

23 **WHEREAS**, Council desires to ensure the public health and safety of
24 individuals camping as well as those around them; and

25 **WHEREAS**, in consideration of staff guidance and other community
26 feedback related to public health and safety issues, Council has identified areas of
27 the City where camping, sitting, and lying should not occur, and Council’s proposed
28 revisions to City Code Sections 9-4-11 (*Camping in Public Area Prohibited*) and 9-
29 4-14 (*Obstruction in the Downtown Community Court Area Prohibited*) reflect these
30 clarifications; and

31 **WHEREAS**, proposed revisions to City Code Sections 9-4-11 and 9-4-14
32 identify sidewalks, trails, traffic islands, and steeply sloped areas under highways as
33 being among the areas that pose health and safety risks, and these revisions would
34 accordingly restrict camping; and

35 **WHEREAS**, proposed revisions to City Code Sections 9-4-11 and 9-4-14
36 identify creeks and rivers, storm drains and culverts, and high fire risk properties as
37 being among the areas posing high flood risk or environmental concerns, and these
38 revisions would accordingly restrict camping; and

39 **WHEREAS**, the public areas around the Austin Resource Center for the
40 Homeless (ARCH) need improved maintenance, sanitation, and safety for ARCH
41 guests, as well as other pedestrians, and the National Alliance to End Homelessness
42 has recommended reducing activities that currently exist outside the ARCH to make
43 the emergency shelter more welcoming to individuals experiencing homelessness;
44 and

45 **WHEREAS**, Front Steps (the nonprofit manager of the ARCH) and the City
46 have begun transforming services at the ARCH as well as renovating the interior and
47 exterior spaces; and

48 **WHEREAS**, proposed revisions to City Code Sections 9-4-11 and 9-4-14
49 prohibit camping, sitting, and lying around existing and planned emergency shelters;
50 and

51 **WHEREAS**, while some of the proposed revisions would take effect
52 immediately, others would be enforced only after individuals have been connected
53 to housing and services; and

54 **WHEREAS**, when sufficient housing options become available citywide,
55 Council intends to prohibit camping in most public areas; and

56 **WHEREAS**, the City of Philadelphia implemented the “Encampment
57 Resolution Pilot,” an interdisciplinary collaboration in which outreach teams
58 connect individuals in identified encampments to low-barrier housing and services,
59 and the program connected 126 individuals to housing and/or substance use
60 treatment; and

61 **WHEREAS**, on September 17, 2019, the Downtown Austin Community
62 Court (DACC) responded to Resolution No. 20190620-184 with recommendations
63 for ways to expand proactive outreach and delivery of wraparound services to
64 individuals experiencing homelessness as well as increased options for storage, day
65 services, and navigation support; and

66 **WHEREAS**, Council directed the City Manager to identify a partner to help
67 redevelop the city-owned former HealthSouth properties at 1215 Red River Street

68 and 606 East 12th Street (collectively HealthSouth Property) to create housing,
69 primarily for individuals who earn 60% of median family income; and

70 **WHEREAS**, several stakeholders, including Travis County Judge Eckhardt
71 and Central Health Chief Executive Officer Mike Geeslin, signed a letter requesting
72 that the City consider a range of possibilities for the HealthSouth Property, including
73 permanent supportive housing; and

74 **WHEREAS**, although it is a high priority, the redevelopment of the
75 HealthSouth Property to create long-term housing opportunities will take several
76 years, and the building could be put to a short-term use in the interim instead of
77 remaining vacant; and

78 **WHEREAS**, the City may have other facilities or land that might be deployed
79 for short-term emergency shelter in the immediate future, and other agencies may be
80 able to create or identify opportunities for additional emergency shelter beds; and

81 **WHEREAS**, implementing the proposed ordinance revisions will require an
82 encampment response strategy, appropriate compliance measures, the establishment
83 of safer and healthier camping conditions, and adequate funding for additional
84 emergency shelter beds, outreach, and services; **NOW, THEREFORE,**

85 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

86 **ENCAMPMENT RESPONSE STRATEGY**

87 Council directs the City Manager to implement an Encampment Response
88 Strategy immediately to address public health and safety issues.

89 The Strategy should begin with the highest priority encampments: the
90 encampments outside the ARCH (highest priority) and under the Ben White
91 Boulevard overpass from Lamar Boulevard to Manchaca Road.

92 This Strategy will feature close collaboration among the City of Austin
93 Homeless Strategy Officer and the Ending Community Homelessness Coalition
94 (ECHO), Integral Care, Front Steps, Salvation Army, Trinity Center, Caritas, the
95 behavioral health and homelessness service system leaders, law enforcement, and
96 housing and substance use treatment providers.

97 Outreach teams will identify and assess the needs of individuals living in the
98 encampments and, if appropriate, connect them to services, low-barrier emergency
99 shelter, and permanent housing. Council directs the City Manager to enter into
100 partnerships and data-sharing agreements as necessary to facilitate this work.

101 Council directs the City Manager to provide a progress report by December
102 1, 2019, as to the exterior and interior renovations at the ARCH, the transition to
103 housing-focused services, safety within and outside the shelter, and the approach to
104 eliminating camping, sitting, and lying in the immediate surroundings as described
105 in City Code Sections 9-4-11 and 9-4-14.

106 Council directs the City Manager to report at least monthly on the progress
107 and effectiveness of the overall Encampment Response Strategy, including
108 information about additional encampments to be prioritized in collaboration with
109 Integral Care and based on factors such as size, urgent needs of the population, and
110 other issues related to public health and safety.

