



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Daryel R. Dunston  
Homelessness  
Administrator

**SUBJECT:** Encampment Management Policy

**DATE:** September 8, 2020

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City Administrator Approval

Date: September 11, 2020

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## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Implementing The Administration's Proposed Encampment Management Policy.**

## **EXECUTIVE SUMMARY**

The homelessness crisis, amidst the pandemic, has led to a proliferation of tent and vehicle encampments throughout the city. Tragically, many of our residents are currently unhoused and living in the streets, often living in encampments. There are over 50 confirmed encampments, and new encampments appear almost monthly. While these encampments provide unhoused residents with a place to be, many are obstructing rights-of-way and entrances to critical infrastructure, including public utilities, sewer and drainage systems, protected waterways, places of worship, businesses, residences, and Americans with Disabilities Act (ADA)-compliant access points. Sidewalks are completely blocked in many neighborhoods, children's playgrounds are inaccessible, and service calls for medical emergencies, fire, assault, robbery, homicide, and human and narcotics trafficking have increased considerably compared to this time last year.

Adoption of the proposed Encampment Management Policy will reduce the negative health and safety impacts associated with homeless encampments in Oakland – for both unhoused and housed residents – through the administration of a comprehensive process focused on addressing public safety and public health hazards attributed to a nearby tent or vehicle encampment.

## **BACKGROUND / LEGISLATIVE HISTORY**

The Life Enrichment Committee (LEC) received a report from staff on February 25, 2020, addressing the management of homeless encampments citywide (**Attachment A**). Staff recommended that the City Council adopt an Encampment Management Policy to provide direction and clarity to staff on how to manage encampments. The policy would also provide clarity to the general public, identifying what services could be reasonably expected. Committee

Life Enrichment Committee  
September 21, 2020

members posed additional policy questions to staff during the meeting, and the item was continued to a later date.

A Special LEC meeting was held on July 6, 2020, where staff presented answers to the policy questions that were previously raised, including where encampments could be permitted, what standards should be applied, and what methods staff should use to achieve compliance with these standards (**Attachment B**). The Committee ultimately directed staff to draft an Encampment Management Policy that takes into account all the policy considerations that had been previously deliberated. The Committee also directed staff to present legislation codifying said policy.

The Encampment Management Policy, and corresponding legislation, are provided herein for City Council's consideration.

### **ANALYSIS AND POLICY ALTERNATIVES**

The complete Encampment Management Policy is included as **Attachment C**. In addition, the appendix to the Encampment Management policy, entitled *Implementation of Co-Governed Encampments in the City of Oakland*, a case studies and best practice analysis, is included as **Attachment D**.

### **FISCAL IMPACT**

Adoption of the Encampment Management Policy has no immediate fiscal impact and can be implemented upon adoption without delay. Should the need arise to secure additional funding to carry out any intervention proposed in this policy, staff will return to City Council for consultation and approval.

### **PUBLIC OUTREACH / INTEREST**

The LEC Chairperson, Councilmember Loren Taylor, in coordination with Administrative staff, hosted a virtual Public Town Hall meeting on Monday, June 22, 2020 to solicit community input regarding encampment management strategies. The City's Homelessness Administrator has also participated in various district-specific virtual Town Halls, as well as Neighborhood Crime Prevention Councils (NCPC) and other community-led meetings over the past three months - the topic of discussion being homelessness and the City's management of tent and vehicle encampments. This topic has also been presented at multiple LEC meetings over the past year.

### **COORDINATION**

This policy was developed with significant input from the Human Services Department, Public Works Department, Fire Department, Police Department, Parks, Recreation and Youth Development Department, Department of Transportation, the Office of the Mayor, and the Office of the City Attorney.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The cost associated with managing encampments has a significant impact on the City's budget and broader local economy. Depending on the size and scope of an encampment intervention, the costs can range between \$15,000 - \$35,000 per intervention (staff-time and equipment included). Current budget allocations are sufficient to implement the proposed policy, however, approximately 65 percent of those allocations are from one-time funding sources, many of which sunset after Fiscal Year 2021 – 2022.

With regard to the adverse impacts of tent and vehicle encampments on local businesses, limiting the size and proximity of encampments near entrances of local businesses, which the proposed policy would implement, would have a positive impact to the local economy.

**Environmental:** Some encampments contribute to environmental degradation due to unregulated conditions that lead to excessive garbage buildup, uncontrolled human waste, gray and black water dumping, illegal dumping, burning of hazardous or combustible materials, and an increase in vector control problems. Adoption of this policy would mitigate negative environmental impacts.

**Race & Equity:** African Americans are disproportionately impacted by homelessness. In Oakland, 70 percent of the homeless population are African American, and the vast majority of known encampments at this time are located within communities of concern. For these reasons, this policy was developed with an intentional focus on the following equity outcomes:

- Health and safety standards are achieved and maintained for encampment residents who are disproportionately Black, Indigenous, and Persons of Color (BIPOC).
- BIPOC neighborhoods and businesses are not disproportionately impacted by vehicle and street encampments.
- Service provisions close disparities in BIPOC groups' representation in homelessness.

An equity impact analysis will be conducted by the City's Department of Race and Equity after the adoption and implementation of this policy to ensure the stated outcomes above are achieved and maintained.

It is important to note is that an equity impact analysis is a comprehensive process that begins during the policy development stage and extends well into the implementation and evaluation stage of the policy process.

To this end, the Encampment Management Policy will undergo a semi-annual equity review to determine its effectiveness in relation to the equity indicators and outcomes determined by the City's Department of Race and Equity.

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**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Implementing The Administration's Proposed Encampment Management Policy.

For questions regarding this report, please contact Daryel R. Dunston, Homelessness Administrator, at 510-238-2108.

Respectfully submitted,

*Daryel R. Dunston*

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DARYEL R. DUNSTON  
Homelessness Administrator  
Office of the City Administrator

Attachments (4):

- A – Encampment Management LEC Staff Report 2/25/2020
- B – Encampment Management LEC Staff Report 7/6/2020
- C – Encampment Management Policy
- D – Encampment Management Policy Appendix: Guidance on the Implementation of Co-Governed Encampments