

From: beautifulsanpablo
To: [All Council](#); [Berkeley Mayor's Office](#); [Kesarwani, Rashi](#); [Taplin, Terry](#); bbartlett@cityofberkeley.inf; kharrison@cityofberkeley.inf; shahn@cityofberkeley.inf; [Wengraf, Susan](#); rrobinson@cityofberkeley.inf; [Humbert, Mark](#); [Homeless Services Panel of Experts](#); jimhynes@pacbell.net
Subject: Letter from Barbara Rydlander
Date: Wednesday, October 4, 2023 9:15:32 AM

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City Manager, City of Berkeley for Oct. 4 meeting Oct. 3, 2023

To all of those at Homeless Panel Meeting for Oct. 4 I am addressing the mayor, city council representatives, Joshua Jacobs, Homeless panel of Experts as scheduled for city agenda for the special city council on Oct 4, 2023:

I am a very concerned neighbor and first- time homeowner who lives at the edge of the Virginia Street encampments. This growing group of large rv's plus encampments has begun to pose a serious threat to neighbors and others who regularly use this street for cycling, walking dogs, and access to shopping in the area. The street has become home to a very angry, abusive man who yells obscenities and blocks the sidewalk with his found stuff that he hopes to sell. Police were summoned last week to an incident involving one rv resident and a woman. I was concerned about domestic abuse in this situation due to threats to the woman.

I am a partially disabled senior and feel unsafe using this street now due to harassment and the dangers which I fear due to my age and disability.

I am also on a fixed income and bought my first home when property was not so expensive in Berkeley. I had lived continuously in Berkeley since 1969 in an apartment very close to Berkeley High School. The homeless situation in the downtown area began to increase dramatically and I had to deal with groups of homeless people gathering under my window nightly where they would converse loudly, drink alcohol, and smoke marijuana. Finally I had enough and was able to purchase my current home.

The current situation concerns me greatly especially due to the mental health of those who are living on the streets. The city of Berkeley has services available, but apparently those individuals on Virginia Street have not taken advantage of assistance and they have been at this location for at least a year.

Our governor has recently set up a "CareCourt" especially for those suffering from mental illness. He hopes that this new program will motivate those unhoused, who are afflicted, will voluntarily take advantage of the services and living opportunities which become available. As someone who is paying very high property taxes, I feel that the city should understand that we pay for the numerous proposals submitted to the voters and special commissions to deal with many of these troubling concerns that come within a block of our own homes.

Our city parks and trails are no longer safe due to needles, human waste, and trash left by campers and those in rv's. Why not at least invite those who live within these communities to police the area by picking up trash at least. We are now subject to the same red-lining of properties that existed during the height of racial discrimination in our city. Is this the future of Berkeley? I hope not. I want residents of Berkeley to take pride in the city where they live; to

be able to take advantage of the fine opportunities for job training, education, and community events. I feel that they also deserve to live safely but also observing the social proprieties required within a crowded, small urban space. Certainly public health should be a major consideration if outbreaks of disease begin to spread among them and in the general population..

Please take my remarks seriously. I am just one of many Berkeley seniors who are increasingly afraid and concerned about the quality of life that now appears to be changing rapidly for those who treasure this city.

Thank you for your concern.

Barbara RYDLANDER

* Ms. Rydlander's internet broke down and she asked BSP to send her letter as she cannot attend the meeting this evening.

Jacobs, Joshua

From: aimee baldwin <junk.menagerie@gmail.com>
Sent: Wednesday, October 4, 2023 11:39 AM
To: Jacobs, Joshua; jimhynes@pacbell.net; Manager, C
Subject: Street Camping Changes

Follow Up Flag: Flag for follow up
Flag Status: Flagged

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To Berkeley Homeless Services Panel of Experts, City Council, and City Managers,

Please do not decriminalize street camping. It will invite people to move here to be homeless on our streets. Berkeley can not solve the entire region's homelessness. Especially not if we make a law that gives the impression that Berkeley endorses street camping as acceptable, safe, or healthy living conditions. It goes against all of our work to get people off the streets.

Homeless people are already deliberately pushed out of more affluent areas into more tolerant and diverse communities. Either passively by a lack of offering comprehensive services within their own affluent areas, or directly by stringent and enforced anti-camping laws. This occurs both outside of Berkeley and within our own city limits. Homeless people, like most anyone, choose to move to places with the most favorable conditions. People are free to move to wherever they want, but public decriminalization of public camping will be an open invitation for more people to crowd our streets from places that have made their streets unwelcoming or just less welcoming than ours. It will take away from the already stretched resources we have to offer the people who are already here. Berkeley simply can't take on all the homeless people from neighboring cities and counties who offer less help than we do.

This is not a solution. The worst outcome would be city officials finding it to be an excuse to avoid doing the difficult work of providing actual meaningful housing and care, because living in a tent on the sidewalk will be considered acceptable. The city will wash its hands of working on finding real solutions, just as it has washed its hands of pursuing equity between historically disadvantaged and historically affluent areas of the city.

District 1 will be hit the worst by decriminalizing street camping. I see that people who live up in district 8 or 5 would have no problems with a choice that might increase our street encampment population as they rarely, if ever, face the resulting problems. The burden of Berkeley's homeless population falls *severely disproportionately* onto District 1 (see following attached pages). It is unreasonable for the majority of the city to make sweeping decisions that will burden only a small section of the city. Our homeless solutions need to consider equitable costs to all residents in the city, not just further overburden a historically disadvantaged district.

I have been insisting for months that the city should use the vacant Oxford Elementary school as it used the Grayson St warehouse for the Horizons site. Even just a short term lease for the coming winter, when living on streets is hardest on people. The city has made no progress in this direction for 6 months. The assessed value of the Oxford school (\$2Million) seems quite inexpensive in light of the statistics of getting people into permanent housing vs. motel leasing costs.

Apparently, the Horizons site, where people set up tents inside a non-residential warehouse, was about as successful as the use of 3 motels. According to recent information provided by Peter Radu, these are the results after 15 months thus far from the Rodeway Inn, Super 8, and Berkeley Inn motel shelter sites combined:

“Since June 2022, (47 people) exited to permanent housing, ...Of the clients that exited, the average length of stay in the shelter was 115 days. Please note that this success rate of exits to permanent housing (nearly 50%) is roughly double what we tend to see in congregate shelters (where the success rate tends to be closer to 25%).”

[leasing cost of probably over \$4Million per year for all three motels combined]

According to Robbi Montoya, the Horizons site, which only operated for 18 months did pretty well: *“We served 147 ppl in total with 49 obtaining permanent housing and to my knowledge, zero recidivism to the streets. “*

[leasing cot of Grayson warehouse under \$200,000 per

year [https://berkeleyca.gov/sites/default/files/documents/2021-04-](https://berkeleyca.gov/sites/default/files/documents/2021-04-27%20Item%2001%20Referral%20Response%20%20Urgency%20Ordinance%20for%20leasing%20the%20real%20property%20at%20742%20Grayson.pdf)

[27%20Item%2001%20Referral%20Response%20%20Urgency%20Ordinance%20for%20leasing%20the%20real%20property%20at%20742%20Grayson.pdf](https://berkeleyca.gov/sites/default/files/documents/2021-04-27%20Item%2001%20Referral%20Response%20%20Urgency%20Ordinance%20for%20leasing%20the%20real%20property%20at%20742%20Grayson.pdf)]

I realize a lot of the motel funding was from the state, and likely attracted certain residents who might not agree to live in a warehouse, but if we could replicate the Horizons warehouse shelter model, we could help so many more people without great expense. Why aren't we replicating the Horizons model several times? Millions of dollars spent on placing 3 people per month in permanent housing from motels, that several hundred thousand dollars achieved at about the same rate from a warehouse. This is worth our time pursuing, not sending the message to the world that camping in public spaces is safe, healthy, or acceptable living conditions.

Berkeley is failing at monitoring its own homeless services. It is failing to figure out what, out of all of our millions of dollars of assistance, is working best. It seems like bureaucrats only sign agreements, or allocate funds, but then they turn their back on anything else going on. Why would I expect any difference if we decriminalize camping in public spaces?

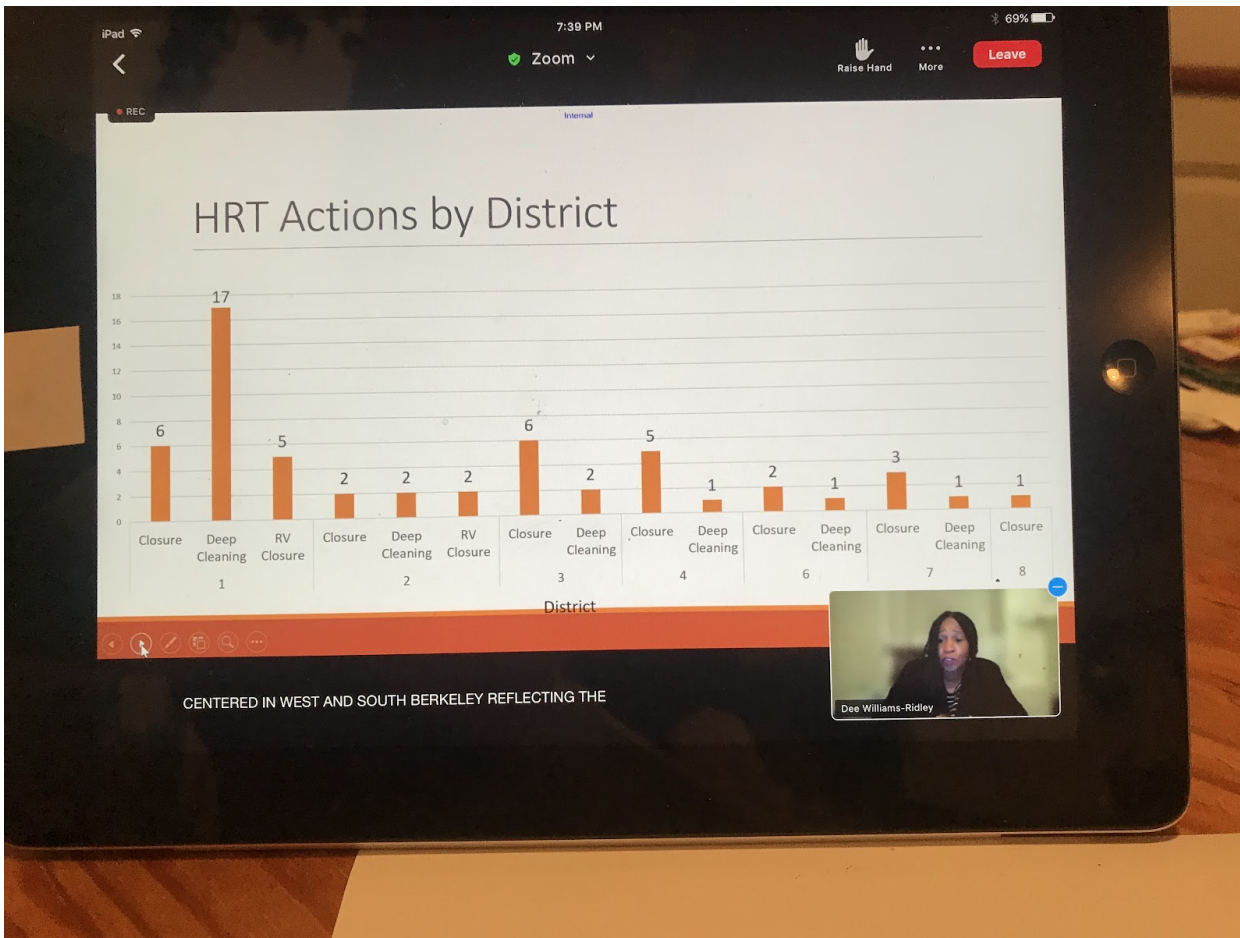
Especially in District 1, our community around these encampments, and the assorted shelter or housing sites, are not seeing enough resources dedicated to ensuring the success of the surrounding neighborhood communities, nor of the homeless individuals: The Golden Bear Inn has nobody monitoring if the non-profit hired to provide services at the site is actually meeting any of their contractual obligations. NO OVERSIGHT on contractual obligations. When we inquire, we get a run-around of finger pointing to go ask someone else. How can we tell if the services promised to turn the Golden Bear residents' lives around, are actually being provided? I know that the city doesn't provide anyone in the surrounding community with any additional help, despite several years of asking for it.

