

1 Stephen T. Owens (SBN 082601)
sowens@agclawfirm.com
2 Eric G. Salbert (SBN 276073)
esalbert@agclawfirm.com
3 Christy M. Garcia (SBN 316570)
cgarcia@agclawfirm.com
4 ALVAREZ-GLASMAN & COLVIN
13181 Crossroads Parkway North, Suite 400
5 City of Industry, CA 91746
Tel. (562) 699-5500 · Fax (562) 692-2244

6 Attorneys for Defendants
7 CITY OF CHICO and CITY OF CHICO
8 POLICE DEPARTMENT

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION
11

12 BOBBY WARREN; ANDY LAMBACH;
13 JONATHON WILLIAMS; MICHAEL
14 SAMUELSON; TRACY MILLER;
15 TONA PETERSEN; CAROL BETH
16 THOMPSON; CHRISTA STEVENS,

16 Plaintiffs,

17 vs.

18
19 CITY OF CHICO; CITY OF CHICO
20 POLICE DEPARTMENT,

21 Defendants.

) Case No.: 2:21-cv-00640-DAD-DMC

)
) **DEFENDANTS’ OBJECTIONS TO**
) **DECLARATIONS OF SARAH**
) **STEINHEIMER, CORY TURNER,**
) **PATRICK TELLES, AND HILARY**
) **CROSBY**

) (Reply Memorandum, Request For Judicial
) Notice, and Response to Plaintiffs’ Objections to
) Defendants’ Declarations filed concurrently
) herewith)

) **Hearing on Motion**

) Vacated

) Complaint Filed: April 11, 2021

) Case Closed: January 14, 2022

22)
23)
24)
25 Defendants City of Chico and Chico Police Department (the “City”) object to the declarations
26 of Sarah Steinheimer, Cory Turner, Patrick Telles, and Hilary Crosby, as filed by Plaintiffs Bobby
27

1 Warren, Andy Lambach, Jonathon Williams, Michael Samuelson, Tracy Miller, Tona Petersen, Carol
2 Beth Thompson and Christa Stevens’ (“Plaintiffs”), for the reasons set forth below.

3 **I. Objections to Declaration of Sarah Steinheimer**

4 **a. Objection No. 1**

5 Material objected to: “The parties attended seven settlement conferences with Judge Newman
6 between August 30, 2021, to December 29, 2021. I attended all of the settlement conferences.”
7 Steinheimer Decl. ¶ 3, 2:9-10.

8 Ground(s) for objection: Relevance: The number of settlement conferences attended and by
9 whom is not relevant and, even if there were some probative value to this information, the same is
10 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403.

11 **b. Objection No. 2**

12 Material objected to: “Along with the City’s attorneys, City Manager Mark Orme and Director
13 of Public Works Eric Gustafson also attended all of the settlement conferences.” Steinheimer Decl. ¶ 4,
14 2:11-12.

15 Ground(s) for objection: Relevance: The number of settlement conferences attended and by
16 whom is not relevant and, even if there were some probative value to this information, the same is
17 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403.

18 **c. Objection No. 3**

19 Material objected to: “During the course of settlement discussions, I and the City’s attorneys
20 exchanged at least thirteen settlement drafts before reaching final agreement.” Steinheimer Decl. ¶ 5,
21 2:13-14.

22 Ground(s) for objection: Relevance: The participation in settlement discussions and
23 exchanging of drafts is not relevant and, even if there were some probative value to this information,
24 the same is substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 &
25 403. Documentary evidence: Plaintiffs have not provided the original underlying documents referred
26 to to the City for copying at a reasonable place and time, have not established that the underlying
27
28

1 documents are admissible into evidence, and have not established that the summary is accurate. FRE
2 1002 & 1006.

3 **II. Objections to Declaration of Cory Turner**

4 **a. Objection No. 4**

5 Material objected to: “I communicate regularly with Plaintiffs Bobby Warren, Andy Lambach,
6 Michael Samuelson, Tracy Miller, Tona Peterson, Carol Beth Thompson, and Christa Stevens.
7 Currently, four of the Plaintiffs are living at the Pallet Shelter Site, also called Genesis.” Turner Decl. ¶
8 2, 2:6-8.

9 Ground(s) for objection: Relevance: The bare fact of communicating with any named plaintiff,
10 and the number of plaintiffs in the City’s shelter, are not relevant facts and, even if there were some
11 probative value to this information, the same is substantially outweighed by confusion of the issues and
12 waste of time. No information is provided as to whether additional plaintiffs have resided at the City’s
13 shelter at other points in time, why any such persons no longer reside there, or any other information
14 that might be relevant to understanding whether there has been any claimed violation of the Settlement
15 Agreement as a result (there has not). FRE 401, 402 & 403.

16 **b. Objection No. 5**

17 Material objected to: “I have read the City of Chico’s Motion for Relief from Final Judgment or
18 Order Pursuant to FRCP 60(b) and the declarations provided in support of the motion. ECF No. 213. I
19 know their contents.” Turner Decl. ¶ 3, 2:9-10.

20 Ground(s) for objection: Relevance: The reading of the City’s motion is not relevant and, even
21 if there were some probative value to this information, the same is substantially outweighed by
22 confusion of the issues and waste of time. FRE 401, 402 & 403.

23 **c. Objection No. 6**

24 Material objected to: “Among other things, this notice states where the City plans to enforce is
25 anti-camping ordinances, how many people it has determined are at the site, and how many shelter
26 spaces are available in the City. I have received every Pre-Enforcement Notice the City has provided to
27 Plaintiffs’ counsel and am familiar with their contents.” Turner Decl. ¶ 4, 2:13-16.

1 Ground(s) for objection: Relevance: The stated content of the City’s notices is not relevant
2 and, even if there were some probative value to this information, the same is substantially outweighed
3 by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of personal knowledge:
4 Plaintiffs’ counsel has not demonstrated any basis of knowledge as to the content of the City’s notices
5 and has not demonstrated that whatever notice is being referred to actually came from the City. FRE
6 602. Hearsay: the statements in the City’s notices is hearsay. FRE 801 & 802. Documentary
7 evidence: Plaintiffs have not provided the original underlying documents referred to to the City for
8 copying at a reasonable place and time, have not established that the underlying documents are
9 admissible into evidence, and have not established that the summary is accurate. FRE 1002 & 1006.

9 **d. Objection No. 7**

10 Material objected to: “However, Plaintiffs have not objected to any of the nine (9)
11 enforcements the City has done in 2024. Since the City began enforcement of its anti-camping
12 ordinances under the Settlement in May 2022, the City has done 30 enforcements and Plaintiffs have
13 only objected to eight (8). Plaintiffs have only objected when the City’s planned enforcement violated
14 the Settlement Agreement. In half of the eight objections, the parties reached agreement about the
15 dispute on their own, and in the other half, the parties had an informal conference with the court. In
16 each case, including those discussed in Mr. Sorensen’s declaration, the City changed at least part of its
17 planned conduct as a result of the Dispute Resolution and to comply with the Settlement.” Turner Decl.
18 ¶ 6, 2:21-28.

