



# Meeting Agenda

## City Council

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8244

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**Tuesday, June 5, 2018**

**7:00 PM**

**Council Chambers**

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**1. ROLL CALL**

**1.A ANNOUNCEMENTS**

**1.B APPROVAL OF AGENDA**

**2. SPECIAL RECOGNITION - None**

**3. PUBLIC COMMUNICATION**

*(Estimated Time: 0-30 Minutes) (Sign-up Sheets are provided in the Foyer.)*

*During this portion of the meeting, citizens may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these three areas: (1) on agenda items for which the City Council either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure.*

*Individual comments are limited to three (3) minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the City Council will refrain from commenting on individual remarks until all public comment has been taken. The City Council will allow for additional public comment to be taken at the end of the meeting for those who signed up at the beginning of the meeting and did not get an opportunity to speak during the allotted 30-minutes.*

**COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)**

**4. CONSENT CALENDAR**

*(Items of a Routine Nature)*

**4.A [18-0539](#) Approval of May 29, 2018 City Council Meeting Minutes**

**Attachments:** [Minutes](#)

**4.B [18-0543](#) Bills and Payroll Certification**

**Attachments:** [Bills and Payroll](#)

**4. SECOND READINGS (Ordinances) - None**

**4. FIRST READINGS (Ordinances) - None****5. PUBLIC HEARING - None****6. OTHER BUSINESS**

- 6.A** [18-0345](#) Approval of an Ordinance for Emergency Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government; First and Final Reading

Attachments: [Ordinance](#)

[Tiny House Village White Paper](#)

[Just Housing Comments](#)

[Just Housing Comments](#)

**7. CONTINUED PUBLIC COMMUNICATION**

*(If needed for those who signed up earlier and did not get an opportunity to speak during the allotted 30 minutes)*

**8. REPORTS AND REFERRALS****8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS****8.B CITY MANAGER'S REPORT AND REFERRALS****9. ADJOURNMENT**

*The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council meeting, please contact the Council's Executive Assistant at 360.753.8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.*



City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8244

## City Council

### Approval of May 29, 2018 City Council Meeting Minutes

**Agenda Date:** 6/5/2018  
**Agenda Item Number:** 4.A  
**File Number:** 18-0539

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**Type:** minutes **Version:** 1 **Status:** Consent Calendar

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**Title**

Approval of May 29, 2018 City Council Meeting Minutes



# Meeting Minutes - Draft

## City Council

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8244

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**Tuesday, May 22, 2018**

**7:00 PM**

**Council Chambers**

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### 1. ROLL CALL

**Present:** 4 - Mayor Cheryl Selby, Mayor Pro Tem Nathaniel Jones, Councilmember Lisa Parshley and Councilmember Renata Rollins

**Excused:** 3 - Councilmember Jessica Bateman, Councilmember Jim Cooper and Councilmember Clark Gilman

### 1.A ANNOUNCEMENTS

### 1.B APPROVAL OF AGENDA

The agenda was approved.

### 2. SPECIAL RECOGNITION

#### 2.A [18-0496](#) Special Recognition - Proclamation Recognizing Olympia Heritage Month

City Historic Preservation Officer Michelle Sadlier discussed City of Olympia Heritage Month. Mayor Pro Tem Jones read a proclamation recognizing Olympia Heritage Month.

Councilmembers thanked Ms. Sadlier for her work as this was her last appearance in front of the City Council before starting a new position in State service.

**The recognition was received.**

#### 2.B [18-0519](#) Special Recognition - Presentation by Garden Raised Bounty (GRuB)

GRuB Director of Youth Programs Kim Gaffi gave an update of the GRuB program.

Councilmembers gave praise for the program.

**The recognition was received.**

### 3. PUBLIC COMMUNICATION

The following people spoke: Sara White, Ainsley Austin, and Michael Cade.

### COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

**4. CONSENT CALENDAR**

- 4.A [18-0522](#) Approval of May 15, 2018 Study Session Meeting Minutes

**The minutes were approved.**

- 4.B [18-0523](#) Approval of May 15, 2018 City Council Meeting Minutes

**The minutes were approved.**

- 4.C [18-0517](#) Approval of a Funding Request from Interfaith Works to Support the Community Care Center

**The decision was approved.**

- 4.D [18-0518](#) Approval of Proposed Changes to Advisory Board and Committee Process

**The decision was approved.**

- 4.E [18-0390](#) Approval of Bid Award for the State Avenue and Phoenix Street Sidewalk and Pedestrian Crossing Improvements Project

**The decision was approved.**

- 4.F [18-0393](#) Approval of Water Supply Agreement Between the Cities of Lacey and Olympia for the Use of Emergency Water System Intertie

**The decision was approved.**

- 4.G [18-0443](#) Approval of a Resolution Authorizing an Interlocal Agreement with Thurston County for Specialized Recreation

**The resolution was approved.**

- 4.H [18-0429](#) Approval of a Resolution to Accept a Funding Board Project Agreement with the Washington State Recreation and Conservation Office for the Kaiser Woods Acquisition Project

**The resolution was approved.**

- 4.I [18-0434](#) Approval of a Resolution to Accept a Funding Board Project Agreement with the Washington State Recreation and Conservation Office for the LBA Woods Morse-Merryman Acquisition Project

**The resolution was approved.**

- 4.J [18-0435](#) Approval of a Resolution to Accept a Funding Board Project Agreement with the Washington State Recreation and Conservation Office for the

## West Bay Woods Acquisition Project

**The resolution was approved.**

- 4.K**     [18-0472](#)     Approval of Resolution Authorizing the Purchase of Real Estate Owned by Raymond and Pamela Berschauer

**The resolution was approved.**

- 4.L**     [18-0473](#)     Approval of Resolution Authorizing the Purchase of Real Estate Owned by The Herbrand Company

**The resolution was approved.**

- 4.M**     [18-0474](#)     Approval of Resolution Authorizing the Purchase of Real Estate Owned by Claude R. Nickerson

**The resolution was approved.**

- 4.P**     [18-0526](#)     Approval of the Proposed Agenda Items, Location, and Facilitator for the Mid-Year City Council Retreat on June 9, 2018

**The decision was approved.**

#### **4. SECOND READINGS (Ordinances)**

- 4.N**     [18-0255](#)     Approval of an Ordinance Amending 2016 Parks General Obligation Bond Anticipation Note

**The ordinance was approved on second reading.**

- 4.O**     [18-0453](#)     Approval of an Ordinance Appropriating 2017 Year End Funds

**The ordinance was approved on second reading.**

#### **Approval of the Consent Agenda**

**Mayor Pro Tem Jones moved, seconded by Councilmember Parshley, to adopt the Consent Calendar. The motion carried by the following vote:**

**Aye:**            4 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Parshley and Councilmember Rollins

**Excused:**     3 - Councilmember Bateman, Councilmember Cooper and Councilmember Gilman

#### **4. FIRST READINGS (Ordinances) - None**

#### **5. PUBLIC HEARING - None**

## 6. OTHER BUSINESS

### 6.A [18-0514](#) Draft 2018 CDBG Annual Action Plan and Public Process

Program Manager Anna Schlecht discussed the Draft Community Development Block Grant (CDBG) Program Year (PY) 2018 Annual Action Plan. She noted the funds for PY 2018 are anticipated to be \$1,000,000.

Ms. Schlecht reviewed the General Government Committee recommendations for the CDBG Program Year 2018 Action Plan. Mayor Selby noted these recommendations were not brought forward unanimously as she preferred to have a range of dollars attributed to each item rather than a set amount.

**Mayor Pro Tem Jones moved, seconded by Councilmember Parshley, to accept draft recommendations from General Government Committee; launch the 30-day Citizen Participation Process and schedule a public hearing on June 12 for the CDBG Program Year 2018.**

**Aye:** 4 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Parshley and Councilmember Rollins

**Excused:** 3 - Councilmember Bateman, Councilmember Cooper and Councilmember Gilman

### 6.B [18-0515](#) Draft Strategies and Public Process for CDBG Five-Year Consolidated Plan

Ms. Schlecht reviewed the anticipated 5-year plan funding and the priorities moving forward. The priorities recommended by the General Government Committee are public facilities (day center), housing, and land acquisition.

She shared the timeline for the public process:

May 22: Council to launch public process

May 23: May 23 - June 30, public comment period

June 12: Public hearing

June 13: Submit Consolidated Plan and PY 2018 Plan to the Department of Housing and Urban Development.

Councilmembers asked clarifying questions.

**Mayor Pro Tem Jones moved, seconded by Councilmember Gilman, to approve draft recommendations from the General Government Committee; launch the Citizen Participation Process and schedule a Public Hearing on June 12 for the Community Development Block Grant (CDBG) Five-Year Consolidated Plan.**

**Aye:** 4 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Parshley and Councilmember Rollins

**Excused:** 3 - Councilmember Bateman, Councilmember Cooper and Councilmember Gilman

**7. CONTINUED PUBLIC COMMUNICATION**

**8. REPORTS AND REFERRALS**

**8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**

Councilmembers discussed meetings and events attended.

**8.B CITY MANAGER'S REPORT AND REFERRALS**

City Manager Steve Hall reported citizens have been expressing concerns regarding an encampment on Devoe Street and shared he will reach out to Thurston County to work together on the issue. He also noted the Thurston County Historical Journal can be found in libraries and other places throughout the City.

**9. ADJOURNMENT**

The meeting adjourned at 8:14 p.m.



City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8244

## City Council

### Bills and Payroll Certification

**Agenda Date:** 6/5/2018  
**Agenda Item Number:** 4.B  
**File Number:** 18-0543

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**Type:** decision **Version:** 1 **Status:** Consent Calendar

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**Title**  
Bills and Payroll Certification

**CITY OF OLYMPIA  
PAYROLL CERTIFICATION**

The Administrative Services Director of the City of Olympia, Washington, hereby certifies that the payroll gross earnings, benefits, and LEOFF I post-retirement insurance benefits for the pay cycle ending **5/15/2018** have been examined and are approved as recommended for payment.

<b>Employees Net Pay:</b>	<u>\$ 1,473,510.06</u>
<b>Fire Pension Net Pay:</b>	<u>\$ -</u>
<b>Employer Share of Benefits:</b>	<u>\$ 770,885.83</u>
<b>Employer Share of LEOFF I Police Post-Retirement Benefits:</b>	<u>\$ -</u>
<b>Employer Share of LEOFF I Fire Post-Retirement Benefits:</b>	<u>\$ -</u>
<b>TOTAL</b>	<u><u>\$ 2,244,395.89</u></u>

<b>Payroll Check Numbers</b>	<u>91361</u>	<u>91362</u>	<b>Manual Checks</b>
<b>And</b>	<u>                    </u>	<u>                    </u>	<b>Fire Pension Checks</b>
<b>And</b>	<u>                    </u>	<u>                    </u>	<b>Manual Checks</b>
<b>And</b>	<u>91363</u>	<u>91386</u>	<b>Semi Payroll Checks</b>

and Direct Deposit transmission.

