



Eugene City Council

125 E. 8th Ave., 2nd Floor
Eugene, OR 97401-2793
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

July 22, 2019

7:30 p.m. CITY COUNCIL MEETING
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

Meeting of July 22, 2019;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Betty Taylor, President
Greg Evans
Mike Clark
Jennifer Yeh

Emily Semple, Vice President
Chris Pryor
Claire Syrett
Alan Zelenka

7:30 p.m. CITY COUNCIL MEETING

1. PUBLIC FORUM

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- June 10, 2019, Work Session
- June 10, 2019, Meeting
- June 12, 2019, Work Session
- June 17, 2019, Work Session
- June 17, 2019 Public Hearing
- June 19, 2019, Work Session
- June 24, 2019, Work Session
- June 24, 2019, Meeting

B. Approval of Tentative Working Agenda

3. ACTION: An Ordinance Extending the Term of Ordinance No. 20170

Granting to Northwest Natural Gas Company, a Corporation, a Twenty-Year Non-Exclusive Right and Franchise to Lay, Maintain and Operate Facilities in the Public Way Within the City of Eugene, Oregon; and Providing For the Payment of Compensation to the City

- 4. ACTION: An Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971**
- 5. ACTION: Approval of Motions Relating to the November 5, 2019, Election**

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

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.

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Emily Semple, Vice President
Chris Pryor
Claire Syrett
Alan Zelenka

7:30 p.m. CITY COUNCIL MEETING

Mayor: *I call the July 22, 2019, City Council meeting to order.*

1. PUBLIC FORUM

Mayor: *The Public Forum is an opportunity for individuals to speak to the City Council on any city-related issues except for those items which have already been heard by a Hearings Official or are on tonight's agenda as a public hearing. Each person will have three minutes to speak. When you come to the podium, please give your name, city of residence, and—for Eugene residents—your ward, if known. The timer and lights indicate the time you have to speak. The red light indicates the end of three minutes.*

Mayor closes Public Forum and asks for comments from the City Council.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- June 10, 2019, Work Session
- June 10, 2019, Meeting
- June 12, 2019, Work Session
- June 17, 2019, Work Session
- June 17, 2019 Public Hearing

July 22, 2019, Meeting

- June 19, 2019, Work Session
- June 24, 2019, Work Session
- June 24, 2019, Meeting

B. Approval of Tentative Working Agenda

City Council President: I move to approve the items on the Consent Calendar.

Call for vote.

- 3. ACTION: An Ordinance Extending the Term of Ordinance No. 20170 Granting to Northwest Natural Gas Company, a Corporation, a Twenty-Year Non-Exclusive Right and Franchise to Lay, Maintain and Operate Facilities in the Public Way Within the City of Eugene, Oregon; and Providing For the Payment of Compensation to the City**

City Council President: I move to adopt an ordinance extending the term of Ordinance No. 20170 granting to Northwest Natural Gas Company, a Corporation, a twenty-year non-exclusive right and franchise to lay, maintain and operate facilities in the public way within the City of Eugene, Oregon; and providing for the payment of compensation to the City.

Call for vote.

- 4. ACTION: An Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971**

City Council President: I move to adopt an Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971.

Call for vote.

- 5. ACTION: Approval of Motions Relating to the November 5, 2019, Election**

City Council President: I move to direct the City Manager to include on a supplemental budget sufficient appropriation offset by General Fund contingency and the Reserve for Revenue Shortfall to pay the City's portion of the cost for the November 5, 2019, special election and to produce the voters' pamphlet.

Call for vote.

City Council President: I move to appoint Councilors _____, _____, and _____ to the voters' pamphlet proponent committee for the Charter Amendment that caps the rate and limits the use of the City's Payroll Tax.

Call for vote.

Adjourn.

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: July 22, 2019
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on city-related issues and should not address items which have already been heard by a Hearings Official or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: July 22, 2019
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes for the work sessions on June 10, 12, 17, 19, and 24 of 2019; the meetings on June 10 and 24, 2019; and the public hearing on June 17, 2019.

ATTACHMENTS

- A. June 10, 2019, Work Session
- B. June 10, 2019, Meeting
- C. June 12, 2019, Work Session
- D. June 17, 2019, Work Session
- E. June 17, 2019 Public Hearing
- F. June 19, 2019, Work Session
- G. June 24, 2019, Work Session
- H. June 24, 2019, Meeting

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 10, 2019
5:30 p.m.**

Councilors Present: Betty Taylor, Emily Semple, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Claire Syrett, Chris Pryor

Mayor Vinis opened the June 10, 2019, work session of the Eugene City Council.

1. WORK SESSION AND ACTION: An Ordinance to Fund Community Safety with a Payroll Tax and Adding New Section to the Eugene Code, 1971

Assistant City Manager Kristie Hammitt and Eugene Police Chief Chris Skinner talked about the community safety plan and revisions made to the proposed ordinance regarding the payroll tax.

Council Discussion:

- Councilor Clark – talked about amendments he has previously mentioned; said that he thinks this money needs to get spent on public safety but that this manner of paying for what we must do cannot sustain public support; expressed his commitment to referring the proposal to the voters.
- Councilor Taylor – agreed with Councilor Clark that this will be put to a vote whether council sends it to a vote or not and it will fail as currently proposed; said she would consider the tax if people making under \$25 an hour were exempt, but cannot vote for it when people who are barely making enough to live would get taxed; expressed concern about what would happen if the tax was put to a vote in seven years and the measure failed.
- Councilor Pryor – talked about the need to spend this money on community safety services, acknowledging the significance amount of the tax; said that after spending months looking at revenue options this was the one that floated to the top; noted there will always be opponents to any tax proposed, but that this was the most practical and viable way; expressed frustration that council continued to talk about the problem without solving it; talked about reasonably reduced rate for low-income workers.
- Councilor Syrett – expressed the need to find sources of revenue for public safety and talked about the vetting that took place to land on this revenue choice; acknowledged that there would be no proposal that would be seen as perfectly fair or acceptable to everyone; supported amending the ordinance to provide an exemption for people earning \$15 an hour or less; noted that the public safety budget has remained static while the population has grown and that while there might be a ballot challenge, council has a responsibility to step up and pass this tax; talked about the significance of support from the Chamber of Commerce, which represents many businesses affected by the tax.
- Mayor Vinis – spoke about the broad positive impacts across the community and that the tax on any individual is shallow; talked about the need for police response to livability crimes across the community; said she was prepared to advocate for this tax and present it accurately.
- Councilor Semple – asked if the community safety budget will later replace money in future budgets or be in addition to the current budget; shared concerns about needing

and paying for the enormous amount of security needs in 2021 and asked if any community safety money will be going towards this; asked about security in relation to potential terrorism; shared concerns about having a vote in seven years and what would happen if funding went from \$23 million to \$0; asked to see more of a breakdown about the proposed budget; expressed desire for more education in the community.

- Councilor Evans – talked about a personal experience with inadequate police response and how calls are not being responded to even when there are dangerous situations; said there has been a chronic state of underfunding and under supporting criminal justice and public safety system for years and the bill has come due; expressed wanting to better protect the safety of the public and noted this plan includes police, fire, the court system, etc.
- Councilor Clark – said most agree that this money is needed to protect the community, but disagree on the mechanism; expressed concern about dealing with issues in isolation without connecting the dots with other decisions being made at the table; said that he does not think the funding options were studied thoroughly and there are other options to consider; expressed support for sending the proposal to the voters.
- Councilor Syrett – said that testimony submitted has been confusing and it's been hard to sift through all of it; talked about previous conversations about the gaps in the system and how this money will help provide a number of public services the community has asked for.
- Councilor Zelenka – said that public safety services have been underfunded for decades and this proposal is the right package of services; expressed confidence in staff to implement this plan and to make sure it's done effectively; said he preferred the payroll tax compared to other potential funding options because those using the public safety system will be paying for it; supported exempting people who make less than \$15 an hour; conveyed his struggle with the decision to send to voters or not.
- Councilor Pryor – talked about City Council's role in studying issues, understanding the complex relationship between them and considering all elements in decision-making; supported the amendments as a reflection of thoughtful perspective about the proposal; expressed position that this proposal allows the City not to sacrifice priorities in one area for the sake of another.
- Councilor Yeh – mentioned that in reading emails to City Council, it stood out that people were confused about this tax proposal and making wrong assumptions; said that this process has highlighted a communication problem and how much better informed the community could have been in order to provide more relevant feedback; expressed concerns about the seven-year vote and asked Chief Skinner for his opinion.
- Councilor Semple – voiced concern about very low-income people and asked for scenarios for different rates based on wages, including if minimum wage were at 0.
- Mayor Vinis – cautioned the councilors that when elements of the proposed formula are shifted, it shifts the other rates, affecting others at the top and undermining public support.
- Councilor Zelenka – acknowledged that sending the proposal to the voters is risky, but it would be up to City Council to make sure voters can make informed decisions; said that this proposal is large enough and significant enough to be put out to the voters; voiced concerns about trying to interpret what voters mean if they vote for or against a charter amendment; supported outreach efforts to communicate that the need is very clear and getting the system in shape comes with a price tag.

- Councilor Taylor – said that the big objection is taxing low-income people and if City Council exempted people making less than \$25 an hour from the tax, it may not get referred to the ballot by the people.
- Councilor Clark – said he was certain that this tax will get voted on by the public and it's more likely to pass if it gets referred by City Council; said that if it were to get public support, the seven-year vote stipulation would be unnecessary.
- Mayor Vinis – talked about the costs for putting the tax on the ballot in time, momentum, and certainty with moving forward; said that she and City Council need to inform the public about the need for and impacts of the tax whether it goes on the ballot or not.
- Councilor Syrett – asked if there was information about the rate change on others if minimum wage employees were excluded and those making less than \$15 an hour had a lower rate.
- Councilor Zelenka – asked if all potential motions could be put on the table at this time for everyone to mull over.
- Councilor Clark – said that if Councilor Zelenka's second motion passes, he intended to put a motion to remove the seven-year vote because the public would have already shown their support; said that he does not believe it is fair for people who live outside the urban growth boundary to be paying the public safety tax.
- Councilor Taylor – proposed exempting anyone from paying the tax who makes less than \$25 an hour.
- Councilor Clark – talked about annual payroll numbers and the total of government entities and non-profits; shared concerns that less than half of the people would be subject to the tax if people who make less than \$15 an hour are excluded, making it hard to argue that this is a broad-based tax.
- Councilor Zelenka – pointed out that the handout with proposed motions included a motion to address the effect on small business owners, intending to give them a discount on the first \$100,000 of payroll.
- Councilor Syrett – expressed intention to modify the motion to exempt minimum wage workers and reduce the rate for anyone making less than \$15 an hour.
- Councilor Taylor – suggested postponing the vote to get more information, including the impacts of exempting everyone making under \$25 an hour.

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to adopt Attachment B, an Ordinance to Fund Community Safety Services with a Payroll Tax, and Adding New Sections to the Eugene Code, 1971.

MOTION TO AMEND: Councilor Syrett, seconded by Councilor Semple, moved to

1. Amend subsection (2) of section 3.724 to increase the overall employee tax rate from 0.0040 to 0.0044.
2. Add a new subsection (3) to section 3.724 that state: "Notwithstanding subsection (2) of this section, the tax rate imposed on every non-minimum wage employee making a wage of \$15.00/hour or less working at an employer located in the city is 0.0030 of the employee's wages."
3. Renumber subsections (3), (4) and (5) of section 2.724 as subsections (4), (5) and (6).
4. Update the cross reference in new subsection (6) of section 3.724 and in section 3.726.
5. Amend new subsection (4) to make the rate 0.0000 for minimum wage employees.

