

Weekly Management Report September 19, 2014

1. **Synopsis** – Sustainable Burbank Commission Meeting of September 15, 2014 – Public Works Department
2. **Synopsis** – Burbank Athletic Federation Meeting of September 9, 2014 – Park, Recreation and Community Services Department
3. **Synopsis** – Cultural Arts Commission Meeting of September 11, 2014 – Park, Recreation and Community Services Department
4. **Synopsis** – Park, Recreation and Community Services Board Meeting of September 11, 2014 – Park, Recreation and Community Services Department
5. **Synopsis** – Oversight Board Meeting of September 11, 2014 – Community Development Department
6. **Synopsis** – San Fernando Valley Council of Governments Board Meeting of September 18, 2014 – Community Development Department
7. **Synopsis** – Sober Living Facilities Webinar, September 17, 2014 – Community Development Department
8. **Press Release** – Governor Signs Historic Deal for Film Tax Credit Extension – City Manager

SUSTAINABLE BURBANK COMMISSION
September 15, 2014

SYNOPSIS OF ITEMS ARE IN BOXES BELOW

I. ORAL COMMUNICATIONS:

A. Public Communication: None

B. Commission Member Communication:

Mr. Newhoff stated that he would like to discuss the City's financial sustainability at the October meeting.

Mr. Bell asked if the Commission's guidelines are available for review. Ms. Teaford stated that the guidelines were established in the Commission's founding resolution and informed the group that the document is available on the City's website.

C. Staff Communication:

Mr. Kavar informed the group that the Burbank Police Department will host a drug take-back event on September 27, 2014, from 10:00 a.m. to 2:00 p.m. at the Police Fire Headquarters. The Recycle Center is hosting several compost workshops in September, October, and November. Dates, times, and locations are available on the City's website.

Mr. Kavar reported that the Plastic Bag Ban Bill was approved by the State Assembly and the Senate. The Bill is now with Governor Brown for final approval.

Mr. Kavar also reported that the Master Recyclers have formed a focus group that is working with local Burbank restaurants in an effort to reduce waste and save money through recycling.

II. APPROVAL OF MINUTES:

The August 18, 2014, minutes were unanimously approved by all present.

III. BAY DELTA CONSERVATION PLAN DISCUSSION:

At its August 18, 2014, meeting Commissioner James Smith requested the Bay Delta Conservation Plan (BDCP) be placed on a future agenda for discussion and the Commission agreed. The City of Burbank and Burbank Water and Power have filed comment letters in support of the BDCP. Commissioner James Smith will present his analysis. The Commission may ask questions, engage in discussion, and provide input.

Mr. Smith provided a PowerPoint presentation on the history of the Bay Delta and its surrounding towns. The group discussed the pros and cons of the BDCP and asked questions of staff.

IV. USE OF SUSTAINABLE BURBANK HOLDING ACCOUNT FUNDS DISCUSSION:

The Sustainable Burbank Holding Account currently has a balance of \$171,266. The money was initially set aside by the City Council to support a wide range of sustainability efforts, including the establishment of a community garden in Burbank. At its August 18, 2014, meeting, the Commission began discussing options for appropriating available funds toward sustainability efforts. The Commissioners agreed to further discuss this item and may entertain a motion and vote regarding the use of remaining Holding Account funds.

The Commissioners continued discussing various uses for the remaining funds in the Holding Account and agreed to postpone making any appropriation recommendations until projects being considered have clearly defined budgets.

V. AD HOC MOBILITY SUBCOMMITTEE REPORT:

At its September 16, 2013, meeting, the Commission agreed to form an ad hoc subcommittee to discuss bicycle issues, public transit, and transportation items as they relate to sustainability in the Burbank community. The ad hoc subcommittee will provide the Commission with an update on the group's progress for discussion and Commission direction.

Mr. Yegparian stated that he attended a meeting in Glendale regarding a proposed bridge crossing over the Los Angeles River.

Mr. Smith requested information regarding the Talaria Project Community Meeting. Ms. Gabel-Luddy informed the group that information for the Talaria Project is located on the City's website. Ms. Gabel-Luddy also informed the group that Los Angeles has provided an additional map for the Mariposa Equestrian Bridge. The map will be reviewed by staff.

AD HOC HEALTHY URBAN DESIGN SUBCOMMITTEE REPORT:

At its October 21, 2013, meeting, the Commission agreed to disband the ad hoc Healthy Living Subcommittee and the ad hoc Urban Design Subcommittee and form the ad hoc Healthy Urban Design Subcommittee to discuss sustainability efforts for urban design and healthy living in the Burbank community. The ad hoc subcommittee will provide the Commission with an update on the group's progress for discussion and Commission direction.

Ms. Springer state that she met with PR&CS staff to discuss the progress of the Community Garden project. Students from Woodbury University have submitted a design plan to PR&CS staff for the parcel located at Chandler Boulevard and Pass Avenue. Staff will present the design plan to the Park Board on October 9, 2014. Staff is also working on a lease agreement for the Chandler/Pass site that is owned by the City of Los Angeles.

VI. DISCUSS THE COMMISSION'S FACEBOOK PAGE AND ITS DIRECTION:

The Commission's Facebook page administrator duties have recently been turned over to Commissioner Roesner who has requested assistance from an ad-hoc subcommittee to review the existing contents of the Facebook page and determine what, if anything, should be archived. The Commission will consider the request, and entertain a motion to establish an ad-hoc subcommittee to address the Commission's Facebook page.

Mr. Roesner reported that the Facebook situation has been resolved and he is currently the sole administrator of the Commission's Facebook page. Staff from the Public Information Office (PIO) will provide a presentation on the City's social media policy at the October Commission meeting. The Commissioners agreed to discuss how they will move forward with the Facebook page after PIO's presentation.

CITY OF BURBANK
PARK, RECREATION AND COMMUNITY SERVICES
ANNOTATED AGENDA/MEETING SUMMARY

Meeting: Burbank Athletic Federation **Date: September 9, 2014**

Members Present: Steven Beardsley, Dennis Roy, Ron Sabatine, Karen Sartoris, Char Tabet.

Members Absent: John Dilibert, Terry Scott

Staff Present: Erin Barrows, Rena Ghamelian.

Liaisons Present: Mickey De Palo

Item Discussed	Summary	Direction or Action, if any
1 Approval of Minutes- August 5, 2014	Minutes	Approved as corrected 5-0, 1 abstain
2 Financial Statement	Ms. Barrows shared with the Board that the Sports projects have been placed on hold due to Johnny Carson Park project. Purchasing has been dealing with various bids and will get to the sports projects in a timely manner.	N/A
3 Announcements	N/A	
4 Oral Communication	N/A	
5 Written Communication	N/A	
6 Unfinished Business	Burbank Athletic Federation Charter: 1. Ms. Barrows shared with Board a report that was completed in 2009. The report provides the history of BAF and the objectives. Mr. Beardsley requested to receive a copy for review. Violation of Probation: 2. Ms. Barrows informed the Board she met with Mr. Beardsley, Ms. Sartoris and Ms. Tabet to discuss what occurs if a participant is in Violation of Probation. The	Motion made by Mr. Beardsley and seconded by Ms. Tabet to approve the addition of

CITY OF BURBANK
PARK, RECREATION AND COMMUNITY SERVICES
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	<p>Staff Report</p>	<p>Ms. Barrows shared and discussed the staff report: BFFL- 27 team, games are being played at Brace and some at Schafer. Instructional Flag Football is being held Saturday mornings at Schafer with a total of 35 participants. Volleyball- 34 teams. Instructional Volleyball is held on Friday nights at Luther middle School with a total of 29 participants from 6:00-7:30. ASA- 84 teams all day on Saturdays. Youth Basketball individual player sign-ups will begin September 27th. Adult Fall league season is in full swing. Adult Winter league registration will begin November 1, 2014.</p>	
	<p>Adjournment</p>	<p>Adjournment 6:53 p.m.</p>	

