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10
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Unserved Defendant CITY OF ORANGE

12
13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

15
16 **MARY'S KITCHEN, RICHARD**
HANCOX, LISA POLLARD,
17 **HORACIO AGUILAR, TODD**
CHRISTOPHER, DON TERRY, and
18 **STARLA ACOSTA,**

19 Plaintiff,

20 vs.

21 **CITY OF ORANGE,**

22 Defendant.

Case No. 8:21-CV-01483-DOC (JDE)
Assigned to the Hon. David O. Carter

**DEFENDANT CITY OF ORANGE'S
RESPONSE RE ADDITIONAL
INFORMATION AS REQUESTED
BY THE COURT IN ADVANCE OF
HEARING ON ORDER TO SHOW
CAUSE WHY A PRELIMINARY
INJUNCTION SHOULD NOT
ISSUE**

23
24 Pursuant to this Court's Order ([Dkt. 19](#)), Specially-Appearing, Unserved
25 Defendant City of Orange ("the City") submits this Response regarding the
26 additional information sought by this Court in advance of the hearing on the Order
27 to Show Cause Why a Preliminary Injunction Should Not Issue. The City provides
28 information on the following requested topics:

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1 1. Copies of any communications between the City and Mary's Kitchen
 2 following the 2019 renewal regarding concerns over public safety and/or potential
 3 termination:

4 The City included the requested communications with its Opposition in
 5 response to the Order to Show Cause regarding Preliminary Injunction as Exhibits
 6 "3" through "9" to the Declaration of Bonnie Hagan.

7
 8 2. The number of arrests made near Mary's Kitchen before the 2019
 9 renewal, classified by nuisance offenses, property crimes, violent offenses, and
 10 outstanding warrants:

**Mary's Kitchen Area Arrests
 January 1, 2016 to June 11, 2019**

	2016	2017	2018	2019
Violent Offenses	3	1	1	9
Property Crimes	0	0	0	0
Nuisance Offenses	7	15	79	37
Outstanding Warrants	9	10	57	10
Other Offenses	1	2	18	10

*Includes 500-800 W Struck, 1000 block N Parker St, Parker/Struck, Batavia/Struck

*Other Offenses may include Felon in possession of weapon, possession of weapon, Obstruct/resist officer, Sex registrant, Theft of lost property, Destroy/Conceal Evidence, Parole/Probation violation, Flash incarceration, False impersonation, Defraud innkeeper, vehicle violations, detention

Violent Offenses	PC 245(A)(1), PC 245(A)(4), PC 240, PC 207(A), PC 240/242, PC 417.8, PC 148(A)(1)
Property Offenses	PC 459, PC 488
Nuisance Offenses	11350(A), 11362.3(A)(1), 11364(A), 11377(A), 11550(A), 273.6(A), 374.4(A), 602(O), 647(E), 647(F), CITY OMC, 23152(A), 23223(B), SHOPPING CART, 22435.a(B), 23136(A), 11362.4(A), 23222(A), 118286(B), 594(B)(2), 602(M), VC4000(A)(1), VC4462.5, 415(1), 602(P), 11357(B)(2)
Warrants	Bench Warrant - Felony and Misdemeanor, Outside Warrant-Felony and Misdemeanor, Outside Warrant/Infraction
Other Offenses	PC 290.011(A), PC 290.018(B), PC 529(A)(3), PC 537E(A)(1), PC 135, PC 21310, PC 22810(A), PC 69, PC 3056, PC 3455, PC 21510(B), PC 3455(A)(4), PC 1203.35, PC 3454(C), Violation of Probation/Felony, PC 485, PC 22210, PC 29800(A)(1), PC 851.6(D)

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3. The number of arrests made near Mary's Kitchen after the 2019 renewal classified by nuisance offenses, property crimes, violent offenses, and outstanding warrants:

