



A Review of Revisions to the Encampment Response Protocol and Related Programs

Community Services Department

January 14, 2025

Agenda

- Review Key Points of Current Encampment Resolution Protocol
- Recommended Changes to Protocol Following the *City of Grants Pass, Oregon v. Johnson* Decision by the Supreme Court of the United States
- Recommended Changes to Parking Restriction Processes
- Recommendations Regarding Safe Parking Program
- Review of a Safe Sleeping Program

Encampment Response Protocol

Adopted by the County on August 31, 2021 for County-owned and/or controlled property, the Protocol provides a consistent approach for addressing encampments

Today, the Encampment Resolution Protocol prescribes County agencies to:

1. **Identify and reserve available shelter** for encampment occupants **before** initiating closure
2. Provide **72-hours of notice** to each encampment occupant **before** initiating closure
3. Provide outreach and support staff on-site for encampment occupants before and during closure
4. Offer free storage of personal items for up to **90 days after** encampment closure

Encampment Response Protocol

Recommended Changes to Protocol

Following Board direction, additional outreach sessions were convened that included service providers, the County Continuum of Care members and City and County staff. Based on those discussions, staff recommends the following updates to the Protocol:

1. Reaffirm the Protocol revision which calls for identifying or providing alternative shelter before removing any encampment that does not exist in a waterway or present a threat to public health and safety.
2. Remove the requirement to identify or provide alternative shelter before posting notices referencing the potential for enforcement of applicable County ordinances to clear an encampment in any waterway or other areas where it presents a threat to public health and safety.
3. Reduce, from 72 hours to 48 hours, the period of time during which notices are required to be posted regarding the removal of personal property from unauthorized encampment sites in the enforcement of applicable County ordinances.
4. Reduce, from 90 days to 60 days, the duration of the County's commitment to store personal property removed from unauthorized encampment sites in the enforcement of applicable County ordinances.

Encampment Response Protocol

Recommended Changes to Existing County Code

Many County regulations already help to prevent the existence of encampments in specific locations, but perhaps need some modification to made these regulations more effective and efficient:

Staff recommends the following modifications to existing County Code regarding Recreational Vehicle (RV) Parking Restrictions:

1. Revise Code to allow RV parking restrictions to be adopted by the Board through resolution rather than ordinance (the current practice) to streamline implementation.
2. Prepare an resolution restricting RV parking in areas adjacent to row crop agricultural operations.

CERF-3 Administered Safe Parking Expansion

- The California Encampment Resolution Fund, Round-3 (CERF-3) strategy consists of serving 300 unhoused individuals living unsheltered in their vehicles at 21 vehicle cluster encampments across the cities and unincorporated county.
- The effectiveness of this strategy would be improved:
 - a) If safe parking locations were made available in all cities within the County
 - b) At least one specialized lot for large recreational vehicles (RVs) was made available
- While staff does NOT recommend spending limited funding on acquiring new lots as a general principle, it may be appropriate to consider paying for one or two sites specific to support RVs.
- Staff recommends the increased use of legislative processes and communications to further expand the availability of State and Federal parking opportunities throughout the County for the CERF-3 strategy in particular.

Establishing a “Safe Sleeping” Program

- The City of San Diego has established a “safe sleeping” program that it describes as offering “safe, legal space as an alternative to traditional congregate shelters for people experiencing homelessness.” The City of San Jose is currently exploring this concept as well.
- Instead of a traditional shelter with extensive “brick and mortar” structure, unhoused individuals are sheltered in tents within a secure space, where basic sanitation, showering facilities and access to needed support services is made available to those individuals who enroll and accept shelter at this location.
- If properly managed by a competent service provider, this model could provide safe, clean, readily available, and cost effective shelter options for individuals living in those encampments that must be resolved quickly, such as those mentioned earlier that either exist in waterways or present a risk to public health and safety, while maintaining a sense of community for those who choose to enroll.

Recommended Actions

That the Board of Supervisors:

- A. Receive and file this presentation
- B. Provide direction to staff concerning possible revisions to the Encampment Response Protocol, namely:
 - i. Reaffirm the Protocol provision which calls for identifying or providing alternative shelter before removing any encampment that does not exist in a waterway or present a threat to public health and safety;
 - ii. Remove the requirement to identify or provide alternative shelter before posting notices referencing the potential for enforcement of applicable County ordinances to clear an encampment in any waterway or other areas where it presents a threat to public health and safety;
 - iii. Reduce, from 72 hours to 48 hours, the period of time during which notices are required to be posted regarding the removal of personal property from unauthorized encampment sites in the enforcement of applicable County ordinances; and
 - iv. Reduce, from 90 days to 60 days, the duration of the County's commitment to store personal property removed from unauthorized encampment sites in the enforcement of applicable County ordinances;
- C. Provide direction for staff to prepare an ordinance amending the County Code to allow the Board to approve parking restrictions by resolution rather than by ordinance, and to delegate to the Road Commissioner authority to establish parking restrictions along roadways directly adjacent to row crop agricultural operations;
- D. Provide direction to staff to develop and return to the Board with options expanding the Safe Parking Program to increase participation by all cities within the County and maximize participation by private parking lot owners; and
- E. Provide direction to staff to obtain and present to the Board information concerning possible development of a Safe Sleeping Program which aims to increase the availability of living space when traditional emergency shelter is not available.