



COUNCILMEMBER DAVID ALVAREZ

**City of San Diego
Eight District**

MEMORANDUM

DATE: August 31, 2017

TO: Honorable Mayor Kevin Faulconer

FROM: Councilmember David Alvarez

SUBJECT: Resolution to Declare a Shelter Crisis in the City of San Diego

The 2017 Regional Task Force on Homeless Point-in-Time Count revealed that 9,116 individuals are experiencing homelessness in the San Diego region, of which 62 percent of them (5,619 individuals) are located in the City of San Diego. The count this year also revealed that 5,621 homeless individuals in San Diego County are unsheltered, representing a 14 percent increase from 2016 (4,940 individuals).

I am extremely concerned that our homeless population has continued to grow and the City still isn't providing sufficient shelter beds. By living outside, individuals are getting exposed to dangerous conditions that are placing them at high risk. In fact, San Diego is currently experiencing an outbreak of Hepatitis A. According to the County of San Diego, this outbreak has already caused 15 deaths and 263 hospitalizations.

Under California Government Code Section 8698-8698.2, the City may declare a shelter crisis, which is deemed to constitute a local emergency. Given the growing homeless population and the Hepatitis A outbreak, the City should declare a public health and safety and shelter crisis. The City owns property such as the former Downtown Central Library, Golden Hall, and others, that could serve as a temporary shelter to help these individuals. As a City, we must take the necessary actions to prevent this outbreak from getting worse.

I am respectfully requesting that you declare a shelter crisis in the City of San Diego and immediately begin working on locating a temporary shelter in City owned property downtown

such as the former Downtown Central Library or Golden Hall. For your consideration, I have attached a draft resolution declaring a shelter crisis (Attachment 1).

People are dying. We must do everything we can to protect the public. This crisis has gone on for too long. I urge you to take immediate action.

CC: Honorable City Councilmembers
Honorable City Attorney Mara Elliott

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING A
SHELTER CRISIS IN THE CITY OF SAN DIEGO

WHEREAS, a significant number of persons are living outside and unsheltered in the City of San Diego at any given time, without the ability to obtain shelter; and

WHEREAS, the 2017 Regional Task Force on the Homeless Point-in-Time Count revealed 9,116 individuals are experiencing homelessness in the San Diego region, a 5 percent increase from last year; and

WHEREAS, the 2017 Regional Task Force on the Homeless Point-in-Time Count revealed that 62 percent (5,619 individuals) that are experiencing homelessness are located in the City of San Diego; and

WHEREAS, the number of unsheltered homeless individuals in San Diego County was 5,621, up from 4,940 in 2016, representing a 14 percent increase, while the number of homeless persons in shelters was 3,495, down from 3,752 a year earlier; and

WHEREAS, there was an increase of 58 percent region-wide in tents and hand built structures and the City of San Diego has insufficient shelter beds to shelter these persons; and

WHEREAS, such individuals are at risk of injury and harm due to exposure to the elements and due to other health, safety, and welfare-related circumstances and consequences associated with living outside; and

WHEREAS, currently San Diego is experiencing a Hepatitis A outbreak, causing the death of 15 individuals and at least 263 hospitalizations, of which 70% of those hospitalized are homeless individuals; and

WHEREAS, such individuals generally camp or lodge overnight on or in City of San Diego parks, sidewalks, parking lots, and beaches; and

WHEREAS, the effects and impacts of such camping and lodging activities on the physical environmental resources and on the use and enjoyment of public spaces for their intended purpose have an adverse effect on the health and safety of the people in the City, including the homeless population, and those effects and impacts constitute a nuisance for which abatement is warranted; and

WHEREAS, there is a need for additional shelter beds to accommodate the number homeless individuals in the City of San Diego in need of such shelter; and

WHEREAS, the City of San Diego owns property such as the former Downtown Central Library, Golden Hall, and others, that could be utilized to accommodate temporary beds, washing stations and bathroom facilities, to assist with this crisis; and

WHEREAS, pursuant to the provisions of California Government Code section 8698-8698.2, the City of San Diego may declare a shelter crisis, which is deemed to constitute a local emergency; and

WHEREAS, pursuant to California Government Code Section 8698.1(b), upon declaration of a shelter crisis, the provisions of state or local regulatory statutes, regulations, and ordinances prescribing standards of housing, health, or safety are deemed suspended and inapplicable to the extent that strict compliance with such regulations or ordinances would in any way prevent, hinder, or delay the mitigation effects of the shelter crisis; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of San Diego hereby finds and adopts the recitals above as findings and determinations.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego hereby finds and declares the existence of a shelter crisis in the City of San Diego pursuant to and in accordance with the provisions of California Government Code section 8698.2(a)(1), because a significant number of persons in the City are without the ability to, obtain shelter, resulting in a threat to their health and safety.

BE IT FURTHER RESOLVED, that this declaration of the existence of a shelter crisis shall continue until terminated by the City Council.

BE IT FURTHER RESOLVED, that the activities described in this resolution are not a project as defined in California Environmental Quality Act (CEQA) Section 15378 and, therefore, are not subject to CEQA pursuant to Section 15060 (c)(3) of the State CEQA Guidelines.

BE IT FURTHER RESOLVED, that the Mayor, or designee, is authorized to execute such documents and to perform such acts as are necessary and appropriate to implement these approvals.