

RESOLUTION NO. RES-23-0004

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2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH PROCLAIMING THE EXISTENCE  
5 OF A LOCAL EMERGENCY CAUSED BY CONDITIONS  
6 AND THREATENED CONDITIONS OF HOMELESSNESS  
7 WITHIN THE CITY OF LONG BEACH, WHICH IF NOT  
8 CORRECTED, CONSTITUTES AN IMMINENT AND  
9 PROXIMATE THREAT TO THE SAFETY OF PERSONS  
10 AND PROPERTY IN THE CITY  
11

12 WHEREAS, Long Beach Municipal Code section 2.69.060.B. provides that  
13 the City Manager may request the City Council to declare the existence and threatened  
14 existences of a local emergency as a result of any occurrence which, by reason of its  
15 magnitude, is or is likely to become beyond the control of the normal services, personnel,  
16 equipment, and facilities of the City; and

17 WHEREAS, California Senate Bill 330, approved by the Governor on  
18 October 09, 2019, provided that California has a housing supply and affordability crisis of  
19 historic proportions, where “[t]he consequences of failing to effectively and aggressively  
20 confront this crisis are hurting millions of Californians, robbing future generations of the  
21 chance to call California home, stifling economic opportunities for workers and  
22 businesses, worsening poverty and homelessness, and undermining the state’s  
23 environmental and climate objectives”;

24 WHEREAS, the California legislature has acknowledged the importance of  
25 combating homelessness and the crisis of housing supply which is supported by  
26 California Labor Code Section 1720(c)(4) where prevailing wage rates do not apply to the  
27 construction of rehabilitation of affordable housing units for low or moderate income  
28 persons;

1           WHEREAS, in efforts to combat the housing crisis, the California  
2 Legislature has recognized that local governments play a key role in the development of  
3 affordable housing, evidenced by California Government Code Section 65584, which  
4 mandates California cities, towns and counties to undertake all necessary actions to  
5 promote and facilitate the development of housing for its residents, for all income levels;  
6 and

7           WHEREAS, in conjunction with the State’s directives to combat  
8 homelessness and address the housing crisis, the City of Long Beach has designated  
9 significant resources to address homelessness in the City, but the threat to life and  
10 property remains at stake beyond the control of the services, personnel, equipment, and  
11 facilities of this City, requiring the combined forces of other political subdivisions to  
12 combat this crisis; and

13           WHEREAS, the City of Long Beach (City) has at any given time  
14 approximately 3,300 people experiencing homelessness Citywide; and

15           WHEREAS, according to City’s 2022 Point in Time Count, the number of  
16 people experiencing homelessness in the City increased dramatically in recent years,  
17 with an overall rise in homelessness of 77 percent since 2017; and

18           WHEREAS, homelessness has disproportionately impacted Black,  
19 Indigenous, and Pacific Islander Long Beach residents who are approximately three  
20 times more likely to experience homelessness than other populations. Black people  
21 comprise only 13 percent of the population of the City but, in the most recent  
22 homelessness count, completed in February 2022, accounted for approximately 36  
23 percent of people experiencing homelessness; and

24           WHEREAS, more than 40% of people experiencing homelessness have  
25 experienced violence or trauma in their lives, and 6% were fleeing violence when they  
26 became homeless; and

27           WHEREAS, the number of veterans experiencing homelessness has  
28 grown by 48% since 2019; and

1           WHEREAS, people experiencing homelessness suffer disproportionately  
2 from mental and physical health ailments and require assistance from the County Health  
3 and Mental Health Departments to provide the necessary public services. Specifically, it  
4 is estimated that 31 percent of people experiencing homelessness in the City are affected  
5 by a chronic health condition, 29 percent are affected by substance abuse, 37 percent  
6 are affected by a serious mental illness, 36 percent are affected by physical disabilities,  
7 23 percent are affected by developmental disabilities, and 24 percent are affected by  
8 traumatic brain injuries. The number of people experiencing homelessness with severe  
9 mental illness has more than doubled to 1,200 people and those with a substance use  
10 disorder has increased by 70% to 950 people. This strains the City's ability to provide  
11 appropriate shelter, housing and wrap-around services. The prevalence of extreme need  
12 significantly stresses the City's public services; and

13           WHEREAS, 101 people experiencing homelessness died in 2022 while  
14 living on the street. The average age of those who died while homeless was 47 years old  
15 and over 75% of the causes of death were unnatural. This represents a drastic 225%  
16 increase in comparison to the number of people who died in 2017; and

17           WHEREAS, notwithstanding that the State of California has enacted a  
18 Community Assistance, Recovery and Empowerment (CARE) Court to address the crisis  
19 of untreated mental illness, the beds and necessary access to acute and subacute care  
20 for mental illness is still in development and steps must be taken in the interim to provide  
21 increased access to housing and care; and

22           WHEREAS, the homelessness crisis has strained the City's public safety  
23 resources. Among other things, occurrences of fires related to homelessness have  
24 doubled between 2019 and 2022, and now constitute over one-third of all fires to which  
25 the Long Beach Fire Department responds. In addition, a number of fires have taken  
26 significant fire resources and caused damage to adjacent structures and vehicles; and

27           WHEREAS, the homelessness crisis confronting the City has grown both  
28 incrementally and exponentially, leading to death, illness, and deplorable living

1 conditions; and

2 WHEREAS, shelter and housing is particularly important during these  
3 coming winter months when people experiencing homelessness in the City are likely to  
4 face heightened exposure and dangers from living outdoors, and heightened dangers  
5 from the combination of COVID-19, flu outbreak and respiratory syncytial virus (RSV). It  
6 is projected that the City will face an acute shortage of winter homeless shelters through  
7 March 2023, with fewer than half the number of shelter sites available in the County of  
8 Los Angeles as in the winter of 2021-2022 and nearly two-thirds fewer shelter beds; and

9 WHEREAS, California Government Code Sections 8698.1 and 8698.2 allow  
10 local jurisdictions to declare a shelter crisis; the City of Long Beach's most recent shelter  
11 crisis is set to expire March 31, 2023; and

12 WHEREAS, the County and State's eviction moratorium, which has  
13 protected many Long Beach residents from falling into homelessness, ends concurrently  
14 with the end of California's State of Emergency regarding the COVID-19 pandemic on  
15 February 1, 2023; and

16 WHEREAS, the State of California's COVID-19 State of Emergency, which  
17 has provided resources to keep many Long Beach residents from falling into  
18 homelessness, ends in February of 2023, thus requiring immediate action in order to  
19 create replacement and additional housing and shelter, and in order to support the  
20 necessary infrastructure and laws required to protect and provide that shelter and  
21 housing; and

22 WHEREAS, the displacement of the number of people living on the streets  
23 of the City today is a daily recurring emergency, empowering the City Council to declare  
24 a state of emergency, no less than if the emergency was caused by an earthquake, fire,  
25 or flood; and

26 WHEREAS, the City's ability to mobilize local resources, coordinate  
27 interagency response, accelerate procurement of housing units, use mutual aid, and seek  
28 assistance and potential reimbursement by the State and Federal governments will be

1 critical to successfully responding to this homelessness crisis; and

2 WHEREAS, during the pendency of the existence of a local emergency, the  
3 City Council shall retain its full authority to consider a variety of City ordinances to codify  
4 the measures necessary to address this homelessness crisis; and

5 WHEREAS, the City expanded interim bed access by 535 beds since 2020;  
6 there are currently more than 1,300 interim housing beds citywide and the City Council  
7 continues to prioritize the building of interim and permanent supporting housing, yet need  
8 continues to outpace demand; and

9 WHEREAS, the City projects it will soon have a total of 15,346 supportive  
10 and affordable units, of which 1,546 have been recently completed, 319 are currently  
11 under construction, and more than 500 are in pre-development; and

12 WHEREAS, notwithstanding that Council has been and is acting with  
13 urgency, including implementing a roadmap to house thousands of Long Beach residents  
14 and building an unprecedented number of supportive housing units and shelter beds, an  
15 emergency declaration is necessary to mobilize resources, save lives, and provide for the  
16 public health, welfare, and safety of all; and

17 WHEREAS, the City has responded to the rapid increase in its homeless  
18 population with unprecedented investments into homelessness solutions, including a  
19 more than \$80 million commitment in the 2022-2023 City budget for the expansion of  
20 bridge housing, an additional Restorative Engagement to Achieve Collective Health  
21 (REACH) team, call takers, library outreach workers, two mobile MSC units, a mental  
22 health and substance use treatment van, a winter shelter partnership, and the hiring of  
23 professionals to address the homelessness crisis and, notwithstanding these efforts, the  
24 number of those experiencing homelessness in the City continues to increase and  
25 outstrip the resources and services that the City has provided; and

26 WHEREAS, the magnitude of loss of life, the persistent and  
27 disproportionate impact of the COVID-19 pandemic, and the persistent discriminatory  
28 impacts of a lack of housing warrant and necessitate that the City Council declare the

1 existence of a local emergency; and

2 WHEREAS, the benefits of this emergency declaration, coupled with past  
3 and future actions by the City Council to address the homelessness crisis, will help  
4 ensure that this local emergency will be of a temporary nature;

5 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
6 follows:

7 Section 1. Pursuant to California Government Code Section 8630 and  
8 Long Beach Municipal Code Section 2.69.060, the City Council hereby finds and  
9 proclaims the existence of a local emergency caused by conditions or threatened  
10 conditions of homelessness in Long Beach which, if not corrected, constitutes a threat to  
11 the safety of persons and property within the territorial limits of the City beyond the  
12 control of the services, personnel equipment, and facilities of the City.

