



PUBLIC WORKS ADVISORY BOARD Agenda

520 E. Cascade Avenue - PO Box 39 - Sisters, Or 97759 | ph.: (541) 549-6022 | www.ci.sisters.or.us

Tuesday, April 11, 2023 – 4:00 P.M.

The Public Works Advisory Board is accessible to the public in person in the City Council Chambers at 520 E. Cascade Avenue, Sisters, OR 97759 and via the following Zoom link:

<https://us06web.zoom.us/j/89486507758?pwd=emdMdUNzUFNwL3FYUGJhc2NESHo5UT09>

Passcode: 652228

- 1. CALL TO ORDER & ROLL CALL**
- 2. APPROVAL OF MINUTES**
 - a. March 14, 2022 – Regular Meeting
- 3. VISITOR COMMUNICATION** – If speaking in-person, please use the Visitor Communication Sign-In form at the meeting. Written communication can be submitted for the record to jdumanch@ci.sisters.or.us. Requests to speak during visitor communication must be received by 1:00 PM on the day of the meeting.
- 4. BOARD BUSINESS**
 - a. Review a Draft Ordinance to Establish Camping Regulations
 - b. 2023 Street Maintenance update
- 5. OTHER BUSINESS** – Miscellaneous issues or for the Board’s information.
- 6. BOARD MEMBER COMMENTS**
- 7. ADJOURN**

NOTE: A “substantial issue” not listed on a published agenda cannot be considered.

This agenda is also available via the Internet at www.ci.sisters.or.us. The meeting location is accessible to persons with disabilities. Requests for an interpreter for the hearing impaired or for other disability accommodations should be made at least 48 hours before the meeting by contacting Kerry Prosser, City Recorder at kprosser@ci.sisters.or.us Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the above referenced meeting; however, the agenda does not limit the ability of the Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice.

Public Works Advisory Board (PWAB)

Regular Meeting Minutes

Tuesday, March 14, 2022

DRAFT

Board Members Present:

Dave Moyer, Chair

Bill Kelly

Rachel Ruppel

Dane Zehrung

Absent:

John Herman

City Council Representative Present:

Andrea Blum

Staff:

Paul Bertagna, Public Works Director

Jackson Dumanch, Public Works Project Coordinator

Guests:

Matt Kittelson, Kittelson & Associates

Scott Beard, Kittelson & Associates

Tony Roos, Kittelson & Associates

1. CALL TO ORDER & ROLL CALL

Chair Moyer called to order the Public Works Advisory Board meeting at 4:03 PM and staff confirmed a quorum was present.

2. NEW BOARD MEMBER INTRODUCTION

Chair Moyer asked Board Members Zehrung and Ruppel to introduce themselves after which the other members of the Board as well as staff present introduced themselves.

3. DETERMINATION OF CHAIR AND VICE CHAIR

Chair Moyer called for nominations for a Board Chair. Board Member Kelly nominated Board Member Moyer; Board Member Zehrung seconded. Motion passed unanimously, 4-0.

Chair Moyer called for nominations for a Board Vice Chair. Chair Moyer nominated Board Member Kelly; Board Member Ruppel Seconded. Motion passed unanimously, 4-0.

4. APPROVAL OF MINUTES – December 13, 2022

Chair Moyer directed the board to the December meeting minutes and asked if there was a motion to approve. Board Member Kelly made motion to adopt the minutes as is; Board Member Ruppel seconded. Motion passed unanimously, 4-0.

5. VISITOR COMMUNICATION

Staff noted there was no visitor communication.

6. BOARD BUSINESS

a. Sisters East Portal Transportation Hub Master Plan (Kittelton & Associates)

