



Eugene City Council

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AMENDED AGENDA

EUGENE CITY COUNCIL AGENDA

June 26, 2017

**5:30 p.m. CITY COUNCIL WORK SESSION and
MEETING OF THE EUGENE URBAN RENEWAL AGENCY
125 East 8th Avenue
Eugene, Oregon 97401**

**Meeting of June 26, 2017;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Alan Zelenka, President
Emily Semple
Claire Syrett

Mike Clark, Vice President
Greg Evans
Chris Pryor
Betty Taylor

Please note: This agenda has been amended to reflect to the addition of items B and C.

**5:30 p.m. CITY COUNCIL WORK SESSION and
MEETING OF THE EUGENE URBAN RENEWAL AGENCY
Harris Hall, 125 East 8th Avenue**

Mayor: I call the June 26, 2017, City Council work session to order.

A. ACTION:

Appointment of Interim Ward 4 City Councilor

City Council President: I move to appoint _____ to replace George Poling.

Call for vote.

B. EXECUTIVE SESSION

Pursuant to ORS 192.660(2)(e)

***Mayor:** The Eugene City Council will now meet in Executive Session held pursuant to ORS 192.660(2)(e) to negotiate real property transactions.*

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

The Mayor adjourns the meeting of the Eugene City Council and convenes a meeting of the Eugene Urban Renewal Agency.

C. MEETING OF THE EUGENE URBAN RENEWAL AGENCY: Property Acquisition

The Mayor adjourns the meeting of the Eugene Urban Renewal Agency and convenes a meeting of the Eugene City Council.

D. WORK SESSION: Overview of Nuisance Codes

Adjourn.

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.

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



Action: Appointment of Interim Ward 4 City Councilor

Meeting Date: June 26, 2017
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

This item is to nominate and appoint an interim Ward 4 City Councilor.

BACKGROUND

On March 15, 2017, Ward 4 City Councilor George Poling announced his resignation from the council effective April 10, 2017.

Applications from Ward 4 residents interested in filling the anticipated vacancy were solicited from April 11 to May 19, 2017. Six candidates applied for the position and four were interviewed by the Mayor and City Council on June 14. The person appointed will serve until a successor is duly elected. A primary election will be held in May 2018, for the regular four-year Ward 4 term to begin in January 2019.

The Eugene Charter Section 24(2) outlines the process for filling a vacancy on the City Council:

- (2) The council shall fill a vacancy in any other elective city office by appointment within ninety days after the vacancy occurs. A person so appointed shall hold office until the successor to the office is duly elected and qualifies therefor.

COUNCIL OPTIONS

The City Council may appoint one of the candidates or choose another course of action. The appointment must be made by July 9, 2017.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item.

SUGGESTED MOTION

Move to appoint _____ to replace George Poling.

ATTACHMENTS

None

FOR MORE INFORMATION

Staff Contact: Beth Forrest

Telephone: 541-682-5882

Staff E-Mail: beth.l.forrest@ci.eugene.or.us

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Overview of Nuisance Codes

Meeting Date: June 26, 2017
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: D
Staff Contact: Rachelle Nicholas
Contact Telephone Number: 541-682-5495

ISSUE STATEMENT

City Council requested this work session to discuss abandoned, vacant properties and other neighborhood livability related codes. Staff will provide an overview of the City's existing codes and the enforcement process. Additionally, staff will provide examples of regulations from other communities that may inform Council discussion related to concerns about vacant properties.

BACKGROUND

At previous work sessions, Council indicated an interest in discussing the impacts of vacant properties as well as other nuisance topics such as; parking on lawns, trash, and a general overview of the City's code compliance process.

Current Eugene Livability Codes

The City has a number of existing codes in place to help protect neighborhood livability and address problem properties. These codes are enforced on a complaint based system. The City receives about 1,600 complaints each year. When a complaint is received staff will attempt to contact the owner or the party responsible for the property. After attempting to contact an owner, staff will conduct an inspection to determine if a violation exists. If necessary, the City can issue an Order to Correct with a deadline for compliance. If a complaint is not resolved through this process the City may issue a Notice of Civil Penalty or a Notice to Abate depending on the situation.

In cases where there's an immediate concern for life and safety of the occupants or first responders who may need to enter the structure, more immediate action may be required. Examples include; unsafe electrical conditions, inadequate exit ways, or unsanitary conditions that threaten the health of the occupant or community. In these situations, the City may take immediate action including posting a building as unsafe or dangerous, vacating any occupants, or disconnecting the power. The City may need to board doors and windows to protect the safety of community members and deter people from entering the structure. Last year the City identified 93 properties as unsafe or dangerous.

The owner of a dangerous building is provided ten days to address the violations. In most situations owners make the necessary corrections to reoccupy the building. There are situations

where the owner may choose to secure the building and leave it vacant rather than make any corrections to reoccupy. As long as the building remains vacant, secure and in compliance with other City codes no further enforcement action can be taken. A number of reasons can cause a house to become vacant. Some of these homes are vacant because the owners have defaulted on their mortgage payments and the banks are in the process of foreclosing on the property. Other times a house remains vacant because the repairs require additional time and money for the owner to address the issues.

Vacant buildings may become an ongoing nuisance for the neighborhood and have an impact on City resources. Without an owner or tenant actively managing and monitoring the upkeep and activity of a property a house may deteriorate into a state of disrepair. Buildings that are vacant and left boarded for long periods of time tend to attract unauthorized occupants (squatters) and other criminal activity. The City's current code does not require a house or building be maintained to any minimum standards which may minimize the impacts abandoned buildings can have on the neighborhood.

Other Communities

Council asked staff to provide information on how other cities are handling the impacts created by the rising number of abandoned buildings. Staff researched other communities including Portland, Gresham, Salem, Hillsboro, Brownsville, Dallas and Corvallis (Attachment A). Staff found that each of these communities has codes in place to address abandoned buildings. The definition of a dangerous or abandoned building varies among communities. Similar to Eugene, these cities can require the abatement of any violations and issue penalties. Corvallis, Gresham, Salem and Portland code include the option to apply to the court for receivership.

RELATED CITY POLICIES

City Council Goals

- Safe Community: A community where all people are safe, valued and welcome.
- Sustainable Development: A community that meets its present environmental, economic and social needs without compromising the ability of future generations to meet their own needs.

Envision Eugene Pillars

- Provide affordable housing for all income levels
- Promote compact urban development and efficient transportation options
- Protect, repair, and enhance neighborhood livability

COUNCIL OPTIONS

No options at this time. Staff will be looking for Council input and direction on next steps.

CITY MANAGER'S RECOMMENDATION

No recommendation is proposed at this time.

SUGGESTED MOTION

No motion is proposed at this time.

ATTACHMENTS

A. Abandoned or Foreclosed Properties

FOR MORE INFORMATION

Staff Contact: Rachelle Nicholas

Telephone: 541-682-5495

Staff E-Mail: rachelle.d.nicholas@ci.eugene.or.us

Abandoned or Foreclosed Properties			
City	Type of Code(s)	Compliance Tools	Property Registration Required
Eugene, OR	Dangerous Building Code Open and Vacant	<ul style="list-style-type: none"> • Civil Penalty • Abatement • Utility Disconnect 	No
Other Cities			
Brownsville, OR	Dangerous Building Code Nuisance: partially dismantled, or constructed more than 30-days	<ul style="list-style-type: none"> • Civil Penalty • Abatement 	No
Corvallis, OR	Dangerous Building Code Livability Code (Aesthetics) https://www.municode.com/library/or/corvallis/codes/code_of_ordinances?nodeId=TIT9BUSACOST_CH9.02COLICO Nuisance Code Derelict Structure Code	<ul style="list-style-type: none"> • Civil Penalty • Abatement • Receivership • Misdemeanor (Class C) <p>Limit use of tarps on roofs to 45 days in a 12 month period.</p>	No
Dallas, OR	Dangerous Building Code Housing Code Standards-Interior and Exterior (Aesthetics) http://library.amlegal.com/nxt/gateway.dll/Oregon/dallas_or/dallascitycode?f=templates\$fn=default.htm\$3.0\$vid=amlegal:dallas_or Nuisance Code includes language to address abandoned building	<ul style="list-style-type: none"> • Abatement • Misdemeanor (Class C) <p>Limit use of tarps on roofs to 30-day with two extensions for weather.</p>	No

Abandoned or Foreclosed Properties			
City	Type of Code(s)	Compliance Tools	Property Registration Required
	<p>“So dilapidated it has become an attractive nuisance, a harbor for vagrants, or enable persons to resort for purposes of committing crime.”</p> <p>“Abandoned for a period in excess of 6-month constitutes an attractive nuisance or hazard to public.”</p>		
Hillsboro, OR	<p>Dangerous Building Code http://qcode.us/codes/hillsboro/</p> <p>Distressed Residential Property Registration</p>	<ul style="list-style-type: none"> • Civil Penalty • Abatement • Registration with fee. 	<p>Yes</p> <p>Local property manager required.</p>
Gresham, OR	<p>Property Maintenance Code-adopted International Property Maintenance Code (Aesthetics) https://greshamoregon.gov/City-Codes-and-Policies/</p> <p>Dangerous Building</p> <p>Derelict Building</p>	<ul style="list-style-type: none"> • Civil Penalty • Abatement • Receivership • Registration Required <p>Limit use of tarps on roofs.</p> <p>Relocation cost for displaced tenant.</p>	<p>Yes</p> <p>Require local contact to be posted on structure.</p>
Salem, OR	<p>Dangerous Building http://new.cityofsalem.net/code/salem-revised-code-056-building-code.pdf</p> <p>Derelict Building</p>	<ul style="list-style-type: none"> • Civil Penalty • Abatement • Receivership • Derelict Structure Fee 	<p>Yes</p> <p>Require local contact to be posted on structure.</p>

Abandoned or Foreclosed Properties			
City	Type of Code(s)	Compliance Tools	Property Registration Required
	Building Property Maintenance (Aesthetics) http://new.cityofsalem.net/code/salem-revised-code-050-property-maintenance.pdf Housing Code http://new.cityofsalem.net/code/salem-revised-code-059-housing-code.pdf	No boarded windows longer than 15-days Limit use of tarps on roofs.	If structure remains derelict a monthly fee is charged by the City.
Portland, OR	Property Maintenance –Interior and exterior standards (Aesthetics) https://www.portlandoregon.gov/citycode/28193 Dangerous Building Code Nuisance Code An abandoned structure is an attractive nuisance if vacant in excess of 6 months. Derelict Commercial Bldg. Code	<ul style="list-style-type: none"> • Civil Penalty • Abatement • Receivership 	No

Information on Oregon Housing Receivership Act can be found in ORS 105.420 to 105.455.

https://www.oregonlegislature.gov/bills_laws/ors/ors105.html

Example of Receivership Code Language: City of Portland <https://www.portlandoregon.gov/citycode/28738>