MINUTES

Eugene City Council
McNutt Room—City Hall
777 Pearl Street—Eugene, Oregon

December 14, 2011
Noon

COUNCILORS PRESENT: Betty Taylor, George Brown, Andrea Ortiz, George Poling, Mike Clark, Chris Pryor, Alan Zelenka, Pat Farr.

Her Honor Mayor Kitty Piercy called the December 14, 2011, work session of the Eugene City Council to order and noted the agenda had been amended with the addition of a work session on Occupy Eugene.

A. WORK SESSION: Occupy Eugene

City Manager Jon Ruiz reminded the council that it directed him to meet with representatives of Occupy Eugene to discuss their response to the motion speaking to the future of the encampment that was proposed by Mr. Zelenka on December 12. He called the council's attention to the responses the council received earlier that day from Michael Carrigan and Lauren Regan on behalf of Occupy Eugene, which reaffirmed the consensus of the General Assembly of Occupy Eugene to remain at Washington-Jefferson Park until a permanent camp was established. City Manager Ruiz reported that Occupy Eugene had no interest in working on a transition plan that did not result in a permanent camp and Occupy Eugene representatives feared any interruption of the camp would mean occupants would lose the spirit of the current camp. Occupy Eugene advocated for a third-party entity to provide outside reports and advice.

Police Chief Pete Kerns reported that Occupy Eugene was paying for gray water disposal and agreed to pay the costs of the garage removal previously paid for by the City.

Chief Kerns reviewed a list of items proposed by the City to Occupy Eugene intended to improve the safety of camp occupants and Eugene Police Department (EPD) officers. The list included a prohibition on structures other than tents and called for tents to meet fire safety requirements. Organizers were asked to resituate the tents on the sites so that they were no longer in clusters covered with tarps. The City also asked that bows, crossbows, firearms, hatches, axes, and knives be added to the list of weapons prohibited on the site. Chief Kerns acknowledged that Occupy Eugene expressed concern about a prohibition on knives and hatches and agreed to further discussion. Occupy Eugene expressed no opposition on prohibitions on alcoholic beverages and controlled substances, agreed that all propane, kerosene, and gasoline heaters or generators must be code-compliant, and did not debate about compliance with other State and local laws.

Chief Kerns reported that Occupy Eugene had asked the City to allow warming fires on the site; allowance of such fires would require a change the City Code.

Chief Kerns said he recommended to Occupy Eugene representatives that they establish a clearly marked area for children's tents and prohibit any adults from being with the children unless they were related or

had status as a guardian. He proposed that the City erect construction lamps for increased night time safety.

City Manager Ruiz spoke to Occupy Eugene's desire for open fires, saying that request could be accommodated immediately if the council unanimously agreed to consider an ordinance changing the code. Such an action required a public hearing and six councilors must vote affirmatively for the ordinance to take effect. He called attention to a staff-prepared ordinance provided to councilors that amended the code to allow open fires at the Occupy Eugene site. City Manager Ruiz recommended that the council allow fires for humanitarian purposes if it decided to grant the extension.

City Attorney Klein called the council's attention to another staff-prepared ordinance amending the code to allow a tent to be defined as a vehicle for purposes of the Car Camping Program and indicated the process to move forward was the same as described by City Manager Ruiz for the ordinance regarding open fires.

City Attorney Klein then discussed the legal requirements for establishing a permanent camp in Eugene, reporting that such a camp could only be established using the City's conditional use permit (CUP) process, which took about 120 days in the absence of appeals to the Land Use Board of Appeals. He estimated it would take four months from the date of the completed application to approval. Such a use could be located only on C-4 or I-2 property. The existing site was zoned Public Lands. It would require a code amendment to change the zoning. City Attorney Klein estimated that process would take four months.

City Manager Ruiz contrasted the staff-prepared motion to Mr. Zelenka's motion of December 12.

