



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

November 13, 2013

12:00 PM CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

Meeting of November 13, 2013;
Her Honor Mayor Kitty Piercy Presiding

Councilors

George Brown, President	Pat Farr, Vice President
Mike Clark	George Poling
Chris Pryor	Claire Syrett
Betty Taylor	Alan Zelenka

CITY COUNCIL WORK SESSION

Harris Hall

- 12:00 p.m. A. **COMMITTEE REPORTS:
Chamber of Commerce, Housing Policy Board, Lane Regional Air
Protection Agency, Metropolitan Wastewater Management Commission**
- 12:15 p.m. B. **WORK SESSION:
Update on Ordinance 20498 - Encouraging the Use of Reusable Bags by
Banning Single-Use Plastic Bags**
- 12:50 p.m. C. **WORK SESSION:
Human Rights Code/Transgender Amendments**

Mayor: The Eugene City Council will now meet in Executive Session to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. The executive Session is held pursuant to ORS 192.660(2)(h).

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

**time approximate*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or 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.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts, locate the links at the bottom of the City's main Web page (www.eugene-or.gov).

El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

For more information, contact the Council Coordinator at 541-682-5010,

or visit us online at www.eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Update on Ordinance 20498 - Encouraging the Use of Reusable Bags by Banning Single-Use Plastic Bags

Meeting Date: November 13, 2013
 Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: B
 Staff Contact: Stephanie Scafa
 Contact Telephone Number: (541) 682-5652

ISSUE STATEMENT

The purpose of this work session is to provide the Eugene City Council an update on the implementation of Ordinance, No. 20498: encouraging the use of reusable bags by banning single-use plastic carryout bags and requiring a five-cent fee for carry-out paper bags.

PREVIOUS COUNCIL ACTION

The City Council adopted Ordinance No. 20498 on October 22, 2012, and it went into effect on May 1, 2013. During City Council deliberations of the ordinance, the Mayor and council requested a six-month implementation update in November 2013.

On July 8, 2013, the council discussed further the effect of the five-cent paper bag fee. A motion to suspend the five-cent charge during the evaluation period failed. No further action was taken.

Update

Outreach Efforts

To assist Eugene retailers with the new ordinance, City staff developed the *Bring Your Bag* outreach and education campaign. The objective of the campaign was to raise awareness of the purpose and function of the ordinance, provide information to the public about where to obtain low-cost or free reusable bags, and provide engagement resources for businesses. Campaign activities included:

- An informational webpage, www.eugene-or.gov/plasticbags, was created and includes copies of the ordinance, rules, frequently asked questions, staff reports, links to reusable bag resources, and *Bring Your Bag* campaign signage for retailers. Select materials were produced in English and Spanish versions to increase awareness.
- In April 2013, staff sent letters to all retail businesses in Eugene as a reminder of the new ordinance and an invitation to attend one of two scheduled informational sessions focused on business implementation.
- *Bring Your Bag* informational ads ran on LTD buses for eight weeks from mid-March to mid-May.

Implementation Activities

In an effort to reduce the burden to small businesses of implementation, the ordinance allows for a one-year hardship exemption. Staff received 17 one-year hardship exemption requests and

approved all. Enforcement of the ordinance is on a complaint-based approach. To date, the City has received only one formal complaint which, when reviewed, was found to have no basis as the business was complying with the law.

Implementation Impacts

City staff are gathering three points of data related to the implementation of the ordinance: solid waste service residential customers, business surveys, and consumer intercept surveys.

As part of the triennial Eugene solid waste customer satisfaction survey, a new question was added regarding the reusable bag ordinance this year. The question asked, "Since the City's ban on plastic bags took effect, when you shop do you purchase a bag: zero percent of the time, 1-25 percent of the time, 26-50 percent of the time, 51-75 percent of the time, 76-99 percent of the time or 100 percent of the time?" The most prominent responses were:

- half of shoppers never purchase a bag;
- one-third purchase a bag 25 percent of the time or less;
- only two percent of people purchase a bag all of the time; and
- seniors, those with no children, and those with two in the household are more likely than others to never purchase a bag.

City staff is in the process of gathering additional information on the impacts of the ordinance from businesses and consumers. Information is being obtained through telephone surveys to 200 Eugene businesses and conducting intercept surveys at eight retail locations throughout Eugene with consumers; results of these efforts will be presented during the work session.

RELATED CITY POLICIES

Ordinance, No. 20498: encouraging the use of reusable bags by banning single-use plastic carryout bags.

COUNCIL OPTIONS

This is an informational work session.

SUGGESTED MOTION

No recommended motion at this time.

ATTACHMENTS

None.

FOR MORE INFORMATION

Staff Contact: Stephanie Scafa
Telephone: 541-682-5652
Staff E-Mail: stephanie.scafa@ci.eugene.or.us

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UPDATE

ENCOURAGING THE USE OF REUSABLE BAGS BY BANNING SINGLE-USE PLASTIC BAGS



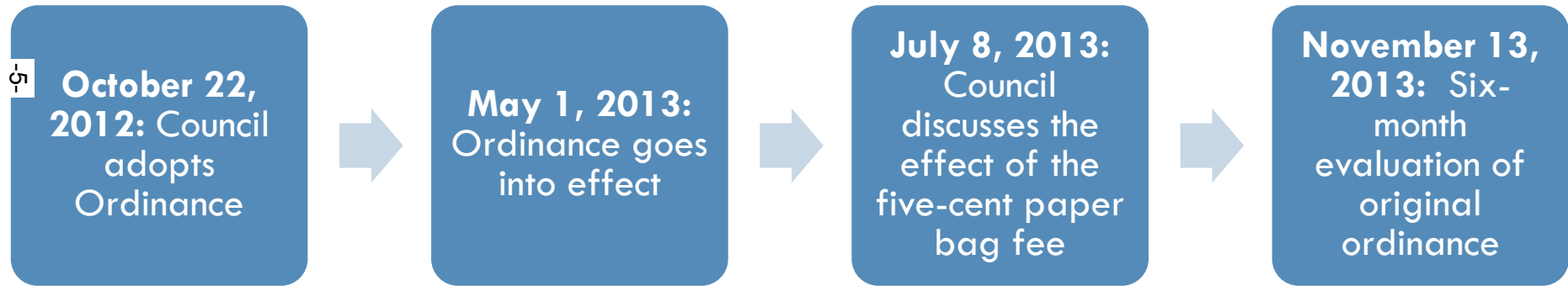
Stephanie Scafa-Zero Waste Analyst
Building and Permit Services-PDD

Overview of Presentation

1. History
2. Bring Your Bag Campaign
3. Update on Implementation
4. Discussion



Brief History



Bring Your Bag Campaign



Start the Habit
Keep Eugene Clean & Beautiful!





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[Informational Materials](#)

[Reusable Bag Resources](#)

[Plastic Bag Ban Background](#)

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Contact Information

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Waste Prevention and Green Building Program

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Zero Waste Analyst
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Eugene, OR 97401
Ph: 541-682-5652
Fx: 541-682-5593

[Email](#)

Plastic Bags in Eugene

Bring Your Bag, Eugene!

Eugeneans use an estimated 67 million single-use plastic carryout bags each year. Single-use plastic carryout bags may offer short-term convenience, but they have long-term costs in terms of litter and impact on wildlife and the environment. In an effort to promote reusable shopping bags and reduce litter, the City of Eugene will implement a ban on single-use plastic carryout bags in all retail establishments within city limits beginning May 1, 2013.

All retail businesses, including grocery stores, departments and clothing stores, convenience stores and local markets located within the Eugene city limits will be required to provide only recycled paper bags or reusable bags as carryout bags for customers.

Key elements of the ordinance are outlined in our [Retailer FAQ](#) and [Shopper FAQ](#).

Spotlight

Reusable Bag Events!



