



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Kerrie Romanow
Leslye Corsiglia
Jennifer A. Maguire

**SUBJECT: PHASE 1 - HOMELESS
ENCAMPMENT PROGRAM**

DATE: May 18, 2012

Approved

Date

5/18/12

RECOMMENDATION

1. Approve funding for Phase 1 of the Homeless Encampment program in an amount of \$150,000 to be funded from 2012-2013 Recycle Plus unrestricted Late Fee Revenue in the Integrated Waste Management Fund (Fund 423).
2. Adopt the following amendments to the 2012-2013 Proposed Budget in the Integrated Waste Management Fund:
 - a. Increase the Beginning Fund Balance by \$150,000; and
 - b. Increase the appropriation to the Environmental Services Department for Non-Personal/Equipment by \$150,000.
3. Adopt the following amendments to the 2012-2013 Proposed Budget in the Home Investment Partnership Program Trust Fund (Fund 445):
 - a. Increase the appropriation to the Housing Department for Tenant Based Rental Assistance by \$432,910; and
 - b. Decrease the appropriation to the Housing Department for Housing Loans and Grants by \$432,910.

BACKGROUND

Since the early 1990s the City has actively worked to clean-up homeless encampments along creeks. These efforts include a long history of partnering with the Santa Clara Valley Water District (Water District) to jointly remove trash from these creek side homeless encampments through three program areas: Large Monthly Homeless Encampments, Smaller Weekly Encampments, and Partnered Clean-ups. While the homeless population in San Jose has declined in recent years due to coordinated efforts, the number of chronically homeless people—those who have been homeless for more than one year—has increased. About two-thirds of the homeless population is unsheltered, and many find refuge along City waterways. Currently, it is estimated that there are approximately 800 to 1,000 people living along creeks in San José. There are also encampments that are not in waterways and therefore not part of the Water District partnership. These encampments, which are on private property, City property, or are

under the jurisdiction of other government agencies, such as the Valley Transportation Authority and CalTrans, also need to be addressed.

Currently, the only ongoing funding to clean up encampments for 2012-2013 is \$104,000 appropriated to the Police Department for Personal Services in the Integrated Waste Management Fund funded through unrestricted Recycle Plus late fees. The San José Police Department (SJPD) provides security and support on site during cleanups.

Under State law, local governments are required to inventory and store possessions of residents removed from homeless encampments on public property for at least 90 days following the cleanup. Recently SJPD has halted all clean-up activities in order to ensure the City's procedures are complying with state requirements. Further, based on several years of experience, staff has learned that unless a housing solution is offered to residents at the time of the cleanup, the camps usually are reestablished shortly after the cleanup at the same site or one nearby. The most effective strategy to remove encampment residents is to identify better living alternatives for them as part of a timely and comprehensive solution.

On May 17, 2012, the Housing Department published an Informational Memorandum to update Council on the latest developments on the Phase I response to homeless encampments in San José; the link to the memo is below:

<http://www.piersystem.com/external/content/document/1914/1441363/1/05-17-12%20Housing.PDF>

ANALYSIS

Staff is recommending conducting Phase 1 cleanups this summer to evaluate the most effective and efficient way to manage encampment cleanups, while ensuring that cleanup procedures meet State requirements and provide more targeted housing support. The \$150,000 of funds from the Integrated Waste Management Fund (unrestricted Recycle Plus Late Fees) recommended as part of this memorandum would pay costs for noticing and providing other outreach to homeless people living in these encampments; clean-up crews; and storage and inventory and related personnel costs to allow for the retrieval of personal belongings from homeless people during the Phase 1 period. The additional funding from Recycle Plus Late Fees for 2012-2013 is due to higher than anticipated late fee collections in 2011-2012, resulting in additional 2011-2012 Ending Fund Balance/2012-2013 Beginning Fund Balance.

The Environmental Services Department is actively looking for additional storage space both inside the City's current inventory and through vendors. The proposed changes will allow staff to evaluate and report to the City Council during fall 2012 on a more permanent solution for the storage of personal belongings received and stored from encampment cleanups that reside on City property.

The amendment in the use of the Federal HOME funds will allow the Housing Department to provide approximately 40 encampment residents with additional housing opportunities. These housing funds will be matched with a range of services with the combined goal of providing the

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Page 3

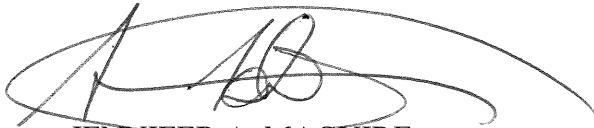
encampment residents to facilitate an end to their homeless situation. As part of the Consolidated Plan approval on May 1, 2012, the City Council supported the commitment of additional HOME funds to the Tenant Based Rental Assistance program in the amount of \$432,910 for this purpose. The recommended amendments to the 2012-2013 Proposed Budget for the Home Investment Partnership Program Trust Fund in this memorandum align to these City Council approved actions.

/s/

KERRIE ROMANOW
Acting Director, Environmental Services Dept.

/s/

LESLYE CORSIGLIA
Director, Housing Department

A handwritten signature in black ink, appearing to read 'J. Maguire', with a large, sweeping flourish underneath.

JENNIFER A. MAGUIRE
Budget Director