



Health & Human Services and Public Safety Committee

**Tuesday, November 12, 2019, 5:30 PM
Room 209, City Hall**

Councilor Belinda Ray, District 1, Chair
Councilor Brian Batson, District 3
Councilor Pious Ali, At-Large

1. Announcements
2. Review and Approval of Minutes from October 29, 2019
 - a. October 29, 2019 Draft Meeting Minutes
3. Shelter Policy
 - a. Committee Discussion
 - b. Committee Vote
4. Next Meeting: January 7, 2020

NOTE: While there is a possible action item on the agenda, there will be no opportunity for public comment at this meeting, as the public hearing on Shelter Policy occurred at the October 8, 2019 meeting. Please feel free to send comments to members of the committee on any issue at any time via email. Councilors email addresses are available on the city website: www.portlandmaine.gov

The meeting can be watched online via livestream: www.portlandmaine.gov/livestream

Keep up to date with the new shelter design and planning process at the City's website

www.portlandmaine.gov/shelterplanning



Health & Human Services and Public Safety Committee Minutes

Tuesday, October 29, 2019, 5:30pm, Room 209, City Hall

Committee Attendance:

Belinda Ray, Chair (District 1), Brian Batson (District 3), Pious Ali (At-Large)

City Staff:

Kristen Dow, Director of Health and Human Services; Aaron Geyer, Director of Social Services; Sara Fleurant, Director of Oxford Street Shelter; Jennifer Thompson, Associate Corporation Counsel; Adam Harr, Executive Assistant

Meeting called to order at 5:32 PM.

AGENDA ITEM 1 – Announcements

- No announcements.

AGENDA ITEM 2 – Approval of Minutes

- Councilor Batson moved to approve the minutes, Chair Ray seconded and the minutes were approved with Councilor Ali abstaining.

AGENDA ITEM 3 – Shelter Policy

- Chair Ray thanked staff for coming back with GA policies in other cities: Bangor, Brewer, Portland, Lewiston and Waterville.
 - o Chair Ray asked if there were GA policy related questions:
 - The attached policies will be used for discussion at a later date.
- Page 334 of the packet is the draft resolution.

Chair Ray read the draft resolution into the record, explaining that the "whereas" language gives some background and explains the reason for the resolution, while the language that comes after "Now therefore be it resolved" details the guidance we are giving.

Single Adult Shelter Policy Resolution:

<https://portlandme.civicclerk.com/Web/GenFile.aspx?ad=3642>

“RESOLUTION OUTLINING POLICY GOALS FOR THE CITY OF PORTLAND’S SINGLE-ADULT SHELTER FACILITY

WHEREAS, for the past 30 years a residence located at 203 Oxford Street, which was built in the year 1900 and originally designed as a two-family dwelling,¹ has been leased by the City of Portland to serve as a single-adult shelter facility, namely the Oxford Street Shelter; and

WHEREAS, the Oxford Street Shelter, which opened in December of 1989 with 50 beds has since expanded as follows²:

- to 62 beds in October 1994, due to an increase in homelessness;
- to 80 beds in 1996, due to an increase in homelessness;
- to 108 beds in 1998, due to an increase in homelessness;
- to 127 beds in 1999, due to an increase in homelessness;
- to its current maximum capacity of 154 beds as set by the Fire Department in 2000, due to an increase in homelessness; and

WHEREAS, in 2001, when the Oxford Street Shelter reached its maximum capacity of 154 beds, a plan for emergency shelter overflow was developed; and

WHEREAS, in April of 2003 the Salvation Army gym was used for the first time to accommodate overflow from the Oxford Street Shelter; and

WHEREAS, since that time alternative overflow options for the Oxford Street Shelter have been developed, including 75 mats at the Preble Street Resource Center and a limited number of mats at the City's General Assistance office; and

WHEREAS, the average nightly bed counts for the last three years, along with high and low censuses for each year are as follows:

YEAR	AVG BEDS PER NIGHT	HIGH CENSUS	LOW CENSUS
2017	216	247: 2/20/2017	165: 12/2/2017
2018	211	248: 1/29/2018	172: 6/1/18 and 6/15/18
2019	208	271: 1/28/19 and 2/28/19	135: 8/31/2019

WHEREAS, the only physical expansion of habitable space at the Oxford Street Shelter over the 30 year period from 1989 to 2019 occurred in 1995 when the City began leasing the adjacent property, a former auto body shop located at 197 Oxford Street; and

WHEREAS, each increase in the number of beds was recommended by the Emergency Shelter Assessment Committee (ESAC), which was jointly established in August of 1987 by the City of Portland and the United Way to monitor shelter beds in the City and serve as an advisory board to the City regarding homeless issues, with staff from the City Social Services Division serving as staff on ESAC²; and

WHEREAS, the City of Portland is currently working through a process to replace the Oxford Street Shelter with a new facility; and

WHEREAS, in conjunction with this process, the City Council’s Health & Human Services and Public Safety Committee has held a series of meetings to examine and discuss the City’s current single-adult shelter policies in order to ensure this City service is being provided in accordance with Council priorities and goals and in the best interests of the City and all of its inhabitants; and

WHEREAS, the Council recognizes that in operating the Oxford Street Shelter for these past 30 years, the City of Portland has been providing a regional service that benefits communities and individuals far beyond the City’s boundaries; and

WHEREAS, the Council recognizes the need to bring together more resources from other municipalities as well as the State and Federal governments to encourage a more regional approach to addressing homelessness; and

WHEREAS, addressing homelessness was identified as a 2017 priority by the seven communities comprising the Greater Portland Council of Government’s Metro Regional Coalition, or MRC (Cape Elizabeth, Falmouth, Gorham, Portland, Scarborough, South Portland and Westbrook); and

WHEREAS, on October 8, 2019 the MRC updated its Fiscal Year 2020 workplan goals under the heading of “Homelessness” to add the following:

1. To house more of the homeless in the Greater Portland area.
 2. To more equitably distribute the burden of caring for the homeless across municipalities;
- and

WHEREAS, the Council recognizes the need to balance competing priorities in the City budget in order to best serve all of Portland’s residents;

WHEREAS, there is no prior written record of Council guidance regarding its policy goals for the City’s single-adult shelter services aside from annual approvals of the municipal budget;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby proffer the following policy goals to provide staff with guidance on Council objectives as the City plans for its new homeless services center for single adults:”

- Chair Ray asked for questions and comments for accuracy of the Where As statements.
 - o There were none.

Chair Ray continued reading the resolution into record.

1. “Continue to employ a housing first approach, using the homeless services center as a place to help stabilize people experiencing homelessness as they transition to more permanent housing;
2. Continue the excellent work of the award winning Long-Term Stayer Initiative⁴, which seeks to focus resources on housing those people with the longest stays in homelessness

in the City;

3. Look into Diversion and Prevention tactics such as the Pine Street Front Door Triage program, a program staff reports has successfully diverted “nearly 20% of individuals from ever entering homelessness and spending a night in a shelter.”⁵
4. Along with diversion and prevention tactics, seek other methods to decrease the average nightly census at the City run facility.
5. Continue to work with other cities and towns to develop a regional strategy for addressing homelessness and more equally distributing the responsibility of caring for the homeless across municipalities.
6. Continue to work with community partners and local and national experts to determine national best practices that will ensure the safety of staff, guests, and community members.
7. Continue to pursue partnerships to help to address the needs of specific homeless populations, increase the supply of permanent housing for the chronically homeless, and reduce the average nightly census at the City run facility.
8. Set a cap of _____ beds at the new HSC.
9. Ensure the new facility has adequate capacity to handle occasional overflow onsite, particularly when the nightly census spikes due to inclement weather.
10. Develop clear transportation guidelines to assist guests in reaching the facility and accessing outside services in the City as necessary.”

Committee Questions and discussion

- Councilor Batson remarked that number one through seven are what the City already does and this codifies the Council’s will.
- Councilor Batson asked for Chair Ray to explain the process and where the resolution fits in.
 - o The council has three main actions:
 - Proclamations
 - Resolutions
 - Ordinances
 - o The Council has workshops with staff but then there can be discrepancies in the guidance given to staff in that forum between what was asked of staff and the will of the Council members.

- The resolution is a way of making the will of the Council and their guidance clear to staff
 - Not all guidance is appropriate for an ordinance.
 - Policies of staff need to be nimble; resolutions give codified guidance on those policies.
- Councilor Batson continued that 10 is important and will be part of what is done in the future.
 - 8: number of beds is blank.
 - 9 is linked and appears to be in conflict with 8.
 - Kristen explained overflow in the works with a cap.
 - Jen asked if the language in 8 could specify beds and asked what overflow looks like.
 - Could be mats and not constructed beds.
 - Councilor Ali asked what inclement weather means?
 - Inclement weather was used in reference to the crossroads policy, specifically winter.
 - OSS numbers are higher in winter.
 - Councilor Batson added that weather that could result in death such as cold and hypothermia.
 - Councilor Ali asked if people would be turned away in nice weather.
 - The ordinance does not preclude overflow to inclement weather but notes it is especially important.
 - Chair Ray is open to changing this
 - Councilor Ali said that some people have limited English proficiency and could result in people sleeping out.
 - Chair noted that this is guidance and the shelter staff will create a written policy.
 - Chair asked the committee if they would like to strike the language: “particularly when the nightly census spikes due to inclement weather.”
 - The Committee agreed.
- Chair Ray clarified that the resolution was written by Councilor Batson and Chair Ray, not staff.
- Chair Ray said that previous administrations were not supportive of our service and
 - The Council would codify support.
 - Staff recommended adding diversion.
 - The goal is to work ourselves out of a job by eliminating homelessness.
 - Other communities are interested in being a part of the solution; the resolution acknowledges this.
 - The regional strategy is important.

- o Community partners have been a core part of the planning process for three years and the understanding that niche populations are important as the HSC will serve as a centralized intake.
- Chair Ray put forth a potential suggestion, prefacing they have heard about criminal trespass ordered and as councilors have seen the explanation, there are times people need to be asked to leave to ensure the safety of guests, staff and community members.
 - o Looking at the resident contract
 - Any acts of violence will result in immediate revocation of access to the shelter.
 - Use of inappropriate speech can result in restriction from shelter access. The shelter has a zero-tolerance policy for racial slurs, derogatory language and hate speech.
 - Zero Tolerance Policy on Sexual Harassment. Engaging in harassing behaviors can result restriction from shelter access.
 - o Could there be a clearly spelled out policy that codifies what results in a 1-year suspension?
 - What behavior results in a CTO
 - Not everything needs to be codified, but it could be helpful for people accessing shelter to understand what would result in a CTO.
 - o 11. Develop a clear policy for criminal trespass orders and other cases in which a suspension of services may be merited so guests can see how specific behaviors will impact their ability to stay at the facility.
 - Jen Thompson offered that staff and Corporation Council are already drafting such a policy describing what the measures of discipline will be.
 - These policies typically don't go to the council for approval or tweaking but will be informed by the law and management of the facilities.
 - The general assistance ordinance does spell out some activities that merit restriction.
 - Jen offered the information as an update not to dissuade.
 - o The committee agreed to potentially include the amendment.
- Number 8: Chair Ray said that to set a cap and add after "Set a cap of _____ beds at the new HSC"
 - o 'and develop a policy for how staff will handle clients who present when the cap has been met.'
 - o Chair Ray and Councilor Ali asked about what that plan may look like.
 - As well as council guidance, this would entail a community response among the partner agencies; the recent snow storm is a good example of what this could look like.
 - Jen added that the policy's nimbleness must consider obligations such as GA.

- Kristen added that while the PRSC overflow was opened once and that the physical space has 154 beds but through bed management has served up to 160 individuals without opening overflow.
- Councilor Batson acknowledged the importance of the number but is not sure this is the appropriate venue to decide the number.
 - Is this the right time to discuss this number?
 - Eventually it must be decided as a facility with finite beds will be built.
- Councilor Ali does not want to be too vague and asked what would be done if person 151 or person 160 presents for shelter, regardless of inclement weather?
- Chair Ray acknowledged how tricky this is to discuss, understanding that City staff are compassionate and would work with individuals to find shelter that night.
 - Staff would not shut the door on people but a cap makes it seem like the committee is guiding staff to do that.
 - Council voted unanimously to keep a third GA overflow open.
 - Chair thinks there are pros to setting a cap, understanding that if we want other municipalities and the State to get involved, Portland needs to make it clear we are not capable of solving homelessness for the state.
 - We know people from around the state and outside of the state are referred to OSS.
 - It is difficult to reconcile the above and wants to send a resolution to the Council that the Council will embrace.
- Councilor Ali suggested to leave it blank and bring it to the full Council without a specified cap.
 - Councilor Batson agree, however suggested adding numbers that are higher, preferring to scale down. He does not want to build a shelter that is too small and worry about finding more shelter; he has concerns about 150.
 - Chair Ray would like to see a number the committee can settle on; she does not want the Council to send it back to the committee to decide a number.
 - Councilor Ali said a single member could present
 - Councilors Batson and Ray would like the committee to be unified.
 - Either way it will be discussed.
 - Public comment has come down both supporting and not supporting a cap.
- Chair Ray asked Jen about the Council Meetings on November 4th and on November 18th:
 - Regardless of the Committee voting tonight or on November 12th, Council voting would take place on the 18th.
 - Jen confirmed it is possible to leave this as a place holder.
- Chair Ray asked if it makes sense to move this forward to the council with this
 - Set a cap
 - Leave blank
 - No cap
- Chair Ray confirmed with the committee to strike the inclement weather language, add 11 on restrictions and leave 8 for the next meeting.

