



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

November 14, 2022

7:30 p.m. CITY COUNCIL MEETING

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 November 14, 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

Mayor: I call the November 14 2022, City Council meeting to order.

1. PLEDGE OF ALLEGIANCE TO THE FLAG
2. CEREMONIAL MATTERS
3. COMMITTEE REPORTS AND ITEMS OF INTEREST
4. CONSENT CALENDAR 1

A. Approval of City Council Minutes

- October 10, 2022 Work Session
- October 10, 2022 Meeting
- October 12, 2022 Work Session
- October 17, 2022 Public Hearing
- October 19, 2022 Work Session
- October 24, 2022 Work Session

B. Approval of City Council Tentative Agenda

C. Appointments to the Police Commission

City Council President: *I move to approve the items on Consent Calendar 1.*

Call for vote.

5. 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. (Continued script sent to Mayor.)*

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

6. ACTION: An Ordinance Vacating a Portion of East 5th Avenue Located Within the Boundaries of the Plat of Town Run

City Council President: *Move to adopt the An Ordinance Vacating a Portion of East 5th Avenue Located Within the Boundaries of the Plat of Town Run.*

Call for vote.

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



Pledge of Allegiance to the Flag

Meeting Date: November 14, 2022
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

In honor of Veteran's Day on November 11, 2022, there will be a reciting of the Pledge of Allegiance to the Flag.

BACKGROUND

The City Council voted at its June 27, 2011, work session to begin formal council meetings with a voluntary recitation of the Pledge of Allegiance to the Flag at those meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July. In addition, the council voted to begin a practice of reading the Declaration of Independence and/or from the Constitution of the United States at the beginning of its meeting closest to the Fourth of July.

According to the United States Code, Title 4 (U.S. Flag Code), the Pledge "...should be rendered by standing at attention and facing the flag with the right hand over the heart. When not in uniform, men should remove any non-religious headwear with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute."

The Pledge is as follows: *"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."*

CITY MANAGER'S RECOMMENDATION

No recommendation is necessary.

SUGGESTED MOTION

No motion is necessary.

FOR MORE INFORMATION

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

November 14, 2022 Meeting – Item 1

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Ceremonial Matters

Meeting Date: November 14, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2
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: November 14, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4A
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 sessions on October 10, October 12, October 19, and October 24, 2022, meeting on October 10 and the public hearing on October 17, 2022.

ATTACHMENTS

- A. October 10, 2022 Work Session
- B. October 10, 2022 Meeting
- C. October 12, 2022 Work Session
- D. October 17, 2022 Public Hearing
- E. October 19, 2022 Work Session
- F. October 24, 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 Work Session Eugene, Oregon 97401

October 10, 2022
5:30 p.m.

Councilors Present: Emily Semple, Matt Keating, Jennifer Yeh, Mike Clark, Greg Evans, Randy Groves

Councilors Absent: Alan Zelenka

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

1. WORK SESSION: Alternative Response Study

City Manager, Sarah Medary introduced Assistant City Manager, Kristie Hammitt, Michele Weinzel from Berry Dunn Consulting and Community Safety Initiative Project Manager, Jeremy Cleversey, who presented a progress update on the Alternative Response Study.

Council Discussion:

- Mayor Vinis – stated her excitement for the results of the alternative response study; noted her interest in hearing about the gaps and interrelationships between services; stated that the 70 interviews conducted about CAHOOTS is significant.
- Councilor Groves – stated the report should help to improve the existing system of community safety; asked if there was an analysis on where service calls for CAHOOTS initiated from; noted the importance of getting better data; asked how CAHOOTS resources could be used most effectively; stated the importance of making CAHOOTS as efficient as possible.
- Councilor Evans – noted that the contract for CAHOOTS is with a nonprofit organization that struggles with funding; stated his concern over the pay and retention of CAHOOTS workers; talked about efforts of CAHOOTS workers to unionize and how it will increase the cost of services; spoke about the government’s disinvestment from mental health services; asked how the City can best provide services with the resources available.
- Councilor Keating – stated concern over the 80 percent annual turnover of CAHOOTS workers; spoke in favor of worker’s unionizing; asked about the percentage of police officers deployed when CAHOOTS workers are deployed; asked about a response model similar to 911; asked if mental health professionals or EMTs could provide reports that would be accepted by a court of law.
- Councilor Yeh – noted the wide support in this community for CAHOOTS and alternative responses; asked about the consultant’s law enforcement background and their ability to evaluate alternative responses in an equitable way; noted the importance of having the community’s trust in this process.
- Mayor Vinis – noted that inefficiencies with the current system are causing inadequate responses from CAHOOTS; stated the importance of recognizing CAHOOTS as one part of a network of services; asked if there are opportunities for partnerships outside of the

City to fill gaps in alternative responses; noted her concern about inadequate mental health services; stated the importance of advocating to other entities to improve the network of services.

- Councilor Evans – asked if there are practices from other cities that would be useful to improve the City’s model.
- Councilor Keating – stated support for a behavioral health stabilization center; noted that Lane County is responsible for public health and delivering health and human services; asked for clarification on the differences between Community Service Officers, Neighborhood Service Officers, Resource Officers, and outreach teams.

Mayor Vinis adjourned the meeting at 6:32 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

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

MINUTES

**Eugene City Council
Hybrid Meeting
Eugene, Oregon 97401**

**October 10, 2022
7:30 p.m.**

Councilors Present: Emily Semple, Matt Keating, Jennifer Yeh, Mike Clark, Greg Evans, Randy Groves

Councilors Absent: Alan Zelenka

Mayor Vinis opened the October 10, 2022, meeting of the Eugene City Council in a hybrid in-person and virtual format at 101 W. 10th Avenue, Suite 114, Eugene, OR 97401.

1. CEREMONIAL MATTERS

Mayor Vinis read proclamations for Breast Cancer Awareness Month, Domestic Violence Awareness Month, and Indigenous Peoples' Day.

In honor of Indigenous Peoples' Day on October 10, Kris Galago, a Hawaiian native and Pacific Islander advocate, shared a Hawaiian welcome. Chris Young, a Samoan Native and Pacific Islander advocate, gave a speech recognizing Indigenous Peoples' Day.

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

- Councilor Groves – shared his experience walking the Fern Ridge bike path along Amazon Creek with constituents, City staff, and a Lane County Commissioner-elect.
- Councilor Evans – shared his experience attending the League of Oregon Cities conference; noted the awards received by colleagues he works with on the Equity and Inclusion Committee and the People of Color Caucus.
- Councilor Yeh – recognized staff and the Metropolitan Wastewater Management Commission who have recently received awards.
- Mayor Vinis – expressed condolences regarding the death of Betty Snowden, a local businesswoman and racial justice advocate.

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

MOTION AND VOTE: Councilor Evans, seconded by Councilor Keating, moved to approve the items on Consent Calendar 1. **PASSED**
6:0

4. PUBLIC FORUM

1. Lin Woodrich – spoke in favor of the public health overlay zone.
2. Thomas Newman – spoke in favor of a parking mandate.
3. Heinz Selig – voiced concerns about homelessness, public safety, and Washington-Jefferson Park.
4. Ellen Furstner – spoke in support of food distribution in Washington-Jefferson Park.
5. Ralph McDonald – stated his support for the fireworks ban.
6. Suzanne O'Shea – spoke in favor of the public health overlay zone.
7. Lottie Rohde – spoke in favor of building electrification and climate protection.
8. William Smith on behalf of Mark Hurwit – spoke about 5G and electromagnetic frequency safety.
9. Deb McGee – spoke in favor of banning new gas infrastructure.
10. Joanne Flaherty – spoke in support of food distribution in Washington-Jefferson Park.
11. Rose Comaduran – spoke in favor of building electrification.
12. Richard Locke – spoke in favor of public safety and cleaning up the Amazon bike path.
13. Jan Bohman – encouraged Council to appoint a climate-friendly Ward 7 Councilor.
14. Jan Zoll – spoke in support of food distribution in Washington-Jefferson Park.
15. Stefan Strek – spoke about the impacts of COVID; spoke in favor of peace.
16. David Ivan Piccioni – spoke in favor of low-cost psilocybin therapy.
17. David Igl – spoke about the representation of local history and University of Oregon Professor Frederick Dunn.
18. Greg Vik – spoke in favor of a coordinated master plan to address homelessness.
19. Gareth Newnham – spoke in favor in building electrification and climate policy.

Council Discussion

- Mayor Vinis – noted her appreciation for public forum speakers.
- Councilor Keating – noted his appreciation for the comments from Ward 2 residents; spoke in opposition to comments made about Councilors Evans and Yeh regarding local history.
- Mayor Vinis – spoke about the City's response to homelessness and the need for more services outside of the City; thanked those who provide services for homeless people in the community.

Mayor Vinis adjourned the meeting at 8:41 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

October 12, 2022
12:00 p.m.

Councilors Present: Matt Keating, Jennifer Yeh, Mike Clark, Randy Groves, and Emily Semple

Councilors Absent: Alan Zelenka, Greg Evans

Mayor Vinis opened the October 12, 2022, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. WORK SESSION: Sister Cities Review Discussion

City Manager, Sarah Medary introduced Policy Analyst and Sister Cities Program Manager, Jason Dedrick who presented information on the Sister Cities program.

Council Discussion:

- Mayor Vinis – noted appreciation for the citizen volunteers that have kept the sister city connections going during COVID; recognized the strong relationships with Nepalese and Japanese communities because of the program.
- Councilor Semple – noted that the program benefits to the City; believes the program needs more attention; stated she would like to see it expanded; noted a desire to refocus on the program with the pandemic coming to an end.
- Councilor Yeh – noted that the program should be re-assessed to determine City goals; noted that the program needs more focus and support; asked how funding is dispersed, and if the programs are required to outline their intention for the funds prior to disbursement; asked if staff verifies intention and use of funding; asked if there is staff capacity to properly support this program.
- Councilor Groves – noted that a strength of the program is relationship building between peoples, not governments; stated that he would like to see re-engagement with Irkutsk in the future; would be in favor of a more structured program; stated that Ukraine would be a good option to consider; noted the importance of providing information to the public on why this program is worth continuing to fund when there are still unresolved funding issues for assisting the unhoused community.
- Councilor Keating – reflected on the advantages of the strong sister city relationship held in his hometown; would be in favor of developing a sister city relationship with a community south of the border; noted the Ethiopian delegates who came for Oregon '22 expressed a desire to develop a sister city relationship with Eugene; would also like to explore a sister city relationship with Ukraine.
- Councilor Clark – asked about economic development aspects to the program through the Chamber of Commerce or other agencies; stated the potential for economic development as a reason for the program to move forward; noted he would like to see

the program expand to China; noted the community benefits from continued or expanded development.

- Mayor Vinis – asked staff to elaborate on sister city engagement during Oregon '22; noted the requests for heightened visibility such as a signpost with mileage to the sister cities; requested Council reach out to her if they are willing to volunteer additional time toward sister cities relationships; noted that the last delegation was in 2018; asked staff to explain how delegation funding is handled; stated her interest in having a more robust and formal welcome response.
- Councilor Keating – stated an interest in signposts as well as planting trees that are native to the City's sister cities at the Riverfront Plaza.
- Councilor Groves – likes the idea of signposts with information about and mileage to sister cities at Riverfront Park; noted he was impressed with the delegation visitors from Kakegawa to Eugene Springfield Fire and noted the importance of learning from one another; expressed the importance of public communication about the program and why it is being funded.
- Councilor Clark – noted that delegation trips used to be funded annually or bi-annually by the City until budget cuts made it a personal cost to Council; noted that sending delegations would make the program more robust; asked staff about the location of sister city gifts; noted a preference to display those gifts more prominently.
- Councilor Yeh – stated that being able to express why the program is important to the public is critical; noted that the each sister city relationship does not have to have the same structure; recognized that evaluating and creating a strong program will take additional staff or Council time; noted that the City should concentrate on building the relationships that exist instead of creating additional sister city relationships; noted a concern that the programs are handled by private non-profit agencies; stated support for having sister city art and gifts on display in a public building.
- Councilor Keating – noted that he looks forward to having the art and gifts pulled out of archives and placed on display.
- Mayor Vinis – stated that she would welcome Council involvement in sharing the role of hosting delegates when they visit; stated it may be possible to partner with surrounding cities when delegates visit.

2. WORK SESSION: 2021 State Legislative Changes to the Offense of Interfering with a Police Officer

City Manager, Sarah Medary introduced City Prosecutor, Travis Smith who presented information regarding legislative changes to the offense of interfering with a police officer.

Council Discussion:

- Councilor Groves – asked if the decline in staffing at the Lane County District Attorney has an impact on this issue; asked if this change would also apply to interfering with firefighters or paramedics; noted he would like staff to look into expanding this provision to include interference with firefighters and paramedics.
- Councilor Clark – asked about the ability of communities to create ordinances around crimes or violations not addressed by statute; asked how staff determined the proposed change is the right course of action; asked if the City has the authority to take this action; asked about the consequences of disagreeing with the legislature and keeping this part of a police officer's job.

- Councilor Groves – provided the ORS reference that makes interference with a firefighter or emergency medical service provider a misdemeanor; asked staff to look at incorporating ORS 162.257 into the changes.
- Councilor Semple – stated that it makes sense to align with the legislature on this matter.
- Councilor Keating – explained that prior to the legislative reform, if someone was recording an incident and was given a lawful order from a peace officer to stop, they could be violating a lawful order; asked staff if this type of activity has been prosecuted; asked staff if they have seen records expunged, sentence decreased, or other retroactive change post legislative reform.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Groves, moved to direct the City Manager to prepare an ordinance amending EC 4.907 consistent with HB 3164 and schedule a public hearing.

PASSED: 5:0

Mayor Vinis adjourned the meeting at 1:11 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Sara McKinney)
Webcast of meeting available [here](#).

MINUTES

**Eugene City Council
Public Hearing
Eugene, Oregon 97401**

**October 17, 2022
5:30 p.m.**

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

Mayor Vinis opened the October 17, 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

Mayor Vinis opened the Public Hearing.

There were no speakers for the Public Hearing.

Mayor Vinis closed the Public Hearing and closed the record.

2. PUBLIC HEARING – An Ordinance Concerning Multiple-Unit Property Tax Exemptions and Amending Section 2.946 of the Eugene Code, 1971.

Mayor Vinis opened the Public Hearing.

There were no speakers for the Public Hearing.

Council Discussion

- Councilor Groves – asked staff about the additional 10% energy efficiency mandate for approved Multiple Unit Property Tax Exemption properties.

Mayor Vinis closed the Public Hearing.

3. PUBLIC HEARING – 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, 9.6865, 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.

Mayor Vinis opened the Public Hearing.

There were no speakers for the Public Hearing.

Council Discussion

- Councilor Keating – asked staff about the tree preservation table in attachment B.

Mayor Vinis closed the Public Hearing.

Mayor Vinis adjourned the meeting at 5:46 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Cherish Bradshaw)

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

October 19, 2022
12:00 p.m.

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

Councilors Absent: Greg Evans

Mayor Vinis opened the October 19, 2022, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. **WORK SESSION: Intergovernmental Relations Policy and Priorities**

City Manager Sarah Medary introduced Intergovernmental Relations Manager, Ethan Nelson, who presented an overview of the intergovernmental relations policy and priorities documents.

Council Discussion:

- Councilor Clark – noted that City Council did not get a full presentation on Climate Friendly and Equitable Communities until after state rulemaking was finished; asked why Climate Friendly and Equitable Communities rulemaking was not brought to Council sooner; asked if there are restrictions on Councilors advocating for policy positions that are in opposition to the City's position.
- Councilor Zelenka – thanked the Intergovernmental Relations Committee for creating a process that improves Council's engagement with state and federal policy; proposed having a regular agenda item at Council meetings to discuss activity in the legislature; noted his concern about Council not spending enough time on legislative activities from higher levels of government.
- Councilor Keating – noted support for the documents prepared by the Intergovernmental Relations Committee; asked about expanding the Imagination Library program at the state-level as a public safety measure; stated interest in recall election reform and asked why it is not on the priorities document.
- Councilor Clark – requested information from the City Council Operating Agreements, specifically, section 9.02 on state and federal lobbying, be sent to Councilors; stated his desire to postpone approval of the policy documents in order to hold another work session; stated his desire for the Intergovernmental Relations Committee to bring issues to the legislature instead of reacting to their proposals; asked if clarifying the funding standards for ballot measure 110 is a priority for the Intergovernmental Relations Committee; stated his support for having this funding go to improving mental health care and drug treatment programs.
- Councilor Zelenka – stated his support for clarifying funding standards of ballot measure 110; stated his support for another work session for the Intergovernmental Relations Committee process; asked if there is an available list of capital projects the

City is proposing; stated that the Intergovernmental Relations Committee should make recommendations about legislative priorities to Council for evaluation; noted concern with creating policies for reducing carbon emissions.

- Councilor Keating – asked if Eugene parking meters accept cash; asked if the City is planning to implement cash payment options for all public services.
- Councilor Yeh – stated support for the Intergovernmental Relations Committee providing recommendations on priority projects to City Council for discussion; stated support for the priorities in the document presented; noted that another work session is not necessary unless there is a specific issue that needs to be discussed.
- Mayor Vinis – asked for clarification on whether critical Intergovernmental Relations Committee priorities will be presented to Council in December.
- Councilor Groves – noted his support for bringing some Intergovernmental Relations Committee priorities to City Council; stated his support for the enforcement of ballot measure 110 to the Intergovernmental Relations priorities document.
- Councilor Semple – stated her opposition to ballot measure 110; noted her support of re-evaluating the approval of ballot measure 110 to the Intergovernmental Relations priorities document.
- Mayor Vinis – asked whether it is possible to approve the policy document and add details for ballot measure 110 later.
- Councilor Zelenka – stated his support for approving the policy document and adding details for ballot measure 110 later; clarified that he wants another work session to discuss the Intergovernmental Relations Committee process to engage with Council; asked whether City Council will get more information about the priority for state investment in mental and behavioral health systems; stated that he will put forward a work session poll to get more education on mental and behavioral health systems.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Groves, moved to adopt the 2023 Eugene State and Federal Policies Document and the 2023 Eugene State Priorities Document as approved by the Intergovernmental Relations Committee. **VOTE: PASSED 5:1**, opposed by Councilor Clark

2. WORK SESSION: Parks and Recreation Funding

City Manager Sarah Medary introduced Parks and Open Space Director, Craig Carnagey, Recreation Director, Craig Smith, and Finance Director, Twylla Miller, who presented potential funding strategies after the 2018 Parks and Recreation Levy expires in June 2023.

Council Discussion:

- Councilor Groves – asked if staff has looked at funding sources outside of property taxes; asked if a parks service fee on Eugene Water and Electric Board bills would be feasible; stated his support for the construction of a community center or a pool in the southwest quadrant of the city; noted the importance of adding a safety component to parks funding.
- Councilor Semple – noted the recent Community Survey showed the importance of the City's parks to residents; stated desire for a community poll about parks and recreation funding; noted the equity and fairness issues with certain funding types; stated her support for the enhanced funding option to improve safety in parks.

- Councilor Yeh – asked for clarification on compression considerations; stated her support for polling the community about parks and recreation funding; stated her appreciation for Councilor Groves recognizing an underserved area; noted that landlords consider their property taxes to determine rent prices.
- Councilor Keating – requested information on the funding options that were considered in 2017; asked if the City has been successful in patrolling and cleaning the parks since the 2018 levy has passed; asked if the City has been successful in maintaining better and safer parks since the 2018 levy has passed; stated his support for investing in the Amazon Pool; stated his support for a community poll for parks and recreation funding.

Mayor Vinis adjourned the meeting at 1:34 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

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

MINUTES

**Eugene City Council
Work Session
Eugene, Oregon 97401**

**October 24, 2022
5:30 p.m.**

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

Mayor Vinis opened the October 24, 2022, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. WORK SESSION: Police Auditor Selection Process/Feedback

People, Culture and Development Manager, Becky DeWitt introduced Executive Director of Lane Council of Governments, Brenda Wilson, who presented a summary of feedback from stakeholders about the Interim Police Auditor, Leia Pitcher.

Council Discussion:

- Mayor Vinis – stated her appreciation for the outreach effort; noted that some may not have filled out the survey because they did not have enough information to provide feedback on the Interim Police Auditor.
- Councilor Evans – spoke in support of Interim Police Auditor Leah Pitcher; stated he is prepared to make a motion for the direct appointment of Leia Pitcher and to negotiate her salary.
- Councilor Groves – stated his support for Councilor Evans’ motion; noted that prolonged Acting-In-Capacity employees are not in the best interest of the City; stated support for Interim Police Auditor Leia Pitcher.
- Councilor Semple – stated support for Interim Police Auditor Leia Pitcher; spoke in favor of the direct appointment of Leia Pitcher for Police Auditor.
- Councilor Zelenka – stated support for Interim Police Auditor Leia Pitcher; noted that some challenges discussed in the report were unfair; stated his support for a motion to directly appoint Leia Pitcher to be Police Auditor.
- Councilor Keating – stated support for Interim Police Auditor Leia Pitcher; stated his support for Councilor Evans’ motion.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Keating, moved to fill the vacant Police Auditor position through direct appointment by extending an offer of employment to Deputy Police Auditor Leia Pitcher and to authorize Council Leadership to negotiate and execute an employment agreement with Leia with an annual salary falling within the range of \$119,038 - \$153,504. **VOTE: PASSED 7:0**

2. WORK SESSION: Renter Protections, Phase II

City Manager Sarah Medary introduced Affordable Housing Policy and Planning Manager, Genevieve Middleton, who presented the updated draft roadmap for Renter Protections, Phase II.

Council Discussion:

- Councilor Groves – requested information on the impacts of Phase I of renter protections; requested reporting on the impacts to Council; noted a desire for renter advocates and landlords to have a meeting with a third-party mediator about renter protections; noted concern about predatory rental practices and losing rental units; stated support for measures to protect low-income landlords; noted concern about unknown effects of renter protections.
- Councilor Clark – asked staff if a set of goals or metrics have been established for renter protections ordinances; asked if average rents are being tracked over time; noted concern over how renter protections could impact the affordability of rents and secure housing; noted he does not support the renter protections roadmap.
- Councilor Keating – stated support for the updated renter protections roadmap; asked why the City relies on landlords to provide eviction data; noted concern over the lack of renter representation on the Housing Policy Board and that board’s desire to delay displacement assistance; asked about the relationship between Eugene’s rental market, increased number of 11-month leases, and Senate Bill 608; spoke in favor of displacement assistance.
- Councilor Semple – requested information on the negative impacts of displacement protection on renters; noted concern that displacement money would cause landlords to sell or increase rent prices; noted concern about relying on landlords and renters to report evictions; noted concern over how to ensure that landlords process applications in the order received; requested clarification on fixed leases.
- Councilor Evans – stated support to move displacement prevention assistance to Phase III of renter protections; stated support for organizing a group of renters and landlords to discuss displacement assistance; spoke in favor of limiting deposits and processing applications in the order received as a part of Phase II.
- Councilor Yeh – spoke in favor of the recommendations for enforcement; requested clarification on the timeline for renter protections phases; stated support for prioritizing Phase II before Phase III of renter protections; stated desire to move renter protections forward and get feedback from the public.
- Mayor Vinis – stated concern over evictions and their contribution to the homelessness crisis; stated that pure market forces are not addressing housing issues; stated support for completing Phase II before working on Phase III of renter protections.
- Councilor Zelenka – spoke against delaying renters protections; stated support for moving Phase II to a public hearing and his interest in the public’s response; stated that Council can modify the Phase II proposals after getting input from the public; stated support for the proposed enforcement options.
- Councilor Keating – spoke in favor of bringing Phase II of renter protections to a public hearing and including displacement prevention assistance; shared an email from a local tenant rights association and noted concern over trends described in the email.
- Councilor Clark – stated the price of rentals has increased due to market changes; noted concern that adding more renter protections will cause small landlords to sell to large, outside companies; asked if it is legal for a 501(c)(3) organization to lobby the Council

on renter protections; stated concern that renter protections will increase costs for renters.

- Councilor Groves – stated his concern over the information shared an email from a local tenant rights association; asked if the City could facilitate a discussion with renter and landlord representatives; noted concern with losing rental units, especially single-family rental units; requested information on state-level renter protections; stated support for moving displacement prevention assistance to Phase III.
- Councilor Evans – stated support for bringing all three Phase II renter protections to a public hearing; noted he is open to an amendment or alternative to get public input on displacement prevention assistance.
- Councilor Zelenka – stated that 501(c)(3) nonprofits are not prevented from lobbying, they are limited in how much they can spend on lobbying; noted a net increase in multifamily rental units in Portland between 2017 and 2021; noted a decrease in single-family rental units before renter protections were in place in Portland; spoke in favor of bringing all of Phase II renter protections to a public hearing and having a work session afterward.
- Councilor Keating – stated that the email he read came from the Eugene Tenant Alliance; shared a statistic about no-cause evictions from Springfield-Eugene Tenant Association.
- Councilor Yeh –stated that she regularly meets with a variety of nonprofits in the community regarding various topics being considered by Council.
- Councilor Clark – stated that his previous question about 501(c)(3) nonprofit organizations was for clarity; stated he intends to make a motion to require data collection in this process.

MOTION: Councilor Evans, seconded by Councilor Keating, moved to direct the City Manager to prepare and schedule a public hearing on an ordinance limiting the amount of deposits a landlord may charge, requiring that applications be processed in the order they are received, providing for additional enforcement options for violations of the screening fee cap, and requiring eviction data reporting and providing for enforcement. Additionally, direct the City Manager to bring back more information on displacement prevention assistance as part of Phase III of renter protections.

MOTION TO AMEND: Councilor Yeh, seconded by Councilor Keating, moved to amend the motion to replace “additionally, direct the City Manager to bring back more information on displacement prevention assistance as part of Phase III of renter protections” with “requiring landlords provide displacement prevention assistance in an amount equal three times the current market rate rent published by the Department of Housing and Urban Development when either 1) a tenant is no-cause evicted, 2) a tenant’s rent is increased by five percent or more in a 12 month period and the tenant chooses to move rather than pay the increased rate, and create a small landlord compensation fund for landlords that earn less than 80 percent of area median income.”

Council Discussion:

- Councilor Yeh – clarified that the specific details of a displacement prevention assistance program can be adjusted after hearing public input.
- Councilor Zelenka – requested a friendly amendment to clarify that market rate rent refers to monthly market rate rent; requested a friendly amendment to direct the City Manager to bring back ideas for creating a small landlord compensation fund, including the sources of funding; stated support for keeping the small landlord compensation fund and displacement prevention assistance together; asked if Council would see the structure and funding for the landlord compensation fund prior to an ordinance being created; clarified intent to ensure the fund is created with details about its operation and funding source; stated that the ordinance should have direction on what the administrative rules would include.
- Councilor Groves – noted that he would support a small fund for low-income landlords; spoke in favor of holding another work session on the small landlord fund before bringing it to a public hearing; spoke in favor of moving deposit limitations and processing rental applications in the order received to a public hearing.

MOTION TO AMEND RESTATED (with friendly amendment) AND VOTE:

Councilor Yeh, seconded by Councilor Keating, moved to amend the motion to replace “additionally direct the City Manager to bring back information on displacement assistance as part of Phase III of renter protections” with “requiring landlords provide displacement prevention assistance in the amount equal to three times the current monthly market rate rent published by HUD when either 1) the tenant is no-cause evicted or 2) a tenant’s rent is increased by five percent or more in a twelve month period and the tenant chooses to move rather than pay the increased rent, and create a small landlord compensation fund for landlords that earn less than 80 percent of area median income.” **VOTE: PASSED 5:2**, opposed by Councilors Clark and Groves.

MOTION TO AMEND: Councilor Clark, seconded by Councilor Groves, moved to direct the City Manager to come back as part of this to a public hearing language that would outline a process for staff to collect metrics on our success or failure to achieve the goals of this particular program with the categories of information that will be collected.

Council Discussion:

- Councilor Clark – clarified the intent of this motion is to track and review goals previously stated by staff; clarified that the data requested should show if the goals in the renter protections roadmap were met; noted concern that the goals of renter protections may not match the data collected for the Housing Implementation Pipeline; requested that a data collection requirement be put into the ordinance and go to a public hearing; stated a desire to measure the effectiveness of Council actions.
- Councilor Zelenka – stated that success metrics are a good idea but difficult to track; noted collection of data may need to be put in place after the ordinance passes; stated interest in hearing public input on the five percent rent increase threshold, deposit limits and the first come first serve rule.

- Councilor Keating – noted that adding a data collection requirement to the ordinance is unnecessary.

VOTE ON MOTION TO AMEND: FAILED 3:4, opposed by Councilors Keating, Semple, Yeh and Zelenka.

MAIN MOTION AS AMENDED AND VOTE: Councilor Evans, seconded by Councilor Keating, moved to direct the City Manager to bring back an ordinance limiting the amount of deposits a landlord may charge, requiring that applications be processed in the order they are received, providing for additional enforcement options for violations of the screening fee cap, and requiring eviction data reporting and providing for enforcement. Additionally, requiring landlords provide displacement prevention assistance in the amount equal to three times the current market rate rent published by HUD when either 1) the tenant is no-cause evicted or 2) the tenant rent is increased by five percent or more in a twelve-month period and the tenant chooses to move rather than pay the increased rate, and create a small landlord compensation fund for landlords that earn less than 80 percent of area median income. **VOTE: PASSED 5:2** opposed by Councilors Clark and Groves.

Mayor Vinis adjourned the meeting at 7:10 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: November 14, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 4B
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 November 9, 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>.

November 2022						
Date	Day	Time	Title		Length	Dept. Contact
14-Nov	Monday	5:30 pm		Sustainability Commission Annual Report and Work Plan (Work Session)	30 mins	Ian Penn, PW
				Human Rights Commission Annual Report and Work Plan (Work Session)	30 mins	Daniel Charles, CS
				Police Commission Annual Report and Work Plan (Work Session)	30 mins	Holly Matthews, EPD
		7:30 pm		Pledge of Allegiance		Jeff Gepper, PDD
	Committee Reports and Items of Interest					
	Public Forum					
	Ord. Vacating a Portion of the East 5th Avenue Right-of-Way (Action)					
Expected absences for 11/14: none						
16-Nov	Wednesday	12 pm		Alternative Response Study, P.2 (Work Session)	90 mins	Kristie Hammitt, CS
Expected absences for 11/16: none						
21-Nov	Monday	5:30 pm		Ord. re Extending the Term of the Comcast Cable Franchise (Public Hearing)		Pam Berrian, CS
				Ord. Amending Interfering with a Police Officer (EC 4.907) for Consistency with State Law		Travis Smith, CS
				Ord. re Noise Control Regulations for Business and Industry (Public Hearing)		Lydia Bishop, PDD



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

Attachment A

			 Ord. re Electrification of Low-Rise Residential Buildings (Public Hearing)		Lydia Bishop, PDD
Expected absences for 11/21: none					
23-Nov	Wednesday	12 pm	No meeting		
28-Nov	Monday	5:30 pm	 Engaging the Community in the Decarbonization and Commercial Electrification of Buildings (Work Session)	90 mins	Lydia Bishop, PDD Ian Penn, PW
		7:30 pm	 Committee Reports and Items of Interest  Res. Authorizing a Biennial (24-month) Budget Pursuant to ORS 294.323 (Consent Calendar)  Public Forum  Res. of the URA Authorizing a Biennial (24-month) Budget Pursuant to ORS 294.323 (Action)  Ord. Amending Interfering with a Police Officer (EC 4.907) for Consistency with State Law (Action)  Ord. extending the term for Comcast Cable Franchise (Action)  Ord. Concerning Clear and Objective Approval Criteria for Housing (Action)		Vicki Silvers, CS Vicki Silvers, CS Travis Smith, CS Pam Berrian, CS Althea Sullivan, PDD
Expected absences for 11/28: none					
30-Nov	Wednesday	12 pm	 TBD (Work Session)	45 mins	Staff
			 TBD (Work Session)	45 mins	Staff
Expected absences for 11/30: none					

December 2022					
Date	Day	Time	Title	Length	Dept. Contact
5-Dec	Monday	5:30 pm	 Interim Council Appointment Interviews, Ward 7 (Special Meeting)		Katie LaSala, CS
Expected absences for 12/5: none					
7-Dec	Wednesday	12 pm	 Interim Council Appointment Interviews, Ward 7 - as needed (Special Meeting)		Katie LaSala, CS
Expected absences for 12/7: none					
7-Dec	Wednesday	5:30 pm	 Budget Committee: Review of FY23 Supplemental Budget (Budget Committee)		Vicki Silvers, CS
Location of Budget Committee Meeting: Virtual only					
12-Dec	Monday	5:30 pm	 Interim Council Appointment, Ward 7 (Work Session, Possible Action)	45 mins	Staff, CS
			 Intergovernmental Relations follow-up Discussion (Work Session)	45 mins	Staff
		7:30 pm	 Committee Reports and Items of Interest		Finn Cronin, CS
			 Res. Acknowledging Receipt of FY22 Annual Comprehensive Financial Report		
			 Public Forum		Finn Cronin, CS
			 Urban Renewal Agency Res. Acknowledging Receipt of FY22 URA Annual Financial Report (Action)		Liz Butterfield, CS
 Urban Renewal Agency FY23 December Supplemental Budget (Public Hearing and Action)		Liz Butterfield, CS			
 City of Eugene FY23 December Supplemental Budget (Public Hearing and Action)		Liz Butterfield, CS			
Expected absences for 12/12: none					
14-Dec	Wednesday	12 pm	 Library Levy Report (Work Session)	45 mins	Staff, LRCS
			 TBD (Work Session)	45 mins	Staff
Expected absences for 12/14: none					

Council Break December 15 – January 8

UPCOMING PUBLIC HEARINGS			
Date	Topic/Title	Description	Staff Contact
Nov 21, 5:30 pm	Ord. extending the term for Comcast Cable Franchise	The City Council will hold a public hearing to consider An Ordinance Extending the Term of Ordinance No. 19775 and Ordinance No. 20397 Granting to Comcast of Oregon II, Inc. a Franchise for Operation of a Cable Telecommunications System. The proposed ordinance is posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Pam Berrian, CS 541-682-5590
Nov 21, 5:30 pm	Ord. Amending Interfering with a Police Officer (EC 4.907) for Consistency with State Law	The City Council will hold a public hearing to consider An Ordinance Concerning Interfering with a Peace Officer and Amending Section 4.907 of the Eugene Code, 1971. The proposed ordinance is posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Travis Smith, CS 541-682-8447
Nov 21, 5:30 pm	Ord. Re Noise Control Regulations for Business and Industry	The City Council will hold a public hearing to consider An Ordinance Concerning Regulations for Commercial and Industrial Noise; Amending Section 6.750 of the Eugene Code, 1971; and Adding Section 6.752 to that Code. The proposed ordinance is posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Lydia Bishop, PDD 541-682-5482
Nov 21, 5:30 pm	Ord. re Electrification of Low-Rise Residential Buildings	The City Council will hold a public hearing to consider An Ordinance Prohibiting Fossil Fuel Infrastructure in New Low-Rise Residential Buildings; and Adding Sections 6.695 and 6.696 to the Eugene Code, 1971. The proposed ordinance is posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Lydia Bishop, PDD 541-682-5482
Dec 12, 7:30 pm	Urban Renewal Agency FY23 December Supplemental Budget	Public hearing pertaining to Urban Renewal Agency FY23 Supplemental budget.	Liz Butterfield, CS 541-682-5512
Dec 12, 7:30 pm	City of Eugene FY23 December Supplemental Budget	Public hearing pertaining to City of Eugene FY23 Supplemental budget.	Liz Butterfield, CS 541-682-5512

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



Action: Appointments to the Police Commission

Meeting Date: November 14, 2022
Department: Eugene Police Department
www.eugene-or.gov

Agenda Item Number: 4C
Staff Contact: Holly Mathews
Contact Telephone Number: 541-682-8461

ISSUE STATEMENT

This is an action item to appoint two members to the Eugene Police Commission.

BACKGROUND

Based on Eugene City Code 2.368(2) *Membership*, the commission shall have 12 members, consisting of two city councilors, one member who is also a member of the human rights commission, one member who is also a member of the civilian review board, and eight citizen members. Members shall be nominated by the mayor and appointed by the council. The eight citizen members shall serve for four-year terms. A vacancy shall be filled in the same manner as original appointments, and the appointee shall hold office for the remainder of the unexpired term [E.C. 2.368(3)].

Police Commissioner Shawntel Robertson vacated her Police Commission seat in July 2022. The first appointment will fulfill the remainder of her term, which runs through June 2024.

Police Commissioner Maisie Davis vacated her Police Commission seat in September 2022. The second appointment will fulfill the remainder of her term, which runs through June 2024.

These two recruitments are time sensitive to ensure the Police Commission maintains quorum.

The Police Commission received five applications for the two vacancies. The Police Commission Selection Sub-Committee made up of the Police Commission Chair, Vice-Chair, and two Commission members interviewed four applicants (one applicant chose not to interview) in September 2022.

Following the interviews, the Selection Sub-Committee recommended two candidates, Dr. Silky Booker and Jensina Hawkins, to Mayor Vinis. The AIC Police Commission Analyst met with Mayor Vinis to review the recommended candidates' applications. Mayor Vinis supports the Selection Sub-Committee's recommendations and nominates Dr. Silky Booker and Jensina Hawkins for appointment by Council.

COUNCIL OPTIONS

1. Appoint both applicants nominated by the mayor.
2. Appoint other applicants from the pool.
3. Seek additional candidates for these positions.

SUGGESTED MOTIONS

Mayor Vinis' nominations are contained in the following suggested motions:

Move to appoint Dr. Silky Booker to the Police Commission beginning November 15, 2022, ending on June 30, 2024.

Move to appoint Jensina Hawkins to the Police Commission beginning November 15, 2022, ending on June 30, 2024.

ATTACHMENTS

- A. List of total applicants
- B. Eugene City Code 2.368

FOR MORE INFORMATION

Staff Contact: Holly Mathews
Telephone: 541-682-8461
Staff E-Mail: hmathews@eugene-or.gov

2022 Eugene Police Commission Interested Applicants

1. Steve Auferoth
2. Silky Booker
3. Jensina Hawkins
4. Carson Quam
5. Clarence Williams

2.368 Police Commission.

(1) *Created.* The police commission is hereby created to act as an advisory body to the city council, city manager, and police chief regarding police policy issues.

(2) *Membership.* The commission shall have 12 members, consisting of two city councilors, one member who is also a member of the human rights commission, one member who is also a member of the civilian review board, and eight citizen members selected from the public so as to represent a diverse range of interests and experiences with due regard to the geographic distribution of the membership. The citizen members of the commission shall be selected from, but are not limited to, several but not necessarily all of the following groups: youths, students of the University of Oregon and Lane Community College, persons with a demonstrated interest in law enforcement, social services providers, educators, members of community or neighborhood groups, persons engaged in private business, persons with a diversity of ethnic and cultural affiliations, and persons with diverse economic backgrounds and interests.

(3) *Appointment and Terms of Office.* Members shall be nominated by the mayor and appointed by the council. The eight citizen members shall serve for four-year terms. The councilor members shall be appointed annually as part of the process for appointing elected officials to other committees, and shall serve during their terms as councilors. The members from the human rights commission and civilian review board shall serve during their term on such commission, committee or board, or for four years, whichever is less. In any event, all members shall be limited to two consecutive terms. A vacancy shall be filled in the same manner as original appointments, and the appointee shall hold office for the remainder of the unexpired term. A member who is absent for more than three consecutively scheduled meetings without having been excused by the chair of the commission may be removed by the council and the vacancy filled.

(4) *Powers and Duties.*

(a) In general, the police commission exists to work toward the following outcomes for the community:

1. To increase communications between police and the community, leading to a greater understanding of the preferred policing alternatives for this city;
2. To identify police policy and resource issues related to preferred policing alternatives;
3. To decrease misunderstandings regarding the nature of adopted police policies, practices and approaches;
4. To provide input on police policies and procedures that reflect community values; and
5. To assist the city council in balancing community priorities and resources by advising it on police resource issues.

(b) The police commission shall develop a mission statement and a yearly workplan, to be reviewed and approved by the city council, which will articulate how the listed outcomes will be achieved.

- (c) In seeking to accomplish its mission, the police commission may:
1. Review and make recommendations on police policies, practices and priorities for consistency with community values;
 2. Provide input on service and resource needs for community safety;
 3. Work on police-related projects as directed by the council; and
 4. Provide a forum for addressing public concerns related to police policies and practices.
- (d) The police commission shall not undertake the review of allegations and inquiries related to the actions of individual police officers.
- (e) The police commission shall receive periodic reports from the police auditor regarding complaint trends that the auditor believes indicate a review of police practices or training methods may be warranted.
- (f) The member appointed from the civilian review board shall assist in redirecting any complaints received about employee conduct to the auditor's office and in reporting on issues raised during the course of the civilian review board's work pertinent to police policy and practices.
- (g) The member appointed from the human rights commission shall serve as a liaison to that commission in monitoring police policy issues that are or may generate community concern.

(Section 2.368 added by Ordinance No. 20136, enacted December 7, 1998, effective January 6, 1999; amended by Ordinance No. 20398, enacted October 24, 2007, effective November 23, 2007; and clerically corrected May 1, 2008.)

The Eugene Code is current through Ordinance 20670, passed July 11, 2022.

Disclaimer: The city recorder's office has the official version of the Eugene Code. Users should contact the city recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.eugene-or.gov](http://www.eugene-or.gov)

[Code Publishing Company](#)

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: November 14, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 5
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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Vacating a Portion of East 5th Avenue Located Within the Boundaries of the Plat of Town Run

Meeting Date: November 14, 2022
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 6
Staff Contact: Jeff Gepper
Contact Telephone Number: 541-682-5282

ISSUE STATEMENT

The City Council is scheduled to take action on a vacation of a portion of East 5th Avenue right-of-way located within the boundaries of the plat of Town Run submitted by the Eugene Urban Renewal Agency (City File: VPU 22-1). A vicinity map of the vacation request is provided as Attachment A.

BACKGROUND

The Eugene Urban Renewal Agency (URA or the applicant) has requested vacation of a portion of an undeveloped plat, specifically a small portion of the East 5th Avenue right-of-way (VPU 22-1). The URA filed the request for vacation related to the City Council's approval the Town Run Subdivision (located on the Downtown Riverfront property). The URA acquired approximately 16.5 acres of land from EWEB in order to facilitate the property's development. As part of preparing the property for development, the URA submitted, and the City approved, a subdivision plat (the Plat of Town Run). As part of the new subdivision, the URA dedicated new rights-of-way for a street network throughout the subdivision. The newly dedicated rights-of-way also serve as the location of new utilities to serve the entire site (including water, sanitary and storm sewer, and electric).

In order to ready the newly subdivided lot for sale and subsequent development, the applicant requests approval to vacate a small portion of the East 5th Avenue right-of-way that is not in alignment with the street layout. The vacation request is briefly summarized below:

VPU 22-1 Vacation of Undeveloped Plat

Request for approval of vacation of a portion of an undeveloped plat, specifically a small portion of East 5th Avenue, an unimproved right-of-way created through the original plat of Eugene City in 1852. The total requested vacation area consists of 1,713 square feet of public right-of-way.

More details can be found in the full record of application materials to date, which were provided separately to Councilors on a thumb-drive. Upon request these materials can be made available to

the public in hardcopy/electronic format. These materials can also be accessed online here: <https://pdd.eugene-or.gov/LandUse/SearchApplicationDocuments?file=VPU-22-0001>

City Council Process

The vacation request process serves as a means to evaluate the need for public ways as land develops and uses change over time, and to address the manner in which the City may dispense with public ways. This request for vacation is being considered in accordance with Sections [9.8700](#) – [9.8725](#) of the Eugene Code (EC) and Oregon Revised Statutes (ORS) 271.080 – 271.230 and is being processed pursuant to [EC 9.7445](#) – [9.7455](#). The public hearing is being conducted consistent with quasi-judicial procedures in State law and as set forth in [EC 9.7065](#) – [9.7095](#).

Notice of public hearing for the requested vacations has been provided in the following manner: On October 6, 2022, the property was posted with signs in the immediate vicinity of the requested vacation; and on October 7, 2022 and October 10, 2022, legal notice was published in The Register-Guard newspaper. A mailed public notice was also sent on October 6, 2022 to properties within 100 feet of the requested vacation area. No public testimony has been received at this time. No written testimony was received prior to the close of the record. On October 17, 2022, Council held the public hearing on the requested vacation, in accordance with all applicable requirements.

Ordinance Correction

The draft ordinance published for the public hearing held on October 17, 2022 contained an incorrect date reference. Specifically, the draft ordinance first correctly cites the date of the public hearing, but then subsequently includes an incorrect date for the public hearing in a following section. The public hearing date has been corrected in the ordinance in Attachment B. No other changes to the draft ordinance have been made.

Utility Provider Consent

The applicant also received statements of concurrence from affected utility providers for the vacation of the public utility easements, which can be seen in the application materials.

Determination of Assessment

Pursuant to [EC 9.8710\(5\)](#), the applicant is required to pay a deposit equal to the assessment of special benefit resulting from the vacation. The amount of money to be deposited is to be determined by the City Manager. The City Manager has determined that the cost of construction of the new streets dedicated by the URA is equal to or exceeds the assessed value of the real property being vacated and any costs incurred by the City in the construction of public improvements within the vacation area. The URA is paying to construct and install the new streets and utilities, at a cost of approximately \$16.5 million. The value of the newly created rights-of-way and transportation/utility improvements far exceeds the real market value of the relatively small area of the requested vacation.

Applicable Approval Criteria

The Eugene City Council must determine whether notice has been duly given, and must address the relevant approval criterion from [EC 9.8725](#) in making a decision on the proposed vacation of a portion of an undeveloped plat, as listed below in *italics*. Findings demonstrating compliance with these requirements can be found in Exhibit C to the proposed vacation ordinance, included as

Attachment B to this AIS.

The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, only if the council finds that approval of the vacation is in the public interest.

PREVIOUS COUNCIL DIRECTION

None.

COUNCIL OPTIONS

The City Council may:

1. Adopt the ordinance as proposed in Attachment B to this AIS.
2. Adopt the ordinance with specific modifications as determined by the City Council.
3. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the ordinance as provided in Attachment B.

SUGGESTED MOTION

Move to adopt An Ordinance Vacating a Portion of East 5th Avenue Located Within the Boundaries of the Plat of Town Run.

