

**HUMAN SERVICES COMMITTEE
MINUTES
October 6, 2015**

Present

Councilor Frank Hann, Chair
Councilor Mike Beilstein
Councilor Bill Glassmire

Staff

Mark Shepard, City Manager
Karen Emery, Parks and Recreation
Director
Jon Sassaman, Police Chief
Emely Day, City Manager's Office

Visitors

Kirk Bailey
Judy Ball
Rick Kleinosky
Corrie Latimer
Gregg Olson

SUMMARY OF DISCUSSION

	Agenda Item	Recommendations
	<i>Chair to call for corrections, if any, to October 6, 2015, HSC Minutes</i>	
	Call to Order	1:00 pm
I.	Restroom Access in the Downtown Area	Information: Staff to provide more information and proposals with cost estimates
II.	Car Camping in Church Parking Lots Update	Information: Update of discussions involving Police staff and Love INC Board, staff, and members
III.	Other Business	Information
	A. Pending Issues	
	Adjournment	3:29 pm
	Next Meeting	October 20, 2015 – 2:00 pm

CONTENT OF DISCUSSION

I. Restroom Access in the Downtown Area

Parks and Recreation Director Emery reported that the City had five restrooms in the Downtown area, having added two portable restrooms (porta-potties) at Shawala Point (Shawala) and Central Park (Central) during the past year; the two additional porta-potties had been open only seasonally but were opened for year-round accessibility during the past year to meet the public's needs when restroom buildings at the north and south ends of Riverfront Commemorative Park (RCP) were closed during winter months. She confirmed for Councilor Beilstein that the City's cost for each porta-potty was \$1,000 per year, based upon weekly cleaning schedules.

Referencing recent testimony to the City Council, Councilor Beilstein inquired whether there were areas with high incidents of people using private yards as "restrooms." Police Chief Sassaman said Police Department staff would need to research cases to extract that information. He expected that most incidents were not reported as cases because Police

Officers did not witness the incidents. He was aware of incidents in bushes in and around parks, along the Willamette Riverfront, and in neighborhoods.

Councilor Beilstein opined that \$1,000 per year for installation and maintenance of a porta-potty was a relatively small expense that the City should assume, if a need for additional porta-potties existed. He questioned whether a need existed and where it would be appropriate to install a porta-potty.

Chief Sassaman said ideal locations were difficult to identify. Several business owners and managers often cleaned their sites of human waste before opening for business. If restroom buildings were used only for their intended purposes, allowing them to be open overnight may be more feasible. The buildings were often used for other purposes and rendered unavailable. The inappropriate use of the buildings prompted staff to close the buildings for overnight hours.

Ms. Emery explained that the restroom buildings at the north and south ends of RCP were closed for winter months because the buildings were not heated and could be prone to broken water pipes if interiors were exposed to cold outside air. When the buildings were open 24 hours per day, people entered the units, locked the doors, and rendered the units unavailable to other people. Afterward, staff often encountered significant messes to clean; occasionally Police interaction was necessary.

Ms. Emery confirmed for Councilor Glassmire that Parks and Recreation Department staff experienced some problems with porta-potties throughout the parks system but had not had to replace any units during the current fiscal year.

Councilor Glassmire inquired about outreach efforts to the homeless community, encouraging them to not vandalize facilities installed for their convenience.

Chief Sassaman said Police Officers' encounters with people vandalizing the facilities often involved conversations explaining the intended purposes of the facilities and requesting that the destructive behavior stop. Often, citations or other enforcement action was involved. He was not aware of a broad message to the homeless community as a whole.

Ms. Emery explained for Chair Hann that the restrooms at Crystal Lake Sports Fields were closed because they were subject to flooding from the Willamette River. Restrooms were available at the adjacent Willamette Park. Pioneer Park (Pioneer) and Avery Park (Avery) had restrooms that were closed during winter months. Porta-potties were installed in Avery during the winter.

Ms. Emery explained for Chair Hann that the Downtown Transit Center restroom was maintained by Public Works Department via a contractor. Public Works Director Steckel advised Ms. Emery that staff encountered some issues involving the restroom and discussed closing it at 10:00 pm, rather than 2:00 am, because of issues occurring during that four-hour time period.

Chair Hann referenced late-night activities in the Downtown area that might prompt someone to need a restroom versus daytime activities that would prompt the same need, noting that Downtown businesses would be open during daytime hours and might allow members of the general public to use their restrooms.

Chief Sassaman said he had not heard of any issues, positive or negative, regarding public use of Downtown business restrooms. Chair Hann suggested that the City discuss this issue with the Downtown Corvallis Association (DCA).

City Manager Shepard noted that the City had two porta-potties in the Downtown area with year-round, 24-hour-per-day accessibility. He suggested that other areas might be appropriate locations for porta-potties. He cautioned that installing porta-potties may not resolve the problem of people behaving inappropriately.

Chief Sassaman confirmed Chair Hann's question of whether installing porta-potties would imply the City condoned illegal camping in areas of the City. Installing more porta-potties may alleviate some of the problem for those who used the facilities appropriately.

Chair Hann asked if some Downtown areas had a higher rate of people using private lawns as "restrooms." Chief Sassaman said some areas attracted more criminal activity. He would need to research cases to determine locations of reported incidents, but that information would only capture incidents reported to the Police Department or witnessed by Police Officers and likely would be an incomplete representation of actual events. He noted that "mini-marts" and surrounding properties could attract inappropriate behavior. When the restrooms were open 24 hours per day, they provided physical shelter that attracted inappropriate behavior. Similarly, the overall Downtown area was attractive and drew many people.

Chief Sassaman confirmed for Chair Hann that Greek Liaison Officers (focused on fraternity/sorority interactions with the community) and the Community Livability Patrol Officers advised Oregon State University (OSU) students of appropriate and inappropriate behavior within the community.

In response to Councilor Beilstein's inquiry, Ms. Emery said the City had not installed any restrooms or porta-potties on City-owned property along the east side of the Willamette River, where staff was aware of illegal camping activity. Councilor Beilstein questioned whether installing a porta-potty and a dumpster in that area would alleviate any problems or would sanction illegal camping. Ms. Emery responded that the City Attorney's Office should be consulted concerning providing facilities that implied condoning illegal activity and potential risks for the City. Councilor Beilstein noted that waste receptacles and porta-potties were often installed in parks, and the subject land was part of the City's parks system; therefore, the City might have a defense to allegations of condoning illegal camping by placing a porta-potty and a dumpster on the property.

In response to Councilor Glassmire's inquiry, Chief Sassaman said other cities had similar problems and tried various solutions. Many of the problems involved human behavior, which was difficult to predict.

Kirk Bailey said, while undertaking a construction project next to the Dari Mart store at SW Fourth Street and SW Western Avenue, he conducted an informal experiment for the past year concerning the effectiveness of a porta-potty in the Downtown area. The porta-potty was located on his private property, which was enclosed by low, vinyl-mesh fencing. The unit was used 20 to 30 times each day by construction crew members. He estimated that 20 percent of the unit uses were by Downtown visitors, and 80 percent of the unit uses were by homeless people. He noted that unit use increased during winter months, when the City's restroom buildings were closed. Prior to his experiment, he cleared human defecation residue from his yard two or three times each month and human urine residue twice each week during winter months. After installing the porta-potty for his construction crew, he did not have any human defecation residue on his property; and within one block or so of his construction site, property owners noticed a reduction in similar problems.

Mr. Bailey said he had a construction dumpster placed on his construction site, but it was used only for construction debris; other debris and trash was left on the ground.

From his experience during the construction project, Mr. Bailey believed an additional porta-potty in the Downtown area would be helpful. He had not called the Police Department regarding human waste in his yard. He considered the City's cost to install a porta-potty a low expense to benefit the community, and he encouraged the Committee to identify a means to fund the expense. He suggested that more-permanent enclosures for porta-potties might reduce property owners' resistance to having them located nearby. He believed smaller porta-potties that accommodated only one person at a time would avoid the problem of people using the units for overnight shelters. He would not consider the issue as involving only specific people who had no other restroom options; when businesses and public restrooms were closed, all people had no other options. He noted the importance of deciding where porta-potties should be sited, and he estimated that six to ten units would meet the needs of people in the Downtown area.

Councilor Beilstein opined that installing porta-potties at specific locations seemed like a nice solution. However, the rules regarding locating porta-potties may present some limitations. Mr. Bailey said promoting the facilities as an amenity for Downtown shoppers might reduce public resistance to their presence.

In response to Chair Hann's inquiry, Mr. Bailey said he did not increase the weekly cleaning schedule for his porta-potty because of use by people other than his construction crew. The porta-potty owner did not report any abuse of the unit.

Gregg Olson, who worked with Corvallis Housing First (CHF), appreciated the Committee discussing the issue of public restrooms and porta-potties, which he considered a significant problem. He said the Shawala facility was very helpful during winter months. He

learned that some youth from the nearby skatepark vandalized the porta-potty. He said the homeless population included a mixture of profiles, and each population group had "troublemakers" and people wanting to help.

Mr. Olson suggested that there may be ways to deal with the issues of restroom buildings potentially freezing during winter months and being used for overnight shelter, including installing porta-potties outside the restroom buildings and enclosing porta-potties in wooden structures to make them more aesthetically attractive.

Mr. Olson also suggested that City staff investigate potential legal issues of installing porta-potties where people camped.

Referencing the cost of installing and maintaining porta-potties, Mr. Olson suggested that community service organizations might be willing to help with funding. He questioned whether porta-potties funded by community organizations and placed at City facilities where people illegally camped would alleviate the City of legal liability.

Mr. Olson said CHF was willing to install a porta-potty behind its current men's cold-weather shelter, if that would be allowed under City codes.

Ms. Emery clarified that the City's rate for rental and cleaning of porta-potties was based upon the City renting numerous units. A community organization renting only one or two units might have a higher annual rate.

Mr. Olson noted that people jogging through the Downtown area indicated a need for public restrooms.

Councilor Beilstein commented that many communities that attracted tourists provided, as community amenities, public restrooms that were accessible during daytime hours.

Mr. Olson commented that Eugene, Oregon, used porta-potties in its transit center and played classical music, which seemed to prompt people to continue moving through the center.

Rick Kleinosky was previously homeless for more than ten years and knew the locations and schedules of all public restrooms. He still used public restrooms because he walked through four City parks at least three times each week. The Pioneer restroom was closed and posted as being open only during ballpark events. He considered himself no different from others who used the multi-use path between Corvallis and Philomath; any restroom along the path would be appreciated by walkers, runners, and bicyclists.

While volunteering at the Daytime Drop-in Center, Mr. Kleinosky had frequent contact with homeless people, who told him that the fine for public urination or defecation was \$350. He believed it would be helpful to have more restrooms open year-round in publicly accessible parks.

In response to Chair Hann's inquiry, Mr. Kleinosky said most businesses did not object to him using their restrooms; he was denied access a few times. He was uncomfortable using businesses' restrooms, since he was not a customer; however, in an emergency situation, he would not hesitate to seek access.

In response to Chair Hann's further inquiry, Mr. Kleinosky said a restroom at Pioneer that was accessible year-round would be convenient. The local gleaners group had a porta-potty near their garden at Pioneer, but it was accessible only a few hours each week. Porta-potties were located in the Reser Stadium parking lot during OSU's football season. He believed porta-potties should be located in high-traffic areas, such as along the path he referenced.

Responding to Councilor Glassmire's inquiry, Mr. Kleinosky said he did not know the thoughts or experiences of homeless people, noting they were like other people dealing with issues.

Councilor Beilstein observed that it would be advisable to have restrooms along the path between Corvallis and Philomath, which passed through or near RCP, Pioneer, Avery, Starker Arts Park (SAP), and Sunset Park (Sunset). A reliable restroom, accessible year-round, in each of those parks and near the path would probably be used.

Mr. Kleinosky noted that camps near parks appeared and disappeared, but people had camped near rivers for thousands of years and under bridges since bridges were constructed. He referenced suggestions of creating a campground for homeless people on the east side of the Willamette River with at least a restroom and possibly a dumpster. He hoped CHF could provide more housing, thereby reducing problems associated with homelessness.

Mr. Kleinosky added that he had not been homeless the past seven years but still used public restrooms.

Judy Ball noted that those who testified agreed that a problem existed and needed a solution and appreciated the Committee discussing the issue and possible solutions. She was concerned about people citing "bureaucratic obstacles," which could defeat any proposals. She urged the Committee to keep the situation in perspective and believed the problem could be resolved by a practical solution. She asserted that the City was partly at fault for the problem because restrooms were closed during nighttime hours. The need for restroom facilities varied among people.

Ms. Ball said Portland, Oregon, provided porta-potties where homeless people congregated. She noted that porta-potties were portable – if a location was deemed inappropriate after a trial period, the unit could be moved to a different location. She suggested installing porta-potties at existing restroom buildings. She urged the Committee to find a means of proceeding to address the issue, opining that restrooms and porta-

potties were not amenities and affected public health and humanitarian care. She considered the issue relatively easy to address.

Ms. Ball referenced a September community meeting regarding the homelessness situation and numerous comments about the need for restroom facilities. She believed the City had an obligation to take action quickly to address the situation.

Mr. Olson commented that Corvallis First Industries, which worked with Habitat for Humanity, would construct wooden structures to enclose porta-potties.

Councilor Beilstein said he would like staff's suggestions of options. He acknowledged a need for porta-potties at restroom buildings while the buildings were closed during winter months. He believed the City should be able to accommodate the \$1,000-per-year fee per porta-potty; if more maintenance was needed, the cost might increase to \$2,000 or \$3,000 per year per unit. He suggested installing porta-potties at Pioneer. Any restroom closed except during events should have an auxiliary porta-potty.

Ms. Emery clarified that SAP had a portable restroom at least through summer months; its accessibility was not based upon events. Sunset Park had a restroom building that was closed during winter months.

Councilor Beilstein suggested installing a porta-potty alongside the Sunset restroom building while the building was closed. He inquired about the City's ability to install porta-potties at locations other than parks, such as within public rights-of-way.

Mr. Shepard suggested that the Committee direct staff to create a proposal, with a maximum investment amount, to provide porta-potties in the City, with staff using Committee and citizen input and analysis to determine potential porta-potty locations. The proposal would include indication of possible funding sources, resulting financial impacts, and location issues. The Committee could direct staff to seek possible installation sites based upon general locations. Staff could investigate opportunities to partner with community organizations to fund porta-potties. Some property owners may vehemently oppose porta-potties in their neighborhoods.

Councilor Glassmire supported Mr. Shepard's suggestion and expressed concern about the Downtown area. He would like to pursue Councilor Beilstein's suggestion, but he would at least like porta-potties in the Downtown area.

Chair Hann said he viewed porta-potties as a short-term solution while the City explored long-term solutions to providing adequate facilities. He questioned whether the restroom buildings could be adapted so they could remain open year-round, with structural modifications funded by grants. He would like to explore partnering with non-profit organizations and Downtown businesses through the DCA; businesses could indicate, maybe via window stickers, if their restrooms were available to non-customer members of the public.

Councilor Beilstein said he could support a spending limit of \$5,000; however, that could be spent on one porta-potty that required frequent cleaning and extensive maintenance. He questioned which City budget would fund a porta-potty, adding that he did not want to take funds from one department's program budget in order to fund a porta-potty.

Chair Hann suggested that the City could match non-profit organizations' funding pledges, with the City providing an amount of funds and the organizations providing the remaining funds and accepting responsibility for monitoring installation, cleaning, and maintenance. He noted that the City often assumed that it must absorb all costs and accept all responsibilities for projects.

Councilor Beilstein surmised that CHF, DCA, and Friends of Corvallis Parks and Recreation might be interested in co-sponsoring porta-potties. Chair Hann suggested that some private businesses and individuals might be interested in partnering with the City on the project. He would like the funds spread so that the City was the last party contributing financially.

Councilor Beilstein summarized the Committee's direction that staff approach potential partners to inquire if they were interested in partnering to fund porta-potty installation and maintenance and that staff determine the best locations for porta-potty installations. He would support limiting the City's financial investment to \$5,000.

Ms. Emery said staff could discuss the issue more with community members regarding potential locations. She acknowledged that many people needed public restroom access year-round. Staff could identify possible porta-potty locations and estimated costs. The Shawala and Central porta-potties were accessible year-round. The RCP restroom buildings were accessible spring through fall months. Staff could present a proposal involving porta-potties augmenting restroom buildings and the cost to improve heating elements of the RCP restroom buildings so they could remain open year-round; staff would prefer continuing to close the buildings at night for reasons previously stated. That scenario would require installation of porta-potties at the buildings for nighttime access.

Chair Hann said he would like more information before making a specific recommendation to the City Council.

Councilor Beilstein expressed concern about requesting too much background work from staff, especially if staff would need to speak with potential funding partners. He asked whether staff's complaints concerning park conditions provided enough information to identify possible sites for porta-potty installation.

Ms. Emery believed she had enough information; however, she would like to speak with community members for their input. Staff was aware of human waste in landscaped beds but not necessarily elsewhere in parks. She would like to give the Committee a proposal that addressed those issues. She would prefer deferring funding discussions with potential partners until a plan was developed.

Councilor Beilstein concurred with Chair Hann's request for additional information and developing a refined recommendation to present to the Council. He acknowledged Ms. Ball's statement that action should be taken soon.

Ms. Emery noted that all park restrooms were accessible through November, and then some were closed for winter months.

Mr. Shepard observed the Committee's preference to review staff's proposal with cost estimates before the issue was presented to the Council.

Mr. Bailey concurred with Ms. Emery that changing the restroom buildings to provide heat during winter months was not the best financial investment. Additionally, heating the buildings could magnify the problems of people using them for overnight shelter. He believed it would be better for the City to not retrofit the restroom buildings to resolve multiple problems. He suggested that the issue would need to be addressed through more than the parks system restrooms, as problems persisted during summer months when all restrooms were accessible.

Councilor Beilstein suggested that the major pedestrian routes between the Downtown area and OSU's campus could be prime sites for locating porta-potties.

Councilor Glassmire suggested outreach by speaking with the DCA and with Aleita Hass-Holcombe, who could speak with members of the homeless community.

II. Car Camping in Church Parking Lot Update

Chief Sassaman reported that the issue was broached several months ago in terms of where people without homes could legally park their vehicles to camp within the vehicles and how the City could partner with entities to allow such camping. Staff contacted Love In the Name of Christ (Love INC) of Benton County Executive Director Corrie Latimer and Love INC's Executive Board and full membership. The Municipal Code included provisions for a person to obtain a permit to camp in their vehicle for short periods of time; permits would not constitute camping locations becoming permanent residences.

