



WELCOME TO THE SPECIAL MEETING OF THE FLORENCE CITY COUNCIL

APRIL 29, 2024

THIS MEETING IS HELD IN-PERSON AT THE FLORENCE EVENTS CENTER (715 QUINCE STREET) WITH THE OPTION TO VIEW VIRTUALLY.

CITIZENS WISHING TO EXPRESS THEIR VIEWS MAY PROVIDE VERBAL OR WRITTEN COMMENTS.

FOR MORE INFORMATION, VISIT THE CITY OF FLORENCE WEBSITE AT:

[HTTPS://WWW.CI.FLORENCE.OR.US/COUNCIL/CITY-COUNCIL-SPECIAL-MEETING-PUBLIC-INPUT](https://www.ci.florence.or.us/council/city-council-special-meeting-public-input)





AGENDA ITEM #1

PRESENTATIONS

CITY COUNCIL SPECIAL MEETING | APRIL 29, 2024



STAFF PRESENTATION

CITY MANAGER ERIN REYNOLDS
COMMUNITY DEV. DIR. WENDY FARLEYCAMPBELL

CITY COUNCIL SPECIAL MEETING | APRIL 29, 2024



BACKGROUND

U.S. 9th Circuit Court of Appeals = Martin v. City of Boise
U.S. 9th Circuit Court of Appeals = Johnson v. City Grants Pass
Oregon Revised Statutes 195.530
2023-2025 City of Florence Work Plan

WORK TO DATE



Transitional Housing Subcommittee (HIP Stakeholder Advisory Team)

- four times between April and October 2023

City Council & Planning Commission Joint Work Session, Dec. 4, 2023

City Council Work Sessions:

- January 11, 2024
- March 21, 2024
- April 4, 2024
- April 11, 2024



PROPOSAL

Florence City Code Title 1 Chapter 9 Time -- Place -- Manner

- Emergency Shelter -- Event Based
 - Move from Title 10 Chapter 2, Add Disaster Relief
- Temporary Sheltering Private Property
- Temporary Sheltering City Property
- Clean-Up Policy



Florence City Code Proposal

Emergency Shelter – Event Based City Manager Designated

- Purpose: disaster victims and response and relief workers
- Application: Anyone
- Type of Shelter: tents, temporary shelters, self-contained mobile structures
- Establishment Standards: Same as temporary sheltering

Emergency Shelter – Event Based City Council Designated

- Purpose: warming & adverse weather
- Application: non-profit or religious institution
- Type of Shelter: unspecified
- Establishment Standards: unspecified



Florence City Code Proposal

Temporary Sheltering Real Property – Non-Residential

- Applicant: Property Owner
- No compensation | Revocable
- Type of Shelter:
 - 3 vehicles OR tents in any combination
- Storage: no visible personal items
- Buffer: 5' from property lines
- Sanitation: handwashing, garbage, toilet
 - Not in front yard and 10' from property lines

Temporary Sheltering Real Property - Residences

- Applicant: Property Owner or tenant
- No compensation | Revocable
- Type of Shelter:
 - One vehicle in the driveway OR
 - One tent in the backyard
- Storage: no visible personal items
- Buffer: 5' from property lines
- Sanitation: handwashing, garbage, toilet
 - Not in front yard and 10' from property lines



Florence City Code Proposals

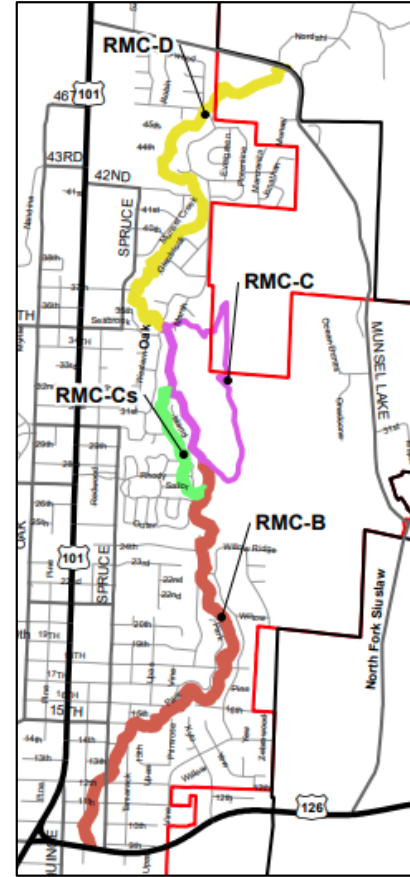
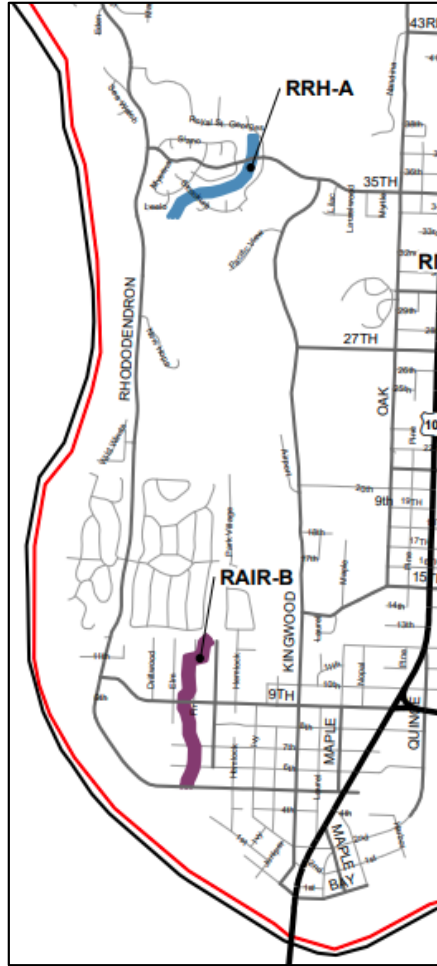
City Property Exclusion Areas

