



ORDINANCE NO. 28477

1 AN ORDINANCE relating to public health and safety; adopting additional
2 findings; and, amending Section 6 of Ordinance No. 28430, as amended
3 by Ordinance No. 28457, by extending the sunset date of said amended
4 ordinance from December 31, 2017 to December 31, 2018, for the
5 declaration of public emergency relating to the conditions of homeless
6 encampments; and declaring an emergency, making necessary the
7 passage of this ordinance and it becoming effective immediately.

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

14 WHEREAS, on June 5, 2017, the City Council approved a temporary
15 emergency aid and shelter plan with a three-phased approach (Mitigation,
16 Stabilization, and short-term transitional housing) at a projected cost of
17 \$3.4 million, and

18 WHEREAS the Emergency Ordinance further provided that the City
19 Council shall review the conditions that have given rise to the public health
20 emergency to determine if such conditions warrant keeping in place the
21 extraordinary measures authorized herein to respond to the public health
22 emergency, and

23 WHEREAS, the City Council conducted a review of the efforts made to
24 abate the conditions giving rise to the declaration of the public emergency and
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1 found that such conditions continued and the public emergency created thereby
2 had not been abated, and

3 WHEREAS, based upon the foregoing, City Council adopted Ordinance
4 No. 28457 extending the sunset date of the public emergency declaration made
5 pursuant to Emergency Ordinance from October 9, 2017 to December 31, 2017,
6 and

7 WHEREAS the City Council has conducted a second review of the
8 conditions giving rise to the declaration of a public emergency and makes the
9 following findings:
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- 11 • The City, within two weeks following the declaration of emergency,
12 established a mitigation site at 18th Street and Portland Avenue
13 (“mitigation site”) occupied by 118 individuals, 70 tents, and nine
14 vehicles;
- 15 • Occupants of the mitigation site were provided with health and
16 sanitation facilities, together with assessments and screening for
17 housing needs, mental health and substance abuse disorders, needle
18 exchange services, transportation to shower and laundry facilities,
19 veterans outreach, meals, dental/physical health assessments,
20 prenatal care and other needed services;
- 21 • The City, on June 26th, began transitioning occupants of the
22 mitigation site to the stabilization site located at 1423 Puyallup
23 Avenue (“stabilization site”), resulting in the relocation of 84
24 individuals to the stabilization site, the referral of four individuals to
25 housing options, the referral of one individual to substance use
26 inpatient treatment, and the referral of one individual to mental health
inpatient treatment;
- As of November 22nd, 88 individuals continued to reside at the
stabilization site, 50 individuals developed housing stability plans,
received housing referrals, or were enrolled in a housing program,
and 23 individuals transitioned from the stabilization site to housing;
- During the week of November 15-22, 56 individuals were on a waiting
list for shelter at the stabilization site, 83 individuals were turned away



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daily from the Nativity House Shelter, and 45 individuals were turned away daily from the Men’s Adult Shelter at the Tacoma Rescue Mission;

- Although heightened enforcement and services have reduced resident and area health and safety impacts, conditions continue to exist resulting in homelessness encampments outside of the stabilization site throughout the City; since the Emergency Ordinance, and as of November 26th, 540 homeless encampments have been removed throughout the City;
- Although 82% percent of residents at the stabilization site require and/or qualify for permanent supportive housing, there is a shortage of permanent supportive housing in the region. If the stabilization site were to be shut down, 80-90 residents would be left without housing or shelter options and would experience increased health and safety issues;
- The stabilization site continues to remain at near capacity with slow outflow into stable housing;
- The City continues to evaluate opportunities to increase short-term transitional housing and partnering with Pierce County and other jurisdictions to address the challenges of addressing homelessness,

and

WHEREAS, the City Council, as part of its mid-biennial budget adjustment, has approved the expenditure of nearly \$10.4 million (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) through the end of the 2017-2018 biennium, 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



1 existence of the public emergency as declared pursuant to the Emergency
2 Ordinance, and

3 WHEREAS the City Council further finds and concludes that the current
4 and ongoing conditions warrant keeping in place the extraordinary measures
5 authorized pursuant to the Emergency Ordinance to respond to the declared
6 emergency, and

7 WHEREAS the City Council further finds and concludes that it is
8 reasonable and necessary, and in the best interest of the public health, safety,
9 and welfare, to continue the exercise of its power to declare a public health
10 emergency under authority of Article XI, Section 11, of the State Constitution,
11 Chapter 38.52 RCW, Chapter 39.04 RCW, RCW 35.33.081, WAC 197-11-880
12 and other applicable laws and regulations, and pursuant to Section 2.4 of the
13 Tacoma City Charter, Chapters 1.06, 1.10, and 8.96 of the Tacoma Municipal
14 Code, and the authorization of such extraordinary measures as are reasonable
15 and necessary in light of such public health emergency to mitigate the
16 conditions giving rise the public emergency; Now, Therefore,
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19 BE IT ORDAINED BY THE CITY OF TACOMA:

20 Section 1. That the above-stated recitals are adopted as findings and
21 conclusions of the City Council and are incorporated by this reference as though
22 fully set forth herein.
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24 Section 2. That Section 6 of Ordinance No. 28430, as amended by
25 Ordinance No. 28457, is hereby amended to read in its entirety as follows:
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That this ordinance shall sunset and no longer be in force or effect at 11:59 p.m. on December 31, ~~2017~~2018.

Section 3. That the City Council shall, prior to December 31, 2018, 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 to response to this public health emergency.

Section 4. That, based upon the facts and conclusions as specified herein, Ordinance No. 28430 and Ordinance No. 28457, 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

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney