



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

November 22, 2021

5:30 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 remotely using 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 November 22, 2021;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Jennifer Yeh, President

Mike Clark

Randy Groves

Emily Semple

Claire Syrett, Vice President

Greg Evans

Matt Keating

Alan Zelenka

5:30 p.m. CITY COUNCIL WORK SESSION

- 1. WORK SESSION: Renter Protections**
- 2. WORK SESSION: Intergovernmental Relations – 2022 Legislative Priorities**

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

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

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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Renter Protections

Meeting Date: November 22, 2021
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Genevieve Middleton
Contact Telephone Number: 541-682-5529

ISSUE STATEMENT

This work session is to advance the discussion of renter protections. Specifically, during this work session, Council will receive an update on renter protections work, including the Housing Policy Board's (HPB's) recent recommendations (Attachment A). Staff asks Council for direction on further work on renter protections.

BACKGROUND

Even before the COVID-19 pandemic, Council recognized that renters in our community need additional support, resources, and protections. The issue has grown more critical through the pandemic and its economic consequences, magnifying the need for renter protections.

Renter protections are broadly defined. They can include programs like the City's Rental Housing Code program, which regulates rental properties in the city by creating minimum habitability standards. Renter protections can also include anti-discrimination protections like the ones found in Eugene's Human Rights Code. They can even include rent stabilization and limitations on no-cause evictions like those found in SB 608 (2019), described below. The recommendations for renter protections made by the HPB are focused on: 1) protecting renters and vulnerable populations and 2) preventing displacement.

Council held a work session to explore "potential policies and programs to enhance housing opportunities and stability for renters" where staff reviewed housing trends affecting renters, discussed existing City goals and programs, and identified additional policies and programs that could be implemented at the local level. Council asked staff to gather more data and information for discussion at a future work session.

Next steps that emerged included working with the HPB to conduct outreach to renters to better understand rental housing affordability, availability, access, quality, and stability. In 2018, the HPB formed a task team to learn more about current market conditions affecting renters, and to identify tools and strategies to protect renters and prevent displacement in areas with changing housing market conditions. The task team created and distributed the Renters' Experiences Survey and held four listening sessions. A total of 851 surveys were completed and 112 community members participated in the listening sessions.

In February of 2019, SB 608 (codified at ORS 90.427) became effective and did two important things for renters: 1) prohibited most no-cause evictions after the first year of occupancy and 2) limited how much landlords can increase rent each year. Now, tenants who have been in their current home for a year or more generally cannot be evicted without a reason, and rent increases are limited to 7% plus the average amount of inflation over the past twelve months (this limitation on rent only applies to buildings that are 15 years old or older).

Council held a work session to receive the results of the Renters' Experiences Survey and listening sessions. Council directed staff to come back with additional data and tools related to renter protections. The HPB identified the following five priorities based on the information gathered through the survey and listening sessions as well as Councilors' questions and comments:

- Consider strategies for increasing tenant and landlord awareness of rights, responsibilities, and resources;
- Consider challenges and strategies related to application fees and processes (pet rent, security deposits/refunds, screening, housing navigators);
- Consider creation of supports (for deposits, first and last months' rent) and explore potential programs;
- Explore options to addressing housing quality and condition concerns raised through renter survey; and
- Identify priorities for rental housing data and consider strategies for compiling and analyzing data.

The HPB then appointed ten community members – a mix of tenants, tenant advocates, service providers, housing providers, advocates for the unhoused, and landlords – to the Renter Protections Committee (RPC). The RPC was formed to “identify tools and strategies to protect renters and prevent displacement in areas with changing housing market conditions in Eugene” and address the five priorities listed above. The RPC met monthly from September 2019 through March 2020. However, due to the pandemic and other transitions, RPC meetings were suspended from April through December of 2020.

In January 2021, the RPC resumed its monthly meetings and focused its work on reviewing the City of Portland's Fair Access in Renting (FAIR) Ordinance, which became effective March 1, 2020. The FAIR Ordinance is a renter protections tool, and the RPC wanted to explore whether it was applicable to Eugene renters. Two subcommittees – one consisting of tenants/tenant advocates and the other of landlords – were formed. The tenant subcommittee reviewed the FAIR Ordinance and created a report with 13 recommendations. The landlord subcommittee did not agree with the tenant subcommittee's recommendations, but proposed creation of a housing navigator position and continued funding for a tenant hotline.

HPB Recommendation

At its August 2, 2021, meeting the HPB received reports from the RPC, the tenant subcommittee, and the landlord subcommittee, and started to draft its own renter protection recommendations for Council's consideration. The HPB met weekly for four weeks (September 13, September 20, September 27, and October 4) to discuss and finalize its recommendations. In addition to hearing from the Rental Owner's Association and the Springfield-Eugene Tenant Association during public

comment, input was received at these meetings from the ex-officio members of the HPB who are local affordable housing providers.

The HPB renter protection recommendations in Attachment A include recommendations for enhanced renter protections focused on two stages of renting, the application stage and the move-in/move-out stage, along with a recommended path for funding and oversight. All the components of HPB's recommendations are intended to work together to lower barriers to housing access, prevent discrimination, and strengthen protections to stabilize renters within the housing continuum. Attachment B provides further background on the recommendations and is based on comments made through the process. For additional context, information on renter resources is in Attachment C.

Potential Next Steps

If Council has interest in pursuing any of the HPB recommendations or other renter protections of any sort, the next step would be for staff to research the feasibility of implementation and return for future Council discussion and direction in early 2022.

PREVIOUS COUNCIL DIRECTION

[February 21, 2017, Work Session](#)

Council received a presentation from staff about the status of rental housing in Eugene. Council directed staff to conduct additional research and return with more information at a future work session.

