

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: SPECIAL EVENT CAMPING PERMITS
STAFF PRESENTER: KATHLEEN MILLISON, CITY MANAGER
OFFICE OF THE CITY MANAGER

AGENDA ACTION: RESOLUTION

ISSUE(S)

Shall the City Council, by resolution, authorize the City Manager to issue temporary special event camping permits to participants in the Occupy Santa Rosa special event at the City Hall public property at 100 Santa Rosa Avenue, subject to certain conditions to assure the public health and safety?

COUNCIL GOALS/STRATEGIES

Goal 5: Improve the Partnerships between Neighborhoods, Community Organizations and the City to Support and Promote Thriving Diverse Neighborhoods. Strategy 6: Continue the City's efforts to improve communication, increase the ease of obtaining information and support community-building efforts to promote a healthy community, and encourage participation by all groups.

Goal 6: Committed to Making Santa Rosa a Community Where People Feel Safe to Live, Work and Play. Strategy 3: Use Code Enforcement resources to preserve/enhance neighborhood safety and appearance. Strategy 4: Develop strategies to address perceived safety concerns for those who live and work in Downtown.

BACKGROUND

1. On October 15, 2011 to the present, Occupy Santa Rosa, a local political movement associated with national and international Occupy movements, has conducted lawful public demonstrations and freedom of assembly and speech at City Hall and throughout the Downtown area.
2. During the week of October 24, 2011, Occupy Santa Rosa participants expressed their intent to camp on City Hall public property beginning October 29, 2011, as part of a peaceful protest on a 24-hour basis.

SPECIAL EVENT CAMPING PERMITS

Page 2

3. On October 29, 2011, the City Manager announced that if tents were erected for camping on City Hall public property by Occupy Santa Rosa participants, the City would refrain from confrontation and removal of the camp and instead, refer the matter to the City Council for review and decision as an emergency agenda item on November 1, 2011.
4. On November 1, 2011, the Council received an emergency agenda item and a report from the City Manager requesting direction for the enforcement of the municipal code, Chapter 11-22.030 which prohibits camping on public property except by issuance of a special permit. After receiving extensive public testimony, the Council continued the agenda item for further consideration and directed the City Manager to meet with Occupy Santa Rosa representatives to discuss the conditions for public safety and sanitation required for issuance of temporary special event camping permits on City Hall public property during this event and to report back to Council for decision on November 8, 2011.

ANALYSIS

At the time of this writing, the City Manager and key staff are continuing discussions with Occupy Santa Rosa representatives to determine what conditions may be required for public health and safety of any special event camping permits and the duration of time such camping should be permitted. It is intended that such camping permits would be issued to individual tent owners who are participants in Occupy Santa Rosa. The City Manager will provide a verbal report at the Council meeting.

RECOMMENDATION

This resolution, recommended by the City Manager and the City Attorney, authorizes the City Manager to issue temporary special event camping permits to participants in the Occupy Santa Rosa special event and recognizes that the prohibition against camping on public property set forth in Chapter 11-22.030 shall apply to those persons who do not obtain a permit.

Author: Kathleen Millison, City Manager

Attachments:

- Resolution; Camping Permit Form is in preparation at time of this writing and will be provided at the November 8, 2011 Council Meeting.

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING
SPECIAL EVENT CAMPING PERMITS

WHEREAS, Occupy Santa Rosa is an ongoing local political movement whose participants advocate to address economic injustice and to show their solidarity with other national and international occupy movements that are directed against social and economic inequality; and

WHEREAS, the occupy movement is inspired by the Occupy Wall Street movement whose participants propose the peaceful occupation of Wall Street to protest, among other things, corporate influence on democracy, the growing disparity of wealth in the United States and the absence of legal repercussions behind the current ongoing financial and economic crisis; and

WHEREAS, the citizens of the City, County and State continue to be negatively impacted by this economic crisis that has resulted in unacceptably high levels of unemployment, a weak and depressed real estate market, instability in economic markets and stock market and investment volatility; and

WHEREAS, as another result of this crisis, the community is in its fifth year of a housing foreclosure calamity that has caused an extraordinary number of borrowers to lose their homes to foreclosure and many other homeowners to be at risk of losing their homes; and

WHEREAS, the City has an ordinance prohibiting camping on public property unless authorized by a special permit; and

WHEREAS, the Occupy Santa Rosa participants desire to camp on City Hall property as part of their peaceful protest during these unusual and extraordinary financial and economic times and are aware of the City's concerns about crowd control, trash and sanitation, landscaping, vandalism, public health and life/safety issues; and

WHEREAS, many of the participants have undergone, or are currently undergoing, training in conflict-resolution, dialogue-organizing and non-violent techniques to reduce the potential for trouble arising out of their presence at City Hall or interference with public business conducted at City Hall; and

WHEREAS, the participants have agreed that tobacco, alcohol and drug use will not be tolerated on City Hall property and the participants are currently drafting a community agreement to include such terms as treating everyone with respect, cleaning up after themselves, and no vandalism or fighting; and

WHEREAS, other cities have experienced violence during efforts to prohibit camping in connection with said events; and

WHEREAS, the City desires to have a peaceful resolution of this event while respecting its existing laws on behalf of the entire community.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa authorizes the City Manager to issue temporary camping permits to participants in this special event in the form attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Council shall recognize that the prohibition against camping on public property set forth in Chapter 11-22.030 shall apply to those persons who do not obtain a permit.

IN COUNCIL DULY PASSED this ____ day of _____, 2011.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

City Attorney