

# **MEMORANDUM OF UNDERSTANDING**

## **Transitioning people out of state rights of way in Thurston County**

### **PARTIES**

This is an agreement of the following parties:

- Washington State Department of Commerce (“COM”)
- Washington State Department of Transportation (“WSDOT”)
- Washington State Patrol (“WSP”)
- City of Olympia
- City of Lacey
- City of Tumwater
- Thurston County

### **PURPOSE**

This memorandum establishes an understanding between the parties regarding the resources and processes that will be deployed to assist people in moving out of state rights of way and into housing.

### **GUIDING PRINCIPLES**

The signatories understand that it will require working in a collaborative fashion to achieve the short-term goal of transitioning people from specific prioritized state rights of way into housing by implementing the following strategies:

- Promptly identifying shelter and housing that people living in rights of way can be referred to.
- Engaging people living in rights of way to assess their needs and refer them to identified emergency and other housing and other available services with their selected belongings prior to the clearing of rights of way.
- Identify and implement strategies to keep cleared sites uninhabited.
- Identify strengths and weaknesses in the short-term strategy to implement a more comprehensive long-term approach to individuals and families living in public places.

### **GOALS AND OBJECTIVES**

The signatories understand that it will require working in a collaborative fashion to achieve the short-term goal of transitioning people from specific prioritized state rights of way into housing by implementing the following strategies:

- Promptly identifying existing emergency and other housing that people living in rights of way can be referred to.
- Engaging people living in rights of way to assess their needs through coordinated entry or other assessments and refer them to identified emergency and other housing and other available services.
- Immediately begin to create additional emergency and other housing dedicated to people living in rights of way.
- Identify and implement strategies to keep cleared sites uninhabited.
- Identify strengths and weaknesses in the short-term strategy to implement a more comprehensive long-term approach to individuals and families living in public places.

## STRUCTURE

- **COMMERCE** shall be represented by Diane Klontz, Assistant Director, Telephone: (360) 725-4142, Email: [diane.klontz@commerce.wa.gov](mailto:diane.klontz@commerce.wa.gov).
- **WSDOT** shall be represented by Amy Scarton, Deputy Secretary - Transportation, Telephone: (206) 515-3401, Email: [scartoa@wsdot.wa.gov](mailto:scartoa@wsdot.wa.gov).
- **WSP** shall be represented by John Batiste, Chief of the Washington State Patrol, Telephone: (360) 596-4000, Email: [john.batiste@wsp.wa.gov](mailto:john.batiste@wsp.wa.gov).
- **Thurston County** shall be represented by Tom Webster, Office of Housing and Homeless Prevention, Telephone: (360) 867-2531, Email: [thomas.webster@co.thurston.wa.us](mailto:thomas.webster@co.thurston.wa.us).
- **City of Lacey** shall be represented by Rick Walk, Director of Community and Economic Development, Telephone: (360) 438-2638, Email: [RWALK@ci.lacey.wa.us](mailto:RWALK@ci.lacey.wa.us).
- **City of Olympia** shall be represented by Darian Lightfoot, Housing Programs Manager, Telephone: (360) 753-8033, Email: [dlightfo@ci.olympia.wa.us](mailto:dlightfo@ci.olympia.wa.us).
- **City of Tumwater** shall be represented by Brad Medrud, Long Range Planning Manager, Telephone: (360) 754-4180, Email: [BMedrud@ci.tumwater.wa.us](mailto:BMedrud@ci.tumwater.wa.us).

## COMMITMENTS

The Parties to this MOU agree that:

COM, WSP, and WSDOT will commit and prioritize available appropriations and other state capacities at the scale necessary to address people living in state rights of way sites identified by the WSDOT.

Local governments will expand and prioritize local capacity to perform outreach and provide housing to individuals and families living in state rights of way identified by WSDOT.

WSDOT and WSP will work with local governments to maintain and secure sites that have been relocated from the state rights of way.

