



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

October 23, 2023

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 October 23, 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

7:30 p.m. CITY COUNCIL MEETING

- 1. COMMITTEE REPORTS AND ITEMS OF INTEREST**
- 2. CONSENT CALENDAR 1**
 - A. Approval of City Council Minutes**
 - June 28, 2023 Work Session
 - September 13, 2023 Work Session and Urban Renewal Agency Meeting
 - September 20, 2023 Work Session
 - September 27, 2023 Work Session
 - B. Approval of City Council Tentative Agenda**
 - C. Adoption of a Resolution Amending Eugene City Council Operating Agreements and Repealing Resolution No. 5381**
- 3. PUBLIC FORUM**
- 4. CONSENT CALENDAR 2**
 - A. Approval of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-12-20, Tax Lot 01900 Located at 594 River Loop 1). (City File: A 23-4)**
- 5. ACTION: An Ordinance Concerning Low-Income Rental Housing Property Tax Exemption and Amending Sections 2.937, 2.938, 2.939 and 2.940 of the Eugene Code, 1971.**

October 23, 2023 Meeting

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



Approval of City Council Minutes

Meeting Date: October 23, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-5042

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

BACKGROUND

Per City Council Operating Agreements, written minutes shall be taken for all City Council meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

As a matter of courtesy and efficiency a councilor should notify the Mayor and other councilors that they intend to propose an amendment to the minutes and should propose replacement text in advance of the meeting at which those minutes are scheduled to be approved. If the proposed amendment is a simple factual, grammatical, or spelling correction, the amendment may be proposed without consulting the minutes recorder. If the proposed amendment is substantive in nature or seeks to clarify the speaker's intent, the councilor should notify the minutes recorder and request verification of the proposed amendment.

SUGGESTED MOTION

Move to approve the minutes for the work sessions, meetings, and public hearings on June 28, 2023, September 13, 2023, September 20, 2023 and September 27, 2023.

ATTACHMENTS

- A. June 28, 2023 Work Session
- B. September 13, 2023 Work Session and Urban Renewal Agency Meeting
- C. September 20, 2023 Work Session
- D. September 27, 2023 Work Session

FOR MORE INFORMATION

Staff Contact: Sara McKinney, Deputy City Recorder

Telephone: 541-682-5042

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

**June 28, 2023
12:00 p.m.**

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

Mayor Vinis opened the June 28, 2023, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. WORK SESSION: Renters Protections Phase II.

City Manager Medary introduced Amy Cameron, Rental Housing Navigator, Will Dowdy, Community Development Director, Amanda Noble Flannery, Housing and Homelessness Section Manager, and Genevieve Middleton, Affordable Housing Policy and Planning Manager who presented on a draft ordinance for Renters Protections Phase II.

Councilor Discussion:

- Mayor Vinis – noted that Council previously removed the exemption for affordable housing.
- Councilor Leech – asked to discuss the small landlord compensation fund.
- Councilor Zelenka – asked about the timeframe for a landlord to register an exemption; asked what happens if a landlord does not meet the deadline; asked about the process for current landlords who qualify for an exemption; stated it should be made clear that the exemptions apply to existing leases.
- Councilor Clark – asked if middle housing and other housing types are defined in the ordinance; asked about the legality of requiring current landlords to apply for exemptions; asked how small landlords will be notified of the new requirements; stated it will not be possible to notify every person who qualifies for the exemption; stated he would prefer if registration was not required.
- Councilor Yeh – noted she would be voting against the exemptions.
- Councilor Semple – noted she would be voting against the exemptions; asked what types of housing need to take rental applications in the order they were received.
- Councilor Keating – asked what percentage of landlords are renting their personal residence; asked if exemptions 2, 3, and 4 would increase home sharing.
- Councilor Zelenka – noted exemptions 2, 3, and 4 would impact a landlord's quality of life; asked if certain exemptions could be grandfathered in under the new ordinance; noted concerns about the notification process for tenants and landlords.
- Councilor Clark – asked to clarify that there was not a motion on the table; asked how many rental units are not in the City database; asked if there is a penalty for not registering one's rental; stated a preference for exemptions to apply automatically.

MAIN MOTION: Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to revise the draft Ordinance to remove relocation assistance exemptions 2, 3, and 4.

Councilor Discussion:

- Councilor Leech – noted she does not want to discourage small landlords from home sharing or building accessory dwelling units; noted she is in favor of retaining the exemptions.
- Councilor Keating – noted he is in favor of enforcement of landlord registration; asked if the City has a history of informing those who may be affected by an ordinance change.
- Councilor Clark – clarified the meaning of the motion; stated removing the exemptions would decrease middle housing; stated that the added potential liability could negatively impact approval rates for those who intend to buy and rent out properties.
- Councilor Groves – believes it is important for a landlord to have the ability to manage the shared space they live in; is concerned that removing these exemptions could have a negative impact on the vulnerable population who rely on HomeShare to remain in their home; stated he is against removing the exemptions.
- Councilor Zelenka – noted he is in favor of grandfathering in existing leases.
- Councilor Semple – noted having a tenant in the same house is different than having a tenant on the same property.

MOTION TO DIVIDE: Councilor Semple, seconded by Councilor Yeh, moved to divide the motion into 2 as one motion, and 3 and 4 as a separate motion.

VOTE: 5:4 PASSED (opposed by Councilors Keating, Groves, Clark, and Zelenka with Mayor Vinis' vote in favor breaking the tie)

Councilor Discussion:

- Councilor Yeh – stated the intention of this process is to support the underserved members of the community, not to support the privileged.
- Councilor Clark – stated this process will have a negative effect on housing in Eugene.

MOTION: Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to revise the draft Ordinance to remove relocation assistance exemption 2. **VOTE: 2:6 FAILED** (opposed by Councilors Clark, Evans, Groves, Keating, Leech, Zelenka)

MOTION: Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to revise the draft Ordinance to remove relocation assistance exemptions 3 and 4. **VOTE: 4:5 FAILED** (opposed by Councilors Clark, Groves, Leech, and Zelenka with Mayor Vinis' vote in opposition breaking the tie)

MOTION: Councilor Zelenka, seconded by Councilor Keating, moved to direct the City Manager to amend the draft ordinance to apply the notice

requirements of exemptions to 2, 3 and 4 only to leases executed after the effective date of the ordinance.

Councilor Discussion:

- Councilor Keating – stated a preference for a date certain starting January 1, 2024 due to the need to educate the community about the new notification requirements; asked if there were benefits to starting sooner.

MOTION TO SUBSTITUTE: Councilor Clark, seconded by Councilor Semple, moved to substitute for complete removal of notice requirements for exemptions 2, 3 and 4.

Councilor Discussion:

- Councilor Clark – noted that his proposed substitute would remove the burden of notification from the landlord; stated that removing the notice requirement would automatically apply a landlord exemption if applicable.
- Councilor Zelenka – noted removing the notice requirement would also remove the notice from the lease; stated he is against removing notice requirements from the lease.
- Councilor Semple – asked how current tenants will receive notice of changes to relocation assistance rules.
- Councilor Clark – stated his motion will prevent the creation of a disparate class of people based on an arbitrary date.
- Councilor Semple – spoke in favor of notifying all tenants of changes to rental assistance.
- Councilor Leech – noted she is in favor of encouraging landlords to register with the City; stated she is against the motion to substitute.
- Councilor Groves – stated he is favor of tenants being required to give notice of intent to end a lease to qualify for assistance.

VOTE ON MOTION TO SUBSTITUTE: 1:7 FAILED (opposed by Councilors Semple, Keating, Zelenka, Yeh, Evans, Leech, and Groves)

Councilor Discussion:

- Councilor Keating – spoke in favor of providing outreach to all tenants and landlords.

VOTE: 5:4 PASSED (opposed by Councilors Clark, Groves, Semple, and Yeh with Mayor Vinis' vote in favor breaking the tie)

MOTION: Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to revise the draft Ordinance to remove relocation assistance exemptions 5 and 6.

Councilor Discussion:

- Councilor Zelenka – asked if month-to-month tenancies qualify for relocation assistance; asked how exemptions 5 and 6 work if the landlord decides to re-occupy or re-rent their principal residence.
- Councilor Semple – stated she is against exemptions 5 and 6.
- Councilor Clark – asked if exemptions 5 and 6 include vacation rentals; asked if a tenant of a vacation rental would qualify for relocation assistance without exemption 5.
- Councilor Yeh – asked if there is a mechanism to track whether a landlord re-occupies the residence under exemptions 5 and 6; asked if staff had concerns about enforcement.
- Councilor Keating – asked if he could divide the motion; noted he supports exemption 6; noted he does not support exemption 5.

MOTION TO DIVIDE: Councilor Keating, seconded by Councilor Semple, moved to divide 5 and 6. **VOTE: 8:0 PASSED**

MOTION: Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to revise the draft Ordinance to remove relocation assistance exemptions 5.

Councilor Discussion:

- Councilor Zelenka – noted the leases covered by exemption 5 are clearly temporary.
- Councilor Semple – stated support for the exemption because the tenant is given notice of the temporary nature of the lease.
- Councilor Clark – asked if relocation assistance is available to a tenant who rents on a month-to-month basis; asked if a tenant could qualify for two months of rental assistance after 31 days of tenancy.
- Councilor Keating – stated that a landlord who rents their principal residence has the means to pay relocation assistance; asked for the median annual salary of a renter; stated he is in favor of removing exemption 5.

VOTE: 3:5 FAILED (opposed by Councilors Zelenka, Clark, Evans, Leech, and Groves)

The meeting was adjourned at 1:31 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 and Urban Renewal Agency Meeting Eugene, Oregon 97401

September 13, 2023
12:00 p.m.

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

Mayor Vinis opened the September 13, 2023, work session of the Eugene City Council in a virtual format.

1. **WORK SESSION: Climate-Friendly and Equitable Communities Parking Reform
Land Use Code Amendments (CA 23-1)**

City Manager Sarah Medary, introduced Land Use Supervisor, Reid Verner, Building Permit Services Director, Lydia Bishop, and Associate Planner, Leah Rausch, who presented information on the Climate-Friendly and Equitable Communities Parking Reform Land Use Code Amendments (CA 23-1).

Councilor Discussion:

- Councilor Groves – is concerned about the State’s mandated changes; asked how reducing off-street parking will reduce greenhouse gas emissions; is concerned that people will drive more searching for parking; is worried about the impacts to neighborhoods; stated that the narrow streets in Eugene limit parking to only one side of the street, reducing available on-street parking; believes this reform will create more problems.
- Councilor Zelenka – does not support the mandated changes, and believes changes should be phased in over time; stated that the City does not need these rules to achieve the greenhouse gas reduction targets; likes the electric vehicle requirements; stated that Oregon has 68 thousand electric vehicles and 16 percent of new vehicle sales are electric vehicles; stated that this mandate would only apply to new development; stated that the intended purpose of reducing off-street parking is to increase use of alternative modes of transportation; believes this theory is flawed; believes this parking reform will push parking into neighborhoods and create problems; is concerned about unintended consequences; believes that developers and lenders will continue to provide parking in new developments.
- Councilor Semple –stated that if the City complies with the mandate before the deadline it has the option to change it later; noted that the City will be stuck with the State’s outline if it does not meet the deadline; is in favor of moving forward with plan one; stated that properties with parking are desirable, which will encourage developers to continue to provide parking; is concerned about the amount of staff time it would take to create new parking plans.

- Councilor Keating – is concerned about the ‘one-size fits all’ parking mandate from the State; is concerned about the public safety impact of additional on-street parking on narrow streets in the South Hills; stated confusion over mandates that encourage electric vehicle use but do not provide for off-street parking for charging of those vehicles; asked why Council should support less off-street parking for electric vehicles; asked about studies on similar parking reforms and how it impacts renters.
- Councilor Semple – is in favor of more electric vehicle usage; stated that electric vehicles cannot charge on the street; is concerned about extension cords being run across sidewalks for charging vehicles.
- Councilor Zelenka – stated that electric vehicle charging without off-street parking would be difficult and inequitable; stated that hard-wire charging is the only option right now and that non hard-wire charging will not be available or affordable for a long time; stated that the current electric vehicle charging build-out relies on off-street parking; thinks that there is a disconnect between Land Conservation Development Commission and Department of Environmental Quality in regard to electric vehicle promotion and parking reform; is interested in public testimony on this topic; asked the public to provide testimony with options and solutions; noted that this is a State mandate and Council has to comply.
- Mayor Vinis – stated that the simplest pathway is the best option; stated that developers can still choose to provide parking; is interested to see how the equity of this reform works; hopes that this reform will help to increase the supply of affordable homes; asked if a public charging parking area would be a feasible option for the City to provide.
- Councilor Evans – asked staff to provide information on how a tax on parking lot revenue would work and what benefits it may provide; asked staff to clarify how the ‘one-half parking space’ per unit would work; asked staff to confirm that if Council adopts option 1 prior to the State deadline, it can come back and add or subtract parts of the ordinance.
- Councilor Zelenka – asked staff to provide analysis on the work required to adopt option 2A or 2B.
- Mayor Vinis – stated that the Planning Commission spent a lot of time on this plan and would be a good resource to Council to get more information.
- Councilor Clark – believes that this parking reform will increase emissions created while people look for parking; does not support the State imposition of reform; encouraged constituents to communicate to their legislators about this type of top-down mandate.

Mayor Vinis adjourned the Eugene City Council work session and called the September 13, 2023, meeting of the Eugene Urban Renewal Agency to order.

Council Keating left the virtual meeting at 12:40 p.m.

2. **WORK SESSION: Proposed Riverfront Urban Renewal Amendment**

Agency Director, Sarah Medary, gave a brief introduction to proposed amendment and

introduced development Programs Manager, Amanda D'Souza, who presented information regarding the proposed Riverfront Urban Renewal amendment.

Councilor Discussion:

- Councilor Clark – asked why staff chose to not provide any preliminary cost information for Fire Station 17; is in favor of moving forward with the proposed changes; would like to have the option to use some of the Riverfront space for Fire Station 17; asked how to ensure that Fire Station 17 is not precluded as an option for funding.
- Councilor Evans – asked staff for more specific information about the \$6.3 million gap for the Steam Plant project; asked what kind of project funding is required to make the Steam Plant project move forward; asked staff to provide information regarding what projects the funding would be applied to.
- Councilor Groves – stated that the cost of building Fire Station 17 would depend on what type of fire station it would be; stated that Fire Station 1 was funded by a bond in 2002 of approximately \$10 million; asked if there is any blight in the Riverfront District; asked if there is a plan for the eight acres that would be acquired in the University of Oregon land swap and what the cost would be to make it usable land; is concerned about the cost of taking on new land; asked if City Hall work can be paid for by the District; is interested in using District funds for future balloon payments on City Hall.
- Councilor Zelenka – is not in favor of Urban Renewal Districts; is in favor of using funds to increase housing; does not consider the Steam Plant hotel project a housing project; stated that option C only puts 40 percent of the funds toward housing; asked if the Steam Plant project does not move forward, can that funding be applied to housing projects; asked staff to add a statement that would direct any unused Steam Plant funds to housing; would like City Hall and Fire Station 17 to be options in the project list; stated that the eight acres in the University of Oregon land swap should be undeveloped park land.
- Councilor Semple – asked if Council needs to set funding allocations now; asked if all potential projects must be included in the amendment to be eligible; asked if previously approved project funds, like the railroad quiet zone, are still set aside; asked if those previously approved projects can receive additional funds from this amendment; asked for clarification of what funds are being used for the 8th Street project; asked if the protected bike lane on High Street is also funded; asked staff to clarify the tax implication of the amendment on homeowners.
- Councilor Yeh – would be in support of more funding for housing; looks forward to public input on this proposed amendment.
- Mayor Vinis – stated that the Steam Plant is the definition of blight, the purpose of Urban Renewal is to address blight; hopes that Council will move forward on this amendment; would like to see the Steam Plant be funded.

MOTION: Councilor Groves, seconded by Councilor Semple, move to direct the Agency Director to being the process of amending the Riverfront Urban Renewal Plan using spending scenario B, consistent with the draft Plan and Report included in Attachments A and B.

Councilor Discussion:

- Councilor Zelenka – asked if Council can move forward all three options staff presented; proposed a friendly amendment to move forward spending scenario A, B, or C.
- Councilor Semple – is concerned that if Council chooses the \$45 million option, they will get stuck spending it; does not want it to become a slush fund; would like to explore all of the options for spending scenarios.
- Councilor Groves – stated that Council would not be required to spend all of the allocated funds.

MOTION (with friendly amendment) and VOTE: Councilor Groves, seconded by Councilor Semple, move to direct the Agency Director to begin the process of amending the Riverfront Urban Renewal Plan using spending scenario A, B, or C consistent with the draft Plan and Report included in Attachments A and B. **VOTE: PASSED 7:0**

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

Respectfully submitted,

Katie LaSala
City Recorder

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

September 20, 2023
12:00 p.m.

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

Mayor Vinis opened the September 20, 2023, work session of the Eugene City Council in a virtual format.

1. **WORK SESSION: Systems Development Charges Updates – Adjustment to Transportation SDCs for Compact Development & Legislation Update on HB 2984 (2023).**

City Manager, Sarah Medary, introduced City Engineer, Jenifer Willer, who provided a presentation on Systems Development Charges Updates – Adjustment to Transportation SDCs for Compact Development & Legislation Update on HB 2984 (2023).

Councilor Discussion:

- Councilor Groves – asked staff to clarify if the amended agenda impacts the motion.
- Councilor Zelenka – asked staff to confirm that the cap was placed because the City was unsure about the requested amount and to avoid a large impact on budget; asked staff to confirm that the amount of system development charges used was modest; asked staff if they anticipate the requests to remain modest; asked staff if lifting the cap could create future problems.
- Councilor Semple – was against the original cap limitation; is in support of lifting the cap.

MOTION and VOTE: Councilor Groves, seconded by Councilor Keating, move to adopt the resolution at Attachment B to this AIS to eliminate the cap on compact development adjustments to transportation system development charges.

VOTE: PASSED 8:0

MOTION and VOTE: Councilor Groves, seconded by Councilor Keating, move to adopt the resolution at Attachment C to this AIS to adopt a policy regarding system development charges for conversion of buildings from commercial to residential use in non-industrial zones.

VOTE: PASSED 8:0

2. **WORK SESSION: City Climate Action Strategies Update**

City Manager, Sarah Medary, introduced Sustainability Manager, Ian Penn, who presented information on the City Climate Action Strategies Update.

Councilor Discussion:

- Councilor Zelenka – believes that phasing down and phasing out fossil fuel use is critical to address climate change; is concerned that the focus on actions that will reduce greenhouse gas emissions has been lost; noted that there are programs available to help cities reduce greenhouse gas emissions in a cost effective way; believes certain actions can benefit businesses and households while reducing greenhouse gas emissions; noted that implementing the State’s programs would help the City meet the greenhouse gas emission goal of 2035; believes the focus should be on helping Oregon programs succeed and taking advantage of the incentives for Eugene businesses and households; stated that the importance of community outreach and education in the process; concerned about staff time to implement all of the programs; is interested in a program manager to maximize the benefits.
- Councilor Groves – is interested in ways to reduce primary energy consumption, such as increased weatherization and efficient heating and cooling equipment; is interested in what Council can do to develop a weatherization program with state and federal funding; stated that low-income community members often have the least energy efficient homes; stated that working with landlords to offset the costs of weatherization could benefit renters; believes there should be three channels to a program: residential, landlords for residential, and commercial/industrial; stated that accelerating the street tree program can control cooling and temperature spikes; would like more information regarding resiliency during an emergency.
- Councilor Evans – asked if an equity lens has been developed and whether it would be applied on a municipal level; asked how assessments will be applied to the most underserved communities; asked if the program manager would be a new position and if so, to what department; stated the program manager would need to coordinate state and federal programs for the community to get funds quickly and efficiently; asked staff to explain how a program manager would be funded and supported; stated that where and how the program is managed will be important to ensuring the services are distributed efficiently.
- Councilor Yeh – asked to discuss progress made on the climate goals over the last five years; likes the idea of a project manager; is concerned that the City could lose opportunities for available programs if it is not prepared.
- Councilor Zelenka – outlined some of the federal and state tax credits and cash incentives that will be available for weatherization programs; stated that the State has heat-pump and solar programs; stated that a bill was recently passed for county level energy resiliency grants; stated that energy efficiency in Oregon provides 45,000 jobs which will increase with additional programs; believes that the City should track the increase in jobs; stated that the project manager position would require a team of people; encouraged the City Manager to leverage federal grants for staffing a project management team.
- Councilor Keating – is interested in improving tree preservation with State and Federal funding; asked staff if engagement will seek out those who have previously

been underrepresented in engagement; asked if there is an opportunity for an online engagement dashboard to monitor the progress of the work; offered to engage in a town hall if staff would like to explore that option.

- Councilor Leech – is concerned about missing out on State of Federal grant funding due to staffing capacity issues; would like to hear more about the trajectory of projects and how they will be funded; is excited about the grant opportunities available.
- Mayor Vinis – stated that Council did establish an equity panel as part of the CAP2.0 process and provided childcare and dinner to enable people to engage; stated that the Sustainability Commission has a priority to do more outreach with the community; stated that CAP2.0 provides a framework on how to do climate work; stated that collaboration and cooperation with partner agencies is important when applying for grant funding; stated that the work that the Environmental Protection Agency local government advisory council is doing around capacity building and equitable outreach on the national level aligns with this discussion.

Mayor Vinis adjourned the meeting at 1:19 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Sara McKinney)

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

September 27, 2023
12:00 p.m.

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

Mayor Vinis opened the September 27, 2023, work session of the Eugene City Council in a virtual format.

1. **WORK SESSION: Operating Agreements and the Boards, Commissions, and Committees Appointment Process**

City Manager, Sarah Medary, introduced the topic and City Recorder, Katie LaSala, who provided a presentation on Council Operating Agreements and the Boards, Commissions, and Committees appointment process.

Councilor Discussion:

- Councilor Zelenka – asked if staff has calculated the average length of forum times; would like staff to provide data that shows the number of forums that have exceeded 60 minutes.
- Councilor Yeh – asked why the Sustainability Commission has a different appointment process from other boards, commissions and committees; believes the appointment process should align across all boards, commissions, and committees; stated it is difficult to find an appropriate candidate to appoint to Sustainability without a recruitment process.
- Councilor Clark – believes that the process of Councilor direct appointments has merit; would like Council to consider direct appointment for the Budget Committee and Planning Commission; believes there is more participation from some wards as a result of the message that is sent out to the community.
- Councilor Semple – noted that the Sustainability Commission has not had a full slate for some time; would prefer that all of Sustainability Commission appointments were at large to achieve a full slate; stated that ward information is on the application details; acknowledged that the memberships are not distributed evenly throughout the City and will never be if Councilors choose to not make the direct appointments.
- Councilor Zelenka – outlined previous Council appointment process for Sustainability Commission; stated that Councilors could use at large applicants to generate a list of possible appointments.

MOTION: Councilor Zelenka, seconded by Councilor Keating, move to limit any individual to only one appointed Council Board or Commission at a time, not including liaison positions identified in city code.

Councilor Discussion:

- Councilor Zelenka – stated that appointing one person to two different seats limits participation; thinks that Council should try to expand participation as much as possible; believes this motion will help maximize the number of citizens involved in boards and commissions.
- Councilor Keating – asked to make a friendly amendment to include language to state “not including City Councilors” in the motion; would like the motion to be clear that it would not limit the Mayor and Council’s participation in multiple boards and commissions.
- Councilor Groves – is concerned that this limitation may limit applications received for boards that do not get a lot of community interest; believes that clarification should be added to the motion to state that it would not apply to Council.
- Councilor Semple – asked if applicants could apply to more than one board or commission; stated she looks at who applies to more than one position and nominates based on what the applicant is best suited for; is concerned about discouraging applicants from applying for more than one position; stated that applicants from outside of the City sometimes apply; stated Councilors must live within their wards; believes that applicants should reside within the City.
- Councilor Leech – does not support limiting participation; believes that if a person fits the need for more than one board or commission, they should be considered for more than one seat; would like more conversation regarding applicant fit during the recruitment process.
- Mayor Vinis – stated that when she is making her recommendations, she notes if an applicant has applied to more than one seat; stated the need for a process to review all nominations for duplication prior to the final appointment process.
- Councilor Zelenka – stated this motion only applies to the appointment process, not the application process; stated he does not typically nominate people for more than one position; stated that staff provide indication in the materials to note when an applicant has applied to more than one board or commission; stated that capacity to serve on more than one board or commission is a concern.
- Councilor Semple – would like to have more people participating; supports not appointing individuals to more than one position; does not want to limit interviews; is concerned about how the appointment process will work with this limitation.
- Councilor Zelenka – noted that the voting process may need a change to address applicants that are being considered for more than one position; believes staff could assist with a process.
- Councilor Leech – asked how term limits may impact this process; would not want term limit overlaps to prevent someone from applying or being appointed; stated that if an applicant says they have capacity to fill more than one position that should be enough for Council to consider them.

