



Eugene City Council

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Eugene, OR 97401-2793
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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

April 10, 2023

7:30 p.m. CITY COUNCIL MEETING

City Council meetings will continue to be held in hybrid format using in person and virtual meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

Meeting of April 10, 2023; Her Honor Mayor Lucy Vinis Presiding

Councilors

Randy Groves, President
Alan Zelenka
Greg Evans
Emily Semple

Matt Keating, Vice President
Jennifer Yeh
Mike Clark
Lyndsie Leech

7:30 p.m. CITY COUNCIL MEETING

1. CEREMONIAL MATTERS

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

3. CONSENT CALENDAR 1

A. Approval of City Council Minutes

- February 27, 2023 Meeting
- March 8, 2023 Work Session
- March 13, 2023 Public Hearing and Meeting
- March 15, 2023 Work Session

B. Approval of City Council Tentative Agenda

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

4. PUBLIC FORUM

Adjourn.

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

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

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Ceremonial Matters

Meeting Date: April 10, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Cherish Bradshaw
Contact Telephone Number: 541-682-8340

ISSUE STATEMENT

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

BACKGROUND

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

The following proclamations for the month of April will be read during the April 10, 2023 meeting:

- April 14, 2023 – National Day of Silence
- April 22, 2023 – Earth Day

Current and previous proclamations are stored on the City's [Proclamation webpage](#).

CITY MANAGER'S RECOMMENDATION

This is an information item only.

ATTACHMENTS

- A) National Day of Silence Proclamation
- B) Earth Day Proclamation

FOR MORE INFORMATION

Staff Contact: Cherish Bradshaw
Telephone: 541-682-8340
Staff E-Mail: cabradshaw@eugene-or.gov

OFFICE OF THE MAYOR
City of Eugene, Oregon
PROCLAMATION

WHEREAS: The National Day of Silence is observed in April each year as a student-led national demonstration and a movement against the harassment and bullying of individuals identifying with the lesbian, gay, bisexual, transgender, queer (LGBTQ+) community; and

WHEREAS: This movement began in 1996 by University of Virginia students with the aim to shed light on the struggles of the LGBTQ+ community. The National Day of Silence has since expanded across schools, colleges, and workspaces throughout the United States and around the world; and

WHEREAS: Students participating in this movement typically take a day-long vow of silence as a non-violent protest against the silencing of LGBTQ+ youth and the erasure of their experiences; and

WHEREAS: It is critical to support those working together to promote inclusivity, diversity, equity, and belonging for all people. We are committed to working with local LGBTQ+ and multicultural community groups to identify, understand, and support what we can do to discourage discrimination and build a more inclusive community where all feel a sense of belonging; and

NOW, THEREFORE, I, Lucy Vinis, Mayor of the City of Eugene, Oregon, do hereby proclaim April 14, 2023, to be

"National Day of Silence"

in Eugene and encourage all community members to in Eugene and encourage all community members to commit to working with local LGBTQ+ and multicultural community groups to identify, understand, and support what we can do to discourage discrimination and build a more inclusive community.



Lucy Vinis

Mayor Lucy Vinis
City of Eugene
April 14, 2023

OFFICE OF THE MAYOR

City of Eugene, Oregon

PROCLAMATION

WHEREAS: The first Earth Day took place in 1970 and has since grown into the largest civic observance in the world with more than 1 billion people participating in Earth Day activities each year; and

WHEREAS: All people in our global community, regardless of race, gender, income, or geography, have a right to a healthy, sustainable environment. The global community faces challenges such as health issues, food and water access, sea level rise, loss of forests, wetlands, and other wildlife habitat as well as social and economic struggles due to the changing climate. It is crucial to broaden and diversify this global movement to combat climate change and environmental degradation to preserve our Earth's beauty and resources; and

WHEREAS: Earthday.org (EDO) announced "Invest in Our Planet" as the theme for Earth Day 2023. The theme is focused on engaging governments, institutions, businesses, and the people to do their part – everyone accounted for, everyone accountable. The only path to a healthy, prosperous, and equitable future is to work together to invest in a green economy; and

WHEREAS: Earth Day reaffirms our responsibility to act locally in the global effort to combat climate change and protect our planet for all; and

NOW, THEREFORE, I, Lucy Vinis, Mayor of the City of Eugene, Oregon, do hereby proclaim April 22, 2023, to be

"Earth Day"

in Eugene and encourage all community members to do their part in investing in our planet and to hold ourselves accountable for our individual and collective impacts to Mother Earth.



Lucy Vinis

Mayor Lucy Vinis
City of Eugene
April 22, 2023

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: April 10, 2023
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes for the work sessions on March 8, 2023 and March 15, 2023, meeting on February 27, 2023 and public hearing and meeting on March 13, 2023.

ATTACHMENTS

- A. February 27, 2023, Meeting
- B. March 8, 2023, Work Session
- C. March 13, 2023, Public Hearing and Meeting
- D. March 15, 2023, Work Session

FOR MORE INFORMATION

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

MINUTES

Eugene City Council Meeting Eugene, Oregon 97401

February 27, 2023
7:30 p.m.

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

Councilors Absent: Greg Evans

Mayor Vinis opened the February 27, 2023, meeting of the Eugene City Council in a hybrid in-person and virtual format at 101 W. 10th Avenue, Suite 114, Eugene, OR 97401.

1. COMMITTEE REPORTS AND ITEMS OF INTEREST

- Councilor Keating – noted his appreciation for Mayor Vinis strongly denouncing the recent anti-Semitic activity in the community.
- Councilor Semple – noted that Egan Warming Centers are not open tonight but will be open tomorrow evening.
- Councilor Leech – spoke against the recent anti-Semitic activity in the community.
- Mayor Vinis – noted that she attended services at Temple Beth Israel Friday evening to show support for the community.

2. CONSENT CALENDAR 1

A. Approval of City Council Minutes

- February 6, 2023 Special Meeting
- February 8, 2023 Work Session
- February 13, 2023 Work Session
- February 15, 2023 Work Session
- February 21, 2023 Public Hearing

B. Approval of City Council Tentative Agenda

MOTION AND VOTE: Councilor Groves, seconded by Councilor Keating, moved to approve the items on Consent Calendar 1.

VOTE: 7:0 PASSED

3. PUBLIC FORUM

1. Lin Woodrich – spoke in favor of a public health overlay zone in West Eugene.
2. Hanna Nguyen – spoke in favor of a public health overlay zone in Eugene.
3. Peter Dragovich – noted concerns about misinformation spread by signature gatherers.
4. Natalie Crowder – spoke against the ban on fossil fuel infrastructure in new residential construction.
5. Debra Mc Gee – spoke in favor of building electrification.
6. Jim Neu – spoke in favor of building electrification.

7. Jacob Trewe – spoke in favor of building electrification.
8. Joshua Korn – spoke about wireless safety and broadband infrastructure.
9. Carol Zorn – spoke against the ban on fossil fuel infrastructure in new residential construction.
10. Nancy Hoheuberry – spoke in favor of affordable housing for the elderly.
11. Duane Mick – spoke in favor of affordable housing for the elderly.
12. Nancy Ahnert – spoke in favor of building electrification.
13. David Piccioni – spoke about strategies to obtain electricity.
14. Ulla McKinney – spoke in favor of affordable housing for the elderly.
15. David Igl – spoke in favor of maintaining accurate historical records.
16. Abigail Gravatt – spoke in favor of building electrification.
17. Sabrina Siegel – spoke about the effects of wireless radiation.
18. Kiasia Baggenstos – spoke about the effects of parking tickets on students.
19. William Smith – spoke about wireless safety and broadband infrastructure.
20. Patricia Hine – spoke in favor of building electrification.
21. Rita Kingsley – spoke in favor of affordable housing for the elderly.
22. Mike Charlton – spoke in favor of building electrification.
23. Dan Staso – noted his concerns about the World Economic Forum.
24. Kevin Cronin – spoke in favor of renter protections.
25. Richard Locke – spoke in favor of environmental stewardship.
26. Eva Bortnick – spoke about wireless safety and broadband infrastructure.
27. Mearl Grabill – spoke in favor of renter protections.

Council Discussion

- Mayor Vinis – noted her appreciation for the testimony from the residents of the Eugene Hotel.
- Councilor Semple – noted her appreciation for the testimony from the residents of the Eugene Hotel, 350 Eugene, and those who spoke about 5G and wireless safety.
- Councilor Keating – noted his appreciation for the testimony from the residents of the Eugene Hotel; encouraged climate advocates to continue working towards a healthier planet; noted appreciation for local amenities including the Hult Center.
- Councilor Yeh – spoke about resources to learn more about Black History Month .
- Councilor Groves – noted his concern for those on fixed incomes experiencing rent increases.
- Councilor Leech – noted her appreciation for the evening’s speakers.

4. ACTION: An Ordinance Providing for Withdrawal of Annexed Properties from the Following Special Districts: Goshen Rural Fire Protection District; Junction City Water Control District; Lane Fire Authority; River Road Parks & Recreation District; River Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; Willakenzie Rural Fire Protection District; and Willamalane Park and Recreation District.

MOTION AND VOTE: Councilor Groves, seconded by Councilor Keating, moved to adopt An Ordinance Providing for Withdrawal of Annexed Properties from the Following Special Districts: Goshen Rural Fire Protection District; Junction City Water Control District; Lane Fire Authority; River Road Parks & Recreation District; River

Road Water District; Santa Clara Rural Fire Protection District; Santa Clara Water District; Willakenzie Rural Fire Protection District; and Willamalane Park and Recreation District.

VOTE: 7:0 PASSED

Mayor Vinis adjourned the meeting at 8:59 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Cherish Bradshaw)

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

March 8, 2023
12:00 p.m.

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

Councilor Groves opened the March 8, 2023, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. **WORK SESSION and POSSIBLE ACTION: An Ordinance Concerning Flood Hazard Areas; Amending Sections 9.0500, 9.6705, 9.6706, 9.6707, 9.6708 and 9.6709 of the Eugene Code, 1971; and Providing an Effective Date.**

City Manager, Sarah Medary, introduced Permitting & Floodplain Manager, Jack Blackham, who provided information An Ordinance Concerning Flood Hazard Areas; Amending Sections 9.0500, 9.6705, 9.6706, 9.6707, 9.6708 and 9.6709 of the Eugene Code, 1971; and Providing an Effective Date.

