRECTOR FOR THE ORANGE COUNTY -- FOR THE CAL  
20          OPTIMA BOARD OF DIRECTORS.

21          THANK YOU, YOUR HONOR, FOR THE OPPORTUNITY TO SPEAK  
22          THIS MORNING.

23          A LITTLE OVER A YEAR AGO WE TOOK REAL CHANGE IN  
24          DIRECTION, YOU AND I, WITH A LOT OF THE PARTICIPANTS HERE.

25          WHEN THE COUNTY STEPPED UP AND SAID, LOOK, WE COULD

1 DO THINGS BETTER WITH M.H.S.A. AND WITH THAT ADMISSION WE --  
2 WE LOOKED AT THE WAY WE OPERATED, MADE A LOT OF CHANGES. AND  
3 IT AFFECTED MORE THAN JUST M.H.S.A.

4 WITH THAT IN MIND, MOST OF WHAT YOU SEE TODAY WITH  
5 BE WELL O.C., THE HOUSING TRUST, WITH A LOT OF THE SUPPORTIVE  
6 HOUSING PROJECTS WE HAVE DONE, THE SYSTEM OF CARE THAT WE HAVE  
7 BUILT, AND THE COLLABORATION WITH A LOT OF CITIES IN PUTTING  
8 TOGETHER OUR REGIONAL APPROACH TO HOMELESSNESS.

9 WE ARE SO FAR AHEAD OF THE GAME NATIONALLY. AND WE  
10 SHOULD ALL REALLY LOOK DEEP WITHIN OURSELVES AND FEEL THE  
11 GRATIFICATION THAT WE ARE THE MODEL AROUND THE COUNTRY THAT  
12 PEOPLE LOOK AT.

13 THE CHAIR AND I, CHAIR SUZARA BARTLETT AND I, JUST  
14 SPOKE AT A NATIONAL ASSOCIATION OF COUNTIES CONFERENCE. AND IT  
15 WAS A STANDING-ROOM ONLY FORUM WHEN THE TWO OF US SPOKE ON  
16 HOMELESSNESS AND WHAT WE DID WITH THE ENCAMPMENTS AND THE  
17 SYSTEM OF CARE.

18 DOZENS OF PEOPLE APPROACHED US AFTERWARDS WANTING TO  
19 LEARN FROM OUR EXPERIENCE.

20 KENT COUNTY FROM MICHIGAN CONTACTED OUR STAFF WANTING  
21 SPECIFICALLY TO LEARN ON HOW DID WE PUT TOGETHER THE P-3  
22 PROJECT THAT LED TO BE WELL O.C.

23 THE COURT: COULD YOU WAIT FOR JUST A MOMENT UNTIL  
24 THE COUNTY -- UNTIL WE GET TO THAT PORTION.

25 SUPERVISOR DO: SURE.



1 THE COURT: COULD YOU REMAIN. BECAUSE I'VE GOT SOME  
2 -- SOME GOOD QUESTIONS BUT SOME REALLY TOUGH QUESTIONS TO ASK  
3 YOU --

4 SUPERVISOR DO: RIGHT.

5 THE COURT: -- AND SUPERVISOR BARTLETT ABOUT THAT.

6 SUPERVISOR DO: SO, WITH CAL OPTIMA, LET ME FOCUS ON  
7 THIS.

8 OF THE 140-MILLION-DOLLAR LIST OF PROJECTS, IT'S A  
9 HUNDRED -- YOU UPPED IT TODAY TO 140. SO --

10 THE COURT: UH-HMM.

11 SUPERVISOR DO: -- WE'LL MODIFY THAT AND DISCUSS THE  
12 NEW NUMBERS WITH THE BOARD. BUT IT'S REALLY IMPORTANT.

13 THE FOCUS ON THE NEW INITIATIVES, THAT'S THE ITEM  
14 THAT RIGHT NOW IT'S LISTED AS 60 MILLION. AND YOU UPPED IT TO  
15 A HUNDRED MILLION.

16 THE COURT: IT'S 100.

17 SUPERVISOR DO: RIGHT.

18 AND WHAT DOES THAT MEAN? IT SAYS MEDICAL SERVICES  
19 FOR CURRENT MEMBERS. OKAY.

20 SO -- SO, THIS IS THE CHICKEN-AND-EGG DEBATE THAT I  
21 HAVE BEEN HAVING WITH CAL OPTIMA STAFF.

22 THE COURT: RIGHT.

23 LET'S DO THIS, SUPERVISOR.

24 SUPERVISOR DO: AND WHY -- WHY --

25 THE COURT: WHY DON'T WE CONTINUE TO WORK TOGETHER

1 FOR THIS REASON.

2 I TRUST YOUR BOARD. I THINK YOU'RE THE EXPERTS.  
3 CERTAINLY, THE COURT IS NOT.

4 I'D JUST APPRECIATE DR. HANDLER AND CHAMBER AND I  
5 APPRECIATE ED AND MARK MAKING ME MORE KNOWLEDGABLE. BUT YOU'RE  
6 MY EXPERTS.

7 ALL I CARE ABOUT IS THIS IS WE GET THIS MONEY OUT ON  
8 THE STREET QUICKLY -- WHICH WAS WHY THE REQUEST -- THREE YEARS  
9 -- AND WE'VE LOST THAT MONEY. SO, IT DOESN'T MATTER IF IT  
10 GOES TO THE CITY. THERE'S NO INCENTIVE FOR THE CITIES NOT TO  
11 GET THIS. THERE'S NO INCENTIVE NOT TO BUILD A GOOD PROGRAM IF  
12 IT'S AMBULANCE SERVICES AND PAY BACK TO THE CITY.

13 SUPERVISOR DO: BUT THIS IS CRITICAL BECAUSE IT GOES  
14 TO THAT QUESTION THAT YOU JUST ASKED --

15 THE COURT: OKAY.

16 SUPERVISOR DO: -- IS HOW QUICK WILL THE MONEY GET ON  
17 THE STREET.

18 AND I HAVE DAN YOUNG HERE ON BE WELL O.C. TO SUPPORT  
19 ME ON THIS.

20 THE \$11.4 MILLION THAT THE BOARD VOTED TO SUPPORT  
21 ANITA DRIVE, DO YOU KNOW AT THIS POINT THAT UNLESS CAL OPTIMA  
22 CHANGES ITS POSITION, THAT MONEY IS NOT GOING TO BE ABLE TO  
23 USED FOR ANITA DRIVE. WHY? BECAUSE STAFF TAKES THE POSITION  
24 THAT THAT MONEY CAN ONLY BE PAID FOR TWO SERVICES, WHICH IS  
25 WITHDRAWAL MANAGEMENT -- OR DETOX CENTER, AND PEER SUPPORT.

1 THAT'S IT.

2 YOU KNOW HOW MANY YEARS IT WOULD TAKE FOR US TO SERVE  
3 THOSE TWO SERVICES ONLY TO CAL OPTIMA MEMBERS IN ORDER TO -- TO  
4 GET THE \$11.4 MILLION. IT WILL TAKE US YEARS. NO WAY WE CAN  
5 EVEN MEET THAT WITHIN THREE OR EVEN FIVE YEARS.

6 SO, FOR ALL INTENTS AND PURPOSES, THAT MONEY IS NOT  
7 AVAILABLE TO BE WELL O.C.

8 SO, DESPITE WHAT WE SEE UP THERE, THERE'S NO  
9 GUARANTEE.

10 AND, SO, WHEN WE LOOK AT WHERE CAL -- CAL OPTIMA'S  
11 STAFF, THE POSITION THEY HAVE TAKEN, WHICH IS, THAT CAL OPTIMA  
12 -- THAT MEDICAID FUNDS CANNOT BE USED FOR CAPITAL INVESTMENTS  
13 OR HOUSING-RELATED EXPENSES. OKAY.

14 SO, THEREFORE, WHEN YOU -- WHEN YOU LOOK AT THE  
15 LIMITATION, FIRST, THAT IT HAS TO BE CAL OPTIMA MEMBERS; AND  
16 TWO, THAT IT CANNOT BE USED FOR CAPITAL INVESTMENT OR  
17 HOUSING-RELATED EXPENSES, THAT TOOK IT OUT OF THE REALM OF MOST  
18 OF THE SERVICES YOU SEE UP THERE.

19 THE -- THE RECUPERATIVE CARE ASPECT OF IT THAT I  
20 FOUGHT FOR IN I.T.T. FUNDS, THAT WAS LIMITED BY STAFF TO MEAN  
21 THAT WE COULD ONLY USE I.T.T. FUNDS FOR.

22 WHAT YOU ARE ASKING FOR IS TO USE CAL OPTIMA GENERAL  
23 FUNDS FOR IT. AND RIGHT NOW, BASED ON THE LACK OF INFORMATION  
24 THAT WE HAVE -- AND WE STILL DON'T HAVE A LEGAL OPINION FROM  
25 COUNSEL -- OKAY, FROM IN-HOUSE COUNSEL OR OUTSIDE COUNSEL. I

1 STILL DON'T -- THE BOARD HAS NEVER HAD A MEMO.

2 WE STILL DON'T KNOW WHAT LEGALLY WE ARE REQUIRED TO  
3 DO. SO, WE ARE BEING ASKED TO CONSIDER ALL THESE THINGS IN A  
4 VACUUM.

5 THE COURT: UH-HMM.

6 SUPERVISOR DO: BUT I WANTED TO MAKE THIS MEETING  
7 HERE PRODUCTIVE.

8 SO, WHAT DID I DO IS -- AND I'M GOING TO HAVE -- I'M  
9 GOING TO FILE MY STATEMENT WITH THE COURT WITH AN EXHIBIT.

10 I WENT OUTSIDE ON THE COUNTY'S DIME.

11 THE COURT: OKAY.

12 SUPERVISOR DO: WE CONSULTED AN OUTSIDE COUNSEL.

13 YOU WILL SEE IN THAT REPORT RECOMMENDATIONS. AND  
14 IT'S IN -- STATED IN MY STATUS CONFERENCE STATEMENT THAT I WILL  
15 FILE WITH THE COURT TODAY.

16 IN ORDER FOR US TO REALLY MAKE HEADWAY, WE NEED TO  
17 JUST HAVE SOLUTIONS.

18 AND, SO, WHAT WE HAVE BASED ON THE LEGAL OPINION I  
19 JUST GOT LITERALLY LAST NIGHT IS THERE -- THERE ARE TOOLS THAT  
20 WE CAN HAVE THAT WE CAN USE, SUCH AS UPWARD PAYMENT LIMITS,  
21 PRESUMPTIVE ELIGIBILITY, AND RETROACTIVE FEE-FOR-SERVICE  
22 PAYMENTS FOR MEDICAID. THESE ARE MEDICAID DOLLARS.

23 THE COURT: UH-HMM.

24 SUPERVISOR DO: AND I'M USING THIS -- THIS FORUM IN  
25 ORDER TO PAINT A PICTURE THAT WE HAVE TOOLS THAT WE CAN USE

1 THAT UP TO NOW WE HAVE NOT BEEN PROVIDED WITH.

2 THE COURT: OKAY.

3 SUPERVISOR DO: AND WE STILL HAVE NOT BEEN PROVIDED  
4 WITH THAT.

5 AND, SO, IT NEEDS A READJUSTMENT IN THE ATTITUDE THAT  
6 WE HAVE AT CAL OPTIMA.

7 I HAVE BEEN FIGHTING FOR A YEAR. IT'S LITERALLY A  
8 YEAR AGO THIS MONTH. I ASKED STAFF WHAT CAN WE DO TO HELP THE  
9 HOMELESS. AND DESPITE MY YEAR OF INSISTENT FIGHTING, GUESS  
10 WHAT? WHEN WE HAVE THE HEALTH HOMES INITIATIVE THAT WAS  
11 SUPPOSED TO START IN JULY, STAFF WITHOUT BOARD APPROVAL ASKED  
12 FOR AN EXTENSION UNTIL BEGINNING OF 2020.

13 THE COURT: I'M AWARE OF THAT.

14 SUPERVISOR DO: SO, WHEN WE SIT HERE TODAY I HAVE TO  
15 DO ONCE AGAIN, YOUR HONOR, IT'S BEST -- IT'S BEST THAT WE  
16 ACKNOWLEDGE THE GOOD THINGS WE HAVE DONE.

17 CAL OPTIMA IS THE BEST HEALTH PROGRAM IN THE STATE  
18 FIVE YEARS WINNING. NO KNOCK AGAINST THAT. BUT WE'RE TALKING  
19 ABOUT A VERY SPECIFIC ISSUE, A CRISIS THAT YOU HAVE BEEN  
20 TALKING ABOUT. AND YOU AND I AND MANY PEOPLE HERE HAVE BEEN  
21 LIVING WITH FOR A FULL YEAR AND FOR ME FOR FOUR YEARS.

22 THE COURT: YEAH. BY THE WAY, WE MEET AT SIX O'CLOCK  
23 IN THE MORNING. AND BY THE WAY, LET ME STOP RIGHT THERE.

24 I NEEDED TO STOP THOSE MEETINGS. THAT'S WHY YOU  
25 HAVEN'T HEARD FROM ME IN A MONTH. AND LET ME JUST INTERJECT.

1 UP TO THIS TIME, THE OLD CITIES IN THE OLD LAWSUIT  
2 GAVE ME PERMISSION TO TALK TO ANYBODY EX PARTE. AND SO DID THE  
3 PLAINTIFFS.

4 THAT CEASES AND HAS CEASED WITH THE EXCEPTION OF ONE  
5 MEETING WHEN WE DISCUSSED THE OLD CASE. AS SOON AS THE NEW  
6 CASE -- AS SOON AS YOU FILED, I THEN EXPECTED YOU TO SERVE.  
7 SO, I'VE CEASED ALL COMMUNICATION WITH THE COUNTY BECAUSE I  
8 DIDN'T KNOW WHAT THE POSITION WOULD BE. AND I HAD TO GO BACK  
9 FROM BEING A SETTLEMENT JUDGE NOW AND TALKING TO THE COUNTY.  
10 AND THAT'S WHY WE'VE HAD TO SEVER THAT RELATIONSHIP ABOUT A  
11 MONTH AGO.

12 SUPERVISOR DO: SO, YOU HAVE A COMMITMENT FROM ME AS  
13 A DIRECTOR. AND I WILL TALK TO MY FELLOW DIRECTORS --

14 THE COURT: OKAY.

15 SUPERVISOR DO: -- THAT WE WILL NEED TO EXPLORE THESE  
16 OTHER AVENUES THAT WILL ALLOW US TO SERVE --

17 THE COURT: YEAH. BUT --

18 SUPERVISOR DO: -- THIS.

19 THE COURT: -- FOLKS, LET'S DO THIS. DON'T LET THE  
20 PERFECT GET IN THE WAY OF THE GOOD. LET ME SAY THAT AGAIN.

21 YOU KNOW WHAT, IF YOU PLANNED WHAT I'M GOING TO CALL  
22 THIS JUST BY VIRTUE OF THIS AMBULATORY SERVICE, AND YOU PLANNED  
23 IT TO PERFECTION, YOU WILL NEVER GET IT OUT ON THE STREET.

24 IF YOU GO TO LAWYERS -- I'M A LAWYER. BILLABLE  
25 HOURS. GREAT ADVICE. I CAN DRAG ANYTHING OUT. THE BEST WAY

1 TO KILL SOMETHING, EITHER BY COMMITTEE OR WELL-INTENTIONED  
2 COUNSEL.

3 BECAUSE YOU'RE THE DYNAMIC FORCE AS THE BOARD WHO HAS  
4 TO MOVE FORWARD. YOU'RE THE DECISION-MAKERS. LAWYERS DON'T  
5 SOLVE PROBLEMS. WE'RE CAUTIOUS BY NATURE. THAT'S WHAT WE DO.  
6 WE EXAMINE EVERYTHING. AND EVERY HORRIBLE THAT CAN OCCUR AND  
7 TELL YOU WHY YOU CAN'T DO IT.

8 I'M TELLING YOU BE BOLD AND TAKE THE STEP FORWARD  
9 BECAUSE YOU'VE GOT HUMAN LIFE ON THE LINE. SO, YOU'VE GOT MY  
10 COMPLIMENTS.

11 AND THAT'S WHY I SAID TO YOU, DOCTOR, WHEN DO I WANT  
12 THE AMBULANCE SERVICE? WHAT DID I SAY? -- 7 TO 9 DAYS, RIGHT?

13 DR. YOST: YES.

14 THE COURT: THAT WAS MY TIME PERIOD. IT WASN'T A  
15 MONTH.

16 AND WHEN DID WE WANT TO GET THIS ON BOARD? -- EITHER  
17 GET IT OFF THE GROUND AND MAKE THE REPRESENTATION TODAY IN  
18 COURT OR TELL ME YOU'RE NOT GOING TO DO IT. AND WE'LL GET INTO  
19 A DIFFERENT KIND OF DISCUSSION. SO, I THINK WE'RE TAKING A  
20 STEP FORWARD.

21 SO, THEREFORE, THIS CATALYST, THIS DISCUSSION IS  
22 HEALTHY. AND I'M GOING TO END IT AT THAT POINT. THAT'S UP TO  
23 THE BOARD. LET'S JUST SAY I'M NOT THERE. BUT I'M STILL GOOD  
24 OF HEARING. AND I'LL BE LISTENING.

25 OKAY.

1 SUPERVISOR DO: THANK YOU, YOUR HONOR.

2 THE COURT: OKAY.

3 THROUGH THE REPRESENTATION, I CAN'T ORDER YOU TO DO  
4 ANYTHING. BUT FOR GOD SAKES, GET IT OUT ON THE STREET NOW TO  
5 THE HOMELESS. RIGHT NOW.

6 OKAY. AND THAT'S NOT CONNECTED WITH HEALTH HOME.  
7 YOU DO WHATEVER YOU WANT TO IN THAT REGARD. I KNEW YOU DELAYED  
8 THAT. I WAS PREPARED TO HIT YOU PRETTY HARD QUITE FRANKLY  
9 TODAY ABOUT THAT.

10 I'M GOING TO LEAVE THAT KIND OF VITRIOLIC DISCUSSION  
11 ON THE SIDE. I THINK WE'RE MAKING TREMENDOUS PROGRESS.

12 AND FOR YOU PLAINTIFFS, I DON'T THINK THAT THERE'S  
13 ANY OTHER COUNTY OR GROUP THAT'S STEPPED UP IN THIS REGARD.  
14 THIS -- THIS IS A FIRST. OKAY.

15 SO, GO GET THAT SECOND OPINION BECAUSE ANY ATTORNEY  
16 WHO WANTS TO SAVE LIVES QUITE FRANKLY, IT'S THE WAY YOU ASK THE  
17 QUESTION.

18 QUESTION -- JIM, WHAT'S 2 PLUS 2?

19 JUDGE SMITH: TWO PLUS TWO, IT DEPENDS ON WHO YOU  
20 ASK.

21 (LAUGHTER.)

22 JUDGE SMITH: IF YOU ASK -- IF YOU ASK AN ATTORNEY,  
23 THE ANSWER IS GOING TO BE WHAT DO YOU WANT IT TO BE.

24 (LAUGHTER.)

25 THE COURT: SO, THE END RESULT IS WE CAN GET THAT



1 OPINION. AND I KNOW YOU CAN GET THAT OPINION FOR GOODNESS  
2 SAKES. YOU JUST NEED THAT TO COVER YOURSELF. OKAY.

3 SO, GO OUT AND ASK THE GOOD QUESTION. ALL RIGHT.

4 DOCTOR, I WANT TO THANK YOU VERY HUMBLLY. AND I WANT  
5 TO THANK THE BOARD.

6 DR. YOST: THANK YOU, JUDGE, FOR YOUR LEADERSHIP IN  
7 THIS ISSUE. IT REALLY IS CRITICALLY --

8 THE COURT: NO, NO, NO.

9 DR. YOST: -- IMPORTANT FOR OUR RESIDENTS.

10 THANK YOU.

11 THE COURT: NO. QUITE THE OPPOSITE. I'M NOTHING.

12 DR. YOST: AND ALSO --

13 THE COURT: AND IT'S THE FOLKS THAT I GET TO TALK TO,  
14 YOU AND THE CITY GOVERNMENT AND COUNTY, YOU'RE THE TWO HEROES  
15 AND HEROINES.

16 THANK YOU VERY MUCH.

17 ALL RIGHT. WE'RE GOING TO TAKE A QUICK WALK-AROUND.

18 BECAUSE, SHERIFF, I KNOW YOU'VE GOT TO GO. I KNOW  
19 YOU'VE GOT A STAFF.

20 SO, I'M GOING TO TAKE A WALK-AROUND THE COUNTY. AND  
21 INSTEAD OF ALL THE HEARSAY FLOWING AROUND, I WANT YOU TO HEAR  
22 FROM DIFFERENT CITIES.

23 AND ONE OF THE THINGS THAT'S HAPPENED, FOLKS, IS THAT  
24 THE COUNTY IN A LEADERSHIP POSITION HAS HAD PUSH-BACK FROM THE  
25 CITIES. THERE'S A LOT OF CONTROVERSY THAT TAKES PLACE.

1 OH, I KNOW WE'RE ALL ONE HAPPY FAMILY. THAT'S  
2 NONSENSE. THERE'S A LOT OF BICKERING THAT'S GONE ON BETWEEN  
3 THE COUNTY AND THE CITIES IN A SENSE. AND NO MATTER WHAT  
4 ANYBODY SAYS, THERE'S DISTRUST. THERE'S EVEN DISTRUST ON  
5 OCCASION BETWEEN DIFFERENT CITIES. THAT'S LOCAL GOVERNMENT.  
6 THAT'S DEMOCRACY. THAT'S GOOD. YOU REPRESENT DIFFERENT  
7 CONSTITUENCIES.

8 SO, I'M GOING TO ASK SANTA ANA TO STEP UP FIRST. AND  
9 THE REASON I'M GOING TO --

10 IS GOMINSKY HERE? MY GOD, YOU'VE GOT A SUIT ON. I  
11 DON'T RECOGNIZE YOU.

12 (LAUGHTER.)

13 THE COURT: WELL, THIS IS THE --

14 UNIDENTIFIED SPEAKER: THIS GUY --

15 THE COURT: WELL, THIS IS THE --

16 WOULD YOU INTRODUCE YOURSELF TO THE GROUP.

17 DEPUTY CHIEF KEN GOMINSKY: DEPUTY CHIEF KEN GOMINSKY  
18 WITH THE SANTA ANA POLICE DEPARTMENT, YOUR HONOR.

19 THE COURT: ALL RIGHT. NOW, LET ME JUST START.

20 SANTA ANA TOOK THE COURAGEOUS POSITION THAT THEY WERE  
21 GOING TO CUT THEMSELVES LOOSE FROM THE COUNTY.

22 THEY WANTED TO DO THIS QUICKLY. IT'S NO DEROGATION  
23 OF THE COUNTY. IT'S JUST THAT SANTA ANA NEEDED TO MOVE. THEY  
24 HAD A HORRIFIC HOMELESS PROBLEM.

25 AND THAT COST THEM A LOT OF MONEY. THEY STRUNG

1 THEMSELVES OUT RIGHT ON THE FRONT SIDE. THIS WAS CITY MONEY.  
2 THEY'RE NOT A WEALTHY CITY. I THINK THE BIGGEST TAX BASE IS  
3 WITH IRVINE. THE SECOND IS ANAHEIM. AND THE THIRD IS WITH  
4 SANTA ANA. AND ONE OF THE THINGS THAT SANTA ANA HAS IS  
5 PROPOSITION 13, OLDER HOMES. SO, THEY DON'T HAVE THE INCOME  
6 COMING IN, QUITE FRANKLY, OF SOME OF THE NEWER CITIES LIKE  
7 IRVINE AND SOME OF THE SOUTH COUNTY CITIES. PRETTY TOUGH ACT.

8 MIGUEL PULIDO LED THAT EFFORT.

9 MICHELLE WAS THE ONE WHO GOT TURNED LOOSE, QUITE  
10 FRANKLY, AND MADE THIS ABSOLUTELY GO ALONG WITH CLAUDE AND A  
11 NUMBER OF OTHER PEOPLE INVOLVED IN THIS ROOM, PAST CITY  
12 MANAGER.

13 THAT WAS A SIGHT TO BEHOLD BECAUSE IN 28 DAYS THEY  
14 PUT UP THE LINK. AND IF YOU NOTICE THE ACLU REPORT THAT HIT  
15 PRETTY HARD ON THE COURTYARD, KRAEMER AND HIT PRETTY HARD ON  
16 WISE PLACE. THERE'S NOT ANY MENTION, NOR SHOULD THERE BE OF  
17 THE LINK, OF SALVATION ARMY, OF TUSTIN, OF COSTA MESA.

18 AND ALTHOUGH THERE MAY BE SOME PROCEDURAL BICKERING,  
19 WATCH OUT, PLAINTIFFS, BECAUSE I'M FULLY ON BOARD BECAUSE I'VE  
20 BEEN TO THOSE ESTABLISHMENTS. AND WE MAY HAVE PROCEDURAL  
21 ISSUES, BUT WE DON'T HAVE HOUSING ISSUES OUT THERE.

22 SO, I WANT YOU TO LEAD OFF ON BEHALF OF SANTA ANA AND  
23 TELL THESE FOLKS WHAT YOU WERE ABLE TO ACCOMPLISH. AND MY  
24 GREATEST FEAR WAS THIS -- COMPLETE TRANSPARENCY.

25 IF SANTA ANA STARTED TO ENFORCE WHAT WE SAW WAS THIS.

1 FIFTY PERCENT OF THE PEOPLE WANTED TO COME INTO SHELTER. THEY  
2 LITERALLY SAT THERE IN THE PARKS IN DELHI, ET CETERA. THEY  
3 WANTED TO COME INTO SHELTER.

4 ABOUT 20 TO 30 PERCENT -- AND THOSE ARE ROUGH FIGURES  
5 -- STARTED DECIDING SHELTER WAS A GOOD PLACE BETWEEN THE PARK  
6 BENCH AND THE PATROL CAR.

7 NOW, OF THAT 20 OR 30 PERCENT -- AND THESE ARE ROUGH  
8 NUMBERS -- YOU'RE GOING TO LOSE A CERTAIN PERCENTAGE OF THOSE  
9 PEOPLE. THEY'RE NOT GOING IN BECAUSE THEY FOUND GOD OR AUTO  
10 SHOP. THEY'RE GOING IN BECAUSE THEY DON'T WANT TO GO TO JAIL.

11 THE OTHER -- SANTA ANA TOOK THE HUMANE POSITION THAT  
12 THEY WERE GOING TO CITE AND RELEASE TO BEGIN WITH. AND THEN IF  
13 YOU CAME INTO THE PARK THEY WERE GOING TO ARREST. SO, THAT LED  
14 US TO COORDINATE WITH THE STATE HOMELESS COURT WHICH WAS HERE  
15 IN SANTA ANA ALREADY.

16 NOW, WHAT ABOUT THE OTHER 20 PERCENT? WITH COMPLETE  
17 TRANSPARENCY, I SHARED WITH THE MAYOR. WE HAD MANY DISCUSSIONS  
18 THAT WE WERE CONCERNED ABOUT HOW THE ANAHEIM RIVER CLEARANCE  
19 HAD PUSHED A CERTAIN POPULATION INTO THE ONLY SHELTER THAT WAS  
20 A NON-BARRIER SHELTER WHICH WAS SANTA ANA.

21 AND THE FOLKS IN SANTA ANA GOT ANGRY. IF YOU HEARD  
22 THAT LAST SESSION, IT WAS, HEY, WE BASICALLY CLEAN YOUR HOUSES,  
23 ET CETERA. WE'RE THE HARD-WORKING PEOPLE OUT HERE.

24 AND BY THE WAY, YOU FLOODED OUR COMMUNITY WITH A LOT  
25 OF PEOPLE FROM A LOT OF OTHER CITIES. WE'RE PRIMARILY A

1 HISPANIC CITY, BUT WE'VE GOT 85 TO 90 PERCENT CAUCASIANS  
2 SITTING OVER THERE FROM ALL OVER THIS COUNTY -- BECAUSE IT WAS  
3 THE ONLY PLACE. AND THAT COMMUNITY PUSHED BACK, QUITE FRANKLY.

4 AND I'LL SAY IT. THEY THOUGHT IT WAS RACIST. ALL  
5 RIGHT. NO OTHER WORD FOR IT.

6 NOW, I DON'T KNOW WHETHER IT IS OR NOT, BUT THAT WAS  
7 THE STRONG INFERENCE AS PEOPLE GOT UP IN MY COURT AND SAID,  
8 HEY, ENOUGH ABOUT DUMPING ON US.

9 WELL, I WAS WORRIED ABOUT ANAHEIM. BECAUSE WHEN THE  
10 -- IT WAS CLEARED, MAYOR, YOU DIDN'T INTENTIONALLY MOVE PEOPLE  
11 TO SANTA ANA. BUT I'VE GOT MY TWO MAJOR CITIES NOW PUSHING  
12 AGAINST EACH OTHER. AND THEN YOU STEPPED UP, WHICH IS WHY I'M  
13 GOING TO ASK YOU TO FOLLOW IMMEDIATELY. BECAUSE NOW THE TWO  
14 CITIES DIDN'T PUSH AGAINST EACH OTHER. THAT'S HAD AN  
15 UNINTENDED CONSEQUENCE.

16 THE UNINTENDED CONSEQUENCE IS I'M GOING TO GUESS  
17 ABOUT 20 PERCENT OF YOUR POPULATION IS STARTING TO MOVE. SO,  
18 THE CITIES THAT AREN'T ENFORCING ARE GETTING SOME UNWELCOME  
19 GUESTS. AND THOSE ARE SLOW MATRICULATION, MOVING TO DIFFERENT  
20 PARTS OF THIS COUNTY THAT IS UNINTENDED. BUT THAT'S YOUR HARD  
21 CORE.

22 AND, SO, I'LL SAY TO THIS DAY THAT THE BEST DEFENSE  
23 IS THAT WE START ENFORCING THESE CAMPING ORDINANCES BECAUSE  
24 THEY'RE A GOOD THING IF YOU BUILD SHELTERS AND YOU'RE NOT  
25 INCARCERATING THE HOMELESS BY VIRTUE OF BEING HOMELESS. IF

1 THEY'RE CRIMINALS, INCARCERATE THEM. BUT OTHERWISE, YOUR  
2 COMMUNITIES ARE ABOUT TO GET -- QUITE FRANKLY AND UNFORTUNATELY  
3 -- SOME UNWELCOME GUESTS IF YOU CAN'T -- IF YOU CAN'T ENFORCE  
4 IMMEDIATELY.

5 SO, KEN, YOUR TURN.

6 DEPUTY CHIEF KEN GOMINSKY: THANK YOU, YOUR HONOR.

7 ON BEHALF OF MAYOR PULIDO AND MAYOR PRO TEM VILLEGAS  
8 AS WELL AS OUR ACTING CITY MANAGER STEVEN MENDOZA, THANK YOU  
9 FOR THE OPPORTUNITY TO SPEAK TO YOU TODAY.

10 WE HAVE HAD QUITE A BIT OF FORWARD MOVEMENT OVER THE  
11 PAST SEVERAL MONTHS. BUT WE'VE ALSO REESTABLISHED SOME VERY,  
12 VERY STRONG RELATIONSHIPS WITH SOME OF OUR LAW ENFORCEMENT  
13 PARTNERS. WE HAD TALKED ABOUT UNINTENDED CONSEQUENCES IN  
14 MOVING PEOPLE AROUND.

15 WE HAVE REESTABLISHED AN EXTREMELY STRONG  
16 RELATIONSHIP, CHIEF VALENTIN HAS, WITH SHERIFF BARNES AND WITH  
17 CHIEF CISNEROS FROM ANAHEIM P.D. AS WELL AS CHIEF KISELA FROM  
18 ORANGE AS WE WORKED TOGETHER TO TRY TO ADDRESS THE CHRONICALLY  
19 HOMELESS.

20 WE LOOKED AS A CITY AT A FRESH START.

21 ON SEPTEMBER 18TH, 2018 OUR CITY COUNCIL TOOK THE  
22 BOLD MOVE, AN UNPRECEDENTED MOVE, TRULY, TO APPROVE AN  
23 AGREEMENT WITH MERCY HOUSE LIVING CENTER TO OPERATE AN INTERIM  
24 EMERGENCY HOMELESS SHELTER. THIS WAS, OF COURSE, COMPLETELY  
25 CITY FUNDED.

1           WHEN I SAY "COMPLETELY CITY FUNDED," I MEAN WE ARE  
2 NOT A RICH CITY. WE DON'T HAVE A LOT OF MONEY. BUT THE CITY  
3 OF SANTA ANA CITY COUNCIL TOOK THE BRAVE STEP TO GO FORWARD,  
4 FIND MONEY SO THAT WE COULD TAKE PEOPLE OFF OF THE STREET  
5 BECAUSE EVERYBODY DESERVES A CHANCE.

6           THIS COST THE CITY OF SANTA ANA -- WHICH, AGAIN, IS  
7 NOT A RICH CITY -- OVER A MILLION DOLLARS. BUT WE FOUND A WAY  
8 TO MAKE IT HAPPEN.

9           TWENTY-EIGHT DAYS LATER -- 28 DAYS, NOT MONTHS, NOT  
10 YEARS -- 28 DAYS LATER THE LINK OPENED ON NOVEMBER 15TH OF  
11 2018. TWENTY-EIGHT DAYS.

12           THIS IS A PICTURE OF THE LINK -- WITH SEPARATE  
13 BATHROOMS FOR MEN AND WOMEN, WITH ADA COMPLIANCE. TWENTY-EIGHT  
14 DAYS.

15           TWO HUNDRED BEDS. THIS 200-BED FACILITY IS CAPABLE  
16 OF HOLDING 90 MEN, 60 WOMEN, 40 FAMILIES -- 40 FAMILIES, KIDS,  
17 AND 10 COUPLES.

18           WE PLACED A HARM-REDUCTION POLICY IN PLACE IN AN  
19 EFFORT TO ADDRESS ANYBODY AND EVERYBODY WHO WAS WILLING TO COME  
20 AND ACCEPT HELP. THIS IS A LOW-BARRIER SHELTER NOT A  
21 NO-BARRIER SHELTER.

22           IT PROVIDES THREE MEALS A DAY. SNACKS. SUNDAY  
23 BRUNCH FROM VOLUNTEER GROUPS.

24           TRANSPORTATION ASSISTANCE TO MULTIPLE LOCATIONS WITH  
25 BUST SITES.

1 TWENTY-FOUR HOUR SECURITY AND SURVEILLANCE.  
2 INDIVIDUAL LARGE STORAGE CONTAINERS. SMALL BED-SIZE STORAGE.  
3 KITCHEN, LAUNDRY, SHOWERS, RESTROOMS, PETS, ADA COMPLIANCE.  
4 TWENTY-EIGHT DAYS.

5 A GOOD-NEIGHBOR POLICY WITH COMMUNITY STANDARDS. WE  
6 DON'T RECEIVE COMPLAINTS FROM THE NEIGHBORING BUSINESSES. WE  
7 DO NOT RECEIVE COMPLAINTS FROM THE NEIGHBORING BUSINESSES  
8 BECAUSE IT WAS DONE RIGHT.

9 NEXT.

10 WE HAVEN'T DONE THIS ALONE. THE COUNTY OF ORANGE HAS  
11 BEEN INCREDIBLY HELPFUL. AND OUR PARTNERSHIP WITH THE COUNTY  
12 OF ORANGE CONTINUES TO GROW STRONGER AND STRONGER.

13 WITH HELP FROM THE ORANGE COUNTY HEALTHCARE AGENCY  
14 AND MENTAL HEALTH, SERVICE GROUPS CALLED "SERVE THE PEOPLE,"  
15 "HEARTS FOR PETS," "RECOVERY, 12-STEP ALCOHOL ANONYMOUS  
16 GROUPS," "CAREER WISE."

17 WE PROVIDE SUPPORTIVE SERVICES AS WE CAN TO THE  
18 POPULATION. MENTAL HEALTH SUPPORTIVE SERVICES, MEDICAL HEALTH  
19 SUPPORTIVE SERVICES.

20 MY HOPE IS THAT WHEN CAL OPTIMA BEGINS ITS MOVEMENT  
21 INTO SUPPORTING THIS POPULATION IN THE FIELD, YOU'LL MAKE THE  
22 LINK A DAILY STOP.