**CITY OF BURBANK
PARK, RECREATION AND COMMUNITY SERVICES
ANNOTATED AGENDA/MEETING SUMMARY**

Meeting: Cultural Arts Commission

Date: September 11, 2014

Members Present: Edward Clift, Edward Arno, Brian Miller, Jan Osborn, Lynda Willner, Barbara Beckley, Cynthia Pease, Mary Elizabeth Michaels

Members Absent: Peggy Flynn

Staff Present: Kris Smith, Caroline Arrechea, Vickie Cusumano, Noah Altman

Liaisons Present: Jess Talamantes, Emily Gabel-Luddy

Item Discussed	Summary	Direction or Action, if any
1 Starlight Bowl 2014 Season Update	Staff gave an update on the 2014 Starlight Bowl season and reviewed musical acts,	None
2 Burbank Cultural Arts Commission Budget 2014/15	This item would be discussed at the October meeting.	None
3 Commission Meeting Locations in 2014	There was no discussion.	None
4. Art in Public Places	Ms. Wilke informed the Commissioners that a new proprietor had purchased the portion of the AMC project from Barney's Beanery to Glitz. The owner had plans to improve the paseo and landscape, as well as remove the old art piece that AMC had commissioned and paid for. Both AMC and the Artist have given their approvals for removal. A fountain would be installed in its place in addition to a second art piece (mural), which would exceed the value of the former piece. Ms. Wilke felt this was a great project for the community and an investment in the area. She noted that the APP Committee will need to address how to handle such situations in the future given that there was no clear policy on removals of existing art pieces.	None

**CITY OF BURBANK
PARK, RECREATION AND COMMUNITY SERVICES
ANNOTATED AGENDA/MEETING SUMMARY**

5	<p>2013/2014 Burbank Cultural Arts Commission Goals Taskforces</p>	<p>The Cultural Arts Commission has established 8 goals to be accomplished over the next year:</p> <ul style="list-style-type: none"> Goal 1: Colorful Arts Destination Map/Fix Website Goal 2: Paint Electrical Boxes Goal 3: Make Measurable Progress at Starlight Bowl Goal 4: Participate in Community Outreach Goal 5: Clearly Define Mission/Identity Goal 6: Collaborate and Support Burbank Arts Organizations/Artists through convening Goal 7: Obtain Funding For Commission Priorities 	<p>Goal 1: Map/Website- The members agreed that the calendar was the most important element of the mobile web version. There was discussion to possibly start over with a new website since the current was custom made and would not be easily modified by anyone other than Pickle. The members agreed to use Commission resources such as Woodbury to work on the website/mobile.</p> <p>Goal 2: The Commission had a discussion on the theme for the Electrical Box project. They noted that artists get inspiration from many sources; therefore, it may not be a good idea to dictate a specific theme but more of a broad idea. Staff met with the City Attorney's office regarding insurance, which the City feels the artists should have (whether provided through the City or individually). Currently working on getting an estimated cost for coverage through the City's underwriter which will be part of any sponsorship costs.</p> <p>Goal 3- Ms. Smith explained that staff would be presenting a report to the Park Board regarding the ADA issues at the Starlight Bowl. Staff met with building officials and shared the results of the checklist (the report and checklist were shared with the Commission). Ms. Wilke added that the most important issue to be aware of is that once work begins on the Bowl, all ADA issues must be addressed. All ADA elements must be addressed in Phase I of the project. Per Code, certain types of facilities are exempt but still must do best to accommodate those with disabilities.</p> <p>Goal 4: Mr. Arno would provide locations for upcoming events when they are announced but noted that the locations can also be found directly on their website.</p> <p>Goal 5: The members felt it was key to work on the website. Mr. Clift and Mr. Miller would develop a strategy.</p> <p>Goal 6: Ms. Osborn spoke about the October 2nd Social Media for the Arts panel discussion event.</p> <p>Goal 7- There was no update.</p>
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CITY OF BURBANK

**PARK, RECREATION AND COMMUNITY SERVICES
ANNOTATED AGENDA/MEETING SUMMARY**

Meeting: Park, Recreation & Community Services Board

Date: Thursday, September 11, 2014

Staff Present: Judie Wilke, PRCS Director; Marisa Garcia, Assistant Director; Graciela Coronado, Administrative Analyst II; Melissa Colasanto, Senior Clerk; Kristen Smith, Recreation Manager; Erin Barrows, Recreation Manager; Victoria Cusumano, Recreation Supervisor; Christine Rumfola; Recreation Supervisor; Carol Mercado, Recreation Supervisor; Paul Paolone, Recreation Coordinator, and Jason Dyer, Recreation Coordinator

Board Members Present: Mr. Gussow, Mr. DePalo, Mr. Hirsch, Mr. Aghakhanian and Mr. Barta

Board Members Absent: None

Council/Board Liaisons Present: None

Item Discussed	Summary	Direction or Action, if any
1 Announcements	<p>Ms. Garcia announced the following:</p> <ul style="list-style-type: none"> The Verdugo Recreation Center Roofing Project kicked-off on September 2nd. Therefore, the Verdugo Recreation Center, Verdugo Aquatics Facility, and tennis court closest to the recreation center are closed during construction-through October 6th. The Creative Arts Center's current exhibit <i>Like Father, Like Son</i> features the pencil drawings of a father and son duo, Antonio & Isaac Pelayo. The opening reception for this current exhibit was held on Friday September 5th 7:00-9:00pm. The upcoming art show for October will be "The Art of Seven". The Opening Reception will be held on Friday, October 3, 7:00 - 9:00 p.m. The Autumn Breakfast at the Joslyn Adult Center will be held on Saturday, September 20th from 9am-10:15am. Tickets are available at the Joslyn Nutrition Office, McCambridge Nutrition Office and Tuttle Senior Center. 	N/A

CITY OF BURBANK
PARK, RECREATION AND COMMUNITY SERVICES
ANNOTATED AGENDA/MEETING SUMMARY

2	Recognitions	<p>Ms. LaBrado, Recreation Manager, recognized staff's Summer of WOW! Widsom, Ownership and Willingness</p> <p>The Board recognized the Counselor in Training (C.I.T) participants and Kobi Wynne, a participant of the newly created track and field club offered through the Park, Recreation and Community Services Department</p>	N/A
3	Oral Communications	<p>Appearing to oral communications regarding the Civic Pride Committee were: Linda Silvas, Robert Vincent. Sonia Taylor, Kystle Ang, and J.J. Connaughton.</p>	N/A
4	Response To Oral Communications	<p>Board thanked Civic Pride Committee members.</p>	N/A
5	Written Communications	<p>None</p>	N/A
6	Park Board Comments	<p>Mr. DePalo announced that the Athletic Federation is accepting applications for Board of Directors now until October 10, 2014. Applications are available online, the Administration Office and the Sports Office.</p>	N/A
7	Debell Golf Course Operations Report	<p>Mr. Scozzola, operator of DeBell Golf Club, provided the Board with an operational report from January to June 2014.</p> <p>Mr. Scozzola reviewed the rounds of golf, revenue, expenses and net income. He also informed the Board of recently completed capital improvement projects at the clubhouse and the course.</p>	Noted and filed.
8	Starlight Bowl 2014 Season Update	<p>Mr. Paolone, Recreation Coordinator, and Ms. Cusumano, Recreation Supervisor, provided the Board with the 2014 Starlight Bowl Summer Concert Season update. They reviewed the program highlights, marketing, online tickets, attendance, etc.</p>	Noted and Filed.

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PARK, RECREATION AND COMMUNITY SERVICES
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		Kristen Smith, Recreation Services Manager, presented the Board with the programmatic future of the Starlight Bowl.	
9	Update on the Starlight Bowl Renovation Plans Related to American with Disabilities Act and California Building Code Accessibility Requirements	The Board received an update regarding accessibility requirements at the Starlight Bowl. Staff requested that the Board recommend that staff seek City Council approval to continue working with Lehrer Architects Westlake Reed Leskosky, Inc. (LAWRL) Design team to address the renovations phases of the Starlight Bowl.	5-0 Board approved that staff seek Council approval to continue working with LAWRL on the detailed plans and specifications to address the first phase of the Starlight Bowl Renovation Project including the ADA and California Building Code accessibility requirements.
10	Board Liaison Selection	The Board discussed the liaison appointments to the various boards and advisory committees within the PRCS Department.	5-0 Board approved the liaison appointment list with the following revisions: Youth Board – Mr. Barta (primary) Mr. Aghakhanian (alternative) Art in Public Places – Mickey DePalo (primary)
11	Consent Calendar	<p><u>Approval of Minutes</u> Minutes of the August 14, 2014 meeting was approved.</p> <p><u>City Council Agenda items Update</u> Noted and Filed.</p> <p><u>Contract Compliance</u> Noted and Filed.</p> <p><u>Park Patrol Report</u> Noted and Filed.</p> <p><u>Departmental Operations Update</u> Noted and Filed.</p>	5-0 Board approved the consent calendar.
12	Tabled Items	None.	N/A
13	Second Period of Oral Communications	None.	N/A

CITY OF BURBANK
PARK, RECREATION AND COMMUNITY SERVICES
ANNOTATED AGENDA/MEETING SUMMARY

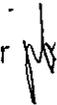
14	Additional Comments from the Board	Mr. DePalo announced the Walk of Fame induction ceremony is on October 4, 2014 at 9am.	N/A
15	Introductions of New Agenda Items	None.	N/A
16	Adjournment	The meeting was adjourned at 9:15 p.m. in memory of Phil Scozzola.	N/A



memorandum

DATE: September 19, 2014

TO: Mark Scott, City Manager

FROM: Joy R. Forbes, Community Development Director 

SUBJECT: OVERSIGHT BOARD MEETING SYNOPSIS – SEPTEMBER 11, 2014

The Successor Agency's Oversight Board met on September 11th, with five of the six members (in filled positions) in attendance. The Oversight Board approved the Recognized Obligations Payment Schedule for January through June 2015 (ROPS 14-15B). The ROPS has been forwarded to the State Department of Finance (DOF) for review and consideration.

The Oversight Board also considered and approved an administrative process that would provide a mechanism to enter into short-term agreements for the use of Successor Agency property at 101, 107, 111, and 123 W. Burbank Boulevard (aka Burbank Blvd. bridge remnants at "five-points"). While staff will be marketing the sale of this property, short-term uses may provide benefit for the community, such as possible construction staging or use by a local non-profit organization for Christmas tree sales. The Oversight Board's action was forwarded to the DOF for consideration. The DOF has 40 days to make its determination.

The next Oversight Board meeting is currently scheduled for October 8, 2014.



memorandum

DATE: September 18, 2014

TO: Mark Scott, City Manager

FROM: Joy R. Forbes, Community Development Director 

SUBJECT: **San Fernando Valley Council of Governments Board Meeting –
September 18, 2014**

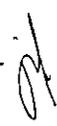
- The Board adopted a work program proposed by the new Executive Director for the 14-15 year with a focus to restore structure to, sustainability within, and a renewed sense of relevance to the San Fernando Valley Council of Governments (SFVCOG).
- The Board reviewed the latest draft of the voting amendments to the Joint Powers Agreement and unanimously approved sending them to the individual cities/county for adoption by their council/board. This would remove the unanimous voting requirement, among other modifications. Staff will work with the City Manager to put this on an upcoming City Council agenda.
- The SFVCOG received a \$500,000 grant and Metro, along with the Executive Director, staff from the COG agencies, and the consultant put together a preliminary mobility matrix in accordance with that grant. This matrix identifies potential transportation and transit projects for the San Fernando Valley and categorizes them into short, medium, and long term lists. The Board adopted the preliminary draft. The next steps will be for staff to continue to work with the consultant and Metro and a revised draft report will be presented to the Board in January. The Board discussed possibly reinitiating the transportation committee to discuss details of the matrix; Council Member Talamantes, who last chaired that committee, cautioned that volunteers need to be committed to meeting as a group.
- The Board discussed, but did not yet approve, a Memorandum Of Understanding with MoveLA to partially sponsor a Town Hall meeting to discuss transportation issues in the San Fernando Valley. Eventually this discussion may lead to another sales tax measure to be put to the voters in 2016 to pay for some of the area's long range transportation projects. The Board requested more detail on the budget and what the full cost to the COG might be.
- The Board received a presentation on Discovery Cube LA opening in November at Hansen Dam. This will be an educational and inspirational complex for kids and adults.
- A Board Member requested a discussion of High Speed Rail on their next agenda. Specifically the discussion of a direct route from Bob Hope Airport to Palmdale.



memorandum

DATE: September 18, 2014

TO: Mark Scott, City Manager

FROM: Joy R. Forbes, Community Development Director 

SUBJECT: Sober Living Facilities Webinar – September 17, 2014

- The League of California Cities held a webinar and members of the Community Development Department and City Attorney's Office listened in, as did Barbara Kautz. Below are some bullets on the discussion and attached is the PowerPoint presentation which was presented during the webinar.
- The Department of Health Care Services Substance Use Disorder Compliance Division (DHCS SUDCD) provides a voluntary certification process for Intensive Outpatient Program (IOPs). IOPs do not provide treatment, just an alcohol/drug free environment.
- There was some discussion about "integrated facilities," which can be two separate homes (where one home houses the residents and another home is where treatment or other activities occur). It appears that integrated facilities are not considered single family uses under the current law.
- One of the presenters mentioned distancing requirements as being appropriate, as she felt they would advance state policy and benefit the protected class.
- There was some discussion regarding licensed facilities and a suggestion was made that any licensed facility in a residential zone that takes advantage of state law preemptions should be restricted to nonprofit enterprises only, although they are not currently.
- A question was raised about smoking being an issue in sober living homes. No direct answer was given.
- Some discussion about the history of sober living homes in California was given; this is included in the attached PowerPoint.
- A participant discussed a Clean and Sober Transitional Living facility in Fair Oaks, California. The group felt this might fall into the integrated facility category which may not be considered as a single family use.

League of California Cities

SOBER LIVING WEBINAR

- Western Cities Magazine's August 2014 edition featured an article regarding Sober Living Businesses in Residential Zones.
<http://www.westerncity.com/Western-City/August-2014/LegalNote-Sober-Living-Businesses/>
- This webinar is a result of that article.



League of California Cities

Participants

- Christi Hogin, City Attorney for Lomita, Malibu and Palos Verdes Estates. She currently serves as first Vice President of the League's City Attorney's Department and she Chaired the Editorial Committee for the League's Municipal Law Handbook, 2014 edition. Christi can be reached at: Chogin@LocalGovLaw.com
- Nicolé Nicholson, Complaints and Counselor Certification Branch. Nicolé can be reached at: Nicole.Nicholson@dhcs.ca.gov
- Friedner Wittmna, Ph.D., M.Arch., Affiliate Scientist for Alcohol Research Group, Public Health Institute and President of CLEW Associates. Friedner can be reached at: CLEW_Associates@msn.com



League of California Cities

Questions

- This webinar presentation will last approximately one hour, after which we will be answering any questions you might have.
- In order to ask a question, please type in your question and please include your name, city, and who you are addressing your question to.
- You can ask your question at any time during the presentation, but we will save questions until the end of the webinar.



THE DECLINE OF SOCIAL MODEL



& THE RISE OF THE REHAB RIVIERAS

Christi Hogan
Jenkins & Hogan, LLP
City Attorney for the cities of
Lomita, Malibu &
Palos Verdes Estates
CHogin@LocalGovLaw.com

HISTORY OF THE SOCIAL MODEL

HOMES NOT HOSPITALS

Harness the power of community

Provide Basic Care and Supervision to Relatively High-Functioning Disabled Persons

Alternative to medical model of long-term care for the disabled

1973 Community Care Facilities Act

Provide statewide system of community care for persons with disabilities

License non-medical group home care facilities

Preempt local zoning

1978 Department of Health Care Services Reorganized

*Licensing of Community Care Facilities transferred to California Department of Social Services
Community care now includes facilities for foster children, seniors, and persons whose needs require management of severe adjustment problems, serious mental disorders, and significant medical needs*

STATE POLICY

Treat the Same
as Single
Family Homes



Require business license?
Parking requirement?
No AA meetings?
No smoking outside?



FACILITY TYPES

Community Care Facilities (CCF)

"Any facility, place or building that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children."

H & S Code §§ 1500, et seq.

Alcohol or Drug Abuse Recovery or Treatment Facility (ADF)

"Any premises, place or building that provides 24-hour residential non-medical services to adults who are recovering from problems related to alcohol, drugs, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services."

H & S Code §§ 11834.01, et seq.

"Sober Living Environment"

- Unsupervised, unlicensed facilities providing alcohol and drug-free living environment; No formal treatment provided
- May be affiliated with coalitions or associations which monitor health, quality, and adherence to peer-oriented recovery model

ANTI-DISCRIMINATION LAWS

Persons recovering from drug and/or alcohol addiction are disabled for the purposes of the Fair Housing Act and the Americans with Disabilities Act.



EQUAL ACCESS TO HOUSING OPPORTUNITIES
Together, the FHAA and ADA prevent local governments from enforcing zoning ordinances that impact recovery facilities differently than residential uses in the same zone.

SOCIAL MODEL FACILITIES IN SINGLE FAMILY RESIDENTIAL ZONES

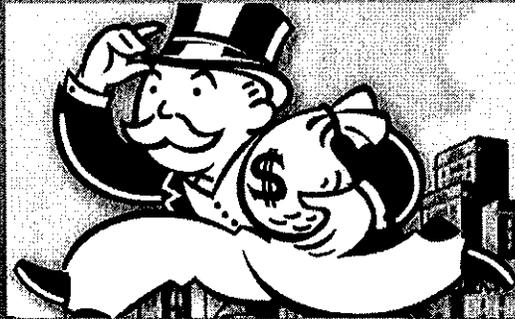
FACILITY TYPE	LEGAL AUTHORITY	LIMITED TO SIX?	REQUIRE STATE LICENSE?	PREEMPTED FROM REGS DIFFERENT FROM SFR?	ALLOWED IN SINGLE FAMILY ZONE?
Sober Living Environment	Constitutional right to privacy; a "family" as defined by courts Federal law defines "recovering alcoholic" as disabled and prohibits housing discrimination ADA requires "reasonable accommodation"	NO	NO	NO	YES (May be subject to local regulation if consistent with Fair Housing Act)
Alcohol/ Drug Program Facility	Health & Safety Code §11834.01 Nonmedical and residential	YES	YES	YES	YES
Community Care Facility	Health & Safety Code §1500 Nonmedical and residential	YES	YES	YES	YES

BIG BUSINESS: BUYING A CURE SELLING OUT THE NEIGHBORHOOD

Prices range anywhere from \$10,000 - \$67,000* per month

Consist of Large Multi-Facility "Campuses"

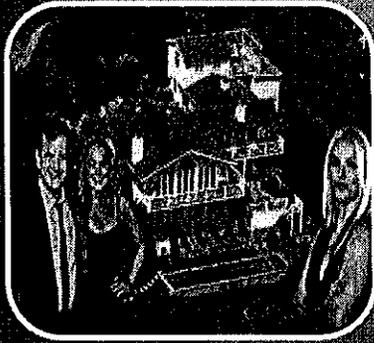
Commercialized Care, Complete with Marketing & Branding



Total deviation from social-model envisioned by Legislature
No "family" dynamic

LATENT POLICY DEFECTS

Big Business

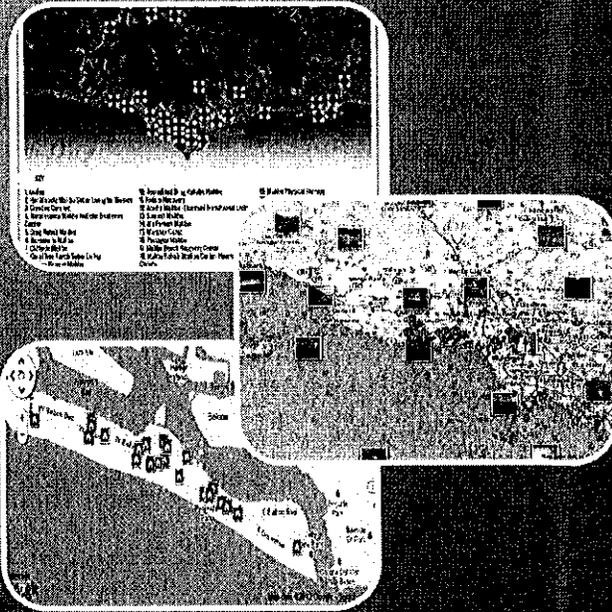


\$15 Billion a year
 sold to international industry

Passages Malibu tout addiction
 "cures" in splashy TV ads.

"Rich in Riviera" hotel to offer
 views, massages, equine therapy
 and other fancy amenities.

Overconcentration



OVERCONCENTRATION: CCF V. ADP

CCF

- Overconcentration exists when two facilities are located within 300 feet of one another (H & S § 1520.5(b))
- Policy to preserve integrity of local neighborhoods (H & S § 1520.5(a))
- State may deny license if approval would lead to overconcentration (H & S § 1520.5(a))

ADP

- State goal is to meet "local need" (H & S § 11834.20)
- Department cannot consider the number of existing facilities when granting, suspending, or revoking a license (90 Ops. Cal. Atty Gen. 109 (No. 07-601))
- State cannot deny license to avoid overconcentration or limit the number of facilities in any given location (90 Ops. Cal. Atty Gen. 109 (No. 07-601))

REGULATION UNDER CURRENT LAW

Licensed facilities enjoy preemption only to extent they comply with license

Integrated facilities are not single family uses

Whether or not licensed: regulation may not be discriminatory

Regulations must be justified by legitimate, nondiscriminatory, non-pretextual government purpose

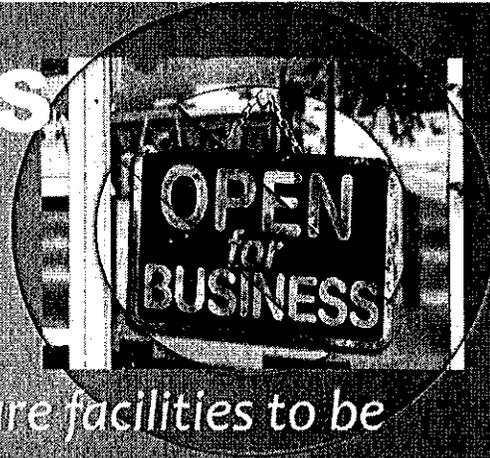
No discriminatory treatment of protected class

No disparate impact on protected class (even unintentional)

Must make reasonable accommodation

Accommodation unreasonable only if it requires fundamental alteration in zoning or imposes undue financial/administrative burden

RESIDENCES AS BUSINESSES



State law requires foster care facilities to be non-profit. (H & S § 1502(d)(4)).