Councilor Discussion:

- Councilor Zelenka – asked if Council can object to parts of the Federal Emergency Management Agency recommendations; asked if the flood maps are accessible on the website; asked when the updated maps will be completed; asked if there are substantive changes expected in the updated maps.
- Councilor Clark – asked if the ordinance is a requirement from Federal Emergency Management Agency; asked to clarify that the vote today would not change the flood map or place new properties into the flood zone; asked if the ordinance changes assessed height for flood insurance.
- Councilor Zelenka – asked to clarify that this ordinance is required to ensure residents of Eugene can keep or obtain flood insurance.
- Councilor Groves – asked the City Manager if municipalities can obtain flood insurance; asked if flood insurance is part of the proposed new City Hall location near the river; would like more information regarding flood protection for that location; would like a future work session on the upstream dams and their seismic resiliency.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Zelenka, moved to adopt An Ordinance Concerning Flood Hazard Areas; Amending sections 9.0500, 9.6705, 9.6706, 9.6707, 9.6708 and 9.6709 of the Eugene Code, 1971; and Providing an Effective Date” as included at Attachment A. **VOTE: PASSED 8:0**

2. **WORK SESSION: HB 3115 - Next Steps**

City Manager, Sarah Medary, introduced City Attorney, Kathryn Brotherton, who provided updates on HB3115 Next Steps for the City.

Councilor Discussion:

- Councilor Semple – believes that allowing camping five feet from waterways is too close and dangerous; is concerned that there is a list of prohibitions and not a list of what is allowed; asked about the potential impact on the areas where camping is allowed.
- Councilor Clark – asked if HB 3115 only applies to City owned property; asked if this would apply to county, state or privately owned properties; asked if Lane County has the capacity to create ordinances that would apply to city-owned properties; asked if there is a situation in which Lane County would not have jurisdiction to make rules about health related ordinances; asked if Lane County relies on the Oregon Health Authority rules for creating or enforcing public health concerns; asked City Attorney what manner of enforcement Lane County has as the public health authority for the area.
- Councilor Zelenka – is unsure about the changes and what they would accomplish; would like clarity on the camping restrictions and allowances; asked if the park closed hours would still apply; asked about broader application of restrictions for parking lots and on street parking spaces; noted that setbacks of 75-feet have been applied to many sections of the Willamette Greenway; asked about the enforcement plan for the proposed items.
- Councilor Evans – asked for clarity about the proposed changes related to multiple people in one vehicle; asked about enforcement of limits; asked if this would expand the number of Rest Stops available; asked if Council should codify the Dusk to Dawn program to cover the gap between the Eugene Code and what HB 3115 covers.
- Councilor Yeh – believes that five feet is not enough of a buffer from waterways; asked if staff know how high the Willamette River swells on average; would support codifying the Dusk to Dawn program.
- Councilor Keating – feels that a five-foot camping buffer to waterways is inadequate; would support changing the five-foot buffer to 75-feet; intends to make a motion to include a 75-foot buffer to waterways.
- Councilor Semple – noted that some private lands are addressed in the proposed changes; asked if planting strips are excluded due to the proximity to roadways; noted concern that storage of items, like bicycles, outside of tents would be prohibited; is concerned that this will overwhelm the system with enforcement efforts; expressed concerns about how a map to show where camping is prohibited would be used; asked about capacity limits on camping sites.
- Councilor Leech – is concerned about the impact on unhoused individuals; asked if this will prevent campsite and property removals; would like more information about expected outcomes; asked how debris and waste will be addressed; would like to see a list of existing policies around this topic to review at another work session; is concerned with the allowable camping distance to waterways.
- Councilor Groves – noted that anything that Council implements must be enforceable; is concerned about the impact on the entire community; is concerned that the five-foot buffer is insufficient and a danger to the camper and the

waterways; would like to see intergovernmental collaboration on enforcement; asked if there are timelines for length of established campsite.

- Councilor Zelenka – noted that he would like to modify the motion to schedule another work session; believes that camping proximity to waterways is a potential environmental and health impact; asked if section five of the materials is designed to fix a loophole.
- Councilor Clark – would be in favor of another work session on this topic; asked staff to summarize the proposed changes; asked if staff anticipates that this will lead to more or less camping throughout the City; noted that he would prefer the minimum of the high water mark for allowable camping proximity to waterways; would prefer a buffer of ten feet from travel lanes; is not in favor of codifying the Dusk to Dawn program.
- Councilor Semple – would be in favor of codifying the Dusk to Dawn program; wants to ensure that plenty of time is allowed for public input; asked how information will be disseminated to the public; is concerned about campsites blocking sidewalks; asked if the buffer would apply to all waterways; asked if someone laying down to sleep would be considered a camper or campsite; asked how American with Disabilities Act protections would be applied and enforced.
- Councilor Evans – would like to see the cost of code enforcement for Eugene Police Department and Public Works; asked staff if there is a list for violations that are addressed or not based on budget constraints.
- Councilor Groves – would like a future discussion about willful violators and determining overnight versus homestead; is concerned about camping near roadways.
- Councilor Zelenka – asked for clarification on the timeline and Council’s ability to schedule another work session and hearing; would prefer to have another work session before the public hearing.
- Councilor Keating – noted that he will advance option three in the AIS as a motion; prefers that the minimum for waterway buffer zones be at least 75 feet; would like a report of the services available to unhoused individuals; is in support of codifying the Dusk to Dawn program.
- Councilor Semple – asked about current enforcement of code in downtown related to people sleeping on sidewalks.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to schedule another work session to provide the Council additional time to discuss potential code amendments prior to holding a public hearing.

VOTE: PASSED 8:0

Councilor Groves adjourned the meeting at 1:30 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

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

MINUTES

**Eugene City Council Meeting and
Eugene Urban Renewal Agency Meeting and
Eugene City Council Public Hearing
Eugene, Oregon 97401**

**March 13, 2023
5:30 p.m.**

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

Councilor Groves opened the March 13, 2023, meeting of the Eugene City Council in a hybrid in-person and virtual format at 101 W. 10th Avenue, Suite 114, Eugene, OR 97401.

1. CEREMONIAL MATTERS

Councilor Groves read proclamations for International Women’s Day, International Day for the Elimination of Racial Discrimination, and Transgender Day of Visibility on behalf of Mayor Vinis.

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

- Councilor Zelenka – noted that oil companies reported record profits this year.

3. CONSENT CALENDAR 1

A. Approval of City Council Minutes

- February 13, 2023 Meeting
- February 22, 2023 Work Session
- February 27, 2023 Work Session
- February 28, 2023 Joint Elected Officials Public Hearing

B. Approval of City Council Tentative Agenda

MOTION AND VOTE: Councilor Clark, seconded by Councilor Keating, moved to approve the items on Consent Calendar 1.

VOTE: 8:0 PASSED

4. PUBLIC HEARING – An Ordinance Concerning Rental Housing; Amending Sections 8.405, 8.415, 8.425, and 8.440 of the Eugene Code, 1971; and Adding Sections 8.437 and 8.445 to that Code.

Councilor Groves opened the Public Hearing.

Councilor Groves provided time for Council members to disclose any potential conflicts of interest.

Council Discussion:

- Councilor Leech – noted that she has a potential conflict of interest because she owns two rental units in the city of Eugene.

- Councilor Keating – noted that he rents a dwelling unit in the city of Eugene.

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

1. Daniel Patrick Isaacson – spoke in favor of the ordinance.
2. Dusti Wolfe – spoke in favor of the ordinance.
3. Rebecca Bradvica – spoke in favor of the ordinance.
4. Dylan Plummer – spoke in favor of the ordinance.
5. Alli Sayre – spoke in favor of the ordinance.
6. Kim Arscott – spoke in opposition to the ordinance.
7. Jeffrey Albanese – spoke in favor of the ordinance.
8. Ryan Moore – spoke in favor of the ordinance.
9. John Prince – spoke in favor of the ordinance.
10. Christopher Looney – spoke in opposition to the ordinance.
11. Matt Bryson – spoke in opposition to the ordinance.
12. Gavin Burgess – spoke in favor of the ordinance.
13. Shanda Miller – spoke in opposition to the ordinance.
14. Darren Stone – spoke in opposition to the ordinance.
15. Zach Mulholland – spoke in favor of the ordinance.
16. Scott Smith – spoke in opposition to the ordinance.
17. Lisa Connolly – spoke in opposition to the ordinance.
18. Rajeev Ravisankar – spoke in favor of the ordinance.
19. Joan Morgan – spoke in opposition to the ordinance.
20. Mearl Grabill – spoke in opposition to the ordinance.
21. Annette Gurdjian – spoke in opposition to the ordinance.
22. Ron Burley – spoke in favor of the ordinance.
23. Kathryn Netter – spoke in opposition to the ordinance.
24. Charlie Swanson – spoke in favor of the ordinance.
25. Sara Pyle – spoke in favor of the ordinance.
26. Jessica Greenlee – spoke in opposition to the ordinance.
27. Brittany Quick-Warner – spoke in opposition to the ordinance.
28. Joann Shotola – spoke in opposition to the ordinance.
29. Joshua Cavalo – spoke in favor of the ordinance.
30. Richard Thorin – spoke in opposition to the ordinance.
31. Lynn Porter – spoke in favor of the ordinance.
32. Bethany Cotton – spoke in favor of the ordinance.
33. Max Liebreich – spoke in opposition to the ordinance.
34. Diana Stearns – spoke in opposition to the ordinance.
35. Randy Birzer – spoke in opposition to the ordinance.
36. Mahindra Kumar – spoke in favor of the ordinance.
37. Jacob Trewe – spoke in favor of the ordinance.
38. Ethan Klein – spoke in favor of the ordinance.
39. Orazio Belsito – spoke in opposition to the ordinance.
40. Eva Kronen – spoke in favor of the ordinance.
41. John Roberts – spoke in opposition to the ordinance.
42. Eric Lundberg – spoke in opposition to the ordinance.
43. Tod Harris – spoke in opposition to the ordinance.

