

## MINUTES

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

July 12, 2023  
12:00 p.m.

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

Mayor Vinis opened the July 12, 2023, work session of the Eugene City Council in a virtual format at 101 W 10<sup>th</sup> Avenue, Eugene OR 97401.

- 1. WORK SESSION and POSSIBLE ACTION: An Ordinance Concerning the Willamette River Greenway; Amending Sections 9.0500, 9.1040, 9.3147, 9.3148, 9.3725, 9.4930, 9.5750, 9.6885, 9.7005, 9.7030, 9.7055, 9.7205, 9.7210, 9.7220, 9.7305, 9.7315, 9.7335, 9.7340, 9.7415, 9.7455, 9.7520, 9.7560, 9.7605, 9.7615, 9.7635, 9.7665, 9.7685, 9.8005, 9.8030, 9.8800, 9.8805, 9.8810, 9.8815 and 9.8825 of the Eugene Code, 1971; Adding Sections 9.8811 and 9.8812 to That Code; and Adopting a Willamette River Greenway Setback Map, a Willamette River Greenway Tree Preservation Zone Map and a Map of Properties Located Within the Willamette River Greenway and More Than 500 Feet From a Willamette River Greenway Access Point.**

City Manager Sarah Medary introduced Gabe Flock, Principal Planner, who provided information regarding the proposed ordinance.

#### Councilor Discussion:

**MOTON:** Councilor Zelenka, seconded by Councilor Keating, moved to adopt an Ordinance Concerning the Willamette River Greenway included as Attachment C to this AIS.

- Councilor Groves –asked staff to clarify if the 10-foot buffer is where public land meets private property; noted concerns that the buffer would provide space for people with ill intentions; prefers the clear and objective standard over the discretionary track; has concern over the discretionary track creates interpretation issues for hearings officials; asked staff if there is a way to make the discretionary standard more clearly defined; asked staff if there is a future process to review and report back to Council.
- Councilor Leech – would like clear and objective provisions or guidelines included in the discretionary pathway.
- Councilor Yeh – believes the discretionary track needs guidelines, and noted loopholes that she does not support; asked staