

**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: April 20, 2010

AGENDA TITLE: Motion to: a) accept Boulder County Ten Year Plan to Address Homelessness and; b) Delete B.R.C 1981 5-6-10 (a)(1) which reads “a permit from the city manager, in the case of city property”.

PRESENTERS:

Jane S. Brautigam, City Manager
Paul J. Fetherston, Deputy City Manager
Karen Rahn, Director, Housing and Human Services
Carmen Atilano, Office of Human Rights

EXECUTIVE SUMMARY:

During public participation and public hearings City Council and Human Relations Commissioners (HRC) have heard from homeless people and advocates about the need for additional shelter beds and overflow beds when needed and the inability to legally camp at night within the city limits when the beds at the shelter and other locations are full.

On Jan. 19, 2010, City Council directed staff to draft a moratorium on enforcement of the camping or use of a vehicle as residence ordinances. At the Feb. 2, 2010 City Council public hearing, council considered a moratorium and took no action on the suspension of the ordinance.

The HRC included homeless issues as part of their 2010 work plan to consider possible recommendations to City Council regarding two areas: (1) providing input to the Countywide Ten-Year Plan to Address; and (2) consider changes to city ordinances affecting homelessness particularly addressing the concern that homeless people in Boulder have a place where they can *legally* sleep on nights when both the Boulder Shelter for the Homeless and warming centers in the city are at capacity. The HRC is also concerned about the permitting process to the camping ordinance, which may be perceived as being discriminatory with regards to granting and denial of permits by the city.

At its March 15, 2010 meeting, the Human Relations Commission (HRC) motioned and passed recommendations for City Council consideration included under BOARD AND COMMISSION FEEDBACK.

In addition, Boulder County has completed the draft Ten Year Plan To Address Homelessness with recommendations for implementation of a regional approach address homelessness.

This memo identified HRC and staff recommendations and provides an overview of the Boulder County Ten Year Plan To Address Homelessness.

Key Issue Identification: Strategies to address short term and sustainable solutions to homelessness.

STAFF RECOMMENDATION:

Staff requests council consideration of this matter and action in the form of the following suggested motion:

Motion to support staff recommendations to: a) Accept the Boulder County Ten Year Plan to Address Homelessness and b) Delete B.R.C 1981 5-6-10 (a)(1) which reads “a permit from the city manager, in the case of city property”.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- **Economic:** Homeless people in public spaces may discourage potential shoppers from patronizing stores in business districts by creating a perceived unwelcoming or intimidating environment, thus reducing sales. Homeless individuals may use more expensive health care services – such as those at the hospital emergency room – due to the lack of less costly, primary care and early intervention services available for those without insurance, increasing public costs for health care. During economic downturns more families and individuals are at risk of becoming homeless, placing greater demand on non-profits and public entities.
- **Social:** Individuals and families who are homeless are greatly impacted, regardless of the reasons for their homelessness. The longer one remains homeless, the more difficult it is to become self-sufficient as opportunities and even belief in oneself diminish. Without the stability of a home it is more difficult to obtain and maintain other basic necessities of life and avoid more costly emergency medical care, drug and alcohol treatment, and mental health intervention. Addressing homelessness in a sustainable, comprehensive and coordinated manner will help move homeless individuals and families into more stable daily living. Stability enables greater self-sufficiency and assists people to become more civically engaged members of the community who contribute tax revenue instead of requiring it to meet their basic needs.

OTHER IMPACTS:

- **Fiscal:** Additional significant funding for new homeless initiatives directed by council would come from the Human Services Fund Transitional and Emergency Reserve.
- **Staff time:** Staffing of this work plan is within the current 2010 HHS work plan.

