



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

May 25, 2022

12:00 p.m. CITY COUNCIL WORK SESSION

As the state and community recover from the COVID-19 pandemic, City Council meetings will continue to be held using hybrid 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 May 25, 2022; Her Honor Mayor Lucy Vinis Presiding

Councilors

Claire Syrett, President
Mike Clark
Randy Groves
Jennifer Yeh

Matt Keating, Vice President
Greg Evans
Emily Semple
Alan Zelenka

12:00 p.m. CITY COUNCIL WORK SESSION

1. WORK SESSION: CIVILIAN OVERSIGHT SYSTEM

2. WORK SESSION: CITY OF EUGENE/LANE COMMUNITY COLLEGE PARTNERSHIP

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

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May 25, 2022 Work Session

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Civilian Oversight System

Meeting Date: May 25, 2022
Department: Police Auditor
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Leia Pitcher
Contact Telephone Number: 541-682-5028

ISSUE STATEMENT

This work session is in response to the Council's February motion directing a work session on the history and status of the Eugene's civilian oversight system of the Eugene Police Department (EPD).

BACKGROUND

Eugene Charter Section 15-A, External Review of Police (Attachment A) and City Code provisions (Attachment B) establish the structure and authority of the City's current police oversight system.

The timeline of events leading to the City's current police oversight system is as follows:

- **March 2004:** Former Eugene Police Chief Lehner requests the Police Commission to review Eugene's police oversight process and system.
- **July 2004:** City Council approves the Eugene Police Commission work plan (and \$65,000 in contingency funds) to undertake the review of the process for handling police complaints and different models of civilian oversight for processing complaints against the police department.
- **March 2004 – July 2005:** The Police Commission's 15-month review process includes the following:
 - Review of Eugene Police Department (EPD)'s 2004 policies and procedures for filing complaints and conducting internal investigations;
 - Research and examination of other models of civilian oversight in place nationally through site visits, documentation review, and a consultant's report ("[Review of National Police Oversight Models](#)") prepared by Police Assessment Resource Center;
 - Public outreach through various efforts including a stakeholder list of 300 names/addresses and 13 public forums to solicit a broad range of ideas and suggestions for improvements to the complaint system; and,
 - Development of recommendations to improve the internal affairs process, including options for incorporating additional civilian oversight in the system.
- **July 25, 2005:** Police Commission submits its final report to the City Council regarding [Police Complaint System Civilian Oversight Recommendations](#).
 - The Police Commission's 31-page report recommends a "hybrid" police oversight system that combines a professional police auditor and a civilian review board. As recommended, the professional police auditor would monitor investigations for quality assurance and

identifies systemic changes needed to improve the overall performance of the organization while the civilian review board would create opportunities for community members to review and comment on how the department investigates and responds to complaints, promoting a fair and transparent process.

- **August 2005:** City Council adopts [Resolution No. 4850](#) referring to the Eugene voters a City Charter amendment based on the Police Commission's recommended hybrid model of police oversight.
- **November 2005:** Eugene voters (75%) approve a Charter amendment adding a new Section 15-A "External Review of Police" to the City Charter establishing the office of the Independent Police Auditor and the Civilian Review Board (CRB).
- **October 2006:** City Council establish the Office of the Independent Police Auditor.
- **December 2006:** City Council adopts Ordinance No. 29374 adding code sections concerning the police auditor and CRB.
- **September 2007:** The Police Auditor and the Eugene Police Employees' Association (EPEA) president agree to a set of Civilian Oversight Protocols consistent with the recently adopted City Charter amendment and City Code provisions.
- **October 2007:** City Council establishes the Civilian Review Board.
- **July 28, 2008:** City Council adopts [Resolution No. 4954](#) referring to the Eugene voters amendments to Section 15-A of the City Charter.
- **November 2008:** Eugene voters (62%) approve an amendment to Section 15-A replacing "the city council is authorized to" with "the city council shall" hire an independent police auditor and appointment a civilian review board.
- **November 2008:** City Council creates a committee ("Police Auditor Ordinance Review Committee" or PAORC) to review 18 issues related to the police auditor ordinance, directing the committee to report back to Council by March 2009 after receiving input from the public on any proposed revisions to the ordinance.
- **March 9, 2009:** The PAORC presents its [final report to the City Council](#), including specific recommendations for amending the City Code.
- **August 11, 2009:** City Council adopts Ordinance No. 20435 amending certain code sections related to the police auditor based on the recommendation of the PAORC. This is the last time that the Council amended the police oversight code provisions.

The City's hybrid police oversight system establishes distinct roles for the independent police auditor and the civilian review board. Below is an overview of the role that each play in the City's oversight system of Eugene Police Department employees:

Independent Police Auditor:

- **Complaint Intake:**
 - All community complaints; can be made by a 3rd party or anonymously
 - City employees' complaints (auditor option)
 - Auditor-initiated
- **Preliminary Investigation**
 - Done prior to classification to gather basic information about the event, the officer(s) involved, which EPD policies may be implicated, etc.

- Classification
 - Auditor has sole authority to classify, route, and re-classify complaints.
 - Complaint Classifications:
 - Allegation of criminal conduct
 - Criminal Investigation is typically conducted by another agency
 - Prosecutorial Review (to determine whether prosecution will occur)
 - Administrative Review/Re-classification following close of criminal matter
 - Allegation of misconduct
 - Complaint alleging serious misconduct/major policy violation
 - Incident Review [this classification was added in 2016 and is defined in Eugene Police Policy 1020 – Personnel Complaints]
 - A preliminary fact-finding investigation, not including an interview with the involved employee
 - Inquiry
 - Question regarding a department policy, procedure or regulation, or regarding employee conduct that would not qualify as a personnel complaint
 - Service Complaint
 - Complaint of minor misconduct related to police performance or demeanor, customer service and/or level of police service
 - Policy Complaint
 - Complaint about an EPD policy or procedure (not specific to an employee)
 - Community Impact Case (CIC)
 - Complaint alleging excessive force, bias, disparate treatment or a violation of constitutional rights, which the Auditor recommends and CRB agrees to review as a CIC
 - See below; Procedure set out in subsection (4) of Eugene City Code 2.244
- Initial Determination
 - Prior to proceeding with a full auditor-involved investigation the auditor could:
 - Dismiss a complaint;
 - Route a complaint to other City department, such as a respectful work environment complaint routed to the City’s Employee Resource Center;
 - If a complaint is against the Police Chief, route the complaint in accordance with City Code; or,
 - Determine the matter is appropriate for mediation/facilitated conversation and seek voluntary agreement from the parties and approval of the Police Chief.
- Investigation
 - If not received during the preliminary investigation, requests and receives all relevant documentation, video, records from EPD
 - Shared database;
 - Incident-specific records, including: Police Reports, Dispatch Records, Body- Worn Video, In-Car Video, Radio Traffic, 911 Calls, Data from Automatic Vehicle Locators.
 - Actively monitors EPD’s internal affairs’ investigation of all allegations of misconduct and is authorized to participate in all complainant, employee, and witness interviews.
 - This is the same for incident reviews except that Incident reviews do not include interviews with the involved employee. If such an interview is required, the Auditor will re-classify the complaint.