The city has not shown it is trustworthy at meeting basic community needs, even when under meaningful obligations to do so. Removing our legal and moral obligation to get homeless into housing because they aren't officially allowed on the street, will only worsen all of our problems. What our city needs is better services coordination, oversight, and creative solutions, not public decriminalization of camping in public spaces.

Sincerely,

Aimee Baldwin
Beautiful San Pablo

Homeless Response Team Actions in 2022 by District
Screenshot of Berkeley City Manager presentation
at City Council meeting in December 2022



*note that the graph fails to illustrate bars on graph when zero actions were needed

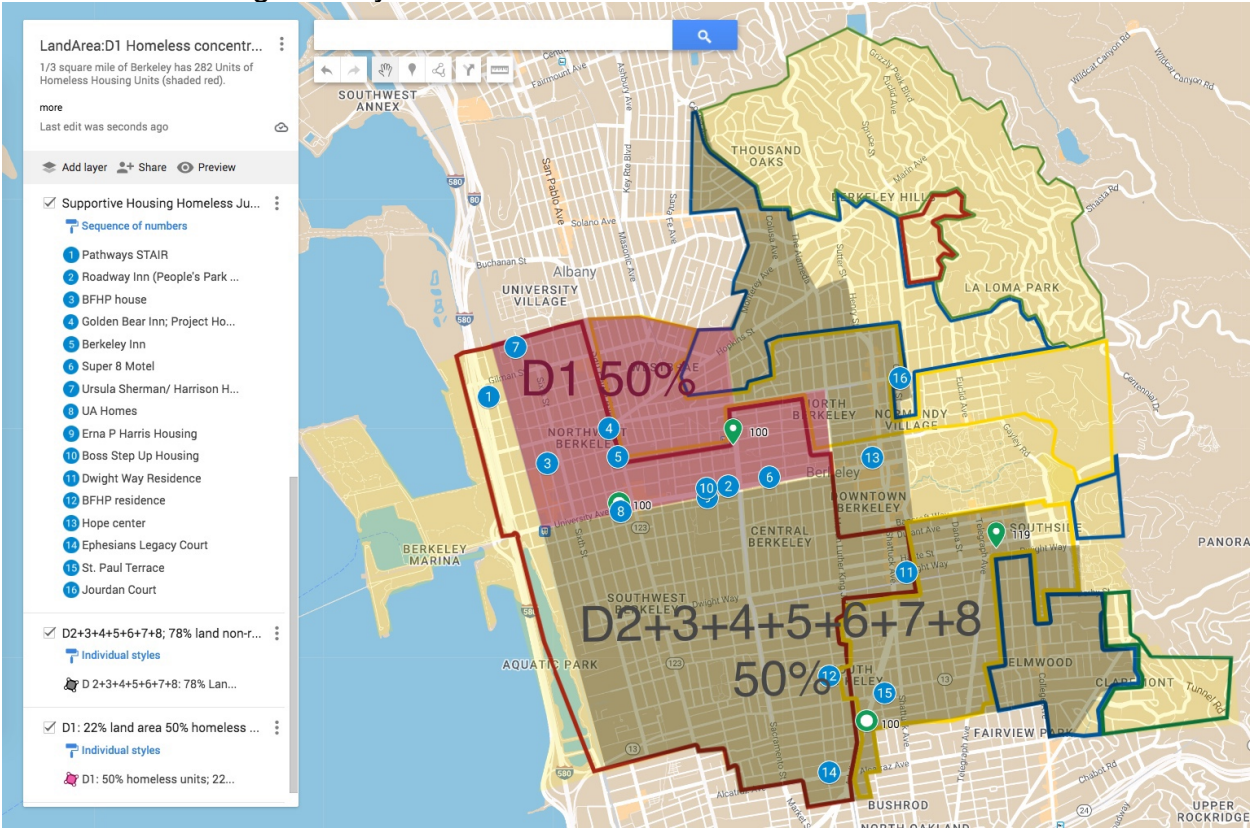
- NO actions were needed in D5
- NO RV action needed in D3, D4, D6, D7 or D8
- D1 closures were among highest for all city districts
- D1 had more RV closures than the rest of Berkeley combined
- D1 had more Deep Cleaning than the rest of Berkeley combined

District1 faces a disproportionate share of Berkeley’s problematic encampments.
Homeless Housing Units September 2023

Facility	Address	agency	year	# units in District 1	D2	D3	D4	D5	D6	D7	D8
Ursula Sherman/ Harrison House	711 Harrison.	BOSS	2005	80							
Pathways STAIR	1600 Second St		2017	45							
Rodeway Inn	1461 University Ave	(BFHP/Insight)	2020	42							
BFHP house	1654 Fifth St.	BFHP/Insight	2020	3							
Golden Bear Inn; Project Homekey	1620 San Pablo Ave	BACS, Project Homekey	2021	43							
Berkeley Inn	1720 San Pablo Ave	DDH	2022	27							
Super 8 Motel	1619 University Ave,		2022	23							
Boss Step Up Housing	1367 University Ave.	BOSS	2020	39							
North Berkeley BART	1750 Sacramento St.	BFHP/Insight	2023	100							

UA Homes	1040 University Ave.	RCD	2014	73										
Erna P Harris Housing	1330 University Ave.	RCD	1991	35										
Dwight Way Residence	2140 Dwight Way	BFHP/Insight						32						
BFHP residence	1741 Russell St	BFHP/Insight						18						
Hope center	2020 Berkeley Way	BFHP/Insight	2015					97						
Ephesians Legacy Court	1709 Alcatraz Ave	Community Housing Development Corp						20						
St. Paul Terrace	2024 Ashby Ave.	CHDC						11						
Jourdan Court	2200 Cedar St,	SAHA	2022								12			
[Winter Nov-April] First Congregational Church	2345 Channing Way	Berkeley Emergency Storm Shelter (BESS) Nov-April											seasonal	
[Winter Nov-April] Old City Hall	<u>2134 Martin L King Way</u>	BESS DDH									gone			
People's Park (on hold)			2021									119		Total units in Berkeley
		Existing units				302	108	49	129	0	12	0	0	600
% of Homeless Housing Units in District		Planned units				402						119		819
% of Berkeley Land area in District														
% of Berkeley Population in District														

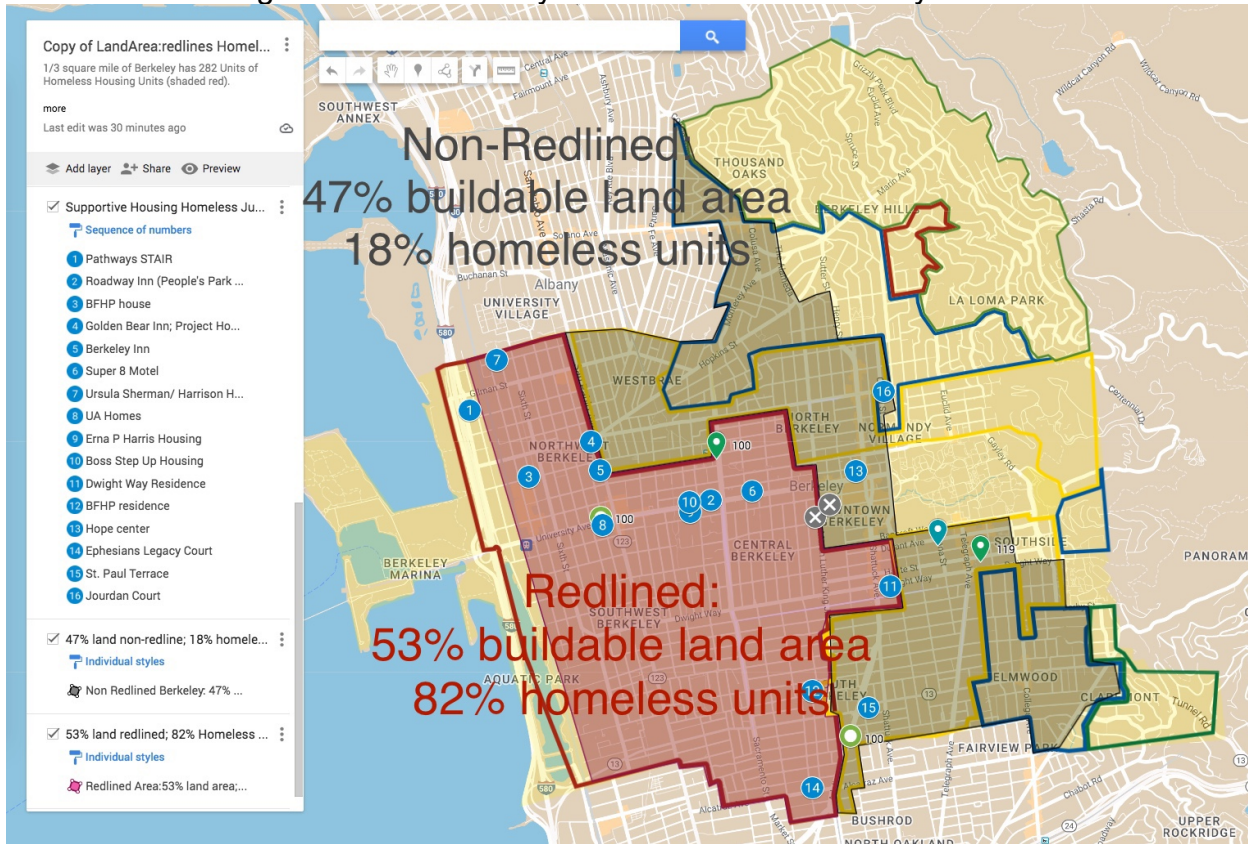
Homeless Housing units by District



Homeless Housing units by District

- District 1 [Red]: 50% of Bekreley's homeless housing units
- Districts 2 +3+ 4 + 5 + 6 + 7 + 8 total combined 50% of Berkeley's homeless housing units

Homeless Housing Units in Historically Redlined area of Berkeley



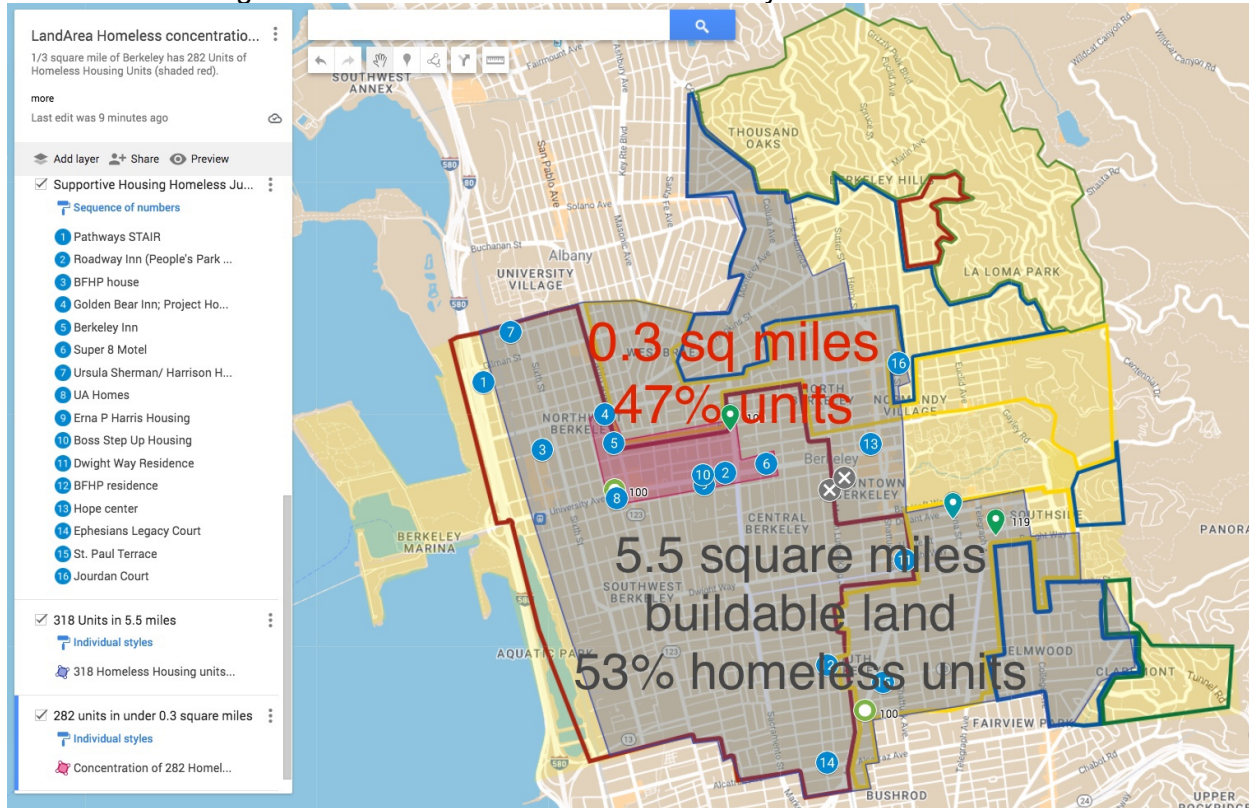
Homeless Housing Units in Historically Redlined area of Berkeley compared to the remaining buildable land area outside of redlines. “Buildable” excludes areas of UC and Clark Kerr campus, Berkeley’s high fire zones, marina and areas west of train tracks. Berkeley’s boundaries of non-”buildable” land are shaded yellow.

