

COTTAGE GROVE CITY COUNCIL  
WORK SESSION MINUTES  
May 18, 2024

Council President Greg Ervin opened the Work Session at 9:01 am in the Shepherd Room at the Community Center. He provided a brief outline of the Work Session Agenda and in lieu of a traditional roll call, he started the meeting with round table introductions.

**ROLL CALL**

PRESENT: Councilors Alex Dreher, Greg Ervin, Mike Fleck, Dana Merryday, Chalice Savage and Jon Stinnett

PRESENT VIA ZOOM WEBINAR: Mayor Candace Solesbee

COUNCIL ABSENT:

STAFF PRESENT: City Manager Mike Sauerwein, Assistant City Manager Jake Boone, City Recorder Mindy Roberts, Public Works and Development Director Faye Stewart, Police Chief Cory Chase and Community Coordinator Teresa Cowan

STAFF PRESENT ZOOM WEBINAR: Finance Director Roberta Likens

CITY ATTORNEY: Carrie Connelly

MEDIA PRESENT:

GUESTS PRESENT: Jack Boisen - St. Vincent de Paul Director of Operations, Arturo Zamudio - St Vincent de Paul Director of Homeless & Shelter Services

Council President Ervin reminded those in attendance that the format of the meeting was a work session and the Agenda was not structured to take public comment. He added that public input was welcomed but not during the time that items on the Agenda were being discussed.

City Manager Mike Sauerwein thanked those in attendance for dedicating time out of their weekend to be at the work session. He stated that Council would not be taking any action at this meeting and discussions would likely be continued at the May 28, 2024 regular City Council meeting.

City Manager Mike Sauerwein presented information regarding the history and costs associated with shelter operations in Cottage Grove, *attached as Exhibit A*.

Council identified additional expenses associated with the homeless shelter sites and asked that they be tracked and represented in the reported costs.

City Manager announced that comment cards were available for those in attendance to provide feedback and ideas to Council.

Jack Boisen and Arturo Zamudio presented an overview of homeless services and types of shelter operations that St. Vincent de Paul provides, *attached as Exhibit B*.

Council President Ervin shared his idea on how best to facilitate the council discussion. He shared that Council is responsible for facilitating public benefit with discretion over financial resources, land assets owned by the City, and by directing what gets done by people that are employed by the city. He added that Council is representing different facets and understandings, but said there is a huge overlap with things that there is agreement on. He encouraged each member of Council to take turns sharing what they want to gain and extract from the work session.

Councilor Dreher said that she is interested in discussing where the City has been and how to move forward within the constraints and limited resources. She added that the work session discussions were about the City's most vulnerable residents who have been traumatized, to find ways to lift them up and help them be in a better space.

Councilor Stinnett said the City had been facing changing laws that determined how to manage the City's public lands. He said the issue was multi-faceted, people have varying perspective on what they think a society should provide and how others should be helped. He added that his hope was to reach common ground and to help foster a healthy community.

Councilor Savage acknowledged alignment in moving forward, said there were different paths to get there and that finding common ground would offer the most success. She requested reporting that would distinguish between ARPA funds spent versus City funds and shared experiences from a tour of the St. Vincent de Paul site located at 310 Garfield.

Mayor Solesbee said her viewpoint was not the same as some Council members. She said accountability and having metrics that indicate people are working towards improving themselves was important. She said homeless issues are not solely a result of increased housing prices and that drug use, mental health issues and life choices play a role. She spoke in support of individuals being required to participate in chores and said doing so could help provide a sense of pride and community. She expressed concern about expenses involved in setting up and operating sites such as St. Vincent de Paul's.

Councilor Merryday said that being unhoused was a societal problem. He said the cost of housing and lack of housing was a factor and that wages have not kept up with the costs of living. He said we need to come together and figure out how to provide our fair share for members of our community with the limited amount of funds available.

Councilor Fleck said that after the Martin versus Boise case, Council attempted to find a solution that would meet the need of all residents. He said it was the best solution at the time in order to provide a place for people who did not have a place to stay, while keeping the City parks open and safe for all to use. He expressed concerns about how the City could afford a managed site, such as St. Vincent de Paul's. He acknowledged an increasing number of people not being able to afford housing and lack of funding to assist them. He said the unmanaged camps are in a state of squalor, something needs to change and he is willing to find a solution that meets all of the citizen's needs.

Council President Ervin asked St. Vincent de Paul representatives to start thinking about what a realistic ask would be for them to come into our community and to categorize the thoughts as they relate to land, city human resources and financial.

Council President Ervin recessed the Work Session for a 15 minute break.

Council President Ervin reconvened the Work Session at 10:30 am.

