

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

May 8, 2023
5:30 p.m.

Councilors Present: Matt Keating, Jennifer Yeh, Mike Clark, Randy Groves, Alan Zelenka, Emily Semple, Greg Evans and Lyndsie Leech

Mayor Vinis opened the May 8, 2023, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. **WORK SESSION: Police Auditor Employment Contract**

City Attorney Kathryn Brotherton presented information regarding the Police Auditor, Leia Pitcher's employment contract.

Councilor Discussion:

- Councilor Semple – asked for the salaries of the current Municipal Court Judge and the previous Police Auditor; believes the proposed range is low and should be at the next pay grade; noted that she is not in favor of recruiting a new Police Auditor.
- Councilor Leech – stated that the knowledge and experience that Pitcher brings to the position is irreplaceable; stated she would support a higher offer.
- Councilor Clark – stated he does not support setting the salary higher than the Municipal Court Judge; stated Pitcher does an excellent job and was trained by one of the best auditors in the country, Mark Gissiner.
- Councilor Yeh – believes that Pitcher is one of the best auditors in the country; stated she would support an offer of pay grade 12; stated that the position has high level of responsibility to the community.
- Councilor Groves – asked staff for the differences between the Municipal Court Judge and the Police Auditor job descriptions and responsibilities; asked staff to speak to the level of supervision and consequence of error for various staff.
- Councilor Zelenka – noted the difficulty setting the salary range for the previous Police Auditor; noted that pay range is set by job description and duties; asked for the Police Auditor's budget and how many full-time equivalent (FTE) employees are supervised; outlined other budgets and supervisory duties for staff in pay grades 11 and 12; stated he does not support placing the Police Auditor in the same pay grade as the Municipal Court Judge.
- Councilor Keating – thanked staff for compiling a list outlining the budget and supervisory duties for various staff in pay grades 11 and 12; stated that the current offer to Pitcher is at or above comparable municipalities; stated that the offered salary leaves room to grow; believes that the offer is fair and would not support increasing it.
- Councilor Semple – noted that the level of responsibility and work of the team should be the factors considered for determining pay; noted that other municipalities are not direct comparisons to the City; stated concern that an

unwillingness to negotiate may lead to the loss of this staff member; stated that the financial offer is more important than the grade or step offered.

- Councilor Zelenka – stated that the role of Police Auditor is not more complex than other executive level positions within the City; noted that the comparable municipalities fit within grade 11; asked Council leadership how the offer in the proposed motion was determined; asked how long the previous auditor was in his position with the City; asked for the salary of the previous Police Auditor.
- Councilor Evans – noted support for a higher pay range for Pitcher; provided history on the creation of this position; stated that police controversy has been avoided because of the oversight provided by the Police Auditor; noted concern about undervaluing the position; believes the auditor position is imperative to maintaining constituent trust.
- Councilor Clark – asked who the current Assistant Police Auditor is; asked why that position has not been filled.
- Mayor Vinis – noted that Pitcher has extensive experience in this position and office; encouraged Council to consider the need to maintain the positive impact that this staff member brings to the auditor role; stated that the Police Auditor is a public role and is accountable to the entire city.

MOTON: Councilor Groves, seconded by Councilor Keating, moved to authorize the Council President to execute an Employment Contract with Police Auditor Leia Pitcher that: 1) establishes a Police Auditor salary equivalent to Grade 11 of \$119,392 to \$161,158.40

Council Discussion:

- Councilor Semple – asked Councilor Groves why he had chosen grade 11 instead of 12.

VOTE: 6:2 PASSED (opposed by Councilors Yeh and Leech)

MOTON (with friendly amendment): Councilor Groves, seconded by Councilor Keating, moved to authorize the Council President to execute an Employment Contract with Police Auditor Leia Pitcher that: 1) establishes a Police Auditor salary equivalent to Grade 11 of \$119,392 to \$161,158.40, with the range adjusting consistent with COLA adjustments for non-represented staff; 2) places Pitcher at Step 6 of the established salary range for a salary of \$142, 584; and 3) makes this salary retroactive to Pitcher’s hire date of October 24, 2022 with the retroactive pay to be paid in 6 months, contingent on Leia Pitcher’s continued employment with the City.

MOTON TO AMEND: Councilor Semple, seconded by Councilor Leech, moved to amend the motion to step 9.

Councilor Discussion:

- Councilor Clark – asked for the ranges for steps 7, 8, and 9.
- Councilor Keating – stated support for the main motion; stated concern over a large increase in the salary offer due to current budget constraints.

- Councilor Yeh – noted that staff are not worth less in a budget deficit; does not support devaluing staff to balance the budget.
- Councilor Semple – stated the change to step 9 is meant to make the offer competitive; stated concern that the City will lose this staff member if the offer is not competitive.
- Councilor Evans – asked for the cost of fringe benefits for this position.
- Councilor Zelenka – asked staff to explain the purpose of using grades and steps for salary determination; believes that step 6 or 7 is more appropriate for this position.
- Mayor Vinis – asked if the position would be maxed out if it was rated at step 9.
- Councilor Groves – stated this negotiation process is unusual; stated that it is unrealistic to have a merit and COLA increase every year; believes the original motion is a reasonable offer; is concerned with the impact a salary increase will have on the budget.

