



STUDY SESSION MEMORANDUM ADDENDUM

TO: Mayor and Members of Council

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SUBJECT: City Response to Encampment Situation and Impacts along Boulder Creek

DATE: Feb. 10, 2017

Situational Overview:

The City of Boulder is currently experiencing an increased number of encampments along the Boulder Creek Corridor. These are in violation of several city ordinances. They are also creating significant concerns related to public health and sanitation, safety and the enjoyable use of this shared gathering place by other community members.

The issue of encampments is not a new one – and the city has tried a variety of approaches. In 2012, at the height of the Occupy movement occurring across the country, the city implemented a rule closing city parks overnight from 11 p.m. to 5 a.m. This provision remains in effect, but it is largely disregarded by those participating in the encampments. In early 2016, in response to feedback from homeless advocates, City Council directed police to change their level of enforcement of the city's camping ban. That direction was reversed five months, after it became apparent that the problem was worsening.

While the city funds a significant array of services to support the homeless population, these encampments are inhabited by a variety of people, including:

- "Travelers" passing through the city for a short time

- People new to the city
- Individuals who are engaging in criminal behaviors
- Long-term homeless people who may have serious health, mental health or addiction issues that make it difficult to seek or accept help

The unique characteristics of this population call for a coordinated set of strategies beyond the services the city currently offers through service providers. While certainly not applicable to every inhabitant of these encampments, some have displayed more aggressive and non-compliant behavior than officers and city staff have experienced previously. These behaviors have included active aggression, like physically fighting with officers; weapons (mostly knives); and refusal to provide identifying information. In at least two instances, non-law enforcement staff and contractors have been threatened.

Boulder is not alone in this challenge. Cities along the Front Range and in other parts of the country are experiencing a similar phenomenon, and the city’s response has been informed by lessons they have learned.

This memo/information packet is designed to provide council with an overview of the issue, as well as:

- A summary of the multi-departmental approach currently in place;
- Key elements of a proposed strategic response for Spring/Summer 2017 and estimated expenses related to these potential actions;
- Updates related to recommendations that the city increase restroom facilities and offer disposal options for needles; and
- A brief reminder about ongoing efforts underway to address the unique needs of the homeless community in Boulder.

Current Response

The city’s current efforts to address encampments and their impacts are being coordinated by the Boulder Police, Human Services, Parks & Recreation, Public Works and Communications departments. Together, these departments have developed practices to discourage and mitigate the impact of encampments, which violate several ordinances, including Boulder’s camping ban.

ACTION ITEM	COST
City staff direct response <ul style="list-style-type: none"> • Police patrols (balanced with other calls for service; some extra presence overnight and in early morning hours) • Clear encampments 	Approximately 2,900 staff hours since May 2016 that are absorbed into existing work plans, either delaying or replacing other priorities

<ul style="list-style-type: none"> • Communicate with encampment inhabitants about the risk of their belongings being confiscated • Coordinate and deploy outside contractors, including private vendor, Ready to Work and jail crews • Coordinate non-profit sheltering and homeless services • Monitor water quality • Meetings and other collaborative work to minimize negative impacts 	
<p>Overtime police support</p> <ul style="list-style-type: none"> • As of Feb. 4, 2017, the police department is providing overtime officer support. Officers work four shifts per week, paired in teams of two for eight hours a day. 	Average weekly cost is \$4,000
Contract services for supplemental encampment and hazardous materials removal	\$309,000 since Jan. 1, 2016
Ongoing support to non-profit agencies that provide shelter and other services. These include: Attention Homes, BOHO, Shelter for the Homeless, Bridge House, EFAA and SPAN	\$500,000 annually plus additional one-time dollars each year (\$376,000 in 2017)
Average annual housing investments	\$647,000
Activation of Civic Area with activities that invite diverse participation	\$100,000
Volunteer efforts (coordinated by city) for creek corridor upkeep, graffiti removal, etc.	159 volunteers expended 260-plus hours during six clean-ups in 2016
Provision of restrooms in public facilities and on nearby Pearl Street Mall	\$18,000 (for upkeep of unstaffed Pearl Street Mall restrooms)

Enhanced Efforts for Spring/Summer 2017

Despite the above-referenced efforts, the city recognizes that additional attention and resources are needed to proactively address encampments this year. This will be especially true as warmer weather becomes more consistent and the city completes construction that will add park amenities. The time to prepare for the subsequent increases in activity levels is now. Staff is

currently developing plans for implementation from April through October along the Boulder Creek Corridor/Civic Area.

RECOMMENDED ACTION ITEMS	ESTIMATED COSTS
Continuation of overtime police patrols that began Feb. 4 <ul style="list-style-type: none"> • These will be concentrated in the Civic Area, along the creek path and in the business area of University Hill 	Average weekly cost of \$4,000
Retainer of ServPro services for more frequent sweeps and haul away of any collected trash <ul style="list-style-type: none"> • Staff is recommending a full crew once a week or half crews twice a week 	\$37,500 to \$75,000 for a six-month period, depending on size of crews and frequency
Replacement of park rule signage reiterating (a) park hours and closure between 11 p.m. to 5 a.m., (b) smoking prohibition, (c) prohibition of glass containers and all other compliance-related issues.	\$8,000 along the Creek Corridor in the downtown area
Changes to park infrastructure to enhance safety and discourage encampments (brush clearing, added lighting, graffiti resistant paint, locking/relocating of electrical outlets on light poles, etc.)	TBD
Communications efforts aimed at inhabitants explaining what is and is not permitted in the City of Boulder	Printing costs and other expenses TBD
Coordination with county public health officials to explore strategies related to drug use and other health concerns	No expense expected during planning phase
Further research and consideration of additional public restrooms as part of Civic Area Phase II improvements	No expense expected during research phase

This multi-faceted approach is consistent with what other cities are doing about this issue, takes into account Boulder-specific ordinances, and aligns with council’s earlier direction about enforcement and provision of services, as well as best practices related to the sustainable operation and maintenance of public spaces.

Provision of Public Restrooms and Other Enhancements in the Civic Area

Some council members have inquired about the city’s provision of public restrooms in the Civic Area and along the Boulder Creek Corridor. The issue of portable toilets along the creek corridor was last addressed by City Council on Oct. 4, 2016 as part of the first reading of the 2017 budget. At that time, council commented about the recent influx of concerns related to human waste along Boulder Creek and inquired about the possibility for more public restrooms along the creek.

- Boulder's city parks are closed between 11p.m. and 5:00 a.m. daily. The city strives to provide a variety of restroom options during the hours when parks are open.
- Community members visiting Boulder Creek currently utilize public restrooms at in the areas adjacent to the Civic Area, at the Boulder Main Library (Mondays through Thursdays from 9 a.m. to 8 p.m., Fridays and Saturdays from 10 a.m. to 6 p.m.), and Sundays from noon to 6 p.m.), as well as in the Municipal Building (Mondays through Fridays, 8 a.m. to 5 p.m.).
- Floodplain regulations significantly impact the city's ability to build any new structures near the creek. Most of this area is within the high hazard/conveyance zone.
- Per-fabricated or modular restrooms along the creek pose several challenges, including lack of suitable terrain, access to utilities, and inaccessibility for service vehicles. Each facility amounts to an ongoing cost of \$4,500/year for routine service, with additional hazard service charge required by vendor (this is required because of the number of sharps encountered, required equipment and prior incidents that have occurred during servicing).
- The city does maintain temporary restrooms to support special events and the weekly Farmers Market (three units at the 13th Street Civic Plaza from April to November). This year, their use was extended with limited hours in connection with the Snow Much Fun and WinterSkate Civic Area activation. Such units are required for all events that expect to draw more than 100 people. These facilities are serviced twice a week. When they are not in use, they are locked to discourage unpermitted behavior and limit city liability. Previous temporary facilities at Eben G. Fine Park and the library were frequently vandalized, posing water quality risks and increased expense to the city. Because of this, they were removed.
- Phase I of the Civic Area construction does not presently include additional public restrooms. In the earlier planning phase, placement of more permanent infrastructure was explored with an intention that they be placed outside of the high hazard zone for the above-noted reasons. The Civic Area team continues to consider such permanent infrastructure as part of a Phase II effort, which could include camera installation in the area, supplemental security and possible creation of a BPD substation/welcome center.
- The city has conducted research about public restroom provision in other Front Range cities. Denver is currently conducting a pilot project that is managed by its Public Works Department. Though not undertaken in response to encampment activity, it should be noted that Denver's mobile units are staffed (it is not clear at this time whether this is by city employees or a private vendors). While the facilities operate under varying hours, they are not available overnight. They are reported to cost \$16,000/month to maintain. More information on the Denver pilot is available online. The City of Fort Collins is considering a similar program, while also exploring options for ambassadors to meet the needs of downtown visitors. Should the city wish to pursue placement of such units in the

Civic Area on a more expedited schedule, staff recommends issuance of an 'all equipment and services' RFP in the weeks to come.

- Boulder Parks and Recreation has recently installed a less permanent public restroom amenity feature at the Flatirons Golf Course. Purchase, permitting and installation took several months and cost \$185,000 as installed. Based on the current cost of servicing Pearl Street Mall's restrooms, maintenance of two such structures (in the Civic Area and one closer to the Justice Center near Eben G. Fine Park, if permissible) would cost an additional \$18,000/year each to maintain. Staffing such structures, as is the case in Denver's current pilot, would cost \$164,250/year per unit if these are made available during all hours when the parks are open.
- Aside from concerns about waste along the creek, council should be aware that a significant number of sharps and drug-related paraphernalia have been discovered as encampments are cleared. Staff has reached out to Boulder County Public Health Department to see how we might work collaboratively to secure sharps containers and otherwise address community health risks associated with encampment impacts in Boulder.

Ongoing City Efforts to Address the Unique Needs of the Homeless Community

Addressing homeless issues can be complex, and often, the best approaches develop through collaboration and over time. As a reminder, the city is engaged in a variety of ongoing efforts to meet the needs of this community.

- Outreach and assistance into services through the Boulder Police Department (BPD) Homeless Outreach Team (HOT Team), the EDGE Program partnership between Mental Health Partners and BPD to triage mental health services on the street, and the Municipal Court Navigator to quickly help people into services who interface with the Court. These outreach efforts are intended to help those willing and able get into services and off the streets. Not all people will engage in services or change behavior, and therefore, other strategies are needed to address impacts of encampments.
- Homelessness Working Group – In late 2016, the city convened a Homelessness Working Group to develop an action plan and permanent solutions for day and night sheltering, Resource Center Services, a coordinated service entry system, and housing targets. A plan from the Working Group will be presented to council on May 16, 2017. While this will help mitigate some of the issues, it will not address all encampment issues, as many of the individuals inhabiting these camps are not engaged in services.
- As mentioned in the proposed action chart above, a collaboration of community groups including city representatives, service providers, Chamber of Commerce and Convention and Visitors Bureau are developing a communications plan and materials to provide a consistent community message for newcomers including: services available and eligibility criteria, city ordinances and rules, and good neighbor expectations for those

who want to be a part of the community.

Next Steps

An update on the city's response will be provided as part of the materials for the May 16, 2017 Study Session on the Homelessness Resource/Working Group.

Additionally, staff will continue to monitor and evaluate resources and trade-off implications associated with this work and provide information to council as appropriate during upcoming budget deliberations.