- Councilor Semple – does not want to have people serve on more than one board or commission; will not support the motion until there is more information on how it would work; asked why Council selects some and Mayor selects others; stated that she has not seen Council appoint someone other than the individual nominated by Mayor; asked why the commissions are interviewed differently; would like a more strenuous process for Planning Commission.

MOTION (with friendly amendment) and VOTE: Councilor Zelenka, seconded by Councilor Keating, move to limit any individual to only one appointed Council Board or Commission at a time, not including liaison positions identified in city code or City Councilors. **VOTE: PASSED 5:3** (opposed by Councilors Clark, Leech and Semple)

Councilor Discussion:

- Councilor Clark – stated that he would like Council to nominate applicants in public meeting.
- Councilor Semple – asked if there will be discussion about other rules beyond boards and commissions; would like public hearing testimony to limited to two and a half minutes; would like the seating arrangement to be changed.
- Councilor Zelenka – stated he would support a motion to limit public hearing testimony to two and a half minutes; stated that the seating arrangement rotation is outlined in the operating agreements.

MOTION and VOTE: Councilor Semple, seconded by Councilor Zelenka, move to approve the proposed change for public hearing testimony from three minutes to two and a half minutes and direct the City Manager to place on upcoming consent agenda a resolution adopting the updated operating agreements.

VOTE: PASSED 7:1 (opposed by Councilor Clark)

2. WORK SESSION: Intergovernmental Relations (IGR) Operating Agreements Updates

Mayor Vinis introduced Intergovernmental Relations Manager, Ethan Nelson, who provided updates on the Intergovernmental Relations Operating Agreements.

Councilor Discussion:

- Councilor Evans – stated that the Intergovernmental Relations committee met on September 5, 2023 [Meeting date was September 6, 2023] and reviewed proposed revisions as presented and voted unanimously with a recommendation for the Council to approve; stated that Ethan Nelson reached out to each member of IGR Committee this week to discuss the additional items that were identified in the September 21, 2023 revisions; is in favor of the changes as presented.
- Councilor Semple – asked what it means to be a standing committee; asked staff to clarify the difference between this commission and other boards and commissions.

- Councilor Keating – stated that he is interested in policy work; would like Intergovernmental Relations committee to include all councilors; would like Council to have more touch points with Intergovernmental Relations.
- Councilor Zelenka – does not like the Intergovernmental Relations process; feels isolated from the process when he's not on the Intergovernmental Relations committee; stated that Council used to discuss legislation more often to provide input; does not support the motion outlined unless it is altered to require more engagement with Council.
- Councilor Groves – stated that not all councilors can be involved in every part of government; stated the motion is to modernize the language to meet the current processes; believes a larger rethinking of Intergovernmental Relations should be a separate work session.
- Councilor Evans – suggested that Council bring this topic back at the next retreat to discuss options from League of Oregon Cities for best practices on Intergovernmental Relations, including how they are composed and done by other city councils in the state.

MOTION and VOTE: Councilor Groves, seconded by Councilor Keating, move to approve the proposed changes outlined in Attachment C and to direct the City Manager to place on an upcoming consent agenda a resolution adopting the updated Operating Agreements. **VOTE: PASSED 6:2** (opposed by Councilors Keating and Zelenka)

Mayor Vinis adjourned the meeting at 1:16 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: October 23, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2B
Staff Contact: Katie LaSala
Contact Telephone Number: 541-682-5010

ISSUE STATEMENT

This is a routine item to approve the City Council Tentative Working Agenda.

BACKGROUND

Per City Council Operating Agreements, at each regular meeting of the Council, the City Manager shall present the Tentative Agenda. This shall be placed on the Consent Calendar. If there are any concerns about the items on the Tentative Agenda, it may be removed at the request of any councilors from the Consent Calendar and discussed separately.

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. City Council Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Katie LaSala
Telephone: 541-682-5010
Staff E-Mail: klasala@eugene-or.gov



City Council Tentative Agenda

Updated October 18, 2023

City Council meetings will continue to be held using hybrid and virtual meeting technology. Materials and information about how to access these meetings will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>.

October 2023						
Date	Day	Time	Title		Length	Dept. Contact
23-Oct	Monday	5:30 pm		Move EUG Project List (Work Session, Possible Action)	45 mins	Reed Dunbar, PW
				Neighborhood Planning (Work Session)	45 mins	Alissa Hansen, PDD
Expected Absence: Mayor Vinis			Work Session Location: Public via Virtual Only			
23-Oct	Monday	7:30 pm		Committee Reports and Items of Interest		Katie LaSala, CS
				Council Operating Agreements (Consent Calendar 1)		
				Public Forum		
				Res. Annexing Land at 594 River Loop 1 (Compeau; A 23-4) (Consent Calendar 2)		Shawn Burgett, PDD
				LIRHPTE Code Amendments Expanding Eligibility to Limited Equity Cooperative Housing (Possible Action)		Laura Hammond, PDD
Expected Absence: Mayor Vinis			Location: Public via Virtual & Council Chambers, Room 114			
25-Oct	Wednesday	12 pm		Presentation of Initiative Petition 2023-2 to Council (Work Session)	45 mins	Katie LaSala, CS
				Topic Pending Confirmation (Work Session)	45 mins	Staff
Expected Absence: Sarah Medary			Work Session Location: Virtual Only			



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

November 2023						
Date	Day	Time	Title		Length	Dept. Contact
8-Nov	Wednesday	12 pm		Persistent Violators, Chronic Behavioral Problems (Work Session)	45 mins	Staff
				Open-Air Drug Use and Measure 110 (Work Session)	45 mins	Staff
Work Session Location: Virtual Only						
13-Nov	Monday	5:30 pm		Sustainability Commission Annual Report and Work Plan (Work Session)	45 mins	Danielle Klinkebiel, PW
				Human Rights Commission Annual Report and Work Plan (Work Session)	45 mins	Drae Charles, CS
Expected Absence: Councilor Semple			Work Session Location: Public via Virtual Only			
13-Nov	Monday	7:30 pm		Pledge of Allegiance in recognition of Veteran’s Day		Jeff Gepper, PDD
				Ceremonial Matters		
				Committee Reports and Items of Interest		
				Public Forum		
				Cintas Metro Plan Amendment & Zone Change (File: MA 23-4/Z 23-6) (Possible Action)		
				Climate Friendly and Equitable Communities Parking Reform Land Use Code Amendments (Possible Action)		Lydia Bishop, PDD
Expected Absence: Councilor Semple			Location: Public via Virtual & Council Chambers, Room 114			
15-Nov	Wednesday	12 pm		Riverfront Urban Renewal Amendment (Work Session)	45 mins	Amanda D’Souza, PDD
				Risk Bond follow-up discussion (Work Session)	45 mins	Ian Penn, PW
Expected Absence: Councilor Semple			Work Session Location: Virtual Only			
20-Nov	Monday	5:30 pm		TBD (Public Hearing)		
Location: Public via Virtual & Council Chambers, Room 114						
22-Nov	Wednesday	12 pm	No meeting scheduled			
27-Nov	Monday	5:30 pm		Riverfront Urban Renewal Amendment	45 mins	Amanda D’Souza, PDD

			(Work Session, Possible Action)		
			 IGR Policies and Priorities 2024 (Work Session)	45 mins	Ethan Nelson, CS
<i>Work Session Location: Public via Virtual Only</i>					
27-Nov	Monday	7:30 pm	 Committee Reports and Items of Interest  Public Forum  Res. Annexing Land at 661 Bushnell Lane (661 Bushnell; A 23-5) (Consent Calendar 2)  Res. Annexing Land at 37 Bushnell Lane (37 Bushnell; A 23-6) (Consent Calendar 2)		Shawn Burgett, PDD Shawn Burgett, PDD
<i>Location: Public via Virtual & Council Chambers, Room 114</i>					

December 2023					
Date	Day	Time	Title	Length	Dept. Contact
6-Dec	Wednesday	5:30 pm	<i>Budget Committee Meeting</i>		Christina Wozniak, CS
<i>Budget Committee Location: Virtual Only</i>					
11-Dec	Monday	5:30 pm	 <i>Topic Pending Confirmation</i> (Work Session)	45 mins	Staff
			 TBD (Work Session)	45 mins	Staff
<i>Work Session Location: Public via Virtual Only</i>					
11-Dec	Monday	7:30 pm	 Committee Reports and Items of Interest  Public Forum  City of Eugene Supplemental Budget (Public Hearing and Action)  Urban Renewal Agency Supplemental Budget (Public Hearing and Action)  Urban Renewal Agency Annual Financial Report (Action)  City of Eugene Annual Comprehensive Financial Report (ACFR) (Action)		
<i>Location: Public via Virtual & Council Chambers, Room 114</i>					

13-Dec	Wednesday	12 pm	 TBD (Work Session)	45 mins	Staff
			 TBD (Work Session)	45 mins	Staff
Work Session Location: Virtual Only					

Note: Council Break December 14 – January 8

UPCOMING PUBLIC HEARINGS			
Date/Time	Topic/Title	Description	Staff Contact
		proposed ordinances will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Gas Stations – Oct 18	Keating	4/15/22
Bethel Area Plan – Oct 23 (Work Session title: Neighborhood Planning)	Evans	7/22/22
Persistent Violators, Chronic Behavioral Problems and Open-Air Drug Use – Nov 8	Groves	8/28/23

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Amending Eugene City Council Operating Agreements and Repealing Resolution No. 5381

Meeting Date: October 23, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2C
Staff Contact: Katie LaSala
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

The City Council Operating Agreements is the document that guides how Council conducts its business. Occasionally, amendments are made to the document to reflect Council's desire to update processes. These amendments must be adopted by resolution.

BACKGROUND

At the September 27, 2023 work session, Council discussed a revision to Section 1.06 (Public Hearings) of the City Council Operating Agreements. The changes were supported by council motion at the September 27, 2023, work session and are outlined in Attachment A.

Staff are also proposing one minor correction to Section 2.01 (Contact the City Manager), to align with the previous changes approved by council on September 11, 2023.

Council also discussed revisions to Council's Operating Agreements for the Intergovernmental Relations Committee, specifically sections 1 (Purpose of Council Committee on Intergovernmental Relations), 8 (Process for Sessions of the Oregon Legislature), 9 (Process for Introducing Legislation), 10 (Process for Review and Prioritization of Legislation), 11 (Voting on Bills), 12 (Communicating with Council), 13 (Process for Federal Lobbying Efforts), 14 (Grants and Funding Applications), 15 (Resolution 4908), and 16 (Council Operating Agreements). These changes were supported by Council motion at the September 27, 2023, work session and are also outlined in Attachment A.

PREVIOUS COUNCIL DIRECTION

[July 19, 2023, Work Session](#)

Council passed a motion directing staff to bring back a resolution amending their Operating Agreements with the changes reflected from their discussion. Council also requested a follow-up session in the fall to discuss other potential Operating Agreement changes. *(Motion passed 7:0)*

[September 11, 2023, Meeting](#)

Council approved a Resolution 5381, amending their Operating Agreements with the changes discussed on July 19, 2023. *(Motion passed 7:0)*

September 27, 2023, Work Session

Council passed two motions directing staff to bring back a resolution amending their Operating Agreements with the changes reflected from their discussion.

Councilor Semple, seconded by Councilor Zelenka, move to approve the proposed change for public hearing testimony from three minutes to two and a half minutes and direct the City Manager to place on upcoming consent agenda a resolution adopting the updated operating agreements. *(Motion passed 7:1)*

Council also discussed proposed changes to the IGR Committee's Operating Agreements that were approved by the IGR committee and forwarded to the full City Council for review with the recommendation to adopt.

Councilor Groves, seconded by Councilor Keating, move to approve the proposed changes outlined in Attachment C and to direct the City Manager to place on an upcoming consent agenda a resolution adopting the updated Operating Agreements. *(Motion passed 6:2)*

COUNCIL OPTIONS

The City Council may choose to:

- 1) adopt the revisions and proposed resolution as submitted
- 2) offer suggestions for modified language
- 3) not adopt the resolution

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the proposed resolution.

SUGGESTED MOTION

Move to adopt a Resolution amending Eugene City Council Operating Agreements and repealing Resolution No. 5381.

ATTACHMENTS

- A. City Council Operating Agreements and Intergovernmental Relations Committee Operating Agreements with Proposed Revisions
- B. Proposed Resolution with Exhibit A – Revised City Council Operating Agreements

FOR MORE INFORMATION

Staff Contact: Katie LaSala, City Recorder
Telephone: 541-682-5882
Staff E-Mail: klasala@eugene-or.gov

EUGENE CITY COUNCIL OPERATING AGREEMENTS

RESOLUTION NUMBER ~~5381~~5387

ADOPTED ~~SEPTEMBER 11, 2023~~OCTOBER 23, 2023

INTRODUCTION

The Municipal Charter of the City of Eugene (Charter) and Eugene City Code, 1971 (E.C.), as well as the Oregon Revised Statutes (ORS) law govern many meeting requirements and actions of the Council. The Eugene Charter, Chapter 2 of the Eugene City Code, and various sections of ORS 192 and 244 are primary sources of these meeting and other operating requirements.

1. MEETING REQUIREMENTS

1.01 Time of Meetings

Regular meetings of the Eugene City Council (the Council) shall be on the second and fourth Mondays of each month. These meetings shall begin at 7:30 p.m. and shall end at 10 p.m., or when the agenda item considered by the Council at 10 p.m. is concluded. If those days are on a legal or religious holiday, the Council may schedule the meeting for the day immediately following.

1.02 Work Sessions

The Council may meet in work sessions beginning at 5:30 p.m. prior to its regular Monday meetings. Other work sessions may be held on the second, third, fourth, and fifth Wednesdays of the month. These work sessions shall start at noon and generally last for a maximum of 90 minutes. Additional work sessions will be scheduled on the third Monday of the month, as needed, following or in lieu of a public hearing. Except for extraordinary circumstances, the total time for presentations by staff and/or others on a single agenda item shall be no more than 15 minutes.

1.03 Location of Meetings

Eugene City Council meetings shall be held within the jurisdictional boundaries of the City. Training sessions may be held outside the City limits, if no deliberations toward a decision are made. Inter-jurisdictional meetings may be held outside City limits, but should be as close to Eugene as practical. No City Council meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced. For this purpose, meetings do not include visitations or attendance at any national, regional, or state association to which the councilor belongs.

1.04 Notice of Meetings, Special Meetings, Emergency Meetings

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media which requested notice. In the case of emergency or when a state of emergency has been declared, notice appropriate to the circumstances shall be provided and reasons justifying the lack of 24-hour notice shall be included in the minutes of such meeting. As per both the Eugene Charter, Section 9, and Eugene Code, Section 2.007 (2), the Mayor or three of the members of the Council, may call a special meeting of the Council in manner provided in E.C. 2.007 (3).

1.05 Public Forum

A public comment period generally shall be the fourth item of every regular meeting of the Eugene City Council, following Committee Reports and Items of Interest, Priority Goal Actions, and Consent Calendar 1. By council majority vote, time-sensitive issues may be moved up in the agenda order.

Persons wishing to speak must sign up to do so not later than five minutes after the meeting has been opened by the Mayor or presiding officer. The Mayor or presiding officer shall inform the audience of the requirement to sign up to speak not later than five minutes after the meeting has been called to order.

Members of the public may speak about any topic during the Public Forum, except as provided below. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. The Public Forum cannot be used to testify about an item that is not a public matter or which has already been heard by a Hearings Official, or to provide or gather additional testimony or information on a quasi-judicial matter after the official record has been closed.

Speakers at the Public Forum will be limited to two-and-a-half minutes and the Public Forum will be limited to 90 minutes total. Request-to-Speak forms will be shuffled so that speakers are called in random order. No persons will be allowed to submit a "Request to Speak" form more than 30 minutes prior to the start of the meeting.

At the end of the Public Forum each member of the Council has the opportunity to respond to comments made during the Public Forum. The time allocated to each member of the Council for such responses shall be up to three minutes.

1.06 Public Hearings

Public hearings shall generally be held on the third Monday of the month, except for those months during which a Council break occurs and shall be held for all ordinances except under the terms delineated in E.C. 2.007(4). Hearings may be scheduled on other items and presentations from standing advisory bodies to the Council may be scheduled at the discretion of the Mayor and the City Manager.

Persons wishing to speak shall submit a "Request to Speak" form not later than five minutes after the commencement of the meeting at which the person wishes to speak. The Mayor or presiding officer shall inform the audience of this requirement to sign up prior to the commencement of a public hearing. In general, speakers will be limited to ~~three-two-~~ and-a-half minutes and called in a random order. Eugene Code 2.015(7) notwithstanding, councilors may ask clarifying or follow-up questions of individuals providing testimony after that individual has completed his/her testimony. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The Mayor or presiding officer may intervene if a councilor is violating the spirit of this guideline. At the end of the Public Hearing, each member of the Council has the opportunity to comment on or discuss

testimony given during the Public Hearing.

1.07 Executive Session

All meetings of the Council shall be held in open session, except those meetings that may be closed for purposes specified in the Oregon Attorney General's Public Records and Meetings Manual (ORS 192.610 to 192.690). These include the employment or dismissal of public employees, performance evaluation of the council's employees, labor negotiations, real property transactions negotiations, and consulting with legal counsel on pending or threatened litigation.

Notice of executive sessions shall be given as required by state law and that notice must state the specific provisions of law authorizing the session.

The Mayor and City Councilors are expected to maintain the confidentiality of the information discussed in legally noticed and conducted executive sessions as defined in Chapter 192 of the Oregon Revised Statutes.

1.08 Minutes

Written minutes shall be taken for all City Council meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

As a matter of courtesy and efficiency, a councilor should notify the Mayor and other councilors that he/she intends to propose an amendment to the minutes and should propose replacement text in advance of the meeting at which those minutes are scheduled to be approved. If the proposed amendment is a simple factual, grammatical, or spelling correction, the amendment may be proposed without consulting the minutes recorder. If, however, the proposed amendment is substantive in nature or seeks to clarify the speaker's intent, or to expand his/her remarks for the record, the councilor should notify the minutes recorder and request verification of the proposed amendment.

1.09 Voting

Section 12 of the Eugene Municipal Charter states that the Mayor only votes on matters before the Council in the case of a tie. Council members may not abstain from voting unless a conflict of interest has been declared.

1.10 Presiding Officer

The Mayor shall preside over City Council meetings when present. The president of the Council shall preside if the Mayor is absent or unable to preside. The Council vice president shall have the powers of the Council president when the Council president is performing the duties of the Mayor. If the Mayor, Council president, and vice president are unavailable, the Council members present shall elect a temporary presiding officer.

1.11 Council Officers

Council officers shall be elected for one-year terms in the manner prescribed in the E.C. 2.009, at the first regular meeting in each calendar year.

2. PLACING ITEMS ON COUNCIL AGENDA

2.01 Contact the City Manager

Contact the City Manager and explain the nature, scope and desired outcome of the item for the agenda or make the request during “Items from Mayor and City Council” at a City Council ~~work session~~ meeting. The City Manager and Mayor may then decide to place the item on a future agenda.

2.02 Council Poll

Alternatively, an item may be placed on the Council agenda by councilor request. A councilor may ask Council support staff for a work session or consideration of a resolution, and staff shall then poll all councilors, in writing, to ask if the item should be placed on the Council agenda. If, within two weeks of distribution of the poll, with an individualized reminder at five working days, four Councilors respond in the affirmative, the item shall be placed on a future Council agenda within a reasonable time.

Work session polls will generally include the work session topic and related Council goal or priority issues and questions to be addressed and intended outcomes.

2.03 Tentative Agenda on the Consent Calendar

At each regular meeting of the Council, the City Manager shall present the Tentative Agenda. This shall be placed on the Consent Calendar. If there are concerns about items on the Tentative Agenda, it may be removed at the request of any councilors from the Consent Calendar and discussed separately.

2.04 Tentative Agenda Provided Each Week

The Tentative Agenda shall be included in the weekly information packet provided to the Council.

2.05 Scheduling of Items on the Agenda

The City Manager and Mayor shall decide the date that items come before Council for work sessions and for regular meetings.

2.06 Routine Business Items on the City Council Agenda

The City Manager shall continue to place routine and standard items of Council business on the City Council agenda.

3. ORDER OF ITEMS ON A SPECIFIC DATE MEETING AGENDA

3.01 Pledge of Allegiance to the Flag

The Eugene City Council shall begin its formal council meetings with a voluntary recitation of the Pledge of Allegiance at those council meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July.

At the council meeting closest to the Fourth of July, the ceremony will also include readings from the Declaration of Independence and/or United States Constitution.

3.02 Ceremonial Matters

At the first regular meeting of each month, the first agenda item shall be used to acknowledge special recognition or awards given to the City of Eugene or for the Mayor to read proclamations which serve to encourage and educate the community. Proclamations shall be made and placed on the agenda at the discretion of the Mayor. This item shall be called "Ceremonial Matters." Requests for recognition under Ceremonial Matters should be submitted in writing to the Mayor.

3.03 Committee Reports and Items from Mayor, City Council and City Manager

At regular meetings held on the second and fourth Mondays of each month, the first item on the agenda or following Ceremonial Matters and the Pledge of Allegiance, shall be "Committee Reports and Items of Interest from Mayor, City Council and City Manager." This portion of the agenda provides an opportunity for the Mayor, councilors and City Manager to raise issues, present ad hoc motions, introduce resolutions and report on committee activities and actions. The time allotted for "Items" is subject to change to accommodate emerging issues.

3.04 Consent Calendar

At regular City Council meetings, in order to expedite the Council's business, routine and standard items shall be placed on the Consent Calendar 1 for Council's consideration prior to the Public Forum. Annexations and similar land use action items shall be placed on Consent Calendar 2 for Council's consideration after the Public Forum.

Any item on either Consent Calendar may be removed for separate consideration by any member of the Council. Revisions or corrections to meetings minutes shall be considered first, prior to other items removed from the Consent Calendar. The remaining items on the Consent Calendar may then be considered for action by a single vote. The items pulled from the Consent Calendar shall be considered after the approval of the remainder of the Consent Calendar and before the next scheduled item on the agenda, unless requested for later consideration. In general, ordinances, because of charter requirements, should not to be placed on the Consent Calendar.

3.05 Public Hearings Given Priority

As a guideline, public hearings shall be placed on the specific meeting agenda before items only requiring action. Further, public hearings expected to draw a small number of speakers shall be placed before public hearings for which a larger number of speakers is expected.

3.06 Action Items

In general, action on ordinances and councilor-introduced resolutions or motions shall be placed on regular City Council meeting agendas and shall be scheduled after Public Forum, unless they are Priority Goal actions. This does not preclude taking action on items during work sessions or other portions of the meeting. Action items that are specifically related to City Council Goals and Priorities shall be scheduled for action prior to Consent Calendar 1. Examples include items such as Low Income Rental Housing Property Tax Exemptions (LIRHPTE) and other authorizations in support of low-income housing.

4. COUNCIL ACTION ON AGENDA ITEMS

As a guideline, action on issues for which a public hearing has occurred shall not be taken at the same meeting at which the public hearing is held. In the case of an ordinance, the charter requires that an ordinance shall not be adopted by the Council unless it has been considered by the Council during at least two meetings. With the unanimous consent of the Council, the Council may consider and enact an ordinance at a single meeting if the Council does not amend the ordinance in a manner that modifies its substantive effect (Charter, Section 28 (3)).

