



CITY OF OAKLAND
Office of the City Administrator

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April 3, 2020

Mr. Larry Goldzband
Executive Director
San Francisco Bay Commission
and Development Commission
375 Beale Street, Suite 510
San Francisco, CA 94105

Mr. Brad McCrea
Regulatory Director
San Francisco Bay Commission
and Development Commission
375 Beale Street, Suite 510
San Francisco, CA 94105

RE: Extension of Time Under Proposed Cease and Desist Order No. CCD2020.001.00

Dear Messrs. Goldzband and McCrea:

Due to the ongoing COVID-19 crisis and the continued Alameda County Public Health Shelter in Place Order, the City of Oakland hereby requests a 90-day extension of all dates provided in paragraphs III.A through III.E, as previously extended by BCDC staff, of the proposed Cease and Desist Order No. CCD2020.001.00 against the City of Oakland.

BCDC Enforcement staff and City of Oakland staff have worked collaboratively and in good faith to establish the framework that is outlined in the draft cease and desist order. We thank BCDC Enforcement staff for their efforts to get us to the point we were at when the cease and desist order was heard by the Enforcement Committee in March. Unfortunately, as we all now know, the COVID-19 pandemic has shaken the foundation upon which our society functions, let alone upon which this draft cease and desist order rests. Many of the order's requirements would contravene the Shelter in Place Order and would endanger public health. Further, the City's priorities with respect to encampments is now focused on following Center for Disease Control guidelines and preventing spread of the disease. As a result, we believe it is necessary to press pause on implementation of the draft Cease and Desist Order and to reassess the means of its implementation once we are on the other side of the peak intensity of this devastating event.

Specifically, the City of Oakland requests the following changes in Section III of the draft order:

Section III.A.3. Clear Beach Area. Previously extended from May 1, 2020 to June 1, 2020. We now request an extension to September 1, 2020.

Section III.B. Closure of Reprieve Zone. Previously extended from May 1, 2020 to June 1, 2020. We request an extension to September 1, 2020.

Section III.C.2. Submit Encampment Enforcement Plan. Previously extended from April 15, 2020 to May 15, 2020. We request an extension to August 15, 2020.

Section III.D. Submit Park Activation Plan. Previously extended from April 15, 2020 to May 15, 2020. We request an extension to August 15, 2020.

Section III.E.1.b. Install Missing Bike Racks. Previously extended from April 15, 2020 to May 15, 2020. We request an extension to August 15, 2020.

Section III.E.1.c. Submit Plans for Public Access Signage. Previously extended from April 15, 2020 to May 15, 2020. We request an extension to August 15, 2020.

Section III.E.2. Submit Needs Assessment. We request an extension from June 30, 2020 to October 1, 2020.

Section III.E.3. Long-Term Maintenance Plan. We request an extension from August 31, 2020 to November 1, 2020.

Section III.E.4. Restoration Plan and Permit Amendment. We request an extension from August 31, 2020 to November 1, 2020.

Section III.E.6. Completion of Park Restoration. We request an extension from December 31, 2021 to April 1, 2022.

In the interim, the City, in coordination with the County and State, is implementing resources to provide for isolation spaces for unsheltered population with priority to those who are symptomatic, have been exposed, or are vulnerable due to age or comorbidities. The County has taken possession of two hotels from the state used for that purpose. In addition, the City has accepted trailers from the state that will be located at the Oakland-Alameda County Coliseum Property. The Oakland Public Works Department has continued to provide garbage pickup and the provision of health and hygiene services at Union Point Park, and in fact has expanded these services to twice as many encampment sites throughout the City. Additionally, outreach to individuals at Union Point Park is continuing. A few individuals previously residing at Union Point Park were relocated to temporary housing through the City's violence prevention program. Currently, we do not have available a census count for Union Point Park.

In addition to requesting an extension, this letter is intended to serve as the April 2020 progress report as required under Section III.E.5 of the draft cease and desist order.

Thank you for your attention to our request. Stay safe, in good health and spirit.

Sincerely,



Joe DeVries
Assistant to the City Administrator

cc:

Greg Scharff, Chair, BCDC Enforcement Committee
Karen Donovan, BCDC Counsel
Priscilla Njuguna, Enforcement Policy Manager, BCDC
Schuyler Olsson, Enforcement Analyst, BCDC
Michael Branson, Deputy City Attorney, City of Oakland