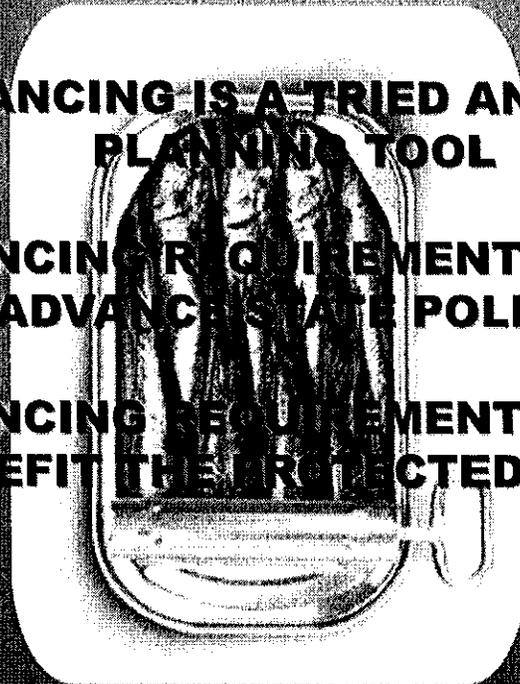
IDEA: any licensed facility located in a residential zone and taking advantage of state-law preemption to allow it to operate, should be restricted to non-profit enterprises.

COURSE CORRECTION

**DISTANCING IS A TRIED AND TRUE
PLANNING TOOL**

**DISTANCING REQUIREMENTS WOULD
ADVANCE STATE POLICY**

**DISTANCING REQUIREMENTS WOULD
BENEFIT THE PROTECTED CLASS**



Complaints and the AOD Residential Treatment Facility within California, an Overview

Presenter Marlies Perez,
Substance Use Disorder Compliance Division Chief



Brought to you by
the Department of Health Care Services
Substance Use Disorder Compliance Division
Complaints and Counselor Certification Branch
(DHCS SUDCD CCCB)



Topics for today's SUDCD discussion

- Introduction
- SUDCD'S:
 - Department Authority
 - Residential and Outpatient AOD treatment facilities
 - Unlicensed Facilities
 - Complaints, Investigations and Civil Penalties
- Tools for Contacting the SUDCD

Department Authority

- DHCS has sole authority within California to license 24-hour, nonmedical, adult residential alcohol and other drug (AOD) recovery or treatment facilities.
- Such facilities are required to provide services outlined in Health & Safety Code Section 11834.26 including, but not limited to:
 - assessment
 - detoxification
 - education
 - recovery or treatment planning
 - individual and group counseling sessions
- These facilities provide a setting to address the needs of individuals who require nonmedical services for substance abuse and addiction.

Complaints and the AOD Residential Treatment Facility within California, an Overview

Department Authority Continued:

- Certified Outpatient Facilities / Intensive Outpatient (IOP)
 - DHCS provides a voluntary certification process to identify programs which exceed a minimal level of service quality and are in substantial compliance with the Department's standards.
 - IOPs do not provide residential treatment; rather, an IOP is designed to provide an alcohol and drug free environment to further a participant's ability to improve his/her level of functioning daily.
- Complaints are investigated when Department authority is established:
 - At a facility licensed and/or certified by DHCS SUDCD

OR

 - At a facility providing licensable services in an unlicensed setting

Complaints and the AOD Residential Treatment Facility within California, an Overview

A Licensed Residential Facility...

- ✓ Provides residential alcoholism and/or drug abuse recovery or treatment services.
- ✓ Can be affiliated with a specific outpatient location and/or assists clients with obtaining outpatient services while residing at a licensed location.

An Unlicensed Facility...

- Provides all (or part) of the functions that a licensed facility provides, without a DHCS license.
- Can be involved in an unlicensed "Integral Facility" situation.

Complaints and the AOD Residential Treatment Facility within California, an Overview

- CCR 10508(a) *Integral Licensed Facilities* must be:
 - (1) Integral components of the same facility
 - (2) Under the control and management of the same licensee, and
 - (3) Licensed as a single facility

Complaints and the AOD Residential Treatment Facility within California, an Overview

- On site investigations generate a report, or "Notice of Deficiency" (NODs) that identify deficiencies (Class A, B, or C)
- Facilities are required to respond to deficiencies with a Corrective Action Plan (CAP)
- Failure to do so results in the assessment of civil penalties

Deficiencies Detailed:

- **Class "A"**: due to imminent danger to residents, a "Class A" must be abated or eliminated immediately.
- **Class "B"**: due to potential danger of the health and safety of residents, the time period to correct the Class B deficiencies shall be corrected within thirty (30) days of receipt of the NOD, or less.
- **Class "C"**: shall be corrected within thirty (30) days of receipt of the NOD, or otherwise negotiated between facility and SUDCD.
- **Notice of Operation in Violation of Law**: issued to any facility determined to be providing or advertising licensable treatment services in an unlicensed setting.

Complaints and the AOD Residential Treatment Facility within California, an Overview

Tools for Contacting the SUDCD

- Licensing & Certification Support Line: (559) 322-2911
- Complaint Line: (877) 685-8333
- Complaint E-mail: SUDComplaints@dhcs.ca.gov
- E-Fax: (916) 440-5094
- Access the SUDCD website at:
[http://www.dhcs.ca.gov/provgovpart/Pages/SUD-
ProvPartners.aspx](http://www.dhcs.ca.gov/provgovpart/Pages/SUD-ProvPartners.aspx)

Complaints and the AOD Residential Treatment Facility within California, an Overview

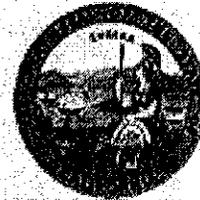
Questions?

Thank you for attending today's webinar.

Please visit www.dhcs.ca.gov for more information.



Brought to you by
the Department of Health Care Services
Substance Use Disorder Compliance Division
Complaints and Counselor Certification Branch
(DHCS SUDCD CCCB)



**League of California Cities
Sober Housing Webinar
September 17, 2014**

**Overview: Sober Housing
in California Communities**

Friedner D. Wittman, Ph.D., M.Arch.
President, CLEW Associates
Affiliate Scientist, Alcohol Research Group

Sober Living Housing Overview

- SLH origins: Alcoholics Anonymous & State actions
- Sober housing as a community recovery setting
- Case study of SLH housing design & operation (CSTL)
- Research findings (Alcohol Research Group)
- Sober housing associations in California (SLN, CAARR)

Sober Living Houses: California Origins

Sober housing grew as AA expanded & in response to State elimination of beds for treatment & rehabilitation.

- AA members open “12-step” sober houses starting in 1950s
- “Doing the Loop” comes to an end: State mental hospitals close and courts decriminalized public drunkenness (1960s-70s)
- Low-income alcoholics live in SROs and on street (1960s–80s)
- Urban renewal: SROs removed; no HUD sober housing (1970s-90s)
Reagan era budget cuts end direct federal support for Rx housing
- California response: Homelessness & incarceration (1980-today)
- Federal law *protects* sober housing as a “family” use (1988) and as reasonable accommodation for disabled persons (1990)

Community Places to Support Recovery

California Social Model (Community Recovery Model)

Starting about 1970, recovering people in California joined to create places to support recovery in each community, operating according to AA principles.

Motto: “The setting is the service.” (Ken Schonlau, Sober Living Network)

- Recovery community successfully organized in many cities
- Recovery movement generates support from the State (OAPM)
- Six principles guide social-community recovery
- Four types of sober setting needed for each local community
- Architecture is a resource for recovery

Community Recovery Settings (each city)

(Wittman & Polcin, in press)

Social model recovery proceeds among peers each “working his/her own (12-step) program” in a supportive environment

- Social-Model Detoxification Settings (O’Brian et al. 1973)
- Alcohol Recovery Homes (Schonlau, 1990)
- Free-Standing Sober Living Houses (Wright, 1990; Wittman 1993)
- Neighborhood Recovery Centers (Matthews, 1990; Shaw, 1990)

Sober Living Houses Design & Operations

- Welcoming architecture of 12th Step Houses: Attractive, sociable (informal), open, clean, safe, lively, well-maintained, ordinary.
- Sober living houses closely connected to treatment, medical, social, & correctional services: Reputation & referrals are critical
- The Architecture of Recovery: Several architectural design principals support recovery
- Resident-run housing: Housing is operated by and for recovering residents.
- Community acceptance: Recovering residents are good neighbors and are usually welcomed as such.