19 Ground(s) for objection: Relevance: The number of times Plaintiffs’ counsel have objected to
20 notices from the City’s counsel is not relevant as there is no explanation as to how much delay occurred
21 due to any objections or what type of impact on public health and safety those delays created and, even
22 if there were some probative value to this information, the same is substantially outweighed by
23 confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of personal knowledge:
24 Plaintiffs’ counsel has not demonstrated any basis for claiming to know the reasons the City took any
25 actions. FRE 602. Inadmissible opinion: Plaintiffs’ counsel cannot opine that the City’s planned
26 enforcement actions violated the Settlement Agreement and have provided no facts to substantiate any
27 such allegation, which do not exist; further, Plaintiffs’ counsel cannot opine as to any reasons why the
28 City may have changed any course of conduct. FRE 701, 702 & 703. Hearsay: any suggested content

1 within the City's notices is hearsay. FRE 801 & 802. Documentary evidence: Plaintiffs have not
2 provided the original underlying documents referred to to the City for copying at a reasonable place and
3 time, have not established that the underlying documents are admissible into evidence, and have not
4 established that the summary is accurate. FRE 1002 & 1006.

5 **e. Objection No. 8**

6 Material objected to: "It was at this enforcement that I first learned that the City would not let
7 people choose which shelter to go to through the Individual Assessment and referral process, even
8 when there was space for the person at their preferred shelter. According to the City's Pre-Enforcement
9 Notice, there were 65 open Pallet Shelters. My office assisted eleven people who were at this
10 enforcement trying to get into the Pallet Shelter. The City's Outreach and Engagement Team initially
11 refused to give them a referral to the Pallet Shelter. Ultimately through our advocacy, at least four of
12 our clients were allowed to enter the Pallet Shelter, but five of the eleven, all of whom met the shelter's
13 eligibility criteria, were denied. These clients were refused shelter they would have gone into even
14 though there was ample space for them there. I know there was enough space for them at the Pallet
15 Shelter, because less than a month after this enforcement, we received a new Pre-Enforcement Notice
16 that stated there were 40 available Pallet Shelters." Turner Decl. ¶ 8, 3:4-14.

17 Ground(s) for objection: Relevance: Neither the assessment and referral process nor any
18 homeless person's desire about where to be sheltered is relevant because there is no explanation as to
19 whether the same indicates any violation of the Settlement Agreement (they do not) and, even if there
20 were some probative value to this information, the same is substantially outweighed by confusion of the
21 issues and waste of time. FRE 401, 402 & 403. Lack of personal knowledge: no explanation is
22 provided as to how Plaintiffs' counsel knows what the assessment and referral process was or the
23 specifics of what the City did during enforcement actions; further, there is no adequate basis for
24 claiming that enough space existed at a particular shelter at one point in time when the claimed basis
25 for so concluding is premised on shelter availability at another point in time. FRE 602. Hearsay: what
26 any homeless person or the City is claimed to have said during enforcement actions is hearsay. FRE
27 801 & 802. Documentary evidence: Plaintiffs have not provided the original underlying documents
28 referred to to the City for copying at a reasonable place and time, have not established that the

1 underlying documents are admissible into evidence, and have not established that the summary is
2 accurate. FRE 1002 & 1006.

3 **f. Objection No. 9**

4 Material objected to: “Mr. Sorensen states that Plaintiffs objections have caused delay in the
5 City being able to house homeless persons. ECF No. 213 at 38, ¶ 41. This is not correct. The Settlement
6 does not prohibit the City from offering Shelter to homelessness persons outside of an enforcement of
7 the anti-camping ordinances.” Turner Decl. ¶ 9, 3:15-18.

8 Ground(s) for objection: Relevance: Whether the Settlement Agreement allows for entry to
9 shelter outside enforcement is not relevant as there is no explanation as to why that has any impact on
10 delays and, even if there were some probative value to this information, the same is substantially
11 outweighed by confusion of the issues and waste of time because the City is concerned with delays that
12 hamper its ability to address public health and safety issues at encampments and non-enforcement
13 shelter entries do not enable the City to clean encampments. FRE 401, 402 & 403. Hearsay:
14 Plaintiffs’ counsel’s incomplete reference to Mr. Sorensen’s statements is hearsay. FRE 801 & 802.

15 **g. Objection No. 10**

16 Material objected to: “After the Settlement was finalized, the Parties met and conferred
17 pursuant to Paragraph 6 of the agreement to develop the Pallet Shelter Site’s low-barrier policies and
18 procedures. I was present in these meetings and was included on all written correspondence between
19 the parties. The Parties reached agreement on all but six (6) proposed rules where their dispute could
20 not be resolved informally. ECF Nos. 162-164, 166. Pursuant to the Dispute Resolution procedures in
21 Paragraph 16 of the Settlement, the Parties then appeared before Magistrate Judge Newman on April
22 28, 2022. ECF No. 168; ECF No. 169, at 1:22-23. Judge Newman’s Order on the Dispute Resolution
23 hearing found in favor of Plaintiffs on four of the six rules and partially in Plaintiffs’ favor on one of
24 the remaining two rules. ECF No. 169.” Turner Decl. ¶ 10, 3:19-26.

25 Ground(s) for objection: Relevance: The creation of shelter policies is not relevant as there is
26 no explanation as to whether the same have any impact regarding a party’s compliance with the
27 Settlement Agreement and, even if there were some probative value to this information, the same is
28 substantially outweighed by confusion of the issues and waste of time; likewise, the number of rules

1 accepted or not is not relevant because there is no indication as to why a rule was accepted or not and,
2 even if there were some probative value to this information, the same is substantially outweighed by
3 confusion of the issues and waste of time. FRE 401, 402 & 403. Inadmissible opinion: any suggestion
4 as to whether a proposed rule was claimed to be “low barrier” or not is inadmissible opinion because
5 there is no explanation of any basis for understanding what is “low barrier.” FRE 701, 702 & 703.
6 Hearsay: suggested communications by the City and Judge Newman are hearsay. FRE 801 & 802.
7 Documentary evidence: Plaintiffs have not provided the original underlying documents referred to to
8 the City for copying at a reasonable place and time, have not established that the underlying documents
9 are admissible into evidence, and have not established that the summary is accurate. FRE 1002 &
10 1006.

11 **h. Objection No. 11**

12 Material objected to: “In compliance with Judge Newman’s order, the City finalized the Pallet
13 Shelter Sites policies and procedures and provided them to my office on May 2, 2022. A true and
14 correct copy of the May 2, 2022, versions of the ‘Pallet Shelter Code of Conduct’ and ‘Shelter
15 Expectations and Policies’ are attached to this declaration as Exhibit A.” Turner Decl. ¶ 11, 3:27-4:2.

16 Ground(s) for objection: Relevance: The creation of shelter policies and codes of conduct is
17 not relevant as there is no explanation as to whether the same have any impact regarding a party’s
18 compliance with the Settlement Agreement and, even if there were some probative value to this
19 information, the same is substantially outweighed by confusion of the issues and waste of time. FRE
20 401, 402 & 403. Lack of personal knowledge: no basis of personal knowledge of the City’s shelter
21 policies and codes of conduct has been provided. FRE 602. Hearsay: The City’s code of conduct and
22 shelter expectations documents are hearsay. FRE 801 & 802. Plaintiffs have not provided the original
23 underlying documents referred to to the City for copying at a reasonable place and time, have not
24 established that the underlying documents are admissible into evidence, and have not established that
25 the summary is accurate. FRE 1002 & 1006.

