

March 13, 2019

## **MEETING NOTICE**

### **HOMELESS ENCAMPMENT AD HOC COMMITTEE**

Board Members of the Homeless Encampment Ad Hoc Committee:

Director Tony Estremera, Vice Chair  
Director Richard P. Santos, Chair  
Director John L. Varela

Staff Support of the Homeless Encampment Ad Hoc Committee:

Norma J. Camacho, Chief Executive Officer  
Melanie Richardson, Chief Operating Officer  
Stanly Yamamoto, District Counsel  
Anthony Fulcher, Senior Assistant District Counsel  
Rick Callender, Chief of External Affairs  
Sue Tippetts, Deputy Operating Officer  
Vincent Gin, Deputy Operating Officer  
Lisa Bankosh, Assistant Officer  
Sue Turner, Real Estate Services Manager  
Chad Grande, Field Operations Unit Manager  
James Choate, Senior Field Operations Administrator  
Meenakshi Ganjoo, Senior Management Analyst

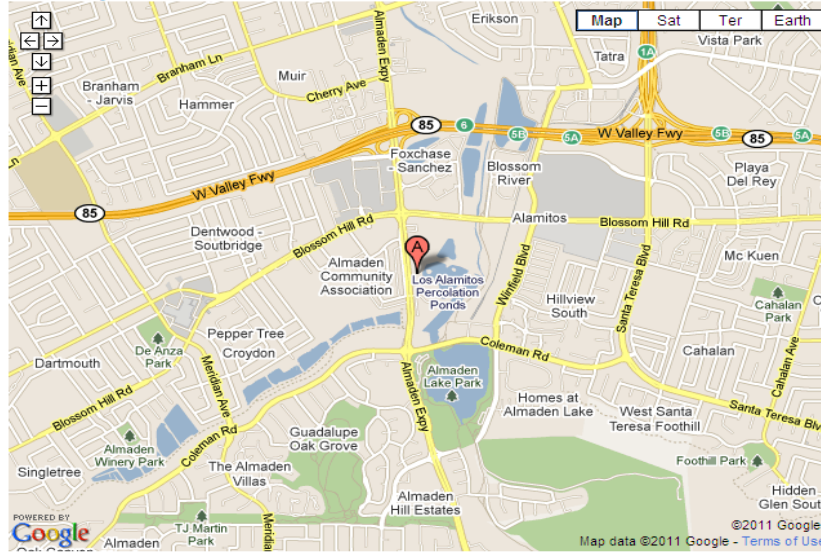
The meeting of the Homeless Encampment Ad Hoc Committee is to be held on **Monday, March 18, 2019, at 3:00 p.m.** in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

Enclosed are the meeting agenda and corresponding materials. Please bring this packet with you to the meeting.

Enclosures



**Santa Clara Valley Water District - Headquarters Building,  
5700 Almaden Expressway, San Jose, CA 95118**



**From Oakland:**

- Take 880 South to 85 South
- Take 85 South to Almaden Expressway exit
- Turn left on Almaden Plaza Way
- Turn right (south) on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Morgan Hill/Gilroy:**

- Take 101 North to 85 North
- Take 85 North to Almaden Expressway exit
- Turn left on Almaden Expressway
- Cross Blossom Hill Road
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Sunnyvale:**

- Take Highway 87 South to 85 North
- Take Highway 85 North to Almaden Expressway exit
- Turn left on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From San Francisco:**

- Take 280 South to Highway 85 South
- Take Highway 85 South to Almaden Expressway exit
- Turn left on Almaden Plaza Way
- Turn right (south) on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Downtown San Jose:**

- Take Highway 87 - Guadalupe Expressway South
- Exit on Santa Teresa Blvd.
- Turn right on Blossom Hill Road
- Turn left at Almaden Expressway
- At Via Monte (first traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**From Walnut Creek, Concord and East Bay areas:**

- Take 680 South to 280 North
- Exit Highway 87-Guadalupe Expressway South
- Exit on Santa Teresa Blvd.
- Turn right on Blossom Hill Road
- Turn left at Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance



# Santa Clara Valley Water District Homeless Encampment Ad Hoc Committee Meeting

HQ Boardroom  
5700 Almaden Expressway  
San Jose CA 95118

## REGULAR MEETING AGENDA

Monday, March 18, 2019  
3:00 PM

**District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.**

HOMELESS ENCAMPMENT AD HOC  
COMMITTEE

Richard P. Santos - District 3,  
Committee Chair  
Tony Estremera - District 6,  
Committee Vice Chair  
John L. Varela - District 1

All public records relating to an item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

**Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.**

**Santa Clara Valley Water District  
Homeless Encampment Ad Hoc Committee  
REGULAR MEETING  
AGENDA**

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Monday, March 18, 2019

3:00 PM

HQ Boardroom, 5700 Almaden Expressway, San  
Jose CA 95118

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**1. CALL TO ORDER:**

1.1. Roll Call.

**2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.**

*Notice to the public: This item is reserved for persons desiring to address the Committee on any matter not on this agenda. Members of the public who wish to address the Committee on any item not listed on the agenda should complete a Speaker Form and present it to the Committee Clerk. The Committee Chair will call individuals in turn. Speakers comments should be limited to two minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Committee may take action on any item of business appearing on the posted agenda.*

**3. APPROVAL OF MINUTES:**

3.1. Approval of Minutes.

[19-0233](#)

Recommendation: Approve the August 20, 2018, Meeting Minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 082018 Homeless Encampment Ad Hoc DRAFT M](#)

Est. Staff Time: 5 Minutes

**4. ACTION ITEMS/INFORMATION ITEMS:**

4.1. Reducing toxins, hazards and contaminants in local waterways.

[19-0234](#)

Recommendation: The Homeless Encampment Ad Hoc Committee receive information on activities related to encampments along local waterways.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Reducing Toxins](#)

Est. Staff Time: 15 Minutes



- 4.2. Santa Clara County proposal to temporarily relocate Hope Village on Valley Water property. [19-0290](#)  
Recommendation:  
A. Receive an oral presentation on the Willow/Lelong property use request and proposal, and  
B. Request Chair Linda LeZotte place this proposal on the agenda of the March 26, 2019, Board meeting as requested by County Executive Jeffrey V. Smith.  
Manager: Melanie Richardson, 408-630-2035  
Attachments: [Attachment 1: 2019-03-12 Letter and Proposal from County Execu](#)  
Est. Staff Time: 20 Minutes
- 4.3. Presentation by the South Bay Clean Creeks Coalition on the Impacts of Encampments. [19-0241](#)  
Recommendation: Receive the presentation by Mr. Steve Holmes, Executive Director of the South Bay Clean Creeks Coalition.  
Manager: Melanie Richardson, 408-630-2035  
Attachments: [Attachment 1: Steve Holmes PowerPoint Presentation](#)  
Est. Staff Time: 5 Minutes
- 4.4. Downtown Streets Team update. [19-0238](#)  
Recommendation: Receive updates from Downtown Streets Team staff members for grant-funded projects through the Safe, Clean Water and Natural Flood Protection (Safe, Clean Water) Program.  
Manager: Rick L. Callender, 408-630-2017  
Attachments: [Attachment 1: DST PowerPoint Presentation](#)  
Est. Staff Time: 10 Minutes
- 4.5. Homelessness Along Waterways Summit [19-0240](#)  
Recommendation: That the Homeless Encampment Ad Hoc Committee (Committee):  
A. Discuss a Homelessness Along Waterways Summit, and  
B. Forward any Committee recommendations to the Board of Directors for consideration.  
Manager: Rachael Gibson, 408-630-2884  
Est. Staff Time: 10 Minutes

**5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.**

*This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.*

**6. ADJOURN:**

6.1. Adjourn.

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**File No.:** 19-0233

**Agenda Date:** 3/18/2019

**Item No.:** 3.1.

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## COMMITTEE AGENDA MEMORANDUM

### Homeless Encampment Ad Hoc Committee

**SUBJECT:**

Approval of Minutes.

**RECOMMENDATION:**

Approve the August 20, 2018, Meeting Minutes.

**SUMMARY:**

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meetings.

**ATTACHMENTS:**

Attachment 1: 082018 HEAHC Draft Meeting Minutes.

**UNCLASSIFIED MANAGER:**

Michele King, 408-630-2711





HOMELESS ENCAMPMENT AD HOC COMMITTEE MEETING

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# DRAFT MINUTES

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**MONDAY, AUGUST 20, 2018  
2:00 PM**

(Paragraph numbers coincide with agenda item numbers)

A meeting of the Homeless Encampment Ad Hoc Committee (Committee) was held on August 20, 2018, in the Headquarters Building Boardroom at the Santa Clara Valley Water District (SCVWD), 5700 Almaden Expressway, San Jose, California.

**1. CALL TO ORDER/ROLL CALL**

A meeting of the Santa Clara Valley Water District Homeless Encampment Ad Hoc Committee was called to order by Chair Director Richard P. Santos at 2:04 p.m. on August 20, 2018, at the District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Board Members in attendance were: Director Tony Estremera-District 6, Director Richard P. Santos-District 3, and Director John L. Varela-District 1.

Staff members in attendance were: Joan Arends, Glenna Brambill, Norma Camacho, James Choate, Tiffany Chow, Jessica Collins, Zooey Diggory, Carole Foster, Meenakshi Ganjoo, Chad Grande, Hieu Huynh, Jay Lee, Tracy Peña, Eli Serrano, Kirsten Struve, Sue Tippets, Carlos Tovar, Sherilyn Tran, Sue Turner, Elisabeth Wilkinson and Stan Yamamoto.

Special guests in attendance were: Chris Anderson, Vanessa Beretta, Will Bick, Steve Holmes, Linda Jones, Deb Kramer, Beatriz Ramos, Jason Smith, Scott Van Gorden, Andrea Urton.

**2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON AGENDA**

There were two people that spoke;  
Ms. Gail Osmer, Homeless Advocate and Ms. Elaine Talerico of the Thompson Creek Neighborhood Association spoke on the homeless encampments issues and concerns.