City Attorney Carrie Connelly presented an overview of regulations under Federal Court and State Law, how the regulations impact cities and steps the City of Cottage Grove took as the law evolved, *attached as Exhibit C*.

Discussion was held about increased homelessness, what constitutes a legal alternative shelter, front door assessments and grading, vehicle camping, homeless statistics, what constitutes an established camp and current court cases.

Mayor Solesbee said Cottage Grove was one of the first cities to react before court decisions had progressed and the sense of urgency put the City in a bind. She added that we should move forward cautiously knowing that there could be legislative push back from smaller cities who lack the resources to combat homelessness.

Council President Ervin asked St Vincent de Paul to share information regarding the financial impacts of running the shelter; including financial, city staff time and space.

Jack Boisen said that St. Vincent de Paul does not expect communities to fund the bill for shelter operations. He said St. Vincent de Paul researches funding sources and applies for grants and added that they will not run a program that they are not willing to find the funding for.

Art Zamurdio explained how St. Vincent de Paul makes connections with community partners in order to help the unhoused get support and direction for needed services.

Jack Boisen explained in response to a Council question that St. Vincent de Paul does have the capacity to expand services in other communities and said it is an additional strength that they have the retail store and affordable housing in Cottage Grove and housing at the Saginaw site.

Art Zamurdio explained in response to a Council question how St. Vincent de Paul works to remedy situations that occur if vehicles leave oil spots and individuals need support connecting with providers that can assist with getting vehicle registrations tags, insurance and mechanics.

Art Zamurdio and Jack Boisen explained in response to a Council question how St. Vincent de Paul is able to hold people accountable, the benefit of having multiple shelter sites and the high standard of staff training.

Council members shared concerns, labeled as “pain points”, regarding the homelessness situation. The pain points were listed on a whiteboard for all in attendance to view, *attached as Exhibit E*.

Council President Ervin recessed the Work Session for a one hour lunch break.

The Work Session reconvened at 1:00 pm

Council President Ervin read aloud comments provided by members of the public in attendance, *attached as Exhibit F*.

City Manager Mike Sauerwein shared next steps regarding the Hwy 99 managed shelter operations and possible options for the 12<sup>th</sup> Street and Douglas unmanaged sites, *attached as Exhibit D*.

Public Works and Development Director Faye Stewart shared a map of the proposed site and how it could potentially be utilized.

Open discussion was held about the size of the proposed site, the number of individuals that could be housed at the size, odors in the area of site, access to stores, pedestrian traffic and the number of homeless currently staying at the Douglas and 12<sup>th</sup> Street sites.

Kate Budd, Housing Manager with the Lane County Human Services Division shared information about State funding, how it would be prioritized and the likelihood of Cottage Grove receiving funding to help address homelessness.

Jake Boisen explained in response to a Council question, that minors are not co-mingled with unhoused singles. He explained that St. Vincent de Paul has a family service station and a family shelter. He added that unaccompanied minors are assisted by staff and assigned case managers to be redirected them to organizations such as Looking Glass where they are provided assistance.

City Attorney Carrie Connelly clarified in response to a Council question that you are allowed to connect people with services in other areas if they are willing to go.

Art Zamurdio stated that St. Vincent de Paul frequently provides statistical reporting and can accommodate requested site visits as a part of all contracts.



Jack Boisen and Art Zamurdio shared information about a noted decline in Oregon's homeless population from 2022-23 to 2023-24, the Public Safety Deflection Program, how St. Vincent de Paul works with local law enforcement and how the homeless population within the shelter sites work together to hold each other accountable.

City Manager Mike Sauerwein explained that the contract with Carry it Forward for Hwy 99 shelter operations and funding for the shelter operation ends June 30, 2024. He said City Staff is working with Carry it Forward to transition the remaining 17 residents to new locations. He added that no City funds have been budgeted for shelter operations and reopening the shelter could be considered, if sustainable long term funding options are identified.

Council President Greg Ervin open the Work Session up for additional questions and discussion.

Council discussion and questions included:

- Utilizing the Hwy 99 site as low cost housing, managed by a real estate management firm.
- The desired number, design and quality of shelter sites that St. Vincent de Paul would prefer in order to successfully serve the homeless population.
- The number of people who utilized the City's overnight private property camping permit program.
- Requests for updated costs associated with homeless operations including, the purchase of the Hwy 99 site, the remodel of the Hwy 99 site, electrical and gravel work, fencing, garbage removal and staff time.

Council and Staff thanked guests, Staff and audience members for attending and participating in the Work Session.

