



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

May 23, 2022

7:30 p.m. CITY COUNCIL MEETING

As the state and community recover from the COVID-19 pandemic, City Council meetings will continue to be held using hybrid meeting technology. Information about online or other options for access and participation will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>

**Meeting of May 23, 2022;
Her Honor Mayor Lucy Vinis Presiding**

Councilors

Claire Syrett, President
Mike Clark
Randy Groves
Jennifer Yeh

Matt Keating, Vice President
Greg Evans
Emily Semple
Alan Zelenka

7:30 p.m. CITY COUNCIL MEETING

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. COMMITTEE REPORTS AND ITEMS OF INTEREST

3. CONSENT CALENDAR 1

A. Approval of City Council Minutes

B. Approval of City Council Tentative Agenda

4. PUBLIC FORUM

5. CONSENT CALENDAR 2

A. Approval of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-24-23, Tax Lot 1602, Located at 158 West Hilliard Lane)

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

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

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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Pledge of Allegiance to the Flag

Meeting Date: May 23, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

In honor of Memorial Day on May 30, 2022, there will be a reciting of the Pledge of Allegiance to the Flag.

BACKGROUND

The City Council voted at its June 27, 2011, work session to begin formal council meetings with a voluntary recitation of the Pledge of Allegiance to the Flag at those meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July. In addition, the council voted to begin a practice of reading the Declaration of Independence and/or from the Constitution of the United States at the beginning of its meeting closest to the Fourth of July.

According to the United States Code, Title 4 (U.S. Flag Code), the Pledge "...should be rendered by standing at attention and facing the flag with the right hand over the heart. When not in uniform, men should remove any non-religious headwear with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute."

The Pledge is as follows: *"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."*

CITY MANAGER'S RECOMMENDATION

No recommendation is necessary.

SUGGESTED MOTION

No motion is necessary.

FOR MORE INFORMATION

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

May 23, 2022 Meeting – Item 1

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: May 23, 2022
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 3A
Staff Contact: Sara McKinney
Contact Telephone Number: 541-682-5010

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes for the work sessions on April 13, 2022, April 20, 2022, April 25, 2022 and April 27, 2022.

ATTACHMENTS

- A. April 13, 2022 Work Session
- B. April 20, 2022 Work Session
- C. April 25, 2022 Work Session
- D. April 27, 2022 Work Session

FOR MORE INFORMATION

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

MINUTES**Eugene City Council
Work Session
Eugene, Oregon 97401****April 13, 2022
12:00 p.m.**

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

Mayor Vinis opened the April 13, 2022, work session of the Eugene City Council in hybrid in-person and virtual format.

1. WORK SESSION: Building Electrification

Building and Permit Services Director Lydia Bishop and Building Official Mark Whitmill presented information regarding banning natural gas in new commercial, residential and industrial buildings to move toward the goal of decarbonization.

Council Discussion

- Mayor Vinis – thanked staff for providing the information related to local versus state level and permit data.
- Councilor Groves – thanked staff for the presentation; voiced concern for the environment as well as moving to a single energy source; asked staff to present information on mitigating single source risks in the future; requested financial analysis on the impacts of banning natural gas hookups; asked how drought and federal policies to protect local salmon runs will impact the Northwest's largest renewable energy source, hydro-electricity; stated that the US Energy Information Administration reported that in 2021 60.8 percent of the national energy grid relied on fossil fuels; asked what effect reduction of the west coast hydro-electric generation capacity has on the percentage of fossil fuel reliance; voiced concern over cost volatility; noted that many fires in the west coast area have been started by overloaded electricity lines.
- Councilor Syrett – thanked staff for the presentation and information; noted she would lean toward a code requiring all electric versus a code banning an energy source; asked for confirmation that Eugene can require all new buildings to be electric without needing state approval; noted that analysis done by RMI for this specific region found a reduced net cost over a 15- year period of \$3,500 in building an all- electric home versus a mixed-source or natural gas-dependent home.
- Councilor Clark – thanked staff and echoed Councilor Groves' stated questions; stated his greatest concerns are the costs involved and impacts on reliability and safety; asked what it cost to complete the Echo Hollow conversion to add the capacity for electrical heating of the pool; requested the statement of values for the hybrid Echo Hollow project; asked if a cost study was done for the Echo Hollow project to do fully electrical versus hybrid electric/natural gas; noted the cost estimate in 2017 to convert major public buildings to hybrid energy was \$10 million and the cost of construction supplies has gone up considerably since then.

- Councilor Yeh – thanked staff; stated her biggest concern is the cost of inaction; noted the impacts of leaded gasoline are still present in local soils and coming generations will be dealing with the impact of fossil fuels on the environment for decades to come; stated that the city is already behind in this matter and now is the time to stop increasing the infrastructure for natural gas; asked if a community engagement process similar to the middle housing project can be built, to figure out details after a target date is set; asked staff if they have looked into infeasibility exceptions and if the consultant is capable of identifying these situations or if it require a different consultant.
- Councilor Zelenka – thanked staff; stated he believes climate change is the defining issue of the time and Council needs to act faster; noted that adaptation as opposed to mitigation on climate change is going to be extremely expensive; noted that the task force on resilient energy buildings is going to bring suggestions this fall on how to use code to decarbonize; noted that the climate protection program requires Northwest Natural and all fossil fuels to reduce their greenhouse gas emissions by 50 percent by 2035 and 90 percent by 2050; stated that, according to the roadmap to 2035 by the Global Warning Commission, which adds up what has been done versus planned, the City is close to being on target with overall goals; noted that the action required by local governments could be greatly reduced by federal and state actions.
- Councilor Evans – thanked staff; echoed Councilor Groves concern over the state of the electrical grid and its ability to handle an increased load; stated that based on recent reading, the local electrical grid infrastructure is more precarious than the roads infrastructure; pointed out bullet three from Good Company, financial assistance for low-income residents/, and inquired where that assistance comes from and how the program will work; asked if an unfair and untenable burden is being passed on to local residents who are currently using gas services; raised concern over converting from gas to electric; asked what work has been done to look at alternate sources of energy (i.e. solar, wind) to transition from natural gas and fossil fuels; noted that other models that he has researched have built-in exceptions for legitimate need or continuation of usage.
- Councilor Semple - thanked staff; stated this issue is so important and so complicated; recognized that residents are currently seeing the impacts on local weather; voiced her appreciation for the questions that other councilors raised and the urgency to act that Councilor Yeh expressed; inquired whether a decision to adopt code to prohibit new natural gas installations in 2023 would apply to projects started in January 2023 or if projects already under construction would be grandfathered in; inquired if new gas pipes would be installed in the streets; noted that the cost of installation for gas and electric are virtually the same yet, due to demand, 83 percent of new construction has gas.
- Councilor Keating – thanked staff; noted that the conversation is not about changing existing infrastructure, it is about code changes regarding all new construction; stated that EWEB has assured the City that it can handle the load; referenced slide 10, which shows 83 percent of new dwellings permitted in 2021 and 20 percent of permitted commercial buildings have natural gas piping installed; inquired how many of those new commercial buildings were office buildings versus food/beverage industry; asked about infeasibility assessment for industries that

cannot survive without natural gas resources; expressed hope that Eugene would follow suit with San Diego, banning natural gas on all new buildings with limited temporary exemptions and be the first municipality in Oregon to do.

- Mayor Vinis - clarified that the second agenda item can be moved to another work session; appreciated the reminder that the intent of today's work session is to discuss new construction; referenced St. Vincent dePaul's Iris Place Development which is both middle housing and fully electric; reminded everyone that Eugene received an assessment from the YMCA regarding why it had not built all electric, noting that that this document may help in the coming months; stated that residential, commercial and industrial are three very different things and, according to the data, new residential dwellings are low-hanging fruit and a great start to the process; requested clarification on what is included in commercial buildings versus industrial; suggested the City look at how industries can feasibly operate without fossil fuels.
- Councilor Groves - stated he would like to hear Councilor Zelenka speak more about his experience and knowledge of energy actions to come; noted that buildings such as hospitals will likely always rely on gas for generators; inquired how banning fossil fuels could impact an emergency operations center; noted that diesel fuel does not store well; stated every type of energy has pros and cons to be considered; noted that compatibility, capacity and stability must be considered as the Council move forward; inquired how much the City has paid for gas with the high-efficiency heat pumps at Echo Hollow.
- Councilor Syrett - suggested that the City consider banning fossil fuels as a goal rather than requiring a specific energy source; noted that the 83 percent of new dwellings that have gas connections are one- and two-family dwellings; stated that numerous California cities have taken similar action; said she feels a sense of urgency to take action sooner rather than later; noted that children and youth are currently having an existential crisis over climate and that the state actions, while good, won't happen for 13 years; expressed frustration with some of her colleagues' assertions that the local infrastructure is so fragile.
- Councilor Clark - noted that 50 percent of electric energy during peak load times is created from burning coal; stated that if we ban the use of fossil fuels in new buildings, he would like to add banning electricity created from fossil fuels as well; suggested that the peak load burning of coal arguably puts more carbon into the air when temperatures are 30 degrees or less; asked if the infeasibility assessment is part of state language or something Eugene would have to create; asked if the waivers that staff have seen in other cities allow for change in circumstance, i.e. temperature; noted buildings such as the Arcimoto plant and Matthew Knight Arena would be difficult, if not impossible, to heat solely with electricity; spoke about a local contractor who shared he has not built a home without natural gas in 20 years and likely never will again; said he believes banning fossil fuels/natural gas will push new homes and commercial buildings outside of Eugene to neighboring cities.
- Councilor Zelenka - noted that the state actions start now, in 2022 and 2023, not some time in the future; advised that HB 2021 required electric utilities to be 100 percent clean by 2040 but that does not include EWEB; asked staff to find out what EWEB's plan is; supported revised code language to clarify that a waiver shouldn't be given based on the building type but on the actual business/service that is being

done inside of the building; cautioned against comparing Eugene to the list of cities in California as they are almost all in the Bay Area and are in PG&E service area with a different regulatory framework; asked for a breakdown of natural gas emissions from fireplaces versus cooktops; asked what the projection is for new types of buildings in the commercial and industrial sectors and how gas will be used in those that have protected usage; voiced concern about the feasibility and implementation of the exemption process, how it would work, and how much burden would it create on staff and developers; asked how to define infeasible, and whether it pertains to economics or technicality.

