

**Cote, Brandy**

RECEIVED

JUL 23 2021

CITY CLERK'S OFFICE

**From:** Woodward, Nadine  
**Sent:** Monday, July 12, 2021 4:34 PM  
**To:** City Council Members and Staff  
**Subject:** Emergency (hazard) shelter amendments  
**Attachments:** 2021-7-7 - temporary hazard shelter meeting.pdf; Emergency shelters amendments\_7-9-2021.pdf

Dear Councilmembers,

Thanks to several of you for attending the community listening session I held last week relating to draft changes of hazard sheltering and homelessness policy withing the Spokane Municipal Code (SMC). As you know, I believe policy changes should be passed with enough time for thoughtful input and community dialogue. Sweeping changes that have vast operational and fiscal impacts deserve the careful consideration of subject matter experts and should only be enacted as a true emergency if there is a demonstrable deficiency in the current system.

As you saw during the previous winter and recent heat wave vacancies in the shelter system persisted. City employees followed current code during the heat wave and provided nearly 1000 spaces across the City as cooling centers. A scalable, community approach that takes into consideration assets, usage and need, personal decision making of citizens, and how to adequately allocate resources for all city services is of the utmost importance.

As I presented to the community last week, the City prepared and executed a plan for cooling centers that utilized lessons learned from last year's safer air center activation. This plan drew on utilization data and experience of City staff.

The proposed ordinance unilaterally changes the temperature and duration threshold of heat-related shelter activation and provides no data or resources to support this change. I must question how the Council decided to make a sudden shift during a heat event in which hazard shelter was activated according to the guidelines set forth in the SMC, which was only implemented in the previous year. This ordinance:

- Seeks to blend hazard sheltering with homelessness policy
- Does not account for planning and fluctuation in temperature or formal National Weather Service warnings
- Lacks a definition of "low-barrier" shelter
- Mandates the use of facilities owned and operated by organizations that the City cannot compel to participate, and;
- Fails to take into consideration the lack of providers and fiscal impact to keep standby contracts or non-monetary agreements in place.

This email to you today is not intended to disparage the emotion, lived experience, or benefit that hazard shelters can have in our community. Rather, to highlight the need to collaborate, communicate, and allow time for operational staff to implement, collect data, report back, and then suggest changes if the evidence shows it is necessary. That process begins with an after-action review, which is customary of an event of scale and magnitude.

The Council has not given adequate time for this to occur and I ask that you defer consideration of this ordinance until more robust study and planning to meet these needs can be accomplished.

Attached you will find my presentation from last week's meeting which highlights the areas of greatest concerns. Please note the difficulty in tracking the number of changes that have been produced quickly to this proposal, including the most recent version received by my office at 11:22 A.M. today, and understand that this version may be different than what the entirety of Council has had the opportunity to review.

Sincerely,

**Nadine Woodward** | CITY OF SPOKANE | SPOKANE MAYOR  
509.625.6250 | [mayor@spokanecity.org](mailto:mayor@spokanecity.org) | [spokanecity.org](http://spokanecity.org)

**Agenda Sheet for City Council Meeting of:**

07/12/2021

<b>Date Rec'd</b>	6/30/2021
<b>Clerk's File #</b>	ORD C36077
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	BREEAN BEGGS 625-6714
<b>Contact E-Mail</b>	BBEGGS@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Emergency Ordinance
<b>Agenda Item Name</b>	0320 - UPDATING SMC CHAPTER 18.05 PROTECTIONS FOR HOMELESS PEOPLE

**Agenda Wording**  
 Improving the standards for the City's efforts to help unhoused and vulnerable people; amending sections 18.05.010, 18.05.020, and 18.05.030 of the Spokane Municipal Code; and declaring an emergency.

**Summary (Background)**  
 Needed updates to this section of SMC became increasingly obvious during the 100+ degree temperatures in Spokane in June and July. This ordinance recognizes a gap in sheltering and services during extreme weather events and lays out a framework for planning and preparing for future incidents of extreme temperature or air quality. Providing residents, including those who are unhoused, protection from the elements is an essential function of government during extreme events.

Lease? NO	Grant related? NO	Public Works? NO
<b>Fiscal Impact</b>		<b>Budget Account</b>
Select \$		#
Select \$		#
Select \$		#
Select \$		#

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	MCCLATCHEY, BRIAN	<b>Study Session\Other</b>	PIES 6/28/21
<b>Division Director</b>		<b>Council Sponsor</b>	CP Beggs
<b>Finance</b>	HUGHES, MICHELLE	<b>Distribution List</b>	
<b>Legal</b>	PICCOLO, MIKE		
<b>For the Mayor</b>	ORMSBY, MICHAEL		
<b>Additional Approvals</b>			
<b>Purchasing</b>			

PASSED BY  
 SPOKANE CITY COUNCIL:

*July 12, 2021*  
*[Signature]*  
 CITY CLERK

## ORDINANCE NO. C36077

An ordinance improving the standards for the City's efforts to help vulnerable and unhoused people during extreme environmental conditions; amending sections 18.05.010 and 18.05.020 of the Spokane Municipal Code; and declaring an emergency.

**WHEREAS**, vulnerability and homelessness persists even during normal weather conditions and exacerbated whenever Spokane faces extreme conditions, such as smoke from wildfires which make the air unsafe to breathe, and dangerously low or high temperatures, which create a risk to the lives of those without sufficient cooling facilities and shelter; and

**WHEREAS**, when temperatures in Spokane are above 95 degrees Fahrenheit for several days in a row in Spokane, and have not cooled below 70 degrees Fahrenheit at night during that time, a serious risk to everyone's health and safety is created, particularly those who are unhoused; and

**WHEREAS**, the impacts of the climate crisis are accelerating and bringing more frequent and intense extreme weather events to Spokane and advanced planning efforts will be necessary to ensure proper emergency response; and

**WHEREAS**, all of these facts establish that there exists in Spokane an interrelated set of emergency conditions which present a threat to the public health and safety, and which require that this ordinance be made effective immediately pursuant to Section 19(A) of the City Charter.

**NOW THEREFORE**, the City of Spokane does ordain:

**Section 1.** That section 18.05.010 of the Spokane Municipal Code is amended to read as follows:

### **Section 18.05.010 Legislative Findings and Purposes**

- A. Centers for the protection of vulnerable and homeless individuals and families during inclement weather is vital, whether due to extreme cold, extreme heat, poor air quality conditions, severe storms, or other types of civil emergencies.
- B. The City Council has, from time to time in the past, passed resolutions stating the guidelines and triggering conditions for the activation of emergency warming centers in the City of Spokane, noting that extreme weather conditions can create an extreme danger for vulnerable and homeless people in Spokane and puts a great strain on service providers.
- C. This chapter is intended to codify and supersede those prior resolutions, including, most recently, Resolution No. 2014-0018 (Feb. 24, 2014).
- D. The City Council finds that gaps in shelter and services have been a recurring problem during extreme heat, cold, and poor air quality events, in addition to the

continuous public health and safety problem of vulnerability and homelessness in our community.

- E. The City Council also finds that the City must approach this issue with the foresight, increased resources, and prior planning which is a characteristic of prepared and resilient cities around the world, so that Spokane is ready at all times to handle the types of conditions that require the provision of emergency shelter for all people in Spokane who need it, including securing written agreements with private and government entities to provide additional shelter on short notice.
- F. The City Council also finds that providing protection to Spokane residents from extreme heat, cold and unsafe air is an essential government function no less than is the provision of water, wastewater, police, fire, and emergency medical services.
- G. The City Council finds that adequate inclement weather centers can be cost-effectively provided within existing City resources to those actually seeking shelter without providing capacity for every vulnerable and unsheltered homeless individual within the City since not all individuals seek out shelter at inclement weather centers.

