

Bend City Council & Deschutes County Board of Commissioners Joint Meeting

September 5, 2024

The joint meeting of the Bend City Council and Deschutes County Commissioners was called to order at 2:02 p.m. on Thursday, September 5, 2024, in the Barnes & Sawyer Rooms, 1300 NW Wall Street, Deschutes Services Building, and online.

Present at the meeting were:

Bend City Council – Mayor Melanie Kebler, Mayor Pro Tem Perkins, Councilors Barb Campbell (arrived late), Ariel Méndez, Anthony Broadman, Mike Riley, and Megan Norris.

Deschutes Board of County Commissioners – Commissioners Patti Adair, Tony DeBone and Phil Chang.

1. Called to Order at 2:02 p.m.

2. Update on City and County Growth Plans

City of Bend Growth Plan with a focus on Urban Reserves (20 minutes)

Presentation by City of Bend Senior Strategist Brian T. Rankin.

Slides included:

- City of Bend Growth Strategy and Work Plan
- A New Growth Management Strategy [graphic]
 - Onetime UGB Addition (Underway)
 - 20-Year Growth Plan (Mandatory)
 - Urban Reserves (Optional)
- Intended Outcomes [map]
 - Manage anticipated growth to 2045 and beyond:
 - 100-acre one-time UGB addition from SB 1537
 - 20-year land supply and climate focused growth plan (ex. out to 2045)
 - Additional 10 to 30-year land supply in Urban Reserves (ex. out to 2055-2075)
- Onetime UGB Expansion
- What is the SB 1537 and a One-Time UGB Addition?
 - New legislation allowing for a one-time UGB addition of up to 100 net residential acres
 - Cities must meet “need criteria”
 - Concept plan and affordability requirements
- SB 1537 – Site Eligibility [map]
 - One site
 - 100 net residential acres total
 - Land contiguous to the UGB
 - Non-resource land (not designated farm or forest)
- Project Steps and Timeline
 - Bend City Council directed staff to proceed with site solicitation (June. 20)
 - Noticed (Aug. 8)
 - Ongoing and future County coordination on Comprehensive Plan/Map, Zoning Map amendments (anticipated in summer '25)

- 20-Year Growth Plan
- The Growth Plan Will...
 - Involve our community in guiding our future to support our housing and employment needs
 - Provide sustainable transportation systems in a changing climate and world with high quality public infrastructure
- What are the Deliverables?
 - Equity-focused engagement plan
 - Economic Opportunities Analysis (EOA), Housing Capacity Analysis (HCA), Housing Production Strategy (HPS), Buildable Lands Inventory (BLI)
 - Transportation System Plan (TSP)
 - Community Climate Action Plan (CCAP)
 - Potential changes to water and sewer Public Facilities Plan (PFP)
- Urban Reserves
- What Are Urban Reserves?
 - Areas outside the UGB that provide an additional 10-to-30-year supply of land for housing and jobs, urban uses
 - UGBs expand into reserves before other areas
- Where Are Reserves Happening?
 - Areas outside of UGB within a buffer
 - Land currently under the County’s jurisdiction
 - Lands are currently designated rural residential, exclusive farm use, or forest use
- How Does This Get Done?
 - Public process with urban and rural stakeholders, landowners
 - Extend housing and employment forecasts 10-30 years beyond UGB
 - Evaluate potential areas, coordinate with County
 - Infrastructure planning
 - Amend City and County Comprehensive Plans and County codes to protect reserve for urban development
 - Adopt management agreements between the City, County, special districts
- Growth Strategy Timelines, Deliverables [timeline]

Deschutes County update on Comprehensive Plan (10 minutes)

Presentation by Deschutes County Planning Manager Will Groves.

Slides included:

- Deschutes County 2040 – Comprehensive Plan Update Project
- Comprehensive Plan [graphic]
- Engagement Process [statistics]
- Engagement Process [photos]
 - Meeting in a box
 - Online forum
- Key Themes
 - Rezoning of resource land
 - Wildlife inventories and protections

- Water conservation
- Destination Resort development
- Protection of private property rights
- Coordination Policies
 - Urban reserve planning
 - Community wildfire protection
 - Housing development
 - Development adjacent to cities
 - Siting and development of city utility facilities
- Next Steps
 - 9/16: Board Deliberations / Potential Adoption
 - Action Plan Review

Commissioner Chang stated that Deschutes County received significant constituent concerns over declining water levels and water conservation, and Chang hopes to engage with the City on this topic in the future.