[March 13, 2019, Work Session](#)

Council received a follow-up presentation from staff with information on the status of the Eugene rental market, experiences of Eugene renters, issues related to rental housing, and state legislation related to renter protections. Council directed staff to come back with more data as well as recommendations on ways to increase rental housing stability, access, and affordability.

COUNCIL OPTIONS

1. Direct the City Manager to return with information about the feasibility and resources needed to implement renter protections consistent with the HPB recommendations.
2. Direct the City Manager to return with information about the feasibility and resources needed to implement renter protections consistent with a modified list of recommendations.
3. Take no further action.

CITY MANAGER'S RECOMMENDATION

The City Manager supports returning with information about the feasibility and resources needed to implement renter protections.

SUGGESTED MOTION

Move to direct the City Manager to return with information about the feasibility and resources needed to implement renter protections consistent with the Housing Policy Board recommendations.

ATTACHMENTS

- A. HPB's Renter Protection Recommendations
- B. Additional Information on HPB's Renter Protection Recommendations
- C. Renter Resources Contextual Information

FOR MORE INFORMATION

Staff Contact: Genevieve Middleton
Telephone: 541-682-5529
Staff E-Mail: GMiddleton@eugene-or.gov

Housing Policy Board Renter Protection Recommendations 2021

Application Stage:

- A-1. Ban application & screening fees.
- A-2. Process applications in the order received (first-come, first-served).
- A-3. Prohibit landlords from: a) including medical or education debt when evaluating an applicant's income vs expense or b) using a mandatory credit score of above 500.
- A-4. Loosen minimum monthly gross income screening standards.
- A-5. Require landlords who have units designed for mobility access to give priority for a 3-day period to applicants who have a mobility need for that particular unit.

Move In/Move Out Stage:

- M-1. Require landlords to distribute, together with any written rental agreement, an educational document describing Senate Bill 608 with regard to terminations.
- M-2. Limit landlords to charging deposit (combination of security, cleaning, & last month deposits) with a max of 2 times the monthly rent, not including pet deposit.
- M-3. Require landlords to itemize and photo document property condition at move-in that contains photos and age or condition of major items that are known to landlord. At move-out, require landlords to itemize and photo document withholdings from security deposit.
- M-4. Require landlord, at tenant written request, to provide rental history (payment of rent) for a tenant who has not yet given notice. One free rental history per tenant per year.

Recommendation for Funding/Support Services:

Increase the Rental Housing Code door tax to fund a rental housing navigator position, a tenant hotline, and other tenant support services.

**Additional Information on
Housing Policy Board's
Renter Protection Recommendations**

Protection during the APPLICATION stage:

A-1. Prohibit landlords from charging applicants rental application & screening fees.

This recommendation is intended to prohibit all landlords/property managers from charging applicants rental application and screening fees. These fees (which can be \$50 or more) can add up for potential renters. In the current rental housing market, a potential renter may need to submit applications at multiple properties to increase their chances of accessing a rental home. This burden is felt more acutely by low-income individuals and households. Accordingly, these fees can create a barrier to accessing housing.

A-2. Require landlords to process rental applications in the order received.

This recommendation is intended to require landlords/property managers to process applications in the order received (first-come, first-served) and to prohibit batch screening. It protects renters by ensuring fair access to housing for the first tenant who meets screening standards; advances fair housing agenda by preventing "cherry-picking"; and mitigates against unnecessary processing of screening fee payments.

A-3. Prohibit landlords from including medical or education debt when evaluating an applicant's income vs. expenses. Prohibit landlords from requiring credit score above 500.

This recommendation is intended to follow the City of Portland's Fair Access in Renting (FAIR) Ordinance on credit screening, including that an applicant may not be denied for having a credit score lower than 500, and that screening should exclude medical debt and education debt. It protects renters by lowering barriers to housing access by recognizing that credit score does not correlate with present ability to pay rent.

A-4. Prohibit landlords from denying a rental application based on a monthly gross income requirement that exceeds two times the actual monthly rent amount.

This recommendation is intended to allow landlord to require an applicant to show monthly gross income up to but not greater than 2.0 times amount of rent. This follows the spirit of the Portland FAIR Ordinance guidelines but would be simpler to implement. Protects renters by improving access to housing for lower- and moderate-income tenants. Reflects existing disparity between local incomes and local prices for rental housing as reported in the 2020 Eugene-Springfield Consolidated Plan: "Households paying more than 30% of household income are considered to have a 'housing cost burden'. Most of all renters in Eugene (55%) and slightly under half of all renters in Springfield (48%) are considered housing cost burdened."

- A-5. Require landlords to give priority to rental applications submitted by applicants with mobility disabilities for at least three days from posting a unit's availability when the unit meets the mobility needs of the applicant.

This recommendation is intended to define accessible units (e.g., following the Portland FAIR Ordinance in using Oregon Structural Building Code's "Accessible Dwelling Unit"), require units to be identified in advertising, and give priority to mobility-disabled applicants who apply during the three-day period. This supports the ability of renters with mobility disabilities to access housing that meets their needs.

Protection during the MOVE IN/OUT stages:

- M-1. Require landlords to distribute, together with any written rental agreement, an education document describing Senate Bill 608 and its renter protections during lease terminations.

Lease renewal processes are in flux as landlords and tenants learn their rights and obligations under SB 608. This recommendation is intended to require landlords to deliver an educational document (similar to the existing "Rental Housing Code Covers the Basics" document) providing information on tenants' rights under SB 608. In particular, this informational document would cover tenants' rights as they near the end of an initial 12-month lease and would identify resources for tenants who have questions or concerns. It protects renters by helping them to understand their rights and options under initial lease and later, when an initial or subsequent 12-month lease term ends.