23 CASE MANAGEMENT AND HOUSING NAVIGATION SERVICES,  
24 EMPLOYMENT AND JOB LINKAGE SERVICES, VETERAN'S SUPPORTIVE  
25 SERVICES, DOMESTIC VIOLENCE REFERRALS, FAMILY SUPPORTIVE



1 PROGRAMS, BASIC NEEDS, INTAKE INTO THE COUNTY SYSTEM OF CARE  
2 AND THE COORDINATED ENTRY SYSTEM.

3 THIS IS NOT A WAREHOUSE. THIS IS A PLACE PEOPLE CAN  
4 GO TO MAKE A CHANGE.

5 WE HAVE HAD POSITIVE PRESS FOR OUR ACTIVITIES.

6 OBVIOUSLY, PEOPLE THINK THAT WHAT WE'RE DOING IS THE  
7 RIGHT THING. THERE'S SUPPORT FOR DOING THE RIGHT THING.

8 WE WERE FEATURED ON THE APRIL 2019 COVER OF THE  
9 WESTERN CITY'S MAGAZINE.

10 SPOKE AT THE NATIONAL ALLIANCE TO END HOMELESSNESS  
11 SYMPOSIUM -- MUCH LIKE MR. DO, SUPERVISOR DO. A STANDING-ROOM  
12 ONLY.

13 FEATURED AGAIN AT THE HOUSING -- CALIFORNIA HOUSING  
14 SUMMIT. VISITED BY THE UNITED STATES INTERAGENCY COUNCIL ON  
15 HOMELESSNESS.

16 VISITED BY THE STATE OF CALIFORNIA HOMELESS EMERGENCY  
17 AID PROGRAM ADMINISTER. AND WE'VE ALSO HAD VISITED -- VISITS  
18 FROM SENATOR FEINSTEIN.

19 NEXT.

20 ONE OF THE MAIN REASONS WE GOT INTO THE SHELTER  
21 BUSINESS ON OUR OWN WAS SO THAT WE COULD ENFORCE THE LAW -- SO  
22 THAT WE HAD AN OPPORTUNITY TO TAKE BACK OUR STREETS TO THE  
23 PEOPLE WHO LIVE IN THIS CITY IN HOUSES AND APARTMENTS AND  
24 MOBILE HOMES. BUT NOT ON THE STREET. THEY HAVE RIGHTS, TOO.

25 ON NOVEMBER 30TH UNTIL DECEMBER 7TH, THE SANTA ANA

1 POLICE DEPARTMENT IN COORDINATION WITH OUR QUALITY-OF-LIFE TEAM  
2 BEGAN WHAT WAS REFERRED TO AS "OPERATION DIGNITY."

3 WE MOVED, TRANSPORTED, REACHED OUT TO HUNDREDS OF  
4 INDIVIDUALS ON OUR STREETS. AND 130 OF THOSE INDIVIDUALS  
5 DECIDED THEY'D TAKE US UP ON OUR OFFER AND THEY MOVED IN TO THE  
6 LINK.

7 BETWEEN JANUARY 17TH AND JANUARY 22ND, WE AGAIN  
8 CONTACTED HUNDREDS OF INDIVIDUALS LIVING ON OUR STREETS AND OUR  
9 RAILROAD TRACKS. WE AGAIN OFFERED SERVICES. MORE PEOPLE CAME.

10 AND WE PROVIDE THESE SERVICES -- WE PROVIDE THIS  
11 OUTREACH EVERY DAY. WE PROVIDE THIS OUTREACH IN COOPERATION  
12 WITH THE COUNTY OF ORANGE WHO GIVES US HEALTHCARE WORKERS --  
13 THE FAMOUS BLUESHIRTS WHO ARE MAKING SUCH A DIFFERENCE FOR THIS  
14 PROBLEM EVERYWHERE IN THE COUNTY.

15 THE COURT: AND WITH THE COURT'S DEEP APPRECIATION TO  
16 THEM.

17 DEPUTY CHIEF KEN GOMINSKY: WE CONTINUE TO DO OUR  
18 OUTREACH AND OUR ENFORCEMENT WITH CITY NET, ILLUMINATION  
19 FOUNDATION, MERCY HOUSE.

20 NEXT.

21 IF YOU GO TO THE CITY OF SANTA ANA'S WEBPAGE YOU  
22 WOULD SEE A DATA DASHBOARD. THAT'S BECAUSE WE'RE PROUD OF THE  
23 FACT THAT WE'RE DOING SOMETHING. OVER 400 REFERRALS TO "THE  
24 LINK." DAILY INTAKE NUMBERS, AN AVERAGE OF OVER 170 PEOPLE  
25 ENROLLED. ON AVERAGE, 160 PEOPLE SPEND THE NIGHT THERE

1 EVERYDAY. ABOUT 80 MEN, 60 WOMEN, 20 CHILDREN. TWENTY KIDS IN  
2 THIS SHELTER EVERY NIGHT. NOT ON THE STREET, NOT IN THE PARK,  
3 NOT IN A CAR.

4 COUPLE AND FAMILY BEDS ARE ALWAYS FILLED. AND WE  
5 HAVE AN AVERAGE OF 10 DOGS. SOMEBODY WANTED A SQUIRREL. WE  
6 SAID NO.

7 (LAUGHTER.)

8 DEPUTY CHIEF KEN GOMINSKY: ONE OF THE ABSOLUTE MOST  
9 PROUD THINGS THE CITY OF SANTA ANA HAS TO STATE ABOUT "THE  
10 LINK," SINCE ITS INCEPTION AND WITHIN THE FIRST HUNDRED DAYS, A  
11 TOTAL OF 78 INDIVIDUALS HAVE BEEN CONNECTED TO PERMANENT  
12 SUPPORTIVE HOUSING. SEVENTY-EIGHT PEOPLE WHO ARE ON THE STREET  
13 LESS THAN 100 DAYS AGO ARE NO LONGER THERE. BECAUSE THE CITY  
14 OF SANTA ANA SPENT THE MONEY AND HAD THE WHERE FOR ALL TO MAKE  
15 A DIFFERENCE.

16 TEN CHILDREN UNDER THE AGE OF 18 ARE NO LONGER ON THE  
17 STREETS AND IN PERMANENT SUPPORTIVE HOUSING.

18 A TOTAL OF 26 INDIVIDUALS HAVE BEEN HOUSED WITH  
19 SUPPORTIVE SERVICES. SEVEN INDIVIDUALS REUNIFIED WITH THEIR  
20 FAMILIES OR ENTERED INTO ADDITIONAL AFFORDABLE FAMILY HOUSING.  
21 NINE ATTAINED HOUSING IN APARTMENTS THROUGH "RAPID REHOUSING  
22 RENTAL SUBSIDY" THROUGH THE COUNTY'S COORDINATED ENTRY SYSTEM.  
23 TWO ATTAINED APARTMENTS THROUGH STABILIZED EMPLOYMENT AND  
24 INCOME.

25 AN ADDITIONAL 23 INDIVIDUALS WERE CONNECTED TO THE

1 CITY OF SANTA ANA EMERGENCY SOLUTION GRANTS. WE USED OUR  
2 MONEY. REHOUSING RENTAL SUBSIDY.

3 AN ADDITIONAL 29 INDIVIDUALS ARE MATCHED TO SECTION 8  
4 VOUCHERS. AND WE'RE WORKING WITH MERCY HOUSE TO FIND THEM  
5 LONG-TERM PLACES TO LIVE.

6 SANTA ANA'S CONTINUED BURDEN.

7 A REVIEW OF THE COUNTY CORONER REPORT RECENTLY  
8 REQUESTED BY THIS COURT SHOWS THAT THERE ARE THREE CITIES THAT  
9 HAD A TREMENDOUS AMOUNT OF INDIVIDUALS CURRENTLY EXPERIENCING  
10 HOMELESSNESS DIE. I THINK IT'S IMPORTANT TO LOOK AT WHERE THEY  
11 DIED. HOSPITALS, EMERGENCY ROOMS.

12 SANTA ANA, ORANGE AND ANAHEIM HAVE CONCENTRATIONS OF  
13 HOSPITALS IMPACTED BY THIS HOMELESS POPULATION. BETTER IF YOU  
14 SIT DOWN AND LOOK AT EACH INDIVIDUAL, YOU'LL FIND THAT THEY'RE  
15 NOT FROM ANAHEIM. THEY'RE NOT FROM ORANGE. AND THEY'RE NOT  
16 FROM SANTA ANA.

17 IN ACTUALITY, IN LOOKING AT DRIVER'S LICENSES, PAST  
18 CRIMINAL AND CIVIL CONTACTS, CLEARLY ILLUSTRATES THESE MEN AND  
19 WOMEN WERE FROM ALL OVER THE COUNTY OF ORANGE. THEY WERE BORN,  
20 GREW UP, MOVED AROUND AND LIVED ALL THROUGHOUT THE COUNTY OF  
21 ORANGE. NOT JUST WITHIN THOSE THREE CITIES.

22 THE CITY OF SANTA ANA CONTINUES EXPERIENCING ENTITIES  
23 DROPPING OFF INDIVIDUALS WITHIN OUR CITY. IT IS AN EXPERIENCE  
24 THAT WE FIGHT EVERY SINGLE DAY.

25 MOST RECENTLY, MUCH LIKE THE INCIDENT JUDGE CARTER

1 NOTED, OFFICERS RESPONDED TO NEW HOPE PUBLIC LIBRARY IN SANTA  
2 ANA FOR AN INDIVIDUAL SITTING ON THE SIDEWALK IN A HOSPITAL  
3 GOWN.

4 I'VE BEEN TO THE HOSPITAL. I'VE NEVER BEEN THROWN  
5 OUT IN A HOSPITAL GOWN.

6 ACCORDING TO THE INDIVIDUAL, THEY WERE RELEASED FROM  
7 THE HOSPITAL AND TOLD THE ONLY HOMELESS SHELTER IN THE COUNTY  
8 OF ORANGE WAS IN SANTA ANA. THEY ENTERED A LYFT AND WERE  
9 DROPPED OFF IN THE HOSPITAL GOWN, HOSPITAL WRISTBAND STILL IN  
10 PLACE, IN FRONT OF THE LIBRARY. A LYFT.

11 OFFICERS RESPONDED AND THE ISSUE WAS ADDRESSED WITH  
12 THE INDIVIDUAL BEING HOUSED IN A SHELTER. THE INDIVIDUAL HAD  
13 NO TIES TO SANTA ANA WHATSOEVER. BUT LET'S FACE IT, WHEN YOU  
14 GOOGLE HOMELESS SHELTERS IN ORANGE COUNTY, THE ONLY HOMELESS  
15 SHELTER IS THE COURTYARD.

16 THE COURT: THE ONLY NO BARRIER SHELTER.

17 DEPUTY CHIEF KEN GOMINSKY: IT IS MY BELIEF THAT  
18 UNTIL EVERY CITY IN THE COUNTY UNDERSTANDS AND EMBRACES THAT  
19 HOMELESSNESS IS NOT A THEIR PROBLEM ISSUE BUT AN OUR PROBLEM  
20 ISSUE, THIS WILL CONTINUE. SANTA ANA WILL CONTINUE TO BEAR THE  
21 BRUNT AND THE WEIGHT FROM THOSE OTHER CITIES.

22 IT'S OUR CONTINUED HOPE AND DESIRE THAT EVERY CITY IN  
23 THE COUNTY OF ORANGE WILL DO THEIR PART, NO LONGER KICK THE  
24 CAN, BUT TAKE THE MEANINGFUL STEPS TO BE PART OF THE SOLUTION.

25 LASTLY, YOUR HONOR, I'D LIKE TO TALK BRIEFLY ABOUT

1 THE RAILROADS.

2 THE CITY OF SANTA ANA, THE SANTA ANA POLICE  
3 DEPARTMENT HAVE BEEN WORKING WITH VARIOUS RAILROADS FOR YEARS  
4 TO ADDRESS THE ONGOING PROBLEM OF TRASH, DEBRIS BUT, MORE  
5 IMPORTANTLY, INDIVIDUALS LIVING AND RESIDING ON RAILROAD  
6 RIGHT-OF-WAYS.

7 IT IS OUR UNDERSTANDING THAT A MAJORITY OF THESE  
8 RAILROAD COMPANIES HAVE -- OR CHOOSE TO PUT VERY LITTLE FUNDING  
9 INTO MAINTAINING THEIR RIGHT-OF-WAYS. AND WHEN ASKED FOR  
10 ASSISTANCE, THE RESPONSE IS, WE ONLY HAVE A COUPLE OF  
11 CONTRACTORS. WE'LL GET TO YOU WHEN WE CAN.

12 THE COURT: UH-HUH.

13 DEPUTY CHIEF KEN GOMINSKY: SO, THE CITY IS  
14 IMPLEMENTING AND SUSTAINING OUR ENFORCEMENT EFFORTS TO ADDRESS  
15 PROPERTY MAINTENANCE AND HOMELESS ISSUES ON OUR RAILROAD  
16 PROPERTIES.

17 WE'RE MOVING FORWARD TO HOLD THE RAILROAD COMPANIES  
18 ACCOUNTABLE JUST LIKE WE WOULD ANY OTHER PROPERTY OWNER WITHIN  
19 THE CITY OF SANTA ANA.

20 WE'RE MOVING FORWARD WITH CODE ENFORCEMENT.

21 NOTICE TO ABATE HAS ALREADY BEEN ISSUED AND POSTED ON  
22 ALL RAILROAD PROPERTIES. THE NOTICE HAS BEEN MAILED TO THE  
23 PROPERTY OWNERS.

24 AT THIS POINT, AND TODAY, WE WILL BE MOVING FORWARD  
25 WITH ABATEMENT WARRANTS AND INSPECTION WARRANTS.

1 THE CITY OF SANTA ANA WILL ADHERE TO DUE PROCESS IN  
2 THIS SITUATION, WHICH WILL ENABLE THE CITY TO ESTABLISH THAT  
3 SOLID FOUNDATION FOR WHAT WE BELIEVE WILL BE FUTURE LITIGATION  
4 BETWEEN THE RAILROADS. WE ARE -- AGAINST THE RAILROADS.

5 WE ARE INTERESTED IN LEARNING IF OTHER CITIES ARE  
6 INTERESTED IN JOINING WITH US AS WE MOVE FORWARD TO HOLD THE  
7 RAILROAD COMPANIES ACCOUNTABLE JUST LIKE ANY OTHER PROPERTY  
8 OWNER IN ANY OF OUR CITIES.

9 IT REMAINS UNFAIR THAT FEDERALLY SUBSIDIZED RAILROADS  
10 MAKING MILLIONS OF DOLLARS CAN'T FIND THE TIME AND THE ENERGY  
11 TO ADDRESS THEIR PROPERTIES WHICH ARE NEGATIVELY IMPACTING ALL  
12 OF OUR COMMUNITIES.

13 I THANK YOU, YOUR HONOR, FOR THE OPPORTUNITY TO SPEAK  
14 TO --

15 THE COURT: COULD YOU --

16 DEPUTY CHIEF KEN GOMINSKY: -- TO YOU TODAY, AND  
17 WE'LL ANSWER ANY QUESTIONS YOU HAVE.

18 THE COURT: COULD YOU STAY RIGHT THERE FOR A MOMENT.

19 WELL, I WANT TO THANK SUPERVISOR CHAFFEE. I KNOW HE  
20 WAS HERE THIS MORNING.

21 SUPERVISOR RORY, I WANT TO THANK YOU.

22 IT WAS CALLED TO MY ATTENTION -- I READ THE ORANGE  
23 COUNTY REGISTER ARTICLE ABOUT FULLERTON. IT WAS A COUPLE OF  
24 YEARS AGO. I THINK DAVID WHITING WROTE IT. I'M NOT SURE.

25 AND THAT RAILROAD WAS JUST IMPACTED OUT IN YOUR CITY.

1 AND THEN I WENT OUT TO THE TRANSPORTATION SYSTEM WITH YOU AND  
2 YOUR WIFE TO THE ARMORY. THANK YOU FOR THAT WONDERFUL DAY  
3 SPENT OUT AT THE TRANSPORTATION. THEN, WE WALKED THE RAILROAD  
4 TRACKS -- FROM ANAHEIM AND --

5 AND, THEN, I WENT OVER TO SANTA ANA. AND THIS WAS  
6 JUDGE SMITH AND ME OUT THERE WITH THE SANTA ANA FOLKS. AND  
7 THIS IS WHAT SANTA ANA LOOKS LIKE IN TERMS OF A RAILROAD.

8 I DIDN'T RECOGNIZE THIS. BUT WHETHER YOU'RE A  
9 NONINVOLVED CITY OR NOT, WHEREVER THOSE RAILROADS ARE GOING,  
10 THOSE ARE GOOD FOLKS. BUT IT'S STARTING TO APPEAR, AND I'M  
11 HEARING REDUNDANTLY FROM THE CITIES, HEY, THIS IS A TERRIBLE  
12 BLIGHT ON OUR CITY. AND DOWN -- YOU MUST HAVE DOWN IN IRVINE  
13 YOU MUST HAVE THE RAILROAD RUN THROUGH IRVINE. DOWN IN SAN  
14 CLEMENTE IF THEY'RE HERE THEY MUST HAVE THE RAILROAD RUN  
15 THROUGH -- DOWN TO SAN CLEMENTE.

16 SO, NO MATTER WHAT, WHETHER YOU END UP IN LITIGATION  
17 OR YOU END UP SETTling EVENTUALLY, THE END RESULT IS GOING TO  
18 BE THAT THE RAILROADS IN A SENSE I'M HEARING FROM SO MANY  
19 CITIES -- FROM ANAHEIM, FULLERTON, AND SANTA ANA THAT I CAN  
20 TALK TO -- THAT WHAT'S HAPPENING OUT THERE, THAT IT'S AN EASY  
21 EGRESS BE4CAUSE NOBODY IS PATROLLING IT. AND THEN IT'S A  
22 BLIGHT BACK ON THE CITY. SO, THEY TURN TO YOUR LOCAL CITY  
23 GOVERNMENT, AND THEY SAY, WHY AREN'T YOU DOING ANYTHING. WELL,  
24 THAT'S PRIVATE PROPERTY.

25 AND THEN YOU GET A CALL IN ANAHEIM, OR YOU GET A CALL



1 IN FULLERTON, OR YOU GET A CALL IN SANTA ANA, COME HELP US.

2 HERE'S A NUMBER OF PEOPLE. AND I GUESS WHO PAYS THE  
3 BILL FOR LAW ENFORCEMENT OR CLEAN UP FOR LOCAL CITIES.

4 NOW, I WON'T SAY WARREN BUFFEN -- WHAT'S HIS NAME? --  
5 WARREN BUFFET.

6 WELL, WARREN BUFFET, YEAH. I WOULDN'T SAY HE OWNS  
7 BURLINGTON NORTHERN, WHICH IS ONE OF THE RAILROADS. OKAY. SO,  
8 MAYBE THE COUNTY OR SOMEBODY WANTS TO REACH OUT TO WARREN, AND  
9 MAYBE SAY, HEY, LOOK, IF YOU'VE GOT A RAILROAD, YOU'RE A GOOD  
10 PERSON. YOU GOT 29 BILLION DOLLARS OR SOMETHING.

11 NOW, I'LL LEAVE THAT UP TO YOU. THAT'S JUST A  
12 SUGGESTION BECAUSE I DON'T HAVE THE POWER. BUT FOR GOD'S  
13 SAKES, THERE'S MONEY THERE THAT'S BEING PUT ON YOUR LOCAL  
14 COMMITTEES POTENTIALLY, THAT HAS NOTHING TO DO WITH THE ACLU,  
15 ET CETERA, BUT WHETHER YOU LITIGATE OR YOU SETTLE, THE END  
16 RESULT IS YOU'VE GOT A READY-MADE ROUTE, IF YOU WILL, THAT'S  
17 CAUSING EGRESS. AND IT'S CAUSING YOU AS LOCAL OFFICIALS TO  
18 TAKE A TREMENDOUS BEATING THAT COMES WITH CRITICISM.

19 SO, I DON'T KNOW WHERE THIS WAS GOING, BUT I GOT A  
20 CALL FROM BILL TAORMINA FOR A MOMENT -- AND, BILL, BEFORE EVEN  
21 ANAHEIM STEPS UP WITH MAYOR SIDHU WITH YOUR -- I WAS SURPRISED  
22 BY THIS CALL.

23 SO, BILL, COULD YOU COME FORWARD FOR A SECOND.

24 NOW, BILL IS THE THIRD LARGEST PROPERTY OWNER IN  
25 ANAHEIM IF YOU DON'T KNOW IT. HE RUNS A TRASH BUSINESS OUT

1 THERE.

2 MR. TAORMINA: I WANT TO BE THIS GUY WHEN I GROW UP.

3 (LAUGHTER AND APPLAUSE.)

4 MR. TAORMINA: RIGHT? COME ON, YOU GUYS.

5 (APPLAUSE).

6 THE COURT: YEAH.

7 MR. TAORMINA: THANK YOU.

8 THE COURT: NOW, KEN, STAY THERE BECAUSE YOU'RE NOT  
9 OFF THE HOOK. I'VE GOT SOME TOUGH QUESTIONS TO ASK YOU AND --

10 DEPUTY CHIEF KEN GOMINSKY: ALL RIGHT.

11 THE COURT: -- SUPERVISOR BARTLETT OR SUPERVISOR DO  
12 IN JUST A SECOND. AND --

13 MR. TAORMINA: YOUR HONOR, OUR NEXT TARGET IN  
14 ANAHEIM, FOLLOWING THE FOOTSTEPS OF SANTA ANA, IS TO BRING A  
15 CLASS ACTION LAWSUIT AGAINST THE RAILROADS ON BEHALF OF PRIVATE  
16 PROPERTY OWNERS -- A LITTLE DIFFERENT FROM THE CITY -- PRIVATE  
17 PROPERTY OWNERS IN NORTH ORANGE COUNTY THAT OWN PROPERTY  
18 ADJACENT TO THE RAILROADS.

19 THE NEGLIGENCE ON THE PART OF THESE MEGA CORPORATIONS  
20 -- WARREN BUFFETT HAS GOT PLENTY OF MONEY, AND HE'LL FIX THIS  
21 WHEN HE GETS OUR ATTENTION. WE WILL NOT STAND FOR THE  
22 RAILROADS NOT ENFORCING THEIR OWN REGULATIONS.

23 THANK YOU VERY MUCH.

24 THE COURT: OKAY.

25 NOW, YOU DO WHAT YOU WANT. BUT THIS IS WHAT I'M

1 SEEING AND THE BLESSINGS YOU'VE GIVEN ME AND JUDGE SMITH,  
2 YOU'RE TRUSTING ME BEING ABLE TO GO OUT WITH THE DIFFERENT  
3 CITIES AT --

4 WHAT? -- JIM, FOUR O'CLOCK IN THE MORNING.

5 JUDGE SMITH: EARLY.

6 THE COURT: YEAH, EARLY.

7 AND THIS IS WHAT WE'RE SEEING ALSO. SO, I LEAVE THIS  
8 TO YOU TO DO WHATEVER. BECAUSE I'M A JUDGE, BUT THIS AFFECTS  
9 YOU, AND IT AFFECTS YOU LOCAL LAW ENFORCEMENT CHIEFS, WHICH IS  
10 ONE OF THE REASONS I'M SO PLEASED THAT YOU'RE HERE. BECAUSE NO  
11 MATTER WHAT YOU DO IN TERMS OF ENFORCEMENT, WHAT YOU CAN'T DO  
12 IS DO THE OUTSTANDING JOB YOU'RE DOING, AND THEN NOT HAVING  
13 PRIVATE ENTITIES STEP UP AND GIVE YOU SOME SUPPORT.

14 SO, I LEAVE THAT TO LOCAL GOVERNMENT. I CAN DO SO  
15 MUCH, BUT MY POWER IS A NEGATIVE POWER THAT I HOPE I'D NEVER  
16 HAVE TO USE. IT'S NOT A POSITIVE POWER.

17 OKAY. NOW, THE TOUGH QUESTIONS.

18 AND SUPERVISOR BARTLETT, THANK YOU FOR BEING HERE.

19 DON, PLEASURE SEEING YOU.

20 DOUG CHAFFEE, THANK YOU FOR BEING HERE.

21 AND I THANK ANDREW DO. THANK YOU FOR BEING HERE.

22 AND I KNOW YOU PERSONALLY. SO, DON'T MIND THE FIRST-NAME  
23 BASIS. I'M DAVE.

24 OKAY. WISE PLACE.

25 I'VE GOT A BRAND NEW DIRECTOR OUT THERE. BARELY MET

1 HER.

2 OH, MIGUEL. MY APOLOGIES. MIGUEL, MY HUMBLE  
3 APOLOGIES.

4 COME UP HERE. AND THANK YOU FOR YOUR PATIENCE. I  
5 KNOW YOU NEED TO BE SOMEPLACE ELSE.

6 MAYOR PULIDO: NO NEED FOR APOLOGIES.

7 THE COURT: NO, I HUMBLY APOLOGIZE.

8 MAYOR PULIDO: NO NEED AT ALL.

9 THE COURT: MOST IMPORTANT PERSON AND I --

10 MAYOR PULIDO: NO, NO, NO, NO.

11 LOOK, WHAT I WANT TO SAY IS THERE'S A WHOLE LOT OF  
12 FOLKS IN THIS ROOM THAT HAVE RISEN TO THE OCCASION AND ARE  
13 DOING THINGS THEY'VE NEVER DONE BEFORE. EVERYBODY FROM CAL  
14 OPTIMA, THE BOARD OF SUPERVISORS, YOU KNOW, MAYORS, THE  
15 PLAINTIFFS. YOU KNOW, WE'RE -- WE'RE REWRITING EVERYTHING.  
16 AND OUR FRIENDS IN SACRAMENTO, OUR FRIENDS IN THE CONGRESS.

17 YOU KNOW, THE WAY THINGS ARE BEING DONE IT'S JUST A  
18 DIFFERENT WORLD VERY, VERY QUICKLY.

19 I JUST WANT TO TELL YOU THAT TODAY WE FILED A LAWSUIT  
20 AGAINST THE RAILROADS. AND I WANT TO INVITE ALL THE, YOU KNOW,  
21 FELLOW CITIES THAT HAVE RAILROADS -- AND THERE'S A LOT OF YOU  
22 -- JUST COME ON BOARD. NO PUN INTENDED, BUT COME ON BOARD.

23 (LAUGHTER.)

24 MAYOR PULIDO: BECAUSE WE'RE GOING TO MAKE A  
25 DIFFERENCE.

1 I ALSO WANT TO TELL YOU THAT WE RECENTLY MET WITH THE  
2 GOVERNOR. YOU KNOW, HARRY SIDHU AND I WERE IN THAT MEETING.  
3 AND IT'S HIS NUMBER ONE PRIORITY.

4 SO, LET'S TAKE ADVANTAGE OF THAT. WE'VE GOT I THINK,  
5 YOU KNOW, SOMEBODY THAT REALLY WANTS TO MAKE A DIFFERENCE AND  
6 WANTS TO MOVE QUICKLY.

7 THE COURT: AND LET'S GET CONGRESSMAN CORREA'S HELP  
8 EVENTUALLY. HE'S HERE LISTENING VERY CAREFULLY.

9 THIS IS FEDERAL RAILROADS. AND THAT'S WHERE THE  
10 FEDERAL COURT HAS A LOT TO SAY. SO, LET'S TALK IN A WHILE,  
11 LOU. OKAY.

12 CONGRESSMAN CORREA: YOUR HONOR, I'M TAKING VERY  
13 CAREFUL NOTES.

14 THE COURT: GOOD. ALL RIGHT.

15 MAYOR PULIDO: HE HASN'T STOPPED SINCE THIS HEARING  
16 BEGAN TODAY. YOU KNOW, LOU IS LISTENING AND TYPING. AND HE  
17 TYPES VERY QUICKLY. I DIDN'T KNOW THAT.

18 (LAUGHTER.)

19 MAYOR PULIDO: BUT -- BUT I WILL TELL YOU THIS.

20 YOU KNOW, WE'RE WORKING -- THE COURTYARD IS NOW A  
21 DIFFERENT PLACE. IT'S -- IT'S --

22 THE COURT: CAROL, DON'T GO TOO FAR.

23 MAYOR PULIDO: IT'S --

24 THE COURT: THIS IS GOING TO INTEREST YOU IN A  
25 MINUTE.

1           MAYOR PULIDO: IT'S MUCH BETTER. YOU KNOW, WE HAVE  
2 OCFA BRINGING, YOU KNOW, THREE TO FOUR FOLKS A DAY IN AND OUT.  
3 THAT'S A THOUSAND CALLS A YEAR RIGHT THERE.

4           WE ARE IMPACTED BECAUSE OUR AMBULANCES AND OUR P.D.  
5 -- I DON'T KNOW EXACTLY HOW MUCH WE'RE SPENDING, BUT I THINK  
6 IT'S NORTH OF \$15 MILLION A YEAR --

7           THE COURT: YEAH.

8           MAYOR PULIDO: -- THAT WE'RE HAVE TO DEVOTE, YOU  
9 KNOW, FROM -- FROM CERTAIN RESOURCE TO OTHERS.

10           BUT I'M TELLING YOU THAT'S ALL GOING TO BE  
11 STRAIGHTENED OUT BECAUSE WE HAVE A NEW CITY MANAGER COMING ON  
12 BOARD WHO IS GOING TO JUST DO A WONDERFUL JOB, KRISTINE RIDGE.

13           AND I THANK OUR FRIENDS IN LAGUNA NIGUEL BECAUSE, YOU  
14 KNOW, WE WORKED VERY SMOOTHLY THROUGH THAT TRANSITION. BUT I  
15 THINK IT'S GOING TO BE A WONDERFUL TIME FOR HER TO BE ON BOARD.

16           AND, THEN, YOU KNOW, FOLKS LIKE DAN YOUNG AND  
17 MICHELLE MARTINEZ -- YOU KNOW, MICHELLE, IT'S LIKE SHE'S FOUND  
18 A NEW CALLING IN LIFE. AND IT'S A WONDERFUL THING.

19           AND THEN YOU HAVE FOLKS LIKE JUAN VILLEGAS AND THE  
20 LEADERSHIP ON THE COUNCIL. YOU KNOW, WE'VE JUST DONE AMAZING  
21 THINGS.

22           SO, I WANT TO THANK THE COURT.

23           YOU KNOW, JUDGE SMITH, YOU KNOW, ALL THE TIME THAT  
24 YOU'RE PUTTING ON. I KEEP ASKING YOU WHY DO YOU DO THIS. AND  
25 YOU DO IT BECAUSE YOU LOVE IT. YOU DO IT BECAUSE YOU CARE.

1 AND EVERYBODY IS DOING IT WELL.

2 AND, YOU KNOW, I DIDN'T KNOW WHEN I WAS GOING TO  
3 SPEAK, BUT I WANT TO END WITH NOW DEPUTY CHIEF GOMINSKY.  
4 BECAUSE HE'S ANOTHER PERSON THAT JUST HAS RISEN TO THE  
5 OCCASION. JUST ANOTHER PERSON THAT IS DOING THINGS HE'S NEVER  
6 DONE BEFORE AND DOING THEM WELL.

7 SO, I REALLY WANT TO THANK EVERYBODY.

8 AND I WANT TO ESPECIALLY THANK YOURSELF.

9 I KNOW I DIDN'T WANT TO START THAT WAY --

10 THE COURT: NO.

11 MAYOR PULIDO: -- BECAUSE YOU TOLD ME NO, NO, NO.  
12 DON'T THANK ME. IT'S NOT ABOUT ME. BUT YOU ARE THE LEADER.  
13 WHEN WE WERE TALKING TO MAYORS UP IN SACRAMENTO, EVERY SINGLE  
14 MAYOR IN THE STATE WANTS TO KNOW WHAT'S GOING ON IN ORANGE  
15 COUNTY. BECAUSE UNDER, YOU KNOW, FORMER CHAIRMAN DO AND THE  
16 BOARD OF SUPERVISORS, TWO FORMER MAYORS THAT ARE NOW  
17 SUPERVISORS, YOU KNOW, IT'S NOT GOING UNNOTICED.

18 BUT WE'RE NOT DONE. WE'RE NOT DONE. RIGHT NOW WE  
19 HAVE A 700-BED FACILITY THAT -- AT 229 SOUTH YALE THAT WE WANT  
20 TO SEE OPENED ASAP. BECAUSE, YOU KNOW -- BECAUSE WE NEED THAT.

21 AND IF WE NEED TO SEND "FUAT" OVER THERE BECAUSE HE  
22 WAS THE GUY THAT WAS PARTIALLY RESPONSIBLE FOR THE 20 DAYS, YOU  
23 CAN HAVE HIM ON LOAN. WE WON'T CHARGE A PENNY. BUT LET'S GET  
24 THAT OTHER SHELTER OPEN.

25 THE COURT: OKAY.

1 MAYOR PULIDO: THANK YOU VERY MUCH, YOUR HONOR.

2 THE COURT: NOT SO QUICK. DON'T GO AWAY.

3 MAYOR PULIDO: OH-OH.

4 THE COURT: KEN, COME ON BACK UP FOR A SECOND AND  
5 EITHER SUPERVISOR BARTLETT OR SUPERVISOR DO OR WHOEVER.

6 I WANT TO ASK NOW THE TOUGH QUESTIONS. OKAY.

7 OKAY. I WANT TO GO BACK TO WISE PLACE. I WANT YOU  
8 TO HEAR ABOUT WOMEN FOR A MOMENT. WOMEN GET RAPED. THEY GET  
9 MOLESTED ON THE STREET. WHAT SOCIETY -- AND THIS IS A MALE  
10 CHAUVINIST, I GUESS, TALKING -- ALLOWS WOMEN TO GO OUT ON THE  
11 STREET AND SLEEP IN A SLEEPING BAG FOR GOD'S SAKES. MEN  
12 NORMALLY DON'T GET RAPED. SHAME ON US.

13 SO, THIS IS WISE PLACE. AND WE VISITED QUITE FRANKLY  
14 WITH FRANK KIM, WITH PAUL LEON, THANK YOU, WITH SUPERVISOR DO.  
15 AND WE WERE REMOVING PEOPLE FROM A PLACE CALLED "THE PLAZA."

16 AND, SO, AFTERWARDS, AFTER THE RIVER BED, EVERYBODY  
17 WANTED TO SLOW DOWN AND HOW CAN YOU SLOW DOWN AND LET THE PLAZA  
18 OVER BY THE COURTHOUSE AND SUPERIOR COURT WHERE YOU CALL 600  
19 JURORS A DAY, NOT EVEN LET YOUR JURORS GO OUT. WHAT'S THE  
20 IMPRESSION OF THIS COUNTY WITH JURORS SERVING EVERYWHERE.  
21 YOU'VE GOT TO BE KIDDING ME.

22 WE'RE THE WEALTHIEST COUNTY. WE'VE GOT PLENTY OF  
23 MONEY. AND THAT'S WHAT YOUR PLAZA LOOKED LIKE. IT'S AN  
24 ABSOLUTE CESSPOOL. AND WE'RE NOT GOING TO HAVE A HEPATITIS A  
25 OUTBREAK OUT HERE. THANKS TO THE GOOD WORK OF DR. HAMBLIN.



1 AND SO WE BROKE UP THAT ENCAMPMENT, AND IT WASN'T PRETTY.

2 AND CAROL AND BROOK HAD EVERY RIGHT TO COMPLAIN ABOUT  
3 THAT. BUT GUESS WHAT, MICHELLE MARTINEZ IS OUT ON THE STREET  
4 AT 4:30 IN THE MORNING. LET ME REPEAT THAT. WITH GOMINSKY  
5 WALKING AROUND TALKING TO WOMEN.

6 WELL, YOU GO OVER TO WISE PLACE BECAUSE IT WAS  
7 SUPPOSED TO OPEN. AND SUPERVISOR DO AND I THOUGHT WE HAD THAT  
8 SET IN PLACE AT THE TIME.

9 AND, ANDREW, COME ON UP.

10 IN GOOD FAITH. SO, I CALL UP ANDREW AT SIX O'CLOCK  
11 IN THE MORNING. THANK GOD I'VE GOT HIS PERSONAL NUMBER. HE'S  
12 ON SPEED DIAL. I SAID, ANDREW, WE'VE GOT WOMEN THAT WERE  
13 DRIVING OVER CARTS. AND WE HAVE NO BEDS HERE. AND HE CALLS  
14 FRANK KIM. AND GOD BLESS FRANK KIM, HE'S DOWN THERE IN HALF AN  
15 HOUR. HALF AN HOUR.

16 AND WE LOOK AROUND. AND WE'VE GOT NO COTS. AND BY  
17 NINE O'CLOCK WE HAD COTS ROLLING IN. AND I GOT TO TELL YOU,  
18 THE COURT'S AT FAULT. ISN'T THAT REFRESHING THAT JUDGES ARE  
19 WRONG. BECAUSE HERE'S THE VALUE CHOICE I HAD TO MAKE. AND I  
20 APOLOGIZE TO THE ACLU FOR THIS. I VIOLATED EVERY ADA RULE YOU  
21 CAN POSSIBLY IMAGINE. AND THE REASON FOR THAT WAS THE VALUE  
22 CHOICE WAS TO GET WOMEN UNDER SHELTER AND SAFE VERSUS WAITING  
23 FOR THE PERFECT, WHICH WAS NOT GOING TO OCCUR.