- Determines whether the City's investigation is thorough and complete.
 - Can require the City to undertake additional investigation.
 - Can contract for an external investigation if auditor determines that an external investigation is appropriate.
 - Can reclassify the complaint based on the information discovered as part of the investigation.
- Adjudication
 - For all allegations of misconduct:
 - Auditor confers with EPD chain of command on whether the investigation establishes that the involved employee(s) violated policy.
 - Auditor and EPD chain of command prepare separate recommendations to the Chief on whether the complaint should be sustained.
 - Chief has final adjudication authority.
 - Auditor's Office is responsible for notifying the complainant of the investigation and its outcome.
 - For incident reviews and inquiry or service complaints, EPD chain of command prepares a memo detailing the investigation and reports findings to the Auditor
 - Auditor can require additional investigation, reclassify the matter, or close it.
 - Supervisors can address service complaints on scene but are required to report the complaint to the Auditor's Office within 24 hours.
- Discipline
 - Auditor does not make discipline recommendations.
 - Auditor may report on disciplinary trends.
 - EPD chain of command works with City Employee Resource Center to make disciplinary recommendation to the Chief.
 - Chief has final disciplinary authority.
- Use of Force Incidents:
 - The Auditor's office reviews every use of force.
 - Auditor's office reviews police reports, dispatch records, and body-worn and in-car video and determines whether an administrative investigation should be undertaken.
 - Auditor also selectively reviews other matters entered into the shared database; for example, shows of force, vehicle pursuits, and unintentional discharges (firearms or Taser).
- Use of Deadly Force
 - Use of deadly force is a "critical incident"
 - Auditor is notified of all critical incidents and promptly reports to the scene.
 - Multi-Pronged Investigation.
 - Per state law, Lane County's multi-jurisdictional Interagency Deadly Force Investigations Team (IDFIT) is responsible for investigating all use of deadly force incidents. IDFIT controls the scene and the investigation
 - The Police Auditor's office and EPD Internal Affairs is allowed access to the scene.
 - IDFIT prepares a report following their investigation and provides it to the Lane County District Attorney (DA).
 - The DA determines whether the use of deadly force was justified; if prosecution does not follow the investigation, the DA provides the IDFIT investigation to EPD for administrative follow up.

- The City's use of force review board (and administrative review process) is convened following receipt of the IDFIT investigation
 - The Auditor may require additional administrative investigation if there is an indication that EPD policies were not followed during the incident.
 - The Auditor is required by ordinance to participate in the use of force review boards. However, per the Oversight Protocols, the Auditor is a non-voting member.
- The Auditor generally writes a memo to the Chief with recommended findings from the administrative review process. The EPD chain of command also prepares recommendations for the Chief. As in other administrative investigations, the Chief has final adjudication authority.
- The CRB may choose to review a closed use of force review.
- **Reporting**
 - Open and Closed Cases to CRB monthly
 - Annual Report
 - Monthly Newsletter (in transition)
 - Additional Reports (Use of Force reports, Community Impact Case reports) as appropriate

Civilian Review Board

- **Completed Investigation Selection:**
 - CRB is provided monthly reports of all pending and completed investigations.
 - Can review completed investigations and adjudications of complaints against sworn employees.
 - CRB can choose any completed investigation of its own volition; it can also review an investigation at the request of a complainant or upon the recommendation of the Auditor.
- **Review Process:**
 - Is provided and reviews all materials concerning the completed investigation.
 - Materials are not redacted (except disciplinary information)
 - Auditor staff provides all materials to CRB at least 10 days prior to the meeting. Materials include:
 - Intake recording(s)
 - Correspondence related to the investigation
 - Complete investigative report
 - All related video/audio recordings (including body-worn video and in-car video, as well as any video submitted by the reporting party or witnesses)
 - Related police reports
 - Related dispatch records
 - Any other materials developed as a part of the investigation into the complaint including the Auditor's investigative report and Internal Affairs' investigative report.
- **Public Discussion of Completed Investigation:**
 - All CRB meetings are public meetings
 - All meetings have opportunity for public comment
 - Current CRB Protocols limit public comment to investigations not on the agenda for discussion that night's agenda for discussion specific case being reviewed by the Board at that meeting
 - Discussion is centered around feedback on:
 - Complaint intake, investigation and monitoring
 - Relevant EPD policies, practices, and procedures
 - Comments on the adjudication of the complaint

- Community Impact Cases
 - The Auditor recommends that an investigation be designated a “community impact case.” The CRB must accept that determination.
 - When an investigation is designated a community impact case the CRB can provide input about the investigation and adjudication prior to the matter being closed.
 - After reviewing all of the investigation materials and the adjudication, the CRB does one of the following:
 - Agrees with the adjudication;
 - Makes recommendations related to the complaint and/or investigation process;
 - Requires the City to reopen the investigation if it finds the investigation was incomplete/inadequate or the adjudication is not supported by the evidence.

PREVIOUS COUNCIL DIRECTION

February 9, 2022, Council Work Session: Ad Hoc Committee on Police Policy Update

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Keating, moved to direct the City Manager to provide additional review, analysis and information on all items marked for intergovernmental action on Attachment B prior to setting the City's 2023 legislative priorities. PASSED 7:0

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Keating, moved to schedule a work session on the history and status of the City's current civilian oversight system prior to July 17, 2022. PASSED 7:0

POLICE AUDITOR RECOMMENDATION

As a next step, the Police Auditor recommends a work session on potential improvements to the current civilian oversight system.

POLICE AUDITOR'S SUGGESTED MOTION

Move to direct the Police Auditor to return to Council for a follow-up work session to discuss her recommendations for potential improvements to the current civilian oversight system including, if appropriate, potential code amendments.