Council Discussion:

- Councilor Syrett – said this motion addresses the burden on low-wage employees and she would not support exempting all employees making less than \$25 an hour; said that this is a small amount of money to contribute to ensure that when 911 is called, someone will respond.
- Councilor Clark – asked if non-profits are included in paying the tax; said his challenge with this amendment is that it gets less broad-based, which was supposed to be the rationale for a payroll tax.
- Councilor Zelenka – wanted to make sure he understood the amendment's different tiers for employees and that the employer rate would stay the same.
- Councilor Semple – expressed support for this amended motion because it responds to community concerns about lowest-paid workers.
- Councilor Taylor – asked for more information about how the rates would translate to dollars; said she will vote against this motion because, while it is an improvement, it is not enough.

VOTE ON MOTION TO AMEND: PASSED 6:2, Councilors Taylor and Clark opposed.

MOTION TO AMEND: Councilor Zelenka, seconded by Councilor Syrett, moved to
1. Amend subsection (1) of section 3.724 to increase the overall employer tax rate from 0.0020 to 0.0021

2. Add a new subsection (2) to section 3.724 that states: "Notwithstanding subsection (1) of this section, the tax rate imposed on the first \$100,000 of wages paid by an employer with two or less employees is 0.0015."

3. Renumber subsections (2) through (6) of section 2.724 as subsections (3) through (7). and

4. Update the cross references in subsections (4), (5) and (7) of section 3.724 and in section 3.726.

Council Discussion:

- Councilor Zelenka – talked about his motion and his intention to address community concerns about sole proprietors by giving them a discount but not an exemption.
- Councilor Taylor – shared concerns about employers not giving people raises because they will have to then pay more in taxes.
- Councilor Clark – said that while he understood what this amendment is trying to accomplish, it may not work out the way it's intended.
- Councilor Syrett -said she doesn't think there's a perfect way to get at the issue, but would prefer this approach exempting for the first \$100,000 for businesses with one or two people versus exempting non-profits; expressed support for the amendment even if it may not get all of the relief intended.
- Councilor Yeh – asked Councilor Zelenka to explain his rationale behind the amendment and why a sole proprietor making \$100,000 would need a break.
- Councilor Zelenka – asked staff for the number of one- or two-person business within Eugene; explained that the amendment would give a break to sole proprietors making less than \$100,000.
- Councilor Clark - asked if "S" corporations pay both the employer and employee rate; asked about other situations where employers do business in Eugene but are not located in the city.

- Councilor Zelenka – explained that his intention was to give small business owners a break.

VOTE ON MOTION TO AMEND: PASSED 6:2, Councilors Taylor and Clark opposed.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Evans, moved to extend the meeting 10 minutes. **PASSED 8:0.**

Council Discussion:

- Councilor Zelenka – said he thinks City Council has a responsibility to put this out for a vote on the November 2019 ballot.

MOTION TO AMEND: Councilor Zelenka, seconded by Councilor Clark, moved to delete the last two sentences of section (6) and add a new section (9) that states, “This ordinance shall take effect only if approved by voters at the November 5, 2019 election. In such an event, the ordinance shall be effective upon the Mayor’s proclamation under section 2.986 of the Eugene Code, 1971 that the measure passed.”

Council Discussion:

- Councilor Semple – said she did not feel ready to vote on this motion, as there are so many pros and cons to talk about; said council has responded to addressing low-income individuals; discussed about how the majority of people want to have better public safety services and other choices have been looked at diligently; supported moving forward.
- Councilor Clark – said that the City does have the money to bridge between the end of the current funding and the November election in reserves; said that an initiative referral will be much harder to pass than if City Council refers the tax to the voters.
- Councilor Syrett – expressed concern that if City Council doesn’t pass this tax, the current strategies and momentum will be jeopardized.
- Councilor Taylor – said she didn’t think the tax formula has been changed enough and it should be referred to voters to see if it passes.

VOTE ON MOTION TO AMEND: FAILED 3:5, Councilors Taylor, Zelenka, and Clark in support.

Council Discussion:

- Councilor Zelenka – expressed that although he would have liked to see this tax referred to the voters, he thinks that it’s important to move forward and will join the majority of the councilors in supporting the motion as amended.

VOTE ON ORDINANCE AS AMENDED: PASSED 6:2, Councilors Taylor and Clark opposed.

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to adopt Attachment C, a Resolution Calling a City Election on November 5, 2019, for the Purpose of Referring to the Legal Electors of the City of Eugene a Charter Amendment that Caps the Rate and Limits the Use of the City’s Payroll Tax.

Council Discussion:

- Councilor Zelenka – shared his intention to vote no on this motion because he would like it to be a housekeeping election and not a referendum on the tax itself.

VOTE: PASSED 6:2, Councilors Zelenka and Yeh opposed.

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Elena Domingo)

Link to the webcast of this City Council meeting: [here](#).

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 10, 2019
7:30 p.m.**

Councilors Present: Betty Taylor, Emily Semple, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Claire Syrett, Chris Pryor

Mayor Vinis opened the June 10, 2019, meeting of the Eugene City Council.

1. PLEDGE OF ALLEGIANCE TO THE FLAG

Eugene Police Cadets Caleb Pruitt, Adilena Rios, Lauren Nusser, and Chance Cummings led the Pledge of Allegiance to the Flag in honor of Flag Day on June 14.

Council Discussion

- Councilor Zelenka – talked about City Council participating in the Pledge of Allegiance, acknowledging certain holidays throughout the year and inviting community members to participate in leading the Pledge.

2. PUBLIC FORUM

1. Todd Boyle – proposed new zoning specifically for low-income housing.
2. Sabrina Siegel – shared concerns about communication between council and the city attorney.
3. Bekki Bruckner – shared concerns about communication between council and the city attorney.
4. Abraham Likwornik – shared concerns about City Council communication and 5G.
5. Joshua Korn – shared concerns about 5G technology.
6. Barbara Wade – read a letter from Peter DeFazio about the safety of 5G technology.
7. David Piccioni – made comments about community safety and police enforcement.
8. Carolyn Partridge – shared concerns that Eugene will not meet emissions reduction goals.
9. Linda Heyl – shared concerns about NW Natural's deep decarbonization plans.
10. Rouanna Garden – encouraged no new expansion of natural gas in the area.
11. Robin Bloomgarden – talked about the need to phase out fossil fuels, including natural gas.
12. Jim Neu – shared concerns about NW Natural's deep decarbonization plans.
13. Debby McGee – talked about the need to phase out fossil fuels, including natural gas.
14. Linda Perrine – talked about phasing out fossil fuels and encouraging solar energy.
15. Donna Riddle – proposed using the Greyhound Bus Station as a navigation center.
16. James Hatcher – spoke about the free speech plaza at Saturday Market and the lack of canopies.
17. Patricia DeVall – spoke about the free speech plaza at Saturday Market and the lack of canopies.
18. Kayla McDonald – spoke about the free speech plaza at Saturday Market and canopies.
19. Heather Allen – spoke about the free speech plaza at Saturday market and the lack of canopies.
20. Carol Scherer – shared support for developing programs for the unhoused.
21. Michael Carrigan – asked council to declare a homelessness state of emergency.
22. Rich InLove – shared concerns about rent increases and livability.
23. Zondie Zinke – shared concerns that council did not properly vet community safety money.
24. Mary Austerman – talked about the treatment of vendors at the free speech plaza.
25. Jerry Glass – shared concerns about homeless people getting harassed by police.
26. Eric Jackson – shared concerns that Municipal Court is not currently a court of record.
27. Michael Gannon – shared concerns that City Council is not being responsive enough.

28. Janet Ayers – shared concerns about MUPTE and the imbalance of governance.
29. Timothy Morris – shared concerns about additional rules against the unhoused population.
30. Al Lepage – spoke about fire prevention and concerns about fireworks.
31. Kimberly Gladen – talked about improvements at the free speech plaza on Saturdays.
32. Lonnie Douglas – spoke against the community safety payroll tax.
33. Pamela Krause – spoke about the need for more community conversations.
34. Tom Brandt – shared concerns about public input and not addressing community concerns.
35. Mike Rose – talked about the benefits of the Shedd Institute in the community.
36. Peter Kowalke – shared concerns about 5G technology in the community.
37. Avery Temple – shared concerns that the payroll tax will fund police more than prevention.
38. Katherine Janson – talked about the importance of community services versus more police.

Council Discussion

- Councilor Syrett – made comments about increased funding to CAHOOTS over the last few budgets, noting its value to the community; asked about the fireworks ordinance passed in 2018; spoke about the changes made to the payroll tax before it was adopted by City Council at the earlier work session.
- Councilor Semple – said it was important to point out that CAHOOTS is included in the community safety funding; expressed the desire to educate people more about the expected community safety services; addressed vending at the free speech plaza.

Mayor Vinis announced a 10-minute break.

3. CONSENT CALENDAR

A. Approval of City Council Minutes

- May 15, 2019, Work Session
- May 20, 2019, Public Hearing
- May 22, 2019, Work Session

B. Approval of Tentative Working Agenda

C. Approval of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-11-43; Tax Lot 2500—located at 320 Santa Clara Avenue) (City File: Porter, Daniel and Brenda; A 18-12)

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to approve the items on the Consent Calendar. **PASSED 8:0.**

4. PUBLIC HEARING: An Ordinance Concerning Persons in Charge of Planting Strips and Amending Section 7.370 of the Eugene Code, 1971.

City Manager Jon Ruiz introduced the public hearing.

1. Chris Gadsby – spoke in support of the ordinance concerning planting strips.
2. Pete Knox – spoke in support of the ordinance concerning persons in charge of planting strips.
3. John Thielking – spoke in opposition to the ordinance concerning planting strips.
4. Charmaine Rehg – spoke in support of the ordinance concerning planting strips.
5. Bill O'Brien – asked council to do more to address and help homeless individuals in Eugene.
6. Leslie Noxon – spoke in support of ordinance concerning planting strips.
7. Rich InLove – encouraged more thought put in to decisions related to homelessness.
8. Susan Selig – spoke in support of the ordinance concerning planting strips.
9. Irene Alltucker – spoke in support of the ordinance concerning planting strips.
10. Jaime Henslee – spoke in support of the ordinance concerning planting strips.
11. Zondie Zinke – spoke in opposition to the ordinance concerning planting strips.

12. Jerry Glass – spoke in opposition to the ordinance concerning planting strips.
13. Eric Jackson – spoke in opposition to the ordinance concerning planting strips.
14. Tiffany Edwards - spoke in support of the ordinance concerning planting strips.
15. Janet Ayers – spoke in support of the ordinance concerning planting strips.
16. Michael Gannon – spoke in opposition to the ordinance concerning planting strips.
17. Sharree Strausbaugh – spoke in support of the ordinance concerning planting strips.
18. Kimberly Gladen – spoke in support of the ordinance concerning planting strips.
19. Shannon Grosse – spoke in support of the ordinance concerning planting strips.
20. Tom Brandt – encouraged council to address homeless issues in the community.
21. Peter Dragovich – spoke in opposition to the ordinance concerning planting strips.

5. ACTION: Use of Future Property Tax Revenue to Pay Midtown Arts Center System Development Charges

Community Development Director Mike Kinnison presented information about the Midtown Arts Center project.

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to approve the City Manager proceeding with the City's payment of the non-residential portion of the Midtown Art Center's SDCs from property tax revenue that the City will receive from the construction of the Center. **PASSED 8:0.**

6. ACTION: Appointments to Boards, Commissions and Committees

Mayor Vinis said that the appointments to Boards, Commissions, and Committees would be postponed until Wednesday.

The meeting adjourned at 10:10 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Elena Domingo)

Link to the webcast of this City Council meeting: [here](#).

MINUTES

Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

June 12, 2019
12:00 p.m.

Councilors Present: Betty Taylor, Emily Semple, Alan Zelenka, Jennifer Yeh, Michael Clark, Greg Evans, Claire Syrett, Chris Pryor

Mayor Vinis opened the June 12, 2019, Work Session of the Eugene City Council.

1. ACTION: Appointments to Boards, Commissions and Committees

Budget Committee

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to reappoint Jon Jasper to the Budget Committee for a three-year term beginning July 1, 2019, and ending on June 30, 2022. **PASSED 7:0** (Councilor Syrett absent)

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to reappoint Ryan Moore to the Budget Committee for a three-year term beginning July 1, 2019, and ending on June 30, 2022. **PASSED 7:0** (Councilor Syrett absent)

Councilor Syrett arrived at 12:02 pm.

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Randall Groves to the Budget Committee for an unexpired term ending on June 30, 2021. **PASSED 8:0.**

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to appoint Pamela Reber to the Budget Committee for an unexpired term ending on June 30, 2020.

MOTION TO SUBSTITUTE: Councilor Pryor, seconded by Councilor Zelenka, moved to substitute Katherine Ryan.

Council Discussion

- Councilor Pryor – expressed support for Katherine Ryan because she will represent the City's interests well and has better experience.
- Councilor Syrett – agreed with Councilor Pryor.
- Councilor Zelenka – agreed with Councilor Pryor.

VOTE ON MOTION TO SUBSTITUTE: PASSED 6:2, Councilors Taylor and Semple opposed.

VOTE ON SUBSTITUTE MOTION: PASSED 8:0

Civilian Review Board

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Michael Hames-Garcia to the Civilian Review Board for a three-year term beginning July 1, 2019, and ending on June 30, 2022. **PASSED 8:0.**

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Awab Al-Rawe to the Civilian Review Board for an unexpired term ending on June 30, 2020. **PASSED 8:0.**

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Bernadette Conover to the Civilian Review Board for a three-year term beginning July 1, 2019, and ending on June 30, 2022. **PASSED 7:1**, Councilor Syrett opposed.

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to appoint Susan Gallagher-Smith to the Civilian Review Board for an unexpired term ending on June 30, 2020.

MOTION TO SUBSTITUTE: Councilor Zelenka, seconded by Councilor Syrett, moved to substitute Stan Dura.

Council Discussion

- Councilor Semple – said she was impressed with Ms. Gallagher-Smith and her long list of attributes and supported appointing her.

VOTE ON MOTION TO SUBSTITUTE: FAILED 2:6, Councilors Zelenka and Syrett in favor.

VOTE ON ORIGINAL MOTION: PASSED 8:0.

Planning Commission

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to reappoint Christopher Ramey to the Planning Commission for a four-year term beginning July 1, 2019, and ending on June 30, 2023. **PASSED 8:0.**

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to appoint Patricia Gwartney to the Planning Commission for a four-year term beginning July 1, 2019, and ending on June 30, 2023.

MOTION TO SUBSTITUTE: Councilor Pryor, seconded by Councilor Yeh, moved to substitute Ken Beeson. **PASSED 5:4**, Councilors Semple, Taylor, Clark, Evans in opposition. Mayor Vinis broke the tie in favor.

VOTE ON SUBSTITUTE MOTION: PASSED 8:0.

Police Commission

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to reappoint Terry Robertson to the Police Commission for a four-year term beginning July 1, 2019, and ending on June 30, 2023. **PASSED 8:0.**

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to reappoint Sean Shivers to the Police Commission for a four-year term beginning July 1, 2019, and ending on June 30, 2023. **PASSED 8:0**

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Vi Huynh to the Police Commission for a four-year term beginning July 1, 2019, and ending on June 30, 2023. **PASSED 8:0.**

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Matt Siel to the Police Commission for a four-year term beginning July 1, 2019, and ending on June 30, 2023. **PASSED 8:0.**

Toxics Board

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to reappoint Nicole Paterson to the Toxics Board for a three-year term beginning July 1, 2019, and ending on June 30, 2022. **PASSED 8:0.**

Whilamut Citizen Planning Committee

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to reappoint Laurel Burke to the Whilamut Citizen Planning Committee for a three-year term beginning July 1, 2019, and ending on June 30, 2022. **PASSED 8:0.**

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Ruth Hyde to the Whilamut Citizen Planning Committee for a three-year term beginning July 1, 2019, and ending on June 30, 2022. **PASSED 8:0.**

2. UPDATE: Equity in Contracting

Equity in Contracting Program Coordinator Abby Alway and Assistant Finance Director Vicki Silvers gave an update to City Council about the equity in contracting program: what's been done, what's happening now, and what could be.

Council Discussion

- Councilor Syrett – expressed that she thinks the program is moving too slow; asked about metrics and goals and how benchmarks and measurements will be created.
- Councilor Zelenka – voiced agreement that the program is moving slowly; asked about how emerging small businesses are qualified.
- Mayor Vinis – asked for anecdotal examples of the contacts made with business owners.
- Councilor Clark – asked about the premise of the idea of underrepresented communities; wondered what specific barriers the City is working to remove.
- Councilor Zelenka – asked about the timeline and process for potential success indicators; said he was looking forward to seeing future reports.

2. WORK SESSION AND POSSIBLE ACTION: Rest Stop Program Update and Siting Policy Discussion

Policy Analyst Jason Dedrick presented possible options for City Council to amend the Rest Stop siting policy.

Council Discussion

- Councilor Syrett – expressed appreciation for the options and the way they're laid out; talked about the City's challenge to find Rest Stop locations; said the current sites have been very successful with little impact on surrounding communities; said she would like to expand the program; said that the City should have the option to provide funding for sanitation and security, including neighborhood matching grants; talked about wanting to see the elimination of residential requirements and school requirements;
- Councilor Zelenka – talked about the perception of Rest Stops and the reality of Rest Stops; expressed wanting to spread positive stories about the Rest Stops and figure out a better way to tell the story; expressed interest in passing Option C for 2, 3, and 4; asked about the differences in options for Item 1.
- Councilor Pryor – talked about how City Council had proceeded cautiously as this program began, but can now make changes as more is learned; talked about people using unregulated camping as a baseline for Rest Stops; said Rest Stops have proven to be a workable, viable model and an alternative to unregulated camping; expressed interest in proposed options as long as concerns are mitigated.
- Councilor Clark – said that the original Rest Stop idea is not what they have become; urged councilors not to lift the criteria related to residential neighborhoods and schools; said that education efforts won't necessarily change people's opinion; talked about the meeting about the proposed car camping area in Santa Clara and the anger in the room; said he does not want to create unnecessary conflict.
- Councilor Taylor – said she has heard of increased garbage and vandalism near Rest Stops; said that many people are too afraid to air their concerns because they don't want to seem intolerant; concerned that Rest Stops are being regarded in a more permanent way when they should be transitional; said she does not want to relax requirements around residential areas and that the City should not start paying for rest rooms or garbage for Rest Stops.
- Councilor Yeh – said she was in favor of having more flexibility in Rest Stop siting because neighborhoods are looking for sites and they have felt limited by the regulations; said she would like neighborhoods to have more options, so they can compare different alternatives; supported the effective mitigation language; asked about any incentives for private property owners to host a Rest Stop.
- Councilor Semple – asked how long people can stay at a Rest Stop and if they are still transitional; said she would like to allow Rest Stops in residential areas and create incentives for private property owners to host as long as mitigation is done to address community concerns; asked about the difference between potential options around residential requirements.
- Mayor Vinis – talked about conversations with 4J School District about the opportunity for a Rest Stop restricted to families near a school, noting there may be potential for coordination there; talked about how the location of Rest Stops are more permanent, but the residents are not; reminded everyone about the differences between Rest Stops and car camping.
- Councilor Syrett – talked about the original Roosevelt Rest Stop and how adjacent businesses had reported reduced vandalism and theft after the Rest Stop opened; pointed out that the program is more effective than car camping because there are requirements put upon individuals in the program; said that if City Council decides to remove the residential and school siting requirements, they would still have an obligation to address community concerns.
- Councilor Semple – said she was very interested in having Rest Stops near schools if kids in the program go to the school; interested in creating more lenient rules, because City Council would still have the ability to tighten how they are applied.
- Councilor Zelenka – expressed interest in relaxing criteria around schools; noted that Representative Fahey recently reported that 12 percent of Bethel students and thousands in

the 4J School District are homeless; talked about how City Council would still need to approve a final site and if mitigation is impossible, then siting it there is no longer considered; asked what the initial reason was for precluding private property owners from hosting a Rest Stop; doesn't think a private property owner should be precluded from hosting a site if they can and want to.

- Councilor Clark – asked about screening criteria and criminal background checks for residents; expressed concern about lack of background checks especially if sited near schools; said that the original siting restrictions were designed around the idea of creating the least amount of conflict in the community and relaxing them is not a wise idea.
- Councilor Taylor – shared how she was planning to vote; expressed concerns about neighbors if private property owners want to host a Rest Stop; said she thinks current restrictions are mostly adequate but would like to allow County sites as well; said she wants the City to focus more on permanent and transitional housing.
- Councilor Pryor – talked about renting or purchasing a home near a school and the lack of background checks in those situations; said there is always the potential that bad people move in no matter where you live, but mitigation and regulation are the key elements; talked about Rest Stops being needed as part of the continuum of care as a starting point; said he was comfortable providing flexibility in how and where Rest Stops can be placed because they are regulated.
- Councilor Yeh – talked about how having a criminal record does not make you a bad person and how people can find themselves in many different situations where they may have gone to jail and then face many disadvantages when they get out of jail.
- Councilor Semple – said that there should be opportunities for people who have come out of punishment, with regulation, supervision, and access to services instead of out on the streets without any help.
- Councilor Syrett – pointed out that the City Manager and County Administrator in the TAC implementation plan included eventually eliminating the Rest Stop program completely as other parts of the homeless services system are expanded; said she was not concerned about residents not speaking up about their concerns around Rest Stop siting because communities have been vocal in the past.
- Councilor Taylor - said that people in some neighborhoods are proud to live in liberal neighborhoods and may be scared to voice their opinions; said that it was irrelevant to talk about criminals because that's not what City Council is voting on today.
- Councilor Zelenka – asked if there was any data about crimes committed by residents of Rest Stops or Opportunity Village; said that it was offensive to him that every time City Council starts talking about homeless individuals they start talking about criminals and sex offenders; said he has talked with people in these programs and they are so grateful someone recognized them and gave them a hand up, but there's a misconception and fear that people will bring crime and other bad things into their neighborhoods; talked about how the Rest Stops have worked to move people on into more stable situations.
- Councilor Clark – expressed concern that civility among the councilors was breaking down when there was disagreement about issues.

MOTION AND VOTE: Councilor Semple, seconded by Councilor Evans, moved to extend the meeting 10 minutes. **PASSED 8:0.**

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to direct the City Manager to prepare an ordinance and schedule a public hearing on Option 1C as stated in Attachment A.

MOTION TO SUBSTITUTE AND VOTE: Councilor Zelenka, seconded by Councilor Syrett, moved to substitute the motion and direct the City Manager to prepare an ordinance and schedule a public hearing on Option 1B as stated in Attachment A.
PASSED 5:3, Councilors Taylor, Clark, and Evans opposed.

VOTE ON SUBSTITUTE MOTION: PASSED 6:2, Councilors Taylor and Clark opposed.

MOTION: Councilor Taylor, seconded by Councilor Zelenka, moved to make no change and not schedule a public hearing on Item 2.

MOTION TO SUBSTITUTE AND VOTE: Councilor Syrett, seconded by Councilor Semple, moved to substitute the motion and direct the City Manager to prepare an ordinance and schedule a public hearing on Option 2C as stated in Attachment A.
PASSED 5:3, Councilors Taylor, Clark, and Evans opposed.

VOTE ON SUBSTITUTE MOTION: PASSED 5:3, Councilors Taylor, Clark, and Evans opposed.

MOTION: Councilor Taylor, seconded by Councilor Syrett, moved to direct the City Manager to prepare an ordinance and schedule a public hearing on Option 3B as stated in Attachment A.

MOTION TO SUBSTITUTE AND VOTE: Councilor Zelenka, seconded by Councilor Semple, moved to substitute the motion and direct the City Manager to prepare an ordinance and schedule a public hearing on Option 3C as stated in Attachment A.
PASSED 5:3, Councilors Taylor, Clark, and Evans opposed.

VOTE ON SUBSTITUTE MOTION: PASSED 6:2, Councilors Taylor and Clark opposed.

MOTION: Councilor Taylor, seconded by Councilor Zelenka, moved to direct the City Manager to prepare an ordinance and schedule a public hearing on Option 4B as stated in Attachment A.

MOTION TO SUBSTITUTE AND VOTE: Councilor Semple, seconded by Councilor Syrett, moved to substitute the motion and direct the City Manager to prepare an ordinance and schedule a public hearing on Option 4A as stated in Attachment A.
PASSED 6:2, Councilors Taylor and Clark opposed.

VOTE ON SUBSTITUTE MOTION: PASSED 6:2, Councilors Taylor and Clark opposed.

The meeting adjourned at 1:36 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Elena Domingo)

Link to the webcast of this City Council meeting: [here](#)

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 17, 2019
5:30 p.m.**

Councilors Present: Jennifer Yeh, Alan Zelenka, Chris Pryor, Greg Evans, Claire Syrett, Mike Clark

Councilors Absent: Emily Semple, Betty Taylor

Mayor Vinis opened the June 17, 2019, work session of the Eugene City Council.

Councilor Zelenka joined the meeting at 5:41 p.m.

1. WORK SESSION: Climate Action Plan 2.0 Update – Equity Panel

Sustainability Manager Chelsea Clinton and Human Rights and Neighborhood Involvement Manager Jennifer Lleras Van Der Haeghen introduced the background on the Equity Panel. Equity Panel members Gregoria Gomez and Luis “Pablo” Alvarez shared about their experience being part of the group and their recommendations for proceeding to address climate change.

Council Discussion:

- Councilor Syrett – thanked the panelists and staff for their hard work; hoped that a future multicultural liaison, which was included in the proposed FY20 budget, could further their work.
- Councilor Yeh – asked the panelists whether they had shared their experiences with their communities yet and how their service on the panel has impacted their personal lives.
- Councilor Zelenka – thanked the panelists for their service; said it was the most impressive community-wide climate effort in terms of its inclusion of equity concerns in the country to his knowledge; noted the conversation on “cap and invest” was underway in the State Legislature at the same time as the City Council was meeting.
- Mayor Vinis – noted the recommendations provided by the Equity Panel and requested staff sort the recommendations into those items that could be accomplished in the short-, medium- and long-term; she hoped the City could keep Panelists informed on the progress
- Councilor Clark – asked how and where the recommendations would be utilized; expressed that he had opinions about some of the wording and would like to weigh in on their use in future policy.
- Councilor Syrett – called attention to the historical awareness equity consideration, especially looking why some communities are more vulnerable to climate change; requested some follow-up analysis on the topic.

2. WORK SESSION: Climate Action Plan 2.0 – Gap Strategies Update

Sustainability Manager Chelsea Clinton introduced the item, including a video and slides regarding communication efforts, explaining the “CAP 2.0 Equation,” and a variety of strategies the City is undertaking to reach its goals.

- Councilor Evans – asked for more detail regarding the strategy of reducing square footage of single-family, detached homes; asked staff what specific changes council could make to accomplish that goal.
- Councilor Syrett – asked a clarifying question about the electric vehicle goals.

- Councilor Zelenka – encouraged council to keep the pie chart of the City’s greenhouse gas emissions, which indicated transportation emissions should be the bulk of the focus; expressed hope that the buckets graphic would change over time.
- Mayor Vinis – asked how the City might have an impact on construction material GHGs, particularly on cross-laminated timber and how it might shift the balance of construction materials in one way or another.
- Councilor Zelenka – shared that use of timber greatly increased GHGs—far more than concrete—though it was the energy used by a building over time that is always the most important factor, so efficient buildings is vital; stated that food production was the single area that had the most impact in terms GHGs overall and would like to see more attention put on that topic

The meeting adjourned at 6:39 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Cas Casados)

Link to the webcast of this City Council meeting [here](#).

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 17, 2019
5:30 p.m.**

Councilors Present: Jennifer Yeh, Alan Zelenka, Chris Pryor, Greg Evans, Claire Syrett, Mike Clark

Councilors Absent: Emily Semple, Betty Taylor

Mayor Vinis opened the June 17, 2019, public hearing of the Eugene City Council.

1. PUBLIC HEARING: An Ordinance Vacating E. 8th Alley, Located Between High Street and High Alley (City File VRI 18-1)

Mayor Vinis opened the public hearing and asked councilors for any ex-parte communications they would like to disclose. Councilors Pryor, Syrett, and Evans disclosed ex-parte contact. City Manager Jon Ruiz provided background on the item.

Comments in Support:

1. Ginevra Ralph - explained how the ordinance would increase safety and accessibility.
2. Colin MacArthur - outlined requirements met by applicant and explained the ways in which the ordinance would benefit the public.
3. Lynnea Barry – supported the alley vacation and expressed concern for drivers and pedestrians who have been and could continue to be at risk due to the blind corners near the alley.
4. Jonathan Brandt – said the ordinance would enhance safety and increase Americans with Disabilities Act access.
5. Karen Warren – shared a personal experience of a near-accident in the alley and supported the alley vacation.

There were no neutral comments or comments in opposition.

Discussion:

- Councilor Zelenka – noted that there is no public infrastructure in the alley; asked for more information on how the assessment was arrived at; asked whether the curb cut would be removed on High Street; asked about alleys in his ward that are “bollarded”—would like to hear from staff why and how that occurs.
- Councilor Clark – asked whether the ordinance would be of concern to the County because of their future construction plans.
- Councilor Evans – supported taking action immediately on the item.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Clark, moved to adopt an ordinance vacating E. 8th Alley, located between High Street and High Alley.

PASSED 6:0.

The meeting adjourned at 7:53 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Cas Casados)

Link to the webcast of this City Council meeting [here](#).

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 19, 2019
5:30 p.m.**

Councilors Present: Jennifer Yeh, Alan Zelenka, Chris Pryor, Claire Syrett, Mike Clark, Greg Evans

Councilors Absent: Emily Semple, Betty Taylor

Councilor Pryor opened the June 19, 2019, work session of the Eugene City Council in Mayor Vinis' absence.

1. WORK SESSION: Annual Report from Police Commission

Police Commission Chair Bill Whalen, Incoming Chair Sean Shivers, and Police Commissioner Steve McIntire introduced the annual report, gave an overview of the Commission's work in the past year as well as its work plan for the coming year.

Council Discussion:

- Councilor Evans – asked about the Commission's plan to reach out to communities of color, expressing concern that the outreach has not been as robust as would be desirable.
- Councilor Syrett – expressed gratitude for the Commissioners' service; asked for an update on the Commission's regular meetings with the City Manager; highlighted that the people who leave garbage around the river—especially in the summer months - are not always homeless.
- Councilor Zelenka – wanted to see the City get out information faster about use of force incidents as it may dispel rumors; would like the City to develop more effective strategies for dealing with camping other than citing people; encouraged Police Commission members to attend community meetings and hold their meetings throughout the city.
- Councilor Pryor – noted the role of Community Court in helping people downtown, especially for people cited for camping; said the Police Commission can help the Police Department in increasing its level of responsiveness to the community.
- Councilor Zelenka – noted that plans to move the meetings to places outside the Police Department may make the meetings more accessible.

2. WORK SESSION: Civilian Review Board and Police Auditor Annual Report

Civilian Review Board chair Steve McIntire presented the group's 2018 Annual Report.

Council Discussion:

- Councilor Clark – asked about the trending complaint reports.
- Councilor Zelenka – highlighted the format of the report, which includes a summary of all cases it reviewed; delineated functions of the Police Commission and the Civilian Review Board
- Councilor Pryor – shared his appreciation for systems of auditing like the City has with the Police Commission and the Civilian Review Board in which there are two sets of eyes on an issue; noted the increase in internal complaints registered as being a sign of the health of the system

Police Auditor Mark Gissiner introduced Deputy Police Auditor Leia Pitcher and Community Engagement Coordinator Beatriz Hernandez. He offered some historical context regarding the change in police chiefs, the adoption of body-worn cameras, efforts to improve customer service over time, and gave a brief update on his budget. Beatriz Hernandez gave an overview of the Police Auditors Office outreach efforts; Leia Pitcher gave an overview of the service complaints in 2018.

Council Discussion:

- Councilor Syrett – asked whether the Police Auditor spoke with new recruits; asked whether the office had a need for funds to deal with the increased workload, especially reviewing the body-worn camera footage; asked for the historical context for the use of force numbers in the report and what percentage of those were internal or external.
- Councilor Zelenka – noted that Eugene’s complaint numbers seem higher than elsewhere, which is an indication of trust and confidence in the process but can make comparisons to other cities difficult and result in headlines.
- Councilor Pryor – said the report confirmed the need for more public safety funding; noted there were very few serious complaints even with the high numbers of complaints compared to other cities; thanked staff and Commissioners for their work.

The meeting adjourned at 1:11 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Cas Casados)

Link to the webcast of this City Council meeting [here](#).

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 24, 2019
5:30 p.m.**

Councilors Present: Emily Semple, Jennifer Yeh, Claire Syrett, Mike Clark, Chris Pryor, Alan Zelenka

Councilors Absent: Betty Taylor, Greg Evans

Councilor Semple opened the June 24, 2019, Work Session of the Eugene City Council in Mayor Vinis' absence.

1. Committee Reports and Items of Interest

Council Discussion

- Councilor Yeh – spoke about the recent Kathmandu Sister City annual picnic and expressed appreciation for the event and upcoming Sister City-related plans.
- Councilor Pryor – reported on an event he attended for National Refugee Day.
- Councilor Semple – announced that she would be bringing a resolution forward from the Human Rights Commission; provided details about a building for potential shelter use.

2. WORK SESSION: Urban Reserves Planning

Senior Planner Rebecca Gershow and Metro Community Planning Manager Terri Harding provided City Council with an update on the Urban Reserves planning work to date.

Councilor Zelenka arrived at 5:45.

