

**RECOMMENDED ENFORCEMENT DECISION  
REVISED PROPOSED CEASE AND DESIST ORDER NO.  
CCD2020.001.00  
CITY OF OAKLAND, UNION POINT PARK**

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SEPTEMBER 17, 2020



# SITE CONDITIONS – FEBRUARY 2020



# CURRENT CONDITIONS



# BACKGROUND

- Cease and Desist Order CCD 2020.001.00 approved by Enforcement Committee on March 12, 2020
- Order revised by Enforcement Committee on April 22, 2020
- Order remanded to Enforcement Committee by Commission on May 21, 2020
- Revised Order approved by Enforcement Committee on August 13, 2020

# NEGOTIATED CHANGES TO THE CEASE AND DESIST ORDER

## Deadlines related to clearing of encampments now tied to “Triggering Event”

- Triggering Event will signal that COVID-19 emergency has ended
- Encampment closures will occur 60-90 days after Triggering Event
  - Within 60 days – All encampments moved to Secondary Priority Area
  - Within 90 days – Encampment closure and relocation

## **TRIGGERING EVENT OCCURS WHEN THE FIRST OF THE FOLLOWING OCCURS**

1. The Oakland City Administrator issues a declaration of the end of the local emergency previously declared on March 7, 2020
2. The Oakland City Council adopts a resolution ending the local emergency previously confirmed by Resolution No. 88075 on March 12, 2020
3. The Alameda County Public Health Department fully lifts the mandatory shelter in place order first issued on March 16, 2020 or issues a public health order specifically allowing for interventions at encampments
4. Upon the occurrence of such other conditions as mutually agreed by the City and BCDC

# CITY OF OAKLAND REQUESTED TIME EXTENSIONS TO OTHER DEADLINES

- **Closure of Secondary Management Area** September 1, 2020 → 90 days from Triggering event
- **Submit Encampment Enforcement Plan** August 15, 2020 → 60 days from Triggering event
- **Submit Park Activation Plan** August 15, 2020 → October 1, 2020
- **Install Missing Bike Racks** August 15, 2020 → November 1, 2020
- **Submit Plans for Public Access Signage** August 15, 2020 → October 1, 2020
- **Submit Needs Assessment** October 1, 2020 → March 1, 2021
- **Long-Term Maintenance Plan** November 1, 2020 → September 1, 2021
- **Restoration Plan and Permit Amendment** November 1, 2020 → September 1, 2021
- **Completion of Park Restoration** December 31, 2021 → April 1, 2022

# ENFORCEMENT COMMITTEE RECOMMENDATION

- The Enforcement Committee recommends that the Commission **adopt revised proposed Cease and Desist Order CCD2020.001.00** requiring the City of Oakland to undertake measures necessary to remove unauthorized encampments in Union Point Park and restore the Park to its intended uses
- BCDC and City staff will closely monitor developments to determine when a Triggering Event occurs

# QUESTIONS?