



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.
FIGHTING FOR JUSTICE, CHANGING LIVES
SINCE 1966

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March 12, 2018

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Deputy County Counsel County of Sonoma
575 Administration Drive, Room 105-A
Santa Rosa, CA 95403-2815

Sue A. Gallagher, City Attorney
City of Santa Rosa
100 Santa Rosa Avenue, Rm. 8
Santa Rosa, CA 95404

Re: Roseland Encampments

BY EMAIL AND U.S. MAIL

Dear Ms. De La Cruz and Ms. Gallagher:

After we had sent our letter of March 9, 2018, we became aware of a new Notice to Vacate which had apparently been posted at the Roseland Encampments last week. This new Notice to Vacate sets a new deadline of April 3, 2018, for residents of the Roseland Encampments to vacate or face arrest (a copy accompanies this letter). We also received an email from Alegria De La Cruz confirming no enforcement action to vacate the encampments will take place prior to April 3, 2018.

While we welcome the extension of the deadline to vacate the encampments, it does not alleviate our previously-stated concerns with respect to the proposed closure of the Roseland Encampments and immediate displacement of its residents. It is still apparent that there will be much more time needed to adequately address the needs of the encampment residents. We thus maintain our previously stated request that the CDC and the City postpone any further attempts to evict the residents at the Roseland Encampments until sufficient alternative arrangements can be made.

We continue to be ready to enter into discussions with you in order to reach a just solution to this matter. But, if by March 23, 2018, it is still apparent the CDC and City intend to move forward with the plans to evict the residents of the encampments in the absence of an alternative site or sites where encampment residents can live and store their possessions, we will have no choice but to seek relief in court to enjoin the eviction of the encampment residents.

Alegria De La Cruz, Esq.
Sue A. Gallagher, Esq.
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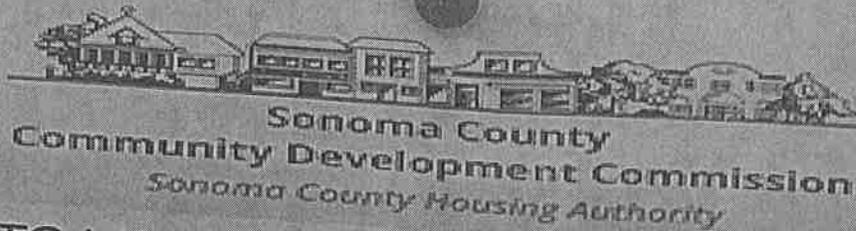
We look forward to your prompt response, and to working with the City, the County, and the CDC to develop a resolution that protects the rights of the encampments' 100-plus residents and serves the needs of the larger community. Please contact Jeffrey Hoffman at (707) 528-9941 or jhoffman@crla.org before March 23, 2018, to let us know that you have postponed the closure of the encampments, and how you intend to proceed toward developing a longer-term solution.

Truly Yours:



Jeffery Hoffman, California Rural Legal Assistance
Michael Rawson, Melissa Morris, Public Interest Law Project
Alicia Roman

Enclosure



NOTICE TO VACATE ILLEGAL CAMPSITE/LODGING

POSTING DATE: February 21, 2018 VACATE DATE: April 3, 2018

LOCATION: Property between 779 and 665 Sebastopol Road, Santa Rosa 95407 (Roseland Village)

This Property has been slated for development of affordable housing and requires immediate site remediation. Development CANNOT proceed until the illegal campsite has been vacated to allow remediation to commence. The Community Development Commission, the Owner of the Property, hereby gives all occupants notice that they must immediately vacate the Property.

Any prior permission to occupy the Property, whether express, implied, or perceived, is expressly revoked and terminated by the Owner.

WARNING: If you do not vacate the Property by the date above, you may be subject to arrest and possible prosecution for any of the following violations, or for violation of any other applicable state or local law. This Property is within the meaning of Penal Codes 647(e) and 602(m) and SR City Ordinance 11-22.030.

- California Penal Code section 647 (e) – Unlawful lodging. Every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor: who lodges in any building, structure, vehicle, or place, whether public or private, without the permission of the owner or person entitled to possession or in control of it.
- California Penal Code section 602 – Trespass. Every person who willfully commits a trespass by the following act is guilty of a misdemeanor: (m) Entering and occupying real property or structures of any kind without the consent of the owner, the owner's agent, or the person in lawful possession.
- Santa Rosa City Code Section 11-22.030 – Camping on private property. It is unlawful for any person to camp on any private property without first obtaining the written permission of the owner.

Other State and City Code Violations may include, but are not limited to:
Unlawful storage of property, unlawful refuse disposal, unlawful failure to restrain animal, unlawful fire.

INSTRUCTIONS:

1. All personal property and debris must be removed immediately or it will be removed by the Community Development Commission on or after April 3, 2018.
2. Any items that pose a risk to public health or safety will be disposed of promptly. All other personal property will be stored by the Community Development Commission for a period of 90 days. If your personal property has been removed by the Commission, you may contact the Commission at (707) 565-7500 for information on retrieval. Failure to claim and retrieve your property may cause it to be considered intentionally abandoned. Unclaimed property may be disposed of after 90 days per California Civil Code Sections 2080 – 2080.10.
3. For information about housing and other services, please visit the Housing Navigation Center at 883 Sebastopol Rd, Santa Rosa, CA 95407 (adjacent to the Roseland Village property), beginning on February 23, 2018 until April 3, 2018, from 8:00 am – 4:00 pm, Monday – Friday.