

Max Overland

Subject: An anti-camping ordinance would be a step in the WRONG direction to address the impacts of homelessness

From: Jan Bernstein Chargin <jbchargin@gmail.com>

Sent: Monday, July 8, 2024 4:45 PM

To: Board of Directors <board@valleywater.org>

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Subject: An anti-camping ordinance would be a step in the WRONG direction to address the impacts of homelessness

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Valley Water has gone above and beyond in recent years, by requesting and getting permission from the State Legislature to house people on Valley Water properties, by providing port-a-potties in some areas and trash pickup in others, and working with service providers to incentivize unhoused people to participate in creek clean-up (the Compassion Center's project removed over 70 tons of trash from local creeks in a single year.)

There is no one who believes that our local creekbeds are the best place for unhoused people to live, yet in the absence of sufficient housing, shelter, and other alternatives, this is often the best of the bad options available.

Especially now, in the midst of a life-threatening heatwave, it seems inconceivable to contemplate barring sick and elderly people from sleeping in any cool spot they can find. However, Valley Water is considering just that. At the upcoming meeting on July 9, the Valley Water Board of Directors will discuss a recommendation to adopt the "Water Resources Protection Zone Ordinance," which would criminalize encampments on Valley Water properties. If implemented, this ordinance will roll back several years of improved relationships, coordinated effort, and success in moving unhoused people from encampments on Valley Water property to permanent housing.

A recent count found 47 people in Gilroy living in encampments on Valley Water property. More than three quarters are disabled and half are older adults. Service providers are in an ongoing effort to get these individuals into the County housing system and help them complete the necessary requirements to qualify for the limited housing slots as they become available. It can be a long process of many months for an individual case, yet the proposed Valley Water ordinance only gives them 72 hours to relocate. From 2023 to date over 200 people from Gilroy have been housed because they had a stable location.

We know that there are not enough shelter beds available in Gilroy (or countywide) for everyone currently residing on Valley Water property. Last year the City of Gilroy passed its own anti-camping ordinance, whose impact was mitigated by the encampment areas owned by Valley Water. If people are now driven off Valley Water properties they will have no other refuge and are likely to shelter in downtown doorways and behind local businesses. They will have no consistent location, place to store medications and papers needed for housing, and will not be easy to find by caseworkers, mental health teams, and outreach teams.

This month the United States Supreme Court rolled back a key tool for fighting the criminalization of sleeping on public property even when no shelter is available. However, just because something doesn't violate one section of the constitution doesn't mean it is legal, humane or ethical. Local agencies still have the responsibility to make decisions in the best interest of their communities and ALL of their residents, and will still have to ensure that their actions do not

disproportionately impact people with disabilities, seniors, and members of marginalized groups. These are the people this ordinance would target. We can choose not to go down this road.

As community members, service providers, and business owners we recognize the responsibility of Valley Water to provide safe, clean water for everybody, a safe working environment for employees, and to be a good neighbor. We believe this can be achieved by less draconian means. Valley Water is planning to host a summit with state, local and county officials, and service providers in October to address the ongoing challenges of encampments. We ask that the vote on this ordinance be deferred until after the summit. We further suggest that encampment issues be addressed through local partnerships with cities, advocates, service providers and unhoused voices in those cities. Problems in San Jose should not force consequences in Gilroy (which lacks San Jose's resources to increase shelter options). In the meantime, we can work together to identify and remove abandoned encampments, continue to pick up trash, provide sanitary services, and get people through the housing pipeline as quickly as possible. We also commit to working with Valley Water to identify potential alternative sites that do not impact the creeks.

It is in no one's best interests for people to remain unhoused and living in tents along creeks. In fact, for some the loss of what minimal stability they have could lead to death. It is in everyone's best interests to pursue humane and effective solutions. The ordinance Valley Water is considering is neither and should be rejected.

Signed by:

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