BOARD AND COMMISSION FEEDBACK:

At its March 15, 2010 meeting, the Human Relations Commission (HRC) motioned and passed with a vote of 3-1 (one commissioner absent) the following recommendations for City Council consideration (*Attachment A*):

1) That the city immediately fund, up to an amount to be determined in cooperation with staff and up to three years, a salary for the Executive Director of Boulder Outreach for Homeless Overflow (BOHO) or other position or agency determined by staff to coordinate emergency shelter sites; a vehicle to transport homeless individuals to designated overflow shelter venues; related vehicle insurance costs; and costs related to the faith community and other venues' participation in the overflow program. Monies in the Human Services Fund Emergency and Transitional Reserve will be allocated for this purpose; and

2) That City Council direct staff to define the process through which a permit can be requested under B.R.C. 1981 5-6-10 (*Attachment B*) and the criteria on which such a request will be granted or denied. City Council will also direct staff to publicly clarify this process and related criteria to the community.

The dissenting vote addressed the recommendations focused on 2) B.R.C. 1981 5-6-10 and wait until information was presented on the Ten Year Plan to Address Homelessness to vote on 1) and that the HRC should wait until more information was presented before making recommendations about how staff should direct funds.

At its April 5, 2010 meeting, the HRC heard an overview presentation of the draft Boulder County Ten Year Plan to Address Homelessness. The HRC motioned and passed with a vote of 4-0 (one commissioner absent) that the HRC communicate to City Council its support for the goals, priorities, strategies of the Boulder County Ten-Year Plan to Address Homelessness.

PUBLIC FEEDBACK:

The council received public feedback on homeless issues during public participation at the Jan. 19, 2010 and Feb. 2, 2010 regular meeting. The HRC has received public comment on homeless issues at meetings on Sept. 21, Oct. 19 and Dec.17, 2009 and Jan.25 and April 5, 2010. City staff held a meeting on Jan. 26 with stakeholders to explore short term and long term options for addressing current homelessness issues.

BACKGROUND:

The city plays a key role in combating homelessness. These efforts include developing and implementing social policy to meet the needs of the community, providing financial support to non-profit organizations focused on homelessness and homelessness prevention and collaborating with other governmental agencies, service and community organizations to provide for the health and safety of residents. The department's role in combating homelessness consists of: (1) providing support to the non-profit sector for both capital and operating expenses (*Attachment C*); and (2) collaborating with other governmental agencies, funders and non-profit

organizations to develop a coordinated response. The city has and continues to work with the community to identify both short term and long term options to address community needs. Currently, the Human Relations Commission (HRC) has homeless issues on their 2010 workplan. Boulder County has been coordinating the development of a Ten Year Plan to Address Homelessness. Recommendations from both of these efforts is included in the memo.

There has been increasing concern about the impact of the recession and an increase in homelessness in the community as a result of the downturn in the local economy. Anecdotal reports from agencies serving the homeless population indicate that an increase is occurring. Based on the current economic conditions and availability of resources at the federal, state and local level, there are concerns regarding an increase in homelessness in the community, the availability of shelter beds -particularly during winter months- and other resources for addressing homelessness, including availability of beds year around or during incimate weather not currently meeting the criteria for emergency shelter or overflow operation and transportation issues.

Current available data do not suggest that Boulder's homeless population has increased significantly over the past five years. The primary data source is the Metropolitan Denver Homeless Initiative (MDHI) bi-annual point in time survey. Nonetheless, anecdotal information from local service providers indicate greater numbers of people seeking assistance. It stands to reason that during an economic recession, an increase in those at-risk of becoming homeless and those who are homeless will increase.

Reasons for homelessness include unemployment, the high cost of housing, mental illness, drug or alcohol abuse, domestic violence, and even choice as a temporary – and sometimes permanent – way of life. The commonality among the homeless is lack of housing and poverty. Across the country, the economic downturn has contributed to the number of families and individuals at-risk of homelessness or becoming homeless as evidenced locally by increases over the past two years in unemployment claims, foreclosures and applications for public subsidies and services. In addition, significant cuts in federal and state budgets have impacted funding for local mental health and other safety net services.

The lack of affordable housing has been identified nationally as a key driver of homelessness and the sustainable path out of homelessness. As a result more sustainable strategies to end homelessness are being developed across the country.

