

# ATTACHMENT #1

## **ITEM 8G**

**Coachella Valley Association of Governments  
Executive Committee  
December 2, 2024**



### **STAFF REPORT**

**Subject:** Good Neighbor Policy for Homelessness Coordination

**Contact:** Erica Felci, Chief Operating Officer ([efelci@cvaq.org](mailto:efelci@cvaq.org))

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**Recommendation:** Endorse a model resolution that reinforces the commitment to regional homelessness solutions by establishing a good neighbor policy across CVAG's region and direct the Executive Director to distribute to member jurisdictions

**Public Safety and Homelessness Committee:** Both committees concurred and their feedback was incorporated into the draft resolution. (Meetings of November 18 and November 20)

**Background:** In September 2024, CVAG's Public Safety and Homelessness Committees held a joint meeting to discuss the regional ramifications of the U.S. Supreme Court's landmark ruling in the case of City of Grants Pass v. Johnson, which effectively set a new standard on how local municipalities can address homeless encampments on public property. The case stemmed from the enforcement of anti-camping laws in Grants Pass, Oregon, which had led to fines and penalties for homeless individuals camping on public property. As noted in the joint meeting, the Court's ruling prompted Gov. Gavin Newsom to issue an executive order that immediately changed how California's state agencies addressed encampments and it prompted at least two Coachella Valley to update their own ordinances.

The local ordinances and approaches prompted a lengthy discussion at the September 18 meeting of the Homelessness and Public Safety Committees. At the time, CVAG staff sought direction on whether to create a model ordinance for the Coachella Valley that addresses homeless encampments on public property. It was noted in the staff report that having a cohesive approach across the region could be beneficial to cities, agencies or service providers seeking future grant opportunities. It also could create a cohesive approach to regional, public spaces, including active transportation projects like CV Link and open spaces managed by the Coachella Valley Conservation Commission. Committee members were divided on the concept of a model ordinance, with some members noting that their cities are satisfied with the ordinances that already exist. Instead, staff was directed to return with any model ordinance under development by Riverside County and consider how to promote a collaborative approach through a memorandum of understanding or a "good neighbor" policy.

The Grants Pass v. Johnson ruling was a 6-3 decision. In reversing the Ninth Court ruling, the Supreme Court held that anti-camping ordinances did not violate the Eighth Amendment when they were applied in a manner that targeted the conduct of camping in public spaces and not the status of being homeless. The Court also acknowledged there was interest in maintaining public health, safety, and welfare, which in this case included preventing hazards at public spaces in order to have them accessible for the general public.

Staff with Riverside County's Executive Office continue to evaluate the ruling and determine whether a countywide ordinance will be brought forward or whether the existing ordinances are sufficient. As of early November, County staff indicated this process was still in the discussion stage and no decision had been made about what next steps may be coming forward. Should an ordinance move forward, staff notes that it would require some time to determine details such as how to handle citation fines and logistics such as how to cover the costs of storing any items collected during an encampment cleanup.

CVAG staff will continue to monitor the County's efforts. In the meantime, staff sought feedback from the Public Safety and Homelessness Committees on a proposed model resolution that would reaffirm the region's commitment to collaboration on addressing homelessness, particularly in terms of cleaning up encampments. In developing this resolution, CVAG staff reached out to the City of Corona as it had been lauded at the September meeting for its work on prompting collaboration and coordination in homelessness services. Corona has a memorandum of understanding with other southwest Riverside County cities to share resources and address areas such as the Santa Ana riverbed. Corona also has a "good neighbor policy" that is used in contracts with services providers to address concerns from businesses and residents about the potential negative impacts from a homeless shelter and/or affordable housing developments. It has been adopted by the Riverside County's Continuum of Care and was used to inspire the proposed CVAG resolution.

Staff would note that CVAG's member jurisdictions generally collaborate on homelessness issues, as evidenced by the success seen with the CV Housing First program. But this collaboration has been the result political leadership, not formal policy. Having each member jurisdiction adopt a resolution will help ensure that the practice is codified and continues into the future. The resolution would encourage communication between neighbors, meaning that a city's police or code enforcement would be notified anytime another jurisdiction is relocating a homeless individual into their jurisdiction for temporary housing, emergency shelter or even a permanent relocation. Based on discussion and feedback at the November meetings of both the Public Safety Committee and the Homelessness Committee, this resolution would provide a strong encouragement of cooperation but not set a formal requirement. It would apply to city agencies as well as homeless providers, including CVAG's own CV Housing First program.

Staff is recommending the Executive Committee endorse the model resolution and direct the Executive Director to distribute it to member jurisdictions for their consideration and adoption.

**Fiscal Analysis:** There is no cost to CVAG for this update. Work related to the draft resolution is covered under existing staff resources.

**Attachments:**

- Fact sheet from California Interagency Council on Homelessness
- Draft Resolution

# Grants Pass Supreme Court Decision: How it affects California



July 26, 2024

## How is California responding to the Supreme Court's ruling?

In response to the Supreme Court ruling, Governor Newsom issued [Executive Order N-1-24](#) on July 25, 2024. This Order directs state agencies and departments to move with urgency and compassion in addressing encampments on state property.

As the state's leader in ending and preventing homelessness, the California Interagency Council on Homelessness (Cal ICH) will continue to support agencies and departments in their design and implementation of policies, funding and programs that serve people experiencing homelessness, including those described in Executive Order N-1-24. To ensure state and local partners incorporate evidenced-based practices in their respective encampment responses, Cal ICH will host a series of webinars throughout the month of August 2024.

Furthermore, per [Welfare and Institutions Code \(WIC\) section 8256](#), Cal ICH will continue supporting state agencies and departments in adopting guidelines and regulations that incorporate the core components of Housing First into, "any programs a California state agency or department funds, implements, or administers for the purpose of providing housing or housing-based services to people experiencing homelessness or at risk of homelessness."

## What is the City of Grants Pass v. Johnson case?

The City of Grants Pass v. Johnson is a federal court case brought by unhoused persons in Grants Pass, Oregon, who argued that the City's practice of ticketing unhoused individuals for camping in public violated the Eighth Amendment of the United States Constitution, which prohibits the government from imposing "cruel and unusual punishment" on criminal defendants. The Ninth Circuit Court of Appeals, which includes California, upheld the decision.

On June 28, 2024, the Supreme Court ruled that enforcing laws that prohibit camping on public property is not cruel and unusual punishment. As a result, local governments across the country may freely enforce laws regulating camping on public property.

## **How does this ruling impact cities and counties in California?**

Cities and counties will have more flexibility to address encampments and enforce laws regulating public camping. However, to ensure the safety, wellness, and dignity of persons experiencing homelessness, Cal ICH remains committed to supporting state and local partners in using person-centered, trauma-informed, and evidence-based approaches to address homelessness. Cal ICH will continue to identify and share resources to support local planning efforts and encourages local partners to incorporate these elements when addressing the housing and services needs of persons experiencing unsheltered homelessness. Additional emerging, promising, and evidence-based best practice resources can be found on Cal ICH's newly relaunched Resource Library.

The Department of Housing and Community Development (HCD) will be making additional funding available for the Encampment Resolution Fund (ERF) program. The program provides competitive grant funding to assist local jurisdictions in providing services and supports to people experiencing homelessness in encampments and to provide meaningful paths to safe and stable housing. Eligible applicants include counties, Continuums of Care (CoCs), and cities of any size. Please contact [hpddhomelessnessgrants@hcd.ca.gov](mailto:hpddhomelessnessgrants@hcd.ca.gov) for more information.

Cal ICH encourages all state and local partners to reach out with any questions on best practices for working with people experiencing unsheltered homelessness. All questions can be directed to [calich@bcsh.ca.gov](mailto:calich@bcsh.ca.gov).

Resolution No: XXXX-XXXX

RESOLUTION OF THE CITY/ COUNTY/ TRIBAL NATION OF \_\_\_\_\_  
REINFORCING A COMMITMENT TO REGIONAL HOMELESSNESS SOLUTIONS AND  
ESTABLISHING A GOOD NEIGHBOR POLICY FOR CITY AGENCIES AND PROGRAMS

WHEREAS the Coachella Valley Association of Governments (CVAG) is comprised of member jurisdictions, including the City/ County/ Tribal Nation of \_\_\_\_\_, that recognize the importance of regional solutions to addressing homelessness because the issue does not start or end at any one jurisdiction's border; and

WHEREAS CVAG has spent more than two decades facilitating a coordinated approach to address homelessness in the Coachella Valley, including the CV Housing First model that focuses services on helping the chronically homeless individuals who frequently interact with law enforcement, code enforcement and local emergency rooms; and

WHEREAS addressing homelessness requires the CV Housing First program and other providers to communicate with and work collaboratively with local public safety departments, particularly in difficult situations where homeless individuals may be averse to accepting services; and

WHEREAS the U.S. Supreme Court's 2024 ruling in *Grants Pass v. Johnson* held that anti-camping ordinances did not violate the Eighth Amendment and acknowledged encampment cleanups helps maintain public health and safety in order to have public spaces accessible for the general public; and

WHEREAS CVAG's member jurisdictions also recognize that a one-size-fits-all approach is not the solution to solving this crisis, and have financially supported a range of multi-disciplinary programs from many providers with the goal of moving individuals out of homelessness and into permanent housing opportunities; and

NOW THEREFORE BE IT RESOLVED that City/ County/ Tribal Nation of \_\_\_\_\_ wants to establish itself as a good neighbor in regional solutions to addressing homelessness.

IT IS FURTHER RESOLVED that the City/ County/ Tribal Nation will encourage its agencies, including law enforcement, and all homeless service providers receiving its funding support to bolster its communication with neighboring jurisdictions by notifying neighboring public safety partners or another agency as identified by the City/ County/ Tribal Manager whenever a homeless individual from this jurisdiction is transported to another jurisdiction for temporary housing, emergency shelter and/or a permanent relocation within their jurisdiction.

The foregoing Resolution was passed by the City/ County/ Tribal Nation this \_\_\_\_ day of \_\_\_\_\_ 2024.

APPROVED:

\_\_\_\_\_  
Mayor/ Chair

\_\_\_\_\_  
City/ County/ Tribal Manager