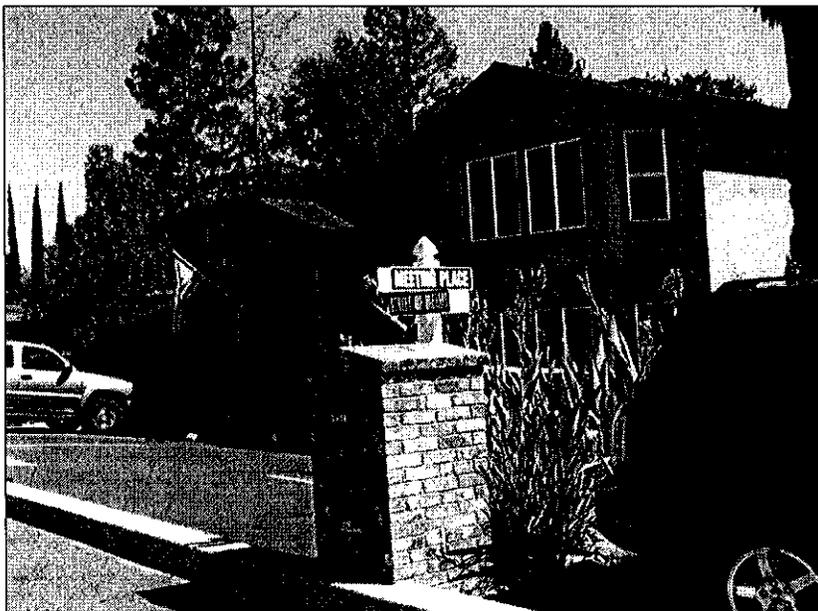
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Sober Living Houses (Case Example):

Clean and Sober Transitional Living, Fair Oaks, California

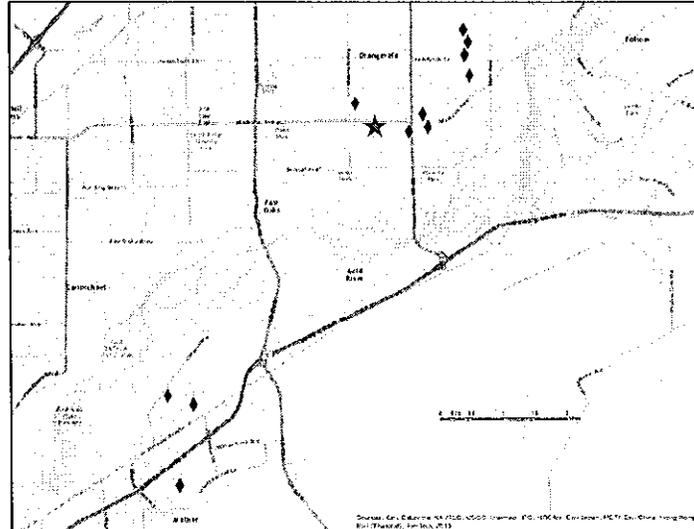


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Architecture of Recovery: Community Context

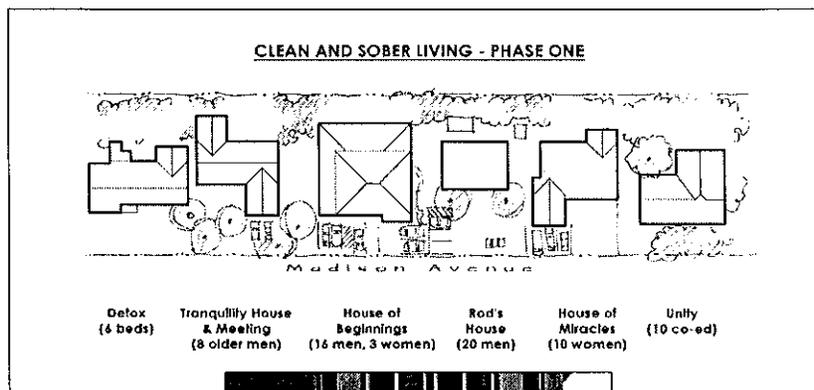
Location of Clean and Sober Transitional Living (CSTL) houses
 "Octopus": Five co-located Phase I houses (red star) are center-point for
 eleven free-standing Phase II houses (blue diamonds)



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Architecture of Recovery: Site Map Phase I Residential Recovery Complex



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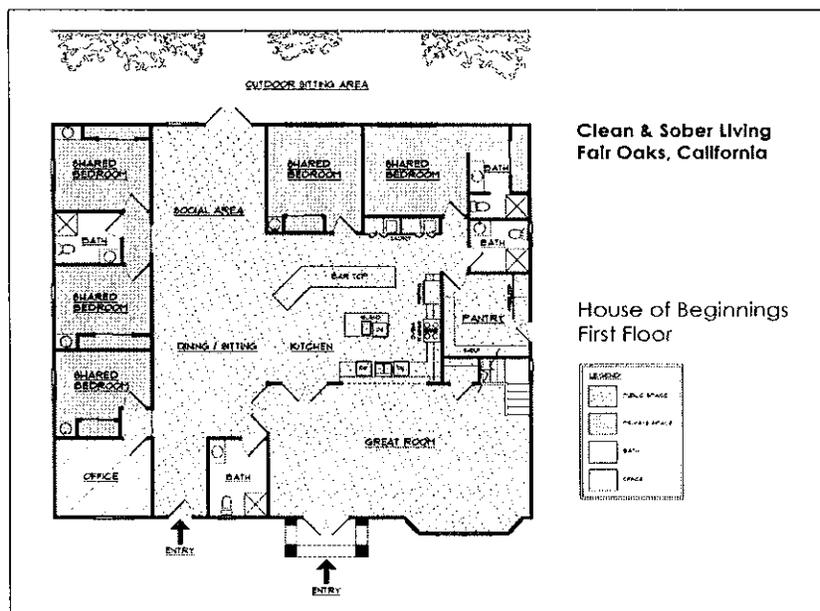
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Architecture of Recovery: Design Considerations

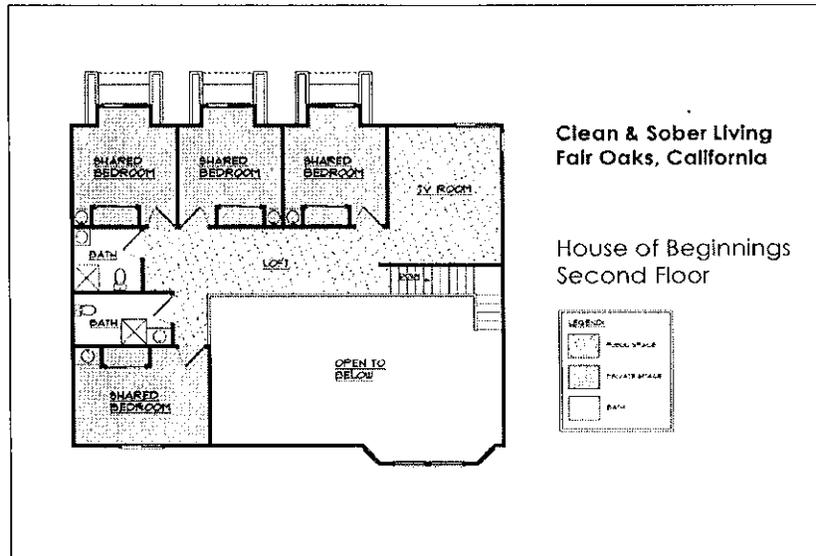
Core Environmental Patterns for a Community-Based Sober Housing Service			
	Architectural Considerations (based on Wittman, 1993)	Phase I Residential Recovery Complex	Phase II Free-standing sober living houses (SLHs)
A	Location	I.1 COMMUNITY ACCESS TO SOBER HOUSING	II.1 THE ARMS OF THE "OCTOPUS"
			II.2 A SAFE AND STABLE NEIGHBORHOOD
B	Appearance	I.2 RESIDENTIAL RECOVERY COMPLEX	II.3 THE SOBER LIVING HOUSE
C	Design for Sociability	I.3 HOUSE OF BEGINNINGS	II.4 COMMON SOCIAL AREA
D	Design for Personal Space	I.4 RESIDENTIAL DORMITORY	II.5 INDIVIDUAL BEDROOM
		I.5 SLEEPING ROOMS	
E	Facility Oversight and Security	I.6 PEER GOVERNANCE	II.6 MANAGING THE HOUSEHOLD
		I.7 ROLE OF CSTL STAFF	
F	Care and Upkeep	I.8 A PLACE IN THE COMMUNITY	II.7 MANAGING RELATIONS WITH NEIGHBORS