44. Ian Winbrock – spoke in favor of the ordinance.
45. Dan Pulju – noted suggested changes to the ordinance.
46. Sue Prichard – spoke in opposition to the ordinance.
47. Mike Grudzien – spoke in opposition to the ordinance.
48. Tim Olguin – spoke in opposition to the ordinance.
49. Danny Noonan – spoke in favor of the ordinance.
50. Tim Morris – spoke in favor of the ordinance.
51. Don Heady – spoke in favor of the ordinance.
52. Aimee Lahey – spoke in favor of the ordinance.
53. Stefan Strek – spoke in favor of the ordinance.
54. Vicki Miller – spoke in opposition to the ordinance.
55. Kris McAlister – spoke in favor of the ordinance.
56. Kevin Cronin – spoke in favor of the ordinance.
57. Nancy Mackay – spoke in opposition to the ordinance.
58. Marilyn Nagy – spoke in opposition to the ordinance.
59. Lana Sheta – spoke in opposition to the ordinance.
60. Marcia Edwards – spoke in opposition to the ordinance.
61. Kathryn Dunn – spoke in opposition to the ordinance.
62. Paul Fenley – spoke in opposition to the ordinance.
63. Ryan Therrell – spoke in opposition to the ordinance.
64. Lilia Hinds – spoke in favor of the ordinance.
65. Kim McCarty – spoke in favor of the ordinance.
66. Charlie Hansen – spoke in opposition to the ordinance.
67. Todd Miller – spoke in opposition to the ordinance.
68. Madeline Cowen – spoke in favor of the ordinance.
69. Patricia Hine – spoke in favor of the ordinance.
70. Sarah Means – spoke in opposition to the ordinance.
71. Angelique Orman – spoke in opposition to the ordinance.
72. Mysti Frost – spoke in favor of the ordinance.
73. David De La Torre – spoke in favor of the ordinance.
74. Mary Reilly – spoke in opposition to the ordinance.
75. Jamey Duhamel – spoke in favor of the ordinance.
76. Misty Jones – spoke in opposition to the ordinance.
77. Aya Cockram – spoke in favor of the ordinance.
78. Celine Swenson Harris – spoke in favor of the ordinance.
79. Chris Wig – spoke in favor of the ordinance.
80. Brian Kester – spoke in favor of the ordinance.
81. Steve Coastsworth – spoke in favor of the ordinance.
82. Tara Garkow – spoke in favor of the ordinance.
83. Sandra Bishop – spoke in opposition to the ordinance.
84. Ellen McKean – spoke in favor of the ordinance.
85. Austin Fohnagy – spoke in favor of the ordinance.

Councilor Groves closed the Public Hearing.

Council Discussion

- Councilor Keating – spoke to clarify the relationship between landlords and tenants.

- Councilor Groves – noted his appreciation for the evening’s speakers; stated that he intends to deliberate further on this issue.
- Councilor Semple – noted her appreciation for the community’s engagement on this issue.
- Councilor Yeh – noted her appreciation for the evening’s speakers.

5. PUBLIC FORUM

1. Barry Nobel – spoke in favor of serving food to the unhoused.
2. Stefan Strek – asked people to speak out about improvements they’d like to see.
3. Thomas Newman – spoke in favor of housing density.
4. Zach Mulholland – spoke in favor of a revenue committee.
5. Don Heady – spoke in favor of mending the community.

6. PUBLIC HEARING and ACTION: 2023-2029 Capital Improvement Program

Councilor Groves opened the Public Hearing.

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

Council Discussion

- Councilor Clark – asked how much of the City’s buildable land will be served by the Capital Improvement Program.

1. Stefan Strek – spoke in favor of converting to cobblestone streets.

Councilor Groves closed the Public Hearing.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Zelenka, moved to adopt the Proposed 2023-2029 Capital Improvement Program as recommended by the Budget Committee.
VOTE: 8:0 PASSED

7. ACTION: An Ordinance Concerning Budget Committee Term and Amending Sections 2.013 and 2.604 of the Eugene Code.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Zelenka, moved to adopt An Ordinance Concerning Budget Committee Term and Amending Sections 2.013 and 2.604 of the Eugene Code, 1971.
VOTE: 7:1 PASSED (Councilor Clark opposed)

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

8. ACTION: Ownership Transfer of Farmers Market Pavilion and Plaza

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

Council Discussion

- Councilor Clark – asked how the City plans to preserve and honor the history of the Eugene Farmer’s market.
- Councilor Keating – noted his enthusiasm for additional uses for the Pavilion.

MOTION AND VOTE: Councilor Keating, seconded by Councilor Zelenka, moved to direct the Agency Director to take the actions necessary to facilitate the transfer of ownership of the Pavilion Property from the Urban Renewal Agency to the City of Eugene for no consideration.

VOTE: 8:0 PASSED

Councilor Groves closed the meeting of the Eugene Urban Renewal Agency.

Councilor Groves adjourned the meeting at 9:28 p.m.

Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Cherish Bradshaw)

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

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

March 15, 2023
12:00 p.m.

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

Councilor Groves opened the March 15, 2023, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. WORK SESSION: Proposed Wastewater Expansion to serve Goshen and the Short Mountain Landfill

City Manager, Sarah Medary, introduced Public Works Director, Matt Rodrigues who was joined by Lane County Public Works Director, Dan Hurley and Lane County Special Districts Manager, Rob Woodard, who presented information regarding a Proposed Wastewater Expansion to serve Goshen and the Short Mountain Landfill.

Councilor Discussion:

- Councilor Clark – believes that the proposed expansion is beneficial; believes this can expand opportunity for industry that is distanced from residential areas.
- Councilor Zelenka – is concerned the expansion could create violations of the Urban Growth Boundary; noted previous efforts for an expansion into Coburg would not have been cost effective; asked how this expansion is different from the Coburg expansion; asked how Goshen user hook-up fees would be addressed; asked to confirm that the buy-in fee would be used to cover the cost of the new infrastructure; asked if there would be a limit for residential and commercial hook-ups; asked about the line size for this project.
- Councilor Groves – noted the importance of leaving land buffers between industrial areas and residential, schools, and parks areas; noted concern for development outside of the Urban Growth Boundary; noted that some industrial level properties outside of Eugene are receiving metro level fire protection service without remuneration; asked if it would be optional for residential and industry in Goshen to join; would like a report for the price and length of service anticipated for the pipeline; noted that Bulk Handling Systems is putting an operation in Goshen that will reduce greenhouse gases and extend the life of the landfill by 25 years.
- Councilor Keating – is concerned about the impact of concurrent expansion of Urban Growth Boundary and wastewater service; is concerned about an impact on current rate payers; would like more information about the green opportunities that were mentioned in the presentation.
- Councilor Semple – thinks the sustainability options are great; is concerned about the proposed line size and the impact on existing users; noted there are many benefits to this expansion.

- Councilor Yeh – noted that Metropolitan Wastewater Management Commission has been working on this project for some time; noted that trucking waste is not a good long-term solution, and this expansion solves that issue; is in support of the expansion project.
- Councilor Zelenka – would not support subsidy going into the Goshen industrial area; asked how increased cost to existing rate payers would be prevented; asked about the calculation used to determine the Short Mountain line capacity and ability to expand; asked about limitations to hook-ups; would not support expanding residential and commercial customers outside of the Urban Growth Boundary; noted that Bonneville Power would not be able to support added service in that area.
- Mayor Vinis – is supportive of the proposal and the reduction in greenhouse gases; noted that industrial development along Interstate 5 would be beneficial to the economy.
- Councilor Semple – stated that job creation is an important benefit to this expansion; is concerned about the commute of workers that would staff industrial jobs in Goshen; believes residential needs would increase in the area; asked if additional treatment plants are anticipated if residential needs expand.
- Councilor Groves – asked if Goshen would need expanded water service in addition to the wastewater expansion; noted that Council is interested in further information about the impact on rates.
- Councilor Semple – noted appreciation for the positive nature of the proposed expansion.

2. WORK SESSION: Updates from the City Manager

City Manager, Sarah Medary, provided updates on the following topics:

- Proposed purchase of the EWEB Headquarters building.
- Status of the referendum petition.
- Public Health Overlay Zone and Bethel Area Plan on Council's upcoming calendar.

Councilor Discussion:

- Councilor Zelenka – asked if the university area would be included in plan development in the upcoming schedule.

Councilor Groves adjourned the meeting at 12:45p.m.

Respectfully submitted,

Katie LaSala
City Recorder

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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: April 10, 2023
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

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

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2 notes, in part, that “The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business.” Scheduling of this item is in accordance with the Council Operating Agreements.

COUNCIL OPTIONS

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

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. City Council Tentative Working Agenda

FOR MORE INFORMATION

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



City Council Tentative Agenda

Updated April 6, 2023

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

April 2023					
Date	Day	Time	Title	Length	Dept. Contact
10-April	Monday	5:30 pm	 Urban Reserves (Work Session, Possible Action)	45 mins	Rebecca Gershow, PDD
			 Downtown Urban Renewal (Work Session)	45 mins	Amanda D’Souza, PDD
Work Session Location: Public via Virtual Only					
10-April	Monday	7:30 pm	 Committee Reports and Items of Interest  EWEB Water Utility Bond (Consent Agenda)  Public Forum		Twylla Miller, CS Deborah Hart, EWEB
Location: Public via Virtual & Council Chambers, Room 114					
12-April	Wednesday	12 pm	 Revenue Team Discussion (Work Session)	45 mins	Twylla Miller, CS
			 Topic Pending Confirmation (Work Session)	45 mins	Staff
Work Session Location: Public via Virtual Only					
17-April	Monday	5:30 pm	 Construction Excise Tax Exemption Updates (Public Hearing)		Laura Hammond, PDD
Location: Public via Virtual & Council Chambers, Room 114					
19-April	Wednesday	12 pm	 Planning and Development Department Work Plan and Bethel Area Plan Discussion (Work Session)	90 mins	Staff, PDD
Location: Public via Virtual Only					
24-April	Monday	5:30 pm	 Prohibited Camping Code Amendments (Work Session)	90 mins	Kathryn Brotherton, CAO
Work Session Location: Public via Virtual Only					



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

24-April	Monday	7:30 pm	 Committee Reports and Items of Interest  Public Forum  Construction Excise Tax Exemption (Possible Action)		Laura Hammond, PDD
<i>Location: Public via Virtual & Council Chambers, Room 114</i>					
26-April	Wednesday	12 pm	 Executive Session pursuant to ORS 192.660(2)(i)  Municipal Court Judge Annual Evaluation (Work Session)  Topic Pending Confirmation (Work Session)	45 mins 45 mins	Becky DeWitt, CS Staff
<i>Work Session Location: Public via Virtual Only</i>					
26-April	Wednesday	5:30 pm	 City Manager's 2023-2025 Proposed Budget (Budget Committee)		Staff, CS
<i>Budget Committee Location: Virtual only</i>					

May 2023					
Date	Day	Time	Title	Length	Dept. Contact
8-May	Monday	5:30 pm	 Eugene Springfield Fire Governance (Work Session)	90 mins	Kristie Hammitt, CMO
<i>Work Session Location: Public via Virtual Only</i>					
8-May	Monday	7:30 pm	 Committee Reports and Items of Interest  MWMC FY24 Budget Approval (Consent Agenda)  CDBG Annual Action Plan (Consent Agenda)  Public Forum		James McClendon, PW Genevieve Middleton, PDD
<i>Location: Public via Virtual & Council Chambers, Room 114</i>					
10-May	Wednesday	12 pm	 Fossil Fuel Risk Bonds (Work Session)  Willamette Greenway (Work Session)	45 mins 45 mins	Ian Penn, PW Gabe Flock, PDD
<i>Work Session Location: Public via Virtual Only</i>					
10-May	Wednesday	5:30 pm	 Budget Committee: Public Comment and Budget Committee Deliberations (Budget Committee)		Staff, CS
<i>Budget Committee Location: TBA</i>					