26 **i. Objection No. 12**

27 Material objected to: “The Pallet Shelter Site’s ‘Shelter Expectations and Policies’ explain that
28 there are only two ways a homeless person can enter the Pallet Shelter. First, through a referral made by
the City’s Outreach and Engagement Team (“O&E Team”) during the City’s enforcement of anti-

1 camping laws ('Enforcement Referral'). Second, through a referral made to a homeless individual that
2 is not subject to enforcement at that time. For this, one way a homeless person could seek that referral
3 was by calling the City and asking to be placed on waitlist ('Waitlist Referral'). Exhibit A at 2-3."
4 Turner Decl. ¶ 12, 4:3-8.

5 Ground(s) for objection: Relevance: The content of shelter policies is not relevant as there is
6 no explanation as to whether the same have any impact regarding a party's compliance with the
7 Settlement Agreement and, even if there were some probative value to this information, the same is
8 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of
9 personal knowledge: no basis of personal knowledge of the City's shelter policies has been provided.
10 FRE 602. Hearsay: The content of the City's shelter policies is hearsay. FRE 801 & 802. Plaintiffs
11 have not provided the original underlying documents referred to to the City for copying at a reasonable
12 place and time, have not established that the underlying documents are admissible into evidence, and
13 have not established that the summary is accurate. FRE 1002 & 1006.

13 **j. Objection No. 13**

14 Material objected to: "People who are experiencing unsheltered homelessness may only enter
15 the Pallet Shelter Site through these methods. So-called 'walk-in' or 'walk-up' admission into the
16 shelter is not available under these policies." Turner Decl. ¶ 13, 4:9-11.

17 Ground(s) for objection: Relevance: The methods for entering shelter are not relevant as there
18 is no explanation as to whether the same have any impact regarding a party's compliance with the
19 Settlement Agreement and, even if there were some probative value to this information, the same is
20 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403.

21 **k. Objection No. 14**

22 Material objected to: "In June 2022, the parties agreed to make minor changes to Pallet Shelter
23 waitlist process. This change gave the City flexibility about when it contacted people on the waitlist and
24 allowed the City to make fewer attempts to contact those on the waitlist during an active enforcement,
25 and more when there was not an enforcement." Turner Decl. ¶ 14, 4:12-15.

26 Ground(s) for objection: Relevance: The negotiating of and methods for entering shelter are
27 not relevant as there is no explanation as to whether the same have any impact regarding a party's

1 compliance with the Settlement Agreement and, even if there were some probative value to this
2 information, the same is substantially outweighed by confusion of the issues and waste of time. FRE
3 401, 402 & 403. Inadmissible opinion: Whether any change provided “flexibility” is an opinion for
4 which no basis has been provided. 701, 702 & 703. Hearsay: Whether the City made any “agreement”
5 is hearsay. FRE 801 & 802. Documentary evidence: Plaintiffs have not provided the original
6 underlying documents referred to the City for copying at a reasonable place and time, have not
7 established that the underlying documents are admissible into evidence, and have not established that
8 the summary is accurate. FRE 1002 & 1006.

8 **I. Objection No. 15**

9 Material objected to: “Throughout the Settlement period, our office has been regularly
10 contacted by homeless residents asking how they can enter the Pallet Shelter and telling us that they
11 contacted the waitlist and did not receive a response. In response to these concerns, we began asking
12 the City for information about the efficacy of the waitlist and asked for information on how many
13 people were on the waitlist, how many people had been contacted on the waitlist, and of those, how
14 many people were offered a space at the Pallet Shelter. We learned very few people have entered the
15 Pallet Shelter through the waitlist. The City told us that as of November 3, 2022, which was about 7
16 months after the waitlist phone number became available, the City had received 707 calls. Each call is
17 not necessarily a unique person. By this same time, the City had only attempted to contact the first 377
18 of those callers.” Turner Decl. ¶ 15, 4:16-24.

19 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
20 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
21 party’s compliance with the Settlement Agreement and, even if there were some probative value to this
22 information, the same is substantially outweighed by confusion of the issues and waste of time; further
23 the number of non-enforcement entries is not relevant as there is no explanation as to whether the same
24 has any impact regarding a party’s compliance with the Settlement Agreement and there is no
25 explanation as to how many persons on the “waitlist” were eligible to enter shelter, placed multiple
26 entries on the list, or called from outside jurisdictions and, even if there were some probative value to
27 this information, the same is substantially outweighed by confusion of the issues and waste of time.
28 FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having

1 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602.
2 Inadmissible opinion: no basis has been provided in order to opine on the “efficacy” of any “waitlist.”
3 701, 702 & 703. Hearsay: Reported statements from homeless persons and the City are hearsay. FRE
4 801 & 802. Documentary evidence: Plaintiffs have not provided the original underlying documents
5 referred to to the City for copying at a reasonable place and time, have not established that the
6 underlying documents are admissible into evidence, and have not established that the summary is
7 accurate. FRE 1002 & 1006.

7 **m. Objection No. 16**

8 Material objected to: “The City reported to us that as of December 31, 2022, it had received
9 897 calls to the waitlist, attempted to contact 580 of those callers, and only 8 people were offered a
10 space at the Pallet Shelter. All 8 of those people entered.” Turner Decl. ¶ 16, 4:25-27.

11 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
12 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
13 party’s compliance with the Settlement Agreement and, even if there were some probative value to this
14 information, the same is substantially outweighed by confusion of the issues and waste of time; further
15 the number of non-enforcement entries is not relevant as there is no explanation as to whether the same
16 has any impact regarding a party’s compliance with the Settlement Agreement and there is no
17 explanation as to how many persons on the “waitlist” were eligible to enter shelter, placed multiple
18 entries on the list, or called from outside jurisdictions and, even if there were some probative value to
19 this information, the same is substantially outweighed by confusion of the issues and waste of time.
20 FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having
21 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602. Hearsay:
22 Reported statements from the City are hearsay. FRE 801 & 802. Documentary evidence: Plaintiffs
23 have not provided the original underlying documents referred to to the City for copying at a reasonable
24 place and time, have not established that the underlying documents are admissible into evidence, and
25 have not established that the summary is accurate. FRE 1002 & 1006.

24 **n. Objection No. 17**

25 Material objected to: “In a meeting with the City Attorney and City Staff on January 9, 2024, I
26 learned that the City was not actually treating the Pallet Shelter waitlist as a waitlist for entry into the
27
28

1 Pallet Shelter. Rather, when someone’s name came to the top of the waitlist, the person was only
2 offered a meeting with the O&E Team and told what shelter the O&E Team thought best suited them.”
3 Turner Decl. ¶ 17, 5:1-4.

4 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
5 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
6 party’s compliance with the Settlement Agreement and, even if there were some probative value to this
7 information, the same is substantially outweighed by confusion of the issues and waste of time. FRE
8 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having
9 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602. Hearsay:
10 What any agent of the City has said is hearsay. FRE 801 & 802.

11 **o. Objection No. 18**

12 Material objected to: “We also learned at this meeting that as of January 3, 2024, the City had
13 received 1,906 calls to the waitlist and had attempted to contact 1,019 of the callers. They had only
14 reached 19 people through the waitlist up to that time. Of those 19 people, 13 were offered a Pallet
15 Shelter and 6 were referred to the Torres Shelter.” Turner Decl. ¶ 18, 5:5-8.

