



## Legislation Text

---

**File #:** 65316, **Version:** 2

---

The proposed resolution would authorize the ongoing use of public parks as temporary permissible encampments (TPEs), and prohibit the eviction of individuals taking shelter in TPEs.

Parks currently has two operating contracts for cleanup at McPike Park and Reindahl Park. The McPike contract totals \$20,000 and expires on 5/31/21, and the Reindahl contract totals \$15,000 and expires on 6/15/21. The scope of these contracts includes transportation, documentation, and storage of abandoned personal property, as well as cleanup of unwanted structures, human waste, hazardous materials, and other disposal as necessary.

The Parks Division estimates an additional \$50 per week in cleanup costs per park with a TPE. Over the course of a year, this cost would total to \$2,600 per park with a TPE. This cost does not include cleanup at restroom facilities, which are not currently open. If restroom facilities are opened, that would result in an additional \$117 per week, or a total cost of \$8,700 per park per year.

SUBSTITUTE: Updating Temporary Permissible Encampments (TPE) criteria and permitting the continued use of Reindahl Park until a suitable alternative site is established. ~~Prohibiting the eviction of temporary encampments in Reindahl Park.~~

WHEREAS, the July 2019 Point in Time Count of Homelessness Madison/Dane County

([https://0dae4f91-4a77-41b6-8005-0e9000834ebd.filesusr.com/ugd/73dee7\\_c2f276f97ac644f99d222cd1dd16e50a.pdf](https://0dae4f91-4a77-41b6-8005-0e9000834ebd.filesusr.com/ugd/73dee7_c2f276f97ac644f99d222cd1dd16e50a.pdf)) stated by the Homeless Services Consortium of Dane County identified 650 people experiencing homelessness in Dane County on a single night in July 2019 and an estimated 800 people in July 2020; and

WHEREAS, on March 17, 2020, Public Health Madison & Dane County announced that community spread of COVID-19 was occurring in Dane County, with the first confirmed community death being reported on March 25; and

WHEREAS, individuals experiencing homelessness during the COVID-19 pandemic and public health emergencies have needed public assistance to secure areas where it is possible to observe proper social distancing, however there remain some individuals who are not using such resources and are instead taking temporary shelter or residency in City parks, greenways and other City lands; and

WHEREAS, the Centers for Disease Control (the CDC) has issued interim guidance on dealing with ~~populations~~ individuals experiencing unsheltered homelessness (sleeping outside or in places not meant for human habitation) during the COVID-19 pandemic (<https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html>) ). The CDC recognizes that this is a population at risk for COVID-19 and the most up-to-date guidance recommends allowing temporary permissible encampments (TPEs) to remain; and

WHEREAS, ~~on March 23, 2020, Mayor Rhodes-Conway issued a Proclamation of Emergency due to COVID-19, which allowed for the temporary encampment in public parks and other designated areas; and~~

WHEREAS, on May 6, 2020, Mayor Rhodes-Conway issued Emergency Order #2, authorizing the designation of temporary permissible encampments on certain City property and the non-enforcement of certain City Ordinances within these encampments; and

WHEREAS, on January 5, 2020, Resolution 21-00036 confirmed Emergency Order #2 and established criteria for establishing and revoking TPE designation; and

WHEREAS, on February 4, 2021, the City of Madison served an eviction notice to persons living in temporary encampments in McPike Park with an order to vacate the premise by February 28, 2021, as per Madison General Ordinance 8.44; and

WHEREAS, on April 9, 2021, the City of Madison served an eviction notice to persons living in temporary encampments in Reindahl Park with an order to vacate the premise by May 9, 2021, as per Madison General Ordinance 8.44; and

WHEREAS, the remaining designated TPE location at Starkweather is inaccessible and unsuitable to serve as a TPE location;

NOW, THEREFORE, BE IT RESOLVED that the criteria set forth in Resolution 21-00036 are hereby updated (see attached). ~~the Madison Common Council will continue to authorize the use of public parks and other designated areas as temporary permissible encampments (TPEs).~~

BE IT FURTHER RESOLVED that the Madison Common Council directs staff to identify one or more TPE locations that meet the updated criteria established in this resolution with sufficient capacity to accommodate those currently located at Reindahl Park and other previously designated TPEs.

BE IT FINALLY RESOLVED that the City will continue to suspend enforcement of those ordinances outlined in section 2 or RES-21-00036 at Reindahl Park until appropriate alternate TPE locations are identified and approved by the Common Council with capacity sufficient to accommodate all of those currently located at Reindahl Park. ~~the Madison Common Council will prohibit the removal and eviction of persons taking shelter in temporary permissible encampments.~~