



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY March 8, 2023

Barnes Sawyer Rooms
Live Streamed Video

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

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

CALL TO ORDER: Chair DeBone called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

- Ron Boozell shared his growing concern related to small propane bottles, many of which are donated to homeless persons. He reported that two people were gravely hurt recently when a can exploded as they were trying to refill it.
- Paul Eveson was concerned about possible negative impacts from siting a homeless camp near Murphy Road and 97, and asked to know about any community outreach that was done on this proposal.

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

ADAIR: Move Board approval of Consent Agenda
CHANG: Second

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

1. Consideration of approval of Board Order No. 2023-010 for a Road and Access Easement over County-owned property near Eagle Road in Bend
2. Consideration of Board Signature on letters reappointing Gordon Foster, Oliver Tatom and Nick Ahnen to the Deschutes County Project Wildfire Steering Committee and letter of thanks to Jessica LaBerge for her service on the Committee
3. Approval of Minutes of the February 24 2023 BOCC Legislative Update Meeting
4. Approval of the February 15, 2023 BOCC meeting minutes

ACTION ITEMS:

5. Proclamation: American Red Cross Month

The Commissioners read the proclamation into the record.

ADAIR: Move to declare March "American Red Cross Month"
CHANG: Second

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

Morgan Schmidt, executive director for the Central Oregon Chapter of the American Red Cross, accepted the proclamation.

6. Deschutes County property associated with DSL land exchange

Deputy County Administrator Erik Kropp said in order to move forward with a planned land swap with the Department of State Lands (DSL), Deschutes County is required to address the dispersed camping which is occurring on the County's land. Before the encampments are cleared, staff recommends identifying County-owned land close to the 137-acre parcel involved in the DSL land swap that can be used for relocating camps in a supported environment. If approved, staff would develop an

RFP or RFQ to select a service provider to offer basic amenities such as access to drinking water, portable restrooms, and waste disposal containers and pickup. The County might further provide funds to relocate campers or to offer short-term or transitional housing. To aid discussion, Kropp presented a map which depicted the 137-acre parcel along with other nearby properties owned by the County.

Responding to Commissioner Adair, Property Manager Kristie Bollinger confirmed that the 60 acres to the north are outside of Redmond's city limits. The County is aware of encampments there but how many exist is unknown. Bollinger said it's estimated that at least 100 encampments are on the 137-acre parcel involved in the proposed land swap.

Discussion ensued on how to determine the number of encampments on each of the various properties. Commissioner Chang favored conducting a person-by-person needs assessment in conjunction with a population count.

Cheyenne Purrington, Director of Houseless Strategies and Solutions, said up to 100 safe parking spaces might be established on the "flex space" property adjacent to Oasis Village. These could potentially accommodate 150 people.

Commissioner DeBone referred to a proposal to close one access point to this property and allow utilities to be extended across 126. The Board was in consensus to partner with the City of Redmond and ODOT to accomplish this.

Commissioner Adair suggested relocating displaced campers to the 45-acre property west of the CORE3 development, and continue working on the Oasis Village project and adjacent flex space for safe parking.

Commissioner DeBone commented on a possible lease of 12 acres from the County to the City. Kropp said staff will ask that the City submit a request in writing. Commissioner Chang asked about the purpose of a lease and which party would cover the cost of operations at Oasis Village.

Commissioner Adair noted the Oasis Village site is accessible by public transportation and surrounded by County-owned property. She said this location is the best the County has to offer at this time. Commissioner Chang said persons who are transitioning out of homelessness need to be closer to jobs.

Bollinger estimated it would cost \$7,000 to \$10,000 and take four to five weeks to have a survey firm delineate and mark the boundaries of the various County-owned properties shown on the map which have not been recently surveyed.

Commissioner Chang asked if the County would assume any legal liability in authorizing campers to relocate to a specified County-owned site. Assistant Legal Counsel Kim Riley advised the liability exposure would increase if campers were directed to a particular parcel.

Commissioner Chang did not support moving campers to another unmanaged location but rather preferred proceeding as quickly as possible to offer authorized, managed, serviced locations.

In response to a question from Commissioner Adair, Gwenn Wysling, Executive Director of Bethlehem Inn, confirmed that the Redmond facility has 88 beds total and is 50% full at present.

Purrington said barriers to congregate shelter include background checks or reluctance by some homeless persons to leave personal belongings behind.

Commissioner Chang pointed to Medford Urban Campground #1 as a good example of a managed site which serves 100 people. He commented on the site's screening and rules, said multiple service providers are available throughout the day, and shared that both the Chief of Police and Fire Chief agree that the campground has made Medford safer.