- Councilor Evans - said he believes that residential is the low-hanging fruit of the types of buildings; asked if there is a back-up source of energy that is not fossil fuel-based, in case the electric grid fails and, if so, how can it be implemented; noted that some businesses such as restaurants rely on open flame (gas) to operate; inquired how to best address in the code the issue of businesses that need gas; noted his concern about what the exemption process will look like and if it will allow for changes in technology in the future.
- Councilor Semple - noted some people, her kids included, have opted to not have children for fear of the world they will inherit; agreed that a ban of fossil fuels in new residences does seem like low-hanging fruit that could be implemented easiest; asked if Eugene really wants new buildings/businesses that are not environmentally conscious anyway, noting the exemption should be allowed only if the business had other community benefits to offer; stated that she would like to include the public in this process and get a feel for what constituents think about the issue; noted the topic is urgent and if it cannot be done all at once, a phased approach should be considered
- Councilor Yeh - reiterated Councilor Groves concern regarding the impact of this topic on emergency services; asked staff to bring back more information on how waivers for infeasibility would work; asked staff if NW Natural is suing the state regarding an executive order; stated that if the State of Oregon cannot get the job done, and ban fossil fuels, Eugene will need to do it; asked that staff follow the NW Natural contestation of DEQ climate protections and report back this information.
- Councilor Keating- asked if it was feasible for a councilor to put forth a motion to direct the City Manager to draft ordinance language that all new residential construction in Eugene be 100 percent electric, solar or thermal by January 1, with additional work sessions to be scheduled in calendar year 2022 to determine the feasibility and possible code amendments to allow for 100 percent electrification of newly constructed commercial and industrial buildings and a pathway for potential local exemptions such as the food and beverage industry, essential service and special projects; inquired if Council is tying its own hands by stating 100 percent electrification versus alternative methods of energy; advised that he plans to make a motion with modifications to the above language.
- Mayor Vinis - reminded Council that they want to be on the trajectory to reducing fossil and fuels, making feasible changes on that path; stated that the City can and should be a model for how to do this so that other cities can follow their footsteps; noted the Council should do its homework and extra research to get this right rather than just fast.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Clark, moved to extend the meeting by 15 minutes. **PASSED 8:0**

- Councilor Syrett- noted that it is important to nail down timing as Councilor Semple stated, to give advanced notice and lead time to builders; stated she would be in support of a motion that set a follow-up work session by a date-certain on this topic, rather than a motion that says bring back ordinance language; asked staff if hospitals are permitted under the same things as residential and commercial or if they have a special permit process.
- Councilor Zelenka- concurred with Councilor Syrett that it is too early for a motion asking for an ordinance; noted a work session to answer the multitude of questions brought up in this work session would be welcome; asked who would do infeasibility exemptions, how would they be done, and what the definition of technical or economic is; asked who the experts on it will be if it is technical, and how does that it will work if it is economic; suggested looking at alternative paths to name who is included and not have exemptions and waivers with an auto renew process to consider new things to add.
- Councilor Evans noted that this is important work that will impact generations to come; agreed that a motion is not needed at this time, but that further work sessions are needed to parse it out and develop a more nuanced set of ordinances that address the issues raised in this meeting.
- Councilor Clark - noted that he still has many questions about this topic; urged the Council to pause and bring the topic forth to the public to include them in the discussion; referenced a public poll taken that had very few votes in favor of this path; stated Council should put whatever they come up with before the voters in an ordinance or charter amendment.
- Councilor Semple - stated that councilors are getting ahead of themselves discussing waivers when they do not have complete information; noted that she is in favor of moving in stages with residential first, then moving on to commercial and industrial so that progress can be made as soon as possible with due diligence.

MOTION: Councilor Keating, seconded by Councilor Syrett, moved to direct City Manager to conduct a work session to determine draft ordinance language by July 31, 2022, that all new residential construction in Eugene be 100 percent electric, solar, or geothermal by January 1, 2023, with additional work sessions to be scheduled in calendar year 2022 to discuss the feasibility and trajectory of reducing fossil fuel usage and possible code amendments to allow for decarbonization and electrification of all newly constructed commercial and industry buildings and a pathway for potential local exemptions of food and beverage industry, essential service, and special projects.

- Councilor Groves- stated he believes Council is not ready for a motion regarding this matter; noted the volume of emails regarding this topic shows that the public has concerns and should be brought into this discussion.

- Councilor Clark- agreed with Councilor Groves statements; noted he will be voting against this motion because he wants many concerns to be considered in this process before a motion and/or ordinance language is created.
- Councilor Zelenka - noted he supports part of the motion, but not all; suggested the motion be simplified.

MOTION TO SUBSTITUTE: Councilor Zelenka, seconded by Councilor Evans, moved to direct City Manager to schedule next work session on this topic by July 31 to answer the questions brought forth in this work session and other questions submitted by the council.

- Councilor Syrett - stated without a specific date in the language she cannot support the substitute motion; offered a friendly amendment to reference a specific date and asked the City Manager to suggest a feasible date.
- Councilor Zelenka - accepted the friendly amendment to add a date specific, July 31, 2022, to the substitute motion
- Councilor Evans accepted the friendly amendment as the seconder of the motion.
- Councilor Semple - stated she would like language to address banning fossil fuels rather than requiring only certain energy sources; noted the original motion felt too complex for this stage in discussion.

VOTE ON MOTION TO SUBSTITUTE: PASSED 8:0

- Councilor Keating- requested that the substitute motion be shown in written form prior to the vote.
- Councilor Clark- asked for clarification if a meeting extension is required for a valid vote.
- Mayor Vinis - clarified that the motion states any questions that have been brought up now or that Council brings up between now and the next scheduled work session would be addressed at such time.

MAIN MOTION AS SUBSTITUTED and VOTE (restated): Councilor Zelenka, seconded by Councilor Evans, moved to direct the City Manager to schedule the next work session before July 31 to answer the questions brought forth in this work session and other questions submitted by councilors. **PASSED 8:0**

The meeting was adjourned at 1:52 p.m.

Respectfully submitted,

Brooke Freed
Deputy City Recorder

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

MINUTES

**Eugene City Council
Work Session
Eugene, Oregon 97401**

**April 20, 2022
12:00 p.m.**

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

Councilors Absent: Greg Evans

Mayor Vinis opened the April 20, 2022, work session of the Eugene City Council in a hybrid in-person/virtual format.

1. WORK SESSION – Review of 2021 Implementation of Bond Measure to Fix Streets and 2022 Pavement Management Report

Principal Civil Engineer Katie Marwitz presented the Review of 2021 Implementation of Bond Measure to Fix Streets and 2022 Pavement Management Report.

Council Discussion:

- Mayor Vinis – thanked staff for their presentation; noted the compelling difference between 2020 and 2021 despite the impact of the pandemic.
- Councilor Syrett – thanked staff; noted appreciation for voters and Public Works for the attention to this project; said she looks forward to upcoming work sessions to detail upcoming projects related to this.
- Councilor Groves – expressed appreciation to staff; noted that the City of Eugene has utilized road bonds well and fulfilled intentions, reaffirming public trust in the road bond process; questioned if inflation is playing a role in delaying or completing road projects; stated a concern about the trend line of backlogged projects increasing each year.
- Councilor Clark – expressed appreciation to staff, echoed colleagues in appreciation of the work done with this project and presentation; inquired if the Spyglass project has already been started or slated for 2022; inquired if all of the money has been completely allocated for 2022 and if there is a way to stretch funding to improve Gilham Road north of Ayres; noted an ordinance council passed in previously stated a greater amount of funds would be used for unimproved streets that are a the sole or predominant way to access an area of new housing development, and inquired if this is calculated into the future plans for Gilham Road.
- Councilor Semple – thanked the staff for the report; noted her appreciation for the increased use of recycled components for road projects; expressed appreciation for the tiered level of prioritization for repair versus replacement as well as the focus on walking and biking methods of transportation; noted that Council will definitely need another bond or some type of funding to continue road maintenance and repairs.
- Councilor Zelenka – expressed appreciation to staff; noted the backlog has been reduced drastically from \$282 million to \$88 million and without a bond renewal the

backlog would go back up to \$267 million by 2030; recalled the original subcommittee proposed three funding options the road bond, including a user fee, and a garbage can fee of \$1 per can per residence to account for the heavy trucks using the roads for garbage removal; asked if the backlog ever goes away with renewal of bonds; stated his belief that in order to have the best system possible, with no backlogged projects, more funding is needed.

- Councilor Keating - expressed appreciation to staff; noted his agreement with Councilor Zelenka that additional funding is needed; thanked members of the Citizen Street Repair Review Panel and asked if that panel had honed in on the biggest contributors to street disrepair such as delivery and garbage trucks; inquired if a municipality can add a road usage tax to internet purchases requiring delivery to a residence; asked if the Citizen Street Repair Review Panel has had conversations regarding the greatest contributors to street disrepair; noted that an increased fuel tax would move the City closer to eliminating reconstructs.
- Councilor Zelenka – noted that the original committee looked at a garbage can fee because there is a direct correlation between the service and the damage caused by the heavy trucks hauling garbage; stated the garbage fee can be added to existing franchise fees.
- Councilor Semple - noted that multiple garbage hauling services provide service in every neighborhood; questioned if the city could be divided into service areas that could be evenly split between companies.
- Mayor Vinis - noted that once a road is built it will always require maintenance and upkeep; stated that compact urban development reduces the number of new road miles that require maintenance funding; commended staff for addressing the climate impacts on the road construction, noting the use of recycled and substitute supplies has a reduced impact on the climate; encouraged all to consider their buying habits and purchase locally.

2. WORK SESSION – Electric Micromobility Devices on Shared Use Paths in East Alton Baker Park

Transportation Planning Manager Rob Inerfeld and Transportation Options Manager Shane Rhodes presented proposed amendments to the East Alton Baker Park Plan and City Code to allow electric micromobility devices in East Alton Baker Park.

Council Discussion:

- Mayor Vinis - thanked staff; stated her appreciation for the etiquette signs proposed.
- Councilor Groves - expressed appreciation to staff; acknowledged the City is trying to find additional ways to increase mobility for the public; shared his negative experiences with e-scooters when traveling to other municipalities that have approved their usage; questioned how the City will enforce proper use and etiquette to protect pedestrians; voiced concerns about safe and proper parking and storage of e-scooters; encouraged staff to research other municipalities that have successful, safe usage of e-scooter rental programs to learn best practices.
- Councilor Yeh- thanked staff; echoed Councilor Groves' opinion to research best practices of other municipalities; said she believes that the plan brought forward by staff is a smart one; noted that this area of the park is currently a roadblock for those using e-devices to travel throughout the city; stated the plan creates corridors where

these micromobility devices are prohibited; said that it is important to remember that safety concerns are not limited to e-devices and that man-powered bikes and scooters can pose similar hazards; expressed appreciation for the outreach plan regarding path etiquette; asked if there is a top speed for devices outside of reduced speed areas; said she believes this is a good plan and that the City should proceed.

- Councilor Keating - thanked staff; noted that in 2005 Council prohibited all motorized devices on shared pathways and in 2020 Council directed input from the Whilamut Citizen Planning Committee; shared his concern that the Citizen Planning Committee opinion is not accurately represented in the presented materials; noted that 73 percent of the Citizen Planning Committee voted in opposition to the proposal; noted that Measure 20-21 passed by voters in 1992, the East Alton Baker Park Charter Amendment, stated the plan must preserve existing water courses, bike paths, and running trails; expressed concern over a lack of national safety data surrounding e-scooter injuries; noted significant spikes in accidents and injuries in other municipalities after the launch of shared e-scooter programs; said he believes that current enforcement is lacking; expressed concerns over the enforcement, training and safe use of shared e-devices in East Alton Baker Park; said he is fundamentally opposed to the e-scooter pilot program taking over the Whilamut Natural Area.
- Councilor Semple - thanked staff; asked staff to explain the geofencing and how it will prevent devices from going into certain areas; asked if the rules would apply to privately owned e-devices as well as the shared use program; noted that privately owned scooters would not have the built-in protocols for speed and usage area that shared devices would have; asked if current etiquette campaigns have made a notable difference; inquired how rules and penalties would be enforced; admired the etiquette campaign but said she has doubts regarding how effective it would be; noted the Whilamut Natural Area is a place of solitude for many and adding e-scooter usage to the area could create overcrowded paths; is concerned that this green space is being turned into a transit corridor; showed appreciation for the less carbon intensive transportation aspect of the proposal but does not feel it is appropriate for the Whilamut Area; asked how e-scooters will kept out of the river, as has been seen in other cities.
- Councilor Syrett - thanked the staff and City Manager; recalled the matter at hand is micromobility device usage in the Whilamut Natural Area; noted the original reasons that motorized devices were banned were noise and safety; noted that e-mobility devices do not make much noise which can also be a problem; noted that standard, man-powered bikes can also go very quickly and cause safety concerns; noted that all path users need to be aware of one another to avoid conflict and safety issues; said she is inclined to support the staff proposal with compelling reasons to allow e-devices on specific paths within East Alton Baker Park; noted the proposed plan opens an alternate transit path between Eugene and Springfield.
- Councilor Zelenka - thanked the staff; noted that the paths in the proposal are some of the few non-roadway pathways between Eugene and Springfield and e-device riders are already using them; said he likes the etiquette campaign and believes it should be citywide and have signage posted in prohibited areas as well; noted that the paths in question are not narrow and can accommodate shared usage; stated that the CAP 2.0 ordinance states that the City should increase e-mobility for commuting and reduce greenhouse gas emissions; said he will support option B in the proposed plan.

- Mayor Vinis - added her support for the previous comments stating the paths are paved roadways, not bare paths; noted the proposed plan aligns closely with the climate action plan to help people use an alternate method of transportation; noted the proposed plan is a good starting point taking into consideration challenges that other cities have encountered.
- Councilor Groves - asked staff if there will be signage to clearly show where motorized devices will be prohibited.
- Councilor Keating - recognized the CAP 2.0 goals and stated they are not enshrined in the Lane County Charter; inquired if Council can legally supersede the county's charter to allow the e-devices in East Alton Baker Park; said he will second the motion made as part of the role of Council Vice President but he will not support it.
- Councilor Zelenka - clarified that the authority over the plan and the ability to approve and amend it rests with the City Council not with the Citizen Planning Committee or other planning groups.

MOTION: Councilor Syrett, seconded by Councilor Keating, move to direct the City Manager to bring back for Council consideration an ordinance amending the East Alton Baker Park Plan and city code to allow electric micromobility devices on select shared use paths within the park as indicated in Attachment A.

Council Discussion:

- Councilor Semple - asked to clarify that this is a trial program and can be stopped if it is not successful; said she will vote in favor despite arguments against it previously; acknowledged that this vote is to only to have staff bring ordinance language regarding the proposal to Council, not to approve the proposed amendment to allow shared usage.

VOTE: PASSED 6:1, Councilor Keating opposed.

Mayor Vinis adjourned the meeting at 1:37 p.m.

Respectfully submitted,

Brooke Freed
Deputy City Recorder

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

MINUTES

**Eugene City Council
Work Session
Eugene, Oregon 97401**

**April 25, 2022
5:30 p.m.**

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

Mayor Vinis opened the April 25, 2022, work session of the Eugene City Council in a hybrid in-person and virtual format.

1. WORK SESSION: 2022 General Obligation Bond for Street Repairs

City Manager Sarah Medary gave background and introduced the topic. City Engineer Jenifer Willer and Finance Director Twylla Miller gave a presentation on the topic.

Council Discussion:

- Councilor Clark - asked what the current backlog is on unimproved streets; commented on the overlay program and unimproved streets in north Eugene needing improvement; asked if it is too late to add a question to the poll; stated the maintenance overlay program could be the way to go.
- Councilor Evans - said the issue of lighting is a concern to him; asked if a lighting audit has been done to assess the quality of lighting on the streets to determine what the needs are and what the dollar amount would be; said dark streets create the potential for auto, pedestrian, and bicycle accidents; supported being more specific about lighting and other amenities that need to be addressed with another bond.
- Councilor Groves - commented he has been getting more knowledgeable about street lighting, traffic calming and signage; said he is interested in hearing more about unimproved streets; asked if the 94 percent construction rate was a conservative number; asked why neighborhood associations were not included in the proposed outreach.
- Councilor Zelenka - commented it is essential to keep the accountability mechanisms in place as means of building trust with the community and following through; asked what the current bond rate is and if the bond rate is the same amount for each household; asked for clarification on the bond rate dollar amounts and the backlog; asked how much is spent on traffic calming and what the backlog is for traffic calming requests; asked for details on the Vision Zero projects.
- Councilor Keating - commented on the last three road bond votes and shared facts about bonds that failed in past mid-term elections; commented that traffic calming might poll well; asked if one of the polling questions is about supporting a bond that increases property owners' taxes.
- Councilor Syrett - commented it will be up to Council to decide if the polling results are enough to put the bond on the ballot; asked when the first project would go out to bid if the voters support the bond; stated that social equity needs to be a consideration and would like a similar GIS evaluation of sidewalk lighting; discussed the potential

advantage with Vision Zero identified projects and the City's competitive advantage when staff apply for state and federal funding; shared her concerns about bicycle and pedestrian safety on the streets.

- Councilor Yeh – said she likes the idea of tying this to other Council priorities; said she felt adding sidewalk infill and streetlights to the bond will make residents more supportive; stated she is not inclined to support a higher tax.
- Councilor Semple - asked what is included in the annual dollar amount; noted the bond does not address sidewalks because sidewalk repair is the property owner's responsibility; said she would be interested in making traffic calming a higher priority.
- Councilor Evans - asked how many miles of street that are scheduled for rebuild are on the verge of collapse; gave some examples of roads in poor condition; asked if there are other measures Council can take that will marginally reduce the amount of backlog.
- Councilor Zelenka - asked how much the backlog will increase with the bond renewed or if the gap will still be \$3 million; asked if an assessment was done on what one dollar per garbage can would bring in.
- Councilor Keating - stated that adding one cent to the rate seems reasonable and he would like to see the polling on adding a two-cent increase to the gas tax; said he is curious about what the polling questions are and what the process is; asked if it is typical procedure to conduct a poll without Council's feedback on content; stated he would like to see a frank question asking if voters would support a property tax increase, and include in that question how much and what services the increase will pay for.
- Councilor Clark - stated he would have liked to see the questions for the poll and felt a question regarding unimproved streets would have been valuable; said there are two categories: 1) enhancing the unimproved roadways all over Eugene regarding the maintenance overlay and 2) the money spent on traffic calming; said he would like more information before making a decision.
- Councilor Syrett - stated she feels the polling is important and would like a threshold to ensure the bond measure does not fail; asked if staff used the same polling firm as in the past.
- Councilor Groves - said he would like Council to be consulted on the front end of polling questions with fiscal implications; stated lighting, signage and traffic calming are important to constituents.
- Councilor Keating - stated he would like to explore including traffic noise in the polling questions and asked if there is a way to capture auditory infractions.
- Councilor Zelenka - commented that the backlog means the road system is not getting worse or better for voters; said that adding the items that are important to voters will help increase the chances a bond measure will pass.
- Mayor Vinis - stated that traffic calming and lighting are Vision Zero goals and are closely related to active transportation in terms of biking and walking.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Brooke Freed
Deputy City Recorder

(Recorded by Niyah Ross)

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

MINUTES
Eugene City Council
Work Session
Eugene, Oregon 97401

April 27, 2022
12:00 p.m.