Redlined area: [Red]
 53% of Berkeley’s buildable land area
 82% of Berkeley’s Homeless Housing Units

Non-redlined area: [Gray]
 47% of Berkeley’s buildable land area
 12% of Berkeley’s Homeless Housing Units

It is easy to see the perception that the formerly redlined areas of Berkeley hold a greater “buildable” land mass than along the eastern flats and low hills; that the red area appears larger than the awkwardly shaped narrow gray area. But thanks to google maps automated land area calculations, these different shapes are actually close to equal in total area. <https://www.google.com/maps/d/u/0/edit?mid=15tLXTEN6uN1iExwuACpz4NvgUu2plo&usp=sharing>
 The biggest differences in these areas lie in the historic racist exclusionary housing practices and land use assignments (single-family zoning and excluding businesses).

Homeless Housing Units Concentrated in D1/ D2 University ave districts border



Homeless Housing Units Concentrated in D1/ D2 University ave districts border, compared to the remaining buildable land area of all of Berkeley. “Buildable” excludes areas of UC and Clark Kerr campus, Berkeley’s high fire zones, marina and areas west of train tracks. Berkeley’s boundaries of non-“buildable” land are shaded yellow.

Concentrated Area: [Red]

0.3 square miles of Berkeley’s buildable land area

47% of Berkeley’s Homeless Housing Units (282 units)

Number of units added after 2018: 177

Number of additional planned units (North Berkeley BART Insight housing): ~100

Remaining buildable land area of Berkeley: [Gray]

5.5 square miles of remaining Berkeley’s buildable land area

53% of Berkeley’s Homeless Housing Units (318 units)

Number of units added after 2018: 110

Number of additional planned units (People’s Park, on indefinite hold): 119

Berkeley plans to add an 8 story new building of supportive homeless housing into this very same 0.3 square mile concentrated area at the North Berkeley BART station, likely to have approximately ~100 units of homeless housing. Although the other 282 existing units are all studio or Group Living Accomodation (GLA)/SRO type units, the brand new ones at the BART station are also going to be studios or GLA, rather than being a mix of housing types that would be appropriate for families, which none of the other housing sites can accommodate.

D1 residents aren’t prioritized for D1 shelters

While D1 hosts so many newly established homeless housing/shelters, our D1 street encampment residents are not prioritized as first to be placed into these units in our district. Other districts have had coordinated encampment placement put into District 1 before the city really put in deeper efforts in addressing the Harrison St. encampment with use of a full dedicated motel site (Super 8).

Berkeley opened seven sites for people experiencing homelessness in District 1 between 2020 and 2022:

1. Respite trailers on University Ave, (shut 2021)
2. Respite trailers on Harrison St. (?shut -unknown 2021)
3. Respite house on Fifth St. (<https://www.berkeleyside.org/2020/05/27/berkeley-launches-new-3-site-respite-program-for-unhoused-people>)
4. Golden Bear Inn
5. Rodeway Inn
6. Super 8
7. Berkeley Inn

Rather than prioritizing taking individuals directly from encampments in District 1, the city first took individuals from:

1. The county, through Alameda County Coordinated Entry System, into D1 Golden Bear Inn (<https://www.berkeleyside.org/2021/12/15/golden-bear-inn-project-homekey-berkeley>)
2. District 7 People's Park, March 2022, into D1 Rodeway Inn (<https://www.berkeleyside.org/2022/03/09/peoples-park-housing-cal-uc-berkeley-rodeway-inn>)
3. District 3 Here/There Encampment, Feb 2023, into D1 Super 8 (<https://www.berkeleyside.org/2023/02/02/here-there-homeless-encampment-berkeley-first-they-came-for-the-homeless>)
4. District 2 Grayson closure Dec 2022, into D1 Berkeley Inn (<https://www.berkeleyside.org/2022/12/08/west-berkeley-rv-safe-parking-berkeley-inn-grayson-san-pablo-dorothy-day>)
5. District 8 Willard and District 4 Civic Center, Feb 2023, into D1 Rodeway Inn or Berkeley Inn (<https://www.berkeleyside.org/2023/02/15/homeless-residents-move-to-shelters-after-park-evictions>)

There were several attempts at getting people from the Harrison St. encampment off the street into some individual spare rooms at some of these D1 motel sites during this time, but not a whole dedicated motel with comprehensive efforts exclusively for the Harrison encampment **until July 2023, and it is still working towards that end in late September 2023.** <https://www.berkeleyside.org/2023/07/13/berkeley-will-lease-super-8-motel-as-transitional-housing-for-encampment-residents>

I would like the city's homeless housing efforts to become publicly known and transparent. I do not appreciate how, at one of the only community meetings about these new homeless housing sites, which was for the Golden Bear Inn in late 2021, the BACS staff mis-represented the site as taking people from **our** community, living nearby. In fact the Golden Bear Inn takes people assigned by the County Coordinated Entry System, which *could* be from here, but also might be from Hayward, Dublin, Fremont, or anywhere in Alameda County, as the housing assignment is by need, not by current location on the street.

So the old excuse that opening up homeless housing/shelter sites in D1 is a part of resolving the high level of street encampments in D1 is not true. We've done the lion's share of hosting the homeless from across the city, and even taken people from other cities, down here in D1, what about everyone else across Berkeley? I suggest all the rest of new homeless housing units in D1 need to prioritize taking D1 residents, that newly built homeless housing in D1 needs to accommodate families, and that out of the nearly 50% of Berkeley's homeless housing thoughtlessly crammed into a single 0.3 square miles of Berkeley, we make one of these sites, with at least 30 units, designated exclusively for women identifying individuals.

From: [Matthew Quiring](#)
To: [Homeless Services Panel of Experts](#)
Subject: Draft Encampment Policy and Good Neighbor Guidelines Feedback
Date: Wednesday, October 4, 2023 10:06:57 AM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Joshua Jacobs and the City of Berkeley Homeless Panel of Experts,

I am a resident of Berkeley on the 1300 Block of Virginia Street in District 1 for over 10 years. I was recently made aware of the proposed Draft Encampment Policy and Good Neighbor Guidelines, and while I have not had a great deal of time to study the proposals, I have given it the review I was able in advance of your October 4 meeting, and offer the following feedback:

From approximately 2018-2019 there was what I would characterize as a medium-sized encampment occupied by a single person on the bike path between Virginia and Francisco Streets west of the North Berkeley BART station. After requesting assistance from the city, and a lengthy wait, there was eventually an intervention by a social workers, and city cleanup workers, and the space was finally rededicated as a city park, largely maintained by myself and my neighbors.

Based on my recollection, I would think that would have been at least a medium priority encampment, given its sprawling footprint (greater than 9 square feet and more than a single tent) and the debris that had accumulated. It may well have met the highest priority under these standards, depending on the types of materials used (vis-a-vis flammability) and the fostering of pests and rodents, etc.

Based on my understanding of the "good neighbor" guidelines, I think that would be roughly appropriate for that situation. The encampment did not directly affect me, since my residence was not directly adjacent to it, although I am aware that my neighbors who did about the encampment were nervous and uneasy by the presence of the individual and the sprawling encampment they maintained. I do make frequent use of the bike path (now park) however, and I was certainly dissuaded from enjoying that space, even passing through it, because of the mounds of trash and clusters of tents that were mushrooming there. Even after the space was cleaned up, broken glass and drug paraphernalia (i.e. sharps) were still found embedded in the soil. Now that the encampment is clear, we see a steady stream of neighbors walking dogs, pushing strollers, biking and exercising along the path while we tend the plants and flowers growing in the park. However, I do not know if the camper has found stable housing, or is now simply camping elsewhere.

Regarding the proposed Good Neighbor Guidelines, I do find myself at odds with the idea of handing out a flyer asking people to "please" not block roads and sidewalks and "please" not build flammable camps around our city. The act itself feels like an admission of defeat and a declaration of surrender. On the other hand, unhoused people need to exist somewhere, whether in Berkeley or anywhere else. And for better or worse, it would seem prudent for enforcement resources to be focused on the most offensive, dangerous encampments. Furthermore, the question of direct solutions to the housing crises are an entirely different policy proposals that need their own time to develop and be realized. It is difficult, in that regard, for me to object to the idea of trying to establish a minimal baseline of 'neighborliness'

between the housed and the unhoused for the greater tranquility of the community.

Still, as ever, this all comes down to whether resources are ACTUALLY prioritized as stated, whether "low-priority" encampments would be subject to any enforcement at all, and whether any housing solutions supplement this hopefully stopgap measure at harm reduction. I am not in favor of being satisfied with an unhoused underclass, whether that means chasing them out of our city, or granting them the benign neglect of amnesty on our streets.

Thank you for your consideration of my voice, and the others in our community.

Matthew P. Quiring



October 4, 2023

Sent via email

Carole Marasovic, Megan Wachspress, Denah Bookstein, Paul Kealoha-Blake,
Mary Ann Meany, Alice Feller, Donnell Jones, Jim Hynes
Homeless Services Panel of Experts
hspe@cityofberkeley.info

Josh Jacobs, Commission Secretary
jjacobs@berkeleyca.gov

Mayor Jessie Arreguin, Rashi Kesarwani, Terry Taplin, Ben Bartlett, Kate Harrison,
Sophie Hahn, Susan Wengraf, Rigel Robinson, Mark Humbert
Berkeley City Council
council@berkeleyca.gov

Re: October 4, 2023 Agenda Item 6, Development of Good Neighbor Guidelines and
Encampment Policy.

Dear Panel and Councilmembers,

We are staff attorneys at East Bay Community Law Center, the largest provider of free legal services in Alameda County. We work in our Clean Slate unit where we assist unhoused residents in Berkeley, and Alameda County more broadly. We have worked with clients who reside both near 8th and Harrison, and who resided on a very large median on Adeline Street between Ashby and Russell, as well as in many other areas throughout the City. Sabyl Landrum has also worked with residents who were formerly unhoused and were illegally locked out of their homes and were unhoused as EBCLC tried to assist them regain access to their housing or to reinstate vouchers or subsidies that had been wrongfully terminated. The most powerful voices will be the ones of the residents themselves, and we urge the Panel and the Council to really listen to Berkeley residents who are unsheltered and living the experience.

First, we would like to express that we appreciate the City acknowledging that it simply does not have the space available to ensure all Berkeley residents are sheltered. And we appreciate that the City is considering policy to address the reality that some of its residents lack shelter, and will continue to lack shelter. Any discussion around Berkeley's unhoused residents should be mindful of the exclusionary practices and policies impacting Black residents and disabled residents, and how those policies and practices have led to Black and disabled residents being disproportionately represented among those who are unhoused. In a memorandum from the City Manager dated February 15, 2022 to the Mayor, the City Manager referenced Berkeley's 2019 Point in Time Count in citing that a staggering 57% of the homeless population identified as being Black, whereas less than 10% of Berkeley's population identified as being Black. That same memorandum also indicated that 42% of unhoused residents responding to the Point in Time Count indicated they suffer from a psychiatric or emotional condition, and 15% identified their illness as the causal factor to their being unhoused. Given the history of exclusionary City practices and policies, the City should be mindful that it also has to build trust with the unhoused community and to understand that in any outreach effort, the individuals they are talking to may not trust them, as historically there is no basis for that trust to just exist.

