



## OFFICE OF THE MAYOR

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September 17, 2024

Hon. Michael R. Deems, Presiding Judge  
*Sent via email only*

Re: Responses of the Chico City Council to the 2023-2024 Grand Jury Report ("report")

**Section 1, beginning at numbered page 11,** The Grand Jury findings and recommendations requiring response and the response to each are as follows:

F1. The City of Chico precipitated the Warren lawsuit when the unhoused were relocated without adequate shelter.

**Response:** Disagree. The legal reasoning that served as the primary basis of Warren v. City of Chico and utilized in F1 was resoundingly rejected and overturned by the US Supreme Court in Johnson v. Grants Pass. And is more fully explained in [2024-07-17 City of Chico Press Release - Grants Pass.pdf](#), [2024-06-28 SCOTUS Johnson Grants Pass.pdf](#), and [2024-08-31 Chico Motion Pursuant to Rule 60.pdf](#)

F4. Due to the notification and site-clearing directions in the Settlement Agreement, the City of Chico is constrained in the handling of complaints regarding the unhoused.

**Response:** Agree.

R1: The Chico City Council direct the City Manager to develop and implement an internal committee specifically designated to interface with the unhoused population, current service providers and future county, state, and federal homelessness commissions by January 1, 2025.

**Response:** The recommendation will not be implemented. Sufficient (more than weekly) internal coordination meetings regularly occur as well as extensive coordination with service providers and neighboring jurisdictions already exists.

R2: The Chico City Council develop a written policy that will deal with how the city will address the unhoused by March 31, 2025.

**Response:** The recommendation was implemented in January 2022. R2 Appears to conflict with F4. Until modified, the stipulated Federal Court order "the Warren Settlement Agreement" is the written policy that prevails and is therefore already implemented. Also implemented is [2022-07-21 Resolution 40-22 shelter crisis plan.pdf](#). As noted in F4, the City's means, methods and actions are tightly controlled and prescribed by the 30 Page Warren Settlement Agreement, the February 24, 2023, court order and by the results of countless informal conferences with Magistrate Judges and Plaintiffs Council and will remain so until changed by a Federal Court Order. See the [2022-07-21 Resolution 40-22 shelter crisis plan.pdf](#), [2024-08-31 Chico Motion Pursuant to Rule 60.pdf](#) and other referenced documents for additional information.

R3: The Chico City Council should implement this written policy within all City departments that interface with the unhoused population by June 30, 2025.

**Response:** The recommendation was implemented in January 2022. The involved departments are well aware of The City's means, methods and actions that are tightly controlled and prescribed as detailed in the response to R2.

R5: The Chico City Council should expand shelter opportunities for unhoused people who currently live outside sanctioned shelter facilities by June 30, 2025.

**Response:** The recommendation requires further analysis. Many millions of dollars have already been invested and are continuing with multi-million dollar per year operational costs that are defined and will be defined in the future by City Council budget priorities and budget deliberations. Very importantly the Grand Jury report fails to provide recommendations regarding where funding would be reduced to offset the costs of their undefined recommendation. See response to R6 and the [2024-08-31 Chico Motion Pursuant to Rule 60.pdf](#) for additional information.

R6: The City of Chico continues funding transitional and emergency housing programs.

**Response:** The recommendation requires further analysis. The recommendation is vague and imprecise. The City of Chico has a long history of funding transitional and emergency housing programs. Specific financial support will be defined in the future by the availability of efficient and effective programs to fund, City Council budget priorities and City Council budget deliberations. See the [2023-12-19 Shelter Crisis Declaration Status Report.pdf](#) for additional detail.

R7:

**Response:** The Grand Jury report requires a response to R7, however, the report does not contain recommendation number 7.

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**Section 2, beginning at numbered page 23.** Note that the Findings and Recommendations are not numbered in the report. Numbers are applied herein. The Grand Jury findings and recommendations requiring a response and the response to each are as follows:

F1: The City of Chico is responsible for allowing the appalling conditions at the Site due to neglect.

**Response:** Disagree. Refer to Warren Settlement Agreement section 10 (m) for the complete description of the Alternate Site attributes and authorized level of site management contained therein. In response to the lack of definition in the Settlement Agreement the City requested site management authority on multiple occasions. Finally, in response, Section 1 of the [2023-02-24 Warren v. Chico Court Order.pdf](#) included the text "*The City may reasonably regulate these alternate sites.*" However, LSNC (Legal Services of Northern California would not agree to 1) reasonable regulations, nor 2) to the specific consequences for violations. One major focus of the [2024-06-26 Warren v. Chico Stip Implementation Agreement.pdf](#) was to define these absolutely vital items. Also refer to response to R3 below and to the [2024-08-08 City of Chico Press Release - Alternate Site.pdf](#).

