



County of Monterey

Item No.17

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 25-006

January 28, 2025

Introduced: 1/16/2025

Current Status: Scheduled PM

Version: 1

Matter Type: BoS Resolution

- a. Receive a presentation on the proposed Policy for Addressing Encampments; and
- b. Consider adopting an Encampment Resolution Policy; and
- c. Consider adopting a Resolution affirming the Board's commitment to homelessness response policies and practices that are comprehensive, evidenced-based, deliberate, compassionate, and effective; and
- d. Consider approving and authorizing the County Administrative Officer or designee, to execute a Memorandum of Understanding (MOU) for a One Year Term with Access Support Network to provide medicine loss prevention services during encampment clean-ups; and
- e. Provide further direction as appropriate.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive a presentation on the proposed Policy for Addressing Encampments; and
- b. Consider adopting an Encampment Resolution Policy; and
- c. Consider adopting a Resolution affirming the Board's commitment to homelessness response policies and practices that are comprehensive, evidenced-based, deliberate, compassionate, and effective; and
- d. Consider approving and authorizing the County Administrative Officer or designee, to execute a Memorandum of Understanding (MOU) for a One Year Term with Access Support Network to provide medicine loss prevention services during encampment clean-ups; and
- e. Provide further direction as appropriate.

SUMMARY/DISCUSSION:

In the 2018 case *Martin v. Boise*, the Court of Appeals for the Ninth Circuit ruled that city officials in Boise, Idaho, could not enforce an anti-camping ordinance whenever its homeless population exceeds the number of available beds in its homeless shelters and that became binding precedent within the Ninth Circuit. However, on June 28, 2024, the Supreme Court of the United States overturned the Ninth Circuit ruling in *Martin V. Boise*, giving local jurisdictions the authority to address encampments established by people experiencing homelessness. Subsequently, Governor Newsom signed Executive Order N-1-24, which ordered State agencies to urgently address homeless encampments while respecting the dignity and safety of Californians experiencing homelessness. The Governor's order also urges local governments to use substantial funding provided by the state to take similar action.

The proposed Policy for Addressing Encampments ("Policy") is intended to provide guidance to County departments and offices regarding when and in what manner encampments of homeless

persons within the County of Monterey’s jurisdictional boundaries will be addressed. It has been developed to establish a comprehensive, deliberate, and compassionate approach to address encampments on public lands within unincorporated areas of the County and on County-owned property. If approved by the Board, it will apply to all staff involved in managing, addressing, or interacting with such encampments.

The proposed Resolution affirms the County’s commitment to follow best practices and judiciously balance order with compassion in determining its response to the problems associated with homelessness among its residents. It is a declaration of the Supervisors’ support for homelessness response strategies that are evidenced-based, sufficiently resourced, and offered in coordination with partners and people with lived experience.

A serious complication that can result from an encampment closure is the possibility of lost essential medicines. To protect individuals with health conditions that can deteriorate rapidly if their medication regime is interrupted, CAO-Homelessness Strategies and Initiatives Division is proposing a memorandum of understanding with the County’s contracted outreach service provider, Access Support Network (ASN). As an addition to the services, they provide under contract with the Department of Social Service, and for no additional reimbursement, ASN has agreed to help individuals prepare to protect their medications during a cleanup or, if necessary, assist with medication replacement.

The proposed Policy, Resolution, and MOU facilitate the well-being and quality of life of Monterey County residents and reinforce the strategic goal to foster a safe and resilient community.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Risk Management have approved the proposed Policy and MOU as to form, insurance and indemnification. The Department of Social Services, Environmental Health Bureau, Public Works, Facilities and Parks, and the Sheriff’s Office contributed to development of the Policy.

FINANCING:

These actions do not impact the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Deborah Paolinelli, Assistant County Administrative Officer, ext. 5309

Attachments:

Policy

Resolution

Memorandum of Understanding