ATTACHMENTS

- A. Charter Section 15-A: External Review of Police
- B. Code Sections on Oversight: 2.240-2.246 (Civilian Review Board) and 2.450-2.456 (Police Auditor)
- C. Civilian Oversight Protocols

FOR MORE INFORMATION

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Eugene City Charter

Section 15-A. External Review of Police.

(1) The city council shall hire, supervise and specify the salary of an independent police auditor to oversee investigations of complaints involving police employees. Notwithstanding section 16 of this charter, the city council shall authorize the auditor to: (a) receive, classify and route complaints about sworn police officers and civilian police employees; (b) contract with persons or entities to perform outside investigations of such complaints; (c) monitor the city's internal investigations, including but not limited to access to all evidence developed as part of the investigation and participation in investigative interviews related to such complaints, and require the city to undertake additional investigation; (d) make recommendations to the city manager or designee following the investigation; (e) prepare reports on complaint trends and police practices in general; and (f) act as a liaison to and provide staff support for the civilian review board.

(2) The city council shall appoint a civilian review board of not more than seven members to review investigations of complaints involving sworn police officers. Notwithstanding section 16 of this charter, the city council shall authorize the civilian review board to: (a) review the completed investigation and adjudication of complaints filed against sworn police officers; (b) require that the city re-open an investigation; (c) provide comments on an investigation, including recommendations to the independent police auditor, city manager or designee about the investigation; (d) review trends and statistics of complaints against sworn police officers and civilian employees, and provide reports and recommendations to the city council; and (e) oversee and evaluate the work of the independent police auditor.

Eugene Code

Chapter 2**ADMINISTRATION**

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Boards and Commissions

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2.240 Civilian Review Board – Established.

- (1) There is hereby established a civilian review board of not to exceed seven members, whose goal shall be to increase the transparency of, and public confidence in, the police complaint process. In general, the civilian review board shall evaluate the work of the independent police auditor, and may review completed complaint investigations involving sworn police employees to provide comment, from a civilian perspective, about whether the complaint was handled fairly and with due diligence.
- (2) It is intended that sections 2.240 through 2.246 and 2.450 through 2.456 will provide a system of independent oversight of the police complaint process and implement section 15-A of the Eugene Charter of 2002 as adopted by the city electorate on November 8, 2005.
- (3) Except where the context requires otherwise, the definitions contained in section 2.452 of this code govern the words and phrases used in sections 2.240 through 2.246 of this code.
- (4) The civilian review board shall serve as an advisory body to the city council.

(Section 2.240 added by Ordinance No. 20374, enacted December 13, 2006, effective January 12, 2007.)

2.242 Civilian Review Board – Qualifications and Appointments.

- (1) Qualifications.
 - (a) Members of the civilian review board shall be volunteers appointed by the city council, who immediately prior to appointment shall be:
 1. A resident of the city;
 2. Of the age of 18 years or older; and
 3. Able to pass a background investigation consistent with investigations conducted for other city volunteers who have similar access to police records and/or facilities.
 - (b) The following characteristics shall be considered by the city council when appointing members to the civilian review board:
 1. A demonstrated ability to be fair, impartial and unbiased;
 2. An absence of any real or perceived bias, prejudice or conflict of interest;
 3. A record of community involvement;

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4. An ability to build working relationships and communicate effectively with diverse groups; and
 5. A demonstrated commitment to the purpose of sections 2.240 through 2.246 and 2.450 through 2.456.
- (c) Appointments to the civilian review board shall not be made on the basis of constituency or representation of any particular group. A candidate selection process that includes a community panel to review applications and recommend qualified candidates for city council consideration shall be developed by the mayor, in consultation with the police auditor, to help achieve a balanced membership.
 - (d) Members of the civilian review board shall neither be a current employee of the city nor an immediate family member of a current city police employee.
 - (e) Civilian review board members shall participate in a training program to be developed by the police auditor.
 - (f) Members of the civilian review board shall agree in writing to a Statement of Principles and Code of Conduct, to be developed by the police auditor and reviewed and maintained in collaboration with the civilian review board.
 - (g) It is the intent that civilian review board members be free from personal liability for acts taken within the course and scope of carrying out their official duties and functions. The city will therefore defend and indemnify members to the maximum extent permitted under the Oregon Tort Claims Act and other applicable law.
- (2) Terms and Vacancies. Initial appointments shall be staggered as follows: If there are seven (7) members appointed, four (4) members shall be appointed to serve for two (2) years and three (3) members shall be appointed to serve for three (3) years; if there are five (5) members appointed, three (3) members shall be appointed to serve for two (2) years and two (2) members shall be appointed to serve for three (3) years. Except for the initial appointment, the term of each member of the civilian review board shall be three (3) years. No member shall serve more than three (3) consecutive terms. A vacancy that occurs during the term of a member shall be filled in the same manner as the original appointment, and the appointee shall serve for the remainder of the unexpired term.
- (3) Removal from Office.
- (a) A member of the civilian review board may be removed from office by the city council prior to the normal expiration of his/her term for consistent failure to perform civilian review board member duties, or violation of the Statement of Principles/Code of Conduct.
 - (b) Membership on the civilian review board shall terminate automatically if a member ceases to meet the qualification requirements as described in (1)(a)1, (1)(a)3, and (1)(d) above subsequent to his/her appointment.

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(Section 2.242 added by Ordinance No. 20374, enacted December 13, 2006, effective January 12, 2007.)

2.244 Civilian Review Board – Powers and Duties.

- (1) In collaboration with the police auditor, the civilian review board shall establish policies, procedures and operating principles for the civilian review board.
- (2) The civilian review board may review the completed investigation and adjudication of complaints filed against sworn police officers at the request of a complainant, upon the recommendation of the police auditor, or at its own discretion upon a majority vote of its members.
 - (a) The civilian review board shall develop criteria to decide whether to accept a case for review. However, the civilian review board may not accept a completed case that was previously reviewed as a community impact case as described in subsection (4) below.
 - (b) All materials concerning the completed investigations of cases the civilian review board has selected to review shall be made available to members for their confidential review.
 - (c) The civilian review board shall, at one of its regularly scheduled meetings, report on such case(s), which may include comments on the handling of the complaint, the fairness and thoroughness of the investigation, and the reasonableness of the adjudication.
 - (d) The comments and any related policy or procedural issues identified by the civilian review board in the course of its case review shall be provided to the police auditor for further consideration.
- (3) The civilian review board may review a random selection of closed cases.
- (4) Upon the adjudication of a complaint that the police auditor has identified and the civilian review board has accepted as a community impact case, members of the civilian review board shall be provided all materials concerning the case for their confidential review. Within 14 days of receiving the case, the civilian review board shall meet to discuss and present its determinations on the case. Within 30 days of receiving the case the civilian review board shall do one or more of the following:
 - (a) Concur with the case adjudication;
 - (b) Develop recommendations regarding the handling of the complaint and the investigation process, and/or identify other relevant policy or procedural issues for further consideration;
 - (c) Require the city to reopen the investigation if it finds either:
 1. The investigation was incomplete or inadequate, and the civilian review board has reason to believe that additional investigation is likely to reveal facts that could change the case adjudication; or
 2. The adjudication reached by the city is not supported by substantial evidence.

