



# REQUEST FOR COUNCIL ACTION

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**Title:** Agreement with FAC for Managed Outreach and Community Resource Facility

**Preferred Agenda:** March 8, 2022

**Submitted By:** Blair Larsen, Community & Economic Development Director

**Reviewed By:** Christy Wurster, Interim City Manager

**Type of Action:** Resolution \_\_\_\_ Motion X Roll Call \_\_\_\_ Other \_\_\_\_

**Relevant Code/Policy:** N/A

**Towards Council Goal:** Aspiration I, desirable community; Aspiration IV, viable and sustainable essential services; Aspiration V, economically strong environment; Goal 3: essential services.

**Attachments:** City of Sweet Home-FAC Memorandum of Understanding  
Draft Facility Site Plan

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## **Purpose of this RCA:**

The purpose of this Request for Council Action is to present a Memorandum of Understanding (MOU) with Family Assistance and Resource Center Group (FAC) for a Managed Outreach and Community Resource Facility primarily directed at unsheltered members of the community. This facility is planned to be developed on property adjacent to the City's Public Works Yard, which is currently owned by Linn County.

## **Background/Context:**

City of Sweet Home residents have suffered from homelessness and the effects of homelessness for many years. Recent court decisions have limited the City's ability to enforce any ordinances restricting urban camping, sleeping, or otherwise occupying public rights-of-way or public property. For many reasons, the problem has only grown worse in recent years.

Last summer, the State legislature passed a bill exempting facilities for the unsheltered from normal land use rules, removing the City's ability to regulate the location of such facilities if they meet basic safety considerations. This means that an organization can open a facility anywhere in the City if they can do so safely.

For over a year, the City has been working with FAC to create a facility where the unsheltered can keep warm, sleep, and access the services necessary for them to move into permanent housing. Such a facility would enable the City to enforce its urban camping ordinances and direct individuals to the facility, as long as the facility has space available.

Previously, the City and FAC were considering various City-owned sites for this facility. Previous versions of this document included a lease agreement for City property. However, Linn County has indicated a willingness to donate property to FAC for this facility, and the City

Council has expressed a desire to move forward with such an arrangement. FAC still desires to work with the City to develop this site, and the City desires to be involved and have some influence on the rules and policies governing the site. FAC and City Staff have therefore developed the attached agreement for your consideration. A proposed site plan is also attached.

Some members of the Council have proposed that this agreement be discussed in a future City Council work session.

### **The Challenge/Problem:**

How does the City address the impacts of homelessness in a way that meets the needs of the housed, unhoused, and business community, while still following case law and State statutes?

### **Stakeholders:**

- Sweet Home Residents – Residents deserve a neat, clean, and orderly city. Unsheltered residents need a place to sleep and keep warm.
- Sweet Home Businesses – Local businesses deserve a city in which they can operate their businesses and serve customers in the community without the negative impacts that typically accompany homelessness.
- Sweet Home City Council – Council members are the voice of the citizens they serve and represent and are responsible for agreements made with other organizations.
- City of Sweet Home Staff – City Staff need to be able to enforce Sweet Home ordinances but are prevented from doing so by court decisions and State law. In addition, Staff need authorization from the Council regarding the proposed cooperation with FAC.
- Family Assistance and Resource Center Group – FAC desires to serve the unsheltered and others in the community, and would like to cooperate with the City to do this.

### **Issues and Financial Impacts:**

FAC has obtained grant funding of over \$400,000 to create and operate the proposed facility. This funding will cover all development costs except for any City staff time or other contributions. The City budgeted \$50,000 in the current fiscal year to address homelessness, of which \$42,700 remains. This funding would be tapped to pay for Staff time and needed infrastructure improvements.

In addition, the City would commit to providing nighttime security at the site, which is expected to cost approximately \$88,000 annually. This is an unbudgeted expense, and City Staff have not identified a funding source for this expenditure.

Finally, under this agreement the City would donate its old City Hall Annex Building, a manufactured building that is no longer in use, and has been declared surplus property.

### **Elements of a Stable Solution:**

An ideal outcome would be to partner with a non-profit organization for the creation and operation of a facility that provides services for the unsheltered, which would allow the City to follow court decisions and State statutes, but still enforce ordinances that promote a safe, clean, and orderly community.

### **Options:**

1. Do Nothing – Make no agreement with FAC and allow the homelessness situation to continue as it is.
2. Motion to Schedule a City Council Work Session regarding the Proposed Agreement – This would allow the City Council to make further adjustments to the agreement and discuss those adjustments with FAC representatives. The Agreement would then need to be approved in a regular session.
3. Motion to approve the Agreement with FAC as presented – This would allow City Staff and FAC to move forward with the development of the facility.

4. Motion to approve the Agreement with FAC with changes – The Council may approve the agreement with identified changes. This does not guarantee that FAC would agree to the changes.
5. Direct staff to investigate other options – Direct staff to research other ways to comply with State Law and address the problem of homelessness in our community.

**Recommendation:**

Staff recommends any option that moves this project forward (option 2, 3 or 4).