According to the most point in time survey completed in January 2009 there were 563 self-identified homeless persons in Boulder and 1,050 county-wide. The annual number has varied, due in part, to changes in data collection methodology and lack of city specific data until recently. This makes year to year comparisons, or trend analysis, problematic. However, as a point of reference, the survey conducted in 2001 indicated 1,500 homeless county-wide and has varied up and down between 2001 and 2009. Of the 563 self identified homeless captured in the annual survey, respondents indicated they spent the previous night in emergency shelters (not necessarily in Boulder), outside, with family or friends, in a treatment facility, in transitional housing, in a motel/hotel or other accommodations.

The most recent point in time survey indicated the most significant contributing factors to being homeless were:

- Unable to pay rent or mortgage;
- Loss of job;
- Substance abuse problem;
- Breakup of a relationship; and
- Mental illness.

ANALYSIS:

HRC Recommendations

At its Sep. 21, 2009 meeting, the Human Relations Commission (HRC) heard concerns from advocates and homeless members of the Boulder community regarding Boulder camping ordinance. Advocates expressed that the Boulder Shelter for the Homeless is only open in the winter, and when it is closed or full, there is no legal public place for the homeless to sleep. Over twenty homeless individuals spoke on how this issue has cost them jail time, the loss of all their belongings, medical problems, mental health problems, loss of access to essential services, danger and harassment by the police and community members. They suggested a safety net for the interim period between Shelter availability, camping permits and reducing the fine. They asked that the HRC recommend to City Council that the ordinance be reviewed. The HRC requested to speak with the Police and Municipal Court and hold a public hearing.

The HRC held a public hearing Oct. 19, 2009. During that hearing, the HRC heard more comments from homeless people concerning the dilemma they face: no legal place to sleep at night when the beds at the Shelter and other locations are full and loss of their possessions when they are taken to county jail.

The HRC also heard from Police Chief Mark Beckner about enforcement of the current camping ordinance and Municipal Judge Linda Cooke regarding court procedures. Fines for violating Boulder's camping ordinance may be \$100, but Municipal Court most often gives violators the chance to provide community service as an alternative to the fine. Housing and Human Services staff also discussed with the HRC issues surrounding public safety and public health concerns regarding total repeal of the ordinance.

The HRC expressed its concerns about the human rights and human dignity implications of Boulder ordinances affecting homelessness populations in Boulder including the need to define the process through which a permit can be requested under B.R.C. 1981 5-6-10 and the criteria by which such a request will be granted or denied. The HRC expressed importance in avoiding perceptions or reality of discrimination with regards to the granting or denial of permits.

The HRC decided that it would include as part of its 2010 workplan, further discussion on the homelessness issue in Boulder for possible recommendation to City Council in two areas: (1) providing input to the Countywide Ten-Year Plan to Address Homelessness in development and that such plan place an emphasis on the "Housing First" model being adopted by other ten-year plans in communities throughout the nation; and (2) consider changes to city ordinances affecting homelessness particularly addressing the concern that homeless people in Boulder have a place

where they can *legally* sleep on nights when both the Boulder Shelter for the Homeless and warming centers in the city are at capacity, especially during the winter months when the elements may threaten life and considering a permit process to the camping ordinance to avoid perceptions of discrimination with regards to granting and denial of permits by the city.

At the Feb. 2, 2010 regular City Council meeting, a public hearing was held regarding a temporary suspension of the city's camping ordinance and unlawful use of a city vehicle as a residence. Council heard public testimony and analysis from staff on these issues and took no formal action.

Staff is recommending deleting B.R.C. 1981 5-6-10 (a) (1), which reads "a permit from the city manager, in case of city property", to address the issue raised by the HRC regarding perceived or real discrimination with regards to the granting or denial of camping permits.

Since Feb. 2, the city has provided \$5,000 in additional funding to Boulder Outreach for the Homeless (BOHO) to coordinate shelter at overflow sites. Based on currently available data, it is estimated that, in addition to the beds available the Boulder Shelter for the Homeless, an additional; 100 beds are needed for overflow. Currently, BOHO is able to provide for overflow as needed to approximately 75 individuals.

[Transportation, shelter policies and overflow policy regarding weather condition triggers and analysis here. Next Steps. Will be provided in final memo submission.].

