



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

February 23, 2026

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 February 23, 2026;
Her Honor Mayor Kaarin Knudson Presiding

Councilors

Lyndsie Leech, President
Greg Evans
Matt Keating
Alan Zelenka

Eliza Kashinsky, Vice President
Mike Clark
Randy Groves
Jennifer Yeh

7:30 p.m. CITY COUNCIL MEETING

1. COMMITTEE REPORTS AND ITEMS OF INTEREST

2. CONSENT CALENDAR 1

A. Resolution Authorizing the Issuance and Sale of Electric Utility System Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters

AND

A Resolution Authorizing the Issuance and Sale of Water Utility System Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters

B. Approval of City Council Minutes

C. Approval of City Council Tentative Agenda

3. ACTION: Approval of Investment Policy

4. ACTION: An Ordinance Concerning Municipal Court Becoming a Court of Record; Adding Section 2.771 to the Eugene Code, 1971; Declaring Compliance with ORS 221.342(2); and Providing for an Immediate Effective Date.

5. PUBLIC COMMENT

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

February 23, 2026 Meeting

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



Committee Reports and Items of Interest

Meeting Date: February 23, 2026
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Rosa Roach
Phone: 541-682-8497

ISSUE STATEMENT

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.

BACKGROUND

Per Council Operating Agreements adopted on October 23, 2023 (Resolution 5387), 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."

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Rosa Roach, City Council Coordinator
Telephone: 541-682-8497
Staff E-Mail: rroach@eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



A Resolution Authorizing the Issuance and Sale of Electric Utility System Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters
AND

A Resolution Authorizing the Issuance and Sale of Water Utility System Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters

Meeting Date: February 23, 2026
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Twylla Miller
Phone: 541-682-8417

ISSUE STATEMENT

Eugene Water & Electric Board (EWEB) is requesting authority to proceed with the issuance of Electric Utility Bonds in the amount of \$113,000,000 for capital improvements, and \$79,365,000 for refunding certain outstanding issuances to achieve interest savings. EWEB is also requesting authority to proceed with the issuance of Water Utility Bonds in the amount of \$218,000,000 for capital improvements, and \$24,240,000 for refunding certain outstanding issuances to achieve interest savings.

BACKGROUND

Market conditions are currently favorable for refinancing bonds for the Electric and Water Systems. Monitoring for interest savings provides an effective means of mitigating future rate pressure. The proposed refinancings would achieve approximately \$3,000,000 in interest savings for the Electric System and \$900,000 in interest savings for the Water System.

New issuances are being requested under the provisions of Oregon Revised Statutes Section 287 A.150. Funding is to support significant capital projects addressing aged infrastructure, resiliency, and reliability.

Electric Utility System

A new authorization for \$113,000,000 of Electric Utility System Revenue Bonds is being requested primarily for the relicensing of the Carmen-Smith Hydroelectric Project, as well as other projects described in the Electric Capital Improvement Plan.

As of December 31, 2025, the Electric Utility had \$230,410,000 of outstanding bonds.

Water Utility System

A new authorization for \$218,000,000 of Water Utility System Revenue Bonds is being requested to finance capital improvements related to the Willamette Treatment Plant and other capital projects described in the Water Capital Improvement Plan.

As of December 31, 2025, the Water Utility had \$94,785,000 of outstanding bonds.

The EWEB Board of Commissioners unanimously approved resolutions requesting the City to

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authorize the sale of these bonds at their February 3, 2026 meeting.

Impact on Rates

EWEB employs the following rate making principles:

- Sufficiency is the principle that EWEB rates are sufficient to meet the reasonable ongoing costs of utility operations
- Affordability is the principle that EWEB makes all reasonable efforts to make rates affordable for its community owners
- Efficiency is the principle that EWEB will send efficient price signals to customers, that are cost based and minimize subsidies, to allow customers to make investments to either increase or decrease demand that are sustainable long term, without unfavorably impacting other customers
- Cost basis is the principle that EWEB will establish rates as a function of costs
- Equity is the principle that EWEB will charge customers nondiscriminatory prices and customers receiving like services will be treated equally
- Gradualism is the principle that EWEB rate stability is maintained and, to the extent feasible, rates do not unnecessarily shift year to year

This borrowing allows for gradualism in the rate trajectory and supports intergenerational equity. Bond proceeds would support long-lived infrastructure projects allowing the cost of construction to be spread over the life of the bonds and repaid by those customers receiving the benefit from the system's new assets. If the improvements are funded without borrowing, the rate trajectory would become much steeper, with multiple double-digit increases needed in the near term to maintain critical system reliability and resiliency, as well as maintain utility financial stability. Large rate actions in consecutive years could burden affordability.

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt one or both of the resolutions.
2. Deny one or both of the resolutions.
3. Defer action until a later date.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adoption of the resolutions.

SUGGESTED MOTIONS

1. Move to adopt a Resolution Authorizing the Issuance and Sale of Electric Utility System Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters.

AND

2. Move to adopt a Resolution Authorizing the Issuance and Sale of Water Utility System

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Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters.

ATTACHMENTS

- A. A Resolution Authorizing the Issuance and Sale of Electric Utility System Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters
- B. A Resolution Authorizing the Issuance and Sale of Water Utility System Revenue Bonds and Revenue Refunding Bonds and Providing for Related Matters

FOR MORE INFORMATION

Staff Contact: Twylla Miller, Chief Financial Officer

Telephone: 541-682-8417

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

RESOLUTION NO. _____**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF ELECTRIC UTILITY SYSTEM REVENUE BONDS AND REVENUE REFUNDING BONDS AND PROVIDING FOR RELATED MATTERS.****The City Council of the City of Eugene finds that:**

A. Oregon Revised Statutes (“ORS”) Section 287A.150 authorizes the City of Eugene, Oregon (the “City”) to issue revenue bonds payable from identified revenues of the City. The City, acting by and through the Eugene Water & Electric Board (“EWEB”), owns and operates an electric utility system and related facilities and systems.

B. On August 2, 2016, EWEB adopted a resolution that amended and restated a resolution dated June 16, 1986, authorizing and providing for the issuance, from time to time, of City of Eugene, Oregon Electric Utility System Revenue Bonds to be equally and ratably secured by the pledge of revenues, funds and accounts thereunder (as amended and supplemented, the “Bond Resolution”).

C. The Bond Resolution provides in part that the principal of, premium, if any, and interest on the bonds issued thereunder shall not be payable from any funds of the City or EWEB other than the Bond Fund established by the Bond Resolution, nor constitute a general obligation of EWEB or the City or create a charge upon the tax revenues of the City or any other property of the City or property of EWEB, except the revenues and other money and securities pledged under the Bond Resolution.

D. EWEB has requested by resolution that the City Council adopt this Resolution in part to set the terms for and authorize the issuance of not to exceed \$113,000,000 in aggregate principal amount of electric utility system revenue bonds (the “New Money Bonds”) for the purpose of financing certain capital improvements related to the relicensing of the Carmen-Smith Hydroelectric Project and other capital projects described in the Electric Capital Improvement Plan (collectively, the “Project”), funding necessary reserves and paying the costs of issuance of the New Money Bonds.

E. Pursuant to Resolution No. 2002, EWEB has previously requested the City authorize the issuance and sale of electric utility system revenue refunding bonds for the purpose of refunding certain of its Electric Utility System Revenue and Refunding Bonds, Series 2012, originally issued in the principal amount of \$71,230,000 (the “Series 2012 Bonds”), funding necessary reserves and paying the costs of issuance of such refunding bonds.

F. The City Council adopted Resolution No. 5289 on January 27, 2020, authorizing the issuance of electric utility system revenue refunding bonds to refund the Series 2012 Bonds, and EWEB issued its \$16,790,000 original principal amount of Electric Utility System Revenue Refunding Bonds, Series 2020B (Federally Taxable), to refund a portion of the Series 2012 Bonds.

G. A portion of the Series 2012 Bonds are still outstanding in the principal amount of \$13,995,000 (as selected for refunding, the “2012 Refunded Bonds”), and EWEB has renewed its request under Resolution No. 2002 to issue bonds to refund the 2012 Refunded Bonds to achieve a present value debt service savings.

H. The City Council adopted Ordinance No. 1622 on August 2, 2016, authorizing the issuance of electric utility system revenue refunding bonds in an amount not to exceed \$156,000,000. Pursuant to that authorization, the City, acting by and through EWEB, issued the City of Eugene, Oregon Electric Utility System Revenue Refunding Bonds, Series 2016A in the principal amount of \$93,100,000 (the “Series 2016A Bonds”), which Series 2016A Bonds are currently outstanding in the principal amount of \$65,370,000.

I. EWEB has determined that substantial present value savings may be achieved by issuing refunding bonds for the purpose of refunding all or a portion of the outstanding Series 2016A Bonds which mature on August 1, 2026, or can be called and redeemed on any date on or after August 1, 2026, without premium (as selected for refunding, the “2016A Refunded Bonds,” and together with the 2012 Refunded Bonds, the “Refunded Bonds”).

J. EWEB has requested by resolution that the City Council adopt this Resolution in part to set the terms for and authorize the issuance of not to exceed \$79,365,000 in aggregate principal amount of electric utility system revenue refunding bonds (the “Refunding Bonds”) for the purpose of refunding the Refunded Bonds, funding necessary reserves and paying the costs of issuance of the Refunding Bonds. The New Money Bonds and the Refunding Bonds are collectively referred to as the “Bonds.”

K. The Bonds will not be general obligations of the City, nor a charge upon its tax revenues, but will be payable solely from revenues of the Electric Utility System which EWEB pledges to the payment of such Bonds pursuant to ORS Sections 287A.310 and 287A.325 and the resolution to be adopted by EWEB pursuant to this Resolution.

L. EWEB has by resolution undertaken to cause to be prepared a plan showing that EWEB’s estimated Electric Utility System revenues are sufficient to pay the estimated debt service on the Bonds authorized by this Resolution.

M. The City and EWEB anticipate incurring expenditures (“Expenditures”) to finance the costs of the Project and wish to declare their official intent to reimburse themselves for the Expenditures made on the Project from the proceeds of the New Money Bonds. To the extent that the Expenditures and the use of proceeds of the New Money Bonds may qualify under federal tax law and regulations, the City, including EWEB, intends for the interest on such New Money Bonds to be excludable from gross income for federal income tax purposes under §103 of the Internal Revenue Code of 1986, as amended (the “Code”).

N. EWEB has requested by resolution that the City Council adopt this Resolution in part to authorize the publication of the Notice of Revenue Bond Authorization relating to the New Money Bonds to fund the Project, such notice being in substantially the form attached to this Resolution as Exhibit “A” (the “Notice”). The Notice shall specify the last date on which petitions may be submitted, and the City, acting by and through EWEB, shall cause the Notice to be published in *The Register-Guard*, a newspaper of general circulation within the boundaries of the City, in the same manner as are other public notices of the City.

NOW THEREFORE, based upon the above findings,

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

Section 1. Authorization of New Money Bonds and Publication of Notice; Purpose of Issue. Based on the above findings, subject to the prior publication of the Notice and the expiration of the 60-day period following the publication of the Notice without the receipt of a petition for an election questioning the issuance of the New Money Bonds to fund the Project, which facts and circumstances shall be determined conclusively and for all purposes by any individual designated by EWEB, the City Council hereby authorizes EWEB, on behalf of the City, to issue and sell the New Money Bonds designated as the “City of Eugene, Oregon Electric Utility System Revenue Bonds,” in one or more series, in the aggregate principal amount of not to exceed \$113,000,000, for the purpose of financing the Project, funding any necessary reserves and paying costs of issuance of the New Money Bonds, and to publish the Notice as aforesaid. If petitions for an election, containing the valid signatures of not less than 5.0% of the City’s qualified electors, are received within the time indicated in the Notice, the question of issuing New Money Bonds to fund the Project shall be placed on the ballot at the next legally available election date. If such petitions are received no New Money Bonds to fund the Project may be sold until the question of whether to issue the New Money Bonds to fund the Project is approved by a majority of electors living within the boundaries of the City who vote on that question. Any such petitions will be subject to ORS 287A.150 and §§2.960-2.1005 of The Eugene Code, 1971.

Section 2. Authorization of Refunding Bonds; Purpose of Issue. Based on the above findings, the City Council hereby authorizes EWEB, on behalf of the City, to issue and sell the Refunding Bonds designated as the “City of Eugene, Oregon Electric Utility System Revenue Refunding Bonds,” in one or more series, in the aggregate principal amount of not to exceed \$79,365,000, for the purpose of refunding all or a portion of the Refunded Bonds, funding any necessary reserves and paying costs of issuance of the Refunding Bonds.

Section 3. Conditions of Issuance and Sale. The City Council hereby prescribes that:

(a) The Bonds of each series shall: (i) mature not later than 30 years from the date of issuance of the series, provided that any Refunding Bonds shall mature no later than six months of the original final maturity of the respective series of Refunded Bonds; (ii) be sold through public competitive sale and awarded to the bidder offering the most favorable terms to EWEB, on behalf of the City, or sold pursuant to negotiation at par or with a net original issue

discount or premium that does not exceed 20% of the aggregate principal amount thereof; and (iii) have a true interest cost of not to exceed 5.5% per annum; and

(b) The proceeds of the Bonds shall be used only for the purposes above described.

Section 4. Delegation of Authority for Terms of Bonds; Provisions for Issuance. Pursuant to ORS 287A.300(4), EWEB, or any individual designated by EWEB, is hereby authorized and directed to determine, with respect to the Bonds, the number of series, whether to combine the New Money Bonds and the Refunding Bonds authorized herein into one series, the form of bonds and series designation, the manner of disbursement of proceeds of the Bonds, the maturity dates, principal amounts, redemption provisions, interest rates or the method for determining a variable or adjustable interest rate, the refunding plan, whether to obtain bond insurance or some other form of guaranty or security for the payment of the Bonds, denominations, form, authorized signatory and other terms and conditions of the Bonds because the same cannot be determined by the City Council at this time. Prior to the issuance of any Bonds, EWEB shall: (i) prepare a plan showing that the estimated Electric Utility System revenues are sufficient to pay the estimated debt service on the Bonds; (ii) adopt a supplemental bond authorizing resolution and provide a copy of such resolution to the City; and (iii) provide to the City a resolution determining that any and all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of the Bonds, exist, have happened and have been performed in due time, form and manner as required by the Constitution and statutes of the State of Oregon, the Charter and ordinances of the City and this Resolution.

Section 5. Declaring Intent to Reimburse. The City reasonably anticipates that the City and EWEB may incur preliminary, costs of issuance and other Expenditures that qualify as “Original Expenditures” under Treasury Regulation §1.150-2 prior to the date of issuance of the New Money Bonds, and hereby declares its official intent to reimburse itself or EWEB with proceeds of the sale of the New Money Bonds to be issued in an amount not to exceed \$113,000,000 in aggregate principal amount.

Section 6. Statement on Form of Bond. All Bonds shall include a statement on their face to the effect that:

(a) That they do not in any manner constitute a general obligation of EWEB or of the City, or create a charge upon the tax revenues of the City, or upon any other revenues or property of the City, or property of EWEB, but are charges upon and are payable solely from the revenues of the Electric Utility System operated by EWEB, or any portion thereof, pledged to the payment thereof; and

(b) That the holders thereof may look for repayment only to the revenues of the Electric Utility System which are pledged for the payment thereof, and may not directly or indirectly be paid or compensated through any other property of the City, or EWEB, or by or through the taxing power of the City.

Section 7. Bonds Payable Solely from Revenues. The Bonds shall not be general obligations of the City, nor a charge upon its tax revenues, but shall be payable solely from the revenues and funds which EWEB pledges to the payment thereof pursuant to ORS 287A.150, any applicable authorizations and in accordance with this Resolution.

Section 8. Bonds Reporting. EWEB shall submit to the City by May 1 of each year the following annual reports commencing after the first sale of any Bonds or other evidences of indebtedness hereunder and each year thereafter until the Bonds have been paid and retired:

(a) A report on the funds for each series of Bonds describing the funds established, the amounts in each fund, expenditure from each fund, the manner in which the monies in each fund have been invested, the income from such investments and the application of such income; and

(b) A report on Bond payments describing amounts paid, and amounts scheduled to be paid and the source of such payments.

If the contents of the reports required by subsections (a) and (b) above are included in the annual audit report of EWEB, then EWEB may comply with this Section 8 by transmitting a copy of its annual audit report to the City.

Section 9. Appointment of Professionals. EWEB is authorized to appoint bond counsel, disclosure counsel, financial advisor, underwriter in the case of a negotiated sale, trustees, registrars, paying agents, escrow agents, verification agents and any other professional assistance that EWEB determines is necessary or convenient to accomplish the issuance and sale of any or all of the Bonds, and such appointments are hereby ratified.

Section 10. Official Statement and Disclosure Obligations. EWEB or any party designated by EWEB is authorized to prepare and distribute or direct the preparation and distribution of one or more preliminary or final official statement(s) or other disclosure document(s) for any of the Bonds, and to enter into continuing disclosure agreements for the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission. The City shall have no disclosure obligation related to the Bonds or any continuing disclosure agreement for the Bonds. Any similar agreement for any other borrowing by EWEB shall obligate only EWEB and not the City, and the City shall have no obligation to comply with any of those agreements, or to report EWEB's compliance with those agreements to the Municipal Securities Rulemaking Board or any other party. In addition to complying with continuing disclosure agreements related to any borrowings by EWEB, EWEB shall comply with its post issuance compliance procedures in effect from time to time.

Section 11. Other Sale Documents. EWEB or any party designated by EWEB is also authorized to obtain bond insurance or other credit enhancement or commitments therefor, to obtain a rating on any or all of the Bonds from Moody's Ratings, S&P Global Ratings and/or Fitch Ratings, and to issue and publish such notices of sale of the Bonds and execute such purchase

contracts as may be necessary or required to accomplish the sale of the Bonds in accordance with this Resolution and to determine any other terms, conditions or covenants regarding any or all of the Bonds or the Project, which are necessary or desirable to effect the sale of any or all of the Bonds.

Section 12. Effective Date of Resolution. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted by the City Council this 23rd day of February, 2026.

Deputy City Recorder

EXHIBIT A**FORM OF NOTICE OF REVENUE BOND AUTHORIZATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Eugene, Oregon (the “City”), acting pursuant to the request of the Eugene Water & Electric Board (“EWEB”), adopted Resolution No. _____ on February 23, 2026, authorizing the issuance of the City’s Electric Utility System revenue bonds. The revenue bonds will be issued in one or more series to provide funds for the purpose of financing certain capital improvements related to the relicensing of the Carmen-Smith Hydroelectric Project and other capital projects described in the Electric Capital Improvement Plan (collectively, the “Project”), funding necessary reserves and paying the costs of issuance of the revenue bonds.

The costs of funding the Project, together with the necessary reserves and costs of issuance of the revenue bonds, are estimated not to exceed the authorized principal amount and premium, if any, of the revenue bonds. In accordance with these estimates, the City expects that the revenue bonds to fund the Project will be issued in an aggregate principal amount not to exceed \$113,000,000. Such bonds may be combined and issued simultaneously with bonds issued to refund the Electric Utility System Revenue and Refunding Bonds, Series 2012 and/or the Electric Utility System Revenue Refunding Bonds, Series 2016A.

Subject to certain parameters, EWEB may establish all terms, conditions and covenants regarding the revenue bonds and the revenues which are necessary or desirable to affect the sale of the revenue bonds.

The revenue bonds will not be general obligations of the City, nor a charge upon its tax revenues, but will be payable solely from the revenues of the City’s Electric Utility System.

If written petitions, signed by not less than 5.0% of the City’s qualified electors, are filed at the Office of the City Recorder on or before [April 27], 2026 (the 61st day after the date of publication of this notice), the question of issuing not to exceed \$113,000,000 of electric revenue bonds shall be placed on the ballot at the next legally available election date. Any such petition shall be subject to ORS 287A.150 and Sections 2.960-2.1005 of the Eugene Code, 1971.

The Office of the City Recorder is located at 500 East 4th Avenue, Suite 302, Eugene, Oregon 97401. Information on procedures for filing petitions may also be obtained at such address or by telephone at (541) 682-5042.

The resolution authorizing the revenue bonds is available for inspection at the Office of the City Recorder.

The revenue bonds will be issued and sold pursuant to ORS 287A.150, and this notice is published pursuant to ORS 287A.150(4).

RESOLUTION NO. _____**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF WATER UTILITY SYSTEM REVENUE BONDS AND REVENUE REFUNDING BONDS AND PROVIDING FOR RELATED MATTERS.****The City Council of the City of Eugene finds that:**

A. Oregon Revised Statutes (“ORS”) Section 287A.150 authorizes the City of Eugene, Oregon (the “City”) to issue revenue bonds payable from identified revenues of the City. The City, acting by and through the Eugene Water & Electric Board (“EWEB”), owns and operates a water utility system and related facilities and systems.

B. On March 3, 2020, EWEB adopted Resolution No. 2012 that amended and restated a resolution adopted on September 2, 1997, as amended by Resolution No. 1614 adopted on April 5, 2016, authorizing and providing for the issuance, from time to time, of City of Eugene, Oregon Water Utility System Revenue Bonds to be equally and ratably secured by the pledge of revenues, funds and accounts thereunder (as amended and supplemented, the “Bond Resolution”).

C. The Bond Resolution provides in part that the principal of, premium, if any, and interest on the bonds issued thereunder shall not be payable from any funds of the City or EWEB other than the Bond Fund established by the Bond Resolution, nor constitute a general obligation of EWEB or the City or create a charge upon the tax revenues of the City or any other property of the City or property of EWEB, except the revenues and other money and securities pledged under the Bond Resolution.

D. EWEB has requested by resolution that the City Council adopt this Resolution in part to set the terms for and authorize the issuance of not to exceed \$218,000,000 in aggregate principal amount of water utility system revenue bonds (the “New Money Bonds”) for the purpose of financing certain capital improvements related to the Willamette Treatment Plant and other capital projects described in the Water Capital Improvement Plan (collectively, the “Project”), funding necessary reserves and paying the costs of issuance of the New Money Bonds.

E. The City Council adopted Ordinance No. 5139 on October 12, 2015, authorizing the issuance of water utility system revenue bonds in an amount not to exceed \$18,000,000 and the issuance of water utility system revenue refunding bonds in an amount not to exceed \$35,000,000. Pursuant to that authorization, the City, acting by and through EWEB, issued the City of Eugene, Oregon Water Utility System Revenue and Refunding Bonds, Series 2016 in the principal amount of \$39,180,000 (the “Series 2016 Bonds”), which Series 2016 Bonds are currently outstanding in the principal amount of \$24,240,000.

F. EWEB has determined that substantial present value savings may be achieved by issuing refunding bonds for the purpose of refunding all or a portion of the outstanding Series 2016 Bonds which mature on August 1, 2026, or can be called and redeemed on any date on or after August 1, 2026, without premium (as selected for refunding, the “Refunded Bonds”).

G. EWEB has requested by resolution that the City Council adopt this Resolution in part to set the terms for and authorize the issuance of not to exceed \$24,240,000 in aggregate principal amount of water utility system revenue refunding bonds (the “Refunding Bonds”) for the purpose of refunding the Refunded Bonds, funding necessary reserves and paying the costs of issuance of the Refunding Bonds. The New Money Bonds and the Refunding Bonds are collectively referred to as the “Bonds.”

H. The Bonds will not be general obligations of the City, nor a charge upon its tax revenues, but will be payable solely from revenues of the Water Utility System which EWEB pledges to the payment of such Bonds pursuant to ORS Sections 287A.310 and 287A.325 and the resolution to be adopted by EWEB pursuant to this Resolution.

I. EWEB has by resolution undertaken to cause to be prepared a plan showing that EWEB’s estimated Water Utility System revenues are sufficient to pay the estimated debt service on the Bonds authorized by this Resolution.

J. The City and EWEB anticipate incurring expenditures (“Expenditures”) to finance the costs of the Project and wish to declare their official intent to reimburse themselves for the Expenditures made on the Project from the proceeds of the New Money Bonds. To the extent that the Expenditures and the use of proceeds of the New Money Bonds may qualify under federal tax law and regulations, the City, including EWEB, intends for the interest on such New Money Bonds to be excludable from gross income for federal income tax purposes under §103 of the Internal Revenue Code of 1986, as amended (the “Code”).

K. EWEB has requested by resolution that the City Council adopt this Resolution in part to authorize the publication of the Notice of Revenue Bond Authorization relating to the New Money Bonds to fund the Project, such notice being in substantially the form attached to this Resolution as Exhibit “A” (the “Notice”). The Notice shall specify the last date on which petitions may be submitted, and the City, acting by and through EWEB, shall cause the Notice to be published in *The Register-Guard*, a newspaper of general circulation within the boundaries of the City, in the same manner as are other public notices of the City.

