

DENNIS J. HERRERA, State Bar #139669
City Attorney
WAYNE K. SNODGRASS, State Bar #148137
JEREMY M. GOLDMAN, State Bar #218888
Deputy City Attorneys
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682
Telephone: (415) 554-6762
Facsimile: (415) 554-4699
E-Mail: jeremy.goldman@sfcityatty.org

Attorneys for Respondent
CITY AND COUNTY OF SAN FRANCISCO

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO - UNLIMITED JURISDICTION

RAMONA MAYON,

Petitioner,

vs.

CITY AND COUNTY OF SAN
FRANCISCO,

Respondent.

Case No. CGC-20-588010

**DECLARATION OF JEFF KOSITSKY
IN SUPPORT OF CITY AND COUNTY
OF SAN FRANCISCO'S OPPOSITION
TO PETITIONER'S APPLICATION FOR
A TEMPORARY RESTRAINING
ORDER**

Hearing Date: December 2, 2020
Hearing Judge: Hon. Ethan P. Schulman
Time: 1:30 p.m.
Place: Dept. 302

Action Filed: November 25, 2020

1 I, Jeff Kositsky, declare as follows:

2 1. I am the Manager of San Francisco's Healthy Streets Operations Center ("HSOC").
3 Except for information made available to me in reports delivered in the ordinary course of business as
4 noted below, I have personal knowledge of the facts set forth herein and would testify thereto if called
5 as a witness.

6 2. The City provides a variety of services to homeless encampments during the pandemic,
7 although the services vary depending on the size and accessibility of the encampment. Services
8 include distribution of masks, gloves, hand sanitizer, trash bags, food, and potable water, and in many
9 locations, the City has placed portable toilets, hand-washing stations, and "pit stop" trailers with
10 showers. During the pandemic, encampments in the City have ranged from a handful of tents to up to
11 fifty tents in one location. In many encampments, tents blocked sidewalks and people failed to
12 comply with social-distancing guidelines. There were sanitation issues notwithstanding the
13 availability of portable toilets, and there was evidence of drug dealing and other criminal activity.
14 After months of effort, most encampments have been resolved through offers of shelter, with over a
15 thousand people moved into alternative shelter sites. HSOC offers everyone at an encampment access
16 to some form of safe alternative shelter. While many people accept offers of shelter from the City,
17 some do not. In my experience, if people in encampments were permitted to remain where they are,
18 public health and public safety issues associated with the encampment would persist.

19 3. Currently, to the best of my knowledge, there are fewer than five encampments of ten
20 or more tents remaining in the City. All of them have reasonable access to portable toilets, hand-
21 washing stations, potable water, and regular trash pickups (garbage bags are distributed to residents).

22 4. The City does not resolve encampments during the pandemic unless it has adequate
23 alternative shelter sites available. Although it is possible that the situation could change, at present I
24 do not anticipate that enough additional shelter will become available within the next thirty days and
25 no large encampment resolutions are currently scheduled.

26 5. Based on reports that are available to me in the ordinary course of business, prior to the
27 encampment resolution at issue in this case, two different teams of City workers visited the
28 encampment. On November 16th, a DPH team assessed people for COVID symptoms and other

1 health issues, and on November 17th members of the Housing Outreach Team informed the residents,
2 including the Petitioner, that the City would be offering shelter alternatives on November 18th.

3 6. Based on reports available to me in the ordinary course of business, on the day of the
4 encampment resolution, there were fifteen people and ten tents. City workers offered every resident
5 an alternative shelter site in either a Safe Sleeping Village or in a congregate shelter, along with
6 transportation to the shelter site. There were eight vehicles, all but one of which remained at the
7 conclusion of the encampment resolution. MTA found no vehicles out of compliance and did not
8 direct anyone to move any vehicle.

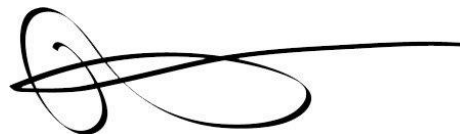
9 7. Safe Sleeping Villages are tent communities that the City established during the
10 pandemic; they are staffed around the clock, and provide bathrooms, showers, food, water, and other
11 services. Tents are required to comply with social-distancing rules. All the congregate shelter options
12 comply with governmental social-distancing standards.

13 8. The encampment resolution was not an enforcement action under S.F. Police Code §
14 169 (Proposition Q).

15 I declare under penalty of perjury under the laws of California that the foregoing is true and
16 correct to the best of my knowledge.

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18 Dated: December 1, 2020

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JEFF KOSITSKY