

# City of Sacramento

## Legislation Text

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File #: 2020-01543, Version: 1

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**Title:**

**Continuation of a Local Declaration of a Shelter Crisis**

File ID: 2020-01543

**Location:** Citywide

**Recommendation:**

Adopt a Resolution: 1) making the findings necessary for declaration of a Shelter Crisis; 2) declaring a continuing Shelter Crisis, pursuant to Government Code sections 8698 et seq.; 3) extending the duration of the present Shelter Crisis (Resolution No. 2020-0017) to January 12, 2022; 4) directing the City Manager to a) develop a plan to transition residents from homeless shelters to permanent housing and b) submit an annual report under AB 2553 to the State Legislature; and 5) directing the City Manager, if required, to prepare a) alternative local standards and procedures for development and operation of homeless shelters and b) an interim ordinance to streamline zoning regulations for privately-owned or operated shelters.

**Contact:** Danielle Foster, Housing Policy Manager, (916) 808-1869, Office of Innovation & Economic Development

**Presenter:** None

**Attachments:**

1-Description/Analysis

2-Resolution

### Description/Analysis

**Issue Detail:** The crisis of unsheltered homelessness is one that impacts an entire community, both those experiencing homelessness and the broader community of housed residents, businesses, and neighborhoods. Over the past several years, the City has made significant investments to increase access to and availability of shelter, services and permanent housing for people and families experiencing homelessness. Despite these efforts, homelessness and its impacts continue to rise:

- In 2019, the last time the community completed a Homeless Point-in-Time Count, the Sacramento region saw a 19% rise in homelessness overall with 70% of the population unsheltered.

- According to data published by Sacramento Steps Forward from the Sacramento region's Homelessness Management Information System (HMIS), 3,025 people were experiencing unsheltered homelessness at the end of 2019 and had been homeless, on average, for 29 months.
- According to the most recent Sacramento County Homeless Deaths Report, there were 138 deaths among the homeless population in 2019.
- Through the City's Pathways to Health + Home program, we are seeing the aging of the homeless population; over 40% of the participants in the program are over the age of 55, and 60% present with co- or tri-morbid health, substance abuse and mental health conditions.

In addition to the rise in homelessness, Sacramento is experiencing a housing emergency. Residential rents are climbing, and many citizens face the threat of homelessness due to lack of access to affordable housing. Local costs of housing have been impacted more significantly with recent migration of residents from areas with higher costs of living, like the bay area, with the COVID-outcome of increased ability to work from home. Higher earning households are pushing out local households in the rental market that make up the local working class and who have been housing insecure. Many cities throughout the state are also facing great challenges in having adequate affordable housing and services to reduce homelessness, further exacerbated by the impacts of COVID. Numerous other jurisdictions have declared and continue to declare a local shelter crisis, including Los Angeles, San Jose, Oakland, San Francisco, and Berkeley, all of which identified homelessness as a first-priority issue.

The City and County have made significant strides in adding capacity in the homeless response system, allocating funding in recent years to add for almost 400 new shelter beds and made significant investments to transform almost 300 existing shelter beds to low-barrier, service rich programs. During the COVID-19 pandemic, the City, County and Sacramento Steps Forward (SSF) collaboratively stood up and operated over 580 motel rooms and trailers to provide preventative quarantine and medical isolation for people experiencing homelessness vulnerable to or infected by the COVID-19 virus. The City and SHRA also stood up programs to bring additional permanent supportive housing units and interim housing units online quickly through Project Homekey, and SHRA has administered rental assistance in hopes of helping to stabilize local at-risk households. Despite these efforts, there is insufficient capacity to shelter and house everyone experiencing homelessness in Sacramento.

Homeless encampments are increasing across the city within public rights of way, exposing individuals experiencing homelessness to traffic hazards, crime and victimization, risk of death and injury, lack of adequate sanitation and debris services, and other conditions that are detrimental to each person's health and safety. Evidence demonstrates that providing low-barrier access to decent, safe, and stable housing and shelter combined with crucial support services in line with "housing first" principles is the most effective and efficient way to help end homelessness, while respecting client choice and autonomy. Studies have also demonstrated how housing is the first step towards

improved individual physical and emotional health, as well as reconnection with the community.

California Government Code Section 8698, et seq., allows the governing body of a city to declare a shelter crisis when a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety. In addition, 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 resolution prescribing standards of housing, health, or safety, as applied to 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. 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.

On September 25, 2020, Governor Newsom signed into law Assembly Bill (AB) 2553, extending provisions applied to specific cities (Oakland, Berkley, and San Jose) as a pilot via AB 932 (2017) to any jurisdiction declaring a shelter crisis under Government Code Section 8698. Specifically, AB 2553 adds section 8698.4 to the Government Code, giving cities and counties regulatory flexibility to expedite the construction of shelters, adding safe parking sites as an eligible form of shelter, and extending the sunset of these provisions to 2026. This bill also added requirements for local adoption of a plan to move individuals from shelter to permanent housing by July 1, 2021 and an annual report to the Senate Committee on Housing and the Assembly Committee on Housing and Community Development each year prior to January 1.

**Policy Considerations:** On October 16, 2018, the Council held a workshop on Homeless Sheltering Policies and adopted a resolution embracing Housing First principles for City-funded shelters. At this meeting, the Council acknowledged the need for other shelter and service approaches, especially for vulnerable populations, including transition age youth and women and families and has since funded and opened projects aligning with this direction, including the Scattered Site Shelter Program, Emergency Bridge Housing at the Grove, STEP Youth Shelter and the Meadowview Triage Shelter. The City Council has also provided support to sheltering and services by Saint John's Program for Real Change and City of Refuge, and funding for permanent supportive housing and interim housing unit development and motel conversion. City Council made a short-term shelter crisis declaration on November 8, 2018 for the period between December 1, 2018 and March 1, 2019 and on January 14, 2020, adopted Resolution 2020-0017, declaring a shelter crisis for the period between January 14, 2020 and January 14, 2021. The recommended action extends this declaration for an additional year and will facilitate provision of faster and expanded shelter and service approaches over a one-year period, subject to review prior to the end of the period.

**Economic Impacts:** No funds are being requested as a part of this report. However, the recommended declaration may help facilitate receipt of public and private funds to alleviate homelessness.

**Environmental Considerations:** This declaration is exempt from CEQA, pursuant to CEQA Guidelines sections 15061(b)(3), in that it can be seen with certainty that no significant effect on the environment would occur, and 15269(c) relating to specific actions necessary to prevent or mitigate an emergency.

The City Council has reviewed and approved several shelter proposals, and has concluded, in each case, that the design, construction and operation of such shelters would have no significant effect on the environment. Design of the shelters includes consideration of health and safety concerns, security lighting, sanitation and noise. The community concerns regarding those experiencing homelessness include health, safety, security and sanitation, and the establishment of safe and secure environments has a beneficial environmental effect that has been recognized by the City.

**Sustainability:** Not applicable.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** Homelessness is one of the biggest issues facing the City, and the City Council has made significant investments over the past years to increase services, shelter capacity and housing supports for people experiencing homelessness. Despite these efforts, homelessness is on the rise, and is affecting communities throughout the City and the County of Sacramento. Declaring a shelter crisis will enable the City to shelter people experiencing homelessness more quickly in designated public facilities and suspend certain housing, health, and safety standards, the strict compliance with which may prevent, hinder, or delay using those facilities for shelter.

**Financial Considerations:** No funds are being requested as a part of this report. However, the recommended declaration may help facilitate receipt of public and private funds to alleviate homelessness.

**Local Business Enterprise (LBE):** Not applicable.