

RESOLUTION NO. 20210204-049

WHEREAS, the Austin City Council has identified ending homelessness as its top priority; and

WHEREAS, the Austin City Council desires to ensure the public health and safety of individuals living in makeshift encampments as well as those around them; and

WHEREAS, the Austin City Council recognizes that Ordinance No. 20191017-029 prohibits specific risky and potentially injurious behaviors in specific areas and does not make it a crime to be a person experiencing homelessness in the City; and

WHEREAS, City staff recommendations state that encampments are not considered an effective approach to resolving homelessness. See Assistant City Manager's August 19 memo "Update from the Homeless Strategy Office." The memo states "...the focus will continue to be on Housing First and the deployment of actions targeted toward rapid re-housing, emergency shelters, low-barrier housing-focused shelter, and permanent supportive housing."; and

WHEREAS, effectively allowing encampments to continue as places for people experiencing homelessness does not represent the best our community can achieve; and

WHEREAS, housing-focused services and strategies are necessary for individuals to successfully connect to and sustain permanent housing; and

WHEREAS, the Austin City Council has appropriated over \$68.7 million for fiscal year 2021 to provide housing, social, physical, and behavioral health services for individuals experiencing homelessness, including a broad array of services for

those living unsheltered in encampments, such as food, personal and public space hygiene; and

WHEREAS, the City of Austin has demonstrated that targeted efforts to connect individuals to housing and services are effective when paired with sufficient funding, through previous and ongoing initiatives including Ending Veteran Homelessness, Ending Youth Homelessness, and the Guided Path Initiatives; **NOW, THEREFORE**,

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

The City Council affirms that the purpose of this resolution is to implement and fund a Housing-Focused Homeless Encampment Assistance Link (“HEAL”) initiative to connect individuals experiencing homelessness to housing-focused services and supports, including social, health, behavioral health, and substance use services as needed. The purpose of the HEAL initiative is to immediately house individuals, create a path to permanent housing, and over time, eliminate the necessity for unsheltered camping in our city.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to implement the HEAL initiative through a phased approach, beginning with high-priority Phase I encampments located in different areas of the city that pose risks to public health and safety due to close proximity to vehicular and pedestrian traffic and other hazards based on data and other information (the “Phase I HEAL Priority Locations”). Beginning the HEAL initiative with these Phase I HEAL Priority Locations is intended to provide the Homeless Strategy Officer the opportunity to pilot, assess, and learn from HEAL approaches and methods in four diverse areas and immediately begin to address pressing needs for assistance to protect health and safety.

The City Manager shall endeavor to complete the process for Phase I HEAL Priority Locations within six months of the effective date of this resolution.

The four Phase I HEAL Priority Locations shall only include locations where individuals are camping in a place or in a manner that presents public health and safety risks and/or that otherwise is already prohibited by 9-4-11 (*Camping and Obstruction in Certain Public Areas Prohibited*); (1) in South Central Austin, at a major intersection under a state highway overpass, on a traffic island or median that separates traffic flows with a raised curb, adjacent to a pedestrian walkway; (2) in East Austin, on a sidewalk or public easement adjacent to or leading to a public library; (3) along a major arterial through the Central Business District; and (4) in Northwest Austin, at an intersection adjacent to significant vehicular and pedestrian traffic.

The City Manager shall work with the Homeless Strategy Officer to develop a timeline and resources needed to implement the HEAL initiative in additional Phase II and III HEAL initiative locations throughout the City. The City Manager shall base Phase II and III locations on learnings from Phase I implementation and on an assessment of the risk to public health and safety for those camping in those locations.

BE IT FURTHER RESOLVED:

In order to ensure the initiative serves the needs of people experiencing homelessness, the City Council directs the City Manager to develop and implement the HEAL initiative through collaboration among the City's Homeless Strategy Office, Austin Public Health, the Housing and Planning Department, ECHO, Integral Care, and the homeless service and provider community (collectively the "Collaboration"); and in consultation with the Austin Homelessness Advisory

Council. The proposed community summit, convened in part by ECHO, the Downtown Austin Alliance, the Greater Austin Chamber of Commerce and the City of Austin, intended to address and reach a community consensus that includes addressing encampments and street management, can serve as additional information to inform the City's action. The HEAL initiative should incorporate the best practices utilized by the City and its partners to successfully connect individuals such as veterans and youth to housing and services and the lessons from the Guided Path initiative.