NOW THEREFORE, based upon the above findings,

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

Section 1. Authorization of New Money Bonds and Publication of Notice; Purpose of Issue. Based on the above findings, subject to the prior publication of the Notice and the expiration of the 60-day period following the publication of the Notice without the receipt of a petition for an election questioning the issuance of the New Money Bonds to fund the Project, which facts and circumstances shall be determined conclusively and for all purposes by any individual designated by EWEB, the City Council hereby authorizes EWEB, on behalf of the City, to issue and sell the New Money Bonds designated as the “City of Eugene, Oregon Water Utility System Revenue

Bonds,” in one or more series, in the aggregate principal amount of not to exceed \$218,000,000, for the purpose of financing the Project, funding any necessary reserves and paying costs of issuance of the New Money Bonds, and to publish the Notice as aforesaid. If petitions for an election, containing the valid signatures of not less than 5.0% of the City’s qualified electors, are received within the time indicated in the Notice, the question of issuing New Money Bonds to fund the Project shall be placed on the ballot at the next legally available election date. If such petitions are received no New Money Bonds to fund the Project may be sold until the question of whether to issue the New Money Bonds to fund the Project is approved by a majority of electors living within the boundaries of the City who vote on that question. Any such petitions will be subject to ORS 287A.150 and §§2.960-2.1005 of The Eugene Code, 1971.

Section 2. Authorization of Refunding Bonds; Purpose of Issue. Based on the above findings, the City Council hereby authorizes EWEB, on behalf of the City, to issue and sell the Refunding Bonds designated as the “City of Eugene, Oregon Water Utility System Revenue Refunding Bonds,” in one or more series, in the aggregate principal amount of not to exceed \$24,240,000, for the purpose of refunding all or a portion of the Refunded Bonds, funding any necessary reserves and paying costs of issuance of the Refunding Bonds.

Section 3. Conditions of Issuance and Sale. The City Council hereby prescribes that:

(a) The Bonds of each series shall: (i) mature not later than 30 years from the date of issuance of the series, provided that any Refunding Bonds shall mature no later than six months of the original final maturity of the Refunded Bonds; (ii) be sold through public competitive sale and awarded to the bidder offering the most favorable terms to EWEB, on behalf of the City, or sold pursuant to negotiation at par or with a net original issue discount or premium that does not exceed 20% of the aggregate principal amount thereof; and (iii) have a true interest cost of not to exceed 6.0% per annum; and

(b) The proceeds of the Bonds shall be used only for the purposes above described.

Section 4. Delegation of Authority for Terms of Bonds; Provisions for Issuance. Pursuant to ORS 287A.300(4), EWEB, or any individual designated by EWEB, is hereby authorized and directed to determine, with respect to the Bonds, the number of series, whether to combine the New Money Bonds and the Refunding Bonds into one series, the form of bonds and series designation, the manner of disbursement of proceeds of the Bonds, the maturity dates, principal amounts, redemption provisions, interest rates or the method for determining a variable or adjustable interest rate, the refunding plan, whether to obtain bond insurance or some other form of guaranty or security for the payment of the Bonds, denominations, form, authorized signatory and other terms and conditions of the Bonds because the same cannot be determined by the City Council at this time. Prior to the issuance of any Bonds, EWEB shall: (i) prepare a plan showing that the estimated Water Utility System revenues are sufficient to pay the estimated debt service on the Bonds; (ii) adopt a supplemental bond authorizing resolution and provide a copy of such resolution to the City; and (iii) provide to the City a resolution determining that any and all acts,

conditions and things required to exist, to happen and to be performed precedent to and in the issuance of the Bonds, exist, have happened and have been performed in due time, form and manner as required by the Constitution and statutes of the State of Oregon, the Charter and ordinances of the City and this Resolution.

Section 5. **Declaring Intent to Reimburse.** The City reasonably anticipates that the City and EWEB may incur preliminary, costs of issuance and other Expenditures that qualify as “Original Expenditures” under Treasury Regulation §1.150-2 prior to the date of issuance of the New Money Bonds, and hereby declares its official intent to reimburse itself or EWEB with proceeds of the sale of the New Money Bonds to be issued in an amount not to exceed \$218,000,000 in aggregate principal amount.

Section 6. **Statement on Form of Bond.** All Bonds shall include a statement on their face to the effect that:

(a) That they do not in any manner constitute a general obligation of EWEB or of the City, or create a charge upon the tax revenues of the City, or upon any other revenues or property of the City, or property of EWEB, but are charges upon and are payable solely from the revenues of the Water Utility System operated by EWEB, or any portion thereof, pledged to the payment thereof; and

(b) That the holders thereof may look for repayment only to the revenues of the Water Utility System which are pledged for the payment thereof, and may not directly or indirectly be paid or compensated through any other property of the City, or EWEB, or by or through the taxing power of the City.

Section 7. **Bonds Payable Solely from Revenues.** The Bonds shall not be general obligations of the City, nor a charge upon its tax revenues, but shall be payable solely from the revenues and funds which EWEB pledges to the payment thereof pursuant to ORS 287A.150, any applicable authorizations and in accordance with this Resolution.

Section 8. **Bonds Reporting.** EWEB shall submit to the City by May 1 of each year the following annual reports commencing after the first sale of any Bonds or other evidences of indebtedness hereunder and each year thereafter until the Bonds have been paid and retired:

(a) A report on the funds for each series of Bonds describing the funds established, the amounts in each fund, expenditure from each fund, the manner in which the monies in each fund have been invested, the income from such investments and the application of such income; and

(b) A report on Bond payments describing amounts paid, and amounts scheduled to be paid and the source of such payments.

If the contents of the reports required by subsections (a) and (b) above are included in the annual audit report of EWEB, then EWEB may comply with this Section 8 by transmitting a copy of its annual audit report to the City.

Section 9. **Appointment of Professionals.** EWEB is authorized to appoint bond counsel, disclosure counsel, financial advisor, underwriter in the case of a negotiated sale, trustees, registrars, paying agents, escrow agents, verification agents and any other professional assistance that EWEB determines is necessary or convenient to accomplish the issuance and sale of any or all of the Bonds, and such appointments are hereby ratified.

Section 10. **Official Statement and Disclosure Obligations.** EWEB or any party designated by EWEB is authorized to prepare and distribute or direct the preparation and distribution of one or more preliminary or final official statement(s) or other disclosure document(s) for any of the Bonds, and to enter into continuing disclosure agreements for the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission. The City shall have no disclosure obligation related to the Bonds or any continuing disclosure agreement for the Bonds. Any similar agreement for any other borrowing by EWEB shall obligate only EWEB and not the City, and the City shall have no obligation to comply with any of those agreements, or to report EWEB's compliance with those agreements to the Municipal Securities Rulemaking Board or any other party. In addition to complying with continuing disclosure agreements related to any borrowings by EWEB, EWEB shall comply with its post issuance compliance procedures in effect from time to time.

Section 11. **Other Sale Documents.** EWEB or any party designated by EWEB is also authorized to obtain bond insurance or other credit enhancement or commitments therefor, to obtain a rating on any or all of the Bonds from Moody's Ratings, S&P Global Ratings and/or Fitch Ratings, and to issue and publish such notices of sale of the Bonds and execute such purchase contracts as may be necessary or required to accomplish the sale of the Bonds in accordance with this Resolution and to determine any other terms, conditions or covenants regarding any or all of the Bonds or the Project, which are necessary or desirable to effect the sale of any or all of the Bonds.

Section 12. **Effective Date of Resolution.** This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted by the City Council this 23rd day of February, 2026.

Deputy City Recorder

EXHIBIT A**FORM OF NOTICE OF REVENUE BOND AUTHORIZATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Eugene, Oregon (the “City”), acting pursuant to the request of the Eugene Water & Electric Board (“EWEB”), adopted Resolution No. _____ on February 23, 2026, authorizing the issuance of the City’s Water Utility System revenue bonds. The revenue bonds will be issued in one or more series to provide funds for the purpose of financing certain capital improvements related to the Willamette Treatment Plant and other capital projects described in the Water Capital Improvement Plan (collectively, the “Project”), funding necessary reserves and paying the costs of issuance of the revenue bonds.

The costs of funding the Project, together with the necessary reserves and costs of issuance of the revenue bonds, are estimated not to exceed the authorized principal amount and premium, if any, of the revenue bonds. In accordance with these estimates, the City expects that the revenue bonds to fund the Project will be issued in an aggregate principal amount not to exceed \$218,000,000. Such bonds may be combined and issued simultaneously with bonds issued to refund the Water Utility System Revenue and Refunding Bonds, Series 2016.

Subject to certain parameters, EWEB may establish all terms, conditions and covenants regarding the revenue bonds and the revenues which are necessary or desirable to affect the sale of the revenue bonds.

The revenue bonds will not be general obligations of the City, nor a charge upon its tax revenues, but will be payable solely from the revenues of the City’s Water Utility System.

If written petitions, signed by not less than 5.0% of the City’s qualified electors, are filed at the Office of the City Recorder on or before [April 27], 2026 (the 61st day after the date of publication of this notice), the question of issuing not to exceed \$218,000,000 of water revenue bonds shall be placed on the ballot at the next legally available election date. Any such petition shall be subject to ORS 287A.150 and Sections 2.970-2.989 of the Eugene Code, 1971.

The Office of the City Recorder is located at 500 East 4th Avenue, Suite 302, Eugene, Oregon 97401. Information on procedures for filing petitions may also be obtained at such address or by telephone at (541) 682-5042.

The resolution authorizing the revenue bonds is available for inspection at the Office of the City Recorder.

The revenue bonds will be issued and sold pursuant to ORS 287A.150, and this notice is published pursuant to ORS 287A.150(4).

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: February 23, 2026
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2B
Staff Contact: Rosa Roach
Phone: 541-682-8497

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 State of the City, work sessions, meetings, special meetings on November 19, 2025, December 8, 2025, January 12, 2026, January 13, 2026 and January 14, 2026.

ATTACHMENTS

- A. November 19, 2025 Work Session
- B. December 8, 2025 Work Session
- C. December 8, 2025 Meeting
- D. January 12, 2026 State of the City
- E. January 13, 2026 Special Meeting
- F. January 14, 2026 Special Meeting

FOR MORE INFORMATION

Staff Contact: Rosa Roach, City Council Coordinator
Telephone: 541-682-8497
Staff E-Mail: rrroach@eugene-or.gov

February 23, 2026 Meeting – Item 2B

MINUTES
Eugene City Council
Work Session
Eugene, Oregon 97401

November 19, 2025
12:00 p.m.

Councilors Present: Eliza Kashinsky, Matt Keating, Alan Zelenka, Jennifer Yeh, Mike Clark, Lyndsie Leech, and Randy Groves

Councilors Absent: Greg Evans

Mayor Knudson opened the November 19, 2025, Eugene City Council Work Session in a virtual format.

1. WORK SESSION: Sustainability Commission FY25 Annual Report and FY26 Work Plan

Assistant City Manager, Kristie Hammitt, introduced Danielle Klinkebiel, who presented the Sustainability Commission’s annual report and proposed Fiscal Year (FY) 2026 work plan, outlining accomplishments from the previous year and goals for transportation, buildings, waste, resilience, and community engagement.

Councilor Discussion:

- Councilor Kashinsky – stated appreciation for the Commission’s work and their approach to the work; expressed interest in continuing discussions throughout the upcoming year.
- Councilor Zelenka – noted support for the proposed work plan; noted the Commission has looked into offsets previously, as part of the City’s commitment to the Climate Recovery Ordinance (CRO); asked about adding local offsets to the work plan; stated next step is to develop local offset projects; asked about the work of the proposed Sustainable Buildings Committee; noted the building performance standards passed by the legislature in 2023; stated the importance of local business participating in building performance standards and making use of earlier adopter incentives; noted the history of the Triple Bottom Line as a tool for decision-making.
- Councilor Clark – stated strong support for creating local offset opportunities; expressed concern about sending taxpayer money out of the community; asked about the Triple Bottom Line analysis, specifically if there is data or information that exists to show cost-effectiveness of climate actions changes made in the community; asked for clarification about the Triple Bottom Line tool specifically about determining a project’s cost efficiency or effectiveness; noted the need to have better metrics on this issue in order to better explain policy decisions to the community.

- Councilor Groves – noted agreement with exploring local offsets; asked about collaboration with local utilities on weatherization projects and incentives; spoke about the importance of reducing energy consumption while building capacity; suggested outreach to the young professional community in Eugene to strengthen engagement on sustainability topics; noted the Chamber of Commerce has an active young professionals group that are interested in being involved professionally and civically.
- Councilor Yeh – stated support for the work plan format; asked about geothermal energy topic and how results on that research would be shared out; suggested providing Council with information on what is required to create offset projects.
- Councilor Zelenka – noted it is a misconception that offsets have a net cost; stated offsets directly impact and reduce greenhouse gas emissions, which provide a net benefit; noted the City's Climate Action Plan 2.0, provides net benefits for both individuals and society; stated interest in issuing a Request for Proposals (RFP) to encourage local businesses and non-profits to implement emission-reducing projects; stated City incentives could be the tipping point for businesses to act; stated the importance of the Triple Bottom Line approach as it factors into the decision-making process social and environmental criteria as well as economic criteria.
- Councilor Leech – expressed appreciation for the Commission's work and engagement efforts.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to approve the FY26 Sustainability Commission Work Plan.

VOTE: 7:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Leech, and Groves.

OPPOSED: None.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to approve establishment of the following committees: Education and Outreach Committee, Sustainable Buildings Committee, Triple Bottom Line (TBL) Learning Group.

VOTE: 6:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Leech, and Groves.

OPPOSED: Clark.

2. WORK SESSION: Proposed Charter Amendments – Department Head Residency and Language Updates

City Manager, Sarah Medary, introduced Jason Dedrick, Policy analyst, who presented two proposed Charter amendments for referral to the May 2026 election.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to adopt a Resolution Calling a City Election on May 19, 2026, for the Purpose of Referring to the Legal Electors of the City of Eugene a Measure Removing Gender-Specific Pronouns from the Eugene Charter as set forth in Attachment A to this AIS.

VOTE: 7:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Leech, and Groves.

OPPOSED: None.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to adopt a Resolution Calling a City Election on May 19, 2026, for the Purpose of Referring to the Legal Electors of the City of Eugene a Measure Amending Subsection 16(3) of the Eugene Charter Concerning the City Residency Requirement of Department Heads as set forth in Attachment B to this AIS.

VOTE: 6:1 PASSED

IN FAVOR: Kashinsky, Keating, Yeh, Clark, Leech, and Groves.

OPPOSED: Zelenka.

Councilor Discussion:

- Councilor Leech – asked for volunteers from council to serve on the voters’ pamphlet proponent committee for removing gender-specific pronouns from the charter.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to appoint Councilors Matt Keating, Jennifer Yeh, and Lyndsie Leech to the voters’ pamphlet proponent committee for the measure removing gender-specific pronouns from the Eugene Charter.

Councilor Discussion:

- Councilor Clark – asked for clarification on whether proponent committee statements are advocacy or neutral in nature.

VOTE: 7:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Leech, and Groves.

OPPOSED: None.

Councilor Discussion:

- Mayor Knudson – asked for volunteers from council to serve on the voters’ pamphlet proponent committee for removing the residency requirement for department heads from the charter.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to appoint Councilors Eliza Kashinsky and Randy Groves to the voters' pamphlet proponent committee for the measure amending Subsection 16(3) of the Eugene Charter concerning the city residency requirement of department heads.

VOTE: 7:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Leech, and Groves.

OPPOSED: None.

Councilor Discussion:

- Mayor Knudson – noted the importance of community involvement in Charter review; stated support for prioritizing a discussion on affordable health care access for Councilors and suggested decoupling that topic from broader compensation discussions.
- Councilor Clark – asked for clarification around the topic of providing health care insurance coverage for Councilors; asked staff to confirm that Councilors are currently eligible to purchase the City's health insurance; stated support of a future conversation regarding health insurance for Councilors, and clarified the topic is about the City paying for health care coverage.
- Councilor Leech – noted importance of addressing health care access for elected officials; noted that for some considering running for an elected position with a stipend over full time work, access to health care is a consideration; supported future conversations about health care coverage separate from compensation.
- Councilor Yeh – expressed interest in reducing barriers to public service; stated support for separating health care coverage from a conversation about stipends; supported prioritizing health care access discussion in future Charter review.
- Councilor Keating – stated strong support for prioritizing a conversation around health care coverage for Council.
- Councilor Zelenka – noted support for separating the health insurance discussion from the monthly stipend discussion; asked that future health care conversations include a cost analysis, applicability to Councilors or families, and other variables; stated changes to health care coverage could not be placed on the May 2026 ballot because of the timing.
- Councilor Clark – asked staff if the coverage of Council's health benefits would require a Charter vote.
- Councilor Leech – noted that timing for the work does not allow for completion before the May election; asked that when the topic returns that Council receive a clearly outlined benefits component; emphasized Council has already directed staff to return and requested that health insurance be identified as a priority area within that conversation.

The meeting was adjourned at 1:11 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Rosa Roach)

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

MINUTES

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

**December 8, 2025
5:30 p.m.**

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

Mayor Knudson opened the December 8, 2025, work session of the Eugene City Council in a hybrid format at 500 E 4th Avenue, North Building, Eugene OR 97401.

1. WORK SESSION: Long Range Financial Stability – Technical Advisors

City Manager Sarah Medary introduced Assistant City Manager Matt Rodrigues, Chief Financial Officer Twylla Miller, Anne Marie Levis, consultant with Funk/Levis & Associates, and Greg Irwin, chair of the Technical Advisory Group (TAG), and provided background on the community panel's work to examine the City's long-range financial outlook.

Councilor Discussion:

- Councilor Keating – asked for examples of potential state-level reforms referenced in the long-range recommendations; asked why the draft recommendation says new revenue should be evenly shared across the community and not target small groups; stated interest in how progressive versus broad-based approaches to new revenue would be weighed; asked for clarification on recommendations about reducing employee costs; noted concern about outsourcing core municipal services; asked if the group would reconvene in the future.
- Councilor Groves – noted interest in strategies for prioritization of services; noted a desire to balance business recruitment with support for existing local businesses.
- Councilor Clark – noted interest in specific, tactical recommendations; asked for information on regulatory barriers that could be removed to support growth; asked if they compared City policies to those of other communities.
- Councilor Kashinsky – noted concern that Oregon's property tax system does not fully reflect new value created; asked how economic development would translate into sufficient general fund revenue under those constraints; asked what short-term strategies could address a likely near-term budget gap; noted current budget allocations already mirror core service priorities.
- Councilor Yeh – stated support for forming an economic development strategy advisory team; asked what gaps exist in the local business ecosystem; stated she wants recruitment to complement existing firms; asked how core services would be defined; asked how the community would be meaningfully involved in that process.

- Councilor Zelenka – noted Eugene residents receive strong value for their tax dollars; stated that core services should align with Eugene’s competitive advantages; stated interest in economic development and youth opportunities; asked if there is target dollar amount for annual new revenue from economic outcomes.
- Councilor Leech – asked why farmworkers were not included in the employment numbers; asked if there is a significant difference between Eugene and Springfield’s employment numbers; asked if the numbers reflected residents employed versus jobs located in the city; asked how a future advisory group should be structured; stated support for aligning the City’s strategic plan to include economic prosperity; noted enthusiasm for partnerships with the University of Oregon to leverage local innovation.
- Councilor Evans – noted the information about employment lag, negative natural population growth, housing costs outpacing incomes, and education performance reflect his lived experience; asked how Eugene can retain University of Oregon graduates and create family-wage jobs; asked how to better leverage assets like local universities and the Eugene airport.
- Councilor Keating – asked how the City will define core services and whether contracted programs count; asked what Eugene can learn from Durham, North Carolina’s Holistic Empathetic Assistance Response Team (HEART) program; asked what Eugene can learn from the Raleigh–Durham area.
- Councilor Groves – asked for an early release for the TAG report to allow more time for review; stated it would be useful to Council to review the video of the Eugene Area Chamber of Commerce’s Economic Summit, including the Mayor’s dialogue with President Scholz and analysis by John Tapogna, as preparation for the February meeting; stated optimism that the community is ready for the necessary conversation.
- Councilor Zelenka – asked how to align the budget with core priorities given fund restrictions and a zero-sum general fund environment; noted changing allocations requires cuts elsewhere; asked for a plan to flesh out operational efficiencies and reductions in the next iteration of the advisory group; stated governments must operate under strict constraints unlike businesses, making efficiency harder.
- Councilor Evans – stated that cities can go bankrupt without visionary management; noted the need to invest in facilities and infrastructure; noted rising Public Employees Retirement System (PERS) and health insurance costs are significant given the percent of the budget dedicated to labor.
- Councilor Yeh – asked about the plans for community education and outreach; stated short informational videos and other materials and could help residents understand the issues.
- Mayor Knudson – stated the process was highly valuable; thanked TAG members for their work and for proposing an economic development advisory team; noted this effort will guide Council’s upcoming work on long-term financial stability.

The meeting was adjourned at 7:00 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 Meeting and
Eugene Urban Renewal Agency Meeting and
Eugene City Council Public Hearing
Eugene, Oregon 97401**

**December 8, 2025
7:30 p.m.**

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

Mayor Knudson opened the December 8, 2025, meeting of the Eugene City Council in hybrid in-person and virtual format at 500 E. 4th Avenue, North Building, Eugene, OR 97401.

1. CEREMONIAL MATTERS

Mayor Knudson mentioned proclamations for GivingTuesday, International Day of Persons with Disabilities, International Volunteer Day, Human Rights Day, and Winter Solstice Day.

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

- Councilor Leech – thanked the City Manager for ending the City’s contract with Flock automatic license plate reader (ALPR) cameras; noted the community impacts of federal actions targeting and detaining community members without due process; stated intent to begin the process of adopting a resolution similar to other cities that have declared emergencies in response to these federal actions; noted Eugene is a sanctuary city; noted the City has an Office of Equity and Community Engagement (OECE) and a Human Rights Commissions (HRC); noted the City Attorney’s Office has successfully challenged the federal government’s attempts to take away grant funding.

MOTION: Councilor Leech, seconded by Councilor Keating, moved to direct the City Manager to: 1) explore potential funding needs of local non-profit agencies assisting impacted immigrant communities; and, 2) work with Council leadership to draft a resolution reaffirming Council’s support for the city’s immigrant communities and acknowledging the crisis being caused by the federal immigration enforcement actions within those communities. The draft resolution will be circulated via council poll prior to being placed on the agenda.

Council Discussion:

- Councilor Groves – noted he would support a resolution; asked about the funding commitment given the City’s financial situation; stated he would like to ease the burden on Eugene’s immigrant community.

- Councilor Clark – noted strong concerns about potential budget impacts; spoke about his family’s immigration story and the importance of protecting civil rights; noted the importance of humanitarian support.
- Councilor Kashinsky – confirmed budget impacts will be addressed after research and supplemental budget discussions.
- Councilor Yeh – stated we all have an immigration story; stated attaching funding to the resolution is critical because it turns values into tangible impact; stated that while immigration enforcement isn’t the City’s role, supporting residents during hardship is.
- Councilor Zelenka – stated the actions of Immigration and Customs Enforcement (ICE) are harmful and dictatorial; noted losing a family member that is also the primary income earner is a humanitarian issue.
- Councilor Keating – shared an example of a local family impacted by federal actions; stated the City has a responsibility to speak out and act; asked to explore mechanisms for additional funding to support nonprofits aiding affected families.
- Councilor Clark – Asked for confirmation that the motion directs the City Manager to return with further information for council discussion, rather than making an immediate spending decision.

VOTE: 8:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Evans, Leech, and Groves.

OPPOSED: None.