16 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
17 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
18 party’s compliance with the Settlement Agreement and, even if there were some probative value to this
19 information, the same is substantially outweighed by confusion of the issues and waste of time; further
20 the number of non-enforcement entries is not relevant as there is no explanation as to whether the same
21 has any impact regarding a party’s compliance with the Settlement Agreement and there is no
22 explanation as to how many persons on the “waitlist” were eligible to enter shelter, placed multiple
23 entries on the list, or called from outside jurisdictions and, even if there were some probative value to
24 this information, the same is substantially outweighed by confusion of the issues and waste of time.
25 FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having
26 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602. Hearsay:
27 What any agent of the City has said is hearsay. FRE 801 & 802. Documentary evidence: Plaintiffs
28 have not provided the original underlying documents referred to to the City for copying at a reasonable

1 place and time, have not established that the underlying documents are admissible into evidence, and
2 have not established that the summary is accurate. FRE 1002 & 1006.

3 **p. Objection No. 19**

4 Material objected to: “On January 11, 2024, the City re-iterated that it intended to continue
5 using the waitlist for multiple shelters, and not just for the Pallet Shelter Site.” Turner Decl. ¶ 19, 5:9-
6 10.

7 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
8 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
9 party’s compliance with the Settlement Agreement and, even if there were some probative value to this
10 information, the same is substantially outweighed by confusion of the issues and waste of time. FRE
11 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having
12 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602. Hearsay:
13 What the City stated is hearsay. FRE 801 & 802. Documentary evidence: Plaintiffs have not provided
14 the original underlying documents referred to to the City for copying at a reasonable place and time,
15 have not established that the underlying documents are admissible into evidence, and have not
16 established that the summary is accurate. FRE 1002 & 1006.

16 **q. Objection No. 20**

17 Material objected to: “On December 11, 2023, my colleagues and I met with the Chico City
18 Attorney, City staff, and the Pallet Shelter Operator. When discussing Enforcement Referrals, we
19 learned that there had been 327 referrals to the Pallet Shelter since the City began enforcing in May
20 2022. But only 33 of those referrals had happened since June 1, 2023. According to the Pre-
21 Enforcement Notices we received from the City, the City conducted enforcements against at least 179
22 people at 16 properties during that time. These 179 people are not unique individuals. The average
23 monthly referral rate for the 294 referrals from May 2022 through May 31, 2023, was approximately 22
24 to 23 Pallet Shelter referrals per month, while the monthly rate for the 33 Pallet Shelter referrals from
25 June 1, 2023, to December 11, 2023, dropped to approximately 5-6 Pallet Shelter referrals per month.”
26 Turner Decl. ¶ 20, 5:11-19.

1 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
2 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
3 party's compliance with the Settlement Agreement and, even if there were some probative value to this
4 information, the same is substantially outweighed by confusion of the issues and waste of time; further
5 the number of non-enforcement entries is not relevant as there is no explanation as to whether the same
6 has any impact regarding a party's compliance with the Settlement Agreement and there is no
7 explanation as to how many persons on the "waitlist" were eligible to enter shelter, placed multiple
8 entries on the list, or called from outside jurisdictions and, even if there were some probative value to
9 this information, the same is substantially outweighed by confusion of the issues and waste of time.
10 FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs' counsel provides no basis for having
11 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602. Hearsay:
12 What any agent of the City stated is hearsay. FRE 801 & 802. Documentary evidence: Plaintiffs have
13 not provided the original underlying documents referred to to the City for copying at a reasonable place
14 and time, have not established that the underlying documents are admissible into evidence, and have
15 not established that the summary is accurate. FRE 1002 & 1006.

14 **r. Objection No. 21**

15 Material objected to: "Also at the December 11, 2023, meeting, the City said that out of the 327
16 total Pallet Shelter referrals, only one (1) person contacted them and asked to be referred to a different
17 shelter." Turner Decl. ¶ 21, 5:20-21.

18 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
19 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
20 party's compliance with the Settlement Agreement and, even if there were some probative value to this
21 information, the same is substantially outweighed by confusion of the issues and waste of time; further
22 the number of non-enforcement entries is not relevant as there is no explanation as to whether the same
23 has any impact regarding a party's compliance with the Settlement Agreement and there is no
24 explanation as to how many persons on the "waitlist" were eligible to enter shelter, placed multiple
25 entries on the list, or called from outside jurisdictions and, even if there were some probative value to
26 this information, the same is substantially outweighed by confusion of the issues and waste of time.
27 FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs' counsel provides no basis for having
28

1 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602. Hearsay:
2 What any agent of the City stated is hearsay. FRE 801 & 802.

3 **s. Objection No. 22**

4 Material objected to: “In that same December 11, 2023, meeting discussed above, a member of
5 City staff said that the number of people who refused assessments during enforcements was not
6 significant.” Turner Decl. ¶ 22, 5:23-25.

7 Ground(s) for objection: Relevance: Whether a homeless person wants to control what shelter
8 they enter is not relevant as there is no explanation as to whether the same has any impact regarding a
9 party’s compliance with the Settlement Agreement and, even if there were some probative value to this
10 information, the same is substantially outweighed by confusion of the issues and waste of time; further
11 the number of non-enforcement entries is not relevant as there is no explanation as to whether the same
12 has any impact regarding a party’s compliance with the Settlement Agreement and there is no
13 explanation as to how many persons on the “waitlist” were eligible to enter shelter, placed multiple
14 entries on the list, or called from outside jurisdictions and, even if there were some probative value to
15 this information, the same is substantially outweighed by confusion of the issues and waste of time.
16 FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having
17 personal knowledge about how the City conducts non-enforcement shelter entries. FRE 602. Hearsay:
18 What any agent of the City stated is hearsay. FRE 801 & 802.

19 **t. Objection No. 23**

20 Material objected to: “To comply with this requirement for homeless persons it acknowledges
21 have nowhere else to live in Chico, the City set aside a public property at the corner of Eaton Road and
22 Cohasset Road (known as the “Alternate Site”) where it refers such persons. For the life of the
23 Settlement, the City will not enforce its anti-camping laws against homeless persons who are camping
24 at the Alternate Site pursuant to a referral they received from the O&E Team. The City only allows
25 homeless persons who received a referral from the O&E Team to live at the Alternate Site. At the
26 December 11, 2023, meeting, the City said it had made 31 referrals to the Alternate Site. The City later
27 reported that O&E had made an additional seven (7) referrals to the Alternate Site at enforcements
28 between January 16, 2024, and March 14, 2024. I have visited the Alternate Site throughout the

1 Settlement period. As of today, there appear to be approximately 15 to 20 people living there.” Turner
2 Decl. ¶ 23, 6:2-11.

3 Ground(s) for objection: Relevance Whether a homeless person wants to control what shelter
4 or alternate they enter is not relevant as there is no explanation as to whether the same has any impact
5 regarding a party’s compliance with the Settlement Agreement and, even if there were some probative
6 value to this information, the same is substantially outweighed by confusion of the issues and waste of
7 time; further the number of alternate site entries is not relevant as there is no explanation as to whether
8 the same has any impact regarding a party’s compliance with the Settlement Agreement and, even if
9 there were some probative value to this information, the same is substantially outweighed by confusion
10 of the issues and waste of time. FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel
11 provides no basis for having personal knowledge about how the City conducts alternate site entries.
12 FRE 602. Hearsay: What any agent of the City stated is hearsay. FRE 801 & 802.

12 **III. Objections to Declaration of Patrick Telles**

13 **a. Objection No. 24**

14 Material objected to: “On August 21, 2023, at 1:00 P.M. I attended the Butte Countywide
15 Homeless Continuum of Care meeting on Zoom.” Telles Decl. ¶ 2, 2:7-8.

16 Ground(s) for objection: Relevance: Plaintiffs’ counsel’s attendance at a county Zoom meeting
17 is not relevant and, even if there were some probative value to this information, the same is
18 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403.

19 **b. Objection No. 25**

20 Material objected to: “At this Continuum of Care meeting, I heard Amber Abney-Bass, the
21 Executive Director of the Jesus Center, present information on the current status of the Genesis Pallet
22 Shelter.” Telles Decl. ¶ 3, 2:9-10.

23 Ground(s) for objection: Relevance: Plaintiffs’ counsel’s attendance at a county Zoom meeting
24 is not relevant and, even if there were some probative value to this information, the same is
25 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of
26 personal knowledge: Plaintiffs’ counsel provides no basis for having personal knowledge about the
27
28

1 status of the “Genesis Pallet Shelter.” FRE 602. Hearsay: Statements from Amber Abney-Bass are
2 hearsay. FRE 801 & 802.

3 **c. Objection No. 26**

4 Material objected to: “During this presentation Ms. Abney-Bass stated that since the Genesis
5 Pallet Shelter opened in April 2022 there have been 315 individuals who had stayed in the shelter.”
6 Telles Decl. ¶ 4, 2:12-13.

7 Ground(s) for objection: Relevance: Plaintiffs’ counsel’s attendance at a county Zoom meeting
8 is not relevant and, even if there were some probative value to this information, the same is
9 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of
10 personal knowledge: Plaintiffs’ counsel provides no basis for having personal knowledge about the
11 status of the “Genesis Pallet Shelter.” FRE 602. Hearsay: Statements from Amber Abney-Bass are
12 hearsay. FRE 801 & 802.

13 **d. Objection No. 27**

14 Material objected to: “On May 7, 2024, I watched the video footage of the Chico City Council
15 Meeting that took place on April 16, 2024, at 6:00 P.M. I viewed this video on the City of Chico’s
16 website on Granicus.com. In this meeting, Director of Public Works Eric Gustafson and Amber Abney-
17 Bass presented a Genesis Pallet Shelter Two-Year Status Report, which was Item 1.7 in the meeting
18 agenda. A recording of this meeting is available at
19 https://chicoca.granicus.com/player/clip/1160?view_id=2&meta_id=90791&redirect=true” Telles
20 Decl. ¶ 5, 2:14-19.

21 Ground(s) for objection: Relevance: Plaintiffs’ counsel’s watching a recording of a Chico City
22 Council meeting is not relevant and, even if there were some probative value to this information, the
23 same is substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403.
24 Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having personal knowledge
25 about the status of the “Genesis Pallet Shelter.” FRE 602. Hearsay: Statements of Amber Abney-Bass
26 and Erik Gustafson are hearsay. FRE 801 & 802. Documentary evidence: Plaintiffs have not provided
27 the original underlying documents referred to to the City for copying at a reasonable place and time,
28

1 have not established that the underlying documents are admissible into evidence, and have not
2 established that the summary is accurate. FRE 1002 & 1006.

3 **e. Objection No. 28**

4 Material objected to: “Mr. Gustafson reported on the budget of the Genesis Pallet Shelter and
5 presented a slide titled ‘2023-24 Genesis –Operations Budget.’ A true and correct copy of that slide is
6 attached hereto as Exhibit A. The budget appears to include the cost of the City’s Outreach and
7 Engagement Team as well as the cost to operate the shelter.” Telles Decl. ¶ 6, 2:20-23.

8 Ground(s) for objection: Relevance: Reporting on any budget associated with the “Genesis
9 Pallet Shelter” is not relevant because there is no explanation as to how that information relates to
10 similar financial information already provided by the City or whether any such information concerns an
11 alleged violation of the Settlement Agreement and, even if there were some probative value to this
12 information, the same is substantially outweighed by confusion of the issues and waste of time because
13 no information has been provided as to when the budget was created as would be necessary for
14 demonstrating whether the City anticipated certain financial expenditures at the time it entered into the
15 Settlement Agreement. FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel
16 provides no basis for having personal knowledge about the budget of the “Genesis Pallet Shelter.” FRE
17 602. Hearsay: Information provided by Erik Gustafson is hearsay. FRE 801 & 802. Documentary
18 evidence: Plaintiffs have not provided the original underlying documents referred to to the City for
19 copying at a reasonable place and time, have not established that the underlying documents are
20 admissible into evidence, and have not established that the summary is accurate. FRE 1002 & 1006.

21 **f. Objection No. 29**

22 Material objected to: “Mr. Gustafson said the City’s budget is for full capacity of the site of 377
23 occupants. This would be if all double Pallet Shelter units had two people in them. He noted that the
24 City cannot force double occupancy in each Pallet Shelter. He estimated about 20% of the units had
25 double occupancy.” Telles Decl. ¶ 7, 2:24-27.

26 Ground(s) for objection: Relevance: Reporting on any budget associated with and the capacity
27 of the “Genesis Pallet Shelter” is not relevant because there is no explanation as to how that
28 information relates to similar financial information already provided by the City or whether any such
information concerns an alleged violation of the Settlement Agreement and, even if there were some

1 probative value to this information, the same is substantially outweighed by confusion of the issues and
2 waste of time because no information has been provided as to when the budget was created as would be
3 necessary for demonstrating whether the City anticipated certain financial expenditures at the time it
4 entered into the Settlement Agreement. FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs'
5 counsel provides no basis for having personal knowledge about the budget of the "Genesis Pallet
6 Shelter." FRE 602. Hearsay: Information provided by Erik Gustafson is hearsay. FRE 801 & 802.
7 Documentary evidence: Plaintiffs have not provided the original underlying documents referred to to
8 the City for copying at a reasonable place and time, have not established that the underlying documents
9 are admissible into evidence, and have not established that the summary is accurate. FRE 1002 &
10 1006.

11 **g. Objection No. 30**

12 Material objected to: "Mr. Gustafson reported that the Genesis Pallet Shelter budget came in
13 under budget in 2023. He presented a slide on this, and attached hereto as Exhibit B is a true and
14 correct copy of that slide." Telles Decl. ¶ 8, 3:1-2.

15 Ground(s) for objection: Relevance: Reporting on any budget associated with the "Genesis
16 Pallet Shelter" is not relevant because there is no explanation as to how that information relates to
17 similar financial information already provided by the City or whether any such information concerns an
18 alleged violation of the Settlement Agreement and, even if there were some probative value to this
19 information, the same is substantially outweighed by confusion of the issues and waste of time because
20 no information has been provided as to when the budget was created as would be necessary for
21 demonstrating whether the City anticipated certain financial expenditures at the time it entered into the
22 Settlement Agreement. FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs' counsel
23 provides no basis for having personal knowledge about the budget of the "Genesis Pallet Shelter." FRE
24 602. Hearsay: Information provided by Erik Gustafson is hearsay. FRE 801 & 802. Documentary
25 evidence: Plaintiffs have not provided the original underlying documents referred to to the City for
26 copying at a reasonable place and time, have not established that the underlying documents are
27 admissible into evidence, and have not established that the summary is accurate. FRE 1002 & 1006.