With that centering, we would like to comment on Agenda Item 6, identified as the Development of Good Neighbor Guidelines and Encampment Policy. In reading the proposed policy, we have some concerns over the way it is currently drafted and the prioritization scheme. First and foremost is that nowhere is there a proposal for there to be a sanctioned place for residents who are unhoused to safely encamp or park vehicles. In reality, there is nowhere for residents who are unhoused to go where they can be assured they will not be displaced. In the recent past, for example, there was a sanctioned RV lot, with services provided by the City, that closed when the lease was lost and no new similar lot has reopened. A volunteer attorney for our organization shared with me that a displaced vehicle resident reflected positively at their time in that program as a time where they felt safe and secure, and now that they are having to park without any assurance of stability, and without stability of services, their mental health has declined. The City proposed what it calls "Good Neighbor Guidelines" which are near impossible for any individual to follow without a guarantee of services – and while there are contacts to obtain services in the Guidelines, there is no guarantee that those services will be provided, and the City acknowledges that it cannot guarantee provision of services. There is also no acknowledgment in the proposed policy that some residents have disabilities and need assistance to be able to comply with any Guidelines imposed on them. ***Before any policy be implemented, we also urge the City to identify a place where residents can safely encamp or park and where services will provided to ensure conditions are safe and sanitary. And any policy that is implemented should provide accessible ways for individuals to be able to request needed accommodations to either comply with Guidelines or to be able to access and relocate to a sanctioned encampment or lot.***

The proposed policy identifies as low priority either encampments that can be confined to a 9 square foot footprint, or that are in compliance with a proposed set of rules called Good Neighbor Guidelines. Here are our concerns with that policy:

- There is no commitment from the City that following these rules will not result in displacement, just that it will be assessed a lower priority.
- There is no expressed plan to ensure individuals with cognitive or literacy challenges will be able to access this policy or understand it.
- There is no acknowledgment that individuals with disabilities may need supports to be able to comply with the guidelines and there is no articulated way for individuals to request and receive disability related accommodations.
- The Guidelines are not clear in how it will be applied to individuals and appear to treat encampments as a singular entity. Encampments are often composed of individuals living near each other, providing a feeling of safety and security in numbers and providing a community. Are individuals each going to be held accountable for just their own space, or are individuals at risk of displacement if others near them are unable to comply with guidelines?
- Are there any services the City can guarantee it will provide to encamped residents, such as portable showers and toilets and trash services such as dumpsters and trash removal?
- The policy still allows for the towing of residents who are vehicularly housed, stating ““vehicles used as shelter, absent any parking/municipal code violations and/or community caretaking needs, will not be prioritized for a city intervention as defined in this policy.” The reality is there is nowhere that residents can park where they won’t be violating some sort of code. There is no commitment to allowing residents to park RVs or other vehicles, and the City’s actual parking policies means there is nowhere where those living in their vehicles, some for disability related reasons, can safely encamp in their vehicles. If there are such places, they should be identified so residents know where they can go to ensure they will not be towed or displaced.
- Some of the areas defined as high priority are too rigid. Median are identified as high priority. However, we recently became aware of a median closure where the median was a very large, parklike strip, that did not interfere with either pedestrian right of ways, or with street traffic. Residents were forced to relocate as a result of that closure to areas that are arguably more unsafe for them and residents would be hard pressed to identify another area that would be so unobtrusive to others in the community. A more individualized assessment of placement of encampments would be a better practice.

We urge the City to hold off on adopting a policy until these concerns can be adequately addressed and that the needs of residents with disabilities are accounted for. In the interim, the City should cease any activity or operation that would displace unhoused residents.

Lastly, the City appears to be relying on a lack of resources to absolve itself of responsibilities to the community itself. The City has not been providing accessible outreach to its unhoused residents. There is no way, for example, for residents who are unhoused, to access Berkeley

Mental Health, if they cannot use a phone to schedule an intake. Outreach efforts and services need to be accessible and a lack of resources does not absolve the City of its obligations under the ADA to ensure individuals with disabilities can access services. No individual should be displaced or subject to operations that would destroy or impound their property without first ensuring an opportunity for their disability related needs to be addressed, and that access to those services and accommodations are actually accessible.

We urge the Panel to reflect on our concerns when making comment on this policy and that the City ensure no resident will be subject to operations that will result in displacement or loss of property without addressing our concerns. Please feel free to reach out to us if you would like to engage in further conversation around our concerns.

Sincerely,

Sabyl Landrum and Brigitte Nicoletti
East Bay Community Law Center

Jacobs, Joshua

From: Mary BehmSteinberg <marybehmsteinberg@gmail.com>
Sent: Wednesday, October 4, 2023 3:32 PM
To: All Council; Homeless Services Panel of Experts; City Clerk
Subject: Good Neighbor Policy on tonight's HSPE agenda

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Panel of Experts Commissioners:

I'm writing in response to the new regulations for Good Neighbor policies with encampments (Josh, please distribute to the Commission, thanks). While I am happy to see homelessness decriminalized, I'm concerned that the City still hasn't taken all available common sense measures not only to preserve public health and safety, but the health and safety of the unhoused population as well.

1. While I realize that Council has already allocated money for a new pumping station, to my knowledge, that won't be ready until at least January, and we already have sewage and sometimes bleach from RVs contaminating the Bay and City streets.

I suggest a hybrid plan that would support the new pumping station before it gets going, **and stay in place for those vehicles that are non-operational**. I only called one provider, Honey Bucket, which stated that their normal mobile cleanout fees are \$200 per pump, but also that they rent 250 gallon storage tanks for \$100 per month, with pump out fees on those units being \$125 per month. They also said that they would negotiate with the responsible party in the City for lower rates on volume. This should take care of some of the problem more immediately.

2. Second, we are still very short of viable public restrooms, not only for the unhoused population, but for the general population as well. Particularly when we are discussing the senior and disabled population in Berkeley, it becomes difficult to impossible to take public transit with the dearth of available public restrooms. As with the mobile cleanout units, in the interim, Port-a-potties are an option, and they should ALL be ADA accessible. Again, the responsible party can negotiate a lower rate with the provider, but I suggest that if the City really wants fewer people to drive, it must have more readily available public toilets, and they must be accessible, as many disabled people and seniors can't otherwise wait with dignity for transit, and they will need seating as well. This would immensely improve an especially pernicious public health hazard.