Chief Kerns responded to a question previously asked by Ms. Ortiz regarding the City's costs for the events of June 1, 1997, reporting that the police response cost $20,000, which would be $32,000 in today's dollars. Ms. Ortiz requested the cost of associated lawsuits for a better a sense of the overall costs associated with that event.

Mayor Piercy solicited council comments and questions.

Mr. Clark suggested it was not productive to discuss a transition when Occupy Eugene was not interested in such a transition. It was clear to him that the community that had been created was the protest, and in its absence the organizers were unwilling to do anything else; the encampment was the point. It would require a lengthy process to establish a permanent camp if a site could even be identified. Mr. Clark was unwilling to wait for months while Occupy Eugene developed a solution it found acceptable.

Mr. Farr said if the proposed motion passed he would support both staff-prepared ordinances. He was concerned about amount of money the council was being asked to spend on the transition.

Mr. Poling indicated there were elements of the motion he could support but acknowledged the considerable constituent feedback he received demanding the camp be relocated or shut down. He understood the issues involved and sympathized with both the homeless and the original intent of the Occupy movement. Mr. Poling agreed there things that were wrong. Some of them the council could address locally and others it could not.

Mr. Poling expressed support for maintaining the December 15 deadline while the council continued to work on issues the City could address without taking money from the parks, Buckley House, and the Road Fund. He believed there were more residents counting on those funds than there were camping in

the park. They were demanding the council spend their money wisely and did not consider the proposal a wise use of money. Mr. Poling pointed out that local media polling indicated overwhelming support for ending the encampment. Many residents who contacted him said they initially supported the encampment but no longer did. He also spoke to many experts who indicated such camps do not work to solve the homeless problem. Mr. Poling believed it was time for the council to do what must be done to reclaim the park as well as to reclaim its focus on what it was supposed to be doing rather than being guided by outside parties.

Mr. Poling disagreed with City Manager Ruiz's desire to defer a decision to end the encampment to the council rather than end it on his own but did not blame him. He said the council created the situation and now needed to fix it.

Mayor Piercy suggested that residents held strong positions, both pro and con, about the basic political principles espoused by Occupy Eugene and that those feelings had continued even when the homeless element was added should surprise no one. She discounted media polls as nonscientific and suggested they were responded to by people who tended to be against things.

Mayor Piercy said the homeless issue had been a long-time problem and long before the encampment was established the City was receiving complaints about the homeless from all over the community. Occupy Eugene had tried to address those problems in its own way. The City was now faced with what it would do as a result of that work. She did not think the issue was supposed to be politicized or a taking sides situation but one that called on all councilors to use their deepest wisdom in addressing the social issue of homelessness.

Ms. Ortiz maintained that media polls were responded to by those who had homes, computers, and televisions to watch, and were not working two or three jobs. She considered such polls a snapshot of people's opinions in time. The input she received was 80 percent in favor of maintaining the encampment.

Ms. Ortiz had no objections to continuing the encampment because it brought attention to the problems of the homeless. She acknowledged the cost involved and was challenged by the recommendation to take money away from Buckley House. However, she supported the manager's recommendation.

Mr. Brown acknowledged that the last homeless camp did not work but suggested that did not mean another homeless a camp might not succeed now given the community's support for the Occupy Eugene encampment. He advocated for future discussion on the subject. Mr. Brown asked that the recommendations of the Council Committee on Human Services Funding be moved up on the council's agenda to inform future discussions of funding for homeless services.

Mr. Zelenka agreed with the mayor that there were strong feelings about Occupy Eugene on all sides. He also discounted media polls as meaningless and nonscientific. He believed that Occupy Eugene had highlighted the issue of homelessness. Before Occupy Eugene the homeless were scattered and hidden. The problems and costs remained, but they were just hidden and in different places. He suggested the council now had an opportunity to make an incremental difference in the homeless issue.

Mr. Zelenka agreed with Mr. Poling that experts did not believe a permanent camp would work because the dysfunctional occupants would take over. He wished Occupy Eugene success but he was skeptical about the outcome. He reconfirmed the timing of the CUP application process with City Attorney Klein.

