



Eugene City Council

101 W 10th Ave., Suite 203
Eugene, OR 97401
541-682-5010 • 541-682-5414 Fax
www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

October 10, 2022

7:30 p.m. CITY COUNCIL MEETING

As the state and community recover from the COVID-19 pandemic, City Council meetings will continue to be held in hybrid format using in person and 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>

**Meeting of October 10, 2022;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Greg Evans, President
Mike Clark
Randy Groves
Jennifer Yeh

Matt Keating, Vice President
Emily Semple
Alan Zelenka

7:30 p.m. CITY COUNCIL MEETING

1. CEREMONIAL MATTERS

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

3. CONSENT CALENDAR 1

A. Approval of City Council Minutes

- September 19, 2022 Public Hearing
- September 21, 2022 Work Session

B. Approval of City Council Tentative Agenda

C. Real Property Disposal: Inadvertent Reservation of Right of Way

4. PUBLIC FORUM

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



Ceremonial Matters

Meeting Date: October 10, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-8497

ISSUE STATEMENT

This item is to acknowledge awards and achievements and inform the public of proclamations signed by the Mayor. No action is required by the City Council.

BACKGROUND

At its 1997 fall process session, the council agreed to include a monthly agenda item entitled "Ceremonial Matters." From time to time, the Mayor is asked to sign proclamations or acknowledge awards received, which serve to encourage and educate the community about important issues and events.

CITY MANAGER'S RECOMMENDATION

This is an information item only.

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Sara McKinney
Telephone: 541-682-8497
Staff E-Mail: smckinney@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: October 10, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3A
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-5010

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes for the work session on September 21, 2022, and public hearing on September 19, 2022.

ATTACHMENTS

- A. September 19, 2022 Public Hearing
- B. September 21, 2022 Work Session

FOR MORE INFORMATION

Staff Contact: Sara McKinney
Telephone: 541-682-8497
Staff E-Mail: smckinney@eugene-or.gov

MINUTES**Eugene City Council
Public Hearing
Eugene, Oregon 97401****September 19, 2022
5:30 p.m.**

Councilors Present: Emily Semple, Matt Keating, Alan Zelenka, Jennifer Yeh, Greg Evans, Claire Syrett, Randy Groves

Councilors Absent: Mike Clark

Mayor Vinis opened the September 19, 2022 Public Hearing of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Suite 114, Eugene OR 97401.

1. PUBLIC HEARING – An Ordinance Vacating a Portion of East 5th Avenue Located Within the Boundaries of the Plat of Town Run

Assistant City Manager Kristie Hammitt stated that the public hearing for this topic has been rescheduled for October 17, 2022. Notice for the new public hearing date will be published in the Register-Guard, posted at 101 W 10th Avenue, Eugene OR 97401, and mailed to interested parties.

Mayor Vinis gave a statement addressing an incident that occurred at the University of Oregon football game on September 17, 2022.

2. PUBLIC HEARING – An Ordinance Concerning Fireworks Restrictions and Amending Section 4.934 of the Eugene Code, 1971.

Assistant City Manager Kristie Hammitt provided background information and introduced the topic.

Mayor Vinis opened the Public Hearing.

1. Aaron Taylor – spoke in opposition to fireworks restrictions.
2. Jason Trout – spoke in opposition to fireworks restrictions.
3. Anthony Hopper – spoke in opposition to fireworks restrictions.
4. Pat Koch – spoke in opposition to fireworks restrictions.
5. Thomas Newman – proposed an exception for displays and designated areas for personal fireworks.
6. Shelley Koch – spoke in opposition to fireworks restrictions.

Mayor Vinis closed the Public Hearing.

Council Discussion

- Councilor Syrett – stated that public input is taken at public hearings, as well as through emails and phone calls; noted her appreciation for the responsible practices discussed by speakers; stated that some of the public input received varied from what was given at the public hearing; noted that public input is important and is considered.
- Councilor Evans – stated that he has purchased legal fireworks in the past; expressed concern over illegal fireworks; noted that he feels that the proposed amendment would not address this problem; stated that he is open to reviewing model ordinances from other cities to find middle ground on regulation; stated that ordinances against fireworks are virtually unenforceable; expressed concern about revenue loss for humanitarian fundraisers using fireworks sales; noted that he is more concerned about gunshots than fireworks.
- Mayor Vinis – stated that this is a significant regulation that would have some impact but is intended to address fire and safety hazards that have been difficult to manage; noted that the input given is valuable to move the discussion forward; stated that council has explored ordinances from other communities as part of the discussion.

Mayor Vinis adjourned the meeting at 5:59 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Olivia Clark)

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

September 21, 2022
12:00 p.m.

Councilors Present: Claire Syrett, Matt Keating, Jennifer Yeh, Mike Clark, Randy Groves, Emily Semple, and Alan Zelenka

Councilors Absent: Greg Evans

Mayor Vinis opened the September 21, 2022, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. WORK SESSION: Community Survey Results

Assistant City Manager, Kristie Hammitt introduced Policy Analyst, Jason Dedrick and Acting Communications Director, Cambra Ward-Jacobson, who presented the results of the community survey.

Council Discussion:

- Mayor Vinis – stated her appreciation for the work done to complete this survey and for the many residents who took the time to complete it; noted that she is interested to see how these survey results compare to future surveys.
- Councilor Keating – noted his appreciation for residents and staff for the time dedicated to completing this survey.
- Councilor Zelenka – noted that there appears to be a disconnect between respondents' satisfaction in their quality of life and their satisfaction with the state of the city; noted that some survey responses reflect societal anxiety; stated that the City is not telling its story well; stated that there is a disconnect between what the City is doing and what people perceive.
- Councilor Yeh – extended thanks to residents for completing the survey; stated that it is encouraging that so many people took the time to complete the survey and share their opinions with the City; asked if there will be other engagement that will add onto this survey; noted that as a stand-alone survey, this does not feel equitable; suggested that more community engagement is needed with more equitable methods; noted that the data from this survey is important and could influence future discussions.
- Councilor Clark – stated that the disconnect between people's satisfaction with their lives and with the City is not an unexpected finding; noted that people see the City as a separate organization from themselves; stated that the disconnect exists because the City's decisions and actions do not feel relevant to their own priorities; stated that communicating the intent of the City's actions is unlikely to change the disconnection people feel between their own lives and the City; stated that he is looking forward to the Strategic Planning Workshops on September 23 and 24, 2022.
- Councilor Groves – thanked community members for their involvement; stated that people want to know how City Council chooses some topics because it does not match

the community's top priorities; noted that main concerns he hears about are unhoused challenges and behavioral problems; noted that the City needs to find a better way to communicate with the public; stated that many people did not know about the survey; requested that council get more time to review the questions on future surveys.

- Councilor Semple – stated that she was not surprised by the results of the survey; requested that the City be more conscious of the timing of big surveys; asked if they will have data from the open-ended survey questions prior to the Strategic Planning Workshops on September 23 and 24, 2022; stressed the importance of respondents' concerns about education; stated her interest in engaging and educating the public on the activities of the City Council.
- Councilor Syrett – stated that she is not surprised by the responses; stated that many of the concerns reflected in the survey responses are topics that council is working on; acknowledged that there is more work to be done on these important topics; noted that the City Staff approval rating was higher than that of City Council; noted that council was asked by staff to help spread awareness of the survey; noted that she is not in favor of council having input on survey questions; noted that her household was one of the random households that received the survey.
- Mayor Vinis – noted that part of the strategic planning process is to review past council priorities and actions to inform future topics; noted that a future topic might be how the City communicates with the public; noted the open-ended questions about housing concerns reflect how it feels to live or work on someone's particular street.
- Councilor Zelenka – discussed the wide gap between people's satisfaction with their lives and with the state of the city; noted that respondents' urgent concerns for the next five years are not surprising and that council is already working on or has plans to work on those concerns; called attention to the responses that the government is trying but not making enough progress on homelessness; stated that the council should prioritize communication with the public with funding and full time support staff; stated that the City should perform another survey on how people receive communications and create a plan to address those responses.
- Councilor Keating – stated he would be in favor of having support staff; noted his frustration about communication, outreach, and educational challenges; stated that there should be a budget for individual and broad council communications to residents.
- Councilor Clark – stated that he does not think the survey results are issues of communication; noted he would support some of council's suggestions for communication with the public; stated that constituents are aware of council's actions to address common issues but don't see the results of those actions; noted he disagrees with the direction council has taken on addressing several issues; stated that he thinks the survey results show that most people disagree with the actions council has taken.
- Councilor Groves – noted that these surveys do need baseline questions that can demonstrate trends over time; clarified that he would like to see a separate section on surveys to evaluate current council topics; noted that people expect engagement from their councilors and that is not feasible as a part-time volunteer job; noted his desire to figure out better ways to communicate with the public.
- Mayor Vinis – asked if the City has previously done a survey about how people get their information; noted that the results of such a survey have probably changed dramatically; noted her desire to find out how to reach the public through multiple types of communication that do not solely rely on people navigating the City website.