- Councilor Groves – shared updates from the Intergovernmental Relations Committee regarding legislative priorities and policies and preparation for the upcoming legislative session; thanked City Manager Medary for her years of dedicated service.
- Councilor Keating – thanked the City Manager and Police Chief for ending the City’s contract with Flock ALPR cameras; thanked community members for sharing their expertise and testimony about the Flock cameras; thanked Councilors Leech and Yeh for working with the mayor of Hillsboro to understand how to enact a state of emergency around immigration enforcement; noted he recently presented at an American Civil Liberties Union (ACLU) community town hall, along with Oregon State Senator Floyd Prozanski and Speaker of the Oregon House of Representatives Julie Fahey; stated his appreciation for the retiring City Manager Sarah Medary.
- Councilor Zelenka – thanked the City Manager for ending the City’s contract with Flock ALPR cameras; noted he is working on a work session poll around a mass surveillance policy; thanked the City Manager for her service.
- Councilor Yeh – thanked City Manager Medary for her service.
- Councilor Clark – thanked former City Manager Ruiz for hiring Sarah Medary; thanked City Manager Medary for her leadership during challenging times.
- Councilor Evans – noted gratitude for Medary’s outstanding leadership as city manager; thanked her for offering support and encouragement to his daughter during difficult times.
- Councilor Leech – thanked City Manager Medary for her service; reflected on council’s sadness and excitement about her retirement.

- Mayor Knudson – thanked City Manager Medary for being an extraordinary leader and colleague who built a strong team and guided the city through complex challenges.
- Councilor Groves – asked if the City will have to pay back a portion of the grant used to pay for the Flock cameras.

Mayor Knudson left the meeting.

3. Public Hearing and Action: Resolution Adopting the City's First 2025-2027 Supplemental Budget; Making Appropriations for the City of Eugene for the Biennium Beginning July 1, 2025, and Ending June 30, 2027

City Manager Sarah Medary introduced the topic and provided background information.

Councilor Evans opened the public hearing.

1. Tim Black – spoke in favor of the resolution.
2. John Barofsky – spoke in favor of the resolution.
3. Tai Pruce-Zimmerman – spoke in favor of the resolution.
4. Brittany Quick-Warner – spoke in favor of the resolution.
5. Stefan Strek – spoke against the resolution.

Councilor Evans closed the public hearing.

Council Discussion:

- Councilor Zelenka – noted the City is audited every year by an independent third-party accounting firm and has received a clean audit for the last 29 budgets.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to adopt a resolution adopting a supplemental budget, making appropriations for the City of Eugene for the biennium beginning July 1, 2025, and ending June 30, 2027, as amended.

MOTION TO AMEND: Councilor Leech, seconded by Councilor Zelenka, moved to amend the supplemental budget to add \$50,000 to Council contingency, taking the funds from reserve for revenue shortfall.

Council Discussion:

- Councilor Leech – thanked her fellow councilors for passing a resolution acknowledging the crisis of federal agents arresting, detaining, and deporting people; noted the funds would be set aside for local non-profit agencies assisting impacted immigrant communities; stated the funds can revert to reserves if the resolution changes or fails.
- Councilor Clark – asked about the nature of the contingency fund over the last few years; noted concern about tight budget constraints and the city's financial situation.

- Councilor Groves – stated the need for a deliberate approach and transparency when moving these funds; noted community concerns about rising taxes and fees; noted the humanitarian importance of providing these funds but personally feels private donations should play a role; stated he will support the motion; noted he will want detailed information on the funds intended use and overhead costs before approving spending.
- Councilor Kashinsky – noted the motion will slightly reduce the amount going into reserves, which are already below target; stated \$50,000 is a very small amount compared to the overall budget; stated the necessity of having contingency funds available given federal actions harming communities.
- Councilor Clark – asked if there are any known cases where similar resolutions have led to financial penalties or negative consequences from the federal government due to political disagreements.

VOTE ON MOTION TO AMEND: 8:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Evans, Leech, and Groves.

OPPOSED: None.

VOTE ON MAIN MOTION AS AMENDED: 8:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Evans, Leech, and Groves.

OPPOSED: None.

Councilor Evans closed the meeting of the Eugene City Council and convened a meeting of the Eugene Urban Renewal Agency.

4. Public Hearing and Action: Resolution Adopting the Urban Renewal Agency's (URA) First 2025-2027 Supplemental Budget; Making Appropriations for the URA of the City of Eugene for the Biennium Beginning July 1, 2025, and Ending June 30, 2027

Agency Director Sarah Medary introduced the topic and provided background information.

Councilor Evans opened the Public Hearing.

1. John Barofsky – spoke in favor of the resolution.
2. Stefan Strek – spoke against the resolution.

Councilor Evans closed the Public Hearing.

Council Discussion:

- Councilor Leech – stated by law the City's budget must be balanced.

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to adopt a resolution adopting a supplemental budget, making appropriations for the Urban Renewal Agency of the City of Eugene for the biennium beginning July 1, 2025 and ending June 30, 2027.

VOTE: 8:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Evans, Leech, and Groves.

OPPOSED: None.

Councilor Evans closed the meeting of the Eugene Urban Renewal Agency and convened a meeting of the Eugene City Council.

5. CONSENT CALENDAR 1**A. Approval of City Council Minutes****B. Approval of City Council Tentative Agenda****C. Interim Appointment to the Human Rights Commission**

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to approve the items on Consent Calendar 1.

VOTE: 8:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Evans, Leech, and Groves.

OPPOSED: None.

6. PUBLIC COMMENT

1. Cynthia Cannon-Pointdexter – spoke on behalf of the HRC about Human Rights Day on December 10th.
2. Lin Woodrich – spoke in favor of implementing public health standards.
3. Mark Siemens – spoke against the Amazon E-Commerce facility.
4. Rusty Rexius – thanked retiring City Manager Sarah Medary for her service.
5. Debra McGee – spoke against the Amazon E-Commerce facility.
6. Laura Ray – spoke in favor in favor of declaration of emergency in response to actions by ICE.
7. Tom Peck – spoke against the Amazon E-Commerce facility.
8. Geoffrey Gordon – spoke about the cancellation of the Flock contract.
9. Rayna Safron – spoke about struggles experienced by the local immigrant community and against the Amazon E-Commerce facility.
10. Stan Taylor – spoke against the Amazon E-Commerce facility.
11. Scott Lambert – spoke against ALPR technology and against the Amazon E-Commerce facility.
12. Charmane Landing – spoke against the Amazon E-Commerce facility.
13. Faye Rachford – spoke against the Amazon E-Commerce facility.
14. Mark Peabody – spoke against the Amazon E-Commerce facility.
15. Josh Easterlund – spoke in favor of decriminalizing psychedelics.
16. Lucy Vinis – thanked retiring City Manager Sarah Medary for her service.
17. Nancy Ahnert – spoke against the Amazon E-Commerce facility.
18. Kamryn Stringfield – spoke against the council-manager form of government.
19. Ruth Wren – spoke against the Amazon E-Commerce facility.
20. Ken Willis – spoke in favor of a Technology Review Board.
21. Francis Starr Oleary – spoke against the Amazon E-Commerce facility.
22. Alison Dogwood – spoke against the Amazon E-Commerce facility.

23. Kristin Kessler – spoke in favor of removing the deactivated Flock cameras.

24. Danny Patch – spoke about issues with traffic.

7. CONSENT CALENDAR 2

A. A Resolution Annexing Land to the City of Eugene (Assessor's Map 17-03-08-44, Tax Lot 05700, Located at 2488 Devon Avenue (City File: A 25-10))

MOTION: Councilor Leech, seconded by Councilor Zelenka, moved to approve the items on Consent Calendar 2.

VOTE: 8:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Evans, Leech, and Groves.

OPPOSED: None.

Councilor Evans adjourned the meeting at 9:54 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
Hult Center for the Performing Arts
1 Eugene Center
Eugene, Oregon 97401**

**January 12, 2026
5:30 p.m.**

Councilors Present: Eliza Kashinsky, Matt Keating, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Lyndsie Leech, Randy Groves

1. ENTERTAINMENT

James Manuele performed “Flamenco Medley” – featuring “Tango” composed by George Ecommeidias.

2. LAND ACKNOWLEDGEMENT

Mayor Kaarin Knudson read a statement acknowledging the ceremony was being held on Kalapuya llihi, the traditional indigenous homeland of the Kalapuya people.

3. WELCOME AND INTRODUCTIONS

Council President Greg Evans provided opening remarks.

4. VIDEO PRESENTATION

A video of the 2025 City of Eugene Highlights was shown.

5. RETHINK COLLABORATION RECOGNITION

Mayor Knudson recognized BRING’s ReThink Business Program and spoke about changes to the state’s recycling program.

6. MAYOR’S ART SHOW WINNERS

Mayor Knudson announced the winners of the 2026 Mayor’s Art Show.

7. COMMUNITY SERVICE AWARDS

Mayor Knudson presented the 2025 Community Service Awards to DeLeesa Meashintubby, Armando Morales, and Rusty Rexius.

8. 2026 STATE OF THE CITY ADDRESS

Mayor Knudson delivered her 2026 State of the City Address:

“Last night, I was running in the dark. I was thinking about this time we would have together, and about the inexpressible contents of the past year.

Around mile 2, I was also thinking about that quote, “Imagination is more important than knowledge,” and it struck me that Einstein was telling us to put our attention on the future. That the world we can imagine is more powerful than what we have seen—that our focus must be front of us, among us, expansive. I was thinking about how Toni

Morrison spoke about living, and grief—about how she said that, sometimes, we don't get through it whole. We only survive in part. We are forever changed by experience, often not by choice. And that, still, we must be fearless, as beautifully as possible, under completely impossible circumstances. I was thinking about how Octavio Paz asked about listening and the unhurried lightning, and about how Mary Oliver reminded us that we do not need to walk on our knees.

I thought about the landslide of rhetoric and policy we have faced this year, and about how many people have been made to feel afraid. I thought about how much energy has been spent on confusion and distraction.

At this event last January, I'd been your mayor for seven days. In the 364 days since, we have traveled 540 million miles around the sun—indeed, some days felt a million and a half miles long. The past year has been described as “unprecedented” so many times, but that's not the only way I would describe it—

At times, it has been surreal, and sometimes heartbreaking. Unjust, and inexplicably unmoored. And, closer to home: I would also say resourceful, courageous, invested, and extraordinary—determined and resolute.

In the face of chaos, we have been steady.
 In the face of dehumanization, we celebrate our diversity.
 In the face of disorientation, we have held focus.
 And in darkness, we have chosen to stand together — “to give light and find the way.”
 We choose hope, and we choose to share it.

In the face disconnection and demoralization, Eugene remains connected.
 And we have continued—as a city, day in and day out—to work for the betterment of our community. We have done so with openness, integrity, ingenuity, and determination. I want to thank our entire City Council, especially Council President Greg Evans and Council Vice President Lyndsie Leech for their service as Council Leadership in 2025. And I want to again thank the city teams that are in this room and beyond—our staff in Central Services, Fire & EMS, Public Works, Library, Recreation and Cultural Services, Police, and Planning and Development—for all of their professionalism and care. 2025 asked us to dig deep, and we did.

Tonight, we'll report on the past year, but hold our attention on the future.

Looking back and looking ahead, you will see your city working for stability and innovation through partnership. Partnership with our institutions and universities, with our business community and housing developers, with our transportation advocates, youth advisors, and social service agencies.

When I stepped into office, our city was facing an \$11 million budget gap. Over that first six months in office, we worked intensively to negotiate a balanced budget that maintained access to core community services, reduced our costs, and created the time we need to engage more partners with the challenge of long-term budget stability. It is

always my expectation that we will find smart solutions whenever we take time to build shared understanding of a problem.

I know this is a cross-cutting concept right now—we hear continuously that it is not possible to do anything; it is not possible to believe in anything or anyone. My expectation is the opposite—my expectation is that we will rise to every occasion and face the challenges of 2026 and the 21st century together.

In 2026, City Council has made the development of a forward-looking, sustainable budget a focus of our work. To support that effort, this fall, a group of technical advisors with expertise in finance and economic development volunteered their insight. Their phase 1 report will be delivered to Council later this month, and I hope we will have their continued engagement with our work ahead. I know the City Council cares deeply about our service continuity, costs, and the sustainability of our community. As your mayor, I will champion our shared success in this collaborative work.

Because Eugene is a special place—and it didn't become this way by accident. We continuously reinvest. We are home to Oregon's flagship research institution, we draw from the excellence of smaller universities and community colleges. We are a city of unique neighborhoods and loved parks, in a region that holds a wide diversity of jobs, industries. We sit along meandering wild rivers and at the foot of ridgeline recreation. We have a larger labor force than ever—90,000 people strong—but our region faces lagging indicators in incomes, business formation, and innovation jobs. This is an opportunity we have to address.

A few weeks ago, I joined our university presidents and statewide business leaders to discuss a partnership called the Southern Willamette Valley Innovation Corridor. This work aligns with and amplifies the economic sustainability goals set out in our strategic plan. Described as a corridor because it connects Oregon's research institutions—UO and OSU—with the workforce, amenities, and opportunities of Eugene-Springfield and Corvallis. Through this framework, we're working toward a future in which new jobs, advanced manufacturing, and local business expansion are part of what our community routinely plans for, and where the startups spinning out of the University of Oregon and Knight Campus have a place to land. This work can support better connections between Downtown and the university; it's also important to supporting our workforce with higher-wage jobs.

This focus on partnership and collaboration was a defining choice in 2025. One of the things that I've heard repeatedly this year is that we're doing things differently—and I understand why this resonates, because Eugene loves to do things differently, and better. I want to thank OSU president Murthy but especially UO President Karl Scholz for their partnership—we have different roles and responsibilities, but this alignment of effort to expand opportunities and build a better future in the Southern Willamette Valley is powerful. It is a piece of the puzzle that's been missing, and I'll testify about how our work connects with the Governor's Economic Prosperity Roadmap tomorrow.

Some of Eugene's work is transformational, and some of it is follow-through. As scheduled, we completed \$10 million in street improvements in 2025, improving

transportation options, pedestrian infrastructure, traffic flow and surface conditions throughout Eugene. We also fought to keep, and won, our Airport expansion funding and the FEMA grant to complete the Amazon Creek Restoration. Indeed: we opened three new and renovated public parks—the 25-acre Willow Bend Park in Northeast Eugene, the renovated Martin Luther King Jr. Park in West Eugene, and the new Downtown Riverfront playground and plaza, which brings a whole new toddling demographic to the center of our city. The all-ages “bike parade” that we held in September, to celebrate the completed riverfront playground and the long-awaited High Street, linking our Ridgeline and Riverbank trails, was a highlight of 2025. High Street is also an example of the importance of protected, separated pathways for people walking and biking.

We permitted 413 units of new affordable housing — 293 of which had support from Eugene’s Affordable Housing Trust Fund. We also invested \$7.5 million in the creation of 75 new units of affordable housing at 4th and Mill, a project that will be completed in partnership with Homes for Good. We opened 130 new units of housing at red-brick Portal building along the riverfront, and supported a future 393 riverfront homes using our MUPTE program. On the day the Portal building opened, a group of six friends waited to tell me how lucky they felt to have found this chapter of their life in Downtown Eugene. And after we said goodbye, a young professional working in science communications wanted to share how wonderful it felt to live in a home that reflect their values through a low-carbon, car-free lifestyle. All in the same building.

Joining that ribbon cutting reminded me of the many ways Eugene nurtures villages in community—from the Nightingale shelter to SquareOne’s Peace Village to intentional ecovillages and neighborhood cul de sacs. The forms are different, but the importance of feeling at home is familiar.

Last year, I talked about the importance of a renewed focus on downtown housing and we’ve built momentum through the Downtown Core Housing Initiative, which already includes three new programs—Downtown Fee Assistance, the Accelerated MUPTE, and Property Acquisition and Disposition. To further expand our capacity in this work, last winter, I applied for Eugene to be among the 47 international cities welcomed into the City Leadership Initiative supported by Harvard University and Bloomberg Philanthropies. This year, we’ll be focused on how cross-sector collaboration can drive new approaches to downtown housing and revitalization, and you’ll hear more about the recommendations from this work in the fall.

In related work on Downtown safety, we’ve launched new programs and seen a reinvigorated commitment to partnership. Overall calls for police service are down. And in every area of violent crime, our numbers have improved by double digits, from 10-54%. Calls related to quality of life are down between 25-52%. At the same time, our Rapid Response Clean Team saw a massive surge in use as we expanded the boundaries of its service area and increased operations to 7 days per week. None of this progress would be possible without strong partnerships between the City, downtown partners, Eugene police, and the community.

We are always working to match the right resources with needs, and many of the challenges we see in our community have to do with vulnerability, not criminality. We saw a major shift in our safety net system last April with White Bird's closure of mobile crisis services in Eugene. Shortly thereafter, Lane County Mobile Crisis stepped in to meet high acuity needs—with a model of service only possible because CAHOOTS paved the way. Our community creativity is known nationwide, and we are at the beginning of new chapter in the work address gaps between our public safety and health and human services systems. This month, a new Downtown Peer Navigation pilot has already launched, and we are issuing an RFP to provide a higher level of support services and case management—a “2.0” chapter of work to connect people with the appropriate support, which is oftentimes is not a police officer. Both pilot programs are partially funded by the Community Safety Payroll Tax, and demonstrate our commitment to innovation and collaboration. What we learn from them will inform our work in the years ahead.

We bring determination and creativity to the challenges we face—we have to. Along those same lines, I think we need to begin thinking differently about Highway 99—its future is as a safer, greener, multimodal boulevard. This corridor is a gateway into Eugene, but also a community conduit. Our expectations change the moment we stop calling it a “highway” and start treating it as a public realm designed to safely connect community. It needs to be reimaged and—as with so many other examples—we can bring a new spirit of collaboration to this work.

As I said last year, a continuous focus of our work on concentrations of positive energy and lasting improvement. Here are three examples of how that investment can look:

First, we will continue our work on two transformational Downtown redevelopment projects—1059 Willamette and the Butterfly Lot—which will add hundreds of units of mixed-income housing to a Downtown district that has not seen new residential investment in years. I will also work with City Council to support actions specifically designed to catalyze workforce housing—housing that is affordable to our middle incomes and emerging households. We have an opportunity to pilot the State's new Moderate Income Revolving Loan Fund this year, and to help create new moderate-income, mixed-income, land-trust housing in Eugene.

Then, in May, Eugene will have the opportunity to renew our library levy—investing in five more years of critical stability for a public library system that served 700,000 visitors in Downtown Eugene and 127,000 visitors at the Sheldon and Bethel branches last year. Our library programs served more than 31,000 participants across Eugene, and almost 99,000 people hold library cards—including all students in 4J and Bethel school districts, including all students who live outside City limits, and participating charter schools. Library access and early literacy is a core support to families, kids, and quality of life in Eugene.

And, finally, this year will mark a milestone with Eugene Springfield Fire and a transition in local fire governance. About 15 years ago, the Eugene and Springfield fire departments merged operations, and this functional merger created one of Oregon's most successful inter-jurisdictional partnerships. But the absence of a unified,

sustainable governance model has hamstrung our ability to effectively plan and invest in the capacity we need to meet community needs. In December, Eugene City Council indicated a preference for the creation of a new Intergovernmental Entity, or IGE, with Springfield—essentially moving to a proportionally representative governance model similar to how we manage the metro area wastewater system. A second option is that our cities return to independent fire services backed by a strong mutual aid agreement. But the status quo is not an option. Moving to a sustainable governance model will stabilize fire services into the future—and that work will happen in 2026.

Our 2026 is a full plate—we face challenges and opportunities in every phase, and major transitions. We welcomed a new independent Police Auditor, Craig Renetzky, in 2025. And today, we have the three finalists for our new City Manager in Eugene—we'll make one of our most consequential decisions of the year in this coming week. A new administrative leader will join an incredibly strong team, and together we'll continue be steady, inclusive, hopeful, and focused.

It is a privilege and a responsibility to be Eugene's 40th mayor, and to celebrate community service, the arts, sustainable business, and our shared future on one stage. It is important to me that we see ourselves together, and that every Eugenean see themselves as part of the future we're building here.

We are all in this together. Through every collective effort, we model our values of strategic responsiveness and belonging, not the patterns of overwhelm and isolation modeled by others. If someone hopes to make you feel afraid, they will first try to make you feel alone. And I promise you that no one is alone in our community. I do not expect us to be perfect, but our consistency of care is defining and how we care for this community can be transformative. With Council, staff and partners, I will do all I can to help us navigate the year ahead—to seize the opportunities and meet the challenges. We will stick together, and I will stand with you and for you in our work."

9. ENTERTAINMENT

Henry Strid and Joe Suskind performed "Banjo Medley".

The meeting was adjourned at 7:00 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 Special Meeting Eugene, Oregon 97401

**January 13, 2026
1:00 p.m.**

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

Mayor Knudson opened the January 13, 2026 work session of the Eugene City Council in a hybrid format at 500 E 4th Avenue, North Building, Eugene OR 97401.

1. SPECIAL MEETING: City Manager Recruitment Process

Council President Evans introduced Valerie Phillips and Jeff Mori from the recruiting firm Bob Murray & Associates, who spoke about the day's interview process.

Candidate One: Matt Rodrigues

After introductions, Matt Rodrigues answered the following questions asked by Council in order by Council ward:

1. What collaborations have you had that were particularly constructive and ones that were more challenging?
2. In an increasingly volatile political environment, how would you balance Council priorities with federal policies that may conflict?
3. How would you address funding for climate change and homelessness in an environment of limited resources and competing priorities?
4. What is your approach to applying the triple bottom line and equity lens in your work?
5. Is the future use of Automated License Plate Reader (ALPR) technology in Eugene a good idea or a bad idea? Why or why not?
6. What safeguards do you think are necessary for the use of artificial intelligence and emerging technologies in city work?
7. What specific actions would you take to build an organizational culture where employees feel valued and appreciated?
8. If you believe economic growth is vital to stability and well-being, how would you respond to those in the community who oppose growth and development?

Councilor Discussion:

- Councilor Zelenka – noted maintaining stable financial footing and a clear understanding of the City's finances is the most critical responsibility for a successful City Manager; noted the importance of keeping Council informed, following Council direction, and making progress on issues important to Council, while also helping Council understand areas where the City Manager has deeper operational insight.

- Councilor Groves – asked what the candidate would do to help keep the Council focused on priorities amid distractions.
- Councilor Yeh – stated that in the first year, she would expect the new City Manager to plan and execute meaningful outreach to the community.
- Councilor Leech – stated the importance of internal communication; noted communicating the City’s message to the community in a clear, accessible way should be a priority for the first year and beyond; asked whether there is more the City can do to protect community members from federal actions.
- Councilor Keating – stated success in the first year should include strong internal and external communications, improving individual councilors’ ability to communicate with their wards, securing a Fire and Emergency Medical Services (EMS) solution for community safety, supporting passage of the library levy, fostering job growth, and protecting vulnerable populations from budget cuts; asked how the candidate sees the potential return of mental health and behavioral health services.
- Councilor Evans – asked for elaboration on equity and economic development, specifically recruitment and retention of a diverse staff.

Candidate Two: Jenny Haruyama

After introductions, Jenny Haruyama answered the following questions asked by Council in order by Council ward:

1. What collaborations have you had that were particularly constructive and ones that were more challenging?
2. In an increasingly volatile political environment, how would you balance Council priorities with federal policies that may conflict?
3. How would you address funding for climate change and homelessness in an environment of limited resources and competing priorities?
4. What is your approach to applying the triple bottom line and equity lens in your work?
5. Is the future use of ALPR technology in Eugene a good idea or a bad idea? Why or why not?
6. What safeguards do you think are necessary for the use of artificial intelligence and emerging technologies in city work?
7. What specific actions would you take to build an organizational culture where employees feel valued and appreciated?
8. If you believe economic growth is vital to stability and well-being, how would you respond to those in the community who oppose growth and development?

Councilor Discussion:

- Councilor Groves – asked what she would do to help keep the Council focused on priorities amid distractions.
- Councilor Zelenka – asked what three key takeaways she learned from transitioning from a strong mayor to a city manager form of government.

- Councilor Leech – asked how she would ensure a deep and broad understanding of priorities, including voices without access, and what happens when priorities feel opposing.
- Councilor Kashinsky – asked how she would handle tensions between sanctuary policies and other pressures.
- Councilor Keating – stated the importance of creative revenue strategies to grow the budget rather than cutting core services; asked how the candidate sees the potential return of mental health and behavioral health services.
- Councilor Evans – asked about her success reducing homelessness in Beaverton’s downtown area.

Candidate 3: Martha Bennett

After introductions, Martha Bennett answered the following questions asked by Council in order by Council ward:

1. What collaborations have you had that were particularly constructive and ones that were more challenging?
2. In an increasingly volatile political environment, how would you balance Council priorities with federal policies that may conflict?
3. How would you address funding for climate change and homelessness in an environment of limited resources and competing priorities?
4. What is your approach to applying the triple bottom line and equity lens in your work?
5. Is the future use of ALPR technology in Eugene a good idea or a bad idea? Why or why not?
6. What safeguards do you think are necessary for the use of artificial intelligence and emerging technologies in city work?
7. What specific actions would you take to build an organizational culture where employees feel valued and appreciated?
8. If you believe economic growth is vital to stability and well-being, how would you respond to those in the community who oppose growth and development?

