

August 29, 2017

E-MAIL

Honorable Mayor
Members of the City Council
200 S. Anaheim Blvd.
Suite No. 733
Anaheim, CA 92805

Item # 26. Distributed to
majority of City Council within
72 hours of 8/29/17 meeting.

Re: City Council Agenda Item #26

Dear Mayor and Members of the City Council:

I am general counsel for the North Net Fire Training Authority ("North Net") and am writing this letter to express concerns that have been raised previously by the fire chiefs of Anaheim, Garden Grove and Orange, as well as the Board of Directors of North Net arising out of the homeless encampment adjacent to North Net. North Net is a joint powers agency created by the cities of Anaheim, Garden Grove and Orange which has been in existence since 1976. Its core purpose is to train firefighters from the member agencies in firefighting and life-saving techniques.

North Net requests that the City Council continue this item until such time as Anaheim's staff has met with North Net's staff to discuss the impacts of the portable toilets on the use of North Net and whether Anaheim is authorized to issue a license for such use.

It appears from the staff report that the proposed location is on property which is subject to the Joint Powers Agreement as between Anaheim, Garden Grove and Orange ("JPA"). While Anaheim does own the underlying fee, Anaheim, Garden Grove and Orange are tenants in common as to the property under the JPA. Pursuant to the JPA, the training facility is to "be maintained and operated by the Authority, pursuant to this Agreement, for use and benefit of all Members." If in fact the location for the proposed portable toilets is on North Net property it does not appear that Anaheim, acting as only one member of the JPA, has the authority to issue a license on the property.

Outside of the issue as to whether Anaheim has the authority to issue a license, North Net has an overriding concern that the homeless will be attracted to the location and the incidents of vandalism and training interference caused by the encampment that have plagued North Net over the past few years will rise. An increase in incidents at North Net directly corresponds to the increase in the homeless encampment in and around the property and has had the following negative impacts:

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- North Net's staff has been exposed to potentially dangerous encounters with homeless individuals who have, among other things, broken into the North Net training facility prior to opening and confronted the individual opening the facility.
- North Net has had to expend funds that would otherwise go to firefighting training on security measures. Has had to lock the front doors even during business hours. Had had to lock the back gate, which has resulted in limited parking for visitors, guests and even at times the Board of Directors.
- It has caused interference with North Net's core purpose, which is to train firefighters so they are more capable of protecting the public from injury and death, but also so they are more capable of protecting themselves.
- It has caused third parties who use North Net and pay rental fees for training purposes to look elsewhere for training sites.

Attached to this letter is a report from North Net facility administrator Brenda Carrion that was presented at the North Net Board meeting on August 21, 2017. Among the incidents that have occurred recently:

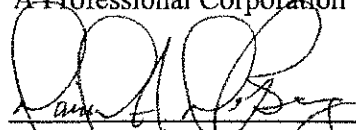
- On July 30, 2017, a pilot for Helinet Aviation had to make three separate attempts to land on North Net's helipad. The pilot informed North Net's administrator that the numerous attempts were made due to safety concerns with the amount of homeless property and debris within the riverbed. He reported that once he was able to land, that several homeless individuals stood at the facility's gate yelling obscenities at the crew and the clients that were on board.
- Santa Ana Community College rents North Net for Low Angle Rope Rescue classes. North Net's administrator has been informed by the College that due to safety concerns, inability to access trees as anchors and the number of needles found that the College is looking elsewhere for a training site.
- Extension cords have been found running from the drill grounds outlets through pooling water and into the homeless encampments.

The above represent just a few of the incidents which have occurred in the past few months. For the above reasons North Net respectfully requests that the City Council continue this matter and direct Anaheim staff to discuss the proposed use with North Net and determine whether Anaheim has the authority to license property under the management of the JPA for a purpose outside of the purpose for which North Net was formed. North Net's staff will make itself readily available to meet with Anaheim.

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Sincerely,

WOODRUFF, SPRADLIN & SMART
A Professional Corporation

A handwritten signature in black ink, appearing to read "David A. DeBerry", is written over a horizontal line.

DAVID A. DEBERRY
NORTH NET GENERAL COUNSEL

cc: Board of Directors
Fire Chiefs of Anaheim, Garden Grove and Orange
City Attorneys of Anaheim, Garden Grove and Orange
City Clerk of Anaheim



NORTH NET TRAINING AUTHORITY

DATE: August 21, 2017
TO: North Net Training Authority, JPA Board
FROM: Brenda Carrion, Facility Administrator
SUBJECT: Facility Update

RECOMMENDATION:

This report is being provided for information purposes.

BACKGROUND:

During the November 21, 2016, February 27, 2017 and May 15, 2017 JPA meetings, the Board was presented with reports of facility incidents and the fiscal impact these incidents are having on North Net Training Center. The three reports collectively included trespassing, theft, vandalism and graffiti on 16 separate occasions. As a direct result to the Board's recommended lighting, camera and video surveillance the number of facility-targeted incidents has decreased, however, there was a series of incidents in late July as noted below and it is anticipated that these incidents will negatively impact North Net's revenues.

ADDITIONAL INCIDENTS

On July 26, 2017, damage and pry marks were found on the exterior door of Classroom C. The incident was reported to the Anaheim Police Department, report number 17-113726 was provided. Approximate damage, \$350, no injuries were reported.

On July 27, 2017, a homeless female with her pants pulled down approached Babko Metal Inc. staff, and North Net staff as set up was being done to ask for food. When requested she left without incident. Babko Metal Inc. contributes to North Net's budget through facility rental.

On July 30, 2017, the pilot for Helinet Aviation made three (3) attempts to land at North Net. The pilot had safety concerns with the amount of homeless property/debris on the riverbed. Once the helicopter was on the ground safely, several homeless individuals stood at the Rampart gate yelling obscenities at the crew and clients on board.

Santa Ana College rents the Training Center several times a year as a host site for Low Angle Rope Rescue classes. Due to the riverbed homeless encampments, safety concerns, inability to access trees as anchors and number of needles found the College is looking for an alternative location to host classes.

On several occasions, homeless individuals have made access onto the drill grounds to use electrical outlets. Extension cords have been found running from the drill grounds outlets, through pooling water into the riverbed.

DISCUSSION

North Net's budget is in part based on projected revenue from facility rental. The loss of clients who rent the facility will have a direct impact on North Net's budget.

2400 E. Orangewood Ave.
Anaheim, CA 92806
(714) 978-7304
www.northnettraining.net

Theresa Bass

From: Loretta Day
Sent: Tuesday, August 29, 2017 2:57 PM
To: Denise Barnes; James Vanderbilt; Jose Moreno; Kris Murray; Lucille Kring; Lucille Kring; Stephen Faessel; Tom Tait
Cc: Theresa Bass; Linda Andal; Lisa Hughes; Crystal Norman; Helen Myers; Jackie Rodarte; Justin Glover; Matthew Holder; Mishal Montgomery; Nam Bartash; Steve C. Lodge
Subject: 08.29.17 Council Agenda Item 26 - North Net Letter
Attachments: Anaheim Council re portable toilets - execution copy.PDF