- M-2. Limit landlords to charging deposits with a maximum of two times the subject unit's monthly rent. For purposes of this prohibition, security, cleaning, and last month's rent deposits are all included in this maximum standard for deposits. Pet deposits are not included.

This recommendation is intended to place a limit or ceiling on the total amount of deposits a landlord could require. Nearly all U.S. states that regulate the amount of deposits use a limit of 1-2 months' rent. Some high-rental-cost cities also regulate deposits, including Seattle (1 month) and Portland (1.5 months). Some Eugene and Springfield tenants currently report security deposits of up to 6 months' rent. The proposed ceiling on total deposits is consistent with national and high-cost-urban markets. This protects renters by reducing financial burden.

- M-3. Landlord to itemize and photo document property condition at move-in that contains photos and age or condition of major items that are known to landlord. Landlords to itemize and photo document withholdings from security deposit.

This recommendation is intended to follow the Portland FAIR Ordinance in a modified, less complicated way. Establishing a rental units' baseline condition protects renters from unreasonable costs regarding repairs or replacements at move-out. A baseline condition reduces the burden on incoming tenants and draws on information the landlord already has

or can obtain during the prior tenant's move-out inspection. Ultimately, the landlord's administrative role would be simply to update the rental unit's condition when the unit changes over to a new tenant. This encourages the fair handling of repairs and/or replacements rather than all-or-nothing "return deposit/keep deposit" behaviors. Photo documentation reduces disputes, benefiting both tenants and landlords. Itemization of the cost associated with specific damages serves as a tenant education function and encourages better care of rental properties.

M-4. Upon written request made by a current tenant, a landlord is required to provide rental history on the tenant's history of rent payments, on a form provided by the City. Tenants are entitled to one at no cost once per year.

A tenant could use the form as a reference in application to a new landlord/property manager, even though the tenant has not given 30-days' notice. This protects renters' privacy about moving plans and protects landlords by documenting tenant's specific permission to provide information. This ensures a tenant's ability to obtain a current landlord reference for an application for new housing—without having to first give move-out notice. This protects renters by allowing them to shop for housing in a tight market over a longer period than 30 days. The longer shopping period especially benefits low-income tenants and tenants belonging to marginalized groups, who may face higher barriers when they try to obtain new housing.

Recommendation for Funding/Support Services:

Increase the Rental Housing Code door tax to fund a rental housing navigator position, a tenant hotline, and other tenant support services.

The increased funding would be for the rental housing code program in Building and Permit Services, a new Housing Navigator position within the Planning and Development Department, and tenant support programs such as the Springfield-Eugene Tenant Association and Oregon Law Center.

Renter Resources Contextual Information

FY21 Affordable Housing Trust Fund (AHTF) Implementation - In addition to the RFP process and resulting award of \$300,000 in development resources to the Grove on Garden Way project, Council directed \$500,000 of FY21 AHTF allocation to support direct services to renters and homeowners.

- \$150,000 of direct mortgage assistance for foreclosure prevention administered by DevNW. Due to the State's foreclosure moratorium, the funding will be fully disbursed by DevNW by the end of the calendar year (2021).
- \$350,000 of direct rent assistance through Lane County and its partner agencies. By October 2021, approximately \$339,000 in AHTF rent assistance had been disbursed. As a result of the pandemic, Lane County has disbursed a significant amount of rent assistance from other sources (\$12.4 million has been disbursed through mid-June) and will receive significantly more rent assistance to be disbursed through FY25 (\$34 million).

FY22 AHTF Allocation

City Council also considered the uses of AHTF in FY22 at the July 12, 2021 work session. The generated Construction Excise Tax (CET) plus the general funds allocated by Council through the Supplemental Budget in December 2020 resulted in over \$1.6 million available for implementation in FY22. Funds can be used for programs, incentives, and services creating housing opportunities for households earning 100% of area median income and below. The AHTF Advisory Committee considered the rental assistance resources in Lane County through Federal and State programs (\$34 million) and the demand for housing development resources in their recommendation that a minimum of 75% of the available funds in FY22 go to housing development to be awarded through the RFP process. The Advisory Committee recommended the remaining funds for direct assistance to homebuyers be focused on Black, Indigenous, and People of Color individuals and households.

Per Council direction and based on the final amount collected through the end of FY21, over \$1.1 million will be available in housing development resources through the Spring 2022 RFP and \$370,000 for direct assistance to renters and homeowners. This fall Council will discuss the use of the direct assistance funds in conjunction with the Council work session related to renter protections.

Renters Resources

According to Oregon Law Center: The statewide moratorium on evictions for nonpayment and evictions without cause ended on June 30, 2021. Starting July 1, rent is due every month, and tenants can face eviction for nonpayment if rent is not paid on time. Starting July 1, no-cause evictions that were allowed prior to the COVID pandemic are once again allowed.

But two new laws, [Senate Bill 282](#) and [Senate Bill 278](#), provide important protections to help tenants recover from the pandemic period.

- Senate Bill 282 says that tenants have more time to pay back-due rent, fees or other charges that came due during the moratorium period. From July 1, 2021 through February 28, 2022, landlords cannot evict tenants for rent arrears from April 1, 2020 to June 30, 2021. This new law contains additional tenant protections such as relaxed limitations on guest occupancy, protection from negative credit and eviction history during the pandemic, and increased protection from retaliation.
- Senate Bill 278 says that if a tenant shows their landlord documentation that they have applied for rent assistance, the landlord is not allowed to evict that tenant for nonpayment for 60 days, to allow for processing of the rent assistance application.

Importantly, Oregon now has hundreds of millions of dollars in federal rent assistance available to help low-income tenants pay off back-due rent, utilities, and other housing expenses. In addition, rent assistance for up to three months of forward rent is available.

Lane County Human Services has rent assistance applications for low-income Lane County renters. [Learn more and apply online](#). Low-income Oregonians can apply for rental and utility assistance through the [Oregon Emergency Rental Assistance Program \(OERAP\)](#).

Community Development Block Grant – Coronavirus Funds (CDBG-CV)

The Federal CARES Act included a special allocation of CDBG funding to help local communities respond to the impacts of coronavirus (CDBG-CV). The City previously received a CV1 entitlement allocation in the amount of \$839,940, for which the proposed uses were approved by Council in July 2020. The City received a CV3 entitlement allocation of \$1,016,237. (The CV3 funding is a separate grant from the entitlement CDBG grants received on an annual basis from HUD.) In order to utilize the CV3 funds, the City completed an allocation process that identified uses of funds and included the CDBG Advisory Committee, a Council public hearing, and Council action. Staff submitted a Substantial Amendment to the 2020 Action Plan adopted by Council April 26, 2021, which was approved by HUD in June 2021. Program implementation is now underway. The CV3 allocation includes expanding homeless services, including supporting emergency shelter and day access center, providing homeless outreach services and navigation, and housing navigation services to the unhoused. In addition, funding will expand access to food by supporting a mobile food pantry and senior meal and grocery delivery, provide business lending, and fair housing services, including supporting the Springfield-Eugene Tenant Association (SETA) local hotline. Visit the [SETA website](#) for more information.

HOME Investment Partnership Program – American Rescue Plan (HARP)

The American Rescue Plan Act of 2021 included funds for creating housing opportunities to be distributed through jurisdictions that receive HOME funds. The Eugene-Springfield HOME Consortium will receive \$4,728,637 in HARP funds. The funds can be used to create housing opportunities specifically for individuals or families (with attention to veterans)

experiencing homelessness, at risk of homelessness, fleeing or attempting to flee domestic violence, and those at greatest risk of housing instability. Funds can be used for creation of affordable housing (as with regular HOME funds) and can also be used for creation of non-congregate shelter units, and supportive services including homeless prevention services and housing counseling. The funds would be available for expenditure through September 2030. Eugene and Springfield will undertake a required process to develop and submit an Allocation Plan for the funds before HUD will provide access to the resources.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Intergovernmental Relations – 2022 Legislative Priorities

Meeting Date: November 22, 2021
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2
Staff Contact: Ethan Nelson
Contact Telephone Number: 541-682-5245

ISSUE STATEMENT

This work session will provide the City Council an overview of the City's 2022 state and federal legislative policies and 2022 state priorities, as adopted by the Intergovernmental Relations (IGR) Committee.

BACKGROUND

In 2013 the City Council passed a resolution calling for a more efficient process to establish and implement legislative policy (Attachment A). The process focuses City resources on high priority items to be reviewed and approved by the Council's IGR Committee rather than staff bringing all City related legislation to the committee.

In previous legislative sessions, the IGR Manager provided regular updates on Priority 1 bills to the IGR Committee and updates as needed to the full City Council. Current IGR Committee Members include: Councilor Syrett (Chair), Councilor Evans, and Councilor Keating. Mayor Vinis regularly attends IGR Committee meetings as a non-voting member.

2022 Preparation

In preparation for the 2022 Oregon Assembly (February 1 – March 7), staff from across the organization contributed to the updated *COE State and Federal Legislative Policy* document (Attachment B). The update reflects a culmination of technical expertise in specific areas, staff experience implementing City Code and Rules, and as members of statewide and national professional associations. This document was discussed by the IGR Committee during meetings in September and October and was adopted at its November 17, 2021 meeting. Think of this document as the policy framework for the City's position on the expected types of bills that may surface during the upcoming short session.

In addition to the *COE State and Federal Legislative Policy*, the IGR Committee also adopted the *2022 Oregon Priorities* (Attachment C). This document outlines the proactive policy or funding items for which the IGR team will advocate in advance of and during the 2022 short session.

The IGR Committee meets regularly, generally on a weekly to every other week basis during active legislative sessions, and at least monthly when the legislature is not in session. At the June 30th

City Council Work Session, Councilors provided feedback on having more regular updates from IGR Committee and staff, interest in greater engagement during the legislative session, and a work session prior to the legislative session to discuss proposed policies and priorities. Additionally, as necessary, the IGR Chair will bring items from the IGR Committee to the City Council for discussion and input. IGR Committee meetings are posted on the City's website and open to the public via Zoom. More information on the IGR Committee and testimony provided on priority bills can be found at the IGR Program webpage here: <https://www.eugene-or.gov/368/Intergovernmental-Relations>

2022 United Front

The United Front Partners of Lane County will be working on creating a 2022 policy book over the course of the next couple of months. We are tentatively scheduling an in-person delegation trip to DC in late March/early April. The focus on the 2022 federal agenda will be to tell our regional story on what impact federal Coronavirus Response funding provided (e.g. through CARES ACT) as well as planned use of the ARPA funding, and lastly, what priorities our partners are looking to advance through the Bipartisan Infrastructure Deal (Infrastructure Investment and Jobs Act).

PREVIOUS COUNCIL DIRECTION

City Council Resolution 5081, passed unanimously on February 11, 2013, created the current process for establishing and lobbying the City's legislative priorities.

SUGGESTED MOTION

Move to adopt the 2022 City of Eugene-State and Federal Legislative Policy and the 2022 Oregon Priorities.

ATTACHMENTS

- A. Resolution 5081
- B. 2022 COE State and Federal Legislative Policy
- C. 2022 Oregon Priorities

FOR MORE INFORMATION

Staff Contact: Ethan Nelson
Telephone: 541-682-5245
Staff E-Mail: ethan.a.nelson@ci.eugene.or.us
IGR Webpage: <https://www.eugene-or.gov/368/Intergovernmental-Relations>

COUNCIL RESOLUTION NO. 5081

**A RESOLUTION CONCERNING THE 2013 OREGON
LEGISLATURE AND THE CITY COUNCIL COMMITTEE
ON INTERGOVERNMENTAL RELATIONS OPERATING
AGREEMENTS ADOPTED BY RESOLUTION NO. 5043.**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: February 11, 2013

RESOLUTION NO. 5081

**A RESOLUTION CONCERNING THE 2013 OREGON LEGISLATURE
AND THE CITY COUNCIL COMMITTEE ON INTERGOVERNMENTAL
RELATIONS OPERATING AGREEMENTS ADOPTED BY
RESOLUTION NO. 5043.**

The City Council of the City of Eugene finds that:

A. Section 2.007 of the Eugene Code, 1971, contains provisions regarding Council meetings and the establishment of Council groundrules.

B. The Eugene City Council Operating Agreements (referred to as groundrules in the Eugene Code, 1971) were adopted by Resolution No. 4588 on April 12, 1999, and have subsequently been amended, most recently by Resolution No. 5043 on October 11, 2011.

C. Included in the Operating Agreements is the document titled "City Council Committee on Intergovernmental Relations Operating Agreements" which contains the process for the City's participation in sessions of the Oregon Legislature. The City intends to pilot an alternate process for the 2013 Oregon Legislative Session as set forth in Exhibit A to this Resolution, and Resolution No. 5043 should be temporarily amended to enable the City to try the pilot process.

NOW, THEREFORE,

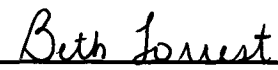
**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. Based on the above findings, the process for review, prioritization and lobbying of legislation for the 2013 Oregon Legislative Session shall be as described in Exhibit A to this Resolution, rather than the process set forth in Resolution No. 5043.

Section 2. A copy of this Resolution shall be appended to Resolution No. 5043.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution adopted the 11th day of February, 2013.



City Recorder

Exhibit A

PROCESS FOR REVIEW AND PRIORITIZATION OF LEGISLATION FOR THE 2013 LEGISLATIVE SESSION

The 2013 session will start on February 4, 2013. The Legislature convenes annually in February at the State Capitol in Salem. Sessions may not exceed 160 days in odd-numbered years and 35 days in even-numbered years. Five-day extensions are allowed by a two-thirds vote in each house. In odd-numbered years, the Legislative Assembly convenes on the second Monday in January, to swear-in newly elected officials, elect legislative leaders, adopt rules, organize and appoint committees, and begin introducing bills.

REVIEW OF LEGISLATION BY CITY STAFF LEGISLATIVE COORDINATORS

In past years, bills have been assigned by the IGR staff to appropriate staff throughout the city. This has resulted in the generation of a tremendous amount of work, both for staff, as well as for the IGR committee, often with limited or no tangible benefit. Very few bills that we take positions on merit targeted lobbying efforts on behalf of the city of Eugene. This year, we will be approaching the legislative session in a much more targeted way, with the goal of being more efficient, and effective in our lobbying efforts.

The most obvious change in the process will be that IGR staff will no longer routinely assign bills to legislative coordinators for comments and positions. Instead, we will rely primarily on departments to identify significant legislative issues/bills that merit taking a position on and actively lobbying. Department/division staff will be asked to rely on professional affiliations and jurisdictional counterparts across the state to stay in touch with legislative issues arising in their area of expertise. In addition to bills identified by departments, bills will be identified in a two other primary ways, through the League of Oregon Cities, and through paid lobbyists. The League of Oregon Cities has recently implemented a new bill tracking software system, which will be a significant new resource this session. Additionally, the city council or city manager may identify issues that come to their attention for IGR staff. It is strongly believed that all significant legislation of potential impact to the city will be identified through this approach.

Once an issue/bill is identified by department staff, legislative coordinators will assess consistency of the issue with adopted City policies and past legislative positions, and will provide comments and a recommended position and priority for referral to the IGR committee. Bills/legislative issues brought to IGR staff should be limited to those determined to be high priority; that is, the bill would have significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. Examples of legislative issues that have already been identified for this session include PERS reform, telecom, and public safety. Legislation related to these issue areas could have significant

financial or operational impact on the City – therefore we plan to actively lobby the city’s interests in these areas.

LEGISLATIVE ADVOCACY

As described in the previous section, advocacy efforts will be narrowed and targeted to focus on a very few, high priority issues of potential impact to the City. In the past, this was done on the basis of the priority assignment and recommendation system. Because only bills of potential impact will be referred to the CELEG system, the priority assignment system will be modified. Staff will be asked to provide a “support,” or “oppose,” recommendation for all bills to be reviewed on which we want to take a position. In rare cases, there may be a need to “monitor” a bill. In that case, specific information will be provided to explain the merits of tracking such a bill.

Position Recommendations:

Support: From the City’s perspective, we are in favor of the bill and the impacts. Legislative Coordinators should note why we are in favor of the bill and note any amendments that would make the bill better.

Oppose: From the City’s perspective, we are opposed to the bill and the impacts. Legislative Coordinators should note why we are opposed and make any recommendations that would make the bill better, if applicable.

Priority Recommendations:

- **High Priority Bills:** We will be highly selective in identifying priority bills to be forwarded to the Intergovernmental Relations Committee (IGR). For a bill to be recommended as a high priority bill to be actively lobbied, either in support or in opposition, the bill would have a significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact the operations, services, or finances of the City. Examples of high priority bills could include Telecom/local pre-emption efforts, PERS reform, Public Safety, and transportation funding.
- In addition to be bills identified as high priority, other bills and legislative issues may be forwarded to the IGR committee to enable staff to provide supportive or opposing written or oral testimony. Examples of issues that may require supporting testimony (as opposed to active lobbying) include support for the Oregon Cultural Trust, support for

one of our partner agencies lobbying efforts (University of Oregon, City of Springfield, EWEB), etc.