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When the civilian review board has voted to re-open a community impact case, the police auditor shall inform the civilian review board of the subsequent investigation conducted and the final adjudication decision.

- (5) The civilian review board shall notify complainant(s) and involved employee(s) of its decisions on whether to accept a case for review, and shall inform the complainant of its conclusions on the case.
- (6) The civilian review board shall review trends and statistics of complaints against sworn police officers and civilian police employees and may develop recommendations to improve the complaint intake and handling process.
- (7) The civilian review board shall evaluate the work of the auditor's office. In that regard the civilian review board:
 - (a) Shall establish criteria by which to evaluate the work of the police auditor;
 - (b) Shall review, comment on, and assist in maintaining policies, procedures and operating principles for the auditor's office and the civilian review board;
 - (c) Shall monitor status reports from the police auditor; and
 - (d) May conduct periodic evaluations of the complaint intake and handling system to identify process improvements and/or ensure complaints are being treated fairly and with due diligence.
- (8) The civilian review board may provide a forum to gather community concerns about incident-specific police actions and may receive and forward complaint information to the auditor's office for processing.

(Section 2.244 added by Ordinance No. 20374, enacted December 13, 2006, effective January 12, 2007.)

2.246 Civilian Review Board – Officers, Meetings, and Procedures.

- (1) The civilian review board shall annually elect from among its membership a chairperson and a vice-chairperson who shall serve in that position for no more than three (3) consecutive one-year terms.
- (2) The civilian review board shall nominate one of its members to serve jointly on the civilian review board and the police commission, which nomination shall be subject to the approval or rejection of the city council.
- (3) The auditor's office shall be liaison to, and provide staff support for, the civilian review board.
- (4) The civilian review board may appoint from its membership committees as necessary to perform its duties.
- (5) The civilian review board shall hold regular meetings with an opportunity for public comment at least quarterly, and the civilian review board and its committees may hold additional meetings as necessary. No business of the civilian review board shall be conducted at a meeting without at least a quorum of three (3) members on a five (5) member board or four (4) members on a seven (7) member board

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present. All actions of the civilian review board shall be made upon a simple majority vote of the members present.

- (6) Meetings of the civilian review board shall be open to the public except when executive sessions are authorized by law and the civilian review board has determined an executive session is necessary or desirable in order to carry out its business. To facilitate the transparency of the civilian review board's activities, the police auditor will develop and present case summaries and status reports in a manner that allows review and discussion in open session, to the maximum extent practicable.
- (7) The civilian review board shall prepare and present an annual report to the city council that:
 - (a) Summarizes the civilian review board's activities, findings and recommendations during the preceding year;
 - (b) Assesses the performance of the police auditor consistent with section 2.244(7); and
 - (c) Evaluates the work of the auditor's office, including whether the auditor's office is functioning as intended.
- (8) The civilian review board may develop additional reports deemed necessary by it, or as requested by the city council. All reports generated by the civilian review board shall strive to protect the privacy of all individuals and shall not contain the names of parties to a complaint (employees, complainants and/or witnesses) not previously disclosed. The city council shall review and take appropriate action on reports submitted by the civilian review board.
- (9) In collaboration with the auditor's office, the civilian review board may conduct education and outreach activities to inform the community about the process for filing complaints and commendations about police employees. The civilian review board and police auditor shall work together to develop and disseminate information and forms regarding the police complaint handling and review system.
- (10) The civilian review board, or its individual members, may not:
 - (a) Investigate complaints or incidents involving police employees;
 - (b) Issue subpoenas or call witnesses;
 - (c) Review employee discipline decisions except in the context of reviewing trend reports from the auditor's office consistent with section 2.454(1)(f)3.; or
 - (d) Incur city expenses or obligate the city in any way without the prior authorization of the police auditor or city council.

(Section 2.246 added by Ordinance No. 20374, enacted December 13, 2006, effective January 12, 2007.)

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MUNICIPAL OFFICERS AND DEPARTMENTS

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2.454 Office of Police Auditor – Powers and Duties.

- (1) The police auditor is the administrative head of the auditor's office and shall:

Eugene Code

- (a) Oversee the operations of the auditor's office, establish program priorities and objectives, and manage the implementation and evaluation of work programs;
- (b) Develop and maintain operating procedures for the auditor's office, including protocols for handling complaints and monitoring investigations;
- (c) Establish standards of professional conduct and provide necessary training for staff in the auditor's office.
- (d) Act as liaison and provide staff support to the civilian review board. In collaboration with the civilian review board, the police auditor shall:
 - 1. Establish and maintain policies, procedures and operating principles for the civilian review board's functions; and
 - 2. Conduct education and outreach activities to inform the community about the process for filing complaints and commendations about police employees, and develop and disseminate information and forms regarding the police complaint handling and review system.
- (e) Receive and process complaints concerning police employees; monitor the complaint investigation and review process as set forth in sections 2.456(1) and (2); and review a selection of service complaints.
- (f) Perform a quality assurance function with the goal of identifying systemic changes that will improve police services to the community. These activities include:
 - 1. Analyzing complaint trends and recommending changes to police policy, practices and training;
 - 2. Reviewing risk and tort claims and developing recommendations to reduce risk and liability;
 - 3. Reviewing and reporting trends in completed police employee disciplinary decisions.
- (g) Provide status reports to the civilian review board and city council and provide recommendations relevant to police policies and practices to the police commission.
- (h) Develop and present to the civilian review board and city council annual public reports describing the activities of the auditor's office, its findings and recommendations, the police department's response to its recommendations, and any other information pertinent to assessing the performance of the auditor's office.
- (i) Provide the city council with any other reports deemed necessary or requested by the city council. All public reports shall strive to protect the privacy of all individuals and shall not contain the names of parties to a complaint (employees, complainants and/or witnesses) not previously disclosed.
- (j) Determine whether applicants for the civilian review board meet the requisite qualifications in section 2.242(1)(a)1. and 2.242(1)(d).
- (2)** The police auditor shall receive timely notification of critical incidents to enable him/her, or a qualified designee, to report to the scene of critical incidents. The police auditor and chief of police shall develop necessary protocols for summoning the police auditor to the incident for purposes of first-hand observation.
- (3)** The police auditor shall participate in use of force review boards.