**3. APPROVAL OF MINUTES**

It was moved by Director John L. Varela, seconded by Director Tony Estremera, and unanimously carried, to approve the minutes of the March 15, 2018, Homeless Encampment Ad Hoc Committee meeting, as presented.

4. **ACTION/DISCUSSION ITEMS**

**4.1 HOMELESS ENCAMPMENT CLEANUP PARTNERSHIPS**

Ms. Meenakshi Ganjoo reviewed the materials as outlined in the agenda item.

Mr. Chad Grande was available to give further clarification on this issue.

The following people spoke on this item with the following concerns: Grants, Chinook Salmon activity, safety/patrolling concerns at the encampments, damage to water ways, trash, re-purposing lives of the homeless and getting more funding.

Mr. Steve Holmes-So Bay Clean Creeks Coalition, Mr. Will Bick-SCC Parks, Ms. Norma Camacho, Jason Smith of the Gilroy Police Department, Director Richard P. Santos, Ms. Sue Tippetts, Ms. Vanessa Beretta of CSJ-City of San Jose, Director John L. Varela, Scott Van Gorden of Downtown Streets Team, and Ms. Deb Kramer of Keep Coyote Creek Beautiful.

Chair Santos would like staff to discontinue the dumpsters, research identifiable trash bags and monitor the sites.

No action taken.

**4.2 PROVIDE FEEDBACK AND RECOMMENDATIONS REGARDING THE OPERATIONAL APPROACH FOR THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM (SAFE, CLEAN WATER) PROJECT B4 GOOD NEIGHBOR PROGRAM: ENCAMPMENT CLEANUP FOR FISCAL YEARS 2019 - 2028 (FYS 19-28).**

Ms. Jessica Collins reviewed the materials as outlined in the agenda item.

Committee wants to pursue staff recommendation item #2: *Limit the number of cleanups each fiscal year based upon the funding available, which may include 52 cleanups funded through Fund 26 reserves and funding from the Board's prior commitment to utilize 90 percent of the net rental income from properties purchased through Watersheds Fund 12 (Fund 12 rental properties);*

Also, have staff research security/patrolling concerns by contacting responsible agencies to engage them in assisting the Water District at the encampments.

No action taken.

5. **CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS AND RECOMMENDATIONS**

There was no formal Committee action, however a few items for staff:

- Discontinue the dumpsters, research identifiable trash bags and monitor the sites.
- Research security/patrolling concerns by contacting responsible agencies to engage them in assisting the Water District at the encampments.

**6. ADJOURNMENT**

Chair Director Richard P. Santos adjourned the meeting at 3:28 p.m.

Glenna Brambill  
Board Committee Liaison  
Office of the Clerk of the Board

Approved:





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**File No.:** 19-0234

**Agenda Date:** 3/18/2019

**Item No.:** 4.1.

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## COMMITTEE AGENDA MEMORANDUM

### Homeless Encampment Ad Hoc Committee

**SUBJECT:**

Reducing toxins, hazards and contaminants in local waterways.

**RECOMMENDATION:**

The Homeless Encampment Ad Hoc Committee receive information on activities related to encampments along local waterways.

**SUMMARY:**

The Santa Clara Valley Water District's (Valley Water) mission is to "provide Silicon Valley safe, clean water for a healthy life, environment, and economy." Valley Water's responsibilities are laid out in the Legislative Act establishing the agency and includes the responsibility to "enhance, protect, and restore streams, riparian corridors, and natural resources." Valley Water's regulatory obligations include compliance with stormwater permits to keep pollution out of streams. Furthermore, the Safe, Clean Water and Natural Flood Protection Program, which was developed through community collaboration and passed by voters with an overwhelming majority, provides special tax funding for Valley Water to undertake various projects to reduce toxins, hazards and contaminants in local waterways.

According to the 2017 Santa Clara County Homeless Census and Survey, there are over 7,000 homeless individuals living in the County, with over 4,000 living in San José. Of the individuals experiencing homelessness, 74 percent are unsheltered and a portion is living in the riparian areas along urban streams. Santa Clara County urban streams are unique as many are densely vegetated. These areas offer habitat to wildlife and recreational opportunities to the public. Impacts of encampments on the riparian environment include trash and debris, excavation, vegetation removal, erosion, fire, hazardous materials and bio-waste, and impacts to fish and wildlife through poaching and habitat destruction. In addition to pollution, accumulation of trash and debris can block the flow of water and activities associated with these encampments can erode streambanks, resulting in an increased risk of flooding.

More recently, there has been a growing concern about the safety for Valley Water staff, contractors and volunteers working in and along streams. Safety hazards include firearms and other weapons, pathogens from human waste and needles, hazardous waste, and aggressive dogs.

To carry out its obligations, Valley Water undertakes various efforts and many of these are conducted in partnership with other public agencies, volunteers and non-profit organizations. Some of these efforts to improve water quality by reducing trash and other pollutants entering local waterways,

protect riparian habitat and reduce flood risks, are described below:

Engaging the community to address homeless encampments - In 2016, Valley Water Board of Directors convened a Homeless Encampment Ad Hoc Committee to discuss homelessness and encampment issues and bring discussion and recommendations back to the Valley Water's Board. Over the years, the Ad Hoc Committee has had held meetings to identify solutions to homelessness encampments, heard from experts and the community, and brought recommendations to the Board. Ad Hoc Committee recommendations have led to the Board taking various actions, including:

- Directing staff to give municipalities with housing authorities the first right to purchase Valley Water surplus lands to support the development of permanent housing;
- Authorizing investing \$350,000 to fund an extension of the City of San Jose's Downtown Streets Team program to remove trash and debris at encampments along local waterways;
- Valley Water Board Chair sending letters to 15 local city mayors and Santa Clara County Sheriff, requesting increased police and security during encampment cleanups in the creeks; and
- Approving a new homeless encampment cleanup operational approach to address funding challenges.

Encampment Abatement - Valley Water works in partnership with cities to conduct cleanups along waterways. In San José, Valley Water partners with the City Housing Department on encampment abatement in the City under a Memorandum of Agreement ("MOA"). Under the MOA, the City provides notice to encampment residents via required posting, coordinates with outreach and social services, ensures safety via police escort, sorts and stores belongings of encampment residents as required, and pays for waste disposal, while Valley Water conducts the clean-up and transports the trash, biological, and hazardous wastes and handles permitting under its Stream Maintenance Program. This MOA established a model for partnering with other cities to work jointly on encampment clean-up efforts. In fiscal year 2018, Valley Water cleaned 582 encampment sites and removed more than 1,200 tons of trash and debris. Removal of encampment trash accounts for approximately 90 percent of trash removed from creeks by Valley Water. Other efforts include management of trash booms, trash monitoring, and removal of trash at litter hot spots and trash accumulation points in creeks.

Enforcement partnerships - Valley Water has funded San José park rangers and California Department of Fish and Wildlife Wardens to prevent re-encampment of areas that have been cleaned. While initially successful, staffing shortages in both agencies have resulted in a significant reduction in patrols. As a result, Valley Water is currently pursuing an agreement with the San José Police Department to address safety issues in the creeks. Valley Water is not currently funding Park Ranger positions; however, Valley Water staff has participated in the Park Ranger working group led by the City to help determine the future of the Park Ranger program. Park Rangers are currently conducting joint patrols with San José Police.

Cleanup partnerships - To assist in addressing the needs of the homeless population, Valley Water also has a partnership agreement with the City of San José to fund the Downtown Streets Team,

which is a nonprofit, addressing homelessness by having homeless volunteers pick up trash along creeks, while providing necessities including a stipend, health services and case management.

Furthermore, Valley Water is working to partner with the City of San José on its effort to provide homeless residents with trash bags to bag their trash and reduce pollution of local waterways.

The City currently distributes transparent blue trash bags to its creek cleanup partners, Downtown Streets Team and homeless service providers to encourage homeless individuals to bag their trash. Homeless individuals use the bags and leave them along trails and sidewalks. The filled bags are then picked up by various City departments, creek partners and Downtown Streets Team. Under this proposal, Valley Water will assist the City with purchasing bags for distribution as well as picking up filled bags along certain stretches of local waterways, including Guadalupe River and Coyote Creek.

Grants - Valley Water provides grants directly to various non-profits and volunteer groups, such as the Downtown Streets Team, to reduce impacts of homeless encampments on local waterways.

Additionally, to develop a shared understanding, the issue of homelessness along waterways has been discussed at joint meetings of the Valley Water Board with the City of San Jose, Cities of Gilroy and Morgan Hill councils, and the County of Santa Clara Board of Supervisors.

Finally, Valley Water staff formed a Homeless Response Task Force to better coordinate among Valley Water units and lead staff homelessness response focused on the homeless population living in encampments along waterways to address the pollution and habitat impacts, safety issues, and infrastructure impacts caused by homeless encampments.

