



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 12, 2023

Present: Mayor Frank Bubenik, Council President Valerie Pratt, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Cyndy Hillier, Councilor Christen Sacco, Councilor Octavio Gonzalez

Mayor Bubenik called the meeting to order at 5:00 p.m.

1. Consideration of the Prohibition & Regulation of Camping on Public Property.

Deputy City Manager Megan George and Police Chief Greg Pickering provided a presentation regarding the prohibition and regulation of camping on public property. Manager George began by discussing HB 3115 and its impact on camping regulations. She mentioned previous legal cases that found violations of the Eighth Amendment, leading to the allowance of camping on public property. Manager George highlighted Tualatin's existing ordinance, pointing out its non-compliance with HB 3115, necessitating updates. She also shared information on how neighboring jurisdictions are handling time, place, and manner regulations.

Manager George introduced the draft ordinance, emphasizing that decisions made now are not permanent, and subsequent changes may be required based on case law, local and regional implementation, and efforts to address shelter capacity and services. She outlined the goals of the ordinance, including compliance with HB 3115, providing clarity for city staff in enforcing time, place, and manner regulations, maintaining consistency with nearby jurisdictions, and striking a balance between property use and compassion for the homeless. Manager George stated staff is recommending prohibiting camping between 7 am and 7 pm as part of the time restrictions. She stated in regards to manner restrictions, staff is suggesting considering neighboring jurisdictions, discouraging large encampments, preserving access to public infrastructure, and addressing environmental concerns. In terms of place restrictions, Manager George stated staff is proposing banning camping in city-owned parking lots, within 20 feet of buildings, near natural resources, public-right-of-way, municipal grounds, and city parks. She also shared a map highlighting the designated areas where camping would be allowed, noting the space would accommodate 120 camping sites across two sites.

Chief Pickering addressed the enforcement of the ordinance. He stated the department will use a trauma-informed approach to assist campers by connecting them with services if desired. Chief Pickering clarified the police department would not actively seek out these camps but would only address specific behaviors when necessary. Manager George concluded by discussing the next steps, which involve reviewing and considering the ordinance, as well as implementing it accordingly.

Council President Pratt asked if distance between the sights would be addressed in the ordinance. Manager George mentioned a 5-foot buffer was considered but it significantly reduced the number of available camping sites.

Council President Pratt raised a question about how to handle someone who is camping outside the prohibited hours due to illness. Chief Pickering responded they would assist that individual in finding the necessary services to get well.

Council President Pratt requested the inclusion of wetland preservation conservation districts in the ordinance. Manager George clarified it is already covered under natural areas conservation but agreed to specifically highlight wetlands for clarity.

Councilor Brooks inquired about any upcoming legislation related to homelessness. Manager George stated currently, there is no legislation that will impact the topic at hand.

Councilor Brooks asked about the County's involvement with Homeless Resource Coordinators to address homelessness. Manager George suggested scheduling a follow-up discussion with Washington County to explore that topic further.

Councilor Sacco asked about the considerations regarding the exclusion of a buffer. Manager George explained the decision was made to provide more opportunities for camping on the available parcels. Councilor Sacco inquired whether the Council should consider implementing a buffer.

Council President Pratt questioned whether a buffer would assist with enforcement by creating more space between camping individuals.

Councilor Reyes expressed support for designating specific camping areas and inquired about the nearest shelter to Tualatin. Manager George responded the closest shelter is Just Compassion located in Tigard.

Councilor Gonzalez expressed gratitude to the staff for their work and expressed satisfaction with the drafted ordinance as is.

Councilor Reyes raised the question of adjusting the time limit for daylight hours based on the seasons. Manager George explained a seasonal shift was considered, but for the sake of enforcement, it was deemed simpler to maintain a single timeframe.

Councilor Hillier inquired about the impact of these changes on other cities and the impacts of future developments on these sites. Manager George mentioned cities have attempted to coordinate for the sake of consistency, but there are differences among them that are unavoidable. She added if any of the designated camping sites were to be developed, the restrictions could be amended to ensure compliance with the legislation.

Councilor Sacco expressed her desire to include a buffer for safety reasons and suggested amending the draft ordinance to incorporate a 10-foot buffer.

Councilor Reyes asked about the possibility of the designated camping sites being situated in floodplain areas. Manager George clarified the designates areas are not typically prone to flooding.

Mayor Bubenik polled for consensus to include a 12x12 foot camping space, a 10-foot buffer, and adding specific language regarding wetlands in the ordinance. Consensus was reached.

Councilor Hillier asked how a buffer would be enforced. Chief Pickering stated they won't be policing the camp sites but noting that a safety buffer is good to have in these situations.

2. Council Meeting Agenda Review, Communications, and Roundtable.

Councilor Brooks stated she attended the regional water consortium meeting and the policy advisory board meeting.

Councilor Sacco stated she attended the C4 meeting. She recognized the first pride celebration in Tualatin and thanked everyone for their work on the parade.

Councilor Hillier stated she attended the Blender Dash and the Pride Stride. She also participated in the award of the Science and Technology Scholarship.

Councilor Reyes stated applications for the IDEA Committee are now being accepted.

Council President Pratt stated she attended the Memorial Day Celebration and the Blender Dash.

Mayor Bubenik stated he attended the Memorial Day Celebration, the Pride Stride, and lobbied in Washington DC on behalf of the JPACT Committee for transportation funding.

Adjournment

Mayor Bubenik adjourned the meeting at 6:05 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Frank Bubenik, Mayor