

FILED
OFFICE OF THE CITY CLERK
OAKLAND

19 JUN 20 PM 3:42



AGENDA REPORT

Councilmember Nikki Fortunato Bas

CITY OF OAKLAND

CITY HALL, 1 FRANK OGAWA PLAZA, 2ND FLOOR, OAKLAND, CALIFORNIA 94612

DATE: June 20, 2019

TO: City Council and Members of the Public

FROM: Councilmember Nikki Fortunato Bas

SUBJECT: Supplemental Report for Encampment Management Policy And Program

RECOMMENDATION

Councilmember Bas Recommends that The City Council Receive This Informational Report And Recommendation On The City's Encampment Management Policy And Program.

EXECUTIVE SUMMARY

In May 2019, Councilmember Bas introduced an informational report concerning the City's Encampment Management Policy and Program from the City Administrator, and later, introduced a supplemental report outlining specific recommendations and action steps for consideration by the City Council and City Administration. The purpose of these efforts is to improve the Encampment Management Program, particularly regarding its overall goals of housing, health and safety, and in terms of communication and coordination with City Councilmembers, unsheltered residents, advocates and neighbors.

The item was further continued to the Life Enrichment Committee on June 25 with the agreement that the City Administrator's Office and Councilmember Bas would meet to discuss the recommendations and develop next steps.

Councilmember Bas and the City Administrator's Office (CAO) met and discussed short-term next steps in the context of additional resources for homelessness in the new budget. The City's

Councilmember Nikki Fortunato Bas

Subject: Supplemental Report for Encampment Management Policy And Program

proposed budget includes the following in FY 2019 (July 2019 - June 2020): the hiring of a high-level official in the City Administrator's office focused on homelessness (per recommendation of Councilmember Lynette McElhaney), the creation of a Homeless Advisory Commission mandated under Measure W, additional services for encampments, and support to self-governed encampments. In the context of potential future resources, Councilmember Bas and the CAO agreed to the following over the short-term:

1. Hold a series of meetings over the summer between Councilmember Bas' office and key partners from the EMT, including The Human Services Department (HSD), Public Works (OPW), Police Department (OPD), Operation Dignity, and others to further discuss the Encampment Management Team's operations and the Councilmember's recommendations.
2. Members of the EMT and/or CAO will join meetings of the Homeless Advocacy Working Group (HAWG) to discuss increased communication, operations and procedures regarding the City's Encampment Management Program.
3. Implement a number of recommendations in the short-term, described below.

Note: Other Councilmembers are welcome to participate in these meetings and in implementing next steps, in compliance with the Brown Act.

Councilmember Bas also met with the City Auditor's Office and agreed to the following:

1. Explore the scope, cost and timeline for a full performance audit of the city's homeless Encampment Management Program. The following are potential audit topics:
 - Cost of the Encampment Management Program
 - Determine how many encampments actually exist in the City of Oakland
 - Assess the quality of conditions at encampments
 - Achieving goals and objectives
 - Response time for 911, 311, and 211 calls
 - Service data -- How many served in encampments, number that receive permanent housing and the retention rates on permanent housing
 - Assessment of the bag and tag process
 - Closure notification process
 - Best practices
 - Quality of data around the encampment program
2. Coordination and partnerships with City departments and other governmental agencies
3. The City Auditor's Office anticipates issuing a contract to complete this audit. The estimated cost of the audit is between \$80,000 to 100,000 and once awarded, the audit should take 6 months to complete.
4. Examples of similar audits by other cities include:
 - a. Portland: <https://www.portlandoregon.gov/auditservices/article/725888>

Item: _____

Councilmember Nikki Fortunato Bas

Subject: Supplemental Report for Encampment Management Policy And Program

b. Seattle:

http://www.seattle.gov/Documents/Departments/CityAuditor/auditreports/Review%20of%20Navigation%20Team%202018%20Quarter%201%20Report_10-2-18.pdf

c. Austin:

https://www.austintexas.gov/sites/default/files/files/Auditor/Audit_Reports/Homeless_Assistance_-_Coordination_v1_-_December_2017.pdf

d. San Jose: <http://www.sanjoseca.gov/DocumentCenter/View/80945>

BACKGROUND/LEGISLATIVE HISTORY

As agreed upon during the Life Enrichment Committee meeting on May 28, Councilmember Bas and staff met with Joe DeVries of the City Administrator's Office and Encampment Management Team to discuss potential next steps related to the previous supplemental. Topics included stronger communication among stakeholders and short-term procedural changes to the Encampment Management Program.

Councilmember Bas and staff also met with the City Auditor's Office to discuss the scope and implementation of a performance audit of the Encampment Management Program.

ANALYSIS AND POLICY ALTERNATIVES

Oakland's housing affordability and homelessness crisis is a top priority of residents, as informed by the City's recent budget survey. Our goal as a City should be housing our residents. And while people are living on our curbs, our focus should be public health and safety -- the health and safety of unsheltered individuals and families, and surrounding communities, and addressing sanitation, trash and illegal dumping.

The Encampment Management Program cites a "harm reduction" approach. To live up to our goals as well as this approach, we must improve information sharing and collaboration among all stakeholders. Given the severity of the homelessness crisis and lack of sufficient affordable housing, we must be willing to conduct critical, yet constructive, evaluations of our past work; and we must also be willing to innovate and try new strategies that will advance our goals of health and safety, and housing all our residents.

Below are the agreements and next steps discussed in the meeting between Councilmember Bas' office and the City Administrator's Office. Councilmember Bas shall schedule a report on progress at the Life Enrichment Committee to be heard no later than December 3, 2019.

Item: _____

Life Enrichment Committee Meeting June 25, 2019

General Encampment Management Policies and Procedures

Encampment Management and Closures

1. Notices at encampments will be posted in other languages, including Spanish, Chinese, and Vietnamese in addition to English.
2. Notices of closures and the posting of warning notices is possible in most cases, except where there is an immediate safety hazard. The city agrees with the general principle of providing encampments with specific issues to be corrected, and giving advance notice prior to closure. This information would also be communicated during future meetings with the Homeless Advocacy Working Group (HAWG).
3. The city will explore having Operation Dignity provide transportation, bags, gloves, water, and other necessities during the move of encampment closures, but cited that ~~additional resources may be needed.~~
4. The city will explore providing storage space for unsheltered residents, but cited additional resources are needed including staff, funds and actual space.

Providing Basic Services to the Unsheltered

1. If additional resources are allocated in the new budget, the City will provide services to additional encampments. Through meetings described above, the EMT will develop a proposal with stakeholders for serving additional encampments.
2. The City Administrator's Office was encouraging of the idea of exploring partnerships to provide services and materials, such as fire extinguishers. This is an area that neighbors, volunteers, Councilmember offices and others can explore.

Self-Governance and Sanctioned Encampments

1. The City Administrator's Office and Councilmember Bas agreed to work on defining what a self-governed and sanctioned encampment is, with involvement from unsheltered residents and advocates. This would inform the development of a pilot program if/when funds are available in the new budget for such sites.

Employment Opportunities for the Unsheltered

1. If/when funds are approved in the new budget, the City will develop employment opportunities for unsheltered residents, with input through the meetings described above.

Transparency and Accountability

Councilmember Nikki Fortunato Bas

Subject: Supplemental Report for Encampment Management Policy And Program

1. The City will make public and available the City's master list of encampments.
2. The City will ensure that the list of encampment closures online is accurate and representative, as well as the list of enforcement efforts taking place at previous encampment sites.
 - a. The City will explore posting notices in public locations such as the City Hall bulletin board and Main Library.
 - b. Notices shall be provided 30 days in advance for closures except when urgent Health and Safety conditions require a faster response and in instances where the City is enforcing a previously closed area that has become re-encamped.
 - c. Notices shall be provided two weeks in advance for clean and clears except when urgent Health and Safety conditions require a faster response.
3. During closure enforcements the City will ensure unhoused residents are provided with adequate housing and service options via service providers when resources allow and via ~~fliers with information including the 211 Hotline, Henry Robinson, St. Vincent de Paul~~ and other shelter options.

Other Recommendations

There are several recommendations in the prior supplemental that are not mentioned here for short-term follow up because there either was not agreement between Councilmember Bas's office and the City Administrator's Office or because they require a longer timeline and additional resources. These items could be explored further if/when a high-level official on homelessness and a Homeless Advisory Commission are on board. The full list of recommendations from the last supplemental report would be shared with the new official and Commission.

FISCAL IMPACT

There is no fiscal impact related to creating this informational report.

PUBLIC OUTREACH / INTEREST

This report did not require public outreach, but was significantly informed by public testimonies given at Life Enrichment Committee meetings in May 2019.

Councilmembers and their staff regularly meet with constituents, homeless residents, and advocates to hear and address their concerns, as well as with government partners across various departments and agencies.

COORDINATION

Item: _____

Life Enrichment Committee Meeting June 25, 2019

This report was coordinated with input from the City Administrator's office and the City Auditor's office.

SUSTAINABLE OPPORTUNITIES

Economic: This report provides recommendations to inform policies and procedures of the City's EMT, to better address the crisis of homelessness in our city. Homelessness is an inherently economic issue, impacting the lowest income and most at-risk populations, as well as the general public, including small businesses, homeowners, tax payers and residents.

Environmental: Homeless encampments that lack basic sanitation, water, and other critical services present a serious public health risk and environmental hazards to the city. The Encampment Management Team seeks to address these conditions, and find solutions to better ensure that the unsheltered and the surrounding communities and the environment are not negatively impacted.

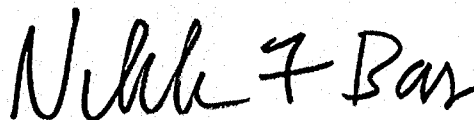
Social Equity: Unsheltered residents in Oakland are among the most at-risk and vulnerable populations in the world. In the city's Equity Indicators Report, Oakland scored a 1 for homelessness, which disproportionately impacts African Americans at a higher rate than any other racial group.¹

ACTION REQUESTED BY THE CITY COUNCIL

Councilmember Bas Recommends That The City Council Receive This Informational Report And Recommendation On The City's Encampment Management Policy And Program.

For questions regarding this report, please contact Lia Azul Salaverry, Policy Analyst and Community Liaison, Office of Councilmember Nikki Fortunato Bas, at 510-238-7021.

Respectfully Submitted,



Nikki Fortunato Bas

¹ <https://cao-94612.s3.amazonaws.com/documents/2018-Equity-Indicators-Full-Report.pdf>

Councilmember Nikki Fortunato Bas

Subject: Supplemental Report for Encampment Management Policy And Program

Councilmember, District 2

Prepared by:

Lia Azul Salaverry

Policy Analyst and Community Liaison

Office of Councilmember

Nikki Fortunato Bas

Item: _____

Life Enrichment Committee Meeting June 25, 2019