



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

June 10, 2015

12:00 PM CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

Meeting of June 10, 2015;
Her Honor Mayor Kitty Piercy Presiding

Councilors

George Brown, President	Pat Farr, Vice President
Mike Clark	George Poling
Chris Pryor	Claire Syrett
Betty Taylor	Alan Zelenka

CITY COUNCIL WORK SESSION

Harris Hall

12:00 p.m. A. **WORK SESSION:
Update on Permitted Overnight Sleeping Program**

12:45 p.m. B. **WORK SESSION:
Legalized Marijuana Update**

**time approximate*

with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

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El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

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EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Update on Permitted Overnight Sleeping Program

Meeting Date: June 10, 2015
 Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: A
 Contact: Michael Kinnison
 Contact Telephone Number: 541-682-5009

ISSUE STATEMENT

The current rest stop ordinance expires on October 1, 2015. This work session is to provide the council with an update on the rest stop program prior to consideration of an extension to the ordinance.

BACKGROUND

The rest stop program was initiated by the council in September 2013 by Ordinance 20517 with a one-year sunset date. The ordinance has been extended twice and is scheduled to sunset on October 1, 2015. The program currently supports five rest stops, three of which are managed by Community Supported Shelters (CSS) and two by Nightingale Health Sanctuary (NHS), and allows up to 15 individuals to stay at a stop. An expansion of up to 20 persons may be provided at the City Manager's discretion for an operator with a proven track record of successfully managing a rest stop for at least six months.

CSS manages one stop at Roosevelt and Garfield and two located adjacent to each other at Northwest Expressway and Chambers. The Roosevelt and Garfield stop was the first to open in December 2013. One stop at NW Expressway and Chambers is designated for veterans. There are currently a total of 40 individuals staying at the three stops managed by CSS.

Nightingale Health Sanctuary manages two adjacent stops on land leased from the county on the Lane County Behavioral Health Campus at 2411 Martin Luther King, Jr. Boulevard. These stops were established in December and intended to provide a temporary winter sheltering option. The lease was recently extended to August 21, 2015 to provide more time to find other housing options for the current residents. The site will be closed and restored to its original condition prior to the first University of Oregon (UO) football game on September 5 because Lane County has a contract for use of that site for event parking. The two stops currently house 28 people.

The program has been effective at providing a low-cost, safe, emergency sheltering option. Managing non-profits have been responsible for the costs of setting up and operating the stops. Preliminary results of a UO-sponsored program evaluation by students indicates that neighboring businesses and residents support the program and report little to no negative impacts from being located near a stop. The evaluation also indicates that stops provide the safety and stability that is critical for homeless people to begin connecting with resources and support services they need to

begin providing for themselves. Managers are reporting individuals accessing employment, health services and more permanent housing once stabilized at a stop. Full results of the evaluation will be distributed once complete.

CSS has expressed an interest in transitioning the veterans' camp at NW Expressway and Chambers to the Eugene Mission property. The stop has been sheltering veterans that can benefit from the services and amenities available at the Mission. Currently CSS does not have the capacity to manage four full rest stops but if the new site is approved, CSS will continue to evaluate capacity with the hope of operating four full rest stops eventually.

RELATED CITY POLICIES

Eugene Code 4.816 Permitted Overnight Sleeping.

COUNCIL OPTIONS

The council can approve or deny establishing another rest stop at the Eugene Mission.

The council will consider options for a rest stop extension on June 22 after a public hearing on that date. No action is required at this time.

CITY MANAGER'S RECOMMENDATION

The City Manager also recommends approval of an additional rest stop for veterans at the Eugene Mission.

SUGGESTED MOTION

Move to approve a rest stop at the Eugene Mission located at 1542 West 1st Avenue in Eugene.

ATTACHMENTS

A. Permitted Overnight Sleeping Ordinance

FOR MORE INFORMATION

Staff Contact: Michael Kinnison, Human Rights and Neighborhood Involvement
Telephone: 541-682-5010
Staff E-Mail: Michael.j.kinnison@ci.eugene.or.us



COUNCIL ORDINANCE NO. 20517

COUNCIL BILL 5098

AN ORDINANCE CONCERNING PERMITTED OVERNIGHT SLEEPING; AMENDING SECTION 4.816 OF THE EUGENE CODE, 1971; AND PROVIDING A SUNSET DATE FOR UNCODIFIED PROVISIONS.

ADOPTED: September 25, 2013

SIGNED: September 25, 2013

PASSED: 6:2

REJECTED:

OPPOSED: Clark, Poling

ABSENT:

EFFECTIVE; September 25, 2013

ORDINANCE NO. 20517

**AN ORDINANCE CONCERNING PERMITTED OVERNIGHT SLEEPING;
AMENDING SECTION 4.816 OF THE EUGENE CODE, 1971; AND
PROVIDING A SUNSET DATE FOR UNCODIFIED PROVISIONS.**

The City Council of the City of Eugene finds as follows:

A. Section 4.816 of the Eugene Code, 1971 (EC) provides for the regulation of overnight sleeping.

B. In order to create additional sleeping options for people who are homeless, Ordinance No. 20484 was adopted temporarily allowing overnight sleeping in a tent where overnight sleeping would be allowed in a vehicle. The sunset date of that provision was extended to December 31, 2014 by Ordinance No. 20501. Ordinance No. 20503 was adopted allowing overnight sleeping in a "Conestoga hut" where overnight sleeping would be allowed in a vehicle. That Ordinance will sunset on October 1, 2013. EC 4.816 should be amended to make those provisions permanent.

C. In addition, a pilot program expanding the permitted overnight sleeping provisions should be established and remain in effect until March 31, 2014, which will allow the City to monitor the program to determine whether it should be made permanent, revised or abandoned.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The findings set forth above are adopted.

