ABERDEEN CITY COUNCIL

January 8, 2020

COUNCIL MEETING AGENDA

7:15 PM – 3rd Floor, City Hall

COMMITTEE OF THE WHOLE

A. Guest Speakers
B. Department Heads
C. Mayor's Report
D. Non-Standing Committee Reports

COUNCIL MEETING

I. ROLL CALL

II. FLAG SALUTE

III. APPROVAL OF MINUTES

IV. ADDITIONS / DELETIONS

V. PUBLIC COMMENT Re: Agenda Action Items (Indicated by AI) (Please limit your comments to 3 minutes)

VI. FINANCE COMMITTEE

A. Committee Chair Report
B. Approval of expenditures
   1. Recommend approval of expenditures and payroll.
C. Public Hearings
D. Reports & Communications
   1. (AI) Report from Finance and the Parks Director recommending that the City Council accept the recommendations of the Lodging Tax Committee and authorize the Mayor to enter into individual contracts with the above organizations for the disbursement of the 2020 Lodging Tax Funds.
E. Ordinances

VII. PUBLIC WORKS

A. Committee Chair Report
B. Reports & Communication
C. Ordinances

VIII. PUBLIC SAFETY

A. Committee Chair Report
B. Reports & Communications

IX. SPECIAL AGENDA ITEMS

A. Reports & Communication

1. (AI) Report from Ad Hoc City Council Committee on Fire Cooperative Services recommending that the City Council authorize Mayor Schave to appoint three (3) members of the Aberdeen City Council to the Regional Fire Protection Service Authority Planning Committee with the City of Hoquiam.

2. This report is for informational purposes only. No action is being requested from the City Council at this time. Report from Ad Hoc Committee on Homeless Response providing a summary on work that has been done since January 2018 in support of the City's response to unsheltered people in our community.

B. Proclamation

C. Resolutions

D. Ordinances

E. Appointments

X. PUBLIC COMMENT PERIOD (Please limit your comments to 3 minutes)

XI. CITY COUNCIL COMMENT PERIOD

XII. EXECUTIVE SESSION

The City of Aberdeen does not discriminate against or exclude anyone from participation in public meetings. Requests for assistance should be made by contacting the Human Resources Department at 360-537-3207, 48 hours in advance of the meeting. Thank you.

CITY OF ABERDEEN ..... LEGISLATIVE DEPARTMENT

MAYOR: **Hon. Pete Schave**

THE MEMBERS OF
YOUR COMMITTEE ON: **Finance**

TO WHOM WAS REFERRED: **Lodging Tax Advisory Committee**

RE: **2020 Lodging Tax Funding Requests**

REPORT AND RECOMMEND AS FOLLOWS:

The Lodging Tax Advisory Committee met on Monday, December 16, 2019 to discuss lodging tax applications for the 2020 year.

After deliberation the Committee unanimously approved to recommend to City Council, funding for the following applicants: ARM, Light the Downtown **$7,500**; Our Aberdeen Projects **$8,000**; Art Drives **$7,500**; RehAberdeen Founders Day **$11,600**; Midnight Cruizers Car Show **$3,000**; GH Seaport **$5,000**; City Beautification Program **$8,000**; Arm, Winterfest **$4,000,** Whole Harbor (Farmers Market) **$10,400;** Olympic Culinary Loop **$0**. These request total **$65,000**.

2020 funding requests came in higher than the City had budgeted for recommended funding. The lodging tax allocation was a very difficult process for the committee again this year. I have attached a spreadsheet for the 2020 year. This is for your review and to help with calculations.

Therefore, it is recommended that the City Council accept the recommendations of the Lodging Tax Advisory Committee and authorize the Mayor to enter into individual contracts with the above organizations for the disbursement of the 2020 Lodging Tax Funds.

Stacie Barnum, Parks Director
Parks & Recreation

Finance Chair

Finance Committee

Reported: January 8, 2020

Finance Committee

Adopted:_____

Finance Committee

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City of Aberdeen

Parks and Recreation Department
200 East Market Street • Aberdeen, WA 98520-5242
Phone (360) 537-3229 • email • sbarnum@aberdeenwa.gov
Fax (360) 537-3350 • TDD (360) 533-6668

LODGING TAX ADVISORY COMMITTEE
December 16, 2019 MEETING MINUTES

BOARD MEMBERS PRESENT:

Pete Schave, Chair	Aberdeen City Council /Finance Chair
Bobbi McCracken	ARM
Brandi Bednarik	GH Historical Seaport
Jackie Elsos	Best Western Plus

BOARD MEMBERS ABSENT:

Cindy Lonn	A Harborview Inn

VISITORS PRESENT:

Bill Jenkins	Midnight Cruizers
Bette Worth	Winterfest & Light the Downtown
Julie Kennedy	Founders Day
Lauren Garrett	Farmers Market
Mery Swenson	Art Drives
Stacie Barnum	Secretary to the Lodging Tax Advisory Committee, City Beautification

-Chair Pete Schave called the meeting to order at 6:00 p.m.
-Stacie Barnum went over the presentation and meeting format. Each organization was allowed 5 minutes to present their project.

There were presentations by each organization in attendance. The LTAC asked about advertising, questions about each event, and tracking tourists.

There was committee discussion, questions and deliberations. There was discussion on the benefits of the beautification program, and things like holiday lighting.

The Committee recommended the following amounts for the 2020 funds: ARM, Light the Downtown **$7,500**; Our Aberdeen Projects **$8,000**; Art Drives **$7,500**; RehAberdeen Founders Day **$11,600**; Midnight Cruizers Car Show **$3,000**; GH Seaport **$5,000**; City Beautification Program **$8,000**; Arm, Winterfest **$4,000,** Whole Harbor (Farmers Market) **$10,400;** Olympic Culinary Loop **$0**. These request total **$65,000.** The total recommended for funding was $65,000. Unanimously APPROVED.

Staff reported that the Committee's recommendations will be presented to the Aberdeen City Council at the January 8, 2020 Council Meeting.

Meeting was adjourned at 7:10 p.m.

LTAC WORKSHEET 2020 LODGING TAX REPORT

USE OF FUNDS	2020 Recommendations	2020 LODGING TAX FUNDING REQUESTS	Estimated Staff Costs	2019 AWARDS
Amount Budgeted for Community Projects		**$65,000**		**$75,000**
COMMUNITY REQUESTS				
Downtown Aberdeen Association-Light the Downtown	$7,500	$7,500	n/a	**NEW**
Downtown Aberdeen Association-Winterfest	$4,000	$4,000	n/a	$4,500
Our Aberdeen-Art Projects	$8,000	$10,000	n/a	$7,000
Art Drives - GH Open Studio Tour	$7,500	$7,500	n/a	$6,000
Midnight Cruizers-Car Show	$3,000	$3,000	$575	$2,500
WHOLE HARBOR - Farmers Market	$10,400	$10,400	$7,200	$7,000
GH Historical Seaport	$5,000	$5,000	n/a	$3,000
Olympic Culinary Loop	$0	$1,000	n/a	**NEW**
RehAberdeen, Founders Day	$11,600	$12,000	$2,700	$3,000
Sub-Total	**$57,000**	**$60,400**	**$575**	**$30,000**
CITY REQUESTS				
City/ABC-Flower Baskets	$8,000	$10,000	n/a	$8,000
Total Project's	**$65,000**	**$70,400**		

LEGISLATIVE DEPARTMENT
CITY OF ABERDEEN

Mr. Mayor:	Hon. Pete Schave
The Members of:	(Joint) Ad Hoc City Council Committee on Fire Cooperative Services
To Whom was Referred:	**Request to appoint 3 Aberdeen City Council Members to establish a Regional Fire Protection Service Authority (RFPSA) Planning Committee with the City of Hoquiam pursuant to RCW 52.26**

REPORT AND RECOMMEND AS FOLLOWS:
In August 2018, the City of Aberdeen, along with Hoquiam, retained Emergency Services Consulting International ("ESCI") to develop and present a Fire Department Cooperative Services Feasibility Study. ESCI developed the report during 2019, and presented the final report at a Joint Special Meeting of the two City Councils on October 1, 2019.

At the request of Council President Andrews, on November 11, 2019 the Aberdeen City Council established the Ad Hoc City Council Committee on Fire Cooperative Services (Fire Ad Hoc Committee) to meet with a similar ad hoc committee of Hoquiam City Council members. The purpose of the Fire Ad Hoc Committee was to consider whether to recommend establishing a formal RFPSA Planning Committee in compliance with RCW 52.26.030 to develop an RFPSA plan to present for consideration of entering onto the ballot for the voters of the both cities to determine whether an RFPSA should be established. At a joint ad hoc committee on December 16, 2019, meeting representatives from both cities agreed to recommend moving forward with a RFPSA. Under state law a formal planning committee must be established to provide recommendations on a RFPSA plan to each governing body.

