

CITY OF SEBASTOPOL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL EXTENDING THE PROCLAMATION OF THE EXISTENCE OF A LOCAL HOMELESS EMERGENCY

WHEREAS, California Government Code sections 8558 and 8630 empower the City of Sebastopol to proclaim the existence of a local emergency when the City is affected or likely to be affected by conditions of disaster or of extreme peril to the safety of persons and property within the City's territorial limits; and

WHEREAS, Section 8630, as amended, requires that the Council review, at least every 60 days until such local emergency is terminated, the need for continuing the local emergency; and

WHEREAS, on November 30, 2021, the City of Sebastopol City Council approved Resolution 6386-2021, Proclaiming the Existence of a Local Homeless Emergency; and

WHEREAS, on January 18, 2022, the City of Sebastopol City Council approved Resolution 6396-2022, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on March 15, 2022, the City of Sebastopol City Council approved Resolution 6413-2022, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on May 3, 2022, the City of Sebastopol City Council approved Resolution 6424-2022, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on June 21, 2022, the City of Sebastopol City Council approved Resolution 6444-2022, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on August 2, 2022, the City of Sebastopol City Council approved Resolution 6464-2022, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on September 20, 2022, the City of Sebastopol City Council approved Resolution 6477-2022, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on November 15, 2022, the City of Sebastopol City Council approved Resolution 6489-2022, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on January 3, 2023, the City of Sebastopol City Council approved Resolution 6500-2023, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on February 27, 2023, the City of Sebastopol City Council approved Resolution 6516-2023, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on April 18, 2023, the City of Sebastopol City Council approved Resolution 6526-2023, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on June 6, 2023, the City of Sebastopol City Council approved Resolution 6536-2023, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on August 1, 2023, the City of Sebastopol City Council approved Resolution 6552-2023, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

WHEREAS, on September 19, 2023, the City of Sebastopol City Council approved Resolution 6553-2023, Extending the Proclamation of the Existence of a Local Homeless Emergency; and

Whereas, conditions of extreme peril to the safety of persons and property continues within the City as to homeless in general; and

WHEREAS, the City Council has determined there are still conditions City wide that continue to worsen;

WHEREAS, In addition to the individuals living and being exposed to such conditions, these conditions threaten and are impacting adjacent property owners, neighborhood, businesses, City Buildings, the Laguna de Santa Rosa Preserve, and the general public, including users of public properties; 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, these conditions are clear and imminent dangers that require action to prevent and mitigate the loss or impairment of life, health, and property; and

WHEREAS, to address homelessness, significant additional public and private resources must be brought to bear, with efforts focused on both short- term immediate health and safety measures and long-term solutions; and

WHEREAS, scope of the local homeless crisis is beyond the resources of the City standing alone and will require the combined forces of adjacent jurisdictions and state agencies; and

WHEREAS, the causes and effects of homelessness are complex and can be addressed only with dedication, coordination and flexibility; and

WHEREAS, such conditions continue to result in a critical threat to the physical and mental health and safety of those experiencing homelessness, as well as to the natural environment and the public health and well-being of the surrounding community, and thereby continue to place the safety of persons and property at extreme peril within the territorial limits of the city; and

WHEREAS, California Government Code sections 8630 thru 8634 authorize the governing body of a city to declare a local emergency when there exist conditions of extreme peril to the safety of persons and property within the territorial limits of the city due to certain natural or man- made causes which are or are likely to be beyond the control of the services, personnel, equipment and facilities of the city and that require the combined forces of other political subdivisions to combat; and

WHEREAS, California Government Code section 8634 provides that, upon a declaration of a local emergency, the governing body of a city, or an official designated thereby, may promulgate orders or regulations necessary to provide for the protection of life and property during the duration of the emergency; and

WHEREAS, the impacts of these events are still currently being evaluated and can result in an unknown and significant amount of City expenses to cover the supplies, equipment, staff hours, and potential overtime of all City Departments; and

WHEREAS, City Municipal Code authorizes the Director of Emergency Services to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; and

WHEREAS, the Council has reviewed the need to continue the proclamation of local homeless emergency.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sebastopol finds, determines and declares that there exists within the territorial limits of the City of Sebastopol conditions of extreme peril to the safety of persons and property caused by homelessness and the lack of available and affordable housing, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the City and require the combined forces of other political subdivisions to combat; and

BE IT FURTHER RESOLVED, pursuant to the authority set forth in California Government Code Sections 8630 thru 8634, the City of Sebastopol City Council hereby declares that the proclamation of a state of local homeless emergency within the City of Sebastopol exists and proclaims the Continued Existence of a Local Homeless Emergency in the City of Sebastopol; and

BE IT FURTHER RESOLVED, that pursuant to California Government Code Section 8630, as amended, the City Council shall review the need for continuing this local homeless emergency at least once every 60 days until the Council terminates the local emergency; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is authorized to take whatever other action is authorized under the Sebastopol Municipal Code and state and federal law, subject to authorization required from the City Council, consistent with this Resolution and its basic purposes; and

BE IT FURTHER RESOLVED, that pursuant to the authority set forth in California Government Code Sections 8630 thru 8634, the Council hereby declares that the proclamation of a state of local homeless emergency within the City of Sebastopol remains in full force and effect in accordance with Resolution No. 6386-2021; 6396-2022; 6413-2022; 6424-2022; 6444-2022; 6464-2022; 6477-2022; 6489-2022; 6516-2023; 6526-2023 ; 6536-2023; 6552-2023 and 6553-2023.

The above and foregoing Resolution was duly passed, approved, and adopted at a meeting by the City Council on the 19th day of September, 2023.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol City Council following a roll call vote:

VOTE:

Ayes: Councilmembers McLewis, Maurer, Zollman, Vice Mayor Rich and Mayor Hinton

Noes: None

Absent: None

Abstain: None

APPROVED:  _____
Mayor Neysa Hinton

ATTEST: Mary C Gourley

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:



Larry McLaughlin, City Attorney