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- (4) All case adjudication and employee discipline decisions shall be made by the chief of police. The police auditor may develop adjudication recommendations, but is not authorized to recommend the level of discipline for police employees.
- (5) For purposes of this subsection, an “allegation” is a report or claim that the chief of police has committed a crime, violated any provision of sections 2.240 to 2.246 or 2.450 to 2.456, violated a person’s civil rights, or failed to perform non-administrative duties in accordance with professional law enforcement standards applicable to Eugene’s sworn officers.
 - (a) If the auditor receives an allegation against the chief of police, the auditor shall forward a copy of the allegation to the city manager. The city manager shall notify the council, and investigate the allegation. The manager shall keep the auditor informed of the progress of the investigation.
 - (b) Upon completion of the investigation, but prior to the finalization of the investigation report, the city manager shall provide the auditor with a draft of the report. The auditor shall review the draft report and provide comments about the draft to the manager within seven days of receiving the draft. The manager shall consider any comments received from the auditor and finalize the report within seven days. Once the city manager issues a decision on the allegation, the manager shall inform the council of the manager’s decision related to the allegation.

(Section 2.454 added by Ordinance No. 20374, enacted December 13, 2006, effective January 12, 2007; and amended by Ordinance No. 20435, enacted August 10, 2009, effective September 11, 2009.)

2.456 Office of Police Auditor – Complaint Processing.

- (1) Complaint intake.
 - (a) Any person may lodge a complaint or commendation with the auditor’s office about the conduct of, or services provided by, a city police employee;
 - (b) The auditor’s office is the intake center for all community complaints about police employees. City employees may choose to lodge complaints against another employee through either internal affairs or the auditor’s office. The auditor’s office shall document all contacts and complaints received from any source. The auditor’s office may refer a complainant to another department in the city or another agency that would be more appropriate to address the complaint.
 - (c) If the city receives a claim for damages that alleges that a police employee caused the damage, a copy of the claim shall be forwarded to the auditor’s office for a determination as to whether the claim should also be classified and processed as a complaint.
 - (d) The auditor’s office conducts the preliminary investigation of all complaints lodged with the auditor’s office or internal affairs to appropriately classify and route the complaint and any accompanying information accordingly. The auditor has exclusive authority to classify, route and reclassify complaints. The auditor may reclassify a complaint if, upon further investigation and receipt of additional information that was not available at the time of intake, but before the completion of the investigation, the auditor finds reclassification is warranted.

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- (e) If a complaint is received that alleges criminal conduct on the part of the employee, the police auditor shall forward the complaint and any associated information to the chief of police.
 - (f) The auditor's office may determine whether a complaint is appropriate for mediation or facilitated conversation, and upon the voluntary agreement of the involved parties and approval of the chief of police, shall coordinate the resolution of such cases.
 - 1. Mediation is an alternative to the investigation, adjudication and disciplinary process; if the parties agree to mediation, the investigation, adjudication and disciplinary process will end.
 - 2. A facilitated conversation may, but does not necessarily, result in termination of the investigation, adjudication and disciplinary process.
 - (g) The auditor's office classifies complaints that will be treated as community impact cases and provides support to the civilian review board in its review of those cases and other cases accepted by the civilian review board.
 - (h) The auditor's office shall provide timely updates on the status of a complaint and notification to the complainant of its final disposition.
 - (i) The auditor's office may dismiss a complaint if upon review, it meets criteria that the auditor has established for such action, including reporting delays and/or insufficient information from which to take further action.
 - (j) The auditor may review and process a complaint not filed directly with the auditor's office if the auditor determines that concerns have been expressed about conduct of a police employee(s).
 - (k) Except for good cause, complaints of minor misconduct involving courtesy, communications, and minor rules violations that might be handled as service complaints shall be filed within 60 days of the incident.
 - (l) Except for good cause, complaints of serious misconduct including, for example, excessive force that causes substantial physical injury, egregious acts of disparate treatment, or major rules violations shall be filed within 6 months of the incident.
- (2) Complaint Investigations.
- (a) Except as provided in paragraph (b) of this subsection, administrative investigations of complaints shall not commence until after the auditor has received, classified and routed the complaint. The investigation shall commence upon classification or as soon as possible after classification.
 - (b) Paragraph (a) of this subsection shall not preclude preliminary investigations by the auditor's office, or a police supervisor's attempt to address a service complaint, provided that the supervisor prepares and forwards to the auditor within 24 hours a report identifying the complainant and contact information for the complainant, and explaining the nature of the service complaint and the outcome of the supervisor's conversation with the complainant.
 - (c) If the chief of police determines that all or a part of an administrative investigation should be postponed in order to avoid jeopardizing a criminal investigation or prosecution, the chief of police shall request the auditor's agreement on postponement. If the auditor and chief of police

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are unable to agree on the postponement, then they shall present in writing their respective positions to the municipal court judge, who shall then decide whether all or part of an administrative investigation will be postponed.

- (d) The police auditor shall actively monitor internal investigations to ensure a thorough, objective, and timely investigation, and is authorized to:
 - 1. Participate in complainant, employee and witness interviews;
 - 2. Require the city to undertake additional investigation.
 - (e) The police auditor may require, and is authorized to contract for, an external investigation when the police auditor determines that an external investigation is appropriate.
 - (f) The police auditor will not be directly involved in any criminal investigations, but shall be kept apprised of the status of such investigations involving police employees. The police auditor shall have access to the case file relevant to the administrative portion of such investigations.
 - (g) All case files shall be provided to the police auditor upon conclusion of the investigation for review and a determination that the investigation was thorough and complete. Once the investigation is deemed complete, the involved employee's immediate supervisor will confer with the police auditor and develop a case adjudication recommendation that will be forwarded through the chain of command to the chief of police for final adjudication. If the police auditor disagrees with the supervisor's recommendation, his/her disagreements and comments will be documented and forwarded to the chief of police as well. The immediate supervisor and police auditor will use their best efforts to complete this process in a timely manner and without unreasonably delaying the final adjudication of the case. If the investigation reveals evidence of criminal conduct not previously known, the auditor may refer the matter to the appropriate criminal prosecutor for his/her consideration.
 - (h) The auditor's office will make every reasonable effort to notify the complainant that an investigation has been conducted, summarize the case findings, and provide an opportunity for the complainant to comment or ask questions about the process.
 - (i) The auditor's office shall return all case file materials to internal affairs for retention, but shall have subsequent access to closed cases.
 - (j) The police auditor shall maintain an on-going status report on the work of the auditor's office and case investigations and shall share it with the civilian review board.
- (3) Access to Records and Materials.**
- (a) Except to the extent that a specified state or federal law provides to the contrary, or where information resides on a restricted database governed by a contract that does not allow access beyond certain law enforcement employees:
 - 1. The auditor shall have complete and unrestricted access to all complaints, investigative records and information obtained or developed by the internal affairs investigator related to an administrative investigation of a complaint, whether the information exists in electronic format or hard copy, including information stored on an internal affairs database;

