



Eugene City Council

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AMENDED AGENDA EUGENE CITY COUNCIL

June 12, 2019

**12:00 p.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**Meeting of June 12, 2019;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Betty Taylor, President
Mike Clark
Chris Pryor
Jennifer Yeh

Emily Semple, Vice President
Greg Evans
Claire Syrett
Alan Zelenka

Note: This agenda has been amended to reflect the addition of Item 1 (Appointments to Boards, Commissions and Committees), which was postponed at the June 10, 2019, meeting.

12:00 p.m. EUGENE CITY COUNCIL WORK SESSION

- 1. ACTION: Appointments to Boards, Commissions and Committees**
- 2. UPDATE: Equity in Contracting**
- 3. WORK SESSION AND POSSIBLE ACTION: Rest Stop Program Update and Siting Policy Discussion**

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El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the City Council Coordinator at 541-682-5010
or visit us online at www.eugene-or.gov.

Memorandum

Date: May 30, 2019
To: Mayor and City Council
From: Abby Alway, Equity in Contracting Program Coordinator, Finance Division
Subject: Update on the Equity in Contracting Program

The Equity in Contracting Program is looking forward to providing a program update and discussing plans for the upcoming year (see attachment for overview) at your work session on May 28th.

The Equity in Contracting (EIC) Program focuses on Supplier accessibility to work with the City of Eugene. Collaborating City-wide, the EIC program provides education and resources to Suppliers interested in working with the City, as well as to internal customers on how to find, engage and contract with businesses, in particular with minority and women business enterprises, emerging small businesses and service disabled veteran business enterprises ([COBID-certified](#)). The program focuses on:

- **Leading** the effort to establish best practices for data collection and supplier engagement and working towards changing the anecdotal impression that the City of Eugene is “closed to new business”.
- **Understanding** the business practice needs of both our supplier community and our internal customers.
- **Educating** suppliers on how to successfully navigate working with government, particularly with the needs of specific departments, and educating internal customers on the impact that both large and small purchases make within the business community.
- **Connecting** suppliers with established resources to help build their capacity and ability to adequately respond to, and complete, City of Eugene projects.
- **Developing** relationships with suppliers interested in working with the City, and with internal customers responsible for making both large and small purchases, while working to build trust and understanding between the two.



PHASE 1 2016 - 2017

- Research & understand opportunities, establish connections, begin program initiative communication.
- Develop the regional Contracting Alliance for Diversity & Equity (CADE)
- Implement an annual Supplier Engagement Event (Supplier Summit)
- Collect data on formal solicitations



PHASE 2 2018 - 2019

- Develop methods to collect data on informal purchases
- Require COBID-certified business engagement on small projects
- Implement internal education & engagement initiative
- Collaborate with partners to educate and engage
- Build COBID and ORPIN directories



PHASE 3 2020

- See consistent data reporting on informal purchases from Project Managers and Prime Contractors
- Establish a baseline for utilization of COBID-certified businesses for both formal and informal purchases
- Target areas for focused education and increased utilization
- Address additional areas of equity and accessibility in contracting that support City values (e.g., sustainability)

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session and Possible Action: Rest Stop Program Update and Siting Policy Discussion

Meeting Date: June 12, 2019
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2
Contact: Jason Dedrick
Contact Telephone Number: 541-682-5033

ISSUE STATEMENT

At the January 23, 2019, Work Session, City Council directed staff to prepare specific options for amending or revising the rest stop ordinance related to funding, site location and site ownership. This work session is an opportunity for council to discuss—and potentially take action—on the options staff have prepared (Attachment A).

BACKGROUND

The [rest stop program](#) was initiated by City Council in September 2013 by [Ordinance 20517](#) (Attachment B) as a pilot program. Council approved yearly extensions to the program four times before voting to remove the program's sunset date on February 27, 2017. The program provides certain council-approved sites where up to 20 individuals who are experiencing homelessness may safely and legally sleep and keep their belongings while they work to obtain more stable, permanent housing.

Eugene currently has four rest stops, three of which are managed by Community Supported Shelters and are located in Ward 7, with the fourth managed by Nightingale Hosted Shelters and located in Ward 2. Managing non-profits have been responsible for the costs to establish and operate each location. The City contributes to the program through the council-enacted ordinance, by providing council-approved properties for sites, financial resources for materials and supplies, and staff support to the program.

The Triple Bottom Line is primarily addressed on this program through siting efforts (environmental and social equity considerations) and the social equity and economic prosperity dimensions of helping community members achieve housing and economic stability by providing safe, supported places to sleep.

PREVIOUS COUNCIL DIRECTION

At the [November 26, 2018](#), City Council work session, councilors approved a motion that the "City Manager prepare for council's consideration a set of options for amending or revising the rest stop program and ordinance that have the potential to expand the number of sites established by the

City.” Staff prepared a set of options for Council review and discussion at the [January 23, 2019](#), City Council work session. At that work session, council asked staff to prepare specific options based on the discussion, including amending or revising the rest stop ordinance related to funding, site location, and site ownership. Attachment A contains multiple options for revisions to the rest stop ordinance based on previous council discussion.