3. Managed Camp Strategies in Cooperation with the CHRO (60 minutes)

Overview of City of Bend, Deschutes County and CHRO strategies and outcomes to address homelessness

Presentation by City of Bend City Manager Eric King and Deschutes County Administrator Nick Lelack.

Slides included:

- Houseless Coordination
- Houselessness: 2024 Point-in-Time Count
 - Central Oregon: 1,811 people experiencing houselessness; 10% increase since January 2023
 - Bend: 959 people experiencing houselessness; 5% decrease since January 2023
 - Shelters: 523 Beds in Bend; 216 low-barrier beds
- City-led and Regional Solutions
 - City Council Directed Biennium Objectives: Maintain 505 beds City-wide; Support additional Safe Parking sites or Managed Camps
 - FY2024 City Supported Shelters and Safe Parking
 - Stepping Stone – 56 beds
 - Navigation Center – 100 beds
 - Central Oregon Villages – 20 units
 - Franklin Shelter – 60 beds
 - Safe Parking Sites – 16 beds
 - Provided 81,000 shelter nights
 - Supported 81 individuals transitioning to permanent housing
 - Supported 79 individuals transitioning to temporary housing
- Safe Parking
 - Central Oregon Villages – Safe Parking – 2 units
 - REACH Central Oregon – Safe Parking – 14 beds

- Ongoing discussions with Mt. View Fellowship
- Deschutes County Involved Projects
 - Safe Parking program: within UGB and 1-mile from UGB
 - Juniper Ridge basic hygiene stations
 - Department of State Lands (DSL) Land Exchange – 45 acres identified for sanctioned camp
 - City of Redmond and Deschutes County working on scope
 - Oasis Village
 - 15-tiny homes opened on County-owned property January 2024
 - Oasis Village adding 10 more tiny homes (Tier-1 CHRO RFQ project)
 - Mountain View Community Development
 - 65-year lease for 9-acres for 60-units of permanent supportive housing
 - An additional \$200,000 to expand Safe Parking
 - County land/resources for affordable housing (examples below)
 - Northpoint Vista – Redmond
 - Rooted Homes
 - Habitat for Humanity projects
 - Cleveland Commons
 - Spencer Court (Housing Works project, 60 units of multifamily housing in Redmond)
 - Workforce HOME (Home Ownership for Median-income Earners)
 - Supports building new homes for median-income earners
 - \$320k County contribution
 - Veterans’ Village – located on County-owned property
 - 15 tiny homes w/ bathroom; adding 7 more

Juniper Ridge Management Strategy

Presentation by Deschutes County Deputy County Administrator Erik Kropp and City of Bend Real Estate Director Matt Stuart.

Slides included:

- Juniper Ridge [area map]
- Juniper Ridge: Clean-up & Basic Service Efforts
- Juniper Ridge – basic hygiene [photographs] *County*
- Juniper Ridge – drinking water [photographs] *County*
- Juniper Ridge – tire removal [photographs] *County*
- Juniper Ridge – snow removal [photographs] *County*
- Services by the numbers – since summer 2023 *County*
 - 30-yard dumpsters emptied 13 times
 - 131,000 pounds of trash removed
 - 118 “bio-buckets” removal
 - 879 tires disposed
 - Snow removal
 - 39 abandoned camps cleaned up

- Security contractor *County*
 - Knows every person by first name
 - Report: 3 people and a family of 5 left for shelter/housing; 2 left and returned
 - Fire: called in 3 fires; educate on fire safety
 - 11 jump starts of vehicles; pulled out a stuck vehicle
 - Medical assists: 1 minor medical; 1 escort medics to patient
 - Charged a phone while patrolling – 10 times
 - Helped father and child connect with resources
 - Working with church groups to distribute feminine hygiene products
 - Hand out water, blankets, hand warmers
- Costs since summer 2023 [chart] *County*
 - Total \$229,000 / \$17,000 per month
- Juniper Ridge – Cleanup Efforts (Westside) [photographs] *City*
- Juniper Ridge – Cleanup Efforts (Westside) *City*
 - ~104,000 pounds of trash removed
 - 29 abandoned campsites cleaned up
 - Cleanup Costs:
 - ~\$100,000 to date on cleanup efforts
 - ~\$22,000 in Cost Share w/County for Hygiene Stations
- Juniper Ridge – Recent Incidents [photographs] *City*
- Juniper Ridge – Land Management Strategy *City*
- Current status – County land
 - 21 occupied camps, 37 people
 - Occupied camp numbers constantly fluctuate
- City Property – Statistics
 - Westside: 50-60 established camps (~120 acres)
 - Eastside: < 20 established camps (~500 acres)
 - <120 Vehicles (RV's & Autos)
 - <60 on Eastside of Railroad (RR's)
 - ~24 Acres of Debris Fields
 - ~16 Acres on Eastside of RR's
- City Land Management Strategy
 - Close Eastside of RR's (~500 acres)
 - Identify Westside as Temporary Safe Rest Area (~120 Acres)
 - Increase Hygiene Stations (Water, Trash, Sanitation)
 - Expand Security presence onto City Property (Westside)
 - Develop Enforcement & Monitoring Strategy – Eastside
- Juniper Ridge [area map]
- Timeline for Property Closure
- Temporary Safe Stay Area – Strategy
 - Establish joint City/County Temporary Safe Stay Area west of RR's, east of US 97 and allow individuals and families experiencing houselessness to stay in vehicles and tents
 - ~170 Acres (~50 Acres – County; ~120 Acres – City)
 - Continue to provide services (water, trash, sanitation) for 12+ months and evaluate extending additional station(s) to City property
 - Extend security presence to entire area (County & City)

- In partnership with the County, develop & release a Request for Qualifications (RFQ) and/or augment existing service providers, for housing-related case management to:
 - Establish metrics through individual service plans to evaluate tangible progress towards reducing housing barriers
 - Assist and support households transitioning to more permanent housing

Mayor Pro Tem Perkins asked why the decision was made to close the eastside versus the westside.

Stuart responded that the decision was based partly on the size, as the cost to fully fire mitigate the westside to the required level would be very difficult and costly in an area that large. Additionally, the east side is most vulnerable to fires and is adjacent to residential areas and the westside has more established camps than the eastside.

Stuart stated that the City plans to establish a property storage area on City owned property at the Rock Crusher Site #2 to store confiscated property and abandoned property.

Stuart stated that there are fewer than 20 camps in the area identified to be closed.

Stuart identified a target goal date of having everyone off the eastside property by May 31, 2025. This date was selected to coincide with the start of fire season and the opening of the canals.

Councilor Broadman asked if the City and County would limit new arrivals to the area following the May 31, 2025, closure.

Stuart answered that the City and County would not necessarily prohibit new arrivals and estimated that about 200 people would be camping in the area that remains open.

Councilor Broadman asked if this density creates fire risk.

Stuart answered that due to the topography of the land, campers typically congregate in clusters and that there are areas with no people. Additionally, most of the eastside camps are already near the border of the proposed closure and the moving of people from west to east won't have a huge impact on density.

Commissioner Chang asked if there is a plan to consolidate sanitation systems and services to increase efficiency of providing resources.

Stuart answered that City/County can try, for example using gates to restrict movement, but that campers tend to move around, and consolidation of resources may not be practical.

City of Bend City Attorney Mary Winters explained the concept of "State created danger". It has not yet been litigated, but the City and County need to be cognizant that if a government body creates a danger and knows about it but doesn't act, the government body could be held liable. For example, if the City and County required encampments to be more concentrated, then discovered this created a safety issue but did nothing to change the situation, the City and County could be held liable for any incidents that occur.

Outline of 'surge of services' as a pilot project

Presentation by City of Bend Senior Management Analyst Mickie Derting.

Slides included:

- All-Hands-On-Deck/China Hat Pilot – Roundtable Update
- All-Hands-On-Deck/China Hat Pilot – Federal, State, and Local Government Partners; Service Providers; Stakeholders; & Community Members
- Why?
 - Health & safety concerns & issues
 - Environmental impact
 - 200-400 unsheltered living in spaces not intended for human habitation
- How? Proposed Strategies
 - “Stand Down” of Resources
 - Fuel Reduction

Coordinated regional approach

Presentation by City of Bend City Manager Eric King.

Slides included:

- Resources & Regional Projects
- Resources:
 - \$2M County ARPA Funding
 - \$743,441 CHRO Funding
 - \$150,000 CHRO Unrestricted Gap Funding
 - \$1.1M Governor’s Funding for Pod Expense
 - \$150,000 City of Bend Good Faith Match
- Regional Projects
 - CHRO RFQ Projects
 - China Hat Pilot
 - Managed Camp on County 45-Acres to facilitate DSL land swap
 - Managed Camp on Juniper Ridge

Agreement on possible strategies

Presentation by City of Bend City Manager Eric King.

Slides included:

- Recap/Next Steps – Land Management Strategy
- Action
 - City/County Juniper Ridge Strategy

- Establishment of a Temporary, Safe Stay Area, with direction to staff to coordinate:
 - Legal, land use/sitting issues
 - Communication and outreach plan
 - Scoping of on-site services, leveraging existing contracts and procurement efforts with a focus on safety
- Closure of eastside by May 31, 2025
- Continued coordination on fire fuel reduction
- Coordinated Houseless Response Office (CHRO) Coordination
 - Allocation and leverage of county-wide resources to assist in case management and operations for temporary safe stay areas and coordinated approach
 - GALES property support for additional outdoor living options that provide a more permanent solution for managed camps

Councilors and Commissioners discussed the Establishment of a Temporary, Safe Stay Area.

Mayor Kebler requested the inclusion of case management to connect people to pathways out of that situation.

Commissioner Adair added that according to studies in Lane County, case management must occur four out of seven days of the week, and requested language to support intensive case management.

Mayor Pro Tem Perkins requested the inclusion of metrics to help evaluate if government funds are being used well and leading to success.

Commissioner Adair requested weekly follow-ups by case managers for six months.

Councilor and Commissioners discussed the May 31, 2025, closure date.

Councilor Broadman suggested characterizing this as a “full closure except” for the temporary safe place/managed camp to send a clear message, and asked if it is possible to move the closure date earlier.

Councilor Adair suggested May 1, 2025, to coincide with the canals being turned on.

Mayor Kebler stated preference for the May 31, 2025, to include buffer time and does not want to change or postpone the date after announcing it.

Councilor Méndez asked for clarity on what “closure” means, and would it include vehicle or property removal.

Stuart answered that the goal is to have identified personal property and people out of this area by May 31, 2025, leaving clean-up as the only remaining task. Stuart hopes to announce this plan to campers in early winter 2025 to give ample time to begin relocation before the 60- and 30-day notices that will be provided.

Councilor Riley requested broadening the fire fuel reduction scope to “evaluating and continuing to coordinate on fuel reduction and other fire reduction strategies.”

Lelack urged the group to address the legal land use issues immediately, which may be the required first steps before performing these actions.

Winters quoted House Bill 2006, section 6, which states “Any political subdivision may allow any private or public entity to allow overnight camping by homeless individuals living in vehicles on the property of the entity.” In the opinion of the City Attorney’s Office, under HB2006, the City can allow vehicle camping regardless of zoning, whether inside or outside of the Urban Growth Boundary (UGB). Winters also stated that Safe Parking was adopted into Bend Municipal Code, concurrently with adopting transitional housing and shelters into Bend’s Land Use Code. Therefore, this type of siting is not a land use decision. The City Attorney’s Office is aware this has not been litigated but is of the position that these are tenable arguments and notes that these arguments apply only to vehicles (including RVs and cars), not tents. Winters suggested both City and County adopt orders to help make this position of allowing safe vehicle parking on Juniper Ridge as legally defensible as possible.

Councilor and Commissioners discussed CHRO Coordination.

Councilor Broadman suggested adding language to signal support for other potential tools identified by the CHRO prioritization list, such as safe parking.

Adopted Action:

City/County Juniper Ridge Strategy

- Establishment of a Temporary, Safe Stay Area, with direction to staff to coordinate:
 - Legal, land use/siting issues, potentially adopting joint ‘orders’
 - Communication and outreach plan
 - Scoping of on-site services, leveraging existing contracts and procurement efforts with a housing connection and intensive case management, a focus on safety, and key performance metrics, including a monthly follow up for six months
- Full Closure of areas owned by the City and County outside of the Temporary Safe Stay Area by May 31, 2025
- Continued coordination on fire fuel reduction and other fire reduction strategies as part of the management plan

CHRO Coordination

- Allocation and leverage of county-wide resources to assist in case management and operations for temporary safe stay areas and coordinated approach
- Supporting the request for GALEs property and other projects identified by the CHRO procurement process in providing additional outdoor living options that provide a more permanent solution for managed camps

On behalf of the City of Bend City Council, Councilor Riley moved to adopt the proposed actions and direct staff to take these actions. Councilor Campbell seconded the motion.

Voice Vote – Mayor Kebler, Councilors Campbell, Méndez, Broadman, Perkins, Riley, Norris Yes 7 No 0.

On behalf of Deschutes County Board of Commissioners, Commissioner Chang moved to adopt the proposed actions and direct staff to take these actions. Commissioner DeBone second the motion.

Roll Call Vote – Commissioners Adair, Chang, DeBone Yes 3 No 0.

4. Update on County Landfill siting (10 minutes)

Presentation by Deschutes County Solid Waste Director Tim Brownell.

Slides included:

- Solid Waste Management Facility (SWMF) Site Selection
- Roadmap to opening in 2029 [timeline]
- Solid Waste Advisory Committee (SWAC) Siting Study Input: April 2022-April 2024 [timeline]
- Moon Pit Site Photos
- Roth East Site Photos
- SWMF Site Cost Comparison [chart]
- Public Input during Siting Evaluation
- Comments Received From Agencies and Organization
- Final Landfill Site Comparison
- SWAC Recommendations & Rationale
 - On April 16, 2024, the SWAC unanimously recommended the Moon Pit site for the new Solid Waste Management Facility.
 - The Site is currently being used as an aggregate surface mine and is already disturbed
 - Based on the current use, there is less likelihood of new impacts to area wildlife or recreation
 - The site is comparatively closer to existing facilities which will help manage haul costs and greenhouse gas emissions
- SWAC Additional Recommendations
 - Work with stakeholder to develop and implement a robust and comprehensive mitigation strategy that reflects community values to minimize impacts to area wildlife and recreation
 - Prioritize waste prevention and recovery and move as quickly as possible to implement those strategies to reduce the overall costs and greenhouse gas emissions of the new landfill

5. Oversight of Waste Hauler Franchisees (15 minutes)

Presentation by Deschutes County Solid Waste Director Tim Brownell.

Slides included:

- New Franchise Agreement & IGA Development
 - Franchise Agreement: The County and City staff are developing a new Franchise Agreement to replace/update current County/City Orders and Codes

- Addresses several areas that are loosely defined or not contemplated in existing agreements
 - Flow Control
 - Service Requirements
 - Reporting Requirements
 - Rate Adjustment
- Inter-Governmental Agreement (IGA): Contemplates the County administering the new Franchise Agreements on the City's behalf
 - Defines City and County Responsibilities
 - Ability to Amend as deemed necessary
 - Addresses conflict resolution process and agreement termination
- Franchise Agreement and IGA Timeline [timeline]

6. Adjourned at 4:04 p.m.

Respectfully submitted,

Morgen Fry, City Recorder/AB



Accommodation Information for People with Disabilities

To obtain this information in an alternate format such as Braille, large print, electronic formats, etc., please contact Ashley Bontje at abontje@bendoregon.gov or 541-323-7164. Relay Users Dial 7-1-1.