Councilor Discussion:

- Councilor Groves – asked what she would do to help keep the Council focused on priorities amid distractions.
- Councilor Zelenka – asked how she would approach prioritization and balancing core services versus quality-of-life services.
- Councilor Keating – asked what lessons she has learned from past leadership challenges or failures.

The meeting was adjourned at 4:22 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 Special Meeting Eugene, Oregon 97401

January 14, 2026
1:45 p.m.

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

Mayor Knudson opened the January 14, 2026, Eugene City Council Special Meeting in a hybrid in-person and virtual format at 500 E. 4th Avenue, North Building, Eugene, OR 97401.

- 1. EXECUTIVE SESSION: Pursuant to ORS 192.660(2)(f), ORS 192.355(1) and ORS 192.355(2) and ORS 192.660(2)(a)**
- 2. SPECIAL MEETING: City Manager Recruitment Process**

Councilor Evans – provided a brief comment on the search process, his appreciation for the community input and councilor participation.

MOTION: Councilor Evans, seconded by Councilor Leech, move to appoint Jenny Haruyama as the City Manager and authorize Council President to negotiate an employment agreement with Jenny Haruyama with final approval of employment agreement to be approved by Council through the consent agenda prior to its execution.

Councilor Discussion:

- Councilor Groves – stated gratitude to all candidates for their participation; noted the decision was difficult because all three were exceptional.
- Councilor Keating – stated agreement with prior comments; noted enthusiasm for Jenny Haruyama’s appointment; asked whether the Council Vice President will be included in contract negotiations.
- Councilor Leech – stated appreciation for the process and the quality of candidates; stated readiness to move forward with negotiations.
- Councilor Zelenka – stated thanks to the search firm and community participants; noted the process was well-structured and inclusive.

VOTE: 8:0 PASSED

IN FAVOR: Kashinsky, Keating, Zelenka, Yeh, Clark, Evans, Leech, and Groves.

OPPOSED: None.

The meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Rosa Roach)

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



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY

Approval of Tentative Working Agenda

Meeting Date: February 23, 2026
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2C
Staff Contact: Katie LaSala
Phone: 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, City Recorder
Telephone: 541-682-5010
Staff E-Mail: klasala@eugene-or.gov



City Council Tentative Agenda

Updated February 19, 2026

Meeting materials and access information available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

February 2026

Date	Day	Time	Title	Length	Dept Contact
23-Feb	Mon	5:30 pm	Human Rights Commission Annual Report (Work Session)	45 min	F. Andrade, CS
			Home Energy Score Engagement and Research Findings (Work Session)	45 min	D. Klinkebiel, PW
			<i>Location: Council Chambers and Virtual</i> <i>Expected Absence: Mayor Knudson</i>		
23-Feb	Mon	7:30 pm	Committee Reports and Items of Interest		
			EWEB Utility Revenue Bonds (Consent Calendar 1)		T. Miller, CS
			Approval of Investment Policy (Possible Action)		K. Edison, CS
			Court of Record (Possible Action)		K. Brotherton, CS
			Public Comment		
			<i>Location: Council Chambers and Virtual</i> <i>Expected Absence: Mayor Knudson</i>		
25-Feb	Wed	12:00 pm	Renter Protections Review (Work Session)	45 min	A. Cameron, PDD
			Establishing a Right-of-Way Ordinance to Expedite Utility Permitting (Work Session)	45 min	J. Blackham, PW
			<i>Location: Virtual Only</i> <i>Expected Absence: Mayor Knudson</i>		

March 2026

Date	Day	Time	Title	Length	Dept Contact
9-Mar	Mon	5:30 pm	Home Energy Score Policy Discussion (Work Session)	45 min	I. Penn, PW
			Naming Policy Updates (Work Session)	45 min	J. Dedrick, CS

<i>Location: Council Chambers and Virtual</i>					
9-Mar	Mon	7:30 pm	Ceremonial Matters		
			Committee Reports and Items of Interest		
			Interim Appointment to Human Rights Commission (Consent Calendar 1)		F. Andrade, CS
			Kinney Loop and Coburg Road Refinement Plan Amendment and Zone Change (Possible Action)		N. Gioello, PDD
			East Campus University of Oregon Refinement Plan Amendment, Code Amendment, and Zone Change (Possible Action)		J. Gepper, PDD
			Public Health Standards Code Amendment (City File: CA25-3) (Possible Action)		R. Verner, PDD
			Public Comment		
			Approval of a Resolution Annexing Land at 1773 Parnell Drive (A 25-13 1773 Parnell) (Consent Calendar 2)		N. Gioello, PDD
			A Resolution Annexing Land at 1810 Firland Boulevard (A 25-14 1810 Firland Blvd)		N. Gioello, PDD
<i>Location: Council Chambers and Virtual</i>					
11-Mar	Wed	12:00 pm	Long Range Financial Planning: Benchmarks and Next Steps (Work Session)	90 min	T. Miller, CS
<i>Location: Virtual Only</i>					

Council Spring Break March 12 – April 7

Additional Information Regarding Upcoming Public Hearings

Date/Time	Topic/Title	Description	Staff Contact

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Establishing a Right-of-Way Ordinance to Expedite Utility Permitting – Feb 25, 2026	Leech/Yeh	Aug 1, 2025

Materials and Information

The Eugene City Council welcomes your interest in these agenda items. The City Hall Council Chambers 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 eugene-or.gov/101/City-Managers-Office

Meeting materials and information about how to access meetings available at: [Public Webcasts and Meeting Materials | Eugene, OR Website](#)



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY

Action: Approval of Investment Policy

Meeting Date: February 23, 2026
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Kacia Edison
Phone: 541-682-6820

ISSUE STATEMENT

This item is a request for City Council to adopt a revised Investment Policy that extends the maximum permitted maturity in the City's investment portfolio from three years to 5.25 years and updates the Environmental, Social, and Governance (ESG) rating requirements.

BACKGROUND

The City's investment program is operated in conformance with Oregon Revised Statutes – specifically, ORS 294 and 295, with applicable federal law, and the City's Investment Policy. The Investment Policy is designed to ensure that public monies are invested in a manner that is safe, secure, and supports cashflow needs, while also yielding market rates of return.

The City consolidates cash balances from all funds to maximize investment earnings and optimize investing practices with city staff taking an active role in investing available cash balances. Investment Program staff manage the City of Eugene's investment portfolio, assist with developing the City's Investment Policy, ensure the City remains in compliance with policy guidelines and state law, and report on important portfolio Key Performance Indicators. Allowable investments are governed by Oregon Revised Statutes: ORS 294.035 to 294.053, 294.125 to 294.145, and 294.810. Authority for staff to manage the portfolio and invest funds is derived from City Code section 2.530 and official delegation of the City Manager. Oversight of the investment program is conducted by the Investment Advisory Board (IAB), which convenes at least semi-annually to review the portfolio and related topics. The IAB consists of four members: the Chief Financial Officer and Assistant Finance Director (by position) and two additional members – one Division Manager, and one Executive Team Member that serve rotating three-year terms.

As of January 31, 2026, the investment portfolio has a book value of \$452.9 million with a Yield to Market (YTM) of 3.9 percent and a Biennium-to-date Rate of Return (ROR) of 4.14 percent. More information on the investment program can be found here: [Investing Program | Eugene, OR Website](#)

Per ORS 294.135 (1)(b), the City may invest in securities with a maturity of more than eighteen months if the City has adopted a written investment policy that, prior to adoption, was submitted to the Oregon Short Term Fund Board (OSTFB) for review and comment, and which includes guidelines concerning maximum investment maturity dates and requires readoption not less than annually.

Council has previously taken action to extend the maximum maturity dates for City investments. Resolution No. 3933 (Attachment A), adopted by the City Council on July 17, 1985, authorized the

February 23, 2026 Meeting – Item 3

investment of City funds to a maximum maturity of no more than three years. Additionally, Resolution 4178 (Attachment B) was adopted by the City Council on May 14, 1990, which authorized investment of City funds longer than three years for the purpose of defeasing all or a portion of a City's debt issue. To "defease" a debt is to legally and financially replace the collateral of a loan with cash or risk-free securities to satisfy the debt obligation early. This strategy allows a borrower to be released from the debt before the loan's maturity date without incurring a traditional prepayment penalty.

It may be in the City's best interest from time to time to invest City funds longer than three years to decrease market interest rate risk and volatility, stabilize cash flows, increase portfolio diversification, and increase potential for higher yields. Since 2010, the average spread between three-year U.S. Treasury rates and five-year U.S. Treasury rates has been 31 basis points, which today would equate to approximately \$155,000 in additional investment revenue on an investment of \$50 million. The option to invest in maturities up to 5.25 years allows the City to respond to changing rate environments and provide more consistent interest revenue over the long term.

Multiple jurisdictions in the State of Oregon, including but not limited to the City of Portland, City of Salem, City of Corvallis, and City of Bend invest in securities with maturities exceeding three years. Furthermore, Finance has consulted with Government Portfolio Advisors, an investment advisory firm, and two of the City's investment brokers, and all three firms recommend increasing the maximum maturity from three years to at least five years. The IAB has also approved the proposed revisions to the City's Investment Policy extending the maximum maturity of long-term debt instruments to 5.25 years. Potential risks, such as greater price volatility and liquidity risk, are mitigated by other parameters set forth in the Investment Policy and by the practices of the investment team. Specifically, the Investment Policy outlines liquidity metrics that ensure the City has sufficient cashflows to protect against unexpected near term expenses; default risks are mitigated by the high credit rating requirements set by policy; and the investment team practices a buy-and-hold strategy, which eliminates the risk of mark-to-market losses, as unrealized losses will be recovered at maturity when bonds repay their full par value.

As we enter into a declining rate environment, this policy change would enable the investment team to buffer the City's investment portfolio against decreasing rates and maintain more stable investment returns for a longer duration.

In addition to extending the maximum investment maturity date, staff are updating the language in Section I(2c) Authorized Investments and Restrictions – Corporate Indebtedness. The current policy section specifically references using Sustainalytics and their rating system to evaluate the Environmental, Social and Governance (ESG) impacts of corporations when considering corporate debt purchases. Sustainalytics has moved their evaluation tool behind a paywall that is cost prohibitive and staff are evaluating other options. Given the dynamic environment in which we operate, allowing for use of a similar independent rating agency is prudent to be able to meet the intent of the policy, but not be required to update the policy when companies change practices or new tools become available. Currently, staff access previously published and freely available Sustainalytics ESG ratings when evaluating corporate indebtedness or forgoes the investment opportunity if no Sustainalytics rating is available.

On February 5, 2026, the OSTFB reviewed and provided feedback on the revised Investment Policy that incorporates the changes described above (Attachment C). The remaining statutory conditions will be satisfied if Council adopts the revised Investment Policy.

RELATED CITY POLICIES

Financial Management Goals & Policies, Policy E.3. Investments: sets the criteria for investments in priority order as safety, liquidity, and maximum yield.

[Eugene City Code section 2.530](#), Finance Officer – Investments: authorizes the finance officer to invest surplus city funds in securities specified in ORS 294.035 through 294.046 and with the local government investment pool under ORS 294.805 through 294.895.

City of Eugene Strategic Plan 2023-2026: Organizational Wellbeing goal of fair, stable, and adequate financial resources.

PREVIOUS COUNCIL DIRECTION

None.

COUNCIL OPTIONS

1. Adopt the Investment Policy in Attachment C to extend the maximum allowable maturity of investments from three to 5.25 years and update authorized investments and restrictions to corporate indebtedness.
2. Direct the City Manager Pro Tem to schedule a work session on the proposed motion.
3. Take no action.

CITY MANAGER'S RECOMMENDATION

The City Manager Pro Tem recommends adoption of the Investment Policy included as Attachment C to this AIS.

SUGGESTED MOTION

Move to adopt the Investment Policy included as Attachment C to this AIS.

ATTACHMENTS

- A. Resolution 3933 – authorizing City investments maturing in more than eighteen months.
- B. Resolution 4178 – authorizing City investments maturing in more than three years for purposes of defeasing debt.
- C. Investment Policy February 2026

FOR MORE INFORMATION

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Telephone: 541-682-6820
Staff E-Mail: kedison@eugene-or.gov

RESOLUTION NO. 3933A RESOLUTION AUTHORIZING CITY INVESTMENTS
MATURING IN MORE THAN EIGHTEEN MONTHS.

The City Council of the City of Eugene finds that:

A. The City Manager is authorized, pursuant to City Charter, to administratively adopt an Investment Policy for the City of Eugene.

B. The City Manager has established an Investment Advisory Board, composed of the Assistant City Manager, Administrative Services Director, and Finance Director.

C. O.R.S. 294.135 prohibits investment of City funds with a maturity of more than eighteen months unless the governing body adopts an investment policy allowing investments with maturities exceeding eighteen months.

D. It may be in the best interests of the City from time to time to invest City funds for more than eighteen months.

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

Upon recommendation of the Investment Advisory Board, the City Manager may authorize the investment of City funds in instruments maturing in more than eighteen months, but not exceeding three years. Such investments may be made when matched to a specific cash flow or tied to a particular capital project. Such instruments shall in every other respect meet the criteria of the City of Eugene Investment Policy.

Dated this 17th day of July, 1985

Karen Goldman
Asst. City Recorder

RESOLUTION NO. 3933

SUBJECT

A resolution authorizing City
investments maturing in more than
eighteen months.

Submitted 7/17/85

Passed 5:1

Rejected _____

Deferred To _____

COUNCIL MINUTES

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RESOLUTION NO. 4178

SUBJECT

A resolution authorizing city investments maturing in more than three years for purposes of defeasing debt.

Submitted May 14, 1990

Passed unanimously

Rejected _____

Deferred To _____

COUNCIL MINUTES

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RESOLUTION NO. 4178

**A RESOLUTION AUTHORIZING CITY INVESTMENTS MATURING IN
MORE THAN THREE YEARS FOR PURPOSES OF DEFEASING DEBT.**

The City Council of the City of Eugene finds that:

A. The City Manager or the Manager's designee is authorized by Resolution No. 3933 to invest in maturities exceeding 18 months and up to three years for specific cash flows or tied to a particular capital project.

B. ORS 294.135(1)(b) authorizes investment of City funds with a maturity of more than one year where the purpose of such investment is otherwise authorized.

C. It may be in the City's best interest from time to time to invest City funds longer than three years for the purpose of defeasing all or a portion of a particular City debt issue.

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. The City Manager, or the Manager's designee may defease debt with longer-term investments (exceeding three years, but not exceeding the maturity date of the defeased debt) in direct obligations of the United States government or those obligations which are fully guaranteed by the United States. Such investments shall in every other respect meet the criteria of the City of Eugene Investment Policy.

The foregoing Resolution adopted the 14th day of May, 1990.

M. J. J.
City Recorder

Resolution

Effective ~~June 26~~February, 20252026

City of Eugene Investment Policy

A. Purpose

This Investment Policy defines the parameters within which funds are to be invested by the City of Eugene. This policy also formalizes the framework, pursuant to ORS 294.135, for the City of Eugene's investment activities to ensure effective and judicious management of funds within the scope of this policy.

These guidelines are intended to be broad enough to allow designated investment staff to function properly within the parameters of responsibility and authority, yet specific enough to adequately safeguard the investment assets.

B. Governing Authority

The City of Eugene's investment program shall be operated in conformance with Oregon Revised Statutes and applicable federal law. Specifically, this investment policy is written in conformance with ORS 294.035; 294.040; 294.052; 294.135; 294.145; and 294.810. All funds within the scope of this policy are subject to laws established by the state of Oregon. Any revisions or extensions of these sections of the ORS shall be assumed to be part of this Investment Policy immediately upon being enacted.

C. Scope and Pooling of Funds

This policy applies to the investment of short-term operating funds and capital funds including bond proceeds and bond reserve funds held by the City of Eugene. Investments of employees' retirement funds, deferred compensation plans, and funds held and invested by trustees, escrow agents or fiscal agents are not covered by this policy. In order to provide a comprehensive way of tracking and evaluating where the City's money is held, this policy also covers bank deposits, except for the City's checking account which maintains a minimal balance.

Except where legally required to hold separate funds, the City will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds at least quarterly based on their respective cash balances.

D. General Objectives

In accordance with the City's Financial Management Goals & Policies, Policy E.3, the primary objectives for the investment policy, in priority order, shall be preservation of capital; maintenance of a liquid position; and maximum yield.

1. Safety

Safety of principal is the foremost objective of the investment program. Investment decisions shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

- a. **Credit Risk:** The City will minimize credit risk, the risk of loss due to the financial failure of the security issuer or backer, by:
 - Limiting exposure to poor credits and concentrating the investments in the safest types of securities.
 - Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

- Actively monitoring the investment portfolio holdings for rating changes, changing economic/market conditions, etc.
- b. **Interest Rate Risk:** The City will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates, by:
 - Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
 - Investing operating funds primarily in shorter-term securities or the Local Government Investment Pool.

2. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands.

Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets.

In addition, a portion of the portfolio should also be placed in the Oregon Local Government Investment Pool or in another vehicle that provides immediately available funds.

3. Yield

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of lesser importance compared to the safety and liquidity objectives described above. The portfolio investments are limited to highly rated/low risk securities in anticipation of earning a fair return relative to the risk being assumed.

Securities shall not be sold prior to maturity with the following exceptions:

- a. A security with declining credit may be sold early to minimize loss of principal.
- b. A security swap would improve the quality, yield, or target duration in the portfolio.
- c. Liquidity needs of the portfolio require that the security be sold.
- d. To liquidate a security purchased in error that violates state law or this policy, if deemed desirable by the Treasury Officer, with notice to the Investment Advisory Board.

E. Standards of Care

1. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported to the Investment Advisory Board in a timely

fashion and the liquidity and sale of securities are carried out in accordance with the terms of this policy.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

2. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees, officers and their families shall not undertake personal investment transactions with the same individual with whom business is conducted on behalf of the City.

Officers and employees shall, at all times, comply with the State of Oregon Ethics Commission code of ethics set forth in ORS Chapter 244 and the City's gift policy.

3. Delegation of Authority

Authority to manage the investment program is derived from the following: ORS 294.035 to 294.053, 294.125 to 294.145, and 294.810, City Code section 2.530 and official delegation of the City Manager. Responsibility for the operation of the investment program, including the actions of subordinate officials, lies with the Treasury Officer. The Treasury Officer shall act in accordance with established procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include provisions for: security delivery and safekeeping, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements.

No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasury Officer.

4. Investment Advisory Board

The City Manager will appoint and maintain an Investment Advisory Board composed of four members. The Finance Director and the Treasury Officer serve as permanent members on the Board. In addition, two Executive Managers or Division Managers shall serve staggered three-year terms, and may be reappointed. The Board will meet semi-annually or as necessary to review the City's investment policies, performance and plan.

F. Authorized Financial Dealers and Institutions

A list will be maintained of financial institutions authorized to provide investment and safekeeping services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness and other factors considered relevant by the Treasury Officer. The City will limit all security purchases to institutions on the approved lists.

All financial institutions and broker/dealers who desire to become qualified for investment transactions must be registered with the Security and Exchange Commission (SEC) and must supply the following, as appropriate:

- a. Audited financial statements
- b. Proof of Financial Industry Regulatory Authority (FINRA) certification and FINRA Focus Report filings
- c. Proof of state registration
- d. Completed broker/dealer questionnaire
- e. Certification of having read, understood, and agreed to comply with the City's investment policy and ORS 294.035
- f. References from other local government clients

All approved financial institutions and registered broker/dealers are required to provide notification within 30 days of any formal investigations or disciplinary actions initiated by federal or state regulators.

A review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the Treasury Officer bi-annually. Additions and deletions to the list may be made at the discretion of the Treasury Officer.

Review considerations include:

- A. Pending investigations by securities regulators
- B. Significant changes in net capital
- C. Pending customer arbitration cases
- D. Regulatory enforcement actions

Depositories

All financial institutions who desire to become depositories must be qualified Oregon Depositories pursuant to ORS Chapter 295.

G. Internal Controls

The Treasury Officer, in cooperation with the Financial Reporting staff and the external auditor, will establish and maintain an adequate internal control structure designed to reasonably assure that invested funds are invested within the parameters of this Investment policy and are protected from loss, theft or misuse.

The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

The City shall establish a process for an annual independent review by an external auditor to assure adequate internal controls, as well as compliance with policies and procedures. In addition, the internal controls may be tested by an external auditor upon any extraordinary event, such as turnover of key personnel.

H. Delivery, Safekeeping and Collateral

1. Delivery & Safekeeping

Prior to sending funds to a broker/dealer for an investment purchase, the City will require a trade ticket listing the details of the transaction.

All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds. Marketable securities will be held by an independent third-party safekeeping agent as evidenced by safekeeping receipts in the City's name. Upon request, the safekeeping institution shall make available a copy of its Statement on Standards for Attestation Engagements (SSAE) No. 16.

2. Collateral

Cash management tools, defined as bank deposits, time deposits, certificates of deposit, and savings accounts, shall be held in qualified depositories in accordance with ORS Chapter 295. ORS 294.035(11) requires repurchase agreement collateral to be limited in maturity to three years and priced according to percentages prescribed by written policy of the Oregon Investment Council or the Oregon Short-Term Fund Board. On March 12, 1996, the OSTF Board adopted the following margins:

- US Treasury securities: 102%
- US Agency discount and coupon securities: 102%
- Mortgage backed and other described in ORS 294.035(1): 103%

I. Authorized Investments and Restrictions

1. The following investments will be permitted by this policy and are authorized for investment under ORS 294.035 and 294.810:

- a. US Treasury securities and other lawfully issued general obligations of the United States, including general obligations of agencies and instrumentalities of the United States or enterprises sponsored by the United States government and obligations whose payment is guaranteed by the United States, the agencies and instrumentalities of the United States or enterprises sponsored by the United States Government
- b. Debt of the agencies and instrumentalities of the states of Oregon, California, Idaho and Washington and their political subdivisions
- c. Time deposit open accounts, certificates of deposit and savings accounts, including governmental money market bank deposit accounts
- d. Bankers acceptances
- e. Corporate indebtedness
- f. Repurchase agreements
- g. Oregon Short-Term Fund ("OSTF") (also known as the Local Government Investment Pool – "LGIP")

2. Direct investment in the following investments will be prohibited by this policy:

- a. The top 200 fossil fuel companies by carbon reserves as reported by Fossil Free Indexes or a comparable index
- b. Cryptocurrencies or bonds backed by cryptocurrency revenues or interest earnings.

- c. Corporate indebtedness that does not carry an ESG ~~Risk Rating~~ of medium or lower ~~risk according to as made available by~~ Sustainalytics ~~or a similar independent rating agency~~, including:

1. Commercial Paper
2. Corporate Notes
3. Any other permitted corporate debt obligations

~~(Medium or lower equates to less than 30.0 on a 100-point scale, where lower scores indicate less ESG-related risk.)~~

The integration of ESG factors into the investment decision-making framework assists in the assessment of near-term and long-term risks associated with our investments, thus providing beneficial impact to performance.

If a currently-owned security falls below the ESG investment parameters set forth herein, the Treasury Officer will notify the Investment Advisory Board promptly, and the City will continue to hold the security until maturity unless the Investment Advisory Board or City ~~Council Manager~~ directs the Treasury Officer to sell it.

Corporate Issuers that have not been given an ESG rating ~~by Sustainalytics~~ will not be eligible for direct investment.

- d. Private placement or “144A” securities are not allowed. For purposes of the policy, SEC Rule 144A securities are defined to include commercial paper privately placed under section 4(a)(2) of the Securities Act of 1933.
- e. Exemptions: Any investment held prior to the adoption of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested as provided by this policy.

J. Investment Parameters

1. Diversification

The investments shall be diversified by:

- a. Limiting investments to avoid over-concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities);
- b. Limiting investment in securities that have high credit risks;
- c. Limiting investments with high interest rate risk, such as variable rate securities;
- d. Investing in securities with varying maturities; and
- e. Continuously investing a portion of the portfolio in readily available funds such as the Oregon Short-Term Fund (or LGIP).

2. Maximum Maturities and Percentage of Investments by Type

The maximum percentages for direct investments of surplus funds are as shown in the chart below. Any investments that the City makes in these types of securities through deposits to the LGIP do not

count against these limits. The maximum maturity is measured from the settlement date of the investment transaction.

