

Cyrah Caburian

From: Maxcinco <maxcinco@comcast.net>
Sent: Wednesday, September 9, 2020 10:00 PM
To: City of Cupertino Public Safety Commission
Cc: Liana Crabtree; tessa parish; Lisa Warren; Danessa Techmanski; Peggy Griffin
Subject: Homeless Encampment residents on Wolfe Road will be "evicted" by 9/25/2020

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Dear Public Safety Commissioners Chao, Wang, Shan, Ankireddipally, and Nellore,

These Wolfe Road Homeless Encampment residents were told Friday, 9/4, to prepare to move by 9/25/2020.

Since your Agenda Item#5 discusses Public Safety at this encampment (there are two others camps on Wolfe Road), please ask the City Manager and Staff to tell you when (date), how, and where (destination) these Homeless campers will be safely moved.

Discussing Public Safety for these "about to be evicted" Homeless campers is too late if they are, as currently informed, to be moved by 9/25. Please ask the City Manager and Staff why these Wolfe Road Homeless campers are being moved/evicted during our State's Shelter-in-Place order which protects the Homeless from such a forced move until 1/31/2021.

Thank you for placing this item on the Agenda for your Thursday 6PM Zoom meeting.

Jim Moore
Resident volunteer

Cyrah Caburian

Subject: FW: Written Communication, Public Safety Commission meeting, 9/10/2020, Agenda Item 5



Cyrah Caburian

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From: Liana Crabtree <lianacrabtree@yahoo.com>

Sent: Thursday, September 10, 2020 7:36 AM

To: Yvonne Chao <ychoa@cupertino.org>; Lakshminarasimha Ankireddipally <LAnkireddipally@cupertino.org>; Hymanand Nellore <hnellore@cupertino.org>; Eric Shan <EShan@cupertino.org>; Tiffany Wang <TWang@cupertino.org>

Cc: Cyrah Caburian <cyrahc@cupertino.org>; Thomas Chin <ThomasC@cupertino.org>; Urena, Ricardo <Ricardo.Urena@shf.sccgov.org>; mark.shumate@sccfd.org; Cupertino City Manager's Office <manager@cupertino.org>

Subject: Written Communication, Public Safety Commission meeting, 9/10/2020, Agenda Item 5

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Dear Public Safety Commission Chair Chao and Commissioners Ankireddipally, Nellore, Shan, and Wang:

Please include the forwarded email thread below between myself and City Manager Feng as written communication for tonight's Public Safety Commission meeting, Agenda Item 5 "Homeless Encampment at Interstate 280 and Wolfe Rd"

Thank you for the commission's consideration of this important item affecting unhoused residents in Cupertino.

Sincerely,

Liana Crabtree
Cupertino resident

----- Forwarded Message -----

From: Liana Crabtree <lianacrabtree@yahoo.com>

To: Deborah L. Feng <debf@cupertino.org>

Cc: Community Members

Sent: Thursday, September 10, 2020, 7:14:35 AM PDT

Subject: Re: N Wolfe Road Homeless/unhoused Encampments. ? Eviction of ?

I have included Council, Housing Commissioners, and others included in earlier messages from me about this topic in blind copy.

Hi Deb,

100%, I agree with you on the following point you shared in a previous communication:

The residents of the Wolfe Rd encampment need safe, stable, sustainable housing. They also need supportive social, health, and mental health services that you have identified Cupertino is not equipped to provide.

I am concerned about the developments since Friday, 9/4/2020 affecting the residents of the Wolfe Rd encampment.

I understand the residents were told on 9/4/2020 that they must move on or before Friday, 9/25/2020. However, I do not see:

- + a plan for where residents will go
- + a lead agency taking responsibility for issuing the eviction or removal order while it seems the County's policy to "(suspend) abatements of homeless encampments to avoid unintentionally placing people at greater risk of exposure to COVID-19" remains in effect
- + a waiver that grants permission for the eviction or removal order under the the apparent County policy to suspend abatements of homeless encampments AND legal authority or justification to support a waiver application

I take issue with two of the points you have cited as reasons the Wolfe Rd encampment must be disbanded during a pandemic:

- + In August 2020, a hit and run collision resulted in the death of a visitor to the encampments.