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

Councilors Absent: Greg Evans

Mayor Vinis opened the April 27, 2022, work session of the Eugene City Council in hybrid in-person and virtual format.

1. WORK SESSION: Parks and Recreation Bond and Levy Update

City Manager Sarah Medary introduced the topic. Parks and Open Space Division Manager Craig Carnagey, Public Works Operations Manager Carolyn Burke, Facility Management Division Manager Jeff Perry, and Recreation Services Director Craig Smith gave a presentation and background on the topic.

Council Discussion:

- Councilor Clark - asked if there is identified funding for the Striker Field phase two; asked about the bond funds that were allocated to Golden Gardens and why the funding was not used for phase two of Striker Field; asked what the estimated cost is for phase two for Striker Field; asked when the pavilion at Creekside Park will be completed; asked if all the parcels have been assembled for the Santa Clara Community Park plan and what the construction status is.
- Councilor Groves – stated that Eugene parks and recreation system are a crowned jewel of the community; asked how inflation is impacting the overall cost of construction projects; asked for a timeline for the Churchill Community Center; attended the reopening of Berkeley Park and was impressed at the design and amenities; asked if there is a plan for Petanque facilities at Striker Field and advocated for adding this.
- Councilor Zelenka - stated the \$3 million levy shows what adequate funding can do; stated that 75 percent of community members believe parks are an important aspect for quality of life; stated the survey showed an increase in people feeling safer; asked for details about the habitat creek restoration project.
- Councilor Semple - stated this is a successful initiative and the distribution among the wards is sufficient; asked if there is a warm water pool at Sheldon Community Center; asked if there is a plan to renovate Lincoln School Park; stated a need for more green spaces for people to gather in; requested to add pocket parks in dense neighborhoods; thanked staff for their attention to Monroe Park.

- Councilor Yeh - shared her excitement about the Sheldon area renovation; asked how many other projects are in a similar situation to Striker Field, as construction prices have gone up; stated there is a lot of anticipation in north Eugene as to when the next projects will begin; asked about the status of projects in north Eugene and how to relay timelines to residents; asked about adding land to Golden Gardens; asked if a new name for Striker Field has been selected.
- Councilor Keating - asked if new recycling receptacles will be added with the 45 new garbage cans; asked how often the 45 new garbage cans will be serviced; commented there is not a dog park in the Churchill neighborhood, and this could be a big boon to that community; asked if the two Eugene Police Officers designated for park patrol is adequate for the vast systems of parks that are in the community; stated there is great appreciation for the year-round Amazon Pool services; asked to look at the importance of supporting recreation services and having systems that are walkable and reduce the carbon footprint left by driving across town to enjoy a park.
- Councilor Syrett - asked about the percentage of those approving the parks levy; stated she is thrilled to hear the survey results show that park users are recognizing the investments in the parks; commented the smaller pocket parks could help alleviate some issues in the denser neighborhoods; stated the Amazon Creek renovation will improve the water quality and is a great enhancement.

2. WORK SESSION AND POSSIBLE ACTION: Ordinance Amending Section 4.990 of the Eugene Code, 1971, Adding a Penalty for the Willful Violation of Section 4.830 (Portion of Street Reserved for Vehicular Traffic) of that Code.

City Manager Sarah Medary introduced the topic. Public Works Director Matt Rodrigues gave a presentation on the topic.

Council Discussion:

- Councilor Syrett - shared she was hesitant to move this forward to a public hearing after the first work session on this; shared that it is not just unsheltered people who use the right-of-way for unintended purposes; stated she will support the motion on this ordinance.
- Councilor Groves - stated he will support this motion; shared he has seen dangerous materials, such as steel I-beams stored in the street.
- Councilor Semple - shared she has mixed feelings around this motion and is concerned about unhoused people being fined and unable to pay; noted that \$500 would be the new maximum fine and restated that community service would be an optional punishment; asked if someone who needed to store a pile of wood or soil in the street for a couple of days could get a permit to do so; said she will support the ordinance with a little hesitation.
- Councilor Clark – said he will support the ordinance; stated Council has asked for public safety to step up and successfully deal with some of these issues and he feels compelled to listen to them and give them the tools needed to do the job; stated he was concerned that the Human Rights Commission stated in its letter that it will oppose policy set by Council.
- Councilor Zelenka - asked how the process for enforcement will work; confirmed the fine is avoidable when there is compliance; indicated his support for the motion.

- Councilor Keating - read a statement from the Human Rights Commission (HRC); stated that HRC reviews proposed policy; asked if a community service sentence can be added into the code; asked how the dollar amount of a fine translated into community service hours; stated he would be comfortable tabling this to let Judge Gill answer questions.
- Councilor Clark - asked for clarification around Council's guidelines on how it can advise the municipal judge about the outcomes of his sentences; asked if Council has a role in assessing the judge's discretion; stated he would like to see a judge mandate participation in drug treatment; stated he is comfortable with the array of options the judge has in sentencing and trusts the judgement of the municipal judge.
- Councilor Zelenka - stated he is a long-time supporter of community service as an alternative punishment; shared he thinks it is uncommon to have community service stated in the ordinance; said Council does not tell the judge how to do his job, but it can express suggestions in comments during the evaluation process; suggested a work session on how community service is used as a sentencing option; asked if community service sentencing is specifically mentioned in the Eugene Code.

MOTION: Councilor Syrett, seconded by Councilor Keating, moved to adopt an Ordinance Amending Section 4.990 of the Eugene Code, 1971, Adding a Penalty for the Willful Violation of Section 4.830 of that Code.

Council Discussion:

- Councilor Keating - moved to table the motion to hear from Judge Gill before advancing the proposed ordinance change. The motion was not seconded.

VOTE: PASSED 6:1, Councilor Keating opposed.

The meeting was adjourned at 1:28 p.m.

Respectfully submitted,

Brooke Freed
Deputy City Recorder

(Recorded by Sara McKinney)

Webcast of meeting available [here](#).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: May 23, 2022
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

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

BACKGROUND

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

COUNCIL OPTIONS

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

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

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



City Council Tentative Agenda

Updated May 18, 2022

**** SPECIAL NOTICE ****

As our state and community recover from the COVID-19 pandemic, City Council meetings will continue to be held using virtual meeting technology. Information about how to access these meetings will be available at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>.

May 2022					
Date	Day	Time	Title	Length	Dept. Contact
23-May	Monday	5:30 pm	 Addressing Chronic Toxic Polluters (Work Session)	90 mins	Jason Dedrick, CS
		7:30 pm	 Pledge of Allegiance  Committee Reports and Items of Interest  Approval of Funding and Use of City Resources for Housing Affordable to Low and Moderate-Income Persons (Consent Calendar 1)  Public Forum  Resolution Annexing Land at 158 W Hilliard Lane (Consent Calendar 2)		Laura Hammond, PDD Reid Verner, PDD
Expected absences for 5/23: none					
24-May	Tuesday	5:30 pm	 Action on Motion to Adopt an Ordinance Concerning Middle Housing (Special Meeting and Action)	90 mins	Terri Harding, PDD
Expected absences for 5/24: none			Note: Special Meeting Added		
25-May	Wednesday	12 pm	 Civilian Oversight System (Work Session)  City of Eugene/Lane Community College Partnership (Work Session)	45 mins 45 mins	Leia Pitcher, PA Sarah Medary, CM
Expected absences for 5/25: none					



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

25-May	Wednesday	5:30 pm	 Budget Committee Public Comment, Deliberation and Recommendations (Work Session)		Vicki Silvers, CS
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June 2022					
Date	Day	Time	Title	Length	Dept. Contact
8-June	Wednesday	12 pm	 Growth Monitoring (Work Session)	90 mins	Heather O'Donnell, PDD
Expected absences for 6/8: none					
13-June	Monday	5:30 pm	 TBD (Work Session)	45 mins	Will Dowdy, PDD
			 Riverfront Projects (Work Session)	45 mins	
		7:30 pm	 Pledge of Allegiance  Committee Reports and Items of Interest  Public Forum  Resolution Annexing Land at 148 W Hilliard Lane (Consent Calendar 2)  Initiation of Land Use Code Amendment: Floodplain Regulation Update to Meet FEMA Standards for the National Flood Insurance Program (Consent Calendar 2)  Appointments to Boards, Commissions and Committees  East Alton Baker Plan and EC 5.160: Use of Electric Micromobility Devices in Whilamut Natural Area		Althea Sullivan, PDD Jack Blackham, PW Staff, CS Rob Inerfeld, PW
Expected absences for 6/13: none					
15-June	Wednesday	12 pm	 Permanently Filling Police Auditor Position – Next Steps (Work Session)	45 mins	Becky DeWitt, CS
			 TBD (Work Session)	45 mins	
Expected absences for 6/15: none					
21-June	Tuesday	5:30 pm	Scheduled only as needed		

		7:30 pm	 Public Contracting Code Provisions and Exemptions (Public Hearing)		Becky Wheeler, CS
			 Renter Protections – Phase 1 (Public Hearing)		Genevieve Middleton, PDD
Expected absences for 6/21: none					
22-June	Wednesday	12 pm	 Eugene Springfield Fire Governance (Work Session)	60 mins	Staff
			 TBD (Work Session)	30 mins	
Expected absences for 6/22: none					
27-June	Monday	5:30 pm	 TBD (Work Session)	45 mins	Craig Carnagey, PW
			 Urban Forestry (Work Session)	45 mins	
		7:30 pm	 Pledge of Allegiance		Elizabeth Butterfield, CS Elizabeth Butterfield, CS Vicki Silvers, CS Vicki Silvers, CS
			 Committee Reports and Items of Interest		
			 Public Forum		
			 FY22 Supplemental Budget (Public Hearing and Action)		
			 FY22 URA Supplemental Budget (Public Hearing and Action)		
			 FY23 Budget Adoption (Public Hearing and Action)		
			 FY23 URA Budget Adoption (Public Hearing and Action)		
			 Public Contracting Provisions and Exceptions, EC 2.1400 to 2.1451 (Possible Action)		
Expected absences for 6/27: none					
29-June	Wednesday	12 pm	 Urban Renewal Districts (Work Session)	45 mins	Will Dowdy, PDD
			 Street Bond Renewal (Work Session)	45 mins	Jenifer Willer, PW
Expected absences for 6/29: none					