The HEAL initiative shall guide the Collaboration's work in providing housing focused services to those living in the priority encampments and shall include, at a minimum, the following processes, at the direction of the City Manager:

- The City Manager shall designate the Austin Homeless Strategy Officer or her designee to lead the Collaboration and may identify one of the City's consultants on homelessness to assist the Homeless Strategy Officer in that effort.
- The Collaboration shall identify and develop low barrier solutions that most immediately provide housing or housing-focused shelter appropriate to the needs of the individuals living in each priority encampment including, but not limited to, diversion, rapid rehousing support, entry into permanent supportive housing, or an opportunity in a housing-focused, non-congregate or congregate shelter.
- Individuals living in the encampments will be connected to the services and housing options based on their expressed and individual needs. The intent of the HEAL Initiative is to offer a path for each individual to permanent housing with the supports necessary to maintain housing over time.

- The Collaboration shall identify existing structures appropriate for use as non-congregate shelter and vacant property on which modular or “tiny home” housing-focused non-congregate shelter can be quickly constructed with sufficient space to provide housing or housing-focused shelter for the number of individuals currently staying in the priority encampments.
- To the extent possible, the Homeless Strategy Officer, in consultation with the Collaboration, shall designate one or more specific housing or housing-focused shelter locations for each priority encampment and prioritize those locations as housing for individuals staying at the priority encampment. This approach provides opportunities to offer blocks of housing and housing-focused shelter and to maintain relationships among groups of individuals camping together to better support them as they obtain services necessary to assist them with permanent housing.
- The City shall enter into partnerships and data-sharing agreements as necessary to facilitate implementation of the HEAL initiative.
- The Collaboration’s social service and health staff shall immediately begin working with each person living at the priority encampments to connect camp residents to the Coordinated Entry System and offer assessments to identify the person’s emergency housing, permanent housing, social service, and health needs, and to create a real-time By-Name List of persons with identified service needs at every location. The City will make resources available so that appropriate housing and services can be offered through the Coordinated Entry System to every person at every encampment location identified and funded through this process.
- The Collaboration shall assess each priority encampment location, create a workplan and timeline, and connect individuals currently living in the

priority encampments to housing-focused shelter and housing as expeditiously as possible.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to return no later than the City Council meeting on March 4, 2021, with strategies and an implementation plan for disallowing camping for the Phase I HEAL Priority Locations upon completion of the HEAL initiative, including strategies not relying on policing or issuance of citations. The City Manager shall post any Council actions necessary to proceed with these strategies, including, if necessary, an ordinance to amend City Code Section 9-4-11 (*Camping and Obstruction in Certain Public Areas Prohibited*) to add the Phase I HEAL Priority Locations to the areas where camping is not allowed with appropriate signage.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to return to Council for action no later than the City Council meeting on March 4, 2021, with any ordinances or other documents necessary to enable the City to dedicate at least \$3 million for Phase I of the HEAL initiative to fund solutions for housing and housing-focused shelter; to fund support services, including the costs for social service and mental health professionals working with individuals living in encampments; and to provide the supportive services necessary to transition to housing-focused shelter and to permanent housing. The funding for the HEAL Initiative will not be diverted from existing programs serving homeless individuals. If necessary to achieve this, the City Manager shall identify funds in addition to the current FY21 budget allocated for homelessness.

In addition to the above identified funding, the Collaboration should identify additional non-City funding streams both public and private.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to work with Council offices, homeless service providers, and the community to identify camping locations to include in Phase II and III, including areas where camping is currently prohibited such as parkland. This effort shall include the following:

- The Public Health Department and other appropriate departments will identify additional camping areas located on medians, traffic islands, pedestrian ways and embankments, including highway underpasses, that present public safety risks and potential public health hazards for people camping there or nearby areas; and will also work with community service providers to determine the more populous of the identified camping locations.
- The Transportation Department and other appropriate departments will identify additional camping locations along streets, highways and access roads with high vehicular traffic that present public safety risks and public health hazards, including due to risks of the collision of a vehicle with an individual camping there or a pedestrian.

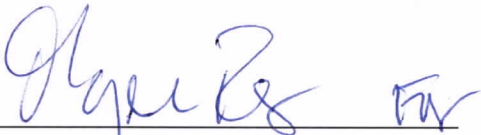
BE IT FURTHER RESOLVED:

The City Manager shall report to the City Council Health and Human Services Committee and to City Council on a regular basis, and at least monthly, on the status of the HEAL initiative; progress made in connecting individuals to housing; the racial/ethnic, age, and gender background of individuals served; any challenges; and any additional resources needed to expeditiously implement the Initiative, including

information about additional camping locations to be prioritized based on factors such as equity, population size, urgent needs of the population, and other issues related to public health and safety.

ADOPTED: February 4, 2021

ATTEST:



Jannette S. Goodall
City Clerk