

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802

RESOLUTION NO. RES-20-0149

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3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH REDECLARING 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 TEMPORARY SHELTER AT 5571
9 ORANGE AVENUE, IN THE CITY OF LONG BEACH,
10 BETWEEN THE DATES OF OCTOBER 1, 2020 AND
11 NOVEMBER 1, 2021, INCLUSIVE

12
13 WHEREAS, the County of Los Angeles (County) and the City of Los
14 Angeles provide funding to the Los Angeles Homeless Services Authority (LAHSA)
15 through a Joint Powers Agreement to oversee countywide homeless services and to
16 operate the Winter Shelter Program (Program); and

17 WHEREAS, the Program is a coordinated effort to increase the number of
18 temporary emergency shelter beds available in the County during the winter period from
19 December 1 through March 31 each year, when the region usually experiences its most
20 inclement weather; and

21 WHEREAS, to accommodate a location for Los Angeles County
22 Supervisorial District 4, the Long Beach City Council, at its meeting held on November
23 12, 2019, adopted Resolution RES-19-0178 redeclaring a shelter crisis, pursuant to
24 California Government Code Sections 8698.1 and 8698.2, which allows local
25 jurisdictions to suspend local laws and regulations "to the extent that strict compliance
26 would in any way prevent, hinder, or delay the mitigation of the effects of the shelter
27 crisis" for any City-owned, leased or maintained property; and

28 WHEREAS, due to the ongoing coronavirus health pandemic, the County

1 extended the Program to allow shelters opened under the Program to continue
2 operations through October 2020; and

3 WHEREAS, as a result, the Program was relocated from Hayes Avenue to
4 5571 Orange Avenue (Site) for the period covering April 1, 2020 through September 30,
5 2020; and

6 WHEREAS, at the meeting held on October 13, 2020, the Los Angeles
7 County Board of Supervisors extended the County's shelter crisis for one year and
8 appropriated funding for continued operations through November 1, 2021. To provide
9 consistency with the Program's extended operations period and allow continued
10 operations at the Site, redeclaration of the shelter crisis is recommended; and

11 WHEREAS, the purpose and intent of this resolution is to continue to
12 provide shelter and supportive services for the homeless in the City of Long Beach by
13 maintaining such services at, and allowing the use of, the real property located at 5571
14 Orange Avenue, in the City of Long Beach, between the dates of October 1, 2020 and
15 November 1, 2021, inclusive; and

16 WHEREAS, to facilitate the use of City-owned property at 5571 Orange
17 Avenue for shelter operations, a Lease between the City and Volunteers of America Los
18 Angeles has been negotiated by the Economic Development Department;

19 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
20 follows:

21 Section 1. That the provisions of any state or local regulatory statute,
22 regulation or ordinance, including but not limited to the City's zoning regulations
23 prescribing standards of use, housing, health or safety shall be suspended with respect
24 to the above-described temporary shelter to the extent that strict compliance would in any
25 way prevent, hinder or delay the operation of the temporary shelter during the declared
26 shelter crisis.

27 Section 2. Notwithstanding any other provisions of local law, the City
28 Manager is hereby authorized and directed to take all steps as may be reasonably

1 necessary or appropriate to facilitate the operation of a temporary shelter between the
2 dates of October 1, 2020 and November 1, 2021, which shelter is to be located at 5571
3 Orange Avenue, in the City of Long Beach.

4 Section 3. Any and all provisions of the City's Zoning Ordinance and
5 regulations, which otherwise might regulate, apply to or govern the continued operation of
6 the interim shelter, are hereby suspended and declared inapplicable to the proposed
7 temporary homeless shelter.

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

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

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

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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 November 17, 2020
3 by the following vote:

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5 Ayes: Councilmembers: Zendejas, Pearce, Price, Supernaw,
6 Mungo, Andrews, Uranga, Austin,
7 Richardson.

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9 Noes: Councilmembers: None.

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11 Absent: Councilmembers: None.

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13 Recusal(s): Councilmembers: None.

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City Clerk

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