

1 RESOLUTION NO. RES-09-0157
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3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH DECLARING A "SHELTER CRISIS";
5 SUSPENDING APPLICABLE PROVISIONS OF LOCAL LAW,
6 INCLUDING THOSE CONTAINED IN THE CITY'S ZONING
7 ORDINANCES AND REGULATIONS; AND AUTHORIZING
8 THE OPERATION OF A WINTER SHELTER AT 1405 LEWIS
9 AVENUE, IN THE CITY OF LONG BEACH, BETWEEN THE
10 DATES OF DECEMBER 1, 2009 AND MARCH 31, 2010,
11 INCLUSIVE
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13 WHEREAS, the purpose and intent of this resolution is to provide shelter
14 and supportive services for the homeless in the City of Long Beach during the winter
15 months by maintaining such services at, and allowing the use of, the real property located
16 at 1405 Lewis Avenue, in the City of Long Beach, for the purpose of a homeless shelter
17 between the dates of December 1, 2009 and March 31, 2010, inclusive; and

18 WHEREAS, pursuant to Government Code section 8698.1 et seq., the City
19 Council hereby finds and declares that there exists a "shelter crisis" in that a significant
20 number of persons within the City are without the ability to obtain shelter during the
21 months of inclement weather, and that the situation has resulted in, and will continue to
22 result in, a threat to the health and safety of those persons.

23 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
24 follows:

25 Section 1. That the provisions of any state or local regulatory statute,
26 regulation or ordinance, including but not limited to the City's zoning regulations
27 prescribing standards of use, housing, health or safety shall be suspended with respect
28 to the above-described winter shelter to the extent that strict compliance would in any

1 way prevent, hinder or delay the operation of the winter shelter during the declared
2 shelter crisis; and

3 Section 2. Notwithstanding any other provisions of local law, the City
4 Manager is hereby authorized and directed to take all steps as may be reasonably
5 necessary or appropriate to facilitate the operation of a winter shelter between the dates
6 of December 1, 2009 and March 31, 2010, inclusive, which shelter is to be located at
7 1405 Lewis Avenue, in the City of Long Beach.

8 Section 3. Any and all provisions of the City's Zoning Ordinance and
9 regulations, which otherwise might regulate, apply to or govern the continued operation of
10 the winter shelter, are hereby suspended and declared inapplicable to the proposed
11 winter homeless shelter.

12 Section 4. The City Manager, or his designee, is hereby authorized to
13 develop such rules and regulations related to health and safety standards which the City
14 Manager deems necessary and appropriate to protect the public health, safety and
15 welfare of the residents of the winter shelter and those residents and/or businesses which
16 may be affected by the operation of said shelter. To the extent applicable to those
17 homeless individuals who occupy the shelter, such rules and regulations may be posted
18 in at least one conspicuous location on the site.

19 Section 5. Pursuant to California Environmental Quality Act ("CEQA"),
20 Public Resources Code section 21000, et seq., the Council hereby finds that this project
21 is exempt from further environmental review under CEQA Guidelines 15301.

22 Section 6. This resolution shall take effect immediately upon its adoption
23 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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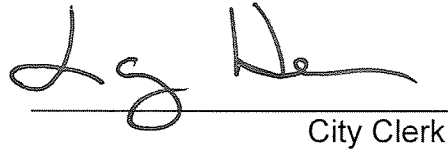
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1 I hereby certify that the foregoing resolution was adopted by the City
2 Council of the City of Long Beach at its meeting of December 8, 2009 by the
3 following vote:

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5 Ayes: Councilmembers: Garcia, Lowenthal, O'Donnell,
6 Schipske, Andrews, Reyes Uranga,
7 Gabelich, Lerch.

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9 Noes: Councilmembers: None.

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11 Absent: Councilmembers: DeLong.

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16 _____
17 City Clerk

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OFFICE OF THE CITY ATTORNEY
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