Ms. Taylor concurred with Occupy Eugene's suggestion that the council postpone its decision to January 9 because she felt the proposal was too sudden for people to come up with a plan. She also pointed out the weather would be colder in January and questioned what would change between now and the deadline, which she did not support. She asked staff to define "transitional services." City Manager Ruiz envisioned that the City would develop more near-term ways to help people who were camping move to legal shelters. He pointed to the staff recommendation to expand the camping ordinance to define tents as vehicles and to establish a temporary wet housing facility as examples of transitional services. In the meantime, the task force would develop other strategies. Ms. Taylor questioned whether there would be sufficient legal shelters. She supported the recommendation to expand the car camping program.

Mr. Pryor commended Occupy Eugene for drawing attention to the plight of the homelessness. He did not want to return to a situation where the homeless went back into the bushes and under the bridges. However, he had been clear with representatives of Occupy Eugene that he did not support a permanent camp. He wanted to work with Occupy Eugene in a meaningful and effective way but did not think a permanent homeless camp was the solution. Mr. Pryor said that raised the question of the purpose of the extension and its results. He did not support an extension intended to provide time for a permanent camp location to be found. He did support an extension that allowed time for the homeless now living at the Occupy Eugene encampment to transition into more appropriate situations.

Mayor Piercy observed that she was not hearing sufficient council support for a permanent camp. She interpreted that as meaning that extending the exemption to the camping ban did not mean an extension to create a process for a permanent camp but rather an extension to create time for a transition.

Mr. Clark questioned Occupy Eugene's willingness to leave Washington-Jefferson Park site. He pointed to Occupy Eugene's Facebook site, where posters had demanded the City work with it to make substantive changes and threatened that if it did not, they would protest where and when they wanted for as long as they wanted. He believed if the council approved the exemption it would be "kicking the can" 45 days down the road days to another impasse. Mr. Clark believed the funding being spent on Occupy Eugene could be much better spent serving the larger community. He pointed out the council had not yet addressed the long-term costs of the police coverage required for Occupy Eugene.

Mr. Farr did not think the subject of homelessness was a political issue. He believed it was a human condition issue that transcended politics.

Speaking to the subject of media polls, Mr. Farr noted that a scientific poll had been conducted that indicated about 35 percent of Eugene residents approved the City's expenditures on Occupy Eugene.

Mr. Farr noted the community's long history of work on the homeless, beginning in 1947. He believed that Eugene residents were keenly aware of the problem of homelessness and had done a lot about it. He referred the council and audience to a five-page chronology of the City's work on homelessness that could be found on his Web site, Forum Lane.

Mr. Farr questioned the nexus between the funding proposed and the service to be funded. He suggested that the funding come from the next year's public safety and human services budgets rather than already funded capital programs.

Mr. Brown believed the council had been asked to approve a straightforward, sensible, rational plan for transitioning the homeless now staying at the Occupy Eugene encampment. He did not know or care what the Occupy Eugene organizers would do. He was focused on the needs of the street youth and the homeless. He did not think the council needed to get into the topic of a permanent camp because the task

force could discuss that subject. He believed a wet bed facility represented a step forward and would result in a tremendous savings. He suggested the lack of a wet bed facility contributed to the failure of the City's previous homeless camping program.

Mr. Brown expressed concern that 45 days was not sufficient time for a resolution to be reached.

Mr. Zelenka agreed with Mr. Farr that the issue regarded the human condition. Speaking to Mr. Brown's remarks that the task force could discuss a permanent camp, Mr. Zelenka pointed out the lengthy time line associated with that process and concluded that such a camp was not an option with the timeline contemplated.

> Mr. Zelenka, seconded by Mr. Brown, moved that the council create a community task force on homelessness, to be appointed by the mayor, to develop a set of recommendations over the next 90 days for council consideration, with the task force composed of council members, Occupy Eugene representatives, non-profit agencies, and other community members;
>
> Authorize the City Manager to create, or contract, with a non-profit agency for a short-term site, like an Egan Warming Center, for the rest of winter specifically for chronic homeless with behavioral and additional issues that would be open seven days per week from approximately 5 p.m. to 8 a.m.;
>
> Authorize the City Manager to contract with one or more nonprofit agencies to lead an effort to mobilize and coordinate transitional human services for homeless who are now camping at Washington-Jefferson Park, including an expansion of the car camping program;
>
> Authorize the City Manager to spend up to $300,000 for transitional services for people camped at the Occupy Eugene site and for police and other City services at the Occupy Eugene site, with the first $35,000 coming from Council Contingency, the next $100,000 from funds approved in Supplemental Budget #1 for parks maintenance, the next $100,000 from the funds approved in Supplemental Budget #1 for street maintenance, and the final $65,000 from the funds approved in Supplemental Budget #1 for Buckley House and street gang issues;
>
> Amend the council's November 9 motion to extend the exemption under Section 4.815 of the Eugene Code one final time until noon on January 29 and direct the City Manager to ensure all campsites are removed from Washington-Jefferson Park as soon as practicable after the January 29 ending date; and
>
> Direct the City Manager to request that the mayor schedule an emergency meeting of the council to consider revocation of the exemption if the City Manager believes the Occupy Eugene camp poses an immediate or ongoing risk to public health or safety.

Responding to a question from Mr. Zelenka about how the City could improve safety at the encampment, City Manager Ruiz reminded the council of the list reviewed by Chief Kerns and anticipated that as the list was implemented safety conditions would improve and the demand on City resources would decrease.

Mr. Zelenka reiterated that he was not supportive of extensions intended to lead toward a permanent camp because he believed the time line involved was unrealistic.

Mr. Pryor asked Mr. Zelenka what benefit he perceived from extending the camp to January 29. Mr. Zelenka suggested that the added time would allow the council to discuss the potential of a permanent camp. Mr. Pryor was willing to extend the deadline to early January to help in the transition but he did not support the later date because he did not support establishment of a permanent camp. He sought to establish a meaningful transition period that would allow the homeless at the camp to receive services and suggested January 11 instead. Mr. Zelenka and Mr. Brown accepted Mr. Pryor's suggestion as a friendly amendment to the motion with the expectation that the council would discuss the subject on January 9.

Ms. Ortiz supported the earlier date. She asked what would happen if the homeless at the site did not want to transition to another situation. She was not interested in seeking a permanent camp site but did not object to allowing Occupy Eugene to stay in place for a while. She determined from City Attorney Klein that the City did not own any sites that were appropriately zoned for use as a camp.

Mr. Clark supported a transition period. He did not think the council could just "slam the door" on Occupy Eugene, although he acknowledged he had heard from many constituents who wanted the City to do just that. While he did not think that was reasonable, he reiterated his concern that the council would find itself in the exact same position in four weeks. He believed the council was capitulating to Occupy Eugene in a way that was both reckless and irresponsible. It was reckless to put more people the encampment in danger because of poor safety conditions and bad weather, and irresponsible to redirect funding already dedicated to other services to help the homeless campers at Occupy Eugene transition to other situations when they refused to.

Ms. Taylor pointed out that Occupy Eugene had never asked the City for money but instead relied on donations. She did not support the sources identified for transition assistance and agreed with Mr. Farr that the funding should come from human services. She suggested that "everything is political."

Ms. Taylor moved that the council postpone voting until January 9.

The motion died for lack of a second.

Mr. Brown clarified he was not advocating for a permanent camp right now. He mentioned the possibility because of the community's past experience because he thought it might be a discussion topic for the community task force. Mr. Brown perceived the manager's proposal as calm, reasonable, and sensible. It addressed an unusual situation that the council had not faced before. He did not think that it was capitulation to work with Occupy Eugene. He emphasized the transitional nature of the proposal. He reiterated his concerns about the proposed deadline and suggested the council be prepared to extend the deadline another 45 days.

