



ROSEBURG HOMELESS COMMISSION AGENDA
Monday, August 26, 2024
Roseburg City Hall, Council Chambers
900 SE Douglas Avenue, Roseburg

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8-23-2024

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: Michelle Moore Gene McVae
 Shaun Pritchard Shelley Brigg Loosley
 Ken Averett Keith Lowther

III. APPROVAL OF MINUTES

A. April 22, 2024 – Regular Meeting

AUDIENCE PARTICIPATION – *Comments on Agenda Items Only can be provided in person during the meeting, virtually through Zoom or hand delivered to City Hall, 900 SE Douglas Avenue in Roseburg, prior to 10:00 a.m. on the day of the meeting. To provide comments via Zoom, contact the City Recorder's office at info@roseburgor.gov 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. Prohibited Camping Code Amendment
- B. Commission Focus/Future
- C. Roundtable – Partner Updates

V. BUSINESS FROM THE COMMISSION

VI. NEXT MEETING DATE: September 23, 2024

VII. INFORMATIONAL

VIII. ADJOURNMENT

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
April 22, 2024**

A meeting of the Homeless Commission was called to order by Chair Larry Rich at 11:00 a.m. on Monday, April 22, 2024, City Council Chamber at 900 SE Douglas Avenue, Roseburg, Oregon.

2. ROLL CALL

Present: Chair Larry Rich, Commissioners Shelley Briggs Loosley, Keith Lowther, Gene McVae, and Michelle Moore

Absent: Ken Averett and Shaun Pritchard

Others: City Manager Nikki Messenger, City Recorder Amy Nytes, Community Development Director Stu Cowie, Captain Jeremy Sanders, and Management Assistant Grace Jelks

The Commission welcomed Gene McVae to Homeless Commission.

3. APPROVAL OF MINUTES

Commissioner Briggs Loosley moved to approve the March 25, 2024 meeting minutes. The motion was seconded by Commissioner Moore and approved with the following vote: Chair Rich, Commissioners Briggs Loosley, Lowther, McVae, and Moore voted yes. No Commissioners voted no. The motion passed unanimously.

4. AUDIENCE PARTICIPATION

A. Bill Coopride, resident, spoke about possible urban campground locations.

5. DISCUSSION ITEMS

A. Messenger presented the Evaluation of the Commission. Discussion ensued.

Commissioner comments and questions included appreciation for building connections with the CEO's of each organization and the benefit of being able to ask for help from these community organizations, constraints of meeting in a public setting on sensitive issues, not being able to meet in executive session to discuss potential properties, changing the meeting schedule to every other month or quarterly, difficulty of choosing a property that impacts the same clients that are served by agencies represented on the Commission, most effective when considering policy, land decisions should be made by the Council, creating a vision and strategic plan, scheduling a work group to discuss issues, regular data or

statistical updates is helpful for finding out how we are doing, giving the public more than one option to speak to alleviate pressure at Council meetings, update on the Supreme Court ruling about the Grants Pass case, and guidelines for work group meetings and selecting a campsite.

Messenger shared some feedback about criticism of the Commission for not making a decision on the urban campground location, community partners are hesitant to make a decision about property that will impact the clients they are trying to serve, there is value in getting input on services being provided to the community and work through problems, there is value in giving the public more than one venue to comment and hear what the City is trying to accomplish, changing the meeting frequency would require a change to the Municipal Code, the same process for selecting the Gary Leif Navigation Center, and community pushback regarding transparency in meetings.

Cowie appreciated the hard work of the Commission and focus on policy recommendations.

The Commission agreed to continue to meet monthly.

Direction was given to Staff to review the guidelines and provide information about the criteria for selecting a campsite, holding work group meetings, provide framework ideas for developing a strategic plan, and an update about the Supreme Court ruling on the Grants Pass case, if available, at the next meeting.

5. BUSINESS FROM THE COMMISSION

None.

6. NEXT MEETING DATE

Due to observation of the Memorial Day holiday, the next meeting is scheduled on June 24, 2024.

7. INFORMATIONAL

None.

ADJOURNMENT

Chair Rich adjourned the Roseburg Homeless Commission meeting at 11:49 p.m.

Grace Jelks

Grace Jelks
Management Staff Assistant



ROSEBURG HOMELESS COMMISSION AGENDA ITEM SUMMARY

PROHIBITED CAMPING CODE AMENDMENT

Meeting Date: August 26, 2024
Department: Administration
www.cityofroseburg.org

Agenda Section: Discussion Items
Staff Contact: Nikki Messenger
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The City Council recently heard first reading on a number of code amendments related to prohibited camping. This memo and discussion are meant to inform the Commission on these developments.

BACKGROUND/ANALYSIS

Two U.S. 9th Circuit Court decisions have impacted how cities have handled prohibited camping in the Western United States. The Martin vs. Boise decision in October 2018 basically prevented cities from criminalizing unauthorized camping unless there were enough low barrier shelter beds available to house all unhoused individuals in that community. Shelter beds with requirements around attendance of religious services were not considered low barrier. A second decision by that same court in July of 2020, Blake/Johnson vs. Grants Pass, further limited how cities could regulate their public spaces. The City of Roseburg made changes to the Roseburg Municipal Code (RMC) to ensure compliance with both decisions. In 2021, the State of Oregon codified many, but not all, provisions of these two decisions and directed that any cities regulating the acts of sitting, sleeping, lying or keeping warm and dry outside on public property sitting, sleeping or lying shall enact "objectively reasonable" time, place, and manner regulations no later than June 30, 2023.

On June 28, 2024, the United States Supreme Court reversed and remanded the Grants Pass ruling that enforcing prohibited camping laws, without available shelter, violated the Eighth Amendment's prohibition on cruel and unusual punishment. The decision went further to unravel much of the case law put forth as part of the Boise decision.