24 SO, THE ACLU WHEN IT WROTE THIS GOD AWFUL REPORT IS  
25 ABSOLUTELY RIGHT ABOUT THE PRESENT CONDITION OF WISE PLACE.

1 IT'S OVERIMPACTED, AND I'M GOING TO SHOW YOU A PICTURE RIGHT  
2 NOW.

3 BUT IT STARTED AS A REALLY GOOD INTENTION. AND  
4 ORIGINALLY WE WERE GOING TO GO TO 15, REMEMBER. AND, THEN, WE  
5 WERE OVERWHELMED WITH WOMEN. WE WENT TO 30. AND THEN WE  
6 TALKED -- AND WE SAID, GOD, MAKING THE VALUE CHOICE LET'S GO TO  
7 60 BECAUSE AT LEAST WE'VE GOT WOMEN UNDER SHELTER, NOT SLEEPING  
8 LITERALLY ON OUR SIDEWALK OUT HERE.

9 AND SUPERVISOR DO IS LITERALLY WALKING THE STREETS  
10 WITH US. IT'S A GREAT STORY ABOUT, YOU KNOW, AN ACTIVE  
11 SUPERVISOR GETTING OUT THERE.

12 NOW, THIS IS WHAT IT LOOKS LIKE TODAY.

13 CAN I SEE WISE PLACE.

14 NOW, THE NEW DIRECTOR DOESN'T KNOW THIS, BUT I USED  
15 TO GO BY WISE PLACE EVERY DAY AT 5:30. THIS WAS MY SECOND  
16 HOME.

17 AND, ANDREW, DON'T GO AWAY. YOU WENT BY WITH ME.

18 AND THIS IS WHAT WISE PLACE LOOKS LIKE TODAY.  
19 THERE'S ANOTHER PICTURE OUT THERE TOO.

20 NOW, FOLKS, IT'S IMPACTED. SO, NOW THE TOUGH  
21 QUESTIONS. WE'RE DONE WITH THE LOVE FEST FOR A WHILE.

22 I'VE TALKED TO YOU, KEN, ABOUT UNLOADING WISE PLACE.

23 AND THE RESPONSE FROM SANTA ANA HAS BEEN, HEY, WAIT A  
24 MINUTE. THESE PEOPLE ARE FROM ALL OVER THE COUNTY. THEY'RE  
25 FROM SOUTH COUNTY AND NORTH COUNTY. AND YOU'RE AFRAID OF AN

1 INFLUX COMING IN -- NOW, LET'S BE TRANSPARENT ABOUT THAT --  
2 FROM OTHER PARTS, RIGHT. RIGHT.

3 HOLD ON. DON'T TWITCH YET.

4 (LAUGHTER.)

5 THE COURT: -- SUPERVISE DO HAS TALKED TO YOU ABOUT  
6 WISE PLACE, RIGHT?

7 UNIDENTIFIED SPEAKER: RIGHT.

8 THE COURT: THEY'RE RIGHT. I DON'T WANT TO SIGN  
9 INJUNCTIVE RELIEF. I'M NOT SAYING I WOULD. BUT I'M TRYING TO  
10 HEAD OFF ANOTHER PROBLEM. WE'VE GOT TO DO SOMETHING ABOUT WISE  
11 PLACE. AND WE'VE GOT THE DEVIL'S CHOICE.

12 IF WE DON'T COMPLY IN SOME WAY WITH DOWNLOADING WISE  
13 PLACE, THEN, THESE WOMEN ARE BACK OUT ON THE STREET OR  
14 SCATTERED. WE CAN'T HAVE THAT. BUT THIS CANNOT TURN INTO A  
15 PERMANENT SITUATION LIKE THIS.

16 HOLD ON.

17 NOW, I WANT TO SEE THE COURTYARD. YEAH.

18 SUPERVISOR DO, YOU HAVE THE COURT'S PERSONAL  
19 COMPLIMENTS.

20 SUPERVISOR DO COMES FROM AN IMMIGRANT FAMILY. HE  
21 SPENT THE FIRST NIGHT WHEN THE COURTYARD WAS BUILT.

22 I DON'T KNOW IF YOU KNOW THAT. THAT'S A VERY HUMBLE  
23 PERSON. HE GETS IT.

24 AND THE SECOND THING IS HE'S GOT THE ONLY NO-BARRIER  
25 INTAKE IN THE COUNTY.

1           SO, HARRY, WHEN WE'RE OUT IN ANAHEIM, WE'VE GOT SOME  
2 GOOD BARRIERS. OUR POPULATION ISN'T GOING TO LET PEOPLE COME  
3 IN FROM OTHER PLACES.

4           KATRINA, IT SHOULD BE FOR COSTA MESA, RIGHT. YEAH,  
5 FOR GOODNESS SAKES.

6           FOR TUSTIN, CHUCK, IT SHOULD BE FOR TUSTIN.

7           YOU GOT A TOUGH TIME SAYING TO YOUR PUBLIC, HEY,  
8 WE'RE LETTING EVERYBODY COME INTO OUR SHELTER WHEN YOU BUILT IT  
9 WITH CITY MONEY AND YOU CUT YOURSELF FREE BASICALLY FROM THE  
10 COUNTY. OKAY.

11           BUT WE'RE AT 421. BECAUSE YOU'VE GIVEN ME  
12 PERMISSION, THANK GOD, TO INFREQUENTLY VISIT WITHOUT A PARADE  
13 OF REPORTERS. WE'RE AT 421. IT'S BUILT FOR 400 OR LESS. AND  
14 IT'S A HARD PLACE.

15           NOW, YOU'VE MADE TREMENDOUS STRIDES. WHAT'S FAIR AND  
16 UNFAIR ABOUT THE CRITICISM IS THIS. YOU MADE A TREMENDOUS  
17 EFFORT WITH THE COURTYARD, BUT IT'S TOO IMPACTED. BUT YOU'VE  
18 STEPPED UP AND PURCHASED YALE.

19           CAN WE HAVE A DISCUSSION ABOUT -- I'M IN FRONT OF 300  
20 OF OUR BEST FRIENDS RIGHT NOW. VERY TRANSPARENT. INSTEAD OF  
21 MEETING AT NORMS AT SIX O'CLOCK. INSTEAD OF ME CALLING YOU,  
22 KEN, AT --

23           MAYOR, WHERE ARE YOU? PULIDO?

24           UNKNOWN SPEAKER: MAYOR PULIDO HAD TO LEAVE, YOUR  
25 HONOR.

1 THE COURT: HE FLED. OKAY.

2 (LAUGHTER.)

3 UNKNOWN SPEAKER: YES. HE KNEW YOU WERE ABOUT TO  
4 TALK ABOUT YALE STREET.

5 THE COURT: LET'S JUST -- I CAN ORDER THIS.  
6 REMEMBER, I'M A JUDGE. I'VE GOT NEGATIVE POWER. BUT I DON'T  
7 WANT TO SEE THAT LAWSUIT BREAK OUT IN AN ADA WHEN I KNOW YOU'RE  
8 TRYING AND YOU PURCHASED YALE. I KNOW THAT WE'VE GOT WOMEN  
9 SAFE OVER AT WISE PLACE. I'M TRYING TO AVOID THE LAWSUITS.

10 HOW DO WE GET WISE PLACE DOWNLOADED INTO SOMETHING  
11 HUMANE, AND HOW DO WE GET THE COURTYARD, YOU KNOW, KICKED OFF  
12 OVER IN YALE STREET AND JUST MOVE IT OUT OF OUR RETAIL AREA.

13 UNKNOWN SPEAKER: YOUR HONOR, YALE STREET IS BEING  
14 CONSTRUCTED AND READY FOR OCCUPANCY AS WE SPEAK. WE STILL HAVE  
15 TO DO COMMUNITY OUTREACH.

16 AND I WILL BE HONEST WITH YOU --

17 THE COURT: YOU ALWAYS ARE. HOLD ON. TIME OUT. YOU  
18 ALWAYS ARE. DON'T WORRY ABOUT THAT.

19 UNKNOWN SPEAKER: THANK YOU.

20 THE COURT: LET'S GO TO THE QUESTION.

21 UNKNOWN SPEAKER: THERE ARE MEMBERS OF THE COUNCIL,  
22 SANTA ANA CITY COUNCIL, THAT HAVE RAISED QUESTIONS ABOUT THE  
23 OPERATIONAL PLAN THAT HAS GOTTEN A LITTLE BIT OF THE COMMUNITY  
24 TO GET RILED UP.

25 THE COURT: OKAY.

1 UNKNOWN SPEAKER: SO, THAT IS GOING TO SLOW US DOWN A  
2 LITTLE BIT.

3 THE COURT: NO. TIME OUT. I'M TIRED OF WAITING HERE  
4 --

5 UNKNOWN SPEAKER: IT'S NOT UP TO US.

6 THE COURT: SO, IF YOU'RE SANTA ANA, ONE -- HOLD ON.  
7 STEP UP. WE'RE GOING TO HAMMER THIS OUT --

8 UNKNOWN SPEAKER: THANK YOU.

9 THE COURT: -- RIGHT NOW IN THE PUBLIC VIEW. WE'RE  
10 GOING TO GET SOME ANSWERS FROM THE CITY AND THE COUNTY SO THAT  
11 WE DON'T HAVE THE PUSHBACK WE HAVE BETWEEN CAL OPTIMA, ET  
12 CETERA. WE'RE NOT PLAYING GAMES NOW.

13 WHAT ARE WE GOING TO DO?

14 PRO TEM MAYOR VILLEGAS: GOOD MORNING, YOUR HONOR.

15 JUAN VILLEGAS, MAYOR PRO TEM FOR THE CITY OF SANTA  
16 ANA.

17 YOUR QUESTION, SIR?

18 THE COURT: YALE SHOULD GET ON BOARD QUICKLY. IF  
19 YOU, JUAN, COULD BUILD IN 28 DAYS WITH MICHELLE AND MIGUEL AND  
20 FUAT AND ALL THE REST A SHELTER, WHY DON'T WE HAVE YALE UP AND  
21 RUNNING IN A REASONABLE PERIOD OF TIME AND MOVE THEM OUT OF THE  
22 RETAIL SECTION TO SANTA ANA. YOU'VE GOT A HUGE AND BEAUTIFUL  
23 FACILITY THAT YOU'VE ALREADY PURCHASED.

24 WHAT DO WE NEED TO DO TO GET THIS THING ON BOARD?

25 AND I DON'T MEAN IN 28 DAYS. GIVE IT, YOU KNOW, 13

1 DAYS. I'M JUST KIDDING YOU.

2 (LAUGHTER.)

3 THE COURT: GIVE IT -- GIVE IT TWO MONTHS.

4 PRO TEM MAYOR VILLEGAS: THANK YOU, YOUR HONOR, FOR  
5 THE OPPORTUNITY TO SPEAK ON THIS ISSUE.

6 I AM UNAWARE OF -- I'M NOT AWARE OF ANY SLOW DOWN OR  
7 PUSHBACK FROM THE CITY COUNCIL. ACTUALLY WE ARE LOOKING  
8 FORWARD TO PROCEED. IT IS A LARGER FACILITY THAN THE LINK.

9 THE COURT: OKAY. TIME OUT.

10 WOULD YOU THREE GO RIGHT BACK HERE WITH ONE OF MY LAW  
11 CLERKS AND JUST HAVE A PRIVATE CONVERSATION. I'LL SEE YOU IN  
12 JUST A MOMENT. LIKE TO HEAR FROM ANAHEIM. SOLVE THIS FOR US.  
13 OKAY. GIVE US A TIMELINE. TELL US WHAT WE HAVE TO DO. TELL  
14 US IF THE COURT CAN BE OF HELP. BUT LET'S GET THIS YALE  
15 FACILITY UP AND RUNNING AND DOWNLOAD THIS THING CALLED "THE  
16 COURTYARD."

17 MAYOR SIDHU, I WANT TO THANK YOU SO MUCH.

18 IF YOU DON'T KNOW, THIS IS HARRY SIDHU. HE'S THE  
19 MAYOR OUT IN ANAHEIM. AND WHAT A PLEASURE TO WORK WITH YOUR  
20 CITY.

21 MAYOR SIDHU: YOUR HONOR, BEFORE I SAY A FEW WORDS, I  
22 WOULD LIKE TO SHARE WITH THE COURT A BRIEF VIDEO THAT CAPTURES  
23 ANAHEIM EXPERIENCE.

24 THE COURT: PLEASE.

25 MAYOR SIDHU: IF I MAY.

1 THE COURT: UH-HUH.

2 (VIDEO PLAYING.)

3 MAYOR SIDHU: YOUR HONOR, I'M BOTH HUMBLLED AND PROUD  
4 TO SEE THAT. AS I TOOK OFFICE ON DECEMBER 4TH, ON THE SAME  
5 MORNING I MET YOU IN SANTA ANA AND LOOKED AT HOW SANTA ANA  
6 BUILD THE SHELTER. I WAS AMAZED TO SEE THAT WITHIN A SHORT  
7 PERIOD OF TIME THIS COULD BE BUILT.

8 AFTER THAT WHEN I LEFT THAT MEETING, AND I WAS -- I  
9 HAVE GIVEN YOU MY WORD I'LL DO EVERYTHING POSSIBLE TO BUILD A  
10 HOMELESS SHELTER IN THIS SHORT PERIOD OF TIME.

11 AFTER TAKING OFFICE, I CALLED AN EMERGENCY MEETING --  
12 CITY COUNCIL MEETING. TWO DAYS LATER I TOOK OFFICE. AND IN  
13 THAT EMERGENCY MEETING I HAVE CALLED IN MY COLLEAGUES TO SAY WE  
14 WANT TO BUILD A SHELTER, BUT I'D LIKE TO BUILD A SHELTER AND  
15 OPEN UP THE TEMPORARY SHELTER WITHIN 14 DAYS.

16 WITH MY COMMITMENT TO YOU, WE BUILD THE TEMPORARY  
17 SHELTER RIGHT NEXT TO ANGEL STADIUM WITH THE HELP OF THIS YOUNG  
18 MAN BILL TAORMINA. HE TOOK ALL THE LIABILITIES BECAUSE WE WERE  
19 GETTING SUED FROM AROUND SOME OF THE BUSINESSES. HE SAID,  
20 I'LL TAKE ALL THE RESPONSIBILITIES OF ANY LITIGATION THAT  
21 HAPPENS.

22 GUESS WHAT. WE OPENED THE SHELTER. WE PUT 200  
23 PEOPLE IN THE SHELTER JUST BEFORE CHRISTMAS.

24 IN LESS THAN THREE MONTHS WE OPENED UP THREE SHELTERS  
25 IN OUR CITY. WE HAVE HELPED MORE THAN 500 PEOPLE OFF OF OUR



1 STREETS.

2 WE HAVE RESTORED PARKS, LIBRARIES, AND BUSINESSES.

3 I TRULY BELIEVE WE HAVE SAVED LIVES. THE WINTER WE  
4 JUST SAW WAS SEVERE FOR SOUTHERN CALIFORNIA. WE SAW HARD RAIN,  
5 BITTER COLD AND CRUEL WINDS. LIVING OUTSIDE, IT COULD HAVE  
6 BEEN LIFE OR DEATH. OUR SHELTERS WERE A COMPASSIONATE  
7 ALTERNATIVE. THAT IS WHAT I'M PROUD OF.

8 BUT AS THIS VIDEO SAID, THERE ARE TWO TRAGIC SIDES TO  
9 THIS. AT MAXWELL PARK IN THE WEST ANAHEIM, WE SAW AN  
10 ENCAMPMENT OF 60 TENTS AT ITS PEAK. MY HEART WENT OUT TO THOSE  
11 LIVING ON OUR SIDEWALKS. BUT IT WAS JUST AS SAD TO SEE THE  
12 KIDS STOP COMING TO THE LIBRARIES. OUR NEIGHBORS NO LONGER  
13 COMING TO THE PARK. OUR RESIDENTS LIVING 20 FEET FROM THE  
14 TENTS OUTSIDE THEIR WINDOWS.

15 SO, WHEN WE CLEARED MAXWELL PARK IN DECEMBER, WE SAW  
16 JOY OF PEOPLE'S FACES. THESE ARE NOT UNCARING PEOPLE. THEY  
17 WERE HAPPY TO SEE HELP THOSE IN NEED. BUT THEY HAD -- THEY HAD  
18 EVERY RIGHT TO DEMAND THAT WE RESTORE THEIR PUBLIC SPACES.

19 OPENING SHELTERS WAS NOT EASY OR CHEAP. CITY HAS  
20 SPENT CLOSE TO \$18 MILLION WITHIN THE LAST 90 DAYS. AND THAT  
21 -- THE MAJORITY OF THAT MONEY CAME FROM MY RESERVE.

22 AND I WAS HAPPY TO SEE THAT OUR CITY MANAGERS AND  
23 EVERYONE GOT TOGETHER AND SAID, WE CAN SPEND THE MONEY IN A  
24 RIGHT WAY.

25 BUT -- BUT THIS HAS CHANGED THE LIVES FOR A LOT OF

1 PEOPLE.

2 I WANT TO THANK YOU, JUDGE CARTER, FOR YOUR HELP. WE  
3 WOULD HAVE BEEN IN MONTHS OF INJUNCTION AND LITIGATION.  
4 INSTEAD WE WORKED THROUGH IT.

5 I'M HERE TO SHARE WITH OUR NEIGHBORS IT IS DOABLE.  
6 IT TAKES LEADERSHIP, PARTNERSHIP, COMMITMENT.

7 I HAD A GREAT PLEASURE OF HAVING A LOT OF BUSINESSES  
8 COMMITTED WHEN I OPENED UP THE TEMPORARY SHELTERS. WE RAISED  
9 \$600,000 --

10 THE COURT: RIGHT.

11 MAYOR SIDHU: -- WITHIN ONE WEEK FOR THE OPENING UP  
12 THE TEMPORARY SHELTER.

13 NO ONE WANTS SHELTERS. BUT I CAN TELL YOU THE  
14 ALTERNATIVE IS MUCH WORSE. IN ANAHEIM WE ARE FOCUSED ON WHAT'S  
15 NEXT. LAST MONTH I AND MAYORS MET WITH GOVERNOR NEWSOM IN  
16 SACRAMENTO. WE ASKED FOR MORE FUNDING FOR CITIES. WE ARE THE  
17 FRONT LINE OF HOMELESSNESS. AND ANAHEIM SHOWS THAT CITIES CAN  
18 DO WITH THE LEADERSHIP AND FUNDING.

19 NOW WE NEED MORE FUNDING FOR SERVICES AND SUPPORTIVE  
20 HOUSING TO MOVE PEOPLE OUT OF THE SHELTERS.

21 AS A CITY, WE PLAY A SHARED, BUT INDEPENDENT, ROLE  
22 ALONGSIDE THE COUNTY. OUR WORK BELIEVES OF A COUNTY PARTNER OF  
23 TRADITIONAL DEMANDS IN ANAHEIM, WHICH SHOULD BE RECOGNIZED IN  
24 FUTURE STATE AND REGIONAL FUNDING.

25 OUR WORK ON ENCAMPMENTS IS NOT DONE YET. WE NEED

1 HELP DEALING WITH RAILWAYS IN OUR CITIES. THOSE WHO HAVE  
2 TURNED DOWN OUR HELP NOW ARE LIVING IN DANGER ALONGSIDE THE  
3 TRACKS. WE ARE WORKING WITH THE RAILROADS BUT WITH LIMITED  
4 SUCCESS AND SPEED.

5 WE ARE THE CITY OF ACTION. WE NEED TO ADDRESS THIS  
6 NOW.

7 YOUR HONOR, WE WELCOME YOUR HELP TO GET PEOPLE OUT OF  
8 HARM'S WAY ALONG THE TRACKS, AND WE APPRECIATE YOUR SUPPORT OF  
9 ANAHEIM AS WE SEEK ADDITIONAL STATE AND COUNTY FUNDING OF \$140  
10 MILLION FOR ONGOING EFFORTS.

11 THANK YOU.

12 THE COURT: MAYOR, THANK YOU VERY MUCH. I REALLY  
13 APPRECIATE IT.

14 I'M REALLY PLEASED TO SEE THAT THE TWO MAJOR CITIES  
15 DIDN'T END UP PUSHING AGAINST EACH OTHER. BECAUSE AS SANTA ANA  
16 STARTED TO ENFORCE -- I SHARED WITH YOU OPENLY AND  
17 TRANSPARENTLY WITH MIGUEL PULIDO, WITH MICHELLE MARTINEZ, WHO  
18 IS THE VICE MAYOR, THAT MY GREATEST FEAR WAS THAT THE ANAHEIM  
19 DOWNLOAD THAT IMPACTED SANTA ANA WAS NOW GOING TO IMPACT  
20 ANAHEIM.

21 SO, BOTH OF YOUR COMMUNITIES HAVE A TREMENDOUS AMOUNT  
22 OF WEALTH. BUT YOU HAVE A TREMENDOUS AMOUNT OF POVERTY ALSO.  
23 AND THOSE COMMUNITIES PARTICULARLY WERE SUFFERING AT MAXWELL.

24 I THINK THAT -- I WANT TO THANK THE CHIEF AND THE  
25 ASSISTANT CHIEF HARVEY --

1           MAYOR SIDHU: YES.

2           THE COURT: -- BECAUSE YOUR ABILITY TO HUMANELY GET  
3           OUT THERE AT MAXWELL BUT TO ALSO CLEAR MAXWELL AND GET THAT  
4           BACK FOR YOUR CITIZENS. I HOPE IT'S GIVEN YOU A LOT OF  
5           FEEDBACK FROM THE COMMUNITY THAT'S POSITIVE.

6           AND I'D LIKE YOU TO SHARE THAT WITH THE OTHER CHIEFS  
7           BECAUSE THERE'S TWO THINGS THAT HAVE TO -- IF THIS DOESN'T WORK  
8           FOR YOU POLICE CHIEFS, THIS DOESN'T WORK. YOU'VE GOT TO BE  
9           ABLE TO ENFORCE THESE ANTICAMPING AND ANTIORDINANCE LAWS. AND  
10          THEY'VE GOT TO HAVE TEETH BEHIND THEM ONCE THE SHELTERS ARE  
11          BUILT HUMANELY. BECAUSE THESE ARE DECENT LAWS. AND YOU CAN  
12          GET YOUR PARKS BACK VERY QUICKLY, AND YOU CAN GET YOUR BEACHES  
13          BACK VERY QUICKLY. THOSE ARE GOOD LAWS. THE COURT IS NOT  
14          IMPOSED TO THEM IN ONE BIT AS LONG AS WE'RE NOT INCARCERATING  
15          THE HOMELESS BY VIRTUE OF BEING HOMELESS.

16          NOW, IF YOU'VE GOT A CRIMINAL, ARREST HIM. DON'T BE  
17          SILLY. DON'T LET THE COURTS HAVE A CHILLING EFFECT ON YOU.

18          THE SECOND THING IS I'LL SAY TO YOU CHIEFS WHILE I'VE  
19          GOT YOU HERE. MAKE CERTAIN THAT WHATEVER SHELTERS ARE BUILT OR  
20          THAT YOU DO IN THE FUTURE -- AND I KNOW THAT DON IS STILL HERE.  
21          DON BARNES IS THE SHERIFF. MAKE SURE THAT YOUR POLICE OFFICERS  
22          CAN GET IN AND OUT OF THE STREET IN A HUMANE AND QUICK WAY.

23          IT CAN'T BE BUILT OUT IN SILVERADO CANYON, FOR  
24          INSTANCE. AND THE REASON IT CAN'T BECAUSE IT WILL TAKE YOU AN  
25          HOUR AND A HALF TO GET OUT, AN HOUR AND A HALF TO GET BACK.

1 YOUR OFFICERS AREN'T GOING TO DO THAT. IT'S JUST -- IT'S JUST  
2 NOT A PLACE THAT'S GOING TO WORK FOR YOU.

3 NUMBER TWO, MAKE US PERFORM. MAKE CAL OPTIMA, MAKE  
4 THE COUNTY, MAKE THIS COURT PERFORM ON YOUR BEHALF SO WE DON'T  
5 HAVE THE YOUNG OFFICERS DEALING WITH THE TRULY PSYCHOTIC.  
6 THEY'RE HELPLESS, BUT I'LL SHARE WITH YOU.

7 THAT IN TALKING TO THE POLICE CHIEFS -- AND I WON'T  
8 NAME THEM NOW. THERE ARE THREE MAJOR POLICE CHIEFS I'VE TALKED  
9 TO, AND I WANT THE BOARD TO HEAR THIS, WITH NO DOUBT IN WHAT  
10 I'M SAYING ABOUT THIS.

11 YOU TALK TO YOUR POLICE CHIEFS. AND THEY'LL TELL YOU  
12 IF YOU CAN JUST GET FIVE TO TEN PEOPLE OUT OF EVERY CITY, OFF  
13 OF YOUR STREETS, THIS WOULD DECREASE THE POLICE VIOLENCE LEVEL  
14 AND ALSO PROTECT THE HOMELESS AT THE SAME TIME. BECAUSE YOUR  
15 OFFICERS CAN'T BE TRAINED FAST ENOUGH CONCERNING ALL THE  
16 HOMELESS YOU'VE GOT.

17 AND, SO, YOU NEED OUR HELP WITH THESE MOBILE WAGONS  
18 FROM CAL OPTIMA. YOU NEED -- YOU NEED TEAMS OUT THERE, ET  
19 CETERA TO TALK TO THESE FOLKS. AND I'M NOT TALKING ABOUT THE  
20 CRIMINALS. ARREST THEM. I'M TALKING ABOUT THE PEOPLE WHO ARE  
21 SO DERANGED, QUITE FRANKLY, THAT'S THE 10 PERCENT WE CAN'T PUT  
22 INTO OUR SHELTERS.

23 AND FOR ANAHEIM, WE'VE SEEN OUT THERE -- LITERALLY  
24 CHIEF HARVEY AND CHIEF -- WE'VE LITERALLY HAD TO PUT PEOPLE  
25 BACK IN THE PARKS THAT WE COULDN'T PUT INTO THE SHELTER.

1 SO, I'M GOING TO TALK ABOUT FAIRVIEW IN A FEW  
2 MOMENTS. AND I'M GOING TO TALK ABOUT LAGUNA NIGUEL AND  
3 GOVERNMENT PROPERTY. I'M GOING TO TALK ABOUT IRVINE IN A FEW  
4 MOMENTS BECAUSE SOMEHOW WE'VE GOT TO COME UP WITH SOMETHING.

5 AND I'M GOING TO TALK TO SHARON QUIRK-SILVA HERE AND  
6 LOU IN A MOMENT, THE CONGRESSMAN.

7 WE'VE GOT TO COME UP WITH SOMETHING FOR THAT 10  
8 PERCENT. AND WE'VE GOT TO COME UP WITH IT QUICKLY. AND I'M  
9 NOT GOING TO WAIT FOR THE CALIFORNIA ASSEMBLY. THEY'VE HAD  
10 \$2.7 BILLION FOR YEARS. OKAY. WE DON'T NEED TO RAISE TAXES.  
11 WE'VE GOT PLENTY OF MONEY.

12 MAYOR, I WANT TO THANK YOU VERY MUCH. OKAY.

13 MAYOR SIDHU: THANK YOU.

14 THE COURT: SO, DON'T GO AWAY SUPERVISOR DO OR  
15 SUPERVISOR BARTLETT. BE PATIENT. BECAUSE THERE'S GOING TO BE  
16 SOME TOUGH QUESTIONS COMING UP, NOT FOR YOU NECESSARILY.

17 BUT I WANT YOU TO HAVE A LOT OF INFORMATION TO  
18 DECIDE, YOU KNOW, WHAT YOU WANT TO DO AS A BOARD OR NOT IN A  
19 FEW MOMENTS. BECAUSE YOU'RE NEVER GOING TO GET TOGETHER AGAIN.  
20 THIS IS GOING TO BE THE SHOT.

21 SUPERVISOR DO: WOULD YOU LIKE AN UPDATE ON YALE  
22 STREET?

23 THE COURT: PARDON ME?

24 SUPERVISOR DO: WOULD YOU LIKE AN UPDATE ON YALE  
25 STREET, YOUR HONOR?

1 THE COURT: I WOULD AS LONG AS WE HAVE A SOLUTION --

2 SUPERVISOR DO: WE DO HAVE A SOLUTION.

3 THE COURT: -- IF NOT, WE'LL BE HERE TILL MIDNIGHT.

4 SUPERVISOR DO: YES. THANK YOU.

5 SO, WHAT WE WILL GET IS A LETTER OF CONTINUED SUPPORT

6 FROM THE MAYOR AND THE MAYOR PRO TEM TO SUPPORT THE ORIGINAL

7 CONCEPT OF HAVING A CAPACITY OF 600 BEDS --

8 THE COURT: EXCELLENT.

9 SUPERVISOR DO: -- AT YALE STREET.

10 WE KNOW THERE WILL STILL BE NOISE FROM OTHER COUNCIL

11 MEMBERS. BUT WITH THIS LETTER OF SUPPORT, TOGETHER WITH A

12 PRIOR VOTE AND APPROVAL OF THE MOU, THE COUNTY CAN MOVE AHEAD

13 ON THAT FRONT POST HASTE.

14 WE KNOW WE HAVE WISE PLACE UNDER CONTRACT WITH AN

15 OPTION FOR 12 MONTHS FROM NOW. I KNOW USUALLY THAT'S BEYOND

16 THE TIME THAT YOU WANT. BUT WE ARE TALKING --

17 THE COURT: I'LL WORK WITH YOU.

18 SUPERVISOR DO: RIGHT.

19 BECAUSE WE ARE TALKING ABOUT CAPACITY OF 600 BEDS.

20 THAT'S --

21 THE COURT: SURE.

22 SUPERVISOR DO: THAT'S BIG.

23 SO WE --

24 THE COURT: SURE.

25 AS LONG AS I KNOW IN GOOD FAITH.

1           NOW, CAN I HAVE A HUNDRED MILLION DOLLARS IF WE DON'T  
2 PERFORM THIS?

3           SUPERVISOR DO: (LAUGHTER.)

4           THE COURT: I'M JUST KIDDING YOU.

5           SUPERVISOR DO: FROM THE CITY?

6           THE COURT: OKAY. NOW, WHAT'S OUR TIMEFRAME THOUGH.  
7 I KNOW WE'RE IN GOOD FAITH. BUT I'VE BEEN -- NOT BY YOU. I'VE  
8 BEEN SLOW-WALKED BY MORE PEOPLE THAN YOU CAN IMAGINE. OKAY.

9           WHAT'S OUR TIMEFRAME?

10          SUPERVISOR DO: AS MUCH AS I CAN GUARANTEE YOU TODAY,  
11 WITHIN TWO WEEKS WE SHOULD ALREADY HAVE THE DESIGN AT LEAST 10  
12 PERCENT DONE SO THAT WE CAN APPROVE IT WITH THE PROVIDERS --

13          THE COURT: LET ME GET THE CHAIRWOMAN. YOU'RE THE  
14 CHAIR FOR GOODNESS SAKES. AND I MEAN NO DISRESPECT. PLEASE.

15          COME UP FOR A SECOND. BECAUSE I'VE BEEN WORKING HAND  
16 IN HAND WITH ANDREW WHEN HE WAS THE CHAIR.

17          YOU KNOW, YOU'RE THE CHAIR FOR GOODNESS SAKES.

18          SO, SUPERVISOR DO, TIMEFRAME.

19          SUPERVISOR BARTLETT, TIMEFRAME.

20          SUPERVISOR DO: THIS IS IN MY DISTRICT SO THAT'S WHY  
21 -- LET ME RESPOND TO IT.

22          THE COURT: YEAH.

23          SUPERVISOR DO: I CAN ALMOST GUARANTEE YOU THAT 12  
24 MONTHS FROM NOW WE WILL DEFINITELY BE READY FOR OPERATION.

25          THE COURT: OKAY.



1           COULD I ASK ONE THING. WE MAKE EVERY EFFORT BEFORE  
2 THE RAINS COME. I'M REALLY AFRAID OF THAT LATE OCTOBER,  
3 NOVEMBER. SO, WHEN WE SAY 12 MONTHS, CAN I -- CAN I JUST PUSH  
4 YOU A LITTLE BIT IN TERMS OF -- AND I'M NOT CHIDING YOU BECAUSE  
5 SANTA ANA DID IT IN 20 DAYS OR THE MAYOR DID IT IN 14.

6           BUT THE END RESULTS I'M DEATHLY AFRAID BECAUSE I'VE  
7 GOT 255 DEATHS. AND AT THE END OF THIS, I'M ASKING WHAT WE CAN  
8 DO TO REDUCE THAT.

9           IS FATHER CRUZ HERE? IS FATHER CRUZ -- YEAH, WHERE'S  
10 THE FATHER?

11           OH, OKAY.

12           SUPERVISOR DO: THE CHALLENGE, YOUR HONOR, IS THAT  
13 THIS FACILITY, UNLIKE ANY OTHER, WILL HAVE A PROFESSIONAL  
14 KITCHEN. IT HAS TO TO FEED 600 PEOPLE.

15           THE COURT: OKAY.

16           SUPERVISOR DO: SO, AS YOU KNOW, THAT'S THE PART THAT  
17 TAKES THE MOST TIME. WE CAN PUT UP ALMOST EVERYTHING ELSE  
18 PRETTY QUICKLY. BUT THAT BEING IN THE MIDDLE, THE CENTRAL PART  
19 OF THE WHOLE FACILITY. AND IT'S A 60,000 SQUARE FOOT FACILITY  
20 --

21           THE COURT: RIGHT.

22           SUPERVISOR DO: -- WITH TWO STORIES.

23           AND IF WE WANT TO JUST MAKE IT A SHELTER WITH MINIMAL  
24 AMENITIES, WE CAN DO IT MUCH MORE QUICKLY. BUT WE WANT TO ALSO  
25 HAVE WRAP-AROUND SERVICES WITH THE OFFICES ABOVE. THAT'S WHERE

1 IT GETS VERY COMPLICATED.

2 AND IF WE MOVE IN AND THEN DO IT IN PHASES, IT  
3 MULTIPLIES THE COST BY AT LEAST DOUBLE.

4 THE COURT: FATHER, COME UP FOR A SECOND, WOULD YOU.  
5 I'D LIKE YOU TO -- TO GET A SEAT IN ONE OF THESE PLACES. I  
6 WANT TO TALK TO YOU FOR A MOMENT. I WANTED YOU TO HEAR THIS  
7 DISCUSSION.

8 HAVE YOU BEEN NEXT DOOR LISTENING, SIR?

9 THE FATHER: YES.

10 THE COURT: OKAY.

11 NOW, OBVIOUSLY I READ YOUR COMMENTS IN THE VOICE OF  
12 ORANGE COUNTY. LET ME INTRODUCE YOU TO YOUR NEW FAMILY OF 300  
13 FRIENDS HERE.

14 I'VE GOT 255 DEAD. THE COUNTY SAYS WE HAVE 200 AND  
15 SOME. BUT WE'RE NOT COUNTING THOSE OVER PROVIDER SERVICES, THE  
16 ONES THAT YOU WOULD HAVE THE ADVOCATES COME UP. WE BOTH KNOW  
17 IT'S A LOT MORE THAN THAT. COULD BE CLOSE TO 400 QUITE  
18 FRANKLY.

19 I WANT YOU TO HEAR THIS DISCUSSION ABOUT YALE.  
20 BECAUSE EVERY CITY IN THE COUNTY IS DOING IT DIFFERENTLY -- AND  
21 THAT'S A GOOD THING. FOR INSTANCE, TUSTIN HAS A SMALLER  
22 FACILITY. IT'S STATE OF THE ART. THE MAYOR TOOK ME OUT THERE.  
23 IT'S AN INCREDIBLE FACILITY.

24 I THINK I'M GOING TO HEAR THE SAME THING FROM MAYOR  
25 FOLEY IN JUST A MOMENT.

1 BUT THE COUNTY'S GOT A LARGER PROBLEM, AND THAT IS,  
2 IT'S MORE OF WHAT I CALL A WAREHOUSE STRUCTURE. AND THE  
3 COURTYARD WAS A VALIANT ATTEMPT TO BEGIN WITH WAY BACK WHEN,  
4 BUT IT'S NOT A GOOD PLACE NOW. IT HAS TO BE ERADICATED AT SOME  
5 POINT.

6 I AM AFRAID OF THE RAIN. I AM AFRAID OF MORE PEOPLE  
7 DYING. I'D LIKE THE REPORT BACK NEXT YEAR TO THE COURT THAT WE  
8 REDUCED THAT NUMBER OF DEATHS.

