



CAMPING REVISITED:

CITY RESPONSE TO SUPREME COURT
DECISION & STATE ORDER

Tuesday, August 27, 2024

9:00 am to 12:00 pm

Civic Auditorium

TODAY'S AGENDA

9:00	Mayor's Welcome – Mayor Kevin J. Lincoln II
9:05	Public Comment
9:20	Introduction - Harry Black, City Manager
9:40	Discussion: City Ordinance - Taryn Jones, Asst. City Attorney
10:00	Implementation - Harry Black, City Manager
10:15	Enforcement - Chief McFadden, Police Department
10:40	Clean-up - Chad Reed, Public Works
11:00	Diversion - Carrie Wright, Economic Development
11:20	Next Steps – Harry Black, City Manager
11:30	Questions & Discussion
12:00	Adjournment

Welcome & Public Comment

Mayor Kevin J. Lincoln II





INTRODUCTION

Harry Black, City Manager



GRANTS PASS RULING

September 4, 2018 – *Martin v. Boise*

- The Supreme Court held that cities cannot enforce anti-camping ordinances if they do not have enough homeless shelter beds available for their homeless population. This ruling prohibits the criminal enforcement of camping regulations where the unhoused population exceeded the amount of practically available shelter beds.

June 28, 2024 – *Grants Pass v. Johnson*

- The Supreme Court reversed the ruling for *Grants Pass vs. Johnson* and overturned *Martin v. Boise*, allowing cities to enforce camping regulations even when the homeless population exceeds the number of practically available shelter beds.

July 25, 2024 – *State Order*

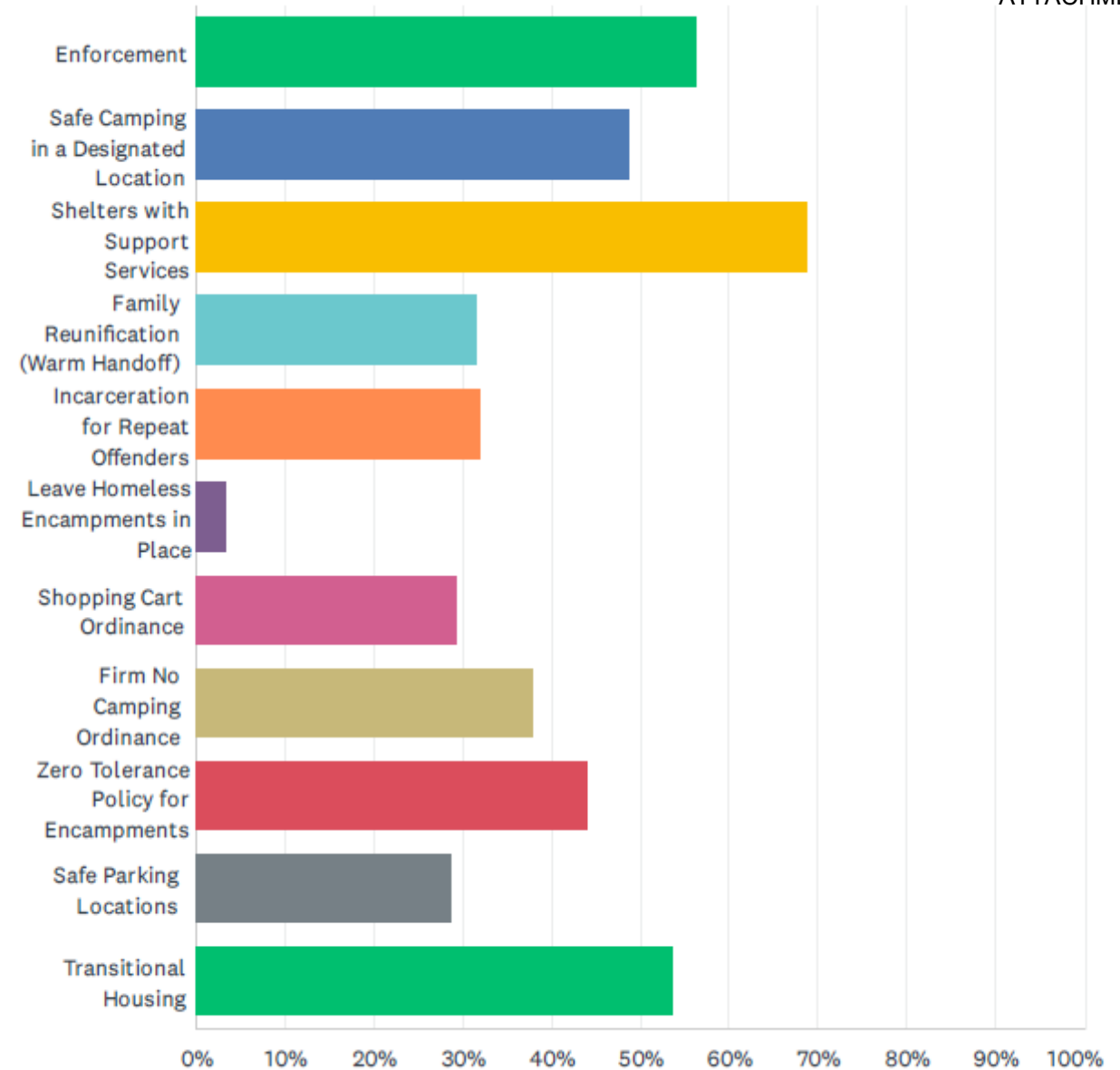
- Governor Newsom issued Executive Order N-1-24, directing state officials to start removing homeless encampments across the State, in general compliance with Caltrans policy 1001-R1, and encouraged “local governments to adopt policies consistent with Caltrans, and used all available resources [...] to take action with the urgency this crisis demands to remove encampments from public spaces...”

QUESTION:

WHAT SERVICES OR POLICIES DO YOU THINK WOULD BE EFFECTIVE IN ADDRESSING HOMELESSNESS IN SAN JOAQUIN COUNTY?

