

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING A SHELTER CRISIS, WITHIN THE MEANING OF GOVERNMENT CODE SECTION 8698, ET SEQ; AUTHORIZING THE CITY MANAGER TO SEEK HOMELESS EMERGENCY AID PROGRAM (HEAP) FUNDS TO ADDRESS SAID SHELTER CRISIS AS PROVIDED FOR IN SB 850 AND THE 2018-19 BUDGET ACT; AND RELATED ACTIONS

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

WHEREAS, the Governor and the Legislature have provided funding to local governments under the Homeless Emergency Aid Program as part of SB 850 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 ("Shelter Crisis") pursuant to Government Code §8698.2; and

WHEREAS, the City of Chula Vista (the "City") has developed a homelessness plan and undertaken multiple efforts at the local level to combat homelessness; and

WHEREAS, the City finds that 367 persons within Chula Vista are homeless and living without shelter; and

WHEREAS, the 2018 Regional Task Force on the Homeless Point-In-Time Count, conducted on January 26, 2018, identified a total of 367 homeless persons within the City, equating to approximately 4% of the entire homeless population in the San Diego region; and

WHEREAS, 262 of the people counted were unsheltered within the City, living on City streets, in canyons, riverbeds, parks, or in vehicles; and

WHEREAS, the City finds that the number of homeless is significant, and these persons are without the ability to obtain shelter and at risk of injury and harm due to exposure to the elements and other health, safety and welfare-related circumstances and consequences associated with living outside; and

WHEREAS, the impact of homeless overnight lodging in City parks and on public sidewalks, parking lots, canyons and riverbeds has an effect on physical environmental resources, as well as on the use and enjoyment of public spaces for their intended purposes by the public at-large; and

WHEREAS, such homeless overnight lodging in public spaces also has an adverse effect on the health and safety of the people in the City, including the homeless population; and

WHEREAS, the City Council affirms the City of Chula Vista's commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that a Shelter Crisis pursuant to Government Code §8698.2 exists in Chula Vista because the substantial unsheltered homeless population in the City is at risk of injury and harm due to exposure to the elements and other health, safety and welfare-related circumstances and consequences associated with living outside and because the impact of homeless overnight lodging in City parks and on public sidewalks, parking lots, canyons and riverbeds has an effect on physical environmental resources, as well as on the use and enjoyment of public spaces for their intended purposes by the public at-large, and such homeless overnight lodging in public spaces also has an adverse effect on the health and safety of the people in the City; and,

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that it does hereby authorize the City of Chula Vista's participation in the Homeless Emergency Aid Program (HEAP) as part of SB 850 and the 2018-19 Budget Act (Chapter 48, Statutes of 2018), directs the City Manager, or his designee, to prepare all necessary documents and any actions, as required for the City's participation in the HEAP, and authorizing the City Manager, or his designee, to execute any HEAP application, agreement and all associated documents, and other actions necessary for the City's participation; and

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that the declaration of a Shelter Crisis implements the provisions of Government Code section 8698.1(b) which provides that for the term of the Shelter Crisis, "the provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards for housing, health, or safety [with regard to specified "public facilities"] shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis." The City Council authorizes the City Manager, pursuant to Government Code section 8698.1(b), at the City Manager's discretion and with City Council approval, to establish and apply interim health and safety provisions and land use controls (collectively referred to "health and safety standards") to impacted public facilities to ensure minimal public health and safety; and

BE IT FURTHER RESOLVED by the City Council of Chula Vista that this Resolution shall remain in place until September 27, 2019.

Presented by

Approved as to form by

Kelly G. Broughton, FASLA

Glen R. Googins

Director of Development Services

City Attorney