9 AND I DON'T KNOW WHAT'S APPROPRIATE OR NOT. OKAY.

10 SO, I'M GOING TO ASK YOU TO STAY INVOLVED. I'VE  
11 NEVER CALLED YOU. I ASKED JUDGE SMITH TO CALL YOU. I'VE NEVER  
12 MET YOU BEFORE. THIS IS THE FIRST TIME. BUT I WANT TO TELL  
13 YOU THAT IT'S APPRECIATED -- AND YOUR ADVOCACY IS APPRECIATED  
14 BECAUSE IT KEEPS ME ON MY TOES BECAUSE I GET TO READ WHAT  
15 YOU'RE SAYING. THE DEATHS ARE TOO MANY.

16 LOOK RIGHT BEHIND YOU -- SUPERVISOR BARTLETT,  
17 SUPERVISOR DO, JUAN VILLEGAS -- THEY'RE GREAT PEOPLE. THEY'RE  
18 GREAT PEOPLE.

19 BUT WE'RE MOVING AT A GLACIAL PACE. GOT IT. IT'S  
20 NOT UN-WELL-INTENTIONED. CAN I BEG YOU -- BECAUSE I DON'T HAVE  
21 THE POWER TO DO THIS BY SEPTEMBER. COULD I BEG YOU TO DO THAT.

22 SUPERVISOR DO: I'M TEMPTED TO SAY YES BECAUSE THAT'S

23 --

24 THE COURT: GOOD. SAY YES. THAT'S GREAT. OKAY.

25 (LAUGHTER.)

1 THE COURT: I JUST HEARD --

2 SUPERVISOR DO: BUT, JUDGE, YOU KNOW, PUBLIC WORKS  
3 HAS A LOT TO DO WITH THIS.

4 THE COURT: JUDGE SMITH, DID YOU JUST HEAR A YES?

5 OKAY. BUT, YOU KNOW, I REALLY AM HUMBLLY ASKING  
6 BECAUSE I HAVE NO POWER. THESE DEATHS ARE TOO EXTREME. AND  
7 THAT RAIN, THAT'S KILLING US.

8 SUPERVISOR DO: WITH THIS SUPPORT FROM THE CITY, YOUR  
9 HONOR, YES, WE WILL MOVE AS QUICKLY AS WE CAN.

10 THE COURT: JUAN, CAN YOU SUPPORT THIS.

11 PRO TEM MAYOR VILLEGAS: SO, THE CITY OF SANTA ANA IS  
12 VERY COMMITTED TO THIS PROJECT. WE WANT TO HANDLE THIS -- THIS  
13 ISSUE. LIKE THE MAYOR SAID EARLIER -- MAYOR PULIDO SAID  
14 EARLIER THAT THIS IS EVERYONE'S PROBLEM.

15 THE COURT: OKAY.

16 PRO TEM MAYOR VILLEGAS: AND SANTA ANA CAN'T TAKE THE  
17 BRUNT OF IT.

18 WE WANT TO SEE THIS PROJECT THROUGH.

19 THE COURT: OKAY. NOW, HERE'S WHAT WE'RE GOING TO DO  
20 THEN. WE HAD A WAR ROOM BEFORE. MICHELLE MARTINEZ CAME DOWN  
21 AND PUT THAT CITY TOGETHER.

22 YOU CAN PUT THAT CITY TOGETHER. YOU'RE THE VICE  
23 MAYOR NOW. SO, I'M GOING TO PUT THAT RESPONSIBILITY ON YOU OR  
24 EITHER SUPERVISOR BARTLETT OR SUPERVISOR DO. I THINK THAT'S  
25 SUPERVISOR DO'S DISTRICT. AND IF THE CHAIRWOMAN ACCEDES TO

1 THAT, I'D LIKE TO WORK WITH BOTH OF YOU. THE COURT IS ALWAYS  
2 OPEN --

3 PRO TEM MAYOR VILLEGAS: I'M ALL ABOUT SOLUTIONS,  
4 SIR. I'M ALL ABOUT SOLUTIONS.

5 THE COURT: OKAY.

6 SO, I'M LOOKING FOR SEPTEMBER, FATHER. FOR ME, I  
7 WISH IT WAS YESTERDAY.

8 NOW, STEP UP TO THE MICROPHONE AND TELL US HOW WE'RE  
9 GOING TO REDUCE THESE DEATHS.

10 THE FATHER: OKAY.

11 ONE THING THAT I WOULD DEFINITELY ASK EVERYBODY HERE  
12 TO DO. AND THAT IS TO EVERY SINGLE PROPOSAL THAT YOU MAKE, ADD  
13 A ZERO TO IT. ACCORDING TO THE -- I BELIEVE IT'S -- YEAH, IT'S  
14 JO REPULZI'S REPORT ON HOMELESSNESS, SIR. HER ARTICLE IN MARCH  
15 -- YEAH, MARCH 6, 2019, THAT THIS COUNTY WAS ABLE TO  
16 SUCCESSFULLY MOVE 300 PEOPLE INTO PERMANENT SUPPORTIVE  
17 HOUSING.

18 YOU QUOTED THE STATISTIC. 244 WE KNOW DIED. AND IT  
19 COULD BE 400.

20 THE COURT: UH-HUH.

21 THE FATHER: NOW, THERE COULD BE OTHERS ALSO WHO ARE  
22 HOUSED THAT ARE NOT INCLUDED IN THIS.

23 THE COURT: RIGHT.

24 THE FATHER: BUT WE'RE GOING AT -- YOU HAD -- WE  
25 RIGHT NOW HAVE -- AS MANY PEOPLE ARE DYING AS ARE BEING HOUSED.

1 THE COURT: RIGHT.

2 NOW, YOU UNDERSTAND SOMETHING THAT JUST HAPPENED THAT  
3 I THINK IS GOOD, BUT I'M NOT CERTAIN. BEFORE THERE WAS A  
4 BATTLE GOING ON BETWEEN CAL OPTIMA AND THE COUNTY. IT WAS A  
5 WELL-INTENTIONED BUREAUCRATIC BATTLE. AND I SAW IT OUT AT THE  
6 BAY MART, AND I'VE SEEN IT NOW COMING INTO THE ILLUMINATION TO  
7 THE LINK.

8 AND THAT BATTLE WAS, OH, THEY'RE CHRONIC. NO,  
9 THEY'RE MILD. NO, THEY'RE CHRONIC. AND, NO, THEY'RE MILD.  
10 SO, NOTHING HAPPENED.

11 I THINK THAT THAT HAS BEEN RESOLVED. I'M HEARING  
12 THAT FINALLY THE COUNTY AND CAL OPTIMA ARE GETTING TOGETHER.  
13 AND, SO, INSTEAD OF CHASTISING THEM IN THE PAST, I CHOOSE TO  
14 MOVE FORWARD.

15 I EXPECT THAT YOU AND I ARE BACK HERE NEXT YEAR. AND  
16 YOU'VE GOT A GOOD THING TO SAY. BECAUSE I KNOW THAT YOU'VE  
17 BEEN VERY CONCERNED ABOUT THE COURTYARD. AND I KNOW YOU'VE  
18 BEEN VERY CONCERNED ABOUT WISE PLACE. BUT I KNOW THAT YOU ALSO  
19 WENT WITH PAUL LEON. AND I KNOW THAT YOU WERE VERY PLEASED  
20 WITH THE NEW SHELTER OUT IN ANAHEIM, LA MESA. I THINK YOU'VE  
21 SEEN THE LINK. I HOPE YOU'VE SEEN TUSTIN, BY THE WAY. BECAUSE  
22 IT'S A FABULOUS JOB BY TUSTIN.

23 AND, SO, I'M GOING TO WELCOME YOU BACK. OKAY. I'M  
24 GOING TO HAVE JUDGE SMITH CONTINUE TO TALK TO YOU.

25 THE FATHER: SURE.

1 THE COURT: AND WE'RE GOING TO GET THIS HOPEFULLY  
2 BUILT BY SEPTEMBER. AND YOU'RE BEING HANDED A CARD BY  
3 SUPERVISOR DO WITH HIS PERSONAL HOME NUMBER ON IT.

4 (LAUGHTER.)

5 SUPERVISOR DO: ACTUALLY I JUST SPOKE WITH THE  
6 EXECUTIVE DIRECTOR FOR PUBLIC WORKS OF SANTA ANA, YOUR HONOR,  
7 WHO WILL BE WORKING WITH -- TO BUILD YALE STREET. HE SAID THAT  
8 COMFORTABLY BY THANKSGIVING IT WILL BE OPEN.

9 THE COURT: EXCELLENT. THANK YOU VERY MUCH. I  
10 APPRECIATE THAT VERY MUCH, SO.

11 OKAY. LET'S SEE IF WE CAN GET THESE DEATH -- THIS  
12 DEATH TOLL DOWN. THERE'S NO REASON WE'RE TWO AND A HALF TIMES  
13 SAN DIEGO.

14 THE FATHER: I DON'T WANT TO TAKE YOUR TIME, BUT  
15 HONESTLY THE 40- -- YOU SIMPLY HAVE TO PRODUCE A PROGRAM THAT  
16 GETS CLOSE TO THOSE 4,700 --

17 THE COURT: STICK AROUND. WE'RE GOING TO TALK ABOUT  
18 THE CONTINUUM OF CARE PROGRAM IN JUST A MOMENT.

19 THE FATHER: OKAY. GOOD. SORRY.

20 THE COURT: WHAT WE'VE ACCOMPLISHED AND WHAT WE  
21 HAVEN'T. TRUST ME. WE'RE ALMOST THERE. SO, DON'T GO AWAY.

22 NO, YOU STAY RIGHT HERE. WE'VE GOT PLENTY OF ROOM  
23 OVER HERE. AND IF NOT, YOU CAN STAND. YOU LOOK LIKE YOU CAN  
24 STAND.

25 OKAY. SUPERVISOR DO, THANK YOU VERY MUCH.

1           OKAY.

2           UNIDENTIFIED SPEAKER:   SO, YOUR HONOR, I KNOW THAT  
3   THE PUBLIC WORKS DEPARTMENT IN SANTA ANA WILL WORK VERY  
4   DILIGENTLY TO GET THINGS OPEN BY THANKSGIVING.  THERE ARE ALSO  
5   OTHER INSPECTIONS THAT NEED TO TAKE PLACE.

6           WE'LL WORK VERY DILIGENTLY FROM THE COUNTY WITH THE  
7   HEALTHCARE AGENCY AND ALSO WITH THE FIRE AUTHORITY.

8           WHEN YOU'RE TALKING ABOUT THIS MAGNITUDE OF A  
9   FACILITY WITH KITCHEN FACILITIES, ET CETERA, THERE ARE A NUMBER  
10  OF INSPECTIONS THAT HAVE TO BE DONE.  BUT YOU HAVE OUR  
11  COMMITMENT THAT WE'LL WORK WITH ALL OF THE OTHER AGENCIES TO  
12  MAKE SURE --

13          THE COURT:   OKAY.

14          UNIDENTIFIED SPEAKER:   -- THOSE INSPECTIONS ARE DONE  
15  IN A VERY TIMELY FASHION.

16          THE COURT:   I BELIEVE YOU.  AND LET ME TELL YOU --  
17  HOLD ON.

18          I LISTENED TO MORE PROBLEMS NOT CONNECTED WITH YOU.  
19  SO, MOVE OFF TO THE SIDE SO I'M NOT BEARING DOWN -- I'M JUST  
20  KIDDING YOU.

21          (LAUGHTER.)

22          THE COURT:   I'M NOT BEARING DOWN ON YOU.

23          THAT IS NONSENSE.  THAT IS NONSENSE WHEN I HEARD IT  
24  FROM SANTA ANA TO BEGIN WITH UNTIL YOU STEPPED IN.

25          ALL OF THESE BARRIERS ARE BUREAUCRATIC BARRIERS THAT



1 ARE BUILT IN. BECAUSE EVERY WELL-INTENTIONED BUREAUCRAT WILL  
2 TELL US WHY THEY HAVE A JOB AND WHY WE CAN'T DO IT.

3 AND I'LL JUST SAY IT THAT BLUNTLY, IT JUSTIFIES OUR  
4 POSITION. AND THEY'RE NOT BAD PEOPLE. BUT THE END RESULT IS  
5 THIS BICKERING BACK AND FORTH FROM SANTA ANA TO THE COUNTY HAS  
6 TO STOP.

7 AND I'VE HAD THIS CONVERSATION WITH CHAIRMAN DO, WHO  
8 STEPPED UP AND TRIED TO MAKE IT STOP.

9 I'M ASKING YOU TO MAKE IT STOP, TO HAVE THAT  
10 STRENGTH. STOP THIS BICKERING, PEOPLE ARE LOSING LIVES  
11 BECAUSE OF IT.

12 UNIDENTIFIED SPEAKER: I COMPLETELY AGREE.

13 THE COURT: OKAY. I'M GOING TO SAY THIS DIRECTLY TO  
14 YOU. THAT'S THE END OF IT.

15 I WANT TO THANK YOU VERY MUCH. AND I APPRECIATE YOUR  
16 COOPERATION.

17 YOU'VE GOT MY HOME NUMBER STILL?

18 UNIDENTIFIED SPEAKER: I DO.

19 THE COURT: CALL ME ANYTIME. I DON'T SLEEP.

20 UNIDENTIFIED SPEAKER: AND YOU'VE GOT MINE TOO.

21 THE COURT: OKAY.

22 (LAUGHTER.)

23 THE COURT: AND I'VE GOT A WAR ROOM BACK THERE AND I  
24 CAN BRING YOU TOGETHER. SO, COME SEPTEMBER --

25 UNIDENTIFIED SPEAKER: YEAH. IT WILL HAPPEN.

1 THE COURT: OKAY. IT WILL HAPPEN. ALL RIGHT.

2 I'D LIKE TO -- I'VE LOVE TO HEAR FROM COSTA MESA FOR  
3 A MOMENT OR FROM TUSTIN, EITHER ONE.

4 AND THEN I'VE GOT SOME TOUGH QUESTIONS FOR ALL OF YOU  
5 BECAUSE WE'VE GOT TWO OTHER SUBJECTS THAT WE WANT TO COVER  
6 TODAY. AND THIS IS GOING TO BE OF PARTICULAR INTEREST TO LAW  
7 ENFORCEMENT. SO, DON'T GO AWAY AND DON'T GET SLEEPY. KEEP  
8 YOUR EYES OPEN. THIS IS GOING TO AFFECT YOU.

9 AND THIS IS KATRINA FOLEY, BY THE WAY. OUTSTANDING.

10 AND I'LL PUT THAT RIGHT ON THE RECORD -- MAYOR OF  
11 COSTA MESA.

12 MAYOR FOLEY: THANK YOU, YOUR HONOR.

13 THE COURT: YEAH.

14 MAYOR FOLEY: I THINK THAT OUR STAFF SENT AN EMAIL  
15 WITH A POWERPOINT, BUT I'M NOT SURE IF IT GOT THERE. SO, I'LL  
16 JUST SPEAK. AND IF IT COMES, WE'LL TALK ABOUT IT.

17 SO, MUCH LIKE ANAHEIM AND SANTA ANA, WE'VE BEEN  
18 WORKING DILIGENTLY.

19 WHEN -- WHEN I GOT SWORN IN ON DECEMBER 4TH, ONE OF  
20 THE FIRST THINGS I DID WAS BEGIN TO GET OUR CITY COUNCIL TEAM  
21 TOGETHER TO SOLVE THIS SITUATION FOR COSTA MESA.

22 WE HAVE IN THAT TIME PERIOD SCoured THE CITY,  
23 IDENTIFYING A POTENTIAL 50 SITES. WE CAME TO HAVING A TWO-PART  
24 SOLUTION. WE'LL HAVE A TEMPORARY SHELTER. WE'RE LEASING A  
25 CHURCH WHERE THEY WERE ALREADY PROVIDING HOMELESS SERVICES. WE

1 ARE ALSO PURCHASING A PERMANENT SHELTER BUILDING OVER BY THE  
2 AIRPORT. AND WE ARE IN THAT PROCESS RIGHT NOW.

3 THE SHELTER OPENS FOR 50 BEDS ON FRIDAY. AND WE HAVE  
4 HIRED MERCY HOUSE AS OUR OPERATOR. WE HAVE ALREADY BEGUN  
5 IDENTIFYING INDIVIDUALS TO GO INTO THE SHELTER AND BEGIN THAT  
6 PROCESS OF HELPING THEM TO UNDERSTAND WHAT THE PROCEDURES WILL  
7 BE. IT'S A LOW-BARRIER SHELTER. HOWEVER, THEY CAN ONLY BRING  
8 65 POUNDS OF ITEMS IN.

9 THE CLERK: MAYOR --

10 MAYOR FOLEY: YES.

11 THE CLERK: THE POWERPOINT IS HERE. HE'S TRYING TO  
12 PUT IT UP FOR YOU.

13 MAYOR FOLEY: OKAY. GREAT. THANK YOU.

14 AND WE ALSO I'M PLEASED TO SAY SIGNED THE SETTLEMENT  
15 AGREEMENT WITH THE PLAINTIFFS AFTER MANY MEETINGS AND  
16 COLLABORATIONS WITH THE COURT, JUDGE SMITH, AND THE PLAINTIFFS'  
17 LAWYERS.

18 I WANT TO THANK ALL OF YOU FOR YOUR HARD WORK AND  
19 EFFORTS WITH US AND MEETINGS AT ALL DIFFERENT TIMES OF DAY AND  
20 NIGHT AND PHONE CALLS.

21 WE HAVE SPENT NEARLY \$10 MILLION ON THIS PROJECT --

22 THE COURT: RIGHT.

23 MAYOR FOLEY: -- ALL COMING OUT OF THE CITY'S --

24 THE COURT: SURE.

25 MAYOR FOLEY: -- GENERAL FUND AND RESERVES.

1 THE BUILDING IS COSTING 6.95 MILLION.

2 THE COURT: I WANT TO STOP YOU RIGHT THERE.

3 I WANT -- SUPERVISOR DO, SUPERVISOR BARTLETT, IF YOU  
4 CHOOSE, SUPERVISOR CHAFFEE, SUPERVISOR WAGNER AND ALL, I'M  
5 GOING TO BE ASKING YOU ABOUT YOUR GENERAL FUND IN JUST A  
6 MOMENT. I'M GOING TO BE ASKING YOU ABOUT YOUR COMMITMENT TO NO  
7 PLACE LIKE HOME. AND I'M GOING TO BE ASKING YOU ABOUT YOUR  
8 COMMITMENT OR NON-COMMITMENT TO HEALTH HOMES AND WHOLE PERSON  
9 CARE.

10 AND I'M GOING TO SHOW YOU SOME FIGURES BECAUSE THIS  
11 IS THE PAST. IT'S NOT THE FUTURE. BUT I'M GOING TO BE ASKING  
12 YOU IF YOU'RE TRULY GOING TO COMPETE FOR FEDERAL AND STATE  
13 DOLLARS GOING FORWARD OR NOT. AND YOU CAN JUST GIVE ME A BLUNT  
14 ANSWER. YOU CAN TELL ME IT'S NONE OF MY BUSINESS. BUT I WANT  
15 TO SHOW YOU SOME THINGS THAT HAVE HAPPENED IN THE PAST WHERE I  
16 BELIEVE THAT THIS COUNTY HAS WALKED AWAY FROM HUNDREDS OF  
17 MILLIONS OF DOLLARS.

18 SO, THAT'S NOT YOU. I'M JUST GOING TO PUT THAT UP ON  
19 THE BOARD. AND I'M GOING TO ASK THAT REALLY TOUGH QUESTION IN  
20 A MOMENT BECAUSE THIS MONEY IS COMING OUT OF THE CITIES. IT'S  
21 COMING OUT OF THEIR GENERAL FUND. AND THE QUESTION I'M GOING  
22 TO HAVE IS WHY HAVE WE WALKED AWAY FROM HUNDREDS OF MILLIONS OF  
23 DOLLARS IN THE PAST ON THESE PROGRAMS.

24 AND IF WE HAVE WALKED AWAY FROM THIS MONEY, ARE YOU  
25 COMMITTED TO GOING FORWARD IN THE FUTURE AND JUST FORGETTING

1 THE PAST AND MAKING THIS BETTER.

2 AND I'M GOING TO PUT SOME FIGURES RIGHT UP ON THE  
3 BOARD SO YOU'RE NOT SURPRISED.

4 SO, MAYOR.

5 MAYOR FOLEY: THANK YOU.

6 THE -- THE PERMANENT STRUCTURE IS COSTING US 6.95  
7 MILLION. THE TEMPORARY, WE ARE INVESTING APPROXIMATELY  
8 \$300,000 THERE. AND WE ARE SPENDING 2.5 MILLION IN OPERATING  
9 COSTS BETWEEN THE SHELTER OPERATOR, THE PRIVATE OPERATOR, AS  
10 WELL AS OUR OWN CITY STAFF -- TWO -- THREE SOCIAL WORKERS, TWO  
11 CODE ENFORCEMENT OFFICERS, AND TWO SPECIALLY TRAINED POLICE  
12 OFFICERS.

13 SO, WE ARE INVESTING IN THIS. IT'S ALL COMING OUT OF  
14 OUR GENERAL FUND.

15 THE COURT: RIGHT.

16 MAYOR FOLEY: IT'S ACTUALLY -- OUR CITY STAFF HAD  
17 BEEN WORKING AROUND THE CLOCK. AND OUR FINANCE DIRECTOR HAS  
18 DONE AN AMAZING JOB OF TRYING TO REDUCE THE IMPACT ON OUR  
19 RESERVES.

20 BUT AS OF TODAY, WE WILL PROBABLY SEE 5 MILLION  
21 COMING OUT OF OUR -- OUR RESERVES. AND THAT'S NEVER A PLACE  
22 THAT WE WANT TO BE.

23 THE COURT: RIGHT.

24 MAYOR FOLEY: AND I CERTAINLY DON'T WANT TO BE  
25 RESPONSIBLE FOR THAT. SO, I'M DOING EVERYTHING I CAN TO ASK

1 OUR FEDERAL, STATE AND COUNTY PARTNERS --

2 THE COURT: AND CAL OPTIMA. AND CAL OPTIMA.

3 MAYOR FOLEY: OKAY.

4 THE COURT: LET'S GET THAT SECOND OPINION. LET'S SEE  
5 IF WE CAN GET --

6 MAYOR FOLEY: I WOULD -- I WOULD LOVE TO DO THAT,  
7 YOUR HONOR, BECAUSE --

8 THE COURT: -- SOME -- MINIMALLY SOME PROVIDER  
9 SERVICES OR MAYBE SOME HOUSING OUT THERE THAT SUPERVISOR DO  
10 TALKED ABOUT.

11 MAYOR FOLEY: I DID NOTICE THAT THEY HAVE  
12 PARTICIPATED IN FUNDING COLLEGE HOSPITAL, WHICH IS PART OF OUR  
13 SHELTER PLAN FOR THE 12 BEDS. BUT THAT'S GOING TO THE COLLEGE  
14 HOSPITAL NOT TO THE CITY.

15 THE COURT: OKAY.

16 AND I'LL SEE YOU AT 5:30 ON FRIDAY.

17 MAYOR FOLEY: YES, I HOPE SO.

18 THE COURT: WELL --

19 MAYOR FOLEY: CAN I JUST SHOW YOU A COUPLE OF POINTS.

20 THE COURT: SURE.

21 MAYOR FOLEY: WE'VE GOT IT UP HERE.

22 THE COURT: PLEASE.

23 MAYOR FOLEY: BUT YOU CAN SCROLL TO THE NEXT SLIDE.  
24 KEEP GOING.

25 SO, I DON'T KNOW IF YOU CAN SEE THAT. BUT THIS IS

1 OUR TIMELINE OF ACTIONS.

2 AND AS I TOLD YOU FRIDAY, WE OPENED THE SHELTER.

3 GO TO THE NEXT SLIDE.

4 WE'VE HAD MORE THAN EIGHT COMMUNITY MEETINGS AND OPEN  
5 HOUSES --

6 THE COURT: RIGHT.

7 MAYOR FOLEY: -- WHICH IS PART OF WHY WE HAVE SUCH  
8 COMMUNITY SUPPORT FOR THIS.

9 THE COURT: I ALSO KNOW YOU WERE STANDING OUT IN THE  
10 RAIN GOING DOOR TO DOOR BECAUSE SOMEBODY CALLED ME --

11 MAYOR FOLEY: YES.

12 THE COURT: -- AND TOLD ME YOU WERE OUT THERE AS THE  
13 MAYOR.

14 MAYOR FOLEY: YES. COUNCIL MEMBER REYNOLDS AND I DID  
15 THAT.

16 THE ONE THING I WANT TO POINT OUT IS ON FRIDAY, WE  
17 ARE VERY CONCERNED --

18 AND YOU CAN GO TO THE NEXT SLIDE --

19 -- ABOUT THE TALBERT PARK. SO, WHILE TALBERT PARK  
20 IS COUNTY --

21 THE COURT: YEAH.

22 MAYOR FOLEY: -- PARK LAND, IT IS ACTUALLY WITHIN THE  
23 CITY OF COSTA MESA. AND WE UNDERSTAND THERE'S AT LEAST 25 TO  
24 30 ENCAMPMENTS IN THE PARK RIGHT NOW.

25 THE COURT: SO, LET'S STOP RIGHT THERE BECAUSE YOU'VE

1 ASKED IN A CONVERSATION THAT WE TALK TO THE COUNTY. AND COUNTY  
2 COUNSEL IS HERE.

3 LEON, LET ME TALK TO YOU AND THE CITY ATTORNEY FOR A  
4 MOMENT.

5 LET'S EXPLAIN THE PROBLEM BECAUSE THE HOMELESS ARE  
6 SMART. WHEN SANTA ANA STARTED TO ENFORCE, GUESS WHERE THEY  
7 WENT? FOUR FEET OVER THE LINE TO WESTMINSTER. LITERALLY.  
8 LITERALLY.

9 AND WITH REGARD TO THESE CRAZY JURISDICTIONAL ISSUES,  
10 WHEN WE WERE A SMALL COUNTY WITH SEPARATE CITIES -- SO, IF YOU  
11 GO OUT TO ANAHEIM, WHEN WE'RE OUT THERE, MAYOR, WHEN WE GO OVER  
12 TO THE SCHOOL RIGHT BY SCHWEITZER, THEY KNOW THAT THAT'S COUNTY  
13 DRAINAGE.

14 SO, THE HOMELESS -- LITERALLY SHERIFF BARNES WENT  
15 OVER TO THE COUNTY DRAINAGE BECAUSE ANAHEIM WAS HAVING TROUBLE  
16 ENFORCING. IT'S THE SAME PROBLEM WE HAD WITH THE RIVER. OKAY.

17 SO, THEY HAVE A COMMUNICATION NETWORK.

18 SO, THE END RESULT IS TELL THE BOARD WHAT YOU NEED  
19 AND TELL COUNSEL WHAT YOU NEED. AND LET'S SEE IF WE CAN, YOU  
20 KNOW, HUMANELY CLEAN THIS UP.

21 AND, CAROL, I WANT YOU TO KNOW THIS LOCATION, ALSO,  
22 BECAUSE I GUESS WHO I HOPE IS WITH ME, BROOKS OR CAROL, AT FIVE  
23 O'CLOCK THIS FRIDAY? OKAY. YEAH.

24 I DON'T THINK YOU'RE GOING TO HAVE A LARGE NUMBER OUT  
25 THERE -- NOT LIKE MAXWELL, ET CETERA.



1 BUT EXPLAIN TO THE COUNTY AND SEE IF WE CAN WORK THIS  
2 OUT. OTHERWISE, WHAT WE'RE GOING TO DO IS CLEAR COSTA MESA.  
3 BUT YOU'VE GOT THIS TALBERT PARK ISSUE, WHICH IS REALLY COUNTY.

4 MAYOR FOLEY: WE HAVE TWO ISSUES --

5 THE COURT: SO, I THINK IT'S A JURISDICTIONAL  
6 PROBLEM.

7 MAYOR FOLEY: -- TWO THINGS THAT WE NEED.

8 ONE, WE'D LIKE TO HAVE THE COUNTY SHERIFF AND THE  
9 PARKS PEOPLE COME OUT WITH US ON FRIDAY. OUR CHIEF IS HERE.  
10 AND WE'D LIKE TO BE ABLE TO HAVE PEOPLE COME OUT WITH US TO  
11 NOTIFY PEOPLE THAT THEY CANNOT BE ENCAMPED THERE.

12 AND, TWO, FROM THE COURT, WE -- AND THE PLAINTIFFS,  
13 WE NEED TO BE ABLE TO ENFORCE OUR ANTI-CAMPING ORDINANCE IN THE  
14 PARK THERE.

15 THE COURT: EVEN THOUGH IT'S NOT PART OF COSTA MESA.  
16 THAT'S THAT FUNNY JURISDICTIONAL ISSUE.

17 AND YOU HAVEN'T SETTLED WITH THE COUNTY IN A SENSE.

18 SO, IT WAS OF GREAT CONCERN THAT WE WERE AGAIN  
19 PUSHING PEOPLE WHOSE GOT THE STRONGEST LAW ENFORCEMENT. I  
20 THINK WE'RE ALL DONE WITH THAT PUSHING OFF ON OUR NEIGHBORS.

21 ALL WE'RE GOING TO BE ASKING IS A PROPORTIONAL -- NO.  
22 SORRY.

23 WE'RE ASKING EACH CITY TO CLEAN UP THEIR OWN CITY NOT  
24 TO ACCEPT OTHER PEOPLE FROM OTHER PARKS AND PORTIONS. BUT THIS  
25 IS AN ODDITY. WE HAVE THIS CRAZY JURISDICTION AGAIN.

1 SO, I WAS GOING TO ASK THIS.

2 SHERIFF BARNES, I WAS JUST WONDERING OUT OF COURTESY  
3 IF YOU COULD GET TOGETHER WITH MAYBE LEON FOR A MOMENT--  
4 REPRESENTING THE COUNTY AND THEN BACK TO THE BOARD. AND IF WE  
5 COULD WORK THIS OUT TODAY WITHOUT ANY FURTHER PRESENTATION  
6 RIGHT NOW AND SOLVE THIS JURISDICTIONAL PROBLEM IN THE BACK.

7 MS. HALL BARLOW: I CAN JUST TELL YOU, YOUR HONOR,  
8 THAT WE WORKED ON THIS OVER THE WEEKEND. OUR CHIEF HAS BEEN  
9 VERY ACTIVE.

10 AND FOR THE RECORD, KIMBERLY HALL BARLOW, CITY  
11 ATTORNEY, COSTA MESA.

12 THE COUNTY IS WILLING TO BE COOPERATIVE. THEY SIMPLY  
13 WANT TO KNOW THAT THEY'RE NOT GOING TO FACE LEGAL ISSUES IF  
14 THEY COME OUT TO THE PARK ON FRIDAY TO DO WHAT WE'VE ASKED THEM  
15 TO DO. AND, SO, WE NEED FROM THE COURT BASICALLY BLESSING FOR  
16 THE COUNTY TO PARTICIPATE IN THIS ACTIVITY WITH US.

17 THE COURT: IN THE PARK.

18 MS. HALL BARLOW: IN THE PARK.

19 THE COURT: OKAY. LET'S HEAR FROM -- WHY NOT?

20 MS. SOBEL: WHAT IS IT? YOU KNOW, THAT'S THE --

21 THE COURT: JUST PRETEND THAT THE PARK IS PART OF  
22 COSTA MESA, AN EASY WAY TO THINK ABOUT IT. BECAUSE YOU'VE GOT  
23 THIS CRAZY JURISDICTIONAL LINE.

24 MS. SOBEL: HAVE THEY --

25 THE COURT: BETTER YET -- NO, NO, WE'RE NOT GOING TO

1 WASTE TIME. I'VE GOT TOO MUCH.

2 I'M GOING TO ASK YOU TO GO BACK WITH THE SHERIFF AND  
3 ONE OF THE PLAINTIFF'S COUNSEL. THAT'S JUST A REQUEST. I  
4 CAN'T ORDER IT. BUT IF YOU GO BACK WITH ONE OF MY LAW CLERKS  
5 FOR A MOMENT -- I'M NOT GOING TO TAKE THE CITY'S TIME WITH  
6 THIS.

7 MS. HALL BARLOW: NOT A PROBLEM, YOUR HONOR. THANK  
8 YOU.

9 MS. SOBEL: THANK YOU, YOUR HONOR.

10 THE COURT: YEAH. YOU CAN WORK THIS OUT VERY, VERY  
11 EASILY.

12 AND SINCE I'M GOING TO BE STANDING THERE IF THERE'S A  
13 PROBLEM, YOU CAN BRING IT TO MY ATTENTION RIGHT AWAY. I CAN  
14 SOLVE THAT RIGHT AWAY.

15 OKAY. NOW, SHERIFF, I WOULD LEAVE SOMEBODY FROM  
16 SOUTH COUNTY HERE, MAYBE JEFF, OR SOMEBODY, JUST IN CASE WE  
17 ROLL PRETTY QUICK WITH SOME THINGS. I THINK IT'S GOING TO  
18 CONCERN YOUR DEPARTMENT.

19 SO, I'LL LEAVE THAT TO YOU.

20 SHERIFF BARNES: YOUR HONOR, IF I MAY.

21 THE COURT: YEAH.

22 SERGEANT BARNES: WE ARE HERE REPRESENTING OBVIOUSLY  
23 THE SHERIFF'S DEPARTMENT AND THE CONTRACT CITIES WITH WHOM WE  
24 POLICE. WE ARE NOT HERE TO REPRESENT ANY OF THE CITIES'  
25 INTEREST --

1 THE COURT: UNDERSTOOD.

2 SHERIFF DON BARNES: -- FOR WHOM WE PROVIDE POLICE  
3 SERVICES FOR.

4 THE COURT: UNDERSTOOD. OKAY.

5 AND WHAT THEY WANT TO DO IS ENFORCE OVER ON WHAT'S  
6 BASICALLY COUNTY LAND BECAUSE IT'S TALBERT PARK AGAIN.

7 SHERIFF DON BARNES: I KNOW. WE'RE GOING TO RESOLVE  
8 THIS REAL QUICK.

9 THE COURT: YEAH. THANKS A LOT. I APPRECIATE IT,  
10 DON.

11 OKAY. FOR TUSTIN, IF YOU'D BE SO KIND. AND THEN I'D  
12 LIKE TO GO TO THE NORTH SPA FOR A MOMENT.

13 AND I'M GOING TO NEED GEMMA BACK, MAX, WITH THE  
14 PRINTOUT OF THE NORTH SPA.

15 MR. WEST: THANK YOU. GOOD MORNING, YOUR HONOR.

16 MY NAME IS MATT WEST. I'M THE ACTING CITY MANAGER  
17 FOR TUSTIN. AND I APPRECIATE STANDING UP AFTER TWO AND A HALF  
18 HOURS. SO, I APPRECIATE THIS OPPORTUNITY.

19 THE COURT: YEAH. EVERYBODY CAN STAND UP, BY THE  
20 WAY. IT'S INFORMAL. YOU CAN GO TO THE BATHROOM. BUT USE THE  
21 BATHROOM DOWN THE HALLWAY.

22 MR. WEST: AND I DO HAVE A -- SOME TALKING POINTS --

23 THE COURT: BUT YOU DON'T WANT TO LEAVE THIS BECAUSE  
24 THIS IS THE LAST MEETING FOR A YEAR.

25 I'M NOW OUT OF THE SETTLEMENT BUSINESS AFTER THIS.

1 OKAY. WE'RE GOING INTO LITIGATION OBVIOUSLY WITH SOME OF THE  
2 CITIES.

3 AND, SO, I'M GOING TO TURN MY HAT NOW TO THE CONSENT  
4 YOU'VE GIVEN ME IN THE PAST INTO A MUCH DIFFERENT MODE. OKAY.

5 MR. WEST: SO, THANK YOU.

6 TUSTIN, I'M HERE ON BEHALF OF THE CITY COUNCIL, OUR  
7 COMMUNITY, OUR MAYOR, CHUCK PUCKETT; CITY ATTORNEY, DAVE  
8 KENDIG; AND OUR POLICE CHIEF SUE GREENBERG.

9 I'M HAPPY TO PRESENT OUR TUSTIN TEMPORARY EMERGENCY  
10 SHELTER.

11 I DO HAVE SOME PREPARED REMARKS, BUT I DO WANT TO  
12 JUST STATE SOMETHING HERE FOR A MOMENT.

13 SO, LONG BEFORE WE WERE IN THE COURT HERE LAST YEAR  
14 THE CITY OF TUSTIN HAS HAD A HOMELESS COALITION THAT HAS OUR  
15 POLICE OFFICER, OUR COMMUNITY PARTNERS, CITY MET, THE COUNTY.  
16 AND WE HAD BEEN ACTIVELY PERFORMING OUTREACH FOR QUITE SOME  
17 TIME.

