

Frequently Asked Questions Regarding the Marinship Park Encampment

February 4, 2022

Q. What is the City's overall thinking about the encampment?

- A. The City of Sausalito is committed to treating all individuals experiencing homelessness with compassion and dignity. As such, Sausalito is dedicated to acting expeditiously and cooperatively to eliminate the need for the Marinship Park tent encampment by continuing, and expanding, partnerships and collaborations focused on identifying and/or creating a range of housing opportunities for persons who have no alternative for sleeping indoors.

Sausalito is in partnership, or is actively seeking alliances, with other governmental agencies, nonprofits, grantmaking organizations and private funding sources. Our partnerships include, but are not limited to, Marin County, the Marin Housing Authority, the Richardson's Bay Regional Agency, the Bay Conservation and Development Commission, and the State of California.

Sausalito is cognizant of the impacts an encampment has on the general public, including the public's use of Marinship Park, as well as the impacts on surrounding businesses, property owners, neighbors, and municipal services. Sausalito is committed to mitigating such impacts and to ensuring that the encampment is a safe environment for the campers and the general public.

Q. Is alternate shelter available to members of the encampment?

- A. Sausalito is actively engaged in partnerships and collaborations focused on identifying and/or creating a range of housing opportunities for persons who have no alternative for sleeping indoors. The City is working with, or seeking to expand alliances with, other governmental agencies, nonprofits, grantmaking organizations, and private funding sources.

The City continues to promote, coordinate, and offer to place persons needing overnight shelter in seven beds that it secured at the New Beginnings Center in Novato, four beds for men and three beds for women. The New Beginnings Center also provides social services. In addition, the Marin County Department of Health and Human Services is engaged with encampment members in an effort to match them with alternate housing options.

During severe weather, the City provides emergency shelter for Sausalito residents in need, generally following Marin County's guidelines for [Severe Weather Emergency Shelter](#).

Q. What are the hurdles to providing alternate housing for encampment members?

- A. California has the largest homeless population in the nation, according to a [state audit](#). The state has shelter capacity for approximately 30 percent of the people experiencing homelessness; Marin County faces the same lack of alternate housing. Sausalito is advocating for the development of a program that specifically addresses solutions for those in encampments.

Q. Is the City of Sausalito relocating the tent encampment at Marinship Park?

A. Yes, the City of Sausalito is relocating the tent encampment at Marinship Park to the park's tennis courts, in accordance with a ruling by the U.S. District Court. The relocation will allow for the encampment's prior site, a portion of the park's grassy area, to be cleared and closed to permit additional testing of the area and, as needed, remediation.

Q. The City temporarily expanded the encampment to include a portion of the adjacent public parking area and a concrete pad. What will happen to that area when the relocation to the tennis courts is completed?

A. The encampment was expanded in November 2021 to include the adjacent concrete pad and about half of the public parking lot. The expansion was an interim measure to provide an alternate sleeping area for encampment members while the tennis courts were prepared. Once the move to the tennis courts is completed, the parking lot and concrete pad will return to their normal and customary use.

Q. What accommodations have been made at the tennis courts?

A. The City set up wooden platforms on the surface of the tennis courts to support individual tents and ensure the tents can be secured off the ground. The City is providing new tents to the campers, setting up a cooking area and providing outdoor propane heaters to create safe warming areas. The City cleans and maintains the Marinship Park's permanent restroom and provides two additional rented portable toilets, a handwashing station, and a debris box.

Q. What can Sausalito residents do to help with the housing issue?

A. Sausalito homeowners interested in helping to expand the supply of affordable housing in Marin County through the development of an Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) can find additional information, including information on loan programs, through the [Housing Choice Voucher Program](#) (Section 8) and the [Marin Housing Authority](#). Security deposits, market-rate rents, and ongoing case management support are provided to anyone experiencing homelessness through this program.

Q. Who is providing oversight at the encampment?

A. The City Council approved a resolution in December 2021, authorizing the City Manager to enter into a six-month agreement with Urban Alchemy, a nonprofit organization experienced in managing sleeping villages and tent encampments, to provide oversight and management of the encampment. The City Council authorized \$463,620 to be paid to Urban Alchemy for six months of enhanced management services and also approved payment of \$34,914.14 for services previously provided.

The services to be provided under the six-month contract include:

- Site Management and Care Coordination: Urban Alchemy shall manage a Safe Sleeping Village, including intake of new guests, ongoing case management, and liaison with City, County, and non-profit partners.