Matt Kittelson (Kittelton & Associates) introduced themselves and presented the final report for the Sisters East Portal Transportation Hub Master Plan. After the presentation, Chair Moyer asked for comments from the Board. Board Member Ruppel pointed out a mistake in the cost estimate relating to the bus shelter. Kittelson said that it will be corrected. Board Member Kelly asked if there was a secondary shelter. Kittelson stated that there was only one bus shelter. Kelly asked if the additional parking on Cascade Ave could be moved to phase 1 to provide parking for bikers. Kittelson mentioned that the parking could be constructed at any time. Bertagna said that those individuals could use the initial parking lot noted in phase 1 and that aspects of other phases can be constructed as need arises. Ruppel asked about parking stall depth and if the stalls could be made deeper to accommodate longer vehicles. Bertagna stated that it was possible. Ruppel asked about the covered stalls. Bertagna stated that the covers are intended to solar panel placement. Ruppel inquired about snow removal around the covered stalls. Bertagna was not concerned about berms created around the stalls from snow plowing and noted that the electric vehicle (EV) charging equipment would be better protected from the elements with the covers. Kittelson noted that Sisters is in a good location for EV charging as Hwy 20 has been identified as a primary route making it eligible for certain sources. Board Member Zehrung asked about safety goals as they relate to lighting and asked if bi-level lighting had been considered. Kittelson stated that dark-sky lighting concerns were balanced with safety concerns. Bertagna stated that bollard lighting would be used on paths and that higher lighting would be used in the parking lot for sight security and safety. Zehrung asked about stormwater and runoff solutions. Bertagna said that swales and detention ponds and permeable pavers would be considered but was not interested in installing UICs as they were unnecessary. Chair Moyer mentioned that the site would help draw bike users away from the parking around Village Green Park. Zehrung asked what the motivation would be to draw those users away. Bertagna said that certain scenic bike routes currently start at Village Green and that the City would work with other organizations to move the trailhead to the site. Ruppel asked if pedestrian crossing solutions were considered that would connect Felicity Lane to the site crossing Hood Ave. Kittelson stated that designs had not reached that level of detail and that the City's TSP showed the need for future crossings surrounding the site. Ruppel asked if there would be a speed limit reduction on Hood Ave between Cascade and Hwy 20. Kittelson stated that speed limit changes can be difficult when working with ODOT roads but that once the site becomes more active that activity may make a request to ODOT more likely to succeed. Kelly asked if there would also be concern with future development on the site to the west. Bertagna stated that performing a speed zone study post development may be a better option in order to get posted speed limits lowered. Ruppel asked about wayfinding on the site. Kittelson stated that it has not been discussed but may be difficult putting signs adjacent to ODOT roads. Bertagna noted there was potential for on-site information for amenities in the city. Ruppel asked where the soft-surface paths would be located. Kittelson noted that there would

potentially be soft-surface trails prior to phase 2 connecting phase 1 to the restroom. Ruppel asked about ADA concerns. Bertagna noted the site has some topography, but ADA concerns would be a primary focus of the project. Bertagna noted that how the public moves around the site will influence where soft-surface paths might go. Bertagna asked for feedback on the RV parking area. Ruppel noted there were a lot of turns an RV would need to make. Kittleson noted prior concepts and that the area could be given more thought. Kittleson spoke about use of the site by buses. Bertagna mentioned the need for an RV dump station and that this site is being considered. Chari Moyer called for a motion to pass the Master Plan to City Council. Board Member Kelly made motion; Board Member Zehrung seconded. Motion passed unanimously 4-0.

b. Barclay Drive Conceptual Design Update (Kittelson & Associates)

Scott Beard and Tony Roos began presented the updated concept design for Barclay Drive. Board Member Kelly asked about the intersection of Barclay and Locust and if there would be stop sign for southbound traffic on Camp Polk Road. It was noted there would be. Board Member Zehrung asked about why there would be a stop sign there and why the roundabout would not be constructed at the intersection of Barclay and Locust. Bertagna stated that it would require the acquisition of right of way and waiting may be beneficial should the urban growth boundary be expanded, also a lower amount of traffic enters from Camp Polk. Chair Moyer asked if the City owned Locust St, Bertagna confirmed that the City owned Locust St. Chair Moyer asked if the County has been made aware of the project. Bertagna stated that the plans have been sent to the County but there has been no response but further efforts would be made. Board Member Ruppel asked about lighting and pedestrian safety. Beard noted that there was more substantial lighting at pedestrian crossings. Ruppel asked about traffic calming of rapid flashing beacons (UFB) at the uncontrolled pedestrian crossings. Beard stated that if RFBs were to be used they would be used on uncontrolled pedestrian crossings and could be easily added later but that they are preferable used on multi-lane crossings. Ruppel asked if the pedestrian crossing on Barclay near Sun Ranch Dr would be better positioned on the other side of the intersection. Roos stated that there was a conflict with the driveway to the south and that it would have line of sight issues with traffic turning east onto Barclay from Sun Ranch Dr. Board Member Kelly asked if the speed limit was 35 mph. Bertagna noted that it is currently 30 mph and would be reevaluated after construction. Ruppel noted having witnessed pedestrians crossing where there was no proposed crossing. Ruppel asked if trees would be added. Bertagna stated that trees may be considered on the paths in certain areas while keeping the path functional. Beard noted recommended space required for effective tree growth. Chair Moyer called for a motion to continue working on the design. Board Member Ruppel made motion; Board Member Zehrung seconded. Motion passed unanimously, 4-0.

7. OTHER BUSINESS / PROJECT UPDATES

Bertagna informed the Board that during the April meeting they would be looking at the updated water/wastewater master plans. Board Member Kelly asked about wildlife fencing near Lazy Z. Bertagna stated that it was not addressed in the plan because the topic would be addressed at the state level.

Bertagna mentioned bring a preservation plan to the Board.

Board Member Kelly asked about snow removal. Bertagna explained the snow removal process for the downtown core and the requirements that need to be met in order to mobilize the City's contracted snow removal service. City Council decided several years ago to fund snow removal on public sidewalks and parking areas in the downtown core as a free service. The snow accumulation was about 2 inches and was below the minimum accumulation for mobilizing the service, which costs \$6500 per mobilization. There was a further 2 inches of snow accumulation in the morning, however it was too late in the day to safely mobilize the contracted snow removal service considering safety concerns around morning traffic and pedestrians. Bertagna noted that an email was sent to business owners explaining the situation.

Board Member Zehrung stated that they may not be present for the April meeting and requested to attend virtually. Dumanch confirmed that a virtual attendance would be possible.

Bertagna informed the Board that the City would need a quick turnaround on their review of the water/wastewater masterplans.

8. BOARD MEMBERS COMMENTS

9. ADJOURN

Chair Moyer adjourned the meeting at approximately 5:29 PM.

The Public Works Advisory Board will reconvene Tuesday, April 11 at 4:00 PM



Public Works Advisory Board Agenda Item Summary

Meeting Date: April 11, 2023

Type: Workshop

Subject: Draft Camping Ordinance and Campsite Removal Policy.

Staff: Green, Prosser

Dept: CMO

Action Requested: Review and comment on the draft camping ordinance and campsite removal policy.

Summary Points:

The Sisters City Council is considering regulations concerning the time, place, and manner in which camping may occur on property owned or controlled by City, including public rights-of-way. As part of this effort, the City has circulated a draft camping ordinance and campsite removal policy amongst various stakeholders for review and comment.

The intent of the camping ordinance is not to solve houselessness but rather comply with certain legal requirements imposed on local governments when regulating their public space. Pursuant to federal court rulings and recent Oregon legislation, a municipality cannot penalize a houseless person for resting or sleeping on public property unless adequate shelter space or available public property exists to satisfy those needs. State law requires that regulations concerning houseless camping on public property be “objectively reasonable” as to time, place, and manner.

Reasonableness is based on the totality of the circumstances. As a result, “reasonableness” will vary among Oregon’s various cities depending on their particular circumstances. Therefore, the City’s unique characteristics and the opinions of its residents help to inform what is “reasonable.”

The camping ordinance is intended to regulate the time, place, and manner in which persons may occupy public property to help make public rights-of-way accessible and safe to unhoused and housed individuals. For example:

- Time regulations concern the times of day when a person may camp on public property.
- Place regulations identify the public property where camping is not allowed such as on restricted utility facilities or parking lots.
- Manner regulations establish how an individual may camp on City property, such as the size of a camp, items in and around a camp, and prohibitions on open fires, unauthorized electrical hookups and sewage discharge onto streets.

The campsite removal policy concerns the removal and cleaning of campsites, as well as storage and disposition of personal property. The policy largely mirrors ORS 195.505 and should not be revised to provide less protections for the houseless. However, greater protections to the benefit of the houseless may be considered and implemented.



Public Works Advisory Board Agenda Item Summary

City staff would like you to review the draft camping ordinance and campsite removal policy and provide feedback to staff. This ordinance has been reviewed by houseless advocates and stakeholders and the Parks Advisory Board, it goes to the Council at the April 12th workshop.

Attachments:

- Draft Camping Ordinance
- Draft Campsite Removal Policy

ORDINANCE NO. _____

AN ORDINANCE OF CITY OF SISTERS ESTABLISHING CAMPING REGULATIONS.

WHEREAS, the City Council (the "Council") of City of Sisters ("City") recognizes the competing concerns surrounding homeless individuals camping on public property within City's incorporated limits and desires to implement regulations to address these concerns; and

WHEREAS, ORS 195.530 requires that any city law that regulates the acts of sitting, lying, sleeping, and/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; and

WHEREAS, the Council and City staff solicited input concerning City camping regulations from members of the community, including interested stakeholders and organizations that assist low-income and/or homeless members of the community; and

WHEREAS, the Council has received valuable input from the community concerning the proposed camping regulations, including input from City's Public Works Advisory Board and Parks Advisory Board; and

WHEREAS, the Council held a work session concerning the proposed camping regulations on _____ . A public hearing was held during the Council meeting on _____, at the City Hall at _____ at _____ p.m. at which time and place all persons had an opportunity to appear and comment on the camping regulations; and

WHEREAS, the Council finds that the camping regulations contained in the attached Exhibit A are in the public interest.

NOW, THEREFORE, THE CITY OF SISTERS ORDAINS AS FOLLOWS:

1. Findings. The above-stated findings are hereby adopted.
2. Purpose. The purpose of this Ordinance No. ____ (this "Ordinance") is to minimize any adverse public safety and health impacts of camping on City property while providing some areas of City property, in the absence of alternative forms of shelter, where homeless persons may rest and/or sleep.
3. Adoption of Camping Regulations. The Council hereby adopts the camping regulations contained in the attached Exhibit A.
4. Interpretation; Severability; Errors. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. All prior and contemporaneous agreements, discussions, understandings, and negotiations, whether written or oral, express or implied, are merged herein, and to the extent inconsistent herewith, are of no further force and effect. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

APPROVED AND ADOPTED by the City Council of the City of Sisters and signed by the mayor this _____ day of _____, 2023.

By: Michael Preedin, Mayor

ATTEST:

By: Kerry Prosser, City Recorder

DRAFT

Exhibit A
Camping Regulations

1. Purpose. The purpose of this Ordinance is to (a) maintain streets, parks, and other public areas within City in a clean, sanitary, and accessible condition, and (b) adequately protect the health, safety, and public welfare of the community by addressing time, place, and manner regulations that identify when, where, and how camping on public property is allowed.

2. Definitions. For purposes of this Ordinance, the following terms and phrases have the meanings assigned to them below:

“Alley” means a narrow way providing a means of public or private access to the back or side of a property which is not intended for general traffic circulation.

“Camp” or “camping” means to pitch, erect, create, use, and/or occupy camp facilities for the purpose of habitation, as evidenced by use of camp paraphernalia.

“Camp facilities” include, without limitation, tents, huts, temporary shelters, lean-tos, shacks, and/or any other structures (or parts thereof).

“Camp paraphernalia” includes, without limitation, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, outdoor cooking devices, and/or similar equipment.

“Campsite” means any place where one or more persons have established living accommodations by use of camp facilities and/or camp paraphernalia.

“Campsite Removal Policy” means City’s policy concerning the removal of established campsites.

“Established campsite” means a campsite in place for more than 24 hours.

“City manager” means City’s then-appointed city manager and his or her designee.

“City property” means all real property, land, and public facilities owned, leased (either to City or by City), controlled, and managed by City.

“Fire District” means the Sisters-Camp Sherman Rural Fire Protection District.

“Public park” means all property owned or controlled by City and operated for public use for recreational and/or open space purposes.

“Recreational fire” means a fire for the cooking of food, warmth, fellowship, and/or ceremonial purposes.

“Right-of-way” means streets, public utility easements, and other public rights-of-way.

“School” means public or private elementary, middle, and/or high school or other school attended primarily by children under 18 years of age.

“Street” means any highway, lane, road, street, right-of-way, alley, and every way or place in City that is publicly owned or maintained for vehicular travel (whether improved or unimproved).