111

112 **BE IT FURTHER RESOLVED:**

113 **EMERGENCY SHELTER**

114 Council directs the City Manager to use either available hotels/motels, shelter
115 beds available through City contract shelter providers or a city-owned facility, such
116 as the HealthSouth building, as short-term, housing-focused, low-barrier emergency
117 shelter for single men and women who are unsheltered in the highest priority
118 encampments. If any City-owned facility is used as an emergency shelter, the shelter
119 may not operate for more than one year. This use may not be interpreted as a
120 deviation from the intent expressed in Resolution No. 20170323-052.

121 Council directs the City Manager to ensure that any new emergency shelter
122 adheres to the recommendations in the National Alliance to End Homelessness’s
123 report, “Recommendations for the Redesign of Emergency Shelters in Austin,”
124 especially in regard to housing-focused case management, low-barrier access, safe
125 storage, pets, entry requirements, and other trauma-informed features and to track
126 housing-focused performance metrics as articulated in this report or otherwise
127 regarded as best practices.

128 **BE IT FURTHER RESOLVED:**

129 **FUNDING**

130 As Council intends for the Encampment Response Strategy to be implemented
131 within the immediate future, Council directs the City Manager to present to Council
132 an action plan, schedule, estimated costs, and identified resources necessary to
133 implement the Encampment Response Strategy and other ideas expressed in this
134 Resolution no later than November 15, 2019.

135 The Encampment Response Strategy will require adequate funding for case
136 management, other services, and housing, and outreach efforts will need to match
137 the resources allocated for housing and support.

138 By October 24, 2019, Council directs the City Manager to provide cost
139 estimates for the recommended alternative from the September 17, 2019 DACC
140 Memorandum to create additional outreach teams that could be available 24 hours a
141 day, 7 days per week.

142 Building upon the analyses conducted in response to Resolution No.
143 20170323-052 (repurposing HealthSouth for affordable housing), Resolution No.
144 20170810-033 (temporary shelter activation), and Resolution No. 20190131-078
145 (immediate shelter and support services), Council directs the City Manager to
146 allocate the necessary funds from the Fiscal Year 2020 budget for capital and
147 operating costs associated with the provision of shelter, services, and housing
148 assistance and to expedite all processes so that the shelter and services can be
149 available as close to November 30, 2019, as feasible.

150 **BE IT FURTHER RESOLVED:**

151 **SAFER AND HEALTHIER CAMPING**

152 Council affirms that state and local regulations will continue to be enforced at
153 encampments. These include, but are not limited to, laws regulating the use of grills,
154 fire pits, or other mechanisms for cooking or heating; those related to the building
155 of structures; and those prohibiting drug use and public intoxication.

156 Council further affirms that furniture or other objects should not be placed
157 such that they could fall into the path of a pedestrian, vehicle, wheelchair, or micro-
158 mobility device; that pet and human waste must be contained in an appropriate

159 receptacle and trash and food waste deposited into a trash receptacle or bag provided
160 for that purpose; and that no one shall modify public infrastructure in ways that
161 damage that infrastructure or place furniture such that it obstructs pedestrian access
162 to benches, parking pay stations, patios, or other public amenities.

163 By December 1, 2019, Council directs the City Manager to advise Council
164 about any other practices that may pose public safety or health concerns for
165 individuals camping or others and will thus be prohibited.

166 Council directs the City Manager to identify existing encampments
167 throughout the city where the City should provide restrooms and garbage pickup.
168 Council requests that the City Manager prioritize such sites, arrange for services,
169 and provide Council with an update no later than November 1, 2019. Council further
170 requests that the City Manager explore facilitating access to showers and laundry
171 services, perhaps through a mobile vehicle, and to report back on options by January
172 1, 2020.

173 **BE IT FURTHER RESOLVED:**

174 **COMPLIANCE**

175 Council desires to enforce the measures detailed in City Code Sections 9-4-
176 11 (*Camping in Public Area Prohibited*) and 9-4-14 (*Obstruction in the Downtown*
177 *Community Court Area Prohibited*) with non-criminal methods to the greatest extent
178 possible. Council affirms Austin Police Department's authority to issue citations and
179 make arrests when necessary; however, Council desires that the Austin Police
180 Department seek voluntary compliance whenever possible.

181 Except in situations posing imminent public health or safety risks, Council
182 intends to link enforcement of the proposed revised City Code to the provision of
183 housing and services for individuals in places where camping becomes prohibited.

184 To that end, the ordinance lays out a process of collaboration among members
185 of law enforcement, the Homelessness Outreach Street Team (HOST) and other
186 outreach teams, case workers, community health paramedics, or other City designees
187 who shall strive to connect individuals camping in restricted areas to case
188 management and emergency shelter leading to permanent housing.

189 Council directs the City Manager to investigate and propose options for
190 assisting individuals with transporting their belongings to non-prohibited camping
191 areas.

192 Council directs the City Manager to initiate a public education and awareness
193 campaign to assist the public in understanding the prohibitions imposed by City
194 Code Sections 9-4-11 (*Camping in Public Area Prohibited*) and 9-4-14 (*Obstruction*
195 *in the Downtown Community Court Area Prohibited*).

196

197 **ADOPTED:** _____, 2019 **ATTEST:** _____

198

Jannette S. Goodall
City Clerk

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