

## MINUTES

### Eugene City Council Virtual Work Session Eugene, Oregon 97401

July 29, 2020  
12:00 p.m.

**Councilors Present:** Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Greg Evans, Claire Syrett and Chris Pryor

Mayor Vinis opened the July 29, 2020, work session of the Eugene City Council.

#### 1. **ACTION: City Manager Employment Agreement**

City Attorney Kathryn Brotherton reviewed the proposed terms of the employment agreement with Sarah Medary.

##### Council Discussion:

- Councilor Semple – stated she feels the contract is reasonable and she intends to work with Council Vice President Yeh over the next six weeks to draft a performance evaluation process for Council to consider approving in September.
- Councilor Zelenka – stated the annual leave term of 120 hours of vacation “use it or lose it” per year is incentive for the City Manager to actually take the needed time off; stated the rest of the contract is in keeping with other city managers, Salem in particular; recommended the package.
- Councilor Syrett – thanked the Councilors who worked to draft the agreement; said she thinks it looks great and is pleased that Sarah is in agreement and will sign it.
- Mayor Vinis – thanked Council and stated she is happy to be at this point.

**MOTION AND VOTE:** Councilor Semple, seconded by Councilor Yeh, moved to approve the Council Committee’s recommended terms of Sarah Medary’s employment agreement and authorize the Council President to execute the City Manager employment agreement set forth in Attachment B. **PASSED 8:0.**

#### 2. **WORK SESSION: Northwest Natural Gas Franchise Agreement**

Intergovernmental Relations Manager Ethan Nelson and Assistant City Attorney Hwa Go provided an overview of the negotiation process to date and current deal points for the Northwest Natural Gas (NWNG) Franchise Agreement.

##### Council Discussion:

- Councilor Semple – stated she feels the City has done a good job of trying to get to an agreement, and doesn’t think NWNG has made the same effort; expressed frustration that negotiations have taken too long and doesn’t see any goodwill from NWNG to help the climate, low-income people facing homelessness, or the work on renewable natural gas; expressed concern that NWNG’s solutions are to buy offsets and push costs back to customers.
- Councilor Zelenka – stated this is a very complicated negotiation and the first of its kind in the country, and necessarily it will take time to go through the issues; stated negotiations are going as he expected, that progress is being made toward an agreement, but it needs more time; asked clarifying questions regarding the motion for Option 2; stated he would prefer Option 1 at this point.

- Councilor Syrett – stated she thinks Option 1 is the best next step and continued negotiations are worth the effort; stated she hopes NWNG will recognize the opportunity that moving toward Eugene’s position offers them in terms of becoming leaders and partners in the effort to reduce carbon emissions in the community; stated NWNG’s recent actions working to organize opposition to the Community Action Plan (CAP) with inaccurate information and then challenging Council’s legal right to hold an executive session on this topic are disappointing, but often negotiations are contentious between parties particularly when there are competing interests; expressed confidence in staff’s ability to continue to represent Council interests, and bring forth an agreement that can be a model for other communities; encouraged Council to support Option 1.
- Councilor Yeh – acknowledged the two parties seem far apart right now and asked staff if they felt another six months of negotiations could be productive; stated she is not in favor of purchasing offsets or in giving up the ability to look at ways to limit natural gas; stated she is willing to give six months if it results in a better position for the City by then.
- Councilor Evans – stated it doesn’t look like NWNG is making the effort to meet the City in the middle; asked clarifying questions about the current terms and the City’s position.
- Councilor Taylor – stated she favors Option 3 and doesn’t believe anything bad will happen to customers; stated cutting off negotiations now will at least stop the expansion.
- Councilor Pryor – stated that if Council goes with Option 1, it should know that both sides will be negotiating in good faith; stated he is supportive of Option 1 for another six months but his patience is not infinite.
- Councilor Evans – expressed concern that NWNG is rejecting the City’s proposal without having a counter proposal in regard to low-income programming; stated 40 percent of Lane County is living at or below the poverty line and it may go up significantly very soon; asked if NWNG currently has a low-income program.
- Councilor Zelenka – stated that equity considerations need to be upfront in the negotiations; stated he has heard that over half of NWNG customers are low-income, therefore, how customers are charged based on what is negotiated will have a disproportionate impact on low-income NWNG customers; stated this limits how the Carbon Reduction Fee (CRF) can be increased without overburdening low-income customers that have no other way to heat their home.
- Mayor Vinis – stated she wants to support the comments councilors have made about supporting Option 1; stated it is better to have a negotiated agreement than not and she is trusting staff’s read on the situation that there will be movement in the next six months.
- Councilor Semple – expressed frustration regarding the negotiations and stated she does not feel NWNG is acting in good faith and is putting it all on the customers; stated she will not vote in favor.