<i>Security</i>	<i>Maximum % of Total Portfolio</i>	<i>Maximum Maturity</i>
US Treasury Bills, Notes and Bonds, and Obligations Secured by the US Treasury	100%	3-5.25 years; may be longer to defease debt
US Government Agencies and Instrumentalities, including Government Sponsored Enterprises	100% (25% per issuer)	3-5.25 years
State and Local Government Securities	50%	3-5.25 years
Time Certificates of Deposit	50%	3-5.25 years
Repurchase Agreements	25%	30 days
Banker's Acceptances	25%	6 months
Corporate Indebtedness (commercial paper and bonds)	35% (5% per issuer)	18 months <u>5.25 years</u>
OSTF - Local Government Investment Pool	Statutory Limit	N/A
Time Deposit Open Accounts and Savings Accounts, including Governmental Money Market Bank Deposit Accounts	10%	N/A

In order to achieve issuer diversification, this policy sets limits on the maximum holdings by issuer for certain investment types. There shall be a limit of 10% for the combination of Certificates of Deposit, bankers' acceptances and corporate indebtedness issued by a single institution so as to avoid over-concentration in any one institution.

Due to fluctuations in the aggregate surplus funds balance, maximum percentages for a particular issuer or investment type may be exceeded at a point in time subsequent to the purchase of a particular security. Securities need not be liquidated to realign the portfolio, but consideration should be given to this matter when future liquidations are made or when reinvestment occurs. Portfolio percentage limits are in place to ensure diversification in the City's investment portfolio; a small, temporary imbalance will not significantly impair that strategy.

3. Liquidity of Funds

Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds, such as the Local Government Investment Pool or overnight repurchase agreements, or held in bank balances to ensure that appropriate liquidity is maintained to meet on-going obligations.

The following maturity limits are designed to ensure liquidity in the portfolio:

<i>Length of Maturity</i>	<i>Minimum % of Total Portfolio</i>
Under 90 Days	15%
Under 1 Year	50%
Under 18 Months	75%
<u>Under 5.25 Years</u>	<u>100%</u>

The Board shall set a target for the weighted average days to maturity for the portfolio and review the appropriate target level periodically.

If the maturity limits are inadvertently exceeded at the time of a specific investment, the purchase does not need to be liquidated. Future investments must not be made to longer maturity dates until the limits will be met, however.

4. Credit Ratings

a. Minimum Credit Rating Levels

The minimum credit rating levels for the permissible investments are set out in ORS 294.035. These credit rating levels apply to the security at the transaction settlement date. If the credit rating of a security is subsequently downgraded below the minimum rating level for a new investment of that security, the Treasury Officer shall evaluate the downgrade on a case-by-case basis in order to determine if the security should be held or sold. The Treasury Officer will notify the Investment Advisory Board about the credit rating downgrade and whether the decision was made to sell or hold the security.

b. Restriction on Issuers With Prior Default History

Per ORS 294.040, the bonds of issuers listed in ORS 294.035 (3)(a) to (c) may be purchased only if there has been no default in payment of either the principal of or the interest on the obligations of the issuing county, port, school district or city, for a period of five years next preceding the date of the investment.

5. Securities Lending and Reverse Repurchase Agreements

The City of Eugene shall not lend securities nor directly participate in a securities lending or reverse repurchase program.

6. Competitively Priced Securities

Before any security purchase or sale is initiated, the Treasury Officer shall gather information about current market interest rate levels from various sources, including investment dealers, internet financial web sites, financial publications, and so on.

Each security purchase shall be made at competitive market interest rate levels. The Treasury Officer shall use their discretion in determining whether to seek competitive bids or offers. The decision to purchase a security without soliciting competitive bids or offers should be documented.

K. Reporting

1. Methods

The Treasury Officer shall prepare an investment report at least monthly including a management summary that provides an analysis of the status of the current investment portfolio and transactions

made over the last month. The report will be submitted to the Finance Director for review. This management summary will be prepared in a manner which will allow the Finance Director to ascertain whether investment activities during the reporting period have conformed to the investment policy.

In addition, the Treasury Officer will prepare a report for the Investment Advisory Board at least semi-annually. At a minimum, the report will include the following:

- Listing of individual securities held at the end of the reporting period.
- Average weighted yield to maturity of portfolio on investments as compared to applicable benchmark(s).
- Listing of investments by maturity date and call date.
- Percentage of the total portfolio that each type of investment represents along with the percentages authorized in this policy.
- Performance of the portfolio relative to benchmark(s).
- Compliance report comparing portfolio to policy constraints.

2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. An appropriate benchmark(s) shall be established by the Investment Advisory Board that is reflective of the types and maturities of investment allowed under this policy. Portfolio performance shall be compared to the benchmark(s) on a regular basis. It is anticipated the portfolio should attain a benchmark average rate of return over time. Factors influencing performance deviations will be described by the Treasury Officer in semi-annual reports to the Investment Advisory Board.

Violations of portfolio guidelines as a result of transactions; actions to bring the portfolio back into compliance and; reasoning for actions taken to bring the portfolio back into compliance shall be documented and reported to the Investment Advisory Board.

3. Marking to Market

The market value of the portfolio shall be calculated and reported to the Investment Advisory Board at least quarterly and a statement of the market value of the portfolio shall be issued at fiscal year end.

L. Policy Adoption and Re-Adoption

This policy was originally authorized by the City Council in 1985, as described in the attachment, History of Investment Policy Adoption and Changes. This policy shall be reviewed by the Investment Advisory Board on an annual basis. Oregon Short-term Fund Board review shall be requested if any material changes have been made since the last review by the OSTF Board.

Attachment

History of Investment Policy Adoption and Changes

Attachment

History of Investment Policy Adoption and Changes

Eugene City Code Section 2.530 was adopted by Ordinance 18067 on July 12, 1977 and it says that the finance officer may invest surplus money of the city in securities specified in ORS 294.035 through 294.046 and with the local government investment pool under ORS 294.805 through 294.895.

Resolution 3933, adopted by the City Council on July 17, 1985 acknowledges that the City Manager has the authority under the charter to administratively adopt an investment policy for the City, to establish an Investment Advisory Board, and to authorize investments with a maturity of up to 18 months. The Council authorized the City Manager to invest in instruments maturing in more than 18 months but not exceeding 3 years to match a specific cash flow or to match a particular capital project.

On December 27, 1985, the Oregon Short-Term Fund Board reviewed the policies without comment or suggestions.

On July 27, 1987, the City Manager signed an Administrative Order authorizing investment in commercial paper as provided in ORS 294.035.

Resolution 4178, adopted by the City Council on May 14, 1990, authorizes investment in US government securities with a final maturity of longer than three years in order to defease bonds. On May 29, 1990, the City Manager signed an administrative order revising the investment policies.

On June 19, 1992, the City Manager signed an Administrative Order revising the Investment Policy to incorporate the Cash Management policy.

On January 7, 1994, the City Manager signed Administrative Order 44-94-01 revising this policy to allow investment in "corporate indebtedness" rather than just commercial paper, increase the maximum length of those maturities to 18 months, and increase the amount in national corporations to 35%. (These are changes made in SB690/460 signed by the Governor on August 26, 1993.) Deleted statement that Investment Officer is bonded.

On September 12, 1994, the City Manager signed Administrative Order 44-94-09 revising the policy to state that when 5% of the portfolio maturities exceed one year, the Administrative Services Director will review all investment purchase recommendations that exceed 180 days in length of maturity.

On October 27, 1995, the City Manager signed Administrative Order 44-95-04 revising this policy to conform to changes made in SB199 signed by the Governor on June 2, 1995 with an effective date of September 9, 1995. The bill clarified and streamlined the investments statutes. In addition, it expanded BA's to California, Washington, and Idaho and increased the LGIP limit to \$30 million, indexed to CPI.

In February 1998, this policy was reformatted for easier readability with a few minor changes in content. Guidelines issued by the Oregon Short-Term Fund Board and National Municipal Treasurers' Association were used as the model. The Investment Advisory Board reviewed and approved the revised policy at its meeting on February 23, 1998. In April, 1998 the policy was submitted to the Short Term Fund Board for comment. The minor edits suggested by Jim Yasutome, Senior Investment Officer, LGIP and staff to the Short-Term Fund Board in May were incorporated in the policy. The Oregon Short Term Fund Board officially reviewed the policy on June 17, 1998. The City Manager signed Administrative Order 44-98-03 on June 25, 1998 adopting the new policy.

On May 8, 2000, the Investment Advisory Board readopted the policies without change.

On April 16, 2001, the Investment Advisory Board recommended the following changes to the policy: (i) delegation of authority for investments to the Investment Officer shall be amended to include the Assistant City Manager and the Finance Officer, as well as to conform titles to recent organizational changes; (ii) the composition of the Investment Advisory Board shall be amended to include the Finance and Court Services Executive Manager, the Financial Services Director and one Executive Manager or Division Manager outside of the Finance Division and to allow the Assistant City Manager to fill any vacancies on an interim basis; and (iii) to allow up to 25% of the portfolio to be invested in securities maturing in more than one year without further approval from the Finance and Court Services Executive Manager.

In May 2001, the City Manager signed Administrative Order 44-01-01 revising the policy to reflect the recommendations of the Investment Advisory Board. The Administrative Order also repealed all previous Administrative Orders related to the investment policy.

On June 21, 2002, the Investment Advisory Board readopted the policies without change.

In March 2003, the Investment Advisory Board voted to add a new category of investments to the policy. ORS 294.035(4) allows time deposit open accounts and savings accounts in insured institutions as defined in ORS 706.008 that maintain a head office or a branch in this state. This addition is meant to include investment in a money market account for governmental entities.

In June 2003, the Investment Advisory Board had the annual review of the investment policies and voted to readopt the policies with the change to add the new category of investments approved in March 2003.

On June 20, 2003, the City Manager signed Administrative Order 44-03-01 revising the policy to reflect the recommendations of the Investment Advisory Board to add investment in time deposit open accounts and savings accounts. The new Administrative Order also repealed Administrative Order 44-01-01.

On June 9, 2004, the Investment Advisory Board completed an annual review and re-write of the investment policies. The revised policies were approved by the Board by an e-mail confirmation completed on June 30, 2004.

On September 29, 2004, the Oregon Short-term Fund Board reviewed the policy and made several comments: (i) lower the percentage of time certificates of deposit; (ii) specify maximum exposure per entity; (iii) include the benchmark to be used; and (iv) mark to market quarterly.

On October 22, 2004, the Investment Advisory Board met for a final review of the policy and consideration of the OSTF Board comments. The IAB decided to accept the first two comments and reject the last two. It was determined that the benchmark might change from time to time, and it would be unwieldy to have the City Manager issue an administrative order each time that occurred. The current method for marking to market is cumbersome and staff thought it was not worthwhile to mark to market more frequently than annually. If a third-party safekeeping relationship is developed in the near future, it might be possible to update more frequently.

On November 3, 2004, the City Manager issued Administrative Order 44-04-07 revising the policy to reflect the recommendations of the Investment Advisory Board and repeal Administrative Order 44-03-01.

On June 13, 2005, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 15, 2006, the Investment Advisory Board completed the annual review of the investment policies and modified the policy to require delivery vs. payment and third-party safekeeping on all investment transactions, and to recognize the CDARS program as an allowable investment.

On June 21, 2006, the City Manager issued Administrative Order 44-06-05 revising the policy to reflect the recommendations of the Investment Advisory Board and to repeal Administrative Order 44-04-07.

On June 26, 2007, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 2 and September 17, 2008, the Investment Advisory Board reviewed the investment policies and voted to make several changes. The most significant changes are (1) increase the maximum percentage invested in time certificates of deposit to 75%, due to the change in collateral statutes for public funds deposits; (2) reduce the requirement for percentage of the portfolio to be invested in securities maturing within 90 days from 25% to 15%; and (3) increase the maximum maturities for US Government Agencies and Instrumentalities, state and local government securities, and time certificates of deposits to 3 years from the current 2 year limitation.

On October 1, 2008, the Oregon Short-term Fund Board reviewed the policy and provided comments on the percentage of time certificates of deposit (keep at 50%), the percentage of bankers' acceptances (reduce to 25%), and the mark to market practices (quarterly, reported to the IAB). The Investment Advisory Board accepted all of the suggested changes.

On October 23, 2008, the City Manager issued Administrative Order 44-08-08 revising the policy to reflect the changes and to repeal Administrative Order 44-06-05.

On June 18, 2010 the Investment Advisory Board reviewed the investment policy and voted to make two changes: (1) Change the language of the collateral section to more broadly reference ORS 295 and (2) Add the Temporary Liquidity Guarantee Program (TLGP) to the list of authorized investments with a maximum % of the total portfolio at 25% (5% limit per bank name) and a maximum maturity of June 30, 2012 (unless federal guarantee date is otherwise changed).

On June 24, 2010, the City Manager issued Administrative Order 44-10-06 revising the policy to reflect the changes and to repeal Administrative Order 44-08-08.

On June 13, 2011, the Investment Advisory Board reviewed the investment policy. The Board voted to update the maximum maturity date stated in Section H (2) for TLGP securities to December 31, 2012 to reflect the change from the previous maturity date of June 30, 2012 per the FDIC. As this update is to align the policy with current maturity lengths as stated in the footnote to Section H (2), the update is not considered a change to the policy per se and does not require a new Administrative Order to be issued.

On June 25, 2012, the Investment Advisory Board reviewed the investment policy. The Board voted to change the frequency of reports to the Investment Advisory Board from at least quarterly to at least semi-annually in Section I (Reporting).

On July 3, 2012, the City Manager issued Administrative Order 44-12-01 revising the policy to reflect the changes and to repeal Administrative order 44-10-06.

On June 19, 2013, the Investment Advisory Board reviewed the investment policy. The Board voted to delete any reference to the Temporary Liquidity Guarantee Program (TLGP) in Section H (Investment Parameters).

On August 2, 2013, the City Manager issued Administrative Order 44-13-01 revising the policy to reflect the changes and to repeal Administrative Order 44-12-01.

On June 16, 2014 the Investment Advisory Board reviewed the investment policy. The Board voted to delete the language requiring brokers to have an office in Oregon, updated FINRA as the organization that certifies brokers and adds ORS 294.035 to the certification that brokers must sign as having read and understood in Section D, Authorized Financial Dealers and Institutions.

On June 23, 2014 the City Manager issued Administrative order No. 44-14-04 revising the policy to reflect the changes and to repeal Administrative Order 44-13-01.

On July 16, 2014 the City Council adopted Resolution 5109 establishing as the policy of the City of Eugene to not directly invest in fossil fuel companies. Section G (Authorized Investments) of the investment policy was amended to prohibit direct investment in the top 200 fossil fuel companies as reported by Fossil Free Indexes or a comparable index.

On July 31, 2014 the City Manager issued Administrative Order 44-14-06 revising the policy to reflect the changes and to repeal Administrative Order 44-14-04.

On June 17, 2015, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 24, 2016, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 19, 2017, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 8, 2018, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 17, 2019, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 9, 2020, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 24, 2021, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On June 15, 2022, the Investment Advisory Board completed the annual review of the investment policies and voted to incorporate into the policy of the City of Eugene a restriction regarding direct investment in cryptocurrencies. Section G (Authorized Investments) of the investment policy was amended to align with the Government Financial Officers Association (GFOA) advisory as of March 4, 2022, against participating in cryptocurrencies.

On July 6, 2022, the City Manager issued Administrative Order 44-22-03 revising the policy to reflect the changes passed by the Investment Advisory Board on June 15, 2022, and repealing Administrative Order 44-14-06.

On June 21, 2023, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On May 22, 2024, the Investment Advisory Board met to review ESG-focused investment strategies and voted to approve the addition of ESG Risk Rating parameters on direct investment in corporate indebtedness into policy.

On June 18, 2024, the Investment Advisory Board completed the annual review of the investment policies and voted to modify language in various sections of the policy to more closely align with the Oregon Short Term Fund Board's Sample Policy for Local Governments. The most significant changes include the addition of Sections A and B that specify the investment policy's purpose and governing authority; and Section I (2.d) which prohibits direct investment in "144A" securities.

On July 29, 2024, the City Manager issued Administrative Order 44-24-05 revising the policy to reflect the changes passed by the Investment Advisory Board on June 18, 2024, and repealing Administrative Order 44-22-03.

On June 26, 2025, the Investment Advisory Board completed the annual review of the investment policies and voted to readopt the policies without change.

On July 31, 2025, the Investment Advisory Board voted to recommend the Investment Team seek from City Council authorization to invest in US government securities and debt of the agencies and instrumentalities of the states of Oregon, California, Idaho and Washington and their political subdivisions with maturities longer than 3 years but not exceeding 5 years.

On December 5, 2025, the Investment Advisory Board voted to extend the maximum maturities for Time Certificates of Deposits and Corporate Bonds to 5 years. The Board also voted to revise Section I, Item 2.c. to allow for the use of ESG ratings provided by independent agencies other than Sustainalytics. The free access to Sustainalytics' ESG Risk Ratings was recently removed from the firm's website, so the IAB voted to make this policy revision to ensure compliance with ESG requirements could be maintained if ESG rating availability changes.

On February 5, 2026, the Oregon Short Term Fund Board (OSTFB) reviewed the City's investment policy as revised and provided feedback recommending that the City extend the policy maximum maturity to 5.25 years to align with the OSTFB's sample policy. On February 6, 2026, the IAB voted to revise the policy to permit final maturities up to 5.25 years in the portfolio.

On February 23, 2026, City Council took action to approve the investment policy, as revised and approved by the Investment Advisory Board in December 2025 and February 2026.

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: An Ordinance Concerning Municipal Court Becoming a Court of Record; Adding Section 2.771 to the Eugene Code, 1971; Declaring Compliance with ORS 221.342(2); and Providing for an Immediate Effective Date.

Meeting Date: February 23, 2026
Department: Central Services/CAO
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Kathryn Brotherton
Phone: 541-682-8447

ISSUE STATEMENT

This is the Council opportunity to consider adopting an ordinance that amends the Eugene Code to make the Eugene Municipal Court a court of record. The proposed ordinance adds a new section 2.771 to the Eugene Code and includes uncodified provisions necessary for the Oregon Supreme Court to acknowledge Eugene Municipal Court as a court of record. In order to address the state legislation that went into effect on January 1, 2026, and that is currently impacting municipal court's functions, the ordinance provides for an immediate effective date. A public hearing on the ordinance was held on February 17, 2026, no testimony was provided.

BACKGROUND

Eugene Municipal Court is not a court of record, meaning that the court's proceedings are not preserved in an official record (a verbatim transcript) that would serve as authoritative evidence of the court's actions and decisions and that could be referenced in future legal matters. Without an official record of the proceedings, instead of appealing a conviction to the Oregon Court of Appeals (because such appeals are based on the trial court's record), a defendant convicted in Eugene Municipal Court has the right to seek an entirely new ("de novo") trial in Lane County Circuit Court.

During the 2025 legislative session the State legislature passed HB 2460 (Attachment B to this AIS), which went into effect on January 1, 2026. HB 2460 was largely intended to address appeal processes, but it also included a provision related to courts of non-record. For courts of non-record, such as Eugene Municipal Court, HB 2460 now allows a defendant that has plead not guilty to a misdemeanor charge to immediately transfer the case from municipal court to circuit court; once transferred the charges are entirely adjudicated in circuit court, with appeals going to the Oregon Court of Appeals. Prior to the passage of HB 2460, violations of City Code provisions punishable by jail up to a year (misdemeanors) were prosecuted in Eugene Municipal Court by the Eugene City Prosecutor's office, with court-appointed defense counsel provided by the City through a contract with a local defense firm.

HB 2460 is having immediate impact on Eugene Municipal Court and the manner in which Eugene City Code misdemeanors are adjudicated. These impacts are caused, in part, by Lane County's Circuit Court's lack of resources and capacity to receive the larger number of cases that HB 2460 now makes eligible to be transferred to circuit court. Eugene's Community Court has been heavily impacted by HB 2460, with a significant reduction in the number of cases being diverted to this long-standing, successful judicial off-ramp. This is because, to address Lane County Circuit Court's aforementioned lack of resources and capacity, the types of offenses that are typically referred to Community Court are not being filed, are being dismissed/reduced to a violation, or are being

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resolved through settlement. This is a short-term approach intended to immediately address the impacts of HB 2460 with the understanding that the City Council would be considering an ordinance to make Eugene Municipal Court a court of record. Once a court of record, the number of cases in Community Court is expected to return pre-HB 2460 numbers. Additionally, becoming a court of record will prevent anticipated long-term impacts of HB 2460, which include Community Court essentially ceasing to exist, a significant increase in the City Prosecutor's Office court appearance demands (limiting their ability to efficiently resolve cases), longer wait times for victims to get their cases resolved, and a significant reduction in the prosecution of quality of life crimes (criminal trespass, retail theft, disorderly conduct, etc.).

Transitioning to a court of record will require additional staff, materials, and supplies that are not currently budgeted. If this code amendment is approved, funding requests will be included in an upcoming supplemental budget. The anticipated costs range from \$350,000 - \$500,000 and may be funded in part by the Community Safety Payroll Tax.

PREVIOUS COUNCIL DIRECTION

[February 17, 2026 Public Hearing](#)

Council held a public hearing on the proposed ordinance and no speakers provided testimony.

COUNCIL OPTIONS

1. Adopt an Ordinance Concerning Municipal Court Becoming a Court of Record; Adding Section 2.771 to the Eugene Code, 1971; Declaring Compliance with ORS 221.342(2); and Providing for an Immediate Effective Date.
2. Postpone action on the Ordinance until there can be further discussion on this matter.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adopting the ordinance as set forth in Attachment A to this AIS.

SUGGESTED MOTION

Move to adopt an Ordinance Concerning Municipal Court Becoming a Court of Record; Adding Section 2.771 to the Eugene Code, 1971; Declaring Compliance with ORS 221.342(2); and Providing for an Immediate Effective Date.

ATTACHMENTS

- A. Proposed Ordinance Concerning Municipal Court Becoming a Court of Record; Adding Section 2.771 to the Eugene Code, 1971; Declaring Compliance with ORS 221.342(2); and Providing for an Immediate Effective Date.
- B. Oregon HB 2460

FOR MORE INFORMATION

Staff Contact: Kathryn Brotherton, City Attorney
Telephone: 541-682-8447
Staff E-Mail: KBrotherton@eugene-or.gov

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ORDINANCE NO. ____

AN ORDINANCE CONCERNING MUNICIPAL COURT BECOMING A COURT OF RECORD; ADDING SECTION 2.771 TO THE EUGENE CODE, 1971; DECLARING COMPLIANCE WITH ORS 221.342(2); AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.771 is added to the Eugene Code, 1971, to provide as follows:

2.771 Municipal Court – Court of Record.

The Eugene Municipal Court is a court of record.

Section 2. In accordance with the requirements of ORS 221.342(2), the Eugene City Council declares as follows:

- (a) The Eugene Municipal Court satisfies the requirements for becoming a court of record set forth in ORS 221.342.
- (b) The address and telephone number of the clerk of the Eugene Municipal Court are as follows:

1102 Lincoln St.
Eugene, OR 97401
Phone: 541-682-5400
- (c) The Eugene Municipal Court will commence operations as a court of record on April 1, 2026.

Section 3. This Ordinance shall serve as the Eugene City Council's declaration that is required by ORS 22.342(2) for the Eugene Municipal Court to become a court of record. The City Manager is directed to file this declaration/ordinance with the Oregon Supreme Court and request entry of an order by the Supreme Court acknowledging the filing of this declaration.

Section 4. 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.

Section 5. As a result of Oregon House Bill 2460, adopted by the Oregon Legislature during the 2025 Legislative Session and effective on January 1, 2026, it is necessary to immediately amend the City Code to make the Eugene Municipal Court a court of record. Therefore, pursuant to the provisions of Section 32(2) of the Eugene Charter of 2002, with the affirmative vote of two-thirds of the members of the City Council, this Ordinance shall become effective upon adoption by the Council and approval by the Mayor, or passage over the Mayor's veto.

Passed by the City Council this

____ day of _____, 2026

City Recorder

Approved by the Mayor this

____ day of _____, 2026

Mayor

83rd OREGON LEGISLATIVE ASSEMBLY--2025 Regular Session

Enrolled House Bill 2460

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary for Oregon Law Commission)

CHAPTER

AN ACT

Relating to local courts; creating new provisions; amending ORS 19.240, 21.135, 21.160, 51.028, 51.050, 55.110, 138.005, 138.057, 138.081, 138.090, 153.105, 156.080, 156.705, 221.343 and 221.352; repealing ORS 21.285, 51.070, 51.080, 51.090, 51.110, 51.120, 51.130, 53.005, 53.010, 53.020, 53.030, 53.040, 53.050, 53.060, 53.070, 53.080, 53.090, 53.100, 53.110, 53.120, 53.125, 53.130, 55.120, 157.005, 157.010, 157.020, 157.030, 157.040, 157.050, 157.060, 157.065, 157.070, 221.359, 221.360, 221.370, 221.380 and 221.390; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

JUSTICE COURTS GENERALLY

SECTION 1. ORS 51.050, as amended by section 57, chapter 70, Oregon Laws 2024, is amended to read:

51.050. (1) Except as otherwise provided in this section, in addition to the criminal jurisdiction of justice courts already conferred upon and exercised by them, justice courts have jurisdiction of all offenses committed or triable in their respective counties. The jurisdiction conveyed by this section is concurrent with any jurisdiction that may be exercised by a circuit court or municipal court.

[(2) In any justice court that has not become a court of record under ORS 51.025, a defendant charged with a misdemeanor shall be notified immediately after entering a plea of not guilty of the right of the defendant to have the matter transferred to the circuit court for the county where the justice court is located. The election shall be made within 10 days after the plea of not guilty is entered, and the justice shall immediately transfer the case to the appropriate court.]

[(3)] (2) A justice court does not have jurisdiction over the trial of any felony or a designated drug-related misdemeanor as defined in ORS 423.478. Except as provided in ORS 51.037, a justice court does not have jurisdiction over offenses created by the charter or ordinance of any city.

SECTION 1a. ORS 156.705 is amended to read:

156.705. *[Justices of the peace]* **Justice courts** shall have concurrent jurisdiction over all offenses **other than felonies** committed under ORS 167.315 to 167.333 and 167.340.

SECTION 2. Civil jurisdiction. (1) **A justice court has jurisdiction, but not exclusive jurisdiction, of the following civil actions:**

(a) **For the recovery of money or damages only, when the amount claimed does not exceed \$10,000.**

(b) For the recovery of specific personal property, when the value of the property claimed and the damages for the detention do not exceed \$10,000.

(c) For the recovery of any penalty or forfeiture, whether given by statute or arising out of contract, not exceeding \$10,000.

(d) For the recovery of possession of real property, as provided in ORS 105.110.

(e) To give judgment without action, upon the confession of the defendant for any of the causes specified in this section, except for a penalty or forfeiture imposed by statute.

(2) For purposes of this section, the amount claimed, value of property, damages or any amount in controversy does not include any amount claimed as costs and disbursements or attorney fees as defined by ORCP 68 A.

(3) A justice court does not have jurisdiction of:

(a) An action in which the title to real property is in question.

(b) An action for false imprisonment, libel, slander or malicious prosecution.

(c) An action brought by an adult in custody as defined in ORS 30.642.

(4) The jurisdiction conferred by this section is concurrent with any jurisdiction that may be exercised by a circuit court or municipal court.

SECTION 3. Case record. (1) The case record of a justice court consists of the docket as described in subsection (2) of this section and the case file as described in subsection (3) of this section.

(2) The docket of a justice court is a record in which the clerk of the justice court shall enter, by its title, every action, suit or proceeding commenced in the court according to the date of its commencement, with the names of the parties thereto. Thereafter, the clerk shall note in the docket the following:

(a) The date of the filing of any pleading or other document.

(b) The date of making, filing and entry of any order, judgment, ruling or other direction of the court in or concerning such action, suit or proceeding.

(c) An order allowing a provisional remedy, and the date of issuing and returning the summons or other process.

(d) The date on which the parties, or either party, appears, or the date on which a party fails to appear as required.

(e) Every postponement of a trial or other proceeding, upon whose application the postponement was made, and the date and time to which the trial or other proceeding was postponed.

(f) The demand for a jury, if any, and by whom made, the order for a jury, and the time appointed for trial.

(g) The return of an order for a jury, the names of the persons impaneled and sworn as a jury, and the names of all witnesses sworn, and at whose request.

(h) The verdict of the jury and when given, and if the jury disagree and is discharged without giving a verdict, a statement of such disagreement and discharge.

(i) The judgment of the court and when signed.

(j) The date of filing the notice of appeal.

(k) Any undertaking and justification of a surety.

(L) Satisfaction of the judgment or any part thereof.

(m) A memorandum of all orders relating to security release.

(n) Any other information that may be material or that is required by statute, court order or rule.

(3)(a) The case file consists of every document filed with or by the justice court clerk in any action, suit or proceeding in the court, or before the judge.

(b) The case file also includes any audio recording or stenographic or other reporting of any justice court proceeding made pursuant to ORS 51.105, if all parties agree that the recording or other reporting is the official record of the proceeding and the recording or other reporting has been filed with the court.

(4) A justice court may maintain its docket or case files, or both, in electronic form.

SECTION 4. Keeping of case records. (1) The justice of the peace shall safely and securely keep all case records of the justice court described in section 3 of this 2025 Act. The case records are public records for the purposes of ORS 192.311 to 192.478.

(2) When any justice court is abolished, the justice of the peace shall turn over the case records of that court to the clerk of the circuit court for the county in which the justice court was located.

SECTION 5. Transfer to circuit court. (1) In any justice court that has not become a court of record under ORS 51.025, a defendant charged with a misdemeanor shall be notified immediately after entering a plea of not guilty of the right of the defendant to have the case transferred to the circuit court for the county in which the justice court is located. The election must be made within 10 days after the plea of not guilty is entered, and upon the election the justice court shall immediately transfer the case to the circuit court.

(2)(a) In any justice court that has not become a court of record under ORS 51.025, in a case in which the defendant is charged with a violation or misdemeanor, after a ruling adverse to the defendant on any pretrial motion, the defendant, with the consent of the justice court and the prosecutor, may have the case transferred to the circuit court for the county in which the justice court is located, with the same effect as a transfer described in subsection (1) of this section. The request to transfer must be made within 10 days after entry of the order ruling on the motion and prior to any verdict or plea of guilty or no contest. Upon the request and with the consent of the justice court and the prosecutor, the justice court shall immediately transfer the case to the circuit court.

(b) In a case that is transferred under this subsection in which the defendant is charged with only a violation, the filing fee described in ORS 21.135 and the process described in section 10a (1)(b) and (c) of this 2025 Act apply.

(3) Upon transfer of the case to circuit court, the prosecutor and the defendant have the same right to appeal the circuit court's orders or judgments of the case as if the case had been originally commenced in circuit court.

SECTION 6. ORS 156.080 is amended to read:

156.080. (1) The defendant may plead the same pleas as upon an indictment. The plea shall be oral and entered in the docket. If the defendant refuses to plead, the justice shall enter the fact, together with the plea of not guilty, on behalf of the defendant.

(2) Notwithstanding ORS 156.010 and 135.335, in a justice court that has not become a court of record, a defendant may not enter a conditional plea of guilty or no contest, but may seek to transfer the case to the circuit court as provided in section 5 (2) of this 2025 Act.

SECTION 6a. Adverse party contact information. (1)(a) When entering a judgment in an action for a violation or a misdemeanor, a justice court shall, by including a notification in the judgment document or by another effective manner, notify the defendant that the defendant may request the name and contact information of the government official or entity upon which service of a notice of appeal is required under section 10 of this 2025 Act, with instruction on how to make such a request.

(b) Upon the defendant making a request described in this subsection, the justice court shall provide the defendant with the name and contact information of the government official or entity upon which service of the notice of appeal is required.

(2)(a) When entering a judgment in a civil action, a justice court shall, by including a notification in the judgment document or by another effective manner, notify the parties that a party may request the name and contact information of the adverse party upon whom service of a notice of appeal is required under section 10 of this 2025 Act, with instruction on how to make such a request.

(b) Upon a party making a request described in this subsection, the justice court shall provide the party with the name and contact information of the adverse party upon whom

service of the notice of appeal is required that is in the possession of the court at the time the request is made.

APPEALS FROM JUSTICE COURTS (Generally)

SECTION 6b. Definition. As used in sections 8 to 30 of this 2025 Act, “matter” means:

- (1) On appeal from a judgment of conviction and sentence, the entire case; or
- (2) On appeal from a pretrial order or order entered after trial, or an amended or corrected judgment, the order or judgment from which the appeal is taken and any issue, factual or legal, necessary to decide the appeal.

SECTION 7. Court to which appeal is taken. (1) If a justice court has become a court of record under ORS 51.025:

(a) An appeal in a proceeding involving a violation shall be taken to the Court of Appeals as provided in ORS 138.057.

(b) An appeal in a proceeding involving a misdemeanor shall be taken to the Court of Appeals as provided in ORS 138.010 to 138.310 for appeals from a circuit court.

(c) An appeal in a civil action shall be taken to the Court of Appeals as provided in ORS chapter 19 for appeals from a circuit court.

(2) If a justice court has not become a court of record under ORS 51.025, an appeal from a proceeding involving a violation or misdemeanor or a civil action shall be taken to the circuit court of the county in which the justice court is located and in the manner provided in ORS 55.110 and sections 8 to 30 and 30c of this 2025 Act.

SECTION 8. Time within which appeal must be taken. (1) Except as provided in subsection (2) of this section, a notice of appeal must be filed and served within 30 days of the date of entry in the justice court docket of the judgment or order being appealed.

(2) If, in a case involving a misdemeanor or a violation, a motion for a new trial or motion in arrest of judgment is timely served and filed, a notice of appeal must be served and filed within 30 days from the earlier of the following dates:

- (a) The date of entry of the order disposing of the motion; or
- (b) The date on which the motion is deemed denied.

SECTION 9. Contents of notice of appeal. (1) The notice of appeal must contain:

(a) The title of the cause in the justice court. The party appealing is known as the appellant and the adverse party as the respondent, but the title of the action is otherwise unchanged.

(b) The name of each party and the party’s attorney, if the party is represented by an attorney.

(c) A notice to each party that appeared in the action or proceeding, or to the party’s attorney if the party is represented, that an appeal is taken and designating the adverse parties to the appeal.

(d) Identification of the justice court’s order or judgment from which the appeal is taken.

(e) If an appellant is not represented by an attorney, a postal address for the appellant and either an electronic mail address for the appellant, or a statement that the appellant does not have an electronic mail address or does not wish to receive correspondence via electronic mail.

(f) If the appellant is represented by an attorney, the postal address and electronic mail address for the attorney.

(g) The postal address and electronic mail address, if known to the appellant, for all other parties designated as parties to the appeal.

(h) The signature of the appellant or, if the appellant is represented by an attorney, the appellant’s attorney.

(i) If the appellant is appealing from a judgment of conviction based on a plea of guilty or no contest, a claim that the trial court failed to comply with requirements of law in imposing or failing to impose a sentence.

(2) The State Court Administrator shall create a model notice of appeal form that, when completed by the appellant, contains the information described in subsection (1) of this section.

SECTION 10. Filing and serving notice of appeal. (1) The appellant shall:

(a) File written notice of appeal with the justice court from which the appeal is taken with proof of service of a copy on the adverse party, or an acknowledgment of service signed by the adverse party; and

(b) Serve a copy of the notice of appeal on the adverse party or, if the adverse party is represented by an attorney, the party's attorney.

(2) In a case charging a misdemeanor or a violation, if the defendant is the appellant:

(a) The defendant shall serve the county attorney if the case has been brought in the county's name and the defendant did not serve the county attorney under subsection (1) of this section.

(b) The defendant shall serve the district attorney if the case has been brought in the state's name and the defendant did not serve the district attorney under subsection (1) of this section.

SECTION 10a. Filing fee. (1)(a) On appeal from a justice court to the circuit court in a civil action, or in an action involving only the commission of a violation, the parties are subject to the circuit court fees described in ORS 21.135 or 21.160 when filing a notice of appeal or other first appearance in the appellate proceeding.

(b) The appellant shall either tender payment of the circuit court filing fee to the justice court, or file an application to waive or defer the filing fee with the justice court. The appellant may use the application described in ORS 21.685.

(c) The justice court shall transmit the filing fee or application to waive or defer the filing fee to the circuit court of the county in which the justice court is located at the time that the justice court submits the case record as required by section 12 of this 2025 Act. The circuit court shall rule upon the application, and may waive or defer payment of the filing fee required by ORS 21.135 or 21.160 for the reason and in the manner provided in ORS 21.680 to 21.698.

(2) When the state or any political subdivision of the state, or an officer, employee or agent thereof, appearing in a representative or other official capacity, is a party on appeal from a justice court, payment of the filing fee required by ORS 21.135 or 21.160 is subject to ORS 20.140.

SECTION 11. Jurisdiction of the matter and to decide the appeal. (1) The circuit court has jurisdiction to exercise judicial authority in the matter upon the filing of the notice of appeal.

(2) Timely filing of the notice of appeal and timely service on the adverse party is jurisdictional, and except as otherwise provided in this section, neither the justice court nor the circuit court may waive or extend the time limits for filing or serving the notice of appeal described in section 8 of this 2025 Act.

(3) Upon the timely filing of the notice of appeal, service on the adverse party and transfer of the case record to the circuit court, the appeal is deemed perfected.

(4) Notwithstanding subsections (2) and (3) of this section:

(a) It is not a jurisdictional defect if the appellant files the original notice of appeal with the circuit court, so long as the appellant timely served a copy of the notice of appeal on the justice court.

(b) Timely service on an adverse party is not jurisdictional if proper service did not occur due to the appellant's reliance upon an address provided by the justice court under section 6a of this 2025 Act, and the circuit court may extend the time for proper service.

(c) In a case charging a violation or a misdemeanor, timely service on the county attorney or the district attorney is not jurisdictional and the circuit court may extend the time for that service.

SECTION 12. Submission of the record. (1) The justice court shall submit the case record described in section 3 of this 2025 Act to the circuit court immediately and no later than 30 days after the date the notice of appeal was filed, or no later than 10 days if the defendant is in custody.

(2) The circuit court by order may extend the time for the justice court to submit the case record.

(3) If the justice court and the circuit court agree, the justice court may submit its case record, or make the case record available, to the circuit court in electronic form. If the circuit court does not agree to accept the justice court record in electronic form, the justice court shall submit a paper copy of the case record to the circuit court.

SECTION 13. Proceedings in the circuit court and standard of review generally. (1)(a) The circuit court may dismiss an appeal that is not properly taken or perfected, including the failure to include a claim in the notice of appeal if required by section 9 (1)(i) of this 2025 Act, except that the circuit court may not dismiss an appeal because the justice court has failed to submit the justice court case record to the circuit court.

(b) The circuit court shall not assess the merits of a claim made pursuant to section 9 (1)(i) of this 2025 Act. If, in violation of this paragraph, the circuit court dismisses an appeal based on an assessment of such a claim, and notwithstanding ORS 138.035, the appellant may appeal the dismissal.

(2) After the appeal is perfected, the matter shall be deemed pending for trial or hearing as if the case had been originally commenced in the circuit court. The circuit court shall proceed to hear and decide the matter anew, disregarding any irregularity or imperfection in matters of form that may have occurred in the justice court.

(3) The circuit court may, in furtherance of justice and upon such terms as may be just, allow a party to amend the party's pleadings in the action, provided that the amendment does not substantially change the issue tried in the justice court or introduce any new cause of action or defense.

SECTION 14. Rendering judgment; remand; notice to justice court. (1) The circuit court shall render a judgment, as defined in ORS 18.005, conclusively disposing of the appeal.

(2) Except as otherwise provided in sections 8 to 30 of this 2025 Act:

(a) If the circuit court determines that any of the terms of the justice court judgment should be reversed or modified, the circuit court shall render a judgment as if the case had been originally commenced in the circuit court, containing all the terms of the judgment and to be enforced as a judgment of the circuit court; or

(b) If the circuit court determines that none of the terms of the justice court decision should be reversed or modified, the circuit court shall render a judgment affirming the decision and remanding the case to the justice court for enforcement of the judgment.

(3) Notwithstanding subsection (2) of this section, in its discretion and for good cause, the circuit court may render such judgment as may be proper, which may include remanding the case to the justice court for further proceedings in accordance with the decision of the circuit court.

(4) The trial court administrator of the circuit court shall provide a copy of the circuit court's judgment to the justice court:

(a) Within 40 days after the date of entry of the circuit court judgment, if no party appeals from the judgment; or

(b) Within 10 days after receipt of the appellate judgment issued by the State Court Administrator resolving the appeal, if a party appeals the circuit court judgment to the Court of Appeals.

SECTION 15. Availability of writ of review. The right of a party in a justice court to appeal under sections 8 to 30 of this 2025 Act may not be construed to prevent any party from seeking review in the circuit court under ORS 34.010 to 34.100 for errors in law appearing on the face of the judgment entered by the justice court or the proceedings connected therewith or, in a proceeding charging a violation or misdemeanor, an interlocutory order involving the constitutionality of a statute.

(Violation and Misdemeanor Cases)

SECTION 16. Appeal and cross-appeal by the defendant. (1) In a proceeding involving a violation or misdemeanor, a defendant may appeal from:

(a) A judgment convicting the defendant of one or more charges and imposing sentence, regardless of the type of sentence imposed.

(b) A judgment ordering payment of restitution but not specifying the amount of restitution, or a supplemental judgment awarding restitution.

(c) A judgment or order imposing or executing a sentence upon revocation of probation or sentence suspension.

(d) A judgment or order that is an amended or corrected version of a judgment or order described in paragraphs (a) to (c) of this subsection.

(2) In a proceeding involving a violation, the defendant may appeal an order denying a motion for relief from default under ORS 153.105.

(3) A defendant may cross-appeal when the prosecution appeals an order prior to trial suppressing evidence as provided in section 17 (1)(c) of this 2025 Act. The failure to file a cross-appeal under this subsection does not waive a defendant's right to appeal a particular ruling of the justice court on appeal from the judgment of conviction and sentence.

SECTION 17. Appeal by the state or county. (1) In a proceeding involving a violation or misdemeanor, the prosecution may appeal from:

(a) An order made prior to trial dismissing or setting aside one or more counts in the accusatory instrument.

(b) An order allowing a demurrer.

(c) An order made prior to trial suppressing evidence.

(d) An order made prior to trial for the return or restoration of things seized.

(e) An order arresting the judgment.

(f) An order made after a guilty finding dismissing or setting aside one or more counts in the accusatory instrument.

(g) An order granting a new trial.

(2) In a proceeding involving a violation, the prosecution may appeal an order granting a defendant's motion for relief from default under ORS 153.105.

(3) Notwithstanding subsection (1) of this section, the state or the county may not appeal the dismissal of a violation by reason of a police officer's failure to appear at the trial on the matter if the police officer was timely provided with notice of the trial date.

SECTION 18. Proceedings in the circuit court in general in cases charging offenses. (1) On appeal of a matter in a case charging a violation or misdemeanor, the circuit court shall try the matter pursuant to the statutes that prescribe the procedure for trial of violations or misdemeanors, respectively, in the circuit court, except that the prosecution may be handled by an attorney provided by the county or other political subdivision of the state that enacted the ordinance or adopted the provision of a charter the defendant was charged with or convicted of violating.

(2) On appeal by the defendant of a judgment of conviction and sentence for a violation or misdemeanor defined by state law or by a law enacted by a county, city or other subdivision of the state, if the defendant is convicted, the circuit court may impose any sentence within the limits prescribed by state law, by ordinance of the county or other political sub-

division of the state or by city charter for the violation or misdemeanor. If the circuit court determines that the defendant is guilty of a violation, the circuit court shall comply with ORS 153.018, 153.019, 153.020 and 153.021 in imposing the sentence.

SECTION 18a. Scope of review in general of order or judgment other than judgment of conviction and sentence. On appeal by the defendant or the prosecution of an order or judgment other than the judgment of conviction and sentence, except as otherwise specified by law, the circuit court may review only the order or judgment from which the appeal is taken and any issue necessary to decide the appeal, but may receive and consider evidence as necessary to decide the matter anew.

SECTION 18b. Scope of review in specific cases. (1) On appeal by a defendant of any conviction based on a plea of guilty or no contest, the circuit court shall treat the plea as though it was entered in and accepted by the circuit court. If the defendant has included a claim of legal error in the notice of appeal as required by section 9 (1)(i) of this 2025 Act, the circuit court shall sentence the defendant anew without determining whether the justice court erred.

(2) At any sentencing proceeding in the circuit court, both parties shall be bound by any sentencing agreement that the parties entered into in the justice court.

(3) On appeal by a defendant under section 16 (1)(b) of this 2025 Act, the circuit court shall sentence the defendant anew.

(4) On appeal by a defendant under section 16 (1)(d) of this 2025 Act:

(a) The circuit court shall proceed in the same manner as in an appeal from the original judgment or order.

(b) Notwithstanding paragraph (a) of this subsection, if the appeal of the amended or corrected judgment or order is filed after expiration of the time period during which the original judgment or order could have been appealed, the circuit court may review only the amended or corrected part of the judgment or order and any part of the judgment or order affected by the amendment or correction.

(5)(a) On appeal by a defendant under section 16 (2) of this 2025 Act or by the prosecution under section 17 (2) of this 2025 Act, the circuit court shall determine whether to grant relief in accordance with ORS 153.105 in the same manner as if the motion for relief had been originally filed in circuit court.

(b) The circuit court may hear evidence or admit exhibits necessary to make the determination on the matter.

SECTION 19. Circuit court proceedings on appeal in violation and misdemeanor cases. (1) On appeal by the defendant of a judgment under section 16 (1)(a) or (d) of this 2025 Act involving a misdemeanor, after the circuit court has decided the appeal, and notwithstanding whether the circuit court affirms, reverses or modifies any term of the justice court judgment, the circuit court shall render a judgment as provided in section 14 (2)(a) of this 2025 Act.

(2) On appeal by the defendant of a judgment under section 16 (1)(a) or (d) of this 2025 Act involving a violation, if the circuit court determines that no term of the justice court judgment should be reversed or modified, the circuit court shall render a judgment as provided in section 14 (2)(b) or (3) of this 2025 Act.

(3) On appeal by the defendant of a judgment or order under section 16 (1)(b) or (c) of this 2025 Act, after the circuit court has decided the appeal, the circuit court shall render a judgment disposing of as much of the case as was tried before the circuit court.

(4)(a) On appeal by the defendant under section 16 (2) of this 2025 Act, if the circuit court determines that relief should be granted, the circuit court shall vacate the judgment and:

(A) Remand the case to the justice court for further proceedings; or

(B) Retain the case in the circuit court for further proceedings, if the justice court has adopted a rule described in paragraph (b) of this subsection.

(b) A justice court, with agreement of the presiding judge of the circuit court of the county in which the justice court is located, may adopt a rule allowing a case described in paragraph (a) of this subsection to remain in circuit court for further proceedings after the justice court judgment is vacated.

(5) On appeal by the prosecution under section 17 (1)(a) to (d) of this 2025 Act, after the circuit court has decided the matter appealed, and notwithstanding section 18a of this 2025 Act, at the request of either party, the circuit court shall take jurisdiction of the case, try the case and render a judgment described in section 14 (2)(a) of this 2025 Act. If neither party requests the circuit court to try the remainder of the case, the circuit court shall render a judgment disposing of as much of the case as was tried before the circuit court and remanding the case to the justice court for further proceedings.

(6) On appeal by the prosecution under section 17 (1)(e) to (g) of this 2025 Act, the circuit court shall render a judgment reflecting its decision and remanding the case to the justice court.

(7) On appeal by the prosecution under section 17 (2) of this 2025 Act, if the circuit court determines that relief should not be granted, the circuit court shall render a judgment vacating the justice court's order granting relief and remanding the case to the justice court for further proceedings.

NOTE: Section 20 was deleted. Subsequent sections were not renumbered.

SECTION 21. Stay of enforcement of judgment. (1) A defendant filing notice of appeal from a judgment of conviction and sentence of a misdemeanor described in this subsection does not stay enforcement of the judgment unless the defendant:

(a) If sentenced to confinement, executes a release agreement or makes a security release deposit as provided in ORS 135.230 to 135.290; or

(b) On conviction of a traffic crime as defined in ORS 801.545, gives the security required by ORS 810.300 to 810.330 as an undertaking on appeal.

(2) A defendant filing notice of appeal from a judgment involving a violation does not automatically stay enforcement of the judgment.

(3) Nothing in this section is intended to affect the authority of the justice court or circuit court to stay enforcement of the judgment under ORS 19.350, 138.285 or 138.295 or any other authority.

NOTE: Section 22 was deleted. Subsequent sections were not renumbered.

SECTION 23. Appeal from circuit court. (1) Upon entry by the circuit court of an order or judgment:

(a) In a matter involving a violation, the order or judgment may be appealed as provided in ORS 138.057.