5/29/18  
DATE

*Abbie L. Sullivan*  
ADMINISTRATIVE SERVICES DIRECTOR

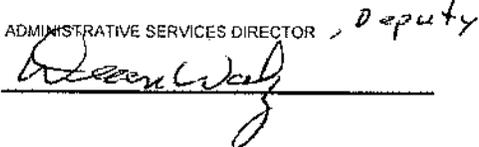
CITY OF OLYMPIA  
EXPENDITURE SUMMARY

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS" AND,

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS"

FOR PERIOD 4/29/2018 5/5/2018  
 FOR A/P ACH PAYMENTS and A/P CHECKS NUMBERED 3700621 THROUGH 3700861  
 FOR OTHER ELECTRONIC PAYMENTS DATED 3/1/2018 THROUGH 3/31/2018

INCLUSIVE IN THE AMOUNT TOTALING

DATED 5/8/2018 ADMINISTRATIVE SERVICES DIRECTOR, Deputy  


TOTAL APPROVED FOR PAYMENT  
FUND

\$1,276,655.35	001	GENERAL FUND
\$0.00	002	SHOP FACILITIES
\$13,965.73	003	REVOLVING ACCOUNT FUND
\$0.00	004	URBAN ARTERIAL FUND
\$931.98	006	Development Fee Revenue
\$4,908.87	007	Parking Fund
\$24,461.48	014	LEOFF 1 OPEB Trust Fund
\$5,818.84	21	Washington Center Endow
\$35,480.31	025	WASHINGTON CENTER
\$11.93	026	MUNICIPAL ARTS FUND
\$3,013.76	029	EQUIP & FACIL REPLACE RES
\$66.49	107	HUD
\$0.00	108	HUD
\$0.00	127	IMPACT FEES
\$0.00	130	SEPA MITIGATION FUND
\$0.00	132	LODGING TAX FUND
\$0.00	133	ARTS AND CONFERENCE FUND
\$0.00	134	PARKS AND REC SIDEWALK UT TAX
\$0.00	136	PARKING BUSINESS IMP AREA
\$0.00	136	FARMERS MRKT REPAIR/REPLC
\$0.00	137	CHILDREN'S HANDS ON MUSEUM
\$40.00	138	TRANS BENEFIT DISTRICT
\$0.00	141	City Metro Park District
\$0.00	208	LID OBLIGATION CONTROL
\$0.00	216	4th/5th AVE PW TRST
\$0.00	223	LTGO BOND FUND '06-PARKS
\$0.00	224	LTGO BOND FUND 2009 FIRE
\$0.00	225	CITY HALL DEBT FUND
\$0.00	226	2010 LTGO BOND-STREETPROJ
\$0.00	227	LOCAL DEBT FUND
\$0.00	228	2010B LTGO BONDS-HOCM
\$0.00	230	LTGO Bond Fund 2016
\$24,209.49	317	CIP
\$0.00	322	4/5th AVE CORRIDOR/BRIDGE
\$0.00	323	CIP CONSTR FUND - PARKS
\$0.00	324	FIRE STATION 4 CONSTRUCT
\$0.00	325	CITY HALL CONST
\$0.00	326	TRANSPORTATION CONST
\$0.00	329	GO BOND PROJECT FUND
\$44,647.50	331	FIRE EQUIPMENT REPLACEMENT FUND
\$64,205.70	401	WATER
\$19,021.14	402	SEWER
\$45,448.06	403	SOLID WASTE
\$7,729.11	404	STORM AND SURFACE WATER
\$0.00	418	Stormwater Debt Service Fund
\$10,222.42	434	STORM AND SURFACE WATER CIP
\$1,277.77	461	WATER CIP FUND
\$13,392.35	462	SEWER CIP FUND
\$7,579.04	501	EQUIPMENT RENTAL
\$0.00	502	C R EQUIPMENT RENTAL
\$0.00	503	UNEMPLOYMENT COMPENSATION
\$3,410.00	504	INS TRUST FUND
\$61,499.57	505	WORKERS COMPENSATION
\$0.00	604	FIREMEN'S PENSION FUND
\$0.00	605	CUSTOMERS WATER RESERVE
\$0.00	621	WASHINGTON CENTER ENDOW
\$0.00	631	PUBLIC FACILITIES
\$0.00	682	LAW ENFORCEMENT RECORD MGNTSYS
\$0.00	701	PARKS-NEIGHBORHOOD
\$0.00	702	PARKS-COMMUNITY
\$0.00	703	PARKS-OPEN SPACE
\$0.00	707	PARKS-SPECIAL USE
\$0.00	711	TRANSPORTATION
\$0.00	720	SCHOOLS
\$1,667,996.89		GRAND TOTAL FOR WEEK

CITY OF OLYMPIA  
EXPENDITURE SUMMARY

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS", AND.

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS".

FOR PERIOD 5/6/2018 5/12/2018  
 FOR A/P ACH PAYMENTS and A/P CHECKS NUMBERED 3700862 THROUGH 3701076  
 FOR OTHER ELECTRONIC PAYMENTS DATED \_\_\_\_\_ THROUGH \_\_\_\_\_

INCLUSIVE IN THE AMOUNT TOTALING

DATED 5/15/18

ADMINISTRATIVE SERVICES DIRECTOR  


TOTAL APPROVED FOR PAYMENT  
FUND

\$115,612.51	001	GENERAL FUND
\$0.00	002	SHOP FACILITIES
\$0.00	003	REVOLVING ACCOUNT FUND
\$0.00	004	URBAN ARTERIAL FUND
\$268,167.96	006	Development Fee Revenue
\$73.03	007	Parking Fund
\$0.00	014	LEOFF 1 OPEB Trust Fund
\$0.00	21	Washington Center Endow
\$2,139.96	025	WASHINGTON CENTER
\$0.00	026	MUNICIPAL ARTS FUND
\$0.00	029	EQUIP & FACIL REPLACE RES
\$2,972.92	107	HUD
\$0.00	108	HUD
\$0.00	127	IMPACT FEES
\$0.00	130	SEPA MITIGATION FUND
\$0.00	132	LODGING TAX FUND
\$0.00	133	ARTS AND CONFERENCE FUND
\$0.00	134	PARKS AND REC SIDEWALK UT TAX
\$0.00	135	PARKING BUSINESS IMP AREA
\$0.00	136	FARMERS MRKT REPAIR/REPLC
\$0.00	137	CHILDREN'S HANDS ON MUSEUM
\$0.00	138	TRANS BENEFIT DISTRICT
\$0.00	141	Oly Metro Park District
\$0.00	208	LID OBLIGATION CONTROL
\$548,038.45	216	4th/5th AVE PW TRST
\$0.00	223	LTGO BOND FUND '06-PARKS
\$0.00	224	UTGO BOND FUND 2009 FIRE
\$0.00	225	CITY HALL DEBT FUND
\$0.00	226	2010 LTGO BOND-STREETPROJ
\$0.00	227	LOCAL DEBT FUND
\$0.00	228	2010B LTGO BONDS-HOCM
\$0.00	230	LTGO Bond Fund 2016
\$60,331.52	317	CIP
\$0.00	322	4/5th AVE CORRIDOR/BRIDGE
\$0.00	323	CIP CONSTR FUND - PARKS
\$0.00	324	FIRE STATION 4 CONSTRUCT
\$0.00	325	CITY HALL CONST
\$0.00	326	TRANSPORTATION CONST
\$0.00	329	GO BOND PROJECT FUND
\$80,871.17	331	FIRE EQUIPMENT REPLACEMENT FUND
\$52,038.98	401	WATER
\$1,257,847.80	402	SEWER
\$27,374.82	403	SOLID WASTE
\$7,140.19	404	STORM AND SURFACE WATER
\$0.00	418	Stormwater Debt Service Fund
\$5,022.22	434	STORM AND SURFACE WATER CIP
\$1,317.21	461	WATER CIP FUND
\$0.00	462	SEWER CIP FUND
\$39,548.51	501	EQUIPMENT RENTAL
\$28,326.12	502	C. R. EQUIPMENT RENTAL
\$0.00	503	UNEMPLOYMENT COMPENSATION
\$85.81	504	INS TRUST FUND
\$48,445.92	505	WORKERS COMPENSATION
\$0.00	604	FIREMEN'S PENSION FUND
\$0.00	605	CUSTOMERS WATER RESERVE
\$0.00	621	WASHINGTON CENTER ENDOW
\$0.00	631	PUBLIC FACILITIES
\$0.00	682	LAW ENFORCEMENT RECORD MGNTSYS
\$0.00	701	PARKS-NEIGHBORHOOD
\$0.00	702	PARKS-COMMUNITY
\$0.00	703	PARKS-OPEN SPACE
\$0.00	707	PARKS-SPECIAL USE
\$0.00	711	TRANSPORTATION
\$0.00	720	SCHOOLS
<hr/>		
\$2,545,355.10	GRAND TOTAL FOR WEEK	



CITY OF OLYMPIA  
EXPENDITURE SUMMARY

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS", AND,

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FOR PERIOD 5/13/2018 5/19/2018  
 FOR A/P ACH PAYMENTS and A/P CHECKS NUMBERED 3701077 THROUGH 3701401  
 FOR OTHER ELECTRONIC PAYMENTS DATED \_\_\_\_\_ THROUGH \_\_\_\_\_

INCLUSIVE IN THE AMOUNT TOTALING

DATED 5/22/18 ADMINISTRATIVE SERVICES DIRECTOR [Signature]