- Most Parks
- Significant Riparian or Wetland Areas
- Visual line of sight from a public trail
- City-owned facilities open to the public
- Certain Public Rights of Way (ROW)
- ROW within a Residential District

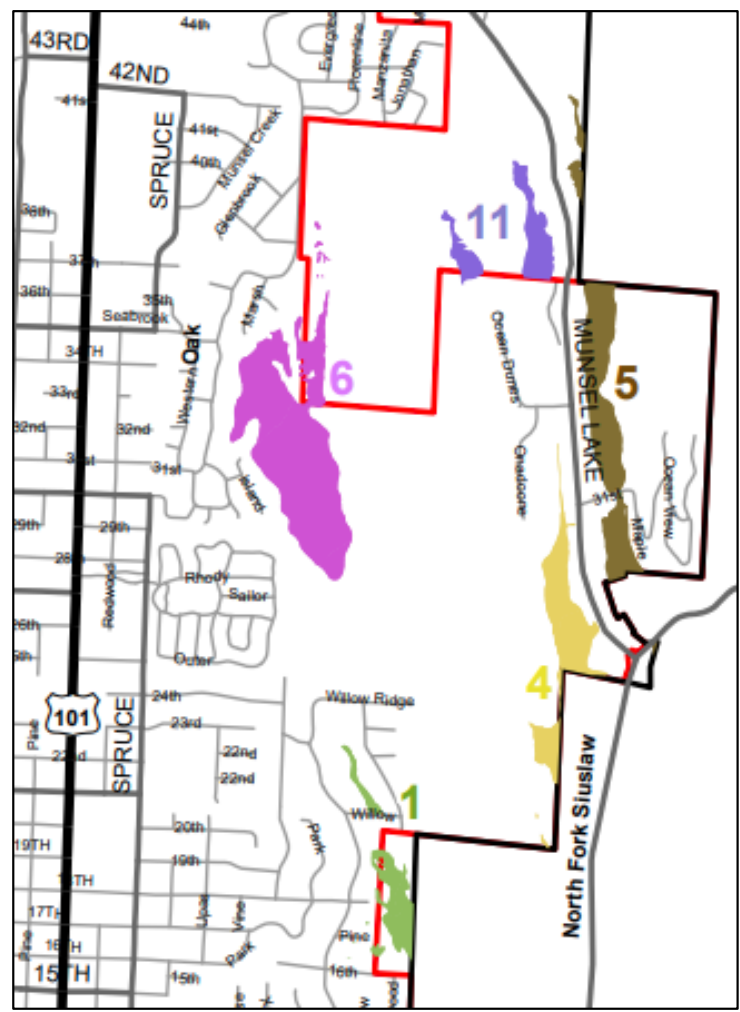
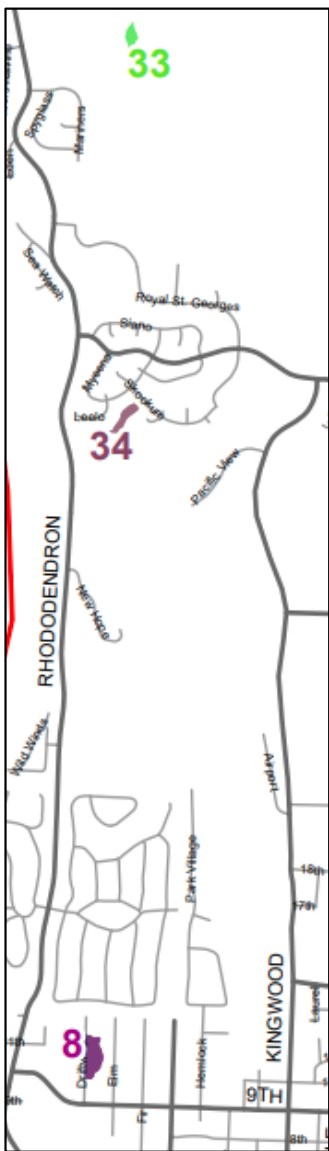
City Property Buffers—300 ft.

- Church or religious institution
- Elementary and secondary education school
- Day care and child care facilities
- Facility providing services to a homeless persons

SIGNIFICANT RIPARIAN REACHES



SIGNIFICANT WETLANDS - GOAL 5



CITY COUNCIL SPECIAL MEETING | APRIL 29, 2024





Florence City Code Proposals

Definitions (some)

- Motor Vehicle: operative, licensed, insured
- RV: camping trailers, tent trailers, campers, camper vans
- Tent: portable, cloth-like, not exceeding 90 sq.ft., 6'5" in height
- Shelter paraphernalia: sleeping bags, cooking devices, blankets, etc.
- Shelter facilities: tents, RVs,

Illegal Shelter Site Clean-Up

- Posted 72 hours ahead (English & Spanish)
- Less time if hazardous materials or danger to human life or safety
- Scheduled by Chief of Police
- Personal Property separated from trash, stored for 30 days, disposed afterwards
- Weapons, drug paraphernalia, stolen or crime evidence retained or disposed

MAP SEGMENTS



Driftwood Shores

Heceta Beach Road

Fawn Ridge Estates

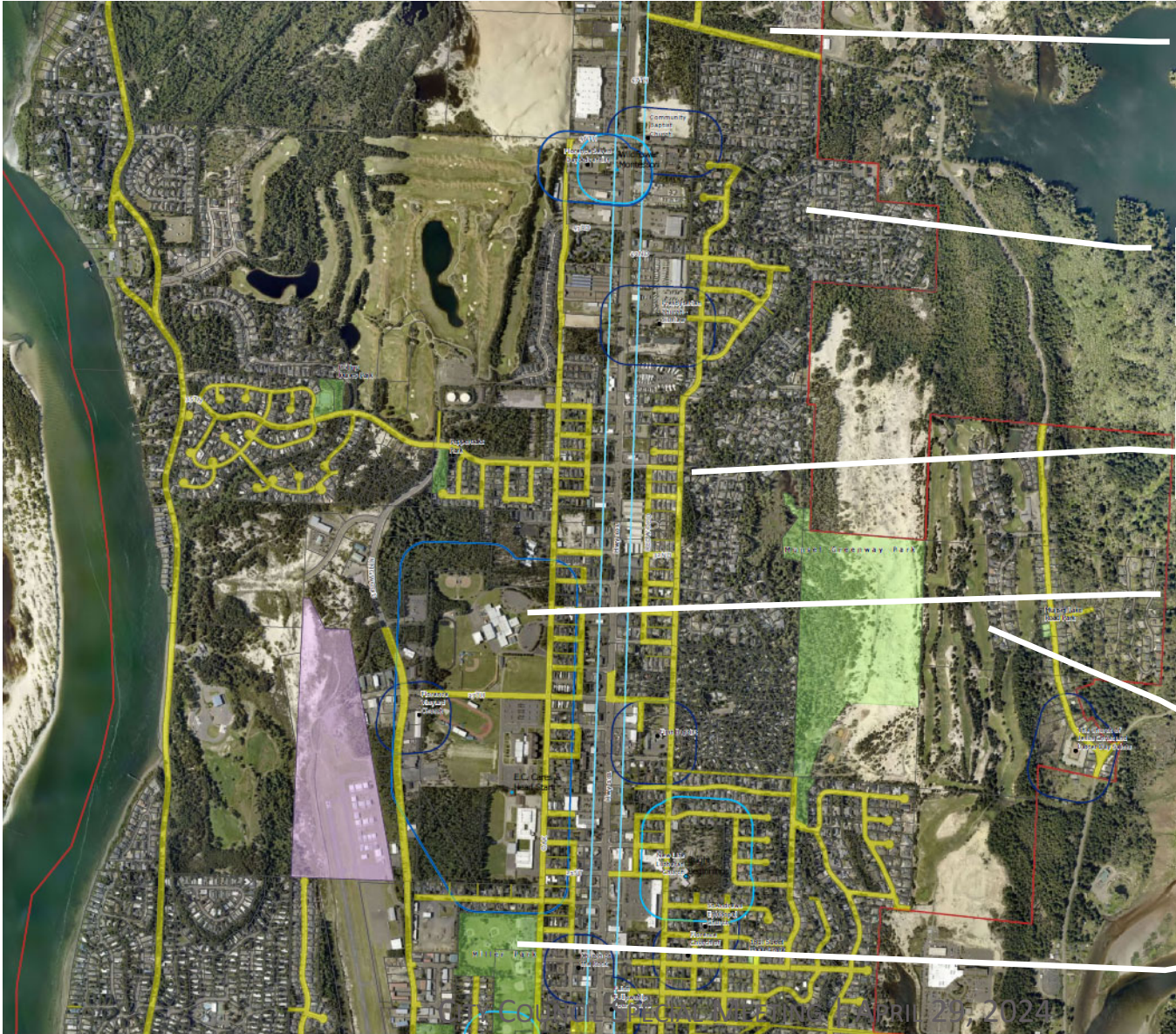
Heceta Beach Road

Three Mile Prairie

Spruce Village



MAP SEGMENTS



Munsel Lake Road



Florentine Estates

35th Street

Siuslaw Highschool

Ocean Dunes

Miller Park

MAP SEGMENTS



15th St./Airport Rd.

Greentrees Village

Spruce St.

Highway 126

Highway 101

CITY COUNCIL CONSIDERATION & POTENTIAL DECISION



- *Schedule a meeting for additional discussion and deliberation for a decision*
 - *Direct staff to do additional research*
 - *Determine if more time for public input is needed*



AGENDA ITEM #2

PUBLIC INPUT

CITY COUNCIL SPECIAL MEETING | APRIL 29, 2024

PUBLIC INPUT



COMMENTS ARE ALLOWED IN BOTH WRITTEN AND VERBAL FORMAT

WRITTEN COMMENTS:

- EMAIL TO CITYRECORDER@CI.FLORENCE.OR.US
- MAIL TO FLORENCE CITY HALL, ATTN: CITY COUNCIL, 250 HWY 101, FLORENCE, OR 97439
- DROP OFF AT FLORENCE CITY HALL (250 HWY 101) DROP BOX
(TO THE RIGHT OF THE MAIN ENTRANCE)

NOTE: COMMENTS MUST BE RECEIVED AT LEAST 2 HOURS PRIOR TO START OF MEETING.

COMMENTS DISTRIBUTED: TO CITY COUNCIL, POSTED TO CITY OF FLORENCE WEBSITE, AND MADE PART OF THE RECORD. (1 HOUR PRIOR TO MEETING)

VERBAL COMMENTS:

- SPEAKER'S CARD: COMMENTERS MUST COMPLETE A SPEAKER'S CARD AVAILABLE ONLINE AT [HTTPS://WWW.CI.FLORENCE.OR.US/COUNCIL/42924-CITY-COUNCIL-SPECIAL-MEETING-PUBLIC-INPUT-SPEAKERS-CARD](https://www.ci.florence.or.us/council/42924-city-council-special-meeting-public-input-speakers-card)
- NOTE: CARDS MUST BE RECEIVED AT LEAST 1 HOUR PRIOR TO MEETING START
- TIME LIMITS: GENERAL COMMENTS (NOT A PUBLIC HEARING) ARE LIMITED TO 3 MINUTES PER PERSON

PUBLIC INPUT



1. Warming and Disaster Response Shelters
2. Private Property Sheltering-Zoning Districts and Places Allowed
3. Private Property Sheltering-Sanitation, Screening and Siting Requirements
4. Private Property Sheltering-Registration and Revocation
5. Public Property Sheltering-Buffers from daycares, churches, schools and homeless services
6. Public Property Sheltering-Exclusion from identified public facilities, parks, and rights-of-way and protected wetland and creek buffers
7. Definitions related to the proposed policies

**PUBLIC INPUT –
3 MINUTE COUNT DOWN TIMER**

2 MINUTES LEFT

1 MINUTE LEFT

30 SECONDS LEFT

TIME IS COMPLETE

**PUBLIC INPUT –
3 MINUTE COUNT DOWN TIMER**

2 MINUTES LEFT

1 MINUTE LEFT

30 SECONDS LEFT

TIME IS COMPLETE



AGENDA ITEM #3

COUNCIL DISCUSSION

CITY COUNCIL SPECIAL MEETING | APRIL 29, 2024

April 29, 2024

City Council Special Meeting for Public Input

Agenda Item #2

Public Input

Speaker's Cards Received

Speaker's Cards – *The public input will be structured to address the various sections of the proposed code as outlined below in subjects one through seven.*

General areas of interest for the proposed City Code include the following:

1. Warming and Disaster Response Shelters
2. Private Property Sheltering-Zoning Districts and Places Allowed
3. Private Property Sheltering-Sanitation, Screening and Siting Requirements
4. Private Property Sheltering-Registration and Revocation
5. Public Property Sheltering-Buffers from daycares, churches, schools and homeless services
6. Public Property Sheltering-Exclusion from identified public facilities, parks, and rights-of-way and protected wetland and creek buffers
7. Definitions related to the proposed policies

Section 1: Warming and Disaster Response Shelters

- None

Section 2: Private Property Sheltering-Zoning Districts and Places Allowed

- None

Section 3: Private Property Sheltering-Sanitation, Screening and Siting Requirements

- None

Section 4: Private Property Sheltering-Registration and Revocation

- None

Section 5: Public Property Sheltering-Buffers from daycares, churches, schools and homeless services

- None

Section 6: Public Property Sheltering-Exclusion from identified public facilities, parks, and rights-of-way and protected wetland and creek buffers

- **Speaker 1** – John Raleigh

Section 7: Definitions related to the proposed policies

- **Speaker 2** – Brenda Gilmar

Published on *City of Florence Oregon* (<https://www.ci.florence.or.us>)

[Home](#) > [4.29.24 City Council Special Meeting for Public Input \(Speaker's Card\)](#) > [Webform results](#) > Submission #2

Submission information

Form: [4.29.24 City Council Special Meeting for Public Input \(Speaker's Card\)](#) [1]

Submitted by Visitor (not verified)

Mon, 04/29/2024 - 2:28pm

69.9.131.4

Name

John Raleigh

Area of Interest for the Proposed Code (Listed Above)

6

Brief Overview of What You Wish to Discuss

Share support for the proposed city code.

Do you Represent an Organization?

Edwin K Bed & Breakfast

Name of Organization

Residence Address

1155 Bay Street

Email

johnraleigh65@gmail.com

Phone Number

541-525-4414

Source URL: <https://www.ci.florence.or.us/node/25850/submission/30700>

Links

[1] <https://www.ci.florence.or.us/council/42924-city-council-special-meeting-public-input-speakers-card>



**4.29.24 City Council Special Meeting for Public Input
(Speaker's Card)**



Name: Brenda Gilmer
(Please Print)

City Council Meeting Date: 4-29-24 Area of Interest.: _____
See backside for numbers

Brief Overview of What You Wish to Discuss: Definitions #7

Do you represent an organization? Yes No Name of Org.: _____

Residence Address: 3640 Ocean View Dr

City, State, Zip: Florence, OK 74399

Email (Optional): _____ Phone No. (Optional): _____

Would you like to be added to the City of Florence Email Distribution Lists?

- Newsletter City Council

**NOTE: ONCE COMPLETED, THIS CARD BECOMES A PUBLIC DOCUMENT
(See Reverse Side for Instructions)**

April 29, 2024

City Council Special Meeting for Public Input

Agenda Item #2

Public Input

Written Comments Received

Written Comment – *The public input will be structured to address the various sections of the proposed code as outlined below in subjects one through seven.*

General areas of interest for the proposed City Code include the following:

1. Warming and Disaster Response Shelters
2. Private Property Sheltering-Zoning Districts and Places Allowed
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5. Public Property Sheltering-Buffers from daycares, churches, schools and homeless services
6. Public Property Sheltering-Exclusion from identified public facilities, parks, and rights-of-way and protected wetland and creek buffers
7. Definitions related to the proposed policies

Section 1: Warming and Disaster Response Shelters

- None

Section 2: Private Property Sheltering-Zoning Districts and Places Allowed

- **Written Comment 1** – Dave Rogers

Section 3: Private Property Sheltering-Sanitation, Screening and Siting Requirements

- None

Section 4: Private Property Sheltering-Registration and Revocation

- **Written Comment 2** – Kat McClellan

Section 5: Public Property Sheltering-Buffers from daycares, churches, schools and homeless services

- **Written Comment 3** – Susy Lacer

Section 6: Public Property Sheltering-Exclusion from identified public facilities, parks, and rights-of-way and protected wetland and creek buffers

- **Written Comment 4** – Dave Braley
- **Written Comment 5** – Jill Rizk
- **Written Comment 6** – John Curtis
- **Written Comment 7** – Sherry Harvey, Jeff Ashmead
- **Written Comment 8** – Sarah Raleigh

Section 7: Definitions related to the proposed policies

- **Written Comment 9** – Brenda Gilmar

City Recorder

From: David E. Rogers, Jr. <derj1981@gmail.com>
Sent: Monday, April 29, 2024 1:48 PM
To: City Recorder
Subject: City Council Special Meeting 4/29/24

To Mayor Ward and the city council,

I wish to express my general support for the new temporary sheltering ordinance you are considering. Implementation of this ordinance is key and I encourage you to consider carefully what can be done to make this new policy a success. I also ask that you keep in mind the humanity and dignity of our homeless neighbors.

David Rogers, Jr.

TO: City of Florence Mayor, City Council and Staff

From: Kate McClellan, kmcclellx@comcast.net

Thank you to City Staff and Council for all the work done to get us to this point.

I urge the Council to continue efforts to increase the affordable housing in Florence.

I have the following specific concerns that I'd like Council to consider regarding this ordinance.

1. Time to vacate, 1-9-2-2 G.

I have worked for the last year and a half with people experiencing homelessness in Florence. I believe this population is extremely vulnerable to exploitation and abuse by the less scrupulous members of our community who are housed. Four hours is too short a time for someone to remove their belongings. They are at risk of losing what little they have.

1-9-2-2: Temporary Sheltering Program

G. Any person whose permission to shelter on property has been revoked pursuant to subsections E or F of this section must vacate and remove all belongings from the property within four hours of receiving such notice.

