

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Leslye Corsiglia

**SUBJECT: STORY ROAD
ENCAMPMENT RESPONSE**

DATE: December 1, 2014

Approved



Date

12/1/14

INFORMATION

EXECUTIVE SUMMARY

This memorandum has been prepared to inform City Council of the staff response to the large homeless encampment at Coyote Creek near Story Road, including plans to complete the extensive rehousing effort leading to the closure of this site in early December. Over the past 18 months, the City's Homelessness Response Team, along with multiple City departments and external agencies, has developed and carried out a comprehensive plan designed to address both the housing and stability needs of the homeless individuals at the site and the environmental, safety, health, and legal issues created by this encampment.

BACKGROUND

For years, the City has actively worked to clean up encampments along creeks and waterways within the city limits. These efforts include a long history of partnership with the Santa Clara Valley Water District and other local agencies to jointly remove trash, debris, and other waste from these sites. At the same time, the City has worked closely with its multiple partners in the South Bay such as the County of Santa Clara, Destination: Home, and the Housing Authority to respond to the regional crisis of homelessness by increasing opportunities for service-enriched housing and providing outreach and other assistance. Despite significant efforts and investment to move the homeless into housing and clean the creeks, the number and size of encampments have continued to grow.

To more effectively respond to this ongoing challenge, the City Council appropriated \$2 million from the General Fund in the Fiscal Year 2013-14 budget for a rapid re-housing and supportive services strategy to permanently house homeless individuals from San José who have been living in encampments along the waterways. For Fiscal 2014-15, Council appropriated another \$2 million and earmarked an additional reserve of \$2 million for the FY 2015-16 budget, pending funding availability. The past year and current budgets also included \$1.67 million for citywide abatement of encampments and additional deterrence efforts (and a reserve for this purpose in FY 2015-16 as well) to ensure that the City continues to have the tools to address and reduce the negative impacts of encampments on the environment, our neighborhoods, and the

community as a whole. As a result of this abatement funding, the City and the District cleared 99 sites and removed nearly 700 tons of debris in the last fiscal year alone.

As described in the 2013 Santa Clara County Homeless Census and Survey, the local encampment subpopulation in San José has a unique set of demographics different from the broader population of the homeless in our community: they are older, have been homeless for a longer period of time, and are more likely to be former San José residents. In fact, 91% of the encampment residents reported living in San José at the time they lost their housing. Moreover, 96% of those surveyed also stated that they would willingly accept permanent housing over encampment living, if resources and opportunities were made available.

After assessing several potential sites for a pilot project for rapid re-housing, the City's Homelessness Response Team selected the large encampment along Coyote Creek at Story Road in July 2013. The Team selected this location because of its significant adverse impact on the health and safety of both the homeless residents and nearby neighborhoods, the community, and the environment. The population's demographic makeup is similar to the findings of the Homeless Census and the site is also easily accessible for service providers, law enforcement, and encampment abatement crews, thus allowing the project to more readily provide its full complement of programming and services to ensure the restoration of the area and the complete provision of services to those in need and ready to receive support.

The project team included stakeholders from the County of Santa Clara, Santa Clara Valley Water District, Destination: Home, several key nonprofit service providers, and City staff from the departments of Environmental Services, Police, PRNS, and Public Works. Together the Team established key goals for the project:

1. House 200 homeless individuals and provide necessary support services to help them achieve self-sufficiency from the encampment site;
2. Clear all structures, debris, hazardous waste, and bio-waste from the site during the final encampment cleanup;
3. Prevent re-encampment of all cleared areas along Coyote Creek;
4. Assess environmental damage to the area following cleanup and develop a restoration plan, including a timeline and cost analysis.