Answered: 1,932

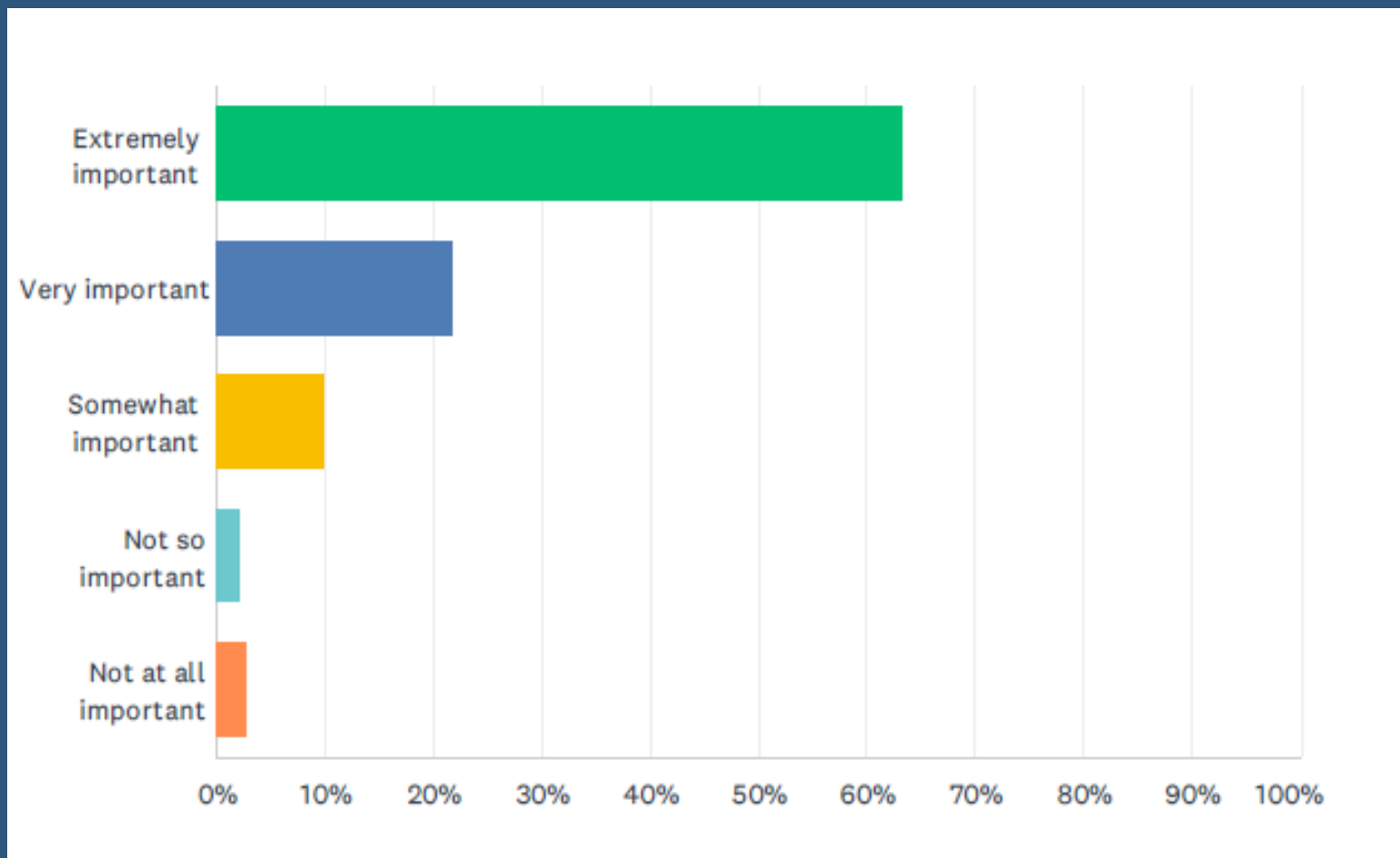
Skipped: 10



QUESTION:

HOW IMPORTANT IS IT TO PROVIDE WRAP AROUND SERVICES (E.G., MENTAL HEALTH, DRUG TREATMENT, EMPLOYMENT ASSISTANCE) FOR UNSHELTERED INDIVIDUALS?