[Click here for more information](#)

Quick Links

- [Reusable Bag Ordinance](#)
- [Administrative Order](#)
- [Retailer FAQ](#)
- [Shopper FAQ](#)
- [File a Complaint](#)

[View All](#)



YOUR LOGO HERE



Start the Habit Keep Eugene Clean & Beautiful!

New Eugene Bag Policy begins May 1

8



**CHOOSE
Reusable!**

Please bring reusable bags when you shop.



**Think before
purchasing.**

Stores are required to charge 5¢
for paper carryout bags



**Plastic bags
are gone.**

Lightweight plastic carryout
bags are no longer allowed.

Remember your reusable bags and keep them clean!

Beginning May 1, 2013. ALL retail businesses in the Eugene city limits will be required to provide only recycled paper bags or reusable bags as carryout bags for customers.

Remember Your Reusable Bags:

- ⇒ Always start your shopping list with "Bring Bags"
- ⇒ Keep a collapsible bag in your purse, backpack, or briefcase
- ⇒ Keep bags in your vehicle

Keep Your Reusable Bags Clean:

- ⇒ Cloth reusable bags should be washed in a washing machine using laundry detergent and dried in the dryer or air-dried.
- ⇒ Plastic-lined reusable bags should be wiped using hot water and soap and air-dried.
- ⇒ Check that both cloth and plastic-lined reusable bags are completely dry before storing them.
- ⇒ Always put raw meats into a disposable plastic bag before putting them in a reusable bag. When using reusable bags, keep meats, fresh produce, and ready-to-eat foods separated from other food products.
- ⇒ Clean any reusable bags used for carrying food before using for other purposes such as carrying books or gym clothes.

More information is available on the City's website,
www.eugene-or.gov/plasticbags, or by calling 541-682-5652.

MARKETS / RETAILERS / GROCERIES / RETAIL / GIFTS
TOYS / HOME & GARDEN / CLOTHING
BOOKS / SHOES / RESALE
SPORTS / PET / HARDWARE / WORK
SCHOOLS / CONVENIENCE STORES



Start the Habit
Keep Eugene Clean & Beautiful!





Start the Habit

Keep Eugene Clean & Beautiful!

New Eugene Bag Policy begins May 1



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Media

Press
coverage



The Register-Guard

NEWS LOCAL NEWS

LOCAL NEWS

Eugene's plastic bag ban gets off to smooth start

For most businesses and the city, the new law causes few complaints



Item B.

Business Information Sessions



50
retailers
reached
in two
sessions



Implementation

-13-



Implementation

- Business Hardship Exemptions: 17 exemption requests received – all have been approved
- Code implementation: One formal complaint received to date – follow-up with the retailer and concerned party

-14-



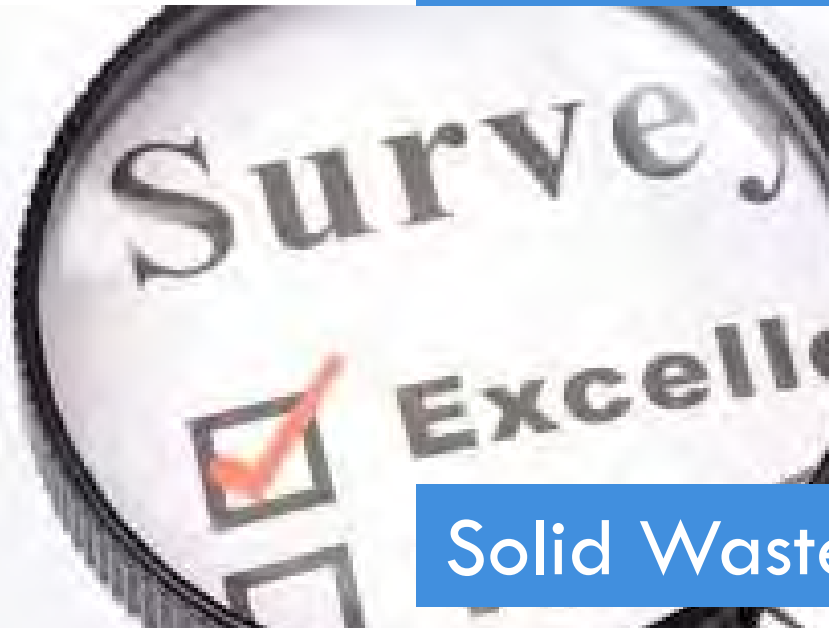
Does the ban on single-use plastic carryout bags encourage the use of reusable bags?



Consumer Intercept Survey



Retailer Conversations



Solid Waste Customer Satisfaction Survey

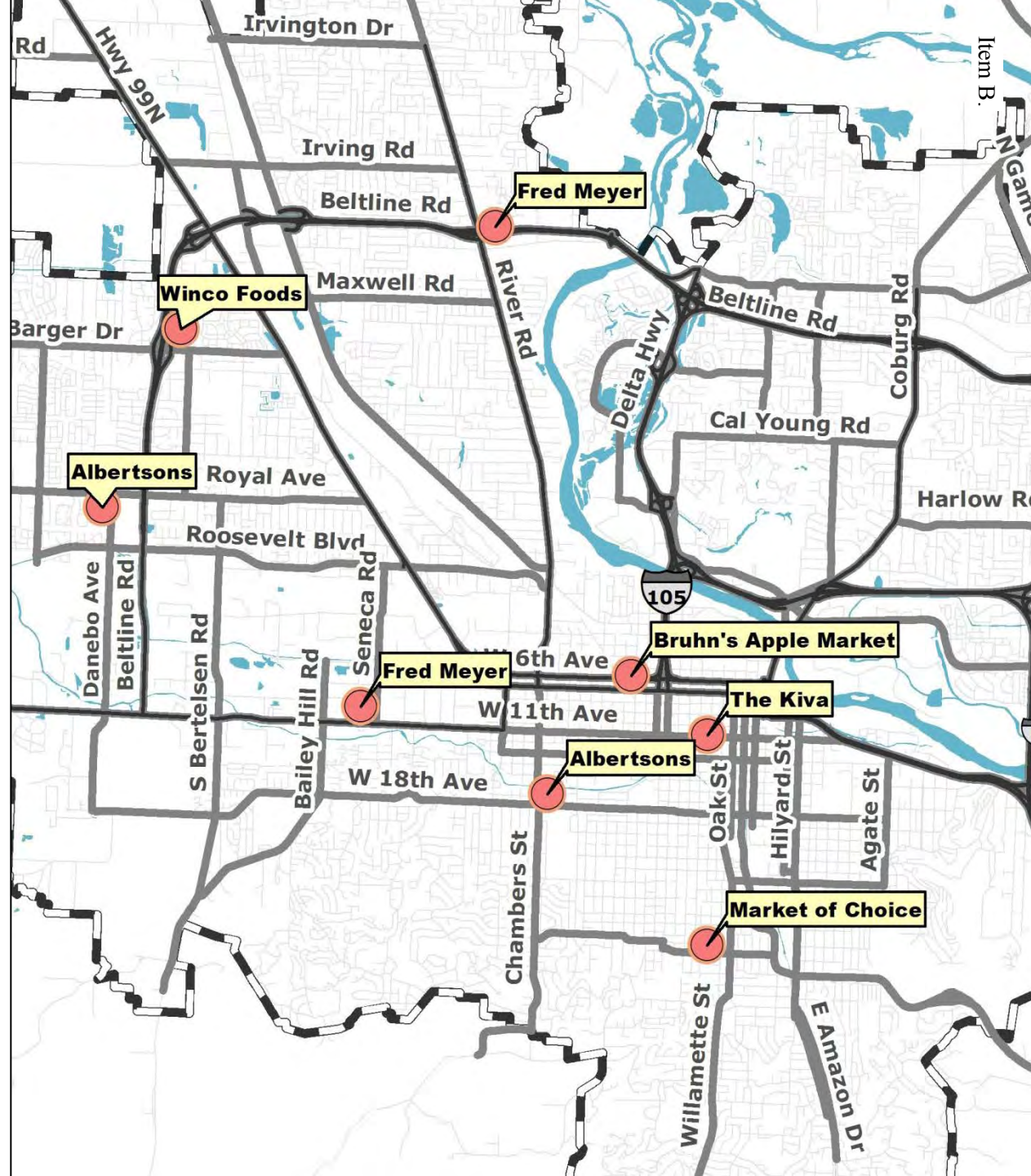
Implementation

Customer Intercept Survey



Eight locations chosen:

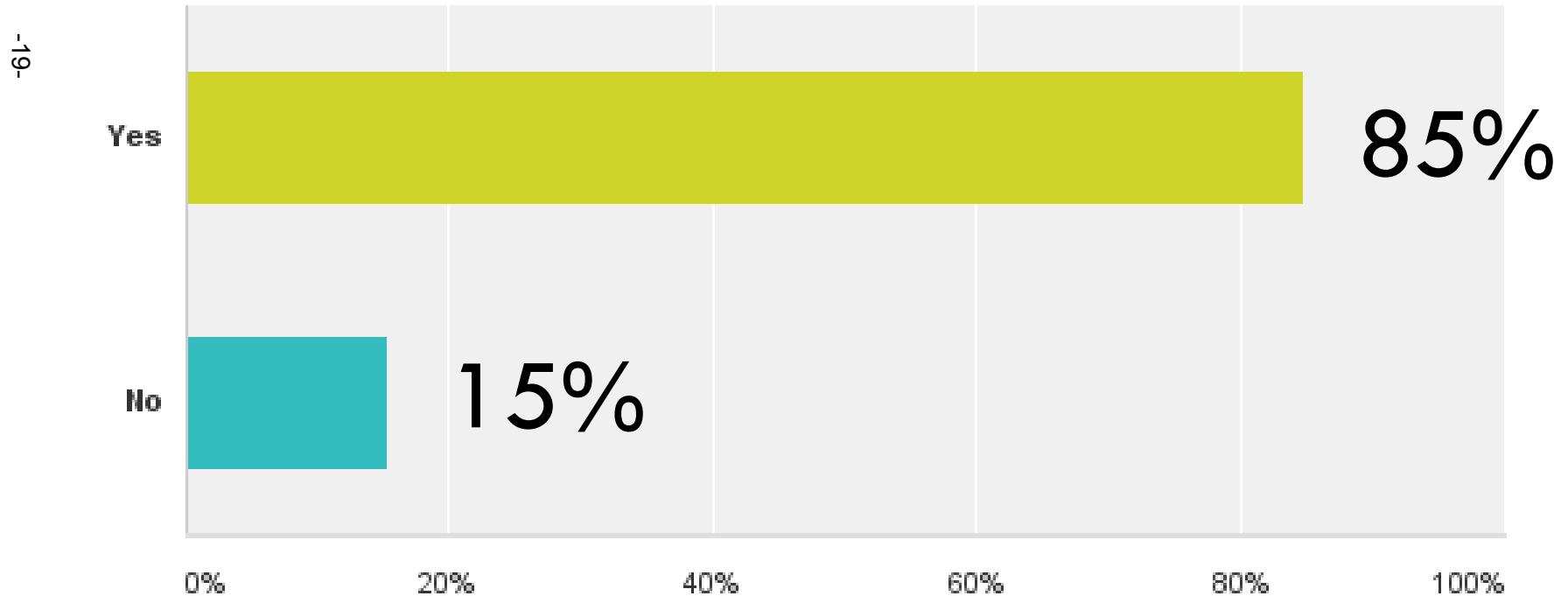
- Fred Meyer (Santa Clara)
- Winco Foods (Bethel)
- Albertsons (18th Avenue)
- The Kiva (Downtown)
- Albertsons (Royal Avenue)
- Market of Choice (29th Avenue)
- Bruhn's Apple Market (Whiteaker)
- Fred Meyer (West 11th)



Findings from the Community

Were you aware of the plastic bag ban before it went into effect?

Answered: 169 Skipped: 4

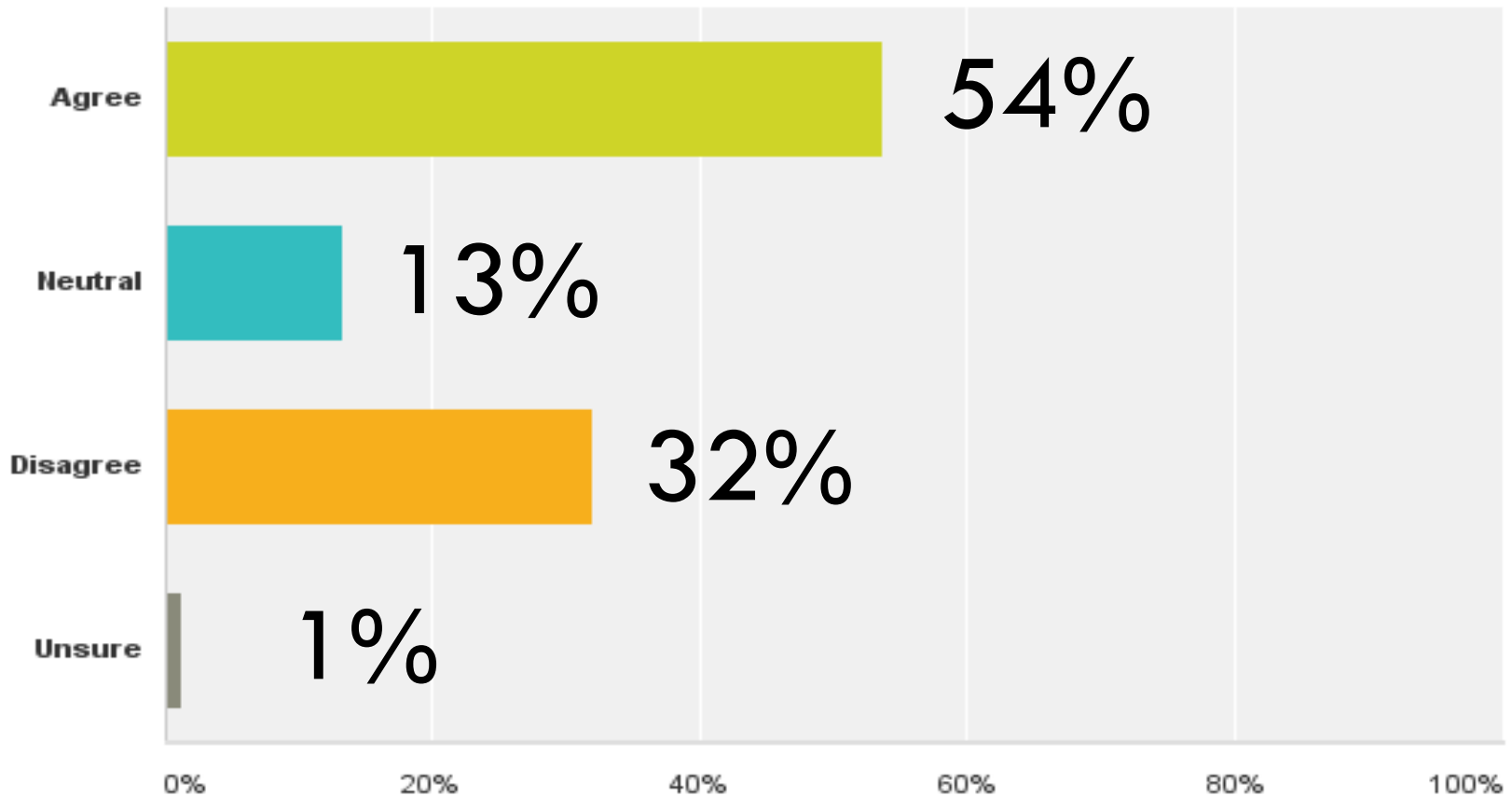


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Findings from the Community

What is your opinion of the ban?

