



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

November 8, 2023

12:00 p.m. CITY COUNCIL WORK SESSION

City Council Wednesday work sessions are held using virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

Meeting of November 8, 2023; Her Honor Mayor Lucy Vinis Presiding

Councilors

Randy Groves, President
Lyndsie Leech
Jennifer Yeh
Mike Clark

Matt Keating, Vice President
Emily Semple
Alan Zelenka
Greg Evans

12:00 p.m. CITY COUNCIL WORK SESSION

- 1. WORK SESSION: Persistent Violators, Chronic Behavioral Problems**
- 2. WORK SESSION: Open Air Drug-use and Measure 110**

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Persistent Violators, Chronic Behavioral Problems

Meeting Date: November 8, 2023
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Jeff Petry
Contact Telephone Number: 541-682-5079

ISSUE STATEMENT

This agenda item is in response to a work session request poll from Councilor Groves regarding persistent violators, chronic behavioral problems, and open-air drug use throughout the community. At this work session the Council will have an opportunity to discuss with City staff regulations that are currently in place, the current approach to these issues, legal framework, and potential tools and options for addressing these issues.

BACKGROUND

Councilor Groves' work session request poll identified the following issues and questions to be addressed:

1. Local regulations currently in place, and the manner in which they are being applied, that address persistent violators. Are there any regulatory gaps in the system that Council can address?
2. Update on how the City, and cities more generally, are approaching chronic behavioral problems that effect community safety, quality of life, and the ability to engage in commerce. Given the City's role, what tools can the Council provide that will help address the problem?
3. Current legal framework around open-air drug use. What options are available to the Council to address people openly using drugs in public spaces?

The work session request is split into two work sessions on November 8, 2023. The first work session will focus on Persistent Violators and Chronic Behavioral Problems, followed by a work session on Open-Air Drug Use and Measure 110.

The 2023-2025 Adopted Biennial Budget includes staff and resources to refine support, shelter, and response operations to more effectively assist unhoused and housed community members. The budget includes investments in three Incident Commander positions that will coordinate and support the City's response to the unhoused crisis in the areas of alternative response, downtown, and city-wide public spaces. The budget also invests in housing and homeless operations to support public and non-profit partnerships in the community, Rest Stop operations, mental health service in downtown Eugene, and continues to implement the [Housing Implementation Pipeline](#) to boost shelter and housing options across the housing continuum. Further, the budget invested in

the Neighborhood Services Officers program that supports City parking code, adds significant resources to help meet resident expectations to address storage-on-the-street and other vehicle violations and address unsanctioned camping in the community.

The City continues to prioritize its enforcement of unsanctioned camping to address urgent community needs. On April 12, 2021 staff provided Council with an action plan for the Unhoused Response. The plan included creating a centralized response for critical tasks including the management of temporary urban camps, coordination of response to unsanctioned camping, reducing impacts to neighborhoods and businesses, expanding outreach to unhoused people, and significantly, developing “Safe Parking” and “Safe Tent” sites in response to the need for temporary, short-term, places for people to shelter.

The City’s plan included the creation of the Public Space Team that aligns resources from various City programs and engages with community partners. The Public Space Team Incident Commander manages the Public Space Team and coordinates with the Downtown Incident Commander and the Alternative Response Planning Chief. These three incident command positions are housed in the Planning and Development, Police, and Fire departments, respectively.

In May 2023 the City amended its prohibited camping code provision (EC 4.815) to bring the City’s code into compliance with state law that went into effect July 1, 2023 (HB 3115). The amendments narrowed the definition of prohibited camping by removing references to sleeping bags and bedding and narrowed the scope of the City’s prior prohibition on camping on all public property to prohibiting camping in specific areas for safety, accessibility, or public health reasons.

Previously, following Council direction in April 2021, staff implemented the Commercial and Industrial Parking project on streets, predominantly in west Eugene. Council-approved code amendments for on-street parking regulations took effect July 24, 2021. The code changes have improved commercial vehicle access in commercial marked parking spaces. Complaints continue to come in for recreation vehicles parked in neighborhoods and business areas, and staff mitigate these as quickly as staff capacity and code allows.

A new position in the 2023-2025 Adopted Budget is the Neighborhood Services Officer (NSO) that is dedicated to seeking compliance in the right-of-way, and in the City’s public spaces, across the community. The budget provided for four (4) regular NSO and four (4) 2-year limited duration positions, with six of the eight positions currently filled. The NSO positions operate six days per week and enforce code across the city. As parking regulations were created in west Eugene commercial/industrial areas, the City is experiencing increased demand for parking regulations in the commercial/industrial areas closer to downtown, abutting City parks, and in residential areas throughout the City.

The cumulative effect of these additional focused resources has increased capacity for, and speed of, response to address the impacts of unsanctioned camping. However, many community members still experience ongoing serious impacts to public safety, sanitation, access, business operations, livability and community perception. Most of the public concern centers on recurring experiences with unintended uses of public spaces, and accumulated debris. Despite aggressive local, county and state programs to increase shelter and housing, thousands of community

members remain unsheltered and the community experiences predictable effects in its public spaces. The Public Space Team has identified some possible amendments to City Code, internal administrative actions, and operational changes that could alter impactful conditions, while aligning with State law and equitable approaches.

Potential Code Amendments:

The work session poll requested regulatory gaps that Council could consider addressing through code amendments. For repeat vehicle violations, potential code amendments to consider include: :

1. Amend EC [5.265](#) (Parking Time Limit) to address same day returns to block. The code currently allows a vehicle to park in a two-hour signed, on-street parking space then move at least two blocks away, at which point the vehicle can return to the same parking space. Amending the code to limit a vehicle to parking once per day for the maximum time allowed would reduce repeat citations on the same block face.
2. Amend the code to allow for a vehicle to be impounded after a third violation of [5.225\(3\)\(e\)](#) within a 90-day period. EC 5.225(3)(e) prohibits motorbus, motor truck, recreational vehicle, or trailer with PUC license from parking on either side of the street in front of or adjacent to a residence, motel, apartment house, hotel or other place with sleeping accommodations between the hours of 10:00 p.m. and 6:00 a.m. of the following day. Currently, the penalty for violating this provision is a fine, not to exceed \$100.
3. Amend EC 5.225 to prohibit a vehicle from “blocking a mailbox” and authorize the vehicle to be impounded that is blocking a mailbox.
4. Amend the code to add to EC 5.225 the vehicle discharge violation found in EC 4.860(g), which would enable Neighborhood Service and Parking Services Officers to impound these discharging vehicles and to remediate the situation.

As we continue assessment of conditions in our ongoing response, we expect to continue this process of identifying areas for possible improvement and engaging Council for awareness and guidance.

RELATED CITY POLICIES

City of Eugene [Strategic Plan 2023-2026](#) – The proposed update aligns with the following areas of the City’s strategic plan:

Urgent Community Needs

- Increase sense of safety
- Mitigate the impacts of homelessness on unhoused individuals and the community.
- Increase the vibrancy, economic vitality, and livability of downtown.
- Improve support for local businesses and the business environment.

PREVIOUS COUNCIL DIRECTION

[April 12, 2021 Work Session](#)

City staff provided an overview of the current homelessness crises and the exacerbating effects of the COVID-19 pandemic and identified needs and next steps for addressing the growing number of unhoused community members and related community impacts.

[April 26, 2021 Work Session](#)

Staff presented a plan to address vehicle camping in commercial/industrial and proposed code amendments for parking and storage of vehicles on streets.

[April 26, 2021 City Council Meeting and Public Hearing](#)

The City Council heard public testimony on the ordinance to pilot establishment of “safe parking” and “safe tent” sites that are larger than allowed by City code.

[May 19, 2021 Work Session](#)

City staff provided an update on the current homelessness crises and the work to establish “safe parking” and “safe tent” sites.

[June 14, 2021 Public Hearing](#)

The City Council heard public testimony on the ordinance that would amend City code regarding parking and storage of vehicles on streets.

[June 21, 2021 City Council Meeting](#)

The City Council approved an ordinance that amended City code regarding parking and storage of vehicles on streets.

[June 23, 2021 Work Session](#)

City staff provided an update on the current homelessness crises and the sites that may potentially lead to “safe parking” and “safe tent” sites.

[July 21, 2021 Work Session](#)

The City Council approved two Safe Sleep sites: 2nd and Garfield (310 Garfield) and Chase Commons Park. City staff also provided an update on the current homeless crises.

[September 8, 2021 Work Session](#)

City staff provided updates on the current homelessness crises and the two approved Safe Sleep sites: 2nd and Garfield (310 Garfield) and Chase Commons Park.

[September 29, 2021 Work Session](#)

The City Council approved three new Safe Sleep sites: 2243 Roosevelt Blvd. (SquareOne Villages), Dani Street (Everyone Village) and 410 Garfield. City staff also provide updates on the current homelessness crises and the two approved Safe Sleep sites.

February 23, 2022 Work Session

City staff provided updates on the homelessness crisis, the development of approved Safe Sleep sites including the opening of 410 Garfield St., and the transition of the temporary camp at Washington Jefferson Park.

June 22, 2022 Work Session

The City Council approved expansion of the Everyone Village Safe Sleep site to accommodate co-location of multiple Safe Tent groups and directed the city manager to set a public hearing to consider amending Ordinance no. 20650 (temporary establishment of “safe parking” and “safe tent” sites that are larger than allowed under section 4.816 of the Eugene Code, 1971); and extending its sunset date.

July 18, 2022 Public Hearing

The City Council held a public hearing to consider an ordinance amending Ordinance no. 20650 (temporary establishment of “safe parking” and “safe tent” sites that are larger than allowed under section 4.816 of the Eugene Code, 1971); and extending its sunset date.

July 25, 2022 City Council Meeting

The City Council approve an ordinance to amend Ordinance no. 20650 (temporary establishment of “safe parking” and “safe tent” sites that are larger than allowed under section 4.816 of the Eugene Code, 1971); and extend its sunset date, through June 30, 2024.

COUNCIL OPTIONS

- A. Direct the City Manager to prepare an ordinance and schedule a public hearing to amend Chapter 5 of the Eugene Code to addresses repeat parking violations in one or more of the ways discussed in this AIS.
- B. Direct staff to return with additional information.
- C. Take no action.

CITY MANAGER’S RECOMMENDATION

If the Council supports Option A, then the City Manager recommends scheduling a public hearing on a proposed ordinance to address repeat violators of the parking code in the manner outlined in this AIS.

POTENTIAL MOTIONS

To move to a public hearing all four potential code amendments discussed in this AIS:

Move to direct the City Manager to prepare an ordinance amending EC 5.225 and EC 5.265 as described in this AIS and schedule a public hearing on the ordinance.

OR

To individually consider moving to a public hearing each of the four potential code amendments discussed in this AIS:

Move to direct the City Manager to prepare an ordinance amending EC 5.265 (Parking Time Limit) to address same day returns to a block and to schedule a public hearing.

Move to direct the City Manager to prepare an ordinance amending the code to authorize vehicle impoundment after a third violation of EC 5.225(3)(e) within a 90-day period and to schedule a public hearing.

Move to direct the City Manager to prepare an ordinance amending EC 5.225 to prohibit a vehicle from blocking a mailbox and authorize vehicle impounded when it is in violation of the prohibition and schedule a public hearing.

Move to direct the City Manager to prepare an ordinance amending EC 5.225 to add the vehicle discharge violation found in EC 4.860(g) and schedule a public hearing.

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Jeff Petry, Curbside Admin. Services Director

Telephone: 541-682-5079

Staff E-Mail: jpetry@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Open Air Drug-use and Measure 110

Meeting Date: November 8, 2023
Department: Eugene Police
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Chris Skinner, Police Chief
Contact Telephone Number: 541-682-8461

ISSUE STATEMENT

In August 2023 a Council work session poll was passed with the topic of “Persistent Violators, Chronic Behavioral Problems and Open-Air Drug Use” with a focus on three issue areas. This work session will focus on the third issues area, “Current legal framework around open-air drug use. What options are available to the Council to address people openly using drugs in public spaces?” This work session will also discuss the effects of Measure 110, the status of potential legislative or ballot measure proposals for reform, and an option for Council to take action to include a statement in the City’s 2024 State and Federal Legislative Policy document supporting Measure 110 reform.

BACKGROUND

In November 2020, Oregon voters passed ballot measure 110, or the Drug Addiction Treatment and Recovery Act.

The measure decriminalized most possession of a controlled substance offenses from a felony or misdemeanor to a new Class E violation, punishable with a \$100 fine. The fine can be waived if the person agrees to complete a health assessment at an addiction recovery center. The measure also establishes a drug addiction treatment and recovery program.

Additionally, since 2020 the United States has experienced an acceleration in the opioid crisis driven primarily by the growth of synthetic opioids such as fentanyl.

RELATED CITY POLICIES

This work session relates to the [2023-2026 City of Eugene Strategic Plan](#) focus area Urgent Community Needs and strategic goal to Increase Sense of Safety.

PREVIOUS COUNCIL DIRECTION

None.

COUNCIL OPTIONS

- A. Include in the City's 2024 State and Federal Legislative Policy document that "Eugene supports efforts to reform Ballot Measure 110".
- B. Include an alternative statement in the City's 2024 State and Federal Legislative Policy document related to Measure 110.
- C. Take no action at this time.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends including in the City's 2024 State and Federal Legislative Policy document that "Eugene supports efforts to reform Ballot Measure 110".

SUGGESTED MOTION

Move to include in the City's 2024 State and Federal Legislative Policy document that "Eugene supports efforts to reform Ballot Measure 110".

ATTACHMENTS

None.

FOR MORE INFORMATION

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