Council Discussion

- Councilor Clark – expressed appreciation for the report; asked why certain employment forecasts were used over others, and about the nature of information within the presentation; spoke about missing information from forecasts and urged council to consider additional land for urban reserves, asked why staff would consider including land with more than a 20-degree slope and if there is a clear and objective path for those lands.
- Councilor Syrett – expressed appreciation for report; asked how modeling assumptions based on low density residential housing models in the report compare to state conversations about increasing density; inquired about what policies exist that direct assumptions towards low density housing; questioned whether the assumption of low density will work with future planning efforts and spoke to desire to speak about assumption more in the future; spoke about greater density in residential areas.
- Councilor Pryor – mentioned time as a factor in conversation; asked how housing affordability can be included in urban reserves planning; discussed affordability of land and development as well as other considerations; discussed how to bring land together to provide affordable housing and related challenges; spoke to density requirements and livability standards.
- Councilor Clark – reiterated concerns around slope considerations; inquired about effects on R1 UGB analysis if HB 2001 (2019) would pass and how much this would increase capacity in R1 UGB analysis; discussed what could happen if the bill passes; inquired how

SB 100 will affect the city's ability to utilize buildable lands; suggested adjusting timeline and reasons why; expressed belief that this report requires broad participation due to its broad community impact.

3. **WORK SESSION: 2021 Update**

Public Works Director Sarah Medary and 2021 Project Lead Stephanie Scafa gave an update on the International Association of Athletics Federation's World Athletics Championships (Oregon21), to be held in Eugene August 6 – 15, 2021, including event planning efforts and the status of current and future projects.

Council Discussion

- Councilor Syrett – expressed excitement for the events; inquired about financial contributions from the City specifically with law enforcement and public safety; inquired about hotel accommodations, alternative accommodations, including short-term rental policy impacts; spoke about previous experiences with the Los Angeles Olympics including Olympic Arts Festival and ways to engage community members.
- Councilor Semple – inquired about community questions and concerns including outreach efforts, housing issues and inequities, and transportation impacts; expressed appreciation but noted risks and possible negative outcomes associated with the event.
- Councilor Clark – discussed potential impacts of the event and asked staff to think about leveraging the event to solve large-scale community problems, like homelessness, and to engage Council in the coming months.
- Councilor Yeh – discussed the legacy of the event (referencing Councilor Clark's comments); discussed other locations of events throughout the state.
- Councilor Zelenka – inquired about and discussed statewide transportation efforts to facilitate travel from Portland to Eugene; asked how many hotel rooms exist in the Eugene metro area.
- Councilor Semple - announced that the June 26 City Council Work Session is cancelled.

4. **CONSENT CALENDAR**

- A. Approval of City Council Minutes
 - May 13, 2019, Meeting
 - May 20, 2019, Work Session
 - May 28, 2019, Work Session
 - May 28, 2019, Meeting and Public Hearing
 - May 29, 2019, Work Session
- B. Approval of Tentative Working Agenda
- C. Approval of Neighborhood Matching Grants for Fiscal Year 2020

MOTION AND VOTE: Councilor Clark, seconded by Councilor Pryor, moved to approve the items on the Consent Calendar. **PASSED 6:0.**

The meeting adjourned at 6:54 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Samantha Roberts)

Link to the webcast of this City Council meeting: [here](#).

MINUTES

**Eugene City Council and Eugene Urban Renewal Agency
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**June 24, 2019
7:30 p.m.**

Councilors Present: Emily Semple, Alan Zelenka, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pryor

Councilors Absent: Betty Taylor, Greg Evans

Councilor Semple opened the June 24, 2019, meeting of the Eugene City Council in Mayor Vinis' absence.

1. Applicant Statements for the Human Rights Commission

Three applicants for the Human Rights Commission presented a three-minute statement about their interest in serving the community through board or commission membership: Amanda McCluskey, Heather Sielicki, and Kirstin London

Councilor Semple announced that the Consent Calendar was approved during the work session and highlighted the Neighborhood Matching Grants program.

2. PUBLIC FORUM

- Art Farley (Sustainability Commission) - expressed desire for council to address polystyrene.
- Victor Odilivak – spoke in opposition to the proliferation of 5G technology.
- Eva Bortnick – spoke in opposition to the proliferation of 5G technology.
- Sabrina Siegel – spoke in opposition to the proliferation of 5G technology.
- Bekki Bruckner – spoke in opposition to the proliferation of 5G technology.
- Colin Farnsworth – spoke in opposition to the proliferation of 5G technology.
- Joshua Korn - spoke in opposition to the proliferation of 5G technology.
- Abraham Likwornik - spoke in opposition to the proliferation of 5G technology.
- Hope Vaccher - spoke in opposition to the proliferation of 5G technology.
- Barbara Wade - spoke in opposition to the proliferation of 5G technology.
- Ron Breden – spoke in opposition to the payroll tax in Eugene.
- Wesley Robins – spoke about personal issues with law enforcement.
- Cindy Ingram – discussed downtown bike activity; requested code changes to support business.
- Bill O'Brien – spoke in opposition to planting strips ordinance and a camping ban.
- David Igl – spoke to renaming Dunn Hall and challenges working elected officials.
- John Hagen – spoke about experiences with the homeless.
- Eric Jackson – opposed the planting strip ordinance; supported courts becoming court of record.
- John Thielking – spoke to a variety of issues including planting strip ordinance and payroll tax.
- Jim Ball – voiced concern about climate change impacts on low income individuals.
- Roberly Heersch – spoke in opposition to proliferation of 5G technology.
- Misha Seymour – spoke in opposition to planting strip ordinance and other policies.
- Lourdes Mante – voiced concerns about homelessness and requested for positive solutions.

Council Discussion

- Councilor Syrett – addressed Mr. Ball’s comments about equity work in sustainability efforts and desire to address this with her appointee on the Sustainability Commission.
- Councilor Clark – addressed comments about 5G regarding upcoming work session.
- Councilor Semple –commented on pub cycle options; announced the next Public Forum on July 8 and noted the June 26 work session was cancelled.

4. ACTION: An Ordinance Concerning Persons in Charge of Planting Strips and Amending Section 7.370 of the Eugene Code, 1971.

MOTION: Councilor Pryor, seconded by Councilor Clark, moved to adopt an ordinance concerning persons in charge of planting strips and amending section 7.370 of the Eugene Code, 1971.

Council Discussion

- Councilor Syrett –spoke about concerns regarding homelessness in neighborhoods and the need for tools to address concerns with public safety and public health; expressed support for the ordinance and clarified the reasons why.
- Councilor Zelenka – expressed agreement with Councilor Syrett’s comments; raised questions about the use of planter strips and lack of clarity currently in City Code; expressed desire for motion to make passage effective immediately rather than 30 days after Mayor has signed.
- Councilor Clark – expressed support for ordinance and clarified the reasons why.
- Councilor Semple – addressed concerns about free speech on planter strips versus sidewalks; asked where the ordinance would be effective; inquired about other tools that exist to address concerns for landowners who have continuous cement in front of their property; expressed hesitancy around ordinance but acknowledged concerns brought by community members; discussed concerns about passage of ordinance without alternative place for the unhoused to go.
- Councilor Zelenka - spoke about length of time in consideration of ordinance; discussed intention to make an amendment to the motion.

MOTION TO AMEND AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to amend the ordinance to add a new section 3 that states: 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, this Ordinance shall become effective immediately upon adoption by the Council and approval by the Mayor, or passage over the Mayor’s veto. An immediate effective date is necessary to provide property owners responsible for maintaining planting strips the authority to resolve and prevent unsafe and unsanitary behaviors currently occurring in some planting strips. **PASSED 6:0**

VOTE ON MAIN MOTION AS AMENDED: PASSED 6:0.

5. PUBLIC HEARING AND ACTION: Resolution Adopting a Supplemental Budget; Making Appropriations for the City of Eugene for the Fiscal Year Beginning July 1, 2018 and Ending June 30, 2020.

- John Barofsky – addressed concerns about PERS costs and opportunities for state funding.

Council Discussion

- Councilor Clark – addressed concerns about PERS liability; asked how council could direct funding reserves towards PERS, taking advantage of state fund leveraging; asked

if proposing a motion would defer action on the supplemental budget; discussed conversations about long-term effects of PERS costs and concerns about waiting to act and losing state funds; inquired about timing of any decisions and expressed a desire for conversations to happen soon.

- Councilor Zelenka – asked if using money for leveraging state PERS dollars would tie up reserve funds; affirmed City Manager’s balancing of the budget and reserves; expressed a desire to learn more about how to address PERS issues and leverage state funds; requested further discussion about the use of reserves.
- Councilor Syrett – expressed interest in a work session about PERS but expressed confidence in City Manager to use Supplemental 1 budget to address concerns; discussed willingness to take on risk and address PERS.
- Councilor Clark – reiterated concerns about losing time to leverage funds from state and noted the reasons why it is important to address the issue quickly.

MOTION AND VOTE: Councilor Pryor, seconded by Councilor Zelenka, moved to approve Resolution 5268 adopting a Supplemental Budget; making appropriations for the City of Eugene for the fiscal year beginning July 1, 2019 and ending June 30, 2020. **PASSED 6:0**

6. PUBLIC HEARING AND ACTION: A Resolution Adopting the Budget, Making Appropriations, Determining, Levying and Categorizing the Annual Ad Valorem Property Tax Levy for the City of Eugene for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020; a Resolution Electing to Receive State Revenue Sharing Funds Pursuant to Section 221.770 of Oregon Revised Statutes; and a Resolution Certifying that the City of Eugene Provides the Municipal Services Required by Oregon Revised Statutes Section 221.760 in Order to Receive State Shared Revenues.

- Bonnie Souza (Human Rights Commission) - expressed appreciation for multicultural liaison position in budget; spoke to the benefit and need of the position within the city.
- Andrew Thomson – spoke in support of multicultural liaison position as it will benefit the disabled community.
- John Barofsky – spoke about PERS and the use of reserves to match state funds to address PERS liability; expressed desire for council to consider this matter including funds outside of reserves for revenue shortfall.
- Eric Jackson – expressed desire that any money available go to transitioning Municipal Court to a court of record.

Council Discussion

- Councilor Clark – asked about revenue from on-street parking and whether parking spots not covered by the fee could be used for other items besides cars.

MOTION AND VOTE: Councilor Pryor, seconded by Councilor Zelenka, moved to approve Resolution 5269 electing to receive State Revenue Sharing funds pursuant to Section 221.770 of Oregon Revised Statutes. **PASSED 6:0**

MOTION AND VOTE: Councilor Pryor, seconded by Councilor Zelenka, moved to approve Resolution 5270 certifying that the City of Eugene provides the municipal services required by Oregon Revised Statutes Section 221.760. **PASSED 6:0**

MOTION AND VOTE: Councilor Pryor, seconded by Councilor Zelenka, moved to approve Resolution 5271 adopting the budget, making appropriations, and determining, levying and categorizing the annual ad valorem property tax levy for

the City of Eugene for the fiscal year beginning July 1, 2019 and ending June 30, 2020. **PASSED 6:0**

Councilor Semple closed the meeting of the Eugene City Council and opened a meeting of the Eugene Urban Renewal Agency.

7. URA PUBLIC HEARING AND ACTION: A Resolution of the Urban Renewal Agency of the City of Eugene Adopting the Budget; Making Appropriations, and Declaring the Amount of Tax to be Certified for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020.

- John Barofsky – discussed URA budget considerations and potential upcoming needs to be funded in URA including action on issues that have been dormant for many years; discussed other needs.

MOTION AND VOTE: Councilor Pryor, seconded by Councilor Zelenka, moved to approve Resolution 1090 of the Urban Renewal Agency of the City of Eugene adopting the budget, making appropriations and declaring the amount of tax to be certified for the fiscal year beginning July 1, 2019 and ending June 30, 2020. **PASSED 6:0**

Councilor Semple closed the meeting of the Eugene Urban Renewal Agency and reopened the meeting of the Eugene City Council.