- o The committee agreed.

AGENDA ITEM 4 – Next Meeting

- November 12, 2019
 - o Vote on a resolution.

The meeting adjourned at approximately 6:29 PM.

RESOLUTION OUTLINING POLICY GOALS FOR THE CITY OF PORTLAND'S SINGLE-ADULT SHELTER FACILITY

**with proposed amendments, possible language from Councilor Ray in RED*

WHEREAS, for the past 30 years a residence located at 203 Oxford Street, which was built in the year 1900 and originally designed as a two-family dwelling,¹ has been leased by the City of Portland to serve as a single-adult shelter facility, namely the Oxford Street Shelter; and

WHEREAS, the Oxford Street Shelter, which opened in December of 1989 with 50 beds has since expanded as follows²:

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- to 80 beds in 1996, due to an increase in homelessness;
- to 108 beds in 1998, due to an increase in homelessness;
- to 127 beds in 1999, due to an increase in homelessness;
- to its current maximum capacity of 154 beds as set by the Fire Department in 2000, due to an increase in homelessness; and

WHEREAS, in 2001, when the Oxford Street Shelter reached its maximum capacity of 154 beds, a plan for emergency shelter overflow was developed; and

WHEREAS, in April of 2003 the Salvation Army gym was used for the first time to accommodate overflow from the Oxford Street Shelter; and

WHEREAS, since that time alternative overflow options for the Oxford Street Shelter have been developed, including 75 mats at the Preble Street Resource Center and a limited number of mats at the City's General Assistance office; and

WHEREAS, the average nightly bedcounts for the last three years, along with high and low censuses *for each year by month* are as follows³:

YEAR	AVG BEDS PER NIGHT	HIGH CENSUS	LOW CENSUS
2017	216	247: 2/20/2017	165: 12/2/2017
2018	211	248: 1/29/2018	172: 6/1/18 and 6/15/18
2019	208	271: 1/28/19 and 2/28/19	135: 8/31/2019

2019				2018			2017			
	AVG	HIGH	LOW	AVG	HIGH	LOW	AVG	HIGH	LOW	
January	241	271	212	227	248	208	222	238	185	January
February	240	271	212	227	238	211	225	247	178	February
March	239	261	199	219	246	184	228	239	212	March
April	227	257	204	222	240	202	227	243	207	April

May	203	217	178	201	220	177	224	245	204	May
June	203	222	181	199	222	172	221	235	185	June
July	191	211	171	201	221	185	213	227	187	July
August	171	188	135	207	229	186	204	222	182	August
September	155	176	141	201	215	185	206	226	181	September
October				207	223	188	201	225	184	October
November				211	248	182	204	227	169	November
December				228	254	199	208	244	165	December
ANNUAL AVG	208			213			215			ANNUAL AVG

source: <https://www.portlandmaine.gov/Archive.aspx?AMID=61>

ESAC Monthly Shelter Statistics for Oxford Street Shelter

B. Ray

10/22/2019

WHEREAS, the only physical expansion of habitable space at the Oxford Street Shelter over the 30 year period from 1989 to 2019 occurred in 1995 when the City began leasing the adjacent property, a former auto body shop located at 197 Oxford Street; and

WHEREAS, each increase in the number of beds was recommended by the Emergency Shelter Assessment Committee (ESAC), which was jointly established in August of 1987 by the City of Portland and the United Way to monitor shelter beds in the City and serve as an advisory board to the City regarding homeless issues, with staff from the City Social Services Division serving as staff on ESAC²; and

WHEREAS, the City of Portland is currently working through a process to replace the Oxford Street Shelter with a new facility; and

WHEREAS, in conjunction with this process, the City Council's Health & Human Services and Public Safety Committee has held a series of meetings to examine and discuss the City's current single-adult shelter policies in order to ensure this City service is being provided in accordance with Council priorities and goals and in the best interests of the City and all of its inhabitants; and

WHEREAS, the Council recognizes that in operating the Oxford Street Shelter for these past 30 years, the City of Portland has been providing a regional service that benefits communities and individuals far beyond the City's boundaries; and

WHEREAS, the Council recognizes the need to bring together more resources from other municipalities as well as the State and Federal governments to encourage a more regional approach to addressing homelessness; and

WHEREAS, addressing homelessness was identified as a 2017 priority by the seven communities comprising the Greater Portland Council of Government's Metro Regional Coalition, or MRC (Cape Elizabeth, Falmouth, Gorham, Portland, Scarborough, South Portland and Westbrook); and

WHEREAS, on October 8, 2019 the MRC updated its Fiscal Year 2020 workplan goals under the heading of “Homelessness” to add the following:

1. To house more of the homeless in the Greater Portland area.
2. To more equitably distribute the burden of caring for the homeless across municipalities; and

WHEREAS, the Council recognizes the need to balance competing priorities in the City budget in order to best serve all of Portland’s residents;

WHEREAS, there is no prior written record of Council guidance regarding its policy goals for the City’s single-adult shelter services aside from annual approvals of the municipal budget;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby proffer the following policy goals to provide staff with guidance on Council objectives as the City plans for its new homeless services center for single adults:

1. Continue to employ a housing first approach, using the homeless services center as a place to help stabilize people experiencing homelessness as they transition to more permanent housing;
2. Continue the excellent work of the award winning Long-Term Stayer Initiative⁴, which seeks to focus resources on housing those people with the longest stays in homelessness in the City;
3. Look into Diversion and Prevention tactics such as the Pine Street Front Door Triage program, a program staff reports has successfully diverted “nearly 20% of individuals from ever entering homelessness and spending a night in a shelter.”⁵
4. Along with diversion and prevention tactics, seek other methods to decrease the average nightly census at the City run facility.
5. Continue to work with other cities and towns to develop a regional strategy for addressing homelessness and more equally distributing the responsibility of caring for the homeless across municipalities.
6. Continue to work with community partners and local and national experts to determine national best practices that will ensure the safety of staff, guests, and community members.
7. Continue to pursue partnerships to help to address the needs of specific homeless populations, increase the supply of permanent housing for the chronically homeless, and reduce the average nightly census at the City run facility.

8. Set a cap of _____ beds at the new HSC.
[Based on committee discussion from 10/29/2019 HHS & PS meeting, I (bsr) propose we choose one of the following options, or come up with a different way to address number of beds/cap at facility; other options mentioned at our 10/29/2019 meeting include leaving it blank and forwarding it to the full council for consideration or eliminating it and putting nothing in its place.]:
 - a. Set a cap of 200 beds at the new HSC, and develop a policy for how staff will respond to clients who present when the cap has been met.
 - b. Ensure the new facility is built with ample capacity to handle our current average annual nightly census for the previous 12 months. As of 9/30/19, the average nightly census for the previous 12 months is 210.
 - c. Do not set a cap on the number of beds at the new facility at this time. Instead, ensure the new facility is built with ample capacity to handle our current average annual nightly census for the previous 12 months. As of 9/30/19, the average nightly census for the previous 12 months is 210.
9. Ensure the new facility has adequate capacity to handle occasional overflow onsite.
10. [If no cap set in #8, consider adding the following language or something similar here]:
Over time, as the average nightly census regularly and on a year-round basis comes in below 200, consider establishing an appropriate cap on city services at the facility, with sufficient advanced notice to other communities and the State government regarding when said cap will go into effect.
11. Develop clear transportation guidelines to assist guests in reaching the facility and accessing outside services in the City as necessary.
12. Develop a clear policy for Criminal Trespass Orders and other cases in which a suspension of services may be merited so that guests can easily see how specific behaviors will impact their ability to stay at the facility.

ATTACHMENT A

References

1. Maine Memory Network, <https://www.mainememory.net/artifact/67713>, accessed on October 17, 2019.
2. *Oxford Street Shelter History*, City of Portland Department of Social Services, circa 2004, <https://www.portlandmaine.gov/DocumentCenter/View/2288/Oxford-Street-Shelter-History>,

accessed on October 17, 2019.

3. Emergency Shelter Assessment Committee Monthly Shelter Statistics page on the City of Portland website, <http://www.portlandmaine.gov/Archive.aspx?AMID=61>, accessed on October 17, 2019.
4. *National Alliance to End Homelessness Honors Pioneers in Innovation and Excellence at Annual Awards Ceremony*, National Alliance to End Homelessness Press Release, Washington D.C., October 10, 2017. <https://endhomelessness.org/wp-content/uploads/2016/10/Awards-Ceremony-FINAL-101017.pdf>, accessed on October 22, 2019.
5. DHHS Staff Memo to HHS & PS Committee from Sarah Fleurant, Oxford Street Shetler Director, dated September 23, 2019. Available in the HHS & PS Committee packet from October 8, 2019.