TOTAL APPROVED FOR PAYMENT

FUND		
\$642,490.40	001	GENERAL FUND
\$0.00	002	SHOP FACILITIES
\$19,145.78	003	REVOLVING ACCOUNT FUND
\$0.00	004	URBAN ARTERIAL FUND
\$5,512.63	006	Development Fee Revenue
\$13,717.02	007	Parking Fund
\$402.00	014	LEOFF 1 OPEB Trust Fund
\$0.00	21	Washington Center Endow
\$884.26	025	WASHINGTON CENTER
\$56,680.87	026	MUNICIPAL ARTS FUND
\$10,164.88	029	EQUIP & FACIL REPLACE RES
\$93.92	107	HUD
\$0.00	108	HUD
\$0.00	127	IMPACT FEES
\$0.00	130	SEPA MITIGATION FUND
\$0.00	132	LODGING TAX FUND
\$0.00	133	ARTS AND CONFERENCE FUND
\$0.00	134	PARKS AND REC SIDEWALK UT TAX
\$0.00	135	PARKING BUSINESS IMP AREA
\$0.00	136	FARMERS MKRT REPAIR/REPLC
\$0.00	137	CHILDREN'S HANDS ON MUSEUM
\$0.00	138	TRANS BENEFIT DISTRICT
\$0.00	141	Oly Metro Park District
\$0.00	208	LID OBLIGATION CONTROL
\$0.00	216	4th/5th AVE PW TRST
\$0.00	223	LTGO BOND FUND '06-PARKS
\$0.00	224	UTGO BOND FUND 2009 FIRE
\$0.00	225	CITY HALL DEBT FUND
\$0.00	226	2010 LTGO BOND-STREETPROJ
\$0.00	227	LOCAL DEBT FUND
\$0.00	228	2010B LTGO BONDS-HOCM
\$0.00	230	LTGO Bond Fund 2016
\$309,869.07	317	CIP
\$0.00	322	45th AVE CORRIDOR/BRIDGE
\$0.00	323	CIP CONSTR FUND - PARKS
\$0.00	324	FIRE STATION 4 CONSTRUCT
\$0.00	325	CITY HALL CONST
\$0.00	326	TRANSPORTATION CONST
\$0.00	329	GO BOND PROJECT FUND
\$0.00	331	FIRE EQUIPMENT REPLACEMENT FUND
\$29,842.54	401	WATER
\$11,124.56	402	SEWER
\$389,889.40	403	SOLID WASTE
\$3,686.67	404	STORM AND SURFACE WATER
\$0.00	418	Stormwater Debt Service Fund
\$2,345.03	434	STORM AND SURFACE WATER CIP
\$74,072.00	461	WATER CIP FUND
\$0.00	462	SEWER CIP FUND
\$9,363.10	501	EQUIPMENT RENTAL
\$0.00	502	C. R. EQUIPMENT RENTAL
\$0.00	503	UNEMPLOYMENT COMPENSATION
\$631.70	504	INS TRUST FUND
\$598.00	505	WORKERS COMPENSATION
\$0.00	604	FIREMEN'S PENSION FUND
\$0.00	605	CUSTOMERS WATER RESERVE
\$0.00	621	WASHINGTON CENTER ENDOW
\$0.00	631	PUBLIC FACILITIES
\$0.00	682	LAW ENFORCEMENT RECORD MGMT/SYS
\$0.00	701	PARKS-NEIGHBORHOOD
\$0.00	702	PARKS-COMMUNITY
\$0.00	703	PARKS-OPEN SPACE
\$0.00	707	PARKS SPECIAL USE
\$0.00	711	TRANSPORTATION
\$0.00	720	SCHOOLS

MAY 24 2018

\$1,580,513.83 GRAND TOTAL FOR WEEK

CITY OF OLYMPIA  
EXPENDITURE SUMMARY

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIMS", AND,

"I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT CLAIMS FOR EMPLOYEE AND OFFICER EXPENSES ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF OLYMPIA, AND THAT I AM AUTHORIZED TO CERTIFY SAID CLAIMS".

FOR PERIOD 5/20/2018 5/26/2018  
 FOR A/P ACH PAYMENTS and A/P CHECKS NUMBERED 3701402 THROUGH 3701719  
 FOR OTHER ELECTRONIC PAYMENTS DATED 4/1/2018 THROUGH 4/30/2018

INCLUSIVE IN THE AMOUNT TOTALING

DATED

5/30/18

ADMINISTRATIVE SERVICES DIRECTOR

Debbie L. Sullivan

TOTAL APPROVED FOR PAYMENT

FUND		
\$865,358.15	001	GENERAL FUND
\$0.00	002	SHOP FACILITIES
\$48,209.78	003	REVOLVING ACCOUNT FUND
\$0.00	004	URBAN ARTERIAL FUND
\$307.50	006	Development Fee Revenue
\$3,455.31	007	Parking Fund
\$22,165.39	014	LEOFF 1 OPEB Trust Fund
\$0.00	21	Washington Center Endow
\$0.00	025	WASHINGTON CENTER
\$3,492.23	026	MUNICIPAL ARTS FUND
\$2,254.88	029	EQUIP & FACIL REPLACE RES
\$11,937.01	107	HUD
\$0.00	108	HUD
\$0.00	127	IMPACT FEES
\$0.00	130	SEPA MITIGATION FUND
\$8,333.33	132	LODGING TAX FUND
\$0.00	133	ARTS AND CONFERENCE FUND
\$0.00	134	PARKS AND REC SIDEWALK UT TAX
\$0.00	135	PARKING BUSINESS IMP AREA
\$0.00	136	FARMERS MRKT REPAIR/REPLC
\$0.00	137	CHILDREN'S HANDS ON MUSEUM
\$0.00	138	TRANS BENEFIT DISTRICT
\$0.00	141	Oly Metro Park District
\$0.00	208	LID OBLIGATION CONTROL
\$0.00	216	4th/5th AVE PW TRST
\$0.00	223	LTGO BOND FUND '06-PARKS
\$0.00	224	LTGO BOND FUND 2009 FIRE
\$0.00	225	CITY HALL DEBT FUND
\$0.00	226	2010 LTGO BOND-STREETPROJ
\$0.00	227	LOCAL DEBT FUND
\$0.00	228	2010B LTGO BONDS-HOCM
\$0.00	230	LTGO Bond Fund 2016
\$33,025.30	317	CIP
\$0.00	322	4/5th AVE CORRIDOR/BRIDGE
\$0.00	323	CIP CONSTR FUND - PARKS
\$0.00	324	FIRE STATION 4 CONSTRUCT
\$0.00	325	CITY HALL CONST
\$0.00	326	TRANSPORTATION CONST
\$0.00	329	GO BOND PROJECT FUND
\$9,276.32	331	FIRE EQUIPMENT REPLACEMENT FUND
\$117,858.63	401	WATER
\$35,590.17	402	SEWER
\$93,218.00	403	SOLID WASTE
\$49,526.43	404	STORM AND SURFACE WATER
\$20,193.22	418	Stormwater Debt Service Fund
\$14,252.44	434	STORM AND SURFACE WATER CIP
\$11,601.93	461	WATER CIP FUND
\$520.63	462	SEWER CIP FUND
\$44,045.87	501	EQUIPMENT RENTAL
\$0.00	502	C. R. EQUIPMENT RENTAL
\$0.00	503	UNEMPLOYMENT COMPENSATION
\$97.63	504	INS TRUST FUND
\$86,391.84	505	WORKERS COMPENSATION
\$0.00	604	FIREMEN'S PENSION FUND
\$0.00	605	CUSTOMERS WATER RESERVE
\$0.00	621	WASHINGTON CENTER ENDOW
\$0.00	631	PUBLIC FACILITIES
\$0.00	682	LAW ENFORCEMENT RECORD MGNYSYS
\$0.00	701	PARKS-NEIGHBORHOOD
\$0.00	702	PARKS-COMMUNITY
\$0.00	703	PARKS-OPEN SPACE
\$0.00	707	PARKS-SPECIAL USE
\$0.00	711	TRANSPORTATION
\$5,407.54	720	SCHOOLS
<hr/>		
\$1,488,519.33	GRAND TOTAL FOR WEEK	



## City Council

### Approval of an Ordinance for Emergency Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government; First and Final Reading

**Agenda Date:** 6/5/2018  
**Agenda Item Number:** 6.A  
**File Number:** 18-0345

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**Type:** ordinance **Version:** 2 **Status:** Other Business

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#### **Title**

Approval of an Ordinance for Emergency Housing Facilities Hosted by Faith-Based Organizations, Not-for-Profit Organizations or Units of Government; First and Final Reading

#### **Recommended Action**

##### **Committee Recommendation:**

The Land Use and Environment Committee considered the proposed amendments to the City's Temporary Encampment regulations on May 17 and unanimously recommended that City Council move forward with amendments to the Temporary Encampment Regulations as proposed by staff on an emergency basis.

##### **City Manager Recommendation:**

Move to approve on first and final reading an ordinance amending the City's Temporary Encampment Regulations as proposed by staff on an emergency basis.

#### **Report**

##### **Issue:**

Consider whether to adopt amendments to the City's existing Temporary Encampment Regulations on an emergency basis.

##### **Staff Contact:**

Keith Stahley, Director Community Planning and Development Director 360.753.8227

##### **Presenter(s):**

Keith Stahley, Director Community Planning and Development Director  
Colin DeForrest, Homeless Response Coordinator

#### **Background and Analysis:**

The City of Olympia adopted its first Temporary Encampment Regulations in 2008. These regulations were adopted largely as a response to Camp Quixote's occupation of City-owned property in downtown. These regulations were amended in 2011 to provide for a permanent

encampment on County-owned property in Mottman Industrial Park known as Quixote Village. A single temporary encampment hosted by a faith-based organization was also allowed, however, no temporary encampments have been hosted by faith-based organizations since Quixote Village was established.

Emergency Housing Facilities in the form of tiny house villages are now a commonly accepted practice for responding to homelessness with emergency and transitional housing. Both the City of Seattle and the City of Eugene have seen multiple emergency housing facilities established in the past three years. See the attached White Paper for more information about this type of Emergency Housing.

The City of Olympia's existing Temporary Homeless Encampment (THE) regulations are very limiting when it comes to these types of facilities. They only allow one facility on County property and one additional facility that can move from church site to church site in the entire City. Based on the number of unsheltered people living in and around Olympia there appears to be a need for multiple facilities.

#### Proposed Amendments:

- Change the name of the regulations to Emergency Housing Facility Regulations
- Eliminate the differentiation between types of Emergency Housing Facilities
- Increase the number of Emergency Housing Facilities Allowed
- Allow THEs to be operated by or hosted on faith based, not-for-profit organizations and governmental entities
- Reduce barriers for clients
- Reduce barriers for host organizations

#### Process

Staff proposes moving this forward and adopting these regulations as interim or emergency regulations. This would allow the regulations to go into effect immediately. City Council must then hold a public hearing within 60 days with the intention of adopting permanent regulations within six months.

Staff is actively working with religious institutions to create opportunities for siting emergency housing facilities on their property. Having regulations in place that allow for the creation of emergency housing facilities would help to facilitate these conversations.

The Land Use and Environment Committee discussed using the emergency ordinance as a way to address the immediate need for additional housing options while allowing time to thoroughly consider how to address issues of safety in and around emergency housing facilities.

#### Just Housing Comments

Two documents from Just Housing are attached, which provide Just Housing's feedback and perspective on the proposed amendments. Two of their most significant concerns center on the requirement for criminal background screening and they would like to see the ordinance amended to

allow not-for-profit organizations to host encampments.

### Emergency Ordinance

RCW 35A.13.190 provides that no ordinance shall take effect until five days after the date of publication unless otherwise provided by statute or charter, except that an ordinance designated as a public emergency ordinance for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption. Such an ordinance requires the vote of one more than the majority of the whole membership of the Council. (A majority plus one.)

### **Neighborhood/Community Interests:**

Homelessness is an issue that affects the entire City.

### **Options:**

1. Approve on first and final reading an emergency ordinance facilitating the establishment and self-management of temporary homeless encampments by faith-based organizations, not-for-profit organizations, and units of government by amending Olympia Municipal Code (OMC) Chapter 18.50.
2. Direct staff to modify the ordinance and approve as modified.
3. Do not approve the ordinance as presented.

### **Financial Impact:**

None at this point; however, the City may be asked to play a role in managing these facilities and in providing ongoing support services.

### **Attachments:**

1. Ordinance
2. White Paper with links to additional information about approaches to temporary homeless encampments followed in other communities
3. Just Housing suggested revisions from representatives of Just Housing

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, FACILITATING THE ESTABLISHMENT AND SELF MANAGEMENT OF EMERGENCY HOUSING FACILITIES PROVIDED BY FAITH-BASED ORGANIZATIONS, NOT-FOR-PROFIT ORGANIZATIONS, OR UNITS OF GOVERNMENT BY AMENDING OMC CHAPTER 18.50, DECLARING AN EMERGENCY SO THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION, REFERRING THE AMENDMENTS TO THE OLYMPIA PLANNING COMMISSION, AND PROVIDING FOR A PUBLIC HEARING WITHIN SIXTY (60) DAYS**

**WHEREAS**, the City of Olympia recognizes the unique role and rights of faith-based organizations under the United States Constitution; and

**WHEREAS**, Olympia Municipal Code (OMC) Chapter 18.50 allows for temporary Emergency Housing Facilities hosted by a faith-based organization which provides temporary housing to homeless persons, subject to certain criteria and requirements; and

**WHEREAS**, OMC 18.50.020 defines a "Host Agency" for an Emergency Housing Facility as a faith-based organization which owns or has an ownership interest in the property that is the subject of an application for an Emergency Housing Facility Permit for providing basic services and support to temporary Emergency Housing Facility residents, such as hot meals and coordination of other needed donations and services; and

**WHEREAS**, a Host Agency may request a permit for an encampment of up to forty (40) residents; and

**WHEREAS**, the existing provisions in OMC 18.50 provide more freedom to the Host Agency to draft safety plans according to its interests, plans, and needs; and

**WHEREAS**, this Ordinance allows both high barrier and low barrier camps; and

**WHEREAS**, this Ordinance allows a Host Agency to provide camps for families, adults, and people transitioning out of facilities; and

**WHEREAS**, this Ordinance may reduce harm to homeless persons and provide services to assist residents with clean and sober living; and

**WHEREAS**, Emergency Housing Facilities permitted under OMC Chapter 18.50 ideally should be located in areas where there is easy access to services and affordable food, either by walking or by using public transit; and

**WHEREAS**, the City encourages self-management of Emergency Housing Facilities and other efforts to create community among their residents; and

**WHEREAS**, this Ordinance removes certain restrictions on Emergency Housing Facilities, although the Host Agency is still allowed to place restrictions of their choice on the encampment; and

**WHEREAS**, the City Council determines it to be in the best interest of the City of Olympia to amend OMC Chapter 18.50 to more easily facilitate the establishment and self-management of Emergency Housing Facilities by faith-based organizations, not-for-profit organizations, and units of government, and to comply with RCW 35A.21.360; and

**WHEREAS**, the City Council also determines that this Ordinance is to immediately address a public emergency due to growing homelessness in the City of Olympia, and also finds said Ordinance is necessary for the immediate protection and preservation of public health, public safety, public property or public peace, and that this Ordinance should be made effective upon adoption; and

**WHEREAS**, the interim zoning regulations, as amended herein, should be referred to the Olympia Planning Commission for review and recommendation. The Olympia City Council shall hold a public hearing on these amendments to OMC Chapter 18.50 within sixty (60) days of the adoption of this Ordinance;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC Chapter 18.50.** Olympia Municipal Code Chapter 18.50 is hereby amended to read as follows:

**Chapter 18.50**  
**HOMELESS ENCAMPMENT EMERGENCY HOUSING FACILITIES**

18.50.000 Chapter Contents

Sections:

- 18.50.010 ~~Homeless Encampment~~Emergency Housing Facility
- 18.50.020 Host Agency
- 18.50.030 Sponsoring Agency
- 18.50.040 Who May Apply
- 18.50.050 Applicable Procedures
- 18.50.060 ~~Homeless Encampment~~Emergency Housing Facility - Criteria/Requirements for Approval

**18.50.010 ~~Homeless Encampment~~Emergency Housing Facility**

"~~Emergency Housing Facility~~Homeless Encampment" means temporary emergency homeless encampment housing that may include tents and small structures organized and managed as temporary accommodations for homeless people, and may be hosted by a faith-based religious organization, not-for-profit organization, or a unit of government~~County Homeless Encampment which provides temporary housing to homeless persons.~~

For purposes of this section, a "not-for-profit" shall mean an organization duly incorporated in the State of Washington and recognized by the Internal Revenue Service as an IRC 501 (c)-(3) charitable organization.

#### **18.50.020 Host Agency**

~~A. — Temporary Homeless Encampment~~Emergency Housing Facilities. "Host Agency" means ~~the religious a faith-based organization, or a not-for-profit organization, or a unit of government~~ which owns or controls the property or has an ownership interest in the property that is the subject of an application for an Temporary Homeless Encampment Emergency Housing Facility Permit for providing basic services and support to temporary emergency homeless encampment Emergency Housing Facility residents, such as hot meals and coordination of other needed donations and services.

Ownership interest shall include an interest by recorded title or by fully executed lease of the subject property.

~~B. — County Homeless Encampment.~~ "Host Agency" means ~~Thurston County, which owns the property that is the subject of an application for a County Homeless Encampment Permit to provide service to support emergency homeless encampment residents, such as hot meals and coordination of other needed donations and services.~~

#### **18.50.030 Sponsoring Agency**

"Sponsoring Agency" means the Host Agency or another agency that assists the Host Agency and that joins in an application with a Host Agency for an Temporary or unit of government County Homeless Encampment Emergency Housing Facility Permit and assumes responsibility for providing basic services and support to temporary emergency homeless encampment Emergency Housing Facility residents, such as hot meals, social services, sanitation, hygiene, storage of belongings, trash and refuse collection, and coordination of other needed donations and services.

#### **18.50.040 Who May Apply**

~~A. — Temporary Homeless Encampment~~Emergency Housing Facility. ~~Temporary homeless encampments~~Emergency Housing Facilities shall be permitted ~~only as an accommodation of faith-based~~ religious exercise by a Host Agency and Sponsoring Agency, or by a unit of government, or by a not-for-profit organization. Each Host Agency and Sponsoring Agency shall jointly apply for a permit under this Section and shall jointly certify compliance with all applicable requirements for approval and conditions of this Chapter and the application.

~~B. — County Homeless Encampment.~~ ~~A County Homeless Encampment shall be permitted only to Thurston County. A Sponsoring Agency may join the County to apply for a permit under this Section. Only Thurston County shall certify compliance with all applicable requirements for approval and conditions of this Chapter and the application.~~

## 18.50.050 Applicable Procedures

A. ~~Temporary Homeless Encampment~~Emergency Housing Facility. A ~~Temporary Encampment Permit~~ Permit for an Emergency Housing Facility is an administrative decision. In addition to the requirements for administrative decisions found elsewhere in the Olympia Municipal Code, the following procedures apply:

1. Advance Notice Required. The Host Agency and Sponsoring Agency shall notify the City of the proposed ~~homeless-encampment~~Emergency Housing Facility a minimum of thirty (30) days in advance of the proposed date of establishment for the ~~homeless-encampment~~Emergency Housing Facility. The advance notification shall be in the form of an application for a Temporary Encampment Permit and shall contain the following information:

- a. The date the ~~homeless-encampment~~Emergency Housing Facility will commence;
- b. The length of time the encampment will continue;
- c. The maximum number of residents proposed for the encampment;
- d. The host location;
- e. The names of the Host and Sponsoring Agencies; and
- f. The manner in which the ~~homeless-encampment~~Emergency Housing Facility will comply with the requirements of this Chapter.

2. Informational Meeting Required. The Host Agency and/or Sponsoring Agency shall conduct at least one (1) informational meeting within, or as close to, the location where the proposed ~~homeless encampment~~Emergency Housing Facility will be located, a minimum of two (2) weeks prior to the issuance of the temporary use permit. The time and location of the meeting shall be agreed upon between the City and the Host Agency and/or Sponsoring Agency. All property owners within three hundred (300) feet of the proposed ~~homeless-encampment~~Emergency Housing Facility shall be notified by mail ten (10) days in advance of the meeting by the Host Agency and/or Sponsoring Agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within three hundred (300) feet of the proposed encampment.

3. Signs Required. The applicant shall also provide notice of the application within the same timeframe identified above by posting two signs or placards on the site or in a location immediately adjacent to the site that provides visibility of the signs to motorists using adjacent streets. The Director of Community Planning and Development or his or her~~their~~ designee shall establish standards for size, color, layout, design, working, placement, and timing of installation and removal of the signs or placards.

~~B. County Homeless Encampment. A County Homeless Encampment requires a Conditional Use Permit subject to OMC 18.82. In addition to the requirements for Conditional Use Permits found elsewhere in the Olympia Municipal Code, the following procedures apply:~~

~~1. Application. Thurston County shall submit an application for a County Homeless Encampment Permit that contains the following information:~~

~~a. The date the homeless encampment is proposed to commence;~~

~~b. The maximum number of residents proposed;~~

~~c. The names of any Host or Sponsoring Agencies;~~

~~d. The manner in which the homeless encampment will comply with the requirements of this Chapter;~~

~~e. A Site Plan drawn to scale.~~

~~2. Informational Meeting Required. Thurston County shall conduct at least one (1) informational meeting within a minimum of thirty (30) days of application of the homeless encampment permit. The time and location of the meeting shall be agreed upon between the City and the County. All property owners, residents and business owners within 300 feet of the proposed homeless encampment shall be notified by mail at least ten (10) business days in advance of the meeting. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners, residents and business owners within 300 feet of the proposed encampment.~~

~~3. Signs Required. Thurston County shall also provide notice of the application within the same time frame identified above by posting two public notice signs in locations determined by the Director that provide visibility of the signs to motorists using adjacent streets. The Director of Community Planning and Development or their designee shall provide the Public Notice signs.~~

#### **18.50.060 ~~Homeless Encampment~~Emergency Housing Facility - Criteria/Requirements for Approval**

The Director of the Community Planning and Development Department or his or hertheir designee may issue a temporary and revocable permit for an homeless-encampmentEmergency Housing Facility subject to the following criteria and requirements.

