



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 88077 C.M.S.

INTRODUCED BY COUNCIL PRESIDENT KAPLAN

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**RESOLUTION REQUESTING THE CITY ADMINISTRATOR TO FOLLOW THE CENTER FOR DISEASE CONTROL ("CDC") INTERIM GUIDELINES ON HOMELESSNESS AND COVID-19 TO ONLY CLEAR ENCAMPMENTS IF INDIVIDUAL HOUSING UNITS OR ALTERNATIVE SHELTER IS PROVIDED**

**WHEREAS**, according to the 2019 Alameda County's Homeless Persons Point-In-Time 4,071 people in Oakland are experiencing homelessness; and

**WHEREAS**, on May 5<sup>th</sup>, 2019, the Oakland City Council declared via Resolution 87640 C.M.S that homelessness was a local emergency as it had increased 47% since 2017; and

**WHEREAS**, COVID-19, a highly infectious virus, was first identified in late 2019 and is marked by severe and acute respiratory illness that has overwhelmed hospitals across the world and whose mortality rates disproportionately impact older individuals and those with underlying health conditions; and

**WHEREAS**, there are 335,403 confirmed cases of COVID-19 worldwide, with 1,555 in California as of March 22<sup>nd</sup>; and

**WHEREAS**, the CDC has stated in relation to COVID-19 that the "lack of housing contributes to poor health outcomes, and linkage to permanent housing should continue to be a priority;" and

**WHEREAS**, on March 4, 2020, California Governor Gavin Newsom declared a state of emergency in the State of California due to the spread of the COVID-19 in California and impacts on the public and public services; and

**WHEREAS**, on March 9<sup>th</sup>, 2020, the City Administrator acting as the Director of the Emergency Services Operations Center declared a local emergency with the City of Oakland due to the outbreak of respiratory illness caused by the novel coronavirus (known as COVID-19); and

**WHEREAS**, on March 12, 2020, the Oakland City Council adopted a Resolution confirming and ratifying the existence of a local emergency due to COVID-19, acknowledging that if COVID-19 spreads in the City of Oakland and surrounding communities at a rate comparable to the rate it has spread in other parts of the United States and other countries, the number of persons requiring medical care may exceed locally available health and other resources;" and

**WHEREAS**, on March 17, 2020, the health officer of the County of Alameda issued a sweeping Order to shelter-in-place, ordering residents to stay at home and go outside only for essentials but exempts individuals experiencing homelessness; and

**WHEREAS**, the CDC further offers the following guidelines for responding to coronavirus disease 2019 (COVID-19) among people experiencing unsheltered homelessness:

- Unless individual housing units are available, do not clear encampments during community spread of COVID-19. Clearing encampments can cause people to disperse throughout the community and break connections with service providers. This increases the potential for infectious disease spread;" and
- Encourage people staying in encampments to set up their tents/sleeping quarters with at least 12 feet x 12 feet of space per individual; and
- Ensure nearby restroom facilities have functional water taps, are stocked with hand hygiene materials (soap, drying materials) and bath tissue, and remain open to people experiencing homelessness 24 hours per day; and
- If toilets or handwashing facilities are not available nearby, provide access to portable latrines with handwashing facilities for encampments of more than 10 people; now, therefore, be it,

**RESOLVED:** That the City Council requests the City Administrator to follow the Center for Disease Control interim guidelines on homelessness and COVID-19 to only clear homeless encampments if individual housing units or alternative shelter is provided

IN COUNCIL, OAKLAND, CALIFORNIA,

**MAR 27 2020**

PASSED BY THE FOLLOWING VOTE:

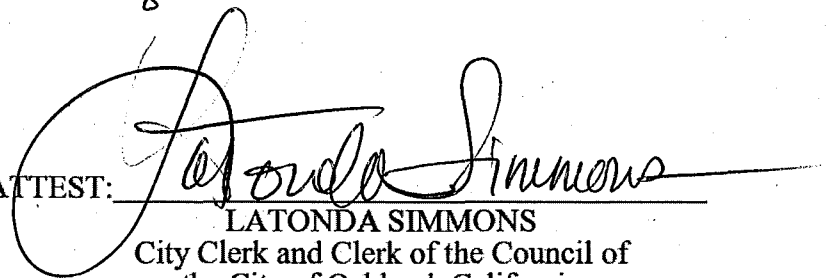
AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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

## ADDENDEM For Item 2:

### **Title: Resolution Requesting the City Administrator To Follow The Center For Disease Control ("CDC") Interim Guidelines On Homelessness And Covid-19 To Only Clear Encampments If Individual Housing Units Or Alternative Shelter Is Provided**

These definitions are to explain what means to not "clear," and what is compliant "alternative shelter" for purposes of complying with Covid-19 prevention guidelines.

- 1) Direction not to "clear" includes not to take away a vehicle (such as a car, van, or RV) which is being used for human habitation. Such vehicles may be moved to an alternative location for social distancing where the person may continue to use it for habitation, but may not be taken away from them.
- 2) "Alternative Shelter" shall comply with Covid-19 public health social distancing guidelines, and for these purposes, does not include putting someone into a shared room with other persons except for a person whom they chose to reside with.