(Wittman, Jee, Polcin & Henderson, In Press)

Architecture of Recovery: Phase I Architectural Recovery Home



Architecture of Recovery: Phase I Architectural Recovery Home



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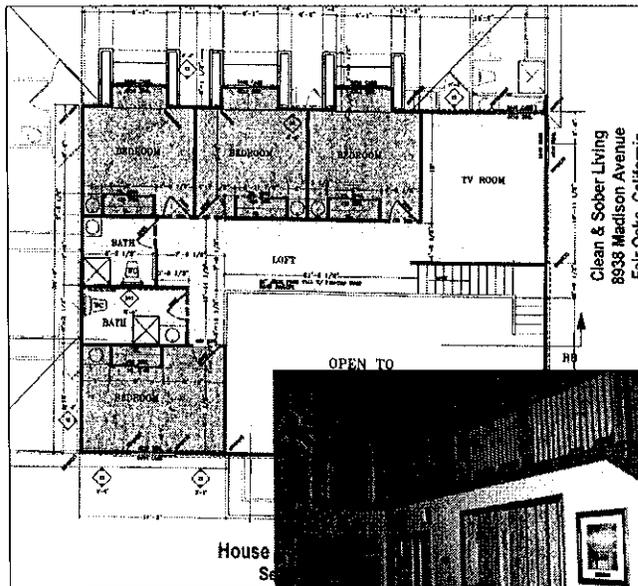
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House of Beginnings
First Floor

Cle
893
Fai

Sober Living Architecture

Phase I residence – Sleeping Arrangements



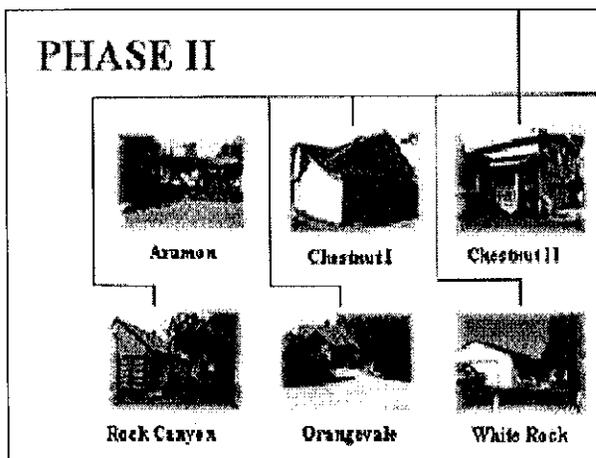
Architecture facilitates respect for the person

- Bedrooms are for sleeping
- Two-bed rooms for all – college dorm style
- No bunk beds – underscores dignity & respects possessions
- Security for women
- Medication policy
- Increase in status and progress associated with CSTL house not one's own room

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Sober Living Architecture

Phase II residences – Architectural features

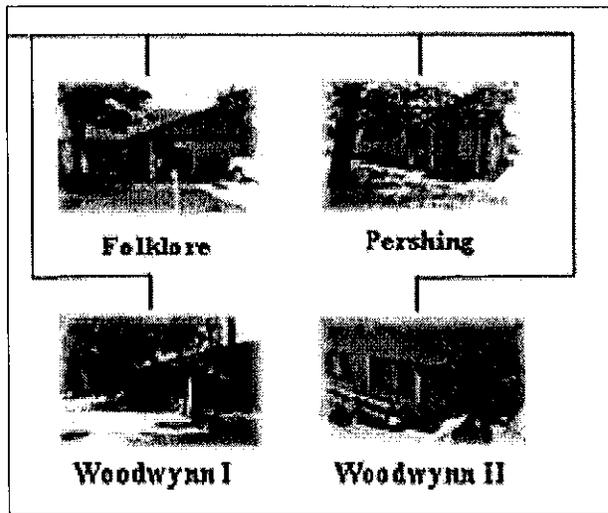


Neighboring Architecture

- Sober Living Residence similar to others in neighborhood
- SLR is quiet, unobtrusive neighbor (control noise, trash)
- SLR helps create a safe feel for neighborhood (no fences)
- SLR contributes to neighborhood (attractive appearance)
- SLR accessible to neighbors (visitors welcome, OK to knock)
- CSTL responsive to neighbors ("have you been harmed?")

Sober Living Architecture

Phase II residences – Support for recovery



Responsible sober living

- Single bed rooms for each resident (college apartment)
- Shared social & dining area
- House manager = accountability
- Accountable to each other
- Accountable for care of house
- Accountable to CSTL
- Monthly rent (fare-box financing)
- Flexible time in residence
- Everyday living includes immediate response to problems

CSTL Sober Living House Operations

(based on CSTL presentation at Calif State Alcohol & Drug Treatment and Prevention Conference, DCHS-SUD, Costa Mesa CA, Aug 12, 2014)

How CSTL got started (Founder's personal story)

- Needed sober place to live after completing 28-day rehab
- Bought/leased houses for other grads also in need of sober living
- Realized need for Phase I & Phase II houses as numbers grew

Social Milieu (resident participation)

- Residents operate the house daily for meals, cleaning, upkeep
- Preparation of meals is central
- Open setting invites mutual help
- Pipe-line effect motivates residents to Phase II

CSTL Sober Living House Operations

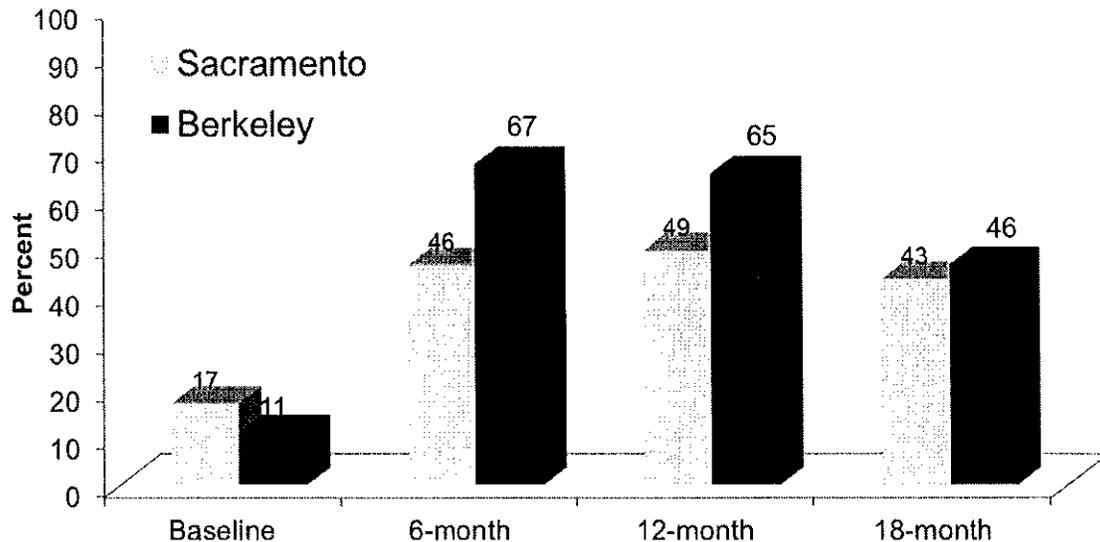
Self-governance
(residents run the house)

- Resident Congress (expectations)
- Judicial Committee (obey rules)
- Sunday Night Meeting (check-in)
- CSTL maintains setting & back-stops RC & JC decisions.