COUNCIL OPTIONS

1. Maintain the current rest stop program policies and ordinance language.
2. Make changes to the current rest stop program policies and ordinance language.

CITY MANAGER’S RECOMMENDATION

The City Manager does not have a recommendation for this item.

SUGGESTED MOTION

Move to direct the City Manager to prepare an ordinance and schedule a public hearing consistent with the following options as shown in Attachment A to this AIS:

- Item 1 option [A, B or C]
- Item 2 option [A, B or C]
- Item 3 option [A, B or C] and
- Item 4 option [A, B or C].

ATTACHMENTS

- A. Options for Amending or Revising Rest Stop Ordinance
- B. Permitted Overnight Sleeping Ordinance (#20517)

FOR MORE INFORMATION

Staff Contact: Jason Dedrick, City Manager’s Office
Telephone: 541-682-5033
E-Mail: jderrick@eugene-or.gov

	Ordinance	Option A	Option B	Option C
1	“and one or more entities other than the City provides, at no cost to the City, adequate garbage, toilets and supervision.”	Delete clause entirely. “ and one or more entities other than the City provides, at no cost to the City, adequate garbage, toilets and supervision. ”	Revise to eliminate all prohibitions on City involvement in the provision of garbage, toilets and supervision. “and one or more entities other than the City provides, at no cost to the City, adequate garbage, toilets and supervision.”	Revise to eliminate prohibition on City financially contributing to the provision of garbage, toilets and supervision. “and one or more entities other than the City provides, at no cost to the City, adequate garbage, toilets and supervision.”
2	“Any such site may not be located in a residential area”	Delete prohibition on residential locations entirely. “Any such site may not be located in a residential area ”	Revise prohibition on residential locations to allow rest stops serving families with children: “Any such site may not be located in a residential area, <i>unless the rest stop exclusively serves families with children</i> ”	Revise prohibition on residential locations to provide council with more flexibility: “Any such site may not be located in a residential area <i>unless the City Council determines that any potential impacts to the surrounding residences can be effectively mitigated</i> ”
3	“Any such site may not be located. . . close to a school”	Delete prohibition on school proximity entirely. “Any such site may not be located. . . close to a school ”	Revise prohibition on school proximity to allow rest stops serving families with children. “Any such site may not be located. . . close to a school <i>unless the rest stop exclusively serves families with children</i> ”	Revise prohibition on school proximity to provide council with more flexibility. “Any such site may not be located. . . close to a school <i>unless the Council determines that any potential impacts to the school can be effectively mitigated</i> ”
4	“Any such site . . . must be owned or leased by the City of Eugene, a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial.”	Delete property ownership requirements entirely. “Any such site . . . must be owned or leased by the City of Eugene, a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial. ”	Revise property ownership requirements to include all governmental entities. “Any such site . . . must be owned or leased by the City of Eugene <i>a governmental entity</i> , a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial.”	Revise property ownership requirement to add ownership by governmental entity and delete requirement that business property be zoned commercial or industrial. “Any such site . . . must be owned or leased by the City of Eugene <i>a governmental entity</i> , a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial. ”

Permitted Overnight Sleeping Pilot Program.

- (1)** Up to 15 persons may sleep overnight in vehicles, as that term is defined in section 4.816(1)(a) of the Eugene Code, 1971, on property authorized pursuant to Section 4 of Ordinance No. 20517. However, for rest stop sites that have been operating in good standing for at least six months, the operator of the rest stop may request, and the City Manager may approve, that up to 20 persons may sleep overnight at a specified site under this program.
- (2)** No site may be used for overnight sleeping pursuant to subsection (1) of this section unless one or more entities enters into the agreement with the City referenced in Section 4 of Ordinance No. 20517 and one or more entities other than the City provides, at no cost to the City, adequate garbage, toilets and supervision. The entity providing supervision shall work with surrounding and nearby neighbors (businesses or residences) to address any concerns.

Section 4. The City Manager shall recommend to the City Council one or more proposed sites for the pilot project authorized by Section 3 of this Ordinance. Any such site may not be located in a residential area or close to a school, and must be owned or leased by the City of Eugene, a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial. Before a proposed site may be used, the site must be approved by the City Council by motion and an agreement must be executed between the City and the entity referred to in subsection (2) of Section 3 above. Such an agreement may include but is not limited to provisions concerning (a) supervision, (b) selection of the individuals who may camp at the site, (c) number of continuous days that someone may camp at the site, (d) hours that people may stay at the site in addition to 9:00 p.m. to 7 a.m., (e) structures and other items that may be placed on the site, and (f) closure of the site for non-compliance with the terms of the agreement.



COUNCIL ORDINANCE NO. 20517

COUNCIL BILL 5098

AN ORDINANCE CONCERNING PERMITTED OVERNIGHT SLEEPING; AMENDING SECTION 4.816 OF THE EUGENE CODE, 1971; AND PROVIDING A SUNSET DATE FOR UNCODIFIED PROVISIONS.

ADOPTED: September 25, 2013

SIGNED: September 25, 2013

PASSED: 6:2

REJECTED:

OPPOSED: Clark, Poling

ABSENT:

EFFECTIVE; September 25, 2013

ORDINANCE NO. 20517

AN ORDINANCE CONCERNING PERMITTED OVERNIGHT SLEEPING; AMENDING SECTION 4.816 OF THE EUGENE CODE, 1971; AND PROVIDING A SUNSET DATE FOR UNCODIFIED PROVISIONS.

The City Council of the City of Eugene finds as follows:

A. Section 4.816 of the Eugene Code, 1971 (EC) provides for the regulation of overnight sleeping.

B. In order to create additional sleeping options for people who are homeless, Ordinance No. 20484 was adopted temporarily allowing overnight sleeping in a tent where overnight sleeping would be allowed in a vehicle. The sunset date of that provision was extended to December 31, 2014 by Ordinance No. 20501. Ordinance No. 20503 was adopted allowing overnight sleeping in a "Conestoga hut" where overnight sleeping would be allowed in a vehicle. That Ordinance will sunset on October 1, 2013. EC 4.816 should be amended to make those provisions permanent.

C. In addition, a pilot program expanding the permitted overnight sleeping provisions should be established and remain in effect until March 31, 2014, which will allow the City to monitor the program to determine whether it should be made permanent, revised or abandoned.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The findings set forth above are adopted.

Section 2. Subsection (1) of EC 4.816 is amended to provide as follows:

4.816 **Permitted Overnight Sleeping.**

(1) Notwithstanding any other provision of this code:

- (a) Persons may sleep overnight in a vehicle in a parking lot of a religious institution, place of worship, business or public entity that owns or leases property on which a parking lot and occupied structure are located, with permission of the property owner. The property owner may not grant permission for more than six vehicles used for sleeping at any one time. For purposes of this subsection (1), the term "vehicle" includes a car, tent, camper, trailer, and Conestoga hut.
- (b) Persons may sleep overnight in the back yard of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. Not more than one family may sleep in any back yard, and not more than one tent or camping shelter may be used for sleeping in the back yard. As an alternative, but not in addition to sleeping overnight in the back yard, not more than one family may sleep

in a vehicle, camper or trailer parked in the driveway of a single family residence in a residential zoning district, with permission of the owner and tenant of the residence. For purposes of this subsection, "family" means persons related by blood or marriage, or no more than two unrelated adults.

- (c) Persons may sleep overnight in a vehicle, on a paved or graveled surface located on a vacant or unoccupied parcel, with the permission of the property owner, if the owner registers the site with the city or its agent. The city may require the site to be part of a supervised program operated by the city or its agent. The property owner may not grant permission for more than six vehicles used for sleeping at any one time.

Section 3. The following provisions are adopted as a pilot program and shall sunset and be repealed on March 31, 2014, unless extended or made permanent by future Council action:

Permitted Overnight Sleeping Pilot Program.

- (1) Up to 15 persons may sleep overnight in vehicles, as that term is defined in section 4.816(1)(a) of this code on property authorized pursuant to Section 4 of this ordinance.
- (2) No site may be used for overnight sleeping pursuant to subsection (1) of this section unless one or more entities enters into the agreement with the City referenced in Section 4 of this ordinance and one or more entities other than the City provides, at no cost to the City, adequate garbage, toilets and supervision. The entity providing supervision shall work with surrounding and nearby neighbors (businesses or residences) to address any concerns.

Section 4. The City Manager shall recommend to the City Council one or more proposed sites for the pilot project authorized by Section 3 of this Ordinance. Any such site may not be located in a residential area or close to a school, and must be owned or leased by the City of Eugene, a religious institution, a non-profit organization, or a business if the business is located on property zoned commercial or industrial. Before a proposed site may be used, the site must be approved by the City Council by motion and an agreement must be executed between the City and the entity referred to in subsection (2) of Section 3 above. Such an agreement may include but is not limited to provisions concerning (a) supervision, (b) selection of the individuals who may camp at the site, (c) number of continuous days that someone may camp at the site, (d) hours that people may stay at the site in addition to 9:00 p.m. to 7 a.m., (e) structures and

other items that may be placed on the site, and (f) closure of the site for non-compliance with the terms of the agreement.

Section 5. Due to the inclement weather and the need to provide assistance to homeless persons as soon as possible, pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto, this Ordinance shall become effective immediately.

Passed by the City Council this
25th day of September, 2013.



City Recorder

Approved by the Mayor this
25 day of September, 2013.



Mayor