



Health & Human Services and Public Safety Committee Minutes

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

Committee Attendance:

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

Councilors in Attendance:

Kimberly Cook (District 5)

City Staff:

City Manager, Jon Jennings; 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 5:36 PM.

AGENDA ITEM 1 – Announcements

- Chair Ray received an email asking about the requirements for the site planning for the new Homeless Services Center. She created a document showing the timeline; creating the site plan is the next step and site plan review after that. The email referred to requirements outlined in the updated shelter ordinance as well as design and conditional use standards. These include the proposed use not having a greater impact than the uses in the zone; Chair ray listed some uses in the document shared.

AGENDA ITEM 2 – Approval of Minutes

- Councilor Batson moved to approve the minutes, Councilor Ali seconded and the minutes were approved unanimously.

AGENDA ITEM 3 – Shelter Policy

Committee Questions and Discussion

- At the October 29th meeting, Chair Ray read the proposed resolution into the record.
- The Committee had not gained consensus on a cap leaving the following options on the table:
 - o The committee could not recommend a cap.
 - o Set a cap.
 - o Forward a blank cap to be worked out at the Council.
- Chair Ray proposed language for three option:

- 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. Ensure the facility is built
- Councilor Ali said his overflow question is unanswered; what would happen when someone presents when the shelter is at capacity.
 - He described a personal story of some time ago when someone without resources who mistakenly flew to Portland and was assisted with a hotel room.
 - How would the new shelter handle this situation?
 - Kristen said that the City would reach out to partners and does not see a situation where someone would be turned away.
 - City staff are heading to Pine Street Inn on Friday to learn about their intake and diversion process.
- How are people assisted under GA?
 - Jen said that many of these questions are situation-specific.
 - This person would go through the usual diversion of the shelter and when screened for GA eligibility, she suspects that that person would not be eligible as they do not intend to make Portland their permanent home.
- Councilor Ali described a youth shelter where when someone younger presents when at capacity, the oldest guest would need to find an alternative. How would the HSC handle a similar situation?
 - Sara explained that situations like this occur often when youths at the teen center who are near the upper age limit or are nearing the residency threshold are referred to Oxford Street.
 - Whether there is a cap or there is not a cap, staff will continue to explore the options available to someone.
 - There will be a capacity in one form or the other; the current 154 bed capacity is set by the fire department.
- Is there an orientation for people staying the shelter?
 - There are daily orientations at OSS.
 - One is for housing and area resources
 - One is for expectations at the shelter including being a good neighbor.
- Chair Ray proposed substituting the bed count chart for more complete numbers.
 - Councilor Batson seconded and Councilor Ali agreed.
- Metro Regional Coalition amended their language to change burden to responsibility to care for the homeless population.
 - The committee agreed.
- Councilor Batson does not have questions and is leaning to B. He wants to set a number that provides adequate space for the people we currently serve. He does not feel strongly on setting the cap as much as the space is adequate.
- Councilor Ali is still unclear on policy for need over capacity

- The resolution affirms space for occasional overflow.
 - There will be a capacity, effective due to fire safety code or prescribed.
 - Staff will not turn people away; they will work diligently and the next day will find an alternative place for that person.
 - Find alternatives when at capacity in a more immediate way.
- The plan is to have overflow capacity on site, either a flex space of bunked beds, even mats on the floor in an office.
 - This answered Councilor Ali's question.
- Councilor Cook asked where in Bangor's City Code does it cap their shelter's capacity at 60?
 - There is a cap on the non-profit shelter of 60 beds based on what was shared at a previous meeting.
 - Bangor's General Assistance ordinance limits the shelter to individuals who are GA eligible.
 - When Hope House sought to expand their transitional housing program, the Bangor City Council reduced the emergency shelter's bed count.
 - This is likely in a land use agreement due to the land being owned by the City of Bangor.
 - Bangor limits shelter to GA eligibility.
 - Of the attached ordinances for review, Jen did not see another ordinance with GA eligibility requirements.
 - Individuals and families housed in city-run shelter must qualify for general assistance.
 - Most ordinances are consistent.
 - Most municipalities have screen GA eligibility at town halls.
- Councilor Ali asked about employed people who leave early or late due to employment.
 - This is an operational question that would be addressed by the shuttle and operational decisions made when further on in the process.
- Is there a problem with having a date in the resolution?
 - Jen said it can be specific in the ways you would like it to be?
- Chair Ray is leaning to option B.
 - It sends a message to other communities about our capacity to assist and that others must work to assist members of their community.
 - She is hopeful for the downward trend but is cautious about the hazard of building too small as it is hard to scale up; she wants to be sure we can serve our current need.
- Councilor Ali asked if it possible to strike out number 9 and make it a continuation of B, but thinks it is ok the way it is.
- Councilor Ali had been leaning towards leaving it blank until he heard the explanation of staff operational decisions and the plan for on-site overflow.
 - Councilor Ali will support B to bring this forward in discussion at the full Council.
 - He thinks 9 may be more likely to remain attached to B
 - Chair Ray thinks on its own makes its longevity more likely.
- The committee agreed to adopt 8.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.
- [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.
 - Should a future cap be considered?
 - Councilor Batson asked if City staff foresee any hypothetical situations at the State or Federal level that would see a cap needing to be revisited?
 - If services or vouchers were reduced.
 - If there were major changes to General Assistance.
- Councilor Ali asked about overflow: if there is a difference between occasional or as needed?
 - Occasional infers it is not meant to be regular.
 - From the client perspective if occasional or as needed means a person may not present.
 - It does not influence operations; overflow would be opened when needed.
 - The committee agreed to change occasional to as needed.
- Is 10's on an annual basis clear?
 - Staff: Yes.
 - Chair Ray noted if we are going way above 200 in the Winter, it would be good to have an adequate cap.
- Councilor Cook appreciates the work the committee has done. She was not aware that the committee was working towards a resolution.:
 - She asked the language to be considered:
 - Add the residency demographic of who is served over the past three years in the 'whereas' section.
 - Clarity on the services offered at the shelter being for shelter clients other than the health clinic and community policing.
 - This is an oversight and was in a previous draft.
 - Add as a number 13.
- 13
 - Develop clear guidelines that services are for people staying in shelter.
 - Some city services are grant funded and considerations to who those funded services are intended for are encompassed by this constriction.
 - For confidentiality reasons, limiting services to people in shelter will protect privacy.
 - Community partners shared the sentiment of this recommendation.
 - It will not be like Preble Street's community meal program, there will be meals for shelter guests; the Homeless Services Center meals is not meant to supplant community meals for others.
 - Separate entrance Services
 - The Greater Portland Health will serve the public and shelter guests.
 - Community policing would be open to the community.

- All services provided at or by the shelter are only for shelter guests only except for the health clinic and Community Policing.
 - At: return to the council.
 - By: leaves space for expansion without being limited to the two defined exceptions.
 - Services are required to be offered on-site at the shelter and can include:
 - Housing Assistance
 - Case management
 - Life skills training
 - Counseling
 - Employment
 - Educational Services
 - Whereas added above regional responsibility:
 - Page 2 of the resolution adding a saying they Intakes from the past three years are individuals stating they are from Portland, X% from Other Maine Towns, X% from out of state and country.
 - Whereas over the past two years, the Oxford Street Shelter as served X%
- Councilor Ali asked if the required services listed are offered at OSS?
 - Many are offered but we don't have the on-site space for some services and currently work creatively to find space to offer them.
 - Commute partner services offered to guests on site at the shelter are limited to those staying at the shelter as a satellite serving the shelter guests (the service providers can serve anyone they choose at their sites.)
 - Staff seeking partners and offering space would be providing services.
- Chair Ray is comfortable with 'at' the shelter as the clinic and community policing would be separate from the shelter.
- Councilor Ali asked about someone wanting to shower who is not staying in the shelter.
 - They would need to do an intake at the shelter in order to use the shower.
 - It is a safety issue.
 - Kristen likened it to what was offered at the Expo this past summer: meals, healthcare and other services were offered on site to those sleeping at the Expo.
- Councilor Ali asked about a hypothetical about someone camping near the shelter who has done an intake?
 - That would be an operational decision.
 - Currently, day services are only offered to people staying in shelter.
 - Meals would be a new service but otherwise the HSC is similar to current shelter operations.
 - Someone coming for services only would be held to different standards as they would not have signed a resident contract with behavioral standards.
 - Jen offered to think about what the objective of the committee is: The Council would like to limit the services offered at the shelter be for shelter guests and that guidance be used by staff in their operational decisions.
 - The guidance is clearly stated but these specific questions may not be able to be answered.
- Councilor Ali will need clarification for his conscience in order to vote.
 - Will need this understanding in order to vote affirmatively at the full Council.

- Councilor Batson is understanding there is a question on when is a person a resident of the shelter and when are they no longer eligible for on-site services?
 - We are an emergency shelter and no one is ever considered a resident of the shelter as the goal is exit homelessness quickly.
 - Someone entering shelter for the first time during the day who would do an intake that night can stay in the space as they work on resources that day. The next day the guest/client can freely access resources.
 - Councilor Batson wanted to highlight these are judgement calls.
 - The dedicated staff of the shelter will work with each person's unique situation and try and find a solution for that individual.
 - Councilor Batson wants it to be safe and fair for those in the shelter.
 - If someone stays at the shelter and does an intake, they have access to services for 90 days.
- Councilor Cook asked about people saying sporadically can access services for 90 days?
 - Current operations look at names staying the past seven days.
 - This is a practice not a policy.
 - It may be helpful to describe current practice make a written reference such as an employee manual.
 - Jen is looking at the City Council and the Staff as her client and is mindful of the charter and the clear distinctions between the purview of staff and the City Manager or the City Council
 - Policy for the City Council side is ordinance
 - Policy on the staff side are operational decisions on the ground.
 - We are in a unique space in the state and country being a municipality operating two low barrier shelters.
- Councilor Cook commented intake policy is not memorialized in the resolution. She prefers an intake be done at a general assistance office and that a city shelter would fulfill our General Assistance obligation to provide emergency shelter.
 - The Shelter is how we would serve our general assistance emergency shelter obligation.
 - Chair Ray clarified if we are a community that has a full shelter and someone eligible for emergency shelter under general assistance
- Councilor Cook commented on number 9 "Ensure the new facility has adequate capacity to handle occasional overflow onsite."
 - We are providing guidance on not offering overflow at another location.
 - We are guiding staff to build a shelter that is significantly larger than the current shelter.
- Councilor Cook asked how we would prioritize; those from Portland would be insured a space at the shelter.
 - A residency requirement or prioritization would not be legal.
 - Chair Ray had been interested in such a prioritization but there would be no legal way to this because inter and intra state travel is cannot be restricted.
- Any legal questions at Monday's Council meeting will be able to trigger an executive session.
 - Councilor Cook would prefer a memo on prioritization and who must be served by the emergency shelter.

- Intake: if it were added, Chair Ray prefers add the national best practice on site that we do. We perform intake on-site without requiring people to queue up outside. She is not interested in doing intake off-site with hours that close in the afternoon.
 - Councilor Batson does not see a need to put it in.
 - Chair Ray asked if we should add it to clarify to other Councilors who know we have researched it?
 - Councilor Batson is cautious about being too narrow, possibly precluding adding intake off site.
 - Jen's concern is that we are complying with GA statute which requires we have enough flexibility to make operate within the time limit applications must completed.
 - Councilor Cook asked about the best practices and doing intakes until 2:00 AM:
 - Best practice is to do when people present: 6:00 to 2:00 is based on when people present and that applications done earlier often lead to people mitigating their situation before going into shelter that night supplanting staff time one paperwork that is not used.
 - The diversion program is being researched now to do as soon as possible.
- Chair Ray asked about Councilor Cook's concern that overflow would only be on-site.
 - There will be space at the new facility that the current facility does not have.
 - Such as a day room that can become a dormitory at night and then go back to its regular ruse during the day.
 - The previous and current system necessitates navigating around the town in the street or a separate day shelter.
 - Providing overflow on-site will create stability and prevent crowds in the area protect the privacy of shelter guests.
 - The committee agreed to keep the current language.
- Councilor Cook asked staff to assess the 200 number on what 210 plus adequate overflow looks like for Monday's Council meeting.
 - # beds
 - # Overflow beds: mats or beds.
 - Amount of space
 - Math can be done with the fire department.
 - Does the 20,000 square foot with 200 beds and overflow space draft model fit with this?
- Amendments:
 - 13 services provided
 - Develop clear guidelines establishing that services provided at the shelter, including meals, are only for shelter guests who have completed or are completing the intake process.
 - At or by?
 - Councilor Batson likes the specificity of by the shelter to exclude GPH but include community partners brought into the shelter in partnership.

- Develop clear guidelines establishing that services provided by the shelter, including meals, are only for shelter guests who have completed or are completing the intake process.
- o Whereas added above regional responsibility:
 - Page 2 of the resolution adding a saying the intakes from the past three years are individuals stating they are X% from Portland, X% from other Maine Towns, X% from out of state and country.
- o 8: amendment B.
- o 9: change occasional to as needed.
- Councilor Batson moved to recommend the resolution to the full council, Councilor Ali seconded and the motion passed unanimously

AGENDA ITEM 4 – Next Meeting

- Monday November 18, 2019 City Council Meeting.
 - o Executive session language for the Council Meeting.
 - o Councilor Cook suggested a Council workshop with consultant.
 - Chair Ray prefers that be done after the resolution passes.
- Noted: the next HHS&PS meeting is with the Economic Development Committee to discuss marijuana business licensing on November 26, 2019.

The meeting adjourned at approximately 7:36 PM.