18 SO, BY THE TIME THAT THIS CAME TO BE WE WERE ALREADY  
19 IN THAT MODE.

20 WE ARE CURRENTLY IN AN OUTREACH MODE, EVEN THOUGH OUR  
21 SHELTER HAS BEEN OPEN FOR ABOUT TWO WEEKS NOW.

22 IT IS IMPORTANT TO NOTE THAT OUR ENFORCEMENT  
23 AUTHORITY IS, IN FACT, IN PLACE. BUT WE ARE CONCENTRATING ON  
24 OUTREACH AT THE MOMENT.

25 THE COURT: OKAY.

1 MR. WEST: OUR SHELTER IS ABOUT 50 PERCENT FULL.

2 AS YOU MAY KNOW, THE COUNCIL MADE A DECISION BACK IN  
3 THE FALL TO SITE A SHELTER AT A FORMER COLLEGE PROPERTY THAT WE  
4 OWNED. AND FACED WITH COMMUNITY CONCERNS THE COUNCIL QUICKLY  
5 PIVOTED. AND WE TURNED TO A SITE THAT WE DID CONTROL. IT WAS  
6 A FORMER FEDERAL ARMY RESERVE PROPERTY.

7 THE COURT: AND LET'S STOP THERE. THAT HAPPENED AT  
8 TUSTIN. IT'S HAPPENED TO MAYOR FOLEY OUT IN COSTA MESA. AND  
9 BECAUSE WE WERE WORKING TOGETHER, THE COURT WORKED WITH YOU.

10 MR. WEST: ABSOLUTELY.

11 THE COURT: WE WENT OVER A TIMELINE OF 120 DAYS. IT  
12 WAS THE WRONG CHOICE AT THE TIME. PEOPLE RECOGNIZED IT. IT  
13 WAS IN GOOD FAITH. YOU HEARD NOTHING NEGATIVE FROM THE COURT.

14 AND THEN YOU FOUND ANOTHER LOCATION, MAYOR. THAT'S  
15 WHY WE'RE WORKING TOGETHER NOT AGAINST EACH OTHER.

16 BUT I DID EXPECT IF YOU WERE GIVING UP ON ONE  
17 LOCATION, THAT YOU WOULD HAVE GIVEN ME ANOTHER LOCATION. AND  
18 YOU DID THAT IN GOOD FAITH.

19 SO, PLEASE CONTINUE.

20 MR. WEST: YES. THANK YOU.

21 AND THERE'S SOME PHOTOS THAT ARE JUST CYCLING  
22 THROUGH. IT'S NOT A PREPARED PRESENTATION. BUT THIS JUST  
23 SHOWS THE SITE.

24 SO, IT WAS ACTUALLY A PAVED SITE THAT WE WERE ABLE TO  
25 QUICKLY TURN OUR FOCUS ON.

1           AND I THINK WHAT'S IMPORTANT TO NOTE IS THAT WE HAD A  
2 PROVEN OPERATOR IN OUR CITY, JIM PALMER.

3           THE COURT:    RIGHT.

4           MR. WEST:    HE DOES RUN THE ORANGE COUNTY RESCUE  
5 MISSION.    BUT THAT FACILITY CAME OUT OF PLAY FOR OTHER REASONS  
6 WE WON'T GO INTO.    BUT HE WAS AT THE TABLE FROM THE BEGINNING  
7 AT EVERY WEEKLY MEETING.

8           AND, SO, HAVING THE OPERATOR THERE DURING THE DESIGN  
9 PHASE HAS BEEN HELPFUL.

10          AND, SO, IT'S IMPORTANT TO NOTE THAT THIS FACILITY  
11 ONCE WE BROKE GROUND, IT TOOK 60 DAYS FROM THE TIME THAT WE  
12 ACTUALLY GOT ON SITE AND POPPED THIS THING UP AND MADE IT  
13 OPERATIONAL.

14          SO, JUST WITH THAT BEING SAID, I WANT TO READ A FEW  
15 PREPARED REMARKS.

16          SO, THE MISSION OF OUR SHELTER IS TO PROVIDE A  
17 HAND-OUT TO HOMELESS MEN, WOMEN AND FAMILIES FROM THE STREETS  
18 OF TUSTIN INTO SAFE AND CLEAN AND DIGNIFIED LOW-BARRIER  
19 EMERGENCY SHELTER.

20          AND I WOULD SAY THAT OF OUR POPULATION WE DO HAVE  
21 SINGLE MEN, SINGLE WOMEN, AND FAMILIES AND COUPLES.

22          AND AS YOU SEE FROM THE PICTURES IS THAT WE ACTUALLY  
23 HAVE A NUMBER OF MODULAR UNITS.    SO, THERE'S ABOUT  
24 14-AND-A-HALF-THOUSAND SQUARE FEET SHELTER WITHIN 14 MODULAR  
25 UNITS.

1 THE COURT: AND I WAS OUT THERE JUST A COUPLE OF DAYS  
2 AGO. IT'S ABSOLUTELY OUTSTANDING.

3 MR. WEST: AND IT'S --

4 THE COURT: AND WHERE IS FATHER CRIS --

5 MR. WEST: THANK YOU.

6 CAN --

7 THE COURT: IS FATHER CHRIS HERE?

8 I WANT YOU TO GO OUT THERE AND LOOK AT IT.

9 FATHER --

10 THE FATHER: WHAT?

11 THE COURT: I WANT YOU TO GO OUT THERE AND LOOK AT  
12 IT.

13 THE FATHER: OKAY. SURE. YEAH.

14 THE COURT: OKAY. NOT -- I CAN'T ORDER YOU, BUT --

15 THE FATHER: OKAY. I'LL HAPPILY GO --

16 THE COURT: OKAY. WE'LL TRANSPORT YOU.

17 THE FATHER: YEAH. OKAY.

18 THE COURT: OKAY.

19 BECAUSE THESE NEW SHELTERS ARE INCREDIBLY GOOD THAT  
20 THE CITIES ARE BUILDING.

21 THE FATHER: I'VE -- I'VE SEEN THE LA MESA SHELTER --

22 THE COURT: THEY'RE VERY HUMANE. YOU'VE SEEN --

23 YOU'VE SEEN THE MAYOR OUT IN ANAHEIM, WHICH I KNOW WITH PAUL  
24 LEONG. AND THAT WAS STATE OF ART.

25 AND TUSTIN IS ALSO. OKAY.



1 AND SANTA ANA IS ALSO.

2 SO, WHEN THE ACLU HIT, YOU UNDERSTAND THAT THE -- AND  
3 SUPERVISOR DO, WHO, YOU KNOW, TRIED TO MOVE THE QUEEN MARY  
4 FORWARD, YOU KNOW, OBVIOUSLY, IS A LITTLE CHAGRINED, QUITE  
5 FRANKLY, BECAUSE OF HIS EFFORTS. OKAY.

6 BUT BY THE SAME TOKEN, YOU'RE RIGHT. WE NEED TO DO  
7 SOMETHING ABOUT WISE PLACE. AND WE NEED TO DO IT VERY QUICKLY.  
8 AND WE NEED TO DO SOMETHING ABOUT THE COURTYARD. OKAY.

9 THE FATHER: YES.

10 THE COURT: SO, PLEASE.

11 MR. WEST: SO, AS I MENTIONED, IT'S ABOUT 14,500  
12 SQUARE FEET WITHIN 14 MODULAR UNITS THAT WE BROUGHT ON TO THE  
13 SITE. BUT THEY'RE ACTUALLY CONFIGURED INTO EIGHT BUILDINGS.  
14 IT'S ABOUT AN ACRE AND A HALF OF PARKING LOT.

15 AND LIKE I SAID, IT WAS ASSEMBLED IN JUST 60 DAYS.

16 AND YOU'LL SEE FROM THE PICTURES IS THAT WE HAVE  
17 THESE PRIVATE LIVING SPACES WITH NON-PERMANENT ENCLOSURES. AND  
18 THE INTENT IS THAT THESE SPACES ARE AS FLEXIBLE AS POSSIBLE.

19 AND THE WAY WE HAVE IT SET UP IS WE ACTUALLY HAVE A  
20 UNIT FOR JUST SINGLE MEN, A UNIT FOR SINGLE WOMEN, A UNIT FOR  
21 COUPLES, A UNIT FOR FAMILIES. AND THAT'S FLEXIBLE AS THE  
22 POPULATION ADJUSTS OVER TIME.

23 AND WHEN PEOPLE -- WHEN OUR GUESTS COME IN, THEY DO  
24 GET ASSIGNED AN ACTUAL SECURITY CARD THAT GIVES THEM ACCESS TO  
25 JUST THE SHELTER -- JUST THE BUILDING THAT THEY'RE SUPPOSED TO

1 BE IN.

2 WE HAVE DESIGNED A SHELTER THAT IS ON A HUMAN SCALE,  
3 NOT AN INDUSTRIAL SCALE, WITH SEMIPRIVATE LIVING SPACES.

4 WE DO HAVE INTEGRATED HEALTHCARE. WE HAVE 24-HOUR  
5 SEVEN-DAY-A-WEEK INTAKE AND ORIENTATION AND 24 ACCESS FOR OUR  
6 O.C. BEHAVIORAL HEALTH STAFF.

7 WE DO OPERATE AS A FIRST-STEP OPPORTUNITY WITH THE  
8 FOLK ON MOVING OUR GUESTS FORWARD TOWARDS SELF-SUFFICIENCY AND  
9 HEALING. THIS IS ACCOMPLISHED BY PROVIDING THREE STRATEGIC  
10 PATHWAYS AND INTERVENTIONS THAT LEAD TO ENDING THEIR  
11 HOMELESSNESS.

12 PATHWAY ONE, WE SEE THIS AS -- AS, IF YOU WILL, THE  
13 LOW-LYING FRUIT. IT'S ACTUALLY TRANSITION AND REUNIFICATION  
14 WITH A FAMILY MEMBER. AND IF NECESSARY, WE PROVIDE THE  
15 TRANSPORTATION TO -- TO ASSIST IN THEIR RETURN HOME.

16 PATHWAY TWO IS HOUSING PATHWAYS. PATHWAYS TO SECTION  
17 8 HOUSING CERTIFICATIONS, FAST HOUSING, OR ALSO TO THE NEWLY  
18 BEING FORMED O.C. HOUSING TRUST COMM- -- TO O.C. HOUSING TRUST  
19 COMMUNITIES.

20 AND THEN LASTLY INTERVENTIONS TO A HIGHER LEVEL OF  
21 CARE, WHICH IS EITHER THROUGH THE ORANGE COUNTY MENTAL HEALTH  
22 PROGRAM, RECUPERATIVE CARE PROGRAM, CHEMICAL DETOX,  
23 TRANSITIONAL HOUSING AND SO FORTH.

24 IN PREPARING FOR TODAY WE DID WANT TO IDENTIFY --  
25 WE'VE ONLY BEEN OPEN FOR TWO WEEKS. WE'RE AN EXTENSIVE

1 OUTREACH. AND WE'VE ALREADY -- WE TRIED TO FIGURE OUT WHAT  
2 THINGS COULD HELP US BE BETTER.

3 AND I TELL YOU WHEN WE PLANNED THE SHELTER, OUR  
4 OPERATOR, OUR STAFF TRIED TO LOOK AT EVERY OPPORTUNITY. AND AS  
5 YOU KNOW, YOU CAN CONTEMPLATE EVERY SCENARIO, NOT KNOWING IF  
6 IT'S EVER GOING TO COME TO BE.

7 BUT I WOULD SAY THAT THERE'S PROBABLY FOUR AREAS, AT  
8 LEAST JUST INITIALLY, THAT I WOULD LIKE TO PRESENT TO THE COURT  
9 AS CHALLENGES OR CONCERNS.

10 SO, NUMBER ONE IS WE ARE ACTUALLY IN NEED OF AN  
11 ONSITE MENTAL HEALTH ASSESSMENT AND TREATMENT.

12 GETTING ACCESS TO FACILITIES, WE SEE THIS WITH  
13 INDIVIDUALS THAT, SAY, HAVE DOGS PER SE --

14 THE COURT: WHERE'S RICHARD SANCHEZ? IS HE HERE?

15 MR. WEST: -- THAT HAVE TROUBLE GETTING TO THOSE. SO,  
16 HAVING IT COME ON SITE --

17 THE COURT: HE'S COMING UP RIGHT NOW.

18 MR. WEST: SURE.

19 THE COURT: RIGHT.

20 MR. WEST: WE'VE EXPERIENCED GREAT SUPPORT FROM THE  
21 COUNTY -- I DO WANT TO SAY WE'VE ACTUALLY EXPERIENCED GREAT  
22 HELP FROM THE ORANGE COUNTY BEHAVIORAL HEALTH OUTREACH AND  
23 ENGAGEMENT TEAM. BUT THERE ARE ALSO MANY OBSTACLES THAT CAN  
24 CAUSE OUR HOMELESS NOT TO PARTICIPATE IN THEIR MENTAL HEALTH  
25 TREATMENT.

1           SO, WE ARE REQUESTING THAT THE COUNTY CAN PROVIDE A  
2 CLINICIAN. AND IN TURN, WE WOULD PROVIDE AN APPROPRIATE OFFICE  
3 ON SITE FOR THE CLINICIAN TO PROVIDE MENTAL HEALTH ASSESSMENTS  
4 AND TREATMENT AND SHELTER.

5           NUMBER TWO, WE ARE IN NEED OF RESOURCES TO SUPPORT  
6 COORDINATED ENTRY FOR INDIVIDUALS.

7           THE COURT: OKAY.

8           MR. WEST: AS WE UNDERSTAND THE COUNTY TOOK -- THE  
9 COUNTY TOOK OVER MANAGING THE COORDINATED ENTRY SYSTEM FOR  
10 INDIVIDUALS.

11           WE'VE ACTUALLY REQUESTED ASSISTANCE AT OUR SHELTER.  
12 AND IT DOES NOT SEEM THAT THEY HAVE THE RESOURCES TO SEND A  
13 HOUSING NAVIGATOR TO OUR SHELTER AND REGISTER OUR GUESTS INTO  
14 THE COUNTY'S CLARITY HOMELESS DATABASE SYSTEM.

15           SO, WE WOULD CERTAINLY WELCOME THAT OPPORTUNITY GIVEN  
16 THAT THERE'S RIGHT NOW -- IT'S OUR UNDERSTANDING THAT IT'S ONLY  
17 BEING HANDLED BY TWO NON-PROFIT ORGANIZATIONS. THEY'RE BOTH  
18 HIGHLY EFFECTIVE. BUT WE WOULD JUST LOOK FOR SOME ASSISTANCE  
19 IN THAT -- THAT CASE.

20           NUMBER THREE, AS I MENTIONED, WE DO HAVE GUESTS WITH  
21 DOGS. SO, WE'RE ACTUALLY LOOKING FOR VETERINARIAN SERVICES FOR  
22 THE DOGS THAT ACCOMPANY OUR HOMELESS GUESTS.

23           AS YOU KNOW, TUSTIN IS HOME TO THE COUNTY NEW ANIMAL  
24 SHELTER JUST 5 MINUTES UP THE STREET.

25           I'VE HAD CONVERSATIONS WITH DYLAN WRIGHT AND THE

1 COUNTY --

2 THE COURT: INSTEAD OF DUPLICATING IT, WHY CAN'T WE  
3 USE THE COUNTY ANIMAL SHELTER.

4 MR. WEST: CORRECT.

5 A NUMBER OF OUR HOMELESS GUESTS ENTER OUR SHELTER  
6 WITH COMPANION AND EMOTIONAL SUPPORT DOGS. THESE DOGS IN MOST  
7 CASES NEED IMMUNIZATION SHOTS, NEUTERING, AND COUNTY LICENSE.

8 SO, WE WOULD ALSO REQUEST THE COUNTY PROVIDE THESE  
9 SERVICES THROUGH THEIR NEWLY BUILT SHELTER.

10 AND, FOUR, WE ARE IN NEED OF ACCESS TO NO-COST DETOX  
11 RESIDENTIAL TREATMENT.

12 MORE THAN HALF OF THE HOMELESS ADULTS ENTERING OUR  
13 SHELTER HAVE DRUG AND/OR ALCOHOL ADDICTION ISSUES. THERE ARE  
14 VERY FEW DETOX BEDS AVAILABLE. AND WE ESTIMATE IN OUR  
15 ESTIMATION THAT WE NEED AT LEAST TWO --

16 THE COURT: AND SUPERVISOR -- SUPERVISOR DO, DON'T --  
17 I KNOW YOU HAVE OTHER DUTIES, BUT DON'T GO AWAY.

18 I'VE GOT SOME REALLY TOUGH QUESTIONS. AND YOU MAY BE  
19 THE ONLY ONE WHO CAN ANSWER THEM.

20 SUPERVISOR DO: OKAY, YOUR HONOR.

21 THE COURT: OKAY.

22 MR. WEST: AND, SO, WE ESTIMATE THAT THERE -- WE NEED  
23 AT LEAST --

24 THE COURT: PLEASE.

25 MR. WEST: -- NOT TUSTIN, BUT JUST IN GENERAL, 250 TO

1 500 ADDITIONAL BEDS IN OUR COUNTY.

2 THE COURT: OKAY.

3 MR. WEST: SO, WITH THAT BEING SAID, I DO WANT TO  
4 EXTEND APPRECIATION TO THE COURT IN THIS PROCESS. LIKE I SAID,  
5 I BELIEVE TUSTIN HAS BEEN A LEADER IN THIS SPACE. WE'VE BEEN  
6 DOING IT FOR SEVERAL YEARS, IF NOT A COUPLE OF DECADES, IN  
7 ADDRESSING HOMELESSNESS AND TRANSITIONAL HOUSING.

8 I WANT TO EXPRESS APPRECIATION TO THE CITIZENS OF  
9 TUSTIN.

10 THE COURT: YEAH.

11 MR. WEST: AS MUCH AS THEY CAME OUT IN OPPOSITION,  
12 YOU ALWAYS HEAR THAT THEY'RE NIMBS. AND YOU THINK THEY'RE NOT  
13 GOING TO WANT IT ANYWHERE.

14 THE COURT: YEAH.

15 MR. WEST: BUT IN REALITY WHEN WE PIVOTED TO A NEW  
16 SITE, WE HAD THEIR FULL SUPPORT. AND WE APPRECIATE THAT.

17 ALSO, TO 42 ELECTED, APPOINTED AND COMMUNITY LEADERS  
18 THAT PARTICIPATED IN THE DRY RUN OF THE SHELTER -- SOME MAY  
19 HAVE SEEN THAT IN THE PAPER -- THE MANY PROCESSED THROUGH. ALL  
20 OF OUR COUNSEL, ALL OF OUR PLANNING COMMISSION, AND MANY STAYED  
21 THE NIGHT.

22 I DO WANT TO EXTEND A SPECIAL THANK YOU TO JASON  
23 AUSTIN AND HIS BEHAVIORAL HEALTH TEAM AT THE COUNTY OF ORANGE  
24 TO OUR PARTNER, THE CITY NET TEAM. ALL OF MY STAFF HAS BEEN  
25 JUST INCREDIBLE.

1           AND THEN TO JIM PALMER AND HIS THOUGHTFUL DEDICATION  
2 TO THIS SHELTER.

3           THE COURT:   YOU HAVE --

4           MR. WEST:   AND I'D BE HAPPY TO ANSWER ANY QUESTIONS.

5           THE COURT:   YOU HAVE A CONVERSATION THEN QUIETLY WITH  
6 RICHARD OR WITH LEON FOR A MOMENT --

7           MR. WEST:   SURE.

8           THE COURT:   -- SO I CAN GO ON TO THE NEXT.

9           AND I'D LIKE TO SEE IF WE CAN GET THAT RESOLVED  
10 TODAY.   AND IF NOT, THAT'S FINE.   I HAVE NO POWER.   REMEMBER  
11 THAT.   BUT I'D LIKE TO SEE IF WE CAN GET THESE WORKED OUT VERY  
12 QUICKLY.

13           ALL RIGHT.   I'D LIKE TO CALL THE NORTH COUNTY SPA FOR  
14 A MOMENT.

15           AND UP TO THIS POINT, FOLKS, WHAT YOU'VE HEARD ARE  
16 INDIVIDUAL CITIES.

17           NOW, REMEMBER, THERE'S SOMETHING CALLED "THE UTAH  
18 PLAN" WHERE OTHER CITIES HAVE BANDED TOGETHER.

19           AND WHEN WE FIRST STARTED THESE SETTLEMENT  
20 NEGOTIATIONS, JUDGE SMITH AND I HAD NO NUMBERS TO WORK WITH.

21           THERE WERE -- THERE WAS NO REAL ACCURACY IN THE  
22 COUNTY.   AND, SO, WE HAD TO TAKE AN OLD COUNT THAT WAS NOT A  
23 GOOD COUNT, QUITE FRANKLY.   AND EVERYBODY KNOWS IT'S PROBABLY  
24 AN UNDER COUNT.   BUT YOU'VE GOT TO WORK WITH THE FIGURES YOU'VE  
25 GOT.

1 WE'RE WAITING FOR THE NEW COUNT TO COME OUT THAT  
2 SUSAN PRICE HAS ADMIRABLY BEEN WORKING ON IN THE COUNTY. AND  
3 THAT WAS AN INCREDIBLE EFFORT BY THE COUNTY AND BY THESE  
4 INCREDIBLE VOLUNTEERS LED BY SUSAN WHO REALLY DESERVES OUR  
5 THANKS AND PRAISE.

6 IT WON'T BE A PERFECT COUNT. IT WILL PROBABLY BE AN  
7 UNDER COUNT. BUT IT'S -- IT'S WHAT WE'VE GOT TO WORK WITH.  
8 AND THOSE ARE THE FIGURES WE SHOULD TAKE.

9 BUT NORTH COUNTY HAS TAKEN A DIFFERENT PERSPECTIVE.  
10 IN OTHER WORDS, THEY'VE TAKEN A SPA-WIDE PERSPECTIVE.

11 AND, SO, I'D LIKE TO TURN THIS OVER.

12 AND WOULD YOU INTRODUCE YOURSELF, RICK.

13 MR. RICK OTTO: YES, YOUR HONOR.

14 I'M RICK OTTO. I'M THE CITY MANAGER FOR THE CITY OF  
15 ORANGE.

16 ALTHOUGH, IN THIS CAPACITY I AM THE SPOKESMAN FOR  
17 THIS 13-CITY MANAGERS OF THE NORTH SPA. THE NORTH SPA MAKES UP  
18 OF 13 CITIES THAT ARE NORTH OF THE 22 FREEWAY.

19 WE HAVE BEEN MEETING AS A GROUP FOR OVER A YEAR AND A  
20 HALF, DISCUSSING HOMELESSNESS AND HOW TO ADDRESS IT ON A  
21 REGIONAL EFFORT.

22 WE'VE ALSO HAD WONDERFUL COOPERATION WITH THE COUNTY  
23 OF ORANGE AS WELL.

24 WHERE WE STAND TODAY IS WE HAVE TWO CITIES THAT HAVE  
25 COME FORWARD THAT ARE WORKING ON A SHELTER, A NAVIGATION CENTER



1 FOR EACH OF THEIR CITIES, A 100-BED SHELTER FOR EACH.

2 AND --

3 THE COURT: CAPACITY UP TO 200 FOR EACH.

4 RICK OTTO: UP TO 200. SO, WITH THAT, COMBINED WITH  
5 ANAHEIM -- PART OF OUR -- ONE OF OUR PARTNERS --

6 THE COURT: AT 325.

7 RICK OTTO: WE'LL HAVE 725 PUBLIC BEDS IN THE NORTH  
8 SPA.

9 THE COURT: DOES EVERYBODY HEAR THAT? -- 725 OUT OF  
10 THE NORTH SPA.

11 OKAY.

12 RICK OTTO: THIS HAS BEEN A -- A HEROIC EFFORT IN --  
13 AT 13 CITIES, GETTING THEM TO AGREE ON FUNDING, OPERATIONS.

14 AND THE MANAGEMENT GOING FORWARD HAS BEEN AN EFFORT.  
15 BUT IT HAS BEEN AN EFFORT THAT HAS BEEN COLLABORATIVE.

16 SO, WITH THAT WE ACTUALLY ARE AT A POINT WHERE WE  
17 HAVE -- ALMOST EVERY CITY HAS APPROVED AN MOU THAT GUIDES THE  
18 FUNDING AND OPERATIONS OF THE SPA.

19 AS YOU CAN SEE THERE ON THE BOARD. AND WE HAVE --

20 THE COURT: OKAY. NOW, THIS IS A TIMELINE. THIS IS  
21 THE -- THESE ARE THE SETTLEMENT AGREEMENTS WHICH ARE HARD TO  
22 READ FROM EACH CITY.

23 AND THESE ARE THE MOU DATES. OKAY. AND THERE'S 13  
24 CITIES THAT WE'RE DEALING WITH OUT IN THIS SPA.

25 CORRECT?

1 RICK OTTO: THAT'S CORRECT.

2 THE COURT: AND THIS IS HARD TO READ, BUT THIS IS  
3 PROBABLY GOING TO BE A SPA-WIDE SETTLEMENT. SO, IT'S DIFFERENT  
4 NOW THAN SANTA ANA, ANAHEIM, TUSTIN, ORANGE, ET CETERA. THAT'S  
5 WHY WE'VE DELAYED SPEAKING ABOUT THOSE CITIES THAT WANT TO GET  
6 TOGETHER FOR FINANCIAL REASONS, ET CETERA, THAT ARE SMALLER  
7 CITIES THAT WANT TO JOIN TOGETHER.

8 SO, PLEASE, RICK.

9 MR. RICK OTTO: THANK YOU, YOUR HONOR.

10 SO, THE SETTLEMENT AGREEMENT ACTUALLY IS MODELED  
11 AFTER THE ORANGE AND ANAHEIM SETTLEMENT AGREEMENTS --

12 THE COURT: RIGHT.

13 MR. RICK OTTO: -- THEY'VE ALREADY REACHED WITH THE  
14 PLAINTIFFS.

15 SO, I KNOW OUR LEGAL COUNSEL FOR THE SPA HAS BEEN  
16 TALKING WITH THE PLAINTIFFS ON RELATION TO EACH OF THESE  
17 INDIVIDUAL SETTLEMENT AGREEMENTS.

18 AS YOU CAN SEE FROM THE TIMELINE, ALMOST EVERY CITY  
19 HAS CONCEPTUALLY AGREED ON THE SETTLEMENT AGREEMENT AS WELL.  
20 SO, WE ARE VERY PROUD TO BE WHERE WE STAND TODAY.

21 I WILL SAY THAT BUENA PARK AND PLACENTIA IS HERE IF  
22 YOU HAVE ANY SPECIFIC QUESTIONS ON THE TIMELINE FOR THEIR  
23 INDIVIDUAL NAVIGATION CENTERS.

24 BUT THE TIMELINE THAT WE LOOK AT THEM, WE SHOULD SEE  
25 THEM OPENING UP BY THE FALL, IF NOT SOMETIME AROUND --

1 THE COURT: ALL I'M ASKING IS BEFORE THE RAINS.

2 MR. RICK OTTO: THAT IS --

3 THE COURT: IN OTHER WORDS, THERE'S NO SPECIFIC DATE.

4 I JUST -- I'M DEATHLY AFRAID OF THAT DEATH TOLL

5 CONTINUING AT THE PRESENT LEVEL BECAUSE OF HYPOTHERMIA. IT'S

6 THE MAIN KILLER. JUST LIKE IN COMBAT. IT'S NOT THE BULLET

7 THAT KILLS YOU. IT'S THE SHOCK. THAT'S HOW WE LOSE TROOPS.

8 SO IT'S THAT RAIN. AND IT'S RAIN COMBINED WITH THE

9 COLD.

10 MR. RICK OTTO: SO, BOTH OF THOSE CITIES -- IN FACT,

11 PLACENTIA IS -- THEIR SHELTER IS BEING CONSIDERED TONIGHT. AND

12 BUENA PARK IS NEXT TUESDAY.

13 THE COURT: OKAY.

14 I WANT TO THANK YOU. I'M GOING TO LEAVE THAT IN YOUR

15 HANDS UNLESS CAROL OR BROOKE HAVE QUESTIONS, ET CETERA.

16 BUT YOU'VE BEEN WORKING VERY WELL WITH NORTH.

17 YOU'VE GOT A SETTLEMENT AGREEMENT THAT YOU'VE ENTERED

18 INTO ALREADY. THESE ARE THE MOU'S ET CETERA. BUT THE COURT IS

19 WIDE OPEN.

20 AND IS THERE AN INTERCESSION THAT EITHER ONE OF YOU

21 NEED WITH THE COURT? BECAUSE I'VE BEEN MORE THAN SATISFIED.

22 AND I'VE BACKED AWAY.

23 MS. SOBEL: WE HAVE SENT A -- AN EMAIL TO GARY

24 KRANKER FOR NORTH SPA. AND WE HAVE SOME QUESTIONS WE'D LIKE TO

25 HAVE -- YOU KNOW, TALK TO THEM ABOUT BEFORE WE SIGN OFF. AND I

1 ALSO -- ONE OF THE QUESTIONS WAS PRETTY MUCH ANSWERED FOR ME BY  
2 DAN YOUNG IN THE HALLWAY BEFORE.

3 THE COURT: OKAY. THEN THAT'S A GOOD CHANCE TO GET  
4 TOGETHER. WE'RE NOT DEALING WITH HEARSAY ANYMORE.

5 THE WHOLE COUNTY IS HEARING WHERE EVERYBODY ELSE IS.  
6 BECAUSE I'VE HEARD SOME OUTLANDISH HEARSAY RUNNING  
7 AROUND THIS COUNTY ABOUT WHAT'S SUPPOSEDLY HAPPENING. SO, YOU  
8 ARE FIRSTHAND RECIPIENTS NOW. OKAY.

9 OKAY. RICKY, THANK YOU VERY MUCH.

10 MR. RICK OTTO: ALL RIGHT. JUST ONE LAST THING IN  
11 CLOSING, THAT I'M HERE WITH THE -- THE OTHER 13 CITY MANAGERS.

12 THE COURT: YEAH. WOULD YOU STAND UP FOR A MOMENT.

13 BECAUSE WE'VE HAD A NUMBER OF MEETINGS THAT THE  
14 COUNTY WASN'T AWARE OF --

15 MR. RICK OTTO: AND THE MAYORS AS WELL --

16 THE COURT: -- AND THERE'S --

17 (APPLAUSE.)

18 MR. RICK OTTO: -- THE MAYORS AND COUNCIL MEMBERS ARE  
19 HERE.

20 THE COURT: I JUST WANT TO PERSONALLY THANK YOU VERY,  
21 VERY MUCH.

22 (APPLAUSE.)

23 THE COURT: OKAY. THIS IS A --

24 BUT I'M -- BUT I'M GOING TO ASK YOU TO STICK AROUND.  
25 THERE ARE A FEW MORE SURPRISES THAT ARE GOING TO AFFECT YOUR

1 CITIES IN JUST A MOMENT. AND THIS IS A -- ONCE A YEAR. AND  
2 THAT'S THE END OF IT.

3 MR. KRANKER: YOUR HONOR --

4 THE COURT: BUT THERE'S MORE TO COME. TRUST ME.

5 MR. KRANKER: YOUR HONOR, IF WE MIGHT HAVE A COUPLE  
6 OF MINUTES OF YOURS AND JUDGE SMITH'S TIME WITH PLAINTIFF'S  
7 COUNSEL TO GO OVER THE ISSUES SO THAT WE CAN GET EVERYTHING  
8 IRONED OUT --

9 THE COURT: ABSOLUTELY.

10 MR. KRANKER: -- MAYBE WALK AWAY TODAY WITH A  
11 SETTLEMENT.

12 THE COURT: BUT I'M NOT GOING TO KEEP THE FOLKS.  
13 CAN YOU COME BACK AT MIDNIGHT TONIGHT?

14 MR. KRANKER: ABSOLUTELY.

15 THE COURT: OKAY. GREAT.

16 (LAUGHTER.)

17 THE COURT: COURT WILL BE OPEN. BUT RIGHT  
18 AFTERWARDS, IF YOU CAN STICK AROUND, I'D REALLY APPRECIATE IT.  
19 BUT I WANT TO GET THESE CITY OFFICIALS AND COUNTY OFFICIALS  
20 BACK.

21 AND WE'VE GOT TWO MORE REALLY HOT-BUTTON ISSUES  
22 THAT'S GOING TO TOUCH A LOT OF EMOTION IN THIS. OKAY.

23 OKAY.

24 MR. RICK OTTO: THANK YOU, YOUR HONOR.

25 THE COURT: IF ORANGE IS HERE, SO BE IT. BUT YOU'VE

1 BEEN EXEMPLARY. I REALLY HAVE NO -- NO QUESTIONS UNLESS YOU  
2 WANT TO MAKE A PRESENTATION. YOU'VE BEEN EXEMPLARY.

3 I WANT TO TALK TO SALVATION ARMY FOR A MOMENT BECAUSE  
4 HERE'S WHAT THE PUBLIC DOESN'T CARE ABOUT.

5 APPARENTLY, THE PUBLIC CAN BECOME ENAMORED WITH  
6 VETERANS. AND THE PUBLIC IS ENAMORED WITH WOMEN. THOSE ARE  
7 THE EASY SELLS. GUESS WHO ISN'T AN EASY SELL TO THE PUBLIC?  
8 MALES. LET ME SAY IT AGAIN. WE'RE DISCARDABLE. NOBODY CARES  
9 ABOUT US.

10 (LAUGHTER.)

11 THE COURT: AND, SO, THAT -- THAT'S THE TOUGHER GROUP  
12 IN A SENSE. THAT'S THE PUBLIC -- THAT'S WHERE THE PUBLIC  
13 SYMPATHY STOPS IN A SENSE. BUT THAT'S THE VERY GROUP THAT WE  
14 NEED TO DEAL WITH, FATHER.

15 RIGHT?

16 THE FATHER: YES.

17 THE COURT: THAT'S -- THAT'S OUR GROUP.

18 AND, SO, I WANT TO WELCOME TWO JUST OUTSTANDING  
19 PEOPLE.

20 INTRODUCE YOURSELVES, BILL NELSON.

21 CAPTAIN NELSON KISSON: CAPTAIN NELSON KISSON FROM  
22 THE SALVATION ARMY.

23 MR. BEN HURSE: BEN -- BEN HURSE, DIRECTOR OF PARTNER  
24 RELATIONS, SALVATION ARMY.

25 THE COURT: AND, LOU, GO USE THE RESTROOM, BUT PLEASE

1 DON'T LEAVE FOR A MOMENT. OKAY. IT'S GOING TO GET REAL  
2 INTERESTING IN A MOMENT.

3 UNIDENTIFIED SPEAKER: I'VE GOT A PLANE TO CATCH.  
4 NO?

5 THE COURT: NO.

6 UNIDENTIFIED SPEAKER: OKAY.

7 THE COURT: CANCEL IT, IF YOU CAN.

8 UNIDENTIFIED SPEAKER: THANK YOU.

9 THE COURT: I'LL -- WE HAVE A JUDICIAL HELICOPTER  
10 THAT WILL GET YOU THERE.

11 (LAUGHTER.)

12 THE COURT: OKAY. HERE WE GO.

13 YOU'RE 225 OUT THERE. YOU'RE PART OF ANAHEIM'S  
14 QUOTA. THEY'VE GOT A HUNDRED OUT IN WHAT I CALL THE PIANO BAR  
15 NEXT TO THE BURLESQUE PLACE. I'M JUST KIDDING YOU. BUT NEXT  
16 TO KRAMER.

17 AND WHAT'S YOUR CAPACITY RIGHT NOW?

18 CAPTAIN NELSON KISSON: SO, JUDGE, AT THE -- AT THE  
19 CURRENT MOMENT IS WE'VE GOT 156 MEN IN OUR FACILITY AT ANAHEIM.

20 AND WE HAVE -- OUT OF THAT WE ARE AT 190 TOTAL. THAT  
21 INCLUDES WOMEN AND COUPLES. WE AT THIS POINT HAVE NO MORE ROOM  
22 FOR COUPLES. WE'RE FULL, COUPLES. WE HAVE ABOUT 24 SPOTS LEFT  
23 FOR MEN.

24 AND WE HAVE --

25 THE COURT: THAT'S WHAT WE DON'T HAVE ROOM FOR

1 ANYMORE. THAT'S YOUR FACE OF WHAT IS FRIGHTENING THE PUBLIC.  
2 THE CRIMINALS, LOCK THEM UP. BUT YOU'VE GOT SO MANY PEOPLE OUT  
3 THERE THAT NEED HELP, THEY'RE THE OPPOSITE SIDE OF WHAT YOU  
4 WANT TO THINK, AND WHAT I THOUGHT FRANKLY WHEN WE STARTED.

