



ORDINANCE NO. 28637

1 AN ORDINANCE relating to public health and safety; adopting additional findings;
2 and extending the declaration of emergency and the emergency authority
3 granted pursuant to Ordinance Nos. 28565, 28430, 28457 and 28477, to
4 remain in effect until such time as there is shelter availability for 95 percent
5 of unsheltered individuals in Tacoma as noted in the annual Point in Time
6 Count; and declaring an emergency, making necessary the passage of this
7 ordinance, and it becoming effective immediately.

8 WHEREAS, in 2017 the City Council enacted Ordinance No. 28430
9 (“Emergency Ordinance”), declaring a state of emergency related to the conditions
10 of homeless encampments and authorizing such actions are reasonable and
11 necessary to mitigate the conditions giving rise to the public emergency, and

12 WHEREAS, upon issuance of the declaration of emergency, the City began
13 implementation of a Temporary Emergency Aid and Shelter Plan, with an
14 estimated cost of \$3.4 million through December 2017, and

15 WHEREAS, in late 2017, the City Council determined that the conditions
16 giving rise to the public emergency were still present, and adopted Ordinance
17 No. 28457, extending the declaration of emergency, and

18 WHEREAS, in December 2017, the City Council approved Ordinance
19 No. 28477, extending the declaration of emergency to December 31, 2018, and
20 authorizing additional expenditures of nearly \$7 million through the end of 2018,
21 and

22 WHEREAS, in 2018, the City Council approved Ordinance No. 28565,
23 extending the declaration of emergency through the end of 2019, and provided
24 continued funding for the Temporary Emergency Aid and Shelter Plan, and
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1 WHEREAS, pursuant to the Temporary Emergency Aid and Shelter Plan, a
2 mitigation site was established at 18th Street and Portland Avenue (“mitigation
3 site”) which was occupied by individuals and vehicles, and occupants of the
4 mitigation site were provided with health and sanitation facilities, together with
5 assessments and screening and other needed services, and

6 WHEREAS a majority of mitigation site occupants were transitioned to a
7 City-owned property located at 1423 Puyallup Avenue (“Stability Site”), and as of
8 October 31, 2019, 350 individuals have received services at the Stability Site, and
9 of the 87 individuals currently receiving services at the Stability Site, 62 have
10 developed housing stability plans, housing referrals, or are enrolled in a housing
11 program, and

13 WHEREAS significant numbers of individuals and families continue to enter
14 homelessness due to factors related to job loss, stagnant and declining wages,
15 family crisis and domestic violence, substance abuse, mental health issues, loss of
16 housing, and lack of affordable housing, and

18 WHEREAS, although the conditions for many individuals formerly occupying
19 homeless encampments have been mitigated through the Temporary Emergency
20 Aid and Shelter Program, unsanitary and unsafe conditions remain in homeless
21 encampments throughout the City, and while these encampments are mostly
22 smaller in size than prior to the emergency declaration, conditions continue to
23 create potential for disease transmission within and external to encampments, and

25 WHEREAS, without extension of the declaration of emergency and the
26 power and authority granted therein, intervention and provision of needed services



1 to mitigate impacts will be delayed by normal contracting, budgetary and regulatory
2 processes, and

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

- 5 • As of October 31, 2019, 350 individuals have received services at
6 the Stability Site. Of the 87 individuals currently receiving services
7 at the Stability Site, 62 have developed housing stability plans,
8 housing referrals or are enrolled in a housing program.
- 9 • Regardless of the lack of available, appropriate housing for high-
10 needs individuals entering the Stability Site, a total of 113 have
11 transitioned from the Stability Site to housing, which represents
12 32 percent of the total population served at the site to date.
- 13 • Conditions similar to those at the onset of the emergency
14 declaration continue to exist, resulting in homeless encampments
15 throughout the City, as evidenced by 162 homeless
16 encampments cleaned up in Tacoma to date in 2019.
- 17 • The Tacoma Police Department Homeless Outreach Team
18 (“HOT”) has:
 - 19 ○ Received 2,316 homeless encampment requests to respond
20 to homeless related concerns on public and private property,
21 and
 - 22 ○ Contacted 306 individuals experiencing homelessness at
23 encampments, and 86 individuals accepted referrals to
24 supportive services.
- 25 • There have been 162 public property clean-ups completed.
26 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),

1 and

2 WHEREAS the City Council finds and concludes that the continuing and
3 ongoing threat of significant harm to human health and life arising from the
4 conditions in homeless encampments as described in the Emergency Ordinance
5 have not yet been abated by the City's actions, resulting in the continued existence
6 of the public emergency as declared pursuant to the Emergency Ordinance, and
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8 WHEREAS the City Council further finds and concludes that the current and
9 ongoing conditions warrant keeping in place the extraordinary measures
10 authorized pursuant to the Emergency Ordinance to respond to the declared
11 emergency, and
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13 WHEREAS the City Council further finds and concludes that it is reasonable
14 and necessary, and in the best interest of the public health, safety, and welfare, to
15 continue the exercise of its power to declare a public health emergency under
16 authority of Article XI, Section 11, of the State Constitution, Chapter 38.52 RCW,
17 Chapter 39.04 RCW, RCW 35.33.081, WAC 197-11-880 and other applicable laws
18 and regulations, and pursuant to Section 2.4 of the Tacoma City Charter,
19 Chapters 1.06, 1.10, and 8.96 of the Tacoma Municipal Code, and the
20 authorization of such extraordinary measures as are reasonable and necessary in
21 light of such public health emergency to mitigate the conditions giving rise the
22 public emergency; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

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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, 28477, and 28565 is hereby amended to read in its entirety as follows:

That this ordinance shall remain in force and effect until such time as there is shelter availability for 95 percent of unsheltered individuals in Tacoma as noted in the annual Point in Time Count.

Section 3. That, based upon the facts and conclusions as specified herein, Ordinance No. 28430 and Ordinance Nos. 28457, 28477, and 28565, 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