



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

8:00 AM

WEDNESDAY October 23, 2024

Allen Room
Live Streamed Video

Present were Commissioners Patti Adair, Tony DeBone and Phil Chang. Also present were County Administrator Nick Lelack, Deputy County Administrator Erik Kropp; Deputy County Administrator Whitney Hale; Senior Assistant Legal Counsel Kim Riley (afternoon session only) 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 8:03 am.

ACTION ITEMS:

1. La Pine Park & Rec Board Recruitment Interviews

Having announced vacant positions on the La Pine Park & Rec Board (LPPRD) and having solicited and received applications from persons interested to be appointed, the Board proceeded to conduct interviews of all persons who applied. Interviews were conducted of the following fifteen applicants:

1. Shara Bauman
2. Ross Tomlin
3. Janillee Carpenter
4. Wynn Malikowski

5. Brandon Tirrill
6. Cindy Hovey
7. Samuel Olson
8. Robert Ray
9. Stephani Dale
10. Brent Tyler
11. Carlos Soto
12. Nanette Hall
13. Daniel Jones
14. Joel Brader
15. Ed Mura

At 11:42 am, the interviews concluded and the meeting was recessed. (See page 6. for the Board's formal action appointing new members to the LPPRD.)

The meeting reconvened at 1:00 pm.

CITIZEN INPUT: None

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

2. Approval of the dedication of real property to right-of-way for a future portion of Masten Mill Drive in La Pine
3. Authorize the donation of real property located at 16628 Assembly Way in La Pine to the City of Pine
4. Authorize the sale of real property located at 16630 Box Way in La Pine to BP Holdings
5. Consideration of Board Signature on letters thanking Scott Asla and appointing Torry Berger for service on the Deschutes River Recreation Homesites Special Road District #1
6. Approval of minutes of the BOCC September 16 and 18, 2024 meetings

CHANG: Move to approve the Consent Agenda as presented
 DEBONE: Second

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

Continued ACTION ITEMS:

7. Continued Discussion of Temporary Safe Stay Area (TSSA) Resolution

Nick Lelack, County Administrator, reviewed past discussions regarding a proposal to establish a Temporary Safe Stay Area (TSSA) on City- and County-owned land north of Bend in the area commonly referred to as Juniper Ridge. Reminding that the City of Bend has proposed that the County and City adopt a joint resolution to establish a TSSA, he summarized the provisions of this resolution as originally proposed.

As alternative approaches were subsequently discussed to achieve the desired outcomes, the Board directed staff to return with an alternate proposal consisting of an agreement between the County and the City to provide for supportive case management services to homeless persons in this area. This alternative would formalize a voluntary compliance agreement with timelines to achieve compliance with the open Code violation and would provide for a range of supportive services as described in the original resolution.

This past Monday, Bend Mayor Kebler provided input at the Board's meeting, after which Commissioner Adair suggested decreasing the proposed size of the TSSA. The City has now put forth a third option which would limit the TSSA to 40 acres and include language for a reduction from 40 acres to 20 in 2026. In addition, the City has confirmed it will agree to a 50/50 cost share of the needed services.

Lelack referred to a map identified as Exhibit A which showed the boundaries of the County-owned property and City-owned property as well as the proposed initial boundary of the TSSA as updated in the third proposal. The map also identifies designated "cluster use areas" where camping would be allowed.

Lelack summarized that the Board now has three options before it: the original joint resolution, the voluntary compliance approach, and the reduced TSSA area into designated clusters.

Commissioner Adair said action must be taken, and the County and the City must collaborate on that action. Referring to her concern about the size of any area where encampments are allowed, she said reducing this to 40 acres the first year and 20 the following year would facilitate the provision of supportive services.

Bend Mayor Melanie Kebler said the voluntary compliance agreement would not work for the City as it would depict camping and the provision of services as illegal and unauthorized, yet the City would be asked to commit to funding those

services. She advocated for the adoption of a resolution which formally establishes a TSSA and said if the Board accepts the third option as presented, she will recommend that the Bend City Council do the same.

Commissioner Adair appreciated the City agreeing to a 50/50 cost share of the needed services and said some people will accept help if it is offered. Noting that the County's legal counsel has not advised approval of the joint resolution, she stated her support for taking stronger actions than have been done in the past.

In response to Commissioner Chang, Lelack said the "cluster use areas" shown on the map together total approximately 40 acres.

Matt Stuart, City of Bend Real Estate Director, added that the idea is to shift the allowed cluster use areas from the north to the south when the 40 acres of allowed camping area are reduced to 20 acres.

Commissioner Adair supported having just one cluster area on the property owned by the County instead of two as shown on the map. She encouraged proceeding with this proposal as a way to begin to effect positive changes, which are much needed.

In response to Commissioner DeBone, Kebler said Bend does not support the voluntary compliance agreement because it does not formally establish a place where people can stay and be offered services.

Mary Winters, City Attorney for the City of Bend, added that the failure to formally establish a TSSA would place the City in violation of the County's Code.

Commissioner Chang spoke to the open Code Enforcement action against the County and asked that this be acknowledged. Noting that the proposed voluntary compliance agreement would stipulate steps to bring the County into compliance with Code in two years' time, he said on a practical level, nothing about the various proposals would be different as far as allowing people to remain in this area and offer them services.

Kebler responded that the City's perspective is this matter is not a Code violation case but rather an issue of safety.

Commissioner DeBone said he may support the third option, although he was concerned about persons taking the opportunity to carve out roads and personal living areas and establish relationships with neighboring campers even though the vision is to dismantle the TSSA by the end of 2026. He stressed that the County is trying to manage unsanctioned camping, not create a campground.

Discussion ensued of the need for security patrols to ensure that persons in the area are abiding by rules while on public land.

Commissioner Chang said the County is already providing sanitation and hygiene services to persons camping on its property at Juniper Ridge, and it's likely that some kind of managed camp facilities will be needed in the long term. He suggested considering rezoning a portion of the 170 acres and making investments to develop a facility that is safe and sustainable for the future, saying the question is how to accomplish this without asserting that such a facility would be an allowable land use. He pointed to the lack of a plan to address campers in this area after two years.

Commissioner DeBone spoke to the legal foundation for a TSSA, saying this is a term defined by State law. While he agreed that a voluntary compliance agreement is a parallel path, he supported the third option before the Board.

Commissioner Chang stated his support for the preliminary conceptual agreement made on September 5th between the County and the City and said if the City will only accept one final form of that agreement to move forward, he will vote to approve it.

DEBONE: Move approval of Resolution No. 2024-046, a joint resolution of the Bend City Council and the Deschutes County Board of Commissioners to authorize temporary overnight vehicle camping and improve safety, sanitation, and case management on publicly-owned land at Juniper Ridge, as amended to limit the acreage of the Temporary Safe Stay Area (TSSA) and to stipulate a 50/50 cost share of the described services between the County and the City

CHANG: Second

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

Saying he wanted to see a report every two weeks, Commissioner DeBone questioned who will serve as the lead reporting agency for this effort. He advocated for the application of rules and community norms, said all dogs must be vaccinated and licensed, and spoke to the need to coordinate all service providers who will be working with homeless persons in this area.

Commissioner Adair said case management services must be offered four times each week.

8. La Pine Park & Rec Board Recruitment Discussion

Whitney Hale, Deputy County Administrator, reviewed that earlier today, the Board interviewed 15 applicants for the five vacant positions on the La Pine Park & Rec Board.

The Board was in consensus to proceed with determining appointments. At Commissioner Chang's suggestion, each Commissioner agreed to provide a list of their top seven preferred candidates.

A recess was announced at 1:40 pm. The meeting reconvened at 1:59 pm.

Following review of each Commissioner's preferred candidates, additional discussion, and the submittal of paper ballots with non-ranked and ranked preferred candidates, the Board reached agreement on five candidates.

CHANG: Move to appoint Janilee Carpenter, Joel Brader, Brandon Tirrill, Shara Bauman and Carlos Soto to the La Pine Park & Rec District Board, and direct staff to prepare appointment letters for the Board's signatures
DEBONE: Second
VOTE: CHANG: Yes
DEBONE: Yes
ADAIR: Chair votes yes. Motion Carried

Commissioner Chang said the pool of applicants for these positions provided a deep bench of people who could be good board members.

Saying this is a new beginning for the La Pine Park & Rec District, Commissioner DeBone thanked the previous board members and encouraged moving forward. Adding that he became involved in 2004 under similar circumstances, he advised that the newly constituted LPPRD form a budget committee to monitor the district's finances.

OTHER ITEMS:

- Commissioner DeBone reported on yesterday's meeting of the Terrebonne Domestic Water District Board at which concerns about the route of a pressurized sewer line within 100 feet of a domestic well was discussed with the result that he reached out to Parametrix regarding a proposed realignment to resolve this issue.

A related meeting will be held today with the Redmond School District to request an easement for this proposed realignment, which will help facilitate the removal of drain fields tied to dispersed onsite systems in Terrebonne.

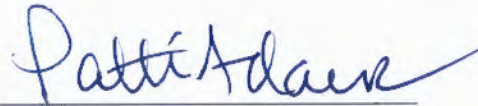
- Commissioner Adair referred to a low-income housing project which is under construction and said it should be attractive in order to be successful. County Administrator Lelack said Road Director Chris Doty will provide project information to the Board.
- Commissioner DeBone reported on the statewide Working Together Conference yesterday which he attended as a member of the East Cascade Workforce Consortium.

EXECUTIVE SESSION: None

ADJOURN:

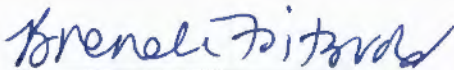
Being no further items to come before the Board, the meeting was adjourned at 2:16 pm.

DATED this 4th day of December 2024 for the Deschutes County Board of Commissioners.



PATTI ADAIR, CHAIR

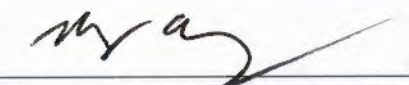
ATTEST:



RECORDING SECRETARY



ANTHONY DEBONE, VICE CHAIR



PHIL CHANG, COMMISSIONER