Section 2. Subsection (1) of EC 4.816 is amended to provide as follows:

4.816 Permitted Overnight Sleeping.

(1) Notwithstanding any other provision of this code:

- (a) Persons may sleep overnight in a vehicle in a parking lot of a religious institution, place of worship, business or public entity that owns or leases property on which a parking lot and occupied structure are located, with permission of the property owner. The property owner may not grant permission for more than six vehicles used for sleeping at any one time. For purposes of this subsection (1), the term "vehicle" includes a car, tent, camper, trailer, and Conestoga hut.
- (b) Persons may sleep overnight in the back yard of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. Not more than one family may sleep in any back yard, and not more than one tent or camping shelter may be used for sleeping in the back yard. As an alternative, but not in addition to sleeping overnight in the back yard, not more than one family may sleep

in a vehicle, camper or trailer parked in the driveway of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. For purposes of this subsection, "family" means persons related by blood or marriage, or no more than two unrelated adults.

- (c) Persons may sleep overnight in a vehicle, on a paved or graveled surface located on a vacant or unoccupied parcel, with the permission of the property owner, if the owner registers the site with the city or its agent. The city may require the site to be part of a supervised program operated by the city or its agent. The property owner may not grant permission for more than six vehicles used for sleeping at any one time.

Section 3. The following provisions are adopted as a pilot program and shall sunset and be repealed on March 31, 2014, unless extended or made permanent by future Council action:

Permitted Overnight Sleeping Pilot Program.

- (1) Up to 15 persons may sleep overnight in vehicles, as that term is defined in section 4.816(1)(a) of this code on property authorized pursuant to Section 4 of this ordinance.
- (2) No site may be used for overnight sleeping pursuant to subsection (1) of this section unless one or more entities enters into the agreement with the City referenced in Section 4 of this ordinance and one or more entities other than the City provides, at no cost to the City, adequate garbage, toilets and supervision. The entity providing supervision shall work with surrounding and nearby neighbors (businesses or residences) to address any concerns.

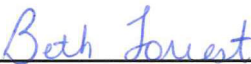
Section 4. The City Manager shall recommend to the City Council one or more proposed sites for the pilot project authorized by Section 3 of this Ordinance. Any such site may not be located in a residential area or close to a school, and must be owned or leased by the City of Eugene, a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial. Before a proposed site may be used, the site must be approved by the City Council by motion and an agreement must be executed between the City and the entity referred to in subsection (2) of Section 3 above. Such an agreement may include but is not limited to provisions concerning (a) supervision, (b) selection of the individuals who may camp at the site, (c) number of continuous days that someone may camp at the site, (d) hours that people may stay at the site in addition to 9:00 p.m. to 7 a.m., (e) structures and

other items that may be placed on the site, and (f) closure of the site for non-compliance with the terms of the agreement.

Section 5. Due to the inclement weather and the need to provide assistance to homeless persons as soon as possible, pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto, this Ordinance shall become effective immediately.

Passed by the City Council this
25th day of September, 2013.

Approved by the Mayor this
25 day of September, 2013.



City Recorder



Mayor

Permitted Overnight Sleeping Pilot Program Update

June 10, 2015

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Item A.



Program Elements

- Established by Council in September 2013
- Provides temporary shelter for 15 – 20 people
- Operated by contract with a designated site manager
- Sunset date of October 1, 2015

Program Regulations

- Supervision by Site Manager
- Weekly trash and portable toilet service
- Maintain site roster
- Rules related to prohibited behaviors, public safety, visitation, personal property and occupation of site.



Camp Operations

- Vetting process
- Camp rules and governance
- Tent Camp Best Practices
- Accessing resources/support
- Proactive Communication



Community & Service

- Clean-up & invasive weed mitigation in City parks
- Builds skills, provides purpose and serves community



Sites Operators



- 2 sites
- Partnership with Lane County
- Opened January 2014
- Temporary winter site
- Focus on members of disabled community
- 27 current residents

Site Operators



- 3 sites
- Open since Dec 2013
- One site focused on veterans
- 40 current residents

Council Options

- Consider establishing another rest stop at the Eugene Mission.
- Consider options for ordinance extension after June 22 Public Hearing.

Questions



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Legalized Marijuana Update

Meeting Date: June 10, 2015
 Department: Central Services
www.eugene-or.gov

Agenda Item Number: B
 Staff Contact: Alana Holmes
 Contact Telephone Number: 541-682-5765

ISSUE STATEMENT

With the passage of Measure 91, recreational use of marijuana becomes legal in Oregon on July 1, 2015. This meeting is to provide the council an update on the impacts of the Measure.

BACKGROUND

Measure 91 tasks the Oregon Liquor Control Commission (OLCC) with the majority of implementation, oversight and rule development related to legalized marijuana. The commission's work is currently underway with draft rule development based on public and governmental input from statewide listening sessions. Public comment on the draft rules will be accepted in early fall 2015, with final rules being implemented in November 2015.

Overlapping this process is the current legislative session which has approximately 20 proposed bills to clarify and further regulate marijuana. Additionally, a bicameral committee has been created to address the complexity of marijuana legalization and regulation. Therefore, it is very possible there will be legislative impacts ahead of the rule-making process.

Staff will monitor legislation to assess potential impacts to City Code that could be considered at a future work session.

COUNCIL OPTIONS

Council is not asked to take any action related to this item.

CITY MANAGER'S RECOMMENDATION

No recommendation.

FOR MORE INFORMATION

Staff Contact: Alana Holmes, Human Resource Director

Item B.

Telephone: 541-682-5765