It is the intent of the parties to this agreement to pursue specific agreements to implement the following to address people living in state rights of way identified by WSDOT, subject to change as needed to address changing circumstances. Commitments to projects and funding beyond the first year are subject to review under the required stakeholder feedback process, the results of which may necessitate changes to the agreement and related contracts. The specifics of how funding will flow from the state and who will execute the work will be determined later, specified in contracts separate from this agreement:

1. Outreach to people living in WSDOT identified state rights of way, including offering them coordinated entry intake and assessment and referrals and/or placement in emergency or other housing starting in June 2022, funded by the state for three years.
2. Prioritization of at least 24 existing shelter beds for people living in WSDOT identified state rights of way starting June 2022, funded by the state for three years.
3. Expansion of existing hotel leasing, case management, and support services for domestic violence survivors, homeless youth, and other people living in identified state rights of way for which regular shelter placements are not appropriate, starting in July 2022; funded by the state for three years.
4. Siting, site improvements, and acquisition or building of fifty new tiny homes (capacity for about sixty people) prioritized for people living in WSDOT identified state rights of way, each with a

window and locking door, with ready access to hygiene and food, occupancy goal of September 2022, or as soon as possible thereafter; funded by the state.

5. State capital and long-term operating and service funding, increased or decreased based on the number of units available, agreed to, and provided, for the purchase and renovation of a hotel, or other existing high-density housing, that would provide approximately 100 units with an initial occupancy availability goal of September 2022, or as soon as possible thereafter. Up to half of the units will be prioritized for people living in or relocated from WSDOT-identified state rights of way, in alignment with the portion of project funding derived from sources dedicated to housing people living in state rights of way.
6. State capital and long-term operating and service funding, increased or decreased based on the number of units available, agreed to, and provided, for the siting and construction of approximately 50 new units of permanent housing with necessary services. At least half of the units will be prioritized for people living in or relocated from WSDOT-identified state rights of way, in alignment with the portion of project funding derived from sources dedicated to housing people living in state rights of way
7. Additional state capital and long-term operating and service funding for the project(s), based on the number of units available, agreed to, and provided, currently under development to address funding gaps and that is associated with people living in or relocated from WSDOT identified state rights of way.
8. Adequate funding for staff time associated with coordination and administration of rights of way activities; funded by the state for three years.
9. State Patrol engaged with serving notice to and removal as needed of people on WSDOT identified state rights of way.
10. State Patrol is readily available to assist with people living on WSDOT-identified rights of way through regular monitoring of sites by local governments.
11. WSDOT cleans sites after people have been relocated and makes site improvements to prevent future occupancy. WSDOT will respond to requests for additional or ongoing site changes identified by local governments to help prevent re-occupancy.
12. WSDOT and WSP will coordinate with local governments to monitor and maintain cleared state rights of way sites.

This agreement covers WSDOT-identified state rights of way sites that will be mutually agreed to by the parties to this agreement. The number of sites and people addressed through this agreement is subject to increase or decrease based on a good faith review of the adequacy of committed and available resources and what is needed to address the identified sites and the individuals and families living on them.

#### **AMENDMENTS**

Any amendments to this Agreement shall be in writing and agreed to by all parties.

#### **TERMS**

The parties to this agreement are required to give 90 days advance notice of their intent to withdraw from the agreement. At this time the term of this Memorandum is open-ended and will remain so until the majority of signatories decide to terminate the partnership.

**SIGNATURES**

Washington State Department of Commerce \_\_\_\_\_  
*Signature of Diane Klontz*                      *Date*

Washington State Department of Transportation \_\_\_\_\_  
*Signature of Amy Scarton*                      *Date*

Washington State Patrol \_\_\_\_\_  
*Signature of John Batiste*                      *Date*

Thurston County \_\_\_\_\_  
*Signature of Ramiro Chavez*                      *Date*

City of Lacey \_\_\_\_\_  
*Signature of Scott Spence*                      *Date*

City of Olympia \_\_\_\_\_  
*Signature of Steven J. Burney*                      *Date*

City of Tumwater \_\_\_\_\_  
*Signature of Debbie Sullivan*                      *Date*

Approved as to Form

*Michael M. Young*  
\_\_\_\_\_  
Deputy City Attorney