5. POSTPONING AGENDA ITEMS

Any councilor may request that an item be postponed to another meeting if he/she is unable to attend the meeting at which the item has been scheduled. As a courtesy, councilors should submit in writing a request to postpone to the Mayor as early as possible. If the Mayor is unavailable, the request should be made to the City Manager or the Manager's designated staff member. A request to postpone may be made for either a work session item or a vote on an agenda item. The request to postpone shall be honored unless a majority of councilors present determines that the matter needs to be acted upon at that meeting.

6. COMMITTEES OF THE COUNCIL

6.01 Creation of Committees

While the City Code governs appointments to certain committees, the code grants broad general powers to the Mayor and City Council to create subcommittees or special ad hoc committees of the Council. The Mayor shall nominate and the Council shall appoint the members of any committee established by the Council unless a different procedure is specified at the time the committee is established. The charge to the committee shall be clearly stated at the time the committee is established, and the committee shall disband when its work is complete. Committees may be composed of councilors, interested citizens or both.

6.02 Standing Committees of the Council

There is one standing committee of the Council: Intergovernmental Relations Committee.

6.03 Standing Advisory Bodies to the Council

There are seven standing advisory bodies to the City Council. These are created in the Eugene Code and Charter and exist to provide advice on policy matters. They are: 1) Budget Committee; 2) Planning Commission; 3) Police Commission; 4) Human Rights Commission; 5) Sustainability Commission; 6) Civilian Review Board; and 7) Toxics Board.

7. CONDUCT AT MEETINGS

7.01 Roberts Rules of Order

Conduct at City Council meetings and committee meetings is governed by Robert's Rules of Order, Revised. The Council has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it. Council members shall avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues.

7.02 Other Meeting Guidelines

The presiding officer shall be responsible for ensuring order and decorum are maintained. Behavior or actions that are unreasonably loud or disruptive shall be cause for removal from

Council meetings. This includes engaging in violent or distracting action, making loud or disruptive noise or using similar language, and refusing to obey an order of the presiding officer.

Council members speak only for themselves and shall be open, direct and candid. They work to keep discussion moving and call for a “process check” if the discussion becomes bogged down. Time limits may be set on topics. When councilors speak to each other during public meetings, last names shall be used during regular meetings, but first names may be used during work sessions. The Mayor is, however, always referred to as “Mayor.”

During public meetings, councilors generally should not attempt to edit or rewrite prepared ordinances. Amendments to an ordinance may, however, be appropriate. Generally, councilors should give direction to staff to bring back amended ordinances for Council consideration.

If a member of the Council intends to make a motion at a meeting which is not reflected in the agenda item summary, every effort should be made to contact other members of the Council to inform them of the intent and the text of the motion at least 24 hours in advance of the meeting whenever possible or practicable. City Council support staff should be provided with the same information and may be asked to assist in the notification process.

The Mayor and Council will be limited to commenting only on the main motion prior to discussing any proposed amendments. If an amendment to the motion is made during the initial round on the main motion, subsequent remarks on the amendments will be postponed until all wishing to speak on the main motion have done so.

Comment times for the Mayor and councilors at City Council meetings or work sessions shall be generally limited to no more than three minutes. At the discretion of the Mayor or presiding officer, second and subsequent rounds may be limited further to ensure that everyone has an opportunity to be heard in the time allotted for the item.

7.03 Public Conduct

The rules of conduct for members of the public shall generally be the same as for the Council. City Code prohibits any person from bringing flags, signs, posters, and placards to a City Council meeting unless authorized by the presiding officer. The Eugene Code specifically permits arm bands, emblems, badges, and other articles worn on personal clothing, so long as such items do not extend from the body in such a way as to cause injury to another.

8. COUNCILOR REQUEST FOR STAFF ASSISTANCE

8.01 Two-Hour Rule

Initiatives requiring more than two hours of staff time must be approved by the Council. Requests that involve less than two hours staff time or resources should be directed to the City Manager.

8.02 Major Request

A councilor who desires major policy, ordinance research, or other staff assistance should first raise the issue at a City Council work session. The Council should decide whether to proceed with the issue or ordinance before staff time is spent.

8.03 Tracking Council Requests

Except for routine inquiries, the City Manager shall respond to councilors' requests for information or assistance. The Manager shall assign these requests to appropriate City staff and track progress on the assignments. This process eliminates the possibilities of staff members duplicating each other's efforts or a request being overlooked.

9. REPRESENTING CITY POSITIONS AND PERSONAL POSITIONS

9.01 Written Communications from City Councilors and Mayor

In written communication with other officials or groups and in letters for publication, such as "to the editor," the Mayor and councilors should be careful to decide whether to speak only for themselves or for the Council. In speaking for the Council, when there is a position which the writer wishes to reinforce or explain, it is useful to circulate a copy to the Council for comment before the letter is mailed. Letters to other elected officials or agencies on City issues shall be discussed with the appropriate staff so that the City lobby effort can be coordinated.

When writing as an individual, a councilor or the Mayor is free to take any position he/she feels is appropriate. When it is a point of view different from a Council position, this fact should be included in the letter. Use of City stationery and choice of pronouns shall be left to the discretion of the councilor or the Mayor.

The governing principle is to advise the Council or staff when expressing a City position, and to make differences clear when speaking as an individual.

9.02 State/Federal Lobbying

The effectiveness of City lobbying in Salem or in Washington, D.C. depends on the clarity of the City's voice. When councilors or the Mayor represent the City in a lobbying situation, it is appropriate that the councilors or the Mayor avoid expressions of personal dissent from an adopted Council policy. This policy is stated in Resolution No. 4139, Council Policy on Testimony and Funding Applications.

A councilor or the Mayor in disagreement with an adopted policy should not be deprived of the right to express such views to the appropriate officials at another time and another place. However, the councilor or the Mayor should feel bound to advise those to whom such disagreement is expressed that it is an individual view and that the Council has taken a different position.

9.03 Attending Conferences, Other Meetings

Councilors and the Mayor are encouraged to attend conferences and training sessions which would enhance their skills and knowledge. Any councilor or the Mayor may attend any meeting at which the Council is represented, but only the formally appointed official City Council representative or designated alternate, has the right to vote on matters being considered by the organization or group holding the meeting or conference. Individual councilors or the Mayor may state he or she is representing the City Council if he or she has been formally directed by the City Council to do so.

For local intergovernmental bodies or advisory groups to which an official Eugene City Council representative has been appointed, the representative is to serve as an "instructed

delegate;" that is, to represent pertinent adopted City and City Council policy. If possible, the Mayor or councilors should inform the other members of the City Council of the matters being considered by intergovernmental bodies, and to the greatest extent possible, seek direction from the City Council on issues directly pertaining to the City of Eugene and adopted City policy. The representative may express his or her own opinion, provided it is identified as such, but when voting or considering matters with policy implications or budgetary considerations, the representative must follow adopted City or City Council policy and direction.

Participating in state and national groups such as the League of Oregon Cities and the National League of Cities presents the opportunity to enhance skills and knowledge and is an important avenue for the Mayor and councilors to advocate for the members of the community and the city itself. If the Mayor or councilors attend meetings of these organizations, an official voting delegate should be selected by the City Council. This voting delegate, to the greatest extent possible, informs the Mayor and City Council of issues or matters on which the voting delegate may be asked to vote. If there is existing City or Council policy, the voting delegate will vote in accordance with that policy. When providing a report to the council (see Section 10.06), votes of the delegate should be included in that report.

If the Mayor or individual councilor serves on a committee of a state or national advisory committee and has been selected in an "at large" role, that is, not a specific seat or position for a City of Eugene elected official, that person should state the adopted City or Council policies. However, that person is not bound by the adopted policy and can represent his or her own position, provided that the person makes such a disclaimer.

10. COUNCILOR EXPENSES

10.01 General Guidelines for Reimbursed Expenses

Under the provisions of the City Charter, the City may pay a councilor or the Mayor expenses that are directly related to City business. It is each councilor's and the Mayor's responsibility to determine if expenses are actually City-related. If there are questions about the propriety of such expenditures, the Manager shall first review the issue with the councilor. If the City Manager and the councilor cannot resolve the issue, the Manager shall discuss the matter with the Mayor. Receipts should be secured for any expenses and should accompany City Council expense report forms to record mileage and other expenses. The forms shall be available from the City Manager's Office.

Activities that support or oppose a political campaign shall not be reimbursable.

10.02 Out-of-Town Expenses

Out-of-town expenses include those incurred while attending City-related conventions, conferences, training seminars, or meetings. Expenses that are paid by the City include fees for seminars or conferences; transportation to, from, and at the destination; and lodging, meals, and incidental expenses that are necessary to conduct City business.

10.03 Local Expenses

Local expenses include those incurred while representing the Council on a committee,

attending meetings, attending local seminars or conferences, attending local special events, or meeting with groups or individuals to discuss City matters. Expenses that are paid by the City are detailed in Resolution No. 4375 and include meals, conference registration, transportation and necessary incidental expenses, and up to two community group memberships, not to exceed \$100 total. The reimbursement for bicycle mileage using alternative forms of transportation, including walking and biking and excluding buses, as permitted in Resolution No. 4375, shall be \$.25.8 per mile as of July 1, 2020, and shall be adjusted each year at the same rate of increase as that of automobile reimbursement. Special materials such as books or directories may also be eligible for reimbursement.

If receipts are not available, a written description of expenses signed by the Councilor must be submitted along with the Council Expense Report Form. Forms shall be available from the City Manager's Office.

10.04 Spouse/Partner/Guest Expenses

The City shall reimburse councilors or the Mayor for spouse/partner/guest expenses at local events when the councilors or the Mayor and a spouse/partner/guest are jointly invited and the councilors are serving in their official capacity, such as a recognition dinner. The City does not otherwise reimburse councilors or the Mayor for expenses incurred by their spouse/partner/guest. If councilors or the Mayor wish to have their spouse/partner/guest accompany them while attending out-of-town events, the City may make reservations and have travel and lodging expenses billed directly to the City. Councilors or the Mayor must then reimburse the City for their spouse/partner/guest travel and lodging expenses. Reimbursement should be made as soon as possible so that the trip reconciliation process can be completed.

10.05 Petty Cash

Expenses under \$50 can be reimbursed out of the petty cash fund in the City Manager's Office.

10.06 Travel Guidelines

Prior notification of out-of-town travel shall be given to staff responsible for travel arrangements in the City Manager's Office whenever possible. Registration and travel arrangements should be made well in advance so that the City can take advantage of reduced fares and early registration fees. Staff shall assist councilors in making transportation and lodging arrangements and arrange to have expenses billed directly to the City; contractors shall be chosen by staff, and not by councilors.

While at a conference, councilors or the Mayor shall be expected to attend conference sessions and, within 30 days, issue a written report to share the information and perspectives with the entire City Council. If more than one councilor attends, a consolidated report may be written.

As a general guideline, each councilor is allowed two out-of-state conference trips per fiscal year. If a councilor wishes to make additional trips, the request should be brought to attention of the full Council and should be endorsed by a majority of the Council. This guideline is intended to cover trips made at the discretion of the individual councilor; it is

not intended to be applied to trips related to service on national or regional committee, such as a committee of the National League of Cities.

10.07 Overseas Travel

If the Mayor or members of the Council wish to attend a conference or make a Council business-related trip to a destination overseas, this request shall be made in writing well in advance and shall be placed on the Consent Calendar for approval by the Council.

11. ETHICS

11.01 Reporting Requirements in ORS

In accordance with ORS 244.050, the Mayor and all councilors holding office on April 15 shall be required to file an Annual Verified Statement of Economic Interest with the Oregon Government Standards and Practices Commission on or before that date. The report must be filed on the form prescribed by ORS 244.060. Each year the form shall be sent directly to the elected official by the Commission and should be returned directly to the Commission in Salem. Failure to submit the form by the April 15 deadline may result in the imposition of a civil penalty and/or removal from office.

11.02 Local Code of Ethics

The Charter requires that a code of ethics be enacted. This local code, found in the Eugene Code, places additional conflicts of interest requirements upon elected officials and creates a local process for filing complaints.

12. MEETING AND WORK SESSION SEATING ASSIGNMENTS

The Council shall be assigned seats in January, following the election of the Council president and vice president. The Mayor is always seated at the center position with the Council president seated at the Mayor's right and the Council vice president seated at the Mayor's left.

The remaining councilors shall be assigned seats in alphabetical order by last name. When the Council returns after each Council break, each person moves one seat toward the outside and to the opposite side of the table or dais; those in the outermost seats move to the innermost seats on the opposite side. This system allows councilors the opportunity to regularly change seats throughout a four-year term. Below is a detailed listing of the seating sequence.

JANUARY

	Mayor	
President		Vice President
Councilor A1		Councilor B2
Councilor C3		Councilor D4
Councilor E5		Councilor F6

APRIL

	Mayor	
President		Vice President
Councilor F6		Councilor E5
Councilor B2		Councilor A1
Councilor D4		Councilor C3

SEPTEMBER

Mayor

President	Vice President
Councilor C3	Councilor D4
Councilor E5	Councilor F6
Councilor A1	Councilor B2

**CITY COUNCIL COMMITTEE ON INTERGOVERNMENTAL RELATIONS
OPERATING AGREEMENTS
ADOPTED BY THE CITY COUNCIL ON ~~JANUARY 28, 2008~~OCTOBER 23, 2023**

1. Purpose of Council Committee on Intergovernmental Relations

The Council Committee on Intergovernmental Relations (IGR Committee) exists to make recommendations to the City Council on State and Federal legislative issues ~~and on City applications for funding from outside agencies~~. At this time, it is the only standing committee of the City Council.

2. Membership

The IGR Committee consists of three City Council members.

The three IGR Committee Council members are appointed annually by the Mayor in the normal course of appointments to various boards and commissions on which City of Eugene elected officials serve. The Mayor will appoint members that represent the City Council's political and ideological diversity.

The Mayor serves as an ex-officio member of the IGR committee.

3. Committee Chair

The IGR Committee shall elect a chair of the committee at the first regularly scheduled meeting after the Mayor has appointed the members to the IGR Committee.

4. Conducting the Business of Meeting

IGR Committee meetings are governed by Roberts Rules of Order, Revised. Like the City Council, the IGR Committee has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it.

5. Meetings

The IGR Committee meets as needed and generally meets more frequently when the Oregon Legislature is in session. Meetings of the IGR Committee are subject to the requirements of Oregon Public Meetings Law, ORS 192.620. The meetings shall be held within the jurisdictional boundaries of the City.

No IGR Committee meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced.

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media that require

sted notice.

6. Quorum

Two members of the IGR Committee constitute a quorum for the transaction of Committee

business. Other members of the City Council may attend meetings of the IGR Committee, but shall have no authority or status to vote on matters considered by the IGR Committee during that meeting.

Unanimous votes of the IGR Committee require 3 votes, not 2 votes, should an IGR Committee member be absent.

An IGR Committee member may designate the Mayor to serve as an alternate in the member's absence.

7. Minutes

Written minutes shall be taken for all IGR Committee meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. Minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

8. Process for Sessions of the Oregon Legislature

~~The Oregon State Legislature convenes annually in January in the state capitol of Salem. In odd years, sessions may last 160 days, referred to as "long session." During the "long session" the legislature approves a two-year state budget for the next biennium. In even years, a "short session" is held. A short session can last a maximum of 35 days. The Regular Session of the Oregon State Legislature convenes in January of odd numbered years, with a Special Session convening in January of even numbered years. The Regular Session generally lasts for six months with the Special Session lasting for two months. In February 2008, the Oregon legislature convened a Supplemental Session in lieu of the Special Session, lasting for only one month. Supplemental Sessions may be held in subsequent even numbered years.~~

Preparation for the Regular-Long Session is begun by IGR staff who meet with the members of the IGR Committee and other City departmental staff to outline legislative policies and concepts for the upcoming session based upon City Council goals, priorities, community needs and organizational issues. These concepts, after being vetted by staff and the IGR Committee, are then submitted to the full City Council for review and approval. Once the concepts are approved, they become the basis for the Oregon Legislative Priorities document and the Legislative Policies document that serves as the cornerstone for position and lobbying efforts on ~~particular pieces of legislation bills~~ during the session.

~~The Legislative Policies document includes principles and precepts that will help determine the city position on bills. The City of Eugene first adopted a formal set of legislative policies prior to the 1985 session recognizing from past sessions that many staff recommendations were repeated from session to session and that a great percentage of a session's legislative proposals could be anticipated.~~

9. Process for Introducing Legislation

The City may wish to introduce legislative concepts on its behalf to the legislature. The IGR Committee meets and reviews all proposals for legislation prior to submittal to the Legislature.

Any City staff or elected official interested in introducing legislation prepares a written overview of the purpose of the legislative concept and draft language for review by the

IGR Committee. The IGR Committee then reviews the proposal, taking action during a regular meeting to revise, adopt, or take no action on the proposal. Once the IGR Committee has voted on proposed legislative concepts, this recommendation moves forward to the full City Council for review and action~~the action of the IGR approval.~~

After the proposed legislative concepts have been reviewed and approved by the full City Council, legislative concepts that have been approved are presented to the Legislature or Eugene Area Legislators for drafting. ~~The bill, as introduced, is then presented to the IGR Committee under the regular bill review process.~~

10. Process for Review and Prioritization of Legislation

In 2013, the City Council adopted Resolution 5081 (Attachment A), which guides the IGR Committee Legislative Review process and Voting process. ~~The Legislative session is relatively short and as a result, bills can move quickly through the legislative process. Regardless, the City will maintain a neutral position on any bills not yet reviewed by City staff and acted upon by the IGR Committee.~~

Review by City staff:

- Once the bills are introduced, they are assigned by an IGR staff person to the appropriate Legislative Coordinators (LCs) for review.
- Legislative Coordinators (LCs) in the appropriate City department analyze all priority introduced bills that ~~are of interest to or~~ may affect the City. LC staff is determined by each Department.
- LC staff turnaround for review and analysis of a bill is expected to be within 10 working days of the assignment of a bill unless the movement of a bill warrants a faster turn-around. In those cases, IGR staff will contact the LC and arrange for a faster review.
- If a bill addresses one or more of the policies presented in the Oregon Priorities or Legislative Policies documents for that session, the particular policy is noted in the LC staff's analysis of the bill.
- LC staff will relay both the pros and cons of a bill in their comments as well as any amendments that would make the bill more favorable.
- In collaboration with the IGR Manager, the LC will assign each bill a priority and a recommendation.

Position Recommendations:

Support: From the City's perspective, we are in favor of the bill and the impacts. Legislative Coordinators should note why we are in favor of the bill and note any amendments that would make the bill better.

Oppose: From the City's perspective, we are opposed to the bill and the impacts. Legislative Coordinators should note why we are opposed and make any recommendations that would make the bill better, if applicable.

Priority Recommendations:

- **High Priority Bills:** We will be highly selective in identifying priority bills to be

forwarded to the Intergovernmental Relations Committee (IGR). For a bill to be recommended as a high priority bill to be actively lobbied, either in support or in opposition, the bill would have a significant impact on City operations, services, or finances in such ways to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact operations, services, or finances of the City. Examples of high priority bills could include Telecom/local pre-emption efforts, PERS reform, Public Safety, and transportation funding.

- In addition to be bills identified as high priority, other bills and legislative issues may be forwarded to the IGR Committee to enable staff to provide supportive or opposing written or oral testimony. Examples of issues that may require supportive testimony (as opposed to active lobbying) include support for the Oregon Cultural Trust, support for one of our partner agencies lobbying efforts (University of Oregon, City of Springfield, EWEB), etc.

~~Legislative advocacy is done on the basis of a priority and recommendation system. LC staff recommends a “support,” “oppose,” “neutral,” “monitor,” or “drop” recommendation for all reviewed bills. LC staff also recommends a priority of 1, 2, or 3 on all reviewed bills. The three priority assignments for legislative bills are as follows:~~

~~**PRIORITY ONE BILLS** – The issues addressed by the bill are identified in the City’s Legislative Policies document. The bill would have a significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact the operations, services, or finances of the City.~~

~~Lobby Resource Allocation: Both IGR staff in Salem work on the bill, with a high support level from the legislative coordinator(s) assigned to the bill. The Mayor and/or Council members may testify before committees, possibly with both IGR staff and/or a legislative coordinator. IGR staff contacts all or close to all members of all committees the bill is assigned to. Depending on topic and recommendation, IGR staff will also contact as many legislators as possible prior to public hearings or work sessions. In the event of a floor vote, IGR staff contacts as many legislators as is possible in the 2-5 day period between committee passage and the floor vote. Handouts would be placed in the Capitol mailboxes of all legislators prior to a floor vote.~~

~~**PRIORITY TWO BILLS** – The issues addressed by the bill are identified in the City’s Legislative Policies document. The bill would have some impact, although manageable, on City operations, services, or finances and would impact administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of high interest to the City even if they do not directly impact the operations, services, or finances of the City.~~

~~Lobby Resource Allocation: IGR Staff in Salem work closely with legislative coordinators. If~~

the bill is a City specific issue, IGR will testify, with a legislative coordinator if necessary. This, may necessitate the involvement of an executive or expert department staff or the Mayor and/or Council members. If it is an issue less specific to the City, written testimony will be offered. IGR staff will contact members of the bill's committee prior to a bill being passed out of committee. In the event of a floor vote, IGR staff will submit letters to all legislators and try to contact as many of them as possible, starting with our delegation first, and then to legislators we suspect might be "swing votes."

PRIORITY THREE BILLS - The issues addressed by the bill are alluded to in the City's Legislative Policies document or included in other policy document or direction. The bill would have a slight impact on City administration, operations, or services, with potential implications for City finances, either negatively or positively. The bill requires tracking because amendments could elevate bill to Priority One or Priority Two. The issues addressed by the bill are of slight interest to the City even if they do not directly impact the operations, services, or finances of the City.

Lobby Resource Allocation: Depending on recommendation, IGR staff contacts committee members from local delegation, as well as the committee chair or submits written testimony or letter to proper committee, with no further involvement. In the event of a floor vote, IGR staff will submit letters to all legislators.

Review by the IGR Committee:

- The bill is placed on the IGR Committee agenda for review as soon as possible after all applicable staff has commented on the bill.
- The IGR Committee meets and reviews all bills on the IGR Committee agenda and may pull any or all bills off the agenda for discussion.
- Any LC staff that has reviewed and commented on a bill that is pulled for discussion will be prepared to discuss the bill at the IGR Committee meeting.
- If a bill is not pulled for discussion, the staff recommendation stands. If a bill is pulled for discussion, the IGR Committee may keep or change the staff recommendation. The IGR may also direct that IGR staff work to amend a bill.
- The IGR Committee votes on all bill priorities and recommendations; the votes need not be unanimous — with unanimous being 3 votes.

The actions of the IGR Committee are presented on the full City Council's agenda for review and approval. The minutes of the IGR Committee are ratified by the City Council. Any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any councilor or by the Mayor.

11. Status of Positions on Bills until Final Ratification by the City Council

Time demands in the Legislature may not allow for each bill on which the IGR Committee takes a position to be fully vetted by the full City Council before some type of action on the bill needs to occur.

If a position the IGR Committee has taken on a bill is not unanimous, the position on that bill will be neutral until the full City Council weighs in and directs a position. The bill will then be placed on the next available City Council agenda.

~~Although any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any councilor or the Mayor at the City Council meeting, as a matter of practice and courtesy to the members of the Council who do not sit on the IGR Committee, any bill on which the IGR Committee is not in unanimous agreement will be specifically noted.~~

~~The City Council can modify the position taken by the IGR Committee on a bill; the final direction to staff on any bill comes from the City Council.~~

11. Voting on bills

The IGR Committee votes on all bill priorities and recommendations.

Approved IGR Committee minutes, including votes on bill positions, will be shared with the full City Council by including them with the weekly City Council materials. Any bill that has been reviewed by the IGR Committee may be requested for discussion by the full City Council or by the Mayor.