ATTACHMENTS

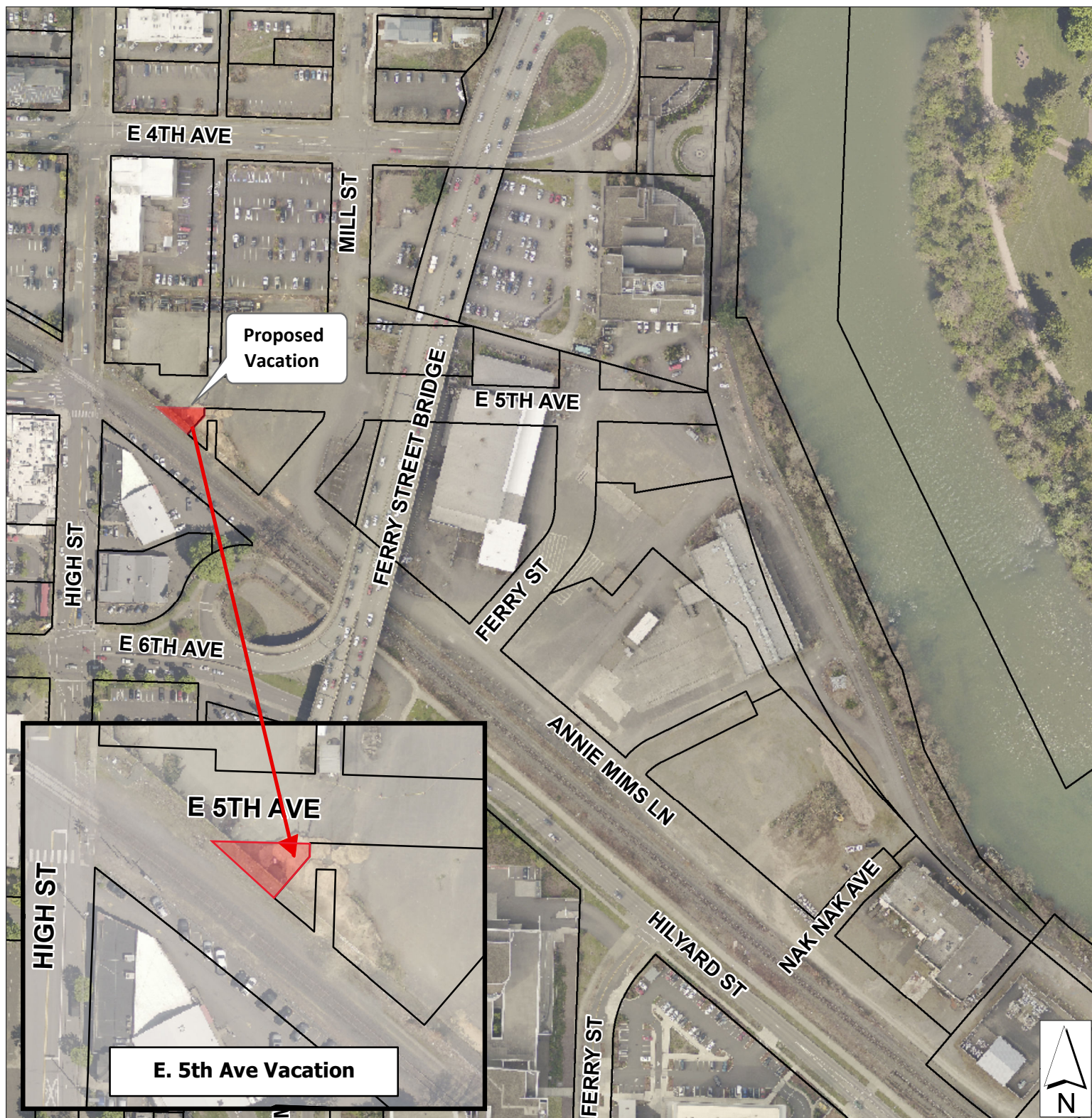
- A. Vicinity Map
- B. Ordinance (Corrected)
 - a) Exhibit A – Legal Description
 - b) Exhibit B – Site Plan
 - c) Exhibit C – Findings

FOR MORE INFORMATION

Staff Contact: Jeff Gepper, Senior Planner
Telephone: 541-682-5282
Staff E-Mail: JGepper@eugene-or.gov

Vicinity Map

Town Run Plat Vacation - City File VPU 22-1
Vacation of a Portion of an Undeveloped Plat



- E. 5th Avenue Vacation
- Taxlots

0 125 250 500 Ft

Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.

August 12, 2022



ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF EAST 5TH AVENUE LOCATED
WITHIN THE BOUNDARIES OF THE PLAT OF TOWN RUN.**

The City Council of the City of Eugene finds that:

A. The City Council of the City of Eugene approved an agenda scheduling a public hearing at 5:30 p.m. on October 17, 2022, for the purpose of hearing protests and remonstrances to the proposed vacation of the following right-of-way:

The portion of East 5th Avenue located within the boundaries of the Plat of Town Run and more particularly described in Exhibit A and depicted on Exhibit B attached to this Ordinance.

B. Notice was duly and regularly given of the public hearing and, on October 17, 2022, the City Council held a public hearing and heard all objections to the proposed vacation.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Eugene finds that notice of the public hearing on the proposed vacation was published and posted as required by law, and that vacation of the right-of-way described in Exhibit A and depicted on Exhibit B attached to this Ordinance is in the public interest, as described in the Findings attached as Exhibit C to this Ordinance and hereby adopted in support of this Ordinance.

Section 2. The right-of-way described in Exhibit A and depicted on Exhibit B attached to this Ordinance is hereby vacated and shall revert pursuant to the statutes of the State of Oregon.

Section 3. The City Recorder is directed to file a certified copy of this Ordinance, including all attachments with the Recorder of Lane County, Oregon. In addition, a certified copy of this Ordinance shall be filed with the Lane County Assessor and a certified copy shall be filed with the Lane County Surveyor.

Passed by the City Council this

_____ day of _____, 2022.

Approved by the Mayor this

_____ day of _____, 2022.

City Recorder

Mayor

EAST 5TH AVENUE VACATION

Exhibit A

Situated in the Northeast 1/4 of Section 31 in Township 17 South, Range 3 West of the Willamette Meridian in the City of Eugene, Lane County Oregon and described as follows:

Being all that portion of East 5th Avenue that (1) lies west of the west lines of Lot 8 of the plat of "Town Run", (2) northeasterly of the northeast margin of the Southern Pacific Railroad Right-of-Way, and (3) southerly of the westerly extension of the north line of said Lot 8; all as shown on the plat of "Town Run" as platted and recorded April 3, 2020, in in Lane County Oregon Plat Records, and assigned Reception Number 2020-016334 in Lane County Oregon deed Records.

EAST 5TH AVENUE RIGHT-OF-WAY VACATION SITE PLAN

FOR
EUGENE RIVERFRONT DISTRICT LLC

NE 1/4 SECTION 31
TOWNSHIP 17 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN
CITY OF EUGENE, LANE COUNTY, OREGON
MARCH 11, 2022

RIGHT-OF-WAY TO BE VACATED:

ALL THAT PORTION OF EAST 5TH AVENUE THAT (1) LIES WEST OF THE WEST LINES OF LOT 8 OF THE PLAT OF "TOWN RUN" (TAX LOT 02400 OF TAX MAP 17-03-32-22, LANDS OF THE URBAN RENEWAL AGENCY OF THE CITY OF EUGENE), (2) NORTHEASTERLY OF THE NORTHEAST MARGIN OF THE SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY, AND (3) SOUTHERLY OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 8; ALL AS SHOWN ON THE PLAT OF "TOWN RUN".

EASEMENT TO REMAIN:

E14-G VARYING WIDTH EASEMENT FOR WATER LINES AND RELATED UTILITY FACILITIES AS CREATED IN THE DECLARATION OF EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BY THE EUGENE WATER & ELECTRIC BOARD, A MUNICIPAL UTILITY OF THE CITY OF EUGENE, OREGON, THAT WAS RECORDED APRIL 17, 2018, RECEPTION NO. 2018-017637, LANE COUNTY DEEDS AND RECORDS; AS AMENDED BY (1) "AMENDMENT TO DECLARATION OF EASEMENTS" RECORDED OCTOBER 16, 2019, RECEPTION NUMBER 2019-046745; (2) "SECOND AMENDMENT TO DECLARATION OF EASEMENTS" RECORDED MARCH 5, 2021, RECEPTION NUMBER 2021-015455; AND (3) "THIRD AMENDMENT TO DECLARATION OF EASEMENTS" RECORDED OCTOBER 15, 2021, RECEPTION NUMBER 2021-065888; ALL IN LANE COUNTY DEEDS AND RECORDS.