Voting on bills:

The IGR Committee votes on all bill priorities and recommendations.

All unanimous positions are presented on the full City Council's agenda for review and approval. The minutes of the IGR Committee are ratified by the City Council. Any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any Councilor or by the Mayor.

If a position the IGR Committee has taken on a bill is not unanimous, the position on that bill will be Neutral until the full City Council weighs in and directs a position. If possible, the bill will then be placed on the next available City Council agenda. If time makes placing the bill on the City council agenda impossible, City council members will be emailed with the details of the bill and asked for their direction.

2022 State and Federal Legislative Policy

Adopted by the Intergovernmental Relations Committee on November 17, 2021

In Response to the Coronavirus Pandemic

1. Eugene supports state-wide legislation that provides financial stability and equity for commercial and residential renters throughout the state of emergency and recovery, while considering the financial needs of landlords.
2. Eugene supports state-wide legislation that aids local governments during the state of emergency and recovery, including, but not limited to, financial assistance, regulatory discretion, and public process flexibility.

Support Housing Opportunities and Financial Stability for Eugene Residents, and Addressing the Homelessness Crisis.

1. Eugene supports the preservation and expansion of programs and tools to fund the development and preservation of housing affordable to low-income persons.
2. Eugene supports the preservation and expansion of funding for human services, emergency housing assistance, and other programs to meet the needs of homeless persons and those at risk of homelessness.
3. Eugene supports the preservation and expansion of land use and community planning tools that enable the development of affordable housing.
4. Eugene supports the preservation and expansion of tools to support financial stability, savings, and asset development for low-income persons.
5. Eugene supports the establishment of stronger linkages between the housing, land use, education, and health systems at the state level to expand housing opportunities. Eugene also supports additional opportunities for state/local coordination and collaboration.
6. Eugene supports increased state funding for addiction treatment and recovery, including sobering and detox, in order to increase Eugene community members access to wrap around services and continuity of care as they transition from homeless to stably housed.
7. Eugene supports state funding for mental health outreach, services, and treatment designed to transition persistently homeless individuals with mental health conditions to housing and treatment.
8. Eugene supports state funding for publicly operated emergency shelters and permanent supportive housing investments designed to transition homeless individuals and families into stable housing situations.
9. Eugene supports efforts to ensure Oregon residents do not experience discrimination in housing and may access appropriate information and complaint systems.
10. Eugene supports efforts to create a balanced set of landlord-tenant laws to increase the stability of renter households and maintain appropriate protections for landlords.
11. Eugene supports state funding that improves energy efficiency in housing, reducing the energy burden and overall cost of housing.

Securing Local Finance Options

1. Proposals to restructure or change the state's tax and revenue system must allow local government's continued authority to finance the level of services needed by their residents.
2. City governments are the most practical and effective providers of urban municipal services, and state or county tax policies should avoid raising revenues for duplication of city services by other jurisdictions.
3. Eugene opposes the levying of property taxes by the state to fund services that are deemed the responsibility of the state.
4. Eugene supports the ability to maintain local flexibility over revenue systems, retain local apportionment of revenue from state gas, liquor, beer and wine taxes, marijuana taxes and other state imposed taxes and fees, and the preservation and enhancement of state shared revenues.
5. Eugene opposes the granting of new exemptions, deferrals, or forgiveness of property taxes by the Legislature without reimbursement of the revenue forgone by cities.
6. Eugene supports the repeal of local government preemptions created by state or federal agencies or legislation and opposes federal or state pre-emption of local taxation authority.
7. Eugene opposes subsidizing through taxes, services, or changes to revenue sharing formulas those businesses or households in unincorporated areas.
8. Eugene supports maintaining current tax and fee authority regarding System Development Charges (SDCs) and Urban Renewal Districts.

General Government

1. Eugene supports the exemption from disclosure of attorney-client privileged records under the Public Records Law.
2. Eugene opposes changes in state public records laws that place undue financial burden on municipalities to comply or restrict a municipality's ability to represent its interest throughout an appeal process.

Economic Development

1. Eugene will look for opportunities to strengthen and fund the local entrepreneurial ecosystem.
2. Support local authority to develop infrastructure that provides new economic development opportunities, especially in the area of emerging technology industries. Eugene supports the inclusion of high-speed broadband telecommunications network funding in state-funded infrastructure projects.
3. Eugene supports bioscience as a primary economic driver and supports funding for physical spaces and programs to connect the University of Oregon's Knight Campus to existing and future bioscience firms.
4. Eugene supports the Cultural Arts sector as a primary economic driver.
5. Eugene supports the existing ability of cities and municipal utilities to own, operate, construct and provide telecommunications services, including high-speed broadband.

Land Use

1. Eugene opposes legislation that eliminates or weakens existing methods of annexation.
2. Eugene opposes state or federal legislative or regulatory pre-emption of local land use laws and authorities.
3. To the extent the legislature establishes mandates that require Eugene to take certain actions, Eugene supports legislation that provides clarity, and incorporates flexibility to the extent possible. Eugene also supports timely and efficient state technical support and funding to provide assistance in implementation of such mandates.
4. Eugene supports legislation that streamlines the Urban Growth Boundary expansion and the Urban Reserves establishment processes, providing clarity, and incorporating flexibility to the extent possible. In addition, Eugene supports allowing the adoption of Rural Reserves outside of the Eugene Metro area.
5. Eugene supports the removal of regulatory barriers to housing affordability, availability, and diversity and to mixed-use development without sacrificing local control.
6. Eugene supports actions that incentivize multi-family and mixed-use development along transit corridors.

Information Technology, Telecommunications, and Municipal Right of Way (ROW)

Authority.

1. Eugene broadly defines telecommunications activities, services, and facilities to include wireless and wireline voice (including VOIP-voice over internet protocol), data, and video, including cable system communications, and high-speed broadband services such as IPTV (Internet Protocol TV), OTT (Over the Top Programming), and Internet Access.
2. Eugene supports City Ordinance 20083 authority and responsibility to manage the public rights of way (ROW), especially for issuing permits for installations and city pole use contracts for wireless facilities.
3. Eugene supports the City Ordinance 20083 authority to determine and collect fair and reasonable compensation, including in-kind services, for use of public infrastructure and public rights of way.
4. Eugene supports the existing ability of cities and municipal utilities to own, operate, construct and provide telecommunications services, including high-speed broadband.
5. Eugene supports the 2015 net neutrality provisions and opposes actions that would decrease open access to the internet through tiered pricing structures or other strategies.
6. Eugene supports improvements and funding for ensuring effective cyber-security systems and IT modernization at state and local government levels.
7. Eugene supports the preservation and expansion of funding for affordable and accessible broadband services.

Public Safety

Includes Fire/EMS, Courts, Law Enforcement, and Prosecution.

1. Eugene opposes efforts to increase supervisor representation.
2. Eugene supports the narrow use of polygraph testing for pre-employment screening for sworn police officials.
3. Eugene supports increased funding and training for Special Teams to include Urban Search and Rescue (USAR).
4. Eugene opposes efforts to remove fire department authority to provide input concerning fire department access and water supply on proposed development projects, and to administer all provisions of the Fire Code for maintenance of the built environment.

2022 State and Federal Legislative Policies

5. Eugene supports enhancing the effectiveness of the state's emergency communications system through an increase in the 9-1-1 tax.
6. Eugene supports afterschool funding for youth that contributes to the prevention and reduction of juvenile crime, including early childhood literacy programs, such as the Imagination Library program.
7. Eugene supports funding for state-wide Teen Courts or Peer Courts that provide early intervention into first time juvenile offenders, reducing recidivism.
8. Eugene supports state and federal funding for local government public safety emergency operations, disaster preparedness, and capital facilities.
9. Eugene supports state and federal funding and policy support for local government community justice style programs.
10. Eugene supports state-wide efforts that increase police accountability through application of consistent professional standards, implementation of 21st Century Policing-including the reduction of use of force and increased use of de-escalation techniques, and transparency of disciplinary actions.
11. Eugene supports funding to neighborhoods or areas susceptible to wildland fire, commonly known as the Wildland Urban Interface (WUI), through prevention, education, mitigation efforts such as but not limited to fuels reduction and building codes.

Transportation

1. Eugene opposes federal or state pre-emption of local permitting and trip fee collection authority of Transportation Network Companies (TNCs) and/or Mobile Service Providers (MSPs).
2. Eugene supports policy that ensures the greatest possible flexibility for the use of funds to meet local needs, and that grant priority funding for projects when a local match is available
3. Eugene supports local option transportation system funding alternatives, including local option fuel taxes and local transportation system maintenance fees.
4. Eugene will continue to seek right of way and construction funding for the Beltline Hwy Project from River Road to Coburg Road
5. Eugene supports funding opportunities to address safety on local and state roadways.
6. Eugene supports legislation that allows broader use of fixed automated speed enforcement cameras.
7. Eugene supports state funding for intercity rail service, and more frequent and more reliable, higher-speed, customer-friendly passenger rail between Eugene and Portland.
8. Eugene supports additional planning and construction funds for local communities to establish railroad quiet zones, improve safety at grade crossings, upgrade rail beds and acquire rights-of-way to facilitate "passing" areas for passenger trains and freight trains.

Environment and Natural Resources

1. Eugene supports measures that protect or improve surface water and groundwater quality, including potential drinking water sources.
2. Eugene supports funding, programs, and land use planning tools that protect native ecosystems, preserve intact habitats for migratory species, and protect against invasive species.
3. Eugene supports continuation of funding for the implementation of place-based water resources planning projects by the Oregon Water Resources Board and its implementing partners.

2022 State and Federal Legislative Policies

4. Eugene supports appropriate limitations on fill and/or removal of wetlands.
5. Eugene supports funding for constructing, maintaining, evaluating and renovating “green” stormwater infrastructure such as bioswales, green roofs and porous pavement.
6. Eugene supports a science-based approach to waterway and wetland protections under the federal Clean Water Act and related state statutes.
7. Eugene supports practical exclusions from regulation under the federal Clean Water Act and any related state statutes for constructed green infrastructure stormwater management facilities.
8. Eugene supports fair and equitable water quality permit fees and accountability for demonstrating progress toward meeting commitments made by regulatory agencies collecting the fees.
9. Eugene supports initiatives that assist designated management agencies in meeting their TMDL obligations related to temperature, bacteria, turbidity, and mercury.
10. Eugene supports measures that facilitate economical and environmentally sound practices for managing wastewater and stormwater infrastructure, including maintaining minimum flows to protect infrastructure and reduce the risk of corrosive gas formation.
11. Eugene supports funding and programs to implement measures identified in the regional Natural Hazards Mitigation Plan such as street tree planting programs, enhanced fuels reduction programs, restoration of riparian systems and other efforts to reduce the impact of flood, fires, landslides, and extreme storm events.
12. Eugene supports a statewide prescription drug ‘take-back’ program.

