

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117815

1
2
3
4 AN ORDINANCE authorizing the Human Services Department to enter into a contract with a
5 non-profit organization to provide outreach, engagement, case management, shelter,
6 housing and other services to immediately move the campers at the encampment at 7116
7 W Marginal Way SW to appropriate shelter, housing and services; appropriating
8 \$500,000 for such purpose; declaring an emergency; and ratifying and confirming prior
9 acts; all with a three-fourths vote of the City Council.

10 WHEREAS, the City Council is concerned about the health and safety issues that exist at the
11 encampment located at 7116 West Marginal Way SW and believes that the health and
12 safety of campers is at risk; and

13 WHEREAS, public health challenges at the site have included rat infestation, flooding, and
14 public safety issues demonstrated by ninety-five 9-1-1 calls between February 2011 and
15 May 2013 related to assault, harassment, domestic violence, theft, property destruction,
16 disturbances, and arson, as well as numerous police investigations of criminal activity;
17 and

18 WHEREAS, the City completed a Phase I Environmental Assessment of the property located at
19 7116 W Marginal Way SW which indicated a long history of industrial uses likely
20 resulting in environmental contamination of this site with solvents, degreasers,
21 petroleum, metals that may pose additional risks to the health of the campers and others;
22 and

23 WHEREAS, the City has endorsed the goals of the Ten Year Plan to End Homelessness, which
24 focuses predominantly on preventing homelessness and providing housing to end
25 homelessness of individuals and families; and

26 WHEREAS, The City spends over \$30 million on homeless services each year; and

27 WHEREAS, the City and Mayor together have provided an additional \$1 million in funding for
28 shelter, rapid rehousing, and other services over the last two years to help move homeless
individuals and families off the streets and into shelter and housing; and

WHEREAS, New Orleans, Baltimore, and San Francisco have provided targeted outreach and
engagement efforts to occupants of homeless encampments in their jurisdictions, and
have been successful at moving most of the individuals in these encampments off the
streets and into stable, safe shelters, housing and services; and

1 WHEREAS, the City Council believes this type of effort provides the greatest opportunity to
2 assist the campers at 7116 W Marginal Way SW to end their homelessness and that it is
3 ~~appropriate~~ preferable for the City to invest in such an effort rather than supporting a
4 demonstrably unhealthy and potentially unsafe living situation at an encampment, such
as the one located at 7116 West Marginal Way SW; and

5 WHEREAS, the City Council recognizes that such an effort will require a skilled non-profit
6 organization that has the staffing and expertise needed to immediately assist the campers at
7116 W Marginal Way SW to move to shelter, housing and services; and

7 WHEREAS, the City Council recognizes that such an effort will require additional City
8 resources to implement; and

9 WHEREAS, the City Council also recognizes that the problem of homelessness is a regional,
10 state, national, and international problem, and that the City has limited financial resources
to address this problem; and

11 WHEREAS, the City Council is committed to continue to support programs and services that
12 ultimately result in ending homelessness for individuals and families in our City.

13 NOW, THEREFORE

14 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

15
16 Section 1. The City Council finds that the encampment located at 7116 W Marginal Way
17 SW has created a public health and safety risk due to ongoing and potential public health and
18 safety issues, as indicated by (1) numerous 9-1-1 calls and police investigations of criminal
19 activities, and (2) a Phase I Environmental Assessment that addresses potential environmental
20 contamination of the property. As such, the City Council finds that this act is necessary for the
21 immediate preservation of the public peace, health, or safety and believes that the City should act
22 immediately to ~~move~~ help the campers move off of the site and into appropriate shelter, housing
23 and services.
24
25
26
27
28

1 Section 2. Consistent with the authority under Seattle Municipal Code 3.20.030 and
2 Seattle Municipal Code 20.60.114, the Director of the Human Services Department (the
3 “Director”) or her designee is authorized to enter into a written contract with a non-profit
4 organization without advertising or other process. The Director or her designee shall contract
5 with a non-profit organization that has the expertise and staffing needed to immediately provide
6 outreach, engagement, case management, shelter, housing and other services to the campers at
7 the encampment at 7116 W Marginal Way SW. The contract shall require, under conditions
8 specified by the Director, that the non-profit organization provide all campers with appropriate
9 shelter, housing and services so that the encampment can be closed by September 1, 2013.
10

11
12 Section 3. In order to pay for necessary costs and expenses incurred or to be incurred, but
13 for which insufficient appropriations were made due to causes that could not reasonably have
14 been foreseen at the time of the making of the 2013 budget, appropriations for the following
15 items in the 2013 budget are increased from the funds shown, as follows:
16

Fund	Department	Budget Control Level	Amount
Human Services Operating Fund (16200)	Human Services	Transitional Living and Support (H30ET)	\$500,000
<u>General Subfund</u> (00100)	<u>Finance General (FG)</u>	<u>Support to Operating</u> <u>Funds (2QE00)</u>	<u>\$500,000</u>

17
18
19
20
21
22
23 Section 4. The following proviso is imposed on the appropriation authorized by this
24 ordinance: The \$500,000 in funding authorized by this ordinance may be spent for services to be
25 provided under a written contract with a non-profit organization to provide outreach,
26
27
28

1 engagement, case management, shelter, housing and other services to the campers at 7116 W
2 Marginal Way SW, and may be spent for no other purpose.

3 Section 5. The non-profit organization providing services at the encampment shall, at a
4 minimum, continually collect and provide to the Human Services Department, the following
5 information: the numbers of individuals contacted at the beginning and throughout the outreach
6 efforts; the number of individuals accepting housing placement counseling; the number of
7 individuals placed into housing, shelter, or services; and the number who have declined services.
8 By August 15, 2013 the Human Services Department shall provide a report to the City Council
9 containing this information, as well as how many people still reside at 7116 W. Marginal Way
10 SW.

