

RESOLUTION NO. 20190620-184

WHEREAS, according to the 2019 Point-in-Time Count the number of persons experiencing homelessness rose 10% from 2017 to 2019, while the number of persons experiencing unsheltered homelessness rose 23.2% from 2017 to 2019; and

WHEREAS, City Council has initiated strong action to address homelessness in Austin, such as: Resolution No. 20071206-048, Resolution No. 20080410-047, Resolution No. 20100325-053, Resolution No. 20110113-040, Resolution No. 20120816-059, Resolution No. 20121108-048, Resolution No. 20140320-048, Resolution No. 20141002-043, Resolution No. 20141002-044, Resolution No. 20141211-111, Resolution No. 20160211-018, Resolution No. 20160512-018, Resolution No. 20161013-008, Resolution No. 20170126-043, Resolution No. 20170810-033, Resolution No. 20170831-054, Resolution No. 20170831-059, Resolution No. 20170831-103, Resolution No. 20170928-050, Resolution No. 20170928-052, Resolution No. 20171012-015, Resolution No. 20171109-049, Resolution No. 20171109-089, Resolution No. 20180426-030, Resolution No. 20180614-066, Resolution No. 20190131-078, Resolution No. 20190221-027, Resolution No. 20190411-026., Resolution No. 20190523-029 and Resolution No. 20190606-049, which are contained within Exhibit A; and

WHEREAS, homelessness was identified as a strategic outcome indicator in and was identified by the City Council as the top priority for the Austin Strategic Direction 2023 plan; and

WHEREAS, the City is actively responding to the crisis for all individuals experiencing homelessness, including adding shelter capacity, improving shelter operations, and expanding a wide range of affordable housing options; and

WHEREAS, the City continues to enforce ordinances and statutes that protect against public health risks and public safety threats where they exist; and

WHEREAS, the City needs more and better ways to assist homeless individuals that address personal and community needs without involving the criminal justice system in instances when homeless individuals do not present a public safety threat or a public health risk; and

WHEREAS, the City has received numerous recommendations for addressing homelessness, including, but not limited to the City of Austin Audit series on homelessness, the National Alliance to End Homelessness report on shelter operations, the Bloomberg I-Team research report on homelessness, the ECHO Action Plan to End Homelessness, and the on-going work of the homelessness Community Brain Trust; and

WHEREAS, the focus and priority on homelessness by the Council, Community, and City staff has resulted in the City currently engaging in a large number of initiatives to address the varied individual and social impacts of homelessness; and

WHEREAS, funding in the amount of \$500,000 for capital renovations at the ARCH facility was added to the Building Services Department (BSD) Capital Budget as a budget amendment on October 3, 2013, for the FY 2014 Budget, Certain renovations have been completed, such as galvanized wall panel installation and outdoor flooring, and \$199,509 remains for other renovations of the facility; and

WHEREAS, the City is in the process of hiring its first Homeless Strategy Officer and establishing an office dedicated to the interdepartmental coordination of responses; and

WHEREAS, the ideas below may or may not have the support of all of the sponsors or those council members who might vote affirmatively for this resolution, but there is at least one council member who would like each idea at least vetted by the City Manager through his Homeless Strategy Office recognizing that, even if a particular idea is not recommended, if it might lead to a good idea that might not otherwise be identified or vetted; **NOW, THEREFORE**,

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

The City Manager is directed to, as a first step, analyze and recommend additional options for assisting individuals experiencing homelessness who are living unsheltered, including the potential for identifying safe and clean camping and parking areas, storage lockers, bathrooms, showers, and laundry facilities. Options, as may be identified, should be reported back to Council in August 2019 and should include additions to the housing and shelter initiatives already directed by Council. The City Manager shall consider ideas such as the following:

- Propose reasonable time and place opportunities and limitations on camping, sitting and lying;
- Provide possible options for non-criminal remedies or tools related to time and place limitations on camping, sitting, and lying;
- Provide possible options for parking areas across the City that would allow for people to sleep in cars and receive wrap around services, perhaps in association with parking lots of volunteer places of worship or larger retail locations;
- Provide possible options for safe storage lockers, including climate-controlled storage lockers, across the city for people experiencing homelessness;

- Analyze the ARCH's first-floor space adjacent to the alley for storage use or low-barrier public space, and deploy the previously allocated funds for this expenditure as quickly as possible. To achieve the space's full potential, the few parking spaces currently there should be removed. Should any parking needs remain, proximal city-owned parking, such as the Austin Water parking garage, should be made available;
- Plan for periodic updates on public health and safety conditions and to make recommendations needed to improve the effectiveness of City efforts that address behaviors that diminish public health and safety.

