



MIKE JOHNSTON
MAYOR

CITY AND COUNTY OF DENVER
OFFICE OF THE MAYOR

City and County Building
Denver, CO 80202-5390

p: 720.865.9090
denvergov.org/mayor

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Denver City Council
1437 Bannock St.
Room 451
Denver, CO 80202

Council President Torres, Pro Tem Sandoval, and Honorable Members of Denver City Council,

When the weather turns cold, our primary goal is to move people experiencing homelessness inside. Over the past six months we have worked together to advance an ambitious effort to get people experiencing homelessness into shelter and housing, a priority shared by the bill sponsors. Though well-intentioned, this legislation would restrict the city's ability to do this life-saving work for approximately four months of the year. That is the reason I will exercise my authority as Mayor under § 3.3.5(G) of the Charter and veto this piece of legislation.

I want to thank Council President Torres and Councilmembers Parady, Lewis and Kashmann, the sponsors of Ordinance 23-1960, for open and ongoing engagement about the legislation and for helping support the design and implementation of a pilot program to expand the services of our cold weather sheltering system. Dialogue and discussion, especially when we disagree, are cornerstones of our commitment and obligation to serve Denver constituents and I appreciate the spirit in which the sponsors have engaged during every step of the process.

I want to make clear that we have not, nor intend to, do large encumbrance removals when the temperature is 32 degrees or below without housing or shelter options, with the exception of major public health and safety risks.

Since July 17, we have conducted more than 60 community meetings focused on providing housing and services for people in encampments across our city. In those conversations, it has been clear that Denverites believe we have a moral obligation to provide housing and services to people experiencing homelessness, and that the city has a responsibility to keep neighborhoods clear of encampments. We, together with City Council, community partners and advocates, have spent the last six months developing an extremely successful system to deliver on both responsibilities, and I believe this legislation would significantly disrupt that successful effort during the winter months.

As drafted, this legislation:

- **Prevents our ability to close encampments and move people into housing.** The encampment resolution model is the cornerstone of our approach to encampments and successfully brought more than 1,135 people indoors in under six months while permanently closing those locations

to future camping. This legislation would infringe on the success of our housing strategy which relies on two components: moving people into housing and closing encampments at the same time.

- **Overturms the city-adopted camping ban for up to one third of the year.** As written, the legislation would allow small encampments to return to areas already closed to encampments. This is contrary to the will of more than 80% of voters who affirmed the camping ban in 2019. For the first time in decades, large parts of the city are permanently closed to camping. We have moved people off the streets into transitional housing and re-opened and activated public space for businesses and neighbors. And with your help we intend to expand this success to other sections of the city.
- **Eliminates our ability to close or move encampments that are in the public right of way.** If someone puts up a tent in the middle of the sidewalk, or on the tree lawn or sidewalk in front of a business, this legislation would restrict our ability to move those tents for one-third of the year. We have a responsibility to keep public spaces open and accessible to all, especially those who rely on mobility devices.
- **Eliminates our ability to prevent encampments near new shelter sites and maintain closures of encampments that have been resolved.** We made a public commitment to Denver residents when we opened our shelter sites that we would not allow outdoor camping on the premises or in the vicinity of those sites. The legislation would impact our ability to enforce that commitment for up to four months of the year.
- **Restricts our ability to close encampments due to public health and safety risks.** The city has always maintained the authority to close encampments when they pose public safety risks. This year alone we have seen rat infestations, exploding propane tanks and gun violence erupt in encampments. The bill restricts our ability to close an encampment facing a public health and safety risk unless it meets a vague standard of the public health risk being greater than the risk of cold weather.

We all share the common goal of protecting our most vulnerable neighbors as we work to end unsheltered homelessness in Denver. Despite this specific disagreement, I know we will continue to work together toward delivering on this shared goal. I look forward to our continued collaboration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Johnston". The signature is fluid and cursive, with the first name "Mike" being more prominent.

Mike Johnston
Mayor