Thank you for your consideration.

Submission information

Form: [4.29.24 City Council Special Meeting for Public Input \(Written Comment\)](#) [1]

Submitted by Visitor (not verified)

Sun, 04/28/2024 - 3:39pm

216.110.197.75

Name

Susy Lacer

Area of Interest for the Proposed Code (Listed Above)

5

Written Comments Section

Dear Florence City Council,

I am against the proposed buffer excluding temporary sheltering around churches, schools, and "facilities providing services to those experiencing homelessness."

Why is it necessary to prohibit temporarily sheltering near a school or daycare? What does that mean for families with young children who are experiencing homelessness? They are unable to temporarily shelter close to where their child attends school?

Which facilities in Florence do not provide services to those experiencing homelessness? People experiencing homelessness shop at local stores, spend time at the library, attend churches, and visit a wide variety of agencies from DMV to the City. As people who are unhoused also work in many of our local businesses and agencies, are they excluded from temporarily sheltering near their place of employment?

Thank you for your diligent work on behalf of all residents in Florence. I appreciate your service.

Do you Represent an Organization?

No

Name of Organization

Residence Address

207 Park Village Ct, Florence

Email

susybart@q.com

Phone Number

Source URL: <https://www.ci.florence.or.us/node/25851/submission/30696>

Links

[1] <https://www.ci.florence.or.us/council/42924-city-council-special-meeting-public-input-written-comment>

Submission information

Form: [4.29.24 City Council Special Meeting for Public Input \(Written Comment\)](#) [1]

Submitted by Visitor (not verified)

Mon, 04/29/2024 - 12:05pm

63.155.7.181

Name

Dave Braley

Area of Interest for the Proposed Code (Listed Above)

6

Written Comments Section

The Munsel Creek Bike Path and associated natural greenbelt must be included in the property sheltering exclusion zone. The path is a popular pedestrian facility featuring beautiful native vegetation and springtime flowering and is part of the city park system.

I walk the path almost every day as part of my daily walk and I have witnessed much damage, filth, and trash adjacent to the path. The natural vegetation has been cleared in many areas, replaced by garbage, filth, and campfire sites. The slopes down to adjacent Munsel Creek have been used as garbage depositories. It is not unusual to see transients hanging around the benches, many high and agitated by drugs and mental issues. I'm sure many of our citizens avoid the path fearing this kind of situation. This result is not acceptable.

The entire Munsel Creek Bike Path and the natural areas adjacent, including all the land between the path and Munsel Creek, must be included in the exclusion zone. This protects both the bike path and creek, both resources that Florence should be proud of...

Do you Represent an Organization?

No

Name of Organization

Residence Address

2217 Primrose Lane

Email

braleyardel@gmail.com

Phone Number

541-997-6803

Source URL: <https://www.ci.florence.or.us/node/25851/submission/30699>

Links

[1] <https://www.ci.florence.or.us/council/42924-city-council-special-meeting-public-input-written-comment>

Submission information

Form: [4.29.24 City Council Special Meeting for Public Input \(Written Comment\)](#) [1]
Submitted by Visitor (not verified)
Fri, 04/26/2024 - 1:53pm
107.77.205.35

Name

Jill Rizk

Area of Interest for the Proposed Code (Listed Above)

6

Written Comments Section

City Council,
Letter Addressing Item #6: Public Property Sheltering

I've previously commented to the council in person as well as by letter and will continue to do so as the homeless camping problem affects all of us. This is a recounting of my personal experience with the situation.

I moved to Florence 9 years ago and hike almost daily with my dogs in a city park behind my home. The natural areas around our town are spectacular and I take significant joy in spending time there. However, from the beginning, I noticed an enormous amount of trash in the area I frequent which deeply disturbed me. So much so that little by little I started to clean it up. Over the years I went from picking up bits of trash along the trails to much more. To date I've pulled many broken bikes and much bedding out of the bushes, cleaned up party sites and noted that each year the homeless encampments get larger and take more hours of effort to clean up. I've heard from those advocating for the homeless that I shouldn't "take what little they have." I only clean up abandoned camps. But for some reason, the campers don't want what I come across. Almost always left behind are newer sleeping bags, tents, good quality clothing, blankets and unopened food. But that's not all. The women leave behind their used menstrual pads and tampons that wildlife then drag through the forest. Everyone leaves copious amounts of poop and toilet paper, loads of cigarette butts, food packaging and broken glass. There's always a fire where items are burned with the charred remains left behind. This is an accurate description of the homeless camp horror I face every time I commit to a cleanup which is usually 1-3 times a week.

