



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Councilmember Pam Foley

**SUBJECT:** SEE BELOW

**DATE:** 05/17/2021

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Approved

Date

05/17/2021

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**SUBJECT: RESPONSE TO CITY COUNCIL DIRECTION FOR SANCTIONED ENCAMPMENT PROGRAM**

**RECOMMENDATION**

Accept staff's report with the following recommendations:

1. Direct staff to be prepared to fund and implement the sanctioned encampment program with Level 2 service as a baseline for all sanctioned encampment sites.
2. Direct staff to implement all the way up to 100% Level 3 utilization for at least one sanctioned encampment as a pilot program to identify and analyze program effectiveness.
3. Prioritize the items within each sanctioned encampment level of service so that City Council has a clear idea of which items provide the most value to the program and greater community.
4. Design a sanctioned encampment program that lasts at least through the duration of the Local State of Emergency with an analysis and review of the program's effectiveness being conducted 6 months after the first sanctioned encampment opens. Staff and City Council shall review a potential timeline for "sanctioned encampments" after the 6-month analysis has returned to Council.
5. Incorporate the potential for unhoused individuals living out of their recreational vehicles to park and reside at any future sanctioned encampment.
6. While creating a sanctioned encampment work plan, analyze and implement programs concurrently that aim to prevent fires at all homeless encampments

- throughout the city. Services Outreach Assistance and Resources (SOAR) sites, larger encampments, and encampments in environmentally sensitive areas shall be prioritized. Staff shall consider providing fire extinguishers, solar/electric powered devices/cooking supplies, and/or enforcement against gasoline or flammable liquids/materials being located at homeless encampments unless a waiver is granted by city staff.
7. Continue taking recommendations from Councilmembers to expand services at SOAR sites that are not identified as “sanctioned encampments.”

## **BACKGROUND**

In an unsurprising Bay Area Council poll released in early May 2021, 60% of respondents said they are very concerned about homelessness in the nine-county Bay Area.

This is not a shocking statistic by any means. Council offices are hearing every single day, around the clock about the problems associated with having thousands of unhoused residents living unsheltered on our sidewalks, under our bridges, along our creeks, or next to our schools.

The overwhelming majority of our residents are compassionate and sympathetic to the plight of our unhoused residents, but when a fire from a homeless encampment scales the vegetation on a sound wall and threaten dozens of townhomes or when the cries for help coming from the Guadalupe River keep children up at night, the city needs to be prepared to use every “tool in our toolbox” to improve San José’s quality of life.

As we all wait patiently over the next decade for thousands of homes to come online, the status quo is unsustainable for our unhoused and our housed residents. At first, Council envisioned a more temporary sanctioned homeless encampment for the duration of the Local State of Emergency. However, we must work towards a better, more effective way to manage our homeless encampments for the foreseeable future.

This is a massive undertaking. Asking the City Manager’s Office and the Housing Department and other tangential departments to do this much leg work for a program that is too temporary does not pass the commonsense test. This policy tool should be viewed as a short- or medium-term solution to a complex problem that has an exit strategy for each homeless individual residing in the future sanctioned encampments.

We must delineate appropriate and inappropriate locations for homeless individuals to reside while simultaneously implementing enforcement mechanisms. This is just one strategy we can use to create a win-win scenario for unhoused and housed residents alike.

Today’s Services Outreach Assistance and Resources (SOAR) sites already receive four out of the six items in Level 1’s Basic Level of Service. However, it could be the case

that Council would want to mix and match some of the items within the Levels of Service packages such as fire extinguishers or solar powered devices or just add some items pre-emptively to certain sites to proactively prevent wildfires from consuming an embankment or jumping a sound wall. It could also be possible when Council looks at the menu of options the Housing Department will provide that Council chooses to pick and choose some Level 3 items/services, but not all of them.

Staff should be prepared to ascertain ways we can fund and implement a sanctioned encampment program all the way up to Level 3 or at potentially some services/items within Level 3.

Above all else, homelessness is an ethical, moral, and quality of life issue. Every single person in the City of San José deserves to have a roof over their head. However, as we have seen, affordable homes take a very long time to build in this city. Sanctioned encampments offer just one way we can alleviate the challenges around homelessness.