VOTE ON MOTION TO AMEND: 3:5 FAILED (opposed by Councilors Keating, Zelenka, Clark, Evans, Groves)

MOTION TO AMEND (with friendly amendment): Councilor Clark, seconded by Councilor Evans, moved to amend the motion to Step 7 with the retroactive pay to be paid in 6 months, contingent on Leia Pitcher's continued employment with the City.

Councilor Discussion:

- Councilor Clark – stated that step 7 leaves room for growth; noted that Pitcher has extensive experience.
- Councilor Evans – noted the fringe benefit costs at step 7; asked staff to confirm that the total package at step 7 would be \$206,000.
- Councilor Clark – noted that step 7 would be just below the final salary of the previous auditor and just below the current salary of the Municipal Judge; noted that Pitcher is a valuable employee, but he wants to be fair to other City employees.
- Councilor Zelenka – asked for the current pay grade and step for the Municipal Judge.
- Councilor Groves – asked about the tenure of the current Municipal Judge.
- Councilor Keating – asked about the starting salary for the Municipal Judge; asked if backpay is paid in a lump sum; asked if back pay is paid right away; noted concern about optics and that Council is negotiating against itself for a staff contract.
- Councilor Zelenka – asked for a friendly amendment for the retroactive pay to be paid contingent on Pitcher remaining on staff for six months (*friendly accepted*).
- Councilor Yeh – outlined that Council leadership was to negotiate within a salary range; believes the suggested range is low; stated that it is normal to negotiate a salary.
- Councilor Groves – stated that a negotiation had not taken place.
- Mayor Vinis – stated that there is a salary range, and the Council has the latitude to choose within that range; noted that there is a tension about how high to go; noted that it is normal for a prospective employee to negotiate their salary.

- Councilor Clark – noted that his motion to amend falls within the boundary of the original direction to leadership for this contract; noted his support for the friendly motion to make the retroactive backpay contingent on 6-months of employment.
- Councilor Leech – noted the cost of losing Pitcher’s experience would be greater than the cost of increasing to step 9; does not support making backpay contingent on 6 months continued employment.

VOTE ON MOTION TO AMEND (with friendly amendment):

3:5: FAILED (opposed by Councilors Semple, Keating, Yeh, Leech, and Groves)

Councilor Discussion:

- Councilor Keating – asked if Councilor Zelenka’s friendly motion could be added to the main motion.
- Councilor Zelenka – asked for a friendly amendment to the main motion for the retroactive pay to be paid contingent on Pitcher remaining on staff for six months (*friendly accepted*).

VOTE ON MAIN MOTION (with friendly amendment): 3:5 FAILED

(opposed by Councilors Semple, Zelenka, Yeh, Evans, and Leech)

MAIN MOTION: Councilor Evans, seconded by Councilor Yeh, moved to authorize the Council President to execute an employment agreement with Police Auditor Leia Pitcher that establishes a Police Auditor salary equivalent to Grade 11 with the range adjusting consistent with COLA adjustments for non-represented staff 2) places Pitcher at Step 8 of the established salary range for a salary of \$151,860.80 and makes the salary retroactive to Pitcher's hire date of October 24, 2022.

MOTION TO AMEND: Councilor Keating, seconded by Councilor Groves moved to amend to Step 7. **VOTE: 4:5 FAILED** (opposed by Councilors Semple, Yeh, Evans, and Leech, with Mayor Vinis’ vote in opposition breaking the tie)

VOTE ON MAIN MOTION: 5:4 PASSED (opposed by Councilors Keating, Zelenka, Clark, and Groves, with Mayor Vinis' vote in favor breaking the tie)

2. WORK SESSION: Climate-Friendly and Equitable Communities Implementation Update

City Manager Medary introduced Transportation Planning Manager, Rob Inerfeld and Senior Planner, Heather O’Donnell who presented an update on Climate-Friendly and Equitable Communities Implementation.

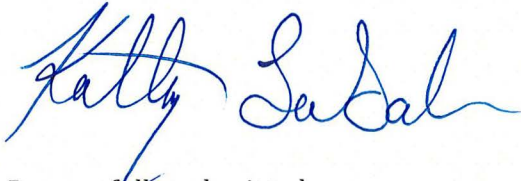
Councilor Discussion:

- Councilor Zelenka – spoke about his experience with this scenario planning during his tenure on the Metropolitan Planning Commission; asked if there were changes to

the policies and strategies; noted that Lane County and Springfield will need to agree and work with Eugene on this project.

- Councilor Evans – asked how equity will be measured and evaluated; asked how the City plans to work in partnership with Lane County and Springfield; asked how this will impact seniors’ access.
- Councilor Keating – asked if the updates address bicycle parking and theft; asked if there would be security for bicycle storage; asked to clarify the requirements for off-street parking in relation to frequent transit corridors versus EmX; asked if that would lead to a reduction in electric vehicle hookups; asked if Climate-Friendly and Equitable Communities rules supersede previous Council actions; noted that he is in favor of parking requirements being tied to an EmX line rather than just a frequent transit corridor.
- Councilor Clark – is not supportive of the Climate-Friendly and Equitable Communities requirements; believes that it will have a significant impact on residents of the City; noted economic concerns for Eugene if Lane County and Springfield are not willing to implement the requirements.
- Councilor Zelenka – asked if the City has any indication that Springfield and Lane County will approve the scenario planning and cooperate with Climate-Friendly and Equitable Communities requirements.

Mayor Vinis adjourned the meeting at 7:03 p.m.



Respectfully submitted,

Katie LaSala
City Recorder

(Recorded by Cherish Bradshaw)

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