



NEWS RELEASE
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FOR IMMEDIATE RELEASE: July 17, 2024

Warren v. City of Chico and the SCOTUS opinion in Johnson v. Grants Pass

CHICO, CA – (July 17, 2024) – The original legal foundation of the *Warren v City of Chico* (“*Warren*”) legal action and the January 14, 2022, Warren Settlement Agreement were based primarily upon the *Martin v. Boise* decision (“*Martin*”), a decision that was resoundingly rejected by the U.S. Supreme Court in the *Johnson v. Grants Pass* (“*Grants Pass*”) decision of June 28, 2024.

The Warren Settlement Agreement has been unworkable for the City of Chico in the same ways countless other cities in the Ninth Circuit have experienced following the *Martin* decision and its progeny, by restraining the City’s ability to timely address public health and safety issues on public property and causing great distress to neighboring businesses and residents. Because the Warren Settlement Agreement is premised on rejected *Martin* principles, it fails to respect and balance the need to be able to protect the public’s health, safety, and the peaceful enjoyment of adjoining private properties, and has created an endless circle of noticing, cleanup of debris, human waste and toxic materials at great public expense only to repeat again and again, without end. The City must have the ability to maintain reasonable levels of public health and safety at various locations in the City and establish reasonable, common sense rules and regulations of the Alternate Site. The City of Chico Amicus Brief filed in the *Grants Pass* proceeding provides additional details as to the unworkable and ineffective nature of the Warren Settlement Agreement.

In light of the *Grants Pass* decision overturning *Martin*, the City seeks a more balanced, reasonable and workable answer to responding to public health, public safety and personal conduct issues in the City of Chico.

As a continuance of the effort to resolve *Warren v. City of Chico*, please find attached July 15, 2024, letter to Legal Services of Northern California (“*LSNC*”) proposing a new agreement that would supersede the Warren Settlement Agreement and as proposed would maintain many of the current settlement attributes and processes but with faster timelines and improved ability to manage the situation noting the following section of the July 15 letter:

1. City agrees to continue funding and operating the Pallet Shelter (subject to responsible site rules and regulations as determined by the City) through at least the end of the

Settlement Agreement term, at which time the sitting City Council may determine (with public input) the future of the Pallet Shelter.

2. City agrees to provide for one (1) alternate site at a location of the City's choosing (subject to reasonable site rules and regulations as determined by the City) until at least the end of the 2024 calendar year.

3. All City pre-enforcement and enforcement of Anti-Camping Ordinances and Regulations shall be consistent with local, state, and federal laws including the recent Grants Pass decision.

Please also find attached LSNC July 16, 2024, response. Considering that response, the City expects to seek judicial relief pursuant to Rule 60 of the Federal Rules of Procedure.

For more additional information or media inquiries:
City Manager, Mark Sorensen, mark.sorensen@chicoca.gov

Reference Documents:

[2022-01-14 Warren v. Chico Settlement- Fully Executed.pdf](#)

[2022-08-19 Camping Enforcement Timeline.pdf](#)

[2024-03-04 City of Chico Amicus Brief.pdf](#)

[2024-06-28 SCOTUS Johnson Grants Pass 23-175_19m2.pdf](#)

[2024-07-15 Ltr re Pause of Dispute Reso Process under SA_Post-Grants Pass Matters, 07.15.24.pdf](#)

[2024-07-16 LSNC Ltr. to City \(7-16-24\) FINAL.pdf](#)
[Rule 60.pdf](#)

Located in Butte County, California, Chico is the cultural and economic center of the northern Sacramento Valley and the largest city north of Sacramento. Known as a college town, the home of California State University, Chico and for Bidwell Park, one of the largest urban parks in the world. For more information, visit www.chico.ca.us.

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