If a position the IGR Committee has taken on a bill is not unanimous, the position on that bill will be Neutral until the full City Council weighs in and directs a position. If possible, the bill will then be placed on the next available City Council agenda.

12. Communicating with City Council

All Councilors are encouraged to bring items of interest for follow up by the IGR Committee to the IGR Members, the IGR Manager, City Manager, or Mayor at any time.

The IGR Chair will provide regular updates to the Council during the 'Committee Updates and Items of Interest' section of the Regular City Council meetings.

- Outside of Legislative Session, one update per month, during Items of Interest, by the IGR Chair at the first Monday meeting. This will share with Council the outcomes from the monthly IGR Committee Meeting. The IGR Manager will send this update to the Chair prior to the meeting.
- During the Legislative Session, two updates per month to the Council, during Items of Interest, by the Chair, including Committee Meeting outcomes and Priority Bill Update. The IGR Manager will send this update to the Chair prior to the meeting.

During the Legislative Session, the IGR Manager will provide weekly Priority Bill Update Email to the full Council. During Legislative Session, the weekly Priority Bill Update Email will be included within the weekly Council packets.

1213. Process for Federal Lobbying Efforts

The IGR Committee and IGR staff address Federal lobbying priorities in concert with a number of the City's local governmental partners.

The Federal priorities begin with a review of opportunities for funding in the next Federal budget and goals that are specific to Eugene or the area. The IGR Committee meets and reviews the list of potential priority projects. Potential projects should be those projects which have already gone through the proper authorization channels and are "shovel ready"

projects. Once the IGR Committee reviews the list of potential projects, the Committee develops a list of project goals that are considered to be achievable.

After the proposed goals have been vetted by staff, United Front partners, and other community partners, and the IGR Committee, the priorities list is then presented to the full City Council for review and approval.

The final list becomes part of the “United Front” agenda which is presented to the area’s congressional representatives, executive department staff, and other potential funding sources in Washington, D.C. The attendees on the lobbying trips typically include the Mayor, chair of the IGR Committee, and appropriate City staff.

1314. Grants and Funding Applications

Under the direction of the City Manager, the IGR Manager will coordinate with departmental staff and Executive Leadership to ensure all City applications for grants or funding are in accordance with adopted City Policy and have existing budget authorization for any match requirements (either in-kind resources or direct funding). Coordination will include, but not be limited to, ensuring city staff are working collaboratively related to funding sources, support communications related to successful funding requests, and building relationships with potential funding partners.

Committee acts on staff recommendations for grant and other funding applications from outside agencies such as governmental or private entities. This process is intended to help avoid situations in which City departments may inadvertently be competing with each other for funding, and to allow the IGR Committee and City Council to review staff plans for expenditures of grant funds.

City staff interested in seeking funding prepares a written overview of the funding application for review by the IGR Committee at its next regularly scheduled meeting.

If timing is critical and there is no IGR Committee meeting scheduled, the Committee may give its approval via e-mail. IGR staff will keep full and complete records of the documents related to the request for funding, the electronic notification of the request to review and the disposition of the request.

In all cases the IGR Committee and City Council have authority to direct that an application not go forward or if it has already been submitted, that it be withdrawn.

154. Resolution 4908

On April 18, 2007, the City Council adopted Resolution No. 4908, “A Resolution Establishing Policy Governing City Testimony and Funding Requests, and Repealing Resolution No. 4139”. This speaks to the issue of testimony before legislative bodies, funding requests and the role of the Council in setting legislative policy. This Resolution is incorporated into this document as Attachment A.

1516. City Council Operating Agreements

The operating agreements of the IGR Committee are to be incorporated into the Operating

Agreements of the Eugene City Council. As the IGR Committee is a subset of the City Council, any and all process and operating agreements supersede this document. All process and operating agreements of the City Council, by extension and when relevant apply to the IGR Committee.

Attachment A: City of Eugene Resolution ~~4908~~[5081](#).

[Attachment B: City of Eugene Resolution 4908.](#)

RESOLUTION NO. 5081

**A RESOLUTION CONCERNING THE 2013 OREGON LEGISLATURE
AND THE CITY COUNCIL COMMITTEE ON INTERGOVERNMENTAL
RELATIONS OPERATING AGREEMENTS ADOPTED BY
RESOLUTION NO. 5043.**

The City Council of the City of Eugene finds that:

A. Section 2.007 of the Eugene Code, 1971, contains provisions regarding Council meetings and the establishment of Council groundrules.

B. The Eugene City Council Operating Agreements (referred to as groundrules in the Eugene Code, 1971) were adopted by Resolution No. 4588 on April 12, 1999, and have subsequently been amended, most recently by Resolution No. 5043 on October 11, 2011.

C. Included in the Operating Agreements is the document titled "City Council Committee on Intergovernmental Relations Operating Agreements" which contains the process for the City's participation in sessions of the Oregon Legislature. The City intends to pilot an alternate process for the 2013 Oregon Legislative Session as set forth in Exhibit A to this Resolution, and Resolution No. 5043 should be temporarily amended to enable the City to try the pilot process.

NOW, THEREFORE,

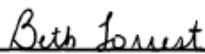
**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based on the above findings, the process for review, prioritization and lobbying of legislation for the 2013 Oregon Legislative Session shall be as described in Exhibit A to this Resolution, rather than the process set forth in Resolution No. 5043.

Section 2. A copy of this Resolution shall be appended to Resolution No. 5043.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 11th day of February, 2013.



City Recorder

Exhibit A**PROCESS FOR REVIEW AND PRIORITIZATION OF LEGISLATION
FOR THE 2013 LEGISLATIVE SESSION**

The 2013 session will start on February 4, 2013. The Legislature convenes annually in February at the State Capitol in Salem. Sessions may not exceed 160 days in odd-numbered years and 35 days in even-numbered years. Five-day extensions are allowed by a two-thirds vote in each house. In odd-numbered years, the Legislative Assembly convenes on the second Monday in January, to swear-in newly elected officials, elect legislative leaders, adopt rules, organize and appoint committees, and begin introducing bills.

REVIEW OF LEGISLATION BY CITY STAFF LEGISLATIVE COORDINATORS

In past years, bills have been assigned by the IGR staff to appropriate staff throughout the city. This has resulted in the generation of a tremendous amount of work, both for staff, as well as for the IGR committee, often with limited or no tangible benefit. Very few bills that we take positions on merit targeted lobbying efforts on behalf of the city of Eugene. This year, we will be approaching the legislative session in a much more targeted way, with the goal of being more efficient, and effective in our lobbying efforts.

The most obvious change in the process will be that IGR staff will no longer routinely assign bills to legislative coordinators for comments and positions. Instead, we will rely primarily on departments to identify significant legislative issues/bills that merit taking a position on and actively lobbying. Department/division staff will be asked to rely on professional affiliations and jurisdictional counterparts across the state to stay in touch with legislative issues arising in their area of expertise. In addition to bills identified by departments, bills will be identified in a two other primary ways, through the League of Oregon Cities, and through paid lobbyists. The League of Oregon Cities has recently implemented a new bill tracking software system, which will be a significant new resource this session. Additionally, the city council or city manager may identify issues that come to their attention for IGR staff. It is strongly believed that all significant legislation of potential impact to the city will be identified through this approach.

Once an issue/bill is identified by department staff, legislative coordinators will assess consistency of the issue with adopted City policies and past legislative positions, and will provide comments and a recommended position and priority for referral to the IGR committee. Bills/legislative issues brought to IGR staff should be limited to those determined to be high priority; that is, the bill would have significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. Examples of legislative issues that have already been identified for this session include PERS reform, telecom, and public safety. Legislation related to these issue areas could have significant

financial or operational impact on the City – therefore we plan to actively lobby the city's interests in these areas.

LEGISLATIVE ADVOCACY

As described in the previous section, advocacy efforts will be narrowed and targeted to focus on a very few, high priority issues of potential impact to the City. In the past, this was done on the basis of the priority assignment and recommendation system. Because only bills of potential impact will be referred to the CELEG system, the priority assignment system will be modified. Staff will be asked to provide a "support," or "oppose," recommendation for all bills to be reviewed on which we want to take a position. In rare cases, there may be a need to "monitor" a bill. In that case, specific information will be provided to explain the merits of tracking such a bill.

Position Recommendations:

Support: From the City's perspective, we are in favor of the bill and the impacts. Legislative Coordinators should note why we are in favor of the bill and note any amendments that would make the bill better.

Oppose: From the City's perspective, we are opposed to the bill and the impacts. Legislative Coordinators should note why we are opposed and make any recommendations that would make the bill better, if applicable.

Priority Recommendations:

- **High Priority Bills:** We will be highly selective in identifying priority bills to be forwarded to the Intergovernmental Relations Committee (IGR). For a bill to be recommended as a high priority bill to be actively lobbied, either in support or in opposition, the bill would have a significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact the operations, services, or finances of the City. Examples of high priority bills could include Telecom/local pre-emption efforts, PERS reform, Public Safety, and transportation funding.
- In addition to bills identified as high priority, other bills and legislative issues may be forwarded to the IGR committee to enable staff to provide supportive or opposing written or oral testimony. Examples of issues that may require supporting testimony (as opposed to active lobbying) include support for the Oregon Cultural Trust, support for

one of our partner agencies lobbying efforts (University of Oregon, City of Springfield, EWEB), etc.

Voting on bills:

The IGR Committee votes on all bill priorities and recommendations.

All unanimous positions are presented on the full City Council's agenda for review and approval. The minutes of the IGR Committee are ratified by the City Council. Any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any Councilor or by the Mayor.

If a position the IGR Committee has taken on a bill is not unanimous, the position on that bill will be Neutral until the full City Council weighs in and directs a position. If possible, the bill will then be placed on the next available City Council agenda. If time makes placing the bill on the City council agenda impossible, City council members will be emailed with the details of the bill and asked for their direction.

RESOLUTION NO. 4908

**A RESOLUTION ESTABLISHING POLICY GOVERNING
CITY TESTIMONY AND FUNDING REQUESTS, AND
REPEALING RESOLUTION NO. 4139.**

The City Council of the City of Eugene finds that:

- A.** Under the Eugene Charter, it is the exclusive role of the City Council to set legislative policy for the City.
- B.** On September 13, 1989 the City Council adopted Resolution No. 4139 establishing policy governing testimony and funding requests by City representatives.
- C.** The City Council has determined that Section 7 of Resolution No. 4139 should be repealed.
- D.** The Council finds that Resolution No. 4139 should be repealed in its entirety, and its provisions, other than Section 7, be readopted as hereinafter set forth as City policy governing testimony before the Federal government, the Legislative Assembly of the State of Oregon or its committees, State agencies, or municipal corporations, and submission of funding requests to such entities. As used herein, in addition to the Congress of the United States, references to "Federal government" includes all committees, commissions, departments, agencies, bureaus, and governmental divisions or instrumentalities of the United States.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based upon the above findings, which are adopted herein, Resolution No. 4139, adopted by the Council on September 13, 1989, and any other Resolution in conflict herewith is hereby repealed as of the effective date of this Resolution, and City policy governing testimony and funding requests is established as hereinafter set forth.

Section 2. Any employee or agent of the City, the Mayor or any member of the City Council or any City board or commission desiring to testify in his or her official capacity on legislative or regulatory matters before the State Legislative Assembly, State agencies, municipal corporations, or the Federal government, or desiring to submit funding requests for municipal activities thereto or to any private foundation, shall present the essence of the testimony or funding request to the Council for prior approval, modification, or disapproval.

Section 3. No employee, agent or officer of the City shall testify on legislative or regulatory matters before a governmental entity or request funding from a public or private source in his or her official capacity contrary to the adopted policies of the Council. The Mayor, members of the City Council, and members of City boards or commissions shall not make a

Resolution - 1

funding request contrary to the adopted policies of the Council. No such person shall testify contrary to adopted policies of the Council unless prior to the presentation the speaker submits to the governmental entity a written statement of the City's position and orally acknowledges before speaking that the testimony will be contrary to the City's position. Summaries of all testimony delivered under this section shall be provided to the Council. Each summary shall include a description of the time, place and group before which the statement was made.

Section 4. In the event time pressures do not permit the Council to consider the testimony before the intended time of presentation by a representative of a City board or commission, the person may speak for the board or commission, but must explain that the Council has not considered the issue. Summaries of all testimony under this section shall be provided to the Council.

Section 5. Any officer, employee or agent of the City, the Mayor, or a member of the Council or a City board or commission may take a position before or request funding from administrative staff of State agencies, municipal corporations, the Federal government, or private foundations without prior approval of the Council, but must declare that consideration and approval of the Council has not been obtained if that is the case. This declaration need not be given if the position or funding request presented represents application of previously adopted Council policies with respect to the issue being considered.

Section 6. If the City Manager, or his or her designee determines it is important that the City of Eugene speak on a legislative issue or apply for available funds and the hearing schedule or funding application deadline does not permit prior Council approval, the City Manager or his or her designee is authorized to speak on behalf of the City of Eugene after consultation with the Council Legislative Committee Chair. Summaries of all testimony delivered or funding applications submitted under this section shall be provided to the Council.

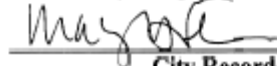
Section 7. This Resolution is not to be construed to abridge the rights of individuals to testify in their own names.

Section 8. The provisions of this Resolution do not apply to testimony before an agency or court in a quasi-judicial or judicial proceeding.

Section 9. Copies of this Resolution shall be distributed to the departments, boards and commissions of the City of Eugene and, as deemed appropriate by the City Manager, to the Federal government, State Legislative Assembly, State agencies, municipal corporations, and private foundations before presentation of testimony or funding requests. The City Manager is directed to take any other necessary administrative action to implement this Resolution.

Section 10. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 18th day of April, 2007.



City Recorder

RESOLUTION NO. 5387

A RESOLUTION AMENDING EUGENE CITY COUNCIL OPERATING AGREEMENTS AND REPEALING RESOLUTION NO. 5381.

The City Council of the City of Eugene finds that:

A. Section 2.007 of the Eugene Code (EC), 1971, contains provisions regarding Council meetings and provides that the Council shall adopt Council groundrules.

B. In accordance with EC 2.007, on April 12, 1999, the Council adopted as its groundrules the Eugene City Council Operating Agreements (“Operating Agreements”) by Resolution No. 4588. Council has subsequently amended the Operating Agreements several times, most recently by Resolution No. 5381 on September 11, 2023.

C. On September 27, 2023, the Council discussed additional proposed amendments to the Operating Agreements. The Operating Agreements attached as Exhibit A to this Resolution include revisions to sections 1.06 (Public Hearings) and 2.01 (Contact the City Manager), as well as the following changes to the City Council Committee on Intergovernmental Relations Operating Agreements incorporated into the City Council Operating Agreements by Resolution No. 5381 (IGR Agreements): amendments to sections 1 (Purpose of Council Committee on Intergovernmental Relations), 8 (Process for Sessions of the Oregon Legislature), 9 (Process for Introducing Legislation), 10 (Process for Review and Prioritization of Legislation), 11 (Voting on Bills), and 14 (Grants and Funding Applications); renumbering of sections 12, 13, 14, and 15 as 13, 14, 15, and 16; creation of a new section 12 (Communicating with City Council); and attachment of Resolution No. 5081 as Attachment A to the IGR Agreements.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Pursuant to Section 1.007 of the Eugene Code, 1971, and based on the above findings, the Eugene City Council Operating Agreements are amended and adopted as set forth in Exhibit A to this Resolution.

Section 2. Resolution No. 5381 and the Operating Agreements adopted by that Resolution are repealed as of the effective date of this Resolution.

The foregoing Resolution adopted the 23rd day of October, 2023.

City Recorder

EUGENE CITY COUNCIL OPERATING AGREEMENTS
RESOLUTION NUMBER 5387
ADOPTED OCTOBER 23, 2023

INTRODUCTION

The Municipal Charter of the City of Eugene (Charter) and Eugene City Code, 1971 (E.C.), as well as the Oregon Revised Statutes (ORS) law govern many meeting requirements and actions of the Council. The Eugene Charter, Chapter 2 of the Eugene City Code, and various sections of ORS 192 and 244 are primary sources of these meeting and other operating requirements.

1. MEETING REQUIREMENTS

1.01 Time of Meetings

Regular meetings of the Eugene City Council (the Council) shall be on the second and fourth Mondays of each month. These meetings shall begin at 7:30 p.m. and shall end at 10 p.m., or when the agenda item considered by the Council at 10 p.m. is concluded. If those days are on a legal or religious holiday, the Council may schedule the meeting for the day immediately following.

1.02 Work Sessions

The Council may meet in work sessions beginning at 5:30 p.m. prior to its regular Monday meetings. Other work sessions may be held on the second, third, fourth, and fifth Wednesdays of the month. These work sessions shall start at noon and generally last for a maximum of 90 minutes. Additional work sessions will be scheduled on the third Monday of the month, as needed, following or in lieu of a public hearing. Except for extraordinary circumstances, the total time for presentations by staff and/or others on a single agenda item shall be no more than 15 minutes.

1.03 Location of Meetings

Eugene City Council meetings shall be held within the jurisdictional boundaries of the City. Training sessions may be held outside the City limits, if no deliberations toward a decision are made. Inter-jurisdictional meetings may be held outside City limits, but should be as close to Eugene as practical. No City Council meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced. For this purpose, meetings do not include visitations or attendance at any national, regional, or state association to which the councilor belongs.

1.04 Notice of Meetings, Special Meetings, Emergency Meetings

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media which requested notice. In the case of emergency or when a state of emergency has been declared, notice appropriate to the circumstances shall be provided and reasons justifying the lack of 24-hour notice shall be included in the minutes of such meeting. As per both the Eugene Charter, Section 9, and Eugene Code, Section 2.007 (2), the Mayor or three of the members of the Council, may call a special meeting of the Council in manner provided in E.C. 2.007 (3).

1.05 Public Forum

A public comment period generally shall be the fourth item of every regular meeting of the Eugene City Council, following Committee Reports and Items of Interest, Priority Goal Actions, and Consent Calendar 1. By council majority vote, time-sensitive issues may be moved up in the agenda order.

Persons wishing to speak must sign up to do so not later than five minutes after the meeting has been opened by the Mayor or presiding officer. The Mayor or presiding officer shall inform the audience of the requirement to sign up to speak not later than five minutes after the meeting has been called to order.

Members of the public may speak about any topic during the Public Forum, except as provided below. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. The Public Forum cannot be used to testify about an item that is not a public matter or which has already been heard by a Hearings Official, or to provide or gather additional testimony or information on a quasi-judicial matter after the official record has been closed.

Speakers at the Public Forum will be limited to two-and-a-half minutes and the Public Forum will be limited to 90 minutes total. Request-to-Speak forms will be shuffled so that speakers are called in random order. No persons will be allowed to submit a "Request to Speak" form more than 30 minutes prior to the start of the meeting.

At the end of the Public Forum each member of the Council has the opportunity to respond to comments made during the Public Forum. The time allocated to each member of the Council for such responses shall be up to three minutes.

1.06 Public Hearings

Public hearings shall generally be held on the third Monday of the month, except for those months during which a Council break occurs and shall be held for all ordinances except under the terms delineated in E.C. 2.007(4). Hearings may be scheduled on other items and presentations from standing advisory bodies to the Council may be scheduled at the discretion of the Mayor and the City Manager.

Persons wishing to speak shall submit a "Request to Speak" form not later than five minutes after the commencement of the meeting at which the person wishes to speak. The Mayor or presiding officer shall inform the audience of this requirement to sign up prior to the commencement of a public hearing. In general, speakers will be limited to two-and-a-half minutes and called in a random order. Eugene Code 2.015(7) notwithstanding, councilors may ask clarifying or follow-up questions of individuals providing testimony after that individual has completed his/her testimony. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The Mayor or presiding officer may intervene if a councilor is violating the spirit of this guideline. At the end of the Public Hearing, each member of the Council has the opportunity to comment on or discuss

testimony given during the Public Hearing.

1.07 Executive Session

All meetings of the Council shall be held in open session, except those meetings that may be closed for purposes specified in the Oregon Attorney General's Public Records and Meetings Manual (ORS 192.610 to 192.690). These include the employment or dismissal of public employees, performance evaluation of the council's employees, labor negotiations, real property transactions negotiations, and consulting with legal counsel on pending or threatened litigation.

Notice of executive sessions shall be given as required by state law and that notice must state the specific provisions of law authorizing the session.

The Mayor and City Councilors are expected to maintain the confidentiality of the information discussed in legally noticed and conducted executive sessions as defined in Chapter 192 of the Oregon Revised Statutes.

1.08 Minutes

Written minutes shall be taken for all City Council meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

As a matter of courtesy and efficiency, a councilor should notify the Mayor and other councilors that he/she intends to propose an amendment to the minutes and should propose replacement text in advance of the meeting at which those minutes are scheduled to be approved. If the proposed amendment is a simple factual, grammatical, or spelling correction, the amendment may be proposed without consulting the minutes recorder. If, however, the proposed amendment is substantive in nature or seeks to clarify the speaker's intent, or to expand his/her remarks for the record, the councilor should notify the minutes recorder and request verification of the proposed amendment.

1.09 Voting

Section 12 of the Eugene Municipal Charter states that the Mayor only votes on matters before the Council in the case of a tie. Council members may not abstain from voting unless a conflict of interest has been declared.

1.10 Presiding Officer

The Mayor shall preside over City Council meetings when present. The president of the Council shall preside if the Mayor is absent or unable to preside. The Council vice president shall have the powers of the Council president when the Council president is performing the duties of the Mayor. If the Mayor, Council president, and vice president are unavailable, the Council members present shall elect a temporary presiding officer.

1.11 Council Officers

Council officers shall be elected for one-year terms in the manner prescribed in the E.C. 2.009, at the first regular meeting in each calendar year.

2. PLACING ITEMS ON COUNCIL AGENDA

2.01 Contact the City Manager

Contact the City Manager and explain the nature, scope and desired outcome of the item for the agenda or make the request during “Items from Mayor and City Council” at a City Council meeting. The City Manager and Mayor may then decide to place the item on a future agenda.

2.02 Council Poll

Alternatively, an item may be placed on the Council agenda by councilor request. A councilor may ask Council support staff for a work session or consideration of a resolution, and staff shall then poll all councilors, in writing, to ask if the item should be placed on the Council agenda. If, within two weeks of distribution of the poll, with an individualized reminder at five working days, four Councilors respond in the affirmative, the item shall be placed on a future Council agenda within a reasonable time.

Work session polls will generally include the work session topic and related Council goal or priority issues and questions to be addressed and intended outcomes.

2.03 Tentative Agenda on the Consent Calendar

At each regular meeting of the Council, the City Manager shall present the Tentative Agenda. This shall be placed on the Consent Calendar. If there are concerns about items on the Tentative Agenda, it may be removed at the request of any councilors from the Consent Calendar and discussed separately.

2.04 Tentative Agenda Provided Each Week

The Tentative Agenda shall be included in the weekly information packet provided to the Council.

2.05 Scheduling of Items on the Agenda

The City Manager and Mayor shall decide the date that items come before Council for work sessions and for regular meetings.

2.06 Routine Business Items on the City Council Agenda

The City Manager shall continue to place routine and standard items of Council business on the City Council agenda.

3. ORDER OF ITEMS ON A SPECIFIC DATE MEETING AGENDA

3.01 Pledge of Allegiance to the Flag

The Eugene City Council shall begin its formal council meetings with a voluntary recitation of the Pledge of Allegiance at those council meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July.

At the council meeting closest to the Fourth of July, the ceremony will also include readings from the Declaration of Independence and/or United States Constitution.

3.02 Ceremonial Matters

At the first regular meeting of each month, the first agenda item shall be used to acknowledge special recognition or awards given to the City of Eugene or for the Mayor to read proclamations which serve to encourage and educate the community. Proclamations shall be made and placed on the agenda at the discretion of the Mayor. This item shall be called "Ceremonial Matters." Requests for recognition under Ceremonial Matters should be submitted in writing to the Mayor.

3.03 Committee Reports and Items from Mayor, City Council and City Manager

At regular meetings held on the second and fourth Mondays of each month, the first item on the agenda or following Ceremonial Matters and the Pledge of Allegiance, shall be "Committee Reports and Items of Interest from Mayor, City Council and City Manager." This portion of the agenda provides an opportunity for the Mayor, councilors and City Manager to raise issues, present ad hoc motions, introduce resolutions and report on committee activities and actions. The time allotted for "Items" is subject to change to accommodate emerging issues.

3.04 Consent Calendar

At regular City Council meetings, in order to expedite the Council's business, routine and standard items shall be placed on the Consent Calendar 1 for Council's consideration prior to the Public Forum. Annexations and similar land use action items shall be placed on Consent Calendar 2 for Council's consideration after the Public Forum.

Any item on either Consent Calendar may be removed for separate consideration by any member of the Council. Revisions or corrections to meetings minutes shall be considered first, prior to other items removed from the Consent Calendar. The remaining items on the Consent Calendar may then be considered for action by a single vote. The items pulled from the Consent Calendar shall be considered after the approval of the remainder of the Consent Calendar and before the next scheduled item on the agenda, unless requested for later consideration. In general, ordinances, because of charter requirements, should not to be placed on the Consent Calendar.

3.05 Public Hearings Given Priority

As a guideline, public hearings shall be placed on the specific meeting agenda before items only requiring action. Further, public hearings expected to draw a small number of speakers shall be placed before public hearings for which a larger number of speakers is expected.

3.06 Action Items

In general, action on ordinances and councilor-introduced resolutions or motions shall be placed on regular City Council meeting agendas and shall be scheduled after Public Forum, unless they are Priority Goal actions. This does not preclude taking action on items during work sessions or other portions of the meeting. Action items that are specifically related to City Council Goals and Priorities shall be scheduled for action prior to Consent Calendar 1. Examples include items such as Low Income Rental Housing Property Tax Exemptions (LIRHPTE) and other authorizations in support of low-income housing.

4. COUNCIL ACTION ON AGENDA ITEMS

As a guideline, action on issues for which a public hearing has occurred shall not be taken at the same meeting at which the public hearing is held. In the case of an ordinance, the charter requires that an ordinance shall not be adopted by the Council unless it has been considered by the Council during at least two meetings. With the unanimous consent of the Council, the Council may consider and enact an ordinance at a single meeting if the Council does not amend the ordinance in a manner that modifies its substantive effect (Charter, Section 28 (3)).

5. POSTPONING AGENDA ITEMS

Any councilor may request that an item be postponed to another meeting if he/she is unable to attend the meeting at which the item has been scheduled. As a courtesy, councilors should submit in writing a request to postpone to the Mayor as early as possible. If the Mayor is unavailable, the request should be made to the City Manager or the Manager's designated staff member. A request to postpone may be made for either a work session item or a vote on an agenda item. The request to postpone shall be honored unless a majority of councilors present determines that the matter needs to be acted upon at that meeting.

6. COMMITTEES OF THE COUNCIL

6.01 Creation of Committees

While the City Code governs appointments to certain committees, the code grants broad general powers to the Mayor and City Council to create subcommittees or special ad hoc committees of the Council. The Mayor shall nominate and the Council shall appoint the members of any committee established by the Council unless a different procedure is specified at the time the committee is established. The charge to the committee shall be clearly stated at the time the committee is established, and the committee shall disband when its work is complete. Committees may be composed of councilors, interested citizens or both.

6.02 Standing Committees of the Council

There is one standing committee of the Council: Intergovernmental Relations Committee.

6.03 Standing Advisory Bodies to the Council

There are seven standing advisory bodies to the City Council. These are created in the Eugene Code and Charter and exist to provide advice on policy matters. They are: 1) Budget Committee; 2) Planning Commission; 3) Police Commission; 4) Human Rights Commission; 5) Sustainability Commission; 6) Civilian Review Board; and 7) Toxics Board.

7. CONDUCT AT MEETINGS

7.01 Roberts Rules of Order

Conduct at City Council meetings and committee meetings is governed by Robert's Rules of Order, Revised. The Council has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it. Council members shall avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues.

7.02 Other Meeting Guidelines

The presiding officer shall be responsible for ensuring order and decorum are maintained. Behavior or actions that are unreasonably loud or disruptive shall be cause for removal from

Council meetings. This includes engaging in violent or distracting action, making loud or disruptive noise or using similar language, and refusing to obey an order of the presiding officer.

Council members speak only for themselves and shall be open, direct and candid. They work to keep discussion moving and call for a “process check” if the discussion becomes bogged down. Time limits may be set on topics. When councilors speak to each other during public meetings, last names shall be used during regular meetings, but first names may be used during work sessions. The Mayor is, however, always referred to as “Mayor.”

During public meetings, councilors generally should not attempt to edit or rewrite prepared ordinances. Amendments to an ordinance may, however, be appropriate. Generally, councilors should give direction to staff to bring back amended ordinances for Council consideration.

If a member of the Council intends to make a motion at a meeting which is not reflected in the agenda item summary, every effort should be made to contact other members of the Council to inform them of the intent and the text of the motion at least 24 hours in advance of the meeting whenever possible or practicable. City Council support staff should be provided with the same information and may be asked to assist in the notification process.

The Mayor and Council will be limited to commenting only on the main motion prior to discussing any proposed amendments. If an amendment to the motion is made during the initial round on the main motion, subsequent remarks on the amendments will be postponed until all wishing to speak on the main motion have done so.

Comment times for the Mayor and councilors at City Council meetings or work sessions shall be generally limited to no more than three minutes. At the discretion of the Mayor or presiding officer, second and subsequent rounds may be limited further to ensure that everyone has an opportunity to be heard in the time allotted for the item.

7.03 Public Conduct

The rules of conduct for members of the public shall generally be the same as for the Council. City Code prohibits any person from bringing flags, signs, posters, and placards to a City Council meeting unless authorized by the presiding officer. The Eugene Code specifically permits arm bands, emblems, badges, and other articles worn on personal clothing, so long as such items do not extend from the body in such a way as to cause injury to another.

8. COUNCILOR REQUEST FOR STAFF ASSISTANCE

8.01 Two-Hour Rule

Initiatives requiring more than two hours of staff time must be approved by the Council. Requests that involve less than two hours staff time or resources should be directed to the City Manager.

8.02 Major Request

A councilor who desires major policy, ordinance research, or other staff assistance should first raise the issue at a City Council work session. The Council should decide whether to proceed with the issue or ordinance before staff time is spent.

8.03 Tracking Council Requests

Except for routine inquiries, the City Manager shall respond to councilors' requests for information or assistance. The Manager shall assign these requests to appropriate City staff and track progress on the assignments. This process eliminates the possibilities of staff members duplicating each other's efforts or a request being overlooked.

9. REPRESENTING CITY POSITIONS AND PERSONAL POSITIONS

9.01 Written Communications from City Councilors and Mayor

In written communication with other officials or groups and in letters for publication, such as "to the editor," the Mayor and councilors should be careful to decide whether to speak only for themselves or for the Council. In speaking for the Council, when there is a position which the writer wishes to reinforce or explain, it is useful to circulate a copy to the Council for comment before the letter is mailed. Letters to other elected officials or agencies on City issues shall be discussed with the appropriate staff so that the City lobby effort can be coordinated.

When writing as an individual, a councilor or the Mayor is free to take any position he/she feels is appropriate. When it is a point of view different from a Council position, this fact should be included in the letter. Use of City stationery and choice of pronouns shall be left to the discretion of the councilor or the Mayor.

The governing principle is to advise the Council or staff when expressing a City position, and to make differences clear when speaking as an individual.

9.02 State/Federal Lobbying

The effectiveness of City lobbying in Salem or in Washington, D.C. depends on the clarity of the City's voice. When councilors or the Mayor represent the City in a lobbying situation, it is appropriate that the councilors or the Mayor avoid expressions of personal dissent from an adopted Council policy. This policy is stated in Resolution No. 4139, Council Policy on Testimony and Funding Applications.

A councilor or the Mayor in disagreement with an adopted policy should not be deprived of the right to express such views to the appropriate officials at another time and another place. However, the councilor or the Mayor should feel bound to advise those to whom such disagreement is expressed that it is an individual view and that the Council has taken a different position.

9.03 Attending Conferences, Other Meetings

Councilors and the Mayor are encouraged to attend conferences and training sessions which would enhance their skills and knowledge. Any councilor or the Mayor may attend any meeting at which the Council is represented, but only the formally appointed official City Council representative or designated alternate, has the right to vote on matters being considered by the organization or group holding the meeting or conference. Individual councilors or the Mayor may state he or she is representing the City Council if he or she has been formally directed by the City Council to do so.

For local intergovernmental bodies or advisory groups to which an official Eugene City Council representative has been appointed, the representative is to serve as an "instructed

delegate;" that is, to represent pertinent adopted City and City Council policy. If possible, the Mayor or councilors should inform the other members of the City Council of the matters being considered by intergovernmental bodies, and to the greatest extent possible, seek direction from the City Council on issues directly pertaining to the City of Eugene and adopted City policy. The representative may express his or her own opinion, provided it is identified as such, but when voting or considering matters with policy implications or budgetary considerations, the representative must follow adopted City or City Council policy and direction.

Participating in state and national groups such as the League of Oregon Cities and the National League of Cities presents the opportunity to enhance skills and knowledge and is an important avenue for the Mayor and councilors to advocate for the members of the community and the city itself. If the Mayor or councilors attend meetings of these organizations, an official voting delegate should be selected by the City Council. This voting delegate, to the greatest extent possible, informs the Mayor and City Council of issues or matters on which the voting delegate may be asked to vote. If there is existing City or Council policy, the voting delegate will vote in accordance with that policy. When providing a report to the council (see Section 10.06), votes of the delegate should be included in that report.

If the Mayor or individual councilor serves on a committee of a state or national advisory committee and has been selected in an "at large" role, that is, not a specific seat or position for a City of Eugene elected official, that person should state the adopted City or Council policies. However, that person is not bound by the adopted policy and can represent his or her own position, provided that the person makes such a disclaimer.

10. COUNCILOR EXPENSES

10.01 General Guidelines for Reimbursed Expenses

Under the provisions of the City Charter, the City may pay a councilor or the Mayor expenses that are directly related to City business. It is each councilor's and the Mayor's responsibility to determine if expenses are actually City-related. If there are questions about the propriety of such expenditures, the Manager shall first review the issue with the councilor. If the City Manager and the councilor cannot resolve the issue, the Manager shall discuss the matter with the Mayor. Receipts should be secured for any expenses and should accompany City Council expense report forms to record mileage and other expenses. The forms shall be available from the City Manager's Office.

Activities that support or oppose a political campaign shall not be reimbursable.

10.02 Out-of-Town Expenses

Out-of-town expenses include those incurred while attending City-related conventions, conferences, training seminars, or meetings. Expenses that are paid by the City include fees for seminars or conferences; transportation to, from, and at the destination; and lodging, meals, and incidental expenses that are necessary to conduct City business.

10.03 Local Expenses

Local expenses include those incurred while representing the Council on a committee,

attending meetings, attending local seminars or conferences, attending local special events, or meeting with groups or individuals to discuss City matters. Expenses that are paid by the City are detailed in Resolution No. 4375 and include meals, conference registration, transportation and necessary incidental expenses, and up to two community group memberships, not to exceed \$100 total. The reimbursement for bicycle mileage using alternative forms of transportation, including walking and biking and excluding buses, as permitted in Resolution No. 4375, shall be \$.25.8 per mile as of July 1, 2020, and shall be adjusted each year at the same rate of increase as that of automobile reimbursement. Special materials such as books or directories may also be eligible for reimbursement.

If receipts are not available, a written description of expenses signed by the Councilor must be submitted along with the Council Expense Report Form. Forms shall be available from the City Manager's Office.

10.04 Spouse/Partner/Guest Expenses

The City shall reimburse councilors or the Mayor for spouse/partner/guest expenses at local events when the councilors or the Mayor and a spouse/partner/guest are jointly invited and the councilors are serving in their official capacity, such as a recognition dinner. The City does not otherwise reimburse councilors or the Mayor for expenses incurred by their spouse/partner/guest. If councilors or the Mayor wish to have their spouse/partner/guest accompany them while attending out-of-town events, the City may make reservations and have travel and lodging expenses billed directly to the City. Councilors or the Mayor must then reimburse the City for their spouse/partner/guest travel and lodging expenses. Reimbursement should be made as soon as possible so that the trip reconciliation process can be completed.

10.05 Petty Cash

Expenses under \$50 can be reimbursed out of the petty cash fund in the City Manager's Office.

10.06 Travel Guidelines

Prior notification of out-of-town travel shall be given to staff responsible for travel arrangements in the City Manager's Office whenever possible. Registration and travel arrangements should be made well in advance so that the City can take advantage of reduced fares and early registration fees. Staff shall assist councilors in making transportation and lodging arrangements and arrange to have expenses billed directly to the City; contractors shall be chosen by staff, and not by councilors.

While at a conference, councilors or the Mayor shall be expected to attend conference sessions and, within 30 days, issue a written report to share the information and perspectives with the entire City Council. If more than one councilor attends, a consolidated report may be written.

As a general guideline, each councilor is allowed two out-of-state conference trips per fiscal year. If a councilor wishes to make additional trips, the request should be brought to attention of the full Council and should be endorsed by a majority of the Council. This guideline is intended to cover trips made at the discretion of the individual councilor; it is

not intended to be applied to trips related to service on national or regional committee, such as a committee of the National League of Cities.

10.07 Overseas Travel

If the Mayor or members of the Council wish to attend a conference or make a Council business-related trip to a destination overseas, this request shall be made in writing well in advance and shall be placed on the Consent Calendar for approval by the Council.

11. ETHICS

11.01 Reporting Requirements in ORS

In accordance with ORS 244.050, the Mayor and all councilors holding office on April 15 shall be required to file an Annual Verified Statement of Economic Interest with the Oregon Government Standards and Practices Commission on or before that date. The report must be filed on the form prescribed by ORS 244.060. Each year the form shall be sent directly to the elected official by the Commission and should be returned directly to the Commission in Salem. Failure to submit the form by the April 15 deadline may result in the imposition of a civil penalty and/or removal from office.

11.02 Local Code of Ethics

The Charter requires that a code of ethics be enacted. This local code, found in the Eugene Code, places additional conflicts of interest requirements upon elected officials and creates a local process for filing complaints.

12. MEETING AND WORK SESSION SEATING ASSIGNMENTS

The Council shall be assigned seats in January, following the election of the Council president and vice president. The Mayor is always seated at the center position with the Council president seated at the Mayor's right and the Council vice president seated at the Mayor's left.

The remaining councilors shall be assigned seats in alphabetical order by last name. When the Council returns after each Council break, each person moves one seat toward the outside and to the opposite side of the table or dais; those in the outermost seats move to the innermost seats on the opposite side. This system allows councilors the opportunity to regularly change seats throughout a four-year term. Below is a detailed listing of the seating sequence.

JANUARY

Mayor	
President	Vice President
Councilor A1	Councilor B2
Councilor C3	Councilor D4
Councilor E5	Councilor F6

APRIL

Mayor	
President	Vice President
Councilor F6	Councilor E5
Councilor B2	Councilor A1
Councilor D4	Councilor C3

SEPTEMBER

Mayor

President	Vice President
Councilor C3	Councilor D4
Councilor E5	Councilor F6
Councilor A1	Councilor B2

**CITY COUNCIL COMMITTEE ON INTERGOVERNMENTAL RELATIONS
OPERATING AGREEMENTS
ADOPTED BY THE CITY COUNCIL ON OCTOBER 23, 2023**

1. Purpose of Council Committee on Intergovernmental Relations

The Council Committee on Intergovernmental Relations (IGR Committee) exists to make recommendations to the City Council on State and Federal legislative issues. At this time, it is the only standing committee of the City Council.

2. Membership

The IGR Committee consists of three City Council members.

The three IGR Committee Council members are appointed annually by the Mayor in the normal course of appointments to various boards and commissions on which City of Eugene elected officials serve. The Mayor will appoint members that represent the City Council's political and ideological diversity.

The Mayor serves as an ex-officio member of the IGR committee.

3. Committee Chair

The IGR Committee shall elect a chair of the committee at the first regularly scheduled meeting after the Mayor has appointed the members to the IGR Committee.

4. Conducting the Business of Meeting

IGR Committee meetings are governed by Roberts Rules of Order, Revised. Like the City Council, the IGR Committee has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it.

5. Meetings

The IGR Committee meets as needed and generally meets more frequently when the Oregon Legislature is in session. Meetings of the IGR Committee are subject to the requirements of Oregon Public Meetings Law, ORS 192.620. The meetings shall be held within the jurisdictional boundaries of the City.

No IGR Committee meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced.

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media that requested notice.

6. Quorum

Two members of the IGR Committee constitute a quorum for the transaction of Committee business. Other members of the City Council may attend meetings of the IGR Committee, but shall have no authority or status to vote on matters considered by the IGR Committee during that meeting.

Unanimous votes of the IGR Committee require 3 votes, not 2 votes, should an IGR Committee member be absent.

An IGR Committee member may designate the Mayor to serve as an alternate in the member's absence.

7. Minutes

Written minutes shall be taken for all IGR Committee meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. Minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

8. Process for Sessions of the Oregon Legislature

The Oregon State Legislature convenes annually in January in the state capitol of Salem. In odd years, sessions may last 160 days, referred to as "long session." During the "long session" the legislature approves a two-year state budget for the next biennium. In even years, a "short session" is held. A short session can last a maximum of 35 days. Preparation for the Long Session is begun by IGR staff who meet with the members of the IGR Committee and other City departmental staff to outline legislative policies and concepts for the upcoming session based upon City Council goals, priorities, community needs and organizational issues. These concepts, after being vetted by staff and the IGR Committee, are then submitted to the full City Council for review and approval. Once the concepts are approved, they become the basis for the Oregon Legislative Priorities document and the Legislative Policies document that serves as the cornerstone for position and lobbying efforts on bills during the session.

9. Process for Introducing Legislation

The City may wish to introduce legislative concepts on its behalf to the legislature. The IGR Committee meets and reviews all proposals for legislation prior to submittal to the Legislature.

Any City staff or elected official interested in introducing legislation prepares a written overview of the purpose of the legislative concept and draft language for review by the IGR Committee. The IGR Committee then reviews the proposal, taking action during a regular meeting to revise, adopt, or take no action on the proposal. Once the IGR Committee has voted on proposed legislative concepts, this recommendation moves forward to the full City Council for review and action.

After the proposed legislative concepts have been reviewed and approved by the full City Council, legislative concepts that have been approved are presented to the Legislature or Eugene Area Legislators for drafting.

10. Process for Review and Prioritization of Legislation

In 2013, the City Council adopted Resolution 5081 (Attachment A), which guides the IGR Committee Legislative Review process and Voting process.

Review by City staff:

- Once the bills are introduced, they are assigned by an IGR staff person to the appropriate Legislative Coordinators (LCs) for review.

- Legislative Coordinators (LCs) in the appropriate City department analyze priority introduced bills that may affect the City. LC staff is determined by each Department.
- LC staff turnaround for review and analysis of a bill is expected to be within 10 working days of the assignment of a bill unless the movement of a bill warrants a faster turn-around. In those cases, IGR staff will contact the LC and arrange for a faster review.
- If a bill addresses one or more of the policies presented in the Oregon Priorities or Legislative Policies documents for that session, the particular policy is noted in the LC staff's analysis of the bill.
- LC staff will relay both the pros and cons of a bill in their comments as well as any amendments that would make the bill more favorable.
- In collaboration with the IGR Manager, the LC will assign each bill a priority and a recommendation.

Position Recommendations:

Support: From the City's perspective, we are in favor of the bill and the impacts. Legislative Coordinators should note why we are in favor of the bill and note any amendments that would make the bill better.

Oppose: From the City's perspective, we are opposed to the bill and the impacts. Legislative Coordinators should note why we are opposed and make any recommendations that would make the bill better, if applicable.

Priority Recommendations:

- **High Priority Bills:** We will be highly selective in identifying priority bills to be forwarded to the Intergovernmental Relations Committee (IGR). For a bill to be recommended as a high priority bill to be actively lobbied, either in support or in opposition, the bill would have a significant impact on City operations, services, or finances in such ways to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact operations, services, or finances of the City. Examples of high priority bills could include Telecom/local pre-emption efforts, PERS reform, Public Safety, and transportation funding.
- In addition to be bills identified as high priority, other bills and legislative issues may be forwarded to the IGR Committee to enable staff to provide supportive or opposing written or oral testimony. Examples of issues that may require supportive testimony (as opposed to active lobbying) include support for the Oregon Cultural Trust, support for one of our partner agencies lobbying efforts (University of Oregon, City of Springfield, EWEB), etc.

11. Voting on bills

The IGR Committee votes on all bill priorities and recommendations.

Approved IGR Committee minutes, including votes on bill positions, will be shared with the full City Council by including them with the weekly City Council materials. Any bill that has been reviewed by the IGR Committee may be requested for discussion by the full City Council or by the Mayor.

If a position the IGR Committee has taken on a bill is not unanimous, the position on that bill will be Neutral until the full City Council weighs in and directs a position. If possible, the bill will then be placed on the next available City Council agenda.

12. Communicating with City Council

All Councilors are encouraged to bring items of interest for follow up by the IGR Committee to the IGR Members, the IGR Manager, City Manager, or Mayor at any time.

The IGR Chair will provide regular updates to the Council during the 'Committee Updates and Items of Interest' section of the Regular City Council meetings.

- Outside of Legislative Session, one update per month, during Items of Interest, by the IGR Chair at the first Monday meeting. This will share with Council the outcomes from the monthly IGR Committee Meeting. The IGR Manager will send this update to the Chair prior to the meeting.
- During the Legislative Session, two updates per month to the Council, during Items of Interest, by the Chair, including Committee Meeting outcomes and Priority Bill Update. The IGR Manager will send this update to the Chair prior to the meeting.

During the Legislative Session, the IGR Manager will provide weekly Priority Bill Update Email to the full Council. During Legislative Session, the weekly Priority Bill Update Email will be included within the weekly Council packets.

13. Process for Federal Lobbying Efforts

The IGR Committee and IGR staff address Federal lobbying priorities in concert with a number of the City's local governmental partners.

The Federal priorities begin with a review of opportunities for funding in the next Federal budget and goals that are specific to Eugene or the area. The IGR Committee meets and reviews the list of potential priority projects. Potential projects should be those projects which have already gone through the proper authorization channels and are "shovel ready" projects. Once the IGR Committee reviews the list of potential projects, the Committee develops a list of project goals that are considered to be achievable.

After the proposed goals have been vetted by staff, United Front partners, and other community partners, and the IGR Committee, the priorities list is then presented to the full City Council for review and approval.

The final list becomes part of the "United Front" agenda which is presented to the area's congressional representatives, executive department staff, and other potential funding sources in Washington, D.C. The attendees on the lobbying trips typically include the Mayor, chair of the IGR Committee, and appropriate City staff.

14. Grants and Funding Applications

Under the direction of the City Manager, the IGR Manager will coordinate with departmental staff and Executive Leadership to ensure all City applications for grants or funding are in accordance with adopted City Policy and have existing budget authorization for any match requirements (either in-kind resources or direct funding). Coordination will include, but not be limited to, ensuring city staff are working collaboratively related to funding sources, support communications related to successful funding requests, and building relationships with potential funding partners.

15. Resolution 4908

On April 18, 2007, the City Council adopted Resolution No. 4908, “A Resolution Establishing Policy Governing City Testimony and Funding Requests, and Repealing Resolution No. 4139”. This speaks to the issue of testimony before legislative bodies, funding requests and the role of the Council in setting legislative policy. This Resolution is incorporated into this document as Attachment B.

16. City Council Operating Agreements

The operating agreements of the IGR Committee are to be incorporated into the Operating Agreements of the Eugene City Council. As the IGR Committee is a subset of the City Council, any and all process and operating agreements supersede this document. All process and operating agreements of the City Council, by extension and when relevant apply to the IGR Committee.

Attachment A: City of Eugene Resolution 5081.

Attachment B: City of Eugene Resolution 4908.

