

From: Elisabeth Smith
To: [O'Brien, Mike](#); [Perrin, Jesse](#)
Cc: [Ann LoGerfo](#); [Yurij Rudensky](#); [Daugaard, Lisa](#); [Andrew Kashyap](#); [Patricia Sully](#)
Subject: issues with CM Bagshaw's
Date: Monday, October 10, 2016 1:31:16 PM
Attachments: [CB 118794 - Bagshaw Draft Substitute \(002\).docx](#)

Dear Mike and Jesse,

CLS, PDA, and the ACLU went through CM Bagshaw's draft from Friday evening and found the following issues:

1. Principles: We don't agree with all of these principles and worry that their inclusion could affect interpretation of the ordinance. We would prefer reference to the principles like "to the extent consistent or inconsistent..."
2. Purpose: Radically different (removing encampments instead of providing stability for unsheltered residents)
3. Definitions: Unsafe and unsuitable are too broad and unsuitable shouldn't be defined in rulemaking.
4. Removal:
 - a. Unsafe and unsuitable are unclear, especially when they interact with the notice requirements. 12 hours is too short and impractical.
 - b. Allows for immediate removal for hazardous conditions, but also requires 72 hours to cure.
 - c. Suitable: can remove in 72 hours.
5. Notice: This section contradicts pieces of unsafe, unsuitable, hazardous, and acceptable.
6. Property: Only safeguard property for 45 days (not 90) and description of requirements is nonsense.
7. Rule-making: These topics (Qualified outreach, unsuitable, personal property, and handling personal property) should not be left to rule-making without guidance.
8. Missing: vehicles; penalty section; advisory committee; community response line; MOUs (city cooperation with other entities).

Tuesday: We would like to discuss the internal contradictions related to notice and removal; Sec 2(D); the definition of qualified outreach; and how to frame rule-making tomorrow.

Amendments: We recommend using the amendment process to re-add the parts that are missing from this draft (#8).

Happy to talk further!

All my best,
Elisabeth

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