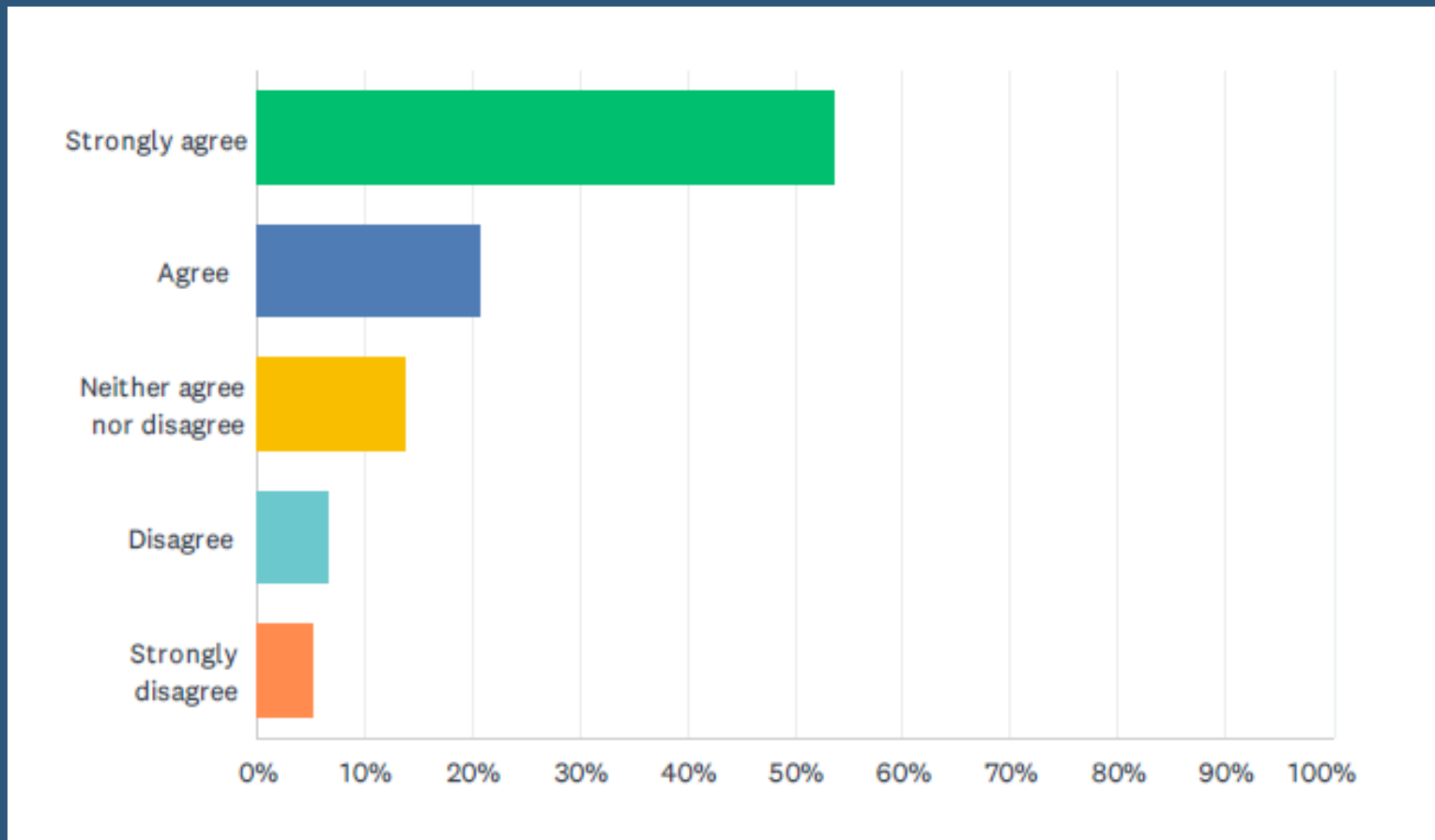
Answered: 1,931
Skipped: 11



QUESTION:

DO YOU BELIEVE THAT DRUG TESTING & TREATMENT SHOULD BE REQUIRED FOR SHELTER, OR FOR UNSHELTERED INDIVIDUALS THAT RECEIVE GOVERNMENT ASSISTANCE?

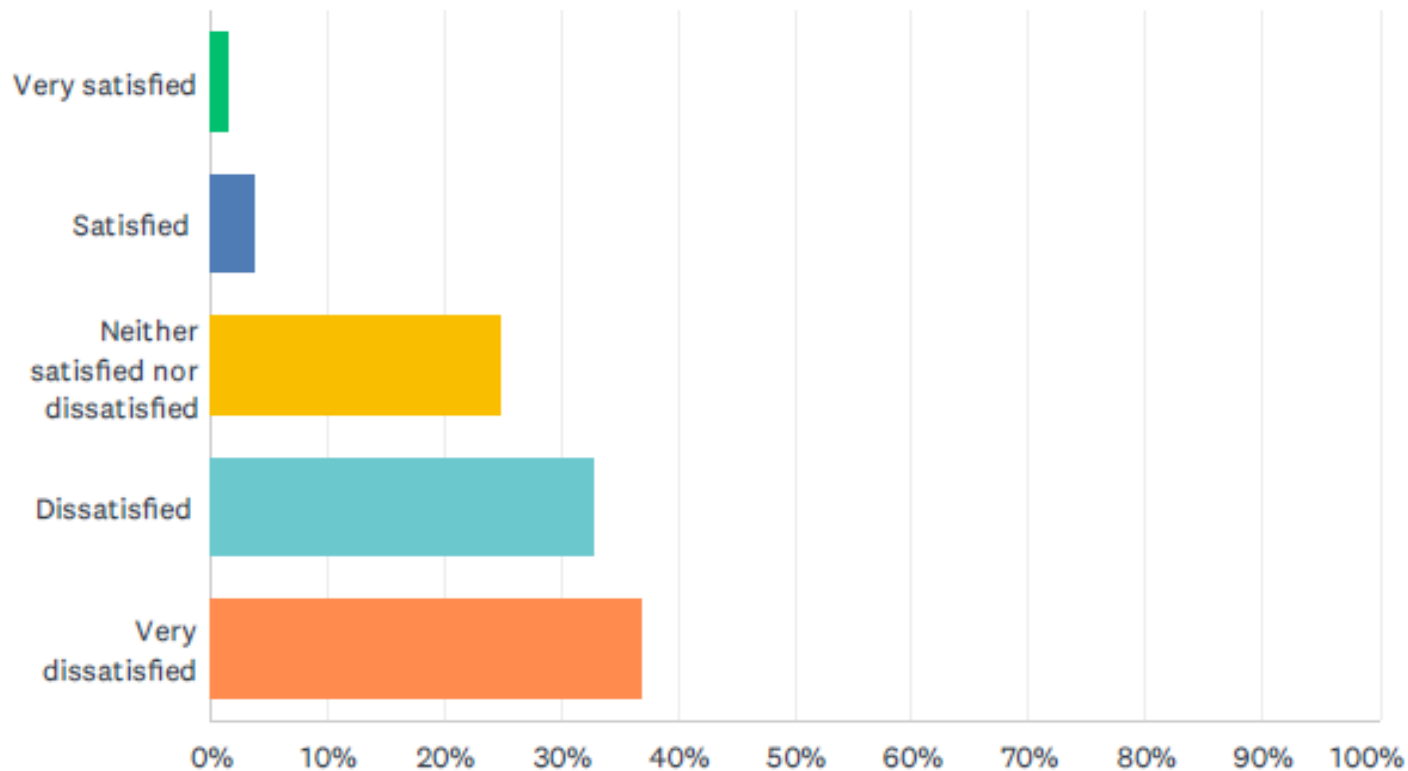
Answered: 1,933
Skipped: 9



QUESTION:

HOW DO YOU FEEL ABOUT THE CURRENT ENFORCEMENT OF ENCAMPMENTS IN SAN JOAQUIN COUNTY?

