

MINUTES

Eugene City Council Virtual Work Session Eugene, Oregon 97401

March 14, 2022
5:30 p.m.

Councilors Present: Claire Syrett, Matt Keating, Jennifer Yeh, Emily Semple, Alan Zelenka, Randy Groves, Mike Clark, Greg Evans

Councilor Clark joined the meeting at 5:47 p.m.

Councilor Evans joined the meeting at 6:00 p.m.

Mayor Vinis opened the March 14, 2022, work session of the Eugene City Council in virtual format.

1. WORK SESSION – MovingAhead Deliberation and Action

Transportation Planning Manager Rob Inerfeld, Principal Planner Terri Harding, and Lane Transit District (LTD) Development Planner Andrew Martin presented on the MovingAhead project, an implementation effort that will result in prioritized investments in transit, walking and biking projects on five corridors identified in Envision Eugene, LTD's Long-Range Transit Plan, and the Eugene 2035 Transportation System Plan. This work session provided an opportunity for the City Council to select locally preferred alternatives for the five MovingAhead corridors and to prioritize corridors for implementation.

Council Discussion:

- Councilor Semple – discussed public concerns over decreasing ridership; noted this plan prioritizes funding and initiatives, nothing is fully confirmed and there remains time for public input and adjustments to the plan.
- Councilor Yeh – discussed personal experiences with LTD buses and ridership; discussed importance of having this service available to residents; thanked staff for their efforts and communications.
- Councilor Syrett – asked about Councilor attendance; expressed excitement for presented alternatives and work ahead; noted there will be much more refinement/scrutiny of this plan over time, but priorities must first be set; addressed input from constituents regarding EmX service area; stated she has not been contacted by any property or business owner along River Road who opposed this plan.
- Councilor Keating – noted this as a long-term investment in the future of Eugene; asked staff to address concerns about the impact of MovingAhead on the urban canopy.
- Councilor Groves – discussed the importance of MovingAhead and access to housing corridors; stated he seeks the middle ground on most issues and MovingAhead is that.
- Councilor Syrett – reminded all that West 11th EmX expansion resulted in twice as many trees replanted than those that necessitated removal.
- Mayor Vinis – noted that even though this has taken a long time and much discussion, the timing is good due to recent state and federal commitments to infrastructure

investments; stated she is looking forward to the upcoming work on this and conversations with the community.

MOTION: Councilor Syrett, seconded by Councilor Keating, moved to approve the resolution attached to the AIS as Attachment [A], entitled “Approval of Moving Ahead Locally Preferred Alternatives.”

- Councilor Clark – asked staff for detail on design requirements for the Coburg Road corridor; noted he supports a great deal of this plan but struggles with other parts.
- Councilor Semple – asked if the vote could be postponed until Councilor Evans arrived.

VOTE: PASSED 6:1, Councilor Clark opposed, Councilor Evans absent.

2. WORK SESSION – Potential Amendment to Penalties for Violation of EC 4.830 (Portion of Street Reserved for Vehicular Traffic)

Public Works Director Matt Rodrigues provided information to City Council on an increase in public concerns over unauthorized uses of space within the curb line of city streets, including storage of materials, staging of construction activities, or placement of tents or other non-vehicular shelters. This work session gave Council an opportunity to consider and discuss with staff a potential code amendment for addressing violations of Eugene City Code (EC) 4.830 (Portion of Street Reserved for Vehicular Traffic) that impose an immediate safety hazard. The code amendment would add an enhanced penalty to EC 4.990 for a “willful violation” of EC 4.830.

Council Discussion:

- Councilor Zelenka – asked for examples of incidents that were not corrected quickly enough and ending up causing safety issues; clarified that permits can still be issued for legal non-vehicular right-of-way usage and safety requirements.
- Councilor Groves – noted examples of non-vehicular violations in West Eugene; advocated for addition to parking code addressing chronic violators; noted upcoming sunset of one-year administrative order on parking ordinance amendments and said he hopes they will come back to Council for an extension.
- Councilor Keating – asked how many times per year the \$250 citation is currently used and the approximate number of repeat offenders annually; stated he thinks that, as a community, Eugene embraces the education piece but enforcement remains challenging; asked for more information from stakeholders, like the Police Commission and Police Chief, about a third deterrent woven into this, such as 150 days of community service or another, more empathetic approach.
- Councilor Clark – appreciated comments from Councilors Groves and Keating; stated the City has been enabling people to be a danger to others by lacking code provisions; suggested the threat of jail time is far more compelling than fines that most offenders are unable to pay; discussed contradictions in City laws between actions toward businesses and other property expansions versus letting the unhoused expand into the street, possibly threatening others' safety, without real efforts to stop them.
- Councilor Syrett – asked if it is the Eugene Police or Public Works staff who make the determination that something presents an immediate safety hazard; asked if violations would be eligible for community court if they occur in the coverage area; stated the

leverage of potential jail time make sense, but said she also does not want the City to be accused of arresting people for being homeless; requested another work session to allow for outreach and gauging community support.

- Councilor Yeh – stated support for option B and pursuing another work session; asked if the majority of the pre-COVID violations were unhoused individuals or construction-related; shared concerns that the fine is not a deterrent for those unable to pay the fine, and that jail time is not a deterrent when officers do not intend to take them; clarified that the ability to arrest someone also grants the ability to move their items from the right-of-way.
- Councilor Semple – noted the danger of these willful violations; concurred that jail time or fines will not be effective; expressed support for another work session on this topic.
- Councilor Clark – expressed appreciation for councilors' points of view; stated the level of upset and frustration in constituents and business owners is far greater than any potential upset over accusations of jailing the homeless; stated he wants officers to have the tools needed to address this issue.
- Councilor Groves – emphasized this will allow officers to immediately address the situation as soon as it becomes a willful violation; noted the problem is not getting better for the community and has persisted and gotten worse.
- Councilor Syrett – stated she is not afraid of offending others for the sake of progress and only mentioned accusations of “arresting the homeless” so people would know to expect it.
- Councilor Evans – noted he gets the same complaints as Councilor Groves about West Eugene and similar issues in his ward; highlighted the need to deal with those committing crimes and threatening others; said this is a “chicken and egg” scenario, in that the City does not have resources to deal with issues on the streets and the poverty generating them, which often turns into crime, which the City also does not have the resources to deal with; said work must be done with county and state partners on a solution to the unhoused crisis; stated it needs to be made clear that if you commit a crime, you will be held accountable.
- Councilor Keating – stated he believes it is paramount to find a third option for violators that does not prevent peace officers from performing their duty; asked for a more thoughtful approach to handling violations from the unhoused.
- City Attorney – noted that community service does not have to be included in code to be an option for the judge to sentence it in lieu of jail time or a fine.
- City Manager – stated she has been pushing staff to bring back options and tools to help the situation get better for those struggling and believes this is that tool, as it features a mix of options and more comprehensive ways to address the variety of issues.
- Councilor Syrett – reminded everyone that Council is about to go on break for a month and it will some time before a public hearing can take place; stated support for moving forward to a public hearing.
- Councilor Yeh – stated she is comfortable with option A; noted ongoing support Council has provided to Eugene Police; asked to be made aware of anything police staff have requested that is yet unanswered or was not ultimately granted by Council.
- Councilor Semple – expressed safety concerns for the current conditions; expressed support for option A.

- Councilor Zelenka – stated he is ready to move this forward to public hearing as there will be another work session with opportunity for adjustments.
- Councilor Clark – expressed appreciation for councilors’ comments; noted the previous motion to copy Springfield ordinance, making it illegal to hand things out of car at intersections; asked to speak with the judge further about alternative sentencing options.
- Councilor Evans – stated he is more supportive of option A and the in-depth discussion and options it will bring; said he thinks the suggested additions are good but will require money to staff, support, and track; suggested another joint work session with the County on how to best approach a solution.
- Councilor Keating – concurred that he would also like to hear from Judge Gill; suggested the option to sentence with community service should be added to the city code.
- Councilor Syrett – reminded everyone that the City Attorney just stated the community service sentencing decision does not need to be codified to remain an option, and to do it here might require all related codes to be updated as well; mentioned her possible support for conditional release from jail for those who commit to relocating to shelter sites or substance abuse/behavioral health treatment.
- Councilor Zelenka – concurred that adding community service to this proposed code amendment could open up the need to do it for all codes; stated that Council may appoint the judge but they cannot tell him how to make decisions as his is a position with great discretion.
- Mayor Vinis – noted this has been framed mostly as an unhoused problem, but there are also many contractors and other construction sites violating the code; stated this is a way to address an urgent need and reclaim public space.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Keating, moved to direct the City Manager to set a public hearing to consider an ordinance amending EC 4.990 (“Penalties”) to add the penalty of a \$500 fine or up to 10 days in jail, or both, for a “willful violation” of EC 4.830, which prohibits unauthorized persons from making nonvehicular use of the portion of the street between the curbs that is reserved for vehicles. **PASSED 7:1**, Councilor Keating opposed.

Mayor Vinis adjourned the meeting at 6:56 p.m.

Respectfully submitted,



Brooke Freed
City Recorder AIC

(Recorded by Jay Ferris)

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