



Memorandum

TO: CITY COUNCIL

FROM: Councilmember Matt Mahan

SUBJECT: CITY ROADMAP
PRIORITY NOMINATION
NO. NP10– ENCAMPMENT
MANAGEMENT
STRATEGY

DATE: 2/24/21

APPROVED:

DATE 2/24/21

RECOMMENDATIONS:

Ask my colleagues to support priority nomination NP10, which dedicates staff resources for the exploration of a comprehensive encampment management strategy—following examination of similar policies in other municipalities, such as Oakland—to be brought back to Council by June 30th in the form of a report with recommendations for potential implementation once COVID-related restrictions are relaxed, with the ultimate aim of:

1. Improving on-the-ground conditions for unhoused residents living in encampments, potentially including but not limited to basic hygienic services, trash removal, and social services.
2. Improving protection of and access to sensitive public spaces and community institutions, including creeks, trails, and schools, while being sensitive to the voices and lived experience of unhoused residents and without criminalizing homelessness.

BACKGROUND:

In 2019, the latest edition of San José’s Homeless Census and Survey starkly illustrated the severity of our homelessness crisis. Despite considerable effort to turn the tide, our unhoused community grew by 40% between 2017 and 2019, expanding from 4,350 to 6,097. These numbers were recorded pre-COVID, and some advocates estimate that thousands of additional individuals have been pushed into homelessness in our county since 2019. Black and Latino resident disproportionately experience homelessness, with Black people representing 19% of the homeless population but only 3% of San José’s population, and with Latinos making up 42% of the homeless community but only 32% of San José at-large. Addressing homelessness is a racial equity and moral issue of the highest order.

One of the key figures from the Census is San José's unsheltered homelessness rate. At 84%, the U.S. Department of Housing and Urban Development ranks our city second in the nation in unsheltered homelessness. As we assess our forward-looking strategies for addressing homelessness, we should not simply revert back to abatement strategies that were failing both our unhoused and housed residents prior to COVID-19. We must strive for a better normal, which continues to embrace a long-term "Housing First" strategy while simultaneously doing more to address immediate on-the-ground conditions for both unhoused and housed residents.

Protecting and lifting up our homeless resident requires a multi-pronged approach. Certainly, building more housing, especially deeply affordable housing and permanent supportive housing, is core to the solution. So will be investments in job training and placement, access to and utilization of outpatient treatment for mental illness and substance abuse, long-term mental health care facilities, and more. These types of long-term strategies will do the most good for the most people. They are also expensive and slow to implement.

While we move full steam ahead on such solutions, we also have moral and practical reasons to do more for and with unhoused residents. The most vulnerable members of our community cannot afford to wait four or five years for an affordable housing development to rise from the ground—they need our help now, and as a City we can do more, especially in partnership with other local governmental bodies.

At the same time, our broader community also wants to see immediate and effective action focused on supporting unhoused residents while improving the conditions of our streets, parks, trails and other public assets. Fairly or not, encampment-related concerns with trash, perceived public safety risks, and environmental damage are among the most common constituent inquiries fielded by my office. For many residents, the frustration is magnified by the sense that our current strategies aren't demonstrating a meaningful results. While residents rarely have the opportunity to see a new supportive housing unit or meet the person who has been lifted out of homelessness, they are all too aware of the concrete manifestations of unmanaged and unsupported encampments.

In this spirit, I propose that staff explore the development of a comprehensive encampment management strategy that aims to simultaneously improve conditions in encampments and reduce the impact of encampments on neighborhoods and sensitive environmental resources by both restricting where they can exist and better servicing them where they can.

These are not particularly new ideas in California or even here in San José. The City of Oakland recently adopted an encampment management strategy that incorporates these twin goals. Since the advent of COVID-19, our local response to encampments has shifted dramatically as well, deemphasizing ephemeral abatement tactics while increasing the provision of basic services in our largest encampments. This is a small, but meaningful step in the right direction.

An encampment management strategy, if properly designed, would serve to benefit both our housed and unhoused communities. The status quo is untenable; unmanaged encampments in high-sensitivity areas such as parks and creeks have the potential to pose significant obstructions to residences, businesses, and emergency routes, and can threaten to degrade critical infrastructure and environmental resources. Detrimental health and safety impacts extend to all parties, housed and unhoused.

The City should explore ways to better protect and preserve these high-sensitivity areas by establishing setbacks or other parameters regarding the appropriate placement of encampments,

while investing in better services for unhoused residents who abide by such restrictions. Explicitly designated places to camp should be considered, but are not necessarily required for such a policy to improve upon the status quo.

It is important to note that this effort will require significant dialogue and outreach with many stakeholders. Firstly, people who have experienced or are experiencing homelessness should be centered in this conversation. This policy in no way should seek to or imply that homelessness be criminalized. Community advocates who have deep expertise in issues related to housing, homelessness, environmental protection, and mental health, among other intersecting issues, should also be consulted. Cooperation with agencies such as Caltrans, Valley Water, County and State governments, non-profit partners, and others is also fundamental to a more effective forward strategy.

The City must take bolder action to support unhoused residents and reduce the negative impacts inherent in having over 6,000 individuals living with minimal support infrastructure in a dense urban area. Our pre-COVID abatement strategy, which often served to simply shuffled encampments back and forth between adjacent neighborhoods without offering hope of greater support, inefficiency spent tax dollars without meaningfully improving life for unhouse or housed residents. I'm hopeful that a more comprehensive encampment management strategy will offer a more humane, effective and efficient approach to delivering what the vast majority of housed and unhoused residents want: a safe, clean and inclusive city.