3. Third, I don't think the City has exhausted all possibilities for safe sanctioned encampment locations. I have personally brought up space on Shellmound between Aquatic Park and Emeryville many times. I believe City staff said it was Caltrans land, but last time I was over there, it wasn't being used for anything.

Previously, there was a poorly maintained encampment there. With all the Mayor's and some Councilmembers' connections in Sacramento, surely there is some agreement that could be reached with Caltrans on this land, and surely it can be supervised and safer than the old encampment. Perhaps this would be a reasonable location for tiny homes. Units with their own composting toilets would also perhaps be a possibility, particularly for the most vulnerable clients. The placement of the encampment might also allow for cost sharing with Emeryville.

The beauty of this location is that while it is near enough to City shops and services for unhoused individuals to participate in City life, it is far enough away from other residences that there is likely to be less resistance among the general population to moving unhoused people there, so it would seem to be a win for all interested parties.

4. Fourth, while Councilmember Harrison's recent Vacancy Tax passed in the last election, we still haven't dealt with the

plethora of empty storefronts. Those should be subject to a more robust tax, with a shorter time frame for renting them.

Any units with commercial kitchens could be used by organizations like Food not Bombs or any interested restaurantteurs looking to volunteer for food preparation and distribution, or for heating, cooling, and air contamination respite spaces. In some cases, *they might even be used as sleeping areas for the most vulnerable members of the unhoused population (seniors, single parents with children, timed out foster kids, disabled people), as this population is less likely to meet with resistance from neighboring businesses or people living in these buildings.*

This also provides much more safety and security for the most threatened populations, without setting the stage for re-institutionalization of the disabled community, which had to fight so hard in the first place to live independently. The (proposed) new camp area on Shellmound could be home to the more general population, and should have adequate security to inspire confidence in the safety of the encampment so that people actually use it.

5. Finally, the City should codify strong prohibitions against anyone caught destroying or disposing of essential medications, such as (but not limited to) inhalers or insulin and mobility devices, such as wheelchairs and walkers. This can be a death sentence to anyone on the street, and the fact that the Mayor has lauded [City employees who have done just that](#) during the State of the City address is unconscionable. There should be fines, jail time and termination of any employment with the City built in, so that this doesn't happen again.

We all understand how difficult this problem is to deal with, for everyone, but a more measured approach is essential. I hope that Council will act quickly to advance some of these proposals, the easiest of which (ADA port-a-potties and mobile cleanout tanks for interim service and those RVs that remain immovable) should be fast and easy to implement. We all need to be able to live safely here together, and these proposals should provide a path to that end.

Respectfully,
Mary Behm-Steinberg
She/her pronouns
Chair, HWCAC (speaking solely as an individual)

Jacobs, Joshua

From: chris schalis <schalis@yahoo.com>
Sent: Wednesday, October 4, 2023 2:57 PM
To: Homeless Services Panel of Experts; carole marasovic; Radu, Peter; Hahn, Sophie; Humbert, Mark; Robinson, Rigel; Wengraf, Susan; Bartlett, Ben; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Harrison, Kate; All Council; aimee baldwin
Subject: Re: Street Camping Changes

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Thank you. I'd be a bit more over the top concerning this madness, but you've done the homework, congrats., a sincere thankyou.

On Wednesday, October 4, 2023 at 10:01:52 AM PDT, aimee baldwin <junk.menagerie@gmail.com> wrote:

To Berkeley Homeless Services Panel of Experts, City Council, and City Managers,

Please do not decriminalize street camping. It will invite people to move here to be homeless on our streets. Berkeley can not solve the entire region's homelessness. Especially not if we make a law that gives the impression that Berkeley endorses street camping as acceptable, safe, or healthy living conditions. It goes against all of our work to get people off the streets.

Homeless people are already deliberately pushed out of more affluent areas into more tolerant and diverse communities. Either passively by a lack of offering comprehensive services within their own affluent areas, or directly by stringent and enforced anti-camping laws. This occurs both outside of Berkeley and within our own city limits. Homeless people, like most anyone, choose to move to places with the most favorable conditions. People are free to move to wherever they want, but public decriminalization of public camping will be an open invitation for more people to crowd our streets from places that have made their streets unwelcoming or just less welcoming than ours. It will take away from the already stretched resources we have to offer the people who are already here. Berkeley simply can't take on all the homeless people from neighboring cities and counties who offer less help than we do.

This is not a solution. The worst outcome would be city officials finding it to be an excuse to avoid doing the difficult work of providing actual meaningful housing and care, because living in a tent on the sidewalk will be considered acceptable. The city will wash its hands of working on finding real solutions, just as it has washed its hands of pursuing equity between historically disadvantaged and historically affluent areas of the city.

District 1 will be hit the worst by decriminalizing street camping. I see that people who live up in district 8 or 5 would have no problems with a choice that might increase our street encampment population as they rarely, if ever, face the resulting problems. The burden of Berkeley's homeless population falls *severely disproportionately* onto District 1 (see following attached pages). It is unreasonable for the majority of the city to make sweeping decisions that will burden only a small section of the city. Our homeless solutions need to consider equitable costs to all residents in the city, not just further overburden a historically disadvantaged district.

I have been insisting for months that the city should use the vacant Oxford Elementary school as it used the Grayson St warehouse for the Horizons site. Even just a short term lease for the coming winter, when living on streets is hardest on people. The city has made no progress in this direction for 6 months. The assessed value of the Oxford school (\$2Million) seems quite inexpensive in light of the statistics of getting people into permanent housing vs. motel leasing costs.

Jacobs, Joshua

From: Acacia Schmidt <acaciawilder@gmail.com>
Sent: Wednesday, October 4, 2023 2:57 PM
To: aimee baldwin
Cc: Homeless Services Panel of Experts; carole marasovic; Radu, Peter; Hahn, Sophie; Humbert, Mark; Robinson, Rigel; Wengraf, Susan; Bartlett, Ben; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Harrison, Kate; All Council
Subject: Re: Street Camping Changes

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Here here!! I couldn't agree more. Especially with this part: This is not a solution. The worst outcome would be city officials finding it to be an excuse to avoid doing the difficult work of providing actual meaningful housing and care, because living in a tent on the sidewalk will be considered acceptable.

On Wed, Oct 4, 2023, 10:01 AM aimee baldwin <junk.menagerie@gmail.com> wrote:
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