



Rashi Kesarwani[First Last name]
Councilmember District 1

REVISED AGENDA MATERIAL

Meeting Date: **October 13, 2026**

Item Number: **30**

Item Description: **Amending Resolution No. 71,513-N.S. Encampment Policy
Resolution to Promote Healthy and Safe Neighborhoods to
Include Prohibition Against Encampments in Close Proximity
to Preschools and In-Home Daycare Facilities**

Submitted by: **Rashi Kesarwani**

The revised material clarifies the recommendation to adopt a new resolution amending the Encampment Policy to Promote Healthy and Safe Neighborhoods passed in 2024, and rescinding Resolution No. 71,513-N.S. It also adds a referral to the City Manager to amend Administrative Regulation 10.2 to clarify that Temporary Non-Commercial objects are prohibited within 600 feet of a licensed preschool/in-home early childhood daycare facility. Additionally, it includes a clean version of the resolution to the item for City Council's consideration.

All of the attachments remain the same.



Rashi Kesarwani
Councilmember, District 1

ACTION CALENDAR

October 27, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author), Councilmember Brent Blackaby (Co-Sponsor), Councilmember Terry Taplin (Co-Sponsor)

SUBJECT: Amending Resolution No. 71,513-N.S. Encampment Policy Resolution to Promote Healthy and Safe Neighborhoods to Include Prohibition Against Encampments in Close Proximity to Preschools and In-Home Early Childhood Daycare Facilities

RECOMMENDATION

Approve adoption of a new resolution amending the Encampment Policy to Promote Healthy and Safe Neighborhoods and rescinding Resolution No. 71,513-N.S. Recommend the new resolution adds proximity to licensed preschools and/or in-home early childhood daycare facilities to the list of circumstances in which the City Manager is authorized to close an encampment even when an offer of shelter is not practicable.

Specifically, it is recommended to add a 600foot buffer zone¹ prohibiting encampments around preschools and in-home early childhood daycare facilities in order to safeguard the health and welfare of young children. Preschool-aged children are particularly vulnerable to a range of public health concerns because they are more likely to play closer to the ground, touching potentially infected objects and then putting their hands in their mouth. A buffer zone around these institutions

¹ This measurement was chosen to be aligned with the City's Tobacco Ordinance that similarly aims to protect youth who are vulnerable by virtue of their age.

should be adopted to minimize public health and safety risks. Resolution No. 71,513-N.S should add to the list of enforcement circumstances:

- The encampment is located within 600 feet of any licensed preschool and/or in-home early childhood daycare facility as measured by a straight line from the nearest point of the property line of the parcel on which the preschool/in-home early childhood daycare facility is located to the nearest point of the encampment, including its associated belongings.

Further, refer to the City Manager to amend Administrative Regulation 10.2 to clarify that Temporary Non-Commercial (TNC) objects are prohibited within 600 feet of a licensed preschool/in-home early childhood daycare facility.

CURRENT SITUATION AND ITS EFFECTS

US District Court Ruling Confirms City's Ability to Close Harrison

Encampment While Requiring ADA Accommodations for Encampments on

Sidewalks. On April 3, 2026 US District Judge Edward Chen issued what became a final ruling in the *Berkeley Homeless Union (BHU) v. City of Berkeley* lawsuit. While Judge Chen has granted the City permission to close the Harrison encampment and opined that "the City is not required to designate, create or identify enforcement-free relocation zones or City-sanctioned campsites,"² he also required the City to grant BHU members with disabilities an exemption from the categorical enforcement of the nine square feet limitation in Administrative Regulation 10.2 (attached) regulating the amount of personal belongings an unhoused person can keep on the sidewalk.

Regarding encampment residents with disabilities, Judge Chen noted:

"The City must conduct an individualized assessment for each claimant that accounts for the claimant's specific disability-related shelter needs; the actual dimensions and physical characteristics of the sidewalk or right-of-way in question; and the public interest in maintaining a regulatorily-mandated path of travel. In this regard, the ordinance's prescribed six-foot minimum path for most sidewalks is presumptively reasonable and sufficient."³

Judge Chen similarly ordered that the City must provide relocation assistance, including physical packing and moving assistance to those Harrison encampment residents requesting ADA-related accommodations. For encampment residents without disabilities, the Judge ruled the City may not enforce space limitations in ways that prevent them from maintaining a tent, provided it does not unreasonably interfere with public passage.

² US District Judge Chen April 3, 2026 Order Granting in Part and Denying in Part Cross-Motions for Summary Judgement, Document 288, Case No. 25-cv-01414-EMC, attached

³ Judge Chen April 3, 2026 Order, Document 288, cited above

In both cases, the Judge ordered continued engagement and communication between the two parties regarding encampment residents' needs for replacement survival property, such as tents and storage bins, and city storage capacity of personal belongings.

Despite Repeated Attempted Temporary Restraining Orders, The Court Maintains City's Ability to Close Encampment and Orders BHU to Find Suitable Relocation Sites on City's Sidewalks.

On July 27, 2026, the City posted a public notice of encampment closure for the Harrison Corridor noting a compliance deadline of August 3. That process was temporarily halted due to BHU's successful filing for a Temporary Restraining Order (TRO) on July 29. The court additionally set a hearing date for August 13th and ordered the two sides to submit a status report in advance of the hearing date. During the hearing, the Judge denied BHU's request for a preliminary injunction to halt the City's abatement and closure of the encampment, upholding the City's ability to close the encampment. However, he additionally ordered BHU to provide the City a list of the 23 encampment residents still seeking disability accommodations, along with their requested tent size. He also ordered the City and BHU representatives to travel throughout Berkeley together to identify appropriately wide sidewalks to accommodate new tent relocation sites – that is, identify sidewalks wide enough to allow a tent and a path of travel - and set another hearing date for August 28.

BHU Identifies Two Relocation Sites in Close Proximity to Preschools: Ninth and Camelia and Fourth and Camelia and the City has Limited Capacity to Deny Them.

In advance of the August 28 hearing, BHU submitted one criteria-conforming tent relocation site for one Harrison encampment resident: the northwest corner of Ninth and Camelia Street. BHU also submitted a status report just prior to the hearing listing an additional location for two BHU members: the northwest blockface of Fourth and Camelia. Due to the Judge's April 3 ruling, the City has limited capacity to deny certain Harrison encampment individuals requesting ADA-related accommodations who seek to relocate tents elsewhere on City sidewalks. The City is legally restricted to analyzing only two factors when considering an accommodation at a particular location: whether the sidewalk allows for a six-foot path of travel and whether there is sufficient emergency access. The Judge has similarly made clear that the City cannot reject a site based on potential future health and safety concerns.

Ninth and Camelia Encampments Less than 300 Feet from Two Childcare Centers.

Currently, a Harrison encampment resident has relocated to the Ninth and Camelia site with a tent and associated belongings measuring roughly 10x20 feet. Due to the width of the sidewalk, this shelter *does* comply with the Judge's criteria. Shortly after that encampment got established, it was joined by another single tent owned by someone not involved with the Harrison encampment lawsuit. These

encampments are less than 300 feet from two childcare centers on the same block on the south side of Camelia Street: Centro Vida Children's Center, serving children ages two to five years old; and Chairez Montessori Preschool, an in-home early childhood daycare facility serving children 6 months to five years in age.

Fourth and Camelia Potential Encampment Relocation Site Less than 400 Feet from One Preschool. Two Harrison encampment residents requested relocation sites at Fourth and Camelia and tents measuring 11 x 20 feet (10 person tents). In mid-August of this year, these individuals moved belongings to that location though they were later removed. At present, these individuals are still residing in the Harrison corridor as they have a court ordered ADA-related exemption from the current September 15 abatement effort while their relocation site is under consideration. The City's Deputy Fire Marshall investigated this proposed accommodation location and determined that while the requested tent sizes exceed the allowable tent width, the sidewalk could accommodate one tent with a width of 6.25 feet in one location; and another tent with a width of 4.5 feet in another location on the block - both with an allowable length greater than 20 feet.⁴ As there are several four-person tents on the market that fit these measurements, this location remains a potential for future encampments. This location is less than 400 feet from Duck's Nest preschool serving children ages 18 months to five years of age. The proposed accommodation location in the public right of way is commonly used by preschool families when parking to pick up and drop off children at the facility.

Preschool Families and Residents Express Fears and Concerns About Encampment Locations in Close Proximity to Childcare Facilities. Almost as soon as the encampments at Fourth and Camelia and Ninth and Camelia were established, preschool directors, preschool families, nearby residents and businesses began reaching out to the District 1 and Mayor's office, often including the City Manager, the entire City Council and at times Judge Edward Chen. Correspondences voiced a range of concerns regarding encampments at these locations, including:

- Reduction of the path of travel on the sidewalk for families with strollers;
- Public health risks posed by used needles and other sharp objects on the ground and within small children's reach and range of vision;
- Safety risks associated with large dogs often found at encampments and at eye level with small children;
- Increased vector activity and concerns about leptospirosis found in areas less than a mile away;
- City's enforcement capabilities and its ability to prohibit expansion of encampments;

⁴ Supplemental Declaration of Thomas Gregory in Support of Defendant City of Berkeley's Status Update, Document 380-1, filed on September 18, 2026, Case No. 3:25-CV-01414-EMC, attached

- Sanitation as well as human and animal waste concerns; and
- Exposure to loud profanity, confrontations, threatening behaviors and escalating violence.

City Enforcement Staff are Stretched Thin as They Attempt to Proceed with the Harrison Encampment Abatement, Address Encampments Relocating Close to Vulnerable Populations, While Managing Safety Concerns Throughout the Rest of the City.

On September 15, 2026, the City began abatement of the Harrison encampment save seven individuals the court exempted from this process as their relocation requests and tent sizes had not yet been settled and leaving the clearing of RVs to a later date. The City worked over two days to clear Harrison Street between Sixth through Eighth Street, the areas along Codornices Creek, and the remaining encampments on Eighth Street, north of Harrison to the Albany border. The effort was punctuated by another emergency motion for a TRO which was again denied by the judge. Due to the volume of work the City was unable to finish the abatement effort and intends to complete the work at a later date. Since that time, several Harrison encampment residents have attempted to return to the area and those who were not protected have simply moved to areas on the corridor not yet addressed. City staff have limited capacity to monitor and help maintain areas throughout the City that are being impacted by this homeless crisis. Creating a buffer zone around facilities serving our youngest residents will help ensure their safety and limit their exposure to public health risks.

The City Appeals Judge Chen's Rulings to the Ninth Circuit Court of Appeals.

The City strongly disagrees with the Court's interpretation of the Americans with Disabilities Act (ADA) in this and other lawsuits and has officially appealed these rulings to the Ninth Circuit Court of Appeals. On September 24, 2026, our City Attorney's Office filed an emergency motion to the Ninth Circuit for an administrative stay of Judge Chen's August 28th ruling that would extend his orders regarding ADA accommodations for Harrison encampment residents to the rest of the City.

BACKGROUND

Martin v. Boise Shapes the City's Approach to Addressing Homelessness. The District 1 office has had a long history of addressing homeless-related issues particularly in West Berkeley located in and around the Gilman District. In 2018, the Ninth Circuit Court of Appeals ruled in the *Martin v. City of Boise* lawsuit⁵ that cities cannot criminalize unhoused individuals for sleeping outside on public property when no alternative shelter is available. Berkeley's response to that judgement was to operationalize transitional housing and develop permanent supportive housing to

⁵ United States Court of Appeals for the Ninth Circuit, Robert Martin et. al. v. City of Boise, No. 15-35845, D.C. No. 1:09-cv-00540-REB: <https://cdn.ca9.uscourts.gov/datastore/opinions/2019/04/01/15-35845.pdf>

meet the growing needs of homeless individuals. Thanks to Measures O, P, and U1, and several state Encampment Resolution Fund grants, Berkeley has been able to open hundreds of interim housing and permanent supportive housing units serving thousands of residents over the last number of years.⁶ These efforts have, for the most part, successfully decreased the number of homeless individuals we see on our streets.⁷ However, several hundred homeless individuals remain on Berkeley streets on any given night.

Supreme Court's Grants Pass Ruling Grants the City Greater Flexibility to Close Harrison Encampment. The Supreme Court's June 2024 Grants Pass Ruling⁸ overturned *Martin v. Boise* ruling that enforcing local anti-camping and public sleeping laws does not violate the Eighth Amendment's ban on cruel and unusual punishment. This gives cities the authority to enforce local laws pertaining to homeless individuals camped in the public right of way. That was quickly followed up by Councilmember Kesarwani's Encampment Policy Resolution⁹ that affirmed the City's Housing First approach while also listing circumstances in which the City Manager is authorized to enforce encampment closures and deter re-encampment in the event that shelter offers are not practicable. These circumstances include:

- The Fire Department has determined that an encampment poses a fire hazard or emergency condition as referenced in the Berkeley Fire Code, Berkeley Municipal Code (BMC) Chapter 19.48; or
- The Environmental Health Division of the Health, Housing and Community Services Department has determined that the encampment poses an imminent health hazard as defined in BMC section 11.36.030; or
- The City has determined that a situation constitutes a public nuisance as defined in the BMC and is subject to an abatement pursuant to the BMC; or
- The encampment is located on a City street median, in the roadway, or otherwise in dangerous proximity to traffic pursuant to BMC section 14.32.040; or
- The encampment is located in an area where the City has authorized work (such as for construction, major or minor encroachments, etc.) pursuant to BMC section 13.36.045; or

⁶ See City Manager's Comprehensive Summary of Berkeley's Homeless Response presented during a July 29, 2025 worksession: [https://berkeleyca.gov/sites/default/files/documents/2025-07-29 Special Item 02a Comprehensive Summary of Berkeley's Homeless Response.pdf](https://berkeleyca.gov/sites/default/files/documents/2025-07-29%20Special%20Item%20a%20Comprehensive%20Summary%20of%20Berkeley's%20Homeless%20Response.pdf)

⁷ 2024 saw a 45% decrease of unsheltered homelessness, slightly countered by a 4% increased seen in 2026.

⁸ Supreme Court of the United States: *City of Grants Pass, Oregon v. Johnson*: https://www.supremecourt.gov/opinions/23pdf/23-175_19m2.pdf

⁹ Encampment Policy Resolution to Promote Healthy and Safe Neighborhoods and Related First Reading of Ordinance Amending Chapter 14.48 of the Berkeley Municipal Code, passed on September 10, 2024: <https://berkeleyca.gov/sites/default/files/documents/2024-09-10%20Item%2037%20Encampment%20Policy%20Resolution.pdf>

- The encampment interferes with or impedes city or utility companies' construction or maintenance activities in the public right-of-way, street lighting installation or repair, street tree maintenance, or utilities maintenance or repair.

Encampment Closures Proceed Despite Legal Challenges. In January 2025, pursuant to the Encampment Policy Resolution No. 71,513-N.S. that directed the City to prioritize closing the large encampments along the Harrison corridor and Second Street, the City began the abatement process for the two encampments.¹⁰ Shortly thereafter, the Berkeley Homeless Union (BHU) filed a lawsuit in federal District Court to halt the clearing based on the City's failure to accommodate the encampment residents' disability needs under the Americans with Disabilities Act (ADA). This is the same lawsuit that continues to legally entangle the City and has led to Judge Edward Chen's April 3, 2026 ruling. The City has now attempted to abate the Harrison encampment on several different occasions over the last year and a half. Despite the known presence of leptospirosis, a bacterial disease spread by rats and identified in January 2026, BHU's efforts to halt the closures have largely been successful until recently with the September 15 abatement.

While the Harrison corridor is already greatly improved now that most of the encampments and associated belongings have been removed, the City continues to struggle with the remaining encampments and the court-ordered encampment relocation efforts elsewhere in the City.

RATIONALE

Homeless encampments situated near preschools raise numerous concerns. Most notably, they expose young children to unsanitary conditions, discarded hazardous materials, and unpredictable public behaviors. Used and potentially infected needles are sometimes found near encampments and are more accessible to children; human waste and trash more quickly accumulate near encampments, along with unsanitary conditions. Improper food storage attracts rats and other pests that can spread diseases, such as leptospirosis. Unsecured animals can sometimes act aggressively toward children traveling to and from the school facilities, and individuals struggling with severe mental health crises leading to erratic actions can be threatening and disturbing to witness.

¹⁰ The City's efforts to close the Second Street encampment that largely consisted of RV's was remarkably successful, no doubt a result of the Pilot RV buy-back program that offered cash value per square footage of the vehicle in exchange for encampment residents moving into transitional shelter. See Dr. Margot Kushel's Interim Evaluation of the Berkeley Encampment Resolution/RV Buyback Program, Benioff Homeless and Housing Initiative, UCSF, March 2026: [https://homelessness.ucsf.edu/sites/default/files/2026-03/Berkeley RV Interim Evaluation Final 3.31.pdf](https://homelessness.ucsf.edu/sites/default/files/2026-03/Berkeley%20RV%20Interim%20Evaluation%20Final%203.31.pdf)

Because of these concerns, many other cities within the state have already enacted encampment bans near schools and other sensitive areas:

- Los Angeles adopted Municipal Code Section 41.18 that allows city leaders to establish zones where unhoused people cannot sit, lie down, sleep, or store personal property in certain public spaces and near specific sensitive locations, banning encampments within 500 feet of schools, July 2021;¹¹
- City of Sacramento approved banning homeless encampments within 500 feet of k-12 schools, adding them to the list of the city's existing Critical Infrastructure Ordinance, October 2022;¹²
- City of Oakland reclassified specific geographic areas as Highest Priority Zones for purposes of enforcement and intervention, including proximity to schools, creating a 150-foot buffer for elementary, middle, pre-school or childcare centers, and a 100-foot buffer from high schools;¹³ and
- City of San Jose established School Clearance Zones banning all homeless encampments within 150 feet of k-12 schools citywide, January 2024.¹⁴

FISCAL IMPACTS

The fiscal impacts of implementing a buffer zone around licensed preschools and in-home early childhood daycare facilities is limited to staff time to enforce this policy.

ENVIRONMENTAL IMPACTS

Encampments often are coupled with hazardous materials such as human waste and contaminated needles and increased vector activity. Prohibiting encampments in certain sensitive areas of the City will eliminate public health and safety concerns and improve the conditions of those areas for all users.

CONTACT

Councilmember Rashi Kesarwani, District 1

(510) 981-7110

ATTACHMENTS

¹¹ Parts of LA Municipal Code 41.18 were recently selectively repealed in August, 2026 though none of the repealed sites were near schools. LA Municipal Code Section 41.18:

https://codelibrary.amlegal.com/codes/los_angeles/latest/lamc/0-0-0-128514

¹² City of Sacramento City Council Report August 1, 2023, Critical Infrastructure List Resolution:

https://sacramento.granicus.com/MetaViewer.php?view_id=22&clip_id=5631&meta_id=741121

¹³ City of Oakland Resolution NO. 91102, amended April 2026:

<https://acrobat.adobe.com/id/urn:aaid:sc:va6c2:12773cfc-642c-4c26-89be-d03f74bee7b9?viewer%21megaVerb=group-discover>

¹⁴ San Jose Spotlight, January 2024 City Council Agenda Item 8.2: Addressing Encampments and oversized Vehicles Around Schools: https://sanjosespotlight.com/wp-content/uploads/2024/01/mini-packet_City-Council_20240130202315564.pdf

- 1) Resolution Amending Encampment Policy No. 71,513-N.S., underlined
- 2) Administrative Regulation 10.2 Regulating Temporary Non-Commercial Objects on Sidewalks and in Parklets, Pursuant to BMC § 14.48.120
- 3) April 3, 2026 Order Granting in Part and Denying in Part Cross-Motions for Summary Judgement
- 4) September 18, 2026 Supplemental Declaration of Thomas Gregory in Support of Defendant City of Berkeley's Status Update

RESOLUTION NO. XX,XXX-N.S.

ENCAMPMENT POLICY RESOLUTION TO PROMOTE HEALTHY AND SAFE
NEIGHBORHOODS

WHEREAS, offering shelter and housing to homeless individuals is considered a best practice, according to the United States Interagency Council on Addressing Homelessness; and

WHEREAS, the City of Berkeley expresses its continued commitment to a Housing First approach, in which we recognize that people experiencing homelessness must first be able to access a decent, safe place to live before stabilizing, improving health, reducing harmful behaviors, or increasing income; and

WHEREAS, in 2018, Berkeley voters approved an increase in the real estate transfer tax for the top third of real estate transactions to augment General Fund resources available for homeless services, known as Measure P, which has helped to fund transitional housing motels Berkeley Inn and Campus Hotel (formerly Super 8) and permanent supportive housing sites Golden Bear Homes, The Rodeway Inn, and Step-Up Housing (under construction), and will be considered by the voters for extension in November 2024 as Measure W; and

WHEREAS, from 2022 to 2024, the City saw a dramatic 45 percent reduction in street homelessness corresponding with a 54 percent increase in sheltered homelessness, and an overall 21 percent reduction in homelessness, illustrating that the provision of transitional and permanent supportive housing can successfully reduce overall homelessness; and

WHEREAS, in 2018, the Ninth Circuit Court of Appeals ruled in *Martin v. City of Boise* that “as long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property,” which required the City of Berkeley to make a shelter offer in all circumstances; and

WHEREAS, the recent Supreme Court decision in *Grants Pass v. Johnson* overturns the *Martin* standard, thus giving cities like Berkeley the authority to set a more nuanced encampment policy that considers exigent circumstances of fire, health, and nuisance abatement pursuant to the Berkeley Municipal Code; and

WHEREAS, certain encampments have persisted, such as the encampments in the Harrison Corridor (between Ninth and Seventh Streets and Eighth Street north of

Harrison), and the Second and Cedar Area (Cedar between Eastshore and Fourth, and Second between Page and Cedar and on Page and Jones west of Fourth), despite documented fire, environmental health, and nuisance hazards as defined in the Berkeley Municipal Code and ongoing exhaustive City staff efforts to offer shelter when available and abate hazards; and

WHEREAS, City staff have provided extensive services for individuals sheltering in the Harrison Corridor area, including reserving the 23 rooms at the Campus Hotel (formerly Super 8) for residents of the Harrison corridor. City staff have also provided case management and engagement, abatement of rodent harborage conditions, deep cleaning and trash removal four times per week, and basic sanitation services including portapotties, a handwashing station, weekly showers, and laundry services; and

WHEREAS, calls for Berkeley Police and Fire service are exceedingly high at both encampment areas with Berkeley Police calls for service at the Harrison encampment during 12 months (August 1, 2023 - July 31, 2024) totaling 252 and at Cedar and Second Streets encampment totaling 369—on average one call every day to day-and-a-half—and calls for Berkeley Fire service totaling 78 and 81, for each encampment respectively, during that same timeframe, with safety impacts for nearby residents, workers, and visitors and detrimental impacts on business operations.

WHEREAS, young children ages zero to five years are particularly vulnerable and at risk of picking up objects that could be dangerous or contaminated.

NOW THEREFORE, BE IT RESOLVED that the City of Berkeley will continue to offer interim housing (generally a shelter offer, with a preference for non-congregate options) when closing encampments, whenever practicable, in accordance with the City's existing "Housing First" approach and best practices guidance from the federal government;

BE IT FURTHER RESOLVED, in the event that the City Manager determines that a shelter offer is not practicable, then the City Manager is nonetheless authorized to enforce state and local laws to address the following specific circumstances:

- The Fire Department has determined that an encampment poses a fire hazard or emergency condition as referenced in the Berkeley Fire Code, BMC Chapter 19.48; or
- The Environmental Health Division of the Health, Housing and Community Services Department has determined that the encampment poses an imminent health hazard as defined in BMC section 11.36.030; or
- The City has determined that a situation constitutes a public nuisance as defined in the BMC and is subject to an abatement pursuant to the BMC; or

- The encampment is located on a City street median, in the roadway, or otherwise in dangerous proximity to traffic pursuant to BMC section 14.32.040; or
- The encampment is located in an area where the City has authorized work (such as for construction, major or minor encroachments, etc.) pursuant to BMC section 13.36.045; or
- The encampment interferes with or impedes city or utility companies' construction or maintenance activities in the public right-of-way, street lighting installation or repair, street tree maintenance, or utilities maintenance or repair.
- The encampment is located within 600 feet of any licensed preschool and/or in-home early childhood daycare facility as measured by a straight line from the nearest point of the property line of the parcel on which the pre-school/in-home early childhood daycare facility is located to the nearest point of the encampment, including its associated belongings.

BE IT FURTHER RESOLVED, the City Manager is authorized to take actions to deter re-encampment (after clearing an encampment involving any of the six instances enumerated above) through such means as hardscaping; signage that references state Penal Code Section 647(e); and/or enforcement through applicable state and local laws, even if a shelter offer is not practicable.

BE IT FURTHER RESOLVED, that the City Council determines that the Harrison Corridor (Harrison Street between Ninth and Seventh Streets, including Eighth Street north of Harrison) and the Second and Cedar area (Second Street between Cedar and Page, Cedar from Eastshore Highway to Fourth, and on Page and Jones Streets west of Fourth) meet all six health and safety exceptions as proscribed by the above-stated policy and should therefore be prioritized for enforcement.