CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: April 17, 2012

AGENDA TITLE: Proposed Housing First Project at 1175 Lee Hill Road

PRESENTER/S
Jane S. Brautigam, City Manager
Tom Carr, City Attorney
Karen Rahn, Director of Housing and Human Services

EXECUTIVE SUMMARY

This agenda item was continued from the March 20 business meeting. Attached is additional information requested by City Council not included in the March 20 council agenda packet as Attachments C, D and E.

At the Feb. 21 business meeting, council requested a public hearing regarding the proposed Boulder Housing Partners (BHP) Housing First project at 1175 Lee Hill Road. The purpose for the meeting is to allow a full and fair opportunity for council members to hear from the community about this project. The public hearing will give council members an opportunity to provide staff direction about how to proceed with future city involvement with this project, including BHP's proposed process, the proposed Statement of Operations (SO) and any additional matters council members wish to address.

BACKGROUND

BHP purchased land at 1175 Lee Hill Road and proposed to build a thirty-one unit facility to house chronically homeless members of the community. The proposed project would apply the Housing First model supported by council as part of the 10-Year Plan to Address Homelessness. Prior to submitting an application, BHP representatives had a pre-application meeting with planning staff. Planning staff identified the proposed project as "Transitional Housing" regulated pursuant to § 9-6-3(h) B.R.C. 1981 ("Specific Use Standards - Residential Uses"). Transitional Housing in the applicable zoning district is subject to staff review. On Jan. 19, 2012, Angela McCormick, BHP's

Board Chair, wrote to council with a proposed voluntary public process, which BHP plans to undertake before filing a building permit application. *(Attachment A)*. Excerpts of the letter, provided below, described the elements of BHP's proposed plan:

- BHP will continue to provide opportunities for input and public engagement, via neighborhood meetings and social media tools such as our website. We will put in place a formal structure for addressing neighborhood concerns. We will also continue to provide opportunities to educate the community about Housing First, such as offering tours of similar communities to a representative selection of interested neighbors. Through these efforts, our intent is to provide assurance that 1175 Lee Hill can and will be a good neighbor.
- BHP will engage with interested members of the public regarding a Statement of Operations (SO) that addresses resident and property management at 1175 Lee Hill. The SO may include hours of operation, staffing, resident selection processes, lease violations and consequences, case management, security, as well as emergency and property manager contact information. City staff will be invited to submit their comments as well.
- BHP will assemble and summarize public comments on the SO for consideration by BHP's Board of Commissioners. BHP will hold a public hearing and invite testimony regarding the draft SO. Subsequent to the hearing, the Board will amend the SO prior to final adoption as deemed appropriate. If the SO is to be modified after it is adopted, BHP will publicize opportunities for public testimony to be held at a regularly scheduled monthly Board meeting.
- BHP will engage with interested members of the public regarding the proposed design for 1175 Lee Hill.

In a letter to council dated March 7, 2012, Betsey Martens, Executive Director of BHP provided an outline of a draft SO identifying key considerations in the process and timeline *(Attachment B)*. BHP is facing a July 1, 2012 deadline to obtain tax credit financing. If BHP misses this deadline, there will most likely be a funding gap for the 1175 Lee Hill Road project.

Under current law neither the Planning Board nor the City Council has any oversight over this approval. BHP sought pre-filing review from city staff. Looking at the proposal, staff determined that it fit within the definition of "Transitional Housing" in the city's land use code. The land use code is as follows:

> "Transitional housing" means a facility providing long-term housing in multi-family dwelling units with or without common central cooking facilities, where participation in a program of supportive services is required as a condition of residency to assist tenants in working towards independence from financial, emotional, or medical conditions that limit their ability to obtain housing for themselves.

§ 9-16-1(c), B.R.C., 1981. Under the land use code, Transitional Housing is a conditional use. Conditional uses "are those uses which are appropriate in a given zoning district if the applicable conditional use criteria have been satisfied." The code provides that the City Manager determines whether the proposed use meets the conditional use criteria. With respect to Transitional Housing, the code includes only the following criteria:

(1) Density: The maximum number of dwelling units with transitional housing facility shall be the same as is permitted within the underlying zoning district, except that for any zoning district that is classified as an industrial zoning district pursuant to section 9-5-2, "Zoning Districts," B.R.C. 1981, the number of dwelling units permitted shall not exceed one dwelling unit for each one thousand six hundred square feet of lot area on the site.
(2) Occupancy: No person shall occupy such dwelling unit within a transitional housing facility except in accordance with the occupancy standards set forth in section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, for dwelling units.
(3) Parking: The facility shall provide one off-street parking space for each dwelling unit on the site. The approving authority may grant a parking deferral of up to the higher of fifty percent of the required parking or what otherwise may be deferred in the zoning district if the applicant can demonstrate that the criteria set forth in subsection 9-9-6(e), B.R.C. 1981, have been met.

§ 9-6-3(h), B.R.C., 1981. Thus, any application for the project at 1175 Lee Hill Road will be measured only against the criteria set forth above.

Any action that the city takes must be viewed in light of the Federal Fair Housing Act (FFHA). The FFHA falls under Title VIII of the Civil Rights Act of 1968, and prohibits discrimination in the sale, rental and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status and handicap (disability). A handicap is defined as:

(1) A physical or mental impairment which substantially limits one or more of such person's major life activities,
(2) A record of having such an impairment, or,
(3) Being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

42 U.S.C. 3602(h). Courts have included "homeless and mentally-handicapped adults" in the definition of "handicapped." See City of Peekskill v. Rehab. Support Serv., Inc, 806 F.Supp. 1147 (S.D.N.Y 1992).

The FFHA prohibits the following:

(1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of—
(A) that buyer or renter,
(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available, or
(C) any person associated with that buyer or renter.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of—
(A) that person, or
(B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available, or
(C) any person associated with that person.

42 U.S.C. 3603(f). While staff will make a brief presentation and be prepared to answer Council questions, no recommended motion language is proposed for the March 20, public hearing. Council input is being sought regarding BHP's proposed process, the proposed SO and any additional matters council members wish to address.

Toward that end, the following questions are proposed for council consideration;

(1) Does council have comments regarding the proposed housing first project at 1175 Lee Hill Road?
(2) Does council have any comments regarding potential provisions in the statement of operations?
(3) Does council wish to affirm its support for the 1175 Lee Hill Road as a housing first project to be developed by BHP?
(4) Does council wish to identify for later discussions any of the larger issues that have surfaced?