While the community member struck down while cycling last month was known to the Wolfe Rd residents because he had donated items for them and visited residents on other occasions, it seems that none have reported that he was visiting them the morning he was killed. Reports shared from the Wolfe Rd residents were that the community member had means and a stable residence and was not a floater who lived occasionally at the encampment. The community member was killed on Wolfe Rd near HWY 280, but on the WEST side of Wolfe Rd (opposite side of the road from the encampment) and apparently on a trip that was not related to activity at the encampment.

- + Make Ready permit readiness

There is no public documentation to support that a property owner has received a construction permit affecting the address abutting the encampment, 10330 N Wolfe Rd located on parcel 316-20-121. In June 2020, a property owner received a construction permit for address 10123 N Wolfe Rd, located on now disbanded parcel 316-20-100, but that property is located on the WEST side of Wolfe Rd. As County rules prohibit the establishment of a parcel divided by a roadway, the construction "make ready" permit received for 10123 N Wolfe Rd (parcel 316-20-120) cannot be reasonably argued to include address 10330 N Wolfe Rd.

~ ~ ~

Wolfe Rd residents and third-party observers report that Sheriff's Deputies visit Wolfe Rd residents multiple times a week. Interactions between residents and deputies are reported to be civil and respectful, which we can all be thankful for. Deputies have reported to a third-party observer that "they get daily complaints about the encampment, and that there is pressure from the city to clear them (unhoused Wolfe Rd residents) out" and "(residents) have been allowed to stay out visibly on the sidewalk this long because of the pandemic".

Wolfe Rd residents report that they have not received documentation from anyone regarding the reported eviction proceedings. It seems different residents have different information about options that are available to them. Some have reported that a property owner offers use of a parking lot, which they are wary of because on private property they have no legal protections and can be charged with trespassing if the property owner wants its land vacated swiftly for any reason. Residents are also wary that they could be subjected to harassment by people with access to the private property, as it is located in a now secluded area where unlawful actions would likely be shielded from public view.

Why are unhoused residents living on Wolfe Rd required to move during a pandemic (1) without documentation identifying the authority that exercises the eviction order, and (2) in absence of a coherent plan to provide safe, stable, sustainable housing for them after they have been removed from Wolfe Rd?

Sincerely,

Liana Crabtree

Cupertino resident

Cupertino construction permit B-2018-1854:

<https://records.cupertino.org/WebLink/DocView.aspx?id=846421&dbid=0&repo=CityofCupertino>

Link to the County Assessor's parcel map lookup (search APN 31620100 to view the PDF version of map 316-20-XXX):

<https://www.sccassessor.org/index.php/online-services/property-search/real-property>

Eviction Moratorium in San José: <https://www.sanjoseca.gov/your-government/departments-offices/housing/covid-19-resources/eviction-moratorium>

Text of 2020 AB 3088, "The Tenant Act would preempt an ordinance, resolution, regulation, or administrative action adopted by a city, county, or city and county in response to the COVID-19 pandemic to protect tenants from eviction based on nonpayment of rental payments, as specified.":

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB3088

California Project Roomkey/Housing and Homelessness COVID Response: <https://www.cdss.ca.gov/inforesources/cdss-programs/housing-programs/project-roomkey>

Office of the Assessor, County of Santa Clara, Parcel Boundary Change Request:

<https://www.sccassessor.org/index.php/median-sales-price/parcel-boundary-change-request>

On Wednesday, September 9, 2020, 12:54:23 PM PDT, Deborah L. Feng <deb@cupertino.org> wrote:

Hi Liana,

I have blind copied the City Council. Permit B-2018-1854 is what enables this work. But I have to say, this is not about Vallco; we started this relocation effort back in February 2020, just before the Shelter-in-Place. A series of events as really led us down this path;

- Proximity to a high vehicular traffic roadway and freeway onramp.
- In adequate spacing continues in the encampments
- Recent extreme heat and poor air quality events
- Availability of key resources to support participants
- In August 2020, a hit and run collision resulted in the death of a visitor to the encampments
- Make Ready permit readiness

To Tessa's earlier point, the first two points above have existed and the rest have happened more recently. The situation has helped us determine that with a pathway to housing as a priority, an encampment resolution is a necessary step for the health and safety of the participants.

Deb



Deborah L. Feng

City Manager
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