Council President Greg Ervin adjourned the Work Session at 2:40 pm

---

Mindy Roberts, City Recorder

---

Candace Solesbee, Mayor



EXHIBIT A

# Cottage Grove City Council Worksession

Saturday, May 18, 2024

Cottage Grove Community Center

# Overview

- ▶ Introductions
- ▶ Review Agenda
- ▶ Worksession Process
  - ▶ City Council Will Not Take Final Action
  - ▶ Discussion will continue at the Tuesday, May 28, 2024 Regular City Council Meeting.

# History and Hard Costs for Shelter Operations in Cottage Grove

## Douglas Street Site

- ▶ 2021-2022
  - ▶ Purchase and Site Clean Up - \$297,839. (Property originally planned for low income housing)
- ▶ 2022-2023
  - ▶ Water - \$822.07
  - ▶ Restroom - \$5,689.50
- ▶ 2023-2024 Year to Date
  - ▶ Water - \$838.54
  - ▶ Restroom - \$6,986.34



# History and Hard Costs for Shelter Operations in Cottage Grove, Continued

## 12th Street Site

- ▶ 2022-2023
  - ▶ Water - \$455.87
  - ▶ Restroom - \$3,643.01
  - ▶ Electricity - \$6,239.38 (October 2022 - June 2023)
- ▶ 2023-2024 Year to Date
  - ▶ Water - \$899.01
  - ▶ Restroom - \$8,342.18
  - ▶ Electricity - \$9,847.97 (July 2023 - March 2024)

# History and Hard Costs for Shelter Operations in Cottage Grove, Continued

## Highway 99 Site

- ▶ 2022-2023
  - ▶ Consultant Fee - \$200,000 Annually
  - ▶ Water/Sewer - \$643.65
  - ▶ Restroom - \$1,376.78
  - ▶ Electricity - \$ 8,993.61 (October 2022 - June 2023)
  - ▶ Phone/Internet, Including Installation \$6,020.66 (October 2022 - June 2023)

# History and Hard Costs for Shelter Operations in Cottage Grove, Continued

## Highway 99 Site, Continued

- ▶ 2023-2024 (Year to Date)
  - ▶ Consultant Fee - \$200,000 Annually
  - ▶ Water/Sewer - \$811.06
  - ▶ Restroom - \$5,193.80
  - ▶ Electricity - \$ 6,609.60(July 2023 - May 2024)
  - ▶ Phone/Internet - \$3,832.34

# History and Hard Costs for Shelter Operations in Cottage Grove, Continued

## Going Forward

City Staff is developing a plan to accurately capture both hard and soft costs associated with Shelter Operations. The plan will be implemented as part of the 2024-2025 Fiscal Year Budget.



# Questions???





EXHIBIT B

# COTTAGE GROVE PRESENTATION

# PROGRAM OVERVIEW



## EUGENE SERVICE STATION (ESS)

- ESS is the cornerstone of homeless services in Eugene.
- Hundreds of meals and showers, dozens of loads of laundry every day.
  - 2 meals a day, 3 for D2D clients.
- Considered the meeting place for service providers across the community.
- Over 95% of unhoused individuals in Eugene stop by ESS.
- Also provide a mailing address for unhoused individuals.



## DUSK TO DAWN

- Lowest-Barrier staffed shelter in the county. Only require check-ins at ESS.
- Currently 125 individuals a night, pre-COVID was 250.
  - Communal shelters, 8 individuals per tent.
- Phoenix house and meeting building also on site.
- Hours shift has impacted the program, requires Service Station.
- Very valuable shelter for city, Cahoots, Police, etc.
  - Cahoots emergency drop off pallet shelters.





## SAFE SLEEP 410 GARFIELD

- The first of the Safe Sleep Sites, 410 Garfield consists of 86 camp spaces set up inside a hangar, with an additional 8 pet units.
  - The hangar has cooling fans, and is heated. Also onsite is clean water, restrooms, garbage service and shower trailers.
  - Indoor gathering area offers comfortable seating, TV, dining room space and reading areas.
- Each camp space is provided with a 8' x 8' canopy tent, mat, sleeping pad and bag, an electric heater, chair and side table. As well as a mini fridge for medication if needed.
- Higher barrier than Dusk to Dawn.
- High rate of success: employment, exits to housing.





## SAFE SLEEP 310 GARFIELD

- The second of the Safe Sleep Sites, 310 Garfield offers 55 spaces for people living out of their vehicles.
- Fenced site, monitored by 24/7 staff.
- 2 warmed, common spaces provided, one has kitchen facilities, and the other is a living room type space.
- Unique program rules-wise.
  - Clients have done a great job being flexible.
- Great community.
- Our easiest to run program.