**ATTACHMENTS:**

Attachment 1: PowerPoint Presentation

**UNCLASSIFIED MANAGER:**

Melanie Richardson, 408-630-2035





# Reducing Toxins, Hazards and Contaminants in Local Waterways

Homeless Encampment Ad Hoc Committee

March 18, 2019



**Valley Water**

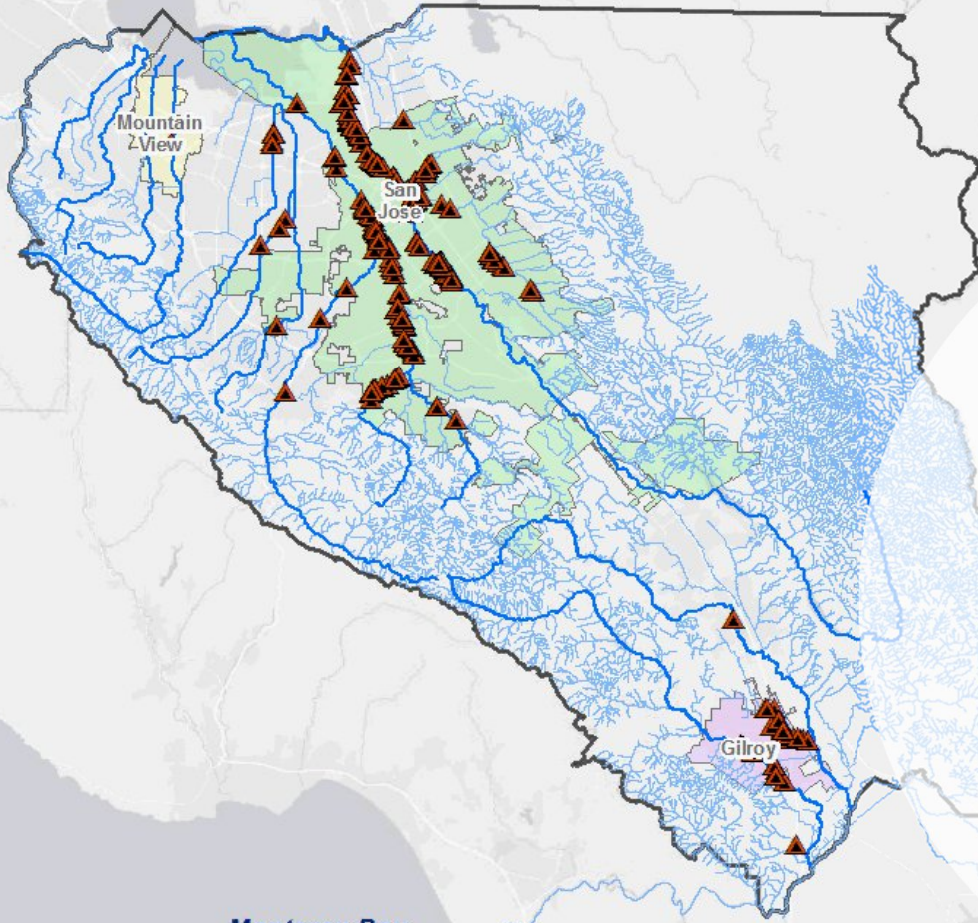
Clean Water • Healthy Environment • Flood Protection



Providing Silicon Valley safe, clean water for a healthy life, environment and economy



San Francisco Bay



Encampments  
2012- 2018

Monterey Bay





Poaching and barriers



Tree & limb removal

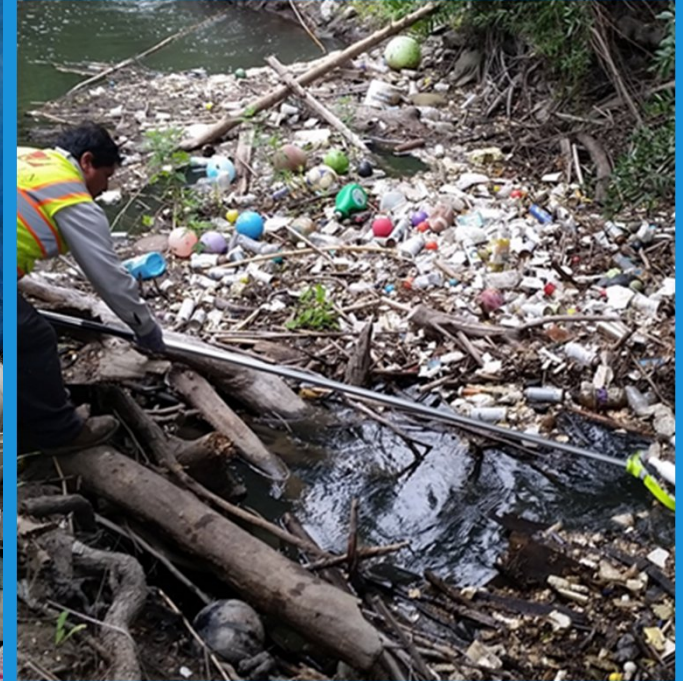


Wildfire

# Creek health: wildlife and habitat impact

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# Creek health: water quality impacts

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# Creek health: bank excavation

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Unsafe conditions

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## Addressing homelessness

- Homeless Encampment Ad Hoc Committee
- Regional leadership and collaboration





## Addressing pollution

Encampment abatements – account for 90% of trash removed from streams

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## Addressing pollution

- Pilot program
- 3 dumpsters placed from June to August 2018
- Serviced weekly





## Partnerships: Enforcement

- Funded 2 Park Ranger positions for watershed patrol
- Funded Department of Fish and Wildlife Warden
- Pursuing agreement with SJPD





## Partnerships: Volunteers & grants

**Adopt-A-Creek**







**Valley Water**

Clean Water • Healthy Environment • Flood Protection

# Reducing Toxins, Hazards and Contaminants in Local Waterways

Homeless Encampment Ad Hoc Committee – March 18, 2019

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**File No.:** 19-0290

**Agenda Date:** 3/18/2019

**Item No.:** 4.2.

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## COMMITTEE AGENDA MEMORANDUM

### Homeless Encampment Ad Hoc Committee

**SUBJECT:**

Santa Clara County proposal to temporarily relocate Hope Village on Valley Water property.

**RECOMMENDATION:**

- A. Receive an oral presentation on the Willow/Lelong property use request and proposal, and
- B. Request Chair Linda LeZotte place this proposal on the agenda of the March 26, 2019, Board meeting as requested by County Executive Jeffrey V. Smith.

**SUMMARY:**

In February 2019, Santa Clara County (County) staff had approached Valley Water staff about the possibility of relocating Hope Village, a sanctioned homeless encampment in San José, to Valley Water-owned property located at Willow and Lelong streets between the Guadalupe River and State Route 87. The property is part of the Guadalupe River Flood Protection Project and will be required once project construction begins. In response, Valley Water staff requested a formal proposal that it could evaluate and present to the Board for consideration. Staff also provided a list of 11 conditions that the proposal would need to address.

1. The properties were purchased by the District for construction of the Upper Guadalupe River Flood Protection Project. Any use of the properties will be temporary, with the property restored to the original condition before March 1, 2021 to allow for construction of the flood protection improvements to begin on June 1, 2021.
2. A clear description of the proposed temporary use, including all improvements proposed to support this use needs to be provided.
3. A discussion regarding how the site will be managed on a day-to-day basis, including security and liability concerns for the proposed temporary use needs to be provided.
4. Both sites (north of Willow Street and south of Willow Street) are subject to flooding per FEMA's flood maps. The site on the north side of Willow Street has a Special Flood Hazard Zone A mapped along the river, with the remaining portions of the site designated as Zone D, areas where flood hazards are undetermined but possible. The site to the south of Willow Street also has a mapped Special Flood Hazard Zone A along the river and a Special Flood Hazard Zone AO, with a depth of 2 feet, on the remaining portions of the site. The proposal needs to include a discussion how structures and improvements will be protected from

flooding. Additionally, any improvements within the floodplain must not increase flooding.

5. An appropriate riparian corridor setback needs to be provided to protect the riparian habitat as well as a slope stability setback, as defined in the District's Water Resources Protection Manual.
6. Information regarding how the County plans to communicate the proposed use to the surrounding community prior to the use as well as how concerns during use of the site will be handled needs to be provided.
7. Use of the site will require CEQA compliance, with the District as a responsible agency. CEQA analysis would be the responsibility of the County.
8. A clear description of the exit plan that includes as to how the County will manage closing down or relocating the village.
9. Assurance that the County will assume full responsibility for all the closing of the village within the time period we request, all the relocation costs, including obtaining a new site, associated with the proposed temporary use of the site needs to be provided.
10. A trash management plan is needed to ensure that trash is managed at all times at the site and that trash does not enter the river. This includes management of areas not in active use.
11. Description of roles and responsibilities for site management for health and safety of site occupants and general public safety.
12. Finally, the proposed schedule and the budget for use of the site while addressing all the above needs to be provided.

On February 26, 2019, the County Board of Supervisors directed County staff to continue the discussion with Valley Water on the proposed relocation. Subsequently, Valley Water staff met with County and City of San José staff and requested for a formal proposal, which the County staff said they would provide. Meanwhile, the Ad Hoc Committee Chair Richard P. Santos and Valley Water staff visited the existing Hope Village site that is owned by the City and the Valley Water project site that the County is interested in leasing to relocate the sanctioned encampment.

As a result of the site visits, on March 11, Valley Water staff communicated additional conditions that the County would need to address in the proposal being developed. The additional conditions provided were:

- 1) The District would like to see City Sewer and Water connections re-established to this site, as this would eliminate truck traffic for the delivery of water, collection of sewage, and discharge of grey water.
- 2) The site needs fencing improvements to make the site secure.
- 3) The site should accommodate parking for residents and emergency vehicle access through



the site. How many cars will be needing parking? Also, how will others be prevented from parking here?

- 4) We recently spent 3 days cleaning garbage and encampments from around the current Hope Village, so there needs to be an established surrounding area that is to be maintained by the City or County.

At the time of publishing this agenda on the evening of March 12, Valley Water CEO Norma Camacho received a property use request from County Executive Jeff Smith for the use of the Willow/Lelong property. Valley Water staff is currently reviewing the proposal which is attached to this memo.

**ATTACHMENTS:**

Attachment 1: Letter and Proposal from County Executive to Valley Water CEO sent via electronic email on March 12, 2019 at 5:30 pm

**UNCLASSIFIED MANAGER:**

Melanie Richardson, 408-630-2035



# County of Santa Clara

Office of the County Executive

County Government Center, East Wing  
70 West Hedding Street, 11th Floor  
San Jose, California 95110  
(408) 299-5102  
jeff.smith@ceo.sccgov.org



**Jeffrey V. Smith, M.D., J.D.**  
County Executive

March 12, 2019

*Sent Via Electronic Mail*

Norma Camacho  
Chief Executive Officer  
Santa Clara Valley Water District  
5700 Almaden Expressway  
San Jose, CA 95118

Dear Ms. Camacho:

The sanctioned encampment, known as Hope Village, has been located at 1039 Ruff Drive for the past six months. Since establishing Hope Village in September of 2018, the non-profit Casa De Clara Catholic Worker (Casa De Clara) has been responsible for overseeing the community. The property is owned by the City of San José (City) and leased by the County of Santa Clara (County). The City property was purchased with a combination of Federal Aviation Administration (FAA) grants for runway approach protection purposes. Recently, the City was informed by the FAA that Hope Village may be in violation of the FAA grant and could jeopardize future funding for airport projects. The FAA is requiring a corrective action plan to remove Hope Village.

Casa de Clara identified the Santa Clara Valley Water District (Valley Water) site at the intersection of Willow and Lelong streets as a potentially suitable location. County and City staff agreed to pursue this location with the goal of establishing a new temporary community in collaboration with Valley Water. The County is requesting to lease the property from the Valley Water for \$1 a year through January 1, 2021. While the County is the lead agency, this will be a partnership between the City and the County. Attached is a formal proposal for a new temporary community, which will be named Compassion Village. The proposal is a two-phased approach that includes temporary relocation of existing Hope Village participants and the development of a more robust Compassion Village.

Highlights of the proposal includes:

- The 16 participants of Hope Village will temporarily relocate to the Water District property starting on March 30, 2019 through January 1, 2021;
- Compassion Village will include a maximum of 30 living structures;
- Physical improvements to the site include improved or additional fencing and screening around the site, clearing debris and repairing the asphalt;
- Electricity, potable water, laundry services, restrooms, and showers will be provided through temporary/portable structures;
- The County would explore the feasibility of connecting to existing, onsite utilities;
- The County will contract with a nonprofit corporation to manage the site and offer supportive services; and,
- A Compassion Village Advisory Committee will be created to respond to the surrounding neighborhood concerns.

On March 18, 2019, the City and County will present this proposal to the Valley Water's Homeless Encampment Ad Hoc Committee for consideration and feedback. That evening, the County and the City still will facilitate a community meeting where representatives from all three organizations will be attending to hear and address community concerns. A second meeting has been scheduled on March 20, 2019.

We request your help in placing this proposal on the agenda of the Valley Water Board of Directors March 26, 2019, meeting. This would provide the Valley Water Board with the opportunity to clarify its receptivity to the County-City proposal. Specifically, we request that the Valley Water Board direct its staff to execute a lease with the County from March 30, 2019 through January 1, 2021. We also request that Valley Water provide the County with access to the site no later than March 27, 2019, to prepare the site for the relocation of existing Hope Village participants.

We appreciate your consideration of our proposal and our request that an action be taken at the March 26<sup>th</sup> meeting to ensure continuity for the current Hope Village participants.

Our leads will be Ky Le, Director of the County's Office of Supportive Housing and Jacky Morales-Ferrand, Director of City's Housing Department.

Sincerely,



Jeffrey V. Smith, M.D., J.D.  
County Executive

Letter to Chief Executive Officer Norma Camacho

March 12, 2019

Page 3 of 3

cc: Miguel Márquez, Chief Operating Officer, County of Santa Clara  
Lee Wilcox, Chief of Staff, City Manager's Office, City of San José  
Ky Le, Director, Office of Supportive Housing, County of Santa Clara  
Jacky Morales-Ferrand, Director, Housing Department, City of San José  
Melanie Richardson, Chief Operating Officer, Watersheds, Valley Water

## **Proposal to Use Santa Clara Valley Water District Property on Willow at Lelong**

The following describes the County of Santa Clara's proposal, in partnership with the City of San Jose, for the use of the Santa Clara Valley Water District's ("Valley Water") property south of Willow Street where it crosses the Guadalupe River near Lelong Street. This is a working document, which may be updated periodically.

### **1. Location and Term of Agreement**

- 1.1. The County of Santa Clara ("County") requests use of a portion of the property south of Willow Street to provide temporary housing for homeless people ("Site").
- 1.2. The County requests access to the site on March 27, 2019, in order to prepare the site for use.
- 1.3. Use of the Site would start on March 30, 2019, or the soonest possible date thereafter.
- 1.4. Use of the Site would cease on January 1, 2021, with the Site restored to its original condition by March 1, 2021, to allow for the construction of the Upper Guadalupe Flood Protection Project.

### **2. Planned Use**

- 2.1. The County would use the site for Compassion Village, a temporary housing site for homeless people.
- 2.2. The County would contract with a community-based organization ("Operator") for day-to-day use and management of the site. The Operator would have experience operating a camping program, shelter, or similar temporary housing program for homeless people.
- 2.3. The Site would be used in two phases.
  - 2.3.1. Phase 1 – Move existing participants of Hope Village from the current location on Ruff Drive in San Jose to the Site. The County leases the current Hope Village location from the City of San Jose ("City"). Once relocated, the program will be called Compassion Village. Currently, there are 16 participants of Hope Village.
  - 2.3.2. Phase 2 – Replace tents with sturdier living structures, and expand the new Compassion Village up to 30 households, up to 40 people.

### **3. Structures, Site Preparation, and Regulatory Compliance**

- 3.1. No use of the Site will take place within 100 feet of the existing fence demarcating the top of the creek bank.

### 3.2. Site Preparation

3.2.1. The County's Roads and Airports Department ("Roads") would prepare the site by fencing off the area to be used for Phase I separate from the area for the living structures for Phase II. The perimeter fencing will include privacy screening.

3.2.2. Both a pedestrian gate and a driveway gate for vehicles will be included in the perimeter fence. The gates will be monitored by the Site Monitor described below in section 4.1.3.

3.2.3. Roads may lay gravel and do other site preparation work to level the Site and make suitable for use as temporary housing.

### 3.3. Phase 1

3.3.1. Living Structures – The Operator would establish Compassion Village with the existing residents of Hope Village. To expedite the set-up of Compassion Village, the Operator would assemble up to 16 tents. Tents are approximately 10' w x 10' d x 8' h, and are erected on wooden platforms. Each tent houses one resident and their personal belongings.

3.3.2. Ancillary Structures – The following ancillary structures or vehicles will support the operations on the Site:

3.3.2.1. Bathroom trailer, including toilets and showers – This trailer would be serviced for proper waste disposal and clean water replenishment regularly.

3.3.2.2. Canteen and supplies tent – This tent would contain tables and storage shelves for Compassion Village food supplies and sundry items. The square footage of this tent would not exceed 200 square feet.

3.3.2.3. Potable water trailer – This would provide clean water to residents for food preparation and drinking water purposes, with proper water disposal containers included to minimize runoff to the creek. This trailer would be refreshed as needed.

### 3.3.3. Other Amenities

3.3.3.1. A dumpster with regular service would be placed on site for proper garbage disposal.

3.3.3.2. Tables and chairs would be available on the Site for use by residents and staff.

3.3.3.3. Defined walkways and sufficient exterior lighting would be set up.

3.3.3.4. Bike racks would be available for use by residents, staff, and volunteers.

- 3.3.3.5. A parking area will be designated on the Site to include parking for approximately 10 vehicles. The parking area use would be limited to residents, staff, volunteers, and other approved visitors.

#### 3.4. Phase 2

3.4.1. The second phase of the project would replace tents with sturdier living structures, and would expand the site of Compassion Village to eventually accommodate 30 1-person or 2-person households, with an anticipated maximum occupancy of 40 persons. As the new living structures are placed on the site, the use of tents as living structures would be phased out.

3.4.2. The County has engaged a firm to conduct a feasibility study in order to establish the most cost effective site design possible that is compliant with all local, state, and federal laws. As part of this study, the County would assess the feasibility and cost-effectiveness of connecting the structures described in sections 3.4.3. and 3.4.4., below, to existing utilities or reestablishing connections to utilities, including sewer and water.

3.4.3. Living Structures – The County is considering several options for living structures, with the primary points of consideration being suitability for human habitation, cost, speed of availability, and portability given the temporary nature of the availability of the Site. The following are the County’s working criteria as it researches living structure options:

- 3.4.3.1. Sturdier than the camping tents used at Hope Village
- 3.4.3.2. 100 square feet or more of interior living space
- 3.4.3.3. Residents are able to stand up inside the structure
- 3.4.3.4. Includes secondary egress
- 3.4.3.5. Durable enough to withstand daily use for two years
- 3.4.3.6. Insulated, with ventilation and heating/cooling options if needed
- 3.4.3.7. Capacity for interior lighting

3.4.4. Ancillary Structures – In addition to the ancillary structures used in Phase 1, the following structure would be added:

- 3.4.4.1. Office trailer – The office would be a place for staff to keep their belongings during shifts and rest between Site patrols. In addition, the office would be used



during the day for residents who are meeting with case managers and other services providers.

3.4.4.2. Other Amenities – The same amenities as used in Phase 1 would be available.

3.4.4.3. Site Preparation – The site preparation is dependent on the living structures used.

3.5. To the extent possible, structures will be easily towable or otherwise portable. The County acknowledges that the Site has a mapped Special Flood Hazard Zone A along the river and a Special Flood Hazard Zone AO, with a depth of two feet, on the remaining portions of the site. As such, the County will ensure that it will take the precautions necessary to mitigate the risk of flooding for the structures on the site, as well as minimize improvements to the Site that could increase flooding.

3.6. The County would be the lead agency responsible for CEQA analysis.

#### 4. ***Day to Day Management***

##### 4.1. Oversight and Security

4.1.1. The Operator would hire one full-time Program Manager (“Manager”) whose responsibilities would include, but not be limited to:

- 4.1.1.1. Staff scheduling,
- 4.1.1.2. Volunteer recruitment, scheduling, and management,
- 4.1.1.3. Neighborhood and community engagement,
- 4.1.1.4. Status and incident reporting to the County, and
- 4.1.1.5. General Compassion Village operations.