**Mary's Kitchen Area Arrests
June 12, 2019 to September 28, 2021**

	2019	2020	2021
Violent Offenses	4	5	2
Property Crimes	3	0	0
Nuisance Offenses	35	81	91
Outstanding Warrants	22	20	53
Other Offenses	13	13	7

*Includes 500-800 W Struck, 1000 block N Parker St, Parker/Struck, Batavia/Struck

*Other Offenses may include Felon in possession of weapon, possession of weapon, Obstruct/resist officer, Sex registrant, Theft of lost property, Destroy/Conceal Evidence, Parole/Probation violation, Flash incarceration, False impersonation, Defraud innkeeper, vehicle violations, detention

Violent Offenses	PC 245(A)(1), PC 245(A)(4), PC 240, PC 207(A), PC 240/242, PC 417.8, PC 148(A)(1)
Property Offenses	PC 459, PC 488
Nuisance Offenses	11350(A), 11362.3(A)(1), 11364(A), 11377(A), 11550(A), 273.6(A), 374.4(A), 602(O), 647(E), 647(F), CITY OMC, 23152(A), 23223(B), SHOPPING CART, 22435.a(B), 23136(A), 11362.4(A), 23222(A), 118286(B), 594(B)(2), 602(M), VC4000(A)(1), VC4462.5, 415(1), 602(P), 11357(B)(2)
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Other Offenses	PC 290.011(A), PC 290.018(B), PC 529(A)(3), PC 537E(A)(1), PC 135, PC 21310, PC 22810(A), PC 69, PC 3056, PC 3455, PC 21510(B), PC 3455(A)(4), PC 1203.35, PC 3454(C), Violation of Probation/Felony, PC 485, PC 22210, PC 29800(A)(1), PC 851.6(D)

5. A count of Mary's Kitchen clients by city where they currently reside:
Two senior level staff performed a survey and gathered information about Mary's Kitchen's clients at the property in April 2019, which information is below. Mary's Kitchen told the City that it does not track this information and could not provide the City any information on where its clients were from.

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1 **Where did you sleep last night and how did you get to Mary's Kitchen today?**

Respondents	bike	bus	car	shuttle	train	walk	(blank)	Grand
Female		6	4			2		12
Anaheim		2						2
Huntington Beach		1						1
Newport Beach		1						1
Orange			3			2		5
Santa Ana		2						2
(blank)			1					1
Male	19	17	8	1	1	20	1	67
Anaheim	8	1	1			1		11
Costa Mesa						1		1
Huntington Beach			1					1
Irvine		1						1
Orange	7	8	3		1	14		33
Orange County	1							1
Placentia	1							1
Santa Ana	2	6	2			3		13
(blank)		1	1	1		1	1	5
Grand Total	19	23	12	1	1	22	1	79

15 **How did you sleep last night**

Respondents	
?	12
sheltered	22
unsheltered	45
Grand Total	79

Respondents	
Anaheim	13
bridge	1
brother's condo	1
railroad tracks	1
Salvation Army	3
unsheltered	5
?	2
Costa Mesa	1
unsheltered	1
Huntington Beach	2
with friends	1
?	1
Irvine	1
in apartment	1
Newport Beach	1
?	1

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1	Orange	38
	?	1
2	24 HR Fitness	1
	across the street	1
	by a church	1
3	by a church (in crevice)	1
	Chapman & Main	1
4	house	4
	in car	4
5	in garage	1
	Katella & Main (Barry Bros Gas)	1
6	Main St.	1
	Motel 6	1
7	niece's condo	1
	on Katella	1
8	porch near gas station	1
	rented room	1
9	Santiago Creek	1
	unsheltered	10
10	with friend	2
	with mom	1
	?	2
11	Orange County	1
	RV	1
12	Placentia	1
	unsheltered	1
13	Santa Ana	15
	apartment	1
14	bus stop	1
	bus terminal	1
15	Civic Center	1
	Courtyard	2
16	house	1
	shelter	2
17	unsheltered	3
	?	3
18	(blank)	4
	bridges	1
19	car	1
	house	1
	unsheltered	1
20	(blank)	
	Grand Total	77

8. The number of unhoused people in the City of Orange, how many are provided shelter, and the location of such shelter:

City of Orange	Unsheltered	193
City of Orange	Sheltered	148
City of Orange	Unhoused	Total Homeless in Orange
		341

* Source; January of 2019 Point in Time Count City by City by County of Orange. Point in Time Count cancelled for 2021 due to pandemic

OPD H.E.A.R.T.	2019 Sheltered 31	2020 Sheltered 79	2021 Sheltered 77 From Jan 1 to Sept 28
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1	HomeAid Family Care Center	1130 N Citrus, Orange, Ca 92867	40 beds
2	Be Well	265 S Anita St, Orange, Ca 92868	beds for mental health & detox
3	Buena Park Navigation Center	6494 Caballero, Buena Park, Ca	149 beds
4	Placentia Navigation Center	731 Melrose, Placentia, Ca	100 beds
5	Salvation Army	1300 S Lewes St, Anaheim, Ca 92805	174 beds
6	Bridges at Kraemer	1000 N Kraemer, Anaheim, Ca	143 beds

9. A list of locations in the City of Orange besides Mary’s Kitchen where unhoused people can receive food, medical care, hygiene resources, and/or mail, and the frequency with which those locations offer services, the number of people served daily, and those locations’ capacity to service additional individuals:

The below information has been distributed widely by the City in pamphlets during and after Navigation Days organized by the City.

Organization	Services Provided	Service Hours	Number of people served daily	Capacity to serve additional individuals
FOOD AND HYGEINE RESOURCES				
Bridge Community Church Food Pantry 710 S Cambridge Street Orange, CA - 92866 Phone: (714) 997-8881 Fax Number: (714) 997-9150	<ul style="list-style-type: none"> food pantry for residents, low income homeless of Orange and Santa Ana 	The 1st and 3rd Wednesday of each month 10:00am - 1:00pm		
First Presbyterian Church of Orange 191 N Orange St Orange, CA - 92866 Phone: (714) 583-2341 Email Website: http://firstpresorange.org/	<ul style="list-style-type: none"> food pantry (Limit 2 bags per month per person/ household) 	Wednesday 10:00am - 12:00pm; 1:00pm - 3:00pm Sunday 2-4pm (Enough food for 3-4 meals for a family of 4 or 16 meals for individuals)	80 people/day (Wednesdays) 30-40 people/day (Sundays)	Can serve up to 90 people/day
Friendly Center 147 W Rose Ave. Orange, CA - 92867	<ul style="list-style-type: none"> food pantry / hygiene 	Mobile Pantry distribution on the 1st and 3rd		

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Organization	Services Provided	Service Hours	Number of people served daily	Capacity to serve additional individuals
Phone: (714) 771-5300 Website: https://friendlycenter.org/		Wednesday of the month from 10 am to 12 noon Emergency Food 2nd Friday of the month Monday and Thursday 10:00am		
Friends Church Orange Food Pantry * 426 W. Almond Ave. Orange, CA - 92866 Phone: (714) 777-7300 Email Website: https://www.friends.church/orange	<ul style="list-style-type: none"> provide non-perishable food 	1st Saturday of the month		
Orange Elderly Services Inc. 170 S Olive St Orange, CA - 92866 Phone: (714) 538-9633 Website: https://www.orangeseniorcenter.org/	<ul style="list-style-type: none"> Meals for individuals 60 years of age and older 	Pre pandemic and once federal guidelines are lifted: Daily lunch congregate program Currently: Grab N Go on Thursdays (receive 6 frozen meals)	Served 120/week in August	Based on request
Orange Hills Assembly * 2910 N Santiago Blvd Orange, CA - 92867 Phone: 714-974-7333 Fax Number: 714-974-4074 Email Website: https://www.orangehills.net/	<ul style="list-style-type: none"> Food pantry 	Monday through Thursday 10:00am to 2:00pm		
Revive Church 250 S. Prospect Orange, CA Phone: (714) 633-6464	<ul style="list-style-type: none"> Food pantry 	Tues and Thurs, 9am-1:30pm	Currently not operating due to pandemic (when operating, average about 5 people/day)	
Son Light Christian Center Food Bank * 161 N. Glassell St Orange, CA - 92866	<ul style="list-style-type: none"> Perishable and non-perishable food provided by Harvest Food Bank 	Every Saturday at 7:00 a.m., until 10:00 a.m		