##### **A. Site Criteria.**

1. Temporary Homeless EncampmentEmergency Housing Facility

- a. If the Sponsoring Agency is not the Host Agency of the site, the Sponsoring Agency shall submit a written agreement from the Host Agency allowing the ~~homeless-encampment~~Emergency Housing Facility, or from the owner of the property, and clarifying the obligations of the Sponsoring Agency.
- b. The property must be sufficient in size to accommodate the tents and necessary on-site facilities, including, but not limited to the following:
  - i. Sanitary portable toilets in the number required to meet capacity guidelines for the population of the encampment;
  - ii. Hand washing stations by the toilets and by the food areas;
  - iii. Refuse receptacles for trash, recycling and garbage; and
  - iv. Storage of personal belonging; and
  - iv. ~~Food tent and security tent.~~
- c. The Host and Sponsoring Agencies shall provide an adequate potable water source to the ~~homeless-encampment~~Emergency Housing Facility, as approved by the City.
- d. No ~~homeless-encampment~~Emergency Housing Facility shall be located within a Sensitive/Critical Area or its buffer as defined under OMC Chapter 18.32 except on existing sites paved or gravel sites of the Olympia Municipal Code.
- e. No permanent structures will be constructed for the ~~homeless-encampment~~Emergency Housing Facility.
- f. No more than forty (40) residents shall be allowed at any one encampment. The City may further limit the number of residents as site conditions dictate.
- g. Adequate on-site parking shall be provided for the ~~homeless-encampment~~Emergency Housing Facility. No off-site parking will be allowed. The number of vehicles used by the homeless encampmentEmergency Housing Facility residents shall be provided in the permit application. If the ~~homeless-encampment~~Emergency Housing Facility is located on a site that has another preexisting use, it shall be shown that the ~~homeless-encampment~~Emergency Housing Facility parking will not create a shortage of on-site parking for the other use/s on the property.
- h. The ~~homeless-encampment~~Emergency Housing Facility shall be located within a quarter (1/4) mile of a bus stop with seven (7) days per week service, whenever possible. If not located within a

quarter mile of a bus stop, the Host or Sponsoring Agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).

i. ~~The homeless encampment~~Emergency Housing Facility shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the ~~homeless encampment~~Emergency Housing Facility behind buildings. The type of screening shall be approved by the City.

j. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

k. At the time of the City's approval, there shall be no other approved Emergency Housing Facilities located within one thousand (1,000) feet of the approved encampment. Approved Emergency Housing Facilities must be separated by a buffer of at least one thousand (1,000) feet under this eChapter.

## 2. ~~County Homeless Encampment~~

~~a. The property must be owned by Thurston County and located in a Light-Industrial/Commercial (LI/C) zoning district. The property shall not be located adjacent to residentially zoned property, and the Conditional Use Permit shall not allow more than 30 tents or cottage structures. The necessary on-site shared community facilities shall include but not be limited to the following:~~

~~i. Adequate water source and sanitary restrooms in the number required to meet capacity guidelines;~~

~~ii. Hand washing stations by the restrooms and by the food preparation areas;~~

~~iii. Refuse receptacles; and~~

~~iv. Community Building(s) providing kitchen, dining, shower, laundry, offices for management and security.~~

~~b. If proposed, any recreational areas, garden areas or other on-site provisions should be designed as shared community facilities.~~

~~c. At least six (6) on-site vehicular parking stalls and a covered bike shelter shall be provided for the County homeless encampment.~~

~~d. The homeless encampment shall be located within a quarter (1/4) mile of a bus stop or have public bus services provided.~~

~~e. The homeless encampment shall be adequately buffered and screened from adjacent right-of-way and surrounding properties. Screening shall be a fence with a minimum height of six (6) feet and may include landscaping.~~

B. Security.

1. ~~Temporary Homeless Encampment~~Emergency Housing Facility

a. An operations and security plan for the ~~homeless encampment~~Emergency Housing Facility shall be submitted to the City at the time of application. The security plan shall address potential security and neighborhood impacts within five hundred (500) feet of the encampment site.

b. The Host Agency shall provide to all residents of the ~~homeless encampment~~Emergency Housing Facility a Code of Conduct for living at the ~~homeless encampment~~Emergency Housing Facility. A copy of the Code of Conduct shall be submitted to the City at the time of application and shall be in substantially the following form or address the following issues:

i. ~~Possession or use of illegal drugs is prohibited.~~not permitted.

ii. ~~No alcohol is permitted.~~

iii. ~~No weapons are permitted.~~

iv. ~~All knives over three and one-half (3 1/2) inches must be turned into the Host or Sponsoring Agency's on-site Encampment Manager for safekeeping.~~

v. ~~Violence against staff or residents of the encampment is prohibited.~~permitted.

vi. ~~Any open flames are prohibited.~~permitted without pre-approval by the Department of Community Planning and Development.

vii. ~~Trespassing on private property in the surrounding neighborhood is permitted.~~prohibited.

viii. ~~No loitering in the surrounding neighborhood is permitted.~~

~~ix~~ v. ~~No~~ Littering on the Temporary Encampment site or in the surrounding neighborhood is ~~prohibited~~ permitted.

vi. Noise or music in excess of the limits set forth in OMC 18.40.080 is prohibited.

Nothing in this Section shall prohibit the Host Agency, Sponsoring Agency ~~or an~~ ~~or~~ Encampment Emergency Housing Facility Manager from imposing and enforcing additional Code of Conduct conditions not otherwise inconsistent with this Section.

c. All ~~homeless-encampment~~ Emergency Housing Facility residents must sign an agreement to abide by the Code of Conduct and failure to do so ~~shall~~ may result in the noncompliant resident's immediate expulsion from the property.

d. The Host or Sponsoring Agency shall keep a log of all people who stay overnight in the encampment, including names, ~~dates of birth and birth dates~~, and dates of stay in the encampment. Logs shall be kept and retained for a minimum of six (6) months.

e. The Host or Sponsoring Agency shall take all reasonable and legal steps to obtain verifiable ~~ID~~ identification, such as a driver's license, government-issued identification card, military identification, ~~or~~ passport, or other reasonable forms of identification from prospective and existing encampment residents.

f. The Host or Sponsoring Agency will use identification received from prospective and existing encampment residents to obtain sex offender and warrant checks from the Washington State Patrol, the Thurston County Sheriff's Office or ~~relevant~~ local police department.

i. If ~~said~~ the warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130 , then the Host or Sponsoring Agency ~~may~~ will reject the subject of the check for residency ~~to~~ in the ~~homeless-encampment~~ Emergency Housing Facility or may eject the subject of the check if that person is already a ~~homeless-encampment~~ Emergency Housing Facility resident.

ii. The Host or Sponsoring Agency shall immediately contact the police department if the reason for rejection or ejection of an individual from the ~~homeless-encampment~~ Emergency Housing Facility is an active warrant. In other cases of rejection or ejection, the designated representative of the Host or Sponsoring Agency ~~may~~ shall immediately contact ~~provide the facts leading to such action to~~ the Olympia Police Department and the Thurston County Sheriff's Office.

g. The Host or Sponsoring Agency shall self-manage its residents and prohibit ~~alcohol,~~ illegal drugs, weapons, fighting violence, and abuse of any kind, littering, or noise disturbances of disturbing the other residents or adjacent neighbors while located on the Emergency Housing Facility property.

h. The Host or Sponsoring Agency will appoint a designated representative to serve "on-duty" as an Encampment Manager at all times ~~to serve as a point of contact for the Olympia Police Department and will orient law enforcement the Police as to~~ how the security tent operates for the homeless encampment Emergency Housing Facility. The name of the on-duty designated representative will be posted daily in the security tent. The City shall provide contact numbers of non-emergency personnel, which shall be posted at the security tent.

~~2.—County Homeless Encampment. An operations and security plan for the homeless encampment shall be established and enforced by Thurston County. The operations plan shall provide for ensuring that potential residents are provided notice that the homeless encampment is within a property-zoned light industrial.~~

C. Timing.

~~1.—Temporary Homeless Encampment~~Emergency Housing Facility

a. The duration of ~~an the temporary homeless encampment~~Emergency Housing Facility shall ~~not be fore~~exceed one hundred eighty (180) days, and may be extended for an additional one hundred eighty-five (185) days upon submittal of an application and proof that the site did not have on-site criminal violations greater than the crime rate of the surrounding neighborhood. The site may be approved for a duration longer than a one year upon submittal of a conditional use permit to be reviewed and approved by the Olympia hearing examiner pursuant to OMC Chapter 18.48. The conditional use permit shall demonstrate consistency with this eChapter and the rest of OMC Title 18. In addition, the applicant must demonstrate that criminal violations on-site were not greater than the crime rate of the surrounding neighborhood. The approval of a conditional use permit may be for a limited-time less than one hundred eighty (180) days, subject to review of demonstrated impacts uponto the surrounding neighborhoods.

~~b.—No additional temporary homeless encampments may be allowed on the same parcel of property in any 12-month period beginning on the date the homeless encampment locates on a parcel of property.~~

~~c.—No more than one (1) temporary homeless encampment may be located in the City at any time.~~

~~2. County Homeless Encampment. No more than one County homeless encampment may be located in the City at any time.~~

D. Health and Safety.

1. ~~Temporary Homeless Encampment~~Emergency Housing Facility. The homeless encampmentEmergency Housing Facility shall conform to the following fire requirements:

- a. There shall be no open fires for cooking without pre-approval by the Olympia Fire Department and no open fires for heating;
- b. No heating appliances within the individual tents are allowed without pre-approval by the Olympia Fire Department;
- c. No cooking appliances, other than microwave appliances, are allowed in individual tents;
- d. An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Olympia Fire Department;
- e. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Olympia Fire Department;
- f. Adequate separation between tents and other structures shall be maintained as determined by the Olympia Fire Department; and
- g. Electrical service shall be in accordance with recognized and accepted practice and codes. Electrical cords ~~shall~~ are not to be strung together, ~~and a~~Any electrical cords used must be approved for outdoor exterior use.

~~2. A Unit of Government County Homeless Encampment. A unit of government The County homeless encampment shall conform to the City engineering, building and fire codes.~~

~~32.~~ The Host Agency and Sponsoring Agency shall permit inspections by City staff and the Thurston County Health Department at reasonable times without prior notice of compliance with the conditions of the ~~Temporary and County~~unit of government Homeless EncampmentEmergency Housing Facility Permit.

E. Director's Decision.

1. ~~Temporary Homeless Encampment~~Emergency Housing Facility

a. Purpose. The Director shall review the proposal to ensure compliance with the provisions of this ~~e~~Chapter and all other applicable laws, to ensure that the health, safety and welfare of the citizens of the City is preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this ~~e~~Chapter.

b. Director Authority. The Director may modify the submittal requirements as deemed appropriate.

c. Notice of Decision. The Director shall notify the Sponsoring and Host Agencies of his or her decision to approve, modify or deny the application within a timely manner, but not prior to fourteen (14) days after the neighborhood informational meeting. ~~Theis Director's D~~decision is a final decision of the City. Appeals of decisions to approve or deny ~~an Temporary~~ Emergency Housing Facility Permit shall be to Thurston County Superior Court.

## ~~2. County Homeless Encampment~~

~~a. Purpose. The Director shall review the proposal and make a recommendation to the Hearing Examiner regarding compliance with applicable law.~~

~~b. Hearing Examiner Authority. The Hearing Examiner may issue a County Homeless Encampment Permit pursuant to Hearing Examiner Chapter 18.82. The Director will forward the application and a recommendation to the Hearing Examiner subject to the provisions of this Chapter 18.50, the "Conditional Uses Chapter 18.48" and Hearing Examiner Chapter 18.82.~~

~~c. Notice of Decision. The Director shall provide notice of the Olympia Hearing Examiner Decision pursuant to OMC 18.60. The Decision is a final decision of the City. Appeals of decisions to approve or deny a County Homeless Encampment Permit shall be to Thurston County Superior Court.~~

F. ~~Temporary Homeless Encampment~~Emergency Housing Facility Permit Termination. If the Host Agency or Sponsoring Agency fails to take action against a resident who violates the terms and conditions of ~~this~~its permit, it may result in immediate termination of the permit issued to the Host Agency or Sponsoring Agency. If the City learns of ~~uncontrolled violence or~~ acts of violence by residents of the encampment and the Host Agency or Sponsoring Agency has not adequately addressed the situation to protect residents, the temporary use permit may be immediately terminated.

G. ~~Temporary Homeless Encampment~~Emergency Housing Facility Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director of Community Planning and Development or ~~his or her~~their designee, may give written notice to the permit holder describing the alleged violation. Within fourteen (14) days of the mailing of notice of violation, the permit holder shall

show cause why the permit should not be revoked. At the end of the fourteen (14)-day period, the Director of Community Planning and Development or his or hertheir designee, shall sustain or revoke the permit. When an ~~Temporary Homeless Encampment~~Emergency Housing Facility Permit is revoked, the Director of Community Planning and Development or his or hertheir designee shall notify the permit holder by first class and certified mail of the revocation and the findings upon which revocation is based. Appeals ~~from~~of the Director's decisions to revoke a ~~Temporary~~ Emergency Housing Facility Encampment-permit shall be to Thurston County Superior Court.

**Section 2. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 3. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

**Section 4. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 5. Effective Date.** This Ordinance is for the immediate preservation of public peace, health, safety, and welfare of the public, and shall take effect upon adoption, as provided by law.

**Section 6. Public Hearing.** The zoning amendments herein shall be referred to the Olympia Planning Commission for review and recommendation. The Olympia City Council shall hold a public hearing on the amendments to OMC Chapter 18.50 within sixty (60) days of the adoption of this Ordinance. Following the public hearing, the Council shall make findings of fact to either ratify, amend, or repeal the amendments herein to OMC Chapter 18.50.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**



\_\_\_\_\_  
CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**

## Temporary Homeless Encampments and Tiny House Villages

It may be time to consider updating the City's Temporary Homeless Encampment Regulations to recognize these types of facilities as an integral part of the emergency housing spectrum -- at least until such time as our emergency housing and shelter capacity exceeds the number of homeless in our community. MRSC notes that the state has authorized religious organizations to host temporary encampments and also limits a local government's ability to regulate these encampments (RCW 36.01.290 counties, 35A.21.360 code cities, 35.21.915 other cities and towns). The State Legislature's findings associated with RCW 36.01.290 (Temporary Encampments for Homeless) provides some clarity and justification for this approach:

The legislature finds that there are many homeless persons in our state that are in need of shelter and other services that are not being provided by the state and local governments. The legislature also finds that in many communities, religious organizations play an important role in providing needed services to the homeless, including the provision of shelter upon property owned by the religious organization. By providing such shelter, the religious institutions in our communities perform a valuable public service that, for many, offers a temporary, stop-gap solution to the larger social problem of increasing numbers of homeless persons.

The City of Olympia's Unified Development Code provides for the creation of temporary homeless encampments. Section 18.50 of the code establishes two types of encampments:

- A temporary emergency homeless encampment (TEHE) hosted by a religious organization.
- A County Homeless Encampment - now known as Quixote Village. Only one such facility is allowed in the City of Olympia. Further reference to the County Homeless Encampment has been eliminated from the text below for clarity purposes.

A TEHE requires a religious organization to act as a "host agency" and apply for the temporary homeless encampment permit. The code also identifies a "sponsoring agency" that may be the "host agency" or may be another agency such as a not for profit that takes responsibility for support and services to the camp.

The code provides that, "Temporary homeless encampments shall be permitted only as an accommodation of religious exercise and is an administrative decision." The director may issue a temporary and revocable permit subject to a demonstration of compliance

with the requirements of the code and fulfillment of the procedural requirements contained therein.

TEHEs are only allowed for 180 days and can only be on the same property once per year. They also are limited to no more than one in the City. Because of their temporary nature, approval of a TEHE is by the Director of CP&D and is appealable to the Superior Court.

The Cities of Seattle and Portland both have specific regulations allowing the creation of Tiny House Villages. The City of Seattle's approach is similar to Olympia's in that they differentiate between City and privately operated facilities and religious institution operated facilities. Seattle's regulations for private facilities include limitations on minimum size, require the creation of a Community Advisory Committee, limit the duration to one year with a one year extension, and provides for a minimum of a one mile separation between facilities.

In order to accommodate a Tiny House Village or Tiny House Villages in Olympia Chapter 18.50 would need to be amended to allow Tiny House Villages on a longer term basis. It does not seem feasible to build tiny houses and then be required to move them every six months. Longer term TEHE could be considered through the CUP process if the fee was waived rather than the administrative process associated with temporary encampments.

There also is likely to be a need for more than one such facility in the City of Olympia and the current THE regulations only allow a single encampment in addition to Quixote Village located on County-owned property.

City Staff was able to visit the [Low Income Housing Institute's Tiny House Village](#) located on 22<sup>nd</sup> Avenue in Seattle to get a better handle on how a Tiny House Village is being operated and maintained. LIHI now operates seven temporary encampments in Seattle. Each of these tiny house villages targets a different population ranging from families with children to low barrier single adults and is therefore operated differently. LIHI's newest facility targets single females. The 22<sup>nd</sup> Avenue village caters to families and could be described as being high barrier as operates with rules regarding drug use and offender status. This facility is able to be operated with limited oversight while the lower barrier facilities may require 24 hour security.

Links to more information about these facilities is found at the end of this report. The visit to LIHI's 22<sup>nd</sup> Avenue Village occurred on December 20<sup>th</sup> 2016 and included Councilmember Bateman, Downtown Liaison Mark Rentfrow and Renata Rollins. The visit was hosted by LIHI and included Executive Director Sharon Lee, Volunteer and Advocacy Coordinator Josh Castle and Essential Needs Coordinator Brad Gerber.

According to Sharon Lee, with the Low Income Housing Institute, the structures in the Tiny House Village were not required to obtain building permits because they are below the size threshold (144 square feet). They did obtain plumbing and electrical permits for the electrical and plumbing connections. Each unit in the LIHI's Tiny House Village was built by volunteers and is insulated and has an electrical connection that can support a heater and a light. The village was clean, orderly and felt safe. Ms. Lee reported that many people had been able to transition from there into more permanent housing.

Eugene, Oregon also has extensive experience in operating temporary homeless encampments. They currently operate a program in conjunction with the St. Vincent DePaul Society and the not for profit Community Supported Structures that supports three tiny house villages and over 30 scattered small site encampments throughout the City of Eugene. Additional information about the City of Eugene's program can be found through the link provided below.

### **Tacoma Experience:**

The City of Tacoma declared a "Homeless Emergency" in May of 2017. They decided to use the Stability Site model for their temporary homeless camps. Using a city-owned surplus property, they built a temporary camp, mixed with tents, tiny houses and a large mega tent, which housed around 90 individuals experiencing homelessness. The site setup is very basic: perimeter fencing, garbage/recycle dumpsters, portable showers and port-a-potties. The Stability Site is the entry point for many of the most in-need, chronically homeless, high barrier, and high utilizer individuals in the community. This is the option for individuals sleeping on sidewalks, alcoves and in encampments throughout the city. The site is low barrier and open to all that are looking for a safe place to sleep. Residents are required to follow site rules and engagement is expected. A wide menu of outreach services are onsite daily.

More information about Tacoma's Stabilization Site may be found through the link below.

### **Next Steps:**

Issues to consider may include: potential funding approaches, availability of qualified partners to operate such a facility, siting and operational criteria and amendments to our regulations to allow a Tiny House Village or Villages.

### **Additional Resources:**

Additional information including:

- RCW 35A.21.360 Temporary Encampments for Homeless,

- City of Olympia’s Municipal Code regulations 18.50,
- City of Seattle’s temporary homeless encampment regulations,
- Link to MRSC,
- Link to LIHI information about encampments, and
- Link to the City of Eugene’s homeless programs

## RCW 35A.21.360

### Temporary encampments for the homeless—Hosting by religious organizations authorized—Prohibitions on local actions.

(1) A religious organization may host temporary encampments for the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.

(2) A code city may not enact an ordinance or regulation or take any other action that:

(a) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property owned by the religious organization;

(b) Requires a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability; or

(c) Imposes permit fees in excess of the actual costs associated with the review and approval of the required permit applications.

(3) For the purposes of this section, "religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

(4) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune from civil liability for (a) damages arising from the permitting decisions for a temporary encampment for the homeless as provided in this section and (b) any conduct or unlawful activity that may occur as a result of the temporary encampment for the homeless as provided in this section.

[ 2010 c 175 § 4.]

#### NOTES:

**Findings (from 36.01.290) –2010 c 175:** "The legislature finds that there are many homeless persons in our state that are in need of shelter and other services that are not being provided by the state and local governments. The legislature also finds that in many communities, religious organizations play an important role in providing needed services to the homeless, including the provision of shelter upon property owned by the religious organization. By providing such shelter, the religious institutions in our communities perform a valuable public service that, for many, offers a temporary, stop-gap solution to the larger social problem of increasing numbers of homeless persons.

This act provides guidance to cities and counties in regulating homeless encampments within the community, but still leaves those entities with broad discretion to protect the health and safety of its citizens. It is the hope of this legislature that local governments and religious organizations can work together and utilize dispute resolution processes without the need for litigation." [ 2010 c 175 § 1.]

**18.50.000 Chapter Contents**

**Sections:**

<u>18.50.010</u>	Homeless Encampment
<u>18.50.020</u>	Host Agency
<u>18.50.030</u>	Sponsoring Agency
<u>18.50.040</u>	Who May Apply
<u>18.50.050</u>	Applicable Procedures
<u>18.50.060</u>	Homeless Encampment - Criteria/Requirements for Approval

(Ord. 6528 §1, 2008).

**18.50.010 Homeless Encampment**

"Homeless Encampment" means temporary emergency homeless encampment, hosted by a religious organization, or County Homeless Encampment which provides temporary housing to homeless persons.

(Ord. 6771 §3, 2011; Ord. 6528 §1, 2008).

**18.50.020 Host Agency**

A. Temporary Homeless Encampment. "Host Agency" means the religious organization which owns the property or has an ownership interest in the property that is the subject of an application for a Temporary Homeless Encampment Permit for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals and coordination of other needed donations and services.

(Ord. 6771 §3, 2011; Ord. 6528 §1, 2008).

**18.50.030 Sponsoring Agency**

"Sponsoring Agency" means the Host Agency or another agency that assists the Host Agency and that joins in an application with a Host Agency for a Temporary or County Homeless Encampment Permit and assumes responsibility for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals and coordination of other needed donations and services.

(Ord. 6771 §3, 2011; Ord. 6528 §1, 2008).

**18.50.040 Who May Apply**

A. Temporary Homeless Encampment. Temporary homeless encampments shall be permitted only as an accommodation of religious exercise by a Host Agency and Sponsoring Agency. Each Host Agency and Sponsoring Agency shall jointly apply for a permit under this Section and shall jointly certify compliance with all applicable requirements for approval and conditions of this Chapter and the application.

(Ord. 6771 §3, 2011; Ord. 6528 §1, 2008).

#### **18.50.050 Applicable Procedures**

A. Temporary Homeless Encampment. A Temporary Encampment Permit is an administrative decision. In addition to the requirements for administrative decisions found elsewhere in the Olympia Municipal Code, the following procedures apply:

1. Advance Notice Required. The Host Agency and Sponsoring Agency shall notify the City of the proposed homeless encampment a minimum of thirty (30) days in advance of the proposed date of establishment for the homeless encampment. The advance notification shall be in the form of an application for a Temporary Encampment Permit and shall contain the following information:

- a. The date the homeless encampment will commence;
- b. The length of encampment;
- c. The maximum number of residents proposed;
- d. The host location;
- e. The names of the Host and Sponsoring Agencies; and
- f. The manner in which the homeless encampment will comply with the requirements of this Chapter.

2. Informational Meeting Required. The Host Agency and/or Sponsoring Agency shall conduct at least one (1) informational meeting within, or as close to, the location where the proposed homeless encampment will be located, a minimum of two (2) weeks prior to the issuance of the temporary use permit. The time and location of the meeting shall be agreed upon between the City and the Host Agency and/or Sponsoring Agency. All property owners within 300 feet of the proposed homeless encampment shall be notified by mail ten (10) days in advance of the meeting by the Host Agency and/or Sponsoring Agency. In lieu of notice by mail, an alternative means of notice may be provided that is reasonably calculated to notify the neighboring property owners within 300 feet of the proposed encampment.

3. Signs Required. The applicant shall also provide notice of the application within the same timeframe identified above by posting two signs or placards on the site or in a location immediately adjacent to the site that provides visibility of the signs to motorists using adjacent streets. The Director of Community Planning and Development or their designee shall establish standards for size, color, layout, design, working, placement, and timing of installation and removal of the signs or placards.

(Ord. 6771 §3, 2011; Ord. 6528 §1, 2008).

#### **18.50.060 Homeless Encampment - Criteria/Requirements for Approval**

The Director of the Community Planning and Development Department or their designee may issue a temporary and revocable permit for a homeless encampment subject to the following criteria and requirements.

##### **A. Site Criteria.**

##### **1. Temporary Homeless Encampment**

- a. If the Sponsoring Agency is not the Host Agency of the site, the Sponsoring Agency shall submit a written agreement from the Host Agency allowing the homeless encampment and clarifying the obligations of the Sponsoring Agency.
- b. The property must be sufficient in size to accommodate the tents and necessary on-site facilities, including, but not limited to the following:
  - i. Sanitary portable toilets in the number required to meet capacity guidelines;
  - ii. Hand washing stations by the toilets and by the food areas;
  - iii. Refuse receptacles; and
  - iv. Food tent and security tent.
- c. The Host and Sponsoring Agencies shall provide an adequate water source to the homeless encampment, as approved by the City.
- d. No homeless encampment shall be located within a Sensitive/Critical Area or its buffer as defined under Chapter [18.32](#) of the Olympia Municipal Code.
- e. No permanent structures will be constructed for the homeless encampment.

f. No more than 40 residents shall be allowed at any one encampment. The City may further limit the number of residents as site conditions dictate.

g. Adequate on-site parking shall be provided for the homeless encampment. No off-site parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided in the permit application. If the homeless encampment is located on a site that has another preexisting use, it shall be shown that the homeless encampment parking will not create a shortage of on-site parking for the other use/s on the property.

h. The homeless encampment shall be located within a quarter (1/4) mile of a bus stop with seven (7) days per week service, whenever possible. If not located within a quarter mile of a bus stop, the Host or Sponsoring Agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).

i. The homeless encampment shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the City.

j. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

## B. Security.

### 1. Temporary Homeless Encampment

a. An operations and security plan for the homeless encampment shall be submitted to the City at the time of application.

b. The Host Agency shall provide to all residents of the homeless encampment a Code of Conduct for living at the homeless encampment. A copy of the Code of Conduct shall be submitted to the City at the time of application and shall be in substantially the following form or address the following issues:

- i. Possession or use of illegal drugs is not permitted.
- ii. No alcohol is permitted.
- iii. No weapons are permitted.

- iv. All knives over three and one-half (3-1/2) inches must be turned into the Host or Sponsoring Agency's on-site Encampment Manager for safekeeping.
- v. No violence is permitted.
- vi. No open flames are permitted without pre-approval by the Department of Community Planning and Development.
- vii. No trespassing into private property in the surrounding neighborhood is permitted.
- viii. No loitering in the surrounding neighborhood is permitted.
- ix. No littering on the Temporary Encampment site or in the surrounding neighborhood is permitted.

Nothing in this Section shall prohibit the Host Agency, Sponsoring Agency or Encampment Manager from imposing and enforcing additional Code of Conduct conditions not otherwise inconsistent with this Section.

- c. All homeless encampment residents must sign an agreement to abide by the Code of Conduct and failure to do so shall result in the noncompliant resident's immediate expulsion from the property.
- d. The Host or Sponsoring Agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept a minimum of six (6) months.
- e. The Host or Sponsoring Agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver's license, government-issued identification card, military identification, or passport from prospective and existing encampment residents.
- f. The Host or Sponsoring Agency will use identification to obtain sex offender and warrant checks from the Washington State Patrol, the Thurston County Sheriff's Office or relevant local police department.
  - i. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW [9A.44.130](#), then the Host or Sponsoring Agency will reject the subject of the check for residency to the homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.

ii. The Host or Sponsoring Agency shall immediately contact the police department if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant. In other cases of rejection or ejection, the designated representative of the Host or Sponsoring Agency shall immediately provide the facts leading to such action to the Olympia Police Department and the Thurston County Sheriff's Office.

g. The Host or Sponsoring Agency shall self-manage its residents and prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering, or disturbing the neighbors while located on the property.

h. The Host or Sponsoring Agency will appoint a designated representative to serve "on-duty" as an Encampment Manager at all times to serve as a point of contact for the Police Department and will orient the Police as to how the security tent operates. The name of the on-duty designated representative will be posted daily in the security tent. The City shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.

#### C. Timing.

##### 1. Temporary Homeless Encampment

a. The duration of the temporary homeless encampment shall not exceed one hundred eighty (180) days.

b. No additional temporary homeless encampments may be allowed on the same parcel of property in any 12-month period beginning on the date the homeless encampment locates on a parcel of property.

c. No more than one (1) temporary homeless encampment may be located in the City at any time.

#### D. Health and Safety.

1. Temporary Homeless Encampment. The homeless encampment shall conform to the following fire requirements:

a. There shall be no open fires for cooking without pre-approval by the Fire Department and no open fires for heating;

b. No heating appliances within the individual tents are allowed without pre-approval by the Olympia Fire Department;

- c. No cooking appliances other than microwave appliances are allowed in individual tents;
- d. An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Fire Department;
- e. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department;
- f. Adequate separation between tents and other structures shall be maintained as determined by the Fire Department; and
- g. Electrical service shall be in accordance with recognized and accepted practice. Electrical cords are not to be strung together and any cords used must be approved for exterior use.

3. The Host Agency and Sponsoring Agency shall permit inspections by City staff and the Thurston County Health Department at reasonable times without prior notice of compliance with the conditions of the Temporary and County Homeless Encampment Permit.

E. Director's Decision.

1. Temporary Homeless Encampment

- a. Purpose. The Director shall review the proposal to ensure compliance with the provisions of this chapter and all other applicable law, to ensure that the health, safety and welfare of the citizens of the City is preserved, and to provide an expedient and reasonable land use review process for decisions and interpretations of this chapter.
- b. Director Authority. The Director may modify the submittal requirements as deemed appropriate.
- c. Notice of Decision. The Director shall notify the Sponsoring and Host Agencies of his or her decision to approve, modify or deny the application within a timely manner, but not prior to 14 days after the neighborhood informational meeting. This Decision is a final decision of the City. Appeals of decisions to approve or deny a Temporary Encampment Permit shall be to Thurston County Superior Court.

F. Temporary Homeless Encampment Permit Termination. If the Host Agency or Sponsoring Agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the City learns of uncontrolled violence or acts of violence by residents of the encampment

and the Host Agency or Sponsoring Agency has not adequately addressed the situation, the temporary use permit may be immediately terminated.

G. Temporary Homeless Encampment Permit Revocation. Upon determination that there has been a violation of any approval criteria or condition of application, the Director of Community Planning and Development or their designee may give written notice to the permit holder describing the alleged violation. Within 14 days of the mailing of notice of violation, the permit holder shall show cause why the permit should not be revoked. At the end of the 14-day period, the Director of Community Planning and Development or their designee shall sustain or revoke the permit. When a Temporary Homeless Encampment Permit is revoked, the Director of Community Planning and Development or their designee shall notify the permit holder by certified mail of the revocation and the findings upon which revocation is based. Appeals of decisions to revoke a Temporary Encampment permit shall be to Thurston County Superior Court.

(Ord. 6771 §3, 2011; Ord. 6763 § 1, 2011; Ord. 6528 §1, 2008).

