



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Vice Mayor Magdalena  
Carrasco

**SUBJECT:** SEE BELOW

**DATE:** November 27, 2018

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**APPROVE:** 

**DATE:**

November 27, 2018

**SUBJECT: AUDIT: HOMELESS ASSISTANCE PROGRAMS**

## RECOMMENDATION

Demonstrate the coordination between the departments and external agencies in the development of the updated Abatement Program Guidelines and bring back the MOA's to City Council in January.

Direct the City Manager's Office as part of the update to the Abatement Program Guidelines and amend the Memorandum of Agreements with Tucker Construction and the Santa Clara Valley Water District and any other abatement partner to comply with legal requirements.

## BACKGROUND

We appreciate the responses on behalf of the Housing Department to address the issues identified by our Auditor's Office. As part of that response, the Housing Department has committed to updating the Abatement Program Guidelines to address outstanding concerns regarding procedures and policies. The current contracts are not working under a finalized Abatement Program guidelines which leaves ambiguity in the tactics used to properly handle individual's belongings.

I want to ensure that our updated guidelines are reflected in all our current contracts to ensure the disposal of garbage and collection of personal belongings is handled with care and concern for our houseless community. While not addressed directly in the auditor's findings there have been concerns from our housing advocates regarding the disposal of personal belongings, noticing, and the procedures for dismantling encampments including the practice of slicing open of tents, disposal of medication, and the loss of personal documents for the sake of expediency.

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Being poor and unhoused is not a crime. As a City, we must ensure that as we develop the guidelines that we remember the humanity of the situation. The disposal of individual's personal records and medications can further thwart efforts to obtain self-sufficiency and the ability to get proper services. The costs to individuals from sweeps of encampments can be life-threatening: numerous lawsuits throughout the nation have documented necessary medications and shelter being stripped from persons forced to live on the streets.

We know that we do not have enough emergency shelter beds for individuals being removed from an encampment. These sweeps have failed to address homelessness and have significantly increased over the years. Enforcement of these ordinances constantly displaces unhoused people from one location to another throughout the city. While we cannot ignore the issue, we must ensure that we prioritize dangerous encampments and treat our houseless community with compassion. I would like the opportunity for the entire Council and the public to review the MOA's so that we have a shared understanding of the requirements set forth.