ATTACHMENTS
A. Boulder Housing Partners Board of Commissioners letter dated January 19, 2012
B. Boulder Housing Partners Executive Director letter dated March 12, 2012
C. Questions related to 1175 Lee Hill
D. Boulder Shelter for the Homeless Management Plan
E. Letter from Board of County Commissioners

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Boulder Housing Partners
Providing Homes, Creating Community, Changing Lives

January 19, 2012

Mayor and Members of the City Council
City of Boulder
1779 Broadway
Boulder, CO 80302

Dear Mayor and Councilmembers,

Following up on the December 13, 2011 City Council study session on Housing First Programs and Related Issues, I am writing on behalf of the Board to express our sincere appreciation for staff's comprehensive presentation and for your thoughtful consideration on a very complex and multi-faceted issue. We are grateful for your affirmation of the Housing First model as a key strategy to address chronic homelessness. We also heard Council express interest in changing the ordinance by enhancing the standards for public engagement and public review to a level greater than currently required. We are writing to describe a voluntary process that we are willing to commit to in order to demonstrate our interest and intent in being a good neighbor.

There are several considerations that inform our proposal. One, BHP is, and will likely continue to be, the only developer of Housing First communities in Boulder. Two, time is of the essence for us to maximize available funding opportunities, favorable financing terms, and historically low construction costs. Three, we are a public agency with a commitment to an open and transparent public process as evidenced by the over 15 public meetings held on the project, to date. And four, we heard general agreement among Council members that a "management plan" and "continued opportunities for public input" are desirable.

In order to move forward with 1175 Lee Hill, we, the Board, propose to voluntarily commit the organization to a development process as follows. Prior to a building permit application submittal:

- BHP will continue to provide opportunities for input and public engagement, via neighborhood meetings and social media tools such as our website. We will put in place a formal structure for addressing neighborhood concerns. We will also continue to provide opportunities to educate the community about Housing First, such as offering tours of similar communities to a representative selection of interested neighbors. Through these efforts, our intent is to provide assurance that 1175 Lee Hill can and will be a good neighbor.

- BHP will engage with interested members of the public regarding a Statement of Operations (SO) that addresses resident and property management at 1175 Lee Hill. The SO may include hours of operation, staffing, resident selection processes, lease violations and consequences, case

management, security, as well as emergency and property manager contact information. City staff will be invited to submit their comments as well.

- BHP will assemble and summarize public comments on the SO for consideration by BHP's Board of Commissioners. BHP will hold a public hearing and invite testimony regarding the draft SO. Subsequent to the hearing, the Board will amend the SO prior to final adoption as deemed appropriate. If the SO is to be modified after it is adopted, BHP will publicize opportunities for public testimony to be held at a regularly scheduled monthly Board meeting.

- BHP will engage with interested members of the public regarding the proposed design for 1175 Lee Hill.

Per BHP Board Resolution #15, attached is a historical site evaluation matrix that identifies and describes the sites we considered from 2009 to 2010 for the proposed Housing First community. During this timeframe, we evaluated four sites, including 1175 Lee Hill, based on the criteria described in the attached Site Evaluation Matrix. Over the last five months, we have continued to investigate the suitability of several additional properties, none of which were considered acceptable or practical for the development of this project. Our additional due diligence reaffirms our selection of 1175 Lee Hill as the best possible site. We are confident in our decision and the process that led to it. We hope to move forward with the development of a Housing First community at 1175 Lee Hill, pursuant to the course of action outlined in this memo. We pledge to work now and into the future to ensure that that this project is viewed, in retrospect, as a positive addition to the community.

In closing, while it is our intent to engage the neighbors in good faith, we encourage the City Council to appreciate the financial risk and commitment that BHP would make to this project, which is borne solely by BHP. Therefore, there will be economic and practical limits to the public input we can accommodate. The lack of implementation of such suggestions should not delay the development of the 1175 Lee Hill community.

Please don't hesitate to contact me via Betsey Martens, Stuart Grogan, or Shannon Cox Baker (720-564-4610) if you have any comments or questions.

Sincerely,

Angela McCormick

Angela McCormick
Chair of the Board of Commissioners
Boulder Housing Partners

Cc: Jane Brautigam, City Manager
Tom Carr, City Attorney
Karen Rahn, Executive Director, Department of Housing and Human Services

BHP Commissioners
Betsey Martens, Executive Director, Boulder Housing Partners

Attachment: Site Evaluation Matrix

2009-2010 Housing First Site Evaluation Matrix: Prior to Purchase of 1175 Lee Hill Drive				
Existing Property Name	Vacant	Confidential	Red Oak Park	High Mar
Property Address	1175 Lee Hill	28th-30th Central Boulder location	2637 Valmont	4990 Moorhead
Zoning	BT-2	Commercial	RH-4	RH-5
Status	For Sale	For sale	BHP	BHP
Accessible to public transportation 1: closest bus stop more than 1 block (0.10 mi) and no direct access to Broadway; 2: bus stop within 1/2 block (0.05 mi) serviced by local and regional routes, direct access to Broadway; 3: bus stop within 1/2 block serviced by local and regional buses, including metro Denver transit and direct access to Broadway	2	2	1	3
Accessible to amenities WalkScore - 1: car-dependent; 2: somewhat walkable; 3: very walkable, walker's paradise	3	3	3	2
Neighborhood Compatibility 1: single use and/or low density; 2: mixed-use and medium density; 3: mixed-use and high density	2	3	2	1
Ease of development Considers the time/cost/uncertainty/risk associated with the following: land cost, carrying cost, demolition costs, rehab. costs, horizontal construction costs (utilities, right-of-way), vertical construction costs, environmental clean up, etc.	3	1	1	2
Compatible with program needs key program elements: density of 30-40 units, private open space, office space for 4 FTE, community room, on-site laundry, parking for minimum 6-10 spaces, highly secured	3	3	2	1
Operational efficiency considers: (1) the travel time/distance to: BHP, ARC, Hospital, Mental Health Center; (2) cost to run program (PUPA)	3	2	2	1
Price and Availability 1: price/sf higher than comps and/or for sale on open market; 2: price/sf at or below comps and/or not publically listed; 3: owned by BHP	2	1	3	3
Cumulative Score	18	15	14	13

NOTES:

1. Ranking scale: 1 - 3 (1 = poor, 2 = average, 3 = excellent)

2. The "Street Smart Walk Score" includes walking routes and distances to amenities, road connectivity metrics such as intersection density and block length, and weighted scores for individual amenity categories (e.g. grocery stores, restaurants, banks, parks, and shopping). See: www.walkscore.com.

3. BHP is regularly presented with real estate opportunities to develop new affordable housing targeted to seniors, families, workforce, and the disabled. Between September 2011 and January 2012, we evaluated numerous development opportunities for permanent supportive housing, including but not limited to: a vacant site on north 28th St, a public housing property on Arapahoe, and an existing commercial building on west Canyon. In our judgement, none were considered suitable for the proposed use.

Boulder Housing Partners
Providing Homes, Creating Community, Changing Lives

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March 12, 2012

Mayor and Members of the City Council
Jane Brautigam, City Manager
City of Boulder
1779 Broadway
Boulder, CO 80303

Dear Mayor and Councilmembers,

In a letter to the Mayor and City Council dated January 19, 2012, the BHP Board of Commissioners (Board) voluntarily offered the following prior to submitting a building permit application for the proposed 1175 Lee Hill project:

- Continued opportunities for public input and engagement;
- Creation of a Statement of Operations to address resident and property management at 1175 Lee Hill, including the solicitation of public comments and testimony before final adoption of the Statement of Operations by the Board; and
- Request for public input on the building's proposed design.