- Councilor Zelenka – stated that council should have at least two full-time staff members to send councilor newsletters and notify the public about town halls; stated that there was an earlier survey about communication preferences and it should be redone; expressed his concern with the significant portion of respondents who said they didn't know how the City was addressing particular issues; stated that the underlying causes of homelessness are lack of affordable housing, mental health services, and substance abuse services; stated the importance of communicating reasonable expectations of council's actions to the public.
- Councilor Clark – stated that suggestions the public makes to address issues may be practical, even if all councilors do not support them; noted that council should be willing to admit when they're wrong and be willing to try other solutions; reminded council of the motion he put forward to adopt a similar ordinance that passed in the City of Springfield that makes it a violation to hand items out of cars; noted that the City of Springfield does not have the number of panhandlers that the City of Eugene does.
- Councilor Yeh – stated her confusion over whether an ordinance banning panhandling will solve homelessness; asked for clarification on the City of Springfield's ordinance and whether it has ever been used.
- Councilor Syrett – stated that council rejected the proposal to ban people from handing things of value out of their car because council felt it was not the right thing to do; noted that panhandling is constitutionally protected and that the ordinance that the City of Springfield passed narrowly avoids that constitutional protection.
- Councilor Zelenka – noted that the City is doing many things to address homelessness, but it is not enough; stated that he believes the ordinance passed by the City of Springfield is unconstitutional and he does not support that the council take the same course of action.

Mayor Vinis adjourned the meeting at 1:23 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Olivia Clark)
Webcast of meeting available [here](#).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: October 10, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3B
Staff Contact: Brooke Freed
Contact Telephone Number: 541-682-5010

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.

COUNCIL OPTIONS

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

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Brooke Freed
Telephone: 541-682-5010
Staff E-Mail: bfreed@eugene-or.gov



City Council Tentative Agenda

Updated October 6, 2022

As our state and community recover from the COVID-19 pandemic, City Council meetings will continue to be held using hybrid and virtual meeting technology. Materials and information about how to access these meetings will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>.

October 2022					
Date	Day	Time	Title	Length	Dept. Contact
10-Oct	Monday	5:30 pm	 Alternative Response Study (Work Session)	90 mins	Kristie Hammitt, CS
		7:30 pm	 Committee Reports and Items of Interest  Real Property Disposal: Inadvertent Reservation of ROW on 28th Avenue (Consent Calendar)  Public Forum		Jenifer Willer, PW
Expected absences for 10/10: none					
12-Oct	Wednesday	12 pm	 Sister Cities Discussion (Work Session)	45 mins	Jason Dedrick, CS
			 2021 State Legislative Changes to the Offense of Interfering with a Police Officer (Work Session)	45 mins	Travis Smith, CS
Expected absences for 10/12: none					
17-Oct	Monday	5:30 pm	 An Ordinance Vacating a Portion of the East 5th Avenue Right-of-Way (Public Hearing)		Jeff Gepper, PDD
			 An Ordinance Concerning Multiple-Unit Property Tax Exemptions (Public Hearing)		Dylan Huber-Heidorn, PDD
			 An Ordinance Concerning Clear and Objective Approval Criteria for Housing (Public Hearing)		Althea Sullivan, PDD
Expected absences for 10/17: none					



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

19-Oct	Wednesday	12 pm	 IGR Policy and Priorities (Work Session, Possible Action)	45 mins	Ethan Nelson, CS
			 Parks and Recreation Funding (Work Session)	45 mins	Craig Carnagey, PW
<i>Expected absences for 10/19: none</i>					
24-Oct	Monday	5:30 pm	 Police Auditor Selection Process/Feedback (Work Session)	45 mins	Becky DeWitt, CS
			 Renter Protections, Phase 2 (Work Session)	45 mins	Genevieve Middleton, PDD
		7:30 pm	 Committee Reports and Items of Interest  Public Forum  An Ordinance Concerning Multiple-Unit Property Tax Exemptions (Action)		Dylan Huber-Heidorn, PDD
<i>Expected absences for 10/24: none</i>					
26-Oct	Wednesday	12 pm	 Decarbonization Roadmap, Part 2 (Work Session)	90 mins	Ian Penn, PW
<i>Expected absences for 10/26: none</i>					

UPCOMING PUBLIC HEARINGS			
Date	Topic	Description	Staff Contact
Oct 17 5:30 pm	An Ordinance Vacating a Portion of the East 5th Ave Right-of-Way	The City Council will hold a public hearing to consider an Ordinance Vacating a Portion of the East 5th Avenue Right-of-Way Located within the Boundaries of the Plat of Town Run. Proposed Ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Jeff Gepper, PDD 541-682-5282
Oct 17 5:30 pm	An Ordinance Concerning Multiple-Unit Property Tax Exemptions and Amending Section 2.946 of the Eugene Code, 1971	Proposed Ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Dylan Huber-Heidorn, PDD 541-682-5475
Oct 17 5:30 pm	An Ordinance Concerning Clear and Objective Approval Criteria for Housing	City Council will hold a public hearing to consider an Ordinance Concerning Clear and Objective Approval Criteria for Housing; Amending Sections 9.0500, 9.2181, 9.2471, 9.2520, 9.2687, 9.2751, 9.2761, 9.3216, 9.3221, 9.3626, 9.3725, 9.4830, 9.5750, 9.6010, 9.6710, 9.6810, 9.6815, 9.6820, 9.6845, 9.686 9.6865, 9.6885, 9.7007, 9.8030, 9.8045, 9.8055, 9.8085, 9.8090, 9.8100, 9.8105, 9.8205, 9.8210, 9.8215, 9.8220, 9.8310, 9.8320, 9.8325, 9.8360, 9.8365, 9.8440, 9.8445, 9.8505, 9.8510, 9.8515, and 9.8520 of the Eugene Code, 1971; and Adding Section 9.5860 To That Code. Proposed Ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Althea Sullivan, PDD 541-682-5485

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Fossil Fuel Risk Bonds – TBD	Groves, Syrett	10/21/21
Gas Stations – TBD	Keating	4/15/22
Bethel Area Plan – TBD	Evans	7/22/22

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Real Property Disposal: Inadvertent Reservation of Right of Way

Meeting Date: October 10, 2022
Department: Public Works
www.eugene-or.gov

Agenda Item Number: 3C
Staff Contact: Jenifer Willer
Contact Telephone Number: 541-682-6036

ISSUE STATEMENT

This consent item is for City Council to take action to authorize the City Manager to transfer 1539 square feet of inadvertently acquired land back to its intended owners. This action corrects an error made in three acquisitions of right of way that occurred in 1950.

BACKGROUND

On May 9, 2022 a resident who resides of 1289 E. 28th Avenue contacted the City. The resident had a private survey of her property that showed the 28th Avenue right of way extending into what had been historically regarded as private property at 1289 E. 28th Avenue, into an area occupied by a house on the property.

The City researched surveys and subdivisions in the area, some old City of Eugene right of way books, and deeds of the adjoining properties on each side of 28th Avenue between University Street and Baker Boulevard. The properties along the south side of 28th Avenue were all created by subdivision plats which dedicated right of way to the center line of what is now 28th Avenue. The property immediately to the east of 1289 E. 28th Avenue was also created by a subdivision plat which dedicated right of way along the north side of 28th Avenue. The properties at 1289 E. 28th Avenue, 2790 Elinor Street, and 2797 University Street were created by metes and bounds descriptions and are outside any platted subdivisions.

These three properties are more specifically described as:

Tax Lot 1803054304300 (1289 E. 28th Avenue)
Tax Lot 1803054304400 (2790 Elinor Street)
Tax Lot 1803054307000 (2797 University Street)

In order to investigate the 28th Avenue right of way boundary, the City Surveyor reviewed the following documents:

- 1949 Center Line Location Field Notes (Book 447 Pages 74-76)
- RLID Report and attachments for all three properties
- Deed Book 412 page 467
- Deed Book 412 Page 464

October 10, 2022 Meeting – Item 3C

- Deed Book 412 Page 465
- Lane County Survey No. 70
- First Addition to Invale
- Olsons' Grand View Addition

Based on this research, the City Surveyor determined that the deeds acquired by the City in 1950 were in error.

EC 2.872 allows the disposal of real property in the circumstances by stating that “a proposal acceptable to the City Manager shall be presented to the City Council for its action.”. The proposal in this case is to quitclaim to each of the three affected properties a strip of land that lies between the northerly right of way line of E. 28th Avenue, as established by the City of Eugene in 1949 and the northerly line, as described in the 1950 deeds, resulting in a right of way boundary approximately 13 feet behind the current curb.

PREVIOUS COUNCIL DIRECTION

None

COUNCIL OPTIONS

- A. Move to authorize the City Manager to proceed with the transfer of 1539 square feet of inadvertently acquired right of way to its three intended owners, as shown on Attachment A to this AIS.
- B. Modify the suggested motion.
- C. Do not approve the transfer of property at this time.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends the Council authorize the City Manager to transfer 1539 square feet of inadvertently acquired right of way to its three intended owners, as shown on Attachment A to this AIS.