F2: Many unhoused individuals are unaware of 211 and the resources the hotline provides to the community.

**Response:** Neither agree nor disagree as the level of awareness is unknown.

R1: Chico City Council should consider rotating camp sites to improve and maintain the health and safety at each campsite by July 30, 2024.

**Response:** The recommendation will not be implemented. This has been considered. However, no suitable alternative locations have been identified that meet the requirements of the Warren Settlement Agreement section 10 (m) and the spirit of the unexecuted Implementation Agreement. Also see response to R5, below.

R2: Chico City Council should direct the Target & Outreach Team to issue fresh assessments on current Alternate Site residents by July 30, 2024.

**Response:** The recommendation will not be implemented. A “*Target & Outreach Team*” does not exist. Assessments are conducted by the Outreach & Engagement staff. Additionally, the situations of those assessed at the site are well known to the staff that interface with the residents on a regular basis. If a material change of circumstance occurs, staff recognizes those changes. **Most assessments to the Alternate Site are based upon prior criminal history. That criminal history is not expected to change over time.**

R3: Chico City Council should begin the process of closing & cleaning Site #1 by August 30, 2024.

**Response:** This has been implemented. In response to the 06/28/2024 US Supreme Court Decision in Johnson v. Grants Pass together with the lack of success in obtaining agreement with LSNC (Legal Services of Northern California) to the [2024-06-26 Warren v. Chico Stip Implementation Agreement.pdf](#) the City unilaterally moved forward with some items detailed in the Implementation Agreement as described by the [2024-08-08 City of Chico Press Release - Alternate Site.pdf](#).

R4: Chico City Council should provide clearly marked spaces in all Alternate Sites, using the dimension & pod layout directions in the Settlement Agreement by August 30, 2024.

**Response:** Implemented in part. The Settlement Agreement does not contain “*dimensions & pod layout directions*” for the Alternate Site. A layout was devised for the Alternate Site and was implemented as described by the [2024-08-08 City of Chico Press Release - Alternate Site.pdf](#).

R5: Chico City Council should ensure that care and maintenance supervision of current Alternate Site conforms to health and safety regulations by November 30, 2024.

**Response:** This recommendation will not be implemented. Such a site does not, by its very nature conform with the most basic regulations for human habitation facilities. The site is the product of flawed legal reasoning. Anti-camping regulations exist to prevent the public health, public safety, violence, vandalism, drug use and other criminal activities and problems properly associated with such sites. In response, the Council has expressed the desire to close the site as described by the [2024-08-08 City of Chico Press Release - Alternate Site.pdf](#) and the City expects to regain the traditional, historically common ability to reasonably enforce state and local anti-camping and other public health and public safety regulations as described in the [2024-08-31 Chico Motion Pursuant to Rule 60.pdf](#), the [2024-07-17 City of Chico Press Release - Grants Pass.pdf](#) and as addressed by the US Supreme Court in [2024-06-28 SCOTUS Johnson Grants Pass.pdf](#).

R6: The city of Chico should provide residents of sanctioned shelters and alternate sites with information about available services, including 211, by February 28, 2025.

**Response:** This has been implemented. This has been part of the process since Outreach and Engagement began operations in 2022.

Sincerely



Andrew Coolidge  
Mayor, City of Chico



CC: Sharif Elmallah, Court Executive Officer (via email only)

**ATTACHMENTS (hyperlinks):**

- [2022-01-14 Warren v. Chico Settlement Agreement.pdf](#)
- [2022-07-21 Resolution 40-22 shelter crisis plan.pdf](#)
- [2022-08-19 Camping Enforcement Timeline.pdf](#)
- [2023-02-24 Warren v. Chico Court Order.pdf](#)
- [2023-12-19 Shelter Crisis Declaration Status Report.pdf](#)
- [2024-06-26 Warren v. Chico Stip Implementation Agreement.pdf](#)
- [2024-06-28 SCOTUS Johnson Grants Pass.pdf](#)
- [2024-07-17 City of Chico Press Release - Grants Pass.pdf](#)
- [2024-07-24 Newsom Encampments EO.pdf](#)
- [2024-08-08 City of Chico Press Release - Alternate Site.pdf](#)
- [2024-08-31 Chico Motion Pursuant to Rule 60.pdf](#)