As you know, BHP has held over 20 meetings with neighborhood groups and HOAs since September 2011, in addition to many individual meetings. BHP has also kept the community informed about the project via regular distribution of a project newsletter and through regular postings to the project website. In January 2012, BHP led a tour of three supportive housing projects in Denver for 11 area homeowner's association representatives and three City Councilmembers. A summary of the meeting held subsequent to the tour is attached. BHP will continue its commitment to public outreach through the process outlined below. Requests by the public to meet and/or discuss the project will, as a matter of course, continue to be encouraged and accepted.

As detailed on page 2 of this memo, BHP has outlined a voluntary process for engaging the public in the building's operations plan and design. Specific to the Statement of Operations (SO), BHP intends to incorporate in the SO the rules and regulations governing operations and we expect it will also reflect best management practices employed by similar Housing First communities around the country. Attached to this memo is an **initial outline and general framework** for the SO that includes the key topics to be covered. Each topic area includes a short narrative as well as some of the criteria BHP has incorporated to date, including those provided by the project's investors and regulators, such as the Department of Housing and Urban Development (HUD).

Boulder Housing Partners

Providing Homes, Creating Community, Changing Lives

As part of this effort, BHP will solicit comments from the community in the preparation of the SO and the building design based on the following proposed timeline. The timeline describes three public meetings for the public and a continual process of electronic communication and feedback:

Q1 2012

- Publish the attached SO general framework (March 15);
- City Council public hearing (March 20);

Q2 2012

- Submit a development review application to City planning staff;
- Make available to the public a preliminary draft of the SO and drawings of the building's design;
- Hold a public forum to solicit comments and questions on the SO and the building's design;
- Publish a revised draft of the SO and revised drawings of the building's design;

Q3 2012

- Submit a Low Income Housing Tax Credit application to the Colorado Housing and Finance Authority;
- Submit the revised SO draft and building design to the BHP Board of Commissioners for consideration, on first reading, at a regularly scheduled and publicly noticed meeting which includes public testimony;
- Board consideration and adoption of the final Statement of Operations at second reading, and approval of the final building design; and
- Submit a building permit application to City building department

We welcome any City Council and City staff comments on this proposal. Please contact me with any comments or questions. Thank you.

Sincerely,

Betsey Martens
Executive Director
BHP

February 23, 2012

Meeting Notes – Follow Up Discussion with Permanent Supportive Housing (PSH) Tour Attendees

On February 23, 2012, several community members and other stakeholders who attended the tour of the Cornerstone Residences, Renaissance at Lowry, and Renaissance Blue Spruce projects on February 11, 2012 met to discuss their insights from the tour. The meeting was held at Boulder Housing Partners' Office (4800 N. Broadway) and was moderated by Louise Smart. The agenda and guidelines for the discussion were as follows, with the primary focus on #4:

1. Introductions
2. Meeting purpose
    - To gather your insights about what you heard and saw on the tour
    - To get your advice about how to design and operate a Housing First project based on your observations
    - To answer any factual questions
3. Guidance to help this be a productive meeting
    - Focus on what you learned from the tour
    - Speak only for yourself and your own observations
    - You may ask questions of anyone
    - Allow all who went on the tour to speak
    - One person speaks at a time
    - Be honest and courteous
    - Listen deeply and be willing to be influenced
4. Insights from the tour
    - What you liked
    - What worried you
    - Desired outcomes
5. Questions and clarifications
6. Next steps

The group had a productive discussion and all parties were able to give input on positive attributes of the Housing First model, voice their concerns, and express desired outcomes.

February 23, 2012

With respect to what the group liked and what worried them about the projects they visited, we received the following comments:

LIKES	WORRIES
• **LOCATION** o Lowry: projects blend into diverse, integrated neighborhood • **BUILDING** o Nice exterior design o Room size and composition • **OPERATIONS** o Comprehensive and rigorous selection process for residents – starts by choosing people who can be successful o Enforced rules and non-compliant residents were asked to leave o Case management: high levels of support onsite o 24/7 staffing safeguarded resident well-being, safety o Locked exterior doors o Management had high levels of institutional knowledge • **RESIDENTS** o Residents seemed motivated to stay housed, work towards independence o Residents appreciative of what the community offered them o Strong sense of community amongst residents o Lowry communities mixed formerly homeless with low income residents • **SURROUNDING COMMUNITY** o Inspired other local homeless to work towards permanent housing o Community involvement from the beginning and continuous throughout project o Limited, benign neighborhood complaints • **GENERAL** o 3 Boulder Council members in attendance	• **LOCATION** o Close proximity to other homeless services results in a high concentration of homeless population in neighborhood o Siting PSH next to the Shelter will dissuade businesses from locating in NoBo, negatively impact future development • **BUILDING** o Institutional interior design • **OPERATIONS** o Increased staffing presence a result of close proximity to shelter(s) o No control of resident behavior once they leave the building • **RESIDENTS** o Ability to succeed in program may be compromised by close proximity to shelter o Without diverse surrounding land uses, residents will not get a good example of a truly integrated neighborhood o Unsure if residents can ever truly "leave the street life behind" • **SURROUNDING COMMUNITY** o Unknown long term impact on community of high concentration of homeless services o Property values may decrease o Continuous neighborhood engagement – can it be sustained? • **GENERAL** o Locating PSH next to a Shelter creates a perception of "concentration" or "institutionalization" of residential care uses o Concerned about the unforeseen or unintended consequences that nobody can predict
(Additional comments not based on insights from the tour are included below)	

Additional concerns were raised by various stakeholders specifically relating to the proposed Housing First project at Lee Hill in Boulder and the group proposed various "desired outcomes".

One stakeholder voiced a concern that some people may try to compare the toured projects to Lee Hill. He noted that Boulder has different land use conditions and policies that will not allow for comparable densities or integration, especially since there is little developable land available in Boulder.

Relating to land use planning, the group also commented that North Boulder is in a vulnerable planning stage and that this is a complex project with policy implications with long term potential impacts. The group expressed several desired outcomes including: revisiting the North Boulder Sub-community Plan (NBSP) and working with the community to ensure neighborhood diversity, diverse real estate development, and economic growth. One participant noted that the commercial center in North Boulder was not developed per the NBSP and the City needs to revisit this issue to re-establish the vision for the neighborhood and ensure balanced commercial development.

Another concern that arose was whether or not Housing First project next to the Homeless Shelter was optimum for the Housing First residents. The issue at hand was whether "over concentration" of the homeless in one area is possibly detrimental to the neighborhood as well as Housing First residents themselves. Some neighbors thought the Housing First residents would be more likely to fall back into homelessness or lifestyle patterns that contributed to their homelessness if they were exposed to homeless people coming and going from the Shelter, or hanging around north Boulder.