Chief Sassaman said, from the meetings he referenced, the parties proposed using the City's Municipal Code provisions, which allowed vehicle camping permits of seven, 30, and 60 days. He reviewed the approving authority for the various permit durations:

7-day permit	approvable by City Manager or his/her designee
30-day permit	approvable by City Manager
60-day permit	approvable by City Council

The 30- and 60-day permits required identification of community need.

Love INC member churches had legitimate concerns regarding liability and their responsibility for car camping on their properties. Under the proposal being developed, Love INC member churches would authorize Love INC to receive requests for vehicle

camping permits from any source (individual, family member, law enforcement, etc.). Love INC would be authorized by its participating member churches to seek a vehicle camping permit; the logistics of approving and issuing permits were being developed. Love INC would pay permit fees. Churches were private property, and permits would not convey property rights; permit holders must adhere to laws and rules or risk permit revocation. Love INC and its member churches offered to assist people in transitioning to a self-supportive lifestyle via a vehicle camping permit program. Police Department staff, Love INC, and its members were refining program details with the City Attorney's Office regarding legal documents, electronic parking permit administration, fees, etc. It was hoped that the program would enable the parties to assist people through various resources.

Ms. Latimer explained that Love INC was an organization of community churches working to meet community needs and fill gaps among services. She noted that 250 youth were identified as homeless within Corvallis School District 509J. Vehicle camping would be a temporary option for people needing shelter. Love INC could serve as an intermediary administrator for case management for people seeking vehicle camping permits and assist individuals with setting goals and accessing services.

Chief Sassaman emphasized that Love INC would connect people to community resources via its associations.

Councilor Beilstein said he had heard concerns regarding a high concentration of vehicle campers within a neighborhood; that concern should be alleviated through the new Transitional Parking Program.

Chief Sassaman said City staff, Love INC, and its member churches discussed asking the churches to provide property diagrams and identify spaces that would be designated for vehicle camping; based upon the circumstances, churches would be limited to up to two campers at a time.

In response to Councilor Beilstein's inquiries, Ms. Latimer confirmed that 12 of Love INC's 50 member churches were ready to implement the proposed Program. Chief Sassaman said no vehicle camping permits had been issued under the Program; the parties were working through the legal details so churches could give Love INC authority to seek camping permits on behalf of the churches. The permits would be issued electronically. The City Manager could designate someone, likely the Police Chief, to issue seven-day vehicle camping permits.

Chair Hann noted that 30 to 40 people could be assisted at any time by the various Love INC member churches.

Chief Sassaman said churches were willing but cautiously optimistic about the Program, which would be monitored for effectiveness or problems. Businesses with large parking

lots may join the Program. Police Department staff would know who had vehicle camping permits for each location and by time period.

Chief Sassaman opined that the Program was a good idea that he was eager to pursue. He acknowledged that the Program was not a solution for all problems in the community, but it was a positive action toward resolving an issue.

Chief Sassaman said the vehicle permit process addressed the issue of sanitation and water. Some churches may have facilities that could be available to campers, or churches may provide porta-potties. Ms. Latimer said most of the churches favored providing porta-potties to ensure security of their facilities. A similar program was successfully implemented at a Love INC member church in Benton County, with four or five families transitioning through a mobile home on the church's property.

Chief Sassaman said Adult Services Team (AST) – a collaboration of local social service agencies – would be able to provide guidance and coaching to individuals to help them be self-supporting. He confirmed for Chair Hann that, once the Program was functioning, Police Officers could notify people camping on streets of a legal option and opportunities of access to supportive services.

In response to Councilor Beilstein's inquiry, Chief Sassaman acknowledged that some people would not want to camp on a church's property; and that issue must be resolved.

Chief Sassaman said he and Ms. Latimer were present to provide information; no Committee or City Council action was needed yet. Mr. Shepard added that the Program was being developed under current City codes.

III. Other Business

A. Pending Issues

Mr. Shepard noted that the Downtown area restroom issue would be discussed again during the Committee's October 20 meeting. Review of Council Policies regarding the City flag and flower might be postponed.