



BOARD OF COMMISSIONERS

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

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY November 8, 2023

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Tony DeBone, Patti Adair and Phil Chang. Also present were County Administrator Nick Lelack; Assistant Legal 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 DeBone called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT: None

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

1. Approval of an intergovernmental agreement with the Oregon Youth Authority providing funding for basic and diversion services
2. Approval of minutes of the BOCC October 23, 2023 meeting

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

VOTE: ADAIR: Yes

CHANG: Yes
DEBONE: Chair votes yes. Motion Carried

ACTION ITEMS:

3. Recognition of Dick Tobiason

The Board recognized Dick Tobiason for his extensive and outstanding service to veterans. Commissioner Adair said Tobiason is an inspiration to our community, state and country, and an incredibly special man.

Tobiason shared that he has lived in Central Oregon for 32 years. Nineteen years ago, he initiated efforts to honor the late Bob Maxwell, who had earned a Medal of Honor in World War II, by naming a bridge which spans the Deschutes River after him. Since then, Tobiason has established the Bend Heroes Foundation, which provides housing for homeless veterans, and coordinated other events and tributes to veterans including the Bend Parade of Flags and the World War II Highway. More recently, his work has branched out to incorporate honoring first responders as well as veterans.

Commissioner Chang acknowledged Tobiason's decades of service to honor veterans as well as his initiative which has resulted in the Veterans Village project. Commissioner DeBone spoke to Tobiason's many efforts to support veterans, congratulated him for the success of Veterans Village, and thanked him for his leadership.

4. Presentation from Veterans' Services Department

Deputy County Administrator Erik Kropp introduced Veterans Services Officer Sean Kirk, who said the Veterans' Services Department offers the 16,700 veterans in Deschutes County assistance in navigating the system of benefits and securing those as appropriate. Support and resources are also made available to spouses and widows of veterans. Kirk said the four officers on staff serve as representatives of the State and each undergoes a year-long training process to become accredited in this work.

The Commissioner's expressed appreciation for the outreach to veterans and the valuable assistance given to them.

5. Presentation from Envision Bend on its Vision Action Plan

Matt Muchna, Envision Bend Executive Director, presented on Envision Bend's Vision Action Plan which lays out 28 strategies to address key challenges facing the greater Bend area over the next five years. Muchna described the four focus areas of the plan, explained the roles of the 128 plan partners, and said Deschutes County is listed on 12 of the 28 strategies. The three strategies which show the County as one of several recommended lead partners are:

1. "Blue Zones" project for community health—
Improve community health outcomes and wellness lifestyles through proven longevity-oriented diets, movement, personal and community connections, and a sense of purpose.
2. Countywide interconnected trail system—
Improve recreational access for underserved areas and populations; fill in gaps in the system such as a Deschutes River footbridge to connect southern Bend neighborhoods to the west side of the river; and connect Bend, Redmond, Sisters, Sunriver, LaPine and other Central Oregon communities.
3. Railroad safety and redevelopment opportunities—
Develop and implement a collaborative plan to relocate BNSF central and south switchyards and infrastructure to publicly-owned undeveloped lands outside the Urban Growth Boundary; expedite rail traffic through the city, thereby reducing vehicle traffic congestion, noise and potential safety issues or environmental hazards; and repurpose vacated rights-of-way for possible mixed-use redevelopment.

Commissioner DeBone noted two sides to the idea of adding more trails on public lands due to potential negative effects and asked if these will be maintained, managed and safe.

Commissioner Chang commented on the trail connection between Deschutes River Woods and Lava Butte and encouraged interested persons to engage in the process currently underway to update the County's Transportation System Plan.

Commissioner Adair expressed concern about the healthcare system, saying that as the population grows, more hospital capacity is needed.

The Commissioners spoke to other strategy components of the plan, including historic preservation and inventory, how to help residents address the rising cost of food and other essentials, and the potential purchase of Skyline Forest for preservation and conservation.

A break was declared at 10:00 am. The meeting was reconvened at 10:07 am.

6. Public Hearing: Ordinance No. 2023-024 extending the effective date of Ordinance No. 2023-013 from November 21, 2023 to March 31, 2024

Dave Doyle, County Counsel, summarized his recommendation that the Board extend the effective date of Ordinance No. 2023-013 from November 21, 2023 to March 31, 2024. Reminding that Ordinance No. 2023-13 revised Deschutes County Code section 11.04 to address homeless camping issues, Doyle said since the County has yet to locate or develop the necessary parcel(s) to accommodate sufficient numbers of homeless persons from various unsanctioned camps, staff advises delaying the effective date of these amendments.

The public hearing was opened at 10:09 am. There being no one who wished to testify, the public hearing was closed at 10:09 am.

Commissioner Chang said these Code amendments aid in keeping the County focused on establishing authorized, managed shelter opportunities that people need as an alternative to unauthorized camps. Commissioner Adair added that in December, Bend is projected to have a total shelter capacity of 600 beds. Commissioner DeBone said support is needed from the Governor’s office with respect to where managed camps are allowed to be sited.

ADAIR: Move approval of first and second reading by title only and emergency adoption of Ordinance No. 2023-024, amending the effective date of Ordinance No. 2023-013 which provided amendments to Chapter 11.04 of the Deschutes County Code

CHANG: Second

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

Chair DeBone read the title of the ordinance into the record two times.

7. First reading of Ordinance No. 2023-025 – Stevens Road Tract Plan Amendment / Zone Change

Audrey Stuart, Associate Planner, explained that the ordinance will effectuate a Comprehensive Plan designation change of the subject property from Rural Residential Exception Area to Bend Urban Growth Boundary, and also change the zone from Multiple Use Agricultural to Urbanizable Area. These changes were requested by the City of Bend.

CHANG: Move approval of first reading of Ordinance No. 2023-025 by

ADAIR: title only
 ADAIR: Second

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

Chair DeBone read the title of the ordinance into the record and said second reading will occur on November 29th.

8. Oregon Health Authority grant agreement #180009-3

Tom Kuhn, Public Health Program Manager, summarized the agreement to receive grant funding primarily for the County's Medical Reserve Corp and the implementation of the Local Public Health Authority Regional Partnership.

In response to Commissioner DeBone, Public Health Manager Emily Horton said the Medical Reserve Corp is usually activated in emergency situations. She added that more than 100 people have signed up for this volunteer work, and will receive training from Health Services.

Commissioner Chang reported that representatives from the EPA were in Bend last week to discuss a large prescribed burn south of Bend which would likely result in a significant amount of smoke in the air, necessitating community outreach to mitigate the expected impacts. He suggested that the Medical Reserve Corp might assist in communicating where people can get HEPA filters for their homes, where they can go for a clean air shelter, and other related information.

ADAIR: Move approval of Chair signature of Document No. 2023-963,
 amending an agreement with Oregon Health Authority for grant
 funding
 CHANG: Second

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

9. Second Intergovernmental Agreement - Coordinated Houseless Response Office

Deputy County Administrator Erik Kropp presented an updated intergovernmental agreement for the Coordinated Houseless Response Office

(CHRO) which acknowledges the transfer of CHRO management to the Central Oregon Intergovernmental Council (COIC). Kropp noted that CHRO's current bylaws are attached to the updated IGA.

Commissioner Adair said the paragraph in the bylaws which explains the role of NeighborImpact is extraneous to how the CHRO Board functions.

In response to Commissioner Chang, Kropp said the advisory committee has not yet been constituted; when it is, it will meet monthly.

Commissioner Chang asked if any work has been done on CHRO's strategic plan which was adopted earlier this year. Kropp said CHRO has recently been focused on updating the IGA and on determining a site for a managed camp.

Discussion ensued regarding the cooperation of the different entities (County and the member cities) in this endeavor and how important that is given that the nature of the homeless problem transcends boundaries.

CHANG: Move approval of County Administrator signature on Document No. 2023-979, the second intergovernmental agreement for the Coordinated Houseless Response Office

ADAIR: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

10. Discussion and Consideration of Collaborative Agreement for Managed Camps

Deputy County Administrator Erik Kropp presented a draft collaborative framework developed by staff from Governor Kotek's Office, the Cities of Bend and Redmond, and the County for the purpose of outlining roles and responsibilities related to establishing managed camps. Kropp reminded the Board that the County set aside \$2 million in the current fiscal year's budget for expenses to establish and/or operate one or more managed camps.

Commissioner DeBone commented that in the past, only cities responded to homelessness—but that has changed in recent years. He spoke to the need for clarity and partnership from the Legislature and Governor with regard to allowable land use.

Commissioner Chang said it cannot be assumed that people in unmanaged camps do not want to be in a managed camp or indoor shelter. Rather than one mega-site, he said it would be better to establish multiple authorized camps, each of which is small enough to reasonably manage without chaos yet large enough to realize efficiencies in staffing and the provision of wraparound services.

Commissioner Adair said it is important to offer a camp that is safe for those who live in it and also for the surrounding community. She shared that she is contacting churches in Bend to ask if any are willing to become involved in the safe parking program which has been so successful in Redmond.

Commissioner Chang suggested a minor wording change to the last sentence of the first paragraph of the draft collaborative agreement such that it reads in its entirety: "For a variety of reasons, some people will not or cannot enter the indoor shelter system." Commissioners Adair and DeBone concurred in this change.

ADAIR: Move approval of Board signature of the joint letter regarding a collaborative framework to address managed camps, as amended

CHANG: Second

VOTE: ADAIR: Yes

CHANG: Yes

DEBONE: Chair votes yes. Motion Carried

OTHER ITEMS:

- Jen Patterson, Strategic Initiatives Manager, followed up on the request from Treehouse Therapies for \$2,800 in Q2 discretionary grant funding to pay for system development charges. Each of the Commissioners offered to contribute \$500 (total \$1,500) for this need. Commissioner Adair asked that Treehouse Therapies supply a project update.
- Patterson announced two items to come before the Board on Monday, November 13th: the final report of the Camping Feasibility Study, and a briefing on short-term rental business licensing. The Board was in concurrence to schedule this meeting at 9:30 am to accommodate the presenters.
- Facilities Director Lee Randall and Deputy County Administrator Whitney Hale sought consideration from the Board for a letter to the Bend Historical Landmarks Committee supporting the County's request for authorization to remove the A.J. Tucker building. The Board agreed to review a draft letter of support at its November 13th meeting, and further concurred to ask community partners to also submit a letter of support for this application.

- County Administrator Nick Lelack reported that the expansion of the Veterans Village program by another seven units involves payment of system development charges (SDCs) to the City of Bend and the Bend Park & Recreation District. These charges together amount to approximately \$107,000; the City would waive its charge (\$54,899) if the property was deed restricted to affordable housing for 20 years.

Following discussion, the Board decided to pay the City's SDC fee and ask if the Park & Recreation District will waive its charge.

ADAIR: Move approval of a payment of approximately \$54,899 to the City of Bend for system development charges associated with the Veterans Village project expansion

CHANG: Second

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

CHANG: Move approval of a payment of approximately \$52,437 to the Bend Park & Recreation District for system development charges associated with the Veterans Village project, if not waived

ADAIR: Second

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

CHANG: Move approval of Chair signature of an amendment to the Memorandum of Understanding with the Bend Heroes Foundation for the expansion of Veterans Village

ADAIR: Second

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

- Commissioner DeBone reported concerns regarding the legal shooting of elk on forest service land and announced he will convene a roundtable with residents, Fish and Wildlife and other interested and involved parties to discuss and address the concerns.

Commissioner Chang added that Deschutes County resident Carole Gothe has reported issues with legal waterfowl hunting in her neighborhood, as some shots are fired very near residential homes.

- Commissioner DeBone noted the Board's joint meeting with the City of La Pine tonight at 5:30 pm.
- Commissioner Debone reported that he sent a letter to Governor Kotek and the speaker of the Oregon House of Representatives regarding the announced budget reductions for ODOT winter maintenance funding.
- In response to Commissioner DeBone, Commissioner Chang explained the invitation received from the EPA seeking collaboration with the County and others on large prescribed fire events in conjunction with the County's smoke management plan.

Commissioner DeBone said if the smoke management plan is a five-year plan adopted in 2019, it is due to be updated in 2024. Commissioner Chang added that Bend is a sensitive smoke receptor area due to its topography and wind patterns.

- Commissioner Chang reported that last week in Salem he visited with legislators to discuss housing, the need for a child emergency psychiatric facility, and water and wildfire issues.

A break was announced at 11:51 a.m. The meeting reconvened at 11:55 a.m.

EXECUTIVE SESSION:

At 11:55 a.m., the Board moved into Executive Session under ORS 192.660 (2) (e) Real Property Negotiations. At 12:12 p.m., the Board moved out of Executive Session to direct staff to proceed as discussed.

ADJOURN:

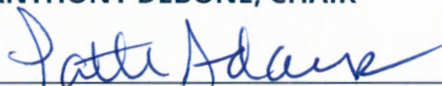
Being no further items to come before the Board, the meeting was adjourned at 12:12 pm.

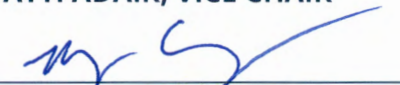
DATED this 29th day of Nov. 2023 for the Deschutes County Board of Commissioners.

ATTEST:


RECORDING SECRETARY


ANTHONY DEBONE, CHAIR


PATTI ADAIR, VICE CHAIR


PHIL CHANG, COMMISSIONER