



CITY OF OAKLAND

## AGENDA MEMORANDUM

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**DATE:** December 10, 2020  
**TO:** City Council and Members of the Public  
**FROM:** Councilmember Nikki Fortunato Bas and Council President Rebecca Kaplan  
**SUBJECT:** Amendment to the Provision Of Individual Housing Units and Alternative Shelter

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

We respectfully request that the City Council adopt the attached Amendment Clarifying The Requirements For The Provision Of Individual Housing Units and Alternative Shelter in order to protect the public health and prevent the spread of COVID-19.

We seek to clarify and amend the definition of “alternative shelter” for the purposes of Resolution No. 88077 and the Encampment Management Policy, in order to protect public health and ensure the proper and humane treatment of residents of homeless encampments.

We note that people living in congregate settings comprise less than 1% of the U.S. population, but nearly 50% of coronavirus deaths. In April, it was reported that 70 people from San Francisco’s largest homeless shelter tested positive for COVID-19, and with the current worsening of the pandemic, shelter outbreaks have been reported in Spokane, Washington, Salem, Oregon, and the City of Calgary.

Respectfully Submitted,

Nikki Fortunato Bas  
Councilmember, District 2

Rebecca Kaplan  
Council President and Councilmember, At-Large

## **CONGREGATE SHELTERS**

**FURTHER RESOLVED:** For the duration of the declared local emergency with respect to the outbreak of the novel coronavirus (Covid-19), the City will presume that moving or relocating from an outdoor encampment to an indoor congregate shelter places people at greater risk for COVID-19 transmission than they would be in by living in an outdoor encampment. Therefore the City will not consider congregate shelter as a form of alternative shelter during the Local Emergency. The City Council finds and declares that such presumption is necessary based on the following facts:

1. Most shelters have requirements that people leave during the day. These requirements constitute a risk to shelter users of contracting the virus or spreading it to the general public.
2. Indoor congregate settings cannot be made safe from airborne transmission of the virus, and are likely to place people in more risk of catching Covid-19 than they would be if they remained outside in an encampment, with their own tent or shelter.
3. People living in congregate settings comprise less than 1% of the U.S. population, but nearly 50% of coronavirus deaths.<sup>1</sup>
4. Though there have been no serious outbreaks of COVID in Oakland shelters so far, in April this year, it was reported that, “70 people from [San Francisco’s] largest homeless shelter have tested positive for Covid-19. Of those infected, 68 were residents and two are staff members at the multi-service center.”<sup>2</sup> With the current worsening of the pandemic, shelter outbreaks have recently been reported in Spokane, Washington<sup>3</sup>, Salem, Oregon<sup>4</sup>, and the City of Calgary<sup>5</sup>

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<https://www.aclu.org/news/disability-rights/covid-19-deaths-in-nursing-homes-are-not-unavoidable-they-are-the-result-of-deadly-discrimination/>

<sup>2</sup><https://sfbayca.com/2020/04/10/covid-19-update-outbreak-shakes-sf-homeless-shelter-oakland-slows-s-treets-newsom-hopeful-but-cautious-on-state-trajectory/>

3

<https://www.spokesman.com/stories/2020/nov/12/covid-19-spread-expected-in-spokane-shelters-but-o/>

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<https://www.msn.com/en-us/news/us/covid-19-impact-on-homeless-resonates-across-state-as-outbreak-closes-salem-homeless-shelter/ar-BB1aZpNn?ocid=uxbndlbing>

<sup>5</sup> <https://globalnews.ca/news/7452490/coronavirus-calgary-homeless-shelter-outbreaks-nov-9/>

5. Time limits on shelter stays can result in people being displaced back out onto the street in circumstances that place them in greater risk than they would be in an outdoor encampment. Co-governed encampments with sanitation facilities, garbage collection, and other services are in general safer, especially during the pandemic than congregate shelters.