

Union Point Park
Encampment Closure and Park Restoration Plan

February 25, 2020

Drafted by the City of Oakland

Re: BCDC Cease and Desist Order No. CCD2020.001.00 / Enforcement Case No. ER2018.028 / Permit Nos. M2003.028.01 and M2008.030.00

I. Background:

Union Point Park began to see homeless encampments appear in the central area of the park four years ago as the homeless crisis increased in Oakland. Over time this population grew to include the hill area, the area above the Western parking lot, and the Eastern parking lot.

In June 2018, the City's Encampment Management Team reduced the encampments in the park through clean-up and enforcement action. This effort was successful at removing encampments from the Eastern parking lot, the hill area, and most of the central portion of the park. A small group remained under the berm along Embarcadero and in the westernmost section of the park which continued to be problematic.

In March 2019, in response to a new group of people living in RVs that moved into the Eastern parking lot, the City planned a closure/enforcement action but a Temporary Restraining Order was granted in Federal Court halting the City's efforts. Although the City eventually prevailed in this case, the settlement conference extended over several months and the City was prevented by court order from enforcing the closure until August.

In August 2019, the City performed a major operation resulting in the closure of the parking lots, which have remained mostly free of homeless in vehicles; however, full use of the park for the public had not been restored. The City, in consultation with BCDC staff, prepared this plan for completing encampment closures, restoring use of the park to the public, and coming into compliance with the requirements of BCDC Permit Nos. M2003.028.01 and M2008.030.00.

II. Addressing the Remaining Homeless Encampments:

Phase I: In January of 2020, the City created a temporary reprieve zone in the western portion of the property where any remaining encampments were required to relocate temporarily (see red and blue outlines in photograph below). Portable toilets, wash stations and weekly garbage service are being provided, and temporary mesh construction fencing was used to demarcate the area. Once a zone is created, it is much easier to prohibit encampments outside the zone through routine patrol.

The City is also exploring the implementation of an Ambassador Program with the Unity Council for the park to provide daily engagement and outreach to prevent any new encampments inside the park proper. This will be modeled after a successful effort in Lakeside Park (Lake Merritt) that occurred in early 2019 when encampments in that area were closed. In this model, Ambassadors are trained in engagement techniques that are non-confrontational and provided with a directive to make ongoing contact with both encamped individuals and other park users to

provide key messaging about the restoration plan. They also are trained to report activity on a regular basis to City Staff, including police personnel, when they observe activity that requires a heightened intervention such as illegal dumping, a tent established in the closure zone, or other park maintenance needs. This effort will put “eyes in the park,” will help change the behavioral culture that has evolved over the past couple of years, and help to make the park a welcoming place again for recreation.

Timeline:

November 10-December 1, 2019: Discussion resumed with the Unity Council, a protocol template has been shared.

January 24, 2020: Legal Closure Notices posted, final outreach conducted

January 28-31: Closure operation of encampments throughout the park, moving of people into the temporary reprieve zone, including individuals who are located near the shoreline adjacent to the Cryer building. Delivery of portable toilets, wash-stations, and the mesh fencing installation occurred.

January 31-Ongoing: Follow-up security checks by the Oakland Police Department (OPD)

Phase II: Human Services will continue outreach and Housing Navigation efforts with the individuals who relocated to the temporary reprieve zone. The active census, outreach efforts, and enforcement will seek to maintain the population at its current size or reduce it through the placement of individuals into shelter or other housing options. The nearby Miller Community Cabins will be prioritized for encampment residents as those cabins become available. During the first week of each month, the City will submit to BCDC updates on the number of individuals residing in the Reprieve Zone.

Follow-up security checks and monitoring will be conducted by OPD in addition to any Ambassador program. The Public Works Department will continue to provide weekly garbage service and the City will continue portable toilet maintenance within the temporary reprieve zone.

The City, with the assistance of Unity Council, will reach out to community partners to search for opportunities to activate the reclaimed park space, including with Marina residents, Embarcadero Cove businesses, and nearby schools. Regular use of the park by community groups will generate positive activity and reduce the likelihood of new encampments and negative behavior.

Timeline:

January 31 to March 2020: The City will continue outreach for potential placement into shelter/housing options, security checks, ambassador engagement, and weekly garbage service.

January 31: The City will begin engaging with community partners to discuss activation of the park.

April 15: The City will submit to BCDC a long-term Encampment Enforcement Plan outlining the City's regular patrol of the park, protocols for when an individual sets up a new encampment, the City's 311 telephone service for reporting incidents, and any other measures deemed necessary and appropriate by the City.

April 15: The City will provide BCDC staff with information in writing on efforts for park activation, with a request that BCDC inform the City of any approval necessary from BCDC for such park activation.

Phase III: In April 2020, the City will conduct a final closure of the temporary reprieve zone and continue security efforts and outreach to maintain the park free and clear of encampments.

Timeline:

March 23, 2020: Remaining encampment residents and the Homelessness Advocacy Working Group (HAWG) will be advised of 30-day closure

April 1-April 27: Remaining placements into emergency shelter will be offered

April 24: Final Legal Closure Notice will be posted

May 1: City will conduct closure operation and remove temporary mesh fencing, portable toilets, wash stations, and any remaining debris. The enforcement of the park closure will be extended to the entirety of Union Point Park.

III. Further Restoration Efforts

The City conducted a preliminary assessment of the damaged lighting that indicated a repair cost of up to \$500,000. City staff are examining the cost of additional repairs to the bathrooms, landscaping, benches, and other amenities. Due to the extent of the property damage a project of this scope and magnitude will exceed existing contract capacities and existing vendor/contractor capabilities. These large repair projects will need to be addressed through a standalone Capital Improvement Program (CIP) public project with corresponding formal procurement timelines, which will require City Council approval. Due to the extent of restoration to be addressed, any CIP public project may include additional discussion about broader improvements and modifications at the park, which could require an amendment to the existing BCDC permits for the park.

In the interim, staff will seek a temporary solution to the specific issue of lighting in the western parking lot area that impacts marina residents on a nightly basis. Although the park is closed from dusk to dawn, this lot serves as residential parking for the marina residents. Separate from the overall restoration, staff is seeking a temporary measure to provide safety lighting in this location during Phase I.

Timeline:

April 15, 2020: The City will put in place safety lighting in the northwestern parking lot area to promote safe use of the area and deter unauthorized activity.

April 15, 2020: The City will submit a plan to BCDC for reinstalling missing public access signage.

April 15, 2020: The City will install the missing bicycle rack required under Permit No. M2003.028.01 in accordance with the currently approved plans.

June 30: City staff will complete a needs assessment that would be included in a proposal during the mid-cycle budget process for restoration of the park.

August 31: The City will submit to BCDC a long-term maintenance plan for the park.

August 31: The City will submit a comprehensive restoration plan and as necessary an application for amendments to BCDC permits to reflect modifications to the park, based on any park improvements approved by City Council. Timelines for implementation would be included in the plan or any submitted application for permit amendment. In the event that BCDC denies a requested application for amendments to the BCDC permits, the City will request to meet and confer with BCDC staff to discuss a revised application for amendment to the BCDC permits. The City would then submit to BCDC a revised application within a reasonable amount of time after the BCDC decision to deny the City's first application for amendment and after any conferral with BCDC staff.

When the funding is identified for a full CIP project, implementation of park restoration will begin and will follow the timelines provided in the approved amendment to BCDC permits. In the interim, the City will continue security efforts and outreach to maintain the park free and clear of encampments. The City will file progress reports with BCDC within 10 days after completion of each task identified in the plan.

Temporary Reprieve Zone:

On the following page, the primary reprieve area is outlined in red and blue and allows for access to the pathway from the westernmost end of the park to the rest of the park. The goal is to only use this area of the park. Efforts to keep the walkway open will be in place by using temporary mesh construction fencing. The photo on the last page displays the zone in relation to the entire park for reference.