Climate Recovery

1. Eugene supports state and federal measures to place a price on carbon emissions through mechanisms such as a carbon tax/fee or a cap and trade program.
2. Eugene supports all implementation aspects of Department of Environmental Quality's 2050 Vision for Materials Management.
3. Eugene supports state funding for electric vehicles and small electric vehicles, electric vehicle infrastructure, fleet incentives, and electric vehicle education programs.
4. Eugene supports state funding for walking, biking and transit infrastructure projects.
5. Eugene supports funding that improves public transportation efficiency.
6. Eugene supports legislation that improves energy efficiency in the Oregon Building Code in alignment with Executive Order 17-20.
7. Eugene supports legislation that calls for Extended Producer Responsibility, in an effort to reduce lifecycle greenhouse gas emissions, and “Right to Repair” legislation, which requires manufacturers to share information necessary for repairs.
8. Eugene supports legislation that allows for changes to the Oregon Building Code to allow for greater use of reused materials in building construction and incentives for adaptive reuse of existing buildings.

Public Health & Wellness

1. Eugene supports Oregon initiatives that connect youth and families to nature, such as Outdoor School and Oregon’s Children’s Outdoor Bill of Rights.
2. Eugene supports initiatives that promote active, healthy lifestyles through Park and Recreation services.

Equity and Inclusion

2022 State and Federal Legislative Policies

1. Eugene supports initiatives that affirm the promotion of rights included in the International Declaration of Human Rights.
2. Eugene supports legislation that condemns all forms of hate, xenophobia, racism, white supremacy, Anti- Semitism, Islamophobia, homophobia, transphobia, ableism, sexism and other forms of bigotry. This includes timely condemnation of actions against certain groups in relation to specific events (i.e. discrimination against Asians and Asian-Americans in connection to the origins of COVID-19).
3. Eugene supports legislation that protects refugees, regardless of citizenship status.
4. Eugene supports legislation that affirm the City of Eugene's practices of not collecting or maintaining information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of criminal activities.
5. Eugene supports legislation that recognizes and celebrates the heritage of the Kalapuya people as original caretakers of the land in which Eugene is located.
6. Eugene supports legislation that includes consideration of equity in the distribution of public resources aimed at removing barriers or correcting historic inequities towards marginalized groups.
7. Eugene supports state and federal legislation that expands protections for people based on source of income, familial status, sexual orientation, and gender identity; regardless of citizenship status.

Memorandum

Date: November 18, 2021
To: Mayor Vinis and Eugene City Council
From: Ethan Nelson, IGR Manager
Subject: **Proposed IGR 2022 State Priorities-IGR Committee Adopted**

This memo provides an overview of proposed state priorities for the upcoming 2022 Oregon Legislative Session, which was adopted by the IGR Committee on 11/17/21.

Continued Strategic Focus

1. Approaching relationships with local, state, and federal partners in an enhanced manner to grow and leverage partnerships through greater engagement of agencies and elected officials.
2. Participating in larger policy discussions at national and state level. (e.g. FCC, Transportation/Infrastructure, Housing, Homelessness/Shelter, Revenue Reform).
3. Greater engagement of the Eugene Area State Delegation, to leverage opportunities afforded via their leadership roles.

Proposed 2022 Oregon Priorities

- **Capital Funding for Steam Plant Project**

The City of Eugene is seeking state capital funding to address the financial gap in the redevelopment of the historic Steam Plant along the Willamette River and anchoring the City's redevelopment efforts of the former EWEB site for housing, commerce, and recreation. The Steam Plan prospectus is being developed, with an initial estimate of \$7M request as part of the \$50M+ redevelopment budget.

- **Homelessness Shelter Operations Funding**

During the 2021 Session, the Oregon Legislature passed [HB 5042](#) which included funding for Emergency Shelter/Navigation Centers, with \$5M allocated to Lane County for the development of an Emergency Shelter in Eugene. Other cities that received funding, and Eugene, are seeking state support for on-going operational funding.

- **Attorney/Client Privilege for Public Agencies**

Pursue [HB 2478](#) from 2021 Session, relating to lawyer-client privileged public records. The bill amends ORS 192.390 to explicitly include attorney-client privileged communications in the list of exemptions that are not subject to the 25-year expiration. The privilege exists independently of Oregon Public Records law. However, a clarification and confirmation is needed to ensure attorney-client privilege is treated the same in the public sector as it is in the private sector.

- **Seek authority to adopt Oregon Reach Code as the base code for new construction.**
[HB 2398](#) from 2021 Session would add the 'Reach Code' to state building code as specialty code and would permit a municipality to adopt the 'Reach Code' and require adherence to code as minimum construction standard and method within municipality's jurisdiction. The Reach Code is a high-performance building energy code that would reduce energy use and decrease greenhouse gas emissions in the building sector.
- **Seek funding for city IT Modernization and Cybersecurity efforts.**
The City of Eugene's technology infrastructure plays an important role in community resilience by helping to narrow the digital divide, supporting economic growth, maintaining public safety and fire systems, and creating an environment for innovation throughout the community. Network security and resilience is foundational to the City's ability to support the community and organization. Data protection and redundant systems are integral to preventing network attacks and minimizing financial risks associated with a vulnerable system. The City of Eugene could strengthen network security with the following investments. *Goal One:* Secure our environment by adding tools and continuing move to cloud environment. *Goal Two:* Upgrade Aging Environment by replacing server operating systems that are at significant risk and core hardware infrastructure. *Goal Three:* Secure software assets across organization
- **Seek Funding for 2022 World Championship-Riverfront Festival**
The 2022 World Championships for Track and Field (Oregon22) presents the opportunity for Eugene to host a global event, with the recognition that the local Festival at the Riverfront will be the center of community engagement. The IGR Committee adopted the motion, 'Seek cooperation with Travel Oregon, Business Oregon, and the Governor's Office to request \$1million from the state legislature to support the Oregon22 Festival.'