

#331
1/24/23

(R-2023-202)

RESOLUTION NUMBER R- 314578

DATE OF FINAL PASSAGE FEB 07 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING HOUSING AS A HUMAN RIGHT.

WHEREAS, the City Council of the City of San Diego (Council) believes that housing provides stability and security for an individual or a family, and that every person should have a secure, peaceful, and dignified place to live; and

WHEREAS, this Council has made it a priority to enact policies and create programs that are geared toward providing adequate housing opportunities for those who reside in the City of San Diego; and

WHEREAS, in 1948, the United States joined 47 countries in signing the Universal Declaration of Human Rights (UDHR) adopted by the United Nations General Assembly that recognized the basic rights and fundamental freedoms of all human beings, including the right to housing as a component of a standard of living adequate for the health and well-being of themselves and their family; and

WHEREAS, in 1977, the United States signed the International Covenant on Economic, Social and Cultural Rights (ICESCR), which if implemented by the United States, would progressively work toward the granting of economic, social, and cultural rights, including the right to adequate housing; and

WHEREAS, the United Nations Committee overseeing the implementation of the ICESCR outlines seven elements that guide the provision of adequate housing, including the security of tenure, availability of infrastructure, affordability, accessibility, habitability, location, and cultural adequacy; and

WHEREAS, in 2019, the Special Rapporteur on adequate housing presented to the United Nations' Human Rights Council at its 43rd session "Guidelines for the Implementation of the Right to Adequate Housing" with Guideline Number 1 being "Guarantee the right to housing as a fundamental human right linked to dignity and the right to life;" and

WHEREAS, the United States has a history of institutionalized lending discrimination, exclusionary zoning, and redlining, denying people of color their ability to share in the country's prosperity and reducing their ability to fulfill the right to a home; and

WHEREAS, the City of San Diego recognizes this unfortunate history and has acted, and will continue to act, to eradicate exclusionary zoning, restrictive covenants, and redlining, which have led to the exclusion of historically marginalized communities from the opportunity to access homeownership and diminished their political and economic power and representation; and

WHEREAS, San Diego's Housing Element requires the City to adequately plan to meet its existing and projected housing needs, including its share of the Regional Housing Needs Allocation (RHNA), which equals 108,036 additional housing units in the City of San Diego, with 44,880 of those units needed for extremely-low, very low, and low-income households to be built between 2021 and 2029; and

WHEREAS, the Council declared a Housing Emergency in 2002 recognizing the urgent need for more housing throughout the City; and

WHEREAS, housing costs in the City of San Diego have risen with average rent prices increasing 46 percent from 2012 to 2019; and

WHEREAS, 50 percent of City households are housing cost-burdened, meaning these households spend more than 30 percent of their income on housing costs; and

WHEREAS, rising housing costs, changing demographics, and changes in the socioeconomic or cultural makeup of communities are forcing families out of their neighborhoods; and

WHEREAS, low-income residents are most at-risk of displacement from rental housing as a result of rapidly rising rents and are more likely to have challenges staying in their homes if they are living paycheck-to-paycheck, are subject to predatory evictions, or cannot obtain affordable legal representation; and

WHEREAS, speculative housing markets can lead to housing insecurity for tenants and prospective homeowners who are impacted when a property is sold or changes ownership; and

WHEREAS, members of disadvantaged groups often have difficulty finding housing in high-opportunity neighborhoods, despite laws guarding against discrimination; and

WHEREAS, low-income residents must often live far from jobs due to housing unaffordability which contributes to an incongruity between where jobs are located and where job seekers live, resulting in increased pollution, energy use, traffic congestion, and a decline in community cohesiveness; and

WHEREAS, 80 percent of the City's housing stock was built before 1990 and most homes built before 1990 are not wheelchair accessible, creating additional barriers to finding suitable housing for individuals with accessibility needs; and

WHEREAS, the Council recognizes that it must continue to take progressive action to protect City residents, which can include devoting resources to public housing or housing vouchers; creating incentives for the private development of affordable housing; providing legal due process protections from eviction, foreclosure, and civil and criminal penalties; and safeguarding habitable conditions through housing code enforcement and inspections; and

WHEREAS, the City of San Diego has progressively implemented programs, policies, and funding to increase the supply of adequate housing, including the supply of affordable housing for low-income and extremely low-income individuals and families, permanent supportive housing, microunits, and accessory dwelling units; and

WHEREAS, the City of San Diego has received state and federal funding to increase access to affordable housing through the provision of grants, loans, and vouchers; and

WHEREAS, the Council recognizes that more must be done to solve homelessness, including more robust investments and a broadening of eligibility for supportive programs, such as allowing spouses to access certain resources together and creating more inclusive housing options; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council declares its support for the right to housing as a fundamental human right and reaffirms its commitment to providing more housing and services geared toward putting a roof over the head of every San Diegan.

BE IT FURTHER RESOLVED, that the Council intends to use its legislative authority to: center equity in its efforts to implement housing as a human right and redress past harms; ensure those who have historically not had access to adequate housing are prioritized; further incentivize affordable housing in high-opportunity neighborhoods for those previously excluded; and identify equitable and effective solutions by working with individuals with lived experience.

BE IT FURTHER RESOLVED, that the Council intends for the City to support housing as a human right by implementing policies that address the root causes of homelessness, that keep people housed through affordable, accessible, and habitable homes, and that provide pathways to housing for people experiencing homelessness.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Heather M. Ferbert
Heather M. Ferbert
Chief Deputy City Attorney

HMF:sc
01/11/2023
Or.Dept: Council District 9
Doc. No. 3190246

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 24 2023

DIANA J. S. FUENTES
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 2/7/23
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 24 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 07 2023.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Kristell Medina*, Deputy

Office of the City Clerk, San Diego, California
314578
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