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2. The auditor shall be provided any other information identified by the auditor that is relevant to a complaint; and
 3. The identity of any individual involved in an event giving rise to a complaint shall not be withheld from the auditor.
- (b) When legally required or requested by the chief of police, the auditor shall keep confidential the name of any such individual involved in a complaint and other information leading to the name of the individual.
 - (c) Except as provided in section 2.456(2)(f), the police auditor shall not have access to a criminal investigation file until the conclusion of any such criminal investigation.
 - (d) The police auditor shall supervise the development and implementation of a case management system to track all complaints received in coordination with the internal affairs unit, report case statistics and trends, and provide performance indicators to evaluate the effectiveness of the auditor's office.
 - (e) The chief of police and police auditor shall develop cooperative interdepartmental procedures and any necessary infrastructure to coordinate the flow of information and communication between the auditor's office and the police department.

(Section 2.456 added by Ordinance No. 20374, enacted December 13, 2006, effective January 12, 2007; and amended by Ordinance No. 20435, enacted August 10, 2009, effective September 11, 2009.)

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CIVILIAN OVERSIGHT PROTOCOLS

Auditor's Office Protocol

Protocols for Notification of Auditor's Office

1. The police auditor shall receive timely notification of critical incidents to enable him/her, or a qualified designee to report to the scene of critical incidents. Ordinance No. 20374, Section 3, 2.454 (2)
2. A critical incident is an occurrence involving a significant police action including but not limited to a civil disturbance or riot, an officer-involved shooting, or other action by a sworn police officer resulting in serious physical injury or death.
3. The auditor will report his/her telephone number(s) and alternative telephone numbers to the police chief to facilitate prompt communication.
4. The auditor may respond to the scene of a critical incident in order to enable first-hand knowledge of high profile events should a complaint ensue; to participate in deadly force review boards; and to develop risk/liability reduction plans for the City of Eugene. The auditor will have no greater access to the scene of a critical incident than access afforded to the non-involved department members, or as permitted by the investigating agency.
5. The auditor will not interview the involved or witness officers at the scene regarding the incident.

Complaint Intake

1. The police auditor will perform all intake of complaints against Eugene Police Department employees by members of the public. City of Eugene employees may lodge a complaint, with the auditor's office or with the internal affairs unit of the police department if the complaint arises out of their employment with the City.
2. Complaints may be filed by telephone, in writing by mail, by e-mail or in person. Intake forms will be made available to facilitate complaint processing by are not necessary.
3. Complaints may be accepted from third parties with a reasonably direct knowledge of the incident. Anonymous complaints alleging misconduct will be accepted provided there is specific information from which to investigate the complaint.
4. Complainants may request that their personal information, including their identity, be kept confidential and the auditor will honor this request as allowable by law and as practicable to investigate the incident.
5. The auditor may initiate a complaint based upon credible evidence of possible misconduct.
6. The auditor's office will conduct a preliminary investigation in order to classify the complaint and further understand the nature of the potential violation(s). The preliminary investigation will include information such as a

- description of the event, date, time location, name of the employee(s), badge number(s), description of the vehicle(s), name and address of any witness(s) or any other evidence relevant to the investigation. Internal affairs personnel may assist in gathering information for the auditor's preliminary investigation.
7. Records/warrant checks will not be conducted on a routine basis as part of the complaint intake. If, during the preliminary investigation, an outstanding warrant for the arrest of the complainant is discovered, the police auditor will encourage the complainant to resolve the warrant. In situations where the complainant named in the warrant is of a serious nature, the police auditor will advise the police department. Serious nature includes crimes of violence or crimes which involve serious risk of danger to the public such as domestic violence complaints.
 8. The auditor may dismiss or decline the complaint for the following reasons:
 - a. Timeliness;
 - b. If the complaint involves personnel who are not within the jurisdiction of the auditor's office;
 - c. If another remedy is in use or is more appropriate;
 - d. The complaint has been previously reviewed.
 9. The auditor will document the reason for any dismissals and explain the decision to the complainant in writing, if possible, within five business days of initial intake. A copy of this correspondence will be forwarded to internal affairs. Internal affairs will forward this information on to the affected employee(s) and EPEA if the involved employee is an EPEA represented employee.

Classification of Complaints

1. After a preliminary investigation, the auditor will classify complaints to facilitate a timely and satisfactory resolution. Complaints will be classified into the following general categories:
 - a. Allegation of criminal conduct (on or off duty)
 - b. Allegation of misconduct
 - c. Service complaint (concerns about employee performance or demeanor, customer service and or level of police service provided)
 - d. Policy complaint (where the person is dissatisfied with current policies or established procedures)
 - e. Inquiries
 - f. Complaints may be further categorized as a community impact case
2. Service complaints, allegations and inquiries will be further classified by type for statistical tracking and trends analysis purposes. All complaints will be recorded in a database designed to track complaints by category type and by complainant. The database will be used by both internal affairs and the police auditor to ensure a full accounting of all complaints received and so that trends can be detected.