The group desired an outcome that would encourage collaboration and communication between all stakeholders, and would provide guidance on what can be done to make this project acceptable to the neighborhood including:

- Before any decisions are made, such as site selection, the community should be consulted and give its approval;
- Request for a thorough discussion of where (i.e., the best location) a Housing First Project should be located in Boulder before operations are considered;
- Evidence or arguments supporting BHP's contention that locating a Housing First community next to a homeless shelter is not harmful to the Housing First community's residents;
- Request for an honest evaluation of its impacts on the community; and
- More data and research that would provide better guidance on the best location to help assure successful results.

Several concerns were raised by the participants regarding the negative impacts of homeless people in North Boulder. The Boulder Shelter for the Homeless indicated they are strongly committed to being a good neighbor in North Boulder. They are always open to hear comments and concerns from the public and will work diligently to address these issues. Stakeholders' were concerned that the Lee Hill Housing First project will exacerbate problems in the community that have increased over the years as a result of increased homeless activity in the area since the Shelter moved up to North Boulder. Yet another stakeholder worried about future homeless services moving to North Boulder (e.g. a day shelter) that would further concentrate the homeless population in their neighborhood. When asked, BHP

responded they would never build a second Housing First project in North Boulder. The City could also aggressively annex the remaining enclaves to eliminate the jurisdictional issues the police and sheriff have responding to complaints.

BHP has provided a brief response to the 'desired outcomes' expressed by the meeting attendees. Comments and questions for BHP are encouraged and should be directed to Shannon Cox Baker: cox-bakers@boulderhousingpartners.org.

February 23, 2012

BHP's Response to 'Desired Outcomes'

- Request to revisit the North Boulder Sub-Community Plan and/or create a land use plan for a North Boulder commercial center

BHP strongly supports the neighborhood's request to revisit the North Boulder Sub-Community Plan. As a long-time resident of the community, owner and property manager of several rental units and integral contributor to the area's redevelopment, BHP has a strong stake in the community's future. We hope the focus of such an exercise will be on the redevelopment potential of undeveloped and underdeveloped areas of the community and the reestablishment of a vision for the commercial center and civic amenities.

- Address the Inclusionary Housing Ordinance's off-site provisions, which currently allow for 100% affordable housing projects

BHP has actively worked with neighborhood representatives and City staff to address the implications for the current ordinance and potential changes in policy and regulation. Neighborhood representatives have indicated that they will continue to meet with City staff on this issue.

- Request for continued public outreach

BHP has committed to voluntarily engaging the public in a Statement of Operations and building design process. This effort will take place prior to BHP's submission of a building permit application for 1175 Lee Hill. Included in the Statement of Operations will be a descriptions of our plans for the long-term operations of 1175 Lee Hill.

- Request to create a community-wide site selection and approval process for Housing First developments

BHP believes that the 1175 Lee Hill Rd site is suitable for a Housing First community. The City of Boulder established zoning and related land use regulations governing housing and sheltering for the homeless in 2002 after a substantial and inclusive public process. We feel these standards sufficiently address the community's interests and goals.

- Evidence or arguments supporting BHP's contention that locating a Housing First community next to a homeless shelter is not harmful to the Housing First community's residents;

BHP believes there is not sufficient evidence showing that supportive housing communities located next to or near shelters are harmful to the residents of the supportive housing community. To the contrary, there are many examples around the country where the two, separate uses coexist, such as: Portland Housing Authority's Bud Clark Commons, Catholic Charities of St. Paul and Minneapolis' Box's Place, and Archway Housing's Cornerstone Residences in Denver. Our own experience housing the formerly homeless, as well as that of several supportive housing operators, shows that with proper management and clearly defined expectations, success of the residents can result independent of the supportive housing community's location.

- Request for information about the community impacts of Housing First projects

BHP has included a link on its website to a compilation of studies on the community impacts of Housing First projects. The website can be accessed by clicking here or by pasting this link into a web browser: http://shnny.org/research-reports/research/.

- Request to address existing problems and issues with the homeless population in North Boulder

The Boulder Shelter for the Homeless' Executive Director and Board of Directors are in the process of reestablishing the Shelter Neighborhood Action Group to address community concerns about homeless behaviors in north Boulder. The Group will be comprised of residents and business owners in north Boulder. Please direct all questions and concerns about homeless related issues to Greg Harms at greg@bouldershelter.org.

Statement of Operations Framework

I. Project Scope

1175 Lee Hill is a 31-unit permanently affordable apartment building intended to house the chronically homeless in Boulder County. Approximately 30,000 square feet in size, the building will include case management offices, maintenance and property management storage facilities, covered bicycle parking, a community room, laundry facilities and an outdoor courtyard. Boulder Housing Partners (BHP) will be the developer, owner, leasing agent, and property manager. The Boulder Shelter for the Homeless (the Shelter) will provide the case management support for the residents.

II. Governing Principles

The community at 1175 Lee Hill will be operated by a number of guiding documents including those summarized below and those established by our investors and regulators.

The mission of BHP is to provide quality, affordable housing, developed and managed with respect for the dignity of all involved. We also seek to create a sense of community strength and spirit that supports resident efforts to realize success in their lives.

The 1175 Lee Hill Guiding Principles, adopted by the BHP Board of Commissioners, are as follows:

- Help address chronic homelessness in Boulder County through the provision of housing and supportive services.
- Strive to fully integrate the building and its residents into the surrounding neighborhood.
- Design and construct an environmentally high performing building that is energy efficient, healthy, comfortable, and cost effective to operate.

To that end, we intend to:

- Expand Boulder County's Housing First program and inventory to reduce the costs of homelessness on the broader community.
- Create a community that fosters a sense of home and self-determination.
- Emphasize durability, efficiency, and utility without sacrificing quality, comfort, or beauty.
- Further the missions of Boulder Housing Partners and the Boulder Shelter for the Homeless in all aspects of this new community.

III. Housing First Program Goals and Outcomes

The residents at 1175 Lee Hill will be part of the Boulder County Housing First program. The goal of the Housing First program is:

- Clients have safe, permanent housing; become more stable and retain housing in perpetuity.

DRAFT

Program success is measured by monitoring the following desired outcomes:

- Clients move into housing;
- Clients increase skills and income;
- Clients garner greater self-determination;
- Clients stay housed; and
- Clients maintain progress made.

IV. Resident Eligibility and Selection Process

Resident eligibility and screening criteria are primarily determined by rules associated with the funding agencies that are anticipated to fund this project. Potential funding sources may include: the U.S. Department of Housing and Urban Development (HUD) (McKinney-Vento Act funding as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act and Section 8 Housing Choice Voucher funds), the U.S. Department of Veterans Affairs' (VA) Veterans Affairs Supportive Housing (VASH) Program, and the Low Income Housing Tax Credit (LIHTC) Program. The statement of operations will, at a minimum, address the following:

- The process for determination of homeless status;
- Income qualification requirements;
- The process for conducting mandatory criminal background checks;
- The eligibility threshold for prior criminal history (including a summary of criminal convictions that impact eligibility);
- Basis for denial of admission and due process rights for applicants; and
- Documentation of lawful presence in the U.S.

