



ALVAREZ-GLASMAN & COLVIN

ATTORNEYS AT LAW

13181 Crossroads Parkway North
Suite 400–West Tower
City of Industry, CA 91746
Tel: 562.699.5500
Fax: 562.692.2244
www.agclawfirm.com

August 7, 2024

VIA EMAIL

Sarah Steinheimer
Regional Counsel
LEGAL SERVICES OF NORTHERN CALIFORNIA
517 12th Street
Sacramento, CA 95814
ssteinheimer@lsnc.net

Re: Warren, et al. v. City of Chico, et al. | USDC Case #: 2:21-cv-00640-MCE-DMC
Response to LSNC's Settlement Proposal dated July 31, 2024

Dear Ms. Steinheimer:

As discussed during our call of August 7, 2024, this letter serves as the City of Chico's ("City") response to Legal Services of Northern California's ("LSNC") Settlement Proposal letter dated July 31, 2024 ("Settlement Proposal"). After careful review and consideration, the City must decline LSNC's Settlement Proposal. Although the City appreciates LSNC's Settlement Proposal, the terms outlined therein do not adequately address the issues with the *Warren v. Chico* Settlement Agreement ("Settlement Agreement").

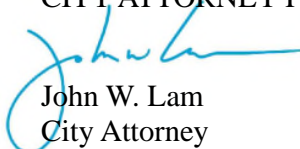
Specifically, the Settlement Proposal would unreasonably restrict the City's governmental discretion to exercise the City's constitutional police powers by requiring continued adherence to principles announced in *Martin v. City of Boise*. However, those *Martin* principles have been rejected by the U.S. Supreme Court's recent *City of Grants Pass v. Johnson* decision. LSNC's Settlement Proposal offers some concessions, but still proposes numerous requirements on pre-enforcement and enforcement procedures, maintaining and operating the Alternative Site, dispute resolution, and imposes Pallet Shelter occupancy requirements. The terms contained in the Settlement Proposal would severely limit the City's ability to make timely, nuanced operational and policy decisions needed to implement a multi-faceted response to homelessness. It is vital that the City maintains this discretion to adapt to changing circumstances and effectively serve its residents.

Therefore, I direct you back to the City's proposal contained in its letter to LSNC dated July 15, 2024, which I believe provides a fair and workable framework while staying consistent with the Supreme Court's ruling in *Grants Pass*.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

ALVAREZ-GLASMAN & COLVIN
CITY ATTORNEY FOR THE CITY OF CHICO



John W. Lam
City Attorney