

RESOLUTION NO. 82-18

RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO DECLARING A SHELTER CRISIS
IN THE CITY OF CHICO

WHEREAS, California's Governor Edmund G. Brown, Jr. and the members of the California legislature recognized the urgent and immediate need for funding at the local level to combat homelessness; and

WHEREAS, the Governor and Legislature provided funding to local governments under the Homeless Emergency Aid Program as part of Senate Bill ("SB") 850 (Housing) and the 2018-19 Budget Act (Chapter 48, Statutes of 2018); and

WHEREAS, the Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code Section 8698 *et seq.*; and

WHEREAS, the City has participated with the Continuum of Care in the development of a homelessness plan and undertaken multiple efforts at the local level to combat homelessness; and

WHEREAS, Government Code Section 8698 *et seq.* permits a City to declare a shelter crisis upon a finding that a significant number of persons located with the City are unable to find shelter, and that their inability to find shelter creates a threat to the health and safety of those persons; and

WHEREAS, upon a declaration of a shelter crisis, the City may allow public facilities, which are defined as vacant or underutilized buildings that the City owns, leases, or otherwise controls, to be occupied by homeless individuals under conditions provided by other statutes; and

WHEREAS, the California Homeless Coordinating and Financing Council identified 433 unsheltered homeless persons, from the 2017 Homeless Point in Time Census and Survey Report, located in the City; and

WHEREAS, the City Council finds that the number of homeless individuals located in the City is significant, and some homeless individuals are without the ability to obtain shelter; and

WHEREAS, the City Council finds that the health and safety of unsheltered person in the City is threatened by lack of shelter; and

1 WHEREAS, the City affirms its commitment to combatting homelessness and creating or
2 augmenting a continuum of shelter and service options for those living without shelter in the City.

3 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chico as follows:

4 1. A shelter crisis pursuant to Government Code Section 8698 *et seq.* exists in the City.

5 2. The City is authorized to participate in the Homeless Emergency Aid Program.

6 3. A “public facility” (referred to hereinafter as “City Designated Facility”) is defined per
7 Government Code Section 8698 (c) and includes, without limitation, vacant or underutilized facilities
8 and properties which are currently owned, operated, leased, or maintained by the City, or any of its
9 subordinate agencies through money derived by taxation or assessment.

10 4. For the term of this Resolution, any state or local regulatory statute, regulation, or
11 ordinance prescribing standards of housing, health, or safety shall be suspended for a City Designated
12 Facility to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of
13 the effects of the shelter crisis. The City may enact local health and safety standards to be operative
14 during the shelter crisis to ensure minimal health and safety risks.

15 5. The use of any City Designated Facility for emergency sheltering must be approved by
16 the City Council.

17 6. When requested by the City, organizations that provide homeless shelter services within
18 the boundaries of the City may submit proposals to the City Manager for consideration for the use of
19 City Designated Facilities in the City. The City Manager may discuss viable proposals and bring viable
20 proposals to the City Council for consideration. Upon City Council approval and direction to the City
21 Manager, the City may enter into an agreement with the organization to operate a shelter, pursuant to
22 Government Code Section 8698 *et seq.* in a City Designated Facility, no longer than the duration of the
23 crisis.

24 7. Per Government Code section 8698 *et seq.*, the City shall be immune from liability for
25 ordinary negligence in the provision of emergency housing pursuant to Government Code Section
26 8698.2, limited to conditions, acts, or omissions directly related to, and which would not occur but for,
27 the provision of emergency housing.

28 8. This resolution, and shelter crisis declaration, shall expire on June 30, 2021.

1 THE FOREGOING RESOLUTION WAS ADOPTED by the Council of the City of Chico at its
2 meeting held on October 2, 2018, by the following vote:

3 AYES: Coolidge, Ory, Scwab, Stone

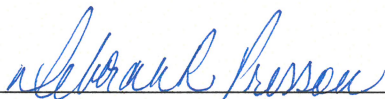
4 NOES: Fillmer, Sorensen, Morgan

5 ABSENT: None

6 ABSTAIN: None

7 DISQUALIFIED: None

8
9 ATTEST:

10 
11 Deborah R. Presson, City Clerk

APPROVED AS TO FORM:


Vincent C. Ewing, City Attorney*

*Approved pursuant to The Charter of the
City of Chico §906 (E)