



Memorandum

TO: CITY COUNCIL

FROM: Mayor Sam Liccardo
Vice Mayor Chappie Jones
Councilmember Raul Perez
Councilmember David Cohen

SUBJECT: SEE BELOW

DATE: October 15, 2021

**Submitted electronically*

APPROVED:

DATE:

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SUBJECT: RESTORING GUADALUPE RIVER PARK AND GARDENS

RECOMMENDATIONS

Direct the City Manager to accelerate the restoration of Guadalupe River Park and Gardens by rapidly identifying housing solutions as well as enhancing park safety, cleanliness, and vibrancy through the following approaches:

1. **HOUSING:** Accelerate rehousing for current unhoused residents at Guadalupe that have been identified through the HomeFirst census currently being conducted at the site, by:
 - a. Providing priority within the Coordinated Entry system for unhoused persons requiring rehousing pursuant to a specific federal directive, as here.
 - b. Identify a safe parking site on public or private land and allocate a portion of funds from the RFP that will be released soon that would provide a place for the operational cars and/or RVs currently parked in the Guadalupe River Park and Gardens area.
 - c. Engage with the County about using sites near the Guadalupe River Park and Gardens, including the Armory and the unutilized County-owned parcels immediately behind the Armory, for rapid-build interim housing, emergency shelter structures, or safe parking.

2. **SECURING THE SITE:** In order to immediately secure areas from vehicles re-entering cleared phases:
 - a. Expand the use of K-Rail barriers around the first two phases to create vehicle-proof perimeter boundaries for the Gardens and deter illegal dumping addressed in the recommendation 4.

- b. Direct unhoused residents in RVs to move RVs off park land onto paved street surfaces in the area until either the completion of the cleanup or identification of a safe parking location.
 - c. Accept staff recommendation b) and c) from the 9/28/2021 Council memorandum temporarily closing Spring Street between Hedding Street and Asbury Street, and Asbury Street between Walnut Street and Irene Street, and Irene Street between Taylor Street and Asbury Street.
3. HUMAN PRESENCE INSTEAD OF FENCE: Explore allocating additional resources from the American Rescue Plan Act (ARPA) to enhance safety in the area and deter re-encampment of cleared phases, and return to the City Council in November with cost estimates on the following:
 - a. Monitoring: Routine deployment of Park Rangers, using overtime budgeting if necessary;
 - b. Cleanup: Prioritize the expansion of SJ Bridge from the June 2021 approved Budget for routine (at least weekly) cleanup in the Guadalupe River Park, employing unhoused residents with programs to provide skills and opportunities for jobs and housing;
 - c. Police: Return to Council in November and at mid-year with specific funding estimates and personnel capacity analysis required for the Police Department to deter illegal activity along our creeks and waterways. Prioritize work in the first year to the Guadalupe River from Arena Green and Confluence Point to the Airport with a focus of deterring re-encampments, but de-emphasizing arrests;
 - d. Commence discussions immediately with relevant employee bargaining units to enable creation of trainee programs for park rangers and maintenance positions, to rapidly create a talent pipeline with adults who will be learning on-the-job to fill the many longstanding vacancies:
 - i. Determine how such trainees can rapidly deploy to the Guadalupe River Park immediately;
 - ii. In particular, explore how Resilience Corps and Conservation Corps members can have immediate access to such a program offering career pathways with the City.
4. ILLEGAL DUMPING: Explore allocating additional resources in the City/Airport budget to increase cleanliness and security of the Guadalupe River Park and Gardens through the following measures:
 - a. Deploy signage articulating the “no dumping” restrictions along with an explicit warning that the area may be video-monitored;
 - b. Deploy cameras and other technology where appropriate;
 - c. Invest in swing gates at trail entrances (~\$15k ea) to prevent driving and parking on trails and the dumping of abandoned vehicles;
 - d. Prioritize funding for vegetation and trimming along the River Park to create better sight lines and continue use of Resiliency Corps members for this effort.

5. **ACTIVATION:** Explore and prioritize creative options for interim uses that ultimately enable uses that align with the Guadalupe Gardens Master Plan and create more vibrancy while discouraging future encampments.
 - a. Return to Council with a cost estimate of extending the recycled water “purple pipe” infrastructure throughout a larger area of the park;
 - b. Explore partnerships that could enable a working farm and orchard, where unhoused residents can cultivate food as part of a program run by a nonprofit such as Valle Verde or Veggielution;
 - c. Partner with community agriculture/tree nursery nonprofits seeking permanent spaces to use and activate portions of the site;
 - d. Partner with companies and sports organizations to develop low-density and high-demand park features such as running trails, biking loops, dog parks, and activities like disc golf.

6. **FUNDING:** Create a funding plan for various plan elements including the following:
 - a. Use existing funds: \$1.5 million from SJC, \$3 million from Housing, and \$1.4 million from the Mayor’s Budget Message for maintenance and restoration of GRPG, and other sources;
 - b. Funds from the American Rescue Plan Act, as noted in the above recommendations, to be allocated by the Council in November;
 - c. Work with IGR to position this area for state funding, including Caltrans given their jurisdiction over the Airport’s approach area, and adjacency to Highway 87.

Background:

Instead of erecting a costly perimeter fence, in three phases over the next eight months, which would remove parkland from public use, we propose to accelerate:

- rehousing the residents there,
- clearing the area to address growing public safety issues from recurrent fires, and
- activation of the park, and its restoration as an amenity for the broader public.

These recommendations address the imperative of providing housing for the current residents in the Guadalupe River Park and Gardens and keeping the area clear of inhabitants and trash to address the FAA’s primary interest to reduce the impacts of bird strikes on flight safety and aircraft noise on human health.

Somewhere between 250 and 300 unhoused residents live in the Guadalupe River Park Gardens, directly beneath the flight path for Mineta San José International Airport. The effects of this large encampment have taken a human and environmental toll. There are serious health effects for the unhoused residents living in the park, degradation and destruction of park infrastructure, and compromised safety for unhoused residents and visitors alike – a situation that has become increasingly alarming based on multiple brush and structure fires in recent weeks.



A fire on October 4th at 9:34am required 23 fire personnel, 3 engines, 2 trucks, 1 medic, and 2 Battalion Chiefs. The building sustained heavy damage, and arson is being investigated. A later call for a vehicle fire nearby was deemed “suspicious” and required 2 engines and 9 personnel.

Adding to the emergency is the FAA’s mandate to relocate unhoused residents encamped on 40 acres under the flight path as quickly as possible, and to demonstrate a comprehensive approach to preventing recurrence. Since the Council last discussed this topic, the Mayor has spoken to FAA Deputy Administrator, A. Bradley Mims, and FAA Associate Administrator of Airports, Shannetta R. Griffin, and both are open to revisiting the City’s plans to find alternatives to a costly fence that would remove parkland from public use. The two primary concerns for the Guadalupe Gardens area that precipitate the need to clear the area are the danger of increased bird strikes for aircraft taking off and landing due to an increased presence of birds attracted to the accumulated trash, debris, and food waste and unmitigated aircraft noise on any inhabitants. The Deputy Administrator and Associate Administrator offered flexibility for the FAA staff and City staff to come up with a more people-focused alternative to the approved plan.

Staff has been doing a heroic job of trying to address a complex problem on a citywide scale. However, there are two major challenges for the Guadalupe River Park and Gardens – finding housing solutions for a large number of people with different needs and physically changing the site to ensure it functions differently in the future. As to the physical changes, we are not willing to accept the expensive and unwelcoming approach of fencing off the entire 40 acres – a solution that may be worse than the cure.

Analysis:

The most important goal right now is to find immediate shelter for those in need, and to find transitional/emergency dollars that can be used nimbly for this specific neighborhood. Tenant selection for shelter prioritization will need to be confirmed to ensure that the residents of this neighborhood are prioritized. Safe Parking may be temporarily located within a designated area on existing city-owned streets, if the FAA can provide regulatory flexibility. Currently there are approximately 100 RVs on site, although not all of them are operable.

At the same time, we need to ensure the safety of the Guadalupe River Park and Gardens for the entire community, which requires a substantial, visible, and regular staff presence. We've learned that a special unit within the Street Crimes division, was actively serving this role until it was suspended in March 2020. It is likely that this led to challenges we face today. We recommend that SJPd come back to us with cost estimates, personnel capacity analysis, and a plan to deter illegal activity along our creeks and waterways. Even minor infrastructure investments such as swing gates and warning signs/cameras for illegal dumping can significantly decrease illegal activities. Regular trimming of vegetation can improve sight lines throughout the park. The use of K-Rail barriers instead of heavy gauge chain link fence may very well solve the issues of illegal dumping, trespassing, and abandoned vehicles without the visual blight and expense. We think it warrants a trial run.

The Mayor's FY 21-22 budget message directed PRNS to fill vacancies in their ranger program and dedicate at least two rangers to Guadalupe, but those recruits will need to go through academy and field training first, and waiting a year for dedicated rangers in the park is too long. Utilizing Police Officers and Resilience Corps members can help. Many members of the Resilience Corps have expressed interest in this field of work and can serve in an unsworn capacity, helping with outreach – posting signs, providing notification of service options, reporting abandoned vehicles, and reporting suspicious behavior. Resilience Corps members can also help with maintenance, landscaping, and education/docent activities.

The Airport has already planned to spend \$1.5 million on a perimeter fence, which can be reallocated to the security strategies listed above. The allocation from Housing to accommodate 250 residents is approximately \$3 million overall to support rental assistance, motel rooms, and land purchases. ARPA allocations to support this program are appropriate and necessary and can be supplemented by matching dollars.

Finally, we appreciate the collaborative ideas from the Guadalupe River Park Conservancy to increase activation opportunities that can serve as a bridge to fulfilling the promise of San José's central greenway and riparian corridor.