In response to the SCOTUS decision, staff has proposed changes to the consequences associated with the time, place and manner regulations. The specific language changes are:

- ~~F. Violation of this Chapter shall be classified as a violation subject to a civil penalty. The remedies described in this section shall not be the exclusive remedies of the City for violations of this Chapter. This Chapter is to be interpreted consistent with the applicable state statutes and providing the protections required by state statutes.~~
- F. Upon conviction for a violation of this Chapter, in addition to any other factors deemed

appropriate by the Court, the Court shall consider in mitigation whether or not the person immediately removed all personal property and litter, including but not limited to bottles, cans, and garbage from the campsite, and immediately complied with this ordinance, after being informed they were in violation of the law.

- G. Upon conviction for a violation of this Chapter, if an individual successfully utilizes the Roseburg Transitional Court program, or independently demonstrates that after receiving the citation and before the hearing, they meaningfully engaged with private resources and/or service providers to address whatever led them to be in violation, the Court shall consider that in mitigation.
- H. If penalties are imposed, the first conviction shall not exceed \$100, and the second conviction shall not exceed \$250. The third and subsequent conviction(s) may include incarceration, not to exceed 7 days. In the Court's discretion, alternative penalties for violation(s) of this Chapter may be imposed. This Chapter is to be interpreted consistent with the applicable state statutes and providing the protections required by state statutes.

Staff additionally prepared a code amendment that would add Prohibited Camping back to the listed offenses for which persons can be excluded from in Enhanced Law Enforcement Areas, Chapter 7.12.015.

Staff believes these code amendments will help Police address unlawful behavior in our public spaces by adding consequences for non-compliance.

FINANCIAL/RESOURCE CONSIDERATIONS

If the Council adopts these code amendments, it has no financial impacts.

TIMING ISSUES

The Council is scheduled for a second reading during the regular session Monday, August 26, 2024. If the Council adopts the new code language, it will become effective 30 days after adoption. Roseburg PD will use this time to educate the unhoused on the new regulations prior to implementation.

COMMISSION OPTIONS

This item is for informational purposes only and does not require Commission action.

ATTACHMENTS

None.



ROSEBURG HOMELESS COMMISSION AGENDA ITEM SUMMARY

COMMISSION FOCUS/FUTURE

Meeting Date: August 26, 2024
Department: Administration
www.cityofroseburg.org

Agenda Section: Discussion Items
Staff Contact: Larry Rich, Nikki Messenger
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The Homeless Commission has been in place for over three years. The Mayor and staff are seeking input regarding the Commission's future. This item has been carried forward from the April 22, 2024.

BACKGROUND

The Homeless Commission was established by the City Council in December 2020 and began meeting in January of 2021. The Commission's duties are outlined in the Roseburg Municipal Code as follows:

2.20.030 Duties—Responsibilities.

The duties and responsibilities of the Commission shall include, but not be limited to, the following:

- A. Research current practices related to addressing the needs of the unhoused population.
- B. Make recommendations to the City Council on addressing the needs of the unhoused population.
- C. Review and recommend to the City Council the terms and conditions for contracts and working relationships with private and public agencies regarding services for the unhoused.
- D. Receive and consider comments and suggestions from the general public and local businesses regarding homelessness.

The Commission has been involved with a number of discussions and decisions over the past three years. Recently, Commission members have expressed concern over the future of the Commission and their role in it. Some of these concerns relate to the fact that most of the 'work' that goes into the commission agendas is produced by staff. Other comments have related to the number of meetings that have been cancelled and/or devoted to updates from community partners without any action items for the Commission.

At the first meeting, the Commission identified the short-term priority of finding a site for a warming center and longer-term goal of opening a low barrier shelter. With the help of community partners, a warming shelter was established. There have been some bumps in the road, but thanks to Shaun Pritchard's work, a new location has been secured. And in 2022, the Gary Leif Navigation Center opened its first phase. The project was completed and the second phase opened this fall.

Since inception, the Homeless Commission has been involved with a number of discussions and/or decisions that have been forwarded to Council for final action. A few highlights include:

- Reviewed proposed municipal code language regarding warming fires, time/place camping restrictions
- Worked on immediate needs
- Reviewed the Community Homeless Assessment performed by Rogue Retreat
- Made recommendations concerning the site purchase, construction contract, and operational contract for the navigation center
- Reviewed and recommended policies for Tent Camping and Vehicle Camping sites
- Reviewed and recommended changes to the proposed Time, Place, and Manner regulations prior to adoption by Council
- Authorized acceptance of grants to fund the navigation center
- Received regular updates from community partners
- Received public input on a variety of topics
- Reviewed possible locations and operator for an urban campground

By having discussions at both the Homeless Commission and the City Council, the public has the opportunity to hear the information and comment in multiple forums. City staff often lacks the expertise provided by the Commission members that work in the social service industry. As with most commissions, the Homeless Commission does not have 'final say' on decisions, as that responsibility resides with the City Council.

COMMISSION OPTIONS

Now that the Navigation Center is open and operating, it may be appropriate to reconsider the Commission's mission and role. We want to be respectful of everyone's time and the many things that each of you have on your plate. Options may include:

1. Going to quarterly meetings, with special meetings held as needed; or
2. Allowing 'assigned' positions to be reassigned within each organization; or
3. Continue on the current schedule until a future date and further review; or
4. Other suggestions the Commission may have.

STAFF RECOMMENDATION

Staff is seeking input from the Commission. Depending on the Commission's recommendations, updates may need to be made to the municipal code.

ATTACHMENTS

None.