5 THAT'S WHAT YOU'VE GOT OUT THERE.

6 CAPTAIN NELSON KISSON: THAT'S CORRECT, JUDGE.

7 UNFORTUNATELY, THE CHALLENGE IS THERE ARE A LOT OF  
8 CHILDREN WHO ARE IMPACTED BY HOMELESSNESS.

9 THE COURT: YEAH.

10 CAPTAIN NELSON KISSON: AND THEY ARE REALLY THE  
11 ACCURATE FACE OF HOMELESSNESS IN THE COUNTY.

12 THE COURT: OKAY.

13 I WANT TO THANK YOU. AND I WANT TO THANK YOU FOR  
14 ESPECIALLY DEALING WITH OUR MEN.

15 AND BACK IN SUPERIOR COURT WHEN I WAS A SUPERVISING  
16 JUDGE, YOU WERE THE ONLY GAME IN TOWN IN THE 1980'S. SO,  
17 YOU'VE BEEN LONG-STANDING IN TERMS OF THE SALVATION ARMY. AND  
18 WE'RE GOING TO CONTINUE TO WORK WITH YOU.

19 WE ALSO HOPE TO GET YOU SOME MONEY.

20 CAPTAIN NELSON KISSON: WELL, JUDGE, WE -- WE HAVE  
21 GREAT PARTNERS. AND WE ARE COMMITTED. NOT JUST TO THE CITY OF  
22 ANAHEIM, WHICH HAVE BEEN A GREAT PARTNER WITH US. BUT WE'RE  
23 COMMITTED TO ALL OF ORANGE COUNTY.

24 THE SALVATION ARMY HAS -- HAS COMMITTED ITSELF -- AS  
25 WE'VE ALREADY SHARED WITH YOU -- TO BRING ALL OF OUR RESOURCES



1 ACROSS THE UNITED STATES TO WORK WITH THE COUNTY OF ORANGE IN  
2 DEALING WITH THE HOMELESS CRISIS. WE'RE READY TO STAND AND DO  
3 WHATEVER IS REQUIRED.

4 THE COURT: OKAY. AND YOU'RE ON THE SPEED DIAL,  
5 ALSO. YOU'VE GOT MY HOME NUMBER AND MY CELL NUMBER.

6 CAPTAIN NELSON KISSON: WE DO.

7 THE COURT: OKAY.

8 I'M GOING TO ASK HUNTINGTON BEACH.

9 NOW, CAROL, I DIDN'T TALK TO YOU ABOUT HUNTINGTON  
10 BEACH. THEY'RE NOT A PARTY TO THIS LAWSUIT.

11 I DIDN'T CONSULT WITH YOU ON THIS NOR ASK YOUR  
12 PERMISSION OR THE COUNTY'S PERMISSION.

13 ANDREW DO, SUPERVISOR DO HAD ASKED ME ONE TIME WHAT  
14 WAS HAPPENING WITH HUNTINGTON BEACH. AND QUITE FRANKLY, I  
15 COULDN'T TELL HIM. I KEEP CONFIDENCES PRETTY -- PRETTY WELL.

16 SO, I APOLOGIZE WHEN YOU ASKED THAT. I JUST -- IT'S  
17 IN YOUR DISTRICT. AND I JUST IGNORED THE QUESTION. I COULD  
18 TELL YOU ABOUT SANTA ANA, ET CETERA. BUT AT NORM'S RESTAURANT  
19 AT SIX O'CLOCK IN THE MORNING -- HOPEFULLY, YOU WERE BUYING THE  
20 COFFEE. BUT I -- I COULDN'T SHARE THIS WITH YOU.

21 PLEASE.

22 MAYOR ERIK PETERS: THANK YOU, YOUR HONOR.

23 THE COURT: AND WE TALKED AS RECENTLY AS WHAT? WELL,  
24 THIS MORNING. BUT, ALSO, SUNDAY NIGHT.

25 MAYOR ERIK PETERS: WELL, THIS MORNING AND --

1 THE COURT: SUNDAY.

2 MAYOR ERIK PETERS: AND -- WHAT? -- SIX WEEKS AGO WE  
3 MET.

4 THE COURT: YEAH, SIX MONTHS AGO. AND SUNDAY.

5 MAYOR ERIK PETERS: THAT'S ABOUT. SO, I'M A LITTLE  
6 LATE TO THE PARTY HERE, I GUESS.

7 BUT I CAN TELL YOU WHAT HUNTINGTON BEACH HAS BEEN  
8 DOING FOR HOMELESS AND OUR STEPS FORWARD.

9 SO, FOR YEARS WE'VE HAD A HOMELESS TASK FORCE FROM  
10 OUR POLICE DEPARTMENT.

11 THE COURT: YEAH.

12 MAYOR ERIK PETERS: WE HAVE TWO FULL-TIME POLICE  
13 OFFICERS. WE HAVE THREE TO FOUR CASE WORKERS.

14 THE COURT: AND THEN THERE'S THE CHIEF, TOO. HE'S  
15 BEEN INSTRUMENTAL --

16 MAYOR ERIK PETERS: CHIEF ROB HANDY.

17 THE COURT: -- IN THIS DISCUSSION.

18 MAYOR ERIK PETERS: RIGHT HERE.

19 THE COURT: THANK YOU.

20 MAYOR ERIK PETERS: AND LAST YEAR ALONE, OVER 160  
21 PEOPLE. WE'VE CONNECTED WITH COUNTY SERVICES WITH PERMANENT  
22 HOUSING. THIS IS ALL WITHOUT A SHELTER.

23 WE GO OUT AND INTERFACE WITH OUR HOMELESS COMMUNITY  
24 ON A DAILY BASIS. THAT'S THE TASK OF THIS HOMELESS TASK FORCE.  
25 THAT'S ALL THEY DO.

1 THE ONE PIECE WE HAVE BEEN MISSING IS SHELTER. OUR  
2 CONVERSATIONS WE'VE HAD IS US TRYING TO FIGURE FINANCING,  
3 LOCATION, ALL OF THAT.

4 HUNTINGTON BEACH DOES NOT HAVE A LOT OF VACANCY. WE  
5 DON'T HAVE LAND. WE DO HAVE LAND IN WESTMINSTER WE CAN BUILD  
6 IN. BUT I DON'T THINK THEY'D LIKE THAT.

7 THE COURT: NO.

8 MAYOR ERIK PETERS: SO, WE'VE BEEN LOOKING DILIGENTLY  
9 FOR THE LAST SIX WEEKS. LAST NIGHT WE HAD A FIRE AND BRIMSTONE  
10 MEETING BECAUSE WE DID HAVE A POTENTIAL SITE. BUT IT WAS  
11 REALLY THE WRONG SITE, JUDGE.

12 THE COURT: YEAH.

13 MAYOR ERIK PETERS: IT WAS AGAINST A SCHOOL --

14 THE COURT: SO, YOU -- LET'S STOP THERE.

15 WE WERE REALLY CLOSE TO CAROL PRESENTING YOU A  
16 SETTLEMENT. THEY RAN INTO THE SAME PROBLEMS THAT TUSTIN DID  
17 AND COSTA MESA.

18 AND WHILE WE'RE WORKING TOGETHER THE COURT IS GOING  
19 TO WORK IN GOOD FAITH.

20 SO, LET'S JUST LEAVE THE CONVERSATION RIGHT THERE FOR  
21 THE TIME BEING UNLESS --

22 MAYOR ERIK PETERS: WELL, I WILL TELL YOU ONE THING,  
23 JUDGE.

24 THE COURT: YEAH.

25 MAYOR ERIK PETERS: WE HAVE A WILLING COUNCIL --

1 THE COURT: RIGHT.

2 MAYOR ERIK PETERS: -- RIGHT NOW.

3 THE COURT: YEAH.

4 MAYOR ERIK PETERS: SO, WE ARE GOING FORWARD WITH  
5 STAFF. WE'RE LOOKING AT DIFFERENT OPTIONS.

6 THE COURT: YEAH.

7 MAYOR ERIK PETERS: POSSIBLY PURCHASE.

8 THIS WILL ALL BE IN TWO WEEKS. WE'LL HAVE ANOTHER  
9 COUNCIL MEETING.

10 THE COURT: RIGHT.

11 MAYOR ERIK PETERS: AND WE'LL BE GOING OVER IT  
12 PUBLICLY AND DOING PUBLIC OUTREACH BETWEEN NOW AND THEN.

13 THE COURT: SO, CAROL, WE MAY BE APPROACHING YOU.  
14 THE MAYOR AND I MAY BE COMING TO YOU, ET CETERA, IN GOOD FAITH.

15 BUT RIGHT NOW I WANT TO TELL YOU -- AND TRANSPARENTLY  
16 -- THAT WE KEPT YOU OUT OF THOSE CONVERSATIONS.

17 I DON'T WANT THE BICKERING TO START, ET CETERA. AND  
18 WHEN THEY'RE TRYING TO STEP UP TO THE DEGREE THAT I THINK  
19 HUNTINGTON BEACH IS, THEN, THE MAYOR AND I ARE WORKING EX PARTE  
20 RIGHT NOW.

21 AND IF YOU HAVE ANY OBJECTIONS, TELL ME. BUT I THINK  
22 IT'S IN EVERYBODY'S BEST INTEREST. IT'S QUITE A -- QUITE A  
23 REFRESHING CONVERSATION WE'VE HAD.

24 WE'RE BOTH MARINES. SO, WE UNDERSTAND BUTTING HEADS.  
25 AND IT'S BEEN HELPFUL.

1 MS. SOBEL: I'M A JERSEY GIRL. AND I UNDERSTAND  
2 BUTTING HEADS.

3 (LAUGHTER.)

4 THE COURT: LET'S LEAVE IT AT THAT SO THAT WE DON'T  
5 GET IN ANY FURTHER --

6 MAYOR ERIK PETERS: THANK YOU.

7 THE COURT: YEAH, JERRY. THANKS VERY MUCH. YOU'VE  
8 GOT -- YOU'VE GOT THE HOME NUMBER.

9 OKAY. NOW, THERE'S A NUMBER OF OTHER CITIES I'M  
10 WORKING WITH. I'M NOT GOING TO DISCLOSE THOSE. THAT'S IN  
11 CONFIDENCE SO FAR. THOSE CITIES DON'T WANT TO COME FORWARD.

12 BUT I WANT TO START, FATHER CHRIS, WITH A QUESTION  
13 YOU ASKED.

14 HEY, JUDGE CARTER, LOOK, YOU SAY 60 PERCENT. WHY 60  
15 PERCENT WHEN YOU SHOULD BE CARING FOR ALL THE HOMELESS.

16 SO, ACCORDING TO BRAZON'S OPINION IN THE IDAHO BOISE  
17 CASE, IF WE HAVE 2700 HOMELESS, WE SHOULD HAVE 2700 BED SPACES.

18 AND CAROL AND THE ACLU CAME TO ME. AND YOU SAID YOU  
19 WANTED 81 PERCENT BECAUSE THAT WAS THE NUMBER LEGITIMATELY THAT  
20 WE GOT OFF THE RIVER OF THE PEOPLE IN THE ENCAMPMENT.

21 BUT, LEON, YOU CAME TO ME AT THAT TIME AND THE  
22 COUNTY, AND YOU SAID, NO, IT SHOULD BE 60 PERCENT.

23 AND IN THOSE DISCUSSIONS WAY BACK WHEN, THE COURT WAS  
24 HAVING TO CHOOSE WHEN WE HAD NO NUMBERS TO WORK WITH WHAT WAS  
25 THE APPROPRIATE NUMBER.

1 AND SUPERVISOR DO, I TALKED TO YOU ABOUT THAT, ALSO.

2 AND I CHOSE 60 PERCENT FOR THIS REASON.

3 WE WERE ALL GUESSING IN THOSE DAYS. WE HAD NO GOOD  
4 FIGURES TO WORK WITH.

5 BUT A HUNDRED PERCENT -- IF YOU HAVE 2700 PEOPLE ON  
6 THE RIVER, FATHER, 2700 PEOPLE ARE NOT GOING TO SEEK SHELTERS.

7 DON'T -- LET ME SAY IT AGAIN JUST BLUNTLY TO YOU.

8 OKAY. YOU'RE A GREAT ADVOCATE. GOD BLESS YOU. BUT THEY'RE  
9 NOT SEEKING SHELTER. A PERCENTAGE OF THOSE PEOPLE ARE SEEKING  
10 SHELTER.

11 SO, IF YOU FIND FAULT, FIND FAULT WITH ME. I'M  
12 SAYING THAT TRANSPARENTLY. BECAUSE I CHOSE THE NUMBER OF 60  
13 PERCENT FOR THIS REASON. IT WAS ARBITRARY. IT WASN'T THE  
14 COUNTY, ET CETERA.

15 I WENT TO CAROL. SHE WASN'T PLEASED WITH THE COURT.  
16 THAT'S MY RESPONSIBILITY. SO THAT THE CRITICISM, IT'S HERE.

17 AND WHAT I SAID IS YOU KNOW SOMETHING. I THINK 60  
18 PERCENT IS REASONABLE FOR THE CITIES AND THE COUNTY. BECAUSE  
19 WHEN WE LOOKED AT THE RIVER WE HAD A THOUSAND PEOPLE BASICALLY  
20 WHO SAT ON THE RIVER AND WAITED DOCILELY WAITING FOR MOTEL  
21 ROOMS.

22 BUT WE HAD SEEN HUNDREDS OF PEOPLE WALK AWAY IN THAT  
23 TWO-PERIOD OF TIME THAT WE WERE GIVING NOTICE. SO, THAT'S MY  
24 FAULT.

25 NOW, FROM NOW ON, I'M GOING TO FOLLOW THE LAW. I'M

1 KEEPING MY WORD AT 60 PERCENT BECAUSE I GAVE MY WORD AS A  
2 JUDGE. OKAY. BUT IF IT'S A HUNDRED PERCENT FROM NOW ON, I'VE  
3 GOT TO MAKE UP MY MIND WHETHER JUDGE BRAZON IS RIGHT AND, YOU  
4 KNOW, TAKE THE CHANCE OF BEING CRITICIZED FOR NOT FOLLOWING THE  
5 LAW. BUT I'M CONVINCED THAT THERE'S SOME KIND OF DISCOUNT.  
6 AND I HUMBLY TELL YOU I DON'T KNOW THE DISCOUNT.

7 I DON'T KNOW IF I'VE GOT A HUNDRED PEOPLE OUT THERE,  
8 AND 20 PEOPLE ARE GOING TO CHOOSE TO GO TO JAIL OR MIGRATE TO  
9 ANOTHER CITY. BUT I'LL DO MY BEST TO GET YOU THE NUMBERS AND  
10 THE SHELTER YOU NEED.

11 UNDERSTOOD? SO, FIND FAULT WITH ME.

12 THE FATHER: COULD I JUST ADD HERE THAT THE OTHER 40  
13 PERCENT DON'T DISAPPEAR.

14 THE COURT: I'M SORRY? SPEAK UP.

15 THE FATHER: THE OTHER 40 PERCENT DON'T DISAPPEAR.

16 THE COURT: DON'T GET WHAT?

17 THE FATHER: THEY DON'T DISAPPEAR.

18 THE COURT: RIGHT.

19 THE FATHER: THEY CONTINUE TO EXIST. AND I JUST  
20 THINK THAT THE -- I HONESTLY THINK THAT IF THE -- IF THE  
21 SHELTERS WERE HUMANELY -- AND SOME OF THEM, YOU KNOW, NOW  
22 COMING DOWN THE LINE REALLY ARE QUITE GOOD --

23 THE COURT: YEAH.

24 THE FATHER: -- THAT YOU'D GET --

25 THE COURT: WELL, THEY'RE ALL FROM THE CITY SO FAR.

1 THE FATHER: -- A LOT MORE PEOPLE -- I MEAN, THAT'S  
2 THERE AN ASSUMPTION HERE -- AND I'VE HEARD THIS ACROSS IN THESE  
3 TWO YEARS I'VE BEEN INVOLVED IN THIS -- THAT PEOPLE WON'T GO  
4 WILLINGLY TO THE SHELTERS.

5 THE COURT: NO, NO. FATHER, JUST A MOMENT. SEE,  
6 THERE'S WHERE YOU AND I AGREE AND DISAGREE NOW.

7 I'M LISTENING TO YOUR NUMBERS AND I'M BUYING IN.

8 THERE ARE A PERCENTAGE OF PEOPLE -- AND I'M GOING TO  
9 BE BLUNT WITH YOU JUST LIKE I AM WITH THE PLAINTIFFS AND THE  
10 DEFENDANTS.

11 THERE ARE A CERTAIN PERCENTAGE WHO WILL NOT GO INTO  
12 OUR SHELTERS WHO ARE GOING TO MIGRATE AND SLEEP UNDER THE  
13 STARS, UNFORTUNATELY. AND FOR THAT GROUP, I -- I CAN'T BE OF  
14 ANY HELP. THERE ARE SOME PEOPLE WHO ARE JUST GOING TO END UP  
15 GOING TO JAIL.

16 NOW, I'LL DO MY BEST.

17 THE FATHER: PERHAPS.

18 THE COURT: BUT WHAT I DIDN'T WANT WAS THE CRITICISM  
19 TO FALL ON THE CITIES OR THE COUNTY.

20 THE FATHER: YEAH. OKAY. THAT YOU CAME UP WITH THE  
21 60 PERCENT --

22 THE COURT: I'M THE ONE WHO HAS THE RESPONSIBILITY OF  
23 COMING UP WITH THAT NUMBER. BUT I PROMISE YOU I'LL DO MY BEST  
24 TO GET THE APPROPRIATE NUMBERS OUT THERE. OKAY.

25 THE FATHER: OKAY. I --



1 THE COURT: I PROMISE YOU THAT.

2 THE FATHER: YEAH. BUT I'D SAY -- BUT I'M JUST -- I  
3 THINK THAT WE'RE -- WE'RE JUST SIMPLY SELLING OUT OR THROWING  
4 DOWN THE RIVER FOLKS THAT, YOU KNOW, THAT REALLY DON'T DESERVE  
5 THIS.

6 YOU KNOW, WE CREATED THAT PETITION. AND IT WAS  
7 PUBLISHED IN VOICE OF O.C., RIGHT -- ON MAKING THE SHELTERS  
8 BETTER.

9 IT'S CLEAR AS DAY TO ME THAT A LOT OF FOLKS WON'T GO  
10 INTO A SHELTER BECAUSE THEY -- BECAUSE OF THEIR STUFF, FOR  
11 INSTANCE.

12 THE COURT: NO. I UNDERSTAND THAT.

13 THE FATHER: AND IT COULD BE --

14 THE COURT: AND A LOT OF THEM HAVE RELATIONSHIPS --

15 THE FATHER: -- TALKED -- THEY COULD BE TALKED DOWN  
16 TO THAT. AND, ACTUALLY, IT WAS JOSE MORENO, THE CITY  
17 COUNCILMAN FROM ANAHEIM THAT ACTUALLY DID TALK TO ME AT ONE  
18 POINT -- I WAS LIKE WHY WOULD HE WANT TO TALK TO ME. HE WANTED  
19 TO TALK TO ME.

20 AND WE WERE TALKING ABOUT, YOU KNOW, THAT -- THAT --  
21 THIS THING THAT ANAHEIM HAD THE EXPERIENCE THAT THEY USED TO  
22 HAVE A LOCKER SYSTEM IN THE PARKS.

23 AND THEY -- AND HE NOTED THAT BEFORE THE LOCKER  
24 SYSTEM THERE WAS AN ENCAMPMENT IN LA PALMA PARK OR WHAT HAVE  
25 YOU. THEN WHEN THEY PUT UP THE LOCKERS, THERE WAS NO

1 ENCAMPMENT --

2 THE COURT: OKAY.

3 THE FATHER: AND THEN AFTERWARDS WHEN THEY TOOK DOWN  
4 THE LOCKERS THERE'S AN ENCAMPMENT AGAIN.

5 AND, SO, I MEAN, YOU HAVE -- IN THERE YOU HAVE AN  
6 ENORMOUS AMOUNT OF PEOPLE.

7 THEN HONESTLY, YOU KNOW, I'D EVEN GO AND SAY THAT  
8 EVEN IF YOU DON'T HAVE SHELTERS, THEN, HAVE DAY CENTERS.  
9 BECAUSE I THINK -- BECAUSE, AGAIN, THE PEOPLE DON'T DISAPPEAR.  
10 THEY HAVE TO GO SOMEWHERE.

11 THE COURT: NO, I AGREE WITH YOU.

12 THE FATHER: SO, THEY END UP IN THE PARKS AND, YOU  
13 KNOW --

14 THE COURT: BUT, FATHER, HERE'S WHAT I'M DOING.  
15 ISN'T IT REFRESHING. I'M ACCEPTING --

16 THE FATHER: I KNOW. THANK YOU.

17 THE COURT: -- THE RESPONSIBILITY FOR THE 60 PERCENT.  
18 IT FALLS ON MY SHOULDERS.

19 UNDERSTOOD?

20 THE FATHER: I -- OKAY. I --

21 THE COURT: SO, I DON'T WANT YOU TO THINK --

22 THE FATHER: OKAY -- IT'S A FAIR ENOUGH --

23 THE COURT: AND CAROL PUSHED BACK, ALSO. DON'T WORRY  
24 ABOUT THAT.

25 BUT I WANT IT TO BE VERY CLEAR THAT I HAD TO

1 ARBITRARILY PICK THAT NUMBER. AND I THOUGHT THAT THE COUNTY'S  
2 NUMBER WAS BETTER AT THE TIME. I COULD BE WRONG.

3 HERE'S WHAT I THINK IS GOING TO HAPPEN. I THINK  
4 UNFORTUNATELY AND HOPEFULLY 50 PERCENT OF THE PEOPLE -- AND I'M  
5 GOING TO USE THAT ROUGH GUESSTIMATE -- ARE STILL GOING TO GO  
6 INTO SHELTER. I THINK 20 OR 30 PERCENT, BETWEEN THE PARK BENCH  
7 AND THE PATROL CAR ARE THEN GOING TO GO INTO SHELTER. AND  
8 WE'RE GOING TO GET SOME DROP-OUT RATE. I AM ABSOLUTELY  
9 CONVINCED -- WHETHER IT'S 10, 15 OR 20 PERCENT OR 30 PERCENT,  
10 THAT THERE IS A GROUP WHO ARE NEVER GOING TO GO INTO SHELTER.  
11 AND THAT'S WHERE YOU AND I DISAGREE. THAT'S WHERE WE DISAGREE.

12 AND THEY'RE GOING TO MIGRATE. AND UNFORTUNATELY FOR  
13 THE CITIES WHO CANNOT ENFORCE -- UNFORTUNATELY -- IT'S GOING TO  
14 HAVE A TREMENDOUS REPERCUSSION. AND IT ALREADY HAS HAD OUT IN  
15 COSTA MESA WHEN SANTA ANA ENFORCED. AND IT'S GOING TO -- AND  
16 IT STARTED TO HAVE IT OUT IN TUSTIN.

17 THE FATHER: YEAH.

18 THE COURT: NOW, THAT YOU'RE ENFORCING, ET CETERA.  
19 AND IT'S UNINTENDED. BUT IT'S OCCURRING.

20 NOW, I'M GOING TO COME BACK TO YOU AND TALK IN JUST A  
21 MOMENT --

22 THE FATHER: OKAY. SURE.

23 THE COURT: BECAUSE I'M NOT GOING TO SUCK ALL THE  
24 OXYGEN OUT OF THE ROOM WITH YOU RIGHT NOW.

25 THE FATHER: OKAY. THANK YOU.

1 THE COURT: OKAY. YOU AND I JUST DISAGREE ON THAT.

2 THE FATHER: SURE. OKAY.

3 THE COURT: AND I WANT TO KNOW I ARBITRARILY PICKED  
4 THAT NUMBER. OKAY.

5 THE FATHER: THANK YOU VERY MUCH.

6 THE COURT: MY FAULT.

7 THE FATHER: THANK YOU. NO, NO. THANKS FOR TAKING  
8 THE --

9 THE COURT: OR MY RESPONSIBILITY.

10 THE FATHER: YOU'RE --

11 THE COURT: AND I'M GOING TO WORK WITH YOU. WE'RE  
12 GOING TO GET THAT SHELTER. AND WE'RE GOING TO GET IT APPROVED.

13 THE FATHER: YOU KNOW, IT'S -- IT'S REFRESHING TO SEE  
14 SOMEONE -- YOU KNOW, THAT THE BUCK STOPS SOMEWHERE.

15 THE COURT: WELL, I DON'T KNOW --

16 THE FATHER: BECAUSE YOU PASS THEM AROUND --

17 THE COURT: I'M RIGHT OVER THERE WITH JUDGE SMITH --

18 THE FATHER: YEAH.

19 (LAUGHTER.)

20 THE COURT: -- HE'S DOING GREAT. OKAY.

21 ALL RIGHT.

22 OKAY. NOW, I'M GOING TO RAISE SOME TOUGH QUESTIONS  
23 WITH THE COUNTY. OKAY.

24 YOU DON'T HAVE TO ANSWER THESE QUESTIONS, BUT YOU'RE  
25 THE -- YOU'RE THE BOARD. AND I WANT TO SHOW YOU SOMETHING

1 THAT'S HAPPENED IN THE PAST. THIS IS NOT YOU. THIS IS NOT  
2 YOU. UNDERSTOOD.

3 BUT WE'VE BEEN PLAYING SMALL BALL. AND IF I WANT TO  
4 TAKE A LOT OF TIME, I CAN SHOW HUNDREDS OF MILLIONS OF DOLLARS  
5 THAT OUR COUNTY HAS WALKED AWAY FROM IN AVAILABLE HOUSING.

6 AND MY ONE QUESTION TO YOU IS ARE YOU IN THE FUTURE  
7 -- AMONGST YOURSELVES -- NOT HERE PUBLICLY -- WILLING TO STEP  
8 UP AND START APPLYING FOR FEDERAL AND STATE MONIES.

9 AND I'M JUST GOING TO SHOW YOU ONE FIGURE.

10 AND COULD YOU HELP ME. AND I'M GOING TO START WITH  
11 NO PLACE LIKE HOME. BINGO.

12 OH, BY THE WAY, THIS IS WHAT THE COUNTY LOOKS LIKE  
13 RIGHT NOW. AND -- AND I HAVEN'T PUT HUNTINGTON BEACH UP THERE  
14 YET. ALTHOUGH, I KNOW PRETTY MUCH, YOU KNOW -- I HAVEN'T PUT  
15 ANOTHER COUPLE CITIES UP HERE. BUT THIS IS PRETTY MUCH WHAT  
16 THE CITY LOOKS LIKE IN TERMS OF SETTLEMENTS AND/OR MOU'S AND  
17 SETTLEMENTS ESPECIALLY FROM THE NORTH SPA, WHICH ARE IN GREEN,  
18 WHICH WILL BE ON. OKAY.

19 AND YOU'RE WELCOME TO ANY OF THESE -- ANY OF THESE AT  
20 ANY TIME.

21 I WANT TO START WITH NO PLACE LIKE HOME.

22 OKAY. NOW, IF YOU CAN FOLLOW THIS DIZZYING DISPLAY  
23 OF THE ASSEMBLY IN CALIFORNIA -- WITH GREAT RESPECT TO KAREN  
24 QUIRK-SILVA -- IN 2004 WE PASSED PROPOSITION 63, AKA, YOU CAN  
25 CALL IT "THE MENTAL SERVICES HEALTH ACT."

1 SO, REMEMBER EVERY TIME I ATTACH A NEW NAME, IT'S  
2 GOING TO GET MORE CONFUSING FOR YOU.

3 NOW, THIS WAS A MILLIONAIRE'S TAX, IF YOU WILL. IF  
4 YOU MADE A MILLION DOLLARS -- WHICH EVERYBODY IN THE ROOM DOES  
5 -- YOU'RE GOING TO GIVE EXTRA TAXES TO US.

6 (LAUGHTER.)

7 THE COURT: AND IT WAS GOING TO RAISE 1.5 TO 2.5  
8 BILLION PER YEAR.

9 AND THEN THE LEGISLATURE IN 2016 CAME BACK AND SAID  
10 NO, NO. WE'RE GOING TO HAVE SOMETHING CALLED "NO PLACE LIKE  
11 HOME." ITS A GREAT LABEL, RIGHT? BUT WE'RE GOING TO BORROW  
12 ABOUT \$2 BILLION FROM PROPOSITION 63, WHICH IS ALSO CALLED THE  
13 MENTAL SERVICES HEALTH ACT. AND THEN THERE WAS PUSH-BACK FROM  
14 THE COURT. AND THEN YOU GOT PROPOSITION 2. AND BY THE TIME  
15 YOU'RE DONE UNDERSTANDING THAT, YOU'VE GOT TO BE HALF NUTS.  
16 YOU'VE GOT NO LIFE. I MEAN, IT'S REALLY A BUREAUCRATIC  
17 NIGHTMARE TO FOLLOW IT.

18 BUT HERE'S WHAT'S HAPPENED IN OUR COUNTY WITH NO  
19 DISRESPECT TO THIS BOARD. WE'VE GOT 2 BILLION IN BOND  
20 PROCEEDS. THE PURPOSE IS TO ACQUIRE, DESIGN, CONSTRUCT, RENEW  
21 OR PRESERVE PERMANENT SUPPORTIVE HOUSING FOR PEOPLE IN NEED OF  
22 MENTAL HEALTH SERVICES WHO ARE EXPERIENCING HOMELESSNESS AND  
23 WHO ARE AT RISK OF HOMELESSNESS. AND THE COUNTIES ARE ELIGIBLE  
24 TO APPLY FOR FUNDING.

25 NOW, WHAT YOU DON'T KNOW IS UNDER THE MENTAL HEALTH

1 SERVICES ACT YOU DON'T GET A HUNDRED PERCENT BACK. I'M JUST  
2 GOING TO PRETEND YOU GET, LIKE, 80 PERCENT BACK.

3 SO, WHEN YOU PUT UP MONIES IN A SENSE YOU GET MONEY  
4 BACK FROM THE STATE. THIS IS A STATE PROGRAM. OKAY.

5 WELL, I'LL JUST PICK ON ONE COUNTY, SAN DIEGO. THEY  
6 HAVE 125 MILLION. WE'RE AT 13 MILLION.

7 NOW, IF WE'RE GOING TO GET IN THE GAME, THAT'S UP TO  
8 YOU. I CAN'T ORDER THAT. IT'S NONE OF MY BUSINESS. BUT IT'S  
9 MY BUSINESS WHEN I DEAL WITH SETTLEMENTS. AND IT'S MY BUSINESS  
10 WHEN I DEAL WITH DEATH. AND IT'S MY BUSINESS WHEN I DEAL WITH  
11 RESOURCES.

12 AND IT'S YOUR BUSINESSES, THE CITIES AND THE COUNTY.  
13 I CAN'T HELP YOU WITH THAT. BUT I CAN POINT THAT -- THE WHOLE  
14 PLACE LIKE HOME.

15 NOW, WHOLE PLACE LIKE HOME IS A FIVE-YEAR  
16 EXPERIMENTAL PROGRAM. OKAY. IT'S SUPPOSED TO EXIST FOR FIVE  
17 YEARS. IT'S A PRIVATE PROJECT. PROBABLY THE NEW FLAVOR IN  
18 TOWN WILL BE HEALTH HOMES. AND I WON'T TAKE YOUR TIME WITH  
19 THAT, BUT IT'S A FIVE-YEAR PILOT. IT'S A COORDINATION OF  
20 PATIENT-CENTERED HEALTH, BEHAVIORAL HEALTH, SOCIAL SERVICES TO  
21 IMPROVE HEALTH AND WELL-BEING THROUGH MORE EFFICIENT AND  
22 EFFECTIVE USE OF RESOURCES FOR MEDI-CAL BENEFICIARIES  
23 STRUGGLING WITH HOMELESSNESS.

24 ORANGE COUNTY HAS PUT UP \$31 MILLION. BUT HERE'S THE  
25 WAY IT GOES. THAT \$31 MILLION ISN'T \$31 MILLION FROM ORANGE

1 COUNTY -- WITH NO CRITICISM OF THE COUNTY. IT'S 5.2 FROM  
2 ORANGE COUNTY. IT'S 6.8 MILLION FROM IRVINE. IT'S ANOTHER 3  
3 MILLION FROM OTHER PROVIDERS WHICH THEN IS MATCHING, WHICH  
4 GIVES US OUR \$31 MILLION.

5 NOW, THE COUNTY HAS ACTUALLY STEPPED UP IN THIS.  
6 OKAY. IT'S COME A LONG WAYS. BUT HERE'S WHERE WE ARE IN A  
7 COMPETITIVE SENSE.

8 THIS IS AFFORDABLE CARE ACT MONEY. THIS IS MONEY,  
9 LOU CORREA, THAT YOU GET TO GIVE AWAY TO US.

10 THANK YOU. WE WANT MORE, BUT I'M NOT SURE WE NEED  
11 IT.

12 OKAY. IT COMES DOWN TO -- YOU KNOW UP IN A SENSE  
13 FROM THE COUNTY. IT COMES UP FROM TWO DIFFERENT ENTITIES. IT  
14 COMES UP TO THE DEPARTMENT OF HEALTHCARE. IT COMES UP TO THE  
15 FEDS.

16 WE THEN AND THE FEDS -- LOU, YOU, AND I THEN GIVE THE  
17 MONEY BACK. IT COMES BACK DOWN. AND THIS IS A HUNDRED PERCENT  
18 MATCHED, BY THE WAY. THIS ISN'T APPORTIONED.

19 AND, SO, WHERE ARE WE AT? WELL, IF YOU CAN READ THIS  
20 -- YOU NEED EYEGLASSES LIKE I DO -- BUT THIS IS A CHART OF ALL  
21 OF THE WHOLE PERSON CARE PROJECTS IN THE STATE.

22 NOW, WHERE DO WE STAND? YEAH. HISTORICALLY AND  
23 AFTER THE GRAND JURY -- YOU ORDERED US ON FIVE SEPARATE  
24 OCCASIONS IN 2006 WHEN THIS BOARD WASN'T EVEN BORN YET -- IT'S  
25 NOT THEIR RESPONSIBILITY -- THAT THERE WAS A LOW PRIORITY FOR



1 HOMELESS.

2 THESE WERE MY OLD GRAND JURORS IN DEPARTMENT 5 IN THE  
3 STATE COURT TELLING US OVER AND OVER AGAIN WE'VE GOT A HOMELESS  
4 PROBLEM. THIS ISN'T NEW.

5 AND THIS IS THE 2018 REPORT SAYING THE MOST  
6 CHALLENGING THING IS THE CHALLENGE OF LEADERSHIP AND  
7 COLLABORATION BETWEEN THE COUNTY AND CITY OFFICIALS. SO,  
8 THAT'S ONE REASON WHY WE'RE HAVING A BIG TENT MEETING -- WHICH  
9 REALLY YOU SHOULD BE HAVING. I SHOULDN'T EVEN BE INVOLVED IN.

10 OKAY. SO, WHERE ARE WE AT. WELL, THERE'S \$31  
11 MILLION THAT WE PUT IN THAT I TALKED ABOUT.

12 THERE'S 165 MILLION FROM SAN MATEO COUNTY, ONE-THIRD  
13 OUR SIZE. OUR PROPORTIONAL SHARE IS \$3,339 PER BENEFICIARY.  
14 THEY'RE AT 33,000 PER BENEFICIARY.

15 WE'RE LOOKING AT SANTA CLARA, 250 MILLION.  
16 TWENTY-FIVE THOUSAND PER BENEFICIARY. AND I PICKED VENTURA.  
17 BUT YOU CAN GO RIGHT DOWN THIS. THEY'RE 47 PER BENEFICIARY.

18 HERE'S THE POINT. THE POINT IS I CAN'T TELL YOU TO  
19 GET INVOLVED IN THE FEDERAL AND STATE GAME FOR MONEY.

20 BUT SHARON QUIRK-SILVA OVER THERE HAS GOT MONEY FROM  
21 THE ASSEMBLY BECAUSE THEY HAVE \$2.7 BILLION. BUT THEY -- AND I  
22 DON'T MEAN SHARON QUIRK-SILVA -- BUT THE ASSEMBLY HAS BEEN  
23 SITTING ON THAT. SO, THEY'RE NOT MY FAVORITE FLAVOR OF THE  
24 MONTH RIGHT NOW. AND WE'VE GOT PLENTY OF MONEY.

25 AND YOU HEARD THIS ALL START WITH SOMETHING THAT WE

1 NOTICED A LONG TIME AGO. AND THAT IS --

2 HELP ME FOR A MOMENT, JIM --

3 AND THAT IS THE -- THE FIRST THING THAT SUSAN PRICE  
4 HAD THAT WAS AN UNFAIR ASSESSMENT -- BUT THE FIRST THING THAT  
5 SUSAN PUT OUT WAS THE BOTTOM FIGURE OF \$692 MILLION THAT WAS  
6 SOMEHOW, YOU KNOW, FLOATING AROUND THAT THE COURT COULDN'T  
7 UNDERSTAND.

