



Staff Report

File #: 20-452

Version: 1

Date: 11/9/2020

Item #: 5.b.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Dan Atchison, City Attorney

SUBJECT:

Extension and Restatement of the Emergency Declaration related to unsheltered residents
(Resolution No. 2020-49)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Safe Community; Welcoming and Livable Community.

ISSUE:

Shall City Council adopt Resolution No. 2020-49 to extend the declaration of emergency until October 26, 2021, consolidate the emergency declarations related to unsheltered residents under one resolution, expands the authorization of emergency shelters and warming centers, and continues the vehicle camping pilot program, authorizing the City Manager to establish rules for the operation of the program?

RECOMMENDATION:

Adopt Resolution No. 2020-49 to extend the declaration of emergency until October 26, 2021, consolidate the emergency declarations related to unsheltered residents under one resolution, expands the authorization of emergency shelters and warming centers, and continues the vehicle camping pilot program, authorizing the City Manager to establish rules for the operation of the program.

SUMMARY:

Resolution No. 2020-49 extends the declaration of emergency related to unsheltered residents until October 26, 2021, consolidates the resolution declaring the state of emergency related to unsheltered residents, expands the authorization of emergency shelters and warming centers, and continues the vehicle camping pilot program.

FACTS AND FINDINGS:

On January 21, 2020, the City Council adopted resolution no. 2020-4 related to unsheltered residents. The original resolution authorized the expansion of United Way's Safe Sleep shelter to 19 spaces, authorized a vehicle camping pilot program, and authorized the use of Pringle Hall as an emergency shelter. The resolution was later amended to extend the declaration through January 12, 2021 and remove the authorization for the use of Pringle Hall.

Since January 2020, there continue to be many unsheltered residents throughout the city and a lack of adequate shelter. In addition, the City was confronted by the COVID-19 pandemic and responded to the catastrophic wildfires in our neighboring communities in the Santiam Canyon, contributing to an increase in unsheltered residents in our community. In March 2020, the City Council declared a state of emergency related to COVID-19 and imposed a restriction on public gatherings and rescinded restrictions on camping in unimproved areas of Wallace Marine and Cascade Gateways parks.

With inclement weather and colder temperatures potentially threatening the health and safety of Salem residents, there is a need for durational warming centers and emergency shelters.

The City's land use regulations generally require a conditional use permit for homeless shelters, including warming centers and emergency shelters, for more than five people. The conditional use process is complex and expensive, substantially increasing the cost to provide for a temporary, emergency use like a warming center or emergency shelter.

The City Manager recommends that City Council extend the existing emergency declaration related to unsheltered residents through October 26, 2021, expand it to allow the City Manager to suspend land use regulations, including land use permit requirements, for warming centers and emergency shelters on land not zoned single-family residential, and continue the vehicle camping pilot program.

Currently the City is working with community partners to facilitate a warming center located at 1787 State Street for use starting in November. However, unless land use regulations for the proposed use are suspended, the use would be in violation of the City's land use code. The proposed change to the existing emergency declaration would allow the City Manager to suspend land use regulations for the proposed use, and for other similar uses.

Resolution No. 2020-49 consolidates the original emergency declaration and previous extensions into a single resolution to avoid ambiguity and confusion.

BACKGROUND:

Salem Revised Code, chapter 2 provide authority for the City Council to declare a state of emergency if emergency conditions exist within the City, and to authorize the City Manager to take actions to address the conditions.

Dan Atchison
City Attorney

Attachments:

1. Resolution No. 2020-49