

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jon Cicirelli  
Jacky Morales-Ferrand

**SUBJECT: SUPPORTING PUBLIC HEALTH  
AND SAFETY AT ENCAMPMENTS**

**DATE:** February 8, 2021

Approved



Date

02/08/21

## INFORMATION

The purpose of this memorandum is to update the City Council on how the Emergency Operation Center (EOC) continues to support public health and safety at encampments during the COVID-19 response by providing supportive services while mitigating trash and blight using an intervention continuum. It is important that the facts are provided as we consider modifications to the current protocols.

## BACKGROUND

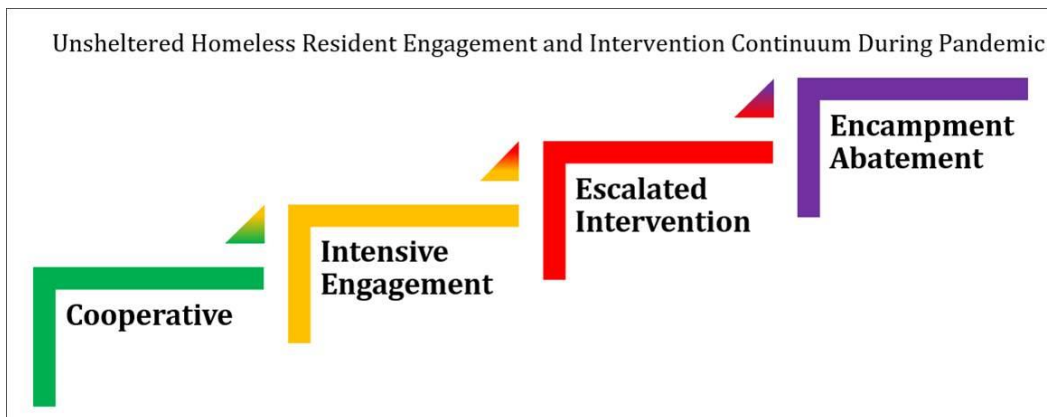
As described in the October 30, 2020 Information Memorandum entitled “*Supporting Public Health and Safety at Encampments*”, the City of San José EOC is approaching unsheltered homelessness through a public health framework that supports the goal of reducing community spread of the novel coronavirus infectious disease (COVID-19) and is in alignment with the Council adopted Community Plan to End Homelessness. This framework recognizes that preventing community spread of COVID-19 is critical considering that, 1) the virus can cause severe illness or even death, 2) certain sub-populations are at higher risk of contracting the disease, and 3) while new coronavirus cases are declining, current cases have eclipsed previous peaks in 2020 and vaccination rollout will continue to be a challenging process, particularly with vaccine supply.

People experiencing homelessness are more vulnerable to COVID-19 because they have limited access to sanitation like clean water and soap, are more prone to illnesses, and they lack spaces to shelter indoors. While the City of San José and Santa Clara County have increased shelter capacity during the pandemic, the City still has a significant lack of shelter spaces to meet the need of the over 6,000 homeless residents of which 5,000 are living on our streets or in other uninhabitable areas.<sup>1</sup> Accounting for these realities during this dynamic global pandemic, the City stood up two EOC branches (Homeless Support and Services Branch and BeautifySJ Response Branch) to support unsheltered residents staying in place by providing services and suspending abatement activities

<sup>1</sup> See item [3.1 from the City Council meeting on February 2, 2021](#) for the most recent shelter capacity data. Homeless resident estimates are based on [Santa Clara County 2019 Homeless Census and Survey](#).

unless encampment conditions posed a public health or safety threat (services are outlined below). Importantly, however, the City understood that there are a few instances where encampment conditions, locations, or resident behaviors undermine the public safety of the unsheltered and/or the general public, and that City intervention is required to mitigate or reduce any personal injury threats or threats to property. The EOC branches thus created an escalated intervention framework that aims to address hazards as they arise and, while trying to avoid abatement wherever possible, allows for abatement activity.<sup>2</sup> The protocols include:

- Clearing the Public Right-of-Way: responding to and addressing/removing encampments impeding the right-of-way (e.g. streets, sidewalks, trails, etc).
- Escalated Clean-Ups: remove trash/debris from uncooperative encampments whose encampment footprint exceeds 12 x12 but allow residents to remain sheltering in place.
- Pilot Multidisciplinary Assessment and Intervention: address the need for escalated interventions at certain encampments from a variety of disciplines and stakeholders to improve conditions (e.g. behavioral health, public safety/health – police, fire, etc).