RESOLUTION NO. 5081

**A RESOLUTION CONCERNING THE 2013 OREGON LEGISLATURE
AND THE CITY COUNCIL COMMITTEE ON INTERGOVERNMENTAL
RELATIONS OPERATING AGREEMENTS ADOPTED BY
RESOLUTION NO. 5043.**

The City Council of the City of Eugene finds that:

A. Section 2.007 of the Eugene Code, 1971, contains provisions regarding Council meetings and the establishment of Council groundrules.

B. The Eugene City Council Operating Agreements (referred to as groundrules in the Eugene Code, 1971) were adopted by Resolution No. 4588 on April 12, 1999, and have subsequently been amended, most recently by Resolution No. 5043 on October 11, 2011.

C. Included in the Operating Agreements is the document titled "City Council Committee on Intergovernmental Relations Operating Agreements" which contains the process for the City's participation in sessions of the Oregon Legislature. The City intends to pilot an alternate process for the 2013 Oregon Legislative Session as set forth in Exhibit A to this Resolution, and Resolution No. 5043 should be temporarily amended to enable the City to try the pilot process.

NOW, THEREFORE,

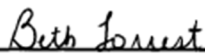
**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based on the above findings, the process for review, prioritization and lobbying of legislation for the 2013 Oregon Legislative Session shall be as described in Exhibit A to this Resolution, rather than the process set forth in Resolution No. 5043.

Section 2. A copy of this Resolution shall be appended to Resolution No. 5043.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 11th day of February, 2013.



City Recorder

Exhibit A

**PROCESS FOR REVIEW AND PRIORITIZATION OF LEGISLATION
FOR THE 2013 LEGISLATIVE SESSION**

The 2013 session will start on February 4, 2013. The Legislature convenes annually in February at the State Capitol in Salem. Sessions may not exceed 160 days in odd-numbered years and 35 days in even-numbered years. Five-day extensions are allowed by a two-thirds vote in each house. In odd-numbered years, the Legislative Assembly convenes on the second Monday in January, to swear-in newly elected officials, elect legislative leaders, adopt rules, organize and appoint committees, and begin introducing bills.

REVIEW OF LEGISLATION BY CITY STAFF LEGISLATIVE COORDINATORS

In past years, bills have been assigned by the IGR staff to appropriate staff throughout the city. This has resulted in the generation of a tremendous amount of work, both for staff, as well as for the IGR committee, often with limited or no tangible benefit. Very few bills that we take positions on merit targeted lobbying efforts on behalf of the city of Eugene. This year, we will be approaching the legislative session in a much more targeted way, with the goal of being more efficient, and effective in our lobbying efforts.

The most obvious change in the process will be that IGR staff will no longer routinely assign bills to legislative coordinators for comments and positions. Instead, we will rely primarily on departments to identify significant legislative issues/bills that merit taking a position on and actively lobbying. Department/division staff will be asked to rely on professional affiliations and jurisdictional counterparts across the state to stay in touch with legislative issues arising in their area of expertise. In addition to bills identified by departments, bills will be identified in a two other primary ways, through the League of Oregon Cities, and through paid lobbyists. The League of Oregon Cities has recently implemented a new bill tracking software system, which will be a significant new resource this session. Additionally, the city council or city manager may identify issues that come to their attention for IGR staff. It is strongly believed that all significant legislation of potential impact to the city will be identified through this approach.

Once an issue/bill is identified by department staff, legislative coordinators will assess consistency of the issue with adopted City policies and past legislative positions, and will provide comments and a recommended position and priority for referral to the IGR committee. Bills/legislative issues brought to IGR staff should be limited to those determined to be high priority; that is, the bill would have significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. Examples of legislative issues that have already been identified for this session include PERS reform, telecom, and public safety. Legislation related to these issue areas could have significant

financial or operational impact on the City – therefore we plan to actively lobby the city's interests in these areas.

LEGISLATIVE ADVOCACY

As described in the previous section, advocacy efforts will be narrowed and targeted to focus on a very few, high priority issues of potential impact to the City. In the past, this was done on the basis of the priority assignment and recommendation system. Because only bills of potential impact will be referred to the CELEG system, the priority assignment system will be modified. Staff will be asked to provide a "support," or "oppose," recommendation for all bills to be reviewed on which we want to take a position. In rare cases, there may be a need to "monitor" a bill. In that case, specific information will be provided to explain the merits of tracking such a bill.

Position Recommendations:

Support: From the City's perspective, we are in favor of the bill and the impacts. Legislative Coordinators should note why we are in favor of the bill and note any amendments that would make the bill better.

Oppose: From the City's perspective, we are opposed to the bill and the impacts. Legislative Coordinators should note why we are opposed and make any recommendations that would make the bill better, if applicable.

Priority Recommendations:

- **High Priority Bills:** We will be highly selective in identifying priority bills to be forwarded to the Intergovernmental Relations Committee (IGR). For a bill to be recommended as a high priority bill to be actively lobbied, either in support or in opposition, the bill would have a significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact the operations, services, or finances of the City. Examples of high priority bills could include Telecom/local pre-emption efforts, PERS reform, Public Safety, and transportation funding.
- In addition to bills identified as high priority, other bills and legislative issues may be forwarded to the IGR committee to enable staff to provide supportive or opposing written or oral testimony. Examples of issues that may require supporting testimony (as opposed to active lobbying) include support for the Oregon Cultural Trust, support for

one of our partner agencies lobbying efforts (University of Oregon, City of Springfield, EWEB), etc.

Voting on bills:

The IGR Committee votes on all bill priorities and recommendations.

All unanimous positions are presented on the full City Council's agenda for review and approval. The minutes of the IGR Committee are ratified by the City Council. Any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any Councilor or by the Mayor.

If a position the IGR Committee has taken on a bill is not unanimous, the position on that bill will be Neutral until the full City Council weighs in and directs a position. If possible, the bill will then be placed on the next available City Council agenda. If time makes placing the bill on the City council agenda impossible, City council members will be emailed with the details of the bill and asked for their direction.

RESOLUTION NO. 4908

**A RESOLUTION ESTABLISHING POLICY GOVERNING
CITY TESTIMONY AND FUNDING REQUESTS, AND
REPEALING RESOLUTION NO. 4139.**

The City Council of the City of Eugene finds that:

- A.** Under the Eugene Charter, it is the exclusive role of the City Council to set legislative policy for the City.
- B.** On September 13, 1989 the City Council adopted Resolution No. 4139 establishing policy governing testimony and funding requests by City representatives.
- C.** The City Council has determined that Section 7 of Resolution No. 4139 should be repealed.
- D.** The Council finds that Resolution No. 4139 should be repealed in its entirety, and its provisions, other than Section 7, be readopted as hereinafter set forth as City policy governing testimony before the Federal government, the Legislative Assembly of the State of Oregon or its committees, State agencies, or municipal corporations, and submission of funding requests to such entities. As used herein, in addition to the Congress of the United States, references to "Federal government" includes all committees, commissions, departments, agencies, bureaus, and governmental divisions or instrumentalities of the United States.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based upon the above findings, which are adopted herein, Resolution No. 4139, adopted by the Council on September 13, 1989, and any other Resolution in conflict herewith is hereby repealed as of the effective date of this Resolution, and City policy governing testimony and funding requests is established as hereinafter set forth.

Section 2. Any employee or agent of the City, the Mayor or any member of the City Council or any City board or commission desiring to testify in his or her official capacity on legislative or regulatory matters before the State Legislative Assembly, State agencies, municipal corporations, or the Federal government, or desiring to submit funding requests for municipal activities thereto or to any private foundation, shall present the essence of the testimony or funding request to the Council for prior approval, modification, or disapproval.

Section 3. No employee, agent or officer of the City shall testify on legislative or regulatory matters before a governmental entity or request funding from a public or private source in his or her official capacity contrary to the adopted policies of the Council. The Mayor, members of the City Council, and members of City boards or commissions shall not make a

Resolution - 1

funding request contrary to the adopted policies of the Council. No such person shall testify contrary to adopted policies of the Council unless prior to the presentation the speaker submits to the governmental entity a written statement of the City's position and orally acknowledges before speaking that the testimony will be contrary to the City's position. Summaries of all testimony delivered under this section shall be provided to the Council. Each summary shall include a description of the time, place and group before which the statement was made.

Section 4. In the event time pressures do not permit the Council to consider the testimony before the intended time of presentation by a representative of a City board or commission, the person may speak for the board or commission, but must explain that the Council has not considered the issue. Summaries of all testimony under this section shall be provided to the Council.

Section 5. Any officer, employee or agent of the City, the Mayor, or a member of the Council or a City board or commission may take a position before or request funding from administrative staff of State agencies, municipal corporations, the Federal government, or private foundations without prior approval of the Council, but must declare that consideration and approval of the Council has not been obtained if that is the case. This declaration need not be given if the position or funding request presented represents application of previously adopted Council policies with respect to the issue being considered.

Section 6. If the City Manager, or his or her designee determines it is important that the City of Eugene speak on a legislative issue or apply for available funds and the hearing schedule or funding application deadline does not permit prior Council approval, the City Manager or his or her designee is authorized to speak on behalf of the City of Eugene after consultation with the Council Legislative Committee Chair. Summaries of all testimony delivered or funding applications submitted under this section shall be provided to the Council.

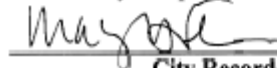
Section 7. This Resolution is not to be construed to abridge the rights of individuals to testify in their own names.

Section 8. The provisions of this Resolution do not apply to testimony before an agency or court in a quasi-judicial or judicial proceeding.

Section 9. Copies of this Resolution shall be distributed to the departments, boards and commissions of the City of Eugene and, as deemed appropriate by the City Manager, to the Federal government, State Legislative Assembly, State agencies, municipal corporations, and private foundations before presentation of testimony or funding requests. The City Manager is directed to take any other necessary administrative action to implement this Resolution.

Section 10. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 18th day of April, 2007.



City Recorder

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: October 23, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-5042

ISSUE STATEMENT

This item allows members of the public 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, items on the present agenda as a public hearing item, or items related to a quasi-judicial matter after the official record has been closed.

BACKGROUND

Per City Council's operating agreement, speakers at the Public Forum will be limited to two and a half minutes and the Public Forum will be limited to 90 minutes total. Speakers will be randomized, and no persons will be allowed to submit a "Request to Speak" form 30 minutes prior to the start of the meeting. Persons wishing to speak must sign up to do so not later than 5 minutes after the meeting has been opened by the Mayor or presiding officer.

At the end of the Public Forum each member of the Council has the opportunity to respond to comments made during the Public Forum. The time allocated to each member of the Council for such responses shall be up to three minutes.

FOR MORE INFORMATION

Staff Contact: Sara McKinney, Deputy City Recorder
Telephone: 541-682-5042
Staff E-Mail: smckinney@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-12-20, Tax Lot 01900 Located at 594 River Loop 1). (City File: A 23-4)

Meeting Date: October 23, 2023
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 4A
Staff Contact: Shawn Burgett
Contact Telephone Number: 541-682-5485

ISSUE STATEMENT

This item is a request to annex property located at 594 River Loop 1. The property to be annexed is approximately 3.37 acres and is located approximately 600 feet west of the intersection of River Loop 1 and Dalewood Street. No public right-of-way is proposed for annexation as part of this request and there is no formal deadline for Council action on this item. A vicinity map is provided as Attachment A.

The property is zoned AG Agricultural, with the /UL Urbanizable Land Overlay. Both the Metro Plan and the applicable refinement plan, the River Road - Santa Clara Urban Facilities Plan, designate the subject property for low density residential use. The area of annexation is located within the City's urban growth boundary (UGB) and is contiguous to City limits on a portion of its northeastern border, the entirety of its southern border and the majority of western border except the northwestern corner. Annexation will allow for future development consistent with the property's residential land use designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests is based on the criteria at Eugene Code Section 9.7825, which require that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached proposed resolution (see Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the subject property, the Santa Clara Community Organization, and interested parties consistent with Eugene Code requirements. The City did not receive any testimony in response to the public notice.

Referral comments were provided by affected agencies including City of Eugene Public Works and Eugene Water & Electric Board. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and absence of public testimony, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue, which is open from 12 pm to 4 pm Monday through Friday. To view materials at another time, please contact the listed staff representative to schedule an appointment. Copies may be also obtained at a reasonable cost.

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the proposed resolution.
2. Adopt the proposed resolution with specific modifications as determined by the City Council.
3. Deny the proposed resolution.
4. Defer action until after the council holds a public hearing on the proposed annexation.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council find that the annexation request complies with all applicable approval criteria and adopt the proposed resolution.

SUGGESTED MOTION

Move to adopt a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-12-20, Tax Lot 01900, Located at 594 River Loop 1).

ATTACHMENTS

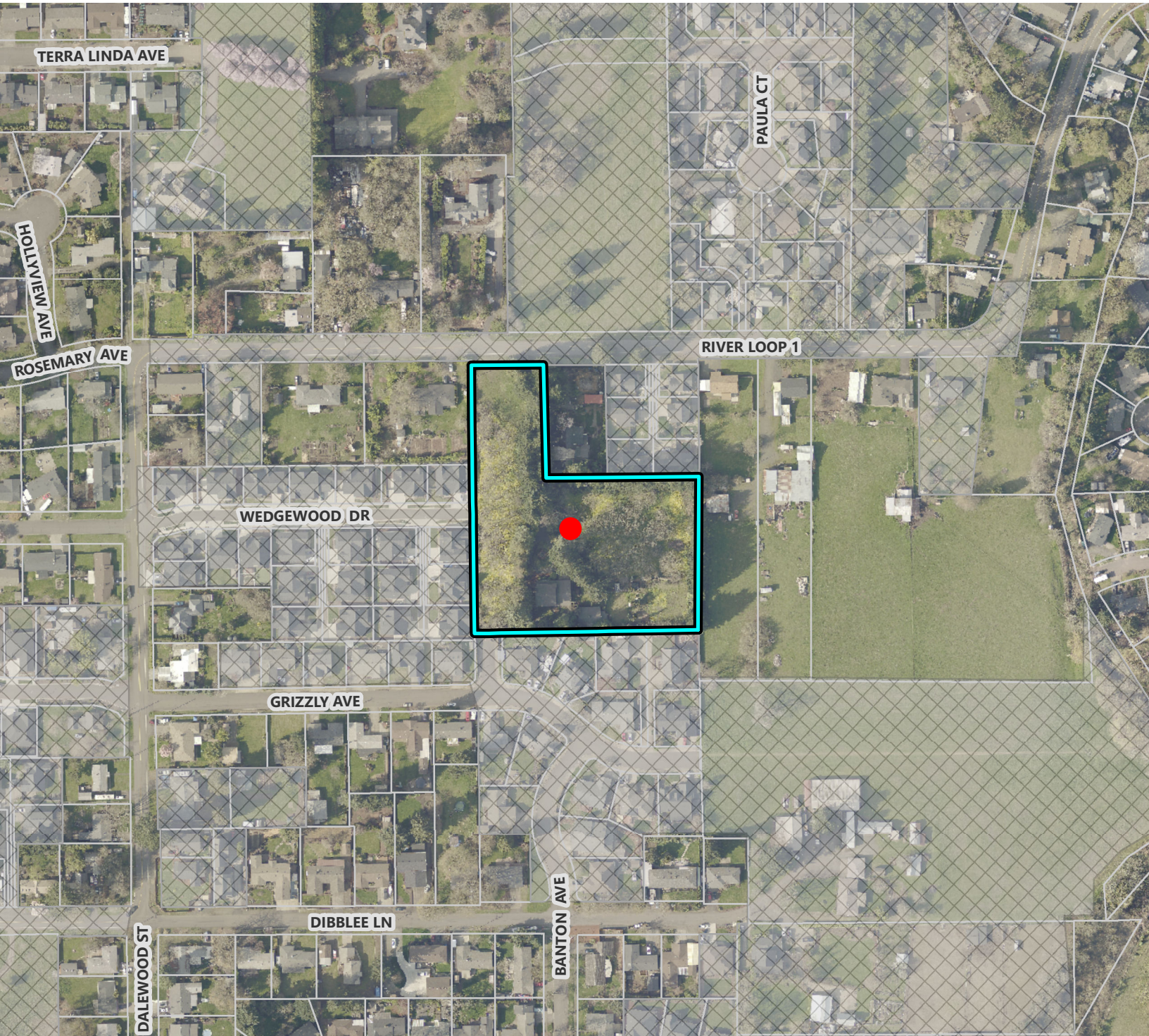
- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Legal Description
 - Exhibit B: Site Map
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Shawn Burgett, Associate Planner

Telephone: 541-682-5485

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



-  Subject Property
-  Eugene City Limits
-  Taxlots



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

Created on 9/6/2023
by City of Eugene Planning Division

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RESOLUTION NO. _____

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-12-20, TAX LOT 01900 LOCATED AT 594
RIVER LOOP 1).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on May 31, 2023, by Compeau Family Trust, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-12-20, Tax Lot 01900, to the City of Eugene.

B. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit A. A map depicting the annexation area is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation are attached as Exhibit C.

D. On September 22, 2023, a notice containing the street address, the assessor's map and tax lot number for the property, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of properties located within 500 feet of the perimeter of the subject property, and the Santa Clara Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on October 23, 2023.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-12-20, Tax Lot 01900, which is more particularly described in the attached Exhibit A, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from Agricultural (AG) with /UL Urbanizable Land Overlay to Agricultural (AG) shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of October, 2023.

City Recorder

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2022-017779, LANE COUNTY DEED RECORDS, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 17 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, EUGENE, LANE COUNTY, OREGON

THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 19 OF THE PLAT "FIRST ADDITION TO GRIZZLY PARK", LANE COUNTY PLAT RECORDS;

THENCE ALONG NORTH LINE OF SAID LOT 19 AND ITS WESTERLY EXTENSION SOUTH 89°35'30" WEST, 413.20 FEET TO THE EAST LINE OF LOT 10 OF THE PLAT "ROBERT MOORE SUBDIVISION", LANE COUNTY PLAT RECORDS;

THENCE ALONG THE EAST LINE OF SAID LOT 10 AND ITS NORTHERLY EXTENSION NORTH 00°30'00" WEST, 495.88 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF RIVER LOOP 1;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 89°41'17" EAST, 136.49 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2013-014546, LANE COUNTY DEED RECORDS;

THENCE ALONG WEST LINE OF SAID TRACT SOUTH 00°30'00" EAST, 209.92 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;

THENCE ALONG THE SOUTH LINE OF SAID TRACT AND ITS EASTERLY EXTENSION NORTH 89°41'40" EAST, 281.62 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF THE PLAT "STORYBOOK SUBDIVISION", LANE COUNTY PLAT RECORDS, SAID SOUTHEAST CORNER ALSO BEING ON THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2019-054119, LANE COUNTY DEED RECORDS;

THENCE ALONG SAID WEST LINE SOUTH 00°29'11" WEST, 285.26 FEET TO THE POINT OF BEGINNING.

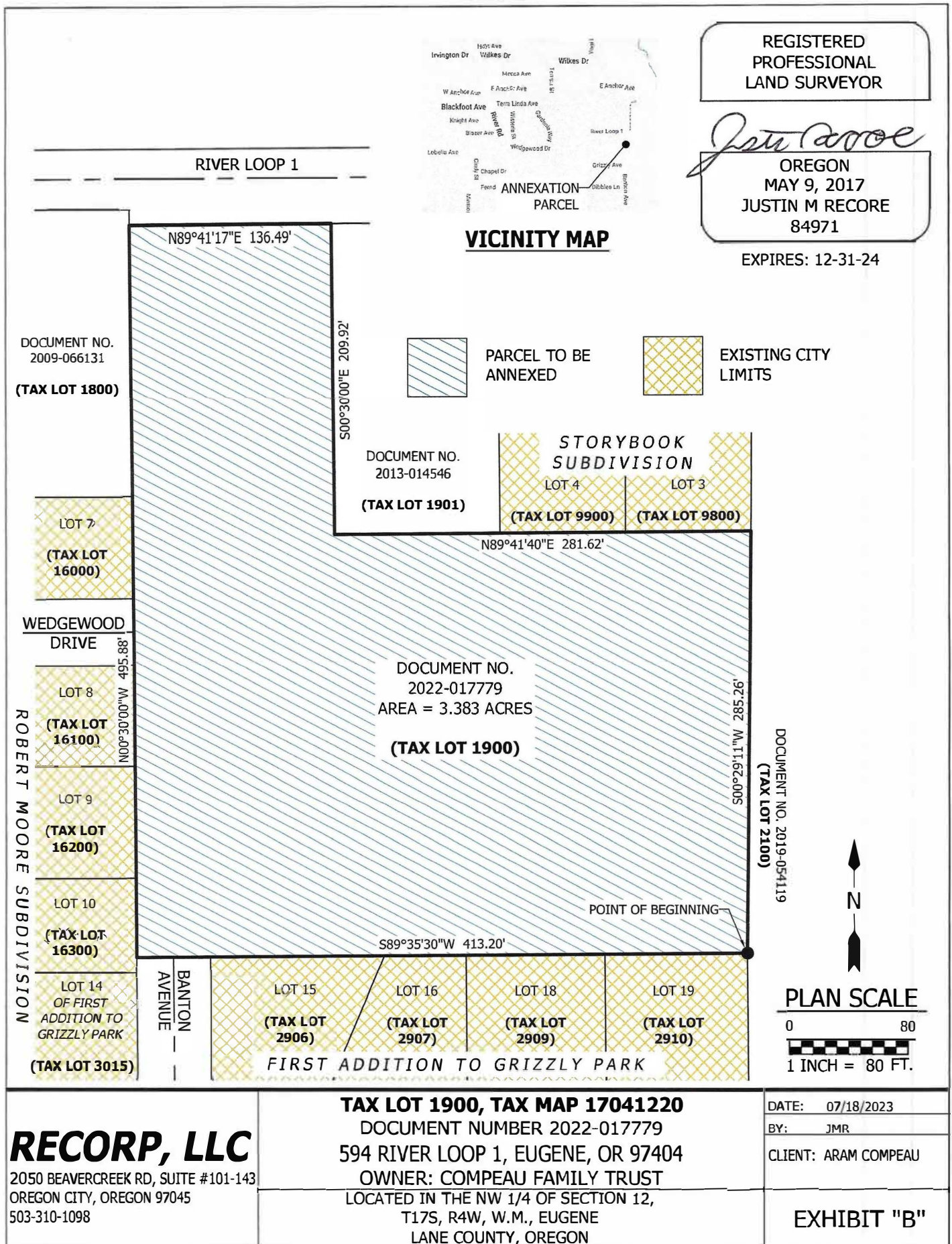
CONTAINING 3.383 ACRES MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Justin M Recore
OREGON
MAY 09, 2017
JUSTIN M RECORE
84971PLS

RENEWED: 12/12/21

Exhibit B





**Planning Director's Findings and Recommendation:
Annexation Request for 594 RIVER LOOP 1
(City File: A 23-4)**

Application Submitted: May 31, 2023
Applicant: Compeau Family Trust
Property Included in Annexation Request: Tax Lot 01900 of Assessor's Map 17-04-12-20
Zoning: Agricultural (AG) with an /UL Urbanizable Land Overlay
Location: 594 River Loop 1
Lead City Staff: Shawn Burgett, Associate Planner, City of Eugene Planning Division, 541-682-5485

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.		
Complies		Findings: The subject property is within the Urban Growth Boundary and is contiguous to City limits on its Southern, northern, and eastern borders, consistent with subsection (a).
☒	☐	
YES	NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.		
Complies		Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>
☒	☐	
YES	NO	

		<p><i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The following policy from the Residential Element of the <u>Metro Plan</u> is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the <u>Metro Plan</u>, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for low density residential use. The <u>River Road - Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject property, and also designates the area for low density residential use. The property is currently zoned AG Agricultural with a /UL Urbanizable Land overlay. The /UL overlay will be automatically removed from the property upon approval of the annexation. If the owner wishes to pursue low density residential use in the future, the applicant will need to file a zone change application with the City to request R-1 Low Density Residential zoning, which is consistent with both the <u>Metro Plan</u> and <u>RR/SC UFP</u> plan designations.</p> <p>Regarding applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a defined subarea. Further, none of the general “Residential Land Use Policies” in Section 2.2 of the <u>RR/SC UFP</u> appear to be directly applicable to the annexation request. The “Public Facilities and Services Element” policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p> <p>Based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and <u>RR/SC UFP</u> refinement plan.</p>
EC 9.7825(3)		The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.
Complies ☒ YES ☐ NO		Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:

Wastewater

The subject property is currently served by the public wastewater system as verified by the City's Public Works Department.