**MOTION AND VOTE:** Councilor Semple, seconded by Councilor Yeh, moved to direct the City Manager to prepare an ordinance and schedule a public hearing in September 2020, to extend Northwest Natural Gas’s Franchise Agreement for six months and to schedule a work session in early September 2020 for an update on the negotiations. **PASSED 6:2**, Councilors Semple and Taylor opposed.

### 3. WORK SESSION: A Resolution Approving the Community Action Plan 2.0

Sustainability Manager Chelsea Clinton gave a brief presentation of the Community Action Plan 2.0 (CAP 2.0) and answered questions related to the plan and the proposed resolution approving it.

#### Council Discussion:

- Councilor Zelenka – stated this plan represents an enormous amount of work and it is gratifying to be at this point; however there is still much to do and a limited amount of resources to get

things done; stated a bias for action is needed; stated this is a living document which will be enhanced and refined over time; supported motion to approve.

- Councilor Evans – asked clarifying questions regarding promoting the usage of bike and pedestrian infrastructure; stated that promoting alternative transportation must happen in order to make a dent in turning the carbon footprint clock back; inquired about conversations that have taken place to jump-start MovingAhead and Transit Tomorrow.
- Councilor Zelenka – stated transportation is the biggest part of emissions in Eugene; stated the Pedestrian and Bicycle Plan, though not funded, is one of many actions needed in the transportation sector; stated that with limited resources, determining the actions that will produce the greatest change is needed, as well as a focus on a priority scheme to get there.

Councilor Clark left the meeting at 12:55 p.m.

**MOTION AND VOTE:** Councilor Semple, seconded by Councilor Yeh, moved to adopt a Resolution Approving the Community Climate Action Plan 2.0. **PASSED 7:0.**

- Councilor Semple – stated she would like to introduce two motions from the Sustainability Commission.

**MOTION:** Councilor Semple, seconded by Councilor Yeh, moved to direct the City Manager to complete a high-level analysis of all the Community and Equity panel ideas for potential action included in the CAP 2.0 in the next 12 months with recommendations for further actions based on their estimated cost per ton of emissions reductions, co-benefits, feasibility, and equity impacts.

- Councilor Syrett – stated she would like to get an idea of how realistic this motion is in terms of what it is asking of staff; asked staff to speak to the possibility of needing to outsource the work; stated she supports the intent of the motion, however, it feels like more than can be handled at once and suggested establishing priorities; said she does not support the motion as it sits now.
- Councilor Pryor – stated he supports the intent of the motion as well; asked if the cost and length of time to complete it can be evaluated; suggested a friendly amendment to say “direct the City Manager to bring to Council the cost and timeline to complete a high-level analysis”.
- Councilor Semple – expressed concern that if the motion is only to bring back the cost and timeline, no work to be looking at any of the actions will be taken yet; stated this is beyond the scope of time and money available; asked staff if there are any plans now on how to start on the lists of recommendations; stated it doesn’t seem like it can be done in 12 months if the plan is not to start for a few years.

**MOTION TO AMEND:** Councilor Pryor, seconded Councilor Syrett, moved to amend the motion to bring back to Council the cost and timeline to complete a high-level analysis.

- Councilor Zelenka – stated as a friendly amendment, he thinks it is important to leave the criteria in the motion; stated there are only 2.0 FTE to complete the work and Council has not given the City Manager any direction about the 100 other actions already in the plan that have commitments and funding sources; doesn’t want to pre-empt that work; suggested another clarification can be what high-level means, perhaps a way of creating a priority list.
- Councilor Taylor – suggested this is a good place for unpaid volunteers to sort through and give recommendations on which things are important; stated the volunteers could be from the Sustainability Commission and local environmental groups.

- Councilor Zelenka – stated staff continually use advisory committees to vet the work they do; recommended when the analysis is done, running the initial cut past the Sustainability Commission before it comes to Council.
- Mayor Vinis – stated she understands one of the reasons this motion has come forward is due to a sense of uneasiness from within the Sustainability Commission and the public that there is no way to reach the City’s full goals; wondered if having no timeline at all is a good idea, as part of this is to reassure that these items will be addresses and they won’t be put aside for an indefinite amount of time.
- Councilor Syrett – clarified the language of the motion is to direct the City Manager to bring back the cost and timeline for doing the high-level analysis.

**RESTATED MOTION TO AMEND AND VOTE** *(with friendly amendments)*: Councilor Pryor, seconded by Councilor Syrett, moved to direct the City Manager to bring back to Council the cost and timeline to complete a high-level analysis of all the Community and Equity panel ideas for potential action included in the CAP 2.0 in the fall, considering estimated costs per ton of emissions reductions, co-benefits, feasibility and equity impacts. **PASSED: 7:0.**

**VOTE ON MAIN MOTION AS AMENDED: PASSED: 7:0.**

- Councilor Semple – asked clarifying question regarding implementation and potential funding for high-priority items already in the plan; asked if Council has given the City Manager direction for development, implementation and funding on actions already in the plan.

**MOTION:** Councilor Semple, seconded by Councilor Taylor, moved to direct the City Manager to immediately begin working on developing recommended implementation options and potential funding sources for actions already in the plan and return to Council with policy and funding recommendations within 12-18 months with special consideration given to the eight actions identified by the Sustainability Commission in their July 14, 2020, memo and Action 1 – Accelerate Implementation of the TSP prioritizing implementation of pedestrian and bicycle projects.

- Councilor Zelenka – stated Council has not given the City Manager direction to do what the Sustainability Commission wants to do for any items in the plan; stated that prioritization is needed since everything can’t be done at the same time; suggested a friendly amendment to add “high-priority” into the motion.
- Councilor Semple – expressed concern that it is unknown which ones are high-priority before analyzing them, and who will choose which ones are.
- Councilor Zelenka – stated his answer would be the same process that will be developed for the first motion – to prioritize using the considerations for the community and equity impacts.

**RESTATED MOTION** *(with friendly amendments)*: Councilor Semple, seconded by Councilor Taylor, moved to direct the City Manager to immediately begin working on developing an implementation plan, including options and funding source, giving special consideration to the eight actions identified by the Sustainability Commission in their July 12, 2020 memo and Action 1.

- Councilor Evans – inquired of staff which specific items will need to be postponed if this motion is approved.
- Mayor Vinis – stated she thought the original impetus behind this Sustainability Commission request was that they had gone through the 75 and had identified eight they thought could rise

to the top because they were integrated with things already happening; suggested going back to the simpler intent of highlighting those eight.

- Councilor Syrett – stated she is leaning toward the City Manager’s recommendation of taking a little more time to think about this and discuss again after break.
- Councilor Yeh – stated she understands from staff there are some priorities set for the near future; stated she is tired of being in the planning stage and is ready to move into the implementation stage; likes the City Manager’s recommendation to slow this down and be more deliberate in action.
- Councilor Zelenka – stated he is also eager to get to the implementation stage.

**MOTION TO SUBSTITUTE AND VOTE:** Councilor Zelenka, seconded by Councilor Pryor, moved to have the City Manager bring back process and timeline for implementation plan in the fall, with special consideration to the ideas brought forward by the Sustainability Commission. **PASSED: 7:0.**

**VOTE ON FINAL MOTION: PASSED: 7:0.**

- Councilor Semple – to the public, explained she can’t answer all of the email coming in due to the high volume, but assured her constituents she does read them all even if she doesn’t answer.

The meeting adjourned at 1:54 p.m.

Respectfully submitted,



Julie Adams  
Deputy City Recorder

*(Recorded by Jessica Gebb)*

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