## PROGRAM NUMBERS

Here is an example of numbers we collect monthly through HMIS:

- Service Station Numbers:
  - April total served: 2,682
  - March total served: 2,548
  - February total served: 2,390
- Feb-April:
  - Meals Served: 37,536
  - Showers provided: 8,698
  - Loads of Laundry: 5,061
- Dusk to Dawn Numbers:
  - April total served: 187
    - Exited to housing: 6
    - May exits to housing: 10
  - March total served: 177
    - Exited to housing: 3
  - February total served: 206
    - Exited to housing: 3
- Feb-April demographics:
  - Age:
    - 18-34: 13%
    - 35-54: 46%
    - 55+: 41%
  - Chronic Health conditions: 49%
  - Developmental/Physical disability: 72%
- 410 Garfield Numbers:
  - April total served: 96
    - Exited to housing: 4
  - March total served: 101
    - Exited to housing: 3
  - February total served: 95
    - Exited to housing: 3
- Feb-April demographics:
  - Age:
    - 18-34: 23%
    - 35-54: 40%
    - 55+: 37%
  - Chronic Health conditions: 45%
  - Developmental/Physical disability: 73%

# INFORMATION

## “LOW BARRIER”

- “Low Barrier” is a simple idea, but difficult to safely and effectively pull off.
  - Barriers refer to the amount of obstacles between a client and the shelter.
  - Low Barrier national definition:
    1. Same day and easy access to shelter.
    2. No sobriety, income, or case management requirements.
    3. No chores required of individuals staying in the shelter.
    4. No criminal background checks.
    5. No ID required.
    6. Secure space for personal belongings provided.
    7. No religious requirements.
    8. Pets allowed onsite.
    9. Staff available onsite whenever shelter is open.
- The thing that limits us (except for Dusk to Dawn) is the same day access to shelter.

## POPULATION AND INFORMATION

- HMIS (Homeless Management Information System), an excellent county-wide system.
- The homeless population we serve changes year to year.
  - Fastest rising demographic is elderly individuals. Specifically elderly women.
  - Currently 35% of our clients across programs are in the 55+ category, vs 29% last year and 25% year before.
  - High percentage of individuals are employed full time. Since September, 410 has fallen below 48%.
- Information is key.
  - Allows us to prepare and plan what is needed.
  - Allows us to work with the city or county on what specific supports are needed.
  - Also, serves the greater good as it helps individuals get logged into the system, get connected to shelters and case management. Greatly helps that process of getting people healthy and housed.
- Case Management
  - A comprehensive and strategic form of service provision whereby a case worker assesses the needs of the client (and potentially their family) and, where appropriate, arranges, coordinates and advocates for delivery and access to a range of programs and services designed to meet the individual's needs.
  - Our goal is care coordination, connecting with providers to give services in their fields instead of the shelter doing it all.



# STRUCTURE

A few quick basics on how we universally run programs:

1. Our shelter programs must be self sustaining.
  - Meaning we want each program to have a 24 hour plan.
  - We also want to be sure that basic needs are met (shower, food, laundry) at every program we run.
  - This is to not burden a community we run a shelter in.
2. Staff presence every hour the shelter is operational.
  - Ensures safety and accountability.
  - This can range from 2 staff a shift to more, whatever is needed shelter to shelter.
3. Shelters follow the Housing First model.
  - This means that steps in the shelter are each geared towards moving the individual onto long term housing.
  - We recognize it also isn't a simple process.
4. Rules.
  - We operate our shelters with transparent, client reviewed and signed rules.
  - Kindness and continued service is the goal, rules create structure for success.

## STAFF TRAININGS

- Standard First Aid and CPR
- Harm Reduction
- Working with People with Mental Health Issues/Addictions/Concurrent Disorders
- Motivational Interviewing
- Trauma Informed Care/Service Provision
- Working with Victims of Violence
- Self-Care for People in Helping Professions/Stress Management
- Case Management (and specific training on any case management software or tools)
- Training on any theories or approaches used by the agency
- Communication and Active Listening
- Conflict Resolution
- LGBTQ and Gender Non-Conformity
- Crisis Response and Management
- Non-Violent Crisis Intervention
- Understanding and Managing Aggressive Behaviour
- Anti-Racism/Anti-Oppression
- Measuring Success/Evaluation Strategies
- Sex Workers and Victims of Human Trafficking
- Professional Boundaries

## TRAUMA INFORMED CARE

- Many individuals seeking homeless services are trauma survivors.
  - Traumas include many things, but homelessness itself is a traumatic experience and being homeless often increases the risk of further victimization and retraumatization.
- The goal of trauma-informed care is to avoid retraumatization and exacerbation of trauma symptoms. Becoming trauma-informed means implementing and adopting a holistic view of care and recognizing the connections between housing, employment, mental and physical health, substance abuse, and trauma history. Trauma-informed services “create an environment that acknowledges the impact of trauma and tries to create a sense of safety.”
- The core principles of a trauma-informed culture include safety, trustworthiness, choice collaboration, and empowerment:
  - **Safety** – ensuring physical and emotional safety
  - **Trustworthiness** – maximizing trustworthiness, making tasks clear, maintaining appropriate boundaries.
  - **Choice** – prioritizing consumer choice and control over recovery.
  - **Collaboration** – maximizing collaboration and sharing power with consumers
  - **Empowerment** – identifying what patients are able to do for themselves; prioritizing building skills that promote recovery; helping consumer find inner strengths needed to heal.

## OTHER IMPORTANT NOTES

- Extreme Weather:
  - We make sure that our shelters and programs are able to hold up against as much extreme weather as possible.
  - We run the Egan Warming Centers, and use our shelters as a hub for supplies and resources for those.
- Community Safety:
  - We recognize difficulties that come up when shelters and services operate.
  - We aren't afraid to address those, it is a priority for us that we make sure a place does not get worse due to us operating there.
  - Solutions we have found are highlighted on the previous slide.
- We recognize strengths and weaknesses of our programs. No perfect program has been created. And are always working to do better.
- Also, we all wanted to say it's been a joy to learn about the incredible work you all are doing for the unhoused here. Your community has done and is doing an incredible amount for those in need, we haven't seen anything like this before. Genuinely has inspired us all.



# Laws Relating to Persons Experiencing Homelessness

---

MAY, 2024

Homelessness is . . .

---

“Lacking regular access to safe, adequate, stable housing”

Portland State University (PSU) – Homelessness Research & Action Collaborative



# Homelessness is . . .

---

A person reports sleeping in:

- An emergency shelter,
- A legal alternative shelter such as a camping program or Conestoga Hut.
- Or on the streets, in a vehicle, or other place not meant for human habitation.

Does not include people who are in transitional housing projects or doubled up ("couch surfing," staying with friends or family).

Definition used by Lane County Human Services Division

## The leading causes of homelessness are:

---

Insufficient income / Poverty

Lack of affordable housing

Mental illness

Substance abuse

Foreclosures

Domestic violence

[National Center on Homelessness and Poverty](#)



# Lane County homelessness data (April 2023)

---

4,748 persons (90-day active)

6,874 persons (Year-to-date active)

63% male; 35% female

61% between ages of 25 – 55

75% in Eugene

247 in Florence (5.2%)

Lane County Human Services Division

# COURT CASES AND RECENT LEGISLATION

---

*Martin v. Boise* (9th Cir. 2019):

“ . . . an ordinance violates the Eighth Amendment insofar as it imposes criminal sanctions against homeless individuals for sleeping outdoors, on public property, when no alternative shelter is available to them.”



## *Martin v. Boise*

---

### FN 8: Requires an individualized analysis

Naturally, our holding does not cover individuals who do have access to adequate temporary shelter, whether because they have the means to pay for it or because it is realistically available to them for free, but who choose not to use it. Nor do we suggest that a jurisdiction with insufficient shelter can never criminalize the act of sleeping outside. **Even where shelter is unavailable, an ordinance prohibiting sitting, lying, or sleeping outside at particular times or in particular locations might well be constitutionally permissible. So, too, might an ordinance barring the obstruction of public rights of way or the erection of certain structures.** Whether some other ordinance is consistent with the Eighth Amendment will depend, as here, on whether it punishes a person for lacking the means to live out the “universal and unavoidable consequences of being human” in the way the ordinance prescribes.



## *Martin v. Boise*

---

### **Clear direction from *Martin*:**

1. Cities cannot punish a person who is experiencing homelessness for sitting, sleeping, or lying on public property when that person has no place else to go;
2. Cities are not required to build or provide shelters for persons experiencing homelessness;
3. Cities can continue to impose the traditional sit, sleep, and lie prohibitions and regulations on persons who do have access to shelter; and
4. Cities are allowed to build or provide shelters for persons experiencing homelessness.

### **But:**

What specific time, place and manner restrictions can cities impose to regulate when, where, and how a person can sleep, lie or sit on a public property?



# *Johnson v. City of Grants Pass (2022)*

---

## **Applies *Martin*:**

1. Persons experiencing homelessness are entitled to take necessary minimal measures to keep themselves warm and dry while sleeping outside.
  - The opinion does not provide clarification on what constitutes “necessary minimal measures” to keep warm or dry and what “rudimentary protections from elements” means.
2. Cities violate the Eighth Amendment if they punish a person for the mere act of sleeping outside or in their vehicles at night when there is no other place in the city for them to go.
3. Whether a city’s prohibition is a civil or criminal violation is irrelevant.

## *Johnson v. City of Grants Pass (2022)*

---

A person does not have access to shelter if:

- They cannot access the shelter because of their gender, age, disability or familial status;
- Accessing the shelter requires a person to submit themselves to religious teaching or doctrine for which they themselves do not believe;
- They cannot access the shelter because the shelter has a durational limitation that has been met or exceeded; or
- Accessing the shelter is prohibited because the person seeking access is under the influence of some substance (for example alcohol or drugs) or because of their past or criminal behavior.



# 2021 Legislation: HB 3115/ORS 195.530

(Effective July 1, 2023)

1. Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.

***In other words, the City may regulate unhoused camping on public property in a reasonable manner, but may not prohibit camping everywhere.***

2. Reasonableness shall be determined based on the totality of the circumstances, including, but not limited to, the impact of the law from the perspective of a person experiencing homelessness.

3. A person experiencing homelessness may bring suit for injunctive or declaratory relief to challenge the objective reasonableness of a city or county law.

4. The court, in its discretion, may award reasonable attorney fees to a prevailing plaintiff *if* 90-day written notice is provided.



## Objectively reasonable time, place and manner regulations with regards to persons experiencing homelessness

---

- Prohibitions on blocking sidewalks/rights of way
- Prohibiting safety risks (including regulating fires/flame)
- Overnight limits in some, but not all, City parks
- Enforcing reasonable parking limits, with notice
- Alternative shelter sites improve the totality of the circumstances, as applied persons experiencing homelessness.
  - “Where a city has participated in making multiple shelters available, it reflects a commitment to assisting their unhoused neighbors, and it lends itself to the reasonability of whatever restrictions are in place.” *Bilodeau v. City of Medford*, 01/16/2024



## What Cities **Must Not** Do

---

- 1. Punish an unhoused person for sitting, sleeping, or lying on public property when that person has no place else to go within the city's jurisdiction.
- 2. Prohibit persons experiencing homelessness from taking "rudimentary precautions" or necessary "minimal measures" to keep themselves warm and dry from the elements when they must sleep outside.
  - "Minimal measures" include "articles necessary to facilitate sleep" and "car camping."



## What Cities **May** Do

---

1. Impose reasonable time, place and manner restrictions on where persons, including those persons experiencing homelessness, may sit, sleep, or lie.
2. Prohibit persons, including those persons experiencing homelessness, from blocking rights of way.
3. Prohibit persons, including those persons experiencing homelessness, from erecting either temporary or permanent structures on public property.
4. When clearing an “established camp,” discard unsanitary items or those with no apparent value or utility, and allow law enforcement officials to retain weapons, drugs, and stolen property. (Established=?; Eugene > 24 hrs, lost MtD)
5. Create managed camps where persons experiencing homelessness can find safe shelter and access to needed resources.



# State Created Danger - Elements

---

1. The City's own actions created or exposed a person to an actual, particularized danger that the person would not have otherwise faced.
2. The danger must be known or obvious.
3. The City acted with deliberate indifference to the danger.
  - Deliberate indifference requires proof of three elements:
  - An objectively substantial risk of harm;
  - City "subjectively aware of facts from which an inference could be drawn that a substantial risk of serious harm existed"; and
  - City "either actually drew that inference or a reasonable official would have been compelled to draw that inference."

*LA Alliance for Human Rights v. City of Los Angeles*, 2021 WL 1546235.



## Cottage Grove Camping Legislation (2022)

---

**CGMC Chapter 8.40, Overnight Camping Program.** Implements ORS 195.520 to allow any public or private property owners to offer overnight camping on their property to homeless individuals or families living in vehicles.

**CGMC Chapter 10.30.020** Authorizes camping in a legally parked, operational vehicle, further than 200 feet from school, daycare or playground, so long as personal property remains within vehicle.

**CGMC Chapter 12.24, Public Places.** Expanded definition of “park”; defined “camp”; prohibits camping when parks closed, *unless* permitted for unhoused individuals, pursuant management plan adopted by Council resolution. Updated park exclusion process. 12.24.010, 12.24.020.I, 12.24.040

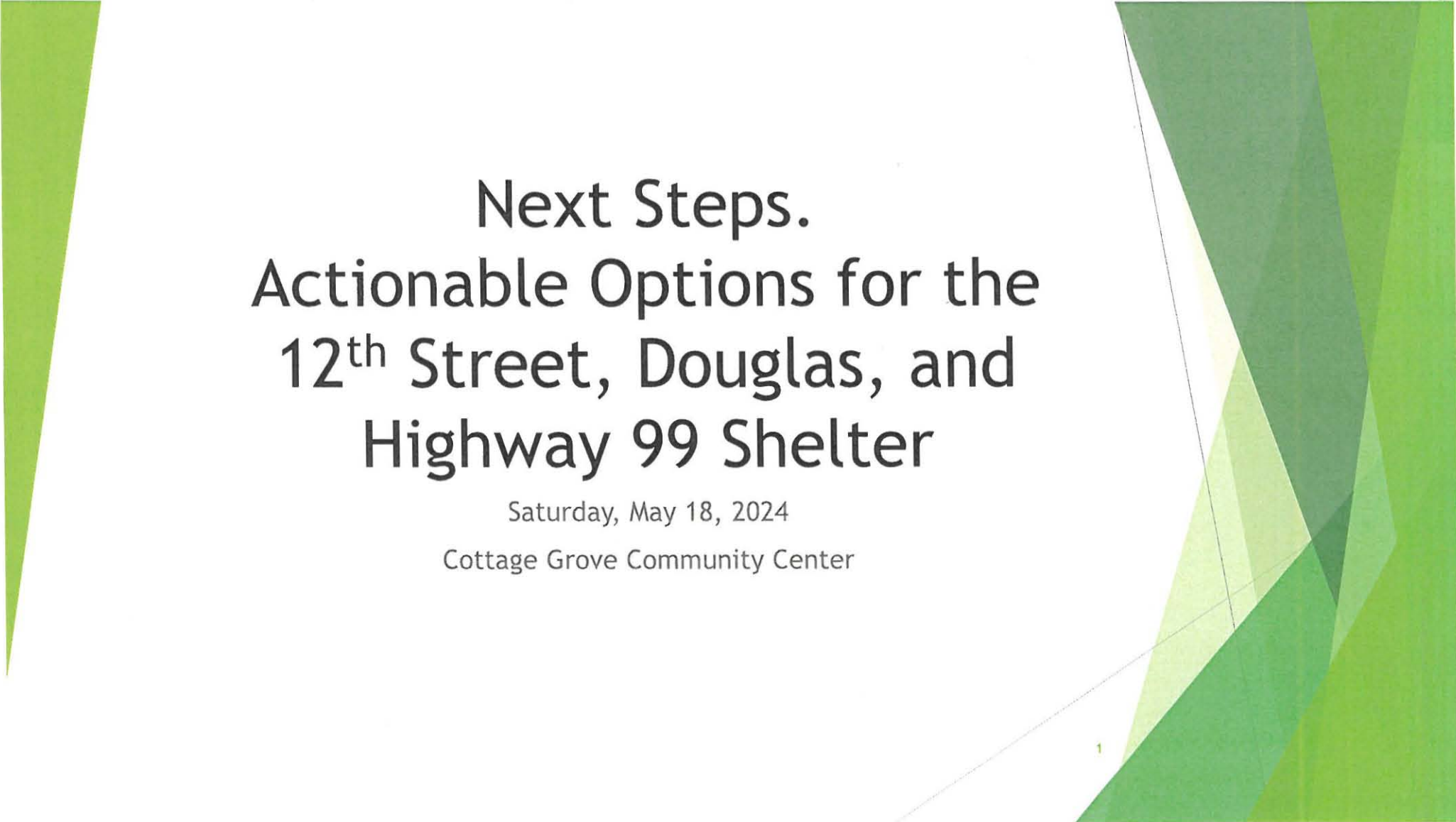
**Resolution 2086, Exhibit A, Public Land Management Plan** prioritizes public lands for camping use, as needed.



## Policy Choices for Council

---

- No further Code changes are legally required
- Multiple Optional Policy Choices (Examples):
  - Modify priority of public lands listed in Management Plan
  - Add reasonable camping regulations for properties opened for camping (i.e., How often to require camp clean up? \*\*72-hr notice required for “established camps”)
  - Invest in facilities / accommodations (restrooms, cleaning stations, shelters, etc.)
  - How often to patrol for compliance with regulations



# Next Steps. Actionable Options for the 12<sup>th</sup> Street, Douglas, and Highway 99 Shelter

Saturday, May 18, 2024

Cottage Grove Community Center

# Options for 12<sup>th</sup> Street and Douglas Street Shelters

City Staff's approach to developing suggested options:

- ▶ Recognize that our current approach is not efficiently leading to the desired outcomes.
- ▶ Stable and sustainable long term funding is a very high priority.
- ▶ Think of suggested options as a continuum. Over time, ideas and options can continue to evolve.
- ▶ There are no bad ideas. Suggested options should not be rejected out of hand.
- ▶ There may be multiple paths forward, rather than a single best idea.