The Municipal Research and Services Center ("MRSC") provides the following overview of a RFPSA.

> A RFPSA is a special purpose district created by a vote of the people residing in the proposed district (Chapter 52.26 RCW). Its boundaries are coextensive with two or more fire protection jurisdictions (fire district, town, port district, municipal airport, regional fire protection service authority or Indian tribe) located within "reasonable proximity." It is a municipal corporation, an independent taxing authority with the meaning of article 7, section 1 of the state constitution, and a taxing district within the meaning of article 7, section 2 of the state constitution.

The following documents are attached to this report:

1. (Joint) Fire Cooperative Service AD Hoc Committee Report – 12/16/2019
2. MRSC overview of RFPSA (last updated 10/02/2019)

Therefore, it is recommended that the City Council authorize Mayor Schave to appoint three (3) members of the Aberdeen City Council to the Regional Fire Protection Service Authority Planning Committee with the City of Hoquiam.

Thomas Hubbard

_____

Tom Hubbard, Fire Chief

Reported: January 8, 2020 _____

Adopted: _____

_____
Chair

_____

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Fire Cooperative Services Ad Hoc Committee REPORT

DATE: December 16, 2019

To: Mayor and City Council members for Aberdeen and Hoquiam

Re: Resolution to create formal R.F.A. Committee

We your Aberdeen/Hoquiam Ad-hoc Committee on Fire Department Cooperative Services, recommend:

That the city councils of Aberdeen & Hoquiam adopt a resolution to formally create the R.F.A. committee

Committee Members

Pete Schave

Dee Anne Shaw

Karen Rowe

Tawni Andrews

Paul McMillian

Steven Puvogel

Denise Anderson

Dave Hinchen

Regional Fire Protection Service Authorities

This page provides an overview of regional fire protection service authorities in Washington State, including a list of existing authorities, sample regional fire protection service plans, and other documents.

Overview

A regional fire protection service authority (RFPSA) is a special purpose district created by the vote of the people residing in the proposed district (chapter 52.26 RCW). Its boundaries are coextensive with two or more fire protection jurisdictions (fire district, city, town, port district, municipal airport, regional fire protection service authority, or Indian tribe) located within "reasonable proximity." It is a municipal corporation, an independent taxing authority within the meaning of article 7, section 1 of the state constitution, and a taxing district within the meaning of article 7, section 2 of the state constitution.

Regional fire protection service authorities were authorized in 2004. The legislature noted that the ability to respond to emergency situations by many of Washington state's fire protection jurisdictions had not kept up with the state's needs, particularly in urban regions and that efficiencies could be gained by regional fire protection service delivery.

Formation Process

The first step in forming the district is to create an RFPSA planning committee to draft a regional fire protection service authority plan. The planning committee is composed of three elected officials appointed by the governing bodies of each of the participating fire protection jurisdictions (RCW 52.26.030).

Upon receipt of the plan, the governing bodies of the fire protection jurisdictions may certify the plan to the ballot and put the plan before the voters for their approval or rejection. A single ballot measure may approve formation of the authority and the plan.

If a simple majority of votes cast are in favor, the district is declared organized by resolution of the county commissioners (RCW 52.26.060). However, if the plan authorizes the authority to impose fire benefit charges or 60% voter-approved taxes, the plan must be approved by a 60% supermajority (RCW 52.26.050).

Participating jurisdictions must review the plan every ten years (RCW 52.26.090(1)).

Governing Board

The governing board of the regional fire authority is determined by the plan and must consist of elected officials (RCW 52.26.080(2) and (3)). The statutory language is somewhat unclear, but it appears the board may consist of one of the following options (or a mix of both):

- Current elected officials from the participating fire protection jurisdictions, such as fire protection district commissioners or city councilmembers
- Regional fire commissioners elected by the voters of the regional fire authority

For instance, the board could consist of three elected regional fire commissioners, or two city councilmembers and three fire protection district commissioners from participating jurisdictions, or one city councilmember, one fire protection district commissioner, and three elected regional fire commissioners (or any number of other combinations).

The plan must establish the terms of office. The terms must be staggered, and no single term may exceed six years (RCW 52.26.080(3)(b)). If desired, the regional fire authority may establish commissioner districts for the purpose of determining commissioner eligibility and voting in primary elections (RCW 52.26.080(4)).

List of Regional Fire Protection Service Authorities

MRSC is currently aware of 13 regional fire protection service authorities in Washington, almost all in Western Washington. In 2015, the West Benton Regional Fire Authority became the first RFPSA in Eastern Washington.