28 **h. Objection No. 31**

1 Material objected to: “He said that the Outreach and Engagement staff was only 1 full time
2 employee rather than the budgeted three and explained this is because ‘we are done with the very large
3 encampments’ and ‘now we are really just focused on smaller encampments.’” Telles Decl. ¶ 9, 3:3-5.

4 Ground(s) for objection: Relevance: Reporting on staffing and any budget associated with the
5 “Genesis Pallet Shelter” is not relevant because there is no explanation as to how that information
6 relates to similar financial information already provided by the City or whether any such information
7 concerns an alleged violation of the Settlement Agreement and, even if there were some probative
8 value to this information, the same is substantially outweighed by confusion of the issues and waste of
9 time because no information has been provided as to when the budget was created as would be
10 necessary for demonstrating whether the City anticipated certain financial expenditures at the time it
11 entered into the Settlement Agreement and there is no explanation as to how staffing and the related
12 focus on certain encampments may have changed over time. FRE 401, 402 & 403. Lack of personal
13 knowledge: Plaintiffs’ counsel provides no basis for having personal knowledge about the budget of
14 the “Genesis Pallet Shelter.” FRE 602. Hearsay: Information provided by Erik Gustafson is hearsay.
15 FRE 801 & 802. Documentary evidence: Plaintiffs have not provided the original underlying
16 documents referred to to the City for copying at a reasonable place and time, have not established that
17 the underlying documents are admissible into evidence, and have not established that the summary is
18 accurate. FRE 1002 & 1006.

17 **i. Objection No. 32**

18 Material objected to: “Mr. Gustafson also discussed the laundry and shower services at Genesis
19 that are required under the Settlement. He said that the City was on track to save 50% of the budgeted
20 \$452,000 for these services because they were contracted out but the City had purchased its own
21 laundry trailer and shower units.” Telles Decl. ¶ 10, 3:6-9.

22 Ground(s) for objection: Relevance: Reporting on shelter services and any budget associated
23 with the “Genesis Pallet Shelter” is not relevant because there is no explanation as to how that
24 information relates to similar financial information already provided by the City or whether any such
25 information concerns an alleged violation of the Settlement Agreement and, even if there were some
26 probative value to this information, the same is substantially outweighed by confusion of the issues and
27 waste of time because no information has been provided as to when the budget was created as would be
28

1 necessary for demonstrating whether the City anticipated certain financial expenditures at the time it
2 entered into the Settlement Agreement. FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’
3 counsel provides no basis for having personal knowledge about the budget of the “Genesis Pallet
4 Shelter.” FRE 602. Hearsay: Information provided by Erik Gustafson is hearsay. FRE 801 & 802.
5 Documentary evidence: Plaintiffs have not provided the original underlying documents referred to to
6 the City for copying at a reasonable place and time, have not established that the underlying documents
7 are admissible into evidence, and have not established that the summary is accurate. FRE 1002 &
8 1006.

8 **j. Objection No. 33**

9 Material objected to: “During this presentation Ms. Abney-Bass reported that over 200 people
10 had stayed at the Genesis each night since February 2023. reported on the number of people who have
11 stayed at Genesis. She stated that since Genesis opened on April 25, 2022 there had been 368 people
12 spending at least one night at the Genesis Shelter. She said this is a ‘tremendous number’ and a ‘very
13 high number of folks who have chosen to come in.’” Telles Decl. ¶ 11, 3:10-14.

14 Ground(s) for objection: Relevance: Reporting on occupancy numbers associated with the
15 “Genesis Pallet Shelter” is not relevant because there is no explanation as to how such information
16 concerns an alleged violation of the Settlement Agreement and, even if there were some probative
17 value to this information, the same is substantially outweighed by confusion of the issues and waste of
18 time. FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for
19 having personal knowledge about the occupancy of the “Genesis Pallet Shelter.” FRE 602. Hearsay:
20 Information provided by Amber Abney-Bass is hearsay. FRE 801 & 802. Documentary evidence:
21 Plaintiffs have not provided the original underlying documents referred to to the City for copying at a
22 reasonable place and time, have not established that the underlying documents are admissible into
23 evidence, and have not established that the summary is accurate. FRE 1002 & 1006.

23 **k. Objection No. 34**

24 Material objected to: “Ms. Abney-Bass also reported on how long people were staying at the
25 shelter and stated that 69% of the total occupants had stayed at least six months. She presented a slide
26 on this data and attached hereto as Exhibit C is a true and correct copy of that slide.” Telles Decl. ¶ 12,
27 3:14-17.

1 Ground(s) for objection: Relevance: Reporting on lengths of stay associated with the “Genesis
2 Pallet Shelter” is not relevant because there is no explanation as to how such information concerns an
3 alleged violation of the Settlement Agreement and, even if there were some probative value to this
4 information, the same is substantially outweighed by confusion of the issues and waste of time. FRE
5 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel provides no basis for having
6 personal knowledge about the lengths of stay associated with the “Genesis Pallet Shelter.” FRE 602.
7 Hearsay: Information provided by Amber Abney-Bass is hearsay. FRE 801 & 802. Documentary
8 evidence: Plaintiffs have not provided the original underlying documents referred to to the City for
9 copying at a reasonable place and time, have not established that the underlying documents are
10 admissible into evidence, and have not established that the summary is accurate. FRE 1002 & 1006.

11
12
13
14
15
16
17
18
19
20
21
22 **I. Objection No. 35**

Material objected to: “She reported that about 27 – 29% of the Pallet Shelter had double
occupancy, but this ‘presents some challenges with only 64 square feet.’” Telles Decl. ¶ 13, 3:18-19.

Ground(s) for objection: Relevance: Reporting on occupancy numbers and square footage
associated with the “Genesis Pallet Shelter” is not relevant because there is no explanation as to how
such information concerns an alleged violation of the Settlement Agreement and, even if there were
some probative value to this information, the same is substantially outweighed by confusion of the
issues and waste of time. FRE 401, 402 & 403. Lack of personal knowledge: Plaintiffs’ counsel
provides no basis for having personal knowledge about square footage and the occupancy of the
“Genesis Pallet Shelter.” FRE 602. Hearsay: Information provided by Amber Abney-Bass is hearsay.
FRE 801 & 802. Documentary evidence: Plaintiffs have not provided the original underlying
documents referred to to the City for copying at a reasonable place and time, have not established that
the underlying documents are admissible into evidence, and have not established that the summary is
accurate. FRE 1002 & 1006.

23 **IV. Objections to Declaration of Hilary Crosby**

24 **a. Objection No. 36**

Material objected to: “My duties as Executive Director of Safe Space include overseeing
shelter operations, compliance with the Homeless Management Information System (HMIS),
supervision of the Street Team Case Management staff and volunteers, developing organizational

1 policies and procedures based on trauma-informed best practices, low-barrier and Housing First
2 admission and operations policies, harm reduction practices, and overseeing and arrange for staff and
3 volunteer trainings on subjects such as LGBTQ+ cultural competency, privacy, and de-escalation.”
4 Crosby Decl. ¶ 2, 2:5-10.

5 Ground(s) for objection: Relevance: Activities at the Safe Space Winter Shelter are not
6 relevant because there is no explanation as to how such information concerns an alleged violation of the
7 Settlement Agreement and, even if there were some probative value to this information, the same is
8 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of
9 personal knowledge: Ms. Crosby does not provide the basis for her understanding of, or training
10 pertaining to concepts such as “compliance with the Homeless Management Information System
11 (HMIS), supervision of the Street Team Case Management staff and volunteers, developing
12 organizational policies and procedures based on trauma-informed best practices, low-barrier and
13 Housing First admission and operations policies, harm reduction practices, and overseeing and arrange
14 for staff and volunteer trainings on subjects such as LGBTQ+ cultural competency, privacy, and de-
15 escalation” despite that she states those are part of her duties. FRE 602. Inadmissible opinion: Ms.
16 Crosby does not provide the basis for any opinions regarding the concepts expressed. 701, 702 & 703.
17 Documentary evidence: Ms. Crosby has not provided the original underlying documents referred to
18 (*i.e.*, policies and procedures) to the City for copying at a reasonable place and time, have not
19 established that the underlying documents are admissible into evidence, and have not established that
20 the summary is accurate. FRE 1002 & 1006.

19 **b. Objection No. 37**

20 Material objected to: “Safe Space provides low-barrier, nighttime-only, emergency homeless
21 shelter for individuals experiencing homelessness, particularly during the extreme winter months. We
22 partner with local religious organizations to use their facilities in a bi-weekly rotation for 2-3 winter
23 months out of the year for our shelter operations.” Crosby Decl. ¶ 3, 2:11-14.

24 Ground(s) for objection: Relevance: Programs at the Safe Space Winter Shelter are not
25 relevant because there is no explanation as to how such information concerns an alleged violation of the
26 Settlement Agreement and, even if there were some probative value to this information, the same is
27 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of

1 personal knowledge: Ms. Crosby does not provide the basis for having personal knowledge with
2 respect to “low-barrier” shelter operation. FRE 602. Inadmissible opinion: Ms. Crosby does not
3 provide any basis for having opinions associated with “low-barrier” shelter operation such as why
4 “nighttime-only” service is appropriate for “low-barrier” shelter. 701, 702 & 703.

5 **c. Objection No. 38**

6 Material objected to: “Safe Space also has operated a local cooling center in Chico since 2021.
7 By utilizing our existing network of community partners, we provide ice, water, and an air-conditioned
8 space for those in need. Our cooling centers run from July to mid-August and are a collaboration with
9 the City of Chico and 211.” Crosby Decl. ¶ 4, 2:15-17.

10 Ground(s) for objection: Relevance: Programs at the Safe Space Winter Shelter are not
11 relevant because there is no explanation as to how such information concerns an alleged violation of the
12 Settlement Agreement and, even if there were some probative value to this information, the same is
13 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403.

14 **d. Objection No. 39**

15 Material objected to: “The ‘Safe Space Street Team’ are case managers who provide year-
16 round direct support to those experiencing homelessness. In addition to supervising the team, I
17 personally provide case management services to approximately 10 people per year. In addition to
18 addressing basic needs, our team uses this opportunity to connect individuals with local service
19 providers in Butte County. Our street team also assists with obtaining IDs, enrolling in CalFresh, and
20 acquiring cell phones—essential steps to help people move closer to getting off the streets and into
21 shelter.” Crosby Decl. ¶ 5, 2:18-23.

22 Ground(s) for objection: Relevance: Programs at the Safe Space Winter Shelter are not
23 relevant because there is no explanation as to how such information concerns an alleged violation of the
24 Settlement Agreement and, even if there were some probative value to this information, the same is
25 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of
26 personal knowledge: Ms. Crosby does not provide the basis for having personal knowledge with
27 respect to what constitutes “essential steps” to shelter homeless persons. FRE 602. Inadmissible
28

1 opinion: Ms. Crosby does not provide any basis for having opinions associated with “essential steps”
2 allegedly needed to shelter homeless persons. 701, 702 & 703.

3 **e. Objection No. 40**

4 Material objected to: “I attended the October 17, 2022, meeting of the Butte Countywide
5 Homeless Continuum of Care (CoC) via Zoom. At that meeting, Amber Abney Bass, the executive
6 director of the Jesus Center that operates the Pallet Shelter Site, explained that there are only two ways
7 for a person experiencing unsheltered homelessness to enter the Pallet Shelter. The first way is through
8 a referral from the City of Chico’s Outreach and Engagement Team (‘O&E Team’) during an
9 enforcement of anti-camping laws on public property (‘Enforcement Referral’). The second way is by
10 calling the City’s ‘Shelter Interest Line’ at (530) 897-5890 (‘Non-Enforcement Referral’). She said that
11 they had over 600 logged calls requesting a Non-Enforcement Referral to the shelter. That number was
12 the number of calls, not unique individuals. I receive the minutes of CoC meetings by email. The
13 paragraph at the top of page 4 of the ‘Meeting Minutes,’ attached as Exhibit A, accurately reflects my
14 recollection of what was said at the time. The Meeting Minutes are a true and accurate copy of the
15 minutes from the meeting.” Crosby Decl. ¶ 6, 2:24-3:6.

16 Ground(s) for objection: Relevance: Ms. Crosby’s attendance at a county Zoom meeting is not
17 relevant and, even if there were some probative value to this information, the same is substantially
18 outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of personal
19 knowledge: Ms. Crosby has not provided any basis for having personal knowledge of the information
20 presented at the county Zoom meeting. FRE 602. Hearsay: Information provided by Amber Abney-
21 Bass is hearsay. FRE 801 & 802. Documentary evidence: Ms. Crosby has not provided the original
22 underlying documents referred to to the City for copying at a reasonable place and time, have not
23 established that the underlying documents are admissible into evidence, and have not established that
24 the summary is accurate. FRE 1002 & 1006.

24 **f. Objection No. 41**

25 Material objected to: “Since December 2022, I have personally assisted approximately 11 case
26 management clients who received Enforcement Referrals from the O&E Team. Most of these clients
27
28

1 showed me the ‘Notice of Appropriate Shelter Space’ they received from the O&E Team. This notice
2 listed three possible referral locations: 1) A Pallet Shelter at 2280 Martin Luther King Jr. Pkwy, Chico,
3 CA; 2) A bed at the Torres Community Shelter; and 3) a different location to write in that was not listed
4 above.” Crosby Decl. ¶ 7, 3:7-11.

5 Ground(s) for objection: Relevance: Ms. Crosby’s assistance to homeless persons is not
6 relevant because there is no explanation as to how the same might be related to the operation of the
7 Settlement Agreement, her opinions about what should happen are not relevant, she does not explain
8 any basis for knowing whether any notices she received were from the City and, even if there were
9 some probative value to this information, the same is substantially outweighed by confusion of the
10 issues and waste of time. FRE 401, 402 & 403. Lack of personal knowledge: Ms. Crosby has not
11 explained how she has any basis for having personal knowledge of the information she received from
12 her clients or the O&E Team. FRE 602. Hearsay: Information from Ms. Crosby’s clients and the
13 O&E Team is hearsay. FRE 801 & 802. Documentary evidence: Ms. Crosby has not provided the
14 original underlying documents referred to to the City for copying at a reasonable place and time, have
15 not established that the underlying documents are admissible into evidence, and have not established
16 that the summary is accurate. FRE 1002 & 1006.

15 **g. Objection No. 42**

16 Material objected to: “I have assisted about 6 clients with appealing the enforcement referral
17 they received from the City. After referring each of my clients to one of the three locations listed in the
18 ‘Notice of Appropriate Shelter Space,’ the City provided them with an ‘Individual Assessment
19 Grievance & Reasonable Accommodation Request Form’ (‘Grievance Form’). The Grievance Form
20 instructs the person to explain why ‘you believe the shelter is not appropriate for you.’ My clients and I
21 completed the Grievance Form together. All of these clients who I assisted were requesting a referral to
22 the Pallet Shelter. I helped them complete the form and my clients turned the forms in to a member of
23 the O&E Team for the City’s consideration.” Crosby Decl. ¶ 8, 3:12-19.

24 Ground(s) for objection: Relevance: Ms. Crosby’s assistance to homeless persons is not
25 relevant because there is no explanation as to how the same might be related to the operation of the
26 Settlement Agreement, her opinions about what should happen are not relevant, she does not explain
27

1 any basis for knowing whether any notices she received were from the City, she does not explain what
2 a “Grievance” is or whether the same has any relation to whether the Settlement Agreement has been
3 complied with or simply reflects the generalized notion that homeless persons want to be able to choose
4 where to shelter and, even if there were some probative value to this information, the same is
5 substantially outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of
6 personal knowledge: Ms. Crosby has not explained how she has any basis for having personal
7 knowledge of any information expressed by her clients or the City. FRE 602. Hearsay: Information
8 from Ms. Crosby’s clients and the City is hearsay. FRE 801 & 802. Documentary evidence: Ms.
9 Crosby has not provided the original underlying documents referred to to the City for copying at a
reasonable place and time, have not established that the underlying documents are admissible into
evidence, and have not established that the summary is accurate. FRE 1002 & 1006.

10 **h. Objection No. 43**

11 Material objected to: “After my clients turned in the Grievance Forms, I attempted each time to
12 follow up via phone and email with the City’s O&E Team to learn the City’s decision. To my
13 knowledge, none of my clients who I assisted with filing and submitting a Grievance Form ever were
14 allowed admission into the Pallet Shelter as a result of that process. The City did not tell me the
15 outcome of any of the Grievances I followed up on.” Crosby Decl. ¶ 9, 3:20-24.

16 Ground(s) for objection: Relevance: Ms. Crosby’s assistance to homeless persons is not
17 relevant because there is no explanation as to how the same might be related to the operation of the
18 Settlement Agreement, her opinions about what should happen are not relevant, does not explain what a
19 “Grievance” is or whether the same has any relation to whether the Settlement Agreement has been
20 complied with or simply reflects the generalized notion that homeless persons want to be able to choose
21 where to shelter, does not explain why she must “follow up” as opposed to her clients, does not explain
22 why her clients allegedly should have been allowed admission into the Pallet Shelter and, even if there
23 were some probative value to this information, the same is substantially outweighed by confusion of the
24 issues and waste of time. FRE 401, 402 & 403. Lack of personal knowledge: Ms. Crosby has not
25 explained how she has any basis for having personal knowledge of any information expressed by her
26 clients, the O&E Team or the City. FRE 602. Hearsay: Information from Ms. Crosby’s clients, the
27 O&E Team and the City is hearsay. FRE 801 & 802. Documentary evidence: Ms. Crosby has not
provided the original underlying documents referred to to the City for copying at a reasonable place and

1 time, have not established that the underlying documents are admissible into evidence, and have not
2 established that the summary is accurate. FRE 1002 & 1006.

3 **i. Objection No. 44**

4 Material objected to: “For example, a client once called me while they were receiving an
5 enforcement assessment from the O&E Team. My client told me they believed the referral they
6 received was not appropriate for them. They told me they believed the Pallet Shelter was appropriate,
7 and they should be referred there, instead. My client gave the phone to the O&E Team member, who
8 told me they would not change the referral, but asked me if I would assist my client with completing
9 and submitting their Grievance Form. I told the O&E Team member that I would. On my client's
10 behalf, I completed a Grievance Form that was also a reasonable accommodation request, because it
11 was based on my client's disabilities that made it impossible for him to live in a dormitory-style shelter.
12 For the next month, I called and emailed multiple members of the O&E Team and other members of
13 City staff inquiring about the City's response to my client's request. To my knowledge, neither my
14 client nor I have ever received a response from the City since providing the Grievance Form and the
15 City has never allowed my client to live at the Pallet Shelter Site.” Crosby Decl. ¶ 10, 3:25-4:11.

16 Ground(s) for objection: Relevance: Ms. Crosby’s assistance to homeless persons is not
17 relevant because there is no explanation as to how the same might be related to the operation of the
18 Settlement Agreement, her opinions about what should happen are not relevant, she does not explain
19 what a “Grievance” is or whether the same has any relation to whether the Settlement Agreement has
20 been complied with or simply reflects the generalized notion that homeless persons want to be able to
21 choose where to shelter, she does not explain why her own clients cannot complete forms, she does not
22 explain any specifics about any alleged reasonable accommodation request, she does not explain why
23 disabilities existed or why they prohibit a person from living in a dormitory-style shelter even though
24 they are able to live in encampments outside, she does not explain why the City or the O&E Team have
25 any obligation to speak with her apart from her clients about claimed disabilities or any other matter,
26 she does not explain why her clients allegedly should have been allowed admission into the Pallet
27 Shelter and, even if there were some probative value to this information, the same is substantially
28 outweighed by confusion of the issues and waste of time. FRE 401, 402 & 403. Lack of personal
knowledge: Ms. Crosby has not explained how she has any basis for having personal knowledge of any

1 information expressed by her clients, the O&E Team or the City. FRE 602. Inadmissible opinion: Ms.
2 Crosby does not explain the basis for her opinions as to her clients claimed disabilities. FRE 701, 702
3 & 703. Hearsay: Information from Ms. Crosby's clients, the O&E Team and the City is hearsay. FRE
4 801 & 802. Documentary evidence: Ms. Crosby has not provided the original underlying documents
5 referred to to the City for copying at a reasonable place and time, have not established that the
6 underlying documents are admissible into evidence, and have not established that the summary is
7 accurate. FRE 1002 & 1006.

7 **V. CONCLUSION**

8 The City respectfully requests that the Court sustain the City's objections for the reasons set
9 forth above.

10 DATED: October 4, 2024

Respectfully submitted,

11 Stephen T. Owens
12 Eric G. Salbert
13 Christy M. Garcia
ALVAREZ-GLASMAN & COLVIN

14 */s/ Eric G. Salbert*
15 Attorneys for Defendants
CITY OF CHICO and CITY OF CHICO
POLICE DEPARTMENT

CERTIFICATE OF SERVICE

Bobby Warren, et al. v. City of Chico, et al.
Case No.: 2:21-cv-00640-DAD-DMC

I hereby certify that I electronically filed the foregoing document(s) with the Clerk of the United States District Court, Eastern District of California - by using the CM/ECF system on October 4, 2024.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Executed on October 4, 2024, at City of Industry, California.

/s/ Juanita Vasquez
Juanita Vasquez