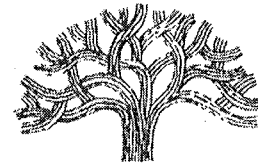


18 AUG 13 PM 2:44

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA •
REBECCA KAPLAN
At-Large
atlarge@oaklandnet.com

OAKLAND, CALIFORNIA 94612
(510) 238-7008
FAX: (510) 238-6910
TDD: (510) 839-6451

Date: September 13, 2018
To: City Administration, Colleagues and the Public
From: Councilmember Kaplan
Re: Questions about Tuff Sheds and Plans re: Homelessness

Dear City Administration, Colleagues on the City Council, and Members of the Public,

At Tuesday's Life Enrichment Meeting, questions were raised about programming for homelessness and the tuff sheds item. We were asked to put our questions in writing:

- 1) Of the people who have gone through and then left the tuff sheds, where have they gone? What percentage are now in permanent housing?
- 2) We have heard there is a plan to mass evict homeless people from around Lake Merritt, without providing adequate relocation options. Please clarify what the plan is.
- 3) Who specifically is authorizing the homeless encampment evictions? By what standard? With what legal signoff?
- 4) What specific law, and what process of decision, is used to determine homeless camp evictions? What review of recent Ninth Circuit Court ruling has been conducted?
- 5) You have described the tuff shed program as "voluntary" – but homeless people who have asked to volunteer for it have told me they are rejected, that people cannot volunteer for it. Please clarify whether someone can volunteer, and if so, how?
- 6) You have said the tuff sheds provide privacy. However, you are not giving people private sheds, rather, people are being forced to share a very small space with a stranger. Where are people supposed to have privacy?
- 7) How is the air quality/toxins in the tuff sheds?
- 8) Is there running water? Electricity?
- 9) How many restrooms are on site? How often are they cleaned out?
- 10) How often do people get the opportunity to shower?
- 11) In April 2017, the City Council passed a Resolution requiring the Administration to come back for action within 90 days, to allow several homeless solutions, including the Interfaith Council proposal, which would serve around 500 people for \$300,000. That item was not brought before us by the July deadline for action, and now yet again is not before us for action yet. However, you have instead brought an item that was not in the Council request, to instead provide for only 40 people (instead of 500) at a cost

of almost \$500,000. Why is the requested Interfaith Council item not before us? Who directed changing the council-directed "action" to instead just an informational report? Who directed staff to work on this tuff sheds funding item instead of the Council authorized resolution?

- 12) What is the current status of the Henry J. Kaiser Convention Center Auditorium, and what steps would be required to make it available for emergency homeless response/navigation center/housing?
- 13) What locations can be authorized for allowed RV parking? When will this item come to Council for action?
- 14) What locations can be authorized for the upcoming relocation of "The Village"? When will this item come to Council for action? Meanwhile, can trash removal be increased?
- 15) The tuff shed item appears to allow additional expenditure without return to Council. What amounts could be spent without return to Council under the proposal?
- 16) There have been requests to include the homeless themselves in the job opportunities with these programs. What efforts are underway to provide this? What further action is needed for this to happen?
- 17) What is being done to help the people who lost their shelter in the recent fire?

Thank you very much for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rebecca Kaplan".

Councilmember At-Large Rebecca Kaplan

FILED
OFFICE OF THE CITY CLERK
OAKLAND

18 APR 17 PM 2:28


City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 87129 C.M.S.

INTRODUCED BY COUNCILMEMBERS REBECCA KAPLAN, ABEL GUILLEN AND
LYNETTE MCELHANEY

RESOLUTION ENCOURAGING THE PRIVATE DEVELOPMENT OF EXPANDED HOUSING OPTIONS, INCLUDING FOR NON-PROFITS, FAITH-BASED ORGANIZATIONS, PRIVATE PROPERTY OWNERS, AND SERVICE PROVIDERS WORKING ON PRIVATE LAND, TO PROVIDE HOUSING AND SANITARY FACILITIES FOR THE HOMELESS THROUGH STRATEGIES INCLUDING "SMALL HOMES," SHIPPING CONTAINER CONVERSION HOMES, RECREATIONAL VEHICLES, UNATTACHED TRAILERS, RESTROOM STRUCTURES, AND OTHER OPTIONS TO PROVIDE DIGNITY, PRIVACY, AND DISEASE CONTROL

WHEREAS, the number of homeless persons in the City of Oakland continues to increase, with the latest 2017 point-in-time count of over 2,700, and this number is likely to increase given the substantial upward pressure of residential rents; and

WHEREAS, the long term and recent decreases in Federal and State funding for housing programs have resulted in an erosion of shelter options for the most vulnerable populations including the elderly, youth, victims of domestic violence, sexually exploited minors, and persons suffering from mental illness, HIV/AIDS, substance abuse and disabilities; and

WHEREAS, the current number of homeless individuals in Oakland far outpaces the number of existing shelter beds, transitional housing, or permanent supportive housing units available; and

WHEREAS, unauthorized homelessness encampments have increased substantially across Oakland, within the public right of way, thus exposing homeless individuals to traffic hazards, increased vulnerability to crime, risk of death and injury, exposure to weather, lack of adequate sanitation and debris services, and other conditions that are detrimental to their health and safety; and

WHEREAS, Oakland residents are being affected by the increasing number of unsheltered individuals with regard to traffic and pedestrian safety, lack of sanitation, and debris services; and

WHEREAS, California Government Code Section 8698, et seq., allows the governing body of a city to declare a shelter crisis when a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety; and

WHEREAS, in September of 2017, the Oakland City Council passed Ordinance Number 13456, which declared a shelter crisis in the City of Oakland and, pursuant to California Government Code Section 8698.1, "authorized [the City Administrator] in her discretion to suspend the provisions of state and local regulatory statutes, regulations, or ordinances prescribing standards of housing, health, or safety as needed for the interim establishment of shelters for the homeless to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis"; and

WHEREAS, California Government Code Section 8698.2 provides that, upon a declaration of a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities (including facilities leased by the city) during the duration of the crisis; and

WHEREAS, there are numerous non-profit and religious organizations that are willing to provide shelter and sanitation services on private land, but have expressed a need for additional support from the City; and

WHEREAS, the City Council finds that urgent and expeditious efforts are necessary to develop additional shelter solutions that are safe and meet basic habitability standards, and that flexibility and broad-based approaches are essential to increase capacity; now, therefore, be it

RESOLVED, that the City of Oakland shall encourage and support the private development of expanded housing options, including those offered by non-profits, faith-based organizations, private property owners, and service providers working on private land to provide housing and sanitary facilities for the homeless through strategies including "small homes," shipping container conversion homes, manufactured housing, recreational vehicles, unattached trailers, restroom structures, and other options to provide dignity, privacy, and disease control; and be it

FURTHER RESOLVED, that the City of Oakland may pursue multiple strategies to accomplish this goal, including by entering into leases with these non-profits and faith-based organizations, so that the land on which the organizations seek to provide temporary shelter and sanitation services may fall under California Government Code Section 8698.2, and therefore allow persons to take shelter there during the duration of the crisis; and be it

FURTHER RESOLVED, that the City of Oakland shall accomplish this goal by permitting the disposal of sewage through a temporary holding tank with a contract for regular pumping; and be it

FURTHER RESOLVED, that the City Council hereby directs the City Administrator to return to the City Council within 3 months with a draft Ordinance for the City Council's consideration amending the City's business tax ordinance to waive the first \$30,000 annually in residential rental property income from tax for property rented through Section 8 or other means-tested housing assistance programs, as a means of encouraging the development of low cost housing alternatives; and be it

FURTHER RESOLVED, that the City Administrator or her designee shall identify available public land for these efforts, and report back to Council on her findings within 3 months of the passage of this Resolution; and be it

FURTHER RESOLVED, that the City of Oakland asks Alameda County, Oakland Unified School District, and the California Department of Transportation to also identify available public land for these efforts, and help provide and/or fund support services for sites designated by the City of Oakland; and be it

FURTHER RESOLVED, that the City of Oakland calls upon external funders, including Alameda County and the U.S. Department of Housing and Urban Development (HUD), to maximize the funding and support that they make available for these efforts; and be it

FURTHER RESOLVED, that the City Administrator or her designee shall work to find funding sources to support these efforts and report back to Council on her findings within 3 months of the passage of this Resolution; and be it

FURTHER RESOLVED, that the City Administrator or her designee shall work to identify options to deal with issues related to liability and insurance, and report back to Council with options for action, within 3 months of the passage of this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA,

APR 17 2018

PASSED BY THE FOLLOWING VOTE:

AYES - ~~WALTON~~ WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT ~~WALTON~~ - 6

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks, Reed

ATTEST:



LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California