



News from: **City of Oakland**

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Federal Judge Indicates Approval of City of Oakland's "Thoughtful" Outreach and Services Plan in Support of Caltrans' Encampment Closure Operation on Wood Street

Court order would allow phased clean-up and closure operation to resume to abate potentially hazardous conditions that threaten public health and safety

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Oakland, CA—At a hearing this morning in U.S. District Court, Judge William Orrick indicated he planned to issue an order largely based on a plan put forward by the City of Oakland to provide outreach and services to the 200-300 unsheltered people living on Caltrans property along Wood Street in West Oakland. The judge acknowledged that while it is not perfect—and that given the sheer scope of homelessness, gaps remain—the City presented a “thoughtful proposal based on the resources the City has at present.”

The Court's order, expected to be released later today, will clear the way for Caltrans to address the potentially catastrophic hazards posed by the sprawling Wood Street encampment due to the massive accumulation of combustible materials, burned out cars, and debris. The encampment on Caltrans property has been the site of more than 240 fires, a dozen in the last month alone, that threaten the integrity of the regional freeway network above and pose a significant danger to East Bay MUD's wastewater treatment plant next door.

In anticipation of the Court's order allowing Caltrans to proceed with the closure operation on their property, the City of Oakland has reserved all currently open shelter beds in its system—a total of 40—so that they are available to shelter the residents of the encampment when the operation resumes, anticipated after Labor Day.

In a joint statement, **Governor Gavin Newsom** and **Mayor Libby Schaaf** stated: “The Court's indication that it will lift the injunction in a week means Caltrans will hopefully be able to proceed to clean up the most dangerous portion of the Wood Street encampment in its efforts to ensure the safety of those living at the encampment and the surrounding community. The City of Oakland will support Caltrans by providing housing outreach and offering available shelter beds to those living at the encampment, and we look forward to our continued collaboration.”

Summary of City of Oakland's Proposed Outreach and Shelter Plan

- In the immediate term, Caltrans will begin with the northern portion of the site adjacent to the EBMUD wastewater treatment plant. Once Caltrans posts closure notices on the site, the residents in that area will be given 48 hours to relocate.

- Every two weeks thereafter, over three consecutive phases, residents on the remainder of the property will be offered shelter and services, and the area will be cleared.
- In a coordinated approach, the City of Oakland and Alameda County will provide outreach, services, and shelter offers at a total of six emergency shelter intervention locations to the Wood Street residents.
- Once shelter offers are made, residents will have 72 hours to accept or decline; if offers are declined, residents must move before Caltrans operations commence. If no beds are available at that time, residents will still be required to move.
- The judge stated the following aspects from the city’s plan would be included in his order.
 - 40 beds within the City’s shelter system are immediately available and are being held in anticipation of the operation.
 - Specialized housing is available through Alameda County for veterans and COVID-positive individuals.
 - Resources through the Homeward Bound program are available to relocate people who have opportunities for housing and support outside Oakland through family and friends elsewhere.
- Caltrans will store residents’ personal possessions for 60 days, and the City will store them for 90 days in accordance with its 2020 Encampment Management Policy and Public Works’ Standard Operating Procedures.
- Caltrans is required to work with Alameda County and the City of Oakland to ensure that the vehicles belonging to unsheltered residents and those being used as shelter are relocated somewhere they can be recovered by their owners.

BACKGROUND

In its filing, the City of Oakland noted that it is facing a dire homelessness crisis. Nearly half of all unsheltered individuals in Alameda County live in Oakland. Even with the support of its state, county, and local partners, it has been impossible for the City to house its entire unsheltered population. “The City is keenly aware that it must balance its concerns for addressing the living conditions of the unsheltered with its responsibility to safeguard the public health and safety of the entire City, including the interests of those in its housed, commercial, and industrial communities. The City is facing what often seems like an insurmountable responsibility to everyone within its borders,” the filing stated.

City’s Encampment Management Efforts on Wood Street

To address the needs of the unsheltered people living on the City-owned right-of-way on Wood Street between West Grand and 26th Street, the City has been conducting outreach for about a year, which intensified over the weeks leading up to the encampment operation closure operation that began in July and was completed last week. More details and a map of the area can be found [here](#).

The City plans to set up a 50-unit emergency shelter program on the second half of the GameChanger lot at Wood and 26th streets, funded by a \$4.7 million grant from the State of California. Subject to full funding, the City will add an additional 50 units, for a total of 100 shelter beds.

Legal Background

Temporary Restraining Order on Caltrans Property: GRANTED

On July 19, 2022, homeless individuals at the Caltrans Wood Street encampment filed for a temporary restraining order (TRO) in U.S. District Court against Caltrans, Alameda County, and the City of Oakland “to prevent a planned closure of the encampment and removal of the plaintiffs and their possessions” (see attached); the TRO was granted until a hearing could be held.

After the hearing on July 22, 2022, the Court modified the TRO (see attached) and clarified that the TRO applies only to Caltrans land and “does not extend to Oakland’s property.” It states that, “As used in this TRO, ‘Wood Street encampment’ refers only to the area possessed by Caltrans, not the City of Oakland or other entities.”

Temporary Restraining Order on City of Oakland Property: DENIED

On August 11, 2022, the same group of Plaintiffs, none of whom live on City-owned property, asked the Court to expand the modified TRO to apply to City property and stop the City’s efforts to resume its clean-up operation that began last month. The Court denied the request on August 12 (see attached), allowing the City’s operation to resume as planned on Monday, August 15, 2022, through Thursday, August 18, 2022. The Court found that Oakland “provided a longer notice of the clear-out action” than Caltrans and “makes offers of shelter to all individuals when it clears an encampment.”

Modified Temporary Restraining Order on Caltrans Property: TO BE DISSOLVED

The Court indicated it plans to dissolve the ModifiedTRO in staged phases; the order is forthcoming.

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