13 Section 2. The City Manager is hereby authorized to furnish information,  
14 to enter into agreements, including, but not limited to, applications and agreements for  
15 grant funding, and to take all actions necessary to obtain emergency assistance from  
16 State and federal agencies to implement preventive measures to protect and preserve  
17 the City within the scope of the local emergency hereby declared. Chapter 2.85 of the  
18 Long Beach Municipal Code contains the established procurement practices of the City  
19 during a proclaimed local emergency. City staff are hereby directed to provide the City  
20 Council with a report of actions taken under this Section as the next practicable  
21 opportunity, and no less than on a monthly basis.

22 Section 3. The City shall coordinate its efforts to address this proclaimed  
23 emergency with the other local jurisdictions, the County of Los Angeles, the State of  
24 California, and the federal government.

25 Section 4. The City of Long Beach requests the Governor and State  
26 Legislature to declare a state of emergency to combat homelessness and direct  
27 resources to support the efforts of major cities in the State of California to address the  
28 problem.

1           Section 5.    In accordance with the provisions of Long Beach Municipal  
2 Code Chapter 2.69, the City Clerk shall include the matter of the necessity for continuing  
3 the local emergency on the City Council agenda for review at least every fourteen (14)  
4 days until the City Council terminates said local emergency. The need to continue the  
5 state of emergency shall be evaluated, in coordination with City Council, by achieving  
6 measurable results in the following metrics:

- 7           A.    Decrease in number of persons experiencing unsheltered  
8 homelessness;
- 9           B.    Increase in housing placements;
- 10          C.    Increase in starts on new affordable housing options;
- 11          D.    Increase in temporary and permanent housing units (including  
12 utilization of Housing Choice Vouchers);
- 13          E.    Increase in outside aid for access to mental health and  
14 substance use beds;
- 15          F.    Decrease in disproportionality in which Black, Indigenous and  
16 Pacific Islander persons experience homelessness;
- 17          G.    Decrease in number of persons that die in unsheltered  
18 situations;
- 19          H.    Decrease in number of persons falling into homelessness;
- 20          I.    Increase in regional partnerships to address the homeless  
21 crisis; and
- 22          J.    Increase in multijurisdictional efforts to reduce violence on or  
23 perpetuated by people experiencing homelessness.

24           Section 6.   This Proclamation of Emergency shall sunset in One Hundred  
25 Eighty (180) days from the date of adoption, subject to being renewed. The setting of a  
26 specific time frame allows for actions to be taken to make permanent, necessary  
27 structural changes.

28           Section 7.   Pursuant to Government Code section 3100, in protection of

OFFICE OF THE CITY ATTORNEY  
DAWN MCINTOSH, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

1 the health and safety and preservation of the lives and property of the people from  
2 emergencies which result in conditions of extreme peril to life, property and resources, all  
3 public employees are hereby declared disaster service workers subject to such disaster  
4 service activities as may be assigned to them by their superiors or by law.

5 Section 8. The City Clerk shall certify to the passage of this resolution by  
6 the City Council of the City of Long Beach and it shall thereupon take effect.

7 Section 9. This resolution shall take effect immediately upon its adoption  
8 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

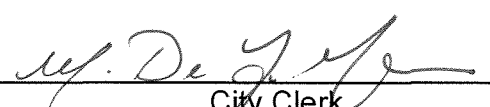
9  
10 I hereby certify that the foregoing resolution was adopted by the City  
11 Council of the City of Long Beach at its meeting of January 10, 2023 by  
12 the following vote:

13  
14 Ayes: Councilmembers: Zendejas, Allen, Duggan, Supernaw,  
15 Kerr, Saro, Austin, Ricks-Oddie.

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17  
18 Noes: Councilmembers: None.

19  
20 Absent: Councilmembers: Uranga.

21  
22 Recusal(s): Councilmembers: None.

23  
24  
25  
26   
27 City Clerk  
28