

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0

2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0

5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0

0
1
2
3
4
5
6
7
8
9
0

3
4
5
6
7
8
9
0

7
8
9
0

90

21 range of emergency, transitional, and permanent housing and other service resources to
22 address the various needs of persons experiencing homelessness, and a local lead
23 agency is designated by the U.S. Department of Housing and Urban Development
24 (HUD) to plan, coordinate, and administer operations, as well as apply for federal CoC
25 funding; and

26 **WHEREAS,** Ending Community Homelessness Organization (ECHO) is the
27 designated lead agency for the Austin and Travis County CoC, and the organization
28 which conducts an annual Point in Time Count of the homeless in the area; and

29 **WHEREAS,** governments within the Central Texas region, centered on Austin,
30 frequently work together on large regional issues or to coordinate and allocate federal
31 funding, including governing bodies across a six-county area in the Capital Area
32 Metropolitan Planning Organization (CAMPO) and across a ten-county area in the
33 Capital Area Council of Governments (CAPCOG), among others; and

34 **WHEREAS,** Congressional House Bill 1856, entitled Ending Homelessness Act
35 of 2019, was filed and approved by the House Financial Services Committee, and
36 would provide \$13.27 billion additional over five years to fight homelessness and
37 housing shortages through vouchers, the construction of new units, and outreach; and

38 **WHEREAS,** federal funding is critical to the city's effort to address and end
39 homelessness, and the funding and availability of federally funded Veterans Affairs

Supportive Housing (VASH) vouchers is what made it possible for the city to achieve Functional Zero for Veteran Homelessness in August 2016; and

WHEREAS, the Council adopted Resolution No. 20140417-048 and Ordinance 20141211-050 which barred housing discrimination based on source of income, including vouchers, and adopted Resolution No. 20141002-044 directing the City Manager to develop an incentive-based program for housing owners that accept vouchers; and

WHEREAS, in 2015, the Texas Legislature passed Senate Bill 267, which pre-empts local ordinances that ban discrimination based on sources of income for all voucher holders other than veterans; and

WHEREAS, the primary city facility for servicing the homeless is the Austin Resource Center for the Homeless (ARCH), which is currently in the process of changing its operations to focus on case-management and transitioning into housing and away from being a day resource center for drop-in clients, based on recommendations from the National Alliance to End Homelessness (NAEH) in a June 2018 report and adopted by City Staff in a December 18, 2018 memo; and

WHEREAS, the public areas in the immediate vicinity of the ARCH are in critical need of improved maintenance, sanitation, and safety for pedestrians and ARCH clients, and the NAEH report recommended working to reduce the

concentration of activities that currently exist outside the ARCH and to make the shelter more welcoming to individuals experiencing homelessness; and

WHEREAS, design and operation are important for all shelters and supportive housing, and the increasing refinement of national best practices should be adapted to localized needs and many typologies a shelter or supportive housing may take, including for adapting existing apartments buildings, hotels, and motels; and

WHEREAS, the Council adopted Resolution No. 20180614-066, temporally extending the Waller Creek Tax Increment Reinvestment Zone (TIRZ) and directing staff to analyze options for using TIRZ funding for projects that both address the causes and symptoms of homelessness and housing insecurity and that are of benefit to the TIRZ. The Resolution also asked the City Manager to review the possibility of directing supplemental funding from other Tax Increment Reinvestment Zones towards addressing homelessness and other housing initiatives; and

WHEREAS, the City Manager responded to Resolution No. 20180614-066 with a memo on December 6, 2018 that recommended utilizing certificates of obligations, reimbursed with TIRZ revenue, in three funding rounds totaling \$30 million and to be used for capital expenditures including transitional and permanent supportive housing, improvements to the ARCH, and other facilities. The City Manager also recommended reviewing funding for homelessness from other TIRZs only after the

Waller Creek TIRZ amendment is executed and details of this funding option are more certain; and

WHEREAS, on November 6, 2018, City of Austin voters approved a bond proposition of \$250 million for affordable housing, including \$100 million for land acquisition and \$94 million for rental housing development assistance; and

WHEREAS, in addition to the capital needs to acquire or develop housing for the homeless, operating funds are necessary to provide the supportive services that make these facilities successful in helping individuals experiencing homeless transition to housing and self-sufficiency; and

WHEREAS, the Council passed Resolution No. 20190523-029 directing the City Manager to prepare for the establishment of a Tourism Public Improvement District (TPID) associated with an expansion of the convention center and allowing for up to a two percent assessment on a taxable hotel room night to generate revenue that would make available operating funding available, directly or indirectly, to help address homelessness in Austin; and

WHEREAS, a significant amount of constructive community feedback has been received by the Council since the adopting of Resolution No. 20190620-184, and there are additional ideas that the Council would like City Staff to review or implement;

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF AUSTIN:

98 The City Manager is directed to work with and have the Transportation
99 Department, or other appropriate departments, identify high pedestrian and vehicular
100 trafficked streets, sidewalks, or other areas that present the greatest public safety risks
101 and public health hazards for people camping, sitting, lying, riding bicycles or
102 scooters, or others.

103 **BE IT FURTHER RESOLVED:**

104 The City Manager is directed to work with and have the Watershed Department,
105 or other appropriate departments, identify flash or other flood prone areas, flood plains,
106 flood ways, or other areas that present the greatest public safety risks and potential
107 public health hazards for people camping, sitting, or lying.

108 **BE IT FURTHER RESOLVED:**

109 The City Manager is directed to work with and have the Public Health
110 Department, or other appropriate departments, identify camping practices, structures,
111 possessions, or items that present the greatest public safety risks and potential public
112 health hazards for people camping, sitting, lying, or others.

113 **BE IT FURTHER RESOLVED:**

114 The City Manager is directed to work with and have the Fire Department, or
115 other appropriate departments, identify areas and practices within the wildland urban
116 interface areas that present the greatest public safety risks and potential public health
117 hazards for people camping, sitting, lying, area residents, or others.

BE IT FURTHER RESOLVED:

The City Manager is directed to compile a map and guide, as well as signage, where appropriate, that would assist the public in understanding the applicable areas and conditions where City Code Sections 9-4-11 (*Camping in Public Area Prohibited*) and 9-4-14 (*Obstruction in the Downtown Community Court Area Prohibited*) and other relevant city, state, and federal regulations are enforced. The City Manager shall also review and recommend a robust public awareness effort so that individuals affected by these changes can be alerted.

BE IT FURTHER RESOLVED

The Council desires to enforce City Code Sections 9-4-11 (*Camping in Public Area Prohibited*) and 9-4-14 (*Obstruction in the Downtown Community Court Area Prohibited*) with non-criminal methods to the greatest extent possible. The City Manager is directed to help achieve this result by, without limitation, preparing an ordinance for Council consideration, or by adopting policies, practices and procedures, that would ensure that, after first notifying and offering a person a reasonable opportunity to change locations to a non-restricted area, a law enforcement officer will contact a member of a Homeless Outreach Street Team (HOST), case worker, community health paramedic or other city designee who may transport a person who continues to camp in a restricted area to the appropriate location for case management and housing services. A law enforcement officer may issue a citation, or ultimately

make an arrest if appropriate, if the person declines assistance from the city designee and remains in the restricted area.

BE IT FURTHER RESOLVED

The City Manager is directed to determine the cost of adequately staffing or otherwise providing for the non-criminal options that connects individuals experiencing homeless to the services they need, and possible sources of such funding, to be widely available.

BE IT FURTHER RESOLVED:

The City Manager is directed to work with ECHO, the Texas Homeless Network, and Austin-area governments to develop a regional Continuum of Care approach, including for service coordination, data tracking, applications for funding, and other related activities.

BE IT FURTHER RESOLVED:

The City Manager is directed to add to the state and federal legislative agenda, the Council's support for the Ending Homelessness Act of 2019 (HR 1856), as well as support for other legislation that seeks to improve both federal and state funding for homelessness in the Austin area.

BE IT FURTHER RESOLVED:

The City Manager is directed to work with the Austin Community Foundation on the creation and operation of a risk fund that could support voucher holders

158 experiencing homelessness, and to mitigate perceived risks of leasing and increasing
159 units for housing for people experiencing homelessness.

160 **BE IT FURTHER RESOLVED:**

161 The City Manager is directed to develop a short-term and long-term plan for the
162 safety, maintenance, and upkeep of the areas immediately surrounding the ARCH and
163 other shelters around the city, including the public right of way. The City Manager is
164 directed to provide a progress report by December 1, 2019 as to the exterior and
165 interior renovations of the ARCH, the transition to housing-focused services, and steps
166 taken to improve the safety, maintenance and upkeep of the areas immediately
167 surrounding the ARCH.

168 **BE IT FURTHER RESOLVED:**

169 The City Manager is directed to work with local area stakeholders as well as
170 national experts, such as the National Alliance to End Homelessness, Urban Land
171 Institute, American Institute of Architects, and others to identify design and operation
172 criteria for future shelters and supportive housing that could integrate well into each
173 Council district.

174 **BE IT FURTHER RESOLVED:**

175 The City Manager is directed to bring amendments to the Waller Creek TIRZ for
176 Council consideration as recommended in the December 6, 2018 staff memo, and to
177 review and recommend similar amendments for other existing and future city TIRZs.

178 **BE IT FURTHER RESOLVED:**

179 The City Manager is directed to search and make recommendations for the
180 acquisition of available properties that may be used or adapted for shelter or supportive
181 housing, including, but not limited to, hotels and motels, and to bring recommended
182 properties to the City Council for consideration.

183 **BE IT FURTHER RESOLVED:**

184 The City Manager is directed to work with stakeholders including but not
185 limited to, the Austin Hotel and Lodging Association, the Downtown Austin Alliance,
186 Visit Austin, ECHO, and other homelessness service providers to prepare for the
187 establishment of a TPID allowing for up to a two percent assessment on a taxable hotel
188 room night to generate revenue that would make available finding, directly or
189 indirectly, to help address homelessness in Austin.

190 **BE IT FURTHER RESOLVED:**

191 The City Manager is directed to analyze opportunities and recommend
192 additional initiatives for promoting the general public welfare and engaging and
193 assisting individuals experiencing homelessness and to return to Council with
194 actionable responses. The analysis should include, but not be limited to:

- 195
- 196 • Public donation receptacles on the street to provide the public with additional
197 ways to contribute to funding Austin's homelessness response;
- 198

- Portable toilet options and/or “wag bags,” as well as additional trash receptacles that may be provided to homeless camps to improve sanitary conditions;
- Mobile shower and laundry opportunities such as a mobile vehicle that can go directly to existing camps;
- City-provided replacement equipment for sleeping or camping for individuals experiencing homelessness where unsafe conditions or outsized camping structures currently exist; and
- Options and strategies for addressing racial disparities in Austin’s homeless response system, including those that were detailed in the ECHO Action Plan to End Homelessness.

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

Jannette S. Goodall
City Clerk