



Health & Human Services and Public Safety Committee Minutes

Tuesday, January 12, 2021, 5:30pm, Remote Meeting

Committee Attendance:

Tae Chong, Chair (District 3), Belinda Ray (District 1), Mark Dion (District 5).

Councilors in Attendance:

City Staff:

Kristen Dow, Director of Health and Human Services; Bob Fowler, Director of Public Health; Christine Grimando, Director of Planning and Urban Development; Keith Gautreau, Fire Chief; Adam Harr, Executive Assistant for Social Services.

Meeting called to order at 5:32 PM.

AGENDA ITEM 1 – Announcements

AGENDA ITEM 2 – Approval of Minutes

- Councilor Ray moved to approve the minutes, Councilor Dion seconded and the minutes were approved unanimously.

AGENDA ITEM 3 – Updates

- Kristen Dow, Director of Health and Human Services gave an update on the new Homeless Services Center as well as general shelter updates.
- Average of 143 individuals for the past 30 days with a recent uptick to 158 total.
 - o These are across the Oxford Street Shelter location and contract hotel.
 - o Hotel: 91 on average.
 - o OSS: 51 on average.
- Assisting 151 guests in hotels through General Assistance.
 - o As people time out in the hotels, people are moved over to OSS and the contract hotel.
- Family shelter current census at the shelter is 28 families totaling 87 individuals.
- 39 families in hotels for 119 individuals.
- Current lower number at shelter due to outbreak status with the CDC due to four employees testing positive for COVID-19.
- There will be universal testing for all staff and shelter guests this Thursday.
- Councilor Dion asked about shelter resistant populations; people hesitant to go into shelter. Usually due to trauma and other factors, people choose not to stay in shelter.
 - o How many people?
 - o The public expects a response to meet need.
 - The group that meets weekly, staff and other organizations, will address this.

- Councilor Ray asked for clarification on GA hotel guests where people “time out” before going to OSS or the contract hotel.
 - GA is granted in increments of varying days. When people reapply and there is space in the shelter or contract hotel, people are moved into those sites.
- Councilor Ray has received question about using the expo now that the red claws season is cancelled, will this be used as a shelter again, or will it be used as a vaccination site.
- As long as the deferral government identifies a state of emergency, MaineHousing will be able to contract with the hotel.
 - There is another hotel operated by Preble Street as a PUI and respite/quarantine shelter. It is expanding to another location to be PUI, respite and general population.
- Councilor Chong asked about the number of people in hotels.
 - What is the aggregate number of people in hotels?
 - GA Hotels:
 - 151 through OSS
 - 87 through FS
 - Contracted hotel
 - OSS: 119
 - Preble Street’s Hotel is currently just for PUI and respite. People are referred from different medical settings.
- Councilor Chong asked about the 8.64 % denial rate in December of 2020 which is down from 2019.
 - This number is up from November as people are “denied” GA for hotels because there is an available resource
 - December of 2020 re received 1,265 applications and had 971 approvals.
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- Councilor Chong asked for Dan Coyne, United Way’s VP, is running a pilot program administering GA through 211. Councilor Chong would like Kristen to speak to the committee about the United Way’s partnership with the Opportunity Alliance.

AGENDA ITEM 4 – Small Shelter Zoning

- Christine Grimando, Director of Planning and Urban Development, explained the progress on the topic and approaches going forward. At the previous meetings, Director Grimando explained the effort to expand where emergency shelters are allowed and an unimplemented expansion of smaller shelters into residential zones. The Planning board put the process on pause in 2017.
- Spent time looking at best practices in other communities emphasized in the memo.
- Public engagement suggestions.
 - Web survey and a platform to share information.
- There is a draft in the works that is looking at scale.

Committee questions and discussion:

- There is not a new draft before the committee.
 - It needs dimensional fleshing out such as square footage.
 - A draft can be ready for the next meeting for public and committee input.

- Feedback on proposal to expand shelters into residential zones and dimensional pieces on how they would fit into residential zones.
- Councilor Ray likes specifics on bed number as residential zones may already dictate dimensions.
 - Bed maximums may control for a lot.
 - Certain uses have a minimum lot size, certain minimum amounts of outdoor space. Etc. Things that help uses integrate into the fabric of a neighborhood.
 - Started pre-covid: new needs for space between beds and day space; Covid has influenced how big spaces need to be.
- What is the timeline?
 - Website up in February.
 - Outreach to neighborhood organizations scheduling immediately.
 - Small shelter zoning does not need to be part of the licensing process.
- Councilor Dion agreed on using the number of beds.
- Chair Chong spoke about most homelessness being situational where people only stay in shelter for a few days.
 - The number of beds tailored to target population.
 - Numbers in shelter: people can't couch surf due to Covid.
 - If Covid wasn't around, would our number still be high?
 - An economic downturn would lead to higher numbers but can only speculate.
 - The diversion program benefits people in situational homelessness where early staff intervention can prevent people from entering homelessness.

AGENDA ITEM 5 – Shelter Licensing

- Kristen Dow, Director of Health and Human Services, explained that specific questions on City licensing can be answered by permitting and inspections and Corporation Counsel.
- Recommendations included interest in annual renewal, biannual at most.
- Limit number of beds.
- Grace period for existing shelters but no exemptions.
- Licensing requirements need the number of days for an existing shelter to have to come into compliance once the ordinance goes into effect.
- Section C.i the PD gave the feedback that unacceptable calls for service is ambiguous.
- Define what an acceptable number of violations is.
- Application submission requirements.
 - Management plan.
- Director Dow had questions for the committee:
 - Performance standards: density of beds.
 - Proximity to other facilities.
- Monitoring reports suggested as quarterly required report to HHS.
- Enforcement and penalties standard language similar to other licenses and ordinances we have.

Committee questions and discussion:

- Councilor Ray asked if Kristen has a sense of what the fee should be, making it appropriate for the staff time involved?
 - Looking to permitting and inspections to be in line with other fees.
- Councilor Ray asked about 90 days to apply. 90 is what is written for renewals and would make sense.
- Licensing authority: “all new license applications will be reviewed and ‘may’ be... Why “may” and not “shall.”
 - The city council may want to review; this is wording from corporation counsel.
 - Councilor thinks it should be a “shall.”
 - Are they coming before the Council?
- “Unacceptable” number for police and fire needs to be defined.
 - PD and Fire to supply their unacceptable number.
 - Outstanding violations at time of application would need to be corrected.
 - Past violations: what
- How is does each department define “public safety hazard.”
- Application submission requirements: would we want to know the description of the population intended to serve.
 - Plan of a central intake facility buttressed by smaller shelters.
 - Interest5ed in knowing target population of smaller shelters.
 - Should this be included from a programmatic standpoint?
 - Yes
 - Is there a legal reason this cannot be included?
 - Will ask Corporation Counsel.
- Performance Standards: on site supervision shall be required for any non-apartment style emergency shelter.
 - This was in the Brunswick ordinance.
 - The Family Shelter is an apartment style emergency shelter without supervision.
- “Facilities shall provid3e n site service to support residence such as”
 - Should anything be mandatory?
- Maximum density of beds.
 - 250 beds within a 1 mile radius.
 - Staff feedback?
- Proximity between facilities.
 - 2,500 feet is good to start.
 - Would like these mapped out to understand how they look.
- Some things in licensing are duplicative of zoning.
 - How will zoning and licensing interact?
 - Why is some zoning brought into licensing but not others?
 - This is a conversation ongoing with Corporation Counsel.
- Councilor Ray likes “any municipal official with the authority to enforce this shall have the ability to enter the facility unannounced to insure compliance.
 - Should be more than twice a year.
 - Who would provide oversight for the city (should not be a city entity).
- Councilor Dion wants
 - “Unacceptable” to be clearly defined.

- Revocation: ordinance speak to what type of acts would be relevant to consideration of a license suspension or revocation?
 - Specific crimes?
 - Classes of crime?
 - Protective measures plan. Abutting neighbors and the public in general has a sense that the area around shelters has not been managed well.
 - Make it known to shelters that the environment around the shelter can cause revocation.
 - Work with PD to review.
 - Affirmative approach to protecting the environment.
 - Unacceptable calls for service: due diligence needed to make sure an event wasn't just associated with an address. Attaching a requirement to meet quarterly with PD will allow them to validate.
 - What is an unacceptable call to service to Fire?
 - Life Safety Code violations:
 - Are these violations made by a third party or discovered in inspection.
 - No requirement for organizational competency.
 - Demonstrating success.
 - Proof of ability will be looked at application submission requirements a and b.
 - If there an addition or edit to be made?
 - Some provision that asks if someone has operated a shelter.
- Councilor Chong agreed on the need to define unacceptable calls for service.
 - If calls for service are categorized, he would like ideas on how to address types of calls at issue.
- Director Dow will incite Police, Fire, permitting and inspection and corporation Counsel to the next meeting.
- In setting buffers, it is not Councilor Ray's intent to close any shelters.
- Councilor Dion asked that if an application checks off all the boxes, it would be a guaranteed license, or would this go through the Council? It would be similar to Liquor license, going through quickly through the Council.
 - Council role is to ratify staff decisions.
- For the public, knowing the external and internal conduct would be important to the public. It is unknown if these reports could be public.
- Chief Gautreau reviewed the numbers and language to define.
 - Language should say "shall" not "may."
 - Take out calls for service for Fire Department.
 - PD has a definition for a disorderly house.
 - Originally written for absentee landlords and tenants engaged in drug trafficking.
 - Requires occupancy meet minimum life safety standards.
 - Number of beds and density: must meet life safety requirements with social distancing considerations.
 - Previous experience; there is so much in place in terms of enforcement and requirements, give an opportunity to succeed with recourse if necessary.

- PD review section: says this will be for both new and renewals but the language is all past tense; is there anything for the PD to review for the initial application?

AGENDA ITEM 6 – Mental Health

- Bob Fowler, Director of Public Health, presented on available mental health resources and an upcoming awareness campaign.
 - o <https://portlandme.civicclerk.com/Web/GenFile.aspx?ad=8320>
- “It is OK to not be OK.”
- We are collectively experiencing new high levels of stress compounded by multiple issues and Covid related disruptions.
- Increased social isolation that can lead to stress reactions:
 - o Disrupted sleep,
 - o Low concentration
 - o Irritability
 - o New anxiety and panic attacks
 - o Increased binge drinking and problematic drug use.
- Signs it’s time to seek help:
 - o If symptoms persist for multiple weeks.
 - o Thoughts of self-harm
 - o Difficulty controlling anger.
 - o Difficulty stopping drug and alcohol use.
 - o Challenges functioning.
- Increased availability of telehealth has helped to work around stigma from in-person visits.
 - o Medical
 - o Mental Health
 - o Substance use.
- OPTIONS
 - o Full time behavioral health specialists providing post overdose services.
- Social media messaging campaign focus on reducing stigma, highlighting good Samaritan laws, and messaging encouraging people to not use alone.
- New service with real time information on capacity of in/out patient services.
 - o Updates to follow in their future.
- StrengthenME: Offers free stress management and resiliency resources to anyone in Maine experiencing stress reactions to the COVID-19 Pandemic.
- Public Health is working on a yearlong calendar on public health messaging for various topics.
 - o What can the committee do to help?
- Councilor Dion asked about how much work has been done in schools to reach children?
 - o Mask Up campaign started school aged children and people with language barriers using cartoon art on billboards.
- Looking to expedite self-care information and info on accessing telehealth.

AGENDA ITEM 7 – 2021 Workplan

Note: public comment was not scheduled for this meeting and the People’s Housing Coalition presented at Chair Chong’s invitation.

- People's Housing Coalition
 - Point of order, Councilor Ray asked if the rest of the public will have opportunity for public comment.
 - It is a dangerous precedent to seek input from one specific group.
 - Chair Chong has previously told the group they would have 5 minutes to speak.
 - The committee will need to decide what the role of public comment is.
 - Jesse Falero stated the group's mission is to end homelessness. They, Peter McLaughlin and Adam Rice shared:
 - Homelessness is constant, perpetuated trauma.
 - Create an oversight committee/advisory board of people experiencing homelessness and community groups/service.
 - Put an end to the use of Criminal Trespass Orders (CTOs) on unhoused people seeking shelter.
 - Guarantee indoor sleeping spaces.
- 2021 Workplan
 - Councilor Dion shared his goals.
 - Substance Use disorder on opiates.
 - Safe Injection sites.
 - Assessment of the needle exchange program.
 - Dying alone should not be an option.
 - We could not arrest away our addiction and we can not naloxone away this issue.
 - Shelters and Homelessness
 - Wants to understand CTO issue.
 - Councilor Ray Shared her goals
 - Licensing
 - Small shelter zoning and community input.
 - Regular updates on homeless services center and insure state and regional cooperation bringing it up to the extent possible.
 - Metro regional coalition communities are advocating for the City of Portland to create the central; intake facility.
 - Committee to help bring in regional and state voices
 - Revisit policy resolution from February 2020 on Council Guidance for operations of single adult shelter service in the City of Portland. One of the policy points is defining a clear CTO process.
 - Overdose prevention sites which is in line with the council goals exploring harm reduction.
 - Council goals that align include:
 - Human dignity
 - Antiracism
 - Harm reduction strategies for those experiencing substance use disorder.
 - Human Dignity: how to make public bathrooms long term (finance?)
 - Councilor Chong:
 - Overdose prevention sites.

- Mental Health
 - Policy guidance on shelters to inform licensing.
 - Metro regional coalition; how many of those organizations would adopt a 211 GA system?
 - Reduce flow of people into Portland for social services; resources for people to stay where they live.
 - Public Bathrooms.
 - Day space: unhoused, elderly, latchkey, etc.; there is a community need.
- Councilor Ray said that last year the committee was interested in sober and recovery house regulation. There are a number of recovery residences that had been in operation without providing services. There was a group, MAR, looking to develop a volunteer accreditation process.
 - Vaping was also on last year's work plan per a staff recommendation.
- Councilor Dion hasn't given much thought to vaping outside of preventing minors using. Is the threshold of a recovery home based on medication or is it more like sober houses.
 - This was a zoning problem across Maine.
- If sober and recovery homes are facing zoning issues; is there work the committee can do to make them more accessible.
- Where can shelter resistant people be addressed in the work plan?
 - More data is needed.
 - Is it a drug, health or mental health issue?
 - What leads someone choosing to sleep outside versus in a shelter?
- Consensus
 - Overdose Prevention Sites
 - Licensing
 - Small shelter zoning
 - Updates on Homeless Services Center
 - Policy on Council Guidance for Shelter
 - Public Bathrooms
 - Strategies for shelter resistant populations.
 - Mental Health
 - Regional Strategies for General Assistance to ease burden on City Shelters.

AGENDA ITEM 8 – Next Steps

- The next meeting is February 9, 2021.

The meeting adjourned at approximately 8:00 PM