Background checks will be required and registered sex offenders will not be permitted housing.

BHP will consult with other Boulder County service providers, including the Boulder Shelter for the Homeless, in selecting potential residents who meet the eligibility requirements of the different funding programs and who can be successful in the program. The intention is to prioritize individuals who, first and foremost, want to be housed and, second, who can be successful in the Housing First program.

V. Case Management and Supportive Services

Residents of 1175 Lee Hill will be assigned a case manager. Case managers will meet regularly with residents to assist them in meeting the goals and outcomes set forth by the program (see Section III above). Activities such as assisting residents with acquiring benefits, obtaining health care, finding employment, and securing addiction recovery services are potential case management roles.

VI. Lease Agreement

Each resident of 1175 Lee Hill will be required to sign a lease with BHP. Violations of this lease agreement will result in corrective action up to, and including, eviction. Residents will pay rent according to their income. Residents must agree to abide by house rules, guest policies, and any other building policies. A copy of the current lease agreement will be made available to the public.

VII. Property Management

The primary building features include:

- 31-units of one bedroom apartments;
- Indoor community room;
- Laundry facilities;
- Screened bike storage area;
- Offices for on-site Housing First case management; and
- Potential office space for on-site Veteran's Administration representative.

The role of the property manager is to enforce the lease, house rules and addendums.

In order to assure the residents' safety and well-being, the property will incorporate the following features:

- One main entrance for clients and guests;
- 24-hour locked exterior doors with restricted access;
- Surveillance cameras;
- 24-hour on-site staffing;
- Random security patrols of the building's exterior and interior; and
- Screened, private outside courtyard.

VIII. Building and site maintenance

BHP will work with the neighborhoods to define standards of care for the neighbors during construction of 1175 Lee Hill.

The building will be maintained by BHP and their in-house maintenance staff. BHP will be responsible for landscape upkeep, snow removal and both exterior and interior repairs and preservation.

IX. Resident Complaint Process

As with all BHP properties, complaints and grievances from residents are handled in the following way:

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- Resident calls or submits a written complaint to Property Manager, Case Manager, or equivalent;
- Staff researches the complaint, logs it in the resident's file, and provides written follow up to the resident upon request (i.e., lease violation letter, adverse action letter, referral to mediation);
- If the complaint is not resolved, it continues up the supervisory levels in the same fashion, until it reaches the Executive Director; and
- If not resolved at the Executive Director level and the complainant seeks a non-legal option, the BHP Board of Commissioners can receive a complaint (but again only one that has been fully reviewed by staff). The Board chair may appoint a sub-committee of the Board to review and/or hear the complaint.

X. Neighborhood Communication

Communication between BHP, as the owner and operator of 1175 Lee Hill, and the neighboring community is important to develop and maintain positive relationships. Methods will be established to ensure routine communication, feedback, and monitoring of this Statement of Operations.

In general, the residents and staff of 1175 will be available to participate in community activities, events, meetings as appropriate to help build good relations with the community. BHP has an active Resident Services program that will be available to support on site case management. The BHP Board meets monthly in public session and begins each meeting with public participation and the Board encourages all members of the community to participate in these meetings. Any person can address the Board on any topic, consistent with the public participation guidelines.

In the event of a problem, neighbors will be asked to call the property manager assigned to 1175 Lee Hill for problem resolution. If the property manager cannot resolve the problem, the complaint will be elevated, in a timely manner, through supervisory levels, until it reaches BHP's Executive Director. If the Executive Director and the neighbor cannot come to resolution of the problem, the issue can be elevated to the BHP Board for resolution. Contact information for the property manager and Executive Director will be made available to the public via BHP's website.

XI. Monitoring Plan

The BHP Board of Commissioners will define a plan for reviewing the operations and outcomes related to 1175 Lee Hill.

XII. Amendments to the Statement of Operations

BHP anticipates determining a reasonable timeframe to periodically review and amend this Statement of Operations. Any future modifications to the Statement of Operations will be preceded by a public notice and a public comment period prior to Board adoption.

DRAFT

From: Yegian, Jeffrey
Sent: Tuesday, March 20, 2012 2:22 PM
To: Becker, KC
Cc: Carr, Thomas; Brautigam, Jane; Fetherston, Paul; Rahn, Karen; Appelbaum, Matt; Morzel, Lisa; Wilson, Ken; Plass, Tim; Karakehian, George; Jones, Suzanne; Ageton, Suzy; Cowles, Macon
Subject: Responses to 1175 Lee Hill questions

Council Member Becker,

Here are responses to your questions from yesterday. Please let me know if you would like additional information.

* Will all the BHP board members be present?

All of the currently serving Board of Commissioners members plan to attend.

* When is the next round of tax credit financing? The memo states that if they miss a July deadline to apply for tax credit, there will "most likely be a funding gap" for this project.

The Colorado Housing and Finance Authority (CHFA) currently allocates 9% Low Income Housing Tax Credits through competitive applications submitted March 1 and July 1 of each year. Approximately $10 million in credits is available to fund 8-10 affordable housing projects proposed by non- and for-profit developers across the state. If the July deadline is missed, the next opportunity to apply would be March of 2013. CHFA distributes tax credits to projects based on their financial characteristics, the population served, developer experience and award history, and a fair distribution around the state. Currently, permanent supportive housing is a priority. A delay will mean that this project would have to compete with other projects in Boulder County that anticipate submitting applications in 2013 and 2014. There are no other projects in Boulder County applying for tax credits in July.

* What are the implications if the project is delayed til the next round of LIHTC financing?

Delaying the financing of this project introduces a number of risks, e.g., greater competition for a tax credit allocation, loss of historically low interest rates, decrease in tax credit pricing and increase in construction costs, and delays the ability of the community to realize any savings in societal costs that will result from implementing a Housing First approach. The Colorado Coalition for the Homeless estimated this on the order of $31,000 per person housed of net savings annually to the community.

* Are there any other projects located in Boulder where a similar population is housed?

There are approximately 130 homeless households, mostly singles, receiving permanent supportive housing in Boulder. All of them are located in scattered sites, with approximately 60% located in Central Boulder and 10% in North Boulder. The formal Housing First program for the chronically homeless operated by the Boulder Shelter houses 13 households in Boulder, with nine in Central Boulder, two in South Boulder, and one each in East Boulder and Crossroads neighborhoods.

Jeff Yegian
Acting Housing Division Manager
303-441-4363

From: KC Becker [mailto:kdotcdot@hotmail.com]
Sent: Monday, March 19, 2012 12:39 PM

To: Rahn, Karen
Cc: Council
Subject: 1175 Lee Hill

Karen:
Will all the BHP board members be present?