*Figure 1 – Unsheltered Homeless Resident Engagement and Intervention Continuum*

The use of these protocols is implemented through coordinated efforts by the City’s EOC Homeless Support and Services and BeautifySJ Response branches. Implementation efforts are challenging, however, considering staff is operating outdoors during a pandemic and the total number of unhoused residents and their needs exceeds resources (shelter, services, staff engagement capacity and equipment).

Both EOC branches take a people-focused and wholistic approach to work within a proactive engagement continuum, as shown in Figure 1 above, that introduces escalated actions and interventions to improve conditions at encampments. This framework aligns with and advances the

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<sup>2</sup> The City’s EOC COVID-19 unsheltered homelessness framework is in alignment with [CDC guidance](#) for unsheltered homelessness.

City Council and County Board of Supervisors adopted “Community Plan to End Homelessness” whose three core strategies are:

- Address the root causes of homelessness through system and policy change;
- Expand homelessness prevention and housing programs to meet the need; and
- Improve quality of life for unsheltered individuals and create healthy neighborhoods for all.

This multi-layered, collective impact approach remains the guiding document for the City’s interactions with, and solutions for—and in partnership with—our homeless residents.

## **ANALYSIS**

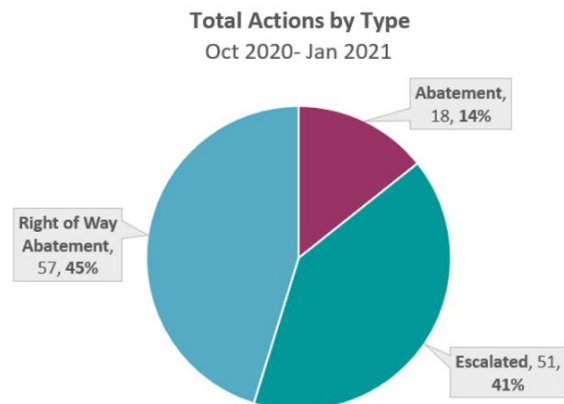
### *Escalated Interventions and Citywide Distribution of Actions*

The City’s EOC “Supporting Public Health and Safety at Encampments” protocols outline three primary areas for city-led intervention: public right of way blockages, the multidisciplinary assessment and intervention pilot, and escalated clean-ups. As such, although the BeautifySJ Response and Homeless Support and Services branches ground their work in compassionate responses towards our homeless residents, the City recognizes that conditions may exist, or situations may occur that require escalated actions or abatement of encampments.

The BeautifySJ branch has mapped 235 encampments across the City, 197 of which are currently occupied by residents ranging from one tent/structure/vehicle/RV to over 50 residents. These active encampments are served through the BeautifySJ Encampment Trash Program, which, through various service lines, aims to provide bi-monthly trash collection service to maintain adequate sanitary conditions within these encampments. Since the program began, staff have conducted over 2,600 trash collection, with many of the encampment residents voluntarily participating in the program. However, the City has had to employ its escalated framework.

As shown in Figure 2, the City has led 126 escalated actions since October 2020 of which:

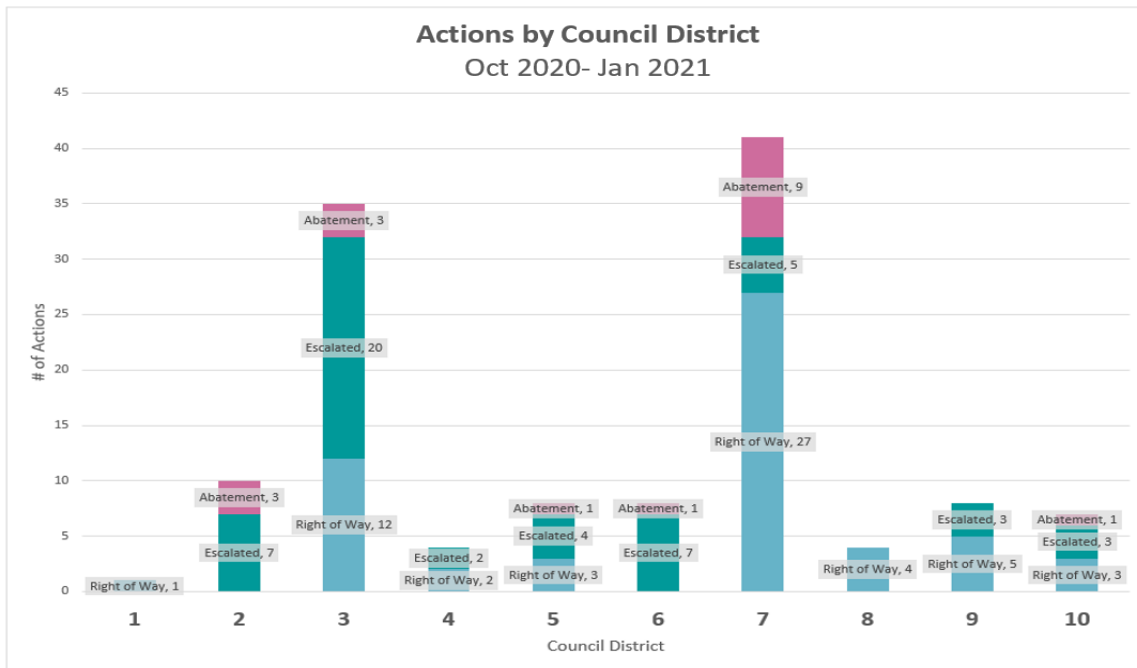
- 57 (45%) were Right of Way clearings
- 51 (41%) were for Expedited Cleanups
- 18 (14%) were Abatements



**Figure 2 – Total Actions by Type Oct 2020-Jan 2021**

While the vast majority of the BeautifySJ actions took place in the Council Districts that have the largest proportions of encampments and homeless residents (District 3 with 28% of actions and District 7 with 33% of actions), the work is spread across every Council District in the City (See Figure 3). This targeted approach of available resources supports the branch’s effort to equitably distribute resources and ensure that the right services are provided in the right location.

Before and after photographs of escalated interventions are included in **Attachment A**.



**Figure 3 – BeautifySJ Escalated Actions by Council District**

*Multidisciplinary Encampment Assessment and Intervention Team*

Abatements remain the exception—in response to extraordinary circumstances—rather than the rule to avoid unnecessary dispersal of unsheltered people and additional contact with other encampments. Instead of abatements, per CDC guidance, community coalitions (locally termed multidisciplinary teams) should work collaboratively to continue supportive services and improve conditions in encampments. The City used this guidance to help inform our approach, but every encampment is unique and the circumstances around its location and residents are dynamic. To account for this complexity but address concerning activity and circumstances at some encampments, the City developed and is piloting the Multidisciplinary Encampment Assessment and Intervention Team protocol (MDT). The protocol aims to mitigate issues that may be posing a severe health and/or safety endangerment through City led or outside agency led interventions, short of an encampment abatement. The intervening actions should reduce the risks posed by the encampment conditions or its residents.

The MDT pilot combines current resources to assess homeless individuals’ needs, encampment safety, public safety or neighborhood impact, environmental hazards, and to the extent possible with available resources, provide coordinated service delivery. The table below summarizes the five pilot locations and the actions taken since November 2020.

Site	Council District	Actions Taken
N. First & Component	4	<ul style="list-style-type: none"> <li>▪ HomeFirst – street outreach, referrals to safe parking and shelter (3), declined shelter (9) and VI-SPDAT’s (3)</li> <li>▪ BeautifySJ – trash service (Tier 3) and added dumpsters. Scheduled for escalated clean up.</li> <li>▪ Housing – added porta-potties and handwashing stations</li> <li>▪ Transportation – Vehicle Abatement assessment/tagging of on street vehicles and RV’s.</li> </ul>
Felipe	7	<ul style="list-style-type: none"> <li>▪ HomeFirst – weekly street outreach. Referrals to BHC (5), referrals to shelter (7), referrals to drug and alcohol service (3), referrals to rapid rehousing (2), housing problem solving (1).</li> <li>▪ BeautifySJ – trash service (Tier 3)</li> <li>▪ Transportation – Vehicle Abatement assessment/tagging of on street vehicles and RV’s. Coordination with PBCE on illegal storage of commercial vehicles on street.</li> </ul> <p>*Scheduled for Right of Way clearing in late February</p>
Coyote Creek (Olinder/Williams St/16 <sup>th</sup> )	3	<ul style="list-style-type: none"> <li>▪ HomeFirst – street outreach, referrals to shelter and BHC sites (2), declined shelter (20), VI-SPDAT’s (8).</li> <li>▪ BeautifySJ – trash service (Tier 3). Escalated clean up schedule.</li> </ul>
Coyote Creek (Roberts/Lucretia)	7	<p>*Site was abated in December 2020.</p>
Coyote Creek (Rocksprings)	7	<ul style="list-style-type: none"> <li>▪ HomeFirst – street outreach, referrals to shelter (2) and VI-SPDAT’s completed (8), referrals to drug and alcohol service (1), declined shelter (15)</li> <li>▪ BeautifySJ – trash service (Tier 3), cash for trash.</li> <li>▪ Transportation – vehicle abatement assessment and tagging of vehicles, RV’s.</li> </ul>

