

RESOLUTION NO.

1 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
2 RIVERSIDE, CALIFORNIA, DECLARING A SHELTER CRISIS
3 PURSUANT TO GOVERNMENT CODE §8698 ET SEQ., AND
4 AUTHORIZING CERTAIN ACTIONS IN CONNECTION
5 THEREWITH.

6 WHEREAS, on March, 13, 2018, the City Council adopted a series of homeless service
7 initiatives, which set forth the City's policies, goals, and objectives in addressing homeless issues
8 through the strategic alignment of municipal and regional resources, with an emphasis on providing
9 homeless individuals housing first and then wrap-around services; and

10 WHEREAS, since the adoption of the City's homelessness plan, the City has undertaken
11 multiple efforts to combat homelessness, including various collaborations with local stakeholders to
12 provide permanent housing; and

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

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

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

22 WHEREAS, California Government Code Section 8698 et seq. allows the governing body of
23 a city to declare a shelter crisis when a significant number of persons are without the ability to obtain
24 shelter, resulting in a threat to their health and safety; and

25 WHEREAS, despite the City's best efforts with its various programs to combat homelessness,
26 there are still approximately Three Hundred Sixty Six (366) persons within the City who are homeless
27 and living without shelter and of these individuals, approximately Two Hundred and Fifty-Two (252)
28 are without the ability to obtain shelter; and

1 WHEREAS, the City finds that the number of homeless is significant and that these persons
2 are without the ability to obtain shelter; and

3 WHEREAS, when individuals are unable to find shelter, they frequently occupy public spaces
4 and other places not meant for human habitation, which poses a significant threat to the health and
5 safety of these unsheltered persons who are already vulnerable to illness, crime, malnutrition, and
6 harmful weather exposures (such as excessive heat and cold); and

7 WHEREAS, the City finds that the health and safety of unsheltered persons in the is threatened
8 by a lack of shelter; and

9 WHEREAS, the City affirms the City’s commitment to combatting homelessness and creating
10 or augmenting a continuum of shelter and service options for those living without shelter in our
11 communities; and

12 WHEREAS, the City Council finds that it would be in the best interest of the public health,
13 safety, and welfare for the City to exercise its police power authority to declare a shelter crisis and to
14 participate in the Homeless Emergency Aid Program and any other program aimed at combatting the
15 City’s shelter crisis; and

16 WHEREAS, California Government Code Section 8698.1 provides that, upon a declaration of
17 a shelter crisis, the provisions of any state or local regulatory statute, regulation or Resolution
18 prescribing standards of housing, health, or safety, as applied to public facilities, shall be suspended
19 to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the
20 effects of the shelter crisis; and

21 WHEREAS, California Government Code Section 8698.2 provides that, upon a declaration of
22 a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities
23 (including facilities leased by the city) for the duration of the crisis; and

24 WHEREAS, the City currently owns, operates, and maintains various public facilities at Hulen
25 Place in the City, including a multi-service access center, emergency shelter, and drop-in center
26 (collectively the “Hulen Campus”).

27 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
28 California, as follows:

1 Section 1: That the above recitals are hereby found to be true and correct and are hereby
2 incorporated herein as if stated in full.

3 Section 2: That a “shelter crisis” exists in the City of Riverside, pursuant to Government
4 Code Section 8698.2, because a significant number of persons in the City are without the ability to
5 obtain shelter and such condition has resulted in a threat to the health and safety of those persons.

6 Section 3: That, for the duration of the shelter crisis, pursuant to Government Code Section
7 8698.2, no public facility owned, operated, leased, and/or maintained by the City, or any of its
8 subordinate agencies, shall be occupied by persons unable to obtain shelter unless and until the City
9 Council has designated that public facility as being for shelter purposes (“Designated Public Facility”).

10 Section 4: That the City Council authorizes and directs, for the term of this Resolution,
11 that no planning, housing, health, safety, zoning, building, or other permit requirement or regulation
12 for the interim establishment of shelters for homeless persons at Designated Public Facilities shall
13 apply or be required to the extent that strict compliance therewith would in any way prevent, hinder,
14 or delay the mitigation of the effects of the shelter crisis declared by this Resolution. At the City
15 Manager’s discretion, and with approval by the City Council, interim municipal health and safety
16 standards and land use controls may be adopted and applied to Designated Public Facilities to ensure
17 minimal public health and safety standards.

18 Section 5: That the City Council hereby designates the Hulen Campus as a Designated
19 Public Facility for purposes of this resolution.

20 Section 6: That the City Council authorizes the City’s participation in the Homeless
21 Emergency Aid Program.

22 Section 7: That the City Council authorizes the City Manager, or his designee, to submit
23 grant applications in connection with the Homeless Emergency Aid Program and to execute any and
24 all documents necessary to effectuate the City’s participation in the Homeless Emergency Aid
25 Program and any other program designed to combat homelessness.

26 Section 8: That the activities described in this resolution are not a project as defined in
27 California Environmental Quality Act (CEQA) Section 15378 and, therefore, are not subject to CEQA
28 pursuant to Section 15060 (c)(3) of the State CEQA Guidelines.

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Section 9: That the above-declared “shelter crisis” shall continue until terminated by the City Council.

ADOPTED by the City Council this _____ day of _____, 20_____.

WILLIAM R. BAILEY, III
Mayor of the City of Riverside

Attest:

COLLEEN J. NICOL
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the _____ day of _____, 20_____, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of _____, 20_____.

COLLEEN J. NICOL
City Clerk of the City of Riverside

18-1205 LMS
11/14/18