

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY MAYOR SHENG THAO AND  
CITY ADMINISTRATOR JESTIN JOHNSON

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, FOR A PERIOD OF TWO YEARS, TO ENTER INTO ONE OR MORE MEMORANDUMS OF UNDERSTANDING WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) TO RECEIVE ASSISTANCE IN OPERATIONS TO PERFORM ENCAMPMENT RESOLUTION ACTIVITIES AT VARIOUS SITES WITHIN THE CITY OF OAKLAND SUBJECT TO AND IN COMPLIANCE WITH THE CITY OF OAKLAND'S ENCAMPMENT MANAGEMENT POLICY**

**WHEREAS**, the City acknowledges that it is facing a serious shelter crisis with thousands of residents living in unhoused or in substandard housing conditions; and

**WHEREAS**, the number of homeless persons in the City of Oakland continues to increase, with the latest 2022 point-in-time count of 5,055 individuals experiencing homelessness in Oakland, an increase of 984 individuals (+24%) from 2019, with the largest growth in people living in their RVs and cars; and

**WHEREAS**, this shelter crisis affects Oakland's citizens disproportionately with more African American, Latino and elderly individuals experiencing homelessness; 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 homeless encampments continue to proliferate 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 illicit discharges into stormwater systems; and

**WHEREAS**, the City does not have the resources to relocate all encampments that present such health and safety threats; and

**WHEREAS**, the City has requested assistance from the State pursuant to Section 131 of the Streets and Highways Code to assist in operations to perform encampment resolution activities at an encampment site located at Leet Drive at or near the intersection of Hegenberger Road; and

**WHEREAS**, the State of California Department of Transportation (Caltrans) has agreed to provide such assistance subject to the entry into a memorandum of understanding; and

**WHEREAS**, the City make seek assistance from Caltrans for other encampment sites within City boundaries; and

**WHEREAS**, Caltrans requires that the City and Caltrans enter into a memorandum of understanding (MOU) for each such encampment site in which Caltrans may provide such assistance; and

**WHEREAS**, the MOU will set forth the parties' respective roles and responsibilities prior to engaging in any encampment resolution activities at any site; and

**WHEREAS**, any such encampment resolution activities will be conducted in a manner consistent with the City's Encampment Management Policy; and

**WHEREAS**, Section 604(l) of the City Charter requires Council approval for MOUs such as this, which contemplate joint governmental action; and

**WHEREAS**, the Council wishes to provide such authorization to the City Administrator to enter into any memorandums of understanding with Caltrans for the purpose of receiving assistance in operations to perform encampment resolution activities at various sites within the City of Oakland subject to and in compliance with the City of Oakland's Encampment Management Policy; and

**WHEREAS**, the Council intends to provide this authorization for this purpose for a period of two years, although the term of any specific memorandum of understanding may exceed this two-year period and performance under any memorandum of understanding may be completed beyond this two-year period; now, therefore, be it

**RESOLVED:** That the City Administrator is authorized, for a period of two years, to negotiate and enter into memorandums of understanding with Caltrans in order to receive assistance in operations to perform encampment resolution activities at various sites within the City of Oakland subject to and in compliance with the City of Oakland's Encampment Management Policy; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to approve any subsequent amendments during the two-year period, provided that such amendments or extensions shall be consistent with the purposes of this Resolution; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve said agreements or amendments as to form and legality, and copies of the executed agreements shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_

ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California