

**MEMORANDUM**

**To:** Councilmember Sally Bagshaw, Councilmember Bruce Harrell and Councilmember Tim Burgess  
**From:** Eric McConaghy and Ketil Freeman  
**Date:** September 13, 2016  
**Subject:** Resolution 31705: Outreach Assessment and Plan for I-5 East Duwamish Greenbelt

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**Summary of Resolution**

The Human Services and Public Health Committee is scheduled to consider Resolution 31705 on September 14. By adopting [Resolution 31705](#) as transmitted by the Mayor, Council would:

- Accept the Human Services Department’s assessment of outreach to people living in the I-5 East Duwamish Greenbelt (“Greenbelt”), Attachment A to the resolution;
- Approve the Mayor’s “I-5 East Duwamish Greenbelt Operational Plan”, Attachment B to the resolution; and
- Recognize the need for long-term investments in the Greenbelt as well as ongoing cooperation with the Washington State Department of Transportation.

**Background**

On May 31, Council adopted [Resolution 31671](#) (RESO 31671) setting out policies and actions agreed to by the Mayor and Council related to outreach, public health, and safety for homeless persons living in Greenbelt, which is defined as “the area east of I-5 from Dearborn Street to Spokane Street, and bordered on the east by 12th Avenue South and Hahn Place S.”

In RESO 31671, the Council and Mayor concurred on:

- specifications for outreach to people living in the Greenbelt, with offers of shelter, housing, and other services appropriate for each person;
- documentation and reporting on outreach efforts;
- enforcement of public health and safety rules;
- removal of hazardous materials and garbage and providing receptacles for garbage/recycling and needles; and
- improvements to the service road and environs.

RESO 31671 set expectations, stating that removal of people and their possessions from the Greenbelt would be contingent upon (1) “meaningful offers of appropriate shelter, housing, or alternative spaces in authorized encampments and services” and (2) Council’s receipt of “an account of the outreach efforts and the results of those efforts.” Also, prior to requiring people to leave the Greenbelt, the Executive will notify Council at least three business days in advance and provide information regarding how many people are expected to be present in the relevant area and what offers of shelter and service have been made to that population. Finally, RESO 31671 specified that no person residing in the Greenbelt would be arrested for being homeless.

Since adoption of RESO 31671 the Mayor and Council have taken other actions and received additional information related to homelessness, outreach to unsheltered persons and removal of encampments from public property. Specifically, on August 31, the Mayor announced the formation of a task force on unsanctioned encampment clean-up protocols. On September 6, the Council introduced Council Bill (CB) 118794, which would set standards and procedures for notice, outreach, and conditions under which the City could remove unsanctioned encampments from public property. And, on September 8, the Council was briefed on *Recommendations for the City of Seattle's Homeless investment Policy* by Barbara Poppe and Associates and the Mayor's proposed Pathway Home Initiative.

### **Potential Issues**

At the HSPH meeting on September 14, staff will ask the Committee to provide direction related to the two issues identified below. Potential amendments related to the issues are also set out in draft form.

#### **Issue: Should the Council approve the operational plan?**

##### **Option #1: Approve the operational plan**

Council's approval of the operational plan would give the authorization the Mayor has requested to move forward with actions called for in the plan. The Mayor's request that Council authorize the implementation plan is not called for in the previous resolution nor is it required to provide legal authority to undertake any actions identified in the plan. However, it does seem consistent with Council's interest in being informed of the City's efforts in the Greenbelt.

##### **Option #2: Modify the language to specify acceptance of the plan, but not approval.**

Council could amend the resolution to characterize Council action as acceptance. This would neither approve nor disapprove of the plan. The amendment would read as follows, with additions underlined and deletions ~~struck~~.

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Section 2. The City's "I-5 East Duwamish Greenbelt Operational Plan" (see Attachment B to this resolution), which details the operational plan for near-term initial infrastructure improvements and brush removal work in the Greenbelt, is hereby ~~approved~~ accepted.

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**Issue: Should the Council state an intent to distinguish encampment clean-up and removal activity taken pursuant to the operational plan from protocols or regulations that may be recommended by the task force on unsanctioned encampments or Council deliberations on CB 118794?**

**Option #1: Make no changes and approve the Resolution as proposed.**

Removal of unsanctioned encampments in the Greenbelt would be conducted pursuant to the steps specified in the operational plan and subject to the existing requirements of MDAR 08-01. Any future encampment removal activity in the Greenbelt taken after the City has modified removal procedures as a result of Council consideration of recommendations by the task force or as a result of Council consideration of CB 118794 would be subject to those revised regulations, if any, once they are effective.

**Option #2: Add a section setting out the Council's intent to distinguish the near term actions in the operational plan from long term policy related to removal of unauthorized encampments.**

To clarify that Council does not intend to set a precedent for encampment removal, Council could amend the resolution to clarify that consideration of actions taken as described in the operational plan is distinct from the consideration of encampment clean-up and removal activity conducted under potentially new protocols.

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Section 3. By acting on the operations plan attached to this Resolution as Attachment B, Council does not endorse or approve any policy related to encampment removal in other parts of the City. Council intends to establish encampment clean-up and removal protocols or regulations informed by recommendations from the Task Force on Unsanctioned Encampment Cleanup Protocols and Council deliberations on Council Bill 118794.

cc: Kirstan Arestad, Central Staff Executive Director  
Ketil Freeman, Supervising Analyst