ANALYSIS

Challenges

Despite the extensive ongoing housing efforts by the collaborative of community partners, with nearly 5,000 people homeless on any given night in San José, the Story Road encampment has continued to present significant health and safety challenges for the people living there, the

surrounding neighborhoods and business, and the fragile riparian environment. Among the serious challenges confronting this situation are:

- **Public safety:** Both in terms of the number and nature of police calls for service, and in the anecdotal reports of crime that have not been called into police, this encampment represents a serious safety threat to the residents of the encampment. Reports of violence, drug dealing, and prostitution are among the problems associated with this location.
- **Environmental:** The City has received a formal notice from the Regional Water Quality Control Board to cease and prevent the degradation of Coyote Creek waters and nearby habitat that is associated with bio-waste and unsanitary conditions caused by the encampment population. The City has been working with the Regional Board to formulate solutions in order to meet the legal deadlines for action.
- **Health:** Many of the same environmental issues also pose a threat to the health of encampment residents as well as potentially to the community as a whole. Representatives from Valley Homeless Healthcare Program and volunteers from community organizations have been providing some minimal health services to the encampment, but unsanitary, unsheltered, and crowded conditions are fundamentally unhealthy for the people living there.
- **Neighborhood stability:** The proximity of this encampment to residential and commercial neighborhoods has caused concerns about safety, quality of life, and economic impacts on adjacent businesses.

Due to this combination of pressure from state environmental regulatory agencies, increasing violence at the encampment over the past few months, and the annual threat of wet winter conditions potentially flooding the entire site and placing many people in serious physical peril, the City has reached a point where it must close this encampment and rehouse encampment residents.

Implementation Actions

To abate the site and achieve the project goals outlined above, staff and the Homelessness Response Team are currently implementing the following actions:

Outreach and Housing: Working with the non-profit service providers HomeFirst and Downtown Streets Team, the City has provided consistent and uninterrupted outreach and support to the encampment site for over the past year to address the housing needs of encampment residents before any other actions are taken. To date, 144 individuals have been housed from the encampment site, and 53 more are currently in search of housing with rental assistance already secured.

By the time encampment closure occurs by mid-December, staff expects the pilot program to be near or at the service capacity for housing 200 homeless clients. Not all individuals may be

December 1, 2014

Subject: Story Road Encampment Response

Page 4

housed by that time, however, due to factors such as the very expensive rental market and the severe lack of affordable housing for extremely low-income residents. Case managers are working with clients in anticipation of this closure schedule to ensure that all individuals have a plan in place. This will help to ensure continuity of services and keep clients from returning to a closed encampment where they could potentially face legal actions that would further hinder their ability to find stable housing.

With the encampment closure coinciding with the beginning of the winter season – and the reality that all encampment residents may not be housed at that point – City staff is also working with partners throughout the community to find safe, warm shelter for any individuals in need during and following the abatement of the encampment. Additionally, the County has activated its Cold Weather Shelter Program on November 28, which adds approximately 275 beds countywide to provide respite from the cold. For any individuals seeking shelter at the time of the cleanup, staff will make every effort to connect them with transportation and all necessary information to access safe shelters.

Encampment Closure: In partnership with the Water District, the City will post its standard 72-hour notification signage throughout the encampment starting December 1 to alert people to upcoming clean-up project. At the same time, non-profit partners will directly reach out to any individuals remaining in the encampment to offer help and connection to services. Following the notification period, City and District contract crews will enter into the site and begin the abatement process. The initial review will include sorting and storing all personal property in accordance with the City's property storage guidelines. Homeless individuals will have up to 90 days to claim any property through HomeFirst, the City's encampment property claims manager. After all personal property has been removed and stored, the crews will begin the removal of debris, hazardous, and bio-waste.

Beginning on December 4, staff estimates this clean-up project will take approximately two weeks to complete. The City departments of Housing (outreach and services), Police (work crew security, traffic/crowd control), Environmental Services (bio-waste management), Parks, Recreation and Neighborhood Services (rangers), and Public Works (animal services) all are contributing to the overall effort. Factors such as inclement weather or other hazardous conditions may affect the clean-up schedule, but staff anticipates the overall abatement effort to be completed by December 19.

Re-encampment Deterrence and Active Enforcement: Preventing homeless re-encampment at sites is one of the City's ongoing challenges following any encampment cleanup. With multiple vehicular and pedestrian access points to the site, homeless individuals historically have been able to easily move in and out of the site following abatement activities and almost immediately repopulate the area, thus greatly reducing the effectiveness of the Team's collaborative efforts.

At the Story Road site, the City is in the process of building nearly 1,500 linear feet of eight-foot reinforced steel fencing to eliminate access to both the eastern and western banks of Coyote Creek from Story Road. To date, fencing has already been installed on the eastern perimeter, two vehicle gates have been installed at major access points with other locations being assessed, and

boulders have been installed to block off a vacant lot adjacent to the encampment along Story Road. With an expected completion date set to coincide with the major cleanup activities, staff expects that these deterrent measures will significantly reduce traffic in and out of the encampment going forward.

While the deterrent measures discussed above are one of the primary initiatives to limit re-encampment, enforcement is also a key element to ensure protection of the waterways. The City has dedicated two primary resources for this effort that include: proactive enforcement and deployment of the Watershed Protection Team.

The proactive enforcement plan will seek to address immediate criminal activity occurring at the site. The plan includes additional police presence through the Secondary Employment Unit to target individuals who pose significant immediate harm to other homeless individuals and community safety. While costly and extremely challenging to initiate on a regular basis due to police staffing limitations, these focused periodic enforcement actions have allowed the City to address the most prominent safety concerns while the ultimate plan of the closure is being carried out. The last effort conducted in October led to the arrest of 15 individuals on criminal charges. While this specific activity will cease once the encampment is cleared, the City remains committed to working towards a continued enforcement presence along the waterways.

The Watershed Protection Team has been established through a partnership between the City and the Water District. This collaboration allows San José rangers from PRNS, working with Police and Fish and Wildlife wardens, to patrol cleared encampment areas along Coyote Creek, Guadalupe River, and Los Gatos Creek. Performance measures for the Watershed Protection Team program focus on the cleanup of litter and removal of illegal camping along the shared waterways in San José. Following the Story Road site cleanup, this team will conduct patrols in the encampment area on a weekly basis to ensure that this site remains clear of re-encampments.

NEXT STEPS

The encampment at the Story Road site presents a clear, serious, and broad community problem that therefore requires broad community solutions. Without a sufficient supply of housing that is available and affordable to meet the needs of thousands of unsheltered homeless individuals and families, the City and its partners must continue to be innovative in its plans to deal with the adverse impacts of encampments. At the same time, the City also recognizes the need to actively manage the encampments to protect neighborhoods, prevent pollution, preserve safety, and provide viable alternatives for the homeless persons living in unsafe and unsanitary conditions.

To fully address this complicated challenge, Destination: Home (the public-private partnership that serves as the regional convener for issues related to homelessness) has been leading a countywide effort to establish a practical and coordinated regional strategy – The Community Plan to End Homelessness. More than 200 stakeholders from public agencies, private-sector organizations, and community-based organizations have participated in this process over the past year. The City has actively participated in this collaborative effort that is identifying the necessary components of a regional plan to address homelessness; articulating strategies,

HONORABLE MAYOR AND CITY COUNCIL

December 1, 2014

Subject: Story Road Encampment Response

Page 6

outcomes, and areas of focus; and outlining the opportunities to obtain, augment, and coordinate the significant resources that are needed to achieve long-term and short-term goals.

Mirroring the framework outlined in this plan, the City's rapid re-housing pilot provides a new model to address homelessness. By serving the individual needs of each client and combining resources from a variety of partners, this model has the potential to help homeless individuals and families work towards long-term self-sufficiency and stability. The bold vision of Community Plan to End Homelessness, coupled with the increased efforts of the City's partnerships to address the challenges of encampments and homelessness, presents a unique opportunity to move beyond the Story Road site and ensure that people who find themselves homeless are quickly rehoused and that living outside is not an acceptable condition in our community

Those interested in helping individuals and families move out of encampments and into their own homes can donate directly to the effort through Destination: Home's new "Welcome Home Kit" campaign at: <https://www.crowdrise.com/homelesscc/fundraiser/DestinationHomeSCC>.

/s/

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