4.1.2. One paid staff person (“Site Monitor”) would be stationed on the Site per shift, around the clock. The Site Monitor’s responsibilities would include, but not be limited to:

- 4.1.2.1. Monitoring security and safety issues, including monitoring gate access,
- 4.1.2.2. Preparing for services or greeting service providers (i.e., pulling out dumpsters for trash removal, welcoming case managers making site visits to clients, etc.)
- 4.1.2.3. Helping residents to access basic resources such as food and restrooms, and

4.1.2.4. Preventing unapproved encampment on the Site.

4.1.3. The Operator will be required to report all incidents to the County's program monitor.

4.1.4. The Operator and County program monitor will track incidents and calls for emergency services in order to identify and address concerning trends.

4.1.5. The Operator would seek to develop a community at the transitional village that is self-governed. The primary role of the Operator's staff would be to provide security, be a liaison for residents to address maintenance concerns, and serve in a supportive role to the residents.

4.1.6. The Operator would provide a management plan, grievance process, tenancy documents, and other operational documents. These would be available to the Valley Water upon request. To the extent reasonable, the management plan and associated documents would be consistent with the Santa Clara County Continuum of Care Quality Assurance Standards, which can be found online at:

<https://www.sccgov.org/sites/osh/ContinuumofCare/CoC-Policies-and-Procedures/Documents/SCC%20CoC%20Quality%20Assurance%20Standards%20-%20022019.pdf>

4.1.7. The Operator will establish and maintain an Emergency Response Plan to ensure staff and residents are properly prepared for flooding, fire, earthquakes, and other potential disasters.

## 4.2. Hours of Operation

4.2.1. The Operator would make the Site accessible to clients 24/7.

4.2.2. Quiet hours on the Site would be from 10:00 p.m. to 6:00 a.m. nightly.

## 4.3. Site Maintenance

4.3.1. The Operator will be responsible for maintaining a clean and safe Site.

4.3.2. The Operator will ensure that no preventable environmental harm is done to the site or adjacent waterway as a result of program operations.

4.3.3. Regular garbage pickup service will be provided, and residents will be encouraged to participate in routine clean up on the Site and the area immediately surrounding the Site.

4.3.4. The Operator, with support from the City and County, will keep the external perimeter of the Site along Willow Street and along Lelong Street free of garbage and debris.

4.3.5. The Operator, with support from the City and County, will keep the external perimeter of the Site along Willow Street and along Lelong Street free of encampment.

#### 4.4. Target Population and Services

4.4.1. During Phase 1, Compassion Village will accommodate the current residents of Hope Village. As of March 11, 2019, the reported census of Hope Village is 16 or fewer people.

4.4.2. During Phase 2, Compassion Village will accommodate up to 30 households totaling up to 40 people.

4.4.3. The target population for Compassion Village includes:

4.4.3.1. One- or two-person households without children, and

4.4.3.2. Priority will be given to homeless people who are unsheltered and cannot utilize shelter due to shelter capacity or other barriers, and

4.4.3.3. One of the following:

4.4.3.3.1. Homeless people who have been connected to a housing subsidy through a supportive housing program and need temporary housing until a permanent housing unit is located or construction for their housing unit is completed (also known as Interim Housing)

4.4.3.3.2. Homeless people who are referred by another organization because their level of assessed need would not result in a referral to a supportive housing program

4.4.3.3.3. Homeless people who are referred by another organization because their level of assessed need indicates that they would likely not be connected to a supportive housing program for six months or more due to the system's lack of capacity

4.4.4. One full-time Service Coordinator would be hired by the Operator to provide voluntary information and referral services to residents who do not otherwise have access to case management services. The Service Coordinator would assist those residents with items such as, but not limited to:

4.4.4.1. Developing a housing plan

4.4.4.2. Accessing healthcare

4.4.4.3. Accessing public entitlement benefits

4.4.4.4. Transportation assistance via VTA transit passes, assistance obtaining/repairing bicycles, and the use of taxis or ride sharing services

4.4.5. Resident participation in supportive services provided by the Service Coordinator, other services providers, or volunteers will be voluntary.

**5. *Good Neighbor Plan***

5.1. On March 18, 2019, the County will participate in a public meeting hosted by Councilmember Dev Davis from the City in order to hear from the surrounding community. A second public meeting will be held on March 20, 2019.

5.2. The County would work with the City and the Valley Water to conduct additional public outreach as necessary.

5.3. The Operator would provide a Good Neighbor plan describing how it would engage with and minimize negative impacts to the local community.

5.4. The Operator, with support from the County and City, will establish a Neighborhood Advisory Committee as one mechanism to engage with the community and provide a forum to hear neighborhood concerns.

**6. *Site Exit Plan***

6.1. The County will assume responsibility for closing Compassion Village or moving it from the Site by January 1, 2021, and will return the Site to its original condition by March 1, 2021.

6.2. The Site set up will be designed such that the structures are portable and can be relocated.

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**File No.:** 19-0241

**Agenda Date:** 3/18/2019  
**Item No.:** 4.3.

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## COMMITTEE AGENDA MEMORANDUM

### Homeless Encampment Ad Hoc Committee

**SUBJECT:**

Presentation by the South Bay Clean Creeks Coalition on the Impacts of Encampments.

**RECOMMENDATION:**

Receive the presentation by Mr. Steve Holmes, Executive Director of the South Bay Clean Creeks Coalition.

**SUMMARY:**

Mr. Steve Holmes, Executive Director of South Bay Clean Creeks Coalition, will share a brief PowerPoint presentation showing the current state of trash along local waterways after the recent storms and the strategies to address the problem.

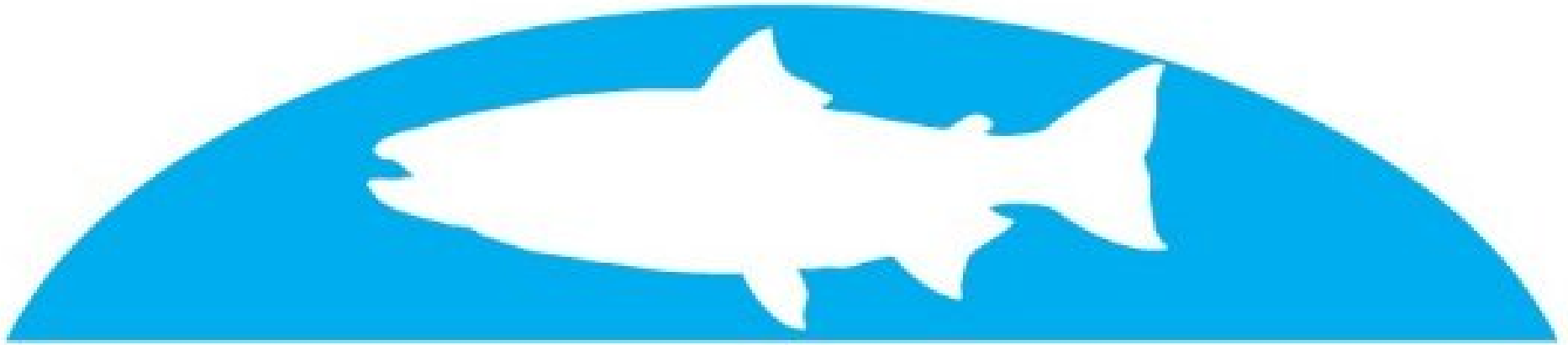
**ATTACHMENTS:**

Attachment 1: PowerPoint Presentation

**UNCLASSIFIED MANAGER:**

Melanie Richardson, 408-630-2035





# SOUTH BAY CLEAN CREEKS COALITION

Reclaim • Restore • Revitalize • SBCCC

Steve Holmes Executive Director

Email: [s.holmes@sbcleancreeks.com](mailto:s.holmes@sbcleancreeks.com)

Facebook: South Bay Clean Creeks Coalition

[www.sbcleancreeks.com](http://www.sbcleancreeks.com)

408.529.4460



# The Environmental Disaster playing out along South Bay Waterways





# 85% of trash in our creeks emanating from encampments





# Impact of Seasonal flooding





# Bascom Bridge: Story of encampment activity under our local bridges





# Current Strategy: Eviction – Clean - Re-encamp



What do we know about the inhabitants? One camper has been here for 16 yrs. Hoarding behavior exacerbates trash volumes. Proper disposal of trash problematic. No motivation to vacate.



# Cleanup 1-13-19



Paper milk/juice cartons	5
Plastic bottles	116
Plastic cups	82
Plastic cup lid	59
Plastic food wrapper	126
Plastic Hard, debris	46
Plastic ring	567 Total
Plastic SINGLE USE WATER bottles	
Plastic straw	6
Plastic utensils	13
Plastic wrapping or banding	12
Plastics (other)	6
	101



# Toxic Materials





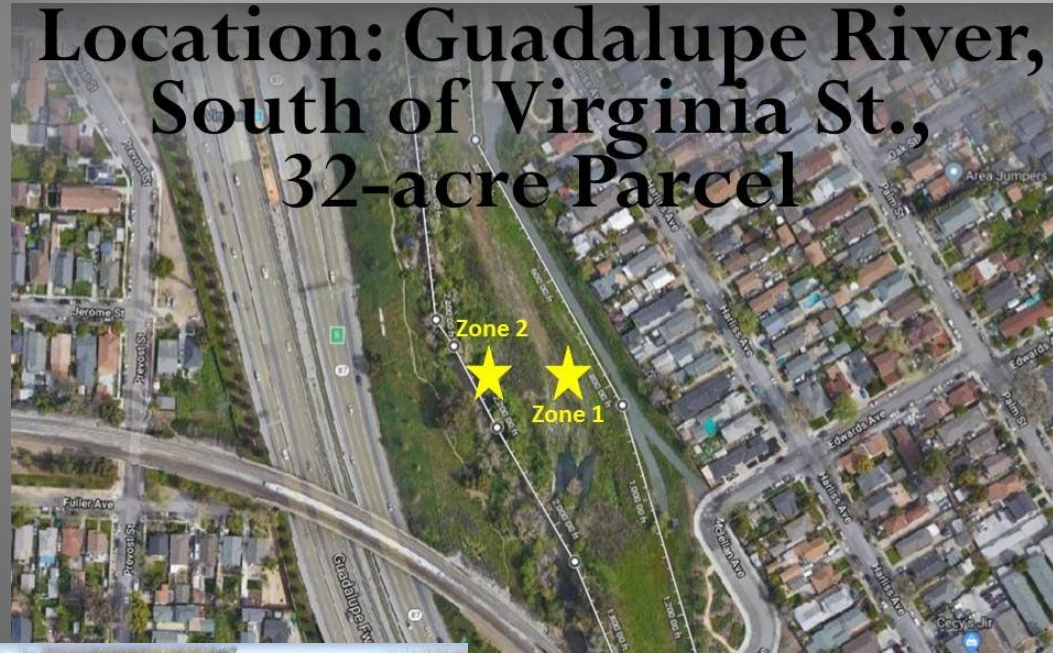
# Textiles





# Trash Count 1-22-19

Location: Guadalupe River,  
South of Virginia St.,  
32-acre Parcel



Zone 1: Total Pieces of Plastic 121



Plastic bottles	2	11		
Plastic cups				
Plastic cup lid	2	11		
Plastic food wrapper	20			
Plastic Hard, debris				
Plastic ring				
Plastic SINGLE USE WATER bottles				
Plastic straw	3			
Plastic utensils				
Plastic wrapping or banding				
Plastics (other)	94			

