



BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon
(541) 388-6570

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

12:30 PM

MONDAY July 29, 2024

Allen Room
Live Streamed Video

Present were Commissioners Patti Adair, Tony DeBone and Phil Chang. Also present were County Administrator Nick Lelack; Senior Assistant County Counsel Kim Riley; and BOCC Executive Assistant Brenda Fritsvold.

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal webpage www.deschutes.org/meetings.

CALL TO ORDER: Chair Adair called the meeting to order at 12:30 pm.

CITIZEN INPUT: None

CONSENT AGENDA: Before the Board was consideration of the Consent Agenda.

1. Acceptance of Criminal Justice Commission Restorative Justice Grant Award
2. Approval of Purchase Agreement, Document No. 2024-561; Dedication Deed, Document No. 2024-562; Slope Easement, Document Number 2024-563; and Temporary Construction Easement, Document Number 2024-564 from Michael Gueguen and Elizabeth J. Hays for Right of Way for the Hamhook Road Bridge Replacement Project
3. Approval of a contract with Trident Professional Security to provide services at the Deschutes County Health Services Stabilization Center

4. Approval of minutes of the BOCC June 10, 2024 meeting

CHANG: Move approval of the Consent Agenda as presented
DEBONE: Second

VOTE: CHANG: Yes
DEBONE: Yes
ADAIR: Chair votes yes. Motion Carried

EXECUTIVE SESSION

At 12:32 pm, the Board entered Executive Session under ORS 192.660 (2) (h) Litigation.

The Board came out of Executive Session at 1:19 pm to direct staff to proceed as discussed.

AGENDA ITEMS:

6. Oregon State Fire Marshal Community Wildfire Risk Reduction Grant

Kevin Moriarty, County Forester, sought the Board’s approval of an application for a Wildfire Risk Reduction grant, noting the application has already been submitted due to the deadline. He explained that any grant funds awarded would be used to implement fuel reduction measures on seven miles of unimproved roads within the Juniper Ridge area along with approximately 55 encampment concentrations. Moriarty said this work would reduce fire risk to the project area and the area surrounding it, and also reduce the hazard risk to first responders. Deschutes County would provide a match of \$30,000 and the City of Bend has agreed to contribute \$50,000 to expand treatment on City-owned properties in Juniper Ridge.

Responding to questions, Moriarty said the plan is to focus efforts on the areas that have the highest concentration of encampments.

DEBONE: Move approval of a grant application to the Oregon Department of the State Fire Marshal for funds to be used for Community Wildfire Risk Reduction

CHANG: Second

VOTE: CHANG: Yes
DEBONE: Yes
ADAIR: Chair votes yes. Motion Carried

CHANG: Move approval to accept, if awarded, grant funding from the Oregon Department of the State Fire Marshal for Community Wildfire Risk

Reduction efforts
DEBONE: Second

VOTE: CHANG: Yes
 DEBONE: Yes
 ADAIR: Chair votes yes. Motion Carried

7. Discussion and Possible Action on 45 acres of County-owned Land for Alternative Location for Unsheltered Homeless

Erik Kropp, Deputy County Administrator, reviewed the background of the proposed land exchange with the Department of State Lands in Redmond, reminding that the State will not move forward until encampments and debris are cleared from the property owned by the County. In order to do this, the County must establish an alternative location to move people to, and it's estimated to take between nine and ten months to relocate displaced persons after the alternative location is identified and available.

Kropp shared a map of the area under discussion and provided an overview of Redmond's continuum of homeless services, noting that Redmond lacks sanctioned camping and managed camps. Redmond's City Code—which applies to a 45-acre site owned by the County—determines shelter standards and addresses such things as open flames and fencing. Under Redmond's Code, managed camps require on-site presence/supervision, a code of conduct and some type of case management services.

Continuing, Kropp said the primary goal is to establish an alternative location for displaced campers that has basic services such as potable water, dumpsters, portable toilets and handwashing stations. Saying a portion of the 45-acre site could be used for this purpose, Kropp stressed that the County cannot force anyone to move to a supported/managed camp.

Kropp next reviewed three main possible ways of proceeding, as follows:

- 1) Establishing a supported camp with mobile case management services provided by non-profit entities;
- 2) Establishing a supported camp with designated sites, case management services and a staffed "camp host"; or
- 3) Establishing a managed camp staffed by a non-profit entity.

Kropp reminded that the RFQ issued earlier this year by the Coordinated Homeless Response Office did not result in any proposals for the 45-acre site, perhaps due to the amount of resources needed to establish and operate a managed camp.

Kropp then offered options for possible next steps, as follows:

1. Direct staff to issue an RFP for potential services, as desired; or
2. Embark on a phased approach, beginning by implementing the first concept as described and later working to implement the second and third concepts as appropriate.

Commissioner Chang asked if the 45 acres owned by the County has a network of dirt roads and spots for people to move to. Kropp confirmed there is an area just beyond Oasis Village where a supported camp might be located.

Kristie Bollinger, Property Manager, added that the 45 acres already has encampments, and if the County were to grade part of it, some of those camps would have to be removed.

Commissioner Chang said it is easier to manage and support people who are concentrated rather than dispersed, and some people feel safer being inside a fence instead of outside.

Kropp noted that not all offered assistance was welcomed at the Juniper Ridge encampments, to use that area as an example. He envisioned starting with basic rules of conduct, which could be enforced by a security contractor.

Commissioner Adair said some people may be willing to follow rules in exchange for electricity. She suggested limiting the camp to eight or nine acres with no more than 25 camps per acre, said law enforcement would have to be involved, and adding that the fire danger from unmanaged camps is too high. She did not support seeking a waiver to Redmond's fencing requirement.

Commissioner Chang supported issuing an RFP to operate a site per the second concept and said perhaps the County could partner with Redmond to develop a supported campsite.

Commissioner DeBone supported a phased-in approach, i.e., implementing the first concept at the outset. Saying not everyone wants to be fenced in, he opposed trying to implement a full solution all at once.

Commissioner Chang said allowing people to camp dispersed across a large area could make it challenging to reach them or enforce a code of conduct. He said concentrating encampments in a smaller area would enable keeping track of people and determining if any rules were being violated.

Bollinger estimated that the 45-acre property currently has ten encampments.

Commissioner Adair said the County has been implementing the first concept at Juniper Ridge, except for full case management services. She supported starting with the second concept.

Commissioner Chang suggested that this matter be discussed with the City of Redmond to determine what it would be willing to partner with the County on.

Keith Witcosky, Redmond City Manager, said it would be better to have something more versus less structured and that does not utilize the entire 45 acres.

Linda Cline, Redmond Housing Program Analyst, said the first concept lacks clarity. She questioned how to control if people follow the rules or have campfires.

Commissioner Adair said limiting a camp to one gate might not be safe, and another may be needed for emergency access.

In response to Commissioner Adair, Witcosky agreed that security will be an important component of a managed camp.

Discussion ensued regarding issuing an RFP to operate a managed camp, or to develop and operate a camp.

County Administrator Nick Lelack suggested either issuing an RFP for the second concept and allowing responders the flexibility to determine who does what, or issuing an RFP for developing and operating a managed camp and allowing responders to submit proposals for one part or the other, or both.

Saying the City is gathering more feedback from service providers on August 13th, Cline suggested waiting for that to be submitted before issuing an RFP.

Commissioner Adair suggested that the City share a preliminary RFP with the service providers at that meeting.

CHANG: Move to direct staff to draft an RFP for the development and operation of a supportive/managed camp, such that responders can respond to one part or the other, and working with the service providers in Redmond to help craft the RFP

ADAIR: Second

VOTE: CHANG: Yes

DEBONE: No

ADAIR: Chair votes yes. Motion Carried 2 - 1

Commissioner DeBone stressed his support for the first concept as outlined, saying it would help address unsanctioned camping and wildfires. Adding that it would be a monumental undertaking to relocate encampments, he was concerned that embarking on the second concept would be complicated and very expensive.

A break was announced at 2:29 pm. The meeting resumed at 2:33 pm.

8. Deliberation #3: Deschutes County 2040 Comprehensive Plan Update – Chapter 7, Natural Hazards

Nicole Mardell, Senior Planner, reviewed the process approved by the Board to deliberate on changes to the 2040 Comprehensive Plan and invited the Board to suggest revisions to Chapter 7— Natural Hazards.

Referencing current large-scale fuels reduction efforts which result in fires having smaller ember showers, Commissioner Chang suggested that in the second sentence of the “Wildfire” section on page 7-2 the words “a general lack of large-scale treatments due to outdated forest management practices, ...” be replaced by “forest management practices, ...”.

On page 7-3, the Board was in consensus to revise the sentence in the “Drought” section which begins “Many counties ... are experiencing more frequent and severe droughts” to add the word “currently” before the word “experiencing.”

Referring to the language on pages 7-3 and 7-4 referencing Community Wildfire Protection Plans, Commissioner DeBone said the County’s Natural Resources division is contracting work to consolidate these.

On page 7-4, Commissioner Chang found the third paragraph problematic as it does not discuss the Wildland-Urban Interface. He proposed striking the entire paragraph and replacing it with the following:

“The Wildland-Urban Interface (WUI) is defined as the area where housing and burnable vegetation meet or intermingle. Deschutes County has seen increased development in the WUI, associated with growth in the four cities and the rural county, in particular on the edge of cities adjacent to public lands. Public lands in the WUI historically had frequent low intensity fire which reduced the density of small trees and brush making the landscape less likely to produce high severity fire. Past forest management practices and exclusion of frequent, natural, low intensity fire from the landscape result in high fuel loads and high probability of severe fire. Landscapes in Deschutes County that have experienced severe fire

often contain dense understory vegetation and brush, which are more susceptible to ignitions and fire spread in hot and dry climates.

“Following severe wildfire events, forests experience disruption of natural growth progression, which can lead to competition among vegetative species and monoculture species growth. Significant efforts have gone into removal of these fuels at the federal, state, and local levels, including notable efforts by neighborhood associations and communities following fire-wise guidelines.

“Home hardening at the individual household level will continue to play an important role in reducing the risk of loss from wildfire events and mitigating the spread of fire between neighboring properties. The 2020 Labor Day fires severely impacted several areas of the state. During those events, house to house ignitions amplified the spread of wildfire, causing severe loss of homes and businesses. Home hardening techniques include use of ignition resistant siding and roofing, attic ventilation devices that reduce ember intrusion, and removal of vegetation in the 8 Community Planning Assistance for Wildfire definition for WUI defensible space area surrounding structures on a property. These techniques will be crucial to reduce loss of life and property from these increasing hazard events in and adjacent to the WUI.”

On page 7-7, Commissioner Chang said the reference to wildfire risk areas in Policy 7.1.2. must instead refer to the wildfire hazard areas.

Also on page 7-7, Commissioner Chang said Policy 7.1.5 should refer to the need to mitigate poor air quality from prescribed burns as well as wildfires.

On page 7-8, Commissioner Chang suggested adding a new policy addressing the seasonal flooding risk associated with the Deschutes River in the Tumalo area, or possibly stating that seasonal flooding risk is not specific to Tumalo, because the Little Deschutes is also subject to high flows. The Board was in consensus to add this to the action plan for possible incorporation into a future work plan.

Commissioner DeBone suggested removing Policy 7.1.11.a. which reads “Continue to review and revise County Code as needed to (e)nsure that land use activities do not aggravate, accelerate or increase the level of risk from natural hazards” as he considered this an overly broad statement. Commissioners Adair and Chang supported leaving this policy in as worded.

9. **Community Conversation on Camping Feasibility Study update**

Jen Patterson, Strategic Initiatives Manager, reminded that tomorrow evening, the Board will host a community conversation with persons interested in the camping

feasibility study. Patterson reviewed the agenda and asked for confirmation of the format, in particular with respect to questions that residents may want to ask of the study's consultant, ECONorthwest.

Commissioner Chang said financial model questions can be answered at a later phase of analysis, if the Board directs proceeding further.

County Administrator Nick Lelack said some residents have posed questions in advance of the meeting, and staff has made clear that not every question may be able to be answered at this time. Lelack added that the purpose of the meeting is for residents to engage with the Commissioners, not with the consultant.

OTHER ITEMS:

- Strategic Initiatives Manager Jen Patterson relayed a request from the High Desert Museum for a letter supporting its application for a grant to purchase an electric vehicle from Puget Power. The Board was in consensus to sign and issue the letter as requested.
- Deputy County Administrator Erik Kropp submitted a revised letter to Governor Kotek regarding the use of property at 62150 Hamby Road (aka the Gales property) for a managed homeless camp.

Commissioner Chang suggested asking the Governor to appropriate \$25,000 for accomplishing the desired rezone of this property.

CHANG: Move approval of the letter to Governor Kotek concerning a managed homeless camp on the Gales property, as revised to include a request for \$25,000 to accomplish the desired rezone of the property

DEBONE: Second

VOTE: CHANG: Yes
DEBONE: Yes
ADAIR: Chair votes yes. Motion Carried

EXECUTIVE SESSIONS:

At 3:16 pm, the Board entered Executive Session under ORS 192.660 (2) (d) Labor Negotiations and ORS 192.660 (2) (e) Real Property Negotiations.


The Board convened as the governing board of the 9-1-1 Service District for the item under ORS 192.660(2)(d).

The Board came out of Executive Session at 3:39 pm to direct staff to proceed as discussed.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 3:40 pm.

DATED this 11th day of Sept. 2024 for the Deschutes County Board of Commissioners.



PATTI ADAIR, CHAIR

ATTEST:



ANTHONY DEBONE, VICE CHAIR



RECORDING SECRETARY



PHIL CHANG, COMMISSIONER