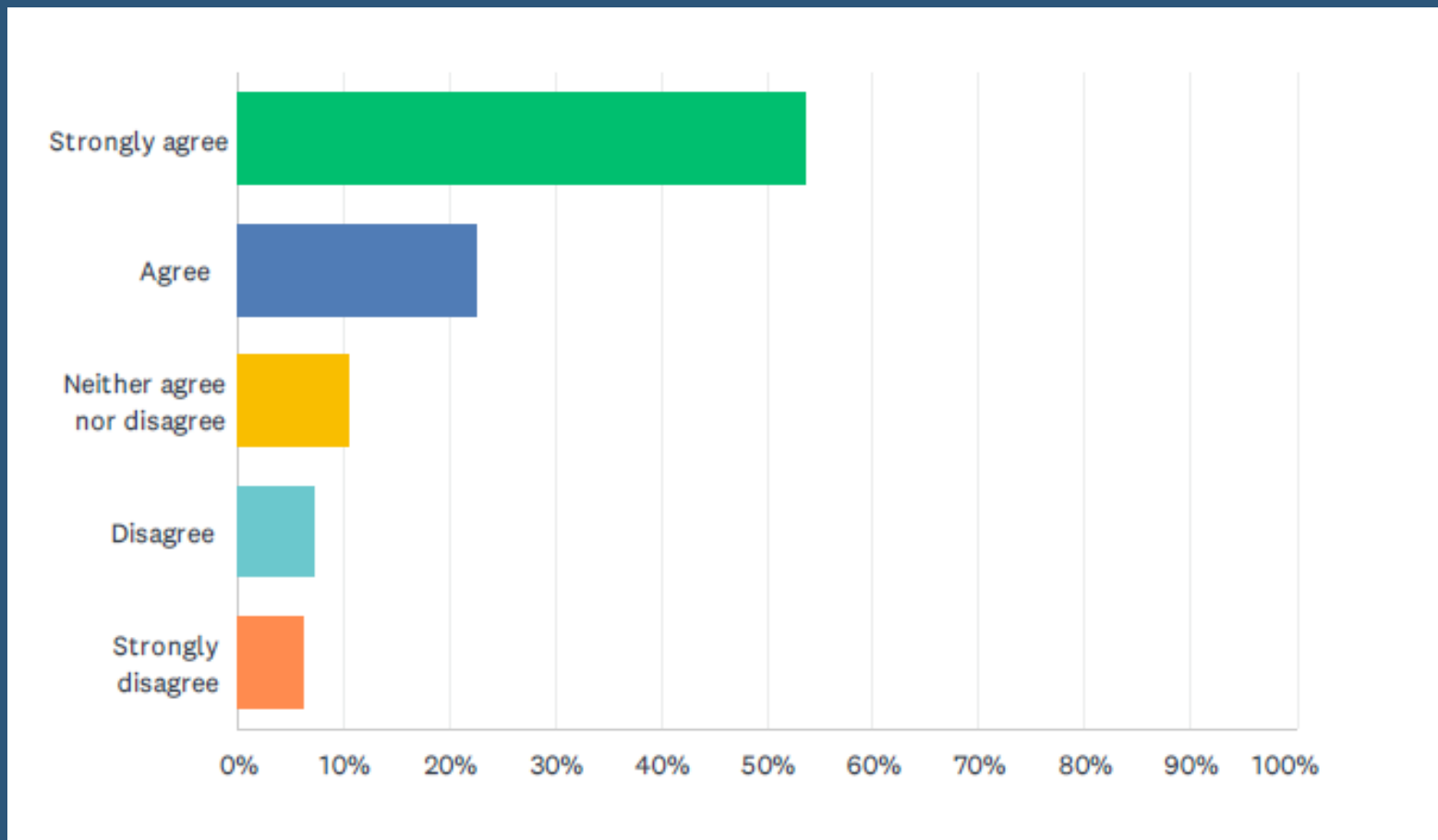
Answered: 1,928
Skipped: 14



QUESTION:

THE SUPREME COURT RECENTLY ISSUED A RULING THAT ALLOWS LOCAL JURISDICTIONS MORE ABILITY TO ENFORCE NO-CAMPING RULES. HOW DO YOU FEEL ABOUT THAT DECISION?

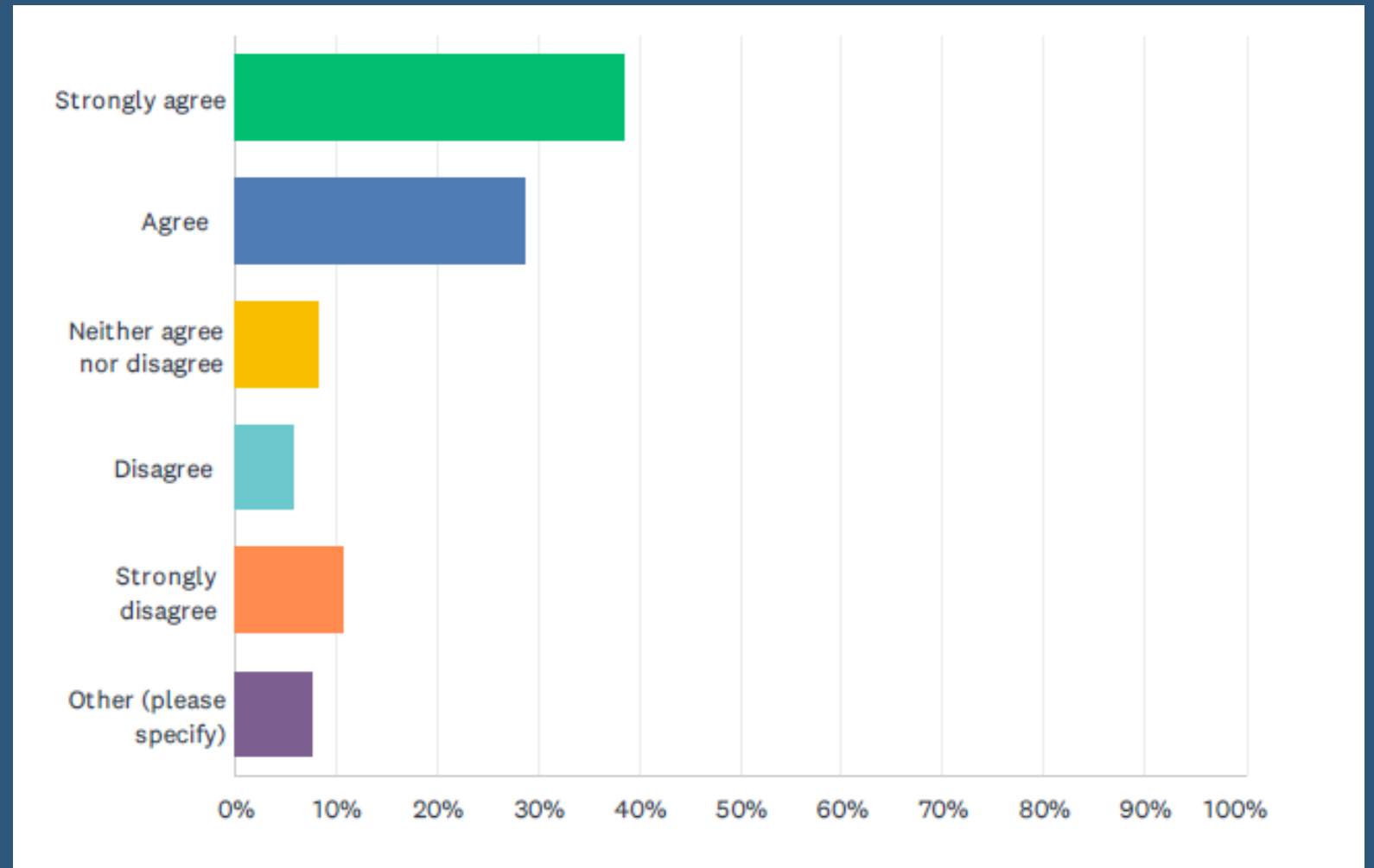
Answered: 1,936
Skipped: 6



QUESTION:

DO YOU SUPPORT THE
CREATION OF
DESIGNATED SAFE
CAMPING & PARKING
LOCATIONS,
RESTRICTING PUBLIC
CAMPING IN NON-
DESIGNATED AREAS IN
SAN JOAQUIN COUNTY?

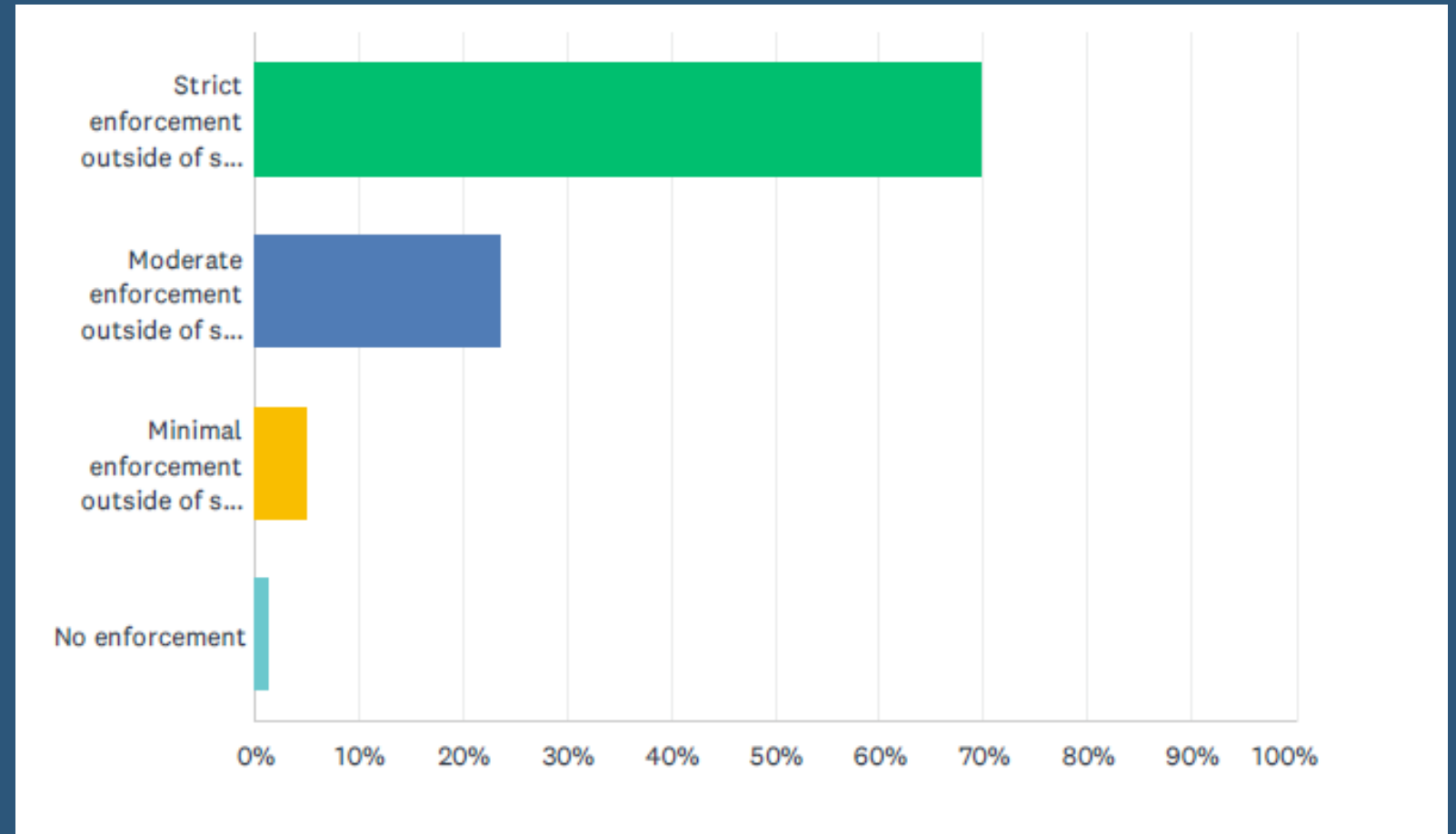
Answered: 1,933
Skipped: 9



QUESTION:

WHAT LEVEL OF ENFORCEMENT DO YOU THINK IS APPROPRIATE FOR UNSHELTERED ENCAMPMENTS OUTSIDE OF DESIGNATED SAFE CAMPING LOCATIONS?

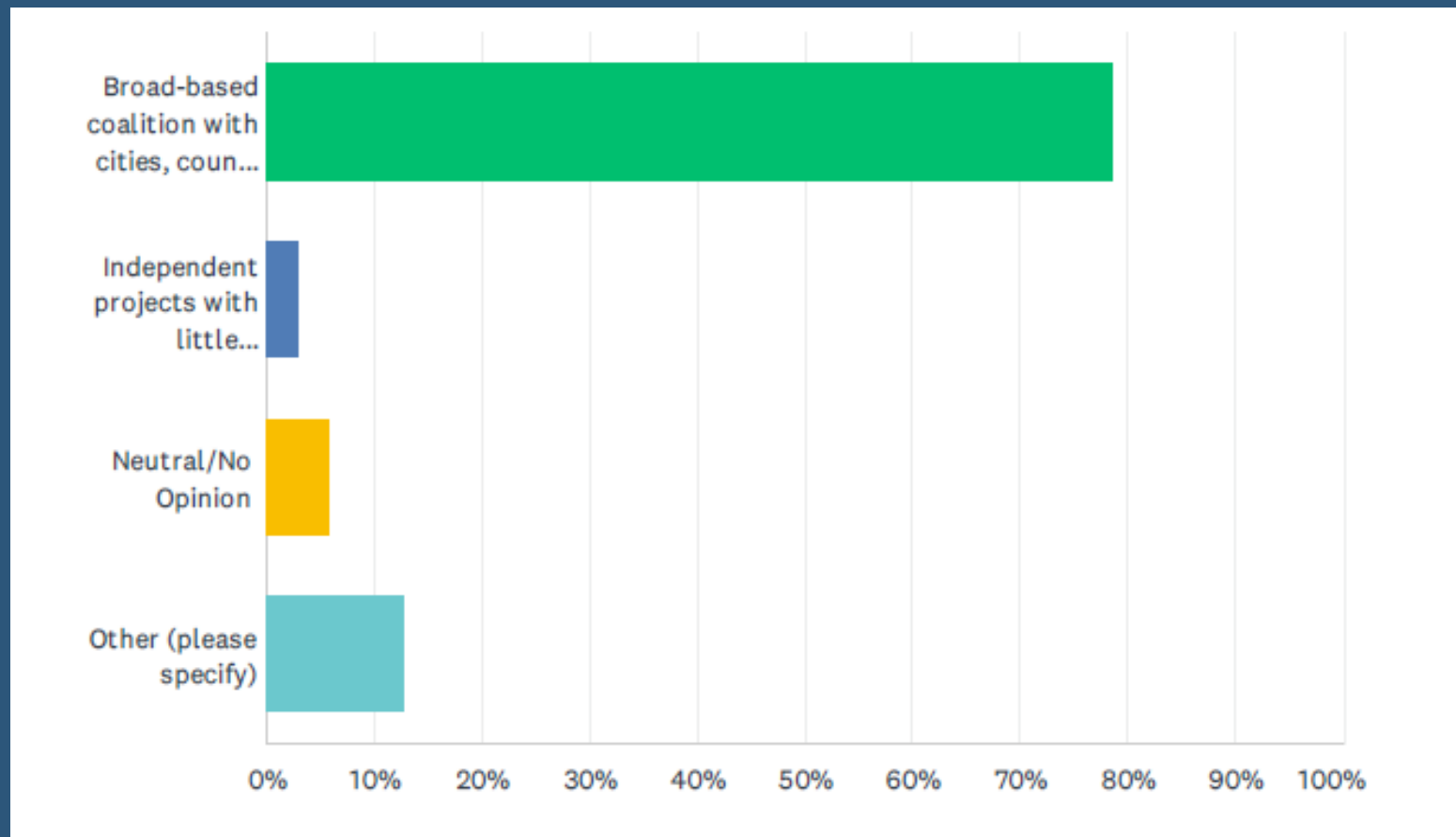
Answered: 1,914
Skipped: 28



QUESTION:

WHICH APPROACH DO YOU BELIEVE IS MOST EFFECTIVE IN SOLVING THE HOMELESSNESS PROBLEM IN SAN JOAQUIN COUNTY?

Answered: 1,928
Skipped: 14



CHALLENGES

- Intergovernmental Cooperation & Coordination
- Fiscal impacts on the City
 - Repurposing existing resources & personnel
 - New resources needed
- Caltrans Labor Issues
- Supply Chain & Labor Market Constraints
- Leveraging Appropriate Non-Profit Partners
- Accelerating Affordable & Workforce Housing Development
- Accelerating In/Outpatient Clinical Support
- Identification & Acquisition of Programmable Real Estate



DISCUSSION: CITY ORDINANCE

Taryn Jones, Assistant City Attorney



ORDINANCE COMPARISON

Grants Pass

- “No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right of way, park, bench, **or any other publicly-owned property** or under any bridge or viaduct”
- 24 hour noticing requirement for removal of property at campsite
- Civil citations for violations
- “An individual may be issued a written exclusion order by a police officer of the Police Department barring said individual from a City park for a period of 30 days”

City of Stockton

- Comprehensive list of critical infrastructure within the City where camping is prohibited.
- 24 hour noticing requirement for removal of property, unless there is an imminent threat to public health and safety
- Criminal and civil penalties
- Stay aways not incorporated into municipal code but can potentially be obtained during criminal prosecution

POTENTIAL MODIFICATIONS

Removal of Footnotes in Attachment

- Footnote 1, City Right-of-Way
 - With this exclusion, camping within 30 feet of this specific critical infrastructure is permitted
- Footnote 2, Parks
 - Requires verification of available beds.
 - No longer required under *Grants Pass*

Footnotes:

¹ SMC section 8.100.030(A)(2)-(4) and (B)(2)-(4) do not apply.

² If there is no shelter space available in the City then for that particular day and the next day, SMC section 8.100.030 shall not be enforceable at parks with respect to the following: bedroll, cot, sleeping bag, and personal property (but not other camp facilities or camp paraphernalia), all occupying no greater than 75 square feet measured from the center of the primary living space, but not within 30 feet of any playground, restroom, or picnic shelter. All other restrictions apply.

POTENTIAL MODIFICATIONS (CONT.)

Addition of “any other publicly-owned property”

- Addition to or Replacement of Critical Infrastructure List
- Considerations
 - Findings and Purpose section of Critical Infrastructure Ordinance
 - Focus on health and safety for specific at-risk properties
 - New findings to address broad application to all public property
 - Dissent in *Grants Pass*
 - Holding specific to the Eighth Amendment
 - Does not prevent other challenges

POTENTIAL MODIFICATIONS (CONT.)

Exclusions from Parks and other Critical Infrastructure

- Grants Pass exclusion from City Parks where multiple violations occur at the same location.
- City of Stockton has no exclusion language in its ordinance at this time.
- Stay away orders can still be sought during criminal prosecution for code violations.

“An individual may be issued a written exclusion order by a police officer of the Police Department barring said individual from a City park for a period of 30 days, if within a one-year period the individual:

- A. Is issued two or more citations in the same City park for violating regulations related to City park properties, or
- B. Is issued one or more citations for violating any state law(s) while on City park property.

The foregoing exclusion order shall only apply to the particular City park in which the offending conduct under 6.46.350(A) or 6.46.350(B) occurred.”

