



ROSEBURG HOMELESS COMMISSION AGENDA
MONDAY, MARCH 27, 2023
Roseburg City Hall, Council Chambers
900 SE Douglas Avenue, Roseburg

WJ

11:00 A.M. Regular Meeting

NOTE: IT IS UP TO EACH OF YOU AS COMMISSIONERS TO CALL 541-492-6866 AND LET STAFF KNOW BEFORE THE DAY OF THE MEETING IF YOU WILL NOT BE ATTENDING. THANK YOU.

I. CALL TO ORDER

II. ROLL CALL:

Chair: Larry Rich
Commissioners: Shelley Briggs Loosley Gregory Brigham (Adapt)
Chris Boice KC Bolton (Aviva Health)
Brent Eichman (UHA) Michelle Moore (Cow Creek Tribe of
Shaun Pritchard (UCAN) Umpqua Indians)

III. APPROVAL OF MINUTES

A. February 27, 2023 – Regular Meeting

AUDIENCE PARTICIPATION – *Comments on Agenda Items Only can be provided in person during the meeting, virtually through Zoom, via email to the City Recorder at info@cityofroseburg.org or hand delivered to City Hall, 900 SE Douglas Avenue in Roseburg, prior to **10:00 a.m. on Monday, March 27, 2023**. To provide comments via Zoom, contact the City Recorder's office at info@cityofroseburg.org to get the link to the meeting. Comments must include the person's name and address for the record. The Commission reserves the right to delay any action requested until they are fully informed on the matter.*

*Each speaker will be allotted a total of **4 minutes**. All testimony given shall be new and not have been previously presented to Commission. A total of 15 minutes shall be allocated for the "Audience Participation" portion of the meeting.*

IV. DISCUSSION ITEMS

- A. Time, Place and Manner Regulations (Nikki Messenger)
- B. HTAG Update (Janeal Kohler, HADCO)
- C. Navigation Center Construction Update (Ryan Herinckx)
- D. Navigation Center Operations Update (Erica Kimrey)
- E. Urban Campground Update (Larry Rich)

V. BUSINESS FROM THE COMMISSION

VI. NEXT MEETING DATE: April 24, 2023

VII. INFORMATIONAL

VIII. ADJOURNMENT

ATTACHMENTS:

Please contact the City Administration Office at least 48 hours prior to the scheduled meeting date if you need accommodations in accordance with the Americans with Disabilities Act.
TDD users, please call Oregon Telecommunications Relay Service at 800-735-2900.



**MINUTES OF THE ROSEBURG
HOMELESS COMMISSION MEETING
February 27, 2023**

A meeting of the Homeless Commission was called to order by Chair Larry Rich at 11:03 a.m. on Monday, February 27, 2023, City Council Chamber at 900 SE Douglas Avenue, Roseburg, Oregon.

Chair Rich introduced the newest member of the Homeless Commission, Michele Moore from the Cow Creek Band of Umpqua Tribe of Indians. Moore's work with the tribe included working with the homeless, giving her a wealth of experience.

ROLL CALL

Present: Commissioners Chris Boice, Shelley Briggs Loosley, Gregory Brigham, Brent Eichman, Michele Moore and Shaun Pritchard.

Absent: Commissioner KC Bolton

Others Present: City Manager Nikki Messenger, Assistant City Manager/Recorder Amy Sowa, Police Captain Jeremy Sanders, Design and Construction Manager Ryan Herinckx, UCAN Alternate Commission Member and Navigation Center Program Manager Erica Kimrey, and HADCO Executive Director and HTAG Facilitator Janeal Kohler.

APPROVAL OF MINUTES

Commissioner Boice moved to approve the January 23, 2023 and February 8, 2023 meeting minutes. The motion was seconded by Commissioner Brigg Loosley and approved with the following vote: Chair Rich; Commissioners Boice, Briggs Loosley, Brigham, Eichman, Moore and Pritchard voted yes. No one voted no.

AUDIENCE PARTICIPATION

Elaine Brady, Roseburg, Oregon, spoke on behalf of a consortium of concerned citizens. Over 100 signatures had been gathered on a petition for a fenced area for homeless to camp. Having a place for the homeless to camp will help to eliminate the trash and waste in an environmentally sensitive area. The petition will be delivered to the City Council during their meeting on March 13. Brady noted that Rod Dickerson spent \$1500 cleaning up his private property located next to a medical facility on Harvard Avenue. They are asking the Homeless Commission to refer this matter to the City Council, and asking the Council to act within 45 days from the date they submit the petition. Additionally, a copy of the current petition was provided to the City Manager to distribute to the Homeless Commission members.

Bernie Woodard, Roseburg, Oregon, asked that the City approve allowing camping on private property and public reserve property for those individuals willing to allow camping on their property. Woodard noted items stolen from his property near the encampments as people looked to replenish items they had lost during a camp cleanup. Allowing camping on private property would move people off public parks and paths. There are

areas next to bike paths that the City could delegate for camping. Woodard discussed the responsibility we have to our children and concerns with drug use and other illegal activity.

Eric Soder, Roseburg, Oregon acknowledged the work being done by Councilor Ellen Porter in Salem working with legislatures to address this issue.

Chair Rich asked Councilor Porter to report on what she was doing in Salem.

Councilor Porter said she had been working with the League of Oregon Cities with assistance from Homeless Commissioners Eichman and Boice, on legislation that would remove the liability for smaller cities and counties that choose to open an urban campground. The proposed legislation includes some criteria in place that if cities and their contractors establish an urban campground, they would not be sued at the current levels. Legislation is being introduced in both the house and senate and has received a lot of support.

WARMING CENTER UPDATE

City Councilor and Senior Center Board member Ruth Smith and Kimetha Stalling, Onward Roseburg reported on the warming center.

Stallings said this is Onward's second year operating the warming center. This year 299 guests have come through the warming center, they have been open 25 nights and have served thousands of meals. Seventy-seven volunteers have contributed to this effort.

Smith said they hope to open the warming center tonight if they can get enough volunteers and noted the many factors that lead to homelessness including lack of affordable housing, drug addiction, and mental illness. The warming center has seen a lot of support from the City's fire and police. Smith shared stories about some of the guests and their experiences. Six individuals were moved into some of the complexes owned by her employer Neighborworks Umpqua, through the work done by Stallings including outreach. The community collaborations are working, including the wrap around services from Adapt, UCAN, Umpqua Health Alliance, HIV Alliance and others. In response to Chair Rich, Smith said most people are walking or getting rides to the warming center. Only about 12 of the 65 attendees take advantage of the bus service provided by the Senior Center.

Stallings said Onward was a small non-profit started in 2020. Their goal is to do outreach to the camps and create relationships with the homeless to determine their goals and help them reach them together. Last year, 37 households (nearly 50 people) were housed, and case management and support services were provided where needed. Their housing program costs were about \$94,000. They served almost 400 people and received referrals from UHA, Adapt, Department of Human Services (DHS), and others. They are supporting people with rental assistance, transitioning to housing, providing outreach, and medical support including hotel stays for people healing. In response to Chair Rich, Stallings said they had two paid staff, and met people at three locations: Mondays from 10am-1pm at the Dream Center; Tuesdays from 10am-1pm at the Seventh Day Adventist Church; and Thursday afternoons at Gaddis Park. She can also be reached by phone. Stallings said her annual budget last year was just over \$200,000.

Commissioner Pritchard thanked Stallings for doing a wonderful job. It says a lot about Onward and our community for the work they are doing with the warming shelter and the number of days they have been able to be open with volunteers only.

HTAG VERBAL UPDATE – JANEAL KOHLER

HADCO Executive Director and HTAG Facilitator Janeal Kohler shared Homeless Transition Action Group (HTAG) met February 22, 2023 with 17 members present. There is great collaboration among HTAG members to address the complex issues related to homelessness. Kohler noted the work done between Onward Roseburg and the Housing Authority in getting people housed. The non-profit Umpqua Heart, who has spearheaded the Hastings Village in Sutherlin, emerged from the HTAG group. Churches in Sutherlin have offered support and provide meals to those in the urban campground. There are challenges, but they continue to look at ways to address those challenges and hope to assist Roseburg in a similar program.

The Immediate Needs Sub-Committee discussed the need for coordination and a current resource list with inventory of resources and locations that can be accessed. An Urban Campground would be helpful to eliminate some of the issues. Discussion was held regarding concerns around fire prevention. The Housing Subcommittee hoped to resume discussions regarding program development for local programs to provide accessory dwelling units to property owners willing to host a participant.

GARY LEIF NAVIGATION CENTER CONSTRUCTION UPDATE

Design and Construction Manager Ryan Herinckx provided an update on construction of the building. S+B James reviewed and signed Amendment #3 –Construction Phase to the CM/GC contract. Renovation work will begin in the north half of the building starting on Tuesday, February 28, 2023. Construction work will start with structural upgrades to the mezzanine floor and openings for the new HVAC roof top units. Work will also begin on the exterior of the building with removal of the remaining chain link fence and installation of the new fire service line.

On February 9, 2023, City Staff and S+B James elected to reject all bids received for framing, sheet rock and painting and issued notice of rebidding to plan centers. Bids are to be turned in to S+B James on Tuesday, February 28, 2023, and it appears the bids will be lower than the originals. The HVAC units, which are generally a 6-month wait, will now be on site in three weeks.

Contractor is expecting to complete improvements in the north half of the building the first week of April. The completion of both phases of the project is anticipated for the end of June.

Chair Rich asked if the plans had been changed or reduced when they went out to re-bid. Herinckx said they were not; the same specifications were used.

GARY LIEF NAVIGATION CENTER OPERATIONS UPDATE

Program Manager Erica Kimrey reported they currently have 12 residents, including a family of four who will be moving into housing in the next few weeks. One of the major

problems is income-based housing. Many of the residents are working, but waiting to get into housing they can afford. Since June 2022, the navigation center has taken in 27 individuals and helped house 8 individuals into permanent stable housing, long-term care, or with families. Opening of additional units at the Sunshine Apartments has been very helpful. For their walk-in service center at the navigation center, they have served 332 unique individuals seeking a multitude of services, 118 people receive mail there, and 136 are on the wait list. The majority of people have multiple conditions including mental health, drug and alcohol abuse, and other disabilities. UCAN helped support the Point in Time (PIT) count showing 294 homeless in Douglas County. At the event downtown, they served 195 meals, provided 207 sack lunches, hygiene bags, showers, coats, and sleeping bags. She acknowledged the other local agencies that participated and provided services at the event.

Commissioner Boice asked if during the next update they could get information showing the cost per success of getting people into permanent housing. In response to Commissioner Boice's question, Kimrey said two couples were assisted by UHA for medical reasons, another couple left the area, and one was removed for behavioral issues. Commissioner Boice said it looked like we had about a 50% success ratio. Kimrey said in speaking with the state agencies, the navigation center has the highest percentage of success in the state.

Kimrey said the majority of the costs are for 24-hour staffing for safety and security.

In response to Chair Rich, Kimrey, said all who sought walk-in services were unhoused with likely more than 2/3 in tents.

URBAN CAMPGROUND UPDATE

Chair Rich thanked everyone in the audience who attended today's meeting. Regarding property, the subcommittee looked at four sites last week and have a potential site. He explained why locations are not shared until it is known if they will be feasible. Funds will be needed to purchase property and an operator will need to be identified. Ongoing funding will also need to be identified.

BUSINESS FROM THE COMMISSION

Commissioner Boice appreciated those that came to speak. Commissioner Boice moved that the Homeless Commission recommend the City Council direct the City Manager to designate a place for an urban campground by April 1. The motion was seconded by Commissioner Eichman.

Chair Rich said it was difficult to set a date due to the difficulty in locating a site. He was hopeful one of the four will work and be ready before April 1, and understood the urgency.

No vote was taken; the motion died.

Commissioner Boice asked if there was a current process to allow camping on private property, such as Elk Island.

Messenger said there is a Tent Camping Policy and a Vehicle Camping Policy and there was a process for up to 10 tents or vehicles. There must be access for fire and emergency vehicles which can be a challenge for an island in the winter.

NEXT MEETING DATE

Monday, March 27, 2023 in the City Hall Council Chambers

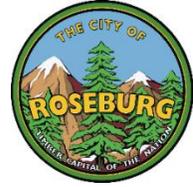
ADJOURNMENT

The meeting adjourned at 11:55 a.m.



