



# Memorandum

**TO:** CITY COUNCIL  
**SUBJECT:** SEE BELOW

**FROM:** Mayor Sam Liccardo  
**DATE:** March 30, 2020

**APPROVED:**

**DATE:** *March 30, 2020*

**SUBJECT: SHELTER CRISIS DECLARATION FOR COVID-19 EMERGENCY**

## **RECOMMENDATION**

For the immediate and urgent build-out of emergency housing for COVID-19 positive and exposed residents currently living in overcrowded housing, encampments, shelters, or other circumstances making it difficult for the individual to self-quarantine, direct the City Manager and City Attorney to issue a determination—either orally or in writing—confirming that, for the purpose of constructing emergency housing expeditiously:

1. Pursuant to the City's Emergency Declaration,
  - a. the City Manager may bypass current City procurement processes to purchase materials necessary (including pre-fabricated or modular units);
  - b. the City Manager may waive City permit and land use restrictions and requirements;
2. Pursuant to AB2176, the conditions under which the contemplated emergency or transitional housing will qualify for waiver of the Title 24 building requirements identified in that legislation;
3. Pursuant to the Governor's March Executive Orders, the emergency housing funded by HEAP or HHAP state allocations may proceed without regard to CEQA-required processes or approvals; and whether additional lobbying would be appropriate to broaden that waiver to other housing funding sources;
4. Pursuant to federal and state emergency assistance laws and regulations, and particularly with regard to the March 30, 2020 announcement of the Federal Emergency Management Agency (FEMA) regarding non-congregate care and housing:

- a. The extent to which FEMA reimbursement is likely to apply to the specific non-congregate housing we seek to build, given that (a) only congregate shelters have been traditionally included on the FEMA pre-approved list, and (b) the unique context of this disaster in which congregate housing is not appropriate disaster relief for a pandemic, and (c) whether some lobbying with our federal delegation will be appropriate.
- b. The extent to which the State of California is likely to reimburse for some portion of the remaining 25% of cost for which FEMA reimbursement does not apply.

**Discussion**

Amid this crisis, we must expand our capacity to house people who are COVID-19 positive or exposed, but unable to access adequate housing to self-quarantine. We have unique opportunities to move aggressively to build emergency housing if we are able to move nimbly and decisively. I urge that we do so – and, as the saying goes, “never waste a crisis.”