Boulder County Ten Year Plan to Address Homelessness

Clearly, this issue is not confined to the City of Boulder; more than many issues, addressing homelessness requires a regional approach. Homelessness in Boulder is influenced not only by national and regional economic trends, but, because of the often transient nature of homelessness, also by those beyond the city limits who are currently homeless and those at risk of homelessness. As part of Boulder County's adoption of a human services strategic plan I 2008, an effort was initiated to address homelessness in a more regional and coordinated manner across the county. The city, through the administration of the HUD Consolidated Housing Plan and affordable housing goals, also had an interest in addressing homelessness regionally. In June, 2009, the county, City of Boulder and City of Longmont initiated a community based process to develop a Ten Year Plan to Address Homelessness, similar to other efforts elsewhere across the country. The county provided the significant funding resources to develop the Plan. A draft plan was completed in April, 2010 (***Attachment D***). [Will be included in final memo] The Plan is currently going through a public review process.

The overarching goal of the planning process was to develop a single plan to address homelessness and coordinate existing resources and services to meet needs across the county. The community advisory committee which developed the plan included: Boulder Shelter for the Homeless, Carriage House and Community Table, Emergency Family Assistance Association, Clinica Family Health, Mental Health Center Serving Boulder and Broomfield Counties, Longmont Housing Authority, OUR Center, Sister Carmen, City of Longmont, City of Boulder, and Boulder County.

The Plan is designed to provide a framework for communities to prioritize needs and resources, with a focus on providing needed emergency beds and resources and expanding the Housing First model as the sustainable model for best long term outcomes for individuals, families and the community.

There are six goals with specific strategies identified in the Plan as priority areas. The specific strategies under each goal can be found in the Plan.

- Prevent individuals and families from becoming homeless;
- Provide temporary shelter, alternative housing and supportive services for those who are temporarily homeless;
- Provide permanent housing with supportive services to meet the long-term needs of chronic homeless individuals;
- Improve and implement systems to support efficient and effective plan implementation;
- Promote public awareness and advocacy; and
- Governance and staffing.

In addition to these goals, the plan identifies the development of an evaluation and funding strategy to be able to fully implement the strategies identified.

The Housing First model focuses on moving homeless individuals and families into permanent supportive housing. This model takes into account the varying circumstances of homelessness. It combines permanent housing with specific support services to meet the individual or family needs to improve likelihood of remaining in stable housing and moving toward greater self-sufficiency. Most ten year plans incorporate key elements of the Housing First model. Numerous studies demonstrate the model's effectiveness:

- Decreased amount of time that families and individuals spend homeless;
- Improvements in physical and mental health;
- Reductions in arrests;
- Increased income, including employment income;
- Increased placement and retention in permanent housing; and
- Decline in costs to traditionally used institutions, particularly for chronic homeless.

Expanding the Housing First model also positions the community to compete better for federal resources that are provided for homeless prevention and intervention efforts. The federal Intergaency Council on Homelessness encourages the Housing First model in ten year plans; Federal Homeless Prevention and Rapid Re-housing (HPRP) funding had provided over \$1M new funding to services providers county – wide, specifically to provide financial assistance aimed at prevention efforts and re-housing based on the Housing First model.

Locally, there is limited Housing First program. Currently, there are 36 units through the Boulder Shelter for the Homeless, Boulder Housing Partners (BHP) and the Mental Health Center. Recently, BHP has been negotiating to purchase the parcel of land next to the Shelter on Broadway to develop transitional and supportive housing units. The city partnered with BHP and the Shelter to submit a proposal to HUD for \$3.6 million to develop an additional 40 units, which

would serve needs county-wide. This project would provide housing units for individuals with serious mental illness and/or chronic substance abuse and/or physical disabilities.

In addition to these units, the Mental Health Center provides support services with 220 units in the Shelter Plus Care System which is focused on individuals with major mental illness.

Staff recommends that any significant new resources which become available for homeless initiatives be prioritized to develop permanent supportive housing.

Approved By:

Jane. S. Brautigam

ATTACHMENTS:

A. B.R.C 1981 5-6-10

B. City Funding of Non-Profit Organizations

C. DRAFT Boulder County Ten Year Plan to Address Homelessness