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Organization	Services Provided	Service Hours	Number of people served daily	Capacity to serve additional individuals
Phone: (714) 997-8501 Email Website: http://www.sonlightfororange.org/				
St Johns Lutheran Church * 154 S. Shaffer St. Orange, CA - 92866 Phone: 714-2287-8440 Fax Number: 714-288-4400 Website: https://www.stjohnsorange.org/	<ul style="list-style-type: none"> Food pantry 	Saturday 8:00am - 10:00am (closed last Saturday of the month)		
St Norbert's Christian Services * 300 E. Taft Ave Orange, CA - 92865 Phone: (714) 637-4360 Fax Number: (714) 637-4311 Website: https://www.stnorbertchurch.org/food-distribution	<ul style="list-style-type: none"> Food pantry (Must live within parish boundaries) 	Saturday Hot Meal 12:30 pm - 2:00 pm; On call 7 days		
The Storehouse 1001 E. Lincoln Ave Orange, CA 92865 Phone: 714-998-3181	<ul style="list-style-type: none"> Hot entrée, meal To-Go, food pantry, hygiene kits, sleeping bags (upon request) 	Meal to go: Thurs 3:30 pm – 6:00 pm Bag of food/hygiene kit distribution: Mon – Fri 1:00 pm – 5:00 pm	Currently serving approx. 14 people/day	Has served up to 46 people/day
Trinity Guild - La Purisima Catholic Church * 11712 N. Hewes Street Orange, CA - 92869 Phone: (714) 633-5800 Fax Number: (714) 633-8364 Email Website: https://lapurisimachurch.org/	<ul style="list-style-type: none"> Provides food for those at risk in our community to help alleviate hunger 	Monday, and Friday 10:00am - 12:00pm 1st, 3rd and 5th Wednesday of the month 10:00am - 12:00pm 2nd and 4th Wednesday - Mobile Pantry 8:30am - 10:30pm (In the parking lot behind the parish office) Thanksgiving Dinners Distribution:		

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Organization	Services Provided	Service Hours	Number of people served daily	Capacity to serve additional individuals
		Sunday before Thanksgiving		
You Are Special Food Pantry 3512 E. Chapman Ave. Orange, CA - 92869 Phone: (714) 863-6058 Fax Number: (714) 744-8128 Email Website: https://www.youarespecial.com /	<ul style="list-style-type: none"> Distributing food 	Wednesday 8:15 until 10:00am		
*Information found online / pending verification				
MEDICAL CARE				
Orange County Outreach/Orange PD H.E.A.R.T.	<ul style="list-style-type: none"> Work together with mobile CalOptima personnel to provide basic medical services, shelter, and other outreach services throughout Orange 	Wednesday from 9am to 12pm	Approx. 10-40	
Be Well OC 256 S Anita Dr, Orange	<ul style="list-style-type: none"> Mental and behavioral health services, substance abuse/addiction services; can receive hygiene resources, and food once admitted 			
Providence/St Joseph's Hospital 1100 W Stewart Dr Orange, CA	<ul style="list-style-type: none"> Medical services 			
INCLUSIVE RESOURCES (shelter, food, hygiene resources, medical, mail)				
Casa Teresa	<ul style="list-style-type: none"> Pregnant women 18 years and older 			
Sheepfold Women's Transitional Housing Orange County (specific location not disclosed due to nature of clientele served) P.O. Box	<ul style="list-style-type: none"> Domestic violence shelter/Transitional living program for mothers with children in their custody 	2 part application process Residential homes in		

Organization	Services Provided	Service Hours	Number of people served daily	Capacity to serve additional individuals
Phone: 714-237-1444		residential neighborhoods		
Beverly's House *	<ul style="list-style-type: none"> Transitional living for females age 18-24 			
House of Hope *	<ul style="list-style-type: none"> Transitional housing from homeless to stable housing for single mothers with children 			15 rooms, up to 45 beds

*Information found online / pending verification

Services Provided within the North SPA				
Organization	Services Provided	Service Hours	Number of people served daily	Capacity to serve additional individuals
Saint Andrews Episcopal Church* 1231 East Chapman Avenue Fullerton, CA 92831	<ul style="list-style-type: none"> Due to an abundance of caution with COVID-19, the Hot Prepared Meals program has changed to "grab and go" meals. Individuals also receive an additional sack of lunch for the following day. Provides a hot prepared meal as well as a sack lunch for the following day 			
Southlands Church* 2950 East Imperial Highway Brea, CA 92821 Phone: 714-982-5055	<ul style="list-style-type: none"> Distribute food to needy families 	On the last Saturday of even months		
Pathways of Hope 611 S Ford Ave, Fullerton, Ca 92832 714-680-3691 ext.220	<ul style="list-style-type: none"> Food Pantry 	Monday-Friday 1pm-4pm Saturday 9am-12pm (Temporarily suspended due to pandemic)		

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<p>First Lutheran Church 215 N Lemon St, Fullerton, Ca 92832 714-871-7820</p>	<ul style="list-style-type: none"> To go meals, perishable and non-perishable groceries, clothing, blankets, and personal hygiene items when available 	<p>Tuesday To go meals 6pm-630pm / Wednesday Food pantry 8am-9am</p>		
<p>His Picnic <u>951 N Idaho St, La Habra, Ca</u> 90631 562-691-3296</p>	<ul style="list-style-type: none"> Lunch and grocery distribution 	<p>Temporary pandemic adjustment Sundays 1pm-230pm</p>		
<p>Seventh Day Adventist Church 2355 W Valencia Dr, Fullerton, Ca 92833 714-525-4561</p>	<ul style="list-style-type: none"> Food bags, clothing, small appliances, toys, and toiletries 	<p>Tuesday 930am-1pm</p>		

10. A list of shelters, in or outside of the City of Orange, that use Mary’s Kitchen for the provision of services (e.g. food distribution):

It is unknown what shelters depend on Mary’s Kitchen for the provisions of services. Shelters utilized by the City of Orange are self-sustaining providing shelter, food, clothing, on-site mental health (provided by county), drug & alcohol treatment (provided by county), basic medical attention (provided by county/CalOptima), etc.

DATED: September 29, 2021 EVERETT DOREY LLP

By: 

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File No. 1052-03

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PROOF OF SERVICE

**Mary's Kitchen v. City of Orange
Case No. 8:21-CV-01483-JVS (JDE)**

STATE OF CALIFORNIA, COUNTY OF ORANGE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 18300 Von Karman Avenue, Suite 900, Irvine, CA 92612.

On September 29, 2021, I served true copies of the following document(s) described as:

DEFENDANT CITY OF ORANGE'S RESPONSE RE ADDITIONAL INFORMATION AS REQUESTED BY THE COURT IN ADVANCE OF HEARING ON ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE

I served the documents on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on September 29, 2021, at Irvine, California.

/s/ Kristal N. Mauro
Kristal N. Mauro

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File No. 1052-03

SERVICE LIST
Mary's Kitchen v. City of Orange
Case No. 8:21-CV-01483-JVS (JDE)

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