Answered: 166 Skipped: 7

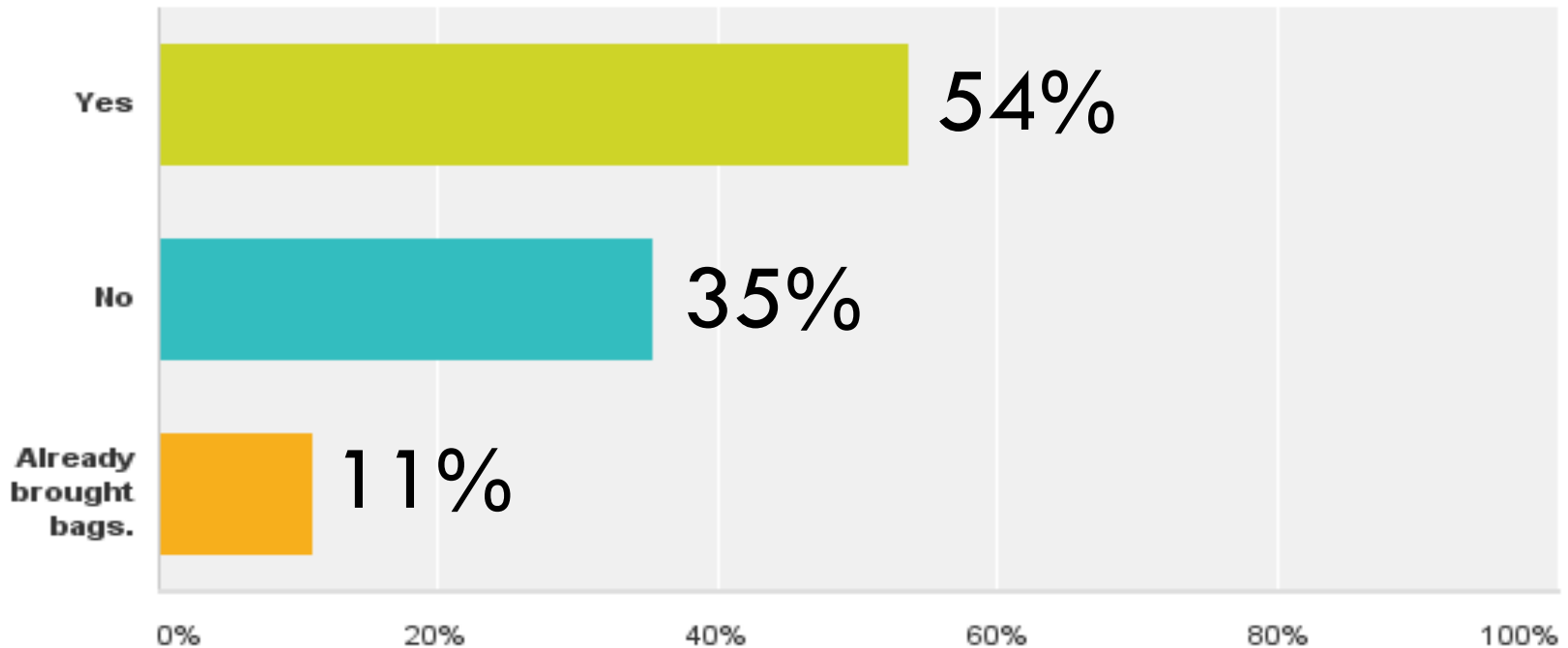


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Findings from Community

Does the bag ban prompt you to bring your bag more often when you shop?

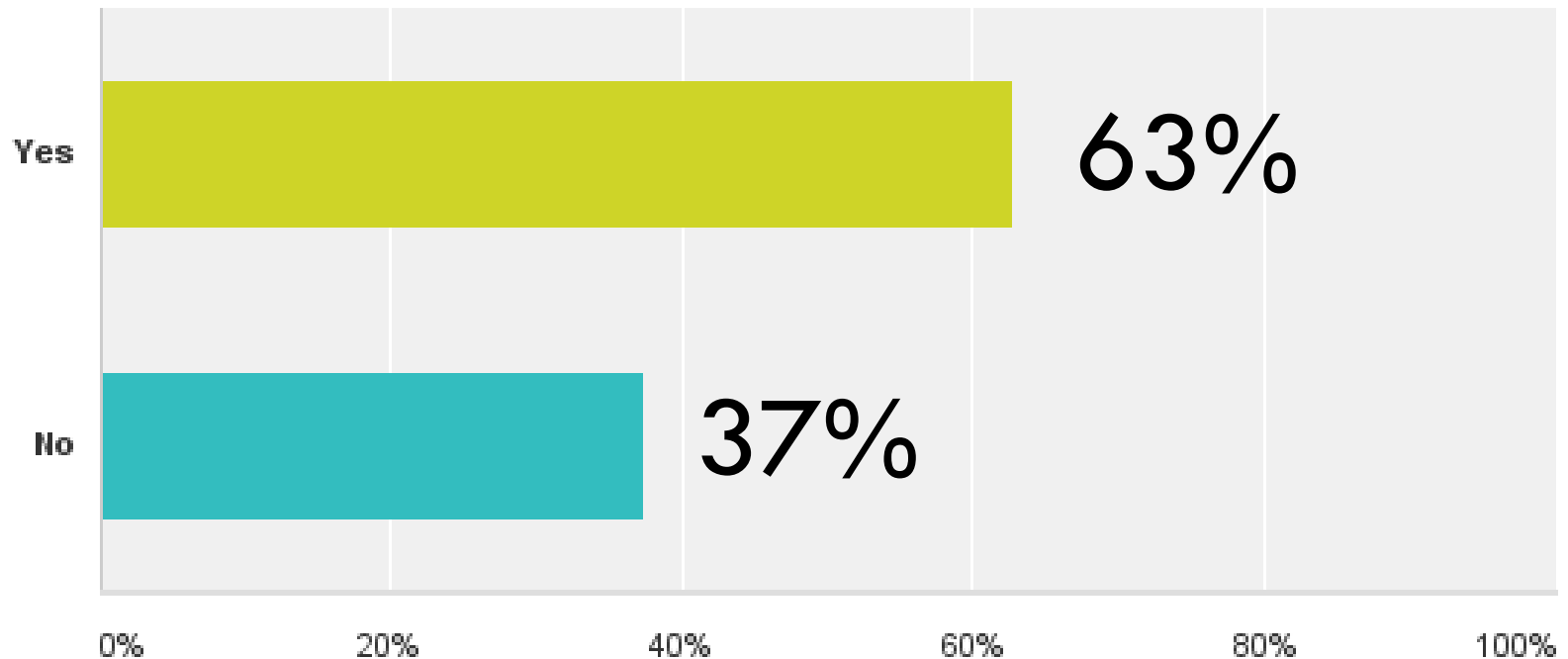
Answered: 170 Skipped: 3



Findings from Community

In your opinion, does the five cent paper bag fee encourage people to bring their own bags to the store?

Answered: 171 Skipped: 2





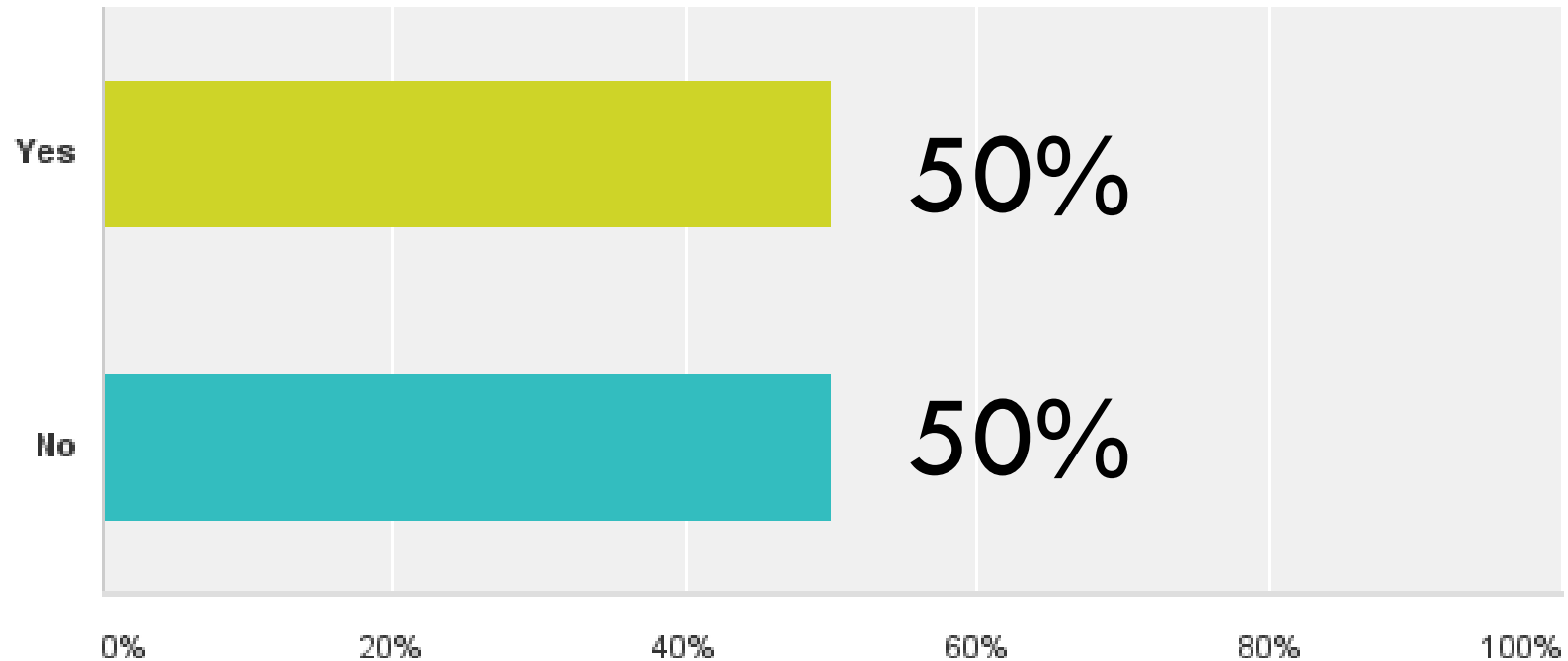
Retailer Conversations



Findings from Retailers

Did you have concerns about the bag ban before it went into effect?

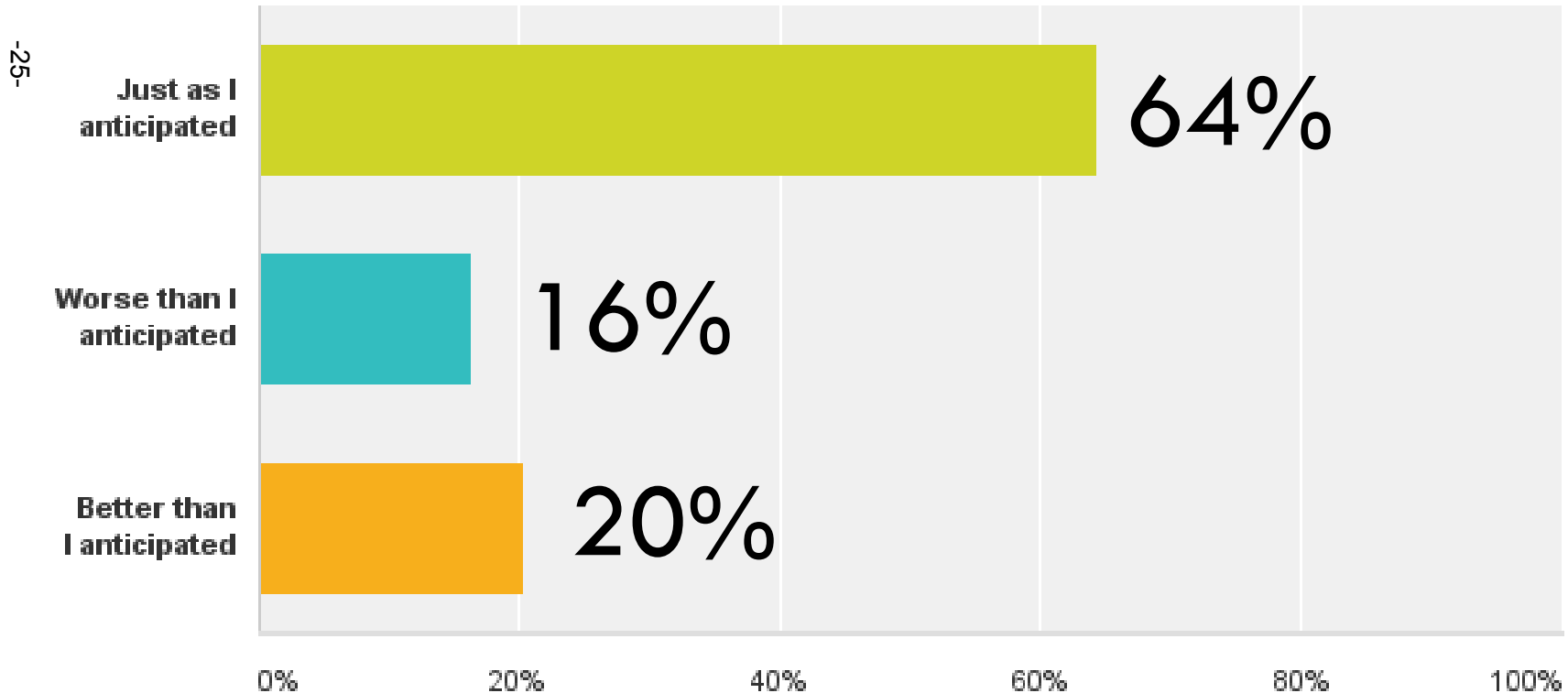
Answered: 150 Skipped: 1



Findings from Retailers

Now that the ban has been in effect for six months, have you experienced those concerns?

Answered: 123 Skipped: 28



Findings from Retailers

What shifts have you seen in your customers' use of bags?
(Retailers marked all that apply):

86% reported that people are carrying items out of the store without bags

60% said that more people are bringing their own bags

40% stated that more customers are buying paper bags for five cents

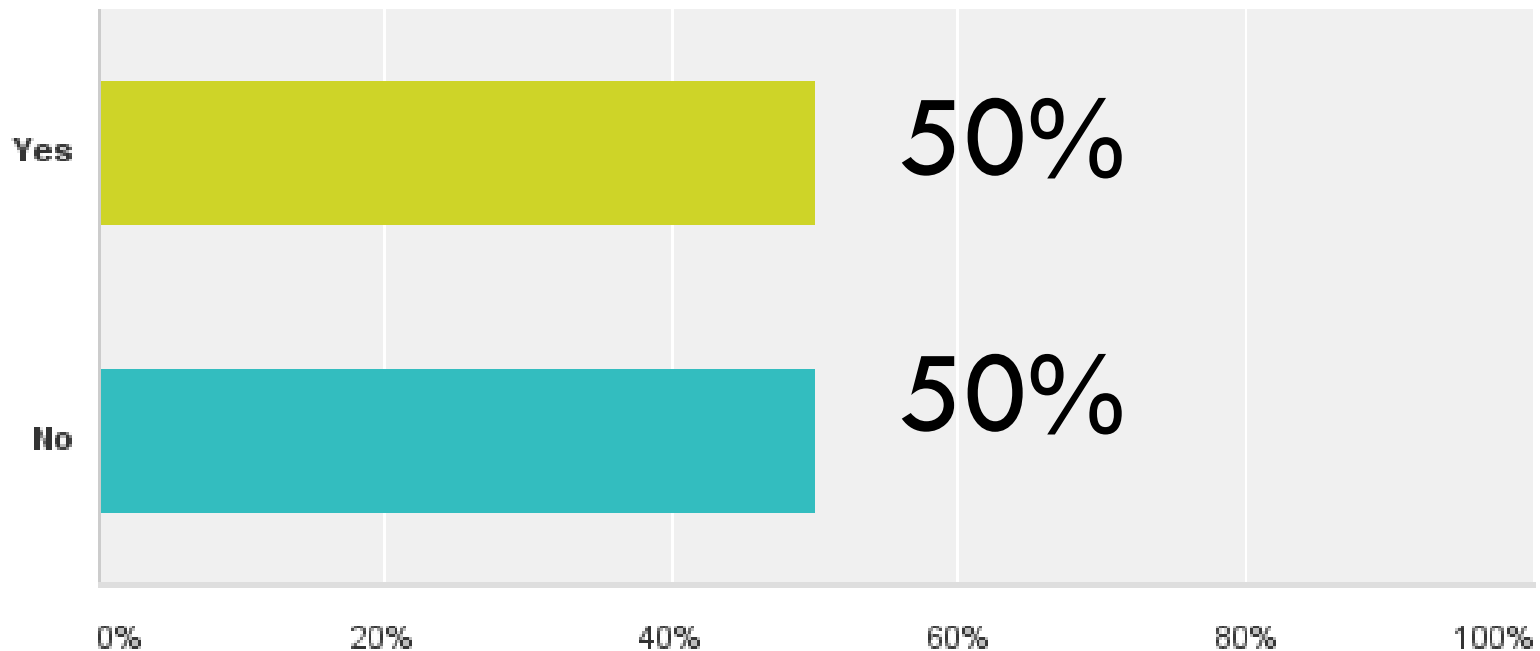
23% said that more people are buying reusable bags



Findings from Retailers

In your opinion, does the five cent fee encourage people to bring their own bags to the store?

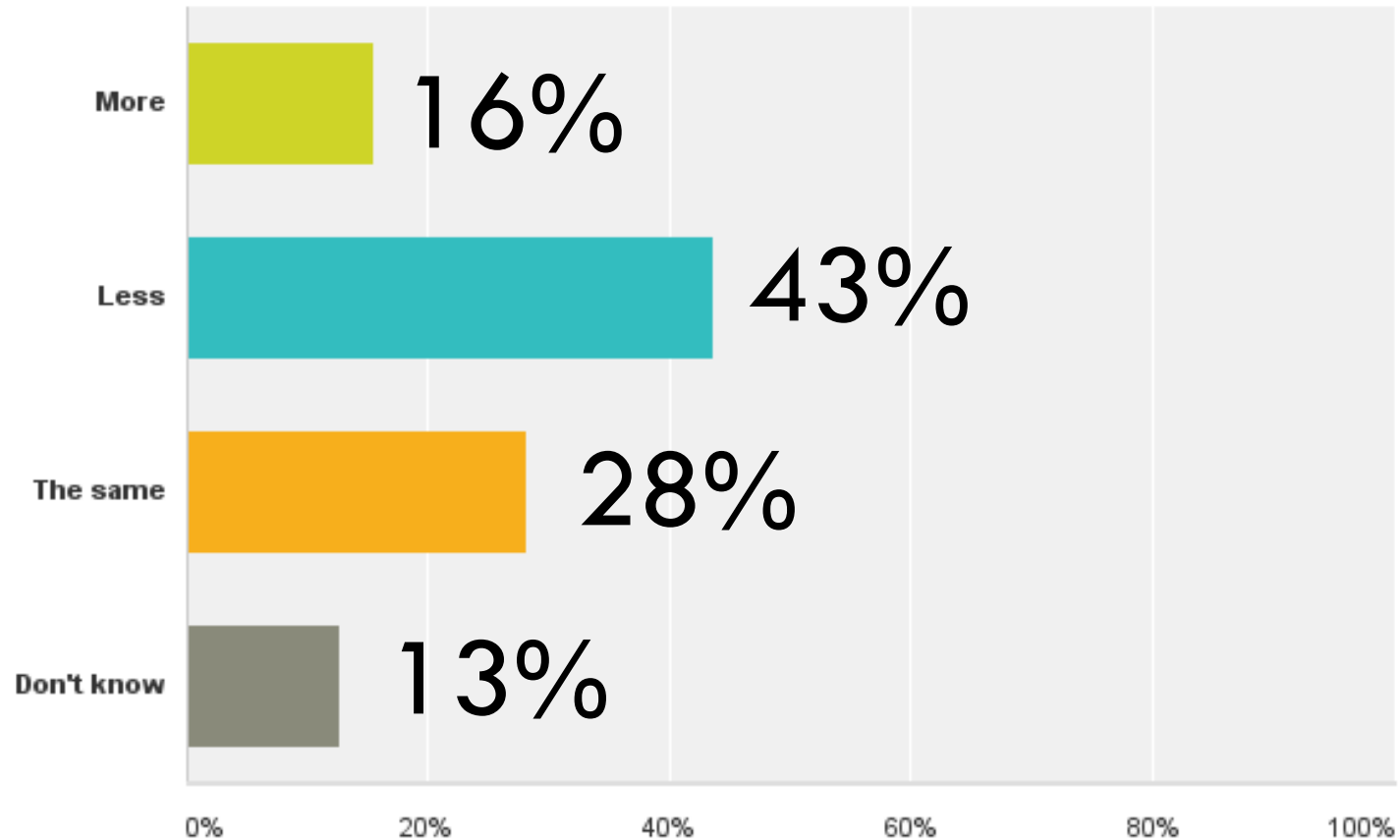
Answered: 144 Skipped: 7



Findings from Retailers

Do you spend more, less, or the same amount of money on bag orders since the ban was implemented?