SUGGESTED MOTION

Move to authorize the City Manager to transfer 1539 square feet of inadvertently acquired right of way, to its three intended owners, as shown on Attachment A to this AIS.

ATTACHMENT

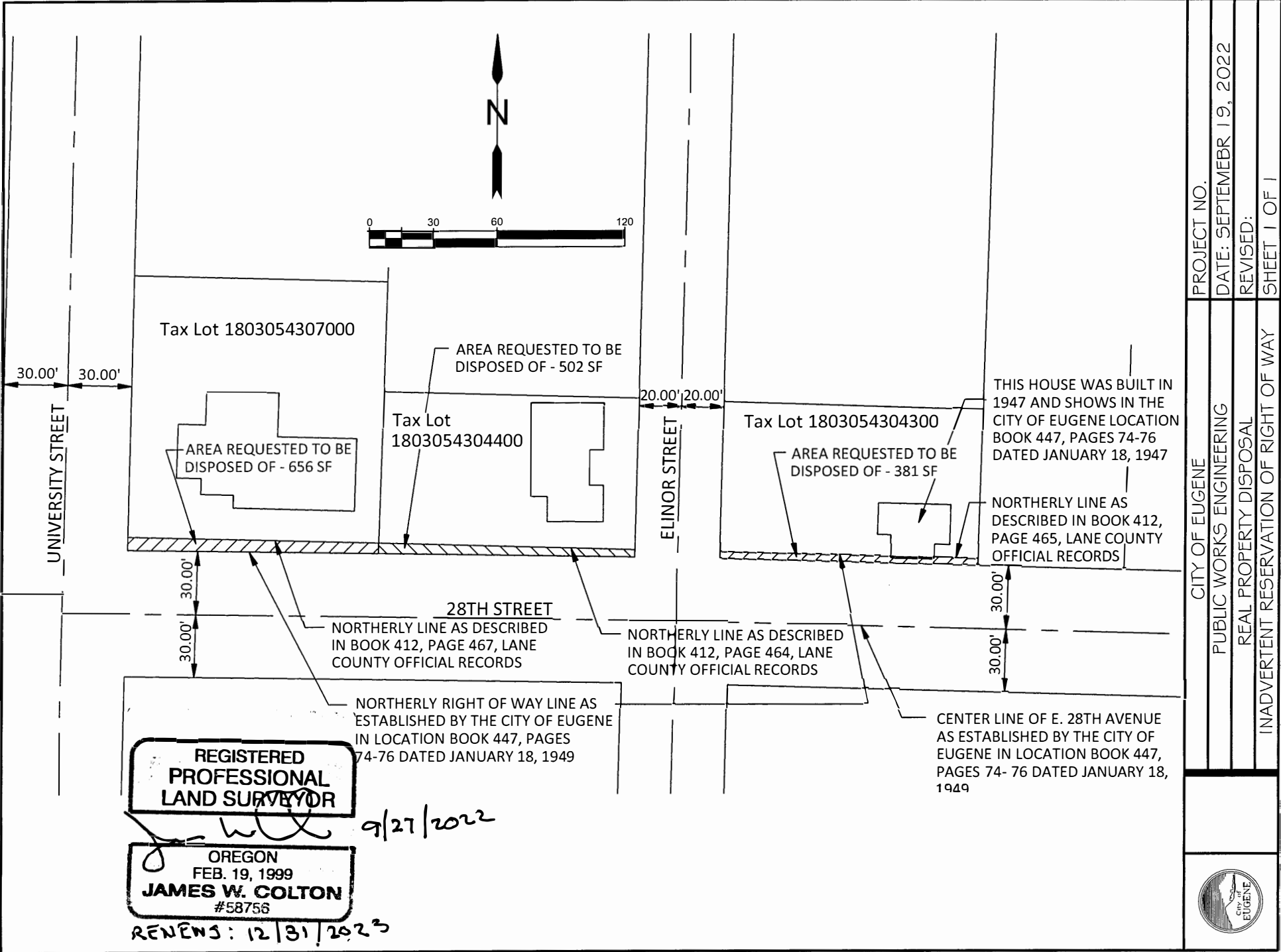
- A. Overall Exhibit Map showing Tax Lots 1803054307000, 1803054304400, and 1803054304300

FOR MORE INFORMATION

Staff Contact: Jenifer Willer

Telephone: 541-682-6036

Staff E-Mail: jenifer.m.willer@ci.eugene.or.us



EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: October 10, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-8497

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: Sara McKinney
Telephone: 541-682-8497
Staff E-Mail: smckinney@eugene-or.gov