



**Jesse Arreguín**  
District 4

**ACTION CALENDAR**  
January 29, 2013

To: Honorable Mayor and Members of the City Council  
From: Councilmember Jesse Arreguín  
Subject: Support of Assembly Bill 5, The Homeless Bill of Rights and Fairness Act

**RECOMMENDATION:**

Adopt a Resolution supporting Assembly Bill (AB) 5, authored by Assemblymember Tom Ammiano, which would amend the Jesse Unruh Civil Rights Act to include “housing status” as an impermissible basis for discrimination and reaffirms other civil rights. Copies of the resolution shall be sent to Senator Pro Tem Darrell Steinberg, Senators Loni Hancock, Assembly Speaker John A. Pérez, and Assemblymembers Nancy Skinner and Tom Ammiano.

**BACKGROUND:**

The “Homeless Bill of Rights” guarantees that no person’s rights, privileges or access to public spaces and services will be denied or abridged solely because he or she is homeless, has a low income, or suffers from a mental illness or physical disability.

Last year, the State of Rhode Island passed a first-of-its-kind Homeless Bill of Rights,” signed by Governor Lincoln Chafee, a former Republican currently self-identified as Independent. On July 31, 2012, Berkeley City Council unanimously urged the Legislature to follow the lead of Rhode Island and adopt the California Bill of Rights. Assemblymember Tom Ammiano has introduced the Homeless Bill of Rights as AB 5 for the 2013-2014 Legislative Session.

This is a follow-up resolution that is consistent with last year’s endorsement of the Homeless Bill of Rights that is now in Bill-form.

**FINANCIAL IMPLICATIONS:**

None.

**CONTACT PERSONS:**

Jesse Arreguín, Councilmember, District 4 981-7140

**Attachments:**

1. Assembly Bill 5
2. Resolution

RESOLUTION NO.

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 5, ESTABLISHING THE  
HOMELESS BILL OF RIGHTS

WHEREAS, in America, a country filled with infinite promise, the continuing problem of homelessness is deeply disturbing; and

WHEREAS, the most recent available data estimates that there 649,917 people experiencing homelessness in the U.S. on any given night and that more than 1.59 million people spent a least one night in emergency shelter or transitional housing over the last year<sup>1</sup>; and

WHEREAS, according to the 2011 point-in-time homeless count, there are over 4000 homeless individuals residing in Alameda County and over 680 in the City of Berkeley; and

WHEREAS, the current economic recession and foreclosure crisis exacerbate the problem of homelessness and that the number of homeless individuals is projected to increase by %2 over the next year as the lingering effects of the recession and constant budget cuts continue to aggravate deep poverty levels<sup>2</sup>; and

WHEREAS, adequate and permanent shelter is a basic need, and its absence has a deleterious effect upon physical and mental health, personal development, and the ability to exercise individual rights and obligations; and

WHEREAS, groups who have historically been discriminated against, such as ethnic minorities, persons with mental illness, women, children and youth, have been disproportionately affected by the lack of affordable and suitable housing; and

WHEREAS, unfortunate, inflammatory attitudes exists towards men, women, and children who are homeless, and are often times scapegoats in times of economic hardship; and

WHEREAS, no person should be deprived of a decent quality of life, rights, privileges or access to public spaces and services, simply because of their housing status.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Berkeley that it hereby supports the Assembly Bill 5, the Homeless Bill of Rights, so that that those without a home may enjoy the same rights afforded to all others.

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to Senator Pro Tem Darrell Steinberg, Senators Loni Hancock, Assembly Speaker John A. Pérez, and Assemblymembers Nancy Skinner and Tom Ammiano.

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<sup>1</sup> USHUD 2010 Annual Homeless Assessment Report to Congress

<sup>2</sup> National Alliance to End Homelessness "Increases in Homelessness on the Horizon." 2011.