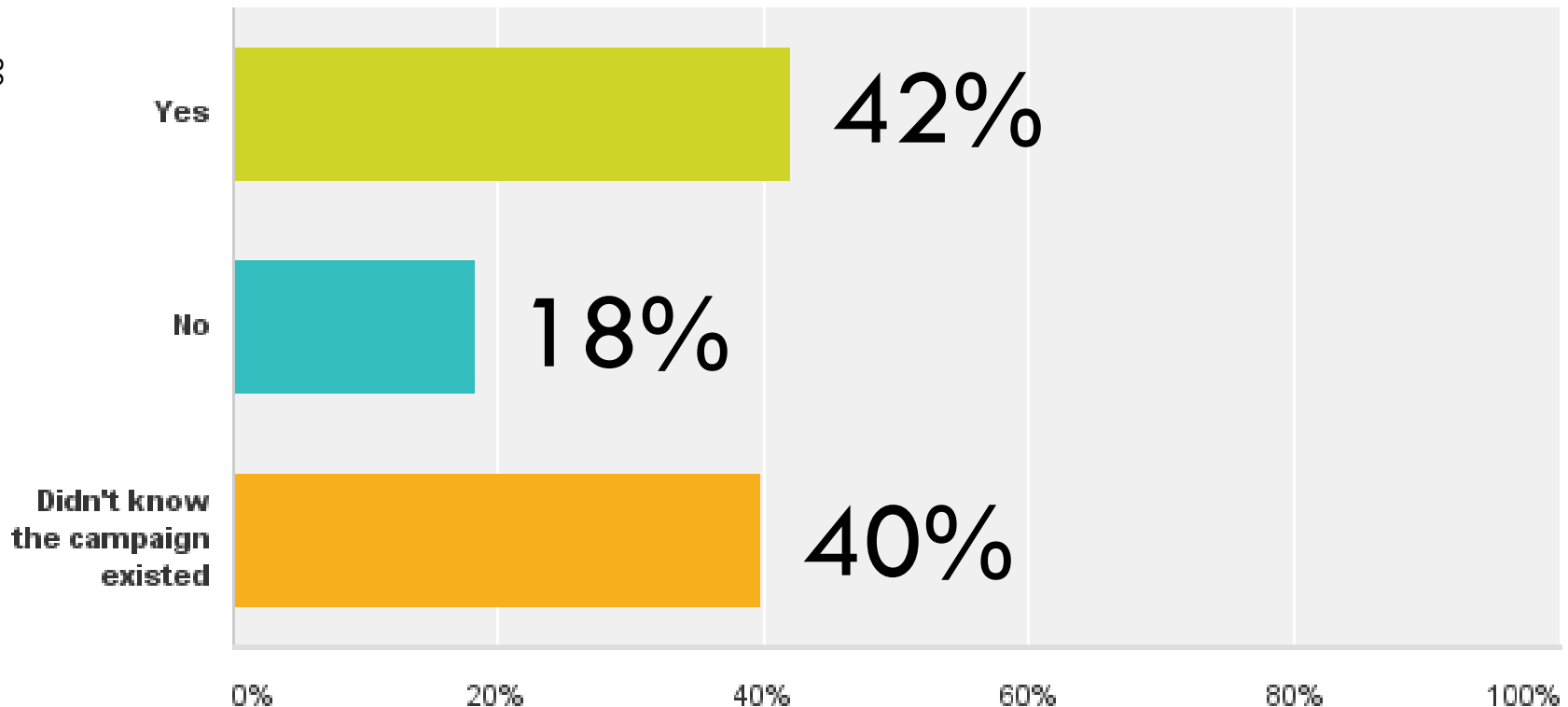
Answered: 149 Skipped: 2



Findings from Retailers

Did you find the City of Eugene Bring Your Bag informational campaign and educational outreach materials helpful?

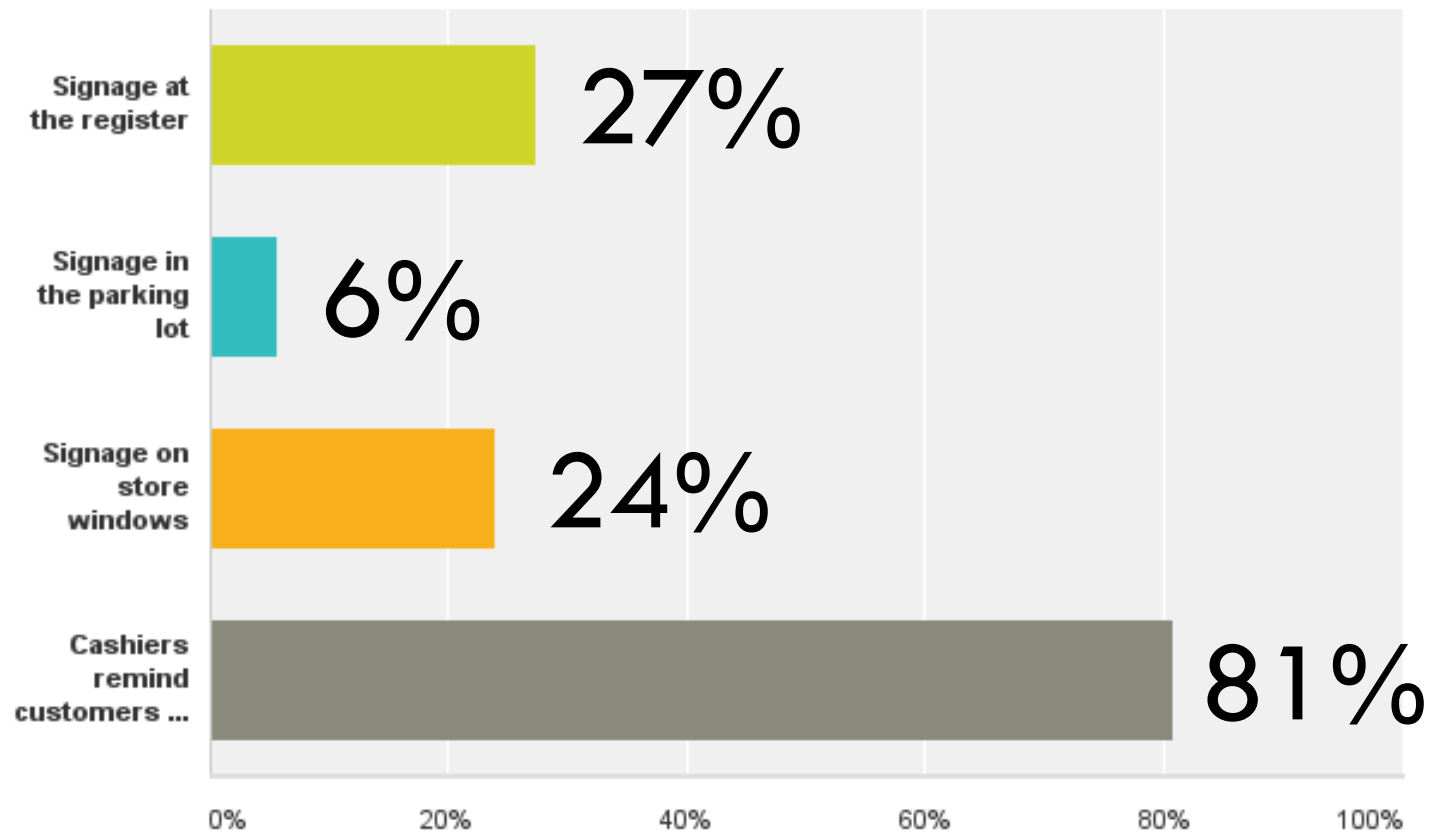
Answered: 148 Skipped: 3



Findings from Retailers

How does your business help customers remember to bring bags when they shop? (Mark all that apply)

Answered: 88 Skipped: 63



Top Themes from Retailers

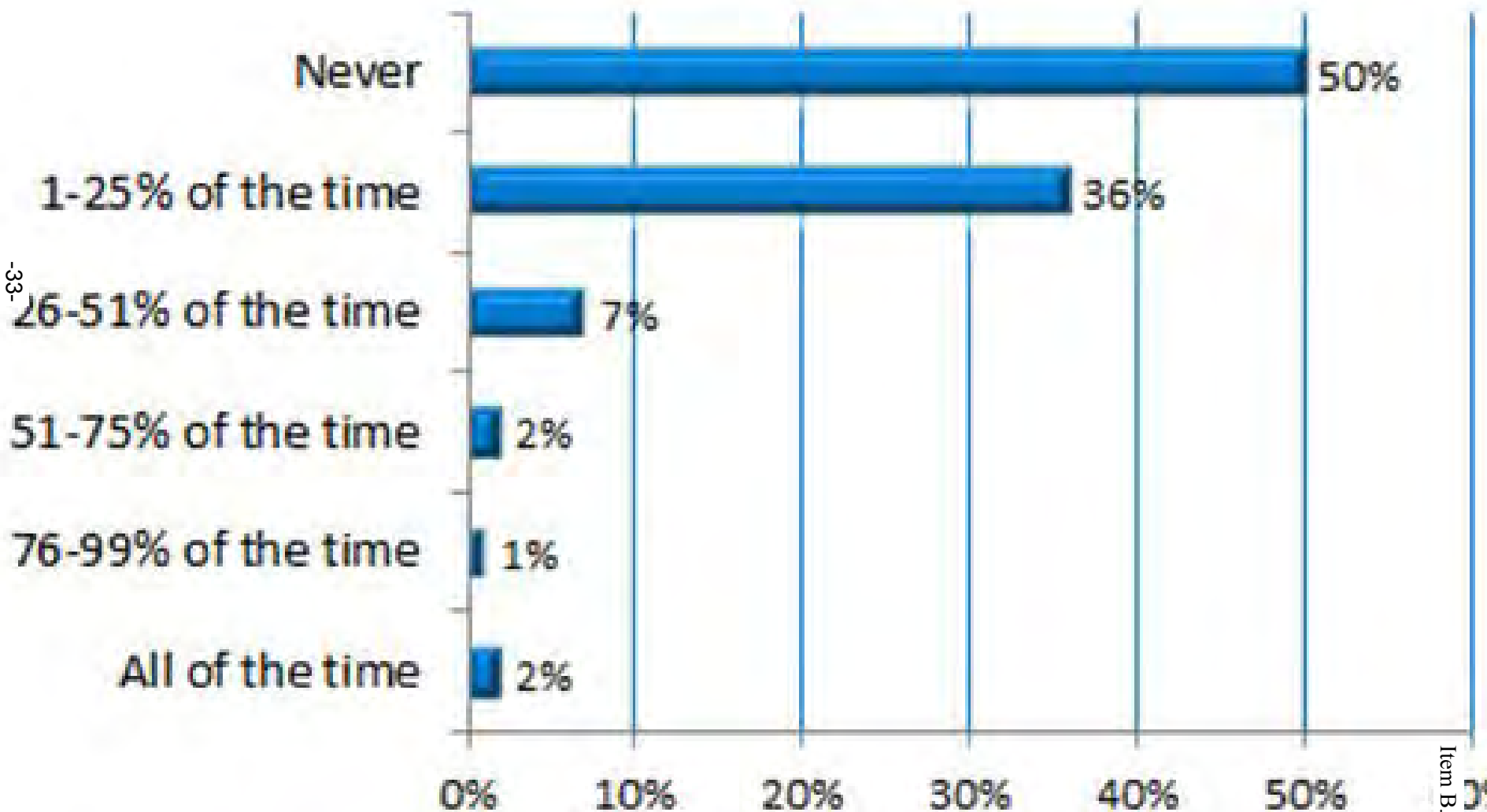
- ❑ Good program/support
- ❑ Customer complaints/irritation
- ❑ Do not support the nickel charge
- ❑ Product issues re: protection, size, etc.
- ❑ Inconvenience for retailer and/or customer
- ❑ Loss of customers
- ❑ Should be voluntary, not mandatory
- ❑ Theft/loss prevention/shoplifting
- ❑ Higher cost of paper bags

Solid Waste Customer Satisfaction Survey

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Frequency of Purchasing a Bag When Shopping:



Does the ban on single-use plastic carryout bags encourage the use of reusable bags?

Final Thoughts



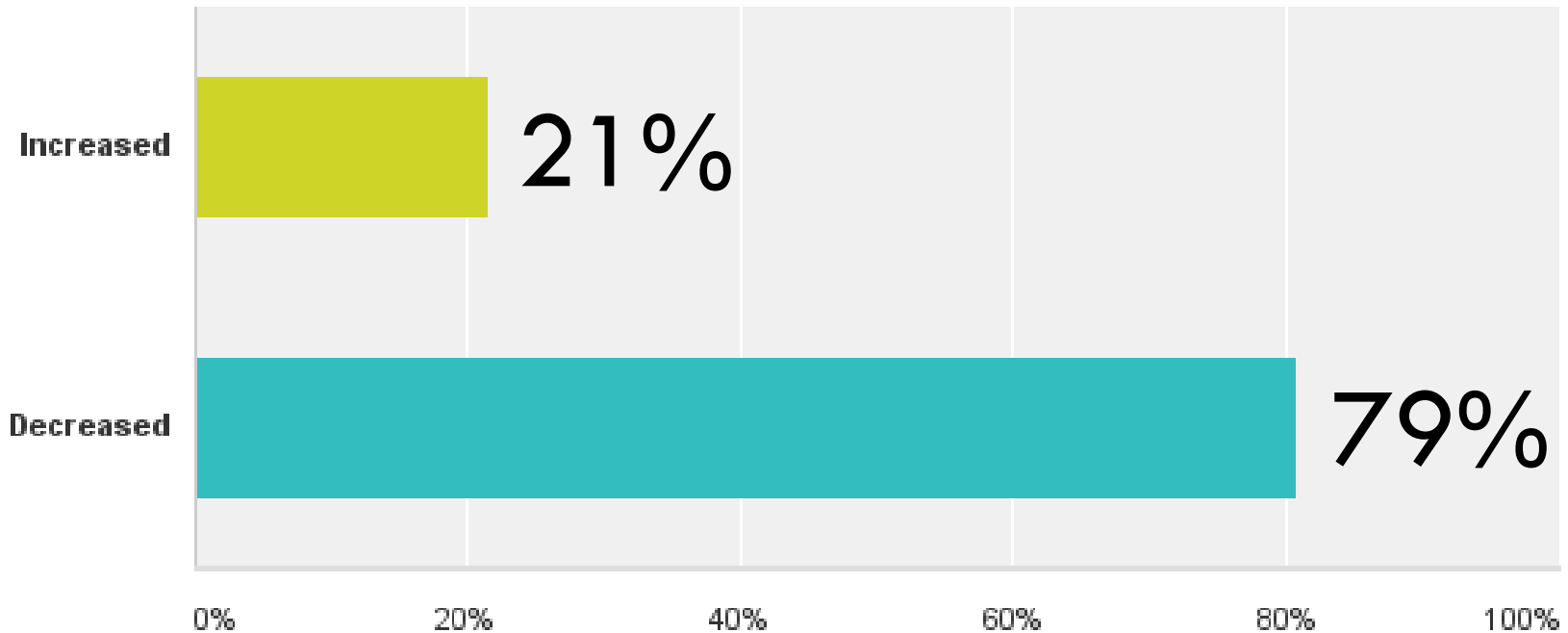
Discussion



Findings from Retailers

Have the number of complaints increased or decreased since the May 1 implementation date?

Answered: 88 Skipped: 63



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EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Protected Class Definition Code Amendment - Sexual Orientation

Meeting Date: November 13, 2013
 Department: Central Services
www.eugene-or.gov

Agenda Item Number: C
 Staff Contact: Michael Kinnison
 Telephone Number: 541-682-5009

ISSUE STATEMENT

SB 2, the Oregon Equality Act, expanded the definition of sexual orientation to include gender identity at the State level effective Jan. 1, 2008. The Human Rights Commission earlier this year voted to request the council support to amend the Eugene Code to include in the definition of sexual orientation, protections related to one's gender identity. Councilor Greg Evans, Council Liaison to the Human Rights Commission, has requested that this item be brought to the council for consideration.

BACKGROUND

The current Eugene Code (EC 4.615) protected class definition for Sexual Orientation is not consistent with State level definitions. The Legislature modified the State's definition in 2007 to include explicit protections related to gender identity, "regardless of whether the individual's gender identity, appearance, expression or behavior differs from those traditionally associated with the individual's sex at birth." Eugene Code defines sexual orientation more narrowly as "actual or perceived heterosexuality, homosexuality, or bisexuality."

This change would simply align language in the Eugene Code with existing protected class definitions in state law. Enforcement for discrimination-related complaints regarding housing, employment, and public accommodation is already provided by state level agencies, which utilize the existing state definition for sexual orientation. Amending the Eugene Code to be consistent with State definitions would not afford any additional legal protections related to gender identity nor would it impose additional requirements for City operations beyond those currently required by State law.

RELATED CITY POLICIES

City Council vision: Value all people, encouraging respect and appreciation for diversity, equity, justice, and social well-being. We recognize and appreciate our differences and embrace our common humanity as the source of our strength.

City Council goal for a *Safe Community* – a community where all people are safe, valued and welcome.

COUNCIL OPTIONS

Council can amend or not amend EC 4.615.

CITY MANAGER'S RECOMMENDATION

The City Manager recommends scheduling a public hearing to consider amending the definition of sexual orientation in EC 4.615 to be consistent with the State law definition.

FOR MORE INFORMATION

Staff Contact: Michael Kinnison

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Staff E-Mail: Michael.j.kinnison@ci.eugene.or.us