Amy L. Sowa
Assistant City Manager/Recorder

ROSEBURG HOMELESS COMMISSION AGENDA ITEM SUMMARY



TIME, PLACE AND MANNER REGULATIONS

Meeting Date: March 27, 2023
Department: Administration
www.cityofroseburg.org

Agenda Section: Discussion Item
Staff Contact: Nikki Messenger, CM
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City has until June 30, 2023 to adopt ordinances regulating time, place and manner as it relates to camping on public property. Staff has been working with the City Attorney on drafting potential regulations for Commission and Council consideration. This agenda item is intended to inform the Commission and for the Commission to provide feedback prior to moving on to next steps.

ANALYSIS

The legal landscape regarding camping in public spaces is based on case law (specific to the Ninth Circuit) and Oregon-specific legislation passed in 2021.

- Eighth Amendment to the US Constitution
 - The underlying concept behind the 9th Circuit Court's decisions –
 - Prohibits the state from punishing an involuntary act or condition if it is an unavoidable consequence of one's status of being.
- Martin v. Boise (2018)
 - Prohibits the imposition of **criminal** penalties for sitting, sleeping, or lying outside on public property for homeless individuals who cannot obtain shelter...
- Blake v. Grants Pass (2020)/Johnson v. Grants Pass (Appeal decision 2022)
 - Prohibits **civil or criminal** penalties on sitting, sleeping, lying....
 - Expands to allow persons experiencing homelessness who must sleep outside to take minimal measures to keep warm and dry while sleeping.
- HB 3115 (2021)
 - Requires any city law regulating acts of sitting, sleeping, lying or keeping warm and dry outside on public property must be "objectively reasonable" based on the totality of the circumstances. Local governments must update ordinances by July 1, 2023.

- HB 3124 (2021)
 - Codifies how cities must provide notice and store property when removing established campsites on public property.

Cities are allowed to impose city-wide prohibitions against persons sitting, sleeping, or lying in public, if the city has a shelter that is accessible to the person experiencing homelessness against whom the prohibition is being enforced. Even if a city lacks enough shelter space to accommodate the specific person experiencing homelessness against whom the prohibition is being enforced, it is still allowed to limit sitting, sleeping, and lying in public places through reasonable restrictions on the time, place and manner of these acts (“where, when, and how”). What constitutes a “reasonable” time, place and manner restriction is often difficult to define.

House Bill 3115 requires any city or county law regulating the acts of sitting, lying, sleeping or keeping warm and dry outside on public property must be “objectively reasonable” based on the totality of the circumstances as applied to all stakeholders, including persons experiencing homelessness. What is objectively reasonable may look different in different communities. The bill retains cities’ ability to enact reasonable time, place and manner regulations, aiming to preserve the ability of cities to manage public spaces effectively for the benefit of the entire community.

The City published a survey to gather input from all community stakeholders regarding appropriate time, place and manner considerations. The survey ran through March 10 with 5,391 people participating. Below is a synopsis of the results.

- About 2/3 of the respondents live in the City of Roseburg. About 48% either work or own a business in Roseburg. And 28.5% visit Roseburg frequently.
- Just under 99% of respondents believe homelessness is a problem in Roseburg.
- Just under 60% of respondents know someone who has experienced homelessness.
- Just under 1% (0.93) of respondents are currently experiencing homelessness.
- 93.5% are fairly or very concerned about camping on public property downtown.
- 94.7% are fairly or very concerned about camping in city parks.
- 89.94% are fairly or very concerned about camping in remaining city areas.
- When asked which of the following factors the city should consider when evaluating potential locations to allow overnight camping the following factors rated highest based on the strongly agree/somewhat agree rankings:

<u>Factor</u>	<u>% Strongly or somewhat agree</u>
Sanitary considerations	93.63
Public Safety	92.95

Proximity to schools/childcare facilities	90.53
Proximity to environmentally sensitive areas	87.41
Proximity to pedestrian areas	86.45
Proximity to commercial areas	80.35
Proximity to shelters/social services	76.03
Parking impacts	74.30
Impacts to low-income residents	71.67

- When asked which factors should receive the most consideration for an overnight camping policy

<u>Factor</u>	<u>% in top 3</u>
Environmental Impacts	63.74%
Compatibility with nearby uses	57.63%
Hours camping is allowed	55.88%
Duration of stay	50.51%
Proximity to services	33.03%
Access to buildings/sidewalks	29.22%
Access to public parking lots	14.69%

- When asked how they feel about camping on private property in Roseburg
 - Non-residential zones
 - 23.47% support or somewhat support
 - 60.31% oppose or somewhat oppose
 - Residential zones
 - 9.24% support or somewhat support
 - 83.28% oppose or somewhat oppose
- When asked about camping on public property being restricted between the hours of 8 pm to 8 am
 - 38.44% strongly approve or approve
 - 43.72% disapprove or strongly disapprove
- When asked to rank each location's suitability as a space to allow overnight camping in the city

	<i>(Highest 3 %)</i>	<i>(Lowest 3 %)</i>
	<u>Suitable</u>	<u>Not Suitable</u>
Downtown	5.89	58.52
Residential neighborhoods	2.07	49.20
Retail areas	2.49	45.02
Parks & trails	25.16	37.39
Forested/Env. Sensitive	14.51	35.04
Rights of way	8.42	19.15
Parking lots	36.89	28.43

Office/commercial areas	37.46	14.07
Transit areas	52.55	4.21
Industrial areas	55.57	3.86
City/government owned property	61.26	4.98

Based on the survey results, input from staff regarding impacts of camps on the parks system, input from neighbors impacted by camps, and damage experienced in certain environmentally sensitive areas, staff has been working with the City Attorney to formulate the basis for potential time, place and manner regulations.

To clarify how the regulations work together.....

- Place restrictions will mean camping will be prohibited in certain areas 24/7/365 unless a special permit is issued.
- Time restrictions will regulate the time period(s) that camping is allowed *in the areas that are not prohibited*.
- Manner restrictions will regulate the manner in which camping can occur *in the areas that are not prohibited during the times that are not prohibited*.

In theory, upon adoption, camping in a prohibited place will be a violation and may constitute Criminal Trespass 2. Camping in a non-prohibited place outside of the allowed time period or in violation of the manner regulations will be violations of the ordinance.

Time

Time regulations can be handled one of two ways.

- Camping is restricted during certain hours. An example is between 8 am and 8 pm.
- Camping is limited to a certain number of continuous hours. For example, no more than 24 hours in the same location.

With either regulation, camping outside of the limits would be a violation. The trickier part is determining when a camp becomes an “established camp”, which requires the City to provide a 72-hour notice prior to removing the camp. Exceptions could be included in the ordinance for severe weather, to respond to a specific individual’s disability, or where appropriate to facilitate case management or behavioral health services.

Place

The following are the place restrictions currently being considered.

- In or adjacent to any residentially zoned or residentially used properties, including private property, except a Church operating a permitted camp site
- Anywhere between the Umpqua River Path and the South Umpqua River in that portion of the path east of Interstate 5 to the confluence of Deer Creek and the South Umpqua River
- Anywhere between the multi-use path and the South Umpqua River between Douglas Avenue and Flint Street
- Within 100 feet of the high-water mark of any waterway excluding that portion of the South Umpqua River discussed above
- Within 10 feet of any multi-use path
- Anywhere on Airport Property
- Any place where camping, a camp, or camp materials create a physical impediment to emergency or nonemergency ingress, egress or access to property, whether private or public, or on public sidewalks or other public rights-of-way, including but not limited to driveways providing access to vehicles, and entrances or exits from buildings and/or other real property
- Any vehicle lane, bicycle lane, or roundabout within any public right-of-way
- Within 100 feet of a school or daycare facility
- Immediately adjacent to any city owned buildings
- The Stewart Park natural area, aka the duck pond, and the detention ponds associated with Stewart Park
- Sport complexes including any sports fields and adjacent structures
- Any city owned properties leased to others, including but not limited to the Roseburg Area Chamber of Commerce building, Umpqua Valley Arts Center, Betty Long Unruh Theater, Umpqua United building, and the adjacent grounds and parking areas
- Any park sites or areas for which park use permits have been issued

Manner

- Camps may not obstruct sidewalks, clear vision, fire hydrants, City or other public utility infrastructure, or otherwise interfere with the use of the right-of-way for vehicular, pedestrian, bicycle, or other passage.
- Camps must be limited to 100 square feet.
- No structures are allowed to be built or erected. Free standing tents and similar portable items used for shelter are not structures for purposes of this section.
- Attaching anything to fire hydrants, utility poles or other utility or public infrastructure, fences, trees, vegetation, vehicles, or buildings is prohibited.
- All camp materials and personal property must be contained within the tent or tent like structure except for one mobility device (bike, wheelchair, and etc.) per person may be stored outside.
- Storage of personal property such as vehicle tires, bicycles or associated components (except as needed for an individual's personal use), gasoline, generators, lumber, household furniture, extra propane tanks, combustible material, lumber, or other items or materials is prohibited, other than what is related to camping, sleeping, or keeping warm and dry.
- Individuals may not accumulate, discard, or leave behind garbage, debris, unsanitary or hazardous materials, or other items of no apparent utility in public rights-of-way, on City property, or on any adjacent public or private property.
- Open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or heating deemed unsafe by the Roseburg Fire Department are prohibited.
- Dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to storm drains, which are not intended for disposal of gray water or black water.
- Unauthorized connections or taps to electrical or other utilities, or violations of building, fire, or other relevant codes or standards, are prohibited.
- Digging, excavation, terracing of soil, alteration of ground or infrastructure, or damage to vegetation or trees is prohibited.
- All animals must be leashed or crated at all times.

NEXT STEPS

Staff is seeking input from the Commission regarding the proposed regulations. Staff will then work with the City Attorney to complete the draft ordinance language for Council consideration.

Roseburg Homeless Commission Meeting
03-27-2023
HTAG Update

HTAG held their February meeting on March 22, 2023 with approximately 20 members in attendance.

- HTAG Media Project Sub-Committee Update
A final product is expected any day.
- Douglas centrally located Homeless Initiative led by the City of Sutherlin Update
The Hastings Village in Sutherlin is continuing to operate smoothly with extensive community participation. A storage unit was installed to help store supplies for residents. Funding discussions are advancing regarding additional structure for food prep/storage, onsite administration, and installation of micro-shelters (converted from storage containers). Outreach has been conducted to Roseburg churches to encourage discussion on potential partnerships in Roseburg.
- Immediate Needs Sub-Committee Update
Discussion had on the requirement of moving a tent out of an area for camp sweeps. Is there a specific distance outlined so advocates can better help relocate homeless individuals? Discussion had on volunteers needed to help homeless individuals access medical care (both transportation and moral support) along with the possibility of volunteer medical help such as retired doctors that might be willing to help with wound care or needs for those that are unable to access the hospital. A member suggested the need for a low barrier campground specifically for vulnerable women. All of the before mentioned discussion items emphasize the need for an urban campground. Follow-up discussion was had on the need for a current and maintained list of services throughout the County. Other updates are ADAPT is opening the sobering center to the local ADAPT crisis team on April 1 for additional support. AVIVA is graduating 8 more residents to add to the medical team in Roseburg.
- Housing Sub-Committee Update
Program development paused (but continuing soon) for a local program which would provide accessory dwelling units to property owners willing to host a participant.

ROSEBURG HOMELESS COMMISSION AGENDA ITEM SUMMARY



GARY LEIF NAVIGATION CENTER REMODEL UPDATE

Meeting Date: March 27, 2023

Agenda Section: Discussion Items

Department: Public Works **Staff Contact: Ryan Herinckx, Design/Construction Mgr.**
www.cityofroseburg.org

Contact Telephone Number: 541-492-6730

ISSUE STATEMENT AND SUMMARY

S+B James is currently working on the improvements to Phase I of the project. Structural improvements, wall framing and electrical rough-in have been completed. Knife River Materials is working on installing the fire service, fire department connection and potable water lines from Mill Street to the building.

Renovation work over the next two weeks include the following items:

- Install new access ramp to back door
- Install HVAC ducting
- Rough-in fire sprinkler piping
- Insulation of walls and ceiling
- Install door frames and windows
- Begin installing sheet rock

The current project schedule from S+B James shows the Phase I improvement being completed the third week of April. The completion of both phases of the project is anticipated for the end of June.

ATTACHMENTS

None