July 2022						
Date	Day	Time	Title		Length	Dept. Contact
11-July	Monday	5:30 pm	 Street Bond Renewal Follow-up (Work Session, Possible Action)	45 mins	Jenifer Willer, PW	
			 TBD (Work Session)	45 mins		
		7:30 pm	 Committee Reports and Items of Interest  Public Forum			
Expected absences for 7/11: none						
13-July	Wednesday	12 pm	 Decarbonization Roadmap (Work Session)	90 mins	Matt Rodrigues, PW	
Expected absences for 7/13: none						
18-July	Monday	5:30 pm	Scheduled only as needed			
		7:30 pm	 TBD (Public Hearing)			
Expected absences for 7/18: none						
20-July	Wednesday	12 pm	 Building Electrification Follow-up (Work Session)	90 mins	Lydia Bishop, PDD	
Expected absences for 7/20: none						
25-July	Monday	5:30 pm	 Public Health Overlay Zone (Work Session)	45 mins	Allie Camp, PDD	
			 TBD (Work Session)	45 mins		
		7:30 pm	 Committee Reports and Items of Interest  Public Forum			
Expected absences for 7/25: none						
27-July	Wednesday	12 pm	 TBD (Work Session)	45 mins		
			 TBD (Work Session)	45 mins		
Expected absences for 7/27: none						

Council Break: July 28 – September 11



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
"Housing Status" as a Protected Class – <i>follow-up session TBD</i>	Semple	03/12/20
Reparations (two-part work session) – <i>follow-up session TBD</i>	Evans	03/18/21
Funding Source for Climate Change and Homelessness – <i>follow-up session TBD</i>	Zelenka	05/10/21
Fossil Fuel Risk Bonds – TBD	Groves, Syrett	10/21/21
Addressing Chronic Toxic Polluters – <i>Scheduled</i>	Groves	12/2/21
Urban Renewal Districts – <i>Scheduled</i>	Groves	2/25/22
Sale and Use of Personal Fireworks – TBD	Syrett	4/15/22
Gas Stations – TBD	Keating	4/15/22

UPCOMING PUBLIC HEARINGS			
Date	Topic	Description	Staff Contact
June 21, 7:30 pm	Public Contracting Code Provisions and Exemptions. An Ordinance concerning public contracts; changing portions of sections 2.1400 to 2.1451 of Eugene Code	The City Council will hold a public hearing to consider an ordinance concerning changes proposed to the Public Contracts section of Eugene Code.	Becky Wheeler, CS 541-682-5056
June 21, 7:30 pm	Renter Protections Phase 1. An Ordinance concerning Renter Protections; changing portions of sections 8.400 to 8.440 of Eugene Code.	The City Council will hold a public hearing to consider an ordinance concerning Renter Protections Phase I.	Genevieve Middleton, PDD 541-682-5529

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Resources for Housing Affordable To Low- and Moderate-Income Persons

Meeting Date: May 23, 2022
Department: Planning & Development
www.eugene-or.gov

Agenda Item Number: 3C
Staff Contact: Laura Hammond
Contact Telephone Number: 541-682-5416

ISSUE STATEMENT

Council is asked to approve the funds for two proposals submitted in response to the 2022 Affordable Housing Trust Fund Request for Proposals. The two proposals recommended for funding are: 1) Peace Village, by SquareOne Villages, new construction of 70 owner-occupied tiny homes for low-income households; and 2) Green Lane Veteran's Housing, by Saint Vincent De Paul of Lane County, new construction of 10 units of transitional housing for veterans experiencing homelessness.

BACKGROUND

On April 8, 2019, City Council passed an ordinance establishing a local Construction Excise Tax to provide a dedicated source of funding for affordable housing in Eugene. Attachment A provides Frequently Asked Questions related to the Construction Excise Tax.

Funds generated by the Construction Excise Tax go into the City's Affordable Housing Trust Fund. The Affordable Housing Trust Fund supports local programs, incentives and services related to the housing of households earning 100% of area medium income and below. The total amount of Construction Excise Tax and general funds accrued in the Affordable Housing Trust Fund in FY21 for use in FY22 was \$1,644,653. (From July 1, 2020 through June 30, 2021 (FY21), residential and commercial projects were taxed at 0.5% of the permitted value of eligible improvements. In addition, Council approved \$500,000 of general funds for the Affordable Housing Trust Fund in the December 2020 Supplemental Budget.)

Council discussed the FY22 allocation at the July 12, 2021 work session. Considering the rent assistance available to Lane County through other emergency resources for the pandemic, Council agreed with the Affordable Housing Trust Fund -Advisory Committee recommendation to use at least 75% of the resources for housing development and 25% for direct services supporting housing access and affordability (after deducting 10% for project delivery administration). The FY22 allocation for development projects offered through the Request for Proposals process was \$1,111,000.

2022 Request for Proposals Process

In the fall of 2021, the Affordable Housing Trust Fund -Advisory Committee reviewed and discussed Request for Proposals criteria which was finalized in December 2021. The FY22 Request for Proposals included rental and homeownership as eligible development types and focused on innovations in design, financing, and management. The Request for Proposals was released to the public in January 2022 and was open for eight weeks. Two development proposals were received through the Request for Proposals in March 2022 and are described below. The proposals were reviewed in April by staff and the Evaluation Committee, a sub-committee of the Affordable Housing Trust Fund -Advisory Committee. The full Affordable Housing Trust Fund -Advisory Committee considered the proposals and made a recommendation to staff. Council makes the final funding decision.

Summary of Proposals

The following summary of proposals is presented in the order of their ranking by the Evaluation Committee. Both proposals were scored highly, and both can be funded with the resources available through the Request for Proposals. See Attachment B for a map of the proposal locations; see Attachments C and D for images and additional information about each proposal.

Peace Village

SquareOne Villages proposes to develop 70 tiny homes for ownership by households earning less than 60% Area Median Income. The Peace Village site is located on River Road. The proposal combines a community land trust with limited equity cooperative housing model. SquareOne retains ownership of land to preserve long-term affordability and residents collectively own and manage the housing. SquareOne is partnering with the NAACP and the Latino/a Hub to market the housing opportunity to people of color and would further target units to households experiencing homelessness, households with severe cost burden (paying more than 50% of their income for housing), and households that faced eviction/ foreclosure.

SquareOne has been awarded over half their needed funding, including City of Eugene City Fee Assistance for Systems Development Charges (SDC). They are currently applying for State Local Innovation Fast Track (LIFT) funds and continuing community fundraising. Construction is anticipated to begin by the end of 2022 and occupancy estimated by the end of 2023.

Green Lane Veteran's Housing

Saint Vincent De Paul of Lane County (SVDP) proposes to develop 10 one-bedroom transitional housing units targeted to veterans experiencing homelessness. The development is located on Green Lane in the Santa Clara neighborhood. Eligible veterans must meet the definition of homeless or at risk of homelessness and will enter the program at 0-50% of Area Median Income. As part of the U.S. Department of Veteran's Affairs (VA) Grant and Per Diem Program (GPD), participants' incomes will increase as an outcome of the program, ultimately supporting their transition to on-going permanent housing. In addition to on-site case management services by the VA, SVDP assists veterans to access benefits and prepares participants for work as well as building job skills.

SVDP has secured all the development funding for construction of the proposal except the Affordable Housing Trust Fund resources. They will pursue Council approval of a Low-Income Rental Housing Property Tax Exemption. Construction would begin in July 2023 with lease up and

move in estimated in March 2024.

Evaluation Committee Scoring and Affordable Housing Trust Fund -Advisory Committee Recommendation

The Evaluation Committee scored the proposals April 14, 2022 according to the Request for Proposals criteria within the following criteria categories: 1) project concept and design, 2) site feasibility, 3) targeted population and services, 4) cost benefit, 5) financial feasibility, and 6) organizational experience and performance. Peace Village received the highest score.

The Evaluation Committee discussed the proposals with the full Affordable Housing Trust Fund - Advisory Committee on April 21, 2022. The discussion topics included:

- Innovation. Committee members noted that the proposals were the type that they were hoping to see using the Affordable Housing Trust Fund funding opportunity and they anticipate that as the program continues and more people become aware of it, the Request for Proposals will generate more proposals each year.
- Location. Both proposals are in the Santa Clara area. The Santa Clara Community Organization has been generally supportive of affordable housing developments and understands the need for the housing in our community.
- Funding. The 2022 Request for Proposals included criteria indicating a preference for proposals of \$370,00 or less so that there would be the option to provide up to three awards. In response to the Request for Proposals, Peace Village requested \$370,000 and Green Lane requested \$350,000 – totaling \$720,000 of the available \$1,111,000. While the Green Lane project indicated the Affordable Housing Trust Fund would fill their final gap in funding, the Peace Village project indicated they could utilize additional Affordable Housing Trust Fund if it were available.

Both the Peace Village and Green Lane projects received high scores from the Evaluation Committee. During deliberations, the Affordable Housing Trust Fund -Advisory Committee members were impressed by both project proposals and noted that the projects aligned with the goals and intent of the Affordable Housing Trust Fund.

Based on the funding available and the requested amounts, the Affordable Housing Trust Fund - Advisory Committee recommended to staff that \$670,000 be used to support the development of Peace Village (an additional \$300,000 towards the project) and the requested \$350,000 be used to support the development of Green Lane Veteran's Housing. The Affordable Housing Trust Fund - Advisory Committee recommended that the remaining \$91,000 in development funding be added to the 2023 Request for Proposals. The list of Affordable Housing Trust Fund -Advisory Committee members and their recommendation is included in Attachment E.

HIP Connection

In January 2022, Council approved the Housing Implementation Pipeline (HIP) which modeled the Affordable Housing Trust Fund allocation between housing development (at least 75%) and direct services (25%) for the next 5 years (through FY27). The same allocation as was used for the FY22 allocation. Based on that projection, the HIP estimated the Affordable Housing Trust Fund could support the creation of 322 income-qualified units including 222 rental units and 100 homeownership units for low- and moderate-income households that would be occupied during the 5-year HIP period.

PREVIOUS COUNCIL DIRECTION

[January 24, 2022 Work Session](#) – Council approved the Housing Implementation Pipeline (HIP) document, a 5-year internal work plan to coordinate current and future housing resources, goals.

[July 12, 2021 Work Session](#) - Council received a two-year review of the Affordable Housing Trust Fund and discussed the FY22 allocation. Council supported the Affordable Housing Trust Fund - Advisory Committee recommendation to use at least 75% of the resources for housing development and 25% for direct services supporting housing access and affordability.

[April 8, 2019 Council Meeting](#) – City Council adopted an Ordinance Concerning Imposition of a Construction Excise Tax on Commercial and Residential Improvements.

COUNCIL OPTIONS

The City Council has three options:

1. Approve the use of FY22 Affordable Housing Trust Funds for Peace Village by SquareOne Village (\$670,000) and Green Lane Veteran's Housing by Saint Vincent De Paul of Lane County (\$350,000), with the remaining to be added to the 2023 Request for Proposals (\$91,000).
2. Give alternate direction with specific modifications for funding.
3. Decline to approve funding.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends Council select option 1.

SUGGESTED MOTIONS

Move to approve the use of \$670,000 of Affordable Housing Trust Funds for Peace Village by SquareOne Villages and \$350,000 of Affordable Housing Trust Funds for Green Lane Veteran's Housing by Saint Vincent De Paul of Lane County, and to allocate the remaining \$91,000 of the FY22 Affordable Housing Trust Funds to the 2023 Request for Proposals.

ATTACHMENTS

- A. Construction Excise Tax Frequently Asked Questions
- B. Map of the Affordable Housing Trust Fund development proposals
- C. Summary of Peace Village
- D. Summary of Green Lane Veteran's Housing
- E. Membership of Affordable Housing Trust Fund Advisory Committee & Recommendation

FOR MORE INFORMATION

Staff Contact: Laura Hammond
Telephone: 541-682-5416
Staff E-Mail: LHammond@eugene-or.gov



Construction Excise Tax

What Is the Construction Excise Tax?

In 2016, Oregon Legislature passed Senate Bill 1533 authorizing Oregon cities and counties to establish a construction excise tax (CET). In May of 2019, the Eugene City Council passed Ordinance 20609 establishing the tax in Eugene. The tax will create a dedicated source of funding for affordable housing. The law authorizes a city or county to tax new residential and commercial buildings, additions, and alterations. Specifically, it applies to all improvements which result in a new structure, additional square footage to an existing structure, or addition of living space to an existing structure.

Why is this tax needed?

Eugene City Council and State Legislature both recognize traditional funding sources for affordable housing – especially federal sources – have declined. Because of this decline, our community has fallen far behind in meeting the housing needs of Eugene residents with limited incomes. The money collected from the CET will be put into the Affordable Housing Trust Fund. This fund will provide critical funding and is one part of a larger effort to help address the housing challenge.

What does the CET pay for?

Money collected from the CET will go into the Affordable Housing Fund, which will pay for projects and programs that increase availability and access to owner- and renter-occupied housing that is affordable to lower income community members. Examples of how these funds may be used include:

- Gap financing for the development of new affordable housing
- Acquisition of existing housing that will become affordable
- Acquisition of land for future affordable housing development

- Down payment assistance for home buyers
- Rental or security deposit assistance for people who rent their homes.

CET resources will be used to supplement the limited federal resources that support the City's existing federal affordable housing programs. Revenues will be allocated to fund projects, programs, incentives, and services related to the housing of households earning 100% of area medium income and below, and in accordance with state law.

The Affordable Housing Trust Fund Advisory Committee advises staff on the use of Affordable Housing Trust Funds resources. The CET went into effect July 1, 2019. Funds were allocated to housing programs and projects starting in 2020.

Who needs to pay and when?

The CET is required to be paid by the developer or property owner who is developing property within Eugene city limits. The CET applies to certain improvements to property that result in additional square footage or improvements which create additional living space. The CET is paid when the permit is issued.

Who is exempt from paying the CET?

The following are exempt from the CET:

- Private school improvements
- Public improvements as defined in [ORS 279A.010](#)
- Residential housing that is guaranteed to be affordable to households that earn no more than 80% of the median household income for a period of at least 60 years following the date of construction
- Public or private hospital improvements
- Improvements to religious facilities



Construction Excise Tax

primarily used for worship or education associated with worship

- Agricultural building as defined by ORS 455.315
- Long term care facilities operated by a not-for-profit corporation, as defined in ORS 442.015
- Residential care facilities operated by a not-for-profit corporation, as defined in ORS 443.400
- Continuing care retirement communities operated by a not-for-profit corporation, as defined in ORS 101.020
- Residential dwellings sold for \$250,000 or less
- Housing for low-income persons that is exempt from systems development charges (SDCs) pursuant to section 7.725c
- Projects granted a multi-unit property tax exemption (MUPT) by the city.

To demonstrate a project is exempt from the CET a [Construction Excise Tax Exemption Form](#) must be completed, signed, and submitted with the building permit application identifying what exemptions are applicable to the project.

How much is the CET?

The CET is 0.5% of the value of permitted work for improvements which result in a new structure, additional square footage

to an existing structure, or addition of living space to an existing structure.

How long is the CET active?

Based on legislation adopted in 2016, the City can continue levying the tax for an indefinite amount of time. Eugene City Council will review the overall management and outcomes of the program every two years.

Whom can I contact for more information?

If you have additional questions, you may contact the City of Eugene's Building and Permit Services by phone: (541) 682-5086.

Additional information on the affordable housing programs and the advisory committee can be found at:

eugene-or.gov/affordablehousingtrustfund

What is "affordable housing" and how can I learn more about City affordable housing programs and resources?

Across the United States, housing costs are considered "affordable" if the monthly rent or mortgage, plus utilities, add up to no more than one-third (or 30%) of gross household earnings. Affordable housing developments receive public subsidies in exchange for a commitment to provide homes with limited rents for people with limited incomes.

The City of Eugene has supported the creation of affordable housing using both federal and local funds for over 40 years.

www.eugene-or.gov/bps

Map of the AHTF Development Proposals



2022 Affordable Housing Trust Fund Proposed Locations



City of Eugene, PDD 04/15/2022
 Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Affordable Housing Trust Fund 2022 Request for Proposals

Peace Village

SquareOne Villages

3060 River Road



- New construction proposal
- 70 units, 78 bedrooms: 62 one-bedroom, 8 two-bedroom units
- Attached tiny homes with shared open space.
- Existing church buildings would be re-used as common facilities with community kitchen, meeting space, offices, laundry.
- Combines community land trust with limited equity cooperative housing model; SquareOne retains ownership of land to preserve long-term affordability and residents collectively own housing



- Residents earning up to 60% Area Median Income (AMI) would be eligible; 14 units are priced at rates affordable at 30% AMI, 56 units are priced at rates affordable at 50% AMI
- Partnership with NAACP and Latino/a Hub
- Would assist smaller households, people experiencing homelessness, households with rent burden, households that faced eviction, and people with disabilities.



- AHTF funds proposed: \$670,000; City Fee Assistance approved \$500,000
- Total development cost: \$13,633,328
- Cost per unit: \$194,762
- Cost per bedroom: \$174,786
- Other proposed funding sources: State funding (HB 5006 & HB 5202) awarded; State Local Innovation Fast Track (LIFT) funds, private bank loan, fundraising



- Construction is anticipated to begin by the end of 2022



Affordable Housing Trust Fund 2022 Request for Proposals

Green Lane Veteran's Housing

St. Vincent de Paul of Lane County

101 Green Lane



- New construction proposal
- 10 one-bedroom units
- Two residential buildings and a one-story office building with meeting rooms and laundry services
- Transitional housing program where residents can stay up to two years



- Serving veterans experiencing homelessness between 0% and 50% AMI
- On-site resident services provided, including case management
- Goal of program to increase resident incomes to transition to stable housing
- Partnerships with US Department of Veteran's Affairs: Grant and Per Diem Program
- Will serve chronically homeless and homeless Veterans which may also include people with mental and/or physical disabilities, people with drug and alcohol addiction, victims of domestic violence, people with HIV/AIDS and people experiencing foreclosure or eviction.



- AHTF funds proposed: \$350,000
- Total development cost: \$2,300,000
- Cost per unit: \$230,000 (including resident services)
- Cost per bedroom: \$230,000 (including resident services)
- Other funding sources: VA Capital Grant, State ARPA funds, bequest, proceeds from sale of property
- Will apply for a 20-year LIRHPTE



- Construction anticipated to begin in July 2023



Affordable Housing Trust Fund Advisory Committee Membership

John Barofsky
Ibrahim Coulibaly
Isaac Judd
Pete Knox (Chair)
Kaarin Knudson
Jason Lear*
Sarah Pishioneri*^
Carmel Perez Snyder
Jennifer Volem*

*Members of the Evaluation Committee for the 2022 AHTF RFP.

^Not present at the meeting April 21, 2022.

Recommendation to staff on April 21, 2021:

The Affordable Housing Trust Fund Advisory Committee unanimously passed (with one absent and one abstention) motions to:

1. Recommend the use of Affordable Housing Trust Funds of \$370,000 for Peace Village by SquareOne Village and \$350,000 for Green Lane Veteran's Housing by Saint Vincent De Paul of Lane County.
2. Recommend that an additional \$300,000 be awarded for Peace Village by SquareOne Village and the remaining \$91,000 in FY22 for development to be added to the FY23 AHTF development RFP.