When is the next round of tax credit financing? The memo states that if they miss a July deadline to apply for tax credit, there will "most likely be a funding gap" for this project. What are the implications if the project is delayed til the next round of LIHTC financing?

Are there any other projects located in Boulder where a similar population is housed?

CAC: Can there be an opportunity at the April 3rd meeting for BHP to respond to the public comments?

Thanks!

KC

From: Rahn, Karen
Sent: Tuesday, March 20, 2012 1:55 PM
To: Ageton, Suzy; Appelbaum, Matt; Becker, KC; 'Macon Cowles'; Cowles, Macon; Karakehian, George; Morzel, Lisa; Wilson, Ken; Plass, Tim; Jones, Suzanne
Cc: Execs
Subject: Questions related to 1175 Lee Hill

There have been several questions which have come up related to 1175 Lee Hill Project. The following is a compilation of those questions and background information. Please let me know if there is any additional information you need.

1. What is the structural relationship between the city and Boulder Housing Partners?
Boulder Housing Partners was created by the city as the city's housing authority. Similar to the Boulder Urban Renewal Authority, once created, is a separate governmental entity with powers granted by state statute. The members of the Board of Commissioners are appointed by the Mayor. Other than appointments and removal of commissioners for cause, the city does not have direct control over BHP and does not have any supervisory role over BHP or its commissioners. The Board of Commissioners includes one council member. The Housing Authority statute provides for BHP to receive legal advice from the city attorney's office for matters such as BHP as a legal entity, open meetings and governance issues. BHP retains its own legal counsel for other matters such as real estate transactions financing, human resources, landlord tenant relations, and other business matters.

2. What operating support does BHP receive from the city?
Since 2010 the city has not provided any funds for general operations, including salaries, to BHP. From 1999, when the city Housing Division and BHP separated,
through 2010 the city provided an average of almost $30,000 per year in salary supp0ort to BHP. From 2007 through 2010 the city provided BHP an average of $113,500 in general operating support. Both types of support discontinued in 2011 and we do not anticipate this resuming. Currently, the only funds BHP receives from the city is affordable housing funds, which BHP competes for with other developers and housing providers in the annual fund round for housing projects.

Cash-in-lieu contributions are placed in the city's Affordable Housing Fund (AHF), which also receives general fund. For the years 2008-2010, BHP received $252,000 in AHF operating support. Although AHF revenues are co-mingled and not tracked separately for expenses, since 84% of the AHF was cash-in-lieu for those years, one could reasonably conclude BHP received approximately $210,000 in cash-in-lieu for operating support.

Understanding the BHP-city relationship was complicated by the connections between the two organizations personnel systems. In 1985, in response to guidance from HUD to all housing authorities in the country, the city began to administer BHP's personnel program. In 1999, via an MOU with the city, the parties clarified that BHP, as a separate entity, was solely responsible for its employees. The city continued to provide support for personnel administration. In 2007, BHP took full responsibility to administer its own payroll. The city does not currently provide any administrative services to BHP other than those related to medical insurance benefits. As the city's housing authority, BHP's employees are included with city employees for medical insurance benefits, which reduces cost per employee. BHP pays for all benefits for employees, plus an administrative fee to the city. BHP owns its own buildings, vehicles and other assets. BHP pays for the use of the city maintenance shop for vehicles.

3. What are the sources of affordable housing funds?
The city uses funds from several sources to support affordable housing. This includes federal grants (HOME, CDBG), cash-in-lieu, general fund, Housing Excise Tax, and property tax (CHAP). Most funding is awarded to housing providers through an annual competitive fund round process open to all including for-profit entities.

4. What public funding and what amounts have or will contribute to 1175 Lee Hill project?
The current estimate for the development of Lee Hill is approximately $7M. Both the project costs and identified sources of funding are preliminary and subject to change:

Boulder County Worthy Cause Pool Funds (2009) awarded	$832,150
City of Boulder Affordable Housing Funds (2011) awarded	$421,000
Metro Denver Homeless Initiative- McKinney Vento Funds	$400,000
CO Division of Housing HOME Funds	$310,000

These funds represent approximately 28% of total project funding sources. The remaining funds will be provided by investors, private foundations, BHP.

5. Why has the property (1175 Lee Hill) changed ownership?
In 2009, Boulder County awarded the Boulder Shelter for the Homeless $832,150 in Worthy Cause II Funds for a transitional housing project. At the time only non-profits were eligible to receive the funds, so the property was purchased by the Boulder Shelter for the Homeless, a non-profit 5012c3 organization. A year later, due to changes in eligibility requirements for Worthy Cause Funding, the Shelter transferred the property to BHP. The reason for the transfer was that BHP was the developer, owner and manager of the project and to improve BHP's competitiveness for investor and other financing. At the end of 2011 BHP created a limited liability company for the development. This is a standard risk management approach used by housing authorities and non-profits.

Karen Rahn
Director, Housing and Human Services
City of Boulder
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Management Plan for the Boulder Shelter for the Homeless
Proposed Site at 4869 N. Broadway
Revised December 23, 2002

This plan was created to meet the requirements called out in the City of Boulder ordinance #7132, which amends the Land Use Regulations, Section 9-1-3, B.R.C. 1981. This management plan is one of the requirements of application to operate an overnight shelter in the City of Boulder. Description of the good neighbor process used to create this document and the supporting information and meeting minutes are included as part of this Conditional Use review application.

1. Hours of Operation

Overnight sheltering

The Shelter will offer overnight sheltering from ≈October 1 to April 30, annually. Overnight intake will take place every evening between ≈5 and 7pm. The Shelter will continue its strong policies that keep residents in the facility from 7pm until the next morning. Any resident that insists on leaving the Shelter after 7pm without pre-approval will be denied Shelter services for a minimum of one day to denial for life. The Shelter will close to all non-qualified residents at ≈8:00 am every morning. These hours of operation, and corresponding hours of ingress and egress of Shelter residents, may be modified by the recommendation of the Neighborhood-Shelter Action Group to accommodate such things as school schedules.

Qualified residents, such as those attending case management appointments, health examinations, job training, or night workers who sleep during the day will be permitted in the Shelter during the day. Residents will also be allowed to stay at the Shelter during the day when weather is life threatening and other sources of day shelter are not available (such as on Thanksgiving and Christmas days).

Transition program operations

The Shelter will be available year-round to residents who are under contract as part of the Transition Program. Transition residents come and go based on their individual work schedules and thus may or may not conform to the overnight sheltering schedule described above.

Morning Services

The Shelter will encourage alternative breakfast services to continue in other parts of the city.

The Shelter may offer morning services year-round. Morning services will be available from 6:00 am to 8:00 am each morning on a walk-in basis. Available services will include services such as breakfast and laundry, telephone and mail access. In order to access morning Shelter services, all morning walk-in residents will be required to check-in ≈for identification purposes and for possible case management intervention. These services will not be available to any resident who has been denied Shelter services and is still under those restrictions.

2. Delivery and Trash Collection Times

Although precise delivery and trash collection times will not be available until these services are contracted, the Shelter will strive to schedule all of these services between 8am and 5pm. In addition, most deliveries will come by passenger car and not by truck.

3. Noise Impacts

The Shelter is a quiet place. During the winter, all non-qualified residents will be in the building by 7:00pm with mandatory lights out at 10:00pm, as is current policy. During the summer, when neighborhood noise is most noticeable, the Shelter will only be housing transition residents. Most homeless individuals do not have cars so additional traffic noise will be minimal and, as mentioned above, most deliveries come by passenger car, not by truck.

The Shelter may have accommodations for residents who bring their dogs with them to the Shelter. The Shelter requires residents with dogs to sign a contract that assures their pets will behave and not be disruptive. A breach of this contract can result in denial of Shelter services for a minimum of one day to denial for life.

4. Security

The Shelter uses its own staff to provide security for the facility. The Shelter staff also relies on a strong relationship with the City of Boulder Police, which includes working with a dedicated Police liaison on a regular basis. The Shelter will not allow overnight residents to come and go from the Shelter. Once residents check into the Shelter for the night, they may not leave and return without prior permission. Violation of this policy by any resident will result in denial of Shelter services for a minimum of one day to denial for life. In some cases, such as family emergencies or the securing of other accommodations, residents may leave with out consequence.

Any resident with any kind of weapon must relinquish it at intake. The Shelter considers any knife and most tools (such as box cutters and screwdrivers, etc.) as weapons. Failure to relinquish these items at in-take will result in denial of Shelter services for a minimum of one day. This personal property will be returned to the resident, unless Shelter staff deems it unsafe to do so, when the resident leaves the Shelter.

Illegal weapons turned in at in-take will be turned over to the Police. Any resident found with an illegal weapon in the Shelter will be denied Shelter services for at least 90 days.

Firearms of any kind are not allowed on the Shelter premises.

Turn-away Management

Any resident expelled from the Shelter for a behavior violation will be strongly encouraged by Shelter staff to accept a free ride, via cab or Boulder County Cares (BCC), to the destination of their choice. If the resident refuses to work with the Shelter staff in finding suitable transport out of the area, they will be denied Shelter services for a minimum of one day to denial for life. If the denied resident leaves on foot and is considered a danger to themselves or others, the Police will be called

If a person is denied entry due to inebriation, Shelter staff will work with the denied resident to find them transport from the area. The first option offered by staff will be a strong recommendation that the denied person be transported to the Addiction Recovery Center (ARC). The denied resident will be offered a free ride, via cab or BBC, to the ARC. If this offer is refused, they will be offered a free ride, via cab or BCC, to a location

of their choice. If the resident refuses to work with the Shelter staff in finding suitable transport out of the area, they will be denied Shelter services for a minimum of one day to denial for life. If the denied resident insists on leaving the Shelter property by foot, the police will be called. If the police are called, Shelter staff will try to maintain visual contact with the individual until the police have arrived.

Shelter staff will call the Police if any person, known to staff to be a sex offender registered with the City of Boulder Police Department, is turned away from the Shelter for any reason.

The Shelter supports the neighborhood's desire for a Boulder City Police annex in the area.

5. Drug and Alcohol Policies

The Shelter does not require absolute sobriety as a condition of admittance but has strict rules of behavior, which if violated, can result in denial of Shelter services for a minimum of one day to denial for life.

The Shelter does not, and will not, admit persons who have consumed drugs or alcohol to the point that they are significantly impaired or are a danger to themselves or others. If an inebriated person shows up at the Shelter, they will be denied entry. Shelter staff will work with the denied resident to find them transport from the area. The first option offered by staff will be a strong recommendation that the denied person be transported to the Addiction Recovery Center (ARC). The denied resident will be offered a free ride, via cab or BBC, to the ARC. If the denied resident refuses to be transported to the ARC, they will be offered a free ride, via cab or BCC, to a location of their choice. If the resident refuses to work with the Shelter staff in finding suitable transport out of the area, they will be denied Shelter services for a minimum of one day to denial for life. If the denied resident refuses any transport out of the area and insists on leaving the Shelter property by foot, the police will be called. If the police are called, Shelter staff will try to maintain visual contact with the individual until the police have arrived.

No resident will be allowed to have alcohol or drugs in the Shelter. All alcohol and prescription drugs must be relinquished at intake. Prescription drugs relinquished at intake will be returned to their owner when he or she leaves the facility. All alcohol relinquished at intake or otherwise found on the Shelter's premises will be disposed of or destroyed by Shelter staff, and will not be kept at the facility or returned or delivered to any resident or Shelter user. Any resident or Shelter user found to have stored or left alcohol on Shelter property or on public or private property in the Neighborhood shall be denied Shelter services for a minimum of one day to denial for life.

Any illegal drugs turned in at in-take will be turned over to the Police. Any resident found with illegal drugs in the Shelter will be denied Shelter services for at least 90 days.

6. Loitering

Camping on public or private property is illegal and all neighbors are encouraged to call the police if they encounter such behavior. Loitering on Shelter property is, and will be a violation of Shelter policy and residents will be denied Shelter services for a minimum of one day to denial for life for such actions. Likewise, loitering on any private property around the Shelter is, and will be a violation of Shelter policy and will result in like denial of Shelter services. The Shelter expects to work with the neighborhood, as part of the

Neighborhood-Shelter Action Group, to address any loitering issues not addressed by the above policies.

The Shelter will also ask Boulder County Cares to assist any homeless persons, that are not staying at the Shelter, in securing transpiration out of the area. The Shelter also expects to work closely with the Police to address any loitering issues that may arise.

Overnight Residents will queue for intake in the late afternoon, which will take place in an inviting inner courtyard that will have restroom access.

Transportation
Many residents will come and go from the Shelter by bus, which greatly reduces the possibility of loitering. The Shelter will offer free transport, to and from the downtown area of Boulder, on a scheduled basis, for all residents who want a ride. This service will be provided by the Shelter and/or by Special Transit. These shuttles will load and unload directly in front of the Shelter intake door. Residents will also travel on the SKIP and free SKIP tokens will be available to residents. The Shelter will construct a SKIP shelter for Shelter resident's in a location to be determined by the new SKIP routes. The Shelter will work with the City to create a crosswalk for residents if the SKIP stop for the Shelter is on the east side of Broadway.

7. Shelter Employee Education

All new Shelter employees are required to go through a 60-hour training program that includes instruction in areas such as: one-on-one communication skills, setting professional boundaries, recognizing and responding to mental illness, recognizing and responding to substance abuse and alcoholism, medical problems and emergencies, women's issues, interagency relationships, and all of the Shelter's written policies and procedures.

8. The Shelter's Responsibility as a Good Neighbor

As part of the Shelter's commitment to be a good neighbor, the Shelter plans to pave the blocks of Front Range Drive and 11th Street that abut the new site. The Shelter is also committed to daily trash pick-up in the areas adjacent to the Shelter grounds. Snow removal on the sidewalks along Broadway will also be a daily chore for our residents when required. The Shelter plans to create and maintain an aesthetically pleasing landscape around the facility.

The Shelter desires to be part of a Police sponsored neighborhood watch group and will host such meetings if asked.

9. Neighborhood Outreach and Methods for Future Communication

Every neighbor of the new facility (defined as those notified by the City) will receive the Shelter's quarterly newsletter. This publication contains information about the Shelter's operations, volunteer opportunities, notices of upcoming events and Shelter contact information including our 24 hour-a-day staffed telephone number. Volunteer opportunities at the Shelter will be made available specifically for anyone in the neighborhood with a desire to volunteer.

The Shelter will create a standing Board committee called the Neighborhood-Shelter Action Group that will serve as the primary vehicle for on-going Neighborhood-Shelter

communications. This group will include Shelter Board members, Shelter staff and representatives from the surrounding neighborhoods. This group will have a maximum of (10) members and will meet at the request of either the Shelter or the neighborhood representatives. The purpose of this committee will be to offer recommendations to the Shelter Board and/or to the neighborhood associations on how either can become better neighbors, develop options for engaging the neighborhood in Shelter activities, and, if necessary, Shelter-neighborhood dispute resolution.

10. Dispute Resolution

Neighbors will be asked to call the on-duty Shelter staff for problem resolution. If the staff person can not resolve the problem, the complaint will be elevated, in a timely manner, to the Shelter's Executive Director. If the Executive Director and the neighbor can not come to agreement, the issue can be elevated to the Neighborhood-Shelter Action Group for resolution. If the Action Group is unable to resolve the issue, the neighborhood representatives from the Action Group will be asked to present the issue to the Shelter's Board of Directors. If the Shelter Board and the neighborhood representatives can not resolve the issue, either party may request third party mediation and/or file a grievance with the appropriate City agency.

11. Other Issues

The Shelter will offer overnight sheltering for up to (160) people in the new facility at 4869 Broadway. If the Shelter wishes to increase the number of residents spending the night in this facility beyond (160), the Shelter will notify the neighbors and hold a good neighbor meeting per City ordinance. In addition, the Shelter will re-submit its management plan to the City Planning Department for re-approval at the higher density occupancy.

The Shelter is also required, by land use code, to resubmit its management plan to the City Planning Department every three years for review. Thus, if the original submittal in February of 2002 is approved, the Shelter must resubmit its management plan in February of 2005 and every three years thereafter.

The Shelter will support neighborhood efforts to prevent Front Range Drive from connecting to 10th Street in the Dakota Ridge neighborhood.

The Shelter will readdress (if needed) the availability of restrooms for non-residents in the area as part of the Shelter-Neighborhood Action Group.

The Shelter will visually screen smoking areas and solar panels (if used) from the surrounding area.

12. Glossary

Level I, II, III, IV—Level I is overnight sheltering services offered to all who abide by the rules of the Shelter.
Level II is the first stage of the Transition program, which requires residents to have signed a contract with the Shelter to begin to address the issues that have contributed to their homelessness.
Level III is the second stage of the Transition program, which requires residents to have signed a contract with the Shelter, be employed or have other means of income, and be sober.

Level IV is the final stage of the Transition program in which residents are living on their own, at an off-site location with case management support from the Shelter.

Qualified residents—Residents who have reason to be at the Shelter at times they would normally not be allowed in the facility. Case management appointments, working for the Shelter as part of a Level II contract or appointments with health care workers are examples.

Non-qualified residents—The converse of qualified residents.

Residents—Anyone who has gone through Shelter in-take and is staying at the Shelter or using Shelter services.

Neighborhood—The area around 4869 N. Broadway which includes Dakota Ridge North, Dakota Ridge West, Dakota Ridge Village, North Briar, and neighbors along Broadway within two blocks of the Shelter.

Life-threatening weather—When the temperature is forecasted to be below 40°F, 50% or greater chance of precipitation and/or winds above 20 mph.

One day—A 24 hour period.

Dog contract—The contract a resident must sign to be allowed to bring a dog into the kennel area of the Shelter. The contact states that the owner is responsible for behavior of the animal.

Illegal weapons—Weapons that are determined to be illegal by the City of Boulder Police.

Behavior violation—Inappropriate behavior as determined by Shelter rules and Shelter staff. Examples include refusing or forgetting to do assigned chores, verbal harassment or threats or leaving the Shelter grounds after 7pm without permission.

Significantly impaired—Any individual who can not perform the basic tasks of life.

Board of County Commissioners

March 19, 2012

Boulder City Council
P.O. Box 791
Boulder, CO 80306

Dear Mayor and Councilmembers,

I am writing on behalf of the Boulder County Commissioners. We continue to appreciate our partnership with the City of Boulder to ensure the quality of life and provide opportunities to those in our community who are most vulnerable. Much of our city-county partnership has been in allocating and leveraging our funding to address our shared values of affordable housing and wrap-around services to those who are the most challenging to serve.

The recent Lee Hill Project is one such partnership that will greatly impact our success in meeting the goals of the Ten Year Plan to Address Homelessness, adopted by the city councils of Boulder, Longmont, Lafayette, and the Boulder County Board of County Commissioners.

The Lee Hill Project, a Housing First apartment building, is an essential model that has known positive outcomes locally, regionally, and nationally. We are fortunate to have skilled and experienced service providers who have the fiscal and programmatic capacity to ensure a successful implementation. Without partners such as Boulder Housing Partners (BHP) and the Boulder Shelter for the Homeless, Boulder County and the City of Boulder would be extremely challenged to address the needs of this population as well as the community impacts of chronic homelessness.

This is why Boulder County has invested Worthy Cause Tax funds in this project. We believe that the site location makes programmatic and business sense, and most importantly, believe that the fears and concerns of the neighbors are being, and will continue to be addressed by these two agencies. We support the City of Boulder in identifying additional ways that concerns can be mitigated, and our staff and Ten Year Plan Advisory Board members will continue to be engaged in a solutions-focused approach to ensure the success of this project.

As you may know, Worthy Cause Tax funding is not a grant. These funds provide specific covenants for the use of the property and the specific programming (Housing First) of this housing stock. We have carefully looked at BHP's due diligence for this property and agree with them that this is the best site for the building and related programming.

Siting any project that serves a hard-to-serve population is extremely difficult and even more so if the project is vetted through a discretionary review process. We support the work to date in identifying the appropriate land use and zoning that has determined where affordable housing and supportive services are allowed. We know that BHP's commitment to continue to engage with concerned neighbors about their needs, the needs of the greater community, and most

Cindy Domenico *County Commissioner* **Deb Gardner** *County Commissioner* **Will Toor** *County Commissioner*

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importantly to implement a successful housing model to decrease chronic homelessness in our community will address our shared interests – in providing greatly needed services to those most in need.

Sincerely,

Cindy Domenico, Chair
Boulder County Board of County Commissioners