Mr. Clark, seconded by Mr. Poling, moved to extend the meeting for 15 minutes. The motion passed unanimously.

Mr. Poling, seconded by Ms. Taylor, moved to separate the motion. The motion passed, 7:1; Mr. Brown voting no.

The council considered the first element of the motion:

That the council create a community task force on homelessness, to be appointed by the mayor, to develop a set of recommendations over the next 90 days for council

consideration, with the task force composed of council members, Occupy Eugene representatives, non-profit agencies, and other community members.

Mr. Farr said the reality was that the homeless in Occupy Eugene were homeless before and would be homeless when the encampment was gone. He recommended that the Council Committee on Homelessness and Youth be reformed to consider the issues that had been highlighted by Occupy Eugene in a controlled environment with individuals who could actually make binding agreements with the City.

Mr. Clark understood the challenges faced by the homeless and was willing to address those challenges in a structured, council-based manner. He was not willing to have a discussion with those who insisted the City "negotiate or else."

Mayor Piercy emphasized the proposed task force would be a City creation.

The vote on the motion was a 4:4 tie; councilors Ortiz, Pryor, Zelenka, and Brown voting yes, and councilors Taylor, Poling, Clark, and Farr voting no. Mayor Piercy cast a vote in support of the motion and it passed on a final vote of 5:4.

The council considered the second element of the motion.

Authorize the City Manager to create or contract with a non-profit agency for a short-term site, like an Egan Warming Center, for the rest of winter specifically for chronic homeless with behavioral and additional issues that would be open seven days per week from approximately 5 p.m. to 8 a.m.

Responding to a question from Mr. Poling, City Manager Ruiz did not envision the City would create a new nonprofit agency to provide the services contemplated, but rather would contract with a nonprofit for a temporary wet bed facility. He anticipated a cost of $40,000 to $50,000.

Mayor Piercy believed the reference in the motion to "additional issues" should actually be to "addiction issues."

Mr. Clark, seconded by Mr. Poling, moved to amend the motion to remove the words "create or" and to replace "additional issues" with the phrase "addiction issues" and to direct the dollar figure to be $35,000 maximum from Council Contingency.

Mr. Clark believed the coming winter would be cold and he perceived the motion as a humanitarian effort to expand the Egan Warming Center program.

Mr. Pryor pointed out that Egan Warming Center was operated by St. Vincent de Paul in various locations. The current contract was for about $50,000 and he doubted the City could provide the service with less than that. He recommended the motion be revised to indicate the manager was authorized to spend up to $100,000. Mr. Pryor further proposed that the additional $65,000 would come from the funding approved for parks maintenance in Supplemental Budget #1. Mr. Clark and Mr. Poling accepted that as a friendly amendment to the amendment.

Mr. Brown believed it was a mistake to put a dollar amount on the proposed facility. He pointed out the facility was a new mechanism for the community that would require very specialized supervision and the City had no real concept of the need. He suggested that such details be left to the task force.

Mr. Poling expressed concern about the impact of the motion on parks maintenance. He considered it a poor management of funds to use that funding given the many people who used City parks. He predicted the City would find itself with the same gap in funding for parks maintenance it faced with road maintenance with the result that some of the parks will be in such poor condition they would be unusable.

Responding to a question from Mr. Zelenka about the cost of the proposed wet bed facility, City Manager Ruiz believed the facility would easily cost $50,000 for three months. If the council placed a dollar limit on the service, staff would design it accordingly.

Mr. Zelenka pointed out to Mr. Brown that the proposed facility would be operational before the task force met.

The amendment to the motion passed, 5:3; councilors Taylor, Poling, and Farr voting no.

The amended motion passed, 5:3 councilors Taylor, Poling, and Farr voting no.

Mr. Clark, seconded by Ms. Ortiz, moved to extend the meeting for another 15 minutes. The motion passed unanimously, 8:0.

The council considered the third element of the motion.

Authorize the City Manager to contract with one or more nonprofit agencies to lead an effort to mobilize and coordinate transitional human services for homeless who are now camping at Washington-Jefferson Park, including an expansion of the car camping program.

Mr. Clark said he would vote against the motion because he did not believe the Occupy Eugene participants would take advantage of transitional services.

The motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

The council considered the fourth element of the motion.

Authorize the City Manager to spend up to $300,000 for transitional services for people camped at the Occupy Eugene site and for police and other City services at the Occupy Eugene site, with the first $35,000 coming from Council Contingency, the next $100,000 from funds approved in Supplemental Budget #1 for parks maintenance, the next $100,000 from the funds approved in Supplemental Budget #1 for street maintenance, and the final $65,000 from the funds approved in Supplemental Budget #1 for Buckley House and street gang issues.

Councilors acknowledged that the amounts involved in the motion had changed because of their action on the second element. City Attorney Klein recommended that the motion be revised to refer to $200,000 for transitional services, $35,000 from parks maintenance, $100,000 from street maintenance, and $65,000 from the funds approved for Buckley House, so the motion now read (struck text deleted; italicized text bolded):

*Authorize the City Manager to spend up to **$200,000** ~~$300,000~~ for transitional services for people camped at the Occupy Eugene site and for police and other City services at the Occupy Eugene site, with the first $35,000 coming from ~~Council Contingency, the next~~*

~~$100,000 from~~ funds approved in Supplemental Budget #1 for parks maintenance, the next $100,000 from the funds approved in Supplemental Budget #1 for street maintenance, and the final $65,000 from the funds approved in Supplemental Budget #1 for Buckley House and street gang issues.

Ms. Ortiz determined from Assistant City Manager Sarah Medary that the motion would not impact the City's funding commitment for Buckley House.

Mr. Farr believed the funding sources identified were outrageous.

Mr. Clark agreed with Mr. Farr, saying they were both outrageous and wrong. The council had already debated the expenditures involved and the only thing that had changed since its decisions was Lane County's decreasing ability to fund Buckley House. He said the motion put Buckley House at risk and he did not support it.

Mr. Poling believed that the council would be sending a terrible message if it passed the motion. The average resident did not understand public budgeting and how dollars were earmarked for specific purposes, and when residents heard the City planned to spend $100,000 from the Road Fund they were less likely to support a road repair bond. He believed the expenditures in question needed to remain in place.

Responding to a question from Mr. Zelenka, Ms. Cutsogeorge recalled that the Budget Committee adopted a motion that provided $450,000 for Buckley House and gang prevention, with those expenditures to be determined by the manager. Mr. Zelenka suggested that the funding could come from the amount needed for gang prevention, leaving Buckley House untouched. City Manager Ruiz concurred.

Mr. Zelenka, seconded by Ms. Ortiz, moved to amend the motion to remove the reference to Buckley House.

Mr. Pryor determined from City Manager Ruiz that he recommended the revenue sources being discussed because they were already appropriated in the budget and accounted for in the forecast. A different funding source would merely add to the City's revenue gap. Mr. Pryor further determined that the proposed amount was predicated on the January 29 date. Mr. Pryor asked if a January 11 deadline decreased those costs. City Manager Ruiz believed that the money the City spent on public safety could go down somewhat.

Mr. Clark, seconded by, Mr. Brown, moved to extend the meeting for ten minutes. The motion passed, 7:1; Mr. Farr voting no.

Responding to a suggestion from Mr. Zelenka that the fund sources be left to the manager's discretion, City Manager Ruiz indicated he was likely to employ the same funding sources if given that direction.

Mr. Zelenka shared some of Mr. Poling's concern about the public perception of the shift from Road Funds. City Manager Ruiz pointed out the council could use more of funding intended for gang prevention. Mr. Zelenka preferred that course.

Mr. Clark reiterated his belief the motion was irresponsible. He pointed out the community had a growing gang problem, which was an immediate public safety issue, and the council had wisely chosen to

provide some funding to the EPD to address it. He objected to changing that direction because of pressure from Occupy Eugene.

The amendment to the motion passed, 6:2; Mr. Farr and Mr. Poling voting no.

The vote on the amended motion was a 4:4 tie; councilors Ortiz, Pryor, Zelenka, and Brown voting yes, and councilors Taylor, Clark, Poling, and Farr voting no. Mayor Piercy cast a vote of support for the motion and it passed on a final vote of 5:4.

The council considered the fifth element of the motion.

Amend the council's November 9 motion to extend the exemption under Section 4.815 of the Eugene Code one final time until noon on January 11 and direct the City Manager to ensure all campsites are removed from Washington-Jefferson Park as soon as practicable after the January 11 ending date.

Mr. Poling, seconded by Mr. Clark, moved to amend the motion to direct the City Manager to ensure that all camp sites are removed from Washington-Jefferson Park no later than seven calendar days after the December 15 deadline.

Mr. Poling said the issues that Occupy Eugene had raised did not require that people camp outside.

Mr. Clark believed the motion was the responsible thing for the council to do; otherwise, he feared the council was "playing Russian roulette with people's safety."

The amendment to the motion failed, 5:3; councilors Poling, Clark, and Farr voting yes.

Mr. Brown expressed concern that January 11 might not be enough time. While he hoped it was, he wanted to be sure that the council had the opportunity to consider such an extension.

Ms. Taylor, seconded by Mr. Brown, moved to change the deadline to February 28. The motion failed, 6:2; councilors Taylor and Brown voting yes.

The motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

The council considered the sixth element of the motion.

Direct the City Manager to request that the mayor schedule an emergency meeting of the council to consider revocation of the exemption if the City Manager believes the Occupy Eugene camp poses an immediate or ongoing risk to public health or safety.

Mr. Poling noted that many councilors might be unavailable over the holidays and questioned if the motion was necessary. He believed the City Manager could make that decision. He asked the manager what threshold would trigger a revocation. City Manager Ruiz suggested it was likely no single incident but rather the totality of the camp's condition that would cause him to request an emergency meeting. He would work with Occupy Eugene to ensure that conditions for campers and the police were as safe as possible and consider the situation on a day-to-day basis.

City Attorney Klein noted that only the council had the authority to revoke the exemption.

Mr. Clark wanted the council to define the threshold for the City Manager and wanted the manager to make the decision in accordance with that threshold. He did not want to remove the manager from the decision loop, however, given the manager's administrative responsibilities. City Manager Ruiz acknowledged that was generally his preferred position. He felt the decision would have policy implications that only the council could decide and his decision would be as contentious as a council decision.

Ms. Ortiz indicated support for the motion because she felt the council had responsibility to make the decisions involved. Mr. Zelenka concurred.

Mr. Brown also supported the motion. He said the council was elected to make such decisions.

The motion passed, 5:3; councilors Poling, Clark, and Farr voting no.

Ms. Ortiz, seconded by Mr. Brown, moved to extend the meeting for 15 minutes. The motion passed, 7:1; Mr. Clark voting no.

Council Coordinator Beth Forrest distributed copies of a draft emergency ordinance temporarily allowing tent camping in areas where car camping was permitted and a draft emergency ordinance that provided an exemption to the ban on open fires.

City Attorney Klein asked if all the councilors were willing to proceed with the proposed emergency ordinance with abbreviated notice to the audience. Mr. Poling declined to proceed. City Attorney Klein said in that case, the council could not move forward.

B. WORK SESSION:
Envision Eugene – Implementation

Due to a lack of time, this item was not addressed.

Mayor Piercy adjourned the meeting at 2:12 p.m.

Respectfully submitted,

Beth Forrest

Beth Forrest
City Recorder

(Recorded by Kimberly Young)