*Expanding Homeless Services*

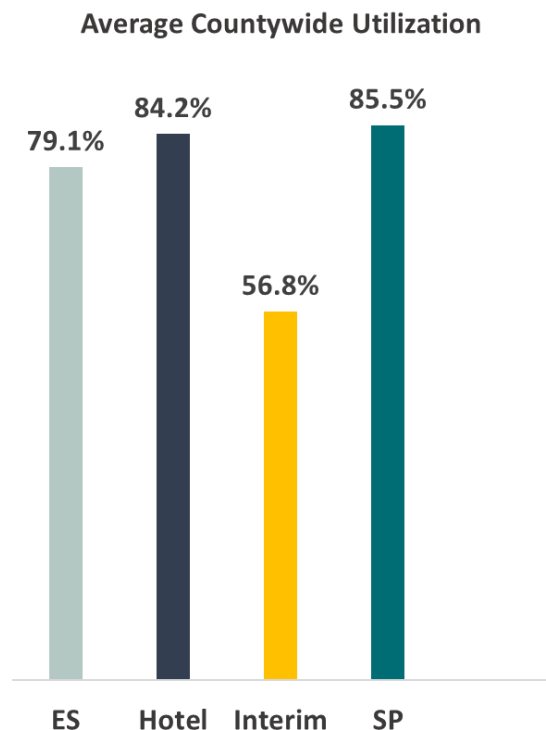
Many systemic issues continue to drive our neighbors into homeless, including economic instability and a severe lack of affordable housing. As the larger community works to address the root causes of homelessness and house those who are currently homeless, the City continues to provide supportive services and emergency and interim housing options to our unhoused residents. The Housing

Department together with three EOC Branches (Homeless Support and Services, Emergency Interim Housing, and BeautifySJ Response branches) have worked collaboratively and in coordination to, 1) improve conditions and supporting public health and safety at encampments during the COVID-19 response, 2) expand temporary shelter options, and 3) construct new, non-congregate emergency interim housing.

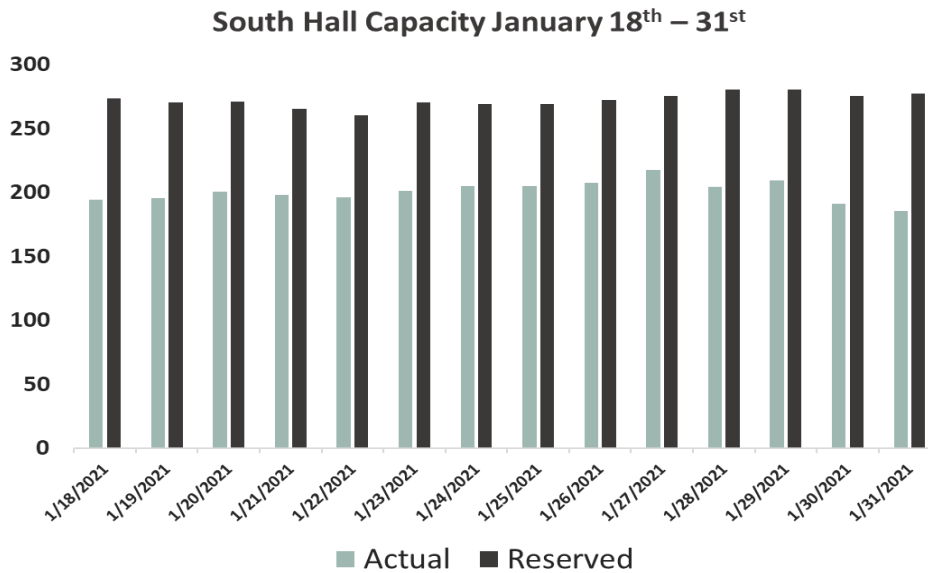
While the Homeless Support and Services branch has been providing emergency services at large encampments since the onset of the pandemic, in January the Housing Department launched a new program called Services Outreach Assistance and Resources (SOAR), focused on 16 of the City’s largest encampments, adding comprehensive street-based services; hygiene and trash services; and housing and shelter opportunities for homeless encampment residents. The street-based services include dedicated street outreach teams staffed by mental health clinicians, drug and alcohol counselors, and a storage program for encampment residents’ personal belongings. The street outreach teams are contracted through HomeFirst and PATH; HomeFirst has hired their team and begun work in the SOAR sites. The team was integral during the recent inclement weather rainstorms, providing weather warnings and offering shelter, with 10 individuals from SOAR sites accepting shelter. The HomeFirst outreach team has also made 7 referrals to the Bridge Housing Communities. PATH is still in the process of hiring their outreach team and designing a pilot street-based storage program.

Working collaboratively with the Santa Clara County Office of Supportive Housing, the Housing Department expanded temporary housing and shelter capacity in response to public health orders. To date, over 795 motel/hotel rooms are reserved across eight cities in the County (312 motel rooms are located in San José), over 385 temporary shelter beds were added across several sites including South Hall in downtown San José (Council District 3), Camden Community Center (Council District 9) and the County Fairgrounds (Council District 7), hours of operation were expanded at 10 shelters, safe parking sites, and bed capacity is being used at existing Bridge Housing Communities, Plaza Hotel and Casa de Novo. Figure 4 shows the average utilization of motels, shelter (ES), interim housing, and safe parking (SP).

The Housing Department is also refining entry policies to achieve greater utilization of South Hall which continues to operate with some available bed capacity. For example, beds were being held for individuals for up to three days to provide individuals with predictability and stability. However, beds are now only held for 24 hours. Figure 5 below shows the South Hall utilization for the last two weeks of



**Figure 4 – Average Temporary Housing Utilization Countywide (ES)- Shelters, (SP) Safe Parking**



*Figure 5 – South Hall Utilization Jan 18 – Jan 31, 2021*

January. The Housing Department and County Office of Supportive Housing will continue to monitor the shelter utilization and continue to iterate to achieve high utilization.

Finally, the EOC completed construction of two emergency interim housing sites, 78 beds at Monterey Bernal and 118 beds at Rue Ferrari. The Monterey Bernal is at full capacity. The Rue Ferrari site received its certificate of occupancy on January 20<sup>th</sup> and began moving individuals onsite on January 25<sup>th</sup>. Currently there are 82 individuals living onsite with more move-ins scheduled. Both sites are sheltering COVID vulnerable older adults (not COVID positive) with underlying medical conditions. The third site at Evans Lane site is scheduled to complete construction later this month.

## CONCLUSION

The BeautifySJ Response and Homeless Support and Services Branches of the EOC lead their provision of City services with a compassion lens for all residents in the City. While the EOC continues to align with CDC public health guidance for homeless populations to slow community spread of COVID-19 in encampments, the City has initiated 126 escalated interventions since October 2020—including ROW abatements, escalated cleanups, and regular abatements—in accordance with the EOC’s Supporting Public Health and Safety at Encampments protocols. While BeautifySJ has continued to take action in alignment with these protocols, the EOC’s goal to minimize the spread of COVID-19 is seemingly effective. By suspending widespread homeless encampment abatements, the Valley Homeless Healthcare Program (VHHP) states that the EOC policy has facilitated their testing and contract tracing efforts. For example, in December VHHP conducted 2,170 COVID tests in encampments, with 1.4% returning positive. The 33 individuals who tested positive in December were located and placed in isolation hotels and contract tracing occurred to further reduce community spread.

HONORABLE MAYOR AND CITY COUNCIL

February 8, 2021

**Subject: Supporting Public Health and Safety at Encampments**

Page 8

The protocols have been and will continue to be collaboratively managed and deployed between the EOC branches to address conditions at encampments and ensure that the public safety of unsheltered residents and the general public is not undermined by the location, spread or conditions of encampments. City staff is currently working on the next iteration of protocol updates to meet changing conditions, align with available resources, and respond to community concerns.

/s/

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Director

Parks, Recreation, Neighborhood  
Services

/s/

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Director

Housing Department

For questions, please contact Ragan Henninger, Deputy Director, Housing Department at [ragan.henninger@sanjoseca.gov](mailto:ragan.henninger@sanjoseca.gov) or Sarah Zárate, Assistant to the City Manager, [sarah.zarate@sanjoseca.gov](mailto:sarah.zarate@sanjoseca.gov).

Attachment A: Examples of Protocol Implementation



# Attachment A

## Examples of Protocol Implementation



Rinehart Dr.  
Right of Way abatement  
Before



Rinehart Dr.  
Right of Way abatement  
After

Aiello Dr.  
Escalated Clean up  
(Encampment stays)  
Before



Aiello Dr.  
Escalated Clean up  
(Encampment stays)  
After



**Attachment A continued**



Felipe Dr.  
Safety Abatement  
Before



Felipe Dr.  
Safety Abatement  
After