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: May 23, 2022
Department: Central Services
www.eugene-or.gov

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

ISSUE STATEMENT

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

SUGGESTED MOTION

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

FOR MORE INFORMATION

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

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-24-23, Tax Lot 1602, Located at 158 West Hilliard Lane) (City File: A 22-4)

Meeting Date: May 23, 2022
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 5A
Staff Contact: Reid Verner
Contact Telephone Number: 541-682-5534

ISSUE STATEMENT

This item is a request to annex property located at 158 West Hilliard Lane. The property to be annexed is approximately .23 acres and is located west of River Road, on the south side of West Hilliard Lane. No public right-of-way is proposed for annexation as part of this request and there is no formal deadline for Council action on this item. A vicinity map is provided as Attachment A.

The property is zoned R-1 Low-Density Residential with the /UL Urbanizable Land Overlay. Both the Metro Plan and the applicable refinement plan, the River Road - Santa Clara Urban Facilities Plan, designate the subject property for low density residential use. The area of annexation is located within the City's urban growth boundary (UGB) and is contiguous with City limits along the property's northern boundary that borders West Hilliard Lane. Annexation will allow for future development consistent with the property's residential land use designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests is based on the criteria at Eugene Code Section 9.7825 which require that (1) the land proposed to be annexed is within the City's UGB and is contiguous to the City limits or separated from City limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans; and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (see Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within

500 feet of the subject property and the affected neighborhood association (River Road Community Organization) consistent with Eugene Code requirements. The City did not receive any testimony in response to the public notice.

Referral comments were provided by affected agencies including City of Eugene Public Works and Eugene Water & Electric Board. These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance, ability for the provision of key urban services, and absence of public testimony, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue, which is open from 12 pm to 4 pm Monday through Friday. To view materials at another time, please contact the listed staff representative to schedule an appointment. Copies may be also obtained at a reasonable cost.

PREVIOUS COUNCIL DIRECTION

None.

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the draft resolution
2. Adopt the draft resolution with specific modifications as determined by the City Council
3. Deny the draft resolution
4. Defer action until after the council holds a public hearing on the proposed annexation

CITY MANAGER'S RECOMMENDATION

The City Manager recommends that the City Council adopt the resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt a resolution approving the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
 - Exhibit A: Site Plan
 - Exhibit B: Legal Description
 - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request

FOR MORE INFORMATION

Staff Contact: Reid Verner

Telephone: 541-682-5534

Staff E-Mail: RVerner@eugene-or.gov



Vicinity Map

PHILLIPS & KOCH INVESTMENTS, LLC (A 22-4)

Attachment A



- Subject Property
- Eugene City Limits
- Taxlots



Caution: This map is based on imprecise source data, subject to change, and for general reference only.

Created on 5/4/2022
by City of Eugene Planning Division

RESOLUTION NO. _____**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-24-23, TAX LOT 1602, LOCATED AT 158 WEST
HILLIARD LANE).****The City Council of the City of Eugene finds that:**

A. An annexation application was submitted on March 8, 2022, by Phillips & Koch Investments, LLC, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-24-23, Tax Lot 1602, to the City of Eugene.

B. The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Findings and Recommendation are attached as Exhibit C.

D. On April 22, 2022, a notice containing the street address, the assessor's map and tax lot number for the property, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of properties located within 500 feet of the perimeter of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on May 23, 2022.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

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

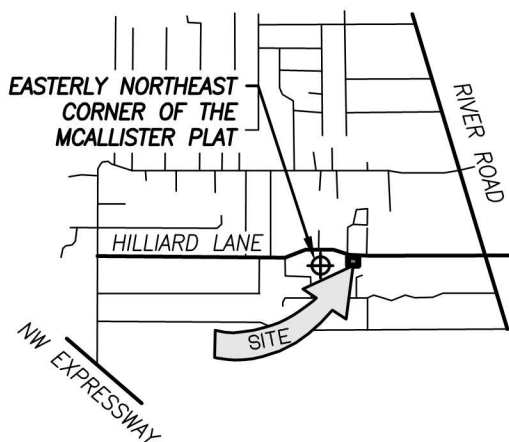
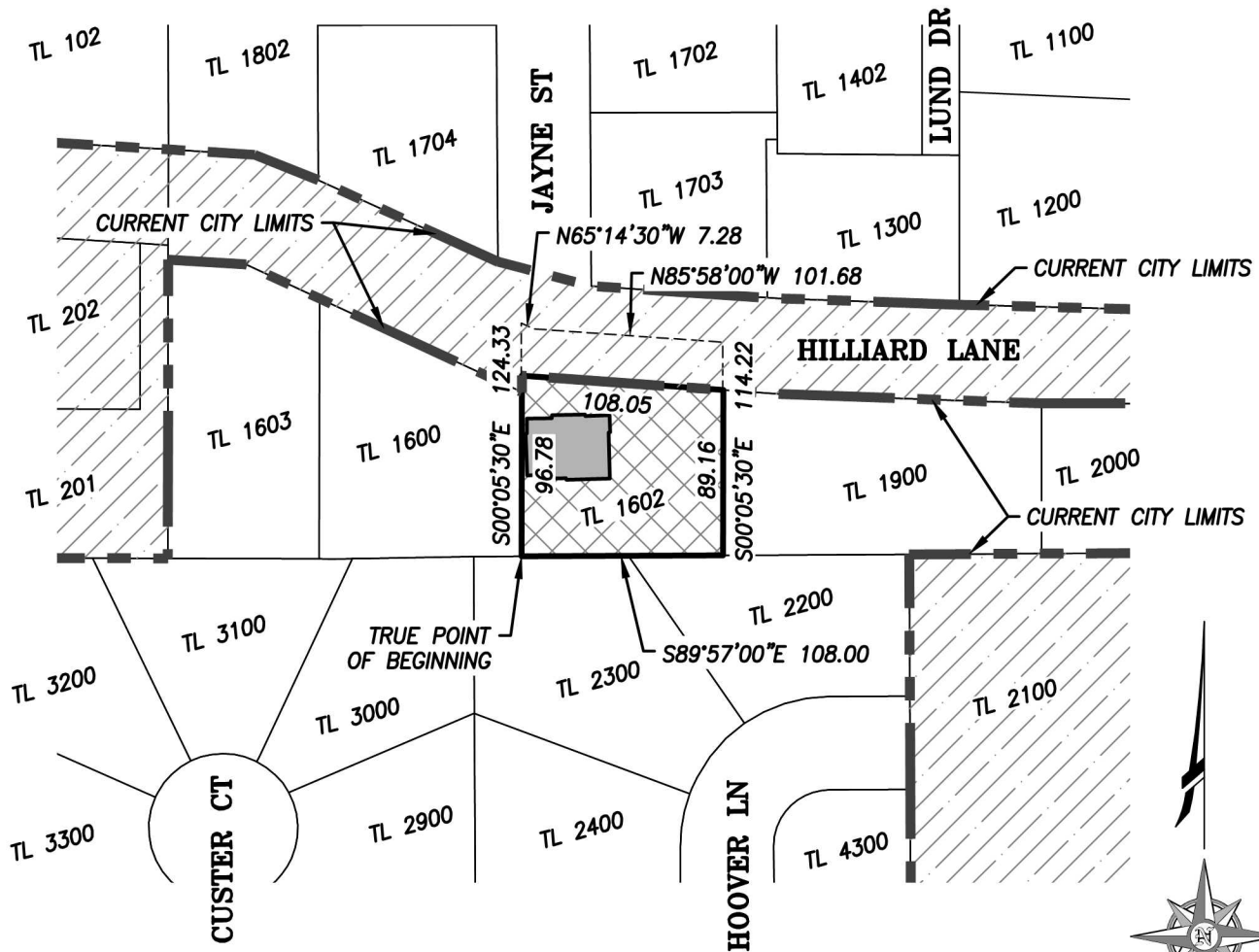
Section 1. Based on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-24-23, Tax Lot 1602 which is depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and the automatic rezoning of the land pursuant to EC 9.7820(3) from R-1 Low-Density Residential with /UL Urbanizable Land Overlay to R-1 Low-Density Residential shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of May, 2020.

City Recorder

LAND ANNEXATION FOR
PHILLIPS & KOCH INVESTMENTS, LLC
SW 1/4, NW 1/4, SEC 24, T17S, R4W, WM
EUGENE, LANE COUNTY, OREGON

**VICINITY MAP**

NOT TO SCALE

SCALE: 1"=100'

**158 HILLIARD LANE ANNEXATION**

ANNEXATION MAP

MARCH 7, 2022

310 5th Street, Springfield OR 97477 | p: 541.746.0637 | www.branchengineering.com

Project No: 22-120

LEGEND

- CITY LIMITS
- LANDS TO BE ANNEXED
- EXISTING STRUCTURE

NOTES

1. CITY LIMITS BOUNDARIES SHOWN PER THE CITY OF EUGENE ON-LINE INTERACTIVE ZONING MAP ON MARCH 1, 2022.
2. NO EASEMENT OR OTHER RECORDED RESTRICTIONS ARE KNOWN TO EXIST ON THE SITE

SHEET 1 OF 1

ASSESSOR'S MAP(S) TAX MAP 17-04-24-23, T.L. 1602

Z: \2022\22-120 Partition - 158 W Hilliard\Land Use\Annexation\Drawing\Annexation Map.dwg 3/7/2022 1:38 PM ANDREWS

EXHIBIT B**LEGAL DESCRIPTION**

Beginning at a point 0.40 feet North and 400.86 feet East of the most Easterly Northeast corner of the McAllister Plat as platted and recorded in Book 19, Page 19, Lane County Plat Records and running thence North 0° 05' 30" West 114.22 feet to the center line of West Hilliard Avenue; thence North 85° 58' West 101.68 feet; thence North 65° 14 1/2' West 7.28 feet; thence leaving West Hilliard Avenue and running South 0° 05' 30" East 124.33 feet; thence South 89° 97' East 108.0 feet to the point of beginning, in Section 24, Township 17 South, Range 4 West of the Willamette Meridian in Lane County, Oregon, excepting therefrom a 25 foot wide strip of land along the North boundary for roadway.



**Planning Director's Findings and Recommendation:
Annexation Request for PHILLIPS & KOCH INVESTMENTS, LLC
(City File: A 22-4)**

Application Submitted: March 8, 2022
Applicant: Phillips & Koch Investments, LLC
Property Included in Annexation Request: Tax Lot 01602 of Assessor's Map 17-04-24-23
Zoning: R-1 Low-Density Residential with an /UL Urbanizable Land Overlay
Location: 158 West Hilliard Lane
Lead City Staff: Reid Verner, Senior Planner, City of Eugene Planning Division, 541-682-5534

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is: (a) Contiguous to the city limits; or (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.		
Complies		Findings: Tax Lot 01602 is contiguous to City limits along the property’s northern boundary that borders West Hilliard Lane. Based on the available information, the proposed annexation complies with this criterion based on subsection (a).
☒ YES	☐ NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.		
Complies		Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i>): <i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i> <i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (page II-C-4)</i> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>
☒ YES	☐ NO	

		<i>Policy 15. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i> The following policy from the Residential Element of the <u>Metro Plan</u> is also applicable: <i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the <u>Metro Plan</u>, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.</i> The <u>Metro Plan</u> designates the annexation area as appropriate for low-density residential use. The <u>River Road - Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject property, which also designates the area for low density residential use, consistent with the subject property's existing R-1 Low-Density Residential zoning. The /UL overlay will be automatically removed from the property upon approval of the annexation. Regarding applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a defined subarea. Further, none of the general "Residential Land Use Policies" at Section 2.2 appear to be directly applicable to the subject request. The "Public Facilities and Services Element" policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that property within the UGB will be annexed. As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law. Based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and <u>RR/SC UFP</u> refinement plan.
EC 9.7825(3)		The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.
Complies ☒ YES ☐ NO		Findings: Consistent with this criterion, the proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:

Wastewater

The single-family dwelling located at 158 West Hilliard Lane is currently served by public wastewater services per sewer connection record 23609 (Permit 91-03516-01).

Stormwater

At the time of future development, treatment of stormwater will be further evaluated for consistency with City of Eugene policies and plans for treatment. With a variety of options available to provide stormwater treatment, service can be provided in an orderly and efficient, and timely manner.

Transportation

The property has frontage on West Hilliard Lane, which is classified as a local street and maintained by the City of Eugene. Future development including extension of sidewalk, curb gutters, streetlights and street trees will be reviewed by the building permit services department.

Solid Waste

Collection service is provided by private firms, and service can be provided to the site by one of several firms upon annexation. Regional disposal sites are operated by Lane County.

Water and Electric

Eugene Water and Electric Board (EWEB) staff confirm that water and electric services are available to the property. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by Eugene Springfield Fire. Emergency medical services are currently provided on a regional basis and will continue in the same manner upon annexation.

Parks and Recreation

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

Planning and Development Services

Planning and building permit services are provided for all properties located within the Urban Growth Boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.

		<u>Communications</u> A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area. <u>Public Schools</u> The subject property is within Eugene School District 4J and is within the district boundary of River Road Elementary School, Kelly Middle School, and North Eugene High School. As access to schools is evaluated on a district-wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.
--	--	---

CONCLUSION:

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

- Upon approval of the annexation, the base zoning of R-1 Low-Density Residential will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-24-23	1602	R1/UL	0.23

Property Address: 158 W Hilliard Lane, Eugene, OR 97404

Plans for Future Development & Permit Number (if applicable):

Public Service Districts:

Name			
Parks:	River Road Parks and Recreation		
Electric:	EWEB		
Water:	EWEB		
Sanitary Sewer:	City of Eugene		
Fire:	River Road WD		
Schools:	Elementary: River Road	Middle: Kelly	High: North Eugene
Other:			

Filing Fee



A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)



Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☒ Show the date & north arrow on site plan.
- ☒ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☒ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☒ Show city limits & UGB (if applicable)
- ☒ Clearly label the affected territory and any public right of ways to be annexed.
- ☒ Show all adjacent streets, alleys, and accessways.
- ☒ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☒ Show the location of all existing structures.

Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)

- ☒ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☒ Notarized Consent to Annexation form.
- ☒ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☒ Summary of Urban Service Provision form.
- ☒ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 1602

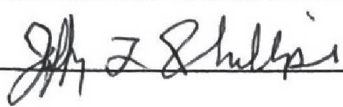
Name (print): Phillips and Koch Investments, LLC

Address: PO Box 41451

Email: jeff@phillipskochconstruction.com

City/State/Zip: Eugene, OR 97404

Phone: 541-914-0707 Fax: _____

Signature: 

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): Renee Clough P.L.S., P.E., AICP

Company/Organization: Branch Engineering

Address: 310 5th Street

City/State/Zip: Springfield, OR 97477

Phone: 541-746-0637 Fax: _____

E-mail: reneec@branchengineering.com

Signature: Renee Clough Digitally signed by Renee Clough
Date: 2022.03.07 14:19:28 -08'00'

Date: _____

REPRESENTATIVE (If different from Surveyor):

Attachment C

Name (print): Andrew Strout, EIT

Company/Organization: Branch Engineering

Address: 310 5th Street

City/State/Zip: Springfield, OR 97477

Phone: 541-746-0637 Fax:

E-mail: andrews@branchengineering.com

Signature:



Date:

3/7/22

****Attached additional sheets if necessary.**

Application #: C * 2008 - ____
For City Use Only

* CB = Coburg CG = Cottage Grove
CR = Creswell EU = Eugene
FL = Florence JC = Junction City
OA = Oakridge SP = Springfield

PETITION

Petition Signature Sheet Annexation by Individuals

RECEIVED

MAR 03 2022

Lane County
Assessment & Taxation

We, the following property owners/electors, consent to the annexation of the following territory to the City of *(Insert Name of City)*:

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	✓ Land Owner	✓ Reg Voter	Acres (qty)
1. <i>Jeffrey L. Phillips</i>	2/28/22	Phillips and Koch Investments, LLC Jeffrey Phillips - Member	158 Hilliard Lane, Eugene, OR 97404	17-04-24-23-01602	✓	✓	0.23
2.							
3.							
4.							
5.							

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Jeffrey L. Phillips (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
X *Jeffrey L. Phillips* (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

Joe H
Lane County Department of Assessment and Taxation

3/3/2022
Date Certified

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 0 (%) of the total active registered voters that are registered in the proposed annexation.

Julia M. Booth
Lane County Clerk or Deputy Signature

3/3/2022
Date Certified

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-24-23-01602 Address: 158 W. Hilliard Lane
Eugene, Oregon 97404

Legal Description:

In the corporate limits of said city, which is owned by the undersigned

DATED this 1st day of March, 2022

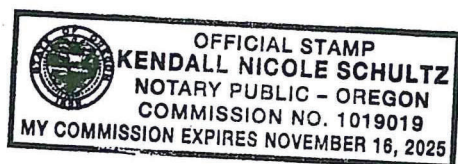
Roger W Phillips

STATE OF OREGON)

County of) ss)

On this 1st day of March, 2022, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Roger Phillips, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Kendall Nicole Schultz
 Notary Public for Oregon
 My Commission Expires 11/16/25



March 7, 2022

WRITTEN STATEMENT

ANNEXATION

TM 17-04-24-23, TL 1602

Branch Engineering Inc. Project No. 22-120

This application proposes an annexation for Tax Map 17-04-24-23, Tax Lot 1602. The property is located inside the City of Eugene Urban Growth Boundary and is zoned R-1 Low-Density Residential with an Urbanizable Land Overlay. The purpose of the annexation is to increase options for future use of the property.

The following describes how the proposed annexation conforms to the Eugene Code:

9.7825 Annexation – Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application’s consistency with the following:

- (1) The land proposed to be annexed is within the city’s urban growth boundary and is:
 - (a) Contiguous to the city limits; or
 - (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.

The property to be annexed is within the urban growth boundary and contiguous with the city limits by way of West Hilliard Lane, a public right-of-way.

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

The property is within the Metro Plan and the River Road/Santa Clara Urban Facilities Plan (RR/SC UFP). The property is currently zoned R-1/Low-Density Residential with an Urbanizable Land Overlay. Both the Metro Plan and the RR/SC UFP designate the property for low density residential use. The /UL overlay zoning will be automatically removed upon annexation approval.

The subject property is not located within a defined subarea of the RR/SC UFP. None of the general “Residential Land Use Policies” listed in Section 2.2 are directly applicable to the annexation. The “Public Facilities and Services Element” policies of the RR/SC UFP are directed at local government; however, the premise of these policies (regarding the provision of urban

services) is the assumption that the properties within the UGB will be annexed.

As further detailed in subsection (3), the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services.

Several other policies from the Metro Plan provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section:

Policy 8: Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:

- a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner*
- b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan (page 11-C-4).*

Policy 10: Annexation to a city through normal processes shall continue to be the highest priority (page 11-C-5).

Policy 15: Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land transitions from urbanizable to urban (page 11-C-5).

- (3)** *The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.*

As discussed below, public services are in place and readily available to the property proposed for annexation. Because of the proximity to the surrounding urban facilities, services can be provided in an orderly, efficient, and timely manner.

- Y Electrical service is provided by EWEB. Overhead wires are available for connection along Hilliard Lane.*
- Y Water service is provided by EWEB. A 4-inch cast iron water main is available for connection along Hilliard Lane.*
- Y An 8" wastewater main exists along Hilliard Lane and is available for connection along the north side of the property.*
- Y The River Road Water District currently provides fire service to the area.*

- Y *The tax lot has frontage and takes access along Hilliard Lane to the north.*
- Y *The property is within the Eugene School District 4J and is within the district boundaries of River Road Elementary, Kelly Middle School and North Eugene High School.*
- Y *Garbage collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.*
- Y *Police protection can be extended to this site upon annexation consistent with service provision throughout the City.*
- Y *Emergency medical services are currently provided on a regional basis by the Cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.*
- Y *A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan.*
- Y *Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.*
- Y *A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.*