BE IT FURTHER RESOLVED:

The City Manager is directed to create, building on earlier work done by the City or done or being done by others, a prioritized, actionable plan to implement Austin's Action Plan to End Homelessness endorsed by the City Council in 2018 and all previous Council resolutions and directions related to addressing homelessness. This implementation plan shall include initiatives, costs, responsible parties, timelines, and priorities. The implementation plan shall also address public, non-profit and private sector roles and capital, ongoing operational service needs, and costs across the homeless response system, including public safety and health activities.

BE IT FURTHER RESOLVED:

The City Manager is directed to provide possible options for at least ten locations, one in each Council district, across the City for Council and community consideration so the whole City recognizes that we are all in this together, that would allow for a temporary or permanent shelter, and/or camping, that are to be planned

in conjunction with the delivery of and receipt of wrap-around services. Temporary locations should sunset after one year. Options should also include consideration for necessary public health and safety infrastructure, such as adequate lighting, strategies to avoid unsafe overcrowding, and access to restrooms. The City Manager is directed to consult with experts, such as the National Alliance to End Homelessness, on other considerations that the Council should contemplate as the pilot is developed.

BE IT FURTHER RESOLVED:

The City Manager is directed thereafter to analyze opportunities and recommend additional initiatives for promoting the general public welfare and engaging and assisting individuals experiencing homelessness, even when and where they might not be engaging in conduct that presents a public health risk or a public safety threat, including, but not limited to the following:

- Create or expand programs that keep City parks, waterways, highway underpasses, and public areas clean and well maintained;
- Identify private sector leaders and philanthropic donors to strengthen community support, fund, and carry out the City's plans;
- Develop an emergency service fund for the homeless that is non-agency specific, but that may be utilized for individual crises;
- Identify funding for pilot projects that can incubate innovative solutions to sustainable programs;
- Implement a crisis center model for interdepartmental operations, similar to the Emergency Operations Center (EOC);

- Expand the Homeless Outreach Street Team (HOST) program and related re-training of APD, EMS and Integral Care employees;
- Create new, geographically dispersed, temporary, housing-focused homeless navigation centers and shelters across the City;
- Provide shelter options for individuals experiencing homelessness that allow for pets;
- Expand existing models, such as the Sobering Center and Downtown Austin Community Court, of non-criminalized connection to services by first responders;
- Explore use of Houston's mental health jail diversion models of non-criminalized connection to services by first responders;
- Explore Citywide 24/7 or on-call operation of the Downtown Austin Community Court system that provides alternative to jail for Failure to Appear warrant violations;
- Explore options with the University of Texas and surrounding areas for opportunities for collaboration including additional safety measures including improved street lighting, emergency call boxes, HALO camera systems, and improved campus safety communication;
- Expand the functions and uses of the 2-1-1 hotline;
- Develop a plan to effectively prevent the flow of people entering the condition of homelessness;

- Create a real-time database of available services for people experiencing homelessness and service providers;
- Engage with the Austin State Hospital (ASH) regarding increased collaboration on the infrastructure and service redesign of their Austin operations and systems to provide more localized care and alternatives to in-patient mental-health care at ASH;
- Recruit organizations to Austin that are national leaders in shelter, housing, and service provision and support existing Austin organizations focused on the homeless;
- Expand the use of the cold weather shelter model for homelessness, including private and public facilities, as well as houses of worship, subject to controls or limitations that might be required by law;
- Partner with houses of worship, non-profit organizations, and businesses subject to controls or limitations that might be required by law, to evaluate opportunities for the use of their facilities as emergence shelter space under conditions where the City is able to assist with the costs for staff, insurance, and other support services necessary to assist individuals experiencing homelessness with their transition to housing;
- Propose possible options for reasonable time and place opportunities and limitations on camping, sitting and lying including possibly limiting a person camping in a public area underneath a highway overpass that is a median or concrete barrier designed to divide motor vehicle travel in the same or opposite directions or that is sloped towards a roadway.

BE IT FURTHER RESOLVED:

The City Manager is directed to develop recommendations for public information strategies that provide the general public with access to data, resources, and educational materials on assisting the homeless and relevant City policies and efforts. These strategies should include opportunities for private individuals or organizations to participate in Austin's efforts to address homelessness.

BE IT FURTHER RESOLVED:

The City Manager is directed to develop recommendations for convening City staff, community stakeholders, national experts, and leaders in peer cities to collaborate on best practices for addressing homelessness. The City Manager is directed to recommend methods for regularly determining the needs and soliciting the input of individuals directly experiencing homelessness. The City Manager is also directed to recommend issues for further study including, but not limited to, the root causes of homelessness and what causes some homeless individuals in Austin to take a path that relapses or deteriorates.

BE IT FURTHER RESOLVED:

The City Manager is directed to provide periodic status updates on the topics raised by this resolution, and any related recommendations, beginning on or before August 30, 2019.

ADOPTED: June 20, 2019 **ATTEST:** 
Jannette S. Goodall
City Clerk

Exhibit A

Resolution No. 20071206-048 - Approve a resolution directing the City Manager to prioritize services for the homeless and for day laborers.

Resolution No. 20080410-047 - Approve a resolution authorizing negotiation and execution a lease with Mobile Loaves and Fishes for its Habitat on Wheels program, that serves the public purpose of providing low and / or moderate income housing on land owned by the City adjacent to the East Service Center located on Harold Court.

Resolution No. 20100325-053 - Approve a resolution directing the City Manager to develop a comprehensive strategy to construct and operate permanent supportive housing units and to give funding priority to permanent supportive housing, while continuing to fund affordable home ownership, home repair, and rental projects.

Resolution No. 20110113-040 - Approve a resolution directing the city manager to research best practices on engaging communities and building support for permanent supportive housing projects and report his findings and recommendations to the Comprehensive Planning and Transportation Subcommittee.

Resolution No. 20120816-059 - Approve a resolution directing the City Manager to enter into discussions with Travis County to explore the possibility of expanding the shelter for women and families on property owned by Travis County.

Resolution No. 20121108-048 - Approve a resolution directing the City Manager to support community efforts to provide emergency safe sleep shelter for single women

Resolution No. 20140320-048 - Approve a resolution directing the City Manager to develop a Housing First Permanent Supportive Housing (PSH) project through a

formal solicitation process and prepare a report to Council on recommendations for future PSH projects.

Resolution No. 20141002-043 – Approve a resolution establishing Permanent Supportive Housing (PSH) as the primary intervention to end chronic homelessness and setting a target of 400 PSH units, with a minimum of 200 dedicated to 'Housing First' PSH to be delivered in the next four years and to adopt the updates to the PSH strategy recommended in the August 2014 PSH Evaluation Report.

Resolution No. 20141002-044 - Approve a resolution directing the City Manager to develop a Good Landlord Program for private sector landlords that meet high standards or help assist with difficult-to-house individuals, to present the proposed program to stakeholders, and to bring the proposed program back to council for approval.

Resolution No. 20141211-111 - Approve a resolution directing the City Manager to convene social service providers and other stakeholders on strategies to improve the local clients' connection to services prior to discharge from state owned mental health facilities and report back to council with their findings.

Resolution No. 20160211-018 - Approve a resolution directing the City Manager to identify funding for childcare and supportive services for the Passages Program.

Resolution No. 20160512-018 - Approve a resolution directing the City Manager to negotiate and execute an interlocal agreement with Capital Metropolitan Transportation Authority for the use of a wheelchair-accessible vehicle for the Homelessness Outreach Team pilot program.

Resolution No. 20161013-008 - Approve a resolution directing the City Manager to identify properties within the City's real estate portfolio suitable for development as affordable housing, mixed use housing developments, and emergency shelter.

Resolution No. 20170126-043 - Approve a resolution directing the City Manager to develop a pay for success type of contract proposal for permanent supportive housing for the homeless population in which the City would make payments based on specific outcomes that include a reduction in City costs relating to the homeless population.

Resolution No. 20170810-033 - Approve a resolution directing the City Manager to identify potential properties for a temporary, short-term shelter to serve individuals experiencing homelessness.

Resolution No. 20170831-054 - Approve a resolution directing the City Manager to develop a pilot program that would offer temporary work opportunities to those experiencing homelessness and to make recommendations to Council.

Resolution No. 20170831-059 - Approve a resolution directing the City Manager to develop recommendations for engaging the community in alternatives to activities such as "panhandling" with more effective and positive interactions with people experiencing homelessness.

Resolution No. 20170831-103 - Approve a resolution directing the City Manager to provide additional information and recommendations for creating a dedicated funding stream for capital and operating expenditures related to meeting the needs of those experiencing homelessness.

Resolution No. 20170928-050 - Approve a resolution relating to the creation of Neighborhood Empowerment Zones and a Multifamily Property Tax Exemption Program to improve access to affordable housing.

Resolution No. 20170928-052 - Approve a resolution directing the City Manager to explore funding options such as public improvement districts, tax increment financing, public-private partnerships, and increases in hotel occupancy taxes to fund improvements to downtown Austin, to address homelessness in downtown Austin, to support the local music industry, and to fund park, civic, and historic facilities and districts including expansion of the Convention Center.

Resolution No. 20171012-015 - Approve a resolution relating to the contract for services at the Austin Resource Center for Homelessness.

Resolution No. 20171109-049 - Approve a resolution affirming Council intent to waive certain fees for Phase II of the Mobile Loaves & Fishes' Community First! Village.

Resolution No. 20171109-089 - Approve a resolution relating to the expenditure of the Downtown Density Bonus Program's funds for low-barrier permanent supportive housing vouchers.

Resolution No. 20180426-030 - Approve a resolution endorsing Austin's Action Plan to End Homelessness and directing the City Manager to provide regular updates regarding community needs related to homelessness.

Resolution No. 20180614-066 - Approve a resolution directing the City Manager to prepare a recommendation for a project and financing plan, and possible Tax Increment Reinvestment Zone No. 17 amendments and other options that would

direct tax increment funding towards addressing homelessness and housing initiatives.

Resolution No. 20190131-078 - Approve a resolution relating to a pilot project to provide immediate shelter and support services for those experiencing homelessness.

Resolution No. 20190221-027 - Approve a resolution to create a new bonus program for affordable housing developments by initiating amendments to City Code Title 25.

Resolution No. 20190411-026 - Approve a resolution relating to funding for the Salvation Army's shelters and case management activities.

Resolution No. 20190523-029 - Approve resolution related to creating the Palm District Master Plan and Waller Creek District Master Plan, designating the Fifth Street Mexican American Heritage Corridor, negotiating options for public ownership and operation of the Palm School and surrounding site, providing funds for the Rainey Street District Fund, expanding the Austin Convention Center, and creating a Tourism Public Improvement District.

Resolution No. 20190606-049 - Approve a resolution relating to implementing the responses directed in Council Resolution No. 20190131-078, including taking all actions necessary to implement the provision of immediate shelter structure(s) and services.

Exhibit B

The City Council directs the City Manager as follows:

- Provide quarterly reports to City Council on the enforcement of City Code Sections 9-4-11 (*Camping Prohibited*), § 9-4-13 (*Aggressive Confrontation Prohibited*), and § 9-4-14 (*Obstruction in the Downtown Austin Community Court Area Prohibited*) that include anonymized and individualized record of each notice, citation, and/or arrest of an individual under the ordinance. The reports should include:
 - date and time the notice was provided and any subsequent enforcement action, if applicable;
 - as feasible, documented reason for the notice, citation, and/or arrest, including arrests due to warrants associated with previous citation or arrest under the ordinances;
 - the race and ethnicity of the person detained or arrested;
 - the general location, such as the zip code of the incident.

The reports should not include information that would jeopardize any ongoing criminal investigation or prosecution. The Council and City Manager will re-evaluate the need for continued reports after two years.

- Consult with Freedom Cities working group and any other interested stakeholders, especially community organizations, service providers and individuals directly impacted by homelessness, in the development of policies, procedures, and practices related to the ordinance changes and data from the quarterly reports.