Sobriety policy
(strict sobriety at all times)

- Sober living ingrained in everything CSTL does
- CSTL will monitor meds & test
- Residents must (and do) leave immediately if they relapse
- Some ask Judicial Council to come back

Substance use % Abstinent/ past 6 months



Research Findings: Community Perceptions : SUPPORTIVE factors for Sober Living Houses

SLH Managers Say:

- 1) Volunteering**
- 2) Familiarity with SLHs**
- 3) Prompt response to complaints**
- 4) Communication**
- 5) Characteristics of Owner**
- 6) Scope of addiction problems**

Neighbors Say:

- 1) Volunteering**
- 2) Familiarity with SLHs**
- 3) Prompt response to complaints**
- 4) Communication**
- 5) Addiction in Family**

Research Findings: Community Perceptions Hindering Factors for Sober Living Houses

SLH Managers Say:

- 1) Poorly run homes**
- 2) Stigma**
- 3) Criminal Justice Mandate**
- 4) Dual Diagnosis**
- 5) Finances**

Neighbors Say:

- 1) Poorly run homes**
- 2) Nuisance problems**
- 3) Lowered housing values**
- 4) Increased crime**
- 5) Large SL Houses**
- 6) Densely populated SLHs**

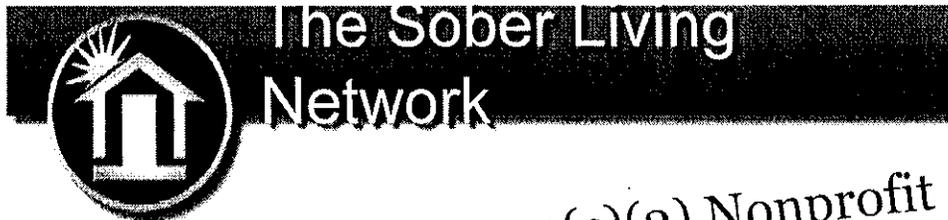
Community involvement is key:

- Open houses, wave hello**
 - Brochures given to local neighbors**
 - Neighborhood BBQ**

California Sober Living House Associations

SLH Frequencies in California as of August 2013*				
Organization	Total Number of SLH beds affiliated with organization	Total Number of SLH residences affiliated with organization	Number of affiliated members who operate SLH housing	Number of cities where SLH housing operates
SLN	6,450	490	315	95
CAARR	3,524	301	139	96

*Data provided by SLN and CAARR organizations.



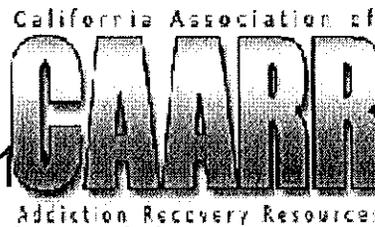
The Sober Living Network

- Established in 1995
- 500 Residences
- Capacity for 6,500 Recovering Individuals
- Serves approximately 25,000 each year
- 7 Southern California Counties
- Co-founder– National Association of Recovery Residences (NARR)

501(c)(3) Nonprofit Organization

California Association of Addiction Recovery

501(c)(3) Nonprofit
Organization



- Established in 1983
- Statewide membership
- Sober living and licensed treatment members
- Co-founder– National Association of Recovery Residences (NARR)

Thank you!

For more information please contact

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For Immediate Release
September 18, 2014

Contact: Jackie Koenig (Bocanegra) – (916) 319-2039
Justin Hager (Gatto) – (415) 889-9762

Governor Signs Historic Deal for Film Tax Credit Extension

*Bill by Assemblymembers Bocanegra and Gatto Extends the Program
For Five Years and Expands its Allocation to \$330 Million Annually*

SACRAMENTO – After months of intensive negotiations, Governor **Jerry Brown** joined Assemblymembers **Mike Gatto (D-Los Angeles)** and **Raul Bocanegra (D-Pacoima)** in taking bold action to protect jobs and families across the Golden State. At a ceremony this morning at TCL Chinese Theater in Hollywood, and with one swipe of his pen, the Governor signed AB 1839, the **California Film and Television Job Retention and Promotion Act of 2014**.

The legislation, first introduced by Bocanegra and Gatto in January, was co-authored by more than sixty-five other legislators, and received bipartisan support from elected officials and below-the-line workers from every region of California. It significantly expands and improves the state's film tax incentive program to keep production jobs in California, including a five year program extension, an increase in the program's budget allocation to \$330 million annually, and the creation of a new competitive jobs rating system to determine which projects will receive the credits.

"I've heard from so many people during my time in office, who have told me about their families being torn apart because of production fleeing the state, and how this program will give stability to families, certainty to small businesses, and will help our communities thrive," said Gatto. "I am grateful for all the help from those involved in this legislation, particularly my co-author Assembly Bocanegra, Governor Brown, Speaker Atkins, Senate Pro Tem De León, and all of the hardworking people who stood up for middle-class jobs."

"This is a home run for the film and television industry in California. Reaching this deal has been a long and difficult process, and I'm proud to have worked in tandem with my joint author Assemblymember Mike Gatto as we were able to deliver for our constituents," said Assemblymember Bocanegra. "I'd like to thank the Governor, Speaker Atkins and Senate leadership for their help and leadership in reaching this historic agreement. This expanded and improved program will go a long way towards making California more competitive and ultimately will protect and create tens of thousands of jobs for hard working Californians."

California's film and television industry has faced increasing competition in recent years from subsidies by other states and countries. Since its creation in 2009, the California Film and Television Job Retention and Promotion Act prevented as many as 51,000 well-paying jobs from

leaving the state, and helped generate \$4.5 billion in economic activity. Despite the program's success, figures from the U.S. Labor Department's Bureau of Labor Statistics show that from 2004-2012, California lost more than 16,000 film- and television-industry jobs, resulting in more than \$1.5 billion in lost wages and economic activity.

Provisions of AB 1839 include:

1. Extends the program for five additional years;
2. Lifts the per-film budget cap so that all big-ticket films may apply, but only qualified expenditures of up to \$100 million will be eligible for credit;
3. Lifts the per-film cap so that all independent films may apply, but only qualified expenditures of up to \$10 million will be eligible for the credit;
4. Allows all, new, one-hour television series, regardless of where they air, to be eligible to apply for the program;
5. Stimulates TV series production by allowing pilots shows to apply for the credit;
6. Creates certainty by guaranteeing that a returning or renewed television series, or a new television series picked up from a pilot made in California have priority in one credit allocation each fiscal year;
7. Offers a 5% increase in the tax credit for filming outside of the Los Angeles Zone;
8. Offers a 25% credit for television shows that relocate to California within the first year of production;
9. Offers an additional 5% increase in the tax credit for costs related to music scoring and music-track recording;
10. Offers a 25% tax credit to films in the program that spend \$10 million in California or commit 75% of qualified expenditures related to visual effects in California;
11. Ensures that more jobs are created in California by modifying the requirement that 75% of the production days occur in California to 75% of the principal-photography jobs occur in California;
12. Makes the new incentive program effective immediately.

###