11 Section 65. By reason of the findings set out in this ordinance, and the emergency that is
12 declared to exist, this ordinance shall become effective immediately upon its passage by a three-
13 fourths vote of the Council, and its approval by the Mayor, as provided by Article 4, Subsection
14 1(I) of the Charter of the City.

16 Section 76. Any act taken by the City pursuant to the authority and in compliance with
17 the conditions of this ordinance, but prior to the effective date, is hereby ratified and confirmed.

19 Passed by a three-fourths vote of all the members of the City Council on the ____ day of
20 _____, 2013, and signed by me in open session in authentication of its passage this ____
21 day of _____, 2013.

1 President _____ of the City Council

2
3 Approved by me this ____ day of _____, 2013.

4
5 _____
6 Michael McGinn, Mayor

7
8 Filed by me this ____ day of _____, 2013.

9
10 _____
11 Monica Martinez Simmons, City Clerk

12 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Traci Ratzliff – 684-8153	

Legislation Title:

AN ORDINANCE authorizing the Human Services Department to enter into a contract with a non-profit organization to provide outreach, engagement, case management, shelter, housing and other services to immediately move the campers at the encampment at 7116 W Marginal Way SW to appropriate shelter, housing and services; appropriating \$500,000 for such purpose; declaring an emergency; and ratifying and confirming prior acts; all with a three-fourths vote of the City Council.

Summary of the Legislation:

This ordinance authorizes an appropriation of \$500,000 for the Human Services Department (HSD). In addition, it authorizes HSD to contract with a non-profit organization to provide outreach, engagement, case management, shelter, housing and other services to the campers at the encampment located at 7116 W. Marginal Way SW in order to immediately move these campers to appropriate shelter, housing and services. The contract will require, under conditions specified by the Director, that the non-profit organization provide all campers with appropriate shelter, housing and services so that the encampment can be closed by September 1, 2013.

The ordinance also states that the encampment has created a public health and safety risk due to ongoing and potential public health and safety issues, as indicated by (1) numerous 9-1-1 calls and police investigations, and (2) a Phase I Environmental Assessment that addresses potential environmental contamination of the property. As such, the ordinance is necessary for the immediate preservation of the public peace, health, or safety and upon passage would become effective immediately.

Background:

The encampment known as Nickelsville has been located on city-owned property at 7116 W Marginal Way SW for over two years. The City Council is concerned about the health and safety issues that exist at the encampment and believes that the health and safety of campers is at risk. Public health challenges at the site have included rat infestation, flooding, and public safety issues demonstrated by ninety-five 9-1-1 calls to the site for complaints including assault, harassment, and arson over the last several years. In addition, the City completed a Phase I Environmental Assessment of the property which indicated a long history of industrial uses likely resulting in environmental contamination of this site with solvents, degreasers, petroleum, metals that may pose additional risks to the health of the campers and others.

The City Council believes that providing targeted outreach, engagement and case management services coupled with making shelter, housing and services available to the campers of Nickelsville can provide a pathway out of homelessness for these individuals. This approach has been successfully implemented by other jurisdictions including: New Orleans, Baltimore, and San Francisco that have helped campers in



encampments move to shelter, housing and services.

This effort is also consistent with the programs and services the City has implemented in recent years as part of the Ten Year Plan to End Homelessness.

Please check one of the following:

This legislation does not have any financial implications.

(Please skip to "Other Implications" section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

This legislation has financial implications.

(If the legislation has direct fiscal impacts (e.g., appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the "Other Implications" Section. Please delete the instructions provided in parentheses at the end of each title and question.)

Appropriations:

(This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not supported by revenue/reimbursements, please confirm that there is available fund-balance to cover this appropriation in the note section.)

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
Human Services Operating Fund (16200)	Human Services Department	Transitional Living and Support (H30ET)	\$500,000	N/A
TOTAL			\$500,000	

*See budget book to obtain the appropriate Budget Control Level for your department.

Appropriations Notes:

Anticipated Revenue/Reimbursement Resulting from this Legislation:

(This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.)

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
TOTAL				

Revenue/Reimbursement Notes:

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A

(This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.)



Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*
TOTAL							

* 2014 positions and FTE are total 2014 position changes resulting from this legislation, not incremental changes. Therefore, under 2014, please be sure to include any continuing positions from 2013.

Position Notes:

N/A

Do positions sunset in the future?

(If yes, identify sunset date)

N/A

Spending/Cash Flow:

(This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.)

Fund Name & #	Department	Budget Control Level*	2013 Expenditures	2014 Anticipated Expenditures
TOTAL				

* See budget book to obtain the appropriate Budget Control Level for your department.

Spending/Cash Flow Notes:

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

(If yes, explain them here.) Yes, offers appropriate services (housing, shelter, etc.) to move homeless individuals living at the encampment where health and safety issues exist to safe and healthy shelter, housing and services.

b) What is the financial cost of not implementing the legislation?

(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs.)

c) Does this legislation affect any departments besides the originating department?

(If so, please list the affected department(s), the nature of the impact (financial, operational, etc), and indicate which staff members in the other department(s) are aware of the proposed legislation.) N/A

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.) N/A



e) Is a public hearing required for this legislation?

(If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned for the future?)

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

(For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.)

g) Does this legislation affect a piece of property?

(If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.)

h) Other Issues:

List attachments to the fiscal note below: