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EUGENE CITY COUNCIL AGENDA

July 12, 2017

11:30 a.m. CITY COUNCIL WORK SESSION
Harris Hall
125 East 8th Avenue
Eugene, Oregon 97401

Meeting of July 12, 2017;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Alan Zelenka, President	Mike Clark, Vice President
Emily Semple	Greg Evans
Claire Syrett	Chris Pryor
Jennifer Yeh	Betty Taylor

11:30 a.m. CITY COUNCIL WORK SESSION
Harris Hall, 125 East 8th Avenue

A. WORK SESSION:
2017 General Obligation Bonds for Street Preservation Projects

B. WORK SESSION:
Overview of Nuisance Codes

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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or visit us online at ***www.eugene-or.gov.***

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Work Session: 2017 General Obligation Bonds for Street Preservation Projects

Meeting Date: July 12, 2017 | Agenda Item Number: A
Department: Public Works | Staff Contact: Jenifer Willer
www.eugene-or.gov | Contact Telephone Number: 541-682-6036

ISSUE STATEMENT

This work session is an opportunity for the Eugene City Council to discuss the citizen Street Repair Review Panel's (SRRP) recommendation for funding capital pavement preservation projects with a General Obligation (GO) bond measure to fix streets. At its July 24 meeting the City Council will be asked to take action approving a resolution to place a GO bond measure on the November ballot.

BACKGROUND

Council Action History

Following considerable study and discussion, including forming a Council Committee on Transportation Funding and convening an ad hoc citizen Street Maintenance Task Force, Council on July 28, 2008, approved Resolution 4953, calling a city election on a measure authorizing the issuance of $35.9 million of general obligation bonds to fund street preservation projects. Eugene voters on November 4, 2008, passed the five-year general obligation bond to fix streets, payable from property taxes beginning November 2009 and continuing through November 2013. The taxes levied from the 2008 street bond ended in 2013.

On July 9, 2012, Council approved Resolution 5063, calling a city election on a measure authorizing the issuance of $43 million of general obligation bonds to fund street preservation projects, and bicycle and pedestrian projects. In November 2012, Eugene voters overwhelmingly approved Measure 20-197 that continued the City's road repair program for another five years. The new bond measure committed to fix 76 streets and provided an average of $516,000 per year for bicycle and pedestrian projects. The bond measure took effect in 2014 and continued the bond-funded pavement preservation program that was first approved by local voters in 2008. The taxes levied pursuant to the 2012 street bond end in 2018.

The 2017 Pavement Management Report was presented to Council on March 13, 2017 and provided updated information on the condition of asphalt paving in Eugene using 2016 rating and inventory data. The report showed progress had been made on the condition of Eugene's streets in large part due to the additional funds available from the GO bonds, but more work was needed to further reduce the backlog of repairs on the 1,356 lane miles of streets in the City. Specifically, the 2017 report calculated the backlog of repairs on improved asphalt streets was $92 million; a reduction in the estimated backlog of needed repairs of $79 million since the 2008 bond was

approved. Despite this downward trend, the backlog is projected to continue to grow unless there is an increase in funding that is both sufficient and sustainable.

In anticipation of the expiration of the 2012 bond measure, at the March 13, 2017 work session, Council provided direction to staff to work with the citizen Street Repair Review Panel (SRRP) to develop a recommendation on a 2017 bond measure. On June 28, 2017, the SRRP approved the recommendation to renew a five-year $51.2 million bond measure to fix 83 streets and fund bicycle and pedestrian projects.

Street Repair Review Panel

The SRRP convened for four meetings over four months in order to develop a recommendation for a third bond measure. Staff provided an initial list of street projects to the SRRP developed from the City's pavement management system with an estimated cost of over $76 million. After reviewing the list with the SRRP, several measures were applied to reduce the list to fit within the projected bond amount. Geographic distribution was a priority for the project list to make certain that all areas of the City receive a benefit from the bond proceeds. Additional priority criteria applied to the street list included: arterials and collector street classification, school routes, bicycle routes, and transit routes. The proposed list of streets for pavement preservation work is included in Attachment A.

In late June, staff contracted with a polling consultant to test various elements of a proposed bond. At the SRRP's fourth meeting, the results of the poll were reviewed and used to develop a recommendation. The SRRP recommendation is as follows:

- Overall bond amount: Renew the bond at the same average tax rate of $0.65 per $1000 of assessed value over a 5 year period. This rate results in a total bond amount of $51.2 million.
- Project distribution/funding: After deducting bond issuance fees and projected inflation, $47.2 million remains for projects. The SRRP recommends allotting $42.2 million for pavement preservation projects and $5 million for active transportation projects.
- Continue to identify the active transportation projects as described in the 2012 bond with a modification to address safety, "…an annual average of $1,000,000 should be allocated over a period of five years to support bicycle and pedestrian projects guided by the Pedestrian and Bicycle Master Plan, City staff, the Active Transportation Committee, and the City's goals to increase safety on City streets."
- The SRRP further recommends retaining the accountability provisions included in the two prior bonds measures, including, use an external auditor to review bond expenditures and convene a citizen panel to review projects on an annual basis and report to the City Manager the use of the bond proceeds.
- The SRRP recommends that funding for the Railroad Quiet Zone not be included in this proposed bond to fix City streets.

As noted above, the $51.2 million bond measure is expected to cost the typical homeowner in Eugene an average of $0.65 per $1,000 of assessed value annually over the five year period. This rate is also the approximate average tax rate levied over the term of the two previous bond measures. The annual cost to the typical homeowner over the span of the current bond passed by

voters in 2012 is projected at $127. The average cost to the typical homeowner for the proposed 2017 bond measure is estimated at $148.

Public Opinion Polling
The public opinion polling was conducted by Strategy Research Institute (SRI) Consulting in late June. The objectives of the polling were to gather public opinion on the bond rate and various bond elements discussed by the SRRP. Dr. Gary Manross, Chairman/CEO of SRI Consulting, will provide a brief presentation at this work session regarding the public opinion polling data.

Timing
A resolution placing the measure on the ballot should be approved prior to City Council's summer break (July 27 – September 11) to comply with the time lines for the November election. The council tentative agenda includes action on July 24 to approve the resolution and place the measure on the November ballot.

RELATED CITY POLICIES
A. The City Council continues to support initiatives to adequately fund the transportation system for people who drive, walk, and ride bicycles, including maintenance and preservation and capital reconstruction.

COUNCIL OPTIONS
The focus of this Council work session is to discuss the citizen Street Repair Review Panel's (SRRP) recommendation for funding capital pavement preservation projects with a General Obligation (GO) bond measure to fix streets prior to taking action on a resolution placing a bond measure to fix streets on the November 2017 ballot. The resolution will become part of the materials included in the voters' pamphlet, and resolution language is the basis for the language contained in the ballot title (caption, question and summary).

The Council may -

1. Direct the city manager to bring the Council a resolution placing a $51.2 million GO bond measure to fix streets on the November 2017 ballot consistent with the 2012 bond measure and the current SRRP recommendations.

2. Direct the city manager to bring the Council a resolution placing a different amount for a GO bond measure to fix streets on the November 2017 ballot.

3. Take no action.

CITY MANAGER'S RECOMMENDATION
The City Manager recommends that a resolution placing a GO Bond measure to fund $51.2 million of street and bicycle and pedestrian projects over five years on the November 2017 ballot should be prepared for consideration at the July 24 council meeting.

SUGGESTED MOTION

Move to direct the city manager to bring the Council a resolution placing a $51.2 million GO bond measure to fix streets on the November 2017 ballot consistent with the 2012 bond measure and the current SRRP recommendations.

ATTACHMENTS

A. List of streets recommended by the SRRP for pavement preservation work.

FOR MORE INFORMATION

Contact: Jenifer Willer, Principal Civil Engineer
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Staff E-Mail: jenifer.m.willer@ci.eugene.or.us

Contact: Sue Cutsogeorge, Finance Director
Telephone: 541-682-5589
Staff E-Mail: Sue.L.Cutsogeorge@ci.eugene.or.us

SRRP Recommendation - $42.2 Million Street Pavement Preservation List

COUNCIL WARD	ST_NAME	FROM	TO
1	08TH AVENUE	ES VAN BUREN ST	ES CHAMBERS ST
		ES WILLAMETTE ST	WS MILL ST
		MONROE ST	GARFIELD ST
		WS CHAMBERS ST	ES GARFIELD ST
	11TH AVENUE	ES CHARNELTON ST	ES CHAMBERS
		WS CHAMBERS	WS GRANT ST
	19TH AVENUE	ES OAK ST	WS HIGH ST
		ES WILLAMETTE ST	WS OAK ST
	20TH AVENUE	ES WILLAMETTE ST	WS OAK ST
	CHAMBERS STREET	SS 11TH AVE	NS 13TH AVE
		SS 18TH AVE	NS 24TH AVE
	LINCOLN STREET	SS 13TH AVE	NS 18TH AVE
		SS 18TH AVE	SS 22ND AVE
	OAK STREET	11TH AVE	13TH AVE
		13TH AVE	19TH AVE
		19TH AVE	SS 20TH AVE
		7TH AVE	11TH AVE
	POLK STREET	SS W 18TH AVE	NS 28TH AVE
2	46TH AVENUE	WS FOX HOLLOW RD	WS DONALD ST
	AGATE STREET	N 163 BLACK OAK RD	SS FIRLAND ST
	ALDER STREET	30TH AVE	32ND AVE
	AMAZON PARKWAY	19TH AVE	2693 S OF E 24TH
	BROOKSIDE DRIVE	BRAE BURN DR (NORTH)	SS ADDR 999
		BRAE BURN DR (SOUTH)	NS MONTARA WAY
	HILYARD STREET	SS W AMAZON	SS 40TH AVE
	PORTLAND ST	29TH AVE	31ST AVE
	SUNDANCE STREET	ES SUNDIAL RD	EAST END
	SUNDANCE STREET CDS	NORTH END	NS SUNDANCE ST
3	17TH AVENUE	WS HILYARD ST	WS OAK ST
	19TH AVENUE	AGATE ST	FAIRMOUNT BLVD
		HILYARD ST	AGATE ST
	24TH AVENUE	ES HARRIS ST	WS AGATE ST
	ALDER STREET	SS 24TH AVE	SS 26TH AVE
		SS 26TH AVE	NS 27TH AVE
	BROADWAY	MILL ST	11TH AVE
	FAIRMOUNT BLVD	15TH AVE	COLUMBIA ST
	FRANKLIN BOULEVARD EB	AGATE ST	11TH AVE
		WS WALNUT	ES AGATE
	FRANKLIN BOULEVARD WB	AGATE ST	11TH AVE
		WS WALNUT	ES AGATE
	GARDEN AVENUE	MOSS ST	WALNUT ST
	MILL STREET	NS 16TH AVE	NS 18TH AVE
	PEARL STREET	NS BROADWAY	NS 17TH AVE (AMAZON BRIDGE)
	WALNUT STREET	FRANKLIN BLVD	GARDEN AVE
4	BAILEY LANE	WS BOGART LN	ES LUELLA ST
	BEDFORD WAY	WS OAKWAY RD	ES FAIR OAKS DR
	CARMEL AVENUE	GILHAM RD	NORWOOD ST
	COBURG ROAD	FERRY STREET BRIDGE	OAKWAY RD
	FAIR OAKS DRIVE	WS OAKWAY RD	NS FAIRWAY LP
	LARIAT DRIVE	OAKWAY RD	LARIAT DR
	LARIAT MEADOWS DRIVE	LARIAT DR	EAST END
	LARIAT MESA	LARIAT DR	EAST END
	NORWOOD STREET	MONTEREY ST	MARLOW ST
5	BALFOUR STREET	TERRESA AVE	NORTH END

SRRP Recommendation - $42.2 Million Street Pavement Preservation List

COUNCIL WARD	ST_NAME	FROM	TO
	BREWER AVENUE	BREWER AVENUE	SOUTH END
	CALGARY STREET	HOLLY AVE	ELANCO AVE
	CARMEL AVENUE	ES DIANE ST	WS GILHAM RD
	CRESCENT AVENUE	NORKENZIE RD	ES ADDRESS 1670
	ELANCO AVENUE + 1 CDS (NORTH)	NORKENZIE RD	END OF NORTHERLY CDS
	LAKEVIEW DRIVE	207' E OF SARAH LN	ES GILHAM RD
	LEMMING AVENUE	TARPON ST	SHILO ST
	LINNEA AVENUE + 1 CDS	NORKENZIE RD	TARPON ST
	MONTEREY AVENUE	WS NORKENZIE RD	SS LARKSPUR AVE
	MONTREAL AVENUE	CALGARY ST	BALFOUR ST
	QUEBEC STREET	CALGARY ST	ELANCO ST
	SPYGLASS DRIVE	SS CAL YOUNG RD	LOOP BACK TO SPYGLASS DR
	TARPON STREET + CUL-DE-SAC	BREWER AVENUE	LEMMING AVE
	TERRESA AVENUE	MONTREAL AVE	GILHAM RD
6	**CANDLELIGHT DRIVE**	NS AVALON	NS ROYAL
	CATALINA STREET	JUHL ST	WILLHI ST
	CHASE STREET + CDS	500' NORTH OF MARSHALL	NORTH END
	CLAREY STREET	WS BEAN ST	1071' S OF BEAN ST
	CONCORD STREET	ES BERNTZEN RD	WS JACOBS DR
	ECHO HOLLOW CDS	WEST END (CDS) (880-960)	WS ECHO HOLLOW RD
	FULLER AVENUE	ES ECHO HOLLOW RD	WS JAY ST
	JESSEN DRIVE	ELIZABETH ST	HWY 99
	LAURELHURST DRIVE + 5 CDS	SS MELROSE LP	NS BARGER DR
	LAURELHURST DRIVE + SHEFFIELD CT C	SS HARRIET AVE	NS ROYAL AVE
	LAVETA LANE	SS BARGER DR	SOUTH END
	PRIMROSE STREET + 1 CDS	NS BARGER RD	100' N OF PARKER PL (S)
	ROBIN AVENUE	200' EAST OF RUSKIN ST	396' EAST OF TANEY ST
	ROYAL AVENUE CUL DE SAC	NS ROYAL AVE	N END CDS
	STAGECOACH ROAD	ES CANDLELIGHT DR	WS SURREY LN
	SURRY LANE	NS STAGECOACH	NS WELCOME WY
	WELCOME WAY	ES CANDLELIGHT DR	NS ROYAL AVE
7	**03RD AVENUE**	WS HIGH ST	ES PEARL ST
	04TH AVENUE	ES COBURG RD	ES PEARL ST
	05TH AVENUE	WS CHAMBERS ST	WS GRANT STREET
	CHARNELTON STREET	4TH AVE	6TH AVE
	HAWTHORNE AVENUE	WEST END	WS FAIRFIELD AVE
	LAWRENCE STREET	NS DRWY 36	NS 6TH AVE
	MILL STREET	SS 2ND AVE	NS 4TH AVE
	OLIVE STREET	5TH AVE	6TH AVE
	POLK STREET	67' N OF 6TH AVE	72' S OF 7TH AVE
	RIVER ROAD	MAXWELL RD	BELTLINE RD
8	**11TH AVENUE**	WS TYINN	WS BERTELSEN
	ARROWSMITH STREET	ES TERRY ST	NS 11TH AVE
	BAILEY HILL ROAD	SS 5TH AVE	NS 11TH AVE
	ROOSEVELT BLVD	BELTLINE	APPROX 800' EAST OF BELTLINE
	TERRY STREET	SS ROYAL AVE	NS ROOSEVELT BLVD
	WINDSOR CIRCLE EAST/WEST	NS WILSHIRE LN	NS WILSHIRE LN

EUGENE CITY COUNCIL
AGENDA ITEM SUMMARY

Work Session: Overview of Nuisance Codes

Meeting Date: July 12, 2017 | Agenda Item Number: B
Department: Planning and Development | Staff Contact: Rachelle Nicholas
www.eugene-or.gov | 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	• Civil Penalty • Abatement • Utility Disconnect	No
Other Cities			
Brownsville, OR	Dangerous Building Code Nuisance: partially dismantled, or constructed more than 30-days	• 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	• Civil Penalty • Abatement • Receivership • Misdemeanor (Class C) Limit use of tarps on roofs to 45 days in a 12 month period.	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	• Abatement • Misdemeanor (Class C) Limit use of tarps on roofs to 30-day with two extensions for weather.	No

Abandoned or Foreclosed Properties			
City	**Type of Code(s)**	**Compliance Tools**	**Property Registration Required**
	"So dilapidated it has become an attractive nuisance, a harbor for vagrants, or enable persons to resort for purposes of committing crime." "Abandoned for a period in excess of 6-month constitutes an attractive nuisance or hazard to public."		
Hillsboro, OR	Dangerous Building Code http://qcode.us/codes/hillsboro/ Distressed Residential Property Registration	• Civil Penalty • Abatement • Registration with fee.	Yes Local property manager required.
Gresham, OR	Property Maintenance Code-adopted International Property Maintenance Code (Aesthetics) https://greshamoregon.gov/City-Codes-and-Policies/ Dangerous Building Derelict Building	• Civil Penalty • Abatement • Receivership • Registration Required Limit use of tarps on roofs. Relocation cost for displaced tenant.	Yes Require local contact to be posted on structure.
Salem, OR	Dangerous Building http://new.cityofsalem.net/code/salem-revised-code-056-building-code.pdf Derelict Building	• Civil Penalty • Abatement • Receivership • Derelict Structure Fee	Yes Require local contact to be posted on structure.

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	• 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