

RESOLUTION NO. 28838

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING A HOMELESS SHELTER CRISIS (Government Code Sections 8698 et seq.)

WHEREAS, Sonoma County's 2016 point-in-time count identified 2,906 homeless persons on a given night, 1,906 (66%) of whom were unsheltered; and

WHEREAS, the point-in-time count identified 1,877 homeless persons in central Santa Rosa which represents 65% of the total County-wide count, 1,216 (65%) of whom were unsheltered; and

WHEREAS, our community's homeless population includes veterans, women, children, youth, persons with disabilities, seniors and other vulnerable populations; and

WHEREAS, there is a shortage of available and affordable housing units in Santa Rosa due to the very low rental vacancy rate (approximately 1 percent); and

WHEREAS, although current programs offered by the City and local non-profit service providers are providing assistance to many persons living without permanent housing, a significant number of persons within the city still remain without the ability to obtain shelter; and

WHEREAS, many of those unable to obtain shelter continue to reside on the streets, along creeks and pathways, in alleys and doorways, and in unauthorized encampments throughout the city; and

WHEREAS, persons without shelter are also often without adequate cooking or sanitary facilities, are at risk from theft, crime and extreme weather conditions, and are without security; and

WHEREAS, such conditions result in a critical threat to the physical and mental health and safety of those experiencing homelessness; and

WHEREAS, such conditions also result in a threat to the natural environment and the public health and well-being of the surrounding community; and

WHEREAS, the Council has heard extensive testimony, including public testimony at its meeting on July 19, 2016, on the impacts of homelessness on persons without shelter as well as on the community at large; and

WHEREAS, a review of City facilities may reveal facilities suitable for temporary use for emergency shelter for homeless persons; and

WHEREAS, such facilities may not comply fully with all state and local regulations prescribing standards of housing, health or safety; and

WHEREAS, California Government Code sections 8698 thru 8698.2 authorize the governing body of a city to declare a shelter crisis when a significant number of persons within

the jurisdiction are without the ability to obtain shelter, resulting in a threat to their health and safety; and

WHEREAS, California Government Code section 8698.1 provides that, upon a declaration of a shelter crisis, the provisions of any state or local regulatory statute, regulation or ordinance prescribing standards of housing, health, or safety, shall be suspended with respect to public facilities opened to the homeless, to the extent that strict compliance with those provisions would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis; and

WHEREAS, if the provisions of any state or local regulatory statute, regulation or ordinance prescribing standards of housing, health, or safety, are so suspended, California Government Code Section 8698.1 authorizes the City to adopt substitute standards to ensure public health and safety; and

WHEREAS, California Government Code section 8698.2 provides that, upon a declaration of a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities during the duration of the crisis.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa finds, determines and declares that a significant number of persons within the jurisdiction of Santa Rosa are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those persons.

BE IT FURTHER RESOLVED that, pursuant to the authority set forth in California Government Code Sections 8698 thru 8698.2, the Council hereby declares a shelter crisis in the City of Santa Rosa.

BE IT FURTHER RESOLVED that the Council directs the City Manager or his designee to evaluate City facilities, so as (a) to determine any potential for their use for emergency shelter, and (b) to identify any state or local regulatory impediments to such use, and to report his findings to the Council within sixty (60) days of the date of this resolution.

IN COUNCIL DULY PASSED this 9th day of August, 2016.

AYES: (6) Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Combs, Olivares, Wysocky

NOES: (0)

ABSENT: (1) Council Member Carlstrom

ABSTAIN: (0)

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

Interim City Attorney