3. Service complaints that are not resolved at intake by the police auditor's office will be directed to internal affairs for assignment to a supervisor. The supervisor will conduct an investigation into the complaint. The supervisor will assign the adjudication, take the appropriate action concerning the employee, if any, and return reports to internal affairs.
4. Allegations of criminal behavior will be forwarded to the chief unless, in the police auditor's view, informing the chief will compromise a criminal investigation. In those circumstances, the police auditor may forward the allegation(s) directly to the appropriate government prosecutor.
5. Allegations of misconduct will be forwarded to the chief of police for formal investigation by internal affairs or other department staff if appropriate.
6. The police auditor may choose to contract for an outside investigation to ensure a thorough and objective review of the complaint or if the chief disagrees with the auditor's classification of a complaint as one requiring an internal affairs investigation.
7. Service complaints will be forwarded to internal affairs who will work with the involved employee's supervisor to address any possible employee performance issues and to determine the most appropriate complaint resolution option. The police auditor will be notified of the resolution of the complaint within ten (10) days of the resolution. If the supervisor uncovers possible misconduct during review of the incident, the matter may be reclassified.
8. The police auditor will coordinate with internal affairs to gather appropriate information necessary to resolve inquiries.
9. The police chief may reclassify a complaint; such decisions will be recorded as part of the auditor's complaint handling process.
10. The police auditor will determine if complaints are appropriate for alternative resolution (refer to mediation protocols).
11. The police auditor determines if complaints will be treated as a community impact case and reviewed by the Civilian Review Board prior to closure. A community impact case may include complaints alleging excessive force, bias, disparate treatment, or a violation of constitutional rights.
12. The police auditor's office will notify the complainant, the affected employee and EPEA (if the affected employee is an EPEA-represented employee) about receipt and classification decision within seven (7) business days after the complaint was received.

Auditor Review of Completed Administrative Investigations

1. Allegations of misconduct will normally be investigated by internal affairs. Upon conclusion of the internal investigation, all relevant case files will be provided to the police auditor for review and a determination that the investigation was thorough and complete. The police auditor will make this determination within ten (10) business days of receipt of the completed investigation.

2. The police auditor may require the city to undertake additional investigation if the investigation is deemed incomplete.
3. If the police auditor becomes aware of criminal allegation(s) not previously known, the police auditor will refer the matter to the police chief unless, in the police auditor's view, informing the police chief will compromise a criminal investigation. In those circumstances, the police auditor may forward the allegation(s) directly to the appropriate government prosecutor.
4. After the police auditor has reviewed the investigation and it is deemed complete, the employee's immediate supervisor will develop a case adjudication recommendation after conferring with the auditor. The supervisor's recommendation then will be forwarded through the chain of command to the chief of police for final adjudication. The police auditor may develop independent adjudication recommendations, but is not allowed to recommend the level of discipline for police employees.
5. Adjudications may include the following:
 - a. **Sustained:** The complainant's allegation(s) was determined to be a violation of Eugene Police Department policies, rules and/or procedures and, the employee(s) involved committed the violation(s) as alleged.
 - b. **Insufficient Evidence:** The chain of command was unable to determine whether or not a violation of Eugene Police Department policies, rules, and/or procedures occurred.
 - c. **Unfounded:** The claim is unsubstantiated. It was determined that the employee(s) involved did not engage in the behavior as alleged by the complainant.
 - d. **Within Policy:** It was determined that the behavior of the employee(s) involved did occur but was consistent with Eugene Police Policies, rules, practices and/or procedures.
 - e. **Mediated:** During the process of an investigation it was determined that the case would likely be more successfully resolved through mediation; all parties agreed to mediate the complaint and the mediation process was completed.
 - f. **Administratively Closed:** The investigation is closed prior to reaching a conclusion. For instance, the complainant does not provide the information needed or refuses to cooperate with the investigation. The investigation may be re-activated upon the discovery of new, substantive information or evidence.
6. If the police auditor disagrees with the supervisor's recommendation, his/her disagreements and comments will be documented and forwarded to the chief of police.

Dismissal or Declining Investigation of Complaints

1. Except for good cause, complaints of minor misconduct involving courtesy, communications, and minor rules violations that might be handled as a service

complaint shall be dismissed by the police auditor, if not filed within 60 days of the incident.

2. Except for good cause, complaints of serious misconduct including, for example, excessive force that causes substantial physical injury, egregious act of disparate treatment, or major rules violations shall be dismissed by the auditor if not filed within six (6) months of the incident.
3. A complaint will be dismissed if the complaint is about an employee who does not work for the City of Eugene Police Department. The complaint will also be referred to the appropriate agency if that agency can be identified.
4. A complaint may be dismissed if the complainant could reasonably be expected to use or is using another remedy or channel for resolution of the complaint (for example, a judicial determination of guilt).
5. The police auditor may dismiss complaints that are subject to a judicial, administrative, or other review which will explicitly or implicitly require a finding or ruling on the conduct that is the subject of the complaint.
6. Absent new, substantial evidence or information, a complaint shall be dismissed if the complaint was previously adjudicated. This circumstance may arise if a second person files a complaint about an incident that was previously resolved. It might also arise if the same complainant files a second complaint about a matter that was previously adjudicated.
7. A complaint may be dismissed if the involved employee cannot be identified.
8. A complaint may be dismissed if the involved employee has resigned or has been terminated.
9. A complaint may be dismissed if upon review of the facts presented or information learned during intake, the allegations are found to be illogical, malicious or improbable.

Civilian Review Board Protocol

Community Impact Cases

1. A community impact case is an investigation or complaint involving sworn police personnel that alleges excessive force, bias, disparate treatment or violation of constitutional rights, which the police auditor determines should be reviewed by the Civilian Review Board as a community impact case.
2. If the police auditor selects a case for review as a community impact case, the Civilian Review Board will review a summary of the complaint and investigation and may decide if they will accept this matter as a community impact case. If the Civilian Review Board votes by a majority to review the matter as a community impact case, the chief of police will be notified by the police auditor.
3. The police auditor will monitor and review investigations of community impact cases as s/he would other misconduct investigations.
4. Upon completion of the investigation and preliminary adjudication decision by the police chief, the police auditor will provide the completed investigation to the Civilian Review Board for their confidential review.

5. Members of the Civilian Review Board will not discuss the investigation with anyone other than members of the board or the office of the auditor before the completion of the Civilian Review Board review. Board members may discuss the case with other members of the Civilian Review Board and the Police Auditor. If a board member requires further information to complete their review, they may direct the police auditor to conduct research to report to the Civilian Review Board.
6. If a community impact case is also the subject of an on-going criminal investigation or prosecution, the case will be discussed in executive session when legally permissible.
7. Within 14 days of receiving the case, the Civilian Review Board shall meet in order to discuss and present its determinations on the case. Within 30 days of the receiving the case, the Civilian Review Board will do one or more of the following:
 - a. Concur with the case adjudication;
 - b. Develop recommendations regarding the handling of the complaint and the investigation process, and/or identify other relevant policy or procedural issues for further consideration;
 - c. Require the city to reopen the investigation if it finds either:
 - i. The investigation was incomplete or inadequate, and the civilian review board has reasonable basis to believe that additional investigation is likely to reveal facts that could affect the case adjudication; or
 - ii. The adjudication reached by the city is not supported by substantial evidence.
 - d. Unless the Civilian Review Board has voted to reopen the investigation, the police auditor shall develop a written synopsis of the board's proceedings and conclusions concerning the investigation and will provide that information to the chief of police so that appropriate steps to close the case can be taken.
 - e. When the Civilian Review Board has voted to reopen a community impact case, the police auditor shall inform the Civilian Review Board of the subsequent investigation conducted and the final adjudication decision.
8. The Civilian Review Board will notify the complainant(s) and involved employee of its decision on whether to accept a case for review, and shall inform the complainant, the affected employee(s) and EPEA if an affected employee is an EPEA-represented employee, of its conclusions on the case.