15-May	Monday	5:30 pm	 Industrial Pretreatment Program Code Updates (Public Hearing)  Topic Pending Confirmation (Public Hearing)  Prohibited Camping Code Amendments (Public Hearing)		Michelle Miranda, PW Staff Kathryn Brotherton, CAO
Location: Public via Virtual & Council Chambers, Room 114					
17-May	Wednesday	12 pm	 Fire Marshal's Office, Fire Code Updates, and Unsafe Building Program (Work Session)  Civilian Oversight Protocols (Work Session)	45 mins 45 mins	Chief Caven, ESF Leia Pitcher, PA
Location: Public via Virtual Only					
17-May	Wednesday	5:30 pm	 Budget Committee: Public Comment and Budget Committee Deliberations (Budget Committee)		Staff, CS
Budget Committee Location: TBA					
22-May	Monday	5:30 pm	BOARDS & COMMISSIONS INTERVIEWS	90 mins	Sara McKinney, CS
Work Session Location: Public via Virtual Only					
22-May	Monday	7:30 pm	 Pledge of Allegiance in recognition of Memorial Day  Committee Reports and Items of Interest  Affordable Housing Trust Fund Request for Proposals (Consent Calendar)  Public Forum Boards and Commissions Interviews (cont'd as needed)  Industrial Pretreatment Program Code Updates (Possible Action)  1059 Willamette Redevelopment - Timeline Update (Action)		Laura Hammond, PDD Sara McKinney, CS Michelle Miranda, PW Amanda D'Souza, PDD
Location: Public via Virtual & Council Chambers, Room 114					
24-May	Wednesday	12 pm	 Prohibited Camping Code Amendments (Work Session, Possible Action)	90 mins	Kathryn Brotherton, CAO

Work Session Location: Public via Virtual Only					
24-May	Wednesday	5:30 pm	 Budget Committee: Public Comment and Budget Committee Deliberations (Budget Committee)		Staff, CS
Budget Committee Location: TBA					

June 2023						
Date	Day	Time	Title		Length	Dept. Contact
12-June	Monday	5:30 pm	 Topic Pending Confirmation (Work Session)	45 mins	Staff	
			 Topic Pending Confirmation (Work Session)	45 mins	Staff	
Work Session Location: Public via Virtual Only						
12-June	Monday	7:30 pm	 Pledge of Allegiance in recognition of Flag Day		Sara McKinney, CS	
			 Committee Reports and Items of Interest			
			 Public Forum			
			 Boards and Commissions Appointments (Action)			
Location: Public via Virtual & Council Chambers, Room 114						
14-June	Wednesday	12 pm	 Police Auditor and Citizen Review Board Annual Reports (Work Session)	45 mins	Leia Pitcher, PA	
			 TBD (Work Session)	45 mins		
Work Session Location: Public via Virtual Only						
20-June	Tuesday	5:30 pm	 Topic Pending Confirmation (Public Hearing)		Staff	
			 Topic Pending Confirmation (Public Hearing)		Staff	
Location: Public via Virtual & Council Chambers, Room 114						
21-June	Wednesday	12 pm	 Topic Pending Confirmation (Work Session)	45 mins	Staff	
			 TBD (Work Session)	45 mins		
Location: Public via Virtual Only						
26-June	Monday	5:30 pm	 TBD (Work Session)	45 mins	Staff	
				45 mins	Staff	

Fossil Fuel Risk Bonds – Scheduled: May 10, 2023 Gas Stations – TBD Bethel Area Plan – Scheduled: April 19, 2023				Groves, Syrett Keating Evans	10/21/21 4/15/22 7/22/22
<i>Work Session Location: Public via Virtual Only</i>					
26-June	Monday	7:30 pm	 Pledge of Allegiance and Reading in recognition of Independence Day  Committee Reports and Items of Interest  Public Forum  City of Eugene FY23 Supplemental Budget (Public Hearing and Action)  City of Eugene 2023-2025 Biennial Budget Adoption (Public Hearing and Action)  Urban Renewal Agency FY23 Supplemental Budget (Public Hearing and Action)  Urban Renewal Agency 2023-2025 Biennial Budget Adoption (Public Hearing and Action)		Elizabeth Butterfield, CS Vicki Silvers, CS Elizabeth Butterfield, CS Vicki Silvers, CS
<i>Location: Public via Virtual & Council Chambers, Room 114</i>					
28-June	Wednesday	12 pm	 Executive Session pursuant to ORS 192.660(2)(i) (Work Session)  Topic Pending Confirmation (Work Session)	45 mins 45 mins	Staff Staff
<i>Work Session Location: Public via Virtual Only</i>					

