

**MAYORAL PROCLAMATION
OF CIVIL EMERGENCY**

CITY OF SEATTLE

SECTION 1: PREAMBLE

WHEREAS, individuals living within the City of Seattle should have access to basic shelter; and

WHEREAS, members of our community should not be forced, by a myriad of circumstances including poverty, unemployment, lack of affordable housing, discrimination, addiction and/or mental illness, domestic violence, or exits from the foster care system, to live and sleep outdoors or on the street; and

WHEREAS, based on reports, studies and statistical analyses performed concerning homelessness within our City and King County, I am aware of the following facts and information:

1. As a result of the economic recession, along with federal and Washington State budget cuts, Seattle's safety net has been significantly eroded. Those cuts have resulted in more people becoming marginalized and homeless, including people of color, youth, victims of domestic violence, LBGTQ community members, those suffering with mental illness and/or substance abuse, families with children, and elders.
2. Large numbers of homeless citizens regularly camp on roads and highways in the City of Seattle, including Interstate 90 and Interstate 5. Accessing defined "limited-access" areas in and around those roadways exposes those individuals to the danger of high-speed automobile traffic, risking death or great injury to the homeless, as well as to motorists and passengers. Further, under such conditions, the areas under and around those roadways have not been adequately maintained in a sanitary condition, have limited or no sanitary facilities, and are infested by rodents and vermin, thereby exposing those who sleep and reside there to conditions detrimental to their health.
3. During 2015, more than 45 individuals have died on Seattle streets without shelter, including one victim who fell to his death from a highway overpass.
4. Across Washington State, the number of homeless children in public schools has more than doubled over the last ten years, and the number of children experiencing homelessness is presently estimated to be over 32,000.
5. Seattle Public Schools serve almost 3,000 homeless students, which amounts to at least one student per classroom. While only 5% of Washington State's public school students are enrolled in Seattle Public Schools, 9.3% of homeless students statewide are enrolled in Seattle.

6. Poverty is on the rise in Seattle and King County, and housing costs have significantly increased. A recent study highlighting key predictive factors to homelessness found that a \$100 a month increase in rent correlates with a 15% increase in metropolitan homelessness.
7. The number of low-income households in Washington State paying more than half their monthly income in rent – which has been shown to increase the risk of homelessness – has grown to 221,800 in 2015, a 20% increase since 2007.
8. Addiction is also on the rise in Seattle, with a nearly 60% increase in the number of heroin and methamphetamine deaths since 2013. This increase follows the Attorney General of the United States, last year, calling the rise in heroin overdose deaths an “urgent public health crisis.”
9. After federal sequestration cuts, 1,504 fewer households in Washington State had access to Housing Choice Vouchers in 2014 compared to 2013.
10. On January 23, 2015, the One Night Count identified the number of individuals experiencing homelessness in King County as 10,047. Included in this number are 3,772 unsheltered individuals, a 21% increase over those so identified in 2014.
11. Approximately 75% (2,813 of 3,772) of the unsheltered individuals in King County were identified as residing within the City of Seattle.
12. Institutional racism that has created persistent racial disparities among the homeless population in Seattle, including racial disparities in health, education outcomes, and the criminal justice system, must be addressed.

WHEREAS, in spite of substantial efforts that have been made by local, state, and federal government agencies, non-profit and for-profit organizations, and dedicated individuals, homelessness is a problem that continues to afflict our city; and

WHEREAS, there have been dramatic cuts at the federal and Washington State levels for affordable housing and other services that assist homeless citizens, which has significantly increased the City’s financial burden in combating homelessness, and have been insufficient to address the growing need; and

WHEREAS, this homelessness crisis is not unique to the City of Seattle, but is experienced throughout the State of Washington and the United States of America, causing other municipalities, including Los Angeles, California, and Portland, Oregon, as well as the State of Hawaii to consider immediate action to combat this emergency.

SECTION 2: MAYORAL ACTION TAKEN

WHEREAS, the homeless crisis persists in spite of substantial City action and the creation during my administration of the following resources:

1. Addressing Critical Policy Issues:
 - A. Creating an Emergency Task Force on unsheltered homelessness in 2014 and charging the group with developing recommendations to help the growing number of people living on the streets to find shelter;
 - B. Analyzing the effect of the money presently spent on homelessness services, and working to streamline the City's human services contracts in order to ensure that the City's spending is more strategic, efficient, and provides greater outcomes for individuals and families experiencing homelessness;
 - C. Developing a Homelessness Investment Analysis in 2015 which recommends shifts in investments and services to a progressive engagement model using a portfolio for contracted services; and
 - D. Completing the Housing Affordability and Livability Agenda (HALA) in 2015 that sets forth recommendations to address current affordability issues in the city.
2. Creating Additional Shelter Capacity:
 - A. Converting a city-owned building in Uptown into an emergency shelter in 2015 to serve 100 people;
 - B. Supporting Mary's Place in 2015 with temporary shelter capacity in a City-owned building; this temporary support will keep 80 homeless families off the street each night; and
 - C. Securing funding for Peace on the Streets from Kids on the Streets (PSKS) in 2015 to allow for additional year-round 20 youth shelter beds.
3. Innovative & Proactive Strategies:
 - A. Increasing the City's spending on homelessness services by 7%, to the highest level of funding in the City's history;
 - B. Allocating \$620,000 for rapid re-housing in 2015 for non-chronically homeless single adults with a focus on services to veterans;

- C. Continuing funding for the Road to Housing program that supports people living in their vehicles with the goal of moving them into stable housing;
- D. Renewing and increasing the Seattle Housing Levy, a first-of-its-kind funding source that has created thousands of units of housing for the homeless over the past 30 years; and
- E. In March 2015, Seattle City Council unanimously passed the Mayor's ordinance allowing for the first time legal, authorized encampments on City-owned or private property.

SECTION 3: DECLARATION OF CIVIL EMERGENCY

WHEREAS, under Chapter 10.02.020 of the Seattle Municipal Code, I have the power, and indeed the responsibility, to act in those situations where there exists within the City of Seattle a threat to the health and safety of its citizens and which requires that actions be taken to ensure the public welfare; and

WHEREAS, the scope and nature of the homelessness problem confronting the City has risen to such a level, and impacts, on a daily basis, the health and safety of its citizens; and

WHEREAS, this decision to declare a civil emergency is not taken lightly but is, I believe, an extraordinary measure that is necessary to protect the public welfare; and

WHEREAS, to not take action and to allow the homelessness problem to continue to grow would be in dereliction of the duties of my Office and of the welfare and basic human rights of the people of this City; and

WHEREAS, the conditions of this proclamation and any accompanying orders are designed to provide the least necessary restriction on the rights of the citizens of the City of Seattle.

NOW THEREFORE, I, EDWARD B. MURRAY, AS MAYOR OF THE CITY OF SEATTLE DO PROCLAIM THAT: the situation described herein is sufficiently serious that it is necessary that I declare a civil emergency to address the homelessness crisis within the City of Seattle.

SECTION 4: CIVIL EMERGENCY POWERS

WHEREAS, upon the declaration of a civil emergency, I, as the Mayor of the City of Seattle, possess and may utilize the emergency powers delineated below:

1. A civil emergency exists requiring and authorizing me to exercise the emergency powers vested in me as Mayor by RCW Chapter 38.52, by the Charter of the City of Seattle, Article V, Section 2, and by Seattle Municipal Code Chapter 10.02 as described in this proclamation;

2. Effective upon my signing this proclamation, I will be exercising that authority through the issuance of one or more Executive Orders, pursuant Seattle Municipal Code 10.02.020, and through the use and direction of City personnel, services and equipment and additional acts necessary to the management of this emergency; and
3. Pursuant to Seattle Municipal Code section 12A.26.040, it is unlawful for anyone to fail to obey an Emergency Order issued or proclaimed by me when he or she knowingly violates any order issued under authority of sections 10.02.010 or 10.02.020 of the Seattle Municipal Code.

SECTION 5: DETERMINATION OF EMERGENCY

Based on my review of the present circumstances, my consultations with City Agencies and Department Heads, including, but not limited to, the Seattle Police Department, the City Attorney's Office, Human Services, Public Health, the Office of Emergency Management, the Office of Intergovernmental Relations, and the Seattle Fire Department, and my review of numerous reports, statistical analyses, and other information, I have determined that upon these circumstances there exists a direct and credible threat to the welfare of members of the public experiencing homelessness to such an extent as to require me to exercise the authority assumed in this Proclamation and to take extraordinary measures to prevent harm to such persons, to protect the public welfare, and to alleviate hardship and suffering.

SECTION 6: CONTRACTING AND BORROWING AUTHORITY

Pursuant to SMC Section 10.02.030, I hereby assume the authority to enter into contracts and incur obligations necessary to relieve the emergency, protect the health and safety of persons and property, provide emergency assistance to victims, and to exercise this authority in light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance, statute, rule or regulation (excepting mandatory constitutional requirements), including, but not limited to the following limitations and requirements:

1. The Washington State budget act (RCW 35.32A) and the adopted City budget;
2. Laws governing competitive bidding and the publication of notices pertaining to the performance of public works (RCW 35.22.620 et seq.; RCW Chapters 39.04 through 39.12; SMC Chapter 3.18; and SMC Chapter 20.48, etc.); and
3. Laws governing the entering into of contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment; the purchase of supplies and materials (including Seattle Municipal Code Chapters 10.02 and § 10.02.070 thereof), and the appropriation and expenditure of public funds.

I intend to consult with the City Council wherever practical and present all orders and proclamations at the earliest practicable time to the City Council for review and appropriate legislation.

SECTION 7: CIRCULATION


A copy of this Proclamation and any civil emergency order issued hereunder shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Proclamation and any civil emergency orders issued hereunder shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Proclamation to the public, as many other available means as may be practical to use shall be used, including but not limited to posting on public facilities, internet websites, and public address systems. I specifically reserve the power to issue subsequent Orders until this Proclamation is terminated.

SECTION 8: PRESENTATION, RATIFICATION, TERMINATION

This Proclamation shall be filed immediately after its issuance, or as soon as practical, with the City Clerk for presentation to the City Council for ratification and confirmation, modification, or rejection. The Council may, by resolution, modify or reject the proclamation and if rejected, it shall be void. If the Council modifies or rejects the proclamation, said modification or rejection shall be prospective only, and shall not affect any actions taken prior to the modification or rejection of the proclamation. The Council shall endeavor to act on any proclamation of civil emergency within 48 hours of it being presented to the City Clerk by the Mayor. In no case shall the City Council have any authority, during an emergency proclaimed by me pursuant to the Charter of the City of Seattle, Article V, Section 2, to impair or void my direction of the Police Department during such emergency.

This Proclamation shall be terminated by the issuance of another proclamation when I determine that extraordinary measures are no longer required for the protection of the public peace, safety and welfare, or by the passage of a termination resolution by not less than two-thirds (2/3) of all the members of the City Council. Before termination of this civil emergency, I or the City Council shall consult with agency and department heads including, but not limited to, the Chief of Police, the Fire Chief, the Director of Public Health, the Director of Human Services, and the Director of Emergency Management to determine if there are any fiscal, public safety response or disaster recovery imperatives that require the continuation of emergency measures.

DATED this 24th day of November, 2015, at 8:31 a.m./p.m.



EDWARD B. MURRAY, Mayor
The City of Seattle

CIVIL EMERGENCY ORDER
REQUESTING FEDERAL ASSISTANCE
CITY OF SEATTLE

WHEREAS, on November 2, 2015, in my capacity as Mayor, I issued a Proclamation of Civil Emergency to address the homelessness crisis in the City of Seattle; and

WHEREAS, the facts stated in that Proclamation continue to exist and I am basing this Civil Emergency Order on the information and recitals contained in that Proclamation; and

WHEREAS, the decisions to declare a civil emergency and to seek civil emergency orders are not taken lightly but are, I believe, extraordinary measures that are necessary to protect the public welfare; and

WHEREAS, this civil emergency necessitates the utilization of certain emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52, including the power to seek the assistance of the federal government in combating the civil emergency as set forth in Seattle Municipal Code, Chapter 10.02.020(A)(10); and

WHEREAS, the conditions of this Civil Emergency Order are designed to provide the least necessary restriction on the rights of the public; and

WHEREAS, for these reasons I believe it is in the best interests of the City of Seattle that the assistance of the federal government be requested as set forth this Civil Emergency Order; and therefore,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE EDWARD B. MURRAY, THAT:

I, EDWARD B. MURRAY, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTIONS 10.02.020, 10.02.025, AND 10.02.030, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED NOVEMBER 2, 2015 HEREBY REQUEST THE FOLLOWING FROM THE UNITED STATES GOVERNMENT:

SECTION 1

1. Undertake take those steps and issue those orders that the President deems necessary to assist the City of Seattle in combating this civil emergency;
2. Increase funding for affordable housing, including capital and operating funding for permanent housing for the homeless and our most vulnerable extremely low-income residents, rental assistance, and voucher programs;

3. Increase funding for the interrelated system of homeless support services for all populations and address the funding gap created by the shift in priorities of McKinney funding toward housing and housing related services, including funding for mental and behavioral health, chemical dependency, employment and family support services in the HHS and DOL budgets;
4. Increase federal funding for homeless supportive services for all populations, including funding for employment, mental health, and chemical dependency services;
5. Extend the terms of existing Moving To Work program, which provides flexibility for the Seattle Housing Authority and the King County Housing Authority to design local services for housing and employment support for low-income families;
6. Eliminate the Institutions for Mental Disease regulation limiting Medicaid reimbursement to facilities with more than 16 beds;
7. Update 42 CFR Part 2 – Confidentiality of Alcohol and Drug Abuse Records to mirror HIPAA regulations and support care coordination and primary care integration;
8. Approve Washington’s Medicaid Transformation Waiver request, which includes creating a supportive housing benefit that would allow the use of Medicaid funds to pay for support services delivered in permanent supportive housing, and;
9. In 2012, HUD and the United States Interagency Council on Homelessness (USICH) launched a new initiative, “Dedicating Opportunities to End Homelessness” and engaged 10 top priority cities including Seattle in seeking requests for waivers and regulatory flexibility and identifying areas for alignment. Reengage with these 10 cities to implement the submitted requests.

SECTION 2

All mayoral proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this Order, then the provision of this Order shall control.

SECTION 3

A copy of this Civil Emergency Order shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Emergency Order to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems as set forth in SMC 10.02.100.

SECTION 4

This Civil Emergency Order shall immediately or as soon as practical be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Civil Emergency Order shall be void; however, any such rejection or modification shall not affect any actions previously taken. As set forth in SMC 10.02.020(O), if the City Council rejects this Civil Emergency Order, such rejection shall not affect the City's responsibility for any actions taken prior to the rejection of this Civil Emergency Order, including the City's responsibility for the actual costs incurred by those who were ordered by or entered into contracts with the City.

DATED this 2nd day of November, 2015, at 8:31 am/pm.



EDWARD B. MURRAY
MAYOR OF THE CITY OF SEATTLE

CIVIL EMERGENCY ORDER
REQUESTING STATE ASSISTANCE
CITY OF SEATTLE

WHEREAS, on November 2, 2015, in my capacity as Mayor, I issued a Proclamation of Civil Emergency to address the homelessness crisis in the City of Seattle; and

WHEREAS, the facts stated in that Proclamation continue to exist and I am basing this Civil Emergency Order on the information and recitals contained in that Proclamation; and

WHEREAS, the decisions to declare a civil emergency and to seek civil emergency orders are not taken lightly but are, I believe, extraordinary measures that are necessary to protect the public welfare; and

WHEREAS, this civil emergency necessitates the utilization of certain emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52, including the power to seek the assistance of the Washington State government in combating the civil emergency as set forth in Seattle Municipal Code, Chapter 10.02.020(A)(10); and

WHEREAS, the conditions of this Civil Emergency Order are designed to provide the least necessary restriction on the rights of the public; and

WHEREAS, for these reasons I believe it is in the best interests of the City of Seattle that the assistance of the Washington State government be requested as set forth this Civil Emergency Order; and therefore,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE EDWARD B. MURRAY, THAT:

I, EDWARD B. MURRAY, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTIONS 10.02.020, 10.02.025, AND 10.02.030, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED NOVEMBER 2, 2015 HEREBY REQUEST THE FOLLOWING FROM THE WASHINGTON STATE GOVERNMENT:

SECTION 1

1. Undertake those steps and issue those orders that the Governor deems necessary to assist the City of Seattle in combating this civil emergency;
2. Allocate additional resources for mental health and substance abuse treatment;

3. Set Medicaid rates for inpatient treatment at an amount that is sufficient to provide effective treatment;
4. Identify State-owned property to host authorized encampments, vehicle parking, emergency shelter, and housing;
5. Allocate intervention and other resources to address the public health and safety crisis associated with unauthorized encampments on State property along I-5, I-90, and SR-99, including implementing physical changes to those areas to minimize ongoing and long-term public health and safety risks.
6. Increase the amount and expand allowable support services in the Consolidated Homeless Grant (CHG), including Housing and Essential Needs Program and stabilize funding for CHG;
7. Restore the Housing Trust Fund (HTF) to pre-recession levels;
8. Authorize additional financing tools to expand affordable housing and ensure affordability and protections for tenants.

SECTION 2

All mayoral proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this Order, then the provision of this Order shall control.

SECTION 3

A copy of this Civil Emergency Order shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Emergency Order to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems as set forth in SMC 10.02.100.

SECTION 4

This Civil Emergency Order shall immediately or as soon as practical be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Civil Emergency Order shall be void; however, any such rejection or modification shall not affect any actions previously taken. As set forth in SMC 10.02.020(O), if the City Council rejects this Civil Emergency Order, such rejection shall not affect the City's responsibility for any actions taken prior to the rejection of this Civil Emergency Order, including the City's responsibility for the actual costs incurred by those who were ordered by or entered into contracts with the City.

DATED this 2nd day of November, 2015, at 8:31 am/pm.

A handwritten signature in black ink, appearing to read "Edward B. Murray", written over a horizontal line.

EDWARD B. MURRAY
MAYOR OF THE CITY OF SEATTLE

CIVIL EMERGENCY ORDER
ADDRESSING SEATTLE PUBLIC SCHOOL CHILDREN EXPERIENCING
HOMELESSNESS

CITY OF SEATTLE

WHEREAS, on November 2, 2015, in my capacity as Mayor, I issued a Proclamation of Civil Emergency to address the homelessness crisis in the City of Seattle; and

WHEREAS, the facts stated in that Proclamation continue to exist and I am basing this Civil Emergency Order on the information and recitals contained in that Proclamation, including that Seattle Public Schools serve almost 3,000 children experiencing homelessness, which amounts to at least one student per classroom; and

WHEREAS, the decisions to declare a civil emergency and to seek civil emergency orders are not taken lightly but are, I believe, extraordinary measures that are necessary to protect the public welfare; and

WHEREAS, this civil emergency necessitates the utilization of certain emergency powers granted to the Mayor pursuant to Seattle Municipal Code, Chapter 10.02 and RCW Chapter 38.52; and

WHEREAS, the conditions of this Civil Emergency Order are designed to provide the least necessary restriction on the rights of the public; and

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THE HONORABLE EDWARD B. MURRAY, THAT:

I, EDWARD B. MURRAY, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTIONS 10.02.020, 10.02.025, AND 10.02.030, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED NOVEMBER 2, 2015 HEREBY ORDER THE FOLLOWING:

SECTION 1

1. All City of Seattle Departments shall establish programs and services, and identify additional shelter capacity to specifically address the crisis of almost 3,000 children experiencing homelessness currently enrolled in Seattle Public Schools. The Departments shall identify and establish such programs, services, and additional shelter capacity, regardless of any time-consuming procedures and formalities prescribed by City ordinance, including any applicable permit requirements.
2. This Order is limited to the establishment of additional shelter capacity, programs, and services that specifically address the crisis of children experiencing homelessness currently enrolled in Seattle Public Schools.

SECTION 2

All mayoral proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this Order, then the provision of this Order shall control.


SECTION 3

A copy of this Civil Emergency Order shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Emergency Order to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems as set forth in SMC 10.02.100.

SECTION 4

This Civil Emergency Order shall immediately or as soon as practical be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Civil Emergency Order shall be void; however, any such rejection or modification shall not affect any actions previously taken. As set forth in SMC 10.02.020(O), if the City Council rejects this Civil Emergency Order, such rejection shall not affect the City's responsibility for any actions taken prior to the rejection of this Civil Emergency Order, including the City's responsibility for the actual costs incurred by those who were ordered by or entered into contracts with the City.

DATED this 2nd day of November, 2015, at 8:31 am/pm.



EDWARD B. MURRAY
MAYOR OF THE CITY OF SEATTLE