



Homeless Commission

CONSENT CALENDAR

January 26, 2021

To: Honorable Mayor and Members of the City Council
 From: Homeless Commission
 Submitted by: Carole Marasovic, Chairperson, Homeless Commission
 Subject: A People's First Sanctuary Encampment

RECOMMENDATION

The City Council to adopt the *People's First Sanctuary Encampment Model* incorporating all text in this report, urging best practices for Sanctuary Homeless Encampments with an oversight agency to be named by members of the encampment community and refer to the City Manager to fund liability insurance for the agency chosen by the encampment community.

POLICY COMMITTEE RECOMMENDATION

At the December 14, 2020, meeting the Health, Life Enrichment, Equity & Community Committee moved M/S/C (Kesarwani/Bartlett) the Companion Report with a qualified positive recommendation to the City Council to take the following action: 1. Direct the City Manager to incorporate parts of the Commission's recommendations, including: providing clean water, sanitation, accessible toilets and trash removal services; and requiring that homeless services providers obtain input from clients when developing rules and ensure that the privacy and security of clients is respected and maintained at all times; 2. In addition, the City Manager shall receive the Homeless Commission's recommendations and retain them for future guidance when developing homeless services programs and models; and 3. That the City Council reaffirms its commitment to dignified and client-centered homeless services. Vote: All Ayes.

FISCAL IMPACTS OF RECOMMENDATION

Allocations from Measure P funding regarding emergency services, tents, heating equipment, waste, water purification, food distribution and waste management, sanitation, healthcare, hygiene, and accessibility services.

Sanctioned encampments will provide accessible and accountable avenues for public funding. Supportive services and emergency run visits may become unburdened through harm-reduction models. Rehousing services may become unburdened through partnerships between small-sites, small-property owners, land trusts, cooperatives and resident homeowners.

CURRENT SITUATION AND ITS EFFECTS

The Peoples First Sanctuary is a Strategic Plan Priority Project, advancing our goal to create a resilient, safe, connected, and prepared city as well as champion and demonstrate social and racial equity.

BACKGROUND

On January 8, 2020, the Homeless Commission votes as follows:

Action: M/S/C Marasovic/ to defer the People's Sanctuary Encampment recommendation for discussion to next month's meeting and direct the Council encampment chart referral back to the encampment subcommittee to be returned to the full Commission at next month's meeting.

No Vote: motion died for lack of a second.

Action: M/S/C Hill/ Mulligan to approve the People's First Sanctuary Recommendation with the following amendments to the recommendation section:

(i) to include that an oversight agency be named by members of the encampment community, and (ii) refer to the City Manager to fund liability insurance for the agency chosen by the encampment community.

Vote: Ayes: Hill, Kealoha-Blake, Mulligan, Behm-Steinberg
Noes: Andrew. Abstain: Marasovic. Absent: Hirpara.

Marasovic abstention due to i) Council directive to respond to encampment chart referral, ii) believes in the spirit of self-governance, and iii) the recommendation is not a realistic plan.

According to the 1,000 Person Plan to Address Homelessness, on any given night in Berkeley, there are nearly 1,000 people experiencing homelessness. The City of Berkeley has implemented a number of programs to respond to this crisis, but data from the homeless point-in-time count indicate that, for the past several years, homelessness has nonetheless steadily increased. To understand the resources and interventions required to end homelessness in Berkeley--both by housing the currently unhoused population and by preventing inflow of future homelessness--the City Council asked staff to create a 1000 Person Plan on April 4, 2017.

While all homeless people lack stable housing, not everyone needs the same level of support to obtain housing. To end homelessness in Berkeley, the city needs targeted investments in a variety of interventions, ensuring every person who experiences homelessness in Berkeley receives an appropriate and timely resolution according to their level of need (i.e., a homeless population of size "functional zero"). HHCS staff analyzed ten years of administrative homelessness data to understand the personal characteristics of people experiencing homelessness in Berkeley, how they are

interacting with homeless services in Berkeley, and the factors most predictive of exiting homelessness without eventually returning back to the system.

From these analyses, HHCS staff estimate that over the course of a year, nearly 2000 people experience homelessness in Berkeley. This population has been growing because the population is increasingly harder to serve (longer histories of homelessness and more disabilities) and because housing is too expensive for them to afford on their own.

The types and sizes of all interventions to help Berkeley reach “functional zero” by 2028 are described in this report. To end homelessness for 1000 people in Berkeley, the original referral directive from City Council, the City will need up-front investments in targeted homelessness prevention, light-touch housing problem-solving, rapid rehousing, and permanent subsidies.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental opportunities associated with the content of this report.

RATIONALE FOR RECOMMENDATION

The following principles, developed and proposed by unhoused community members have guided the Peoples First sanctuary Encampment Model's goals to secure the safety of all residents, community members and responsible parties:

That a sanctuary encampment be a peoples first driven model in which the city shall provide capacity-building training for residents of the encampment but shall not interfere with the internal makeup or democratic decision making of encampment members. Collective punishment, regulations, and raids must not occur within a sanctuary encampment. Local authorities may not force safe havens to accept residents without the collective consent of its existing membership.

No protected person's sovereignty shall be interfered with or may be punished for an offense they have not personally committed. Freedom from surveillance, freedom from confiscation of property, and Privacy rights must be established by the City of Berkeley. Mental Health care and First Responders should be available for consultation. Sanctioned encampment councils should be made up of residents of the sanctioned encampment. Unsheltered people, public and private agencies, boards, councils and commissions coordinating with the sanctuary encampment should communicate the needs of sanctioned encampments to transitional housing services with good faith.

All people sheltering themselves within a sanctuary encampment which a public authority shall provide clean water, sanitation, accessible toilets and trash removal services for the sanctioned encampment.

New Housing developments should consider and prioritize the most vulnerable citizens living in sanctioned encampments. There should be changes to land-use and zoning policies to include affordability covenants, community land trusts, housing cooperatives, section eight housing vouchers as well as reclaiming vacant properties for sanctioned encampments. Rent control ordinances to retain price-control for tenants and small-site property owners.

ALTERNATIVE ACTIONS CONSIDERED

The Commission considered responding to Council encampment chart referral.

CITY MANAGER

See companion report.

CONTACT PERSON

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