Zone 2: Total Pieces of Plastic 197



Plastic bottles	1	1		
Plastic cups	1	1		
Plastic cup lid				
Plastic food wrapper	39			
Plastic Hard, debris	5			
Plastic ring				
Plastic SINGLE USE WATER bottles	3			
Plastic straw	1			
Plastic utensils	1			
Plastic wrapping or banding				
Plastics (other)	78			

Attachment 1  
Page 10 of 13





**298,920 Individual Pieces of  
Plastic = Parcel sq. ft.  
188,032 Divided by 100 sq.  
ft. = 1,880 x Average Total  
Trash Collected in Zones  
159.**

# Coyote Creek Encampment Survey





# What can be done?

- Creation of a Trash Documentary  
Partnering with SJSU
- Educate the Community of  
situation via News, Social Media
- Continue to influence the City of  
San Jose's SJPD / Park Ranger  
patrolling Policy
- Ideas?

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**File No.:** 19-0238

**Agenda Date:** 3/18/2019

**Item No.:** 4.4.

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## COMMITTEE AGENDA MEMORANDUM

### Homeless Encampment Ad Hoc Committee

**SUBJECT:**

Downtown Streets Team update.

**RECOMMENDATION:**

Receive updates from Downtown Streets Team staff members for grant-funded projects through the Safe, Clean Water and Natural Flood Protection (Safe, Clean Water) Program.

**SUMMARY:**

In Fiscal Year 2018, Downtown Streets Team received two Pollution Prevention (B3) grants under the Safe, Clean Water Grants & Partnerships Program. The grant projects were focused on creek cleanups along Penitencia Creek in San Jose and El Camino Real in Sunnyvale. Each project received \$122,280 in grant funding. Valley Water also entered into a Pollution Prevention (B3) partnership agreement with the City of San Jose - Housing Department to provide support to Downtown Streets Team to engage the homeless community through outreach and education to actively work to maintain litter free waterways. Valley Water's contribution to the partnership was \$195,000.

Staff from Downtown Streets Team will provide an update on all three projects.

**ATTACHMENTS:**

Attachment 1: Presentation Downtown Streets Team

**UNCLASSIFIED MANAGER:**

Rick L. Callender, 408-630-2017





## Project Updates





# Pollution Prevention & Creek Cleanups

Partnership between DST, City of San Jose and Valley Water  
Areas of work: Guadalupe River, Coyote Creek & Los Gatos  
Creek

- 289,525 Gallons of trash/debris
- 655 Needles
- 32 Team Members employed over "90 days"
- 14 Team Members housed

# Pollution Prevention Grant Projects

Penitencia Creek Team & El Camino Cleanup

- 15,640 Gallons of trash & debris removed
- 19 Needles
- 18,790 Cigarette butts removed
- 150 Pocket ashtrays handed out
- 4 Team Members employed
- 3 Team Members housed

# BEFORE & AFTER PHOTOS



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**File No.:** 19-0240

**Agenda Date:** 3/18/2019  
**Item No.:** 4.5.

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## COMMITTEE AGENDA MEMORANDUM

### Homeless Encampment Ad Hoc Committee

**SUBJECT:**

Homelessness Along Waterways Summit

**RECOMMENDATION:**

That the Homeless Encampment Ad Hoc Committee (Committee):

- A. Discuss a Homelessness Along Waterways Summit, and
- B. Forward any Committee recommendations to the Board of Directors for consideration.

**SUMMARY:**

This agenda memo provides the Committee with the opportunity to discuss a Homelessness Along Waterways Summit and forward any Committee recommendations to the Valley Water Board of Directors for their consideration.

**ATTACHMENTS:**

None

**UNCLASSIFIED MANAGER:**

Rachael Gibson, 408-630-2884





# Handouts

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**From:** KAREN LATTIN <kblattin@comcast.net>  
**Sent:** Monday, March 18, 2019 9:53 AM  
**To:** Board of Directors; John Varela  
**Cc:** Jacquie Heffner  
**Subject:** Agenda Item 4.2 Relocation of Hope Village  
**Attachments:** Letter to SCVWD Homeless Committee Hope Village Item 4.2 3-18-19.pdf

Dear Members of the Homeless Encampment Ad Hoc Committee:

Director Tony Estremeram; Vice Chair Director Richard P. Santos; Chair; Director John L. Varela:

Please find attached a letter regarding Agenda Item 4.2 Santa Clara County proposal to temporarily relocate Hope Village on Valley Water property.

Thank you,

Karen Lattin

408-859-5918



March 18, 2019

Santa Clara Valley Water District  
Homeless Encampment Ad Hoc Committee  
5750 Almaden Expressway  
San Jose, CA 95118-3686

Re: Hope Village

Dear Homeless Encampment Ad Hoc Committee;

I am writing this letter to support moving forward with a lease with Santa Clara County for Hope Village and a Santa Clara County Interim Housing Community on the vacant parcel at the corner of Willow & LeLong Avenues.

As you are aware, homelessness is at a crisis level in Santa Clara County. Our creeks are especially vulnerable to unauthorized encampments being set up due to the proximity of a water source for the campers who use the creeks as their water source for bathing, washing dishes and other personal items. If organized communities can be created for homeless people to live in away from the creeks, with services such as portable toilets, garbage pick-up and shower service, we will do much to keep the homeless from setting up unauthorized camps near the creeks.

Hope Village is an effort to prove a model of a sanctioned encampment with the above referenced services that has shown that a camp can be kept clean and organized and away from the creek. We need more time to prove the model so that more of these types of camps can be opened in other areas of the County. Unfortunately, due to the lease expiration for the parcel on Ruff Drive and the FAA insistence that the lease cannot be extended without peril to FAA funding for San Jose Airport, Hope Village is faced with not having a new location to set up their community. We ask that Santa Clara Valley Water District pursue a lease with Santa Clara County to provide a place for the Village to move.

Regards,

Karen Lattin  
Santa Clara County resident  
Former Leadership Team Member of Hope Village

Jacquie Heffner  
Santa Clara County resident  
Former Leadership Team Member of Hope Village

**From:** Marit Hansen <marithansen@icloud.com>  
**Sent:** Sunday, March 17, 2019 10:39 AM  
**To:** Board of Directors  
**Subject:** HOPE VILLAGE RELOCATION

As a resident that lives only blocks from Willow and Lelong streets, I strongly oppose the relocation of Hope Village to that site. I can't believe you are advocating a site that was recently designated as an evacuation area for flooding. I am extremely concerned about adding more homeless encampments in an area already surrounded by them. We continue to have problems with the encampments polluting our streams and creating unhealthy living conditions for the homeless. I am concerned for my safety and the safety of my neighbors. We have all experienced an uptick in crime in our neighborhood and do not need to add to that problem. I am appalled that the best we can do to help the homeless is to sanction living in tents along our waterways. Please find a better solution!

Thank you,

Marit Hansen  
1116 Prevost Ct.  
San Jose CA 95125





**From:** Christine Lui <clciilui@gmail.com>  
**Sent:** Friday, March 15, 2019 10:37 AM  
**To:** Richard Santos; Board of Directors; John Varela; Barbara Keegan  
**Subject:** Hope Village Relocation to Willow St/Lelong matter  
**Attachments:** Letter to Dev Davis re Hope Village Relocation Proposal March 2019.pdf

Dear Director Richard P. Santos, Director Tony Estremera, Director John L. Varela and Barbara Keegan, District 2:

I am a home owner in Willow Glen. The Hope Village Relocation to Willow St/Leong proposal is an important matter to the Willow Glen community.

I would like to share my letter to Dev Davis, San Jose City Councilmember with you. I hope you view my comments and value it.

Thank you.

Sincerely,  
Christine Lui

## HANDOUT: AGENDA ITEM 4.2

March 13, 2019

Dear Dev Davis, San Jose City Councilmember:

Re: Hope Village Relocation to Willow St/Lelong site Proposal

I attended the community meeting regarding Hope Village Relocation Proposal.

I have comments to contribute this matter.

1. City of San Jose Housing Department – budget of \$1 million for 16 to 30 people for 22 months

I believe this is what I heard from the City of SJ Housing Dept representative.

This is \$2840 per person per month for 16 people or \$1420 for 32 people.

This fund can be better used by providing housing subsidy for rent. The outcome is proper housing, full utilities, bathroom and kitchen and opportunities for people to restart faster.

It is a lot of money to be wasted for a tent site and assume liabilities.

The City needs to rethink of its proposal.

2. Site – Willow St/Lelong – is it inspected for suitability?

I heard that this site has problems and vulnerable to flood.

I don't know if there is proper inspection of the ground site. Has the site inspection report released to the public?

There seems to have potential liability for the City and SJ Water District if people get sick from living there and affecting the health of the neighbors.

3. Control of the premise

While Hope Village said they can monitor the site inside the fence, they will have no control over when it attracts more homeless to tent up around the premise. This situation can be exploded. The City will be responsible for the consequences.

4. Long-term Property Value and Commercial impact for a short-term plan

It takes less than six months to degrade the property value of Willow Glen community. It will take more than 10 years to redevelop.

The site is so close to Willow Glen downtown and commute hub. This is a devastated impact to the community and local businesses. A home is a biggest asset for most families.

Eventually, it will impact property tax income to the City, County and water district. Is this what we sign up for?

Other communities – Milpitas, other San Jose site were voted it down for similar plans. We have the same reasons to vote against this relocation proposal.

5. Liabilities

There are liabilities come with this plan.

Liabilities from the site – contamination, flood, environmental health and safety matters. Is there site inspection as we do for a housing permit?

Cleaning liabilities – City and SJ Water District are liable to clean up after 22 months and also during the occupancy.

Safety – when the law enforcement is unable to support the current crime and vandalism from the homeless in the area, this plan will attract more.

Liability for degrading property value – all the home owners are not asking for this. Why city is proposed a plan to downgrade a well-established community rather than improvement?

I hope my comments are heard and valued. I opposite of this proposal.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Christine Lui". The signature is fluid and cursive, with the first name being more prominent.

Christine Lui  
Willow Glen Community Home Owner





**From:** Katherine Mason <kittymason@att.net>  
**Sent:** Sunday, March 17, 2019 4:09 PM  
**To:** Board of Directors; mike.wasserman@bos.sccgov.org; cindy.chavez@bos.sccgov.org; dave.cortese@bos.sccgov.org; joe.simitian@bos.sccgov.org; susan.ellenberg@bos.sccgov.org; ky.le@hhs.sccgov.org; mayoremail@sanjoseca.gov; district1@sanjoseca.gov; district2@sanjoseca.gov; district3@sanjoseca.gov; district4@sanjoseca.gov; district5@sanjoseca.gov; district6@sanjoseca.gov; district7@sanjoseca.gov; district8@sanjoseca.gov; district9@sanjoseca.gov; district10@sanjoseca.gov; Jacky.morales-ferrand@sanjoseca.gov; Jeff.Scott@sanjoseca.gov  
**Subject:** Message - relocation of Hope Village  
**Attachments:** Message re HOPE Village.docx

Good evening, attached is a document for your consideration about the relocation of Hope Village to the corner of Lelong and Willow Streets in Willow Glen. I am a resident of the immediate area and have been here since 1980.

Katherine Mason, 1096 Prevost Court, San Jose, CA 95125

To: Elected Officials and Housing Leadership

This last year the Santa Clara County Water District, with help from San Jose and non-profits, implemented an effective environmental protection effort for the Guadalupe River with the removal of the homeless encampments under and near the bridges at Willow Street and at Minnesota Avenue. Clearance of the land especially at the corner of Lelong and Willow Streets has also made it possible for the river to expand its banks as necessary with potential floods. Finding a location to arrange for temporary shelter for the former river edge homeless individuals has been a challenge for the City of San Jose, Santa Clara County and the supportive non-profits. As a resident of the neighborhood nearest to the Lelong Willow site, the following is my comment for your consideration.

Prior to the Water District's collective effort to clean up the river, our Willow Village Homeowner's Association facing Willow Street has cleaned up our property hedge grounds by removing trash from under the hedges on a frequent basis. This trash generally has been left casually by walkers by who have abandoned partially emptied beer bottles, clothing, old food boxes, plastic bags, wrappers, card board boxes, assorted small furniture boards and grocery carts. With the removal of the river edge occupants this last year we have had minimal trash left under our hedges. We still clean it up but less frequently as needed. We have also had fewer identified homeless persons sleeping in the open field areas of the property or using our drive ways as a public thoroughfare. We have also improved the property lighting to discourage individuals passing by who have broken into cars parked in the property areas or in our homes on foot.

The moving of Hope Village to the corner of Lelong and Willow Streets in Willow Glen has pros and cons as follows:

**Pros:** 1) Providing a location for the residents of Hope Village is important as a community service for the residents who have multiple challenges in finding shelter as a place to live in the San Jose Area. 2) Access for the potential residents to public transportation – buses and light rail - from that location is reasonable. 3) Walking a mile or two to a food resource in either direction is also reasonable.

**Cons:** 1) Public cost to maintain the area may be increased compared to cleaning out the previous encampments. 2) Increased crossing against traffic at that corner or further down Lelong may be more risky for residents and drivers due to the usual traffic volume on the way to and from Rt. 87. 3) **Most importantly, Hope Village will need services to support its residents and to reduce the impact of this site on the neighborhoods on either side of the river. Hope Village will require portable restroom facilities and showers, trash collection, social services and possible increased SJ Community or Police Officer presence to maintain the planned tent residences as good neighbors with nearby homes in the east, west and south directions of Willow Street and Minnesota Avenue. I urge the leadership for this**

## **HANDOUT: AGENDA ITEM 4.2**

**endeavor to consider providing the support service to help the residents for this temporary arrangement. We understand that the debate about tiny homes and their locations are still under review.**

Katherine Mason, Willow Village HOA, 1096 Prevost Court, San Jose, CA 95125



# WILLOW GLEN NEIGHBORHOOD ASSOCIATION

## COVER LETTER w/ ATTACHMENT

DATE: Monday 18 March 2019

TO: Santa Clara Valley Water District

**Norma Camacho**

Chief Executive Officer

Santa Clara Valley Water District

5700 Almaden Expressway

San Jose, CA 95118

**Richard Santos, Director**

Chair, Homeless Encampment Ad Hoc Committee

**Linda Le Zotte, District 4**

Board Chairperson, 2019

**ATTACHED DOCUMENT** with nine pages total.(excluding this cover):

**SUBJECT**: WGNA Position Paper opposing the Hope Village Relocation Proposal at the site of Willow and Lelong Streets.

**TO**: Santa Clara Valley Water District (SCVWD)

**OUR POSITION**: The Willow Glen Neighborhood Association (WGNA) strongly urges the Santa Clara Valley Water District (SCVWD) to deny the requested permit and the use of this site for Hope Village or any similar homeless transitional housing projects.





# WILLOW GLEN NEIGHBORHOOD ASSOCIATION

## **POSITION PAPER** **Monday, 18 March 2019**

**SUBJECT:** WGNA Position Paper opposing the Hope Village Relocation Proposal at the site of Willow and Lelong Streets.

**TO:** Santa Clara Valley Water District (SCVWD)

**OUR POSITION:** The Willow Glen Neighborhood Association (WGNA) strongly urges the Santa Clara Valley Water District (SCVWD) to deny the requested permit and the use of this site for Hope Village or any similar homeless transitional housing projects.

The proposed relocation is at a commercially zoned site that was contaminated with hazardous materials for approximately 60 years in a flood zone bordering the Guadalupe River. This is a residential neighborhood that already has a significant amount of illegal homeless encampments surrounding it that are creating substantial problems in our community. These problems include but are not limited to crime in and around the encampments, with pollution and littering in the rivers and surrounding river beds and bike paths.

The community is facing severe problems due to the current homeless problems in the area. They want these problems solved, they don't want to sanction further homeless encampments.

The WGNA strongly urges that the City of San Jose blocks this relocation; that the City does not partner up with the County of Santa Clara; nor that it authorizes any public funding since the County is requesting the City to bear half of the estimated cost at +3 million dollars.

**In summary, the WGNA is opposed to the relocation of the homeless tent village for the following reasons:**

- There is an overwhelming public opposition by the Willow Glen community as voiced during the 3/13/19 community meeting where they expressed their grave concerns about the additional negative effects which include increased crime and pollution in



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the neighborhood because we already have a vast number of homeless encampments creating critical problems.

- The installment of a homeless tent encampment, and the expansion thereof, has severe negative impacts on our public streams and poses a severe safety risk to the proposed residents, which is especially given that it would be located in a severe flood zone, as well as the contradictory message the SCVWD would be sending to the public by permitting homeless encampments in the very locations that it has sought to prevent.
- The illegal and unsanctioned nature in which Hope Village was first sighted could lead to even more similarly unsanctioned occupations on SCVWD sites, as well as the lack of oversight of residents and the surrounding area at large by the unregulated Hope Village and comparable projects.
- A tent encampment is not legally permitted under the Shelter Crisis Act and therefore subjects the City, County and SCVWD (and, by extension, taxpayers) to substantial possible legal/financial exposure; as moreover, to date, this has been an unsanctioned project with no apparent legal analysis as to its compliance with the Shelter Crisis Act.
- The severe lack of governmental transparency on this issue, including minimal public hearings, and little or no community outreach; the failure to consider and hear about the other possible, non-residential County sites (e.g., the Fairgrounds or Civic Center) in that process; and the failure of the county to have the necessary financial backing or approval of the City of San Jose (which are a stated condition precedent to the project going forward.)

*\*\*\* Continued — See next pages\*\*\**



## **WILLOW GLEN NEIGHBORHOOD ASSOCIATION**

**The City of San José is not following its own Open Government policy:** "The City of San José is committed to open and transparent government and strives to consistently meet its community's expectations by providing excellent service in a positive, timely, and transparent manner. It is the duty of City government to serve the public, reaching its decisions and conducting its activities in full view of the public."  
[See <http://www.sanjoseca.gov/opengovernment>]

**While the WGNA opposes the relocation, the WGNA supports efforts to help solve the homeless problem in our community.** As part of its efforts to advocate on behalf of our community and its residents, the WGNA has put substantial time and energy into the homeless problems plaguing our community. The WGNA has organized clean-up initiatives in the areas that are connected to our wetlands and adjacent to the rivers and streams because they have been severely impacted by the proliferation of homeless encampments, the opioid crisis, and the spread of toxic waste. We have organized our own Blight to Bright street clean-up projects for several years, as well as sponsored and supported Steve Holmes' launch of the South Bay Clean Creeks Coalition since the spring of 2013. The WGNA also supports our long-time board member Archie Moore, who also works with Hope Village and Martha's Kitchen and a number of other agencies, whereas we've sponsored and supported the launch of Archie's Army to assist with the plight of the homeless, seniors citizens, and veterans.

**The problems associated with the homeless in the community have become so chronic and insurmountable that over the last few years there has been a growing concern about the safety of anyone that volunteers to do the cleaning of trash out of streams, including those persons who live nearby or use the Guadalupe River Trail and the connecting systems.** The safety hazards include firearms and other weapons; pathogens from human waste and intravenous needles; hazardous industrial waste and materials; sharp and fragmented materials; aggressive dogs and anti-social persons.

The Guadalupe River Trail from West Virginia Street to Willow Glen Way is the worst of the violent and hazardous areas. This is because of two gangs, Megan's List offenders, parolees, and



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methamphetamine (meth) users. At that, we already receive many complaints about the bikeways and trail connector, "Willow Street Crossing at Lelong Street", and this proposal makes those worries much more profound and worse, creating a deterrent for commuting and recreational users, aside from Safe Routes to School.

**San Jose Rangers and Police Officers are reluctant to patrol the encampment areas because of personal safety concerns, as well as they are unenthusiastic in providing security for volunteers that help clean up the streams or nearby recreational trails. In the past years of public austerity, we have worried about the level of staffing in emergency services, adequate resources, and apparatus, plus the ability to promptly respond or routinely patrol.**

San Jose Police will be clearing out the 40 to 50 recreational vehicles, vans, trailers and cars that surround Hope Village; whereas, neighbors near the currently proposed site have suffered from significant property and vehicle crimes, multiple arsons, etc., because many of the homeless have started fires that catch on to the surrounding vegetation, fences, and infrastructure. In the overall venue or network of homeless individuals that are living in open environments, it is difficult to determine the activity, association, and accountability.

**Hope Village residents are primarily older or middle-aged women, and this proposal puts many of them in an unsafe, insecure environment that is subject to criminal behavior, as much as it will be challenging to mitigate. For that matter, it is neither appropriate for many of the men, who could also be vulnerable or less resilient.**

**The WGNA opposes the Santa Clara Valley Water District allowing this property to be used for this tent encampment.**

**It is contrary to The Santa Clara Valley Water District's mission, which is to "provide Silicon Valley safe, clean water for a healthy life, environment, and economy."**





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Santa Clara County's urban ecology and public watershed include a fragile system of streams that are elaborate and unique, as much as that many of them are densely vegetated. We have all seen that the impact of homeless encampments on the riparian environment has become insurmountable, as it produces tons of trash and debris that we are constantly excavating with no end in sight. This also includes the removal of natural vegetation, soil erosion, brush fires, infrastructural damages, bio-waste, hazardous materials, etc. Of course, this also impacts fish and wildlife through poaching, the dumping waste into streams, and exhaustive destruction of the habitat. The accumulation of waste has been so catastrophic that we often have to remove debris that blocks the flow of water, threatening fish and wildlife, as well as that these activities that are associated with these encampments can erode the banks of streams, thereby resulting in an increased risk of flooding as we saw with Coyote Creek. When many of them lived in The Jungle, this environmental disaster contributed to the problems with the Coyote Creek flood.

Substantial amounts of the SCVWD budget are being used to mitigate pollution, toxins and other abuses to the watershed, plus the other negative effects associated with homeless encampments in and around our rivers and creeks (e.g., promoting watershed clean-ups and reclamation, etc.). Does the SCVWD want to project a message that it supports encampments around our creeks and rivers? Sanctioning this encampment would defeat SCVWD's mission and purpose attracting more encampment to creekside properties.

The site at Willow Street and Lelong Street, which is proposed for the Hope Village tent encampment, is in a Federal Emergency Management Agency (FEMA) designated "Special Flood Hazard Zone - A" along the Guadalupe River; plus, there is a "Special Flood Hazard Zone - AO" with a depth of 2 feet of rising waters on the remaining portions of the site. Recently, as of last February 13th, heavy rains caused an evacuation order for the current proposed site. Thus, this location poses a severe safety risk to residents. Should the SCVWD be sanctioning the placement of people in a flood zone? Aside from the real risk of human tragedy, the SCVWD should not be taking on the potential liability associated with permitting a project like this in a



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clear flood zone, and which surely cannot be mitigated through insurance policies.

**As defined in the District's "Water Resources Protection Manual",** there needs to be a standard of a 100-foot riparian corridor setback, as well as a slope stability setback. The purpose of that is to (1) protect, preserve, or restore riparian habitats; (2) limit the creation of new impervious surfaces within Riparian Corridor setbacks to minimize flooding from urban runoff, and control erosion; (3) encourage the design of urban ecologies that are friendly to fish and wildlife. This will be difficult at the proposed site.

[See: <https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-for-working-on-district-land-or-easement/water-resources-protection-manual>]

**The Hope Village relocation plan is an incomplete and poorly planned project** that does not have the necessary funding, and this entails substantial improvement and construction that have not been properly evaluated or considered. This proposed land use would require fencing improvements or other devices and measures to make the site secure. The existing chain-link fencing is inadequate because it can be easily cut in just a few minutes with wire cutters or similar tools. Since the site is significantly larger than where Hope Village is currently situated, it will be a larger area to contain, and more vulnerable to continuous damage of the fencing along its length. Those damages to the infrastructure will often go unnoticed and demand constant supervision or mitigation. Similar to what we have seen in other areas, this will require constant and costly repairs. For example, CalTrans has installed and frequently repairs vast lengths of chain-link fencing that is situated adjacent to our highways and streams; but then later to replace this with more expensive walls or barriers that also have an environmental impact.

**A major portion of the management and maintenance effort is devoted to activities that are associated with the control and conservation of vegetation, or the local flora and fauna.** The need for vegetation control is driven primarily by safety issues, such as minimizing fire concerns, but as well as promoting the visibility of traffic, highway structures, and our



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fish and wildlife. Other reasons for vegetation management include: controlling noxious weeds and pests; disentangling invasive species and toxic waste that clogs the ecosystem; promoting good drainage to minimize stormwater runoff and erosion; and protecting pavement and roadway devices.

**HOPE VILLAGE IS AN UNTESTED, UNREGULATED MODEL THAT DOES NOT CONFORM WITH THE SHELTER CRISIS ACT, WHICH IN TURN COULD OPEN SCVWD, THE COUNTY AND THE CITY TO LIABILITY.**

Peter Miron-Conk lives in Willow Glen and founded and manages Hope Village. WGNA applauds Peter for his tireless efforts on behalf of the homeless. However, Peter aggressively challenged the San Jose Housing Department's decades-long policy of only permanent housing when San Jose and Santa Clara County did not have funds to build sufficient homeless housing.

He did so by occupying the current Ruff Drive location with the tent encampment, prior to having the proper County official approval that would meet all governmental standards. He admitted this at the 3/13/2019 WGNA meeting.

As of this time, the County needs City of San Jose partnership and funding of nearly \$1.5 million dollars to move ahead with the Tiny Homes portion of the project. The City of San Jose has not approved or even considered this publicly. The WGNA is also concerned that the County has not properly sought approval for this project, and in essence are putting "the cart before the horse". Ky Le admitted that the County is seeking to have half of the \$3 million dollar budget from the City of San Jose. The City has already spent millions on homeless programs and has not even had one single hearing on this issue nor brought any public input on it.

Given the unsanctioned occupation of the Ruff Drive property, this is a likely outcome for this site if the funding and city approval fails to materialize.

It is the position of the WGNA that the Hope Village tent encampment model is outside of what is authorized under the California Shelter Crisis Act (AB 2176, AB 932, codified as Cal Government Code Section 8698-8698.4) and that permitting this



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tent encampment to proceeds would expose the County, City and SCVWD to substantial liability. This was the position of the City of San Jose Sr. Deputy City Attorney Shasta Greene in her 11/30/2017 memo in which she concludes that in relation to AB2176, that "Tent camping is not within the scope of new and existing structures authorized for bridge housing by that bill."

This Shelter Crisis Act permits certain listed Counties and Cities to declare a "shelter crisis" and once declared, to provide emergency homeless housing. The Act specifically calls for use of existing structures; or, if building new structures, that they are hard-sides structures with specific requirements about size, electricity, locked doors etc. Hence, the "tiny homes" model furthered by the City. Assuming the housing is provided in compliance with the Shelter Crisis Act, the City and County can avoid general negligence and has less stringent requirements with housing and building codes, health and safety codes, landlord tenant-law, and even CEQA compliance.

Simply put, tent encampments are not legal under the act and should not be permitted.

**The WGNA is committed to promoting open and transparent government. This has not occurred here.**

**The county and city have many properties that are more appropriate without many problems of the currently proposed site. As is evident in the County's public records on this issue, they fast-tracked this site with minimal public input particularly from the residents and provided no current public hearings or discussions on any 99 alternative sites that are actually owned by the county and not located in dense residential communities with existing homeless problems. Two sites to which Peter wanted to relocate Hope Village include the Santa Clara County Fairgrounds and the now-shuttered Civic Center property (former City Hall) of which, however, neither site was considered in any public meetings and certainly, no public meeting was had on why these sites were not considered.**

In fact, the County does not even seem to have a clear criterion in selecting sites for this project.





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The City of San Jose is currently moving forward with two "tiny homes" project, both of which will be located in non-residential areas (VTA land) and they selected these sites only after substantial public debate and consideration of their location. We know of no evidence that the County has made any effort to consider the impacts of placing this site in a residential area.

### CONCLUSION:

Concerning this property that is owned and controlled by the Water District, and given all of the above stated matters, the Willow Glen Neighborhood Association, along with many of the area residents, businesses, and community organizations strongly recommends that our government bodies do not lease this public property at Willow Street and Lelong Street to Hope Village, or any other homeless encampments or temporary housing.

The county, city, VTA, and water district have many properties that are more appropriate without many of the problems of the currently proposed site.

Best Regards,

Elizabeth Estensen  
Board President

Rod Brittner  
Second Vice President

\*\*\* END \*\*\*