- Positive Engagements: Urban Alchemy practitioners shall consistently engage with clients, staff, small businesses, and neighbors to build positive relationships and serve as a community connector by providing clients, staff, small businesses, and neighbors with resource information and service connections.
- Inviting Space Interventions: Urban Alchemy practitioners shall invite clients, staff, small businesses, and neighbors to participate in creating safe and inviting spaces for all, including those experiencing homelessness, by maintaining common spaces and sidewalks near the service area clear of debris. Urban Alchemy practitioners shall make a good faith effort to interrupt negative behavior in the service area, including but not limited to, public urination/defecation, littering, and general noise disturbances. Urban Alchemy staff shall contact the local authorities for activities that may endanger the Urban Alchemy staff and general public.
- De-Escalation Interventions: Urban Alchemy practitioners will assist with relational and other interventions to help contain mental health episodes, to reverse overdose events, to prevent or interrupt street violence, or to prevent crime so long as it does not endanger Urban Alchemy practitioners. Solutions may include referring to appropriate service personnel like EMTs, outreach workers for unhoused populations, or the police.
- Custodial and Sanitation Services: Urban Alchemy practitioners shall maintain the cleanliness and tidiness of the site, including light trash pick-up in the surrounding area. Urban Alchemy practitioners shall refer to dispatch or other resources for more significant custodial or sanitation needs.

Additional details on the agreement can be found in the [staff report](#) and the [proposal](#) from Urban Alchemy.

Background

Q. When did a tent encampment first appear in Sausalito?

A. The first tent was erected at Dunphy Park on or around December 28, 2020.

Q. Is it legal to set up a tent and camp overnight on public property in Sausalito?

A. No. The City Council adopted a [resolution](#) in February 2021 designating one area, Marinship Park, as a temporary location for transitional overnight sleeping for persons who have no option to sleep indoors. This designation is in accordance with law and with a ruling by the U.S. District Court of Northern California.

Q. Is the City involved in litigation concerning the encampment?

A. The tent encampment is the subject of litigation between the Sausalito/Marin County Chapter of the California Homeless Union and the City in the U.S. District Court for the Northern District of California. The local chapter of the California Homeless Union, representing Marinship Park encampment members, [filed suit](#) in U.S. District Court against the City in February 2021, seeking to stop the relocation of encampment members from a site at Dunphy Park to Marinship Park as well as to stop the enforcement of a City ban on day camping. The court [granted a preliminary injunction](#) in March 2021, enjoining the City

from relocating the encampment and enforcing the day camping ban, citing concerns related to the potential spread of COVID-19 among encampment occupants and the broader public. In May 2021, the court [ruled](#) that the encampment could be relocated to Marinship Park but left the ban on day camping in place due to the ongoing pandemic. In December 2021, the court [granted](#) the City's request to relocate the encampment from the grassy area of Marinship Park to the tennis courts, upheld the City's resolution temporarily designating one location, Marinship Park, for overnight camping for individuals who have no option for sleeping indoors, and denied a request by California Homeless Union to allow daytime camping elsewhere in the City.

Q. Why did the City decide to relocate the encampment to Marinship Park?

- A. Marinship Park offers more space than the encampment location at Dunphy Park and also provides restroom facilities. To facilitate the move, the City made improvements to Marinship Park, including:
- Deep cleaning, repairing and repainting of the permanent restrooms, as well as regular servicing and restocking of the facilities.
 - Supplying portable toilets, handwashing stations, a dumpster, and personal protective equipment.
 - Installing social distancing markers for the placement of tents in an area larger than the Dunphy encampment.

In addition, Marinship Park is the site of [mobile shower/restroom trailers](#) provided by the Downtown Streets Team, which also provides information on available housing and other support services.

Q. Does it set a precedent for the City of Sausalito to accommodate a tent encampment?

- A. The 9th Circuit Court of Appeals in [Martin v. Boise](#) held that municipalities must not criminalize sleeping outdoors on public property for persons who have no option to sleep indoors. Municipalities, however, may select the location(s) for such outdoor sleeping site(s) and always maintain their constitutional police authority to enact reasonable regulations to promote health and safety.

Homelessness and the Anchor-Out Community

Q. Are occupants of the encampment without shelter because they lost their boats in recent storms or their vessels have been confiscated and destroyed?

- A. The City believes that some of the encampment occupants had been living on vessels in Richardson's Bay.

Q. Has the City confiscated and destroyed the vessel of any encampment occupant?

- A. No. In recent years, the City has worked diligently to remove marine debris from Sausalito waters. There are 6 vessels remaining in Sausalito waters that have been declared "legacy anchor outs" by the Sausalito City Council and are not being removed immediately. Under the City's [agreement](#) with the Bay Conservation and Development Commission (approved unanimously by the commission on January 21, 2021) those vessels are slated for removal by the end of 2025. The City is working with occupants of some of these vessels to enable

them to move to local marinas as part of the Safe Harbor Program under the City's [Waterfront Management Plan](#). None of the inhabitants of the Marinship encampment are from Sausalito waters.

Q. What is the City's role, if any, with the Richardson's Bay Regional Agency (RBRA)

A. The City of Sausalito is not a member of the RBRA and has responsibly managed its waters since 2016.

Q. What is the policy of the Richardson's Bay Regional Agency (RBRA) in terms of removing vessels from Richardson's Bay?

A. The RBRA and the Bay Conversation and Development Commission (BCDC) reached an [agreement](#), approved by both agencies, that—among other measures—requires the RBRA to remove all unauthorized vessels from RBRA waters within five years. The number of unauthorized vessels in RBRA waters is approximately 88, according to the agency. Information on the RBRA is available at rbra.ca.gov.