Those supporting the homeless right to sleep in public places seem to be under the impression that these campers just throw a bag on the ground or pop up a tent and go to sleep. That's never what happens. Without fail, they trash whatever area they're in. There's no regard or concern for anything or anyone other than themselves. Despite having trash cans and a bathroom near where they camp in the park I clean, they don't haul out their trash or use the toilet. Unlike regular hikers or backpackers who practice "leave no trace" principles, the homeless are given a pass. They can foul our forests, waterways, hiking trails, etc. with no penalty. I want to make this clear. These campers are not just sleeping.

This letter isn't to address the root causes of this issue or to offer solutions, but to offer a first hand account of what I'm finding that's despoiling our local, gorgeous, natural environment. I won't stop cleaning and I hope our council, community and state have the foresight, courage and energy to end this problem permanently. And for now, please don't allow this in our public parks and along

hiking trails. It helps no one.

Sincerely,
Jill Rizk
Florence, OR

Do you Represent an Organization?

No

Name of Organization

Residence Address

201 Huckleberry Lane, Florence

Email

jcalrizk1@gmail.com

Phone Number

3602965567

Source URL:<https://www.ci.florence.or.us/node/25851/submission/30692>

Links

[1] <https://www.ci.florence.or.us/council/42924-city-council-special-meeting-public-input-written-comment>

From: John Curtis <floyd9044@gmail.com>
Sent: Sunday, April 28, 2024 1:52 PM
Cc: Bill Meyer; Sally Wantz; Rob Ward; Robert Carp; Jo Beaudreau
Subject: Letter to the Florence City Council

4-28-2024

Members of the Council:

I hope you have a moment to read my email as I believe the decisions "the city" makes regarding our response to the continuing homeless issues will have a profound impact on the quality of life for thousands of tax paying residents of Florence. Also, that same quality of life that tourists come here for, to briefly escape the compound problems in their metropolitan areas, will be profoundly impacted by your decisions. Tourism dollars and local businesses are notoriously sensitive to anything that impacts their appeal to customers.

To state the obvious... the blight of failed attempts to deal with the homeless population invariably evolve into a never ending, incrementally more expensive spiral of trying to deal with the previous failed program... by funding another "solution" that's historically destined to get worse and fail... ad infinitum (think Eugene, Portland, Seattle, LA, SF, Chicago). For our tax dollars the progression is never ending... from thousands to millions to billions and the intellectual deception that more money and the next new program will somehow fix the previous failures.

At some point reality sets in that trying to "contain" the homeless, voluntarily, in designated "containment/safe" areas inevitably results increasing numbers of wandering homeless with their inherent issues of drugs, mental illness, crime, litter, falling residential property values and business district decline. It takes significant denial to minimize these issues and ignore what millions of eyes see every day in American cities, large and small.

Just from a public safety standpoint...

The harsh reality is that the police do a majority of their job "after the fact". The incident has already occurred. The damage is already done and the injury has already been inflicted. It's incredibly frustrating to these victims when the government shrugs their shoulders and continues to pour billions of tax dollars into failed programs... while tax paying citizens and businesses are forced to endure the mirage that all these programs are somehow good for our neighborhoods and business districts.

These taxpayer funded private social organizations that make so many nebulous statistical and academic claims of amazing progress... always need more of our money. I don't know if the citizens of many of our cities would feel much optimism after all these hundreds of programs and billions of tax dollars have only seen never-ending expansion of feces strewn sidewalks, trash blighted neighborhoods, crime and failed local economies.

The progressive legal system has hamstrung public safety with lenient prosecutors, ill-considered judicial activism and legislative insanity. It's curious that the quality of life for millions of taxpayers has been incrementally under siege for decades by politicians and their academic social programs while critical infrastructure remains in disrepair. Billions of taxpayer dollars have been put toward untold numbers of social programs for decades. Yet the problem grows exponentially. What's the definition of insanity?

The growing numbers of addicted, mentally ill homeless inevitably spill over into the wider community. This ever-growing group predominantly refuses to be regulated or contained and has learned to disregard

unenforceable rules. Many, arguably most, homeless don't want rules and disregard the problems that they create for our community's quality of life, economic image and public safety.

Large cities with scores of brilliant people, scores of public meetings, large police departments, huge taxpayer funded government bureaucracies, social programs of every kind spending billions of dollars... have, for decades, failed dismally and incrementally. It's a shell game of finger pointing and putting lipstick on the next pig. Eventually it's impossible to deny... and eventually it's too late to avoid.

Please protect the thousand of Florence taxpayers and the tourism that drives our economy.

Respectfully,
John Curtis
Florence

City Recorder

From: sherry harvey <sl.harvey@yahoo.com>
Sent: Sunday, April 28, 2024 2:36 PM
To: City Recorder
Subject: FEC Meeting - Florence Sheltering Item #6

Thank you for the effort the city of Florence is making to mitigate the visible effects of sheltering as mandated by the state. We are looking forward to your balancing compassion with the need to preserve our property values plus Florence's attractiveness for much needed tourism.

We are sure you expect an increased burden to city workers as the guidelines are enforced and hope you will provide resources to keep up with the challenge.

In Junction City, in our county, near HWY 99 there was a camp that took significant effort to clean up.

Here are the numbers for the clean up, I found these numbers *staggering*.

81,000 pounds of garbage removed

35 propane tanks removed

Multiple washers, dryers, hot water tanks and other random appliances removed

2 motor homes (only)

12, 55 gallon drums of personal property that is currently being stored at Glenwood waiting to be claimed

Hazmat crew (35 hrs) cleaned up all the human waste and other bio hazards, unknown amount at this time.

3 employees operating two skid steers and one excavator logged over 100 hrs in this single clean up.

Since the messes created by unsheltered living in camps in Florence seems to be getting worse each year, we really hope the steps you are taking will make a considerable impact on this threat to Florence businesses, community, and the environment.

Sherry Harvey
Jeff Ashmead

Submission information

Form: [4.29.24 City Council Special Meeting for Public Input \(Written Comment\)](#) [1]

Submitted by Visitor (not verified)

Fri, 04/26/2024 - 5:10pm

45.41.255.209

Name

Sarah Marie Raleigh

Area of Interest for the Proposed Code (Listed Above)

6

Written Comments Section

As a small business owner, I am writing in support of the City Council prohibiting sheltering in designated areas. Tourism is essential to the Florence economy and it has been detrimentally impacted by failing to have a policy like this in place. The cities of Newport and McMinnville have policies in effect that prohibit sheltering in certain areas that are vital to tourism. On innumerable occasions I have had guests state they will not be returning to Florence because of this issue. Enacting a policy to prohibit sheltering in certain areas is key to helping Florence's tourism industry grow and flourish. I appreciate the City Council's hard work and countless hours spent working on this issue, thank you.

Do you Represent an Organization?

Yes

Name of Organization

Edwin K Bed & Breakfast

Residence Address

1155 Bay Street, Florence, OR 97439

Email

sarahraleigh@outlook.com

Phone Number

5414502946

Source URL: <https://www.ci.florence.or.us/node/25851/submission/30694>

Links

[1] <https://www.ci.florence.or.us/council/42924-city-council-special-meeting-public-input-written-comment>



Written testimony of Brenda Gilmer, Florence resident, 3640 Ocean View Dr., Florence, OR 97439 brenda.j.gilmer@gmail.com *Brenda J. Gilmer 4-29-2024*
for the April 29, 2024 Special Meeting of the City Council of Florence, Oregon.

1. The notice of and materials for this special meeting with documents attachments that were distributed to the public by email on April 25, 2024:
 - a. were received (sent also?) after 6 p.m. on that Thursday evening;
 - b. contain maps that are unreadable and in a format that they cannot be made readable
 - c. provide insufficient detail to enable me and other members of the public to respond in a meaningful waydepriving me and others (who were not provided special copies and more and readable notice of the materials) of a meaningful opportunity to be heard. It is not possible to determine from the materials provided where people who have no other reasonable options may sleep or protect their bodies or possessions.
2. The City and particularly the city manager, code enforcement personnel, police officers, ambulance and emergency response personnel owe an affirmative duty to provide those experiencing homelessness (“the targeted class”) with:
 - a. equal protection of the law (of their sleep, their bodies, their property)
 - b. substantive due process (protection from discriminatory, ambiguous city action)
 - c. procedural due process (clear, legal, written procedures and processes) that provide meaningful, pre- and post-imposition opportunity to be heardThe proposed provisions fail on every one of those grounds. The draft proposal appears to establish a Gestapo-like nonsystem of intentionally harming the targeted class and leaving them without recourse. How badly the City can hurt members of the targeted class and get away with it seems to be the guiding principle.
3. Failing to provide for notice of where members of the targeted class may lawfully sleep, shelter, or exist in Florence, Oregon, and instead only setting out prohibited areas where they may not:
 - a. is morally bankrupt
 - b. is a corrupt exercise of a municipal corporation’s police power
 - c. deprives the targeted class of the equal protection of the law
 - d. deprives the targeted class of substantive and procedural due process
 - e. creates unprincipled and unfettered power in the hands of the city manager who, it appears, is engaging in, or intends to engage in verbal sole-source contracting with a favored nongovernmental entity with a history of discriminating against the targeted class, essentially granting a form of “royal charter”
 - f. amounts to regulating the acts of sitting, lying sleeping and keeping warm and dry outdoors that violates ORS 195.530 in a manner that is not objectively reasonable as to time, place or manner and violates ORS 195-530.
4. Establishing 7 categories for public input and limiting our input to one of those sections deprives me and others of a meaningful opportunity to participate. The set of documents, the structure, the categories, all the holes and nooks and crannies all serve to obscure the criminalization of the status of homelessness. Calling something “civil” does not make it so. Under this proposal, members of the targeted class are subjected to exclusion and harassment – treated as criminal trespassers, just not in those words.