



Minutes

Human Rights and Equity Commission

August 28, 2024. From 4:30 to 6:30 p.m.

City Council Chambers, Bend City Hall
710 NW Wall, Bend, Oregon

Chair Jeff Kitchens called the **Human Rights and Equity Commission (HREC)**, August 28, 2024, hybrid regular meeting in Council Chambers at 4:32. Wednesday. Please **watch the HREC August 28, 2024, livestream recording.**

1. Roll Call: Chair Kitchens. Commissioners, Staff and Visitors.

Commissioners in Chambers: (3)

- Chair, Jeff Kitchens, He/Him.
- Cameron Fischer, She/Her.
- Jackie Currie, She/They.

Commissioners through Zoom: (3)

- Vice Chair, Carolyn Peacock-Biggs, She/Her.
- Adrienne McDougal, She/Her/Hers.
- Agatha Ventura, She/Her/Hers.

Commissioners Absent: (3)

- Council Connector, Jasmine Wilder, She/Her.
- Carly Colgan, She/Her.
- Manoj Alipuria, He/Him.

City Staff:

- Andrés Portela, He/Him/El, Equity & Inclusion Director (Chambers).
- Megan Perkins, She/Her, Councilor / Mayor Pro Tem / HREC Council Liaison (Zoom).
- Ian Leitheiser, He/Him, City of Bend Assistant City Attorney (Chambers).
- Cassandra Kehoe, She/Her/Ella, Accessibility & Equity Manager / COBAAC Staff Liaison (Chambers).
- Lindsay Wengloski, She/They, Equity Management Analyst (Chambers/Zoom).
- Sara La Torre, She/Her, Executive Assistant, Utility Administration (Zoom)
- Lisa Larsen, She/Her, Administrative Support Staff (Chambers).

2. Land Acknowledgement: HREC Volunteer. Read by Commissioner Jackie Currie in English.

3. HREC Business: Chair Kitchens He/Him.

a. Approval of the July 31, 2024, Draft Minutes.

Motion: Vice Chair Carolyn Peacock-Biggs motioned to approve the HREC July 31, 2024, Draft Minutes, with no correction. Commissioner Colgan seconded the motion with the amendment. The motion to approve the July 31, 2024, unanimously passed by all voting members who attended today's meeting, in Chambers (3) and through Zoom (3).

b. Review and approve the August Agenda

Commissioner reviewed.

4. Standing Item: HREC Council Liaison Update. Megan Perkins She/Her, Mayor Pro Tem.

- Next Thursday 2-4 pm, joint meeting with county – downtown (Jackie Currie potentially)
 - Agatha Ventura – can attend virtually.
 - Request that an HREC member join and represent on behalf of the commission with Equity lens/perspective.
 - Growth Plan
 - Plans for Juniper Ridge (homeless)
 - China Hat Pilot
- Electrification – pledge that we will attempt (non-fossil fuels) power without fossil fuels.
- Camping Code – Desire to hear more about HREC’s advocacy role after the presentation by Ian Leitheiser.

5. Public Comment:

No public comment.

6. Old Business:

a. Update on Camping Code and Vehicles Update and Recommendations: Ian Leitheiser, City Attorney's Office (He, Him).

Summary of what was discussed with City Council in August 21, 2024 See ([City Council Meeting \(granicus.com\)](#)) for a full presentation to City Council.

- Timeline of the Parking Code (not visiting during HREC meeting)
- Partners needed to offer with property (Safe Parking)
 - Fourteen beds – spaces, would like numbers to go up – need to take advantage of
- Current rules in the city managing how folks live in vehicle.
- Data from PD – Non-Emergency Calls for Service (1/3 to do with people living in the vehicle)
- Current system – camping code sets rules on where/when/how
- Removal from ROW publicly, storage of vehicle, violating time/place/manner.
- Site significant risks to human health or safety
- Due process elements – advance notice, identification of issues, opportunity to regain property, partner with
- Currently have a code, do not have the resources to do it.
- Adopt camping code in 2022 (tent camping)
- Tent camping
- Density limit – no more than three tents or sites on a block face
- Disparity in the rules, staff implementing experiencing challenges applying two sets of rules in P ROW, what are rules for this and that.

- Direct team to align staff on the same rules, regardless of how people are using the ROW.
- Adjustment to code – we do not currently define vehicle habitation, sheltering, missing definition of the activity into the code (composite example of what definition can look like).
- Reframe how to look at place and proximity limits (cannot tent camp in zoned residential)
- Zoning commercial, mixed use, housing development, residential units
- Within a certain distance, or within a certain use
- Council asked that staff come back with a definition.
 - Sleeping in your car without other things, is not vehicle camping.
- If council adopts any or all, advance notice is required.
- Will always need advance notice to move (due process considerations)
- Mayor Pro Tem Perkins
 - Health Safety Compliance Officers – ride along anytime
 - Working hard in community to know all of the houseless populations in Bend.
 - Interact with community daily.
- Notice Required
- No tickets or citations have ever been issued, no possibility of jail time and financial incentives do not make sense.
- Temporarily take your things and store them.
- ADA Modifications always available in the programming of these
- Information on how to get things back, store for at least 30 days, simplify, do not charge them.

HREC Comments, Questions and Discussion:

- Commissioner Fischer: Tailing Commissioner Currie’s question on definition, time limit, parking code – parking code says that – you can legally park car (unless other limit applies)
 - Camping code points to parking code, applies to how long how someone can use their vehicle to camp – up to three business days in the same location.
 - Separate project rewriting the Parking Code (3 business day rule likely to be retired)
 - Confusing to have camping code point to parking code (it should be a standalone document)
- Health Safety: if there are potential dangers, here are issues, what you need to do and do they provide supports on how to do those things.
 - Prioritizing removal of vehicles based on health and safety.
 - Administrative policy is connective tissue of code.
 - We will do that by prioritizing removal by risk of human health and safety.
 - Example: extensive manner violations, doesn’t appear to present a significant risk of public health and safety
 - If there is a situation, spilling over onto neighboring property, we’ll focus on removal if that is not present.

- Chair Kitchens: with the notification and potential removal, is there a process that is in place, appeal, identify they are not being doing what they are doing. Flexibility or opportunity to exercise rights as a citizen.
 - No, municipal code on how a range of things happen. No rules/requirements to be built into the code.
 - Giving more time, support, putting accommodations in place if need, give people information and ability to come into compliance.
 - Not easy when you have to move, try to balance issues when places are occupied for an extended period of time.
 - Camping Code in Title IV, findings and purpose, philosophy, TITLE IV FINDINGS PURPOSE (<https://bend.municipal.codes/BC/4.05.010>)
- Commissioner McDougal: how does this apply to minors.
 - City Attorney Leitheiser: Generally applicable rules, they apply to everyone, regardless of their age or their status. These are not rules that apply only to people who might be considered to have the status of houselessness.
- Commissioner Currie: Sprinter vans, all over bend, who are camping, not living in their vehicles, but they do not file a complaint, because they are new vehicles.
 - City Attorney Leitheiser: Systems are largely complaint based, people will call to report, these are generally applicable rules.
- Commissioner Fischer: In regard to safe parking, what is the difference between units and beds, what is the difference and how often are there vacancies?
 - Utilization rate is quite high, not often and another reason we need more spots.
 - Ninety percent plus, there is a space (housing folks could correct if needed)
 - Application process is simple, administratively through housing department and City Manager Office.
 - Cyclical and does not support people in stability and this kind of push where it doesn't create solutions, just helps people complaining about spaces.
 - City Attorney Leitheiser: You do tend to see deterioration and accumulation, can mitigate some of the issues that come forward when there has been a long length of time. (Can't be as static as a year, conditions do not get great, apartments or nicest or highest end apartments of Bend, negative conditions right outside of their property for a year, trying to account for this equitable consideration as well.)
- Commissioner Ventura: What does safe parking outreach look like currently.
 - City Attorney Leitheiser: Amy Fraley in drumming up interest in participating in the program, ideas, or thoughts, connect people you know, to create more safe parking in and out of the city.
- Mayor Pro Tem Perkins: Balancing low-income apartments and those folks' rights and those who are parked and camping on Watt Way.
 - Safe Parking – businesses and faith-based
 - Safe parking programs to be families, or seniors.
 - Commissioner Ficher – any incentivized? No, just something that should be aligned with their businesses.

- Vice Chair Peacock-Biggs: what is the name of the program?
 - City Attorney Leitheiser: Safe Parking Program (not limited to 24 hours)
 - Safe Parking Program is for a parking lot, make it available under our program.
- Commissioner McDougal: How do we know who is participating in this?
 - Churches, people connected to churches.
 - We need businesses to know, strike zone to see churches are early interested parties in this, anyone who owns property, or leases, controls, property, and parking spaces.
 - Two spaces in a large lot – possibility
- Chair Kitchens: Perspectives from HREC would be helpful, Mayor Pro Tem Perkins and City's Equity department, how best can we review the information and provide feedback.
 - Equity and Inclusion Director Portela, how to get information, suggestion: write a memo ahead of September 18 City Council, advocacy for more parking spaces and doing outreach.
 - Writing something (memo for City Council)
 - Advocate for more parking options.
- Commissioners Ventura, Chair Kitchens, Commissioner McDougal are interested in working to draft language.
 - Seek a motion.
- Noticed Public Meeting.
 - Not a letter from the whole of HREC.
 - Mayor Pro Tem Perkins: Nominate those dedicated to draft the letter, with bullet points.
- Chair Kitchens: Discuss the following.
 - Writing a memorandum (gauge interest)
 - Asking 2-3 members to represent commissions.
 - Statements or bullets that come from all of the HREC commission.
- Commissioner Fischer:
 - More safe parking opportunities – awareness and the whole group wanting to show these thoughts on august 28th meeting, we did talk about this at meeting – these 3-4 things important. Just written by a few, not reflective of the whole, but participating in discussion tonight. Drifting towards serial meetings as some courts say, if enough input as the group from the whole tonight – reflect the basic ideas.
 - Agatha – putting table, be mindful around, not regulating presence, not an activity, would like the group to put into English, how we're asking social context to keep into mind when putting it into context.
- Chair Kitchens, input, from what have heard, get a little closer:
 - Whatever amendments made to camping rules, implemented in an equitable manner (various places, different vehicles)
 - Encouragement and want in equitability in how it they implemented.
 - Advocacy – both encouraging safe parking and advocating for people's individualized rights.

- Consider the social context of what we're doing.
- Ensuring that reiterate and clarification of what it means (not towing vehicles with people in them)
- Commissioner Currie: 24 hours is a very brief amount of time, extend one, shorten the other.
- Commissioner Fischer: not to change to 24 hours and leave at 72 hours currently, encouraging, or incentivizing businesses, other than communities of faith, into safe parking opportunities. Don't know what that looks like but determine ways that is can be brought up.
- Commissioner McDougal: finds herself having a tough time giving perspective, there is a lot of data that you want, EMS, calls not get into house, too many RVs? From HREC perspective, tries that everyone has a voice, is there a way that information.
- Chair, Kitchens: Comments back from commission – on the 25th, Council may decide to approve those amendments.
- Commissioner Currie: situation that doesn't feel like city council looking for input if this is just not here.
- Commissioner McDougal: could this be part of the letter, asking city council more time to provide input.
- Chair Kitchens: ask Vice Chair Peacock-Biggs for her input.
 - Vice Chair Peacock-Biggs: solidify where going to be in the beginning stages, planning to make decisions, freeze, we want to talk about it. We passed that phase. What we are considering and thinking, as of today, the best we are going to do as of today. In the future, we could implement something a little bit different, Just to have a voice might not be as much as we can on this particular topic.
- Chair, Kitchens: Everyone has a voice, anyone can add information into a letter, and like idea of working into it, not pass on 18th, take drafted letter, pass something with all of HREC, going forward.

Motion: Made a motion to have Commissioners, Chair Kitchens, and Ventura commission in writing to City Council, to be presented prior to September 18, 2024, for their consideration, to potential amendments to the city's camping code. Motion passed unanimously, by a vote of all that attended today's meeting, three in Council Chambers and three through Zoom.

Elements to consider for the camping code letter:

- Done in an equitable manner.
- Advocacy for encouragement of safe parking and individual rights.
- Consider social context of what we are doing.
- Reiterating important parts.
- 48-hour rule, instead of 24-hour rule.
- Not make a change from 3 to 1 day, until safe parking is below 90 percent.
- Encouraging incentives businesses beyond communities of faith for safe parking opportunities.
- There is more data needed, how many calls.
- Advocate of more time for input.

- Using the advocacy lever of HREC with future conversations within the purview. HREC should be brought to the attention of HREC.
- Accessible ordinances, with the changes, how will this be community to the community/visitors.

City Attorney Leitheiser: Another thing to consider is to submit your own individual letter to Council, not as a member of HREC.

7. New Business:

Due to the extended conversation on agenda item 6. Old Business: bullet a. **Update on Camping Code and Vehicles Update and Recommendations** discussion. Agenda item 7. New Business: bullet a. **Workplan Work Session** and b. **Referred documents** are tabled until the next meeting that includes agenda item: **Old Business**.

a. **Workplan Work session:** Andrés Portela (He/Him)

b. **Referenced documents:** HREC Onboarding one sheet.

8. Roundtable Discussion of HREC Commissioners: Chair Kitchens, He/Him.

Due to the extended conversation on agenda item 6. Old Business: bullet a. **Update on Camping Code and Vehicles Update and Recommendations** discussion. Agenda item 8. a. is a standing agenda item added to the monthly agenda.

a. **Bin Items/Tasks/Follow-ups**

9. Equity Department Updates: Andrés Portela, He/Him/El, Equity and Inclusion Director.

Workplan: Take a moment, to look at the collectives to have these conversations. What do you need before this meeting? What do need before this meeting? What are the things staff can provide to ensure a good entry way to this conversation?

a. Thank you to the commissioner that showed were able to attend Cityfest and lend a helping hand.

b. **Reminder:** Please take the **Advisory Committee Survey**.

c. **Welcoming Week: September 13th through the 28th**

10. Adjourn: With no further Business, Chair Kitchens adjourned the July 28, 2024, Human Rights and Equity hybrid regular meeting at 6:32 p.m. Which unanimously passed by all voting members who attended today's meeting, in Chambers (3) and through Zoom (3).



Accessible Meeting Information

This meeting/event location is accessible. Sign language interpreter service, assistive listening devices, materials in alternate format such as Braille, large print, electronic formats, or any other accommodations are available upon advance request. Please contact the Equity and Inclusion Director Andrés Portela at equity@bendoregon.gov no later than two days before the meeting date or call 541-323-8563. Relay Users Dial 7-1-1. Providing, at least, 3 days' notice prior to the event will help ensure availability.

Para solicitar copias en español de los documentos en esta página web o en un formato alternativo como Braille, letra grande, formatos electrónicos, etc.:

Por favor contacte al Director de Equidad e Inclusión, Andrés Portela aportela@bendoregon.gov o llame al 541-323-8563. Los usuarios de retransmisión marquen el 7-1-1.