Benton County

- **West Benton Fire & Rescue** (established 2015) - West Benton Fire Authority consists of Prosser and Benton County Fire Protection District No. 3, replacing a former interlocal agreement. Earlier RFPSA attempt failed in 2010 general election.

Grays Harbor/Pacific Counties

- **South Beach Regional Fire Authority** (established 2017) - City of Westport, Pacific County FPD No. 5, and Grays Harbor County FPDs No. 3, 11, and 14

King County

- **Puget Sound Regional Fire Authority** (established 2010, formerly Kent Fire Department RFA) - Includes City of Kent, King County FPD No. 37 (Covington annexed), and SeaTac (King County FPD No. 24 annexed)
- **Renton Regional Fire Authority** (established 2016) - Includes City of Renton and King County FPD No. 25
- **Valley Regional Fire Authority** (established 2007) - Cities of Algona, Auburn, and Pacific

Lewis County

- **Riverside Fire Authority** (established 2008) - City of Centralia and Lewis County Fire District No. 12

Mason County

- **North Mason Regional Fire Authority** (established 2014) - Includes Mason County Fire District No. 2 and Mason County Fire District No. 8

Snohomish County

- **Marysville Fire District Regional Fire Authority** (established 2019) - Snohomish County FPD No. 12 and City of Marysville

- **North County Regional Fire Authority** (established 2007) - Snohomish County FPD Nos. 14 and 18
- **South Snohomish County Fire & Rescue** (established 2017) - Snohomish County FPD No. 1 and the City of Lynnwood

Thurston County

- **Southeast Thurston Fire Authority** (established 2010) - Includes Yelm, Thurston County FPD No. 2, FPD No. 4 (Rainier annexed)
- **West Thurston Regional Fire Authority** (established 2009) - Includes Thurston County FPD No. 1 and Thurston County FPD No. 11

Whatcom County

- **South Whatcom Fire Authority** (established 2009) - Whatcom County FPD Nos. 2, 6, 9, and 10

Examples of Regional Fire Authority Documents

Regional Fire Protection Plans

- **Kent Fire Department Regional Fire Authority** Service Plan (2010) – Created by Kent and a fire protection district; later renamed Puget Sound Regional Fire Authority
- **North Mason Regional Fire Authority** Service Plan (2013) – Created by two fire protection districts; includes joint resolution submitting plan to voters.
- **South Whatcom Regional Fire Authority** Service Plan (2008) – Created by four fire protection districts
- **West Benton Regional Fire Authority** Service Plan (2014) – Created by Prosser and a fire protection district; includes joint resolution submitting plan to voters.

Other Regional Fire Authority Documents

- **Bothell/Northshore/Snohomish #10** Regional Fire Authority Feasibility Study (2015) – Feasibility study for proposed regional fire authority between Bothell and two fire districts. Proposal was later abandoned and never submitted to voters.
- **Woodland** Resolution No. 608 (2012) – Authorizing city staff to participate in development of draft regional fire plan with Battle Ground and two fire protection districts; plan was later defeated by voters.
- **Yakima/Union Gap** Regional Fire Authority Fiscal Analysis (2012) – Fiscal analysis of proposed regional fire authority between Yakima, Union Gap, and two fire protection districts; plan was abandoned and never submitted to voters.

Recommended Resources

- Regional Fire Authority: Implementation Guide for Fire Departments in Washington State, jointly developed by the Washington Fire Chiefs and Washington State Council of Fire Fighters
- Regional Fire Protection Service Authority (2008), by Dan Heid, City Attorney of Auburn, Proceedings of the Washington State Association of Municipal Attorneys, 2008 Annual Fall Conference

- Regional Fire Authority Frequently Asked Questions (2009) - Posted with permission of Joseph F. Quinn, Legal Counsel for Valley Regional Fire Authority, Riverside Fire Authority, and West Thurston Fire Authority
- Washington Fire Commissioners Association Fire District & RFA Resources - Various pamphlets, help topics and example documents

Last Modified: October 02, 2019

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CITY OF ABERDEEN •
200 East Market Street, Aberdeen, Washington 98520

January 8, 2020

To: City Council members *(alphabetically)*

Tim Alstrom	Frank Gordon	Jerrick Rodgers
Tawni Andrews	Kati Kachman	Deborah Ross
Shaney Crosby	Nathan Kennedy	Karen Rowe
Joshua Francy	John Maki	Dee Anne Shaw

CC: Pete Schave, Mayor

RE: Alternative Shelter Locations

At the request of the Ad Hoc Committee on Homeless Response, the following report is provided summarizing work that has been done since January 2018 in support of the City's response to unsheltered people in our community. Please note the following attachments: Timeline of Events; and Map of City-owned properties.

CONTEXT:

In August 2018, as authorized by City Council, the City of Aberdeen purchased approximately eight acres along the Chehalis River ("River Street property"). The property had been identified as a public nuisance, and there was a population estimated at 150 who were sheltering at the location. The property purchase was intended to operate as an alternative to usual nuisance abatement processes, which had not had long-term success at the property in the past.

In September 2018, and again in April 2019, the US Court of Appeals for the Ninth Circuit ("9th Circuit") ruled that it is a violation of the 8th Amendment prohibition on cruel and unusual punishment for a city to issue criminal charges against homeless persons for sleeping outdoors on public property when there is no alternative shelter. (*Martin v. City of Boise*, 902 F.3d 1031 (9th Cir. 2018), *opinion amended and superseded on denial of reh'g*, 920 F.3d 584 (9th Cir. 2019)). On December 16, 2019 the US Supreme Court denied the City of Boise's petition for certiorari.

In February 2019, City Council updated Aberdeen Municipal Code ("AMC") Chapter 12.46 (Public Camping Ordinance) with respect to public camping to address the 9th Circuit decision. The update included defining areas where public camping is allowed when adequate shelter is not available, as well as amending the violation from a criminal to a civil penalty. The defined area is "portions of any street right-of-way that are not expressly reserved for vehicular or pedestrian travel." (AMC 12.46.045(B) citing to AMC 12.46.040(A)(4)). During litigation, that area was more specifically identified as sidewalks in excess of four feet (4') wide and not including driveways, planter boxes, and similar areas.

ALTERNATIVE LOCATION(S):

Recognizing the limited available indoor shelter space, and anticipating the closure of the River Street property, City staff began to identify which City-owned properties may be available to house a temporary encampment of the size being moved from the River Street property. Criteria were developed to identify a location or locations that would impose the relative lowest level of impacts to the selected

location and surrounding properties, provide the greatest opportunity for emergency response to the location, and still enable the unsheltered population to access social services.

In May 2019, a team of City staff toured nine (9) locations and identified the top ranking locations. In July 2019, the *ad hoc* committee recommended the current City Hall Parking Lot temporary location based in part on those staff recommendations. When the property at 421 S. Michigan ("Michigan Street") was offered to the City for purchase, staff and *ad hoc* committee members applied the same criteria to that location and identified it as the most reasonable available location for an alternative shelter location.

CRITERIA

City staff assumed individual sites with dimensions of 10 ft. by 12 ft. This number was taken from the Olympia mitigation site location, and has since be reduced according to the smaller footprint of the WeatherHyde shelters. Each location would be fenced with privacy fencing to provide privacy and security for the campers, as well as to provide a visual barrier for neighboring businesses or residents.

The location(s) would be provided garbage service and sani-cans, and a potable water source. Proper disposal options for sharps or other medical waste is also provided.

City staff identified the following baseline criteria for inclusion:

- Property owned by the City of Aberdeen
- Relatively flat terrain, or readily leveled to create flat terrain
- Accessibility for emergency responders, or readily made accessible
- Of a size to hold up to 120 sites, or proximity to another site to reach 120 sites, based on the number of unsheltered persons "known" to be in the City
- Availability to host location for up to one year while longer-term or indoor shelter options are identified

Given these constraints, City staff identified nine locations in the City's portfolio. The City staff then applied a second round of criteria used to sort the properties. Those criteria are:

- Pedestrian access, or readily made accessible
- Proximity to social services for pedestrian accessibility
- Soils/ground cover durability throughout seasons (human health and safety consideration)
- Makeup of surrounding area/impact footprint (business, residential, commercial)

LOCATION OPTIONS (listed alphabetically)

Armory (approximately 25,000 sf)

The Armory location ranks well based on proximity to services, pedestrian accessibility, and ground cover durability. It has good accessibility for emergency responders, and power and water are run to the location. It is larger than the current TASL at the City Hall Parking Lot, with none of the planter carve-outs. There are no immediate alternative plans for the site.

However, the site is surrounded by residential area. There are also schools and related playfields in close proximity.

City Hall Parking Lot (approximately 19,000 sf)

The City Hall Parking lot ranked well based on its proximity to services, pedestrian accessibility, ground cover durability (asphalt surface), and relatively limited impact to the immediately surrounding area. The location has good accessibility for emergency responders, including lighting in case of responses after dark.

It is not a large site, but was initially considered as available for potential supplementation by a nearby location. The current use is for employee parking for City Hall employees, and other employees with business at City Hall. Alternative parking for Cit Hall employees has been acquired approximately

one-half block away. Not all City Hall employees use the alternative location, and park on the street adjacent to City Hall.

Franklin Field: (approximately 84,000 sf)

Franklin Field ranked highly for size, flat terrain, accessibility for emergency response, proximity to services and pedestrian access.

It was eliminated from consideration because it is currently used as a retention pond for stormwater overflow during storm/flood events.

"Gateway Center": (approximately 38,000 sf)

The proposed Gateway Center location, identified in three neighboring parcels, ranked highly for flat terrain, size, accessibility for emergency response, proximity to services, and pedestrian access. It is within 3 blocks of the City Hall Parking lot, and could have been appropriate as a secondary location.

Two of the three parcels were purchased using Washington State Department of Commerce ("Commerce") funds, and Commerce currently holds the deed of trust (legal ownership) of the property. The City would face penalties for change in use of the property, as a temporary encampment may constitute a material change in use of the project site.

The two parcels purchased under the Commerce grant have roundabout construction and/or site preparation, including geoengineering studies and soils borings, scheduled for the upcoming construction season. The third parcel is immediately adjacent to a small ethnic grocery, a newly remodeled local bank drive-through area, and an area partially leased as an electric car charging area.

Michigan Street (421 S. Michigan Street) (approximately 31,000 sf)

The Michigan Street property ranked highly based on size, flat terrain, pedestrian access, accessibility for emergency response, proximity to services, and durability of ground cover (gravel base). It is a mixed use area, primarily with light industrial/commercial businesses. The site is immediately north of the railroad tracks, so the risk from crossing tracks to reach the property is very low.

North End Park (North Aberdeen, across Wishkah River Bridge) (approximately 100,000 sf)

North End Park ranked highly based on size, flat terrain, and pedestrian access. However, the Playfield is a grassed area, susceptible to saturation during heavy weather and with no vehicle access for emergency response vehicles to the portion of the property capable of handling the proposed sites. In addition, it is located approximately 15 blocks from social service providers.

The Park is located in a residential area; residents in the area are lower income and this could create perception that the City is intentionally placing the encampment to disproportionately impact lower income residents. A childcare facility is located immediately across the street from the Park.

Peterson Playfield (approximately 147,000 sf)

Peterson Playfield ranked well based on its size and pedestrian access.

However, the Playfield is a grassed area, susceptible to saturation during heavy weather and with no vehicle access for emergency response vehicles to the portion of the property capable of handling the proposed sites. In addition, it is located approximately 20 blocks from social service providers.

The Playfield is the location for both the City's summer lunch program and the summer youth activities program. The site is also located in a residential area; residents in the area are lower income and this could create perception that the City is intentionally placing the encampment to disproportionately impact lower income residents.

Sam Benn Park (approximately 400,000 sf)

Sam Benn Park ranked well for pedestrian access, size, and flat terrain. It is not as near to most social service providers as other locations; it is adjacent to a short term residential drug and alcohol addiction detox facility. The area is primarily residential.

The terrain has obstacles that could impede emergency response; mature stands of cedar trees could be at risk of fire, and/or create risk to campers from falling branches. The park is a grassy area, susceptible to saturation during heavy weather.

The park is one of the most heavily utilized parks in the City, and is regularly programmed for large public gatherings.

"Skysweeps" / "Totem" properties (approximately 125,000 sf)

These properties ranked well for size, flat terrain, and general pedestrian access.

However, pedestrian routes and road crossing to the location are limited. There is limited emergency response vehicular access, and the properties are grassy areas susceptible to saturation during heavy weather. The properties are immediately adjacent to an existing flood control levee which requires regular maintenance by heavy or industrial machinery.

In order to reach social services, occupants would need to cross a bridge over the Chehalis River that has limited lighting. The properties are also located in a residential area; residents in the area are lower income and this could create perception that the City is intentionally placing the encampment to disproportionately impact lower income residents.

Water Department Industrial Lot (approximately 135,000 sf)

The Industrial lot ranked well for size, durability of ground cover, and pedestrian access. It has good proximity to services (approximately 2 blocks further than the River Street property), and the surrounding neighborhood is industrial/commercial with undeveloped property owned by the Port of Grays Harbor and the City's water/water treatment facility as immediately bordering properties. The location has good accessibility for emergency responders, including lighting in case of responses after dark.

There is one gated vehicle entrance, and a pedestrian gate could readily be installed to facilitate pedestrian traffic. The single access point crosses a single rail track at a designated railroad crossing. However, there is construction planned for the upcoming construction season (within the next 3-6 months), and the construction traffic will traverse the property and exit through the vehicle access gate. The lot is currently used for storage of concrete and asphalt fill material.

Zelasko Park: (approximately 39,000 sf)

Zelasko Park ranked well for size, flat terrain, accessibility for emergency response, proximity to services, and pedestrian access.

It was eliminated because of its location along the path of two major construction projects (North Shore Levee, and F Street Roundabout) anticipated to start within the next 9 – 12 months. The property is also located along state Highway 101 which carries all east and westbound traffic through Aberdeen, with limited pedestrian traffic control. And finally, the soils at the property regularly become saturated due to precipitation and water table from the immediately adjacent Wishkah River.

TIMELINE ADDRESSING UNSHELTERED RESIDENTS
CITY OF ABERDEEN

January 31, 2018: City Council workshop on priorities, identifying homelessness a top priority

February 7, 2018: City Council workshop on homelessness issues

May 23, 2018: City Council authorizes Mayor Larson to purchase the River Street property for an amount not to exceed $295,000 to abate nuisance conditions, in part caused by unpermitted encampment of unsheltered people.

August 2018: Purchase of River Street property from Langs; decision to impose rules, and not remove unsheltered persons in consideration of upcoming winter weather and lack of shelter space

September 1, 2018: Mayor Larson is quoted in "Daily World" as identifying the need for a "temporary low-barrier shelter space"

August – September: City of Aberdeen begins removal of garbage and debris from River Street property, some campers voluntarily leave.

September 4, 2018: *Martin v. City of Boise* 9th Circuit announces that homeless persons cannot be criminally charged for public camping if there is no available shelter space.

September 24, 2018: In recognition of lack of available overnight shelter in the City of Aberdeen, the City allows persons remaining on the property to stay through the winter, anticipating cooperative efforts to develop an alternative shelter location

November 2018 – January 2019: City is sued for its actions at the River Street property in federal court (*Monroe, et al v. City of Aberdeen, et al.).* The City entered a stipulated order of judgement in lieu of a full trial. City staff begin discussing City properties that may be developed for alternative shelter locations.

January – February 2019: City Council brings forward and passes amendments to its Public Camping Ordinance (AMC 12.56), identifying areas where it would not be enforced if there is no available overnight shelter.

February 2019: *Monroe* resolved with respect to damages to Plaintiffs; rules for River Street property finalized.

April 2019: 9th Citcuit *en banc* declines re-hearing *Martin v. City of Boise; Monroe* settled as to attorneys' fees; Council brings forward ordinance closing River Street property.

May 2019: City Council passes ordinance closing River Street property to all public access for life safety, public safety and public welfare considerations. City staff develop criteria to identify City property that may be used as alternative shelter location(s), and develop initial recommendations for alternative shelter location(s).

April – July 2, 2019: City is sued for its actions at the River Street property (*Aitken et al v. City of Aberdeen*), and claims made that taken together the public camping, sit-lie, and obstruction of sidewalks ordinances violate or impinge the Constitutional rights of various parties. Hon. Judge Leighton imposes a Temporary Restraining Order on enforcing the three ordinances, but allows the City to close the River Street property. As part of its case, City presents map showing the areas where public camping is allowed under current regulations, and that meet agreed-upon criteria.

June 11, 2019: Mayor Larson requests to lease Grays Harbor Transit property (along Market Street) for a temporary alternative shelter location. The request was denied.

June 24, 2019: City Council holds special meeting and workshop on homelessness response with presentations from the City of Olympia, City of Walla Walla, and APD Chief Shumate

June – July 2019: Mayor Larson appoints a voluntary ad hoc Committee on Homelessness Response, who meet and recommend finding temporary alternative location(s) for public camping rather than the identified sidewalk areas. All agree this is not a permanent solution. Ad hoc committee reviews criteria and staff recommendations of alternative shelter locations.

July 10, 2019: At the recommendation of the ad hoc committee, City Council authorizes a Temporary Use Permit for up to 30 days for a Temporary Alternative Shelter Location behind City Hall on property owned by the City of Aberdeen. The use is for 43 tent sites.