## City of Seattle Approach:

### Building Permits

In constructing Tiny Houses, we found that we were able to build them as an exception to the Seattle Building Code as long as they stayed a particular size. The Seattle Building Code states that a building permit is not required for one-story detached accessory buildings if they are under 120 square feet. We were able to advise all the groups who built the houses to stay under this threshold, ideally to create a structure that was 8 feet by 12 feet (96 square feet) to be an exception to the code:

From

[http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web\\_informational/s047860.pdf](http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/s047860.pdf)

(the Chapter 1, Administration section of the Seattle Building Code found here: <http://www.seattle.gov/dpd/codesrules/codes/building/default.htm>)

### Other Resources:

MRSC Resources: <http://mrsc.org/Home/Explore-Topics/Legal/Regulation/Homeless-Housing.aspx>

LIHI Resources: <https://lihiwa.files.wordpress.com/2016/04/tent-encampments-and-tiny-house-villages-as-a-crisis-response-to-homelessness-april-2016.pdf>

City of Eugene Oregon: <https://www.eugene-or.gov/3482/Homelessness>

City of Tacoma:

[http://www.cityoftacoma.org/government/city\\_departments/neighborhood\\_and\\_community\\_services/human\\_services\\_division/homelessness\\_services/](http://www.cityoftacoma.org/government/city_departments/neighborhood_and_community_services/human_services_division/homelessness_services/)

## **Proposed changes to Tent City Ordinance (as proposed by The City of Olympia)**

- 1. Current Ordinance** → Limits # of permitted encampments in Olympia to 1 at a time  
**Proposed Change** → No cap for # of permitted encampments in Olympia at a time
- 2. Current Ordinance** → Bans alcohol & all weapons (illegal and legal)  
**Proposed Change** → Does not ban alcohol and only bans illegal weapons. Allows each Host Agency to determine rules and guidelines for each individual camp, allowing for both low-barrier and high-barrier encampments.
- 3. Current Ordinance** → Requires food & security tent as a pre-requisite for site to be approved  
**Proposed Change** → Does not require food & security tent
- 4. Current Ordinance** → Does not ban "loud disturbances"  
**Proposed Change** → Does ban "loud disturbances"
- 5. Current Ordinance** → Limits an encampment to remain in the same place for no more than 180 days  
**Proposed Change** → Allows for an encampment to remain in the same place for longer than 1 year, as long as crime at encampment is not more significant than crime in the surrounding areas.
- 6. Current Ordinance** → Bans a new encampment from being created on the same property as a previous encampment for 12 months after the creation of the previous encampment.  
**Proposed Change** → Does not ban the creation of a new encampment on the same property of previous encampment

### **Things not changed in proposed ordinance amendments**

- Cap on # of people living at each encampment (40)
- Requires background check for applying residents based on ID
- Requires that people with active warrants & any sex offender status be denied entry
- Requires Host Agency/Sponsoring agency to report people with active warrants to law enforcement
- Only allows encampments on property owned/leased by a religious organization. Encampments are still not permitted on private or public property.

How do the proposed changes compare with Just Housing's proposed changes?

Suggested change included in city's proposal =

Suggested change not included in city's proposal =

Suggested change sort of included in proposed changes =

**Suggested edits to Homeless Encampment Ordinance presented to city Oct 16, '17**

1. As many "different locations for different situations" as possible.

✓ Our advice is that there be no limit on the number of camps. If there is the need for more, the ability to run more, land available, and the acceptance of neighbors then the creation of another camp should not be barred.

✓ If there must be a limit, then the goal should be having as many camps as possible with less people rather than fewer camps with more people.

✓ Goal of variety: High-barrier and low-barrier, camps for families, youth, adults, people transitioning out of facilities, clean and sober, harm reduction focused etc.

2. Any barriers or requirements that are not necessary should be stricken. The need is having a safe place to sleep and keep belongings-anything that unnecessarily limits that should be considered for removal.

X Adopt IFWEOS background check policy. No 10 requirements, sex offender search based on name given, sex offenders should only be barred from certain camps, people with warrants should not be barred, and there should be no requirement for the camp to report people with warrants.

X Requirements for heat, bathrooms, and electricity should be as minimal as possible or non-existent. We understand that these building codes are well-intentioned and all of these things would be ideal. However, there are already hundreds of people living without this and so this should not be a barrier to having more safe, legal places for people to sleep. [**Proposal strikes requirement for food & security tent, but still requires bathrooms, dumpsters, parking spaces**].

X Any type of property should be able to host a tent city (non-profit, religious, private), as long as it is okay with the owner and the neighbors.

✓ 180 day requirement to move & not being able to return to the same spot for 12 months should be stricken.

✓ Marijuana and alcohol should be permitted. If one or the other becomes an issue with a specific person, residents can work through it on a case by case basis.

✓ 3. Self-governance. If something can be managed/facilitated by camp residents, then it should be. [**Level of self-governance is not detailed by ordinance; however the new ordinance uses language encouraging self-governance**).

○ Example; drug, alcohol, safety concerns with individual residents should be attempted to be resolved by other residents first- before outside agencies.

○ Example; residents should have significant decision making power when it comes to who can move into the camp, who must leave the camp.

X 4. Need to be protections for people with disabilities, disability language should be emphasized in this ordinance. Having a place to sleep, rest, and keep belongings is, in itself, a protection for people with disabilities. [**Old & Proposed Ordinance require encampment to be close to a bus stop, however there is no additional language emphasizing protections for people with disabilities or requiring encampment to be accessible to people with disabilities**]

○ Camps should be as close to downtown as possible so people can access the life-saving resources that people depend on.

○ Locations should be accessible for people with disabilities (close to bus stops)

## Just Housing Feedback on Amended Version of OMC 18.50

Firstly, we want to recognize and applaud the significant changes that are included in the proposed amended version of ordinance 18.50. If approved, we believe that most of the proposed amendments will improve our community's ability to meet the need for more legal shelter. Specifically, we enthusiastically support the following proposed amendments:

- Removal of the cap on the # of encampments that can exist at one time.
- Extending the time an encampment can be permitted in one location to greater than one year.
- Removing the ban on creating a new encampment on the same property as a previous encampment for a period of 1 year after the creation of the previous encampment.
- Including language that encourages harm-reduction practices and self-governance.
- Enabling the creation of both low-barrier and high-barrier encampments by removing bans on alcohol & legal weapons, and by empowering hosts/sponsors to decide on rules for the encampment they are hosting.

While we support and commend these proposed changes, we also recognize the absence of other changes we proposed. We feel strongly that their absence will significantly limit our ability to meet the needs of our community, despite the positive impacts of the previously mentioned amendments. Therefore, we believe that the following changes should be considered and discussed further, before omitting them from the proposed amended ordinance. We have also included our reasons for why we see these changes as being so important to the success of the amended ordinance and questions for further discussion and consideration.

1. **Allow for encampments to be permitted on public and private property.** The amended version of the ordinance still only permits encampments to exist on property owned or leased by a religious group or the county.

### Why we believe this change merits further consideration and discussion:

- Enabling only religious organizations and the county to serve as host agencies limits our ability to find creative and effective solutions to our shelter crisis. Allowing for encampments to exist on public and private property drastically expands the types of solutions we can explore.
- If we limit host agencies to religious organizations and the county, it is unlikely that we will be able to create enough tent cities to significantly meet the need for shelter-particularly in a reasonable time frame. Religious organizations are already doing an incredible amount of work to meet the needs of our community. Their capacity to take on more is limited. Though the county is becoming more involved in finding solutions to our regional shelter crisis, they are still some ways away from hosting tent cities.

- Neighboring city governments have found ways to host temporary encampments. As our own crisis continues, it seems more and more unavoidable that we too will have to explore and embrace this type of shelter solution to meet the needs of our community. It makes sense for us to figure out how we can make this type of solution possible sooner rather than later.
- We know that there is an interest among some private property owners (from residential home owners to large property owners) in hosting people surviving in tents. Numerous existing encampments, including some of our communities largest, are currently located on private property with the knowledge and support of the property owners. Finding ways to support and embrace community-based solutions like this, rather than banning them, has huge potential for opening doors to new, creative, and effective solutions.

#### Further questions for consideration and discussion

- What are the specific liability risks/costs the city would take on, if they were to host encampments?
- Was there a change in city liability costs when the camping ban was enacted?
- How do other cities make it possible for their local governments to host encampments?
- How were encampments and the liability risks associated with them managed prior to the enactment of the camping ban ordinance?
- What are the specific liability risks/costs the city would take on if they were to allow for private property owners to host encampments?

2. **Lower-barrier background checks/reporting requirements.** The amended version of ordinance 18.50 has the same background check/reporting requirements as the original. The requirements are high-barrier and limit the potential effectiveness of the ordinance. Again, we ask that the city seriously consider replacing the background check/reporting requirements with an agreement like the agreement the City of Olympia has with The Interfaith Works Emergency Overnight Shelter. The primary aspects of this agreement we support are:

- Only required to screen the guest through the sex offender registry. No requirement to do a background check that includes screening for warrants.
- Completing background checks based on name given, rather than requiring ID.

We also support enabling host/sponsor agencies to determine who can and cannot access their shelter/encampment. (Ex. Allowing the agencies to determine what levels of sex offenders-if any- they will accept and whether or not they will accept people with active warrants).

Why we believe this change merits further consideration and discussion:

- The IFWEOS background check/reporting model has been successful enough to not require amendments since the shelter began.
  - Background checks/reporting requirements are currently one of the most significant barriers keeping people from accessing shelter and services. Failing to adopt lower-barrier screening requirements will severely limit who the amended version of the ordinance will impact, as a sizeable number of people will still be unable to access safe and legal shelter.
  - There are no laws that ban people with sex offenses (with the exception of sex offenses involving minors) from private, religious, or public property. In this way, by not enabling hosts to decide at their own discretion who they will allow at their encampment is creating an unnecessary barrier.
  - Making it so that all sex offenders cannot access any sanctioned tent city makes our community more unsafe. It is statistically proven that the more unstable their living conditions are, the more likely it is that people with sex offenses will re-offend. This is why people's sex offender level increases when they become homeless. Enabling hosts/sponsors to determine what levels- if any- of sex offenders they will accept increases the likelihood that even people with sex offenses will be able to access safe and legal shelter, improving the general safety of our community.
  - A considerable number of people living on the streets do not have ID and are unable to obtain it for an array of reasons (inability to obtain other proof of identification, costs, no address, etc).
  - Requiring ID conflicts with our status as a Sanctuary City, as undocumented immigrants do not have and are unable to obtain legal ID.
3. **Finally, we encourage city staff to reconsider the amendment making “loud disturbances”, a violation of the Code of Conduct.** Our main concern with this amendment is that it is one that is very likely to impact every encampment created under this ordinance, yet it is not defined in any way. If this amendment is to remain a part of the proposed ordinance, then we would encourage city staff to better define what “loud disturbances” would be significant enough to constitute a violation of the Code of Conduct.