8. PUBLIC HEARING: An Ordinance Concerning the Downtown Riverfront Land Use Adoption Package (An Ordinance Amending the Whiteaker Plan; Repealing the EWEB Downtown Riverfront Specific Area Plan; Amending Chapter 9 of the Eugene Code; Amending the Eugene Zoning Map and Zoning Overlay Zone Map; Rescinding the Willamette Greenway Permit Approved by Ordinance No. 20513 and Approving a New Willamette Greenway permit; Approving a Tentative Subdivision; Approving A/WR Water Resources Overlay Zone Standards Review; and Providing and Effective Date.)

Councilors Pryor, Clark, Syrett, and Semple declared ex parte contacts, noting they would not affect their ability to make an unbiased decision.

- Tiffany Edwards (Planning Commission) - spoke about the commission's process for considering quasi-judicial matters, including this land use adoption package.
- John Barofsky –expressed support for the ordinance; discussed commission's process in considering land use adoption package, including community engagement processes.
- Michael Deluise (Downtown Neighborhood Association) - supported land use adoption package; expressed enthusiasm for Riverfront development plans; expressed appreciation for neighborhood and community involvement.

Councilor Semple reminded everyone that the work session on June 26 was cancelled.

The meeting of the city council adjourned at 9:46 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Samantha Roberts)

Link to the webcast of this City Council meeting: [here](#).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: July 22, 2019
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve the City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest

Telephone: 541-682-5882

Staff E-Mail: bforrest@eugene-or.gov



City Council Tentative Agenda

Updated July 18, 2019

Meeting Location: Harris Hall, 125 East 8th Avenue, unless otherwise noted

July 2019					
Date	Day	Time	Title	Length	Dept. Contact
22-Jul	Monday	5:30 pm	<div>Executive Session Pursuant to ORS 192.660(2)(e)</div> <div><div>Committee Reports and Items of Interest<ul style="list-style-type: none">Resolution Condemning White Nationalism</div></div> <div><div>Downtown Riverfront Land Use Package (Work Session and Action)</div></div> <div><div>Data Collection Policy/Protection of Individuals and Groups (Work Session)</div></div>	45 mins	Michael Kinnison, PDD
		7:30 pm	<div><div>Public Forum</div></div> <div><div>Ordinance Extending NW Natural Franchise (Action)</div></div> <div><div>Ordinance on Rest Stop Program (Action)</div></div> <div><div>Motions Related to November 5 Election (Action)</div></div>		<div>Mike Streepey, CS</div> <div>Jason Dedrick, CS</div> <div>Beth Forrest, CS</div>
Expected absences for 7/22: none					
24-Jul	Wednesday	12 pm	<div><div>CET Update and Next Steps (Work Session)</div></div> <div><div>TBD (Work Session)</div></div>	45 mins 45 mins	Mike Kinnison, PDD
Expected absences for 7/24: none					

Council Break: July 25 – September 9



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters

July 22, 2019 Meeting - Pledge of Allegiance

September 2019						
Date	Day	Time	Title		Length	Dept. Contact
9-Sep	Monday	5:30 pm		Committee Reports and Items of Interest	45 mins	Tim Doll, PW
				Airport Master Plan (Work Session)		
				Sign Code/Digital Display Technology (Work Session)	45 mins	Jenessa Dragovich, PDD
		7:30 pm		Public Forum		Dan Halverson, PDD
	Resolution Annexing Land to City (Kohler Annex; A19-3 Living Strong LLC) (Consent Calendar)					
	Resolution Annexing Land to at 187 Swain Lane (Therrell, Matthew A 19-2) (Consent Calendar)	Nick Gioello, PDD				
Expected absences for 9/9: none						
11-Sep	Wednesday	12 pm		Emergency Management Update (Work Session)	45 mins	Randi Bowers-Payne, CS
				Ferry Street Manor MUPTE Application (Work Session)	45 mins	Amanda D’Souza, PDD
Expected absences for 9/11: none						
16-Sep	Monday	5:30 pm		Ordinance Concerning Accessory Dwelling Units (LUBA Remand) (Work Session & Poss. Action)	90 mins	Alissa Hansen, PDD
		7:30 pm		TBD (Public Hearing)		
Expected absences for 9/16: none						
18-Sep	Wednesday	12 pm		Alley Access Rules (Work Session)	45 mins	Alissa Hansen, PDD
				Downtown Activity Zone (Work Session)	45 mins	Michael Kinnison, PDD
Expected absences for 9/18: none						
23-Sep	Monday	5:30 p.m.		Committee Reports and Items of Interest	45 mins	Lydia Kaye, PDD
				Short-Term Vacation Rentals (Work Session)		
				URA – Steam Plant Deal Points (Work Session)	45 mins	Amanda D’Souza, PDD

23-Sep	Monday	7:30 pm	 Public Forum  Proposal to Rename Washington Jefferson Park in Honor of Ed Smith (Action)		Kelly Shadwick, PW
<i>Expected absences for 9/23: none</i>					
25-Sep	Wednesday	12 pm	 City Manager Annual Evaluation (Work Session)  Executive Session Pursuant to ORS 192.660(2)(i)  TBD (Work Session)	45 mins 45 mins	Keri Beraldo, CS
<i>Expected absences for 9/25: none</i>					

October 2019					
Date	Day	Time	Title	Length	Dept. Contact
9-Oct	Wednesday	12 pm	 Small Cell Technology (Work Session)  Parks and Recreation SDC Methodology Update (Work Session)	45 mins 45 mins	Scott Milovich, PW Carolyn Burke, PW
<i>Expected absences for 10/9: none</i>					
14-Oct	Monday	5:30 pm	 Committee Reports and Items of Interest  TBD (Work Session)  TBD (Work Session)	45 mins 45 mins	
		7:30 pm	 Public Forum		
<i>Expected absences for 10/14: none</i>					
16-Oct	Wednesday	12 pm	 Council Process Session (Work Session)	90 mins	Becky DeWitt, CS
<i>Expected absences for 10/16: none</i>					
21-Oct	Monday	5:30 pm	 TBD (Work Session)  TBD (Work Session)	45 mins 45 mins	
		7:30 pm	 Ordinance on Polystyrene (Public Hearing)		Michael Wisth, PDD
<i>Expected absences for 10/21: none</i>					
23-Oct	Wednesday	12 pm	 TBD (Work Session)  TBD (Work Session)	45 mins 45 mins	
<i>Expected absences for 10/23: none</i>					

28-Oct	Monday	5:30 p.m.	 Committee Reports and Items of Interest	45 mins	
			 TBD (Work Session)		
			 TBD (Work Session)		
		7:30 pm	 Public Forum		
			 Ordinance on Polystyrene (Action)		Michael Wisth, PDD
Expected absences for 10/28: none					
30-Oct	Wednesday	12 pm	 TBD (Work Session)	45 mins	
			 TBD (Work Session)		
Expected absences for 10/30: none					

November 2019						
Date	Day	Time	Title		Length	Dept. Contact
11-Nov	Monday	5:30 pm	 Committee Reports and Items of Interest		45 mins	
			 TBD (Work Session)			
		 TBD (Work Session)		45 mins		
		7:30 pm	 Public Forum			
Expected absences for 11/11: none						
13-Nov	Wednesday	12 pm	 TBD (Work Session)		45 mins	
			 TBD (Work Session)		45 mins	
Expected absences for 11/13: none						
18-Nov	Monday	5:30 pm	 TBD (Work Session)		45 mins	
			 TBD (Work Session)		45 mins	
		7:30 pm	 TBD (Public Hearing)			
Expected absences for 11/18: none						
20-Nov	Wednesday	12 pm	 TBD (Work Session)		45 mins	
			 TBD (Work Session)		45 mins	
Expected absences for 11/20: none						

25-Nov	Monday	5:30 p.m.	 Committee Reports and Items of Interest	45 mins	
			 TBD (Work Session)		
		 TBD (Work Session)	45 mins		
		7:30 pm	 Public Forum		
Expected absences for 11/25: none					
27-Nov	Wednesday	12 pm	 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
Expected absences for 11/27: none					

December 2019							
Date	Day	Time	Title		Length	Dept. Contact	
9-Dec	Monday	5:30 pm		Committee Reports and Items of Interest	45 mins		
				TBD (Work Session)			
				TBD (Work Session)	45 mins		
		7:30 pm		Public Forum			Finn Cronin, CS
				Resolution Acknowledging Receipt of FY19 Comprehensive Annual Financial Report (Consent Calendar)			
	URA – Resolution Acknowledging Receipt of FY19 URA Annual Financial Report (Action)		Finn Cronin, CS				
	Supplemental Budget #1 (Public Hearing and Action)		Vicki Silvers, CS				
	URA Supplemental Budget #1 (Public Hearing and Action)	Vicki Silvers, CS					
Expected absences for 12/09: none							
11-Dec	Wednesday	12 pm		TBD (Work Session)	45 mins		
				TBD (Work Session)	45 mins		
Expected absences for 12/11: none							

Council Break: December 12 – January 8



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

Approved Work Session Polls to be Scheduled**Councilor****Date Approved**Data Collection Policy/Protection of Individuals and Groups – *scheduled 7/22/19*

Syrett

7/19/18

Revisit City Code Regarding Alley Access Rules - *scheduled 9/18/19*

Semple

10/11/18

Update Sign Code for Digital Display Technology – *scheduled 9/18/19*

Pryor

2/14/19

Short-term Vacation Rentals – *scheduled 9/23/19*

Taylor

5/23/19

5G – including experience of other cities – *scheduled 10/9/19*

Clark

5/20/19

Follow-Up Work Sessions to be Scheduled

TAC Implementation

Commercial Setbacks

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Extending the Term of Ordinance No. 20170 Granting to Northwest Natural Gas Company, a Corporation, a Twenty-Year Non-Exclusive Right and Franchise to Lay, Maintain and Operate Facilities in the Public Way Within the City of Eugene, Oregon; and Providing For the Payment of Compensation to the City

Meeting Date: July 22, 2019
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Mike Streepey
Contact Telephone Number: 541-682-6820

ISSUE STATEMENT

The City Council is scheduled to take action on an ordinance extending the Northwest Natural Gas Right of Way Franchise Agreement until November 11, 2020. Without the extension, the franchise agreement will expire on November 11, 2019. This ordinance would only extend the term of the franchise; all other current franchise terms and conditions would remain the same. A Public Hearing on the proposed ordinance was held on July 15, 2019.

BACKGROUND

Franchise agreements between local governments and utilities govern the use of the public right-of-way to ensure safety, coordinated access, and the stability of public infrastructure. Typical franchise agreements outline the terms and fees under which utility companies can utilize the public right-of-way for their business. Fees are typically calculated on a percentage of the revenues derived from sales of the utility company to customers within the service area.

In October 1999, the City Council approved Ordinance 20170 (Attachment A) that:

- Increased the compensation rate from four percent to five percent of gross revenues;
- Granted a franchise term of 20 years with possible renegotiation every five years;
- Provided updated audit language and facility relocation and abandonment provisions;
- Added “favored cities” language, which requires NWNG to notify the City should they agree to pay any other city in Oregon a franchise fee that exceeds five percent of gross revenues.

Currently, the City receives \$1.4 million in General Fund revenues from this franchise annually. Revenue from NWNG franchise fees have been trending at this level over the past few years based on flat/declining NWNG rates in the area.

Natural Gas Greenhouse Gas Emissions and the State Legislature

As City staff continue to work on the franchise renewal process, two bills before the State Legislature this year (Senate Bill 98 and House Bill 2020) could have implications for franchise negotiations and the delivery of natural gas in Oregon. After analyzing the bills, it was determined

that—if passed—the new laws would have the potential for significant impacts on natural gas sourcing, emissions, costs for retail customers, and other market forces and regulations.

At this time, Senate Bill 98 has been approved by the Legislature and will likely be signed into law by the Governor. SB 98 has been supported by the natural gas industry and it directs the Public Utility Commission to adopt by rule a renewable natural gas program for both large and small utilities. RNG is produced from organic materials like livestock manure, forestry byproducts or municipal sewage. These biofuels are then stored and may be delivered by natural gas providers via the natural gas pipeline network that is in place. Through this process, RNG reduces greenhouse gas emissions from society's waste streams. The law incentivizes investments in RNG by allowing the Public Utilities Commission to adopt ratemaking mechanisms that account for incurred costs by a utility company making qualified investments in RNG infrastructure and/or procurement of RNG. SB 98 would allow utilities to recapture the higher production and delivery costs from necessary RNG capital investments by adjusting the allowable rates charged to retail customers. This new law requires PUC to adopt the rule by July 31, 2020. The extent to which NWNG will participate in this new RNG program is unknown at this time.

House Bill 2020, known as the cap and trade bill, stalled when the bill passed the House but did not receive a vote in the Senate. It is unknown if the bill will be reconsidered next year. The bill makes sweeping changes to Oregon's climate policies in a number of ways including the required cap on total greenhouse gas emissions, the setting of allowance budgets, and the creation of a market-based mechanism for covered entities to demonstrate compliance. The bill has a number of provisions relevant to large natural gas utilities like NWNG. If the bill is passed, the extent to which the natural gas industry and natural gas markets are impacted remains unclear for staff at this time. If this bill or a future iteration becomes law, more work may need to be completed by City staff to determine its impact on the franchise and other aspects of City operations. After the failure of HB 2020 in the 2019 session, the [Governor committed](#) to continue working on a climate bill and to make progress on carbon reduction through actions authorized by executive powers. The details on such actions and how those may impact the City's natural gas system and franchise remain unknown at this time.

Given the upcoming expiration of the current franchise between the City and NWNG as well as recently-enacted and pending changes to State law, staff has drafted a proposed ordinance (Attachment B) to extend the franchise term of the current franchise. This ordinance would only extend the term of the franchise; all other current franchise terms and conditions would remain the same.

PREVIOUS COUNCIL DIRECTION

[November 14, 2018, Work Session](#)

This work session provided the City Council with information regarding the review process for the right of way franchise agreement with Northwest Natural Gas and discuss options for including Climate Action Plan 2.0 in the negotiations.

January 30, 2019, Work Session

Staff reviewed questions submitted by the Eugene Sustainability Commission to the City Council regarding the regulation of natural gas in Eugene.

May 22, 2019, Work Session

Council held a work session with Northwest Natural ([Northwest Natural presentation](#)) as a follow-up to a previous work session about NWN's franchise agreement with the City and Climate Action Plan 2.0 discussions.

May 29, 2019, Work Session

Move to direct the City Manager to schedule a public hearing on a possible one-year extension of the franchise with Northwest Natural Gas. (*Motion passed*)

July 15, 2019, Public Hearing

Public hearing followed by Council discussion on proposed Ordinance to extend the franchise with Northwest Natural Gas.

COUNCIL OPTIONS

1. Adopt the Ordinance as proposed.
2. Adopt the Ordinance with modifications as determined by the City Council.
3. Deny the adoption of the Ordinance.
4. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends the City Council adopt the Ordinance.

SUGGESTED MOTION

Move to adopt an Ordinance Extending the Term of Ordinance No. 20170, Granting to Northwest Natural Gas Company, a Corporation, a Twenty-Year Non-Exclusive Right and Franchise to Lay, Maintain and Operate Facilities in the Public Way within the City of Eugene, Oregon; and Providing for the Payment of Compensation to the City.

ATTACHMENTS

- A. Ordinance 20170
- B. Proposed Ordinance

FOR MORE INFORMATION

Staff Contact: Mike Streepey
Telephone: 541-682-6820
Staff E-Mail: MStreepey@eugene-or.gov

Staff Contact: Ethan Nelson
Telephone: 541-682-5245
Staff E-Mail: Enelson@eugene-or.gov

1999-2019

ORDINANCE NO. 20120

AN ORDINANCE GRANTING TO NORTHWEST NATURAL GAS COMPANY, A CORPORATION, A TWENTY (20) YEAR NON-EXCLUSIVE RIGHT AND FRANCHISE TO LAY, MAINTAIN AND OPERATE FACILITIES IN THE PUBLIC WAY WITHIN THE CITY OF EUGENE, OREGON; PROVIDING FOR THE PAYMENT OF COMPENSATION TO THE CITY; AND REPEALING ORDINANCE NO. 18489, PASSED BY THE CITY COUNCIL AUGUST 27, 1979, AND APPROVED BY THE MAYOR SEPTEMBER 3, 1979.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. This Ordinance shall be known and may be cited as The Northwest Natural Gas Company Franchise Ordinance.

Section 2. Definitions.

For the purpose of this Ordinance the following terms, phrases, words and their derivation shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "City" is the City of Eugene, Oregon.
- (2) "Company" is Northwest Natural Gas Company, the grantee of rights under this Franchise.
- (3) "Council" is the City Council of the City of Eugene.
- (4) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.
- (5) "Code" is the Eugene Code, 1971, including all amendments thereto.
- (6) "Public way" is any street, road, alley, right-of-way, pedestrian or bicycle easement or utility easement for public use that is controlled by City.
- (7) "GIS format" is the format of electronic information, as established by the City Engineer for incorporation into City's Geographic Information System (GIS).
- (8) "Facilities" includes gas mains, pipes, boxes, reducing and regulation stations, laterals, conduits and connections, including service connections, together with all of the necessary or useful appurtenances for the transmission and distribution of gas to City and its inhabitants and to other customers and territory beyond the limits of City.
- (9) "Gross revenues" means revenues earned by Company from operations within City, including but not limited to revenues from the sale and/or transportation of natural gas consumed within City and revenues earned from the use, rental or lease of operating facilities of Company other than residential-type space and water heating equipment, less the net writeoff of uncollectible accounts directly related to such revenues. Gross revenues shall not include:

- (a) Revenues paid directly by the United States of America or any of its agencies;
- (b) Proceeds from the sale of bonds, mortgages or other evidence of indebtedness, securities or stocks; or
- (c) Sales at wholesale by one utility to another when the utility purchasing the service is not the ultimate customer.

Section 3. Grant of Authority.

City hereby grants to Company the right and privilege to lay, maintain, and operate facilities in and under the public ways of City, subject to the terms of this Ordinance for a period of twenty years. This grant of authority shall not be exclusive, and City reserves the right to grant similar use of such public ways to any person or corporation at any time during the period of this Franchise.

Section 4. Compliance with Applicable Laws and Ordinances.

Company shall at all times during the period of this Franchise, be subject to all lawful exercise of the police power of City, and to such reasonable regulation as City shall hereinafter by resolution or ordinance provide.

Section 5. Conditions - Occupancy of Public Ways.

Company, subject to the prior approval of the City Manager or designee, and requirements of all applicable ordinances, regulations and adopted City policies, may make necessary excavations in public ways for the purpose of laying, operating and maintaining its mains, pipes and appurtenances. Company shall furnish and file with the City Engineer of City, which shall, to the extent technologically feasible, be in a data format prescribed by the City Engineer to allow integration into City's Geographic Information System (GIS), maps showing the location of all such mains, pipes, and appurtenances within City, both for its existing system and future plans for the system. The City Engineer may require such information, including (GIS) format, or other drawings, surveys and plans, as deemed necessary to conform to the requirements of the Code and related administrative rules. Company shall bring maps up to date annually or upon such shorter notice as the City Engineer may reasonably require.

City reserves the right to stop any work on a public way if the City Manager or designee determines that the work has a serious adverse effect on traffic flow or endangers public safety. The right to stop work is absolute and cannot be challenged by Company even if Company's work hours and/or traffic control plans have been previously approved by City.

Section 6. Removal and Restoration.

Whenever any of Company's facilities shall unnecessarily inconvenience the public or private property owners, City may require the removal or change of location of any such

facility. Any removal or relocation of facilities made for the convenience of the public shall be at Company's expense. Whenever Company excavates or in any manner disturbs or interferes with any public way within City, Company shall restore the same as required by the Code.

Section 7. City Free to Use Public Ways.

Nothing in this Ordinance shall be construed to prevent City from sewerage, grading, paving, repairing, altering, or doing any work that it finds necessary or desirable in or on any public way. Should City find it in the public interest to permanently or temporarily remove or change the location of any of Company's facilities, Company shall, upon request and reasonable notice from the Director of Public Works, do all necessary work at Company's sole cost and expense as promptly as the circumstances will reasonably permit. If Company fails so to do, City may cause such work to be done and Company shall pay all costs incurred by City in performing such work within thirty (30) days of the date City notifies Company of the cost thereof.

Section 8. Company to Defend and Hold City Harmless.

Company shall defend, indemnify and save harmless City, its employees, officers and agents, from any and all claims, damages, costs, liabilities, and expenses to which it or they may be subjected by reason of any act or neglect of Company, its agents or employees, or which may in any manner arise out of the construction, maintenance, operation or use of any property of Company in any public way.

Section 9. Default and Termination.

If Company fails to comply with or perform any of the requirements imposed on it by this Ordinance and City gives written notice specifying the nature of Company's default and demanding that such default be remedied within a reasonable time to be fixed in such notice, the rights and privileges granted by this Ordinance may be terminated and annulled by City if Company fails to remedy its default within the time specified.

Section 10. Franchise Fee.

As compensation to City for the franchise hereby granted, Company shall pay to City an amount equivalent to five percent (5%) of Company's gross revenues. If the Code in effect at the time the revenue is earned does not allow payment of a franchise fee or business privilege tax or combined franchise fee and business privilege tax in an amount of five percent of gross revenues or some greater amount, then the franchise fee shall be the maximum amount allowed by the Code; provided that, if the Code is amended thereafter to increase the allowable franchise fee, business privilege tax or combined franchise fee and business privilege tax, the increased rate, not to exceed five percent, shall be paid on all gross revenues earned after the effective date of the amendment. If Company agrees to pay any other city in Oregon a franchise fee that exceeds five percent of gross revenue, City may require Company to pay the same percentage of its gross

revenue to City, so long as the Code allows payment of the higher percentage. Payment shall be made within forty-five (45) days following the end of each quarter of each calendar year. Within forty-five (45) days after the termination of this franchise, compensation shall be paid for the period elapsing since the close of the last quarter for which compensation has been paid. Upon thirty days' written notice by either party to the other, the basis for calculation of the franchise fee, the definition of gross revenues and other terms of this franchise shall be subject to renegotiation and redetermination at the end of the first three-year period of the franchise term and again at the end of each five-year period thereafter during the franchise term. The principles governing the renegotiation shall include, but not necessarily be limited to, making the franchise consistent with federal, state and local law in effect at the time of the renegotiation.

Section 11. Reports by Company.