(b) In a matter involving a misdemeanor, the order or judgment may be appealed as provided in ORS 138.010 to 138.310.

(2) In any case in which only a violation or violations are charged, the state may not appeal from an order dismissing the case that is entered by reason of a police officer's failure to appear at the trial on the matter if the police officer was timely provided with notice of the trial date.

(Civil Actions)

SECTION 24. Who may appeal. (1) Any party to a judgment in a civil action in a justice court, other than a judgment by confession or for want of an answer, may appeal from the judgment when:

(a) The sum in controversy is \$100 or more, or the action is for the recovery of personal property of the value of \$100 or more, exclusive of disbursements in either case; or

(b) When the action is for the recovery of the possession of real property under ORS 105.110.

(2)(a) A defendant may appeal from the justice court's order denying the defendant's motion to set aside a default order or judgment.

(b) A plaintiff may appeal from the justice court's order granting a defendant's motion to set aside a default order or judgment.

SECTION 25. Undertaking for costs and disbursements and stay of proceedings. (1)(a) As used in sections 8 to 30 of this 2025 Act, "undertaking" means a written promise signed by an appellant to take an action, in connection with an appeal from the justice court to the circuit court, that is supported by a bond, one or more sureties or a deposit of money with the justice court.

(b) A surety for an undertaking on appeal must have the qualifications established by ORCP 82.

(2) The appellant shall file an undertaking stating that the appellant will pay all costs and disbursements that may be awarded against the appellant on appeal. The appellant shall file the undertaking with the justice court within five days after filing the notice of appeal. The justice court or the circuit court for good cause may extend the time to file the undertaking.

(3) In order to stay the enforcement of a money judgment on appeal, the appellant shall include in the undertaking a promise to pay the justice court judgment to the extent that the circuit court affirms the judgment.

(4)(a) The respondent may object to the sufficiency of an undertaking for costs and disbursements, or to stay enforcement of the judgment, including the amount of the undertaking, the security for the undertaking or the qualifications of a surety.

(b) The objection to the sufficiency of an undertaking must be filed as provided in ORCP 82. Notwithstanding ORCP 82 F, the respondent must file the objection within 14 days after the date on which a copy of the undertaking is served on the respondent. The justice court for good cause may extend the time to file the objection. The justice court shall decide the sufficiency of the undertaking in the manner provided by ORCP 82.

(5)(a) If a tenant on appeal of a judgment for possession of real property files an undertaking to stay enforcement of the judgment during the appeal, absent a bond or sufficient surety, the tenant shall support the undertaking by promising to deposit with the justice court by a date certain each month the fair market rental value of the real property. The justice court may determine the fair market rental value of the real property based on the written or oral rental agreement between the parties or other evidence of the monthly rent amount due or in effect at the time the court's determination is made.

(b) The tenant must deposit the fair market value of the property with the justice court each month by the date specified in the undertaking or as ordered by the justice court. If the tenant fails to timely deposit the monthly amount, the landlord shall be entitled to enforce the justice court judgment notwithstanding the pendency of the appeal to the circuit court. Upon motion by the landlord, the justice court may order issuance of a notice of restitution in accordance with ORS 105.153 or a writ of execution of judgment of restitution in accordance with ORS 105.156. For purposes of ORS 105.159 (3), any period during which the justice court judgment is stayed shall not be considered as part of the 60-day time period.

(c) On receipt of the circuit court's judgment disposing of the appeal, the justice court shall disburse the money deposited by the tenant in accordance with the circuit court's judgment.

(6) When judgment is given in the circuit court against the appellant, either with or without the trial of the action, it must also be given against the sureties in the undertaking of the appellant, according to its nature and effect.

SECTION 26. Stay of proceedings without undertaking. If the judgment from which the appeal is taken is in favor of the appellant, the proceedings on the judgment are stayed by the filing of the notice of appeal and the undertaking for the costs of the appeal.

SECTION 27. Recall of execution when stay granted. If enforcement of a judgment is stayed under section 25 (3) or section 26 of this 2025 Act and execution has been issued to

enforce the judgment, on motion of the party against whom judgment was rendered, the justice court shall recall the execution by written notice to the officer holding the execution. Upon recall, the execution must be returned, and all property taken pursuant to the execution that has not been sold must be released.

SECTION 28. Enforcement of judgment in contract action notwithstanding appeal. When a judgment has been given for money in an action upon a contract to pay money, notwithstanding an appeal and undertaking for the stay of proceedings, the respondent may enforce the judgment if, within five days from the date the notice of appeal is filed, the respondent files with the justice court an undertaking, with one or more sureties, to the effect that if the judgment is changed or modified on appeal, the respondent will make such restitution as the circuit court may direct. The undertaking must be filed with the justice court after at least two days' notice to the other party.

SECTION 28a. Appeals from actions for the recovery of real property. (1) On appeal from a judgment conclusively determining an action for the recovery of real property, notwithstanding section 12 of this 2025 Act, the justice court shall forward the notice of appeal and the case record to the circuit court within 10 days of the date the appellant files the notice of appeal with the justice court.

(2) Notwithstanding ORS 105.137, the circuit court shall proceed to set the matter for trial, without scheduling a first appearance, as follows:

(a) For a claim based on nonpayment as defined in ORS 90.395, no earlier than 15 days and no later than 30 days following the date of receipt of the justice court record; or

(b) For any other claim, as soon as practicable and no later than 15 days following the date of receipt of the justice court record.

SECTION 29. Judgment on dismissal or after trial; judgment against sureties. If the circuit court dismisses an appeal, the court shall render judgment as provided in section 14 of this 2025 Act, which shall include judgment against the appellant for the costs and disbursements of the appeal. When judgment is given in the circuit court against the appellant, either with or without trial of the action, the judgment must also be given against the sureties in the undertaking of the appellant, according to its nature and effect.

SECTION 30. Appeal from circuit court. Upon entry by the circuit court of an order or judgment in the matter, the judgment may be appealed as provided in ORS chapter 19 except as otherwise provided by law.

(Small Claims)

SECTION 30a. ORS 55.110 is amended to read:

55.110. (1) The judgment of the court shall be conclusive upon the plaintiff in respect to the claim filed by the plaintiff and upon the defendant in respect to a counterclaim asserted by the defendant. **Except as provided in subsection (2) of this section,** the defendant may appeal if dissatisfied in respect to the claim filed by the plaintiff[,] and the plaintiff may appeal if dissatisfied in respect to a counterclaim asserted by the defendant. *[A party entitled to appeal may, within 10 days after the entry of the judgment against the party, appeal to the circuit court for the county in which the justice court is located. If final judgment is rendered against the party appealing in the appellate court, that party shall pay, in addition to the judgment, an attorney's fee to the other party in the sum of \$10. Appeals from the small claims department shall only be allowed in cases in which appeals would be allowed if the action were instituted and the judgment rendered in the justice courts, as is provided by law.]*

(2)(a) A party to a judgment taken by confession or for want of an answer may not appeal from the judgment, but the party may appeal from an order denying the party's motion for relief from default.

(b) A party may not appeal from a judgment when the sum in controversy is less than \$100 or when the action is for the recovery of personal property with a value of less than \$100, exclusive of disbursements in the action.

(3)(a) An appeal from the small claims department of a justice court that has not become a court of record shall be taken to the circuit court of the county in which the justice court is located.

(b) Notwithstanding section 7 (1)(c) of this 2025 Act, an appeal may not be taken from the small claims department of a justice court that has become a court of record.

SECTION 30b. Section 30c of this 2025 Act is added to and made a part of ORS 55.020 to 55.140.

SECTION 30c. (1) Except as otherwise provided in this section, an appeal under ORS 55.110 shall be taken in the manner provided in sections 8 to 30 of this 2025 Act, including satisfactory security for payment of the judgment and costs.

(2)(a) The State Court Administrator shall create a model notice of appeal form, for appeals under ORS 55.110 that, when completed by the appellant, contains the information described in section 9 (1) of this 2025 Act.

(b) The clerk of the justice court shall provide a party, at the party's request, a copy of the notice of appeal form.

(3) The circuit court shall decide the appeal anew without a jury. A party may not file any additional pleadings, but the circuit court may require the parties to file further statements or information as the court deems necessary for proper consideration of any issue raised on appeal.

(4) The decision of the circuit court on appeal shall be final and conclusive, and an appeal may not be taken from the judgment of the circuit court.

(Amendments to Existing Statutes)

SECTION 30d. ORS 19.240 is amended to read:

19.240. (1) An appeal to the Court of Appeals shall be taken in the manner prescribed in this chapter.

(2) The appeal shall be taken by causing a notice of appeal, in the form prescribed by ORS 19.250, to be served:

(a) On all parties who have appeared in the action, suit or proceeding;

(b) On the trial court administrator; and

(c) On the trial court transcript coordinator, **if applicable and** if a transcript is designated in connection with the appeal.

(3) The original of the notice with proof of service indorsed thereon or affixed thereto shall be filed with the Court of Appeals.

SECTION 30e. ORS 153.105 is amended to read:

153.105. (1) If a [default] judgment is entered against a defendant under ORS 153.102, the court may relieve a defendant from the judgment upon a showing that the failure of the defendant to appear was due to mistake, **including clerical mistake**, inadvertence, surprise or excusable neglect, **or that the court committed a legal error in entering the judgment**. A motion for relief under this section must be made by the defendant within a reasonable time, and in no event may a motion under this section be made more than one year after entry of judgment.

(2) **If the defendant makes an oral request for relief under this section or the court rules on the request orally, or both, the court shall note in the docket that the defendant requested relief from judgment and the court's disposition of the request.**

(3) **This section does not limit the inherent authority of the court to relieve a party from a judgment within a reasonable time after entry of the judgment.**

NOTE: Section 31 was deleted. Subsequent sections were not renumbered.

SECTION 32. ORS 138.005 is amended to read:

138.005. As used in ORS 138.010 to 138.310:

(1) Unless the context requires otherwise, the terms defined in ORS 19.005 have the meanings set forth in ORS 19.005.

(2) “Appealable” means, in reference to a judgment or order rendered by a trial court, that the judgment or order is, by law, subject to appeal by a party.

(3) “Colorable claim of error” means an argument that is plausible, grounded in the facts of the case, and reasonable under current law or a reasonable extension or modification of current law.

(4) “Reviewable” means, in reference to a particular decision of a trial court on appeal from an appealable judgment or order, that the appellate court may, by law, consider the decision and resolve an issue regarding the decision.

(5) “Sentence” means all legal consequences established or imposed by the trial court after conviction of an offense, including but not limited to:

(a) Forfeiture, imprisonment, cancellation of license, removal from office, monetary obligation, probation, conditions of probation, discharge, restitution and community service; and

(b) Suspension of imposition or execution of any part of a sentence, extension of a period of probation, imposition of a new or modified condition of probation or of sentence suspension, and imposition or execution of a sentence upon revocation of probation or sentence suspension.

(6) “State” includes, in addition to the State of Oregon and when referencing a party:

(a) The county, in an appeal from a justice court that has become a court of record under ORS 51.025 in which the county is the plaintiff; and

(b) The city, in an appeal from a municipal court that has become a court of record under ORS 221.342 in which the city is the plaintiff.

SECTION 32a. ORS 138.090 is amended to read:

138.090. *[When the state takes an appeal,]* The notice of appeal shall be signed by:

(1) The district attorney for the county or by the Attorney General, **when an appeal is taken on behalf of the State of Oregon in a prosecution of an offense created by state statute.**

(2) **The defendant or an attorney for the defendant,** when the defendant takes an appeal, *the notice of appeal shall be signed by the defendant or an attorney of the court for the defendant*].

(3) **County counsel for the county, when the county appeals in a prosecution for violating a county ordinance.**

(4) **City counsel for the city, when the city appeals in a prosecution for violating an offense created by the city’s charter or by ordinance.**

SECTION 33. ORS 138.057 is amended to read:

138.057. (1)[(a)] If a justice court or municipal court has become a court of record under ORS 51.025 or 221.342, an appeal from a judgment involving a violation shall be as provided in ORS chapter 19 for appeals from judgments entered by circuit courts, except that the standard of review is the same as for an appeal from a judgment in a proceeding involving a misdemeanor or felony.

(2)(a) If a justice court or municipal court has not become a court of record under ORS 51.025 or 221.342, the appeal from a judgment involving a violation entered by the justice court or municipal court may be taken to the circuit court for the county in which the justice court or municipal court is located[.] **as follows:**

(A) For a justice court, as provided in sections 8 to 30 of this 2025 Act; and

(B) For a municipal court, as provided in sections 39 to 51 of this 2025 Act. *[An appeal to a circuit court must be taken in the manner provided in this subsection.]*

[(b) Within 30 days after the entry of the judgment by the justice court or municipal court, a party who wishes to appeal the decision must serve a copy of the notice of appeal on the adverse party and must file the original notice of appeal with the justice court or municipal court along with proof of service on the adverse party or an acknowledgment of service signed by the adverse party.]

[(c) If the appeal is made by the defendant from the decision of a municipal court, the copy of the notice of appeal must be served on the city attorney. If the appeal is made by the defendant from a decision in a justice court, the copy of the notice of appeal must be served on the district attorney for the county.]

[(d)] **(b)** No undertaking shall be required of the party filing a notice of appeal under the provisions of this subsection.

[(e)] *Upon filing of the notice of appeal, the justice court or municipal court shall forward all files relating to the case to the circuit court to which the appeal is taken.*

[(f)] *The circuit court shall treat a matter appealed under this subsection as though the case had been originally filed with the circuit court and shall try the case anew, disregarding any irregularity or imperfection in the proceedings in the justice court or municipal court.*

[(g)] *Upon entry of a judgment in the matter, the judgment may be appealed as provided in subsection (2) of this section.*

[(2)] **(3)(a)** Subject to the provisions of this subsection, an appeal from a judgment involving a violation entered by a circuit court may be taken as provided in ORS chapter 19.

[(a)] **(b)** For the purpose of meeting the requirements imposed by ORS 19.240, the copy of the notice of appeal must be served on:

(A) The city attorney, if the appeal is made by the defendant from a decision initially made in a municipal court.

(B) The district attorney for the county, if the appeal is made by the defendant from a decision initially made in a justice court.

[(b)] **(c)** Notwithstanding ORS 19.270, timely service on the city attorney or district attorney under the provisions of this subsection is not jurisdictional and the Court of Appeals may extend the time for that service.

[(c)] **(d)** Notwithstanding any provision of ORS chapter 19, an undertaking on appeal is not required for an appeal from a judgment involving a violation.

[(d)] **(e)(A)** The filing of a notice of an appeal from a judgment involving a violation does not act to automatically stay the judgment.

(B) Nothing in this paragraph is intended to affect the authority of the circuit court to stay enforcement of the judgment under ORS 19.350, 138.285 or 138.295 or any other authority.

[(e)] **(f)** The standard of review for an appeal under this subsection is the same as for an appeal from a judgment in a proceeding involving a misdemeanor or felony.

[(3)] **(g)** In any case in which only violations are charged, the state may not appeal from an order dismissing the case that is entered by reason of a police officer's failure to appear at the trial of the matter **if the police officer was timely provided with notice of the trial date.**

SECTION 34. ORS 138.081 is amended to read:

138.081. (1) An appeal shall be taken by causing a notice of appeal in the form prescribed by ORS 19.250 to be served:

(a)(A) When the defendant appeals[,];

(i) On the district attorney for the county in which the judgment is entered, *[or, if the appeal is under ORS 221.360, on the plaintiff's attorney; or]* **if the appeal is from a conviction for a misdemeanor or felony under state law;**

(ii) **On county counsel for the county in which the judgment is entered, if the appeal is from a conviction for a violation of a county ordinance constituting a misdemeanor; or**

(iii) **On the city attorney or other prosecutor, if the appeal is from a conviction for a misdemeanor defined by a city charter or ordinance; or**

(B) When the state appeals, on the attorney of record for the defendant or, if the defendant has no attorney of record, on the defendant;

(b) On the trial court transcript coordinator, **if applicable and** if a transcript is required in connection with the appeal; and

(c) On the trial court administrator.

(2)(a) If the state cannot effect service on the defendant as provided in subsection (1)(a)(B) of this section, the trial court may order alternative service in accordance with ORCP 7 D(6) on proof of the state's due diligence in attempting to effect service.

(b) Alternative service is not perfected until the time established by the court for response expires and the state files with the appellate court the affidavit or declaration of alternative service.

(3) The notice of appeal signed by the appellant, along with proof of service of the notice, must be filed with the administrator of the court to which the appeal is taken. Proof of service of the notice of appeal may either be part of, or accompany, the original notice when filed.

(Repeals)

SECTION 35. ORS 21.285, 51.070, 51.080, 51.090, 51.110, 51.120, 51.130, 53.005, 53.010, 53.020, 53.030, 53.040, 53.050, 53.060, 53.070, 53.080, 53.090, 53.100, 53.110, 53.120, 53.125, 53.130, 55.120, 157.005, 157.010, 157.020, 157.030, 157.040, 157.050, 157.060, 157.065 and 157.070 are repealed.

(Conforming Amendments)

SECTION 35a. ORS 21.135 is amended to read:

21.135. (1) Unless a specific fee is provided by subsection (3) or (4) of this section or other law for a proceeding, a circuit court shall collect a filing fee of \$281 when a complaint or other document is filed for the purpose of commencing an action or other civil proceeding and when an answer or other first appearance is filed in the proceeding.

(2) Except as provided in subsection (5) of this section, the filing fee established by subsection (1) of this section applies to:

(a) Proceedings in which only equitable remedies are sought.

(b) Appeals from a conviction of a violation in justice or municipal courts [*as provided in ORS 21.285*].

(c) Interpleader actions.

(d) Actions relating to a trust.

(e) Proceedings for judicial review of an agency order.

(f) Declaratory judgment actions.

(g) Any other action or proceeding that is statutorily made subject to the fee established by this section and any other civil proceeding for which a specific filing fee is not provided.

(3)(a) The circuit court shall collect a filing fee of \$263 in adoption cases under ORS chapter 109, excluding readoptions under ORS 109.385, when a petition is filed for the purpose of commencing an adoption proceeding or when any other document or other first appearance is filed in the proceeding. The fee shall include the cost of issuing one or more certificates of adoption under ORS 109.410.

(b) When separate petitions for adoption of multiple minor children are concurrently filed under ORS 109.276 by the same petitioner, one filing fee shall be charged for the first petition filed and the filing fees for concurrently filed petitions shall not be charged.

(4) The circuit court shall collect a filing fee of \$56 for actions seeking remedial sanctions for contempt of court under ORS 33.055 and when a first appearance is filed in the proceeding.

(5) The filing fee established under subsection (1) of this section does not apply to:

(a) Expunction proceedings under ORS 419A.261 or 419A.262;

(b) Petitions under ORS 163A.130 or 163A.135 for an order relieving the person from the duty to report as a sex offender if the person is required to report under ORS 163A.025; or

(c) Any juvenile delinquency proceeding arising under ORS chapter 419B or 419C.

SECTION 35b. ORS 21.160 is amended to read:

21.160. (1) A circuit court shall collect the following filing fees when a complaint or other document is filed for the purpose of commencing an action or other civil proceeding based on a tort or contract and when an answer or other first appearance is filed in the proceeding:

(a) If the amount claimed is \$10,000 or less, the court shall collect a filing fee of \$170.

(b) If the amount claimed is more than \$10,000 and less than \$50,000, the court shall collect a filing fee of \$283.

(c) If the amount claimed is \$50,000 or more, and less than \$1 million, the court shall collect a filing fee of \$594.

(d) If the amount claimed is \$1 million or more and less than \$10 million, the court shall collect a fee of \$884.

(e) If the amount claimed is \$10 million or more, the court shall collect a filing fee of \$1,178.

(2) The filing fees provided by this section apply to proceedings for the foreclosure of a mortgage, lien or other security interest. For the purposes of such proceedings, the amount claimed is the amount of the debt secured by the mortgage, lien or other security interest that is owing as of the date that the proceeding is filed.

(3) The filing fees provided by this section apply to proceedings for specific performance of a contract. For the purposes of such proceedings, the amount claimed is the amount owing under the contract on the date that the proceeding is filed.

(4) A court shall collect the filing fees provided by this section when an appeal from **a civil proceeding in** a justice court is filed under ORS [53.005 to 53.125] **55.110 or sections 8 to 30 or 30c of this 2025 Act**, or a case is transferred from a justice court under ORS 52.320.

(5) For purposes of this section, the amount claimed in a proceeding does not include any amount claimed as attorney fees or as costs and disbursements.

(6) For purposes of this section, the amount claimed in a proceeding includes any penalty or forfeiture provided by statute or arising out of contract.

SECTION 35c. ORS 51.028 is amended to read:

51.028. (1) Any justice court that has become a court of record under ORS 51.025 may cease to operate as a court of record only if the governing body of the county in which the court is located files a declaration with the Supreme Court identifying the date on which the justice court will cease operation as a court of record. The date identified in the declaration may not be less than 31 days after the date the declaration is filed.

(2) The Supreme Court may not charge a fee for filing a declaration under subsection (1) of this section. Not later than 30 days after a declaration is filed under subsection (1) of this section, the Supreme Court shall enter an order acknowledging the filing of the declaration and give notice of the order of acknowledgment to the county and the public.

(3) The appeal from a judgment entered in a justice court after the date identified in a declaration filed under this section shall be as provided in ORS [53.005 to 53.125 and ORS chapter 157] **55.110 and sections 8 to 30 and 30c of this 2025 Act**.

MUNICIPAL COURTS (Appeals from Municipal Courts)

SECTION 36. Sections 37 to 51 of this 2025 Act are added to and made a part of ORS chapter 221.

SECTION 37. Transfer to circuit court. (1) In any municipal court that has not become a court of record under ORS 221.342, a defendant charged with a misdemeanor shall be notified immediately after entering a plea of not guilty of the right of the defendant to have the case transferred to the circuit court for the county in which the municipal court is located. The election must be made within 10 days after the plea of not guilty is entered, and upon the election the municipal court shall immediately transfer the case to the circuit court.

(2)(a) In any municipal court that has not become a court of record under ORS 221.342, a defendant may not enter a conditional plea of guilty or no contest. However, after a ruling adverse to the defendant on any pretrial motion, the defendant, with the consent of the municipal court and the prosecutor, may have the case transferred to the circuit court for the county in which the municipal court is located, with the same effect as a transfer described in subsection (1) of this section. The request to transfer must be made within 10 days after entry of the order ruling on the motion and prior to any verdict or plea of guilty or

no contest. Upon the request and with the consent of the municipal court and the prosecutor, the municipal court shall immediately transfer the case to the circuit court.

(b) In a case that is transferred under this subsection in which the defendant is charged with only a violation, the filing fee described in ORS 21.135 and the process described in section 40a (1)(b) and (c) of this 2025 Act apply.

(3) Upon transfer of the case to circuit court, the prosecutor and the defendant have the same right to appeal the circuit court's orders or judgments of the case as if the case had been originally commenced in circuit court.

SECTION 37a. Adverse party contact information. (1) When entering a judgment in an action for a violation or a misdemeanor, a municipal court shall, by including a notification in the judgment document or by another effective manner, notify the defendant that the defendant may request the name and contact information of the government official or entity upon which service of a notice of appeal is required under section 40 of this 2025 Act, with instruction on how to make such a request.

(2) Upon the defendant making a request described in this subsection, the municipal court shall provide the defendant with the name and contact information of the government official or entity upon which service of the notice of appeal is required.

SECTION 37b. Definition. As used in sections 39 to 51 of this 2025 Act, "matter" means:

(1) On appeal from a judgment of conviction and sentence, the entire case; or

(2) On appeal from a pretrial order or order entered after trial, or an amended or corrected judgment, the order or judgment from which the appeal is taken and any issue, factual or legal, necessary to decide the appeal.

SECTION 38. Court to which appeal is taken. (1) If a municipal court has become a court of record under ORS 221.342:

(a) An appeal in a proceeding involving a violation shall be taken to the Court of Appeals as provided in ORS 138.057.

(b) An appeal in a proceeding involving a misdemeanor shall be taken to the Court of Appeals as provided in ORS 138.010 to 138.310 for appeals from a circuit court.

(2) If a municipal court has not become a court of record under ORS 221.342, an appeal shall be taken to the circuit court of the county in which the municipal court is located and in the manner provided in sections 39 to 51 of this 2025 Act.

SECTION 39. Time within which appeal must be taken. (1) Except as provided in subsection (2) of this section, a notice of appeal must be filed and served within 30 days of the date of entry in the municipal court docket of the judgment or order being appealed.

