

Max Overland

Subject: Coalition Letter re: Proposed Water Resources Protection Zones Ordinance (Item 3.5 on 11/26 Mtg Agenda)
Attachments: Ltr to Valley Water re WPRZ Nov 2024.pdf

From: David Low <david@destinationhomesv.org>
Sent: Sunday, November 24, 2024 6:22 PM
To: John Varela <jvarela@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>; Richard Santos <rsantos@valleywater.org>; Jim Beall <JBeall@valleywater.org>; Nai Hsueh <NHsueh@valleywater.org>; Tony Estremera <TEstremera@valleywater.org>; Rebecca Eisenberg <Reisenberg@valleywater.org>; Board of Directors <board@valleywater.org>; Clerk of the Board <clerkoftheboard@valleywater.org>
Cc: Chad Bojorquez <chad@destinationhomesv.org>
Subject: Coalition Letter re: Proposed Water Resources Protection Zones Ordinance (Item 3.5 on 11/26 Mtg Agenda)

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Honorable Supervisors,

On behalf of Destination: Home and a coalition of community partners, please find attached a letter outlining our concerns and recommendations re: the proposed Water Resources Protection Zones ordinance on Tuesday's meeting agenda.

Thank you for your consideration,
David



DAVID LOW

Sr. Director of Policy & Communications

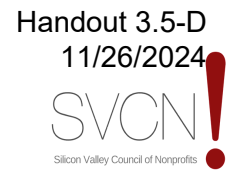
T (408) 513-8731 | C (408) 499-8328

david@destinationhomesv.org

A 3180 Newberry Dr, Suite 200, San Jose, CA 95118

DestinationHomeSV.org

THIS PAGE INTENTIONALLY LEFT BLANK



November 22, 2024

Board of Directors
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686

Honorable Directors,

Thank you for your recent efforts to engage community stakeholders around the proposed Water Resources Protection Zones (WPRZ) Ordinance. We recognize that encampments can create real impacts on the health of our waterways and Valley Water employees working in and around these areas. These are real, challenging issues and, despite our fundamental concerns about how the proposed WPRZ ordinance could harm our unhoused neighbors, our coalition has nonetheless invested time over the past several weeks engaging with Valley Water staff and offering ideas for how to improve the proposed ordinance.

Unfortunately, **we have serious concerns about the current version of the proposed WPRZ ordinance.** At its core, the ordinance remains a broad and far-reaching ban that carries criminal penalties for unhoused individuals with nowhere else to go, will disproportionately impact people of color and people with disabilities, and will only make it harder for unhoused individuals to stabilize their lives and access housing. Furthermore, we are concerned that implementing the ordinance as currently designed will prove costly, unworkable, and unlikely to yield any noticeable progress on our shared environmental and safety goals (particularly when compared to the public's expectations).

While we appreciate the ongoing dialogue with Valley Water staff and the modest changes that have been made to the WPRZ ordinance, we are disappointed that the latest proposal failed to address some of the most pressing concerns we raised over the past several weeks (*You can read a full list of the [prioritized recommendations](#) we shared with Valley Water staff on Nov. 5th*).

As a result, **we urge the Board to make additional changes prior to adopting the proposed ordinance** - particularly the following three recommendations which we believe are crucial to making the proposed WPRZ ordinance workable:

1. **More narrowly and clearly defining "High Priority" levels.** High-Priority areas should be defined geographically and limited to those posing immediate public safety risks or environmental hazards. Without targeting its enforcement efforts more strategically, Valley Water will find this endeavor costly and ineffective, and result in simply pushing people around to other areas along our waterways - all while putting more vulnerable people at-risk of continual displacement and severe penalties.
2. **Revise the Progressive Enforcement protocols to provide more advance notice and multiple warnings.** Law enforcement actions should remain a truly last resort, and to prevent more people from being caught up in such actions, we recommend providing at least 5 days of notice prior to encampment removal and 3 warnings prior to arrest/citation.

- 3. Delay the start of enforcement activities until at least the Spring.** Facilitating self-compliance with the ordinance is key to its success, but the current timeline would subject unhoused individuals to criminal penalties almost immediately. Valley Water should commit to delaying enforcement until its planned educational and outreach activities have made more headway and its efforts to bring new shelter and safe sleeping sites online have progressed.

While these changes will not address all of our concerns about the proposed WPRZ ordinance, we believe they are critically-important for launching this new endeavor on the right footing and putting us on a path to advance our shared goals around environmental stewardship, employee safety and protection of our unhoused neighbors.

Ultimately, the only true solution to the environmental and safety challenges along the waterways is to create more alternative housing and shelter options. Without more alternative places for people to go, no ordinance will be able to meaningfully reduce the presence of people along our waterways.

And so ***we reiterate our plea for Valley Water to accelerate its efforts to support housing and shelter strategies through its AB 1469 authority.*** We are pleased to learn that Valley Water is in advanced conversations with the City of San Jose around utilizing Valley Water land to create alternative places where our unhoused neighbors can go. We urge the Board to do everything it can to help move these sites along as expeditiously as possible AND to aggressively pursue similar partnerships in other parts of our community where the need for alternative shelter options are just as great. In particular, we believe this Board has an opportunity to compel a broader public process to solicit interest from cities throughout the County and from private sector philanthropy that have not been previously engaged.

This is difficult work and we recognize that it is not something that Valley Water can address on its own. But, at the same time, we will not be able to move these solutions forward at the scale we need unless we all come together to tackle this problem head-on. That's exactly what a broad coalition of government, business, non-profit, philanthropic and community stakeholders are doing through our Community Plan to End Homelessness, and we encourage Valley Water to lean-in to this collaborative effort, as we believe it is ultimately the best strategy that we can employ for addressing the environmental and safety challenges along our waterways.

We recognize that we are facing a complicated set of challenges, and want to be a partner in helping advance real solutions. We're committed to working together to chart a better path forward that will allow us to concurrently protect our waterways, address the safety concerns shared by Valley Water employees and also avoid exacerbating the challenges that our unhoused neighbors face to simply survive.

Sincerely,

Jennifer Loving, CEO, Destination: Home
Vivian Wan, CEO, Abode Services
Jennifer Hark Dietz, CEO, PATH
Maritza Maldonado, Executive Director, Amigos de Guadalupe Center for Justice and Empowerment.
Jan Bernstein Chargin, Board Chair, PitStop Outreach
Tristia Bauman, Directing Attorney of Housing, Law Foundation of Silicon Valley
Regina Celestin Williams, Executive Director, SV@Home
Kyra Kazantis, Silicon Valley Council of Non-Profits
Matt King, Policy Director, Sacred Heart Community Service