**Section 2.** That section 18.05.020 of the Spokane Municipal Code is amended to read as follows:

#### **Section 18.05.020 Activation Criteria**

- A. The activation criteria for inclement weather centers beyond existing homeless shelter capacity and the homes of individuals that aren't equipped to handle extreme weather changes in the City of Spokane are as follows:
  - 1. Warming centers sufficient to meet the shelter needs of currently unsheltered homeless individuals and other vulnerable individuals seeking shelter in Spokane will be activated on each day during which the temperature is predicted by the National Weather Service to be 32 degrees Fahrenheit or lower and designated low-barrier shelter space was at ninety percent (90%) capacity or greater during the previous night. The warming centers will operate at a minimum during the hours that temperatures are lower than thirty-two (32) degrees Fahrenheit. The City may, by contract with its center provider(s), raise the activation temperature for warming centers, but in no event will the activation temperature be ((higher)) lower than thirty-two (32) degrees Fahrenheit.
  - 2. Cooling centers sufficient to meet the shelter needs of currently unsheltered homeless individuals and other vulnerable individuals seeking cooling shelter within the City will be activated when the temperature is predicted by the National Weather Service to be ((40))95 (((one hundred))ninety-five) degrees Fahrenheit or higher for ((three))two (((3))2) consecutive days or more. The cooling centers will be operated at a minimum during all hours when the temperature is 95 (ninety-five) degrees Fahrenheit or higher. The City may, by contract with its center provider(s) extend the hours of operation and/or lower the activation temperature for cooling centers. The City should seek out a network of cooling center locations throughout the

City at schools, libraries, churches and community centers and encourage other municipal governments to join in providing a regional cooling center network.

3. Safe air centers sufficient to meet the shelter needs of currently unsheltered homeless individuals and other vulnerable individuals seeking safe air shelter within the City will be activated for the entire day and evening on which the Spokane Regional Clean Air Agency forecasts the current air quality index to reach 250 or higher.
  4. Emergency centers may also be activated by the Mayor or the Mayor's designee on any day in which a civil emergency or extreme storm or weather condition exists or is predicted to occur and which, in the determination of the Mayor or the Mayor's designee, poses a severe threat to the health or safety of vulnerable and unsheltered homeless individuals and families in the City of Spokane.
- B. The Community Health and Human Services ("CHHS") Department shall implement the appropriate policies and procedures, including without limitation making funding requests; recommendations regarding center providers; the designation of specific locations to be used as warming, cooling, and safe air centers; ~~((and))~~ the arrangement of other appropriate measures to the City Council in order to carry out the specific provisions and intent of this section; and shall continuously maintain contracts and/or appropriate non-monetary agreements scalable to the need for emergency warming, cooling and safe air center provider services, with no lapse in coverage at any point in time throughout each year, regardless of whether the services are provided under contract, by interlocal agreement or by city staff.
- C. No later than September 30 of each year, and annually thereafter, the City shall publish and disseminate the City's plan for emergency warming, cooling and safe air centers for the coming year, which shall provide details of the name(s) and location(s) of center providers and similar resources, the capacity and scalability of all emergency centers, by type and population(s) focus (if any), activation criteria, cost, funding source(s), partnerships and the communications and publicity plan to ensure that people who are vulnerable or are experiencing homelessness will know where they can obtain these services.

**Section 3.** That the City Council declares that an urgency and emergency exists such that this ordinance is needed for the immediate preservation of the public peace, health, or safety, and/or for the immediate support of City government and its existing public institutions, and that because of such need, this ordinance shall be effective immediately, under Section 19 of the City Charter, upon the affirmative vote of one more than a majority of the City Council.

**PASSED** by the City Council on July 12, 2021.

  
\_\_\_\_\_  
Council President

Attest:

  
\_\_\_\_\_  
City Clerk

Mayoral Decision to Return Unsigned

Returned: 7.23.21

\_\_\_\_\_  
Mayor



Approved as to form:

  
\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Date

July 12, 2021  
\_\_\_\_\_  
Effective Date