“Sidewalk” means the portion of the street between the curblin and adjacent property line intended for use of pedestrians and includes multi-use pathways (i.e., pathways for bicycles and pedestrians).

3. Time, Place and Manner Regulations. Camping is permitted on City property subject to the time, place, and manner regulations contained in this Ordinance.

3.1 Time Regulations. Except as expressly authorized by City’s municipal code, camping is prohibited on any public property between the hours of 7:00 am to 8:30 pm.

3.2 Place Regulations. Unless otherwise specifically authorized by City’s municipal code or by declaration of the mayor and/or city manager in emergency circumstances, camping is prohibited on City property (a) not open to the public, (b) within or upon any alley, right-of-way, parking lot/space, public park, and/or school property, (c) within one hundred (100) feet of any street in which it is lawful for vehicular travel to exceed twenty-five (25) miles per hour, (d) within twenty-five (25) feet of the public entrance to a business, (e) within ten (10) feet of a public or private driveway, (f) within one hundred (100) feet of City property located within the following zones: (i) R Residential District; (ii) MFR Multi-Family Residential; (iii) SRR Sun Ranch Residential District; and (iv) DC Downtown Commercial, (g) all City property located at the following addresses: (i) 308 East Sun Ranch Drive, Sisters, Oregon 97759; (ii) 460 West Highway 20, Sisters, Oregon 97701; and/or (iii) Tax Lot 151005DA02100, and/or (h) any other City property designated by the city manager from time to time.

3.3 Manner Regulations. At times and locations where camping is permitted under this Ordinance, the following regulations apply: (a) camping in a manner that reduces the clear, continuous sidewalk width to less than three feet is prohibited; (b) at no time may camp facilities, whether constructed with plywood, wood materials, pallets, and/or other materials, be built or placed on City property by anyone other than, or as authorized by, the public entity that owns or controls the City property in question (tents and similar items used for shelter that are readily portable are not prohibited by this section); (c) individuals engaged in camping are allowed to use a sleeping bag, bedroll, and/or other material used for bedding purposes (e.g., materials used to keep warm and dry while sleeping are permitted provided any tent or tarpaulin used to keep warm and dry may not exceed fifty (50) square feet in surface area); (d) a camp or camping must be limited within a spatial footprint of one hundred fifty (150) square feet in surface area (the intent of this subsection is to permit a person to sleep and maintain the essentials for living, while still maintaining the ability of everyone to use public spaces as designed and intended); (e) individuals may not accumulate, discard, and/or leave behind garbage, debris, unsanitary or hazardous materials, and/or other items of no apparent utility in a right-of-way, on City property, and/or on any adjacent public or private property; (f) open flames, recreational fires, burning of garbage, bonfires, and/or other fires, flames, and/or heating deemed unsafe by Fire District are prohibited (some cooking stoves and other means of keeping warm may be allowed if permitted by Fire District); (g) 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, without limitation, storm drains which are not intended for disposal of gray water or black water); (h) unauthorized connections or taps to electrical or other utilities, or violations of building, fire, and/or other relevant codes or standards, are prohibited; (i) obstruction or attachment of camp materials or personal property to fire hydrants, utility poses, and/or other utility or public infrastructure, fences, trees, vegetation, vehicles, and/or buildings is prohibited; (j) storage of personal property, including, without limitation, vehicle tires, bicycles, and/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); (k) digging, excavation, terracing of soil, alteration of property or infrastructure, and/or damage to vegetation or trees is prohibited; and (l) except as expressly authorized by City's municipal code, all persons are prohibited from leaving personal property, including, without limitation, camp facilities and camp paraphernalia, unattended on any City property for more than twenty-four (24) hours. Notwithstanding anything contained in this Ordinance providing otherwise, the city manager may temporarily authorize camping or storage of personal property on City property by written order that specifies the period of time and location for the camping or storage under the following circumstances: (x) emergency circumstances; (y) in conjunction with a special event permit; and/or (z) upon finding it to be in the public interest and consistent with the Council's goals and policies.

