City Council
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www.eugene-or.gov

AMENDED AGENDA
EUGENE CITY COUNCIL
October 27, 2021

12:00 p.m. **CITY COUNCIL WORK SESSION**
As the state and community recover from the COVID-19 pandemic, City Council meetings will continue to be held remotely using virtual meeting technology. Information about online or other options for access and participation will be available at https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials

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Meeting of October 27, 2021;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Jennifer Yeh, President	Claire Syrett, Vice President
Mike Clark	Greg Evans
Randy Groves	Matt Keating
Emily Semple	Alan Zelenka

Note: This agenda was amended to reflect the addition of Item 2.

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

1. **WORK SESSION: Waste Management at Large Events**

2. **WORK SESSION: Right-of-Way Resolutions on Federal-Aid Projects**

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.

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

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Work Session: Waste Management at Large Events

Meeting Date: October 27, 2021 | Agenda Item Number: 1
Department: Planning and Development | Staff Contact: Deveron Musgrave
www.eugene-or.gov | Contact Telephone Number: 541-682-6842

ISSUE STATEMENT
This Council work session will provide information about the City's Sustainable Events Program, the role that the City has played in supporting event sustainability in the past, and our current efforts to make Eugene a welcoming destination for responsibly produced events.

BACKGROUND
Our community has actively supported event sustainability for over twelve years, beginning with our efforts to incorporate the community's environmentally responsible values into our bid to host the 2008 Track and Field Championships at Hayward Field. Whether the events are large or small, the triple bottom line has guided the City's support for equitable access to events, the responsible use of resources at events, and the positive economic impacts that events have on the community, all of which are considered as equally as possible.

For this work session we will provide some background on the City's role in supporting event sustainability and current efforts to make Eugene a welcoming destination for responsibly produced events. This presentation will also discuss third-party event certification, how differing types of events may require different measures of sustainability, the importance of event stakeholder collaboration to deliver mutual goals, and how City-wide waste prevention systems and policies help create an enabling environment for responsible event production. Information about similar sustainable event programs in other cities and their requirements, funding sources, and staffing will be included, as well as some background on the development of a flexible sustainable event framework in partnership with several other US cities.

RELATED CITY POLICIES
Eugene Code (EC) 6.855, Single-Use Checkout Bag Regulations
EC 6.872, Single-Use Serviceware Restrictions
EC 6.876, Polystyrene Container Use Regulations
City of Eugene Sustainable Events Program

FOR MORE INFORMATION

Staff Contact: Deveron Musgrave
Telephone: 541-682-6842
Staff E-Mail: DMusgrave@eugene-or.gov

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Work Session: Right-of-Way Resolutions on Federal-Aid Projects

Meeting Date: October 27, 2021 | Agenda Item Number: 2
Department: Public Works | Staff Contact: Jenifer Willer
www.eugene-or.gov | Contact Telephone Number: 541-682-6036

ISSUE STATEMENT

This work session provides the Council with some background information regarding a State requirement that applies to certain transportation projects that are funded by the Federal Highway Administration (FHWA) and administered by the Oregon Department of Transportation (ODOT). As part of administering these projects, ODOT requires the City pass a resolution expressing the necessity and purpose of the land acquisitions necessary to enable a particular project.

BACKGROUND

Transportation projects sometimes require the City to acquire additional property interests, ranging from a strip of land for permanent right of way to a temporary easement over land for a phase of the construction. When this is the case on federally-funded transportation projects, the federal funding is sometimes predicated on the City's commitment to acquiring those needed property interests. In those cases, project specific intergovernmental agreements between the City and ODOT include a provision requiring the City adopt a Council resolution. The resolution must express the necessity and purpose of the land acquisitions necessary for the particular project. If it became necessary, such a resolution would also serve as a first step toward condemning the property interests. As is further explained below, condemnation is typically viewed by Public Works Engineering as an option of last resort. Even so, the Council resolution may be required to receive the federal funding.