Stormwater

At the time of further development of the property, treatment of stormwater will be evaluated for consistency with City of Eugene policies and plans for treatment. With a variety of options available to provide stormwater treatment, service can be provided in an orderly, efficient, and timely manner.

Transportation

The property has frontage on Wedgewood Drive, Banton Avenue and River Loop 1, all of which are public streets. In the event further development occurs, additional evaluation of access to the public street system will take place.

Solid Waste

Collection service is provided by private firms. Regional disposal sites are operated by Lane County.

Water and Electric

Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision throughout the City. Fire protection will be provided by Eugene Springfield Fire. Emergency medical services are currently provided on a regional basis and will continue in the same manner upon annexation.

Parks and Recreation

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Planning and Development Services

Planning and building permit services are provided for all properties located within the Urban Growth Boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.

Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.

		<p><u>Public Schools</u></p> <p>The subject property is within Eugene School District 4J and is within the district boundary of Awbrey Park Elementary School, Madison Middle School, and North Eugene High School. As access to schools is evaluated on a district-wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
--	--	--

CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

- Upon approval of the annexation, the base zoning AG (Agricultural) zoning will remain. However, the /UL Urbanizable Land overlay will be automatically removed from the annexation area. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-12-20	01900	AG/UL	3.37 acres

Property Address: 594 River Loop 1, Eugene OR

Plans for Future Development & Permit Number (if applicable):

Public Service Districts:

Name			
Parks:	Eugene Parks and Recreation		
Electric:	EWEB (Eugene Water and Electric Board)		
Water:	EWEB (Eugene Water and Electric Board)		
Sanitary Sewer:	City of Eugene		
Fire:	City of Eugene		
Schools:	Elementary: Spring Creek	Middle: Madison Middle	High: N Eugene HS
Other:			

Filing Fee

- ☒ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☒ Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☒ Show the date & north arrow on site plan.
- ☒ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☒ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☒ Show city limits & UGB (if applicable)
- ☒ Clearly label the affected territory and any public right of ways to be annexed.
- ☒ Show all adjacent streets, alleys, and accessways.
- ☒ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☒ Show the location of all existing structures.

Other Application Requirements *(Submit 3 paper copies and 1 digital copy of all)*

- ☒ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☒ Notarized Consent to Annexation form.
- ☒ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☒ Summary of Urban Service Provision form.
- ☒ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 01900

Attachment C

Name (print): Compeau Family Trust - Aram Compeau

Address: 16345 Sanborn Road

Email: aram.compeau@gmail.com

City/State/Zip: Saratoga, CA 95070

Phone:

Fax:

Signature: 

Date:

5/12/23

PROPERTY OWNER OF TAX LOT: 01900

Name (print): Jean Compeau

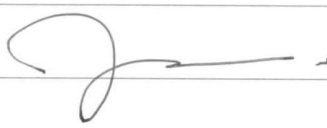
Address: 16345 Sanborn Road

Email:

City/State/Zip: Saratoga, CA 95070

Phone:

Fax:

Signature: 

Date:

5/12/23

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): Justin Recore

Company/Organization: Recorp, LLC

Address: 2050 Beavercreek Rd, Ste. 101-143

City/State/Zip: Oregon City, Oregon 97405

Phone: 503-998-2880

Fax: _____

E-mail: justin.recore@outlook.com

Signature: _____

Date: _____

REPRESENTATIVE (If different from Surveyor):

Name (print): John Anderson

Company/Organization: The Satre Group

Address: 375 W 4th Street, Ste.201

City/State/Zip: Eugene, OR 97401

Phone: 541-686-4540

Fax:

E-mail: Johna@satregroup.com

Signature:

Date:

****Attached additional sheets if necessary.**

July 19, 2023

Compeau River Loop Annexation - Resubmittal

Map 17-04-12-20, Lot 1900

Written Statement

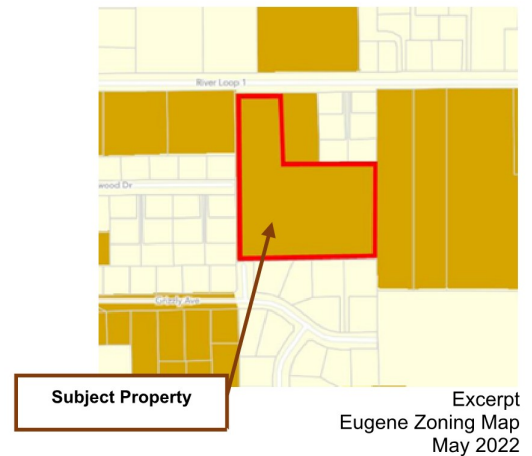
In accordance with EC 9.7825, Annexation—Approval Criteria, the applicant, Compeau Family Trust, is requesting that the City of Eugene review this annexation request and determine that the proposal complies with approval criteria and that the requested annexation can be approved. To aid Eugene staff in this endeavor, the following information is provided.

I. THE SITE AND EXISTING CONDITIONS

A. Planning Context

The subject property is inside the Urban Grown Boundary (UGB) and outside the City Limits of Eugene. The site is contiguous to the area inside City of Eugene city limits on its north, west, and southern boundaries. The property to the east is outside of Eugene city limits. The Metro Plan designation, neighborhood plan designation and zoning for the subject property is as follows:

Metro Plan:	Low Density Residential Refinement
Plan:	Low Density Residential
Base Zone:	Agricultural (AG)
Overlay	
Zone:	Urbanizable Land (/UL)



B. Subject Site

The site is located on the south side of River Loop 1, north of Grizzly Avenue, and east of Wedgewood Drive in the Santa Clara neighborhood of Eugene. In addition to frontage on River Loop 1 along the north boundary, the site can be accessed from Wedgewood Drive from the west and Barton Avenue from the south. It is comprised of one tax lot (Map 17-04-12-20, Lot 1900) and is approximately 3.37 acres in size. The site is surrounded by single-family dwellings to the north, west and south, with large-lot suburban residential development to the immediate east. Most of these properties have been annexed into the City. The site currently contains a single-family dwelling.



Subject Property
Google Earth
May 2021



PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

375 West 4th, Suite 201, Eugene, OR 97401

Phone: 541.686.4540

www.satregroup.com

C. Development Objective

The development objective is to ready the property for residential development. Among other permits and approvals, this will require Annexation, Zone Change, Tentative Subdivision, and Final Plat. To ready the property for development, erosion and site construction permits will be required. To construct new public streets and extend public utilities, a Privately Engineered Public Improvements Permit (PEPI) will also be required.

II. Incomplete Responses

- a. *First page under general comments – “Please submit payment for this application.”*

Response – Please see attached receipt for initial submittal.

- b. *A title report was not included in the application. To check for existing easements, please provide the title report and illustrate the easements specified in this section.*

Response – A title report has been added to the application package (see attachment 13). This application is for Annexation of the land as a whole, including any easements within or included with the property. No development is proposed with this application.

- c. *Please provide a legal description without letterhead (the application includes a legal description with letterhead).*

Response – The legal description has been included without the surveyor’s reference numbers listed at the top.

- d. *The Dept of Revenue reviews the final annexation documents; specifically, the description and Exhibit (not the Site plan). As per the checklist on page 21 of the annexation packet, please update the following items on the exhibit:*
#1- Include the property owner(s) name.
#7 Label the TL# to the parcel being annexed and the adjoining properties the tax lot.
9 Hatch or shade the parcel to be annexed.
#10 Hatch or shade City Limits at the time of the application.
#13 Missing Vicinity Map with annex clearly shown.

Response – A new exhibit has been prepared by the licensed surveyor and includes the property owner’s name; all tax lots labeled; a hatch on the parcel to be annexed (blue stripes); a hatch of the surrounding properties that are already within the City limits (yellow cross hatch); and a vicinity map.

- e. *A redline correction to Exhibit “A” was sent that describes the Beginning of the survey boundary as “Southeast” and it should be “Northeast.”*

Response – The surveyor has corrected the start point and the exhibit is correct.

III. ANNEXATION – APPROVAL CRITERIA

This written statement demonstrates how the development meets the Annexation criteria in Eugene Code 9.7825. Applicable sections of the Code are in ***bold italics*** followed by proposed findings of facts in normal text.

EC 9.7825 Annexation—Approval Criteria: The city council shall approve, modify and approve, or deny a proposed annexation based on the application’s consistency with the following:

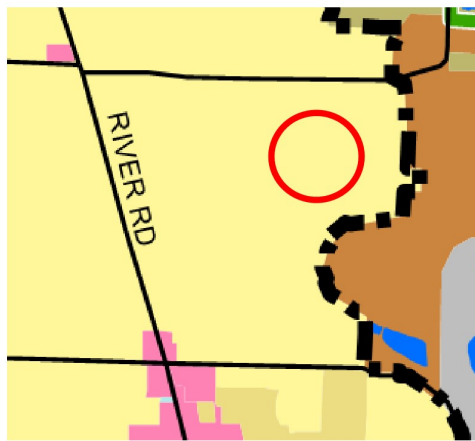
- (1) The land proposed to be annexed is within the city’s urban growth boundary and is:***
(a) Contiguous to the city limits; or

(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.

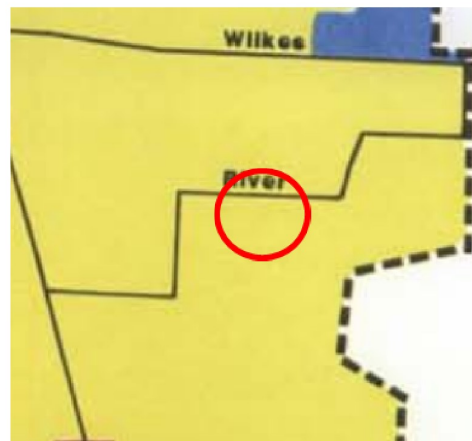
Response: The affected territory is located within the city's urban growth boundary and is contiguous to the city limits on its northern, western, and southern boundaries. Given this, criterion 9.7825(1) is met.

(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

Response: The subject property is designated low density residential on the Metro Plan diagram and low density residential in the River Road-Santa Clara Urban Facilities Plan diagram. Once annexed to the City of Eugene, the property will need to be rezoned to low density residential.



Metro Plan Diagram
2010



River Road Santa Clara Refinement Plan
1987

METRO PLAN: Applicable Metro Plan policies and findings in support of this annexation request are as follows:

C. Growth Management, Goals, Findings and Policies:

- Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:
 - a. A minimum of key urban facilities and services can be provided to the area in an orderly and efficient manner.

Response: The key urban facilities and services as defined in the Metro Plan includes wastewater, stormwater, transportation, solid waste management, water service, electric service, fire and emergency medical service, police protection, city-wide parks and recreation programs, land use controls, communication facilities, and public schools on a district-wide basis. As documented elsewhere in this application these key urban facilities and services can be provided to the subject site in an orderly and efficient manner.

- Policy 10. Annexation to a city through normal processes shall continue to be the highest priority.

Response: As codified in the Eugene Code the annexation into the limits of the City of Eugene is possible. Processes and procedures regarding annexation are, by submittal and processing of this Annexation Application, being followed.

- *Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time from for annexation may vary, annexation should occur as land transitions from urbanizable to urban.*

Response: The land around the subject site is already urbanized on three sides and urban facilities and services are available. Therefore, the proposed annexation is consistent with this policy.

- *Policy 17. Eugene and Springfield and their respective utility branches, Eugene Water & Electric Board (EWEB) and Springfield Utility Board (SUB), shall be the water and electrical service providers within the UGB.*

Response: The subject site and surrounding neighborhood is currently served by EWEB and will be provided with the minimum level of urban facilities and services.

Given the above, standard 9.7825(2) is met.

- (3) *The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.***

Response: Because the property to be annexed is already surrounded on three sides by the City of Eugene, and those surrounding properties are already provided with at least the minimum level of key urban facilities and services, all of which can be extended to the subject property, providing such facilities and services to the subject property will be orderly, efficient, and timely. Facilities and services applicable to the site, including information regarding providers, existing facilities and service extensions, is provided below:

Stormwater: A 10-inch stormwater line exists in Banton Avenue adjacent to the subject property at the southwest corner. There are also stormwater rain gardens in the right-of-way of Wedgewood Drive, to the west of the site, which do not have a connection to the public storm system. An on-site stormwater detention and treatment facility will likely be required with the development and will . The benefit of a connection to the city system to the south is critical. The storm line elevation is approximately 4' below grade and more evaluation will be required for a gravity storm system.

Sanitary: An 8-inch sanitary line exists in Wedgewood Drive, Banton Avenue and River Loop 1. The sanitary line elevation is approximately 7' to 8' below grade in multiple locations. This could allow for gravity sanitary sewer within the property and can be confirmed with a more detailed analysis.

Water: An 8-inch water line runs up to the western property boundary running along Wedgewood Drive and another 8-inch line runs along the northern boundary on River Loop 1.

Electric: Electric infrastructure is available to the property and abutting properties by Eugene Water and Electric Board, therefore can be provided to the property.

Streets: Three streets are adjacent to the subject property; River Loop 1 along the northern boundary, Wedgewood Drive terminates on the western boundary, and Banton Avenue terminates on the southern boundary. All streets are classified as local streets per the TSP. Right-of-way for River Loop 1 has been dedicated along the Tax Lot. The other two streets are proposed to continue through the property when developed.

Communications: CenturyLink, Comcast, and a number of other telecommunications providers offer services throughout the Eugene/Springfield area.

Solid Waste and Recycling: Solid waste collection is operated by private firms, whose franchise territory granted by the City of Eugene includes the site. Regional disposal sites are operated by Lane County.

Fire and Emergency Services: Upon annexation, service will be provided by Eugene-Springfield Fire and Emergency Services.

Public Safety: Upon Annexation, the City of Eugene will provide public safety services.

City-Wide Parks and Rec: Upon annexation, the site will be within the jurisdiction of City of Eugene Parks and Recreation.

District-Wide Public Schools: The site is within the boundaries of the Eugene 4J School District. There are several schools near the site.

Given this, 9.7825(3) is met.

III. Conclusion

Based on the information contained in this written statement and elsewhere in the application submittal, the applicant believes that the requested annexation can be approved.

If you have any questions about the above application, please do not hesitate to contact our office at 541-686-4540 or Johna@satregroup.com.

Sincerely,

John Anderson

John Anderson, ASLA
The Satre Group

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name: **Aram & Jean Compeau- Trustees of the Compeau Family Trust**

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)
17-04-12-20, Tax Lot 01900

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

X _____ will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:
8 Inch Public Wastewater line in River Loop 1, Wedgewood Drive, and Banton Ave.

_____ will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?
NO

If yes,
location? _____

If no, how will stormwater be handled after development? -
Retention and : A 10-inch stormwater line exists in Banton Avenue adjacent to the subject property at the southwest corner. Stormwater will similar to the rain gardens on Wedgewood Drive.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. **River Loop 1, Wedgewood Drive, and Banton Ave.**

Will dedication for additional street right-of-way be required upon further development of this site?

☒ Yes ☐ No ☐ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

☒ Yes ☐ No ☐ Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Terra Linda Park, Ferndale Park, and Santa Clara Community Park are all within one mile of the site.

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

X _____ River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service – Which electric company will serve this site?

EWEB

Water Service -- Please provide the size and location of the water main closest to your property. **EWEB**

8-inch line in Wedgewood Drive and an 8-inch line in River Loop 1

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

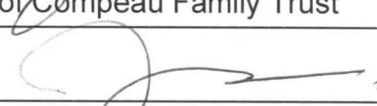
Map and Tax Lot: 17-04-12-20-Lot 01900 Address: 594 River Loop 1

Legal Description:
See Attached Exhibit A

In the corporate limits of said city, which is owned by the undersigned

DATED this 12th day of May, 2023


Aram Compeau, Trustee
of Compeau Family Trust


Jean Compeau, Trustee
of Compeau Family Trust

STATE OF OREGON)

) ss

County of)

On this _____ day of _____, 20____, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named,

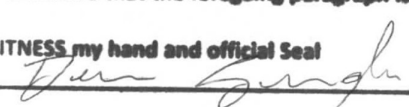
_____ who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California, County of Santa Clara
Seal:
On May 12, 2023, before me, Devin Singh, Notary Public,
personally appeared Aram Compeau and Jean Compeau
Who proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official Seal



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Notary Public for Oregon
My Commission Expires _____



Application #: C * 2008 - _____

For City Use Only

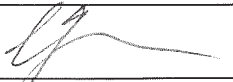
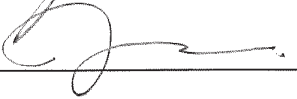
* CB = Coburg
CR = Creswell
FL = Florence
OA = Oakridge
CG = Cottage Grove
EU = Eugene
JC = Junction City
SP = Springfield

PETITION

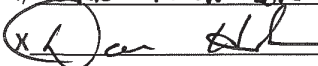
Attachment C

Petition Signature Sheet Annexation by Individuals

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City)*: Eugene

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	✓ Land Owner	✓ Reg Voter	Acres (qty)
1. 	5/12/23	Aram Compeau	594 River Loop 1, Eugene OR	17-04-12-20-01900	X	3.39	3.37 AC
2. 	5/12/23	Jean Compeau	594 River Loop 1, Eugene OR	17-04-12-20-01900	X	3.39	3.37 AC
3.							
4.							
5.							

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Dan Halverson (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 (signature of circulator)

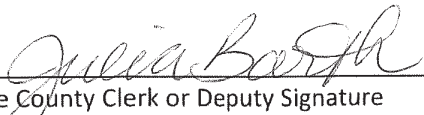
CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 2 (qty). This petition reflects that 2 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 0 (%) of the total active registered voters that are registered in the proposed annexation.


Lane County Department of Assessment and Taxation
5/30/23
Date Certified


Lane County Clerk or Deputy Signature
5/30/23
Date Certified

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: _____

Justin Recore
Registered Land Surveyor

Print Name: _____

Justin Recore, PE, PLS

Date: _____

4/21/2024

Seal: _____

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Justin Recore
OREGON
MAY 09, 2017
JUSTIN M RECORE
84971PLS

RENEWS: 12/31/24

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2022-017779, LANE COUNTY DEED RECORDS, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 17 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, EUGENE, LANE COUNTY, OREGON

THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 19 OF THE PLAT "FIRST ADDITION TO GRIZZLY PARK", LANE COUNTY PLAT RECORDS;

THENCE ALONG NORTH LINE OF SAID LOT 19 AND ITS WESTERLY EXTENSION SOUTH 89°35'30" WEST, 413.20 FEET TO THE EAST LINE OF LOT 10 OF THE PLAT "ROBERT MOORE SUBDIVISION", LANE COUNTY PLAT RECORDS;

THENCE ALONG THE EAST LINE OF SAID LOT 10 AND ITS NORTHERLY EXTENSION NORTH 00°30'00" WEST, 495.88 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF RIVER LOOP 1;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 89°41'17" EAST, 136.49 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2013-014546, LANE COUNTY DEED RECORDS;

THENCE ALONG WEST LINE OF SAID TRACT SOUTH 00°30'00" EAST, 209.92 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;

THENCE ALONG THE SOUTH LINE OF SAID TRACT AND ITS EASTERLY EXTENSION NORTH 89°41'40" EAST, 281.62 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF THE PLAT "STORYBOOK SUBDIVISION", LANE COUNTY PLAT RECORDS, SAID SOUTHEAST CORNER ALSO BEING ON THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2019-054119, LANE COUNTY DEED RECORDS;

THENCE ALONG SAID WEST LINE SOUTH 00°29'11" WEST, 285.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.383 ACRES MORE OR LESS.



PLANNING RECEIPT

DATE 5/30/2023

☐ Cash
☐ Check
☐ Visa/MC

Name	Aram Compeau
Address	16345 Sanborn Road Saratoga, CA 95070
Project	Annexation - <i>594 River Lp 1</i>

\$5,155.70

Staff Receiving Application

BRB

CC Agenda Page 106

October 23, 2023 Meeting - Item 4A

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Action: An Ordinance Concerning Low-Income Rental Housing Property Tax Exemption and Amending Sections 2.937, 2.938, 2.939 and 2.940 of the Eugene Code, 1971.

Meeting Date: October 23, 2023
Department: Planning and Development Department
www.eugene-or.gov

Agenda Item Number: 5
Staff Contact: Laura Hammond
Contact Telephone Number: 541-682-5502

ISSUE STATEMENT

This ordinance would amend the Eugene Code to make limited equity cooperatives in the City of Eugene eligible for the Low-Income Rental Housing Property Tax Exemption (LIRHPTE), align the City's LIRHPTE code provisions with state statutes, and improve its readability(See Attachment A for the proposed ordinance.).

BACKGROUND

The LIRHPTE is enabled by state statutes; specifically, ORS 307.515-307.540. The 20-year exemption is for properties offered for rent to low-income households or properties in predevelopment being held for the purpose of constructing low-income rental housing. The Eugene Code currently limits eligibility for this program to low-income rental housing that is affordable to households earning no more than 60 percent of the area median income (AMI). Applicants requesting a 20-year exemption can be non-profit housing providers or other entities providing low-income rental housing.

In 1990, the City Council adopted the LIRHPTE program to facilitate the development of affordable housing for low-income persons. In compliance with provisions enacted by the Oregon Legislature, the City Council adopted Sections 2.937 to 2.940 of the Eugene Code, 1971, which provide procedures for granting exemptions from ad valorem taxes on low-income rental housing. See Attachment B for answers to frequently asked questions about Eugene's LIRHPTE program.

In 2023, the Oregon Legislature approved [House Bill 2080](#) expanding LIRHPTE eligibility to include limited equity cooperatives. The legislation defines a "limited equity cooperative" as a cooperative corporation formed under ORS chapter 62 whose articles of incorporation prohibit members from selling their ownership interests in a housing unit to any person other than a low income person; or for a sales price that exceeds: the price the member paid for the ownership interest, the cost of any permanent improvements the member made to the housing unit, and any special assessment the member paid to the cooperative during their ownership and interest of at least three percent compounded annually. An example of this type of "limited equity cooperative"

housing is Peace Village on River Road, which will include 70 affordable units. Residents will collectively own the housing and will commit to resell their home/share at a price that maintains affordability.

Proposed Ordinance: The proposed ordinance would allow housing or property owned by a limited equity cooperative to qualify for the LIRHPTE if:

1. It is occupied by low-income persons holding a proprietary lease in the limited equity cooperative;
2. The charges paid by the occupant to the limited equity cooperative for occupancy reflect the full value of the property tax exemption;
3. The application for exemption is filed before July 1, 2030;
4. The housing units on the property were constructed, or converted to limited equity cooperative ownership, after February 12, 1990;
5. The proposed development is consistent with the policies set forth in the Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption adopted by council resolution;
6. The proposed development is consistent with the city's housing dispersal policy;
7. The proposed development does not cause displacement of low-income persons unless the city and developer can reach agreement on provisions (to be provided by the developer) that reflect satisfactory mitigation thereof;
8. The proposed development does not cause destruction of historic properties; and,
9. The proposed development is otherwise consistent with the Eugene Code and adopted city regulations and policies.

The proposed ordinance would expand the type of developments **eligible** for LIRHPTE to include limited equity cooperatives. It would **not approve** any specific LIRHPTE applications. Each LIRHPTE application must be separately approved by City Council by resolution. Applicants must demonstrate a direct reduction in rent or the housing payment due to the exemption.

The rest of the proposed code changes in the ordinance are focused on readability and on aligning the City's LIRHPTE code provisions with state statutes. As allowed by state law, the proposed ordinance would expand the definition of "low income" to allow rental housing to assist households earning up to 80 percent of area median income (AMI) in certain circumstances and still be eligible for the LIRHPTE. If the proposed ordinance is adopted, rental housing would be considered "low income" under any of three circumstances. First, the rental housing is only available to persons with an income at or below 60 percent AMI. Second, only persons with an income at or below 60 percent AMI are eligible to initially occupy rental housing assisted with LIRHPTE, but the household's income may rise up to 80 percent AMI after the first year of occupancy and the rental housing would still be eligible for the LIRHPTE. Third, for rental units on property that is awarded Low Income Housing Tax Credits, the rental housing is available to persons with an income at or below 80 percent AMI, provided that the average area median income of all housing units on the property is at or below 60 percent AMI.

Program Impact: Since 1990, Eugene has approved 37 property tax exemptions for low-income developments totaling over 1,600 housing units throughout the city. The property tax exemption plays a significant role in reducing rents for low- and very-low-income residents of Eugene. The monetary benefit of the exemption varies based on development size and appraised tax value.

The LIRHPTE program, along with commitment of other local resources, enables Eugene Affordable Housing developers to successfully compete for and leverage highly competitive state and federal resources for the continued development of quality Affordable Housing in Eugene. These developments also help support the local economy through the creation of construction jobs and permanent property management, building maintenance, and service provider jobs. Expansion of the types of development eligible for the LIRHPTE through the proposed ordinance would allow more Eugene projects to leverage those resources and would increase access to homeownership for low-income households.

A public hearing on the proposed ordinance was held on October 16, 2023.

RELATED CITY POLICIES

Housing Implementation Pipeline (HIP): The proposed update aligns with Affordable Housing preservation and development goals outlined in the HIP 5-year internal workplan. The HIP lists the LIRHPTE program as an important tool for supporting housing that serves the public good. The inclusion of limited equity cooperatives in the LIRHPTE program will help affordable housing developers to both finance new construction and to preserve existing affordable limited equity cooperative housing units furthering the HIP's 2- and 5-year goals of increasing and maintaining the number of Affordable Housing units available to the community.

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

Urgent Community Needs

- Stabilize the cost of housing.

PREVIOUS COUNCIL DIRECTION

[May 26, 2020 Meeting](#)

City Council moved to adopt an Ordinance Concerning Low-Income Rental Housing Property Tax Exemption and Amending Sections 2.938, 2.939 and 2.940 of the Eugene Code, 1971 to extend the sunset date 10 years. The Council also moved to adopt the Resolution Adopting Amended Standards and Guidelines for Processing Applications for Low-Income Rental Housing Property Tax Exemptions and Repealing Resolution No. 5028 to comply with state law. (Motions passed 8:0)

COUNCIL OPTIONS

1. Adopt the ordinance as proposed in Attachment A to this Agenda Item Summary.
2. Adopt the ordinance with specific modifications as determined by City Council.
3. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the Ordinance Concerning Low-Income Rental Housing Property Tax Exemption and Amending Sections 2.937, 2.938, 2.939 and 2.940 of the Eugene Code, 1971 as provided in Attachment A to this AIS.

SUGGESTED MOTION

Move to adopt the Ordinance Concerning Low-Income Rental Housing Property Tax Exemption and Amending Sections 2.937, 2.938, 2.939 and 2.940 of the Eugene Code, 1971, included as Attachment A to this Agenda Item Summary.

ATTACHMENTS

- A. Ordinance Concerning Low-Income Rental Housing Property Tax Exemption and Amending Sections 2.937, 2.938, 2.939 and 2.940 of the Eugene Code, 1971.
- B. LIRHPTE Frequently Asked Questions

FOR MORE INFORMATION

Staff Contact: Laura Hammond, Housing Tool Analyst
Telephone: 541-682-5502
Staff E-Mail: LHammond@eugene-or.gov

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING LOW-INCOME RENTAL HOUSING
PROPERTY TAX EXEMPTION AND AMENDING SECTIONS 2.937, 2.938,
2.939, AND 2.940 OF THE EUGENE CODE, 1971.**

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.937 of the Eugene Code, 1971, is amended to add the definitions of “limited equity cooperative” and “rent” and to amend the definition of “low income” to provide as follows:

2.937 Low-Income Rental Housing Property Tax Exemption – Definitions.

For purposes of sections 2.938 to 2.940, the following words and phrases mean:

City manager. The city manager of the city of Eugene, or the manager’s designee.

Lender. The provider of a loan secured by the recorded deed of trust or recorded mortgage made to finance the purchase, construction or rehabilitation of a property used for low income housing under the criteria listed in section 2.939 of this code.

Limited equity cooperative. A cooperative corporation formed under Chapter 62 of the Oregon Revised Statutes (ORS), whose articles of incorporation, in addition to the other requirements of ORS Chapter 62, prohibit members from selling their ownership interests:

(1) To any person other than a low income person; or

(2) For a sales price that exceeds the sum of:

(a) The price the member paid for the ownership interest;

(b) The cost of any permanent improvements the member made to the housing unit during the member’s ownership;

(c) Any special assessments the member paid to the limited equity cooperative during the member’s ownership that were expended to make permanent improvements to the building in which the member’s housing unit is located; and

(d) A return on the amounts described in (a) – (c) above, computed from the year in which the respective amount was paid, that equals the greater of the result of:

1. Adjusting each amount by the percentage increase, if any, in the Consumer Price Index for All Urban Consumers, West Region (All Items),

as published by the Bureau of Labor Statistics of the United States Department of Labor; or

2. Increasing each amount by three percent compounded annually.

Low-income. Low Income means:

(1) Income at or below 60 percent of the area median income as determined by the ~~State-Oregon~~ Housing Stability Council based on information from the United States Department of Housing and Urban Development;

(2) (a) For the initial year that persons occupy property for which an application for exemption is filed under EC 2.938, income at or below 60 percent of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development; and

(b) For every subsequent consecutive year that persons occupy the property, income at or below 80 percent of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development; or

(3) For housing units on property that is awarded tax credits through the federal Low-Income Housing Tax Credit Program and is a qualified low income housing project meeting the requirements of 26 U.S.C. 42(g)(1)(C), income at or below 80 percent of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development, provided the average area median income of all housing units on the property is at or below 60 percent of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development.

Rent. Rent includes charges paid by the holder of a proprietary lease in a limited equity cooperative for occupancy of a housing unit owned by the cooperative.

Section 2. Section 2.938 of the Eugene Code, 1971, is amended by amending the introductory language in subsection (1); amending subsection (1)(c); amending subsection (1)(d); amending subsection (1)(e); amending subsection (1)(f) and renumbering it as (1)(e)2.; amending subsections (1)(g) and (1)(h) and renumbering subsections (1)(g) and (1)(h) as (1)(f); adding a new subsection (1)(g); renumbering subsection (1)(i) as (1)(h); and renumbering subsection (1)(j) as (1)(i) to provide as follows:

2.938 Low-Income Rental Housing Property Tax Exemption – Application.

(1) An application for exemption from property taxes hereunder for low-income rental housing units ~~constructed after February 12, 1990~~ shall be filed with the city manager, on a form provided by the city manager, which shall contain the following, if applicable:

(a) A description of the property, or portion thereof, for which the exemption is requested;

(b) A description of the purpose of the project and whether all or a portion of the property will be used for that purpose;

(c) A certification of the income levels of low-income occupants;

(d) A description of how the tax exemption will benefit project ~~occupants~~residents;

(e) If the application will rely on the approval criteria in EC 2.939(3) or (4):

1. Evidence that, if unoccupied, the property is offered for rental solely as a residence for low-income persons, or is held for the purpose of developing low income rental housing; and

~~(f)~~ 2. Evidence that, if occupied, the property is occupied solely as a residence for low-income persons;

~~(g)~~ If the application will rely on the approval criteria in EC 2.939(4):

1. Evidence that the property is owned or being purchased by a non-profit corporation which meets the criteria for either a public benefit corporation ~~as described in ORS 65.001(38)~~, or a religious corporation, as ~~described~~ defined in ORS 65.001~~(40)~~; and

~~(h)~~ 2. Evidence that the nonprofit corporation expends no more than ten percent of its annual income from residential rentals for purposes other than acquisition, maintenance or repair of residential rental property for low-income persons;

(g) If the application will rely on the approval criteria in EC 2.939(6), evidence that the housing units are owned by a limited equity cooperative as defined in EC 2.937 that meets the criteria for a cooperative corporation under ORS Chapter 62.

~~(h)~~ A description of the plans for development of the property if the property is being held for future low income rental housing development; and

~~(i)~~ Any other information required by the city manager.

Section 3. Section 2.939 of the Eugene Code, 1971, is amended by amending subsection (2); adding a new subsection (3); renumbering subsections (2)(a)-(c) as (3)(a)-(c); adding subsection (3)(d); renumbering subsection (2)(d) as (3)(e); amending subsection (2)(e) and renumbering it as (3)(f); renumbering subsections (2)(f) through (2)(i) as (3)(g) through (3)(j); amending subsection (3) and renumbering it as (4); renumbering the final paragraph in subsection (3) as (5) and (5)(a); adding a new subsection (5)(b); adding a new subsection (6); and renumbering subsections (4) through (7) as (7) through (10) to provide as follows:

2.939 Low-Income Rental Housing Property Tax Exemption – Review, Approval or Denial of Application.

(1) Upon receipt of the application and required fee, the city manager shall review the application and make a written recommendation thereon to the council in sufficient time to allow the council to act within 60 days from the date the application is filed.

(2) Upon receipt of the city manager's recommendation the council shall consider the application and grant or deny the property tax exemption. ~~The city manager shall recommend approval of an application, and the council shall grant the exemption upon determining satisfactory compliance with or mitigation of the following criteria:~~

(3) The city manager shall recommend approval of an application, and the council shall grant the exemption upon determining satisfactory compliance with or mitigation of the following criteria:

(a) If unoccupied, the property:

1. Is offered for rental solely as a residence for low income persons; or
2. Is held for the purpose of developing low income rental housing;

(b) If occupied, the property, or portion thereof subject to the property tax exemption, is occupied solely ~~as a residence for~~by low-income persons;

(c) The required rent payment reflects the full value of the property tax exemption;

(d) The applicant's application was filed before July 1, 2030;

~~(e)~~ The housing units on the property were constructed after February 12, 1990;

~~(f)~~ The proposed development is consistent with the policies set forth in the Standards and Guidelines for Low-Income Rental Housing Property Tax Exemption adopted by council resolution;

~~(g)~~ The proposed development is consistent with the city's housing dispersal policy;

(~~h~~^g) The proposed development does not cause displacement of low-income persons unless the city and developer can reach agreement on provisions (to be provided by the developer) that reflect satisfactory mitigation thereof;

(~~h~~) The proposed development does not cause destruction of historic properties (as defined in section 9.0500 of this code), except:

1. Where development has proceeded according to historic property moving and demolition procedures as set forth in sections 9.8160, 9.8180 and 9.8185 of this code; or

2. The property is granted an exception by the council; and,

(~~i~~) The proposed development is otherwise consistent with this code and adopted city regulations and policies.

(~~4~~³) As an alternative to an application considered under subsection (~~3~~²) of this section, the city manager shall recommend approval of an application, and the council shall grant the exemption upon determining the applicant meets the criteria set forth in subsections (~~3~~²)(~~d~~^e), (f), (g), (h) (~~i~~) and (~~i~~) of this section and all the following criteria:

(a) If unoccupied, the property is offered for rental solely as a residence for low-income persons, or is held for the purpose of developing low income rental housing;

(b) If occupied, the property, or portion thereof subject to the property tax exemption, is occupied solely as a residence for low-income persons;

(c) The applicant's application was filed prior to July 1, 2030;

(d) The property is owned or being purchased by a nonprofit corporation organized in a manner that meets the criteria for either a public benefit corporation or, ~~as described under ORS 65.001(38) or for a religious corporation, as those terms are described under defined in~~ ORS 65.001(~~40~~); and

(e) The property is owned or being purchased by a nonprofit corporation that expends no more than ten percent of its annual income from residential rentals for purposes other than acquisition, maintenance or repair of residential rental property for low-income persons, or for the provision of on-site child care services for the residents of the rental property.

(~~5~~) For purposes of ~~this~~ subsection (~~4~~):

(~~a~~); A nonprofit corporation that has only a leasehold interest in property is considered to be a purchaser of that property if the nonprofit corporation is obligated under the terms of the lease to pay the ad valorem taxes on the real and personal property used in the rental activity on that property, or the rent payable has been established to reflect the savings resulting from the exemption from taxation; and

(~~b~~) A partnership shall be considered a nonprofit corporation if the nonprofit corporation is a general partner of the partnership and the nonprofit corporation is responsible for the day-to-day operation of the property that is the subject of the application for exemption.

(6) The city manager shall recommend approval of an application, and the council shall grant the exemption upon determining the applicant meets the criteria set forth in subsections (3)(d), (f), (g), (h) (i) and (j) of this section and all the following criteria:

(a) The property is owned by a limited equity cooperative;

(b) The property is occupied by low income persons holding a proprietary lease in the limited equity cooperative; and

(c) The housing units on the property were constructed, or converted to limited equity cooperative ownership, after February 12, 1990.

(74) At the meeting at which the city manager's recommendation is considered the council shall adopt a resolution approving the application and granting the property tax exemption, or adopt a resolution disapproving the application and denying the property tax exemption.

(85) A resolution approving an application shall contain:

(a) The owner's name and address;

(b) A description of the housing unit;

(c) The legal description of the property or the county assessor's property account number;

(d) Any specific conditions upon which the approval is based;

(e) If only a portion of the property is approved, a description of the portion approved; and

(f) A certification that the property or portion thereof, is exempt from ad valorem taxation.

(96) Within ten days from the date of its adoption, the city manager shall forward to the applicant a copy of the resolution adopted by the council approving an application, and, on or before April 1 following approval shall file a copy thereof with the county assessor. The copy shall contain therein or be accompanied by a notice explaining to the applicant the grounds for possible termination of the exemption prior to the end of the exemption period or thereafter, and the effects of termination.

(107) A resolution denying an application shall state the reasons for denial, shall be forwarded to the applicant within ten days of its adoption, and shall inform the applicant of the right to appeal in the manner set forth in ORS 34.010 to 34.100.

Section 4. Section 2.940 of the Eugene Code, 1971, is amended by amending subsection (1); amending subsection (1)(a); amending subsection (1)(c) and renumbering part of subsection (1)(c) as (2); amending subsection (2) and renumbering it as (3); amending subsection (3) and renumbering it as (4); amending subsection (4) and renumbering it as (5);

amending subsection (5) and renumbering it as (6); amending subsection (6) and renumbering it as (7) to provide as follows:

2.940 Low-Income Rental Housing Property Tax Exemption – Termination.

(1) ~~An exemption may be terminated if~~ If after a resolution approving an application for exemption hereunder has been filed with the county assessor the city manager finds that:

- (a) Construction or development of the exempt property differs from the construction or development described in the application for exemption, or was not completed on or before July 1, 2030, and no extensions or exceptions as provided in subsection (45) of this section ~~hereof~~ have been granted; or,
- (b) The applicant has failed to comply with the provisions of ORS 307.515 to 307.523, the provisions of this code, or any provisions of the standards and guidelines adopted by council resolution; or,
- (c) The applicant has failed to comply with any conditions imposed in the resolution approving the application.

(2) If, after a resolution approving an application for exemption hereunder has been filed with the county assessor, the city manager finds that any of the conditions described in subsection (1) of this section apply to the exempt property, the city manager shall recommend to the council, and notify the owner of the property, at the owner's last known address, and every known lender, at the last known address of each such lender, of the manager's recommendation that the exemption be terminated. The notice shall clearly state the reasons for the proposed termination, and shall require the owner to appear before the council, at a time specified in the notice, which shall be 20 days or more from the date the notice was mailed, to show cause, if any exists, why the exemption should not be terminated.

(~~23~~) If the owner fails to appear before the council at the time specified in the notice, or if the owner appears and fails to show cause why the exemption should not be terminated, the city manager shall notify every known lender and shall allow each such lender not less than 30 days after the date the notice of the failure to appear and show cause is mailed to cure any noncompliance or to provide ~~assure~~ adequate assurances to the council that all noncompliance shall be remedied. If the owner fails to appear and show cause why the exemption should not be terminated, and the lender fails to cure or give adequate assurance that any noncompliance will be cured, the council shall adopt a resolution terminating the exemption, which shall contain ~~its~~ the council's findings in support ~~thereof~~ of the termination. Copies of the resolution shall be filed with the county assessor and mailed to the property owner, at the owner's last address, and to the lender, at the lender's last known address, within 10 days from the date the resolution is adopted. If a determination is made that the exemption should continue as previously granted, the council shall adopt a motion rejecting the manager's recommendation, and notify the property owner of that action within 10 days from the date of the hearing.

(~~34~~) All reviews of council action in denying an application or terminating an exemption shall be governed by the procedures set forth in ORS 34.010 to 34.100 and correction of assessments and tax rolls and the evaluation of the property shall be in conformity with subsection (2) of ORS 307.533. The council's action on an exemption ~~shall not be~~ is not a land use decision ~~for purposes of administrative review~~.

(45) Upon receipt of a request from the property owner, the council may, by resolution, extend the deadline beyond July 1, 2030 for completion of construction of the low-income rental housing for a period not to exceed 12 consecutive months, i.e., July 1, 2031, if it finds the failure to complete construction by July 1, 2030 was due to circumstances beyond the control of the owner, and that the owner had been and could reasonably be expected to act in good faith and with due diligence. If property granted an exemption hereunder is subsequently destroyed by fire or act of God, or is no longer capable of owner-occupancy due to circumstances beyond the control of the owner, the exemption shall cease, but no additional taxes shall be imposed upon the property under ORS 307.531 or 307.533.

(56) The low-income housing granted an exemption by the council shall be exempt from ad valorem taxation for 20 successive years beginning with the tax year commencing immediately following the calendar year in which the application was approved. The exemption shall apply only to the land and improvements located thereon that are a part of ~~the~~ a low-income rental housing development unit, or land that is being held for future development of low income rental housing. The exemption shall be in addition to any other exemption provided by law. In the final year of low-income housing tax exemptions, applications for subsequent low-income housing tax exemptions for the property may be submitted. Such applications shall be processed in accordance with sections 2.937 to 2.940 of this code.

(67) Any exemption granted by the council shall terminate immediately, without right of notice or appeal, and in accordance with the provisions of ORS 307.531, in the event:

(a) The exempt property is being held for future development of low income rental housing and it is used for any purpose other than the provision of low income rental housing; or

(b) The county assessor determines that a change of use to other than that allowed has occurred for the housing unit, or portion thereof, or a declaration as defined in ORS 100.005 is presented to the county assessor or tax collector for approval under ORS 100.110.

~~Termination shall be in accordance with the provisions of ORS 307.531.~~

Section 5. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

___ day of _____, 2023

City Recorder

Approved by the Mayor this

___ day of _____, 2023

Mayor

Low-Income Rental Housing Property Tax Exemption Frequently Asked Questions

What is a LIRHPTE?

The Low-Income Rental Housing Property Tax Exemption (LIRHPTE) provides a 20-year property tax exemption for Eugene rental housing that offers rents affordable to lower income households or property that is held for the purpose of developing low-income rental housing. The income limit for the program is 60% of the area median income based on household size, as determined annually by the US Department of Housing and Urban Development (HUD).

What does it do?

The LIRHPTE is an incentive to create housing opportunities that are affordable to lower income households – a critical need in our community. By providing tax exemptions for low-income housing LIRHPTEs help to preserve the affordability and offer below-market rents. It is one way the City of Eugene is working to create more housing that is affordable to people with lower household incomes in our community. ([Learn about more affordable housing efforts](#))

Who can apply for a LIRHPTE in Eugene?

Eligible owners include:

- non-profit public benefit (501c3) or religious corporations or
- any owner (including for-profit organizations) if the housing was constructed after 1990.

When are applications due?

Applications are due before December 1 of the calendar year immediately preceding the tax year for which an exemption is requested. Applications are accepted anytime, except for the months of June and July. If the property is not yet owned by the applicant at the time of application, the purchase must complete by March 31 of the year for which the exemption is requested.

What is required to get a LIRHPTE?

If an applicant is eligible, they must commit to offering rents that are affordable to people earning no more than 60% of the area median income based on household size (determined annually by HUD) for a period of 20 years. Below are the current HUD income limits for our area:

2023 – AREA MEDIAN INCOME LIMITS							
Persons in Household (#)	1	2	3	4	5	6	7
60% AMI (\$)	35,460	40,500	45,540	50,580	54,660	58,680	62,760

Applicants must submit a completed City of Eugene application packet that documents that the development meets the LIRHPTE criteria established by the State and City of Eugene. The packet includes documentation of the ownership entity, a legal property description, proof of ownership of the

property or site control (such as a purchase option agreement), a rent regulatory agreement (city form), consent to inspect the premises (city form), and certification of income levels of occupants. Applicants submit additional documentation related to required rents, occupation by low-income households, and documentation that owners spend no more than 10% of their annual rental income for purposes other than acquisition, maintenance, or repair of residential rental property for low-income persons.

The application must be signed before a Notary Public. If the applicant does not supply all the required information, the application will be returned. It will not be considered filed until it is complete.

The City Council will take action to approve or deny the application within 60 days of being filed. If it is approved, the City informs Lane County of the approval by April 1 the year the exemption will begin.

What is included in the application process?

Once an application is received, a public notice is sent to the property's local neighborhood association and school board for comment. Staff conduct an analysis of eligibility and prepare materials so the application can go before the City Council for consideration within 60 days of being filed. The City Council approves or denies the application by resolution at a scheduled public meeting.

How do I get an application?

You can request an application by emailing program staff, [Laura Hammond](#), or calling 541-682-5416.

Can you get a LIRHPTE for a portion of a property or does the entire development need to meet the rent and income limits?

The LIRHPTE can be applied just to the units that provide affordable housing at the required rent and income limits. The rest of the property would not be exempt from property taxes.

Can the LIRHPTE continue if the property is sold?

Please see the FAQ about termination of a LIRHPTE prior to the end of the 20-year exemption period. If the property is owned by a non-profit entity, it is possible to sell the property to another non-profit that would maintain the affordability and then the exemption would continue to be fulfilled. If the property was built since 1990 and has a different ownership model, it could be sold to anyone who would maintain the affordability and continue to fulfill the exemption.

Can a LIRHPTE be renewed?

Yes. In the last year of the 20-year affordability period the owner can apply to renew the exemption for another 20 years. It is important to apply by Dec 1 of the calendar year before the exemption expires to avoid a lapse in the exemption (which would go into effect in July of the next year).

Can a LIRHPTE be terminated before the end of the 20-year exemption period?

Yes. If the conditions of the LIRHPTE are not met and maintained the exemption can be terminated. Termination would mean that all taxes that had been exempted will be required to be repaid back to Year 1 of the exemption. Even if a property was maintained as affordable housing in accordance with the LIRHPTE program for 19 years, any action that constitutes termination before the 20-year exemption period is complete would require back taxes to be paid back to Year 1.



Are there differences in LIRHPTEs for a non-profit public benefit (501c3) or religious corporation versus a for-profit organization or other ownership entity providing housing built after 1990?

Yes. For housing developments owned by non-profit organizations, all units in the development and common area to support the units, including an on-site manager unit, are exempt. If the housing is owned by a for-profit organization or other ownership entity (and built after 1990), only the units that are occupied by low-income households are exempt. A manager's unit, for example, would not be considered part of the property tax exemption.

What are the requirements after receiving a LIRHPTE?

Property owners are required to submit reports of their residents' incomes and rents every year of their 20-year LIRHPTE period by February 1. City of Eugene provides the forms to use for reporting. Owners must properly verify the incomes of residents and only allow households earning no more than 60% of area median income to move into the property. Property owners must maintain the properties in good condition according to the City of Eugene Rental Housing Code. The City may inspect the premises to ensure compliance. Failure to submit annual reporting, accurately verify income eligibility of residents, or maintain good housing condition could result in termination of the LIRHPTE.

What is the Eugene Code and Oregon Revised Statutes that LIRHPTE falls under?

The State of Oregon enabled the City's LIRHPTE program through Oregon Revised Statutes 307.515 – 307.523. The LIRHPTE program is in Eugene Code 2.937 – 2.940.