8 AND I'VE ALWAYS BEEN CONCERNED, YOU KNOW, ABOUT \$11  
9 MILLION AND THE INTEREST. AND I'LL SAY IT BLUNTLY. I DIDN'T  
10 KNOW WHERE THAT \$11 MILLION WENT JUST IN INTEREST.

11 SO, THEN, WHEN WE GO DOWN, WE START LOOKING AT THE  
12 STATE. I THOUGHT I WAS DEALING WITH HUNDREDS OF THOUSANDS OF  
13 DOLLARS, WHICH IS WHERE WE WERE LAST MARCH. AND IF YOU BLOW  
14 THAT UP, THAT'S \$241 MILLION.

15 OKAY. THERE WAS ANOTHER 100 -- ANOTHER \$187 MILLION  
16 COMING IN.

17 AND ANDREW DO IN THE GREATEST ACT OF COURAGE THIS  
18 COURT HAS EVER SEEN STOOD UP LITERALLY IN FRONT OF THE SANTA  
19 ANA AND SAID, YOU KNOW -- AND I'VE NEVER SEEN A ROOM BREAK INTO  
20 APPLAUSE, WHETHER YOU'RE AN ADVOCATE, YOU KNOW, OR ON BOARD.  
21 IT DOESN'T MATTER.

22 BUT HE SAYS, AT THIS POINT I'M GOING TO TELL YOU AS  
23 CHAIRMAN OF THE BOARD OF SUPERVISORS WE DON'T HAVE A DEFENSE.  
24 WE DON'T HAVE A DEFENSE. AND I'M GOING TO BE THE FIRST TO OWN  
25 UP IN THAT WE FAILED. I WAS ELECTED TO LEAD AND ELECTED TO

1 LEAD THE COUNTY AND THE DISTRICT. AND A LEAD REQUIRES THAT WE  
2 ARE PROACTIVE NOT REACTIVE. AND I FAILED. SO, I'M GOING TO BE  
3 THE FIRST TO OWN UP.

4 NOW, I DON'T THINK HE'S EVER REGRETTED THOSE WORDS.  
5 THANK GOD. THAT'S COURAGE.

6 AND WHEN YOU HAVE ADVOCATES BREAK IN AND SORT OF  
7 PLOTTING, ET CETERA, BECAUSE OF THAT KIND OF HONESTY, THEN --  
8 THEN WE CAN WORK TOGETHER.

9 SO, I'M NOT GOING TO PUT THE BOARD ON THE SPOT, BUT  
10 WE CAN'T COMPETE -- WE CAN'T GET SETTLEMENTS UNLESS YOU'RE OUR  
11 GATEWAY TO THESE PROGRAMS.

12 AND IF YOU'RE OUR GATEWAYS, AND YOU GO AFTER FEDERAL  
13 AND STATE DOLLARS, WE'RE IN THE GAME NOW. AND YOU'VE DONE SOME  
14 GREAT THINGS.

15 ONE OF THE THINGS THAT WASN'T SO GOOD IS YOU  
16 DISBANDED THE OLD HOMELESS COMMISSION IN JANUARY OF 2018. THEY  
17 PROBABLY HADN'T DONE ANYTHING, QUITE FRANKLY. AND NO -- NO  
18 DENIGRATION. BUT NOW YOU'VE GOT A NEW HOMELESS COMMISSION.  
19 YOU'VE GOT A CHAIRMAN. YOU'VE GOT A BUNCH OF GREAT PEOPLE ON  
20 BOARD. AND I'M GOING TO ASK ONE QUESTION.

21 DO WE HAVE A CONTINUUM OF CARE PROGRAM?

22 BECAUSE AS THE COURT PUSHES ON THE FRONT SIDE TO GET  
23 THE EMERGENCY SHELTER FOR YOU, DO WE HAVE A CONTINUUM CARE  
24 PROGRAM. OR IS EVERYTHING WE'RE DOING ON THE FRONT SIDE WITH  
25 THESE SHELTERS GOING TO TURN INTO JUST PERMANENT SHELTERS THAT

1 TURN INTO THE COURTYARD?

2 AND IF THAT'S SO, THEN, JUST TELL US IF YOU'RE NOT  
3 COMPETING FOR FEDERAL AND STATE MONEY.

4 AND IF YOU ARE, PLEASE TELL US AND MAKE THAT  
5 COMMITMENT TO GET OUT IN FRONT AND GET THIS MONEY FROM THE  
6 STATE AND FROM LOU AND FROM THE FEDERAL GOVERNMENT.

7 MR. RICHARD SANCHEZ: JUDGE CARTER --

8 THE COURT: WHY ARE YOU THERE? I'D LIKE TO SPEAK TO  
9 THE CHAIRMAN OF THE BOARD. I THINK THAT SHE'S THE POLITICAL  
10 MUSCLE OR ANDREW DO OR WAGNER OR DOUG CHAFFEE OR LEON, BUT  
11 YOU'RE THE -- YOU'RE THE SPOKESPERSON. THEY'RE NOT GOING TO  
12 THROW YOU OUT IN FRONT.

13 UNIDENTIFIED SPEAKER: RIGHT. YOUR HONOR, I CAN  
14 ASSURE YOU THAT COUNTY IS GOING AFTER EVERY FUNDING OPPORTUNITY  
15 AVAILABLE.

16 WITH REGARD TO NO PLACE LIKE HOME, THERE WERE FOUR  
17 APPLICATIONS BECAUSE THAT HAS TO DO WITH THE PRIVATE SECTOR.

18 AND DAN YOUNG CAN SPEAK TO THAT.

19 THERE WERE ONLY FOUR APPLICATIONS. IF WE HAD MORE  
20 APPLICATIONS LIKE SAN MATEO OR SOME OF THE OTHER COUNTIES FROM  
21 THE PRIVATE SECTOR DEVELOPERS, WE WOULD HAVE BEEN ABLE TO  
22 PERHAPS SECURE ADDITIONAL FUNDS.

23 THE COURT: GREAT. CAN WE BRING HIM UP HERE AND TELL  
24 US HOW TO GET MORE --

25 CAN YOU -- WITH YOUR PERMISSION, CHAIRWOMAN, I'D LIKE

1 TO HEAR HOW WE GET IN THIS GAME BECAUSE IT HELPS ME DEALING  
2 WITH THE CITIES -- WHICH IT'S HARD FOR YOU TO DO.

3 AND IT -- BUT YOU'RE THE GATEWAY TO THIS MONEY.  
4 YOU'RE -- YOU'RE THE ONE WHO BRINGS THIS MONEY UP TO LOU AND TO  
5 SHARON QUIRK-SILVA. AND IF YOU GUYS AREN'T IN THE GAME, THEN,  
6 I'M JUST BUILDING SHELTERS THAT TURN INTO THE COURTYARD.

7 UNIDENTIFIED SPEAKER: RIGHT.

8 THE COURT: SO DAN --

9 AND, BY THE WAY, SUPERVISOR BILL, THANK YOU FOR THE  
10 \$70 MILLION IN AFFORDABLE HOUSING. HOW MUCH OF THAT HAS BEEN  
11 SPENT. HOW MUCH DO WE HAVE ON BOARD.

12 I TOLD DAN. I CALLED YOU THE OTHER NIGHT SO I  
13 WOULDN'T SIDESWIPE YOU. I SAID I'M GOING TO ASK YOU ONE  
14 QUESTION. HOW MUCH MONEY HAVE WE SPENT? -- ACTUALLY SPENT OF  
15 THAT 70 MILLION THAT HE GAVE US.

16 (PAUSE IN PROCEEDINGS.)

17 (PARTIES CONFERRING.)

18 THE COURT: AND WHAT'S OUR FUTURE LOOK LIKE?

19 BECAUSE, FOLKS, THESE SHELTERS CAN'T BECOME PERMANENT  
20 RESIDENCES DOWN IN YOUR COMMUNITY. THIS HAS TO FLOW THROUGH.

21 AND, IN FACT, IF WE HAD A SYSTEM IN PLACE, WE'D BE  
22 BUILDING MUCH SMALLER SHELTERS.

23 DO YOU UNDERSTAND? WE'D BE PUSHING THESE PEOPLE  
24 THROUGH TO AFFORDABLE CARE. THEY WOULDN'T BE SITTING IN YOUR  
25 COMMUNITIES FOR SIX MONTHS.

1 DAN YOUNG: YOUR HONOR, I THINK WE HAVE THE SOLUTION  
2 IN PLACE TO NOW GET OUR FAIR SHARE OF MONEY OUT OF SACRAMENTO  
3 IN THE AMOUNTS THAT WE NEED IN ORDER TO CREATE WHAT OUR GOAL  
4 HAS BEEN, WHICH IS TO CREATE 2,700 UNITS MINIMUM, A PERMANENT  
5 SUPPORTIVE HOUSING, SO THAT PEOPLE CAN LEAVE SHELTER, LEAVE  
6 TREATMENT, AND GET PERMANENTLY STABILIZED.

7 THAT MECHANISM STARTED WITH BEING ABLE TO FORMALLY  
8 COLLABORATE BETWEEN THE CITIES AND THE COUNTY. WE PASSED A  
9 BILL LAST YEAR, A.B. 448. IT CREATED THE ORANGE COUNTY HOUSING  
10 TRUST.

11 THE COURT: RIGHT.

12 AND BY THE WAY, JUST ONE MOMENT. DAN YOUNG WAS  
13 INSTRUMENTAL IN THAT AND DESERVES A GREAT AMOUNT OF CREDIT FOR  
14 GOING TO BAT ON BEHALF OF THE COUNTY. AND THE COUNTY WAS  
15 EXTRAORDINARY IN THAT REGARD, ALSO. I WANT YOU TO HEAR THAT.

16 DAN YOUNG: SO, NOW, THE HOUSING TRUST BYLAWS HAVE  
17 BEEN WRITTEN.

18 THE COUNTY BOARD OF SUPERVISORS HAS ACTED UNANIMOUSLY  
19 TO NOT ONLY ADOPT THOSE -- THOSE BYLAWS. BUT THEY WERE FIRST  
20 TO JOIN THE HOUSING TRUST.

21 MY UNDERSTANDING IS THE CITY OF FULLERTON CAME VERY  
22 QUICKLY RESPONDED. AND THEY'VE ALREADY JOINED THE HOUSING  
23 TRUST.

24 THE BYLAWS ARE OUT TO EVERY ONE OF THE CITIES WITH AN  
25 INVITATION, ALL OF THEM, TO JOIN THE HOUSING TRUST.

1           WHEN YOU COME TOGETHER AS A HOUSING TRUST, YOU NEED  
2 TO HAVE SOME MONEY TO FILL THE GAP SO THAT YOU CAN QUALIFY FOR  
3 THESE PROGRAMS. THAT HAS BEEN THE CRITICAL PROBLEM IN THE  
4 PAST. AND, SO, THE DELEGATION, SHARON QUIRK-SILVA, TOM DALY,  
5 TOM UMBERG, THE ENTIRE DELEGATION, IS NOW FOCUSED ON RIGHT NOW  
6 BEFORE THE JULY 1 BUDGET GETTING AN ALLOCATION OUT OF THE STATE  
7 THAT COULD COME TO THE HOUSING TRUST THAT WOULD ACT AS THE GAP  
8 MONEY SO THAT IT IS PROP 1 AND PROP 2 NO PLACE LIKE HOME FUNDS  
9 THIS SUMMER -- STARTING THIS SUMMER -- BECAUSE IT PASSED LAST  
10 NOVEMBER. IT'S STARTING TO FUND THIS SUMMER. WE WOULD HAVE  
11 GAP MONEY IN ORDER TO BE ABLE TO APPLY.

12           THAT GAP MONEY WILL BE APPLIED TO THE BALANCE OF THE  
13 70 MILLION. SO, 15, 20 MILLION IS OUT THE DOOR NOW. WE COULD  
14 SPECIFIC PROJECTS. THE REST OF IT WILL BE USED ALONG WITH THE  
15 MONEY COMING OUT OF THE LEGISLATURE TO PROVIDE THAT GAP MONEY.  
16 AND WE NOW CAN REALLY START WORKING.

17           I WILL SAY THE PRIVATE SECTOR MONEY, IF I MAY --  
18 BECAUSE I THINK WE SHOULD CALL OUT GOOD WHERE WE FIND IT --  
19 DISNEY STEPPED UP EARLY BEFORE --

20           THE COURT: FOR 5 MILLION.

21           DAN YOUNG: -- EVEN -- EVEN BEFORE THE FORMATION OF  
22 THE HOUSING TRUST. PUT \$5 MILLION UP, WHICH LEVERED THE  
23 FUNDING OF 102 UNITS OF PERMANENT SUPPORTIVE HOUSING IN  
24 ANAHEIM.

25           ANOTHER PRIVATE SECTOR ENTITY STEPPED UP ON VETERANS'

1 VILLAGE IN SANTA ANA --

2 THE COURT: RIGHT.

3 DAN YOUNG: -- AND CLOSED THE GAP.

4 SO, WE LITERALLY --

5 THE COURT: WAS THAT JAMBOREE THAT WE WENT TO AT THE  
6 OPENING?

7 DAN YOUNG: YES, SIR.

8 THE COURT: OKAY.

9 DAN YOUNG: AND THAT'S WHERE WE LEARNED THAT IT  
10 DOESN'T TAKE MUCH GAP MONEY TO -- TO GET AFTER THIS AND FUND  
11 IT. BUT NOW WE CAN -- NOW WE KNOW HOW WE HAVE TO DO IT. WE  
12 NOW HAVE A FORUM TO DO IT.

13 I WANT TO ENCOURAGE THOSE CITIES TO JOIN THE HOUSING  
14 TRUST AS SOON AS POSSIBLE.

15 IT'S A COLLABORATION. IT DOESN'T COST YOU ANYTHING.

16 ANOTHER THING I WANT TO SAY ABOUT THE COUNTY IS THAT  
17 THEY HAVE STEPPED UP TO -- TO PROVIDE ALL THE STAFFING FOR THE  
18 NEXT FEW YEARS FOR THE HOUSING TRUST. SO, THIS COMES AT NO HIT  
19 TO A CITY'S GENERAL FUND. ALL THEY REALLY NEED TO DO IS JOIN.

20 WHEN I STARTED THIS LITTLE VENTURE WITH YOU AT  
21 O-DARK-HUNDRED ABOUT A YEAR AGO, I THINK, THE BODY DOESN'T SAY  
22 THAT. BUT I THINK IT WAS ONLY A YEAR AGO. WHERE WE WALKED  
23 INTO WAS A FIGHT BETWEEN THE CITIES AND COUNTY OVER  
24 TRANSPARENCY OF MENTAL HEALTH FUNDS.

25 WE CAN GET SOMETHING DONE IF WE KNEW HOW MUCH MONEY



1       THEY HAD.

2               THE HOUSING TRUST IS WHERE TRANSPARENCY CAN OCCUR.

3               THE COURT:    THAT WAS SHARON QUIRK-SILVA'S BILL, BY  
4       THE WAY.

5               WASN'T IT?

6               DAN YOUNG:    SORRY?

7               THE COURT:    THAT WAS SHARON QUIRK-SILVA'S BILL,  
8       WASN'T IT?

9               DAN YOUNG:    IT WAS TOM DALY AND --

10              THE COURT:    SHE'S RIGHT THERE.

11              DAN YOUNG:    -- AND SHARON QUIRK-SILVA.    THAT'S  
12       CORRECT.

13              THE COURT:    SHE'S RIGHT THERE.

14              DAN YOUNG:    SHE'S RIGHT THERE.

15              THANK YOU VERY MUCH, YOUR HONOR.

16              SO, WE HAVE -- WE HAVE A FORUM.    THEY JUST NEED TO  
17       TAKE ADVANTAGE OF IT.

18              WE HAVE A TARGET IN THE LEGISLATURE.    LET'S SEE HOW  
19       WE DO WITH THE DELEGATION TO GET THE GAP MONEY.

20              THE FUNDING FROM PROP 1 AND 2 -- WHICH IS NOT 2  
21       BILLION.    IT'S ACTUALLY OVER 4 BILLION BECAUSE BOTH  
22       PROPOSITIONS PASSED.

23              THE COURT:    RIGHT.

24              DAN YOUNG:    OUR FAIR SHARE OF THAT IS 8 PERCENT JUST  
25       ON THE BASIS OF POPULATION ALONE.    THAT FUNDS THE 2700 UNITS.

1 THE COURT: WE'VE GOT PLENTY OF MONEY. WE JUST NEED  
2 TO COMPETE -- WE JUST NEED TO CONNECT THE DOTS.

3 DO YOU UNDERSTAND THAT? YOU DON'T HAVE TO RAISE  
4 PEOPLE'S TAXES. IT'S AS SIMPLE AS THAT. WE'VE GOT THE MONEY.

5 UNIDENTIFIED SPEAKER: YOUR HONOR, AND PART OF THAT  
6 IS THE CITIES HAVE THE LOCAL LAND USE AUTHORITY. AND THAT'S  
7 WHERE THEY CAN BE REALLY BENEFICIAL TO HELPING US SOLVE  
8 HOMELESSNESS WITH THE RE-ZONING OF PROPERTIES. PRIVATE SECTORS  
9 COMING IN.

10 WE'VE GOT THE GAP FUNDING TO BRING THE PROJECTS TO  
11 FRUITION. SO, IT'S -- IT'S A TRUE PARTNERSHIP WITH EVERYBODY  
12 WORKING TOGETHER.

13 BUT THE COUNTY ALONE CAN'T SOLVE HOMELESSNESS. THE  
14 CITIES ALONE CAN'T SOLVE HOMELESSNESS. THIS IS A PARTNERSHIP.

15 BUT THE CITIES WITH THE LOCAL LAND USE AUTHORITY,  
16 THAT'S WHERE THEY CAN BE THE GREATEST BENEFIT TO REALLY HELP US  
17 WITH THE PRIVATE SECTOR DEVELOPERS AND THE COUNTY TO WORK ON  
18 THE ZONING TO MAKE SURE THAT DEVELOPERS WHEN THEY COME FORTH  
19 WITH PROJECTS, WE CAN GET THE CITIES ZONING. AND WE CAN MOVE  
20 THESE PROJECTS FORWARD.

21 WE'VE GOT 900 UNITS RIGHT NOW OF PERMANENT SUPPORTIVE  
22 HOUSING THAT IS CURRENTLY IN PROGRESS. BUT, OF COURSE, WE NEED  
23 MORE.

24 THE COURT: OKAY. SUPERVISOR, THANK YOU VERY MUCH.

25 SO, WE ALL KNOW THAT WE'RE GOING TO GET IN THE GAME,

1 RIGHT?

2 UNIDENTIFIED SPEAKER: YEAH.

3 THE COURT: WE'RE NOT -- WE'RE GOING TO MOVE FROM THE  
4 LOWEST IN THE STATE.

5 DO YOU UNDERSTAND THAT? -- THE LOWEST IN THE STATE  
6 INTO SOME COMPETITIVE HOPE FOR A STATE AND FEDERAL MONEY.

7 AND THAT'S NOT AN ASPERSION ON YOU. FORGET THE PAST.  
8 JUST MOVE US FORWARD SO WE'RE IN THAT COMPETITIVE GAME. OKAY.

9 THE LAST TOPIC FOR ME --

10 (THE COURT AND CLERK CONFERRING.)

11 THE COURT: FAIRVIEW.

12 OKAY. WHERE -- WHERE ARE WE ON ONE OF THE GREATEST  
13 ASSETS -- AND I'M NOT GOING TO PICK A LOCATION BECAUSE IT'S  
14 BEEN SUGGESTED TO ME THAT I MOVE WITH FEDERAL AUTHORITY AND PUT  
15 A HOMELESS SHELTER IN LAGUNA NIGUEL IN THE GSA PARKING LOT.

16 IT'S BEEN SUGGESTED THAT I SHOVE IN SOME OF THE  
17 SETTLEMENT CONVERSATIONS THIS OVER TO NORWALK.

18 IT'S BEEN SUGGESTED ABOUT IRVINE AND THE HUNDRED  
19 ACRES. OKAY.

20 BUT, ALSO, WHILE EVERYBODY IS MOVING AND SUGGESTING  
21 THINGS AND WE'RE WAITING FOR THE PERFECT TO GET IN THE WAY OF  
22 THE GOOD, WE HAVE FOR YOU POLICE CHIEFS THE FOLLOWING.

23 IF THIS DOESN'T WORK FOR YOU, IT DOESN'T WORK FOR  
24 ANYBODY.

25 DO YOU UNDERSTAND THAT? YOU'RE LAW ENFORCEMENT. AND

1 YOU DO IT KINDLY AND HUMANELY. YOU WORK WITH THE ACLU. YOU  
2 WORK WITH THE COURT. BUT I'VE GOT CONFIDENCE IN YOU.

3 BUT HERE'S WHAT YOU'VE GOT OUT THERE ON THE STREETS.  
4 YOU'VE GOT 10 PERCENT OF OUR POPULATIONS WHO ARE SO  
5 MENTALLY INFIRM, YOU CAN'T DEAL WITH THEM. THEY'RE NOT EVEN  
6 VIOLENT. THEY'RE THE LADY WHO EATS THE PEBBLES OFF THE  
7 SIDEWALK. AND YOU DON'T KNOW -- ARE YOU GOING TO ARREST HER?

8 I MEAN, CAROL, YOU HAVE A FILE ON THAT.

9 BROOKE, YOU OUGHT TO BE SCREAMING AT THE DOORSTEP.  
10 DONE ABSOLUTELY NOTHING. YOU'RE GOING TO KICK HER  
11 OUT OF THE PARK. YOU CAN'T DO THAT.

12 WE CAN'T PUT THOSE PEOPLE IN THE SHELTER.

13 DO YOU UNDERSTAND THAT? WE CAN'T CARE FOR THEM.

14 PAUL YOST CAN'T DO IT. MERCY HOUSE CAN'T DO IT.  
15 MIDNIGHT MISSION CAN'T DO IT. PALMER CAN'T DO IT. LARRY HANES  
16 CAN'T DO IT. WE JUST CAN'T KEEP FOR THEM.

17 SO, WHEN I STARTED LAST MARCH -- LONG BEFORE I MET  
18 SHARON QUIRK-SILVA -- IN A FEW MOMENTS SHE'S GOT A HISTORY IF  
19 SHE CARES TO SHARE IT --

20 AND CAN I SEE THE POWERPOINT --

21 I'M GOING TO SHOW YOU WHAT MANY OF YOU HAVE SEEN  
22 BEFORE. AND I WANT YOU TO BEAR WITH ME. BUT IT'S GOING TO BE  
23 THE POWERPOINT ON -- YEAH. FAIRVIEW.

24 YOU'VE GOT A CAPACITY. AND I CAN'T DIRECT ANYTHING.  
25 I'M THE WIZARD BEHIND THE CURTAIN FRANKLY. I'M THE LITTLE GUY

1 WHEN HE POPS OUT.

2 (LAUGHTER.)

3 THE COURT: BUT YOU'VE GOT A FACILITY WITH 2700  
4 PEOPLE WHO -- THAT WAS A MENTAL HEALTH FACILITY. WHEN I WAS A  
5 D.A. WE USED TO HOUSE PEOPLE DOWN THERE. IT'S GOT EVERYTHING  
6 FROM AN OPEN CAMPUS TO SECURED FACILITIES FOR THE MOST  
7 DANGEROUS PEOPLE AND SEGREGATED.

8 AND WHAT I'M GOING TO -- ABOUT TO SHOW YOU IS THAT  
9 I'M FRANKLY TIRED -- AND I HOLD THE PRESS HERE -- AT BEING  
10 MISLED. AND I'M GOING TO SAY THAT.

11 THANK GOD, I HAD YOUR PERMISSION. AND -- AND QUITE  
12 FRANKLY, AGGRESSIVENESS TO GO OUT AND SEE IT FOR MYSELF.

13 BECAUSE I'M BEING TIRED OF BEING TOLD THAT THIS IS AN  
14 ASBESTOS PROBLEM FACILITY. OH, THAT WE CAN'T USE IT. OH, THAT  
15 WE'RE DOWNGRADING IT BECAUSE WE'RE GOING TO HAVE SOME  
16 THREE-DEVELOPMENT BANK SHOT ON A BILLION-DOLLAR FACILITY THAT  
17 THE -- LOU AND FEDERAL GOVERNMENT BUILT THIS. TURN IT OVER TO  
18 THE STATE. AND NOW WE'RE GOING TO WAIT FOR THE ASSEMBLY TO  
19 CONCOCT SOMETHING -- HOPEFULLY WITHIN MY LIFETIME THAT TAKES  
20 ITS PLACE.

21 WELL, IN THE MEANTIME, UNDER THE BEST OF  
22 CIRCUMSTANCES, THIS CAN'T BE SOLD FOR TWO YEARS. LET ME REPEAT  
23 THAT.

24 FOR ALL THE THINGS THAT THEY HAVE TO GO THROUGH, THIS  
25 FACILITY IS SITTING THERE FOR TWO YEARS.

1 SO, I DON'T MEAN THE POLICE CHIEFS. BUT I'VE TALKED  
2 TO THREE OF YOU -- THREE MAJOR CITIES AND/OR THE COUNTY.

3 AND EACH POLICE CHIEF HAS TOLD ME THE FOLLOWING: YOU  
4 KNOW, JUDGE, IF YOU COULD GET JUST 10 PEOPLE OUT OF EVERY  
5 COMMUNITY THAT WE HAD, YOU WOULD DECREASE OUR LEVEL OF VIOLENCE  
6 AND WHO WE HAVE TO DEAL WITH ON THE STREETS THAT ARE MENTALLY  
7 INFIRM OUT THERE.

8 AND, SO, I'M GOING TO ASK THE TOUGH QUESTION. AND  
9 I'M GOING TO ASK IT OF SHARON AND LOU.

10 IT WAS A DEVELOPMENT CENTER. IT OPENED JANUARY 5TH  
11 OF 1959. TODD SPITZER AT ONE TIME TOLD ME TO CALL THE  
12 GOVERNOR. WHY DON'T YOU CALL THE GOVERNOR. OKAY.

13 IN FACT, WHY DOESN'T SOMEBODY GET ON THE PHONE RIGHT  
14 NOW AND SEE IF GAVIN WILL TALK TO US. ISN'T THAT AN OUTLANDISH  
15 REQUEST?

16 ANYBODY GOT A PHONE? I'M CHALLENGING YOU.

17 WHY DON'T YOU GET GAVIN ON THE PHONE RIGHT NOW AND  
18 SEE IF HE'S SERIOUS ABOUT THIS. AND IF HE'S SERIOUS ABOUT  
19 THIS, WHY IN THE WORLD CAN'T WE GET THIS FOR A TEMPORARY  
20 FACILITY FOR A LIMITED NUMBER OF PEOPLE. AND LET ME TELL YOU  
21 THE CITY WHO IS IMPACTED AND I FEEL SORRY FOR BECAUSE THEY'VE  
22 REALLY STEPPED UP -- COSTA MESA. BUT THIS IS NOT COSTA MESA'S  
23 PROPERTY.

24 AND, NUMBER TWO, IF THIS WAS LIMITED TO 200 PEOPLE,  
25 AND WE RETURNED THESE PEOPLE BACK TO THE COMMUNITY DONATING TO

1 THEM -- AND I DON'T CARE IF IT'S A SETTLING CITY LIKE FULLERTON  
2 OR A NON-SETTLING CITY LIKE IRVINE -- IF WE COULD GET THOSE 10  
3 PEOPLE OFF OF YOUR STREETS, THE END RESULT IS WE'D WANT TO DO  
4 THAT ANYWAY. WOULDN'T WE?

5 IT DOESN'T MATTER IF IT'S LITIGATION OR NOT. DON'T  
6 WE WANT TO GET THE MOST DANGEROUS OUT OF OUR COMMUNITY AND THE  
7 MOST FEEBLE.

8 SO, EXPLAIN TO ME -- GO TO THE PUBLIC GENERALLY --  
9 HOW WE CAN HAVE A FACILITY WITH JUST AN ADMINISTRATIVE BUILDING  
10 THAT LOOKS LIKE THIS -- JUST ADMINISTRATION. IT COVERS A  
11 HUNDRED ACRES WITH 47 DORMS.

12 AND THIS IS WHAT I SHOWED IN MARCH -- THROUGH THE  
13 COMPLEX THAT WE'RE ABOUT TO EITHER HAVE SOLD OR LAID VACANT FOR  
14 TWO YEARS --

15 NO. THEY CAN HEAR ME --

16 -- FOR TWO YEARS. THE HALLWAYS AND DORMS WERE  
17 SEPARATE DORMS. AND NONE OF YOU HAVE LOOKED AT IT. THAT'S THE  
18 PROBLEM. YOU HAVEN'T BEEN OUT THERE OR YOU'D BE OUTRAGED.

19 EVERYBODY IS PRETENDING IT DOESN'T EXIST. AND I'M  
20 NOT PRETENDING IT DOESN'T EXIST ANYMORE.

21 THAT'S A HALLWAY. THOSE ARE SEPARATE ROOMS. THIS IS  
22 ADA COMPLIANT. DON'T TELL ME THAT THIS IS A FACILITY FALLING  
23 DOWN BECAUSE YOUR FIRST RESPONDERS ARE TRAINING OUT THERE.

24 DID YOU KNOW THAT? SO, IF WE HAVE SUCH A PROBLEM  
25 WITH ASBESTOS, FOR GOD'S SAKE, WE OUGHT TO GET OUR GOOD LAW

1 ENFORCEMENT PERSONNEL OUT OF THERE BECAUSE YOU'RE SO MUCH IN  
2 DANGER.

3 AND WHEN I'VE BEEN TOLD IT HASN'T BEEN USED BY FOUR  
4 YEARS, AND I FIND TURNED-DOWN BED SHEETS LIKE THIS, SOMEBODY IS  
5 LYING TO ME. NOW, THAT'S OUTRAGEOUS.

6 AND I WOULD HAVE SAT IN COURT AND LISTENED TO THIS  
7 NONSENSE UNLESS I WOULD HAVE PERSONALLY GONE OUT THERE. NOW,  
8 THAT'S AWFULLY AGGRESSIVE. IT'S NOT MY PLACE. TOO BAD.

9 I WOULD LOVE TO HAVE A HEARING OUT THERE.

10 I WOULD LOVE TO SEE THE PUBLIC, LOU AND SHARON, SEE  
11 THIS FACILITY AND THEN EXPLAIN WHY TAXPAYER DOLLARS AND WHY  
12 THIS CAN'T BE USED BECAUSE THESE ARE NOT ONLY SEPARATE  
13 FACILITIES, THEY'RE BEING USED AT THE PRESENT TIME.

14 AND, YET, I'M BEING TOLD AS A COURT THAT THEY'RE,  
15 ONE, NOT BEING USED UNTIL THEY GET TRAPPED IN THEIR OWN  
16 NONSENSE -- UNTIL THEY KNOW I'VE GONE OUT THERE AND LOOKED AT  
17 THE BED SHEETING TURNED DOWN.

18 I'M BEING TOLD THAT THIS IS NOT ACCEPTABLE BECAUSE OF  
19 ASBESTOS. AND, YET, MY FIRST RESPONDERS ARE TRAINING OUT  
20 THERE.

21 YOUR LAW ENFORCEMENT FOLKS ARE OUT THERE. DID YOU  
22 KNOW THAT? INCLUDING THE FBI.

23 SO, IF YOU'RE GOING TO TELL THE JUDGE SOMETHING,  
24 DON'T LIE TO HIM. BECAUSE THAT CRAZY JUDGE MIGHT JUST GO OUT  
25 THERE AND CHECK ON IT.



1           IT IS SO COMPLETE WITH WASHERS AND DRYERS, THAT IF  
2 YOU WANT TO WALK AWAY FROM THAT AND TELL ME IN THE FUTURE THAT  
3 I'M SUPPOSED TO WAIT FOR MAYBE A BETTER SYSTEM -- WHICH I AGREE  
4 WITH -- WITH RECUPERATIVE CARE IN SOME DAY AND IN SOME WAY,  
5 THEN, I'VE GOT TO WONDER WHY. BECAUSE IF YOU CAN PRODUCE A  
6 BETTER SYSTEM, I HAVE NO PROBLEM WITH FAIRVIEW. YOU CAN SELL  
7 IT.

8           BUT I DON'T WANT TO WAIT FOR THE CALIFORNIA ASSEMBLY  
9 ON THIS.

10           AND, LOU, THAT'S MY MONEY. YOU BUILD IT -- AND YOUR  
11 MONEY.

12           LOU: YES, SIR.

13           THE COURT: AND WE TURN IT OVER TO THE STATE. AND  
14 THAT'S OUTRAGEOUS.

15           SO, YOU DECIDE WHAT TO DO ABOUT THAT.

16           I'VE SAID THAT TO LAW ENFORCEMENT. BECAUSE IF WE CAN  
17 GET THAT JUST 10 PERCENT -- JUST 10 PERCENT, FOLKS, OUT OF YOUR  
18 COMMUNITY THAT YOU CAN'T DEAL WITH, THAT I CAN'T PUT INTO A  
19 SHELTER, AND WE CAN DO THAT HUMANELY AND TREAT THESE FOLKS,  
20 THEN, UNTIL WE GET SOMETHING ELSE, WHY NOT.

21           AND IF IT'S A PARTICULAR CITY'S WORD, LET'S RETURN  
22 THOSE FIVE THAT COME OUT OF YOUR COMMUNITY OUT IN FULLERTON OR  
23 BREA RIGHT BACK TO YOUR CITY HALL.

24           IN OTHER WORDS, DON'T -- DON'T LOAD UP ON A CITY.  
25 PUT THEM IN. AND THEN, YOU KNOW, GET THEM TREATED AND THEN

1 TAKE THEM BACK TO YOUR CITY. DON'T DUMP THEM OUT LIKE THEY'VE  
2 BEEN DUMPED OUT OF THE JAIL IN SANTA ANA. OKAY.

3 NOW, I'LL LEAVE THAT TO YOU AND LAW ENFORCEMENT AND  
4 YOUR OWN PRIVATE DISCUSSION. BUT YOU KNOW IT EXISTS.

5 OKAY. I'M DONE.

6 JIM, I'M DONE.

7 JUDGE SMITH: I APOLOGIZE FOR HAVING LEFT.

8 I WAS STARTING TO FEEL VERY -- LIKE A VERY IMPORTANT  
9 PERSON WHEN I SAW ALL OF YOU FOLKS LOOKING AT ME WHILE  
10 EVERYBODY WAS MAKING THEIR PRESENTATIONS.

11 SO, IF YOU WANT TO EXPERIENCE THAT SAME THING, STAND  
12 IN FRONT OF A FLAT SCREEN T.V.

13 (LAUGHTER.)

14 JUDGE SMITH: ONE THING -- AND I CAME AT THE END OF  
15 THE CONVERSATION -- BUT I JUST WANTED TO -- I DON'T KNOW IF  
16 JUDGE CARTER MENTIONED THIS OR NOT.

17 BUT STATE LAW REQUIRES THAT BEFORE FAIRVIEW CAN BE  
18 CONVERTED TO ANY OTHER USE IT'S GOING TO TAKE THE EQUIVALENT OF  
19 AN ENVIRONMENTAL IMPACT REPORT. AND THAT REQUIRES --

20 THE COURT: OH, BY THE WAY, JUST A MOMENT.

21 DID ANYBODY GET THE GOVERNOR ON THE LINE YET?

22 UNIDENTIFIED SPEAKER: HE'S OUT OF THE COUNTRY.

23 THE COURT: OUT OF THE COUNTRY. THANKS FOR TRYING.

24 UNIDENTIFIED SPEAKER: IT'S MY UNDERSTANDING THAT THE  
25 GOVERNOR IS OUT OF THE COUNTRY IN EL SALVADOR THIS WEEK.

1 THE COURT: GREAT. WOULD YOU BE KIND ENOUGH TO TELL  
2 HIM THAT WE CALLED.

3 UNIDENTIFIED SPEAKER: I WILL RELAY THE MESSAGE.

4 THANK YOU.

5 THE COURT: YEAH. THANK YOU VERY MUCH. APPRECIATE  
6 IT.

7 JUDGE SMITH: AND THAT'S GOING TO TAKE TWO YEARS.  
8 AND UNTIL THEN THEY CAN'T USE IT FOR ANY OTHER PURPOSE.

9 BUT THE PURPOSE THAT IT CAN BE USED TO -- BECAUSE  
10 IT'S A DEVELOPMENTAL CENTER -- IS EXACTLY WHAT JUDGE CARTER HAS  
11 SUGGESTED, THAT A PORTION -- A SMALL PORTION OF IT SHOULD BE  
12 USED FOR IN ORDER TO ADDRESS A CHRONIC MENTAL -- MENTALLY ILL.

13 THE COURT: TEMPORARILY. AND DON'T DUMP IT ON THAT  
14 LOCAL COMMUNITY.

15 JUDGE SMITH: AND -- SO, IT'S A WIN --

16 THE COURT: YOU TAKE YOUR PEOPLE BACK.

17 JUDGE SMITH: -- WIN. THERE'S -- YOU CAN'T DO  
18 ANYTHING FOR TWO YEARS ANYWAY. IT'S SITTING THERE. IT'S A  
19 BEAUTIFUL FACILITY.

20 I DON'T KNOW HOW MANY OF YOU HAVE HAD THE OPPORTUNITY  
21 TO GO THROUGH IT, BUT I'VE GONE THROUGH IT -- NOT THROUGH THE  
22 WHOLE THING BUT SOME OF THE MODS -- AND IT'S PERFECT. AND IT'S  
23 A -- IT'S A GIFT FROM HEAVEN OR SOMEPLACE.

24 THE COURT: OKAY.

25 NOW, SHARON, I KNOW THAT -- LOU, YOU HAVE BEEN VERY

1 PATIENT. I KNOW YOU AS ASSEMBLYWOMAN QUIRK-SILVA. BUT I JUST  
2 KNOW YOU ON A FIRST-NAME BASIS.

3 AND LOU CORREA.

4 SHARON, ANYTHING THAT YOU WANT TO SAY ON BEHALF OF  
5 THE ASSEMBLY? SHE'S THE COMMISSIONER OR THE HEAD OF THE  
6 HOMELESS COMMITTEE. GOVERNOR NEWSOM APPOINTED HER, WHICH IS  
7 WHY IT'S APPROPRIATE.

8 I ALSO CALLED CONNIE AND MADE SURE THAT SHE KNEW THAT  
9 WE WERE HAVING THE HEARING TODAY SO THAT THERE WAS NO -- NO  
10 DENIGRATION. AND SHE WAS UP IN SACRAMENTO. I PHONED HER AND  
11 MADE HER KNOWN -- MADE THIS KNOWN TO HER.

12 ASSEMBLY MEMBER SHARON QUIRK-SILVA: THANK YOU FOR  
13 HAVING ME.

14 ASSEMBLY, SHARON QUIRK-SILVA, ASSEMBLY MEMBER.

15 WE HAVE PUT A BILL FORWARD REGARDING FAIRVIEW AND  
16 HAVE ALSO HAD THE OPPORTUNITY TO BE OUT THERE.

17 AND, AGAIN, I KNOW THAT COSTA MESA IS THE HOST CITY.  
18 BUT THIS IS OVER 120 ACRES OF STATE PROPERTY. IT IS IN MANY  
19 WAYS MUCH MORE ACTIVE THAN SOME WOULD KNOW.

20 IT CURRENTLY SERVES ABOUT 80 DISABLED PATIENTS. IT  
21 IS THEIR HOME. HOWEVER, THOSE PATIENTS ARE EXPECTED TO BE  
22 REMOVED WITHIN THE NEXT YEAR.

23 ALONG -- ALONG WITH THE MANY, MANY ACRES, THERE ARE  
24 PODS OF HOMES WITH CENTRAL KITCHENS. THERE ARE DORMITORIES.  
25 THERE IS A LAVA LOUNGE. THERE ARE CENTRAL KITCHENS. THERE IS

1 GARDENS. IT IS -- AND THERE ARE ALSO ADMINISTRATORS WORKING IN  
2 THE BUILDING THAT HAS HAD SOME ISSUES SEISMICALLY, BUT THERE'S  
3 A WAIVER.

4 SO, FOR EVERYTHING WE HEAR ABOUT WHY WE CAN'T SOLVE A  
5 PROBLEM TEMPORARILY, WE ABSOLUTELY CAN. AND AS WAS SAID, WE  
6 HAVE TO HAVE THE WILL.

7 MY BILL, A.B. 1295, WITH TEMPORARY -- AND I'M SAYING  
8 THAT TEMPORARY BE HOUSING AND SUPPORTIVE SERVICES PROGRAM FOR  
9 THE --

10 THE COURT: WELL, LET'S STOP RIGHT THERE FOR A  
11 MOMENT.

12 THAT LOCAL COMMUNITY HAS TO BE CONCERNED BECAUSE  
13 "TEMPORARY" MEANS THE CAMEL'S NOSE IS UNDER THE TENT.

14 ONE, THAT HAS TO BE TEMPORARY. AND YOU'D HAVE TO  
15 GUARANTEE -- I THINK IN GOOD FAITH THAT THESE FOLKS THAT COME  
16 FROM OTHER CITIES ARE RETURNED TO THOSE CITIES, THAT THEY'RE  
17 NOT AN EGRESS LIKE SANTA ANA HAS OUT OF THE JAIL. THAT'S ONLY  
18 FAIR.

19 ASSEMBLY MEMBER SHARON QUIRK-SILVA: AND, AGAIN,  
20 BILLS CAN BE AMENDED. WE DON'T HAVE THAT LANGUAGE IN  
21 CURRENTLY.

22 BUT OUR HOPE IS ALSO WORKING WITH THE WHOLE SYSTEM OF  
23 CARE THAT THERE WILL BE OTHER OPPORTUNITIES WITHIN TWO YEARS  
24 LIKE THE BE WELL CENTER AND AGAIN WITH THE AB-448 THAT WE'VE  
25 WORKED ON. THERE COULD BE EVEN PERMANENT SUPPORTIVE.

1 BUT, IN ESSENCE, IT'S FOR THE MOST SEVERELY ILL  
2 PATIENTS THAT NEED WRAP-AROUND SERVICES.

3 THE COURT: BUT LET ME ASK YOU SOMETHING. LET ME ASK  
4 YOU THE TOUGH QUESTION FOR A MOMENT.

5 I DON'T KNOW WHAT THE FEDERAL AUTHORITY IS, BUT IT'S  
6 ALSO BEEN SUGGESTED THAT I PUT UP SHELTER DOWN IN LAGUNA NIGUEL  
7 IN THE GSA PARKING LOT. NOW, THAT TAKES TIME.

8 BUT THERE HAS TO BE SOME ALTERNATIVE, QUITE FRANKLY,  
9 SO THAT THAT 10 PERCENT THAT WE DON'T AND CAN'T HOUSE IN OUR  
10 SHELTERS ARE TREATED. AND I CAN'T WAIT FOR THE ASSEMBLY. I  
11 CAN'T WAIT FOR THE PROMISE OF RECUPERATIVE CARE.

12 BUT IF YOU GET THAT ON BOARD, AND YOU CAN FORM THAT  
13 FAST ENOUGH, I'M NOT TIED TO FAIRVIEW.

14 I WANT YOU TO UNDERSTAND THAT.

15 BUT I AM TIED TO SOMETHING. AND IT SEEMS TO BE THE  
16 ONE EXISTING FACILITY THAT'S JUST SITTING THERE, LITERALLY  
17 VACANT. OKAY. SO --

18 ASSEMBLY MEMBER SHARON QUIRK-SILVA: RIGHT. AND  
19 WE'VE ALSO BEEN VERY UPFRONT WITH OUR COLLEAGUES, INCLUDING THE  
20 NEWLY ELECTED MS. COTTIE -- ASSEMBLY MEMBER COTTIE  
21 PETRIS-NORRIS ABOUT IT ISN'T A COSTA MESA ISSUE AS WELL AS IT'S  
22 AN ISSUE OF WHERE CAN WE HOUSE THE MOST SEVERELY --

23 THE COURT: WELL --

24 ASSEMBLY MEMBER SHARON QUIRK-SILVA: AND, AGAIN,  
25 NAMES HAVE BEEN THROWN OUT LIKE COLLEGE HOSPITAL. RIGHT NOW,

1 THEY HAVE CRISIS STABILIZATION BEDS. BUT THEY'RE FOR 24 HOURS.

2 SO, THIS IS NOT THE ONLY OPTION. BUT ONE THING WE  
3 HAVE TO LOOK AT IS WE CAN HAVE MANY PATHWAYS BEING FORMULATED  
4 AT THE SAME TIME.

5 A SHORT TIME, I KNOW THAT THE ASSEMBLY MEMBER NORRIS  
6 HAS A BILL FOR A MASTER PLAN --

7 THE COURT: OKAY.

8 ASSEMBLY MEMBER SHARON QUIRK-SILVA: -- OF FAIRVIEW  
9 AT SOME POINT. AND THAT'S DEFINITELY IMPORTANT.

10 IN ADDITION, MAYBE A THIRD PLAN, WHICH IS WHAT WOULD  
11 FAIRVIEW LOOK LIKE IN 10 YEARS.

12 SO, THERE'S MANY THINGS WE CAN DO AT THE SAME TIME.

13 BUT THE URGENT NEED IS TO HOUSE THE MOST SEVERELY  
14 MENTAL HEALTH PATIENTS.

15 AND I KNOW THE CONGRESS MEMBER HAS SOME --

16 CONGRESSMAN LOU CORREA: THANK YOU, SHARON.

17 YOUR HONOR, FIRST OF ALL, I WANT TO SAY THANK YOU FOR  
18 INVITING ME FOR BEING HERE TODAY.

19 THE COURT: THANK YOU.

20 CONGRESSMAN LOU CORREA: I TALKED TO YOU ON FRIDAY.  
21 AND YOU SUGGESTED I BE HERE. AND HOW COULD I TURN DOWN A  
22 FEDERAL JUDGE.

23 SO, I'M HERE TODAY.

24 BUT I WANT TO THANK EVERYBODY IN THIS ROOM BECAUSE  
25 JUST SITTING HERE AND LISTENING TO ALL THE PROGRESS THAT

1 EVERYBODY HERE HAS MADE IS UNBELIEVABLE.

2 I THINK SOME OF THE FOLKS HAVE SAID THAT THIS MAY BE  
3 A MODEL FOR THE NATION. AND I THINK WE'RE ON TO SOMETHING.

4 AND I'M HERE TO SAY THAT I'LL WORK WITH EVERY LEVEL  
5 OF GOVERNMENT TO MAKE SURE THAT WE MAKE THIS HAPPEN AND  
6 EXECUTE.

7 I LIVE NEXT TO THE SANTA ANA RIVER. I SEE A LOT OF  
8 THOSE FOLKS, MEN AND WOMEN. AND I SAY TO MYSELF, BUT FOR THE  
9 GRACE OF GOD, THERE GO I OR MY FAMILY MEMBERS OR MY FRIENDS.

10 WE REALLY HAVE TO REACH OUT TO THESE FOLKS.

11 WITH REFERENCE TO THE FAIRVIEW CENTER, I THINK YOU'RE  
12 ABSOLUTELY RIGHT. THERE ARE SOME FOLKS WHO ARE GOING TO NEED A  
13 LOT OF HELP. I DRIVE BY THERE EVERY DAY. EVERY DAY I SEE  
14 DIFFERENT PEOPLE IN THAT SITUATION WHO YOU KNOW NEEDS SERIOUS  
15 INTERVENTION.

16 THE COURT: OKAY. BUT HERE'S WHAT I'M GOING TO ASK  
17 YOU.

18 I'M NOT AFTER ANY LOCATION. I JUST WANT HELP NOW  
19 FROM LOCAL LAW ENFORCEMENT. THERE'S 10 PERCENT. AND IF NOT,  
20 THEN, WHERE IS IT GOING TO GO.

21 IS IT GOING TO GO OUT OF GSA. AND YOU'RE GOING TO  
22 HELP ME OUT IN THE MIDDLE OF LAGUNA NIGUEL -- BECAUSE THAT'S  
23 FEDERAL PROPERTY. I DON'T HAVE TO WAIT FOR THE CITY.

24 CONGRESSMAN LOU CORREA: I'M GOING TO HELP YOU WITH  
25 THOSE, SIR.



1 THE COURT: OKAY. I WANT TO HEAR THAT.

2 SOMETHING HAS GOT TO HAPPEN OUT THERE FOR THAT 10  
3 PERCENT OF THAT POPULATION THAT WE CAN'T HOUSE. AND I LEAVE  
4 THAT TO THE BOARD WITH FAIR WARNING.

5 BUT I CAN'T WAIT FOR THE ASSEMBLY. AND I CAN'T WAIT  
6 MUCH LONGER WHEN WE'RE RETURNING PEOPLE BACK TO THE PARKS WHO  
7 ARE LITERALLY SO HELPLESS AND SO INFIRM THAT WE CAN'T TREAT  
8 THEM.

9 AND THAT'S WHAT WE HAD TO DO OUT IN ANAHEIM. AND  
10 HARRY AND I SAT THERE AND WATCHED THAT. AND IT WAS ABSOLUTELY  
11 PATHETIC BECAUSE THESE WEREN'T CRIMINALS. THESE WERE PEOPLE  
12 WHO DESPERATELY NEEDED HELP. OKAY.

13 SO, I'LL JUST LEAN ON BOTH OF YOU AND BE PATIENT A  
14 LITTLE WHILE LONGER. BUT WHEN I'M DEALING WITH DEATH, THAT'S A  
15 DIFFERENT ISSUE NOW. AND THAT'S WHY THE COURT IS BEING VERY  
16 IMPATIENT WITH THIS NOW.

17 ASSEMBLY MEMBER SHARON QUIRK-SILVA: AND, HONORABLE  
18 JUDGE CARTER, YOU KNOW, WE'VE TALKED OR HAVE LISTENED ALL  
19 MORNING TO DATA AND TO NUMBERS AND TO DEATHS --

20 THE COURT: YEAH.

21 ASSEMBLY MEMBER SHARON QUIRK-SILVA: -- OVER 250.

22 THE COURT: YEAH.

23 ASSEMBLY MEMBER SHARON QUIRK-SILVA:-- TO PROGRAMS,  
24 EVERYTHING FROM EMERGENCY SHELTERS TO HOMES.

25 AND I WANT TO TELL YOU A STORY THAT HAPPENED IN MY

1 FAMILY THIS YEAR IN OCTOBER.

2 THIS OCTOBER MY BROTHER DIED HERE IN ORANGE COUNTY 50  
3 YEARS OLD. AND FOR MANY, MANY OF THE SAME REASONS THAT WE'RE  
4 TALKING HERE -- IT WASN'T THAT HE DIDN'T A LOVING FAMILY. IT  
5 WASN'T THAT THERE WASN'T SUPPORT. BUT BECAUSE OF THE  
6 NAVIGATING OF MANY OF THE STEPS THAT HAVE TO BE TAKEN, HIS  
7 ISSUE WAS MOSTLY CHRONIC ALCOHOLISM.

8 AND EVEN THOUGH HE HAD MY MOTHER, WHO'S 81, WHO DID  
9 EVERYTHING POSSIBLE TO GET HIM TO THE PLACES. HE IS ONE OF THE  
10 NUMBERS THAT SPENT TIME IN THE HOSPITALS GOING IN AND OUT. AND  
11 HE DID HAVE A MAJOR HEALTH ISSUE. AND HE COULDN'T MAKE IT. IT  
12 REQUIRES THREE TIMES TO GO TO A PSYCHIATRIST IN ORDER TO GET  
13 THE CARE HE NEEDED FOR THE SOBER LIVING AND ALSO TO GET TO THE  
14 OPERATION HE NEEDED.

15 AND EACH TIME AT THE BEGINNING OF THE MONTH HE WAS  
16 READY TO GO. AND BY THE MIDDLE OF THE MONTH HE WAS BACK OUT ON  
17 THE STREETS. AND THAT WAS NOT BECAUSE WE WEREN'T LOOKING FOR  
18 HIM. IT WAS NOT BECAUSE OF A LACK OF CALLING, NOT ONLY  
19 PARTNERS AND OTHERS. SOME PEOPLE KNOW THE STORY OF MY FAMILY.  
20 BUT THIS IS ONE OF THE PEOPLE WHO DIED -- RAYMOND JASO IN  
21 OCTOBER IN BUENA PARK.

22 AND AT THAT POINT HE WAS ACTUALLY GETTING HELP FROM  
23 ILLUMIN- -- FROM ILLUMINATION. AND HE WAS IN THEIR SHELTER.  
24 BUT HE LEFT. AND THEY CAN'T MAKE HIM STAY. AND HE WAS ON A  
25 BICYCLE AND WAS HIT BY A CAR.

1            THAT'S THE STORY.    AND THAT'S BILLY JASO'S STORY, MY  
2 BROTHER'S STORY.

3            THE COURT:    SHARON, THANK YOU VERY MUCH.

4            THAT'S -- THAT'S -- ALL RIGHT.

5            I WANT TO ASK.    I HAVE NO JURISDICTION AT THE PRESENT  
6 TIME BECAUSE THERE'S BEEN NO FILING ON THE FIVE NEW CITIES IN  
7 THE COUNTY.

8            SO, SUPERVISORS, WHAT I'VE DONE --

9            LEON, IN THE PAST YOU GAVE ME TREMENDOUS TRUST TO  
10 REACH OUT EX PARTE TO PEOPLE.

11           I WANT TO REPRESENT TO YOU THAT ONCE THE NEW FILING  
12 TOOK PLACE -- I CEASE TO DO THAT -- BECAUSE IT'S A NEW FILING  
13 WHERE I DON'T HAVE YOUR CONSENT ON THE COUNTY'S PART TO TALK TO  
14 PEOPLE EX PARTE.    AND THAT'S WHY I SEVERED THE RELATIONSHIP  
15 WITH SUPERVISOR DO.

16           AND WE WERE MEETING ALL THE TIME AT NORM'S RESTAURANT  
17 ALONG WITH MIGUEL PULIDO AND DIFFERENT MAYORS, ET CETERA.    I'VE  
18 CEASED THAT NOW.

19           AND UNLESS I HAVE THAT PERMISSION IN THE FUTURE,  
20 THEN, GOING FORWARD IN TERMS OF LITIGATION --

21           AND, JUDGE LARSON, COME ON UP FOR A MOMENT BECAUSE  
22 YOU REPRESENT ONE OF THE PARTIES.    COME ON.

23           SO, THE END RESULT IS WHAT'S HAPPENED, STEVE, IS  
24 THIS.

25           IN THE PAST THE FIVE OLD --

1 ANY OTHER CITIES HERE, BY THE WAY?

2 I THINK YOU REPRESENT IRVINE.

3 DON'T YOU, STEVE?

4 THIS IS MY FORMER COLLEAGUE, A WONDERFUL FORMER  
5 JUDGE, JUDGE LARSON, WHO IS ALSO A PERSONAL FRIEND.

6 YOU REPRESENT IRVINE. DON'T YOU, STEVE?

7 JUDGE STEPHEN LARSON: YES.

8 THE COURT: ANYBODY ELSE HERE FROM ANY OF THE OTHER  
9 NAMED CITIES? BECAUSE I DON'T EXPECT YOU TO BE HERE.

10 ANY OTHER COUNSEL?

11 (NO AUDIBLE RESPONSE.)

12 THE COURT: OKAY. THEN LET ME JUST TALK YOU FOR A  
13 MOMENT.

14 THEY HAVEN'T SERVED YOU?

15 JUDGE STEPHEN LARSON: NOT -- WELL, WE'VE NOT BEEN  
16 SERVED, YOUR HONOR.

17 THE COURT: NO, I KNOW. YOU HAVEN'T BEEN SERVED.

18 I'M BAFFLED BY THAT. AND WHAT I WANTED TO DO IS I  
19 EXPECTED WHEN I SET THE DATE IN MARCH 2ND FOR APRIL 2ND, I  
20 THOUGHT THAT THE PLAINTIFFS WOULD HAVE SERVED YOU.

21 SO, WHAT I DID IS I SENT OUT AN ORDER FOR YOU TO  
22 APPEAR. AND I WANT TO APOLOGIZE FOR THAT BECAUSE I THOUGHT BY  
23 THAT TIME YOU WOULD HAVE BEEN SERVED. YOU DON'T HAVE TO BE  
24 HERE.

25 JUDGE STEPHEN LARSON: NO NEED TO APOLOGIZE, YOUR

1 HONOR.

2 THE COURT: OKAY. NO. I NEED TO.

3 JUDGE STEPHEN LARSON: WE'RE HERE. OUR MAYOR IS  
4 HERE. OUR CHIEF OF POLICE IS HERE.

5 THE COURT: WELL, THANK YOU FOR BEING HERE. YOU  
6 DON'T HAVE TO BE HERE.

7 JUDGE STEPHEN LARSON: OUR MANAGER IS HERE.

8 THE COURT: BUT HERE'S WHAT I WAS HOPING TO DO TODAY  
9 THAT WE CAN ACCOMPLISH.

10 EACH CITY NOW IS IN THE LITIGATION MODE. AND BEFORE  
11 WHAT HAPPENED IS I HAD THE CONSENT OF ORANGE, TUSTIN, SANTA  
12 ANA, COSTA MESA -- GOSH, I FORGET -- THE COUNTY TO TALK EX  
13 PARTE TO PEOPLE. AND IT WAS REALLY BENEFICIAL. I CAN HAVE A  
14 CONFIDENTIAL CONVERSATION WITH THE MAYOR IN ANAHEIM OR WHATEVER  
15 AND THEN GO BACK --

16 AND, CAROL, I THINK I DIDN'T CALL YOU OFTEN, BUT I  
17 COULD HAVE A CONFIDENTIAL CONVERSATION WITH YOU AND THEN TRY TO  
18 GET US TOGETHER. THAT WAS A LOT BETTER THAN THE BICKERING THAT  
19 WOULD GO BACK AND FORTH UNTIL WE REACHED KIND OF THIS AREA THAT  
20 WE MIGHT NEGOTIATE IT IN. WE DIDN'T HAVE CONFERENCES. THEY  
21 WOULD HAVE BEEN WASTED.

22 THAT CEASED. ONCE THEY FILED THE COMPLAINT NAMING  
23 THE FIVE CITIES AND THE COUNTY AGAIN, NOW I DON'T FEEL  
24 COMFORTABLE WITH THAT.

25 SO, IN THE FUTURE IF YOU'RE COMFORTABLE IN TERMS OF

1 NEGOTIATING, WHAT I'D LIKE TO DO IS GET THIS.

2 GET YOUR CONSENT FROM THE CITY OF IRVINE. THEN I CAN  
3 LITERALLY TALK TO IRVINE EX PARTE WITHOUT THE PLAINTIFFS  
4 PRESENT.

5 AND I'D LIKE TO GET THE CONSENT FROM THE CITY OF --  
6 OR THE PLAINTIFFS SO THEY CAN TALK TO YOU EX PARTE. BECAUSE  
7 WHEN WE GET TOGETHER IN THE SAME ROOM INITIALLY, YOU AND I BOTH  
8 KNOW AS FORMER SETTLEMENT JUDGES, IT DOESN'T GO WELL BETWEEN  
9 THE PARTIES. OKAY.

10 JUDGE STEPHEN LARSON: IT CAN BE CHALLENGING.

11 THE COURT: BUT THE SECOND THING IS I WANTED AND  
12 HOPED THAT IF WE WERE GOING TO HAVE A CONFERENCE TODAY ON THE  
13 NEW CASES, THAT WE SET UP AN ORDER SO THAT NOBODY WAS  
14 SURPRISED.

15 I DIDN'T KNOW IF THE PLAINTIFFS WERE GOING TO FILE  
16 FOR IMMEDIATE INJUNCTIVE RELIEF AND HAVE ME CONSIDER THAT OR IF  
17 THEY WERE GOING TO LAY BACK AND NOT FILE FOR INJUNCTIVE RELIEF.

18 AND I REPRESENT TO YOU I KEPT ARM'S LENGTH FROM THEM  
19 IN TERMS OF ANYTHING THAT THEY WERE THINKING IN TERMS OF THE  
20 NEW CASES.

21 SO, I WANTED TO HAVE TIME BECAUSE EACH CITY STANDS ON  
22 ITS OWN FEET NOW. AND EACH CITY IS LOOKED AT SEPARATELY. SOME  
23 CITIES MAY HAVE DONE A TREMENDOUS AMOUNT. SOME CITIES MAY NOT.  
24 I DON'T KNOW. I HAVEN'T PAID ATTENTION TO SOUTH.

25 AND I THINK OUR LAST CONFERENCE WAS A CONFERENCE THAT

1 TOOK PLACE IN MARCH OF 2018. AND IT INVOLVED THE WHOLE SOUTH  
2 COUNTY SPA. THERE'S BEEN NO CONVERSATION SINCE.

3 SO, UNLESS I HAVE THAT CONSENT FROM THE DIFFERENT  
4 CITIES, ET CETERA, THEN, I'M GOING TO GO BACK TO MY TRADITIONAL  
5 ROLE AND STOP ANY ACTIVITY GOING FORWARD.

6 UNDERSTOOD?

7 JUDGE STEPHEN LARSON: YES.

8 THE COURT: SO, I'M GOING TO ASK THE PLAINTIFFS  
9 BECAUSE I DON'T WANT A SURPRISE.

10 IN OTHER WORDS, IF WE'RE COMING IN HERE WITH AN  
11 EMERGENCY RELIEF, I WANT TO MAKE CERTAIN THAT THERE'S SOME KIND  
12 OF TIME THAT I'VE SET ASIDE -- BECAUSE I DON'T WANT TO BE IN  
13 THE MIDDLE OF A JURY TRIAL.

14 SO, WHAT ARE YOU PLANNING? ARE YOU GOING TO SERVE  
15 THESE CITIES? IS THERE A PARTICULAR ORDER?

16 YOU DON'T HAVE TO TELL ME AGAIN, BUT IT WOULD BE  
17 AWFULLY COURTEOUS IF WE KIND OF KNEW FOR PLANNING PURPOSES.

18 AND, NUMBER TWO, WHICH CITY IS GOING TO GO FIRST?

19 SEE, THOSE ARE THE THINGS WE CAN'T ACCOMPLISH BECAUSE  
20 THEY DIDN'T GET SERVED.

21 (PAUSE IN PROCEEDINGS.)

22 THE COURT: YOU'RE NOT GOING TO ANSWER THAT. OKAY.

23 WELL, WHY DON'T YOU TWO GET TOGETHER INFORMALLY.  
24 BECAUSE WHAT I'D LIKE IS THE COURTESY OF TIME.

25 IN OTHER WORDS, IF -- IF -- IF YOU GET SERVED IN

1 IRVINE OR IN SAN CLEMENTE OR THE COUNTY OR WHATEVER -- AND I  
2 THINK THE OTHER PART OF THIS IS THIS --

3 LEON, BEFORE -- JUST FOR TRANSPARENCY, THE COUNTY WAS  
4 READY TO SETTLE. I'VE SEEN THAT AGREEMENT.

5 BUT LEON IS AN EXCELLENT COUNSEL. AND I WANT THAT ON  
6 THE RECORD.

7 AND HE'S GOT TO BE THINKING AS AN ATTORNEY, WELL,  
8 GEE, IF I SETTLED THE OLD LAWSUIT WHERE THE COUNTY WAS NAMED,  
9 WHAT ABOUT THE NEW LAWSUIT.

10 I MEAN, WE'RE BUYING INTO MORE LITIGATION.

11 BUT THE COUNTY AT ONE TIME WAS READY TO STEP FORWARD.  
12 AND ALL OF YOU KNOW -- AND I THINK THAT THE REQUIREMENT OF  
13 SUPERVISOR DO IS HE'S PROBABLY SAYING DO YOU WANT THE SOUTH  
14 COUNTY CITIES JOINED.

15 OKAY. CAME OUT IN THE "VOICE OF ORANGE COUNTY."

16 WELL, NOW THE SOUTH COUNTY CITIES HAVE BEEN JOINED OR  
17 SOME PORTION.

18 AND, SO, I DON'T KNOW WHERE YOU STAND ON THAT. I  
19 COULD JUST READ THE PRESS.

20 SO, IF YOU'RE GOING TO SETTLE, THE DOOR IS WIDE OPEN.  
21 BUT I WANT TO MAKE CERTAIN I'M NOT TRANSGRESSING BY WALKING  
22 OVER INTO THE NEW CASE FILED AGAINST THE COUNTY.

23 THE SECOND THING IS THE SHERIFF SITTING BACK THERE  
24 DON BARNES -- AND HE'S GOT A HUGE PROBLEM. AND THAT IS HE'S  
25 GOT CONTRACT CITIES OUT THERE. HE'S TRYING TO ENFORCE WITH



1 JEFF PUCKETT DOWN HERE AND A WHOLE BUNCH OF OUTSTANDING  
2 OFFICERS. AND QUITE FRANKLY, HE DOESN'T KNOW WHAT TO DO.

3 HE'S NOT GOING TO DISOBEY A FEDERAL COURT ORDER. AND  
4 HE'S PROBABLY NOT GOING TO RUN THE RISK OF INJUNCTIVE RELIEF  
5 DOWN THERE. BUT THOSE ARE INDIVIDUAL CITIES.

6 AND WHAT I'M CONCERNED ABOUT IS IF ONE CITY SETTLES,  
7 THEN, WHAT HAPPENS TO ANOTHER CITY BECAUSE YOU DON'T WANT THAT  
8 UNINTENDED PUSH BACK AND FORTH, LET'S SAY, BETWEEN SAN CLEMENTE  
9 AND DANA POINT. BECAUSE YOU'RE GOING TO GET A CERTAIN  
10 MIGRATION, DON, OUT THERE.

11 AND THAT'S GOING TO MAKE IT HARD FOR THE SHERIFF'S  
12 DEPARTMENT BECAUSE NOW THE CITIES ARE SETTLING INDIVIDUALLY OR  
13 LITIGATING INDIVIDUALLY.

14 AND, SO, THAT'S WHY WE APPROACHED YOU INITIALLY,  
15 STEVE, AS A "SPA-WIDE DISCUSSION" BECAUSE AT THAT TIME I WAS  
16 JUST DEALING WITH SPAS. NOW WE'RE JUST DEALING WITH CITIES.  
17 OKAY.

18 IF IRVINE WANTS TO GO FIRST, FINE. IF THEY WANT TO  
19 GO LAST, FINE. IF SAN CLEMENTE, DANA POINT, THE COUNTY, BUT  
20 I'D LIKE TO AT SOME POINT HAVE THAT THOUGHTFUL DISCUSSION.

21 SO, I'M ASKING YOU AGAIN. ARE YOU GOING TO SERVE THE  
22 CITIES?

23 MS. SOBEL: YES.

24 THE COURT: YES?

25 MS. SOBEL: YES. WE'RE GOING TO SERVE THEM.

1 THE COURT: GOOD.

2 WHEN?

3 MS. SOBEL: WE HAVE --

4 THE COURT: THERE'S A MICROPHONE SO I CAN HEAR.

5 WHEN? IN OTHER WORDS, IF WE'RE GOING TO LITIGATE,

6 LET'S GET THE LITIGATION GOING.

7 UNKNOWN SPEAKER: JUDGE, DANA POINT IS HERE, BY THE

8 WAY.

9 THE COURT: HUH?

10 UNIDENTIFIED SPEAKER: DANA POINT IS HERE --

11 THE COURT: OH, THANK YOU VERY MUCH.

12 UNIDENTIFIED SPEAKER: THE --

13 THE COURT: IT'S A PLEASURE TO SEE YOU. AND YOU

14 DON'T HAVE TO BE HERE, BY THE WAY. I HAVE NO JURISDICTION OVER

15 YOU AT ALL. I PROMISE YOU.

16 UNIDENTIFIED SPEAKER: WELL, YOU ASKED US TO COME.

17 SO, WE SHOWED --

18 THE COURT: AND YOU HAVEN'T EVEN BEEN SERVED YET.

19 SO, IN OTHER WORDS, IF WE'RE GOING TO LITIGATE, LET'S

20 GET THIS GOING.

21 MS. SOBEL: I HEARD YOU, YOUR HONOR.

22 THE COURT: OKAY. YOU'RE GOING TO SERVE?

23 MS. SOBEL: I HEARD YOU.

24 THE COURT: OKAY. GOOD. SHE'S HEARD US.

25 SO, STEVE, LET'S DO THIS. THE DOOR IS OPEN AS LONG

1 AS I HAVE CONSENT. AND THE DOOR IS ALWAYS OPEN FOR SETTLEMENT.

2 UNDERSTOOD?

3 AND I'LL SAY WHAT I SAID AT THE BEGINNING. WHAT I'M  
4 DEATHLY AFRAID OF IS THIS.

5 FIVE YEARS FROM NOW WITH THE EXPENDITURE OF A WHOLE  
6 LOT OF MONEY BY THE COUNTY OR THE CITIES OR THE ACLU.

7 MS. SOBEL: WE'RE NOT THE ACLU, YOUR HONOR.

8 THE COURT: WELL, YOU'RE CLOSE ENOUGH.

9 (LAUGHTER.)

10 THE COURT: I'M JUST -- NO. I'M JUST KIDDING YOU.  
11 OKAY.

12 (LAUGHTER.)

13 THE COURT: I AM JOKING WITH YOU.

14 THERE'S GOING TO BE A WINNER, RIGHT? ON PAPER  
15 THERE'S GOING TO BE A WINNER. AND WE'RE STILL GOING TO HAVE  
16 OUR CITIES WHO HAVE SETTLED IN A SENSE UNINTENTIONALLY PUSHING  
17 A MIGRATION TO THE CITIES WHO HAVEN'T SETTLED.

18 THE STRONGEST BENEFIT IS THAT WE ENFORCE THESE LAWS  
19 AND DO IT HUMANELY AND DO IT QUICKLY. AND THAT'S BEEN THE  
20 BOTTOM LINE FOR ALL THE OTHER CITIES I'VE TALKED TO.

21 THE SECOND THING IS LITIGATION -- AND THAT'S WHY I  
22 GOT INVOLVED IN SOMETHING THAT YOU AND I KNOW IS AN ODD PLACE  
23 TO BE AS A JUDGE -- AND THAT IS THE LITIGATION SEEMS TO BE  
24 NON-ENDING. THERE WILL BE A WINNER AT THE END, BUT THERE WILL  
25 BE SUCH AN EXPENDITURE OF MONEY THAT OUR COMMUNITIES WILL BE

1 RUINED BECAUSE THERE'S NO ABILITY TO ENFORCE RIGHT NOW UNDER  
2 THE LAW.

3 SO, STEVE, THE DOOR IS WIDE OPEN.

4 JUDGE STEPHEN LARSON: WELL, THANK YOU, YOUR HONOR.

5 THE COURT: OKAY.

6 JUDGE STEPHEN LARSON: AND WE'LL CERTAINLY -- THE  
7 CITY OF IRVINE WANTS TO COOPERATE IN ALL OF THIS.

8 OBVIOUSLY, YOU'VE PROPOSED SOME PARTICULAR STEPS THAT  
9 WE NEED TO TAKE. WE'LL CONSULT WITH COUNSEL. I'M SURE WE'LL  
10 BE BACK TO YOU SHORTLY.

11 THE COURT: OKAY. BUT YOU KNOW THAT -- YOU KNOW THAT  
12 THE PHONE IS OPEN AS LONG AS I HAVE CONSENT --

13 JUDGE STEPHEN LARSON: I DO, INDEED. AND I'LL DO  
14 THAT --

15 THE COURT: -- FROM THE OTHER CITIES, ET CETERA. BUT  
16 OTHERWISE --

17 JUDGE STEPHEN LARSON: WE'LL GET BACK TO YOU  
18 PROMPTLY, YOUR HONOR.

19 ALL RIGHT. THANK YOU.

20 THE COURT: -- WE'RE BACK TO --

21 THANKS FOR BEING HERE. IT'S GOOD TO SEE YOU.

22 JUDGE STEPHEN LARSON: ALL RIGHT.

23 GOOD TO SEE YOU AS WELL.

24 THANKS, YOUR HONOR.

25 THE COURT: OKAY.

1 I HAVE NOTHING FURTHER.

2 DO ANY OF YOU FOLKS HAVE ANYTHING FURTHER TO ADD? OR

3 JIM?

4 (NO AUDIBLE RESPONSE.)

5 THE COURT: OKAY.

6 CHIEFS?

7 (NO AUDIBLE RESPONSE.)

8 THE COURT: I MEAN, ANY QUESTION IS FAIR GAME RIGHT

9 NOW. OKAY.

10 SO, I'LL SEE YOU CHIEF -- COSTA MESA, I'LL SEE YOU  
11 OUT THERE AT 5:30 IN THE MORNING ON FRIDAY. FAIR ENOUGH. I'LL  
12 BUY THE COFFEE.

13 OKAY. MAYOR, I'LL SEE YOU OUT THERE AT 5:30 IN THE  
14 MORNING. 5:30. I'LL BUY THE COFFEE.

15 I WANT TO THANK ALL OF YOU. WE'RE OUT OF HERE AT  
16 TWELVE O'CLOCK. AND THANK YOU VERY MUCH.

17 (PROCEEDINGS ADJOURNED AT 12:00 P.M.)

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C E R T I F I C A T E

I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT  
FROM THE ELECTRONIC SOUND RECORDING OF THE PROCEEDINGS IN THE  
ABOVE-ENTITLED MATTER.

/S/ DOROTHY BABYKIN

4/7/19

\_\_\_\_\_  
FEDERALLY CERTIFIED TRANSCRIBER  
DOROTHY BABYKIN

\_\_\_\_\_  
DATED