Public Works Engineering carefully considers project design in relation to the existing right of way and attempts, through project design, to avoid the need to acquire any additional right of way. However, there are occasions where acquisition of additional right of way cannot be avoided to meet City project requirements. These acquisitions are primarily in the form of temporary easements used to adjust or match existing private property to the proposed design, for example driveway adjustments and transitions to building entries. On rare occasions, additional property is needed to construct the permanent facility.

The design of federally funded projects includes the following typical phases – conceptual or preliminary design, right of way, environmental documentation and permitting (NEPA clearance), and final design. When a resolution like the one described above is required, staff will request the

resolution at the time preliminary design is complete and temporary and permanent right of way needs are identified. It is a staff priority to reach an agreement with the property owner on reasonable compensation so that formal legal condemnation proceedings to acquire property are not needed.

Staff recently updated council at the October 11, 2021 meeting on the ODOT requirement.

The resolution will often be a procedural formality as it is the standard practice to reach a mutually acceptable agreement with property owners on needed property acquisitions and necessary compensation. In many cases agreements with property owners will be in place prior to the finalization of the right of way resolution. As such, staff propose to place these resolutions on the consent calendar. If further discussion is needed, per the Eugene City Council Operating Agreements, items may be removed for separate consideration by any member of the council. Additionally, if staff anticipate that the right of way on a project is complex, controversial, or council has identified other considerations, the resolution will be scheduled on the regular agenda for council consideration.

COUNCIL OPTIONS

1. Approve a motion to place federal-aid right of way resolutions on Consent Calendar 2.
2. Take no action. This would require staff to bring all federal-aid project right of way resolutions to the City Council via the regular agenda

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council move to include federal-aid project right of way resolutions on Consent Calendar 2.

SUGGESTED MOTION

Move to direct the City Manager to place future federal-aid project right of way resolutions on Consent Calendar 2.

ATTACHMENTS

A. Template Resolution Declaring Public Necessity to Acquire Real Property

FOR MORE INFORMATION

Staff Contact: Jenifer Willer, PE, Acting City Engineer
Telephone: 541-682-6036
Staff E-Mail: jwiller@eugene-or.gov

RESOLUTION DECLARING PUBLIC NECESSITY TO ACQUIRE REAL PROPERTY
[Project Name]

A. In furtherance of its responsibility to provide safe transportation routes for commerce, convenience and to adequately serve the traveling public the City of Eugene ("City") has entered into an Intergovernmental Agreement for Right of Way Services, City Contract No. ####-#####, (the "Agreement") with the State of Oregon, by and through its Department of Transportation, for certain right of way services relating to [Project Name] (the "Project").

B. The Project has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of transportation infrastructure so that property damage is minimized, transportation is promoted and travel is safeguarded.

C. To complete the Project, it is necessary to acquire interests in the real property described in "Exhibit A" attached to this Resolution and, by this reference incorporated herein (the "Real Property").

D. The Agreement requires the City to declare by resolution the public necessity of acquiring such interests in the Real Property for achieving the purposes of the Project.

E. The City Council determines, consistent with the powers and authority granted by the City Charter and appliable state law, that it is necessary for the economic well-being, public health, safety, and welfare of the City to acquire the Real Property interests and that doing so in furtherance of the Project will be most compatible with the greatest public benefit and least private injury.

Now, therefore,

BE IT HEREBY RESOLVED by the Eugene City Council

1. The foregoing recitals are incorporated by this reference and adopted herein.

2. The Real Property interests the City will be acquiring for the Project are necessary in the public interest and the Project has been planned, designed, located, and will be constructed in a manner which will be most compatible with the greatest public good and the least private injury;

3. The City Manager has the authority, and is hereby requested to commence the process, to acquire the Real Property interests for the Project.

DATED this_____day of_____, 20___

[insert signature blocks here]

Attachments: Exhibit A to City Resolution Declaring Public Necessity to Acquire Real Property – Real Property Description

Exhibit A to City Resolution Declaring Public Necessity to Acquire Real Property – Real Property Description

[insert property description]