



ORDINANCE NO. 28565

1 AN ORDINANCE relating to public health and safety; adopting additional
findings; and amending Section 6 of Ordinance No. 28430, as amended
2 by Ordinance No. 28457 and Ordinance No. 28477, by extending the
sunset date of said amended ordinance to December 31, 2019, for the
3 declaration of public emergency relating to the conditions of homeless
encampments; and declaring an emergency, making necessary the
passage of this ordinance, and it becoming effective immediately.

4 WHEREAS, on May 9, 2017, the City Council enacted Ordinance
No. 28430 ("Emergency Ordinance"), declaring a state of emergency relating to
5 the conditions of homeless encampments and authorizing such actions are
6 reasonable and necessary in light of such emergency to mitigate the conditions
7 giving rise to such public emergency, and provided for a sunset date of
8 October 9, 2017, and

9 WHEREAS the Emergency Ordinance further provided that the City
Council shall review the conditions that have given rise to the public health
10 emergency to determine if such conditions warrant keeping in place the
11 extraordinary measures authorized herein to respond to the public health
12 emergency, and

13 WHEREAS, the City Council conducted a review of the efforts made to
14 abate the conditions giving rise to the declaration of the public emergency and
on October 3, 2017, determined that such conditions continued and the public
15 emergency created thereby had not been abated, and
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WHEREAS, based upon the foregoing, City Council adopted Ordinance No. 28457 extending the sunset date of the public emergency declaration made pursuant to Emergency Ordinance, from October 9, 2017 to December 31, 2017, and

WHEREAS the City Council conducted a second review of the conditions giving rise to the declaration of a public emergency, and made findings to support Ordinance No. 28477 to extend the public emergency declaration through December 31, 2018, and

WHEREAS the City has conducted a third review of the conditions giving rise to the declaration of a public emergency and makes the following findings:

- As of November 15, 2018, 227 individuals have received services at the stability site (“SITE”), and of the 81 individuals currently receiving services at the site, 62 have developed housing stability plans, housing referrals or are enrolled in a housing program
- Regardless of the lack of available, appropriate housing for the high-needs individuals entering the site, a total of 51 have transitioned from the site to housing, which represents 22 percent of the total population served at the site to date
- Conditions similar to those at the onset of the declaration of emergency continue to exist, resulting in homeless encampments outside the site and throughout the City, as evidenced by 109 homeless encampments located on City property and cleaned in 2018
- During 2018, the Tacoma Police Department Homeless Outreach Team (“HOT”) has:
 - Identified 2,246 homeless encampments located on private and public property in the City



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- Contacted 228 individuals experiencing homelessness at encampments, and 86 individuals accepted referrals to supportive services, and

WHEREAS the 2018 annual Point in Time County data reflects that 1,628 (529 in the City) individuals are experiencing homelessness in Pierce County, and

WHEREAS, consistent with the Affordable Housing Action Strategy, the City continues to evaluate and pursue opportunities to increase sustainable housing options and partner with Pierce County and other jurisdictions to address the challenges of addressing homelessness, and

WHEREAS, the City Council, as part of its 2019-2020 biennial budget, has proposed the expenditure of \$2,630,597 (funded through various funding sources) for continuation of the temporary emergency aid and shelter plan with a three-phased approach (Mitigation, Stabilization, and short-term transitional housing), and

WHEREAS, the City Council finds and concludes that the continuing and ongoing threat of significant harm to human health and life arising from the conditions in homeless encampments as described in the Emergency Ordinance have not yet been abated by the City's actions, resulting in the continued existence of the public emergency as declared pursuant to the Emergency Ordinance, and

WHEREAS the City Council further finds and concludes that the current and ongoing conditions warrant keeping in place the extraordinary measures



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authorized pursuant to the Emergency Ordinance to respond to the declared emergency, and

WHEREAS the City Council further finds and concludes that it is reasonable and necessary, and in the best interest of the public health, safety, and welfare, to continue the exercise of its power to declare a public health emergency under authority of Article XI, Section 11, of the State Constitution, Chapter 38.52 RCW, Chapter 39.04 RCW, RCW 35.33.081, WAC 197-11-880 and other applicable laws and regulations, and pursuant to Section 2.4 of the Tacoma City Charter, Chapters 1.06, 1.10, and 8.96 of the Tacoma Municipal Code, and the authorization of such extraordinary measures as are reasonable and necessary in light of such public health emergency to mitigate the conditions giving rise the public emergency; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the above-stated recitals are adopted as findings and conclusions of the City Council and are incorporated by this reference as though fully set forth herein.

Section 2. That Section 6 of Ordinance No. 28430, as amended by Ordinance Nos. 28457 and 28477, is hereby amended to read in its entirety as follows:

That this ordinance shall sunset and no longer be in force or effect at 11:59 p.m. on December 31, 2019.



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Section 3. That the City Council shall, prior to December 31, 2019, review the conditions that have given rise to the emergency declaration made pursuant to Ordinance No. 28430, as amended, to determine if such conditions warrant keeping in place the extraordinary measures authorized herein in response to this public health emergency.

Section 4. That, based upon the facts and conclusions as specified herein, Ordinance No. 28430 and Ordinance Nos. 28457 and 28477, a public emergency exists, making this ordinance effective upon passage by an affirmative vote of at least six members of the City Council.

Passed _____

Mayor

Approved as to form:

Deputy City Attorney

Attest:

City Clerk