

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT PRO TEM DAN KALB AND MAYOR
LIBBY SCHAAF

**RESOLUTION IN SUPPORT OF CALIFORNIA STATE ASSEMBLY BILL
3269 (CHIU) TO ENSURE THAT LOCAL GOVERNMENTS AND
RELEVANT STATE AGENCIES ARE HELD ACCOUNTABLE FOR
ADDRESSING CALIFORNIA'S HISTORIC HOMELESSNESS CRISIS**

WHEREAS, on any given night, over 150,000 Californians are homeless, and California has the highest rate of unsheltered homeless individuals in the nation; and

WHEREAS, the City of Oakland (City) has experienced a 47 percent increase in its homeless population between 2017 and 2019, the majority of whom live in curbside communities, vehicles, and places not meant for human habitation; and

WHEREAS, while African Americans are only 24 percent of the City's population, over 70 percent of individuals who are homeless in Oakland are African American -- an unacceptable disparity, the affirmative reduction of which must be central to any plan to prevent and end homelessness; and

WHEREAS, a growing percentage of the state's homeless population are seniors who are experiencing homelessness for the first time. Seniors who are on fixed incomes and who are severely rent burdened have no potential for additional income. Once seniors are homeless, their health quickly deteriorates and they use emergency services at a higher rate and face high mortality rates; and

WHEREAS, even as people are housed, more fall into homelessness: in Oakland, for every one person housed, two more become homeless; and

WHEREAS, state and local government at all levels should be held responsible for responding to homelessness and providing permanent housing for the unsheltered there are few other areas of important public policy where government efforts to achieve a compelling societal objective are voluntary; and

WHEREAS, in order to ensure the state and local jurisdictions are making best use of existing resources, and to determine the additional resources needed to substantially reduce

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unsheltered homelessness in California, the state should work with local communities to determine the appropriate roles of each level of government; and

WHEREAS, California State Assembly Bill 3269 (Chiu) would make it the intent of the Legislature to reduce homelessness by 90% by 2028 and would establish a process for holding the state as well as local governments accountable for housing those experiencing homelessness based on measurable goals and existing resources they have identified for that purpose; and

WHEREAS, AB 3269 would require, by July 31, 2021, the State Homelessness Coordinating and Financing Council to conduct a statewide homelessness gaps and needs analysis using data provided by local governments and based on this analysis, the State Department of Housing and Community Development (HCD) would set minimum percentage for reducing homelessness in each jurisdiction by December 31, 2028, with annual benchmarks toward that goal; and

WHEREAS, under AB 3269, no later than January 1, 2022 each county would need to submit, to the State HCD, an actionable plan for meeting HCD's benchmark goal and specific annual benchmarks – with participation and approval by each incorporated jurisdiction's or homeless continuum of care's governing body. The plan would be subject to monitoring by HCD and would need to include:

- a description and the amount of all funding sources the state or local agency has earmarked or committed to addressing homelessness, mental illness, and substance abuse within its jurisdiction, and timelines to utilize the funding,
- the amount of additional funding needed to meet HCD's benchmark reduction goals,
- specific actions that will be taken, taking into account funding limitations, to reduce the number of individuals experiencing homelessness by moving those individuals into permanent housing and providing the support necessary to maintain housing,
- specific roles and responsibilities for each jurisdiction to meet the benchmark goals set by HCD; and

WHEREAS, each state and local agency would only be accountable under AB 3269 for reducing homelessness to the extent that it has available resources to address homelessness, and the state or local agency would not be required to expend additional funds not contained in its actionable plan in order to meet the benchmark goal set by HCD; and

WHEREAS, AB 3269 would establish a Homelessness Inspector General that can bring a public right of action, limited to existing resources within a jurisdiction, against the state or local government for failing to submit a plan or follow a plan; and

WHEREAS, if the court finds that the applicable state or local agency has not substantially complied, the bill would authorize the Housing and Homelessness Inspector General to request the court to issue an order or judgment directing the state or local agency to substantially comply, as provided; and

WHEREAS, before deciding to take action against a local government that has not met a benchmark goal, the Housing and Homelessness Inspector General would consider the jurisdiction’s progress against a number of measurable outcomes, including the number of people successfully housed or prevented from losing their housing; and

WHEREAS, the bill would authorize the Housing and Homelessness Inspector General to impose a civil penalty on a state or local agency that is found to have deliberately and intentionally transported a homeless individual to a different jurisdiction in order to reduce the number of homeless individuals within their jurisdiction; and

WHEREAS, by holding all levels of government accountable based on benchmarks, AB 3269 would move California towards finally addressing the moral crisis of our day; now therefore be it

RESOLVED: That the City of Oakland hereby supports AB 3269 (Chiu), a bill to hold state and local governments accountable for housing those experiencing homelessness based on measurable goals and existing resources identified for that purpose; and be it

FURTHER RESOLVED: That the Oakland City Council hereby urges the California State Legislature and Governor Gavin Newsom to support enactment of AB 3269 into law; and be it

FURTHER RESOLVED: That the Oakland City Council directs the City Administrator to forward a copy of this Resolution to the local delegation to the State Assembly.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR,
THAO AND PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the
Council of the City of Oakland, California