Civilian Review Board Review of Closed Cases

1. Community members, upon receiving the disposition of a complaint previously lodged with the auditor's office, may request that the Civilian Review Board review the complaint investigation and adjudication decision for a determination whether it was handled fairly and with due diligence. The auditor may also recommend the Civilian Review Board review a closed case

that was not previously identified as a community impact case. This review shall not impact the outcome of the case but the board may make recommendations concerning the investigation.

2. The purpose of the Civilian Review Board review of closed cases includes the following:
 - a. Identify deficiencies regarding the complaint system (intake and classification).
 - b. Develop recommendations for process improvements.
 - c. Make judgments about the quality of the investigation.
 - d. Make judgments about the rationale for the case disposition.
 - e. Increase transparency by the public discussion of a complaint.
3. The Civilian Review Board shall develop criteria to decide whether to accept a case for review. However, the Civilian Review Board may not accept a completed case that was previously reviewed as a community impact case.
4. All materials contained in the investigative file concerning the completed investigations of cases the Civilian Review Board selected to review will be made available to members for their confidential review.
5. The police auditor will prepare a case summary for use during the public meeting of the Civilian Review Board. This summary will strive to protect confidentiality of the complainant(s) and the police employee(s).
6. The Civilian Review Board may review a random sample of complaint intake and classification decisions by the auditor in order to ensure complaints are handled with due diligence.
7. The Civilian Review Board may review an investigation when the complainant requests that the board do so. The request by the complainant may be made in writing, by appearance at a scheduled board meeting, by e-mail, telephone or FAX.
8. The Civilian Review Board will report annually to the City Council concerning the following:
 - a. A summary of the Civilian Review Board's Activities, findings and recommendations during the preceding year;
 - b. Assessment of the performance of the police auditor consistent with section 2.233(7) of the ordinance.
 - c. Evaluating the work of the auditor's office, including whether it is functioning as intended.

Public Comment

1. The Civilian Review Board will hold public comment period at its meetings at least quarterly.
2. The purpose of public comment will be to gather information about community concerns and about specific police actions. This information may be forwarded to the police auditor for processing and/or intake or to the Eugene Police Commission in order to review policy matters.

3. Public comment about incident specific police actions may not occur at the same meeting as the Civilian Review Board is reviewing the investigation of the incident.
4. Public comment is limited to three minutes. Generally, the speakers will be called upon in order in which to “request to speak” forms are received by staff at the meetings. No persons will be allowed to complete a request to speak form more than 15 minutes prior to the start of the meeting.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session - City of Eugene/Lane Community College Partnership

Meeting Date: May 25, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item: 2
Staff Contact: Sarah Medary
Contact Telephone Number: 541-682-5010

ISSUE STATEMENT

The City of Eugene and Lane Community College (LCC) jointly developed a 3-year lease agreement for sharing office space in the Lane Community College Mary Spilde Downtown Center in December 2020. The purpose of this work session is to provide an update on the use of the space and discuss potential options for a longer-term partnership.

BACKGROUND

The City and LCC partnership, related to the Lane Community College Downtown Center, dates back to 2009 when the two agencies collaborated in locating the academic and student housing campus downtown. The downtown campus has become a landmark facility in downtown and has provided opportunities for education, small business support and the community. The City has leased space at the LCC Downtown Center for Eugene Police Services for approximately 10 years.

In 2020, City and LCC staff began discussing opportunities for expanding leased space in the academic portion of the facility. The City had interest in consolidating City Council and City Manager's Office services. This aligned with LCC's interest in leasing out more space in the building. LCC was able to provide approximately 14,500 square feet of office and meeting room space to accommodate Mayor and City Council offices and meeting spaces, City Manager's Office, City Attorney's Office and the Office of Human Rights and Neighborhood Involvement. City services are located throughout the first three floors.

In January 2021, City staff moved operations into the building. Except for large multi-purpose spaces, the transition to the new space occurred very quickly. LCC provided for use of existing furniture, cubicles, and other assets to utilize as much existing infrastructure as possible. Prior to the move, staff lacked adequate meeting spaces for mid to large size groups. The City leased spaces at LCC are being utilized for public and internal meetings.

The City and LCC collaborated in establishing a public meeting space on the first floor of the building that can accommodate both City Council and LCC Board meetings. The technology in the space enables meetings to be livestreamed and broadcast on Channel 21 (via Metro) including the ability for hybrid meeting attendance for elected officials, staff and the public. The large meeting space also includes a hearing loop system which provides enhanced accessibility for attendees that use hearing devices.

The LCC Downtown Center is located adjacent to the City of Eugene Library and Atrium and has consolidated a large portion of City services near each other in the heart of downtown. This has also been an operational benefit for cross-organizational work.

The existing lease agreement is mid-way through the 3-year lease term. City staff have been meeting with LCC about the current lease and potential for a longer lease term and possibilities for expanded space. A space needs assessment that considers increasing the City of Eugene's footprint at LCC is in progress. At the work session, staff will provide more information about space utilization, future needs, and steps to secure space beyond the 3-year lease period.

The move to Lane Community College was intended to provide an interim step to a future City Hall discussion. Since that decision, COVID-19 has caused delays in initiating the next phase of City Hall discussions and actions and City Council has just recently started using the LCC leased space in person. Because of those delays, it is not possible to design and construct a City Hall prior to the expiration of the City's current lease term.

This work session is an opportunity to discuss options going forward and to give City Council an opportunity to provide feedback on what options staff should explore with Lane Community College for a longer-term partnership. Staff anticipates returning to City Council in June with options based on feedback from this work session.

COUNCIL OPTIONS

This is an informational work session. No specific action is requested at this time.

FOR MORE INFORMATION

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