Commissioners DeBone and Adair supported utilizing the County-owned property comprised of about 45 acres within the city limits of Redmond for relocating persons displaced from the property which is planned to be exchanged with the DSL.

7. Annual Update from Economic Development for Central Oregon

Stephanie Robinson, Administrative Analyst, introduced EDCO CEO Jon Stark, REDI Director Steve Curley, and Eric Strobel from Sisters EDCO.

Stark described EDCO's role and mission, its team, and the work it is doing to enhance employment recovery and growth. He said the organization received \$279,450 in video lottery funds last year and is requesting \$306,085 this year to continue delivering services that benefit trade-sector employers.

Eric Strobel reported on industrial space being developed in Sisters as well as other planned business expansions. He said persistent concerns include the cost and availability of childcare and housing. Steve Curley said the Redmond Childcare Task Force is working to address childcare needs and costs in support of working parents and guardians.

8. Notice of Intent to Award a contract for the Deschutes Market Rd/Hamehook Rd Intersection Improvement Project

Cody Smith, County Engineer, explained the request to issue a Notice of Intent to Award a contract for the Deschutes Market Road/Hamehook Road intersection improvement project to the apparent low bidder, Bar Seven A Companies, in the amount of \$1,645,597.00. Six responsive bids were received; the engineer’s estimate was \$1,935,506.60.

ADAIR: Move approval of Chair signature of Document No. 2023-059, a Notice of Intent to Award a contract for the Deschutes Market Rd/Hamehook Rd Intersection Improvement Project

CHANG: Second

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

9. Deliberations regarding a commercial activity in conjunction with farm use (meadery) in the Exclusive Farm Use zone on Highway 97 near Sisters

Nate Miller, Associate Planner, reviewed the background of this matter and said the Board will decide seven key issues along with one other; final action is required by April 13th.

Miller referenced an email received from Matt Cohen via email at 1:42 pm on Wednesday, January 25th, before the Board acted to close the public record. Legal Counsel David Doyle said because the email was submitted when the record was still open, it was timely received and can be considered by the Board in making its decision. Doyle recommended that the record not be reopened at this time.

Chair DeBone noted the consensus of the Board to acknowledge the email submitted by Matt Cohen on January 25th as an item in the record. The Board further concurred to proceed to a decision at this time.

Continuing, Miller then presented the matrix of decision points before the Board, as follows:

1. Is the subject property currently engaged in farm activities with the intent to make a profit in money?

The Board was in consensus that the subject property is currently engaged in farm activities with the intent to make a profit in money.

2. Is the Meadery incidental and subordinate to the farm use on the property?

The Board was in consensus that the Meadery is incidental and subordinate to the farm use on the property.

3. Does the application fully satisfy the requirements of the Farm Impacts Test?

The Board was in consensus that the application fully satisfies the requirements of the Farm Impacts Test.

4. Can the transportation System Development Charges (SDCs) be reduced based upon the revised site traffic report?

The Board was in consensus that the transportation System Development Charges (SDCs) can be reduced based upon the revised site traffic report.

5. Can the 25% requirement for Mead honey to be produced on site be removed?

The Board was in consensus that the 25% requirement for Mead honey to be produced on site can be removed.

6. Is a Meadery allowed in the Exclusive Farm Use Zone?

The Board was in consensus that a Meadery is allowed in the Exclusive Farm Use Zone.

7. Can the Applicant's Conditions of Approval be adopted into a decision?

The Board was in consensus that the Applicant's Conditions of Approval can be adopted into a decision with two revisions advised by staff, as follows:

- a. To remove the reference to ORS 215.456, which is specific to grape wineries, and instead allowing this condition to remain under Deschutes County Code 18.030 (E); and
- b. To clarify that any noise rating will be conducted at the property line, not at the source, and noise does not exceed 65 dBA at all property lines with the exception of the southwest property line abutting Highway 20.

Discussion ensued that the business will not be allowed to host weddings. Commissioner Chang noted that a party who initially opposed this application

was concerned about the creation of a new events venue. He said a balance has been established and should be honored.

CHANG: Move approval of the application with the modified conditions of approval as discussed; written decision to follow

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

Chair DeBone announced a break at 11:23 am. The meeting reconvened at 11:32 am.

10. Multi-Agency Coordination (MAC) Update

Deputy County Administrator Erik Kropp and Cheyenne Purrington, Director of the Coordinated Houseless Response Office, explained the creation of a tri-county Multi-Agency Coordination (MAC) group to receive and administer funds from the State in relation to the Governor's declaration of a homelessness emergency. The County expects to receive \$14 million to create 80 new shelter beds and rehouse 160 unsheltered households; an additional \$1.35 million is expected to be received for prevention efforts separate from the \$14 million.

Responding to Commissioner DeBone, Purrington said the lead agency is the Homeless Leadership Coalition. Commissioner DeBone asked to be provided an organizational chart showing the various agencies and non-profits who are cooperating in this work.

Commissioner Chang reminded that none of these funds can be spent on managed unsheltered camping or used for safe parking programs.

Purrington said because the homeless population needs more low-barrier beds, the new shelter beds will all be low-barrier. Commissioner Chang agreed that some people need a low-barrier shelter, and added that those who live in unsupervised, unmanaged locations with no services do not make progress.

Commissioner Adair commended the Veterans Village program for moving ten veterans into permanent housing.

Purrington offered to continue sharing MAC updates by email or in person. Commissioner Chang said it was important that, in addition to receiving updates, the Board also be clear on what actions are needed to move the process forward.

11. Safe Parking Support Services Update

Deputy County Administrator Erik Kropp reviewed a draft schedule for proceeding with a competitive procurement for services of one or more providers to support a safe parking site on property owned by the City of Bend near Murphy Road.

Commissioner DeBone questioned if what will be offered is safe parking. Kropp responded that the City has a safe parking program, and this venture would fall under that program. Commissioner Chang agreed that the services offered would be different from safe parking, but the City has suggested allowing this use under that program.

Commissioner DeBone wanted to know how this endeavor would fit with the planned clearing of the Hunnell Road encampments. Commissioner Adair said the community should have been allowed to weigh in on this proposal, especially considering the many problems already being experienced in the southern area of the City, including the China Hat area.

Commissioner Chang said in order to address the problem of 1,000 people living unsheltered in unauthorized areas, people will need places to go that provide stepping stones out of homelessness. He agreed with the need to share information publicly, said a well-planned program could be beneficial, and supported proceeding with issuing a request for letters of interest from potential service providers.

Commissioner DeBone noted that the City of Bend could elect to manage this program itself.

DEBONE: Move to not grant the City of Bend's request that the County issue an RFP for services to support a safe parking site on City-owned property off of Murphy Road in south Bend

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: No

DEBONE: Chair votes yes. Motion Carried 2 - 1

Commissioner DeBone stated his desire to partner with the City to address homelessness. Commissioner Adair said the County needs to consider a safe parking ordinance, and expressed her appreciation that the Veterans Village program limits the number of active participants to 15.

The meeting was recessed at 12:35 pm, and reconvened at 1:03 pm.

OTHER ITEMS:

- Commissioner DeBone announced that interviews were held yesterday for the open position on the Facilities Project Review Committee; he and Commissioner Adair took part in the interviews.

DEBONE: Move to appoint James Starnes to the Facilities Project Review Committee

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Abstain

DEBONE: Chair votes yes. Motion Carried 2 – 0

- Deputy County Administrator Whitney Hale and County Assessor Scot Langton shared an update on HB 288, which is intended to stabilize assessment revenues going forward. Staff will continue to monitor this.
- Stephanie Robinson, Administrative Analyst, distributed a draft slide deck for the Board's presentation at Leadership Redmond on March 16th. Commissioner Chang said he will be attending the Wildland Fire Leadership Council meeting in Klamath Falls that day.
- Commissioner Adair noted her support for adding ten acres to the Fairgrounds, which would make them the country's largest.
- Commissioner Adair reported that the number of deaths from overdoses rose 76% from 2011 to 2021.

EXECUTIVE SESSION:

At 1:15 p.m., the Board went into Executive Session under ORS 192.660 (2) (d) Labor Negotiations. The Board moved out of executive session at 1:44 p.m. and directed staff to proceed as discussed.

Commissioner Chang exited the meeting at 1:44 p.m.

OTHER ITEMS (continued):

Deputy County Administrator Erik Kropp distributed a draft letter from Commissioner DeBone and Commissioner Adair to the City of Bend stating the County's decision to not grant the City's request that the County issue an RFP for services to support a safe parking site on City-owned property of off Murphy Road in south Bend, and stating the reasons for

this decision. Commissioners DeBone and Adair reviewed the letter and provided edits in advance of signing a final version for submission to the City of Bend.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 1:53 p.m.

DATED this 29th Day of March 2023 for the Deschutes County Board of Commissioners.



ANTHONY DEBONE, CHAIR



PATTI ADAIR, VICE CHAIR



PHIL CHANG, COMMISSIONER

ATTEST:



RECORDING SECRETARY