LEGEND:

(RI) PLAT OF TOWN RUN AS FILED APRIL 3, 2020 IN LANE COUNTY OREGON PLAT RECORDS AND ASSIGNED RECEPTION NUMBER 2020-016334 IN LANE COUNTY OREGON DEED RECORDS.

TM/L TAX MAP/LOT NUMBER.

ADJOINER TAX LOT:

TM 17033222 TL 02400.

ZONING:

DOWNTOWN RIVER SPECIAL AREA WITH A MIXED USE SUBAREA (S-DR/MU)

SETBACKS:

NONE FOR THIS ZONE CLASSIFICATION.

ADDRESSES:

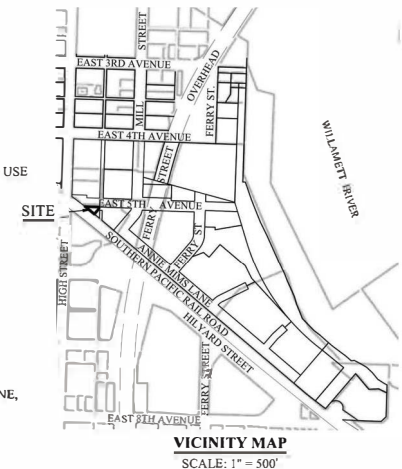
NONE.

EXISTING USE:

VACANT.

OWNERSHIPS:

URBAN RENEWAL AGENCY OF THE CITY OF EUGENE, OREGON, A MUNICIPAL CORPORATION



VICINITY MAP
SCALE: 1" = 500'

20 0 20 40
SCALE: 1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Rex A. Betz
OREGON
JULY 20, 1993
REX A. BETZ
#2806
RENEWS: 12/31/23



EGR & Associates, Inc.

Engineers, Geoplogists, and Surveyors

2535B Prairie Road
Eugene, Oregon 97402

(541) 688-8322
Fax (541) 688-8087

SHEET 1 OF 1

FINDINGS IN SUPPORT OF VACATING A PORTION OF EAST 5TH AVENUE LOCATED WITHIN THE BOUNDARIES OF THE PLAT OF TOWN RUN

APPLICATION OVERVIEW

Name (File Number):	E 5 th Ave Vacation at Town Run (VPU 21-1)
Applicant:	Eugene Urban Renewal Agency
Subject Property:	A portion of E 5 th Avenue Right-of-Way abutting Tax lot 02400 of Assessors Map 17-03-32-22
Zoning:	Abutting property zoned S-DR Downtown Riverfront Special Area Zone
Location:	A 1,713 square foot area located southeast of the E 5 th avenue and High Street.

BACKGROUND

The Eugene Urban Renewal Agency (URA or the applicant) filed a request for vacation related to the City Council's approval the Town Run Subdivision (located on the Downtown Riverfront property). The URA acquired approximately 16.5 acres of land from the Eugene Water and Electric Board (EWEB) in order to facilitate the property's development. As part of preparing the property for development, the URA submitted, and the City approved, a subdivision plat (the Plat of Town Run). As part of the new subdivision, the URA dedicated new rights-of-way for a street network throughout the subdivision. The newly dedicated rights-of-way will also serve as the location of new utilities to serve the entire site (including water, sanitary and storm sewer, and electric).

In order to ready the newly subdivided lot for sale and subsequent development, the applicant requests approval to vacate a small portion of the East 5th Avenue right-of-way that is not in alignment with the street layout. The vacation request is briefly summarized below:

VPU 22-1 Vacation of Undeveloped Plat

Request for approval of Vacation of a portion of East 5th Avenue, an unimproved right-of-way created through the original plat of Eugene City in 1852. The total requested vacation area consists of 1,713 square feet of public right-of-way.

FINDINGS

The vacation process serves as a means to evaluate the need for public ways as land develops and uses change over time, and to address the manner in which the City may dispense with

public ways. Public ways are defined by the Eugene Code as follows: “Any street, road, alley, right-of-way, pedestrian or bicycle easement or accessway, or utility easement for public use that is controlled by the city, county, or state.”

This request for vacation is being considered in accordance with Sections 9.8700 – 9.8725 of the Eugene Code (EC) and Oregon Revised Statutes (ORS) 271.080 – 271.230 and processed pursuant to EC 9.7445 – 9.7455. EC 9.8710(3) requires that any vacation of an undeveloped subdivision and partition plat be considered and decided upon by the City Council in accordance with the procedures in EC 9.7455 through 9.7455. The public hearing is being conducted consistent with quasi-judicial procedures in State law and as set forth in EC 9.7065 – 9.7095.

When right-of-way is vacated, ORS 271.140 generally requires ownership of the land underlying the vacated right-of-way to revert back to owners of the adjacent lands from which it was originally dedicated. In this instance, if the vacation is approved, the right-of-way will revert to the Eugene Urban Renewal Agency as the owner of the adjacent lands. EC 9.8710(5) requires the applicant to pay a special assessment to the City equal to the assessed value of the real property and any costs incurred by the City in the construction of public improvements as determined by the City Manager. The City Manager has determined that the cost of construction of the new streets dedicated by the URA is equal to or exceeds the assessed value of the real property being vacated and any costs incurred by the City in the construction of public improvements within the vacation area. As noted above, the URA is paying to construct and install the new streets and utilities, at a cost of approximately \$16.5 million. The value of the newly created rights-of-way and transportation/utility improvements far exceeds the real market value of the vacation.

Compliance with Approval Criterion

Per EC 9.8725, the sole approval criterion for these vacations requires City Council to find that approval of the requested vacation is in the public interest. The full text of the approval criterion is provided below, with findings demonstrating compliance:

EC 9.8725: Approval Criteria for the Vacation of Improved Public Right-of-Way, Public Ways Acquired with Public Funds, and Undeveloped Subdivision and Partition Plats. The city council shall approve, or approve with conditions and reservations of easements, the vacation of improved public right-of-way, public ways acquired with public funds, or undeveloped subdivision and partition plats, or portions thereof, including public right-of-way and improved public easements located therein, only if the council finds that approval of the vacation is in the public interest.

The following findings demonstrate that vacation of a portion of East 5th Avenue is in the public interest. This determination is based on the conclusion that vacation of the that portion of the undeveloped plat will provide an opportunity for the efficient use of land and will not negatively impact the transportation system, surrounding uses, or emergency access. The purpose of the applicant’s vacation request is to:

- Allow for the full development of the Town Run Subdivision in accordance with the Downtown Riverfront Concept Plan for redevelopment of the Downtown Riverfront site.
- Prepare the newly subdivided lots for sale and subsequent mixed-use development.
- Remove unnecessary right-of-way currently encumbering the Downtown Riverfront site.

The subject portion of East 5th Avenue (VPU 21-1 & VPU 21-2) was intended as part of a development associated with a plat that was never fully developed (Original Plat of Eugene City). The area to be vacated is undeveloped, with the exception of a water main belonging to EWEB that crosses the northeast corner of the right-of-way. EWEB's easement for the water main is described in the "Declaration of Easements" that was recorded April 17, 2018, at Document Number 2018-017637 in Lane County Oregon Deed Records. Neither the water main nor the easement are part of this vacation request and the City Council's decision will not affect the water main or easement. Statements of concurrence from affected utility providers for the vacation of right-of-way further confirm that the subject right-of-way does not provide a public benefit.

The small portion of East 5th Avenue right-of-way identified for vacation does not currently provide access to surrounding streets. The undeveloped right-of-way does not provide required frontage for any abutting lots, as all abutting lots have adequate frontage on the proposed street system in accordance with Eugene Code. As there is a proposed public street system providing vehicular and pedestrian access to the lots and the vacation area does not connect to any other rights-of-way, the undeveloped right-of-way does not provide significant public transportation benefit, nor does it provide vehicular or pedestrian circulation on adjoining streets.

Conclusion

The applicant's requested vacation of a portion of East 5th Avenue right-of-way is in the public interest, based on the above facts and the terms of the ordinance.