UPCOMING PUBLIC HEARINGS			
Date/Time	Topic/Title	Description	Staff Contact
April 17, 5:30 pm	Construction Excise Tax Exemption	The City Council will hold a public hearing to consider an Ordinance Concerning Imposition of a Construction Excise Tax on Commercial Land and Residential Improvements; Amending Sections 3.734 of the Eugene Code. The proposed ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Laura Hammond, PDD LHammond@eugene-or.gov 541-682-5502
May 15, 5:30 pm	Industrial Pretreatment Program Code Updates	The City Council will hold a public hearing to consider Industrial Pretreatment Program Code Updates. The proposed ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Michelle Miranda, PW MMiranda@eugene-or.gov 541-682-8615
May 15, 5:30 pm	Prohibited Camping Code Amendments	The City Council will hold a public hearing to consider Prohibited Camping Code Amendments. The proposed ordinance will be posted online: https://www.eugene-or.gov/1781/Proposed-Ordinances	Kathryn Brotherton, CAO KBrotherton@eugene-or.gov 541-682-8447

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Fossil Fuel Risk Bonds – Scheduled: May 10, 2023 Gas Stations – TBD Bethel Area Plan – Scheduled: April 19, 2023	Groves, Syrett Keating Evans	10/21/21 4/15/22 7/22/22

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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

Meeting Date: April 10, 2023
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3C
Staff Contact: Twylla Miller
Contact Telephone Number: 541-682-8417

ISSUE STATEMENT

Eugene Water & Electric Board (EWEB) is requesting authority to proceed with the issuance of Water Utility Bonds in the amount of \$43,000,000 for capital improvements.

BACKGROUND

A new authorization for \$43,000,000 of Water Utility System Revenue Bonds is being requested under the provisions of Oregon Revised Statutes Section 287A.150. Bonds issued pursuant to this authorization will provide funds intended primarily for the design, construction, installation, and equipping of certain capital improvements including water system storage and transmission improvements. In 2020, the City, acting by and through EWEB, issued approximately \$18.5 million in Water Utility System Revenue Bonds for capital improvements. Those bond proceeds were spent by the end of 2022 on projects that included upgrades to the Hayden Bridge filtration plant, and other projects designed to provide safe and reliable water to our community.

As of December 31, 2022, the Water Utility had \$60.6 million of outstanding bonds.

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

April 10, 2023 Meeting – Item 3C

Prior to the February 2023 rate increase, EWEB had not raised residential water rates for six years. The forecast 10-year compounded rate is unchanged when compared to not borrowing, however 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 financial stability. Large rate actions in consecutive years could burden affordability. 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.

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the resolution.
2. Reject the resolution.
3. Defer action until a later date.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends adopting the resolution.

SUGGESTED MOTION

Move to adopt a Resolution Authorizing the Issuance and Sale of Water Utility Revenue Bonds as set forth in Attachment A.

ATTACHMENTS

- A. A Resolution Authorizing the Issuance and Sale of Water Utility System Revenue Bonds in the Aggregate Principal Amount Not to Exceed \$43,000,000 for the Purpose of Financing Improvements to the Water Utility System and Providing for Related Matters.

FOR MORE INFORMATION

Staff Contact: Twylla Miller
Telephone: 541-682-8417
Staff E-Mail: tmiller@eugene-or.gov

RESOLUTION NO. _____**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF WATER UTILITY SYSTEM REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$43,000,000 FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO THE WATER UTILITY SYSTEM 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 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, which amended and restated a resolution adopted on September 2, 1997, as amended by Resolution No. 1614 adopted on April 5, 2016 (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 to set the terms for and authorize the issuance of not to exceed \$43,000,000 in aggregate principal amount of water utility system revenue bonds (the “Bonds”) for the purpose of financing certain capital improvements described in the Water Capital Improvement Plan (collectively, the “Project”), funding necessary reserves and paying the costs of issuance of the Bonds.
- E. 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.
- F. 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.
- G. 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 Bonds. To the extent that the expenditures and the use of proceeds of the Bonds may qualify under federal tax law and regulations, the City, including EWEB, intends for the interest on such 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”).

- H. 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 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 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 Bonds, 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 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 \$43,000,000, for the purpose of financing the Project, and funding any required reserves and costs of issuance, 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 Bonds shall be placed on the ballot at the next legally available election date. If such petitions are received no Bonds may be sold until the question of whether to issue the Bonds 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. 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; (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 an effective interest rate 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 3. 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 form of bond 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, 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 4. Declaring Intent to Reimburse. The City reasonably anticipates that the City and EWEB may incur preliminary, costs of issuance and other project expenditures that qualify as “Original Expenditures” under Treasury Regulation §1.150-2 prior to the date of issuance of the Bonds, and hereby declares its official intent to reimburse itself or EWEB with proceeds of the sale of the Bonds to be issued in an amount not to exceed \$43,000,000 in aggregate principal amount.

Section 5. 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 6. 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 7. 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 7 by transmitting a copy of its annual audit report to the City.

Section 8. 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, 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 9. 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 MSRB 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 10. 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 Investors Service, Inc., 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 11. Effective Date of Resolution. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted by the City Council this 10th day of April, 2023.

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 April 10, 2023, 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 improvement 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 \$43,000,000.

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 June 12, 2023 (the 61st day after the date of publication of this notice), the question of issuing not to exceed \$43,000,000 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 101 West 10th Avenue, Suite 203, Eugene, Oregon 97401. Information on procedures for filing petitions may also be obtained at such address or by telephone at (541) 682-5010.

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



Public Forum

Meeting Date: April 10, 2023
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on city-related issues and should not address items which have already been heard by a Hearings Official or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

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