# Options for 12<sup>th</sup> Street and Douglas Street Shelters

1. Work with St Vincent de Paul to obtain stable and sustainable long term funding for any options considered.
2. Work with St Vincent de Paul to develop an improved Service Model for the two shelters. This could be an interim option that is combined with a long term strategy.
3. Construct a new shelter at the Cottage Grove Water Reclamation Facility between the large effluent pond and the ODOT Connector.
  1. Site could accommodate all the unhoused currently in the two shelters (about 60 people).
  2. Consider closing the two shelters and re-purposing the properties.

The information on this map was derived from the following sources: Aerial photography, topographic maps, and other data provided by the Oregon Department of Transportation, Oregon State Department of Transportation, and other agencies. The information on this map is not intended to be used for any purpose other than that for which it was prepared. The Oregon Department of Transportation, Oregon State Department of Transportation, and other agencies are not responsible for any errors or omissions on this map. The information on this map is not intended to be used for any purpose other than that for which it was prepared.



**Cottage Grove Web Map**  
Lane County, Oregon



# Options for 12<sup>th</sup> Street and Douglas Street Shelters, Continued

- ▶ Faye Stewart, our Public Works Director, will walk you through the Connector Shelter Proposal.
- ▶ Input from other City staff and St. Vincent de Paul.



# Highway 99 Shelter

- ▶ The Contract for Shelter Operations with Carry it Forward and funding for Shelter Operations ends June 30, 2024.
- ▶ The process for accessing funds provided in the last Legislative Session has not been finalized by the State of Oregon.
- ▶ No City funds have been budgeted for Shelter Operations.
- ▶ City Staff plans to “mothball” and secure the Highway 99 Shelter.
- ▶ Reopening the shelter could be considered, if stable and sustainable long term funding options are identified.
- ▶ Currently 17 people live at the Shelter. City Staff is working with Carry it Forward to transition the residents to new locations.

## EXHIBIT E

### May 18, 2014 Homelessness Work Session – Council Whiteboard Pain Points

- Efficiencies of impact on City Services.
- Site Location- Community/Neighborhood impact.
- Process to addresses that can be used to establish bank account.
- Live availability of sleeping site capacity.
- Impact on EMS, Law Enforcement, Property Values, Community Services.
- Longevity of service provider.
- Reliable data and transparency in financial costs.
- Impact on businesses/neighbors.
- Site rules.
- Vehicle/Waste issues/sanitation.
- Trespassing/addressing bad behaviors.
- Minors.
- Financial limitations/What should the City be doing with its money?
- Supportive services, build capacity.
- Unmanaged camps.
- Car camping.
- Funding.
- Current Clean up and Enforcement.
- Growing the population.
- Keeping belongings secure.
- Availability of obtainable housing.
- Difficulty of accountability to aging or otherwise affected problems.

## EXHIBIT F

### May 18, 2024 Homelessness Work Session - Public Comment Cards

- Great meeting thanks. I worry that Police funding in the proposed budget is reducing officers as unhoused needs are supported through grants etc. Channeling funds to the police will provide more balance.
- Thank you for your compassion and pragmatism in dealing with this huge societal problem with limited resources. 1) St Vinnie's Mgmt contract to facilitate 2 current camps to connector site as low barrier. 2) Maintain Hwy 99 site for transition to housing. 3) Explore Pac Tek Bldg. as our "airplane hangar" option. 4) Donate Douglas site to SVDP for more low income housing like Corey Commons.
- Can St Viny's run 2 diff programs at same site?
- Make North Regional a car camping site dusk to dawn (can leave vehicle there)
- It sounds like there is a possibility of St. Vincent de Paul's helping make the connector site into a low barrier shelter and the 99 site into a slightly higher barrier site. It may be nice to also have a vehicle shelter site (similar to 310 Garfield in Eugene). Would the 12<sup>th</sup> street site be an appropriate location to transition to a vehicle shelter?
- Someone asked me if St Vin comes here and managing all the people in the 12<sup>th</sup> st plus N. Douglas, would they bring people down from Eugene as well?
- Garbage costs of sites, Police/Fire Dept. costs of sites, health/sanitary inspection costs of sites.
- 1. Allow St. Vincent to use the entire 12<sup>th</sup> st property with pallet shelters, portable building, and car camping. They pay for all utilities. 2. Give them the Douglas site to build low income apartments. 3. Close 99 site and sell it.
- Police department represented. Where is EMS- F&LS representation? Full cost of impact to city?
- What is the definition of community? What are its boundaries? Are programs and services able to be provided outside the urban center, city limits? So. Lane vs. city. Are people allowed to come and go during the 5 pm – 8 am hours of the dusk to dawn program sites? (Community supported shelters Roosevelt site). How do we avoid the five steps to dependency? (Appreciation-Anticipation-Expectation-Entitlement-Dependency)