IMPLEMENTATION

Harry Black, City Manager



HOW WILL THE CITY OPERATIONALIZE:



Clean-Ups



Diversion



Enforcement



ENCAMPMENT CLEAN-UP

Chad Reed, Director of Public Works



EXISTING CLEAN-UP EFFORTS

- City currently schedules 27 Large-scale clean-up events per year
- Weekly coordination meetings with Caltrans, SJ Behavioral Health, Stockton Police Department, and Public Works.
- Public Works Annual Fiscal Considerations:



2023 DATA			
	Cost	Tonnage	Annual number of clean-ups
City Performed Large-scale Clean-ups	\$ 163,000	1329	27
Contracted Services-Excluding Parks	\$ 570,000	1484	871
Contracted Services-Specific to Parks	\$ 214,300		144
Totals	\$ 947,300	2813	1042

ENHANCED CLEAN UP EFFORTS

- Preparing for increased activity, SPD and PW have started holding weekly "Encampment Clean-up Coordination Meetings" focused on regularly dispatching smaller scale cleanup efforts in identified areas.
- Additional efforts will not affect the annually planned 27 Large-scale clean-ups.
- Parks focused clean-ups.
- Opportunity to close efficiency gaps.



EFFICIENCY GAPS:

- Stockton Recycling closed in April 2024.
- Crews currently driving to Lodi Transfer Station or Lovelace Transfer Station.

2023 Dumping Data (per clean up)						
	Number of Trips	Est. Time to Dump	Roundtrip Time	Average Miles to Dump	Average Tonnage Collected	Location
City Performed Large-scale	25	5	20	5	1330	Weber/Filbert Transfer Station
Totals	25	2 hrs 5 min	8.5 hrs	125 miles	49	
Contracted Services- Excluding Parks	9	5	20	5	2457 (WO)	Weber/Filbert Transfer Station
Totals	9	45 min	3 hr	45 miles	3	

2024 Dumping Data (Current)						
	Number of Trips	Est. Time to Dump	Roundtrip Time	Average Miles to Dump	Average Tonnage Collected	Location
City Performed Large-scale	15	10	60	36	700	North County Recycling Center & Sanitary Landfill (Lodi, CA)
Totals	15	2.5 hrs *	15 hrs	540 miles *	37	
Contracted Services- Excluding Parks	6	60	1.5	20	470 (WO)	Lovelace Materials Recovery Facility and Transfer Station (Manteca, CA)
Totals	6	6 hrs	9 hrs	120 miles	1.6	

* These numbers were updated by Public Works during the Study Session on 8/27/2024.

ENHANCED CLEAN UP EFFORTS

Fiscal Considerations needed to sustain enhanced clean up efforts:

Fiscal Considerations		
	Initial Cost	Ongoing Annual Fiscal Needs
Installation of a "Transfer Station" at Corp Yard	\$ 550,000	
Waste Hauler Serving Transfer Station	\$ 275,000	\$ 275,000
Additional Position to Support Ongoing Enhanced Clean-up Services	\$ 140,000	\$ 140,000
Additional Funding Needed to Support Contracted Services For Enhanced Clean-up	\$ 300,000	\$ 300,000
Totals	\$ 1,265,000	\$ 715,000





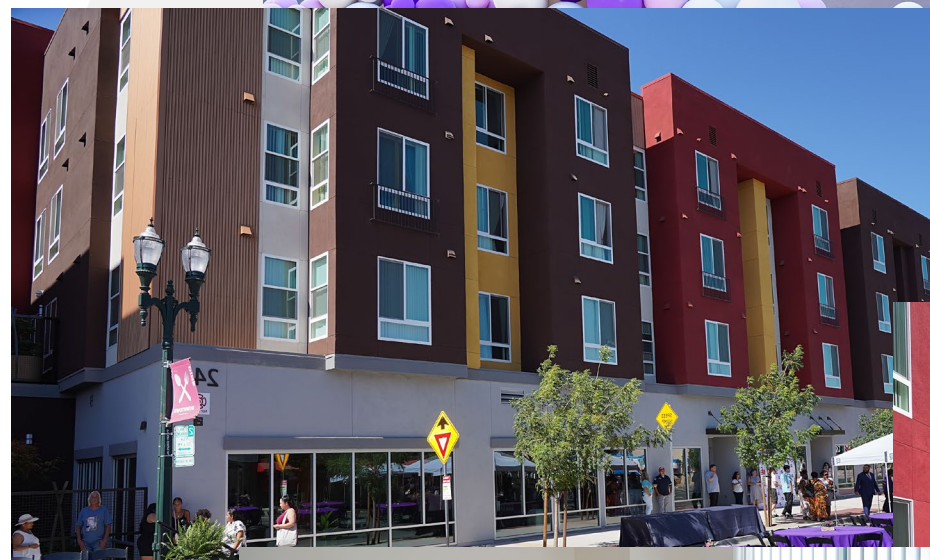
DIVERSION

Carrie Wright

Director of Economic Development

SHELTER/BED CAPACITY

- Shelter Capacity in the County has increased by **52%** from 2019-2024.
- There are **1,869** homeless shelter and supportive beds in the County.
- **25% (356)** of shelter beds are typically available (except for families) and **44% (158)** of transitional beds.
- **6,691** households stayed in Shelters in 2023 and 664 (9.4%) found Permanent Housing.
- Stockton Shelter beds will double by the end of year **2024**.



SERVICE PROVIDERS



- Shelter
 - St. Mary's, Gospel, etc.
- 211
- CVLIHC
- Housing Authority - HASJC
- San Joaquin County
 - HSA, BHS, Probation
- PREVAIL
- Children's Home
- Community Medical Center

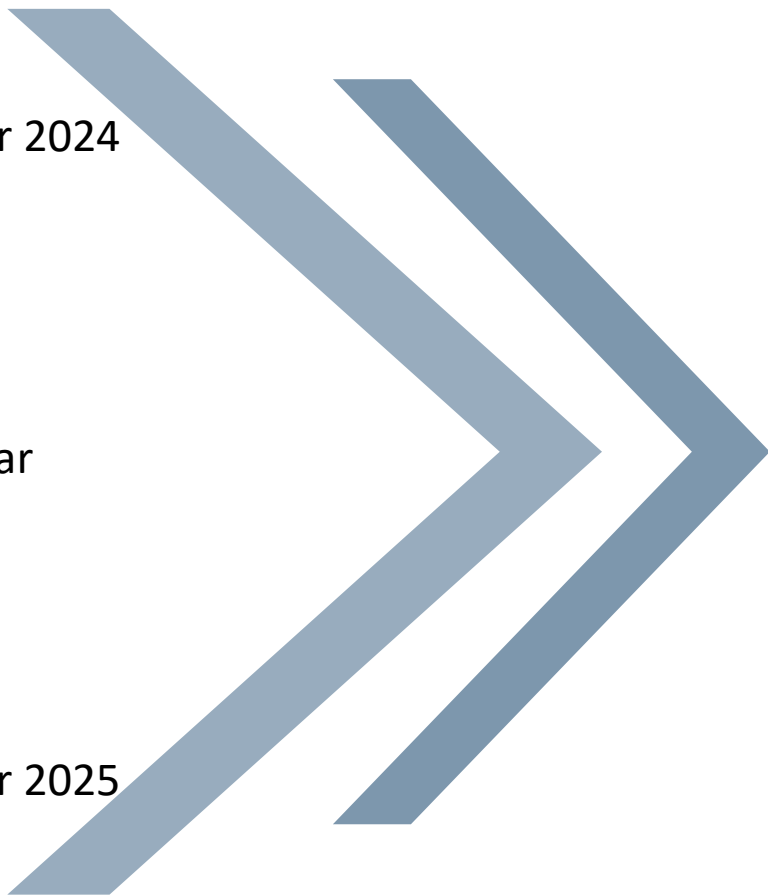
PIPELINE PROJECT UPDATES

- Navigation Center
 - \$4.9 million invested
 - Completion – Fall 2024
 - 90+ Beds
- Pathways
 - \$3.6 million invested
 - Completion – Winter 2024
 - Beds – 220 units, 288 beds
- Shelter at St. Mary's
 - \$5.63 million invested
 - Currently Operating
 - 209 beds
- Homekey Project – Calaveras Quarters
 - \$7.05 million invested
 - Completion – Winter 2024
 - 68 units



PIPELINE PROJECTS, CONT.

- Villa d’Flore
 - \$6 million invested
 - Completion – Summer 2024
 - 12 units
- Satellite
 - \$4.3 million invested
 - Completion – Next Year
 - 31 Units
- Park Center
 - \$2.25 million invested
 - Completion – Summer 2025
 - 50 units



ATTACHMENT A



PIPELINE QUEUE

- **Positioning for Prop 1**
 - State to issue a “Homekey-like” competitive NOFA
 - To be successful, City will need to provide match funding
- **Property Acquisition**
 - Revisit Safe Camping & Parking Strategies



ENFORCEMENT

Chief McFadden, Police Department



EXISTING ENFORCEMENT

- **Staff:**
 - Current team includes 1 Sergeant and 4 Field Officers
- **Historic Encampment Locations:**
 - Regularly monitored large encampments on a scheduled rotation
 - Service requests for additional, smaller, locations are complaint driven
- **Critical Infrastructure:**
 - **Parks:** Enforcement requires verification of available beds at shelters
 - **Other City Facilities:** Based on public health & safety
- **Pets & Property:**
 - Minimal collection/storage of property.
 - Pets are allowed to stay with their owners , however, the Animal Shelter will take them, if surrendered.
- **Citation and Arrests:**
 - Only in conjunction with other violations
- **Fiscal Considerations:**
 - Approx. \$1.5M per year in staff time to support encampment clean up and enforcement efforts.



ENHANCED ENFORCEMENT

- **Increased Coordination:**

- Launch “Take Back our Parks” Campaign
- Weekly meetings with Public Works to increase number of clean-ups
- Proactively increase service/response to additional locations identified through AskStockton, phone calls, etc.
- Prioritized by impact to the community and critical infrastructure, and coordination of resources needed

- **Citation and Arrests:**

- Voluntary compliance is the goal, SPD does anticipate an increase in arrests related to camping
- Education and coordination of wrap-around services
- Coordinating with SJ Probation to identify opportunities to expand services and provide mutual support



ENHANCED ENFORCEMENT, CONT.

- **Pets & Property:**

- SPD will need to purchase and maintain storage containers to create storage lockers for property
- Pets of individuals who are arrested will be taken to the Animal Shelter

- **Fiscal Considerations:**

- Additional clean-up requires additional staffing, doubling the team by re-assigning existing staff:
 - 1 Sergeant and 4 Field Officers - \$1.37M
- Estimated Additional Overtime - \$130,000
- Two additional patrol trucks - \$230,000
- Storage of property - \$50,000
- Increase expense to Animal Shelter – \$50,000





NEXT STEPS

Harry Black, City Manager

Collaboration & Coordination

- Intergovernmental meetings with City Council, County & Staff
- Collaborate with Community Based Service Providers & Contractors
- Staff Coordination with SJ Cares
- Participating in the California Interagency Council on Homelessness (Cal ICH) series of webinars to better understand State direction



Tasks

Take Back our Parks Begins

Followed by other Critical Infrastructure

Complete Navigation Center

Open Pathways Project

Council to declare Housing & Homelessness Emergency

Real Estate Acquisition

Based on Council direction, City Manager's Office will prepare a communications plan to engage and inform the community

FISCAL CONSIDERATIONS

Task	Current Budget	Amended Budget	External Funds
ENFORCEMENT			
Reprogramming Existing Staff ⁽¹⁾	\$1,370,000		
Anticipated Overtime		\$130,000	
Equipment		\$230,000	
Storage of Property		\$50,000	
Animal Shelter Resources		\$50,000	
CLEAN UP			
Existing Clean-Up Efforts ⁽²⁾	\$947,300		
Enhanced Clean-Up Efforts: One-Time ⁽³⁾		\$1,265,000	
Enhanced Clean-Up Efforts: Ongoing ⁽⁴⁾		\$715,000	
DIVERSION			
Staff Expense ⁽⁵⁾		\$156,493	
HHAP 5 - NOFA ⁽⁶⁾			\$7,000,000
TOTAL	\$2,317,300	\$2,596,493	\$7,000,000

1. Reprogramming Existing Staff reassigns 5 existing SPD positions to support Encampment Enforcement efforts.
2. Public Works Existing Clean-Up includes services annually budgeted to support 27 City coordinated large scale clean-ups, additional contract services, including parks.
3. Public Works Enhanced Efforts: One-Time includes start-up expenses, establishing an on-site City transfer station, support for our Hauler's stations, additional contract support & staff.
4. Public Works Enhanced: Ongoing includes the expense associated with annual maintenance of all Public Works Encampment Clean-Up efforts, meaning new FY budget would be \$1.7M, ongoing.
5. 1 Economic Development Program Manager FTE
6. Round 5 of Homeless, Housing & Assistance Program, application and plan under review with State Dept of Housing & Community Development.



QUESTIONS?
