

ACTION CALENDAR

July 23, 2019

To: Honorable Members of the City Council

From: Mayor Arreguin and Councilmembers Kesarwani and Harrison

Subject: Identifying Locations for Managed Safe Recreational Vehicle (RV) Parking on City-Owned Land, Development of a Three-Month “Grace Period” Permit Program, and Requesting that the State Lands Commission Permit a Temporary Safe Parking Site at the Berkeley Waterfront

RECOMMENDATION

1. Direct the City Manager to identify one or more locations on city-owned land, including at the Berkeley Waterfront, for the establishment of a managed safe RV parking site for individuals currently sheltering in an RV or oversized vehicle on the public right-of-way in the City of Berkeley. The site(s) shall be available specifically for individuals identified through outreach as meeting the priority populations criteria designated by City Council in its March 26, 2019 action and are therefore eligible for the city’s three-month Grace Period Permit Program.

A three-month Grace Period Permit (with possibility for renewal under limited specified circumstances) will be offered on a one-time basis to existing Berkeley RV dwellers who meet the priority populations criteria adopted by Council on March 26, 2019. The three-month Grace Period Permit will allow RV dwellers to park in a designated off-street safe location within City limits. As adopted and specified on March 26th, a safe parking location should be provided to priority populations prior to enforcement of RV parking regulations under Ordinance No. 7,643-N.S. (BMC Section 14.40.120) and shall include services to ensure health and safety, including sanitation services.

2. Once locations are identified, the City Manager should report back to the City Council on proposed locations and a proposed program model for the three-month Grace Period Permit program including a non-profit operator, service model, security measures, and sanitary facilities such as portable restrooms and hand-washing stations. The Council may at that time express its intent to allocate additional funding through Measure P tax receipts or other General Fund revenues to establish a long-term safe parking program for individuals who meet priority populations criteria and who have not previously received a three-month Grace Period Permit.

Program participants should be actively engaged with rehousing and other services, and their stay will be short-term while they are seeking permanent housing and/or a long-term off-street location to which they can relocate, such as an RV park.

3. The City Manager should explore all possible locations on city-owned land, including all vacant or partially-occupied city properties, “dead-end” streets, and the Berkeley Waterfront.

4. Direct the City Manager to submit a formal request to the California State Lands Commission for permission to establish a temporary safe parking location on City land at the Berkeley Waterfront based on the City of Berkeley's declaration of a Homeless Shelter Crisis.

BACKGROUND/ CURRENT SITUATION AND ITS EFFECTS

Homelessness in the Bay Area continues to rise with an increase in Alameda County of 43% over the past two years. As a result of this increase in homelessness, there has been an increase in the number of RVs parking for long periods of time within the City of Berkeley, impacting public safety, health and the parking needs for Berkeley residents and businesses. At the same time, increasing housing costs has resulted in more people losing permanent housing, including living in RVs and vehicles. The City must balance the preservation of health and safety, with helping our most vulnerable.

On February 28, 2019 City Council approved the first reading of Ordinance No. 7,643-N.S. amending BMC Chapter 14.40 regarding stopping, standing or parking restricted or of vehicles on streets between the hours of 2 am to 5 am. The Council's motion specified that the enforcement of the ordinance would be preceded by notice, outreach and identifying specific needs of RV dwellers and providing flexible funding and access to services. Additionally, Council stated that it would work with staff to identify and develop a temporary RV parking site to serve the priority/highly vulnerable populations identified through outreach.

On March 26, 2019, the City Council adopted a second reading of Ordinance No. 7,643-N.S. with additional recommendations and guidelines to ensure that enforcement would not commence until outreach is conducted and a permit system is developed. Council also allocated \$50,000 in state Homeless Emergency Aid Program (HEAP) funds for outreach to RV dwellers, and the city has amended its contract with Bay Area Community Services (BACS) to conduct targeted outreach to RVs to identify needs and determine if they meet the criteria for priority populations eligible for the one-time 3-month "Grace Period" permit program. The Council also directed the City Manager to develop a 3-month permit program for priority populations at off-street locations.

In addition, the Council reiterated its referral to identify locations for an off-street safe parking location in the City of Berkeley for priority/highly vulnerable populations and to continue to work with adjoining cities and counties to develop a regional program for RVs. Since March 26th, Mayor Arreguin has been working with the Mayors of Oakland and Emeryville and County officials on a program for North County cities.

Councilmember Kesarwani and Mayor Arreguin have identified and visited several potential locations for safe parking. With the exception of property located at the Berkeley Waterfront, there is no one parcel that is large enough to accommodate the anticipated number of identified priority/highly vulnerable RVs that are parking within City of Berkeley boundaries. In the meantime, conversations have ensued with the cities of Oakland and Emeryville on ways that North Alameda County cities could

partner on the development of a comprehensive program and policies to address the needs of people residing in RVs.

RATIONALE FOR RECOMMENDATION

Beginning on July 1, 2019, BACS will begin outreach to RVs to access and identify the priority/highly vulnerable population that will qualify for parking under the 3-month Grace Period and those that can qualify for flexible funds allocated at the March 12th Council meeting from State Housing Emergency Aid Program (HEAP) funds.

In the meantime, staff is completing their work on the implementation, administration and enforcement criteria for the 3-month Grace Period. However, in order to fully implement City Council direction, safe parking location(s) must be operational and should include site management, security and amenities, including but not limited to portable toilets, handwashing stations, garbage collection facilities, mobile waste pump-out and shower service.

Until a safe parking location(s) have been identified, the full implementation of the Grace Period cannot commence which results in continued impacts on public safety, health and parking needs for Berkeley residents and businesses. Time is of the essence to identify and establish a safe parking location(s).

FISCAL IMPACTS OF RECOMMENDATION

Outreach and flexible funds have been allocated in the FY2020/21 budget. Costs associated with a safe parking location(s) must be identified by staff and referred to the Measure P Panel of Experts or new HEAP allocation funding.

ENVIRONMENTAL SUSTAINABILITY

Providing safe parking locations, that include garbage collection and waste pump out services, is consistent with the goals and requirements set forth in the city's NPDES Municipal Regional Permit and has a clear benefit of reducing the possibility of human waste and garbage entering the storm drain system and consequently the Bay.

CONTACT PERSON

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Attachments:

- 1: Ordinance No. 7,643-N.S. (BMC Section 14.40.120)
- 2: Annotated Agenda, Item #1 Referral Responses: Managing Recreational Vehicles (RV Parking), February 28, 2019
- 3: Annotated Agenda, Item #21 Referral Responses: Managing Recreational Vehicles (RV Parking), March 26, 2019