July 11, 2019: Aberdeen Police Department with assistance of the Grays Harbor County Sheriff's Office and the Hoquiam Police Department issue three-day notice to vacate River Street property, as well as FAQ handout regarding their transition, etc.

July 15, 2019: Mayor Larson personally checks in the first participants at City Hall TASL, who agree to abide by site rules and are provided a sleeping bag to use in tents provided at the TASL.

July 24, 2019: City Council authorizes an extension of the Temporary Use Permit for an additional 60 days (to October 15, 2019) and an increased budget to $40,000.

July 25, 2019: TASL City and Service-Provider coordination meeting

July – August 2019: Private property owner approaches City staff and mayor regarding purchase of 421 S. Michigan Street. Criteria developed in May, presented during executive sessions, and discussed with ad hoc committee in July are applied for analysis for use as

an alternative shelter location. Staff recommend seeking approval to purchase property for use as alternative shelter location.

August 14, 2019: City Council authorized an additional $45,000 in expenditures for the TASL site, not to exceed $85,000 for 90 days of operation. This increase was mainly to pay for on-site 24/7 security and to increase shelters from 43 to 48 tents. The Council also authorized the Mayor to use the longer-term budget presented to seek additional funding to acquire and operate a longer-term alternative shelter as well as to issue a Request for Qualifications for an on-site coordinator for the Alternative Shelter Location.

August 28, 2019: City Council authorized the Mayor to sell the River Street property for a minimum sale price of $440,000.00 to cover purchase price and cleanup of the property. At the recommendation of the ad hoc Committee, City Council also authorized the Mayor to purchase property at 421 S. Michigan Street for $60,000 for the purpose of operating a longer-term shelter.

September 11, 2019: City Council set a public hearing on September 25, 2019 for a proposed Temporary Use Permit for up to one-year, so that the City could operate a longer-term alternative shelter on property located at 421 S. Michigan Street.

September 25, 2019: Meeting and Public Hearing cancelled for administrative reasons to comply with Open Public Meetings Act. Mayor Larson holds impromptu town hall meeting with members of the public; event recorded and transcript posted. Public Hearing on 421 S. Michigan re-scheduled to October 9, 2019.

October 9, 2019: Rescheduled Public Hearing on 421 S. Michigan Street held. City Council votes against longer-term alternative shelter on property at 421 S. Michigan Street. City Council vote to extend current TASL (City Hall parking lot) to March 15, 2019.

October 23, 2019: City Council approves TASL "coordinator", additional security, and extension of budget

October 31, 2019: City erects "warming area" within TASL in response to unseasonably cold temperatures.

November 1, 2019: *Aitken* dismissed with prejudice.

November 6, 2019: City Council Workshop on TASL and Homeless Response. City Council conducted Q/A with staff regarding criteria and site selection, as well as updates to security and rules of conduct.

November 25, 2019: WeatherHyde tents arrive; TASL participants begin to transition into them; footprint is smaller, which causes consternation. Staff begins erecting one shelter per person to address issue (81 participants at time of WeatherHyde arrival, in about 50 tents)

December 16, 2019: US Supreme Court declines petition for certiorari of *City of Boise v. Martin*. 9th Circuit decisions remain in effect.

December 18, 2019: Ad Hoc Committee directs City staff to begin expanding TASL WeatherHyde shelters to (full capacity) of 86.

January 8, 2020: Ad Hoc Committee provides staff report to City Council regarding actions to date on alternative shelter options.

Legend
City Owned Properties
Downtown Business District
Sit Lie Boundaries
Alternative Locations
North End Park
99,559 sf
Sam Benn North
168,276 sf
Sam Benn South
230,772 sf
ARMORY
24,806 sf
Gateway Center
37,530 sf
City Hall Parking Lot
19,191 sf
Zelasko Park
38,827 sf
Franklin Field
83,916 sf
Wes Peterson Park
147,285 sf
Skysweeps
24,739 sf
100,600 sf
MICHIGAN STREET
31,305 sf
Water Dept Industrial Lot
134,513 sf
820 410 0 820 Feet
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THE PROPERTY LINES SHOWN ON THIS OVERLAY ARE NOT EXACT AND THE CITY DOES NOT GUARANTEE PROPERTY LINE LOCATIONS. TO DETERMINE EXACT LOCATION OF PROPERTY LINES, YOU MUST OBTAIN A SURVEY FROM A LICENSED LAND SURVEYOR.

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CITY OWNED PROPERTIES OVER 20,000 SF

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