(2) If a motion for a new trial or motion in arrest of judgment is timely served and filed, a notice of appeal must be served and filed within 30 days from the earlier of the following dates:

(a) The date of entry of the order disposing of the motion; or

(b) The date on which the motion is deemed denied.

(3) The appeal is perfected upon submission of the case record described in ORS 221.352.

SECTION 39a. Contents of notice of appeal. (1) The notice of appeal must contain:

(a) The title of the cause in the municipal court. The party appealing is known as the appellant and the adverse party as the respondent, but the title of the action is otherwise unchanged.

(b) The name of each party and the party's attorney, if the party is represented by an attorney.

(c) A notice to each party that appeared in the action or proceeding, or to the party's attorney if the party is represented, that an appeal is taken and designating the adverse parties to the appeal.

(d) Identification of the municipal court's order or judgment from which the appeal is taken.

(e) If an appellant is not represented by an attorney, a postal address for the appellant and either an electronic mail address for the appellant, or a statement that the appellant does not have an electronic mail address or does not wish to receive correspondence via electronic mail.

(f) If the appellant is represented by an attorney, the postal address and electronic mail address for the attorney.

(g) The postal address and electronic mail address, if known to the appellant, for all other parties designated as parties to the appeal.

(h) The signature of the appellant or, if the appellant is represented by an attorney, the appellant's attorney.

(i) If the appellant is appealing from a judgment of conviction based on a plea of guilty or no contest, a claim that the trial court failed to comply with requirements of law in imposing or failing to impose a sentence.

(2) The State Court Administrator shall create a model notice of appeal form that, when completed by the appellant, contains the information described in subsection (1) of this section.

SECTION 40. Filing and serving notice of appeal. (1) The appellant shall:

(a) File written notice of appeal with the municipal court from which the appeal is taken with proof of service of a copy on the adverse party, or an acknowledgment of service signed by the adverse party; and

(b) Serve a copy of the notice of appeal on the adverse party or, if the adverse party is represented by an attorney, the party's attorney.

(2) If the defendant is the appellant:

(a) The defendant shall serve the city attorney if the case has been brought in the city's name and the defendant did not serve the city attorney under subsection (1) of this section.

(b) The defendant shall serve the district attorney if the case has been brought in the state's name and the defendant did not serve the district attorney under subsection (1) of this section.

SECTION 40a. Filing fee. (1)(a) On appeal from a municipal court to the circuit court in an action involving only the commission of a violation, the parties are subject to the circuit court fees described in ORS 21.135 when filing a notice of appeal or other first appearance in the appellate proceeding.

(b) The appellant shall either tender payment of the circuit court filing fee to the municipal court, or file an application to waive or defer the filing fee with the municipal court. The appellant may use the application described in ORS 21.685.

(c) The municipal court shall transmit the filing fee or application to waive or defer the filing fee to the circuit court of the county in which the municipal court is located at the time that the municipal court submits the case record as required in section 41a of this 2025 Act. The circuit court shall rule upon the application, and may waive or defer payment of the filing fee required by ORS 21.135 for the reason and in the manner provided in ORS 21.680 to 21.698.

(2) When the state or any political subdivision of the state, or an officer, employee or agent thereof, appearing in a representative or other official capacity, is a party on appeal from a municipal court, payment of the filing fee required by ORS 21.135 is subject to ORS 20.140.

SECTION 41. Jurisdiction of the matter and to decide the appeal. (1) The circuit court has jurisdiction to exercise judicial authority in the matter upon the filing of the notice of appeal.

(2) Timely filing of the notice of appeal and timely service on the adverse party is jurisdictional, and except as otherwise provided in this section, neither the municipal court nor the circuit court may waive or extend the time limits for filing or serving the notice of appeal described in section 40 of this 2025 Act.

(3) Upon the timely filing of the notice of appeal, service of the adverse party and transfer of the case record to the circuit court, the appeal is deemed perfected.

(4) Notwithstanding subsections (2) and (3) of this section:

(a) It is not a jurisdictional defect if the appellant files the original notice of appeal with the circuit court, so long as the appellant timely served a copy of the notice of appeal on the municipal court.

(b) Timely service on an adverse party is not jurisdictional if proper service did not occur due to the appellant's reliance upon an address provided by the municipal court under section 37a of this 2025 Act, and the circuit court may extend the time for proper service.

(c) Timely service on the city attorney or the district attorney is not jurisdictional and the circuit court may extend the time for that service.

SECTION 41a. Submission of the record. (1) The municipal court shall submit the case record described in ORS 221.352 to the circuit court immediately and no later than 30 days after the date the notice of appeal was filed, or 10 days if the defendant is in custody.

(2) The circuit court by order may extend the time for the municipal court to submit the case record.

(3) If the municipal court and the circuit court agree, the municipal court may submit its case record, or make the case record available, to the circuit court in electronic form. If the circuit court does not agree to accept the municipal court record in electronic form, the municipal court shall submit a paper copy of the case record to the circuit court.

SECTION 42. Proceedings in the circuit court and standard of review generally. (1)(a) The circuit court may dismiss an appeal that is not properly taken or perfected, including the failure to include a claim in the notice of appeal if required by section 39a (1)(i) of this 2025 Act, except that the circuit court may not dismiss an appeal because the municipal court has failed to submit the municipal court case record to the circuit court.

(b) The circuit court shall not assess the merits of a claim made pursuant to section 39a (1)(i) of this 2025 Act. If, in violation of this paragraph, the circuit court dismisses an appeal based on an assessment of such a claim, and notwithstanding ORS 138.035, the appellant may appeal the dismissal.

(2) After the appeal is perfected, the matter shall be deemed pending for trial or hearing as if the case had been originally commenced in the circuit court. The circuit court shall proceed to hear and decide the matter anew, disregarding any irregularity or imperfection in matters of form that may have occurred in the municipal court.

(3) The circuit court may, in furtherance of justice and upon such terms as may be just, allow a party to amend the party's pleadings in the action, provided that the amendment does not substantially change the issue tried in the municipal court or introduce any new cause of action or defense.

SECTION 42a. Rendering judgment; remand; notice to municipal court. (1) The circuit court shall render a judgment as defined in ORS 18.005 conclusively disposing of the appeal.

(2) Except as otherwise provided in sections 39 to 51 of this 2025 Act:

(a) If the circuit court determines that any of the terms of the municipal court judgment should be reversed or modified, the circuit court shall render a judgment as if the case had been originally commenced in the circuit court, containing all the terms of the judgment and to be enforced as a judgment of the circuit court; or

(b) If the circuit court determines that none of the terms of the municipal court decision should be reversed or modified, the circuit court shall render a judgment affirming the decision and remanding the case to the municipal court for enforcement of the judgment.

(3) Notwithstanding subsection (2) of this section, in its discretion and for good cause, the circuit court may render such judgment as may be proper, which may include remanding the case to the municipal court for further proceedings in accordance with the decision of the circuit court.

(4) The trial court administrator of the circuit court shall provide a copy of the circuit court's judgment to the municipal court:

(a) Within 40 days after the date of entry of the circuit court judgment, if no party appeals from the judgment; or

(b) Within 10 days after receipt of the appellate judgment issued by the appellate court resolving the appeal, if a party appeals the circuit court judgment.

(5) If enforcement of the municipal court's judgment was stayed pending disposition of an appeal to circuit court, the stay is automatically vacated when the trial court administrator provides a copy of the circuit court judgment to the municipal court under subsection (4) of this section.

SECTION 43. Availability of writ of review. The right of a party in a municipal court to appeal under sections 39 to 51 of this 2025 Act may not be construed to prevent any party from seeking review in the circuit court under ORS 34.010 to 34.100 for errors in law appearing on the face of the judgment entered by the municipal court or the proceedings connected therewith or, in a proceeding charging a violation or misdemeanor, an interlocutory order involving the constitutionality of a statute.

SECTION 43a. Appeal and cross-appeal by the defendant. (1) Except as provided in subsection (6) of this section, in a proceeding involving a violation or misdemeanor, a defendant may appeal from:

(a) A judgment convicting the defendant of one or more charges and imposing sentence, regardless of the type of sentence imposed.

(b) A judgment ordering payment of restitution but not specifying the amount of restitution, or a supplemental judgment awarding restitution.

(c) A judgment or order imposing or executing a sentence upon revocation of probation or sentence suspension.

(d) A judgment or order that is an amended or corrected version of a judgment or order described in paragraphs (a) to (c) of this subsection.

(2) A defendant may appeal as provided in section 50 (3) of this 2025 Act.

(3) In a proceeding involving a violation, the defendant may appeal an order denying a motion for relief from default under ORS 153.105.

(4) A defendant may cross-appeal when the prosecution appeals an order prior to trial suppressing evidence as provided in section 44 (2)(c) of this 2025 Act. The failure to file a cross-appeal under this subsection does not waive a defendant's right to assign error to a particular ruling of the municipal court on appeal from the judgment of conviction and sentence.

(5) Whenever a person is convicted in the municipal court of any city of an offense defined and made punishable by a city charter or ordinance, that person has the same right of appeal to the circuit court as for a conviction of an offense defined by state law.

(6) In all cases involving the constitutionality of the charter provision or ordinance under which the conviction was obtained as indicated in subsection (5) of this section, such person shall have the right of appeal to the circuit court in the manner provided in subsection (5) of this section, regardless of any charter provision or ordinance prohibiting appeals from the municipal court because of the amount of the penalty or otherwise. An appeal may likewise be taken in such cases from the judgment or final order of the circuit court to the Court of Appeals in the same manner as other appeals are taken from the circuit court to the Court of Appeals in other criminal cases. Where the right of appeal in such cases depends on there being involved an issue as to the constitutionality of the charter provision or ordinance, the decision of the appellate court shall be upon such constitutional issue only.

SECTION 44. Appeal by the state or city. (1)(a) The state or a city may appeal as provided in subsection (2) of this section in a proceeding involving a violation or misdemeanor defined by state law, in which event the appeal is in the name of the state.

(b) The city may appeal as provided in subsection (2) of this section in a proceeding involving a violation or misdemeanor defined by city charter or ordinance, in which event the appeal is in the name of the city.

(2) In a proceeding involving a violation or misdemeanor, the prosecution may appeal from:

(a) An order made prior to trial dismissing or setting aside one or more counts in the accusatory instrument.

(b) An order allowing a demurrer.

(c) An order made prior to trial suppressing evidence.

(d) An order made prior to trial for the return or restoration of things seized.

(e) An order arresting the judgment.

(f) An order made after a guilty finding dismissing or setting aside one or more counts in the accusatory instrument.

(g) An order granting a new trial.

(3) In a proceeding involving a violation, the prosecution may appeal an order granting a defendant's motion for relief from default under ORS 153.105.

(4) Notwithstanding subsection (2) of this section, the prosecution may not appeal the dismissal of a violation by reason of a police officer's failure to appear at the trial on the matter if the police officer was timely provided with notice of the trial date.

SECTION 44a. Proceedings in the circuit court in general. Except as provided in section 50 of this 2025 Act:

(1) On appeal of a matter in a case charging a violation or misdemeanor, the circuit court shall try the matter pursuant to the statutes that prescribe the procedure for trial of violations or misdemeanors, respectively, in the circuit court, except that the prosecution may be handled by an attorney provided by the city that enacted the ordinance or adopted the provision of a charter the defendant was convicted of violating.

(2) On appeal by the defendant of a judgment of conviction and sentence for a violation or misdemeanor defined by state law or by a law enacted by a city, if the defendant is convicted, the circuit court may impose any sentence within the limits prescribed by state law or by charter or ordinance of the city. If the circuit court determines that the defendant is guilty of a violation, the circuit court shall comply with ORS 153.018, 153.019, 153.020 and 153.021 in imposing the sentence.

SECTION 45. Scope of review in general of order or judgment other than judgment of conviction and sentence. On appeal by the defendant or the prosecution of an order or judgment other than the judgment of conviction and sentence, except as otherwise specified by law, the circuit court may review only the order or judgment from which the appeal is taken and any issue necessary to decide the appeal, but may receive and consider evidence as necessary to decide the matter anew.

SECTION 46. Scope of review in specific cases. (1) On appeal by a defendant of any conviction based on a plea of guilty or no contest, the circuit court shall treat the plea as though it was entered in and accepted by the circuit court. If the defendant has included a claim of legal error in the notice of appeal as required by section 39a (1)(i) of this 2025 Act, the circuit court shall sentence the defendant anew without determining whether the municipal court erred.

(2) At any sentencing proceeding in the circuit court, both parties shall be bound by any sentencing agreement that the parties entered into in the municipal court.

(3) On appeal by a defendant under section 43a (1)(b) of this 2025 Act, the circuit court shall sentence the defendant anew.

(4) On appeal by a defendant under section 43a (1)(d) of this 2025 Act:

(a) The circuit court shall proceed in the same manner as in an appeal from the original judgment or order.

(b) Notwithstanding paragraph (a) of this subsection, if the appeal of the amended or corrected judgment or order is filed after expiration of the time period during which the original judgment or order could have been appealed, the circuit court may review only the amended or corrected part of the judgment or order and any part of the judgment or order affected by the amendment or correction.

(5)(a) On appeal by a defendant under section 43a (3) of this 2025 Act, or by the prosecution under section 44 (3) of this 2025 Act, the circuit court shall determine whether to grant relief in accordance with ORS 153.105 in the same manner as if the motion for relief had been originally filed in circuit court.

(b) The circuit court may hear evidence or admit exhibits necessary to make the determination on the matter.

SECTION 47. Circuit court proceedings in specific appeals. (1) On appeal by the defendant of a judgment under section 43a (1)(a) or (d) of this 2025 Act involving a misdemeanor, after the circuit court has decided the appeal, and notwithstanding whether the circuit court affirms, reverses or modifies any term of the municipal court judgment, the circuit court shall render a judgment as provided in section 42a (2)(a) of this 2025 Act.

(2) On appeal by the defendant of a judgment under section 43a (1)(a) or (d) of this 2025 Act involving a violation, if the circuit court determines that no term of the municipal court judgment should be reversed or modified, the circuit court shall render a judgment as provided in section 42a (2)(b) or (3) of this 2025 Act.

(3) On appeal by the defendant of a judgment or order under section 43a (1)(b) or (c) of this 2025 Act, after the circuit court has decided the appeal, the circuit court shall render a judgment disposing of as much of the case as was tried before the circuit court.

(4)(a) On appeal by the defendant under section 43a (3) of this 2025 Act, if the circuit court determines that relief should be granted, the circuit court shall vacate the judgment and:

(A) Remand the case to the municipal court for further proceedings; or

(B) Retain the case in the circuit court for further proceedings, if the municipal court has adopted a rule described in paragraph (b) of this subsection.

(b) A municipal court, with agreement of the presiding judge of the circuit court of the county in which the municipal court is located, may adopt a rule allowing a case described in paragraph (a) of this subsection to remain in circuit court for further proceedings after the municipal court judgment is vacated.

(5) On appeal by the prosecution under section 44 (2)(a) to (d) of this 2025 Act, after the circuit court has decided the matter appealed, and notwithstanding section 45 of this 2025 Act, at the request of either party, the circuit court shall take jurisdiction of the case, try the case and render a judgment described in section 42a (2)(a) of this 2025 Act. If neither party requests the circuit court to try the remainder of the case, the circuit court shall render a judgment disposing of as much of the case as was tried before the circuit court and remanding the case to the municipal court for further proceedings.

(6) On appeal by the prosecution under section 44 (2)(e) to (g) of this 2025 Act, the circuit court shall render a judgment reflecting its decision and remanding the case to the municipal court.

(7) On appeal by the prosecution under section 44 (3) of this 2025 Act, if the circuit court determines that relief should not be granted, the circuit court shall render a judgment vacating the municipal court's order granting relief and remanding the case to the municipal court for further proceedings.

NOTE: Section 48 was deleted. Subsequent sections were not renumbered.

SECTION 49. Stay of enforcement of judgment. (1) A defendant filing notice of appeal from a judgment of conviction and sentence of a misdemeanor described in this subsection does not stay enforcement of the judgment unless the defendant:

(a) If sentenced to confinement, executes a release agreement or makes a security release deposit as provided in ORS 135.230 to 135.290; or

(b) On conviction of a traffic crime as defined in ORS 801.545, gives the security required by ORS 810.300 to 810.330 as an undertaking on appeal.

(2) A defendant filing notice of appeal from a judgment involving a violation does not automatically stay enforcement of the judgment.

(3) Nothing in this section is intended to affect the authority of the municipal court or circuit court to stay enforcement of the judgment under ORS 19.350, 138.285 or 138.295 or any other authority.

SECTION 50. Validity of charter or ordinance provision determined before merits. (1) Whenever a defendant is charged with violating a provision of a city charter or ordinance and the defendant challenges the validity of the charter or ordinance provision, a municipal judge shall determine such issue and enter an order thereon before deciding the case on its merits.

(2) If the municipal judge declares the charter or ordinance provision invalid, the city may appeal from the municipal court to the circuit court. If the circuit court affirms the municipal court's determination, the city may appeal to the Court of Appeals as provided in ORS 138.057 in a proceeding involving a violation, or as provided in ORS 138.010 to 138.310 in a proceeding involving a misdemeanor. If a city so appeals, while the appellate decision is pending, the defendant shall be released, with or without bond, for reappearance at the discretion of the trial court until such time as the case is remanded.

(3) If the municipal court declares the charter or ordinance provision valid, the municipal court may proceed to try the matter. If the municipal court convicts the defendant of violating the charter or ordinance provision, the defendant may appeal the judgment of conviction as provided in section 51 of this 2025 Act.

SECTION 51. Appeal from circuit court to Court of Appeals; limitations. (1)(a) The state or a city may appeal an order or judgment of the circuit court to the Court of Appeals:

(A) In a proceeding involving a violation, as provided in ORS 138.057.

(B) In a proceeding involving a misdemeanor, as provided in ORS 138.010 to 138.310.

(b) In any case in which only a violation or violations are charged, the state may not appeal from an order dismissing the case that is entered by reason of a police officer's failure to appear at the trial on the matter if the police officer was timely provided with notice of the trial date.

(2)(a) If the order or judgment of the circuit court being appealed arises from a violation or misdemeanor defined by state law or a traffic crime as defined in ORS 801.545, the defendant may appeal the order or judgment to the Court of Appeals:

(A) In a proceeding involving a violation, as provided in ORS 138.057.

(B) In a proceeding involving a misdemeanor, as provided in ORS 138.010 to 138.310.

(b) The defendant may appeal an order or judgment arising from a violation or misdemeanor defined by city charter or ordinance as provided in section 43a (5) and (6) of this 2025 Act.

(3)(a) The filing of a notice of an appeal from a judgment involving a violation does not act to automatically stay the judgment.

(b) Nothing in this section is intended to affect the authority of the municipal court or circuit court to stay enforcement of the judgment under ORS 19.350, 138.285 or 138.295 or any other authority.

(Amendments to Existing Statutes)

SECTION 52. ORS 221.352 is amended to read:

221.352. (1) The case record of a municipal court consists of the docket as provided in subsection (2) of this section and the case file as provided in subsection (3) of this section.

(2) A municipal court of this state that registers under ORS 221.344 *[must]* **shall** maintain a docket. *[A municipal judge must enter the following information in the docket for the municipal court]* **The docket is a record wherein the clerk or court administrator of the municipal court shall enter every action, suit or proceeding commenced in the court. The clerk or court administrator shall note in the docket the following:**

(a) The title of every action or proceeding commenced in the court, with the names of the parties thereto and the time of commencement thereof.

(b) The date of *[making or]* **the filing of any pleading or other document.**

(c) **The date of making, filing and entry of any order, judgment, ruling or other direction of the court in or concerning such action, suit or proceeding.**

[(c)] (d) An order allowing a provisional remedy, and the date of issuing and returning the summons or other process.

[(d)] (e) The time when each party appears, or a party's failure to do so.

[(e)] (f) Every postponement of a trial or proceeding, upon whose application and to what time.

[(f)] (g) The demand for a jury, if any, and by whom made.

[(g)] (h) The order for a jury and the time appointed for trial.

[(h)] (i) The return of an order for a jury, the names of the persons impaneled and sworn as a jury and the names of all witnesses sworn and at whose request.

[(i)] (j) The verdict of the jury and when given or, if the jury disagrees and is discharged without giving a verdict, a statement of such disagreement and discharge.

[(j)] (k) The judgment of the court and when *[given]* **signed.**

[(k)] *The date on which any judgment is docketed in the docket.]*

(L) *[The fact of an appeal having been made and allowed, and the date thereof, with a memorandum of the]* **The date of filing of the notice of appeal, any** undertaking[, and *[the]* **any** justification of the sureties.

(m) Satisfaction of the judgment or any part thereof.

(n) A memorandum of all orders relating to security release.

(o) All other *[matters]* **information** that may be material or specially required by any statute, **court order or rule.**

[(2) The docket of a municipal court under this section may be maintained in electronic form.]

(3)(a) **The case file consists of every document filed with or by the clerk of the court or court administrator, in any action, suit or proceeding in the court or before the judge.**

(b) **The case file also includes any audio recording or stenographic or other reporting of any municipal court proceeding made pursuant to ORS 221.358, if all parties agree that the recording or other reporting is the official record of the proceeding and the recording or other reporting has been filed with the court.**

(4) **A municipal court may maintain its docket or case files, or both, in electronic form.**

(Repeals)

SECTION 53. ORS 221.359, 221.360, 221.370, 221.380 and 221.390 are repealed.

(Conforming Amendments)

SECTION 54. ORS 221.343 is amended to read:

221.343. (1) Any municipal court that has become a court of record under ORS 221.342 may cease to operate as a court of record only if the governing body of the city in which the court is located files a declaration with the Supreme Court identifying the date on which the municipal court will cease operation as a court of record. The date identified in the declaration may not be less than 31 days after the date the declaration is filed.

(2) The Supreme Court may not charge a fee for filing a declaration under subsection (1) of this section. Not later than 30 days after a declaration is filed under subsection (1) of this section, the

Supreme Court shall enter an order acknowledging the filing of the declaration and give notice of the order of acknowledgment to the city and the public.

(3) The appeal from a judgment entered in a municipal court after the date identified in the declaration filed under this section shall be as provided in [ORS 221.359 (1) and (2)] **sections 39 to 51 of this 2025 Act.**

CAPTIONS

SECTION 55. The unit and section captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.

OPERATIVE DATE

SECTION 56. (1)(a) Sections 2, 3, 4, 5, 6a to 30 and 30c of this 2025 Act, the amendments to ORS 19.240, 21.135, 21.160, 51.028, 51.050, 55.110, 138.005, 138.057, 138.081, 138.090, 153.105, 156.080 and 156.705 by sections 1, 1a, 6, 30a, 30d to 34 and 35a to 35c of this 2025 Act and the repeal of ORS 21.285, 51.070, 51.080, 51.090, 51.110, 51.120, 51.130, 53.005, 53.010, 53.020, 53.030, 53.040, 53.050, 53.060, 53.070, 53.080, 53.090, 53.100, 53.110, 53.120, 53.125, 53.130, 55.120, 157.005, 157.010, 157.020, 157.030, 157.040, 157.050, 157.060, 157.065 and 157.070 by section 35 of this 2025 Act become operative on January 1, 2026.

(b) Sections 37 to 51 of this 2025 Act, the amendments to ORS 221.343 and 221.352 by sections 52 and 54 of this 2025 Act and the repeal of ORS 221.359, 221.360, 221.370, 221.380 and 221.390 by section 53 of this 2025 Act become operative on January 1, 2026.

(2) The Judicial Department and any justice or municipal court may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the department and courts to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the department and courts by the provisions of this 2025 Act.

EFFECTIVE DATE

SECTION 57. This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Passed by House March 18, 2025

Repassed by House May 27, 2025

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Julie Fahey, Speaker of House

Passed by Senate May 21, 2025

.....
Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

.....
Tobias Read, Secretary of State

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Public Comment

Meeting Date: February 23, 2026
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 5
Staff Contact: Rosa Roach
Phone: 541-682-8497

ISSUE STATEMENT

This item allows members of the public the opportunity to express opinions and provide information to the council. Comments presented during the public comment period 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 comment period will be limited to two and a half minutes and the total time will be limited to 90 minutes total. Speakers will be randomized, and no persons will be allowed to submit a "Request to Speak" form more than 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 comment period each member of the Council has the opportunity to respond to comments made. The time allocated to each member of the Council for such responses shall be up to three minutes.

FOR MORE INFORMATION

Staff Contact: Rosa Roach, City Council Coordinator
Telephone: 541-682-8497
Staff E-Mail: rroach@eugene-or.gov