4. Health and Safety Fee; Fines, Enforcement.

4.1 Health and Safety Fee. Any person who violates any provision of this Ordinance will be subject to a health and safety fee in an amount not to exceed \$35. Each day a violation is committed or permitted to continue shall be subject to a separate health and safety fee. The purpose of this subsection is to reimburse City for the expense of maintaining a healthy, safe and organized community for the public. *[awaiting further client comment/direction concerning the health and safety fee]*

4.2 Fines. A violation of this Ordinance (and/or continued violation) is a Class B violation under City's municipal code. A Class B violation carries a penalty of no more than \$250.00; the actual fine imposed will be determined at the discretion of the hearings officer or municipal court judge. A violation is "continued" if the prohibited camping occurs after issuance of the first health and safety fee *[awaiting further client comment/direction]*. A violation is "willful" if the person committing the violation is not currently experiencing homelessness or camps on the same City property after receiving notice that camping is not permitted on that property. For purposes of this subsection, a person is "not currently experiencing homelessness" if the person has the means to pay for and/or free access to an indoor shelter.

4.3 Campsite Removal. Upon a determination by enforcement personnel that a camp or camping in violation of this Ordinance has become an established campsite, or enforcement personnel determine a campsite otherwise in compliance with this Ordinance endangers the public health and safety, the campsite may be removed consistent with this Section 4.3. Upon a determination by enforcement personnel that a camp or camping in violation of this Ordinance is not an established campsite, the campsite may be removed without complying with Sections _____, but otherwise the removal must comply with Sections _____.

4.3.1 Prior to removing personal property from an established campsite or removing personal property unlawfully stored on public rights-of-way or City property, at least 72-hours in advance, City must post notice at the location that all individuals must leave and all personal property remaining will be removed, and must inform local agencies that deliver services to homeless individuals that such notice has been posted and the location of the notice.

4.3.2 The notice required under Section 4.3.1 must state the location where the removed personal property will be stored and how individuals can contact City to retrieve their personal property;

4.3.3 An established campsite may be removed without posting a 72-hour notice (a) when there are grounds for law enforcement officials to believe that illegal activity, other than camping, is occurring on the campsite or in the immediate vicinity of the campsite, or the property that comprises the campsite is being used or is intended to be used to commit or facilitate the commission of otherwise illegal activity; or (b) occurrence of an exceptional emergency (e.g., site contamination by hazardous materials or when there is immediate danger to human life or safety). After the 72-hour notice has been posted, or there are grounds to remove the established campsite without advance notice, City may act on the notice and remove the campsite beginning seventy-two (72) hours after posting and for up to ten (10) days following the posting;

4.3.4 When removing individuals and property from a campsite, enforcement personnel will make reasonable efforts to remove individuals without the use of force, arrest, or citation. No person may be arrested or cited for failing to move under this Section 4.3 prior to being asked by enforcement personnel or other City personnel to move.

4.3.5 When removing personal property, City will make reasonable efforts to determine if the property belongs to an individual and has any apparent utility. Items that are perishable, or that have no apparent use, or that are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination, will be considered garbage, discarded, and need not be stored. Weapons, drug paraphernalia, or other contraband, and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials.

4.3.6 Personal property removed from an established campsite and unclaimed at the time of removal will be stored by City for a minimum of thirty (30) days, or the duration required by law at the time of the removal. Stored personal property will be reasonably available for any individual claiming ownership. City will make reasonable efforts to provide a range of times the storage location will be available for people to collect their property. City may dispose of any personal property that remains unclaimed after thirty (30) days, or such duration as required or allowed by law.

5. City Manager Authority. The city manager may adopt administrative rules to implement any of the provisions of this Ordinance.

Campsite Removal Policy under ORS 195.500-195.505

1. Intent. City recognizes the social nature of the problem of homeless individuals camping on public property and developed the following policy to ensure the most humane treatment for removal of homeless individuals from campsites on public property.

2. Definitions. Unless otherwise defined in this policy, the following terms have the following meanings.

“Campsite” means any place where one or more persons have established camp facilities and/or camp paraphernalia on public property.

“Camp facilities” include, but are not limited to, tents, huts, temporary shelters, lean-tos, shacks, or any other structures or parts thereof.

“Camp paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, blankets, mattresses, hammocks, or non-city designated cooking facilities and similar equipment.

“Established campsite” means a campsite in place for over 24 hours.

“Personal property” means any item that can reasonably be identified as belonging to an individual and that has apparent value or utility.

“City property” means all real property, land and public facilities owned, leased (either to City or by City), controlled, or managed by City.

3. Removal/Clearing of Campsites. Any campsite on public property may be cleared and removed, including removal of individuals, camp facilities, camp paraphernalia, and personal property in accordance with the requirements of this policy.

4. Notice Requirements. The following notice requirements and exceptions apply to the removal and clearing of campsites.

4.1 Unestablished Campsites. Notice is not required prior to removal and clearance of a campsite that is not an established campsite.

4.2 Established campsites. At least 72 hours before removing individuals and personal property from an established campsite, law enforcement officials must post a written notice, in English and Spanish, at all entrances to the campsite to the extent that the entrances can reasonably be identified.

4.3 Written Notice Required Contents. The written notice required by this policy must state, at a minimum:

- a. Where unclaimed personal property will be stored;
- b. A phone number that individuals may call to find out where personal property will be stored; or
- c. If a permanent storage location has not yet been determined, the address and phone number of an agency that will have the information when available.

4.4 Exceptions. The following exceptions apply to the 72-hour notice requirement.

- a. The 72-hour notice requirement does not apply:
 - i. When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring at an established campsite.
 - ii. In the event of an exceptional emergency at an established campsite, including, but not limited to, possible site contamination by hazardous materials, a public health emergency or other immediate danger to human life or safety.
- b. If a funeral service is scheduled with less than 72-hours' notice at a cemetery at which there is a campsite, or a campsite is established at a cemetery less than 72 hours before the scheduled service, the written notice required under this policy may be posted at least 24 hours before removing homeless individuals from the campsite.

4.5 Communication with Local Agencies. When a 72-hour notice is posted, law enforcement officials must inform the local agency that delivers social services to homeless individuals as to where the notice has been posted. The local agency may arrange for outreach workers to visit the campsite that is subject to the notice to assess the need for social service assistance in arranging shelter and other assistance.

5. Personal Property. The following requirements apply to personal property located at a campsite upon removal or clearance of a campsite.

5.1 Custodian of Unclaimed Personal Property. All personal property at a campsite that remains unclaimed after removal/clearing, whether notice is required under this policy or not, must be given to:

- a. a law enforcement official;
- b. a local agency that delivers social services to homeless individuals;
- c. an outreach worker;
- d. a local agency official; or
- e. a person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance.

5.2 Storage Location. Unclaimed personal property must be stored in a facility located in the same community as the campsite from which it was removed.

5.3 Trash/Rubbish. Items that have no apparent value or utility or are in an unsanitary condition may be immediately discarded upon removal of the homeless individuals from the campsite.

5.4 Other Items. Weapons, controlled substances other than prescription medication, and items that appear to be either stolen or evidence of a crime must be given to or retained by law enforcement officials.

6. Storage of Unclaimed Personal Property. Unclaimed personal property removed from campsites must be stored in the following manner.

6.1 Organization. Unclaimed personal property must be stored in an orderly fashion, keeping items that belong to an individual together to the extent that ownership can reasonably be determined. Unclaimed personal property must be stored in a manner in which it is possible to identify the date the property was removed and location where the property was removed.

6.2 Duration. Unclaimed personal property must be stored for a minimum of 30 days during which it must be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed after 30 days may be disposed of or donated to a corporation described in section 501(c)(3) of the Internal Revenue Code as amended and in effect on December 31, 2020.

7. Evaluation of Removal of Individuals. Following the removal of homeless individuals from a campsite on public property, law enforcement officials, local agency officials and outreach workers may meet to assess the notice and removal policy, to discuss whether the removals are occurring in a humane and just manner and to determine if any changes to this policy are needed.

8. Prohibition on Citations in Limited Circumstances. A person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance may not issue the citation if the citation would be issued within 200 feet of a notice required by this policy and within two hours before or after the notice was posted.

9. Preemption. Any city law or policy that offers greater protections to homeless individuals subject to removal from an established campsite preempts contrary provisions of this policy.