Company shall furnish to City with each quarterly payment of compensation a statement by an officer of Company showing the amount of gross revenues of Company for the quarter covered by the payment, computed on the basis set forth in Section 10, and the calculation of the payment for the quarter, including a description of and the amount for each exclusion from gross revenue, as allowed under Section 10. The books and records showing Company's gross revenues from the gas sales referred to in Section 10 shall always be open to inspection by City's Finance Officer, or by any other authorized representative of City for the purpose of ascertaining the amount payable to City under Section 10, or to verify any statement or report submitted by Company pursuant to the provisions of this Section. City, or its authorized representative, shall have the right to audit Company's books and records to verify that the franchise fee has been correctly calculated and paid by Company. Company shall reimburse City for the reasonable costs of such audit if the audit discloses that Company has paid 95% or less of the fee owing for the period of the audit.

Company shall, upon request, furnish to City a list of all customers within the corporate limits of City who have contracted with Company for transportation and delivery of natural gas separate from the purchase of natural gas. This report shall include the names of all such customers and the volume of gas which was transported by Company on behalf of each customer for the period covered by the report.

Section 12. Company to Pay All City Taxes and Fees.

Nothing contained in this franchise shall give Company any credit against any non-discriminatory business tax or ad valorem property tax now or hereafter levied against real or personal property within City, or against any local improvement assessment imposed on Company, or against any permit fees or inspection fees required by the construction codes or other ordinances of City which are or may hereafter be adopted.

Section 13. Valuation for Eminent Domain.

In the event City should desire to acquire the property of Company in City and

adjacent territory by purchase, condemnation, or otherwise, the price to be paid by City shall exclude the value of the franchise or other prerogatives of sovereignty granted by City and connected with property of Company in the City.

Section 14. Abandonment.

Company shall at all times maintain all of its facilities in a good state of repair, and shall subscribe to a utility notification and locate service. If Company ceases to make use of its facilities in the public way for the purposes authorized by this franchise ordinance for a continuous period of six months or more, with no intention of using those facilities in that location in the future, the facilities shall be deemed abandoned; no facilities shall be considered abandoned if they are reserved for future use. If facilities have been in the public way for more than one year without being used, they shall be presumed to be abandoned unless Company provides to City objective evidence of Company's intent to use the facilities within the next year. Company shall maintain records of all abandoned facilities and, upon receipt of a locate request, shall locate those facilities, labelling them as abandoned. Upon 60 days written notice to Company at the address indicated in its acceptance of this ordinance, City may require Company to remove abandoned facilities and restore the public way, at Company's sole cost and expense. If Company fails to remove the facilities and restore the public way within the 60-day period, City may, at its option and in its sole discretion, remove the facilities from the public way and require Company to pay for the full cost of removal and restoration of the public way. If Company removes the facilities from the public way but fails to restore the public way to its prior condition, City may complete the repairs and bill Company for the full cost thereof.

Section 15. Acceptance by Company.

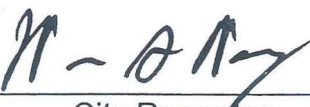
This Ordinance shall take effect thirty days after its adoption by the Council and approval by the Mayor, provided that prior to the expiration of those thirty days, Company files with City's Finance Officer its written acceptance of this Ordinance and the obligations it imposes. If no such acceptance is filed, this Ordinance shall become null and void.

Section 16. Repeal of Ordinance 18489.

From and after the effective date of this Ordinance, Ordinance 18489 of the City of Eugene, passed by the Council on August 27, 1979, and approved by the Mayor September 3, 1979, shall be, and the same is hereby repealed.

Passed by the City Council this

11th day of October, 1999



City Recorder

Approved by the Mayor this

11th day of October, 1999



Mayor

ORDINANCE NO. _____

AN ORDINANCE EXTENDING THE TERM OF ORDINANCE NO. 20170 GRANTING TO NORTHWEST NATURAL GAS COMPANY, A CORPORATION, A TWENTY-YEAR NON-EXCLUSIVE RIGHT AND FRANCHISE TO LAY, MAINTAIN AND OPERATE FACILITIES IN THE PUBLIC WAY WITHIN THE CITY OF EUGENE, OREGON; AND PROVIDING FOR THE PAYMENT OF COMPENSATION TO THE CITY.

The City Council of the City of Eugene finds that:

A. On October 11, 1999, Ordinance No. 20170 was adopted granting to Northwest Natural Gas Company ("NWNG") a twenty-year non-exclusive right and franchise to lay, maintain and operate facilities in and under the public ways within the City of Eugene, Oregon. NWNG accepted Ordinance No. 20170 on October 15, 1999. The Franchise will expire on November 11, 2019.

B. The City of Eugene and NWNG have begun discussing franchise renewal and potential franchise terms. However, the Oregon Legislature is currently considering several bills that would likely impact regulation of natural gas utilities and the franchise negotiations between the City of Eugene and NWNG.

C. Extending the term of the Franchise for one year would allow time for the City of Eugene and NWNG to understand the impacts of the pending legislation, if passed, and to complete franchise renewal negotiations.

D. The City of Eugene has determined that it serves the public welfare to extend the term of the current franchise from November 11, 2019 up to and through November 11, 2020.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The franchise granted to NWNG in Ordinance No. 20170 shall be extended up to and through November 11, 2020. This extension shall be effective upon NWNG's written acceptance.

Section 2. Other than the duration of the franchise set forth in this Ordinance, Ordinance No. 20170 shall continue in full force and effect.

Passed by the City Council this

_____ day of July, 2019

City Recorder

Approved by the Mayor this

_____ day of July, 2019

Mayor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971

Meeting Date: July 22, 2019
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 4
Contact: Jason Dedrick
Contact Telephone Number: 541-682-5033

ISSUE STATEMENT

The City Council is scheduled for action on amendments to the existing ordinance that codifies permitted overnight sleeping and the rest stop program as well as amends Section 4.816 of the Eugene Code, 1971(Attachment A).

BACKGROUND

The [rest stop program](#) was initiated by City Council in September 2013 by [Ordinance 20517](#) 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; the fourth is managed by Nightingale Hosted Shelters and is 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 [June 12, 2019](#), City Council work session, staff presented councilors with a set of options for amending or revising the rest stop program that would have the potential to expand the number of sites established by the City, based on feedback received from Council at previous work sessions. Council selected their preferred options and directed the City Manager to prepare an ordinance. A

Public Hearing was held on July 15, 2019, on the amended ordinance, with six community members providing testimony.

COUNCIL OPTIONS

1. Adopt the ordinance as proposed.
2. Adopt the ordinance with modifications as determined by the City Council.
3. Take no action on the ordinance.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adopting the ordinance as proposed.

SUGGESTED MOTION

Move to adopt An Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971

ATTACHMENTS

- A. Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions

FOR MORE INFORMATION

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND CODIFYING PERMITTED OVERNIGHT SLEEPING REST STOP PROGRAM PROVISIONS, AND AMENDING SECTION 4.816 OF THE EUGENE CODE, 1971.

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

A. On September 25, 2013, Council adopted Ordinance No. 20517 to create additional sleeping options for people who are unhoused. Uncodified Sections 3 and 4 of that Ordinance created an overnight sleeping (“rest stop”) pilot program and established rest stop siting requirements.

B. On December 8, 2014, Council adopted Ordinance No. 20547 amending Section 3 of Ordinance No. 20517 to increase by 5 people the maximum number of people allowed to stay at a rest stop, if certain conditions are met.

C. On February 27, 2017, Council adopted Ordinance No. 20576 making the rest stop program permanent.

D. It is necessary to amend the rest stop program provisions to provide the Council with greater flexibility when implementing the program. In addition, because the rest stop program is no longer a pilot program, the program provisions should be added to Eugene Code section 4.816 (permitting overnight sleeping).

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. A new subsection (10) is added to Section 4.816 of the Eugene Code, 1971 to provide as follows:

4.816 Permitted Overnight Sleeping.

(10) Permitted overnight sleeping rest stop program.

- (a) Up to 15 persons may sleep overnight in vehicles, as that term is defined in subsection (1)(a) of this section, on property authorized pursuant to subsection (c) below. 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.
- (b) No site may be used for overnight sleeping pursuant to subsection (a) above unless one or more entities enters into the agreement with the city referenced in subsection (c) below and one or more entities

provides adequate garbage, toilets and supervision. The entity providing supervision shall work with surrounding and nearby neighbors (businesses or residences) to address any concerns.

- (c) The city manager shall recommend to the city council one or more proposed sites authorized by subsections (a) and (b) above. Any such site may not be located in a residential area or close to a school unless the city council determines that any potential impacts to the surrounding residences or to the school can be effectively mitigated. 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 (b) above. Such an agreement may include but is not limited to provisions concerning:
1. Supervision;
 2. Selection of the individuals who may camp at the site;
 3. Number of continuous days that someone may camp at the site;
 4. Hours that people may stay at the site in addition to 9:00 p.m. to 7:00 a.m.;
 5. Structures and other items that may be placed on the site; and
 6. Closure of the site for non-compliance with the terms of the agreement.

Section 2. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

_____ day of July, 2019.

Approved by the Mayor this

_____ day of July, 2019.

City Recorder

Mayor

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: Approval of Motions Relating to the November 5, 2019, Election

Meeting Date: July 22, 2019
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 5
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

The purpose of this item is to solicit council direction on items related to the November 5, 2019, election.

BACKGROUND

On June 10, 2019, the City Council adopted a resolution calling a City election on November 5, 2019, for the purpose of referring to the legal electors of the City of Eugene a Charter amendment that caps the rate and limits the use of the City's Payroll Tax. There are several decisions related to the election for council to consider.

Voters' Pamphlet: Eugene Code requires the City Manager to publish and distribute a local voters' pamphlet for elections in which a City measure is on the ballot. The time required for printing a pamphlet and preparing it for mailing are set by production schedules of mailing services and commercial printers. Pamphlet content and deadlines for its preparation and mailing are established by Eugene Code 2.993 through 2.997. To meet these deadlines, council action is requested at this meeting.

Production of a voters' pamphlet is not a regularly budgeted item and thus requires a request for additional funds. Production costs for the voters' pamphlets the past few years have averaged between \$20,000 and \$25,000 (including postage). Taking into account increased costs for postage and labor, staff estimates that this pamphlet will cost approximately \$25,000.

Election Costs: Because the November 5, 2019, election is a special election, the City must pay a portion of the cost of holding the election. This cost will depend on whether other jurisdictions also have measures on the ballot. Initial estimates are that the cost will be in the \$175,000-\$211,000 range. However, if the Eugene measure is the only measure on the ballot, that cost could increase.

Related City Policies

EC 2.993(2) requires the city manager to publish and distribute a local voters' pamphlet for elections in which a City measure is on the ballot.

EC 2.996(1)(b) establishes that for City Council-referred measures, the argument in favor and the rebuttal to the opposition argument are to be prepared by one or more of the councilors who voted in favor of the measure.

PREVIOUS COUNCIL DIRECTION

[June 10, 2019, City Council Work Session](#)

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to adopt Attachment C, a Resolution Calling a City Election on November 5, 2019, for the Purpose of Referring to the Legal Electors of the City of Eugene a Charter Amendment that Caps the Rate and Limits the Use of the City's Payroll Tax. **PASSED 6:2**, Councilors Zelenka and Yeh opposed.

COUNCIL OPTIONS

1. The council may approve the suggested motions below.
2. The council may provide other direction to staff.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends approval of the suggested motions.

SUGGESTED MOTIONS

- A. Move to direct the City Manager to include on a supplemental budget sufficient appropriation offset by General Fund contingency and the Reserve for Revenue Shortfall to pay the City's portion of the cost for the November 5, 2019, special election and to produce the voters' pamphlet.
- B. Move to appoint Councilors _____, _____, and _____ to the voters' pamphlet proponent committee for the Charter Amendment that caps the rate and limits the use of the City's Payroll Tax.

ATTACHMENTS

None

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov