

D-7

Damico, Tracy

From: janelle <njjr@sbcglobal.net>
Sent: Sunday, March 19, 2023 10:47 AM
To: COB
Subject: Agenda Item D.7. Letters of Appreciation to the Members who Served on the Housing Trust Fund and Homelessness Solutions Committee
Attachments: A countywide approach to addressing homelessness, 2023-03-14.pdf

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Dear Board of Supervisors and former HTFHSC members,

My apologies, I will out of town and unable to attend Tuesday's Board meeting and so am writing to you. Although some might call my comment just "water under the bridge", I take the time as down stream they may be use useful.

There are 10 thank you letters, however, there have been 7 on the HTFHSC and 4 unfilled vacancies since my appointment last year. I believe all 10 deserve thank you letters.

I take the time to write to point out that under the Brown Act we needed a properly noticed agenda and just a majority of the current members present to meet. Under Resolution 18-73, which created the HTFHSC, a quorum of 6 people were needed. One appointment was pulled from your Agenda shortly after I was appointed and my requests for appointments went unanswered. This made a difficult situation even more difficult.

Please see the attached suggestion for a countywide approach to addressing homelessness as the housing shortage is addressed. Put simply it says:

Shelter crisis declaration + Housing First approach (tenancy)
+ CA Residential Code Appendix + appointed oversight group
= a countywide system of campgrounds

Sincerely,

janelle

Janelle Egger

*Fortuna resident and independent activist for civil rights, open government,
and a legal place to call home for those without housing.*

bcc: former HTFHSC members, Board of Supervisors

An approach to address homelessness:

A countywide system of Shelter Declaration campgrounds,

Eureka and the County have passed shelter crisis declarations (Jan 2016 and Feb 2018).

California Gov Code section 8698.1 Upon a declaration of a shelter crisis, the following provisions shall apply during the period of the emergency.

(a) The political subdivision shall be immune from liability for ordinary negligence in the provision of **emergency housing*** pursuant to Section 8698.2.

...operated using Housing First approach,

March 2016 Joint Resolution of the City of Eureka and the County of Humboldt:

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Eureka and the Board of Supervisors ..., adopt ...the model of Housing First as the policy for reducing homelessness throughout Humboldt County and the City of Eureka.

California WIC §8255 (b) "Core components of Housing First" means all of the following: ...

(6) Tenants have a lease and all the rights and responsibilities of tenancy...

(d) (1) "Housing First" means the evidence-based model that uses housing as a tool, rather than a reward, for recovery and that centers on providing or connecting homeless people to permanent housing as quickly as possible. Housing First providers offer services as needed and requested on a voluntary basis and that do not make housing contingent on participation in services.

...California Residential Code Appendix Emergency Housing,

Dec. 2018 Dept. of Housing & Community Dev. INFORMATION BULLETIN 2018-05

SUBJECT: **Emergency Housing*** - Permanent Adoption of Emergency Regulations
Effective December 7, 2018

The regulations are now permanent voluntary appendices to the 2016 CBC and 2016 CRC that provide a consistent minimum standard by which local agencies may develop **emergency housing*** or shelter ordinances.

California Residential Code Appendix Emergency Housing, Section AX102 Definitions

EMERGENCY HOUSING. Housing in a permanent or temporary structure(s), occupied during a declaration of ...shelter crisis. **Emergency housing*** may include, but is not limited to... emergency sleeping cabins, emergency transportable housing units, and tents constructed in accordance with this appendix.

Green v. Superior Court - 10 Cal.3d 616 - 1974

"We have concluded that a warranty of habitability is implied by law in residential leases in this state. ...In most cases substantial compliance with those applicable building and housing code standards which materially affect health and safety will suffice to meet the landlord's obligations under the common law implied warranty of habitability we now recognize"

...and an appointed oversight group

Ideally a Countywide group to provide coordination and guidance.

**Emphasis added*
Janelle Egger, 3/14/2023