FY 23-24 Street Maint. Plan

Overlay	SY's
Buckaroo Trail	2,510
Coyote Springs Dr.	1,190
Sparkling Waters Ct.	1,030
W. St. Helens	6,110
S. Redwood	3,380
S. Cottonwood	4,915
Arrowleaf Tr	4,890

Estimated Cost: \$360,375

Slurryseal	SY's
Tyee Dr.	9,290
Wapato Dr.	2,933
Creekside Dr.	2,093
Timber Creek Dr.	3,350

Estimated Cost: \$70,664

Crackseal
E. Jefferson
S. Cedar
S. Larch St.
S. Spruce St.
S. Fir St.
S. Ash St.
S. Oak St.
S. Pine St.
N. Maple St.
N. Tamarack St.
Sun Ranch Dr.
Lundgren Mill

Estimated Cost: \$8,000 (Material only/labor performed by PW's staff)

Pavement Maint Total: \$439,039

Street Name:	Length (LF)	New Const.	Sealcoat	Chipseal	Overlay	2022 Rating	Weighted													
Adams Ave	2290			2012		6	13,740	Pavement Rating Scale (1-10)												
Arrowleaf Trail	1115		2016			5	5,575													
Ash St	2270			2016		6	13,620	10 Like new, less than five years old												
Aspenwood	630			2022		8	5,040	9 Good condition, few cracks, overlaid in last 6 yrs												
Aylor Ct.	330			2012		6	1,980	8 transverse cracking only, chipsealed/sealcoated in last 1-3 yrs												
Barclay Drive (Alt. Route)	4100			2019		8	32,800	7 Minor cracking, chipseal/sealcoated in last 4-6 yrs												
Barclay Drive (Airport)	1070	2015				9	9,630	6 Moderate cracking, chipseal/sealcoat medium priority												
Birch St	1150		2014		2022	10	11,500	5 Severe cracking, Chipseal/sealcoat high priority, Overlay low												
W.Black Butte Ave	780			2022		8	6,240	4 Asphalt fatigued, overlay medium priority												
E. Black Butte Ave	2430				2010	8	19,440	3 Asphalt worn out, overlay high priority												
W. Black Crater	1160			2016		6	6,960	2 Base failure, re-construct medium priority												
E. Black Crater	660			2016		6	3,960	1 Base failure, re-construct high priority												
Bluebird St	580	2020				10	5,800	0 No asphalt or missing sections of asphalt												
Blue Moon Ct	380		2012		2021	10	3,800													
Brooks Camp Rd	2200			2013		6	13,200													
Buckaroo Trail	750		2016			5	3,750													
E. Cascade Ave	3200				2017	9	28,800	Average Rating		8.10										
W. Canopy Way	890	2022				10	8,900	Average Rating TOTAL Meth		7.85										
Canter Ct	340		2019			7	2,380													
Carpenter	250	2008				7	1,750	Pavement Condition Index		78.48										
Cedar St	1500				2017	8	12,000													
Clear Pine Dr	1020	2019				10	10,200													
Cottonwood St.	1820		2014			5	9,100													
Cowboy	1350			2019		7	9,450													
Coyote Springs Rd	1850		2014		2021	9	16,650													
Creekside Dr	1020		2016			6	6,120													
Creekside Ct	1330		2016			6	7,980													
Curtis Ct	260			2022		8	2,080													
Desperado Tr	1000		2020			7	7,000													
Dee Wright	130				2010	8	1,040													
Diamond Peak Ave	1040	2018				10	10,400													
W. Elder Way	420	2022				10	4,200													
Elm St	3220				2017	9	28,980													
Fir St	3130			2015/16		7	21,910													
Forest Edge Dr	540	2016				10	5,400													
Green Ridge	890			2019		7	6,230													
Heising Dr	1290	2018				10	12,900													
Hill Ave	800	2017				10	8,000													
W. Hill Ave	780	2019				10	7,800													
N. Hitchcock St.	240	2020				10	2,400													
W. Hood Ave	1410			2020		8	11,280													
E. Hood Ave	2340				2020	9	21,060													
Hope Ave	1310		2014		2021	10	13,100													
Horseback Trail	1170				2010	8	9,360													
Jantzen Ln	1110			2017		8	8,880													
W. Jefferson Ave	1290		2014		2022	10	12,900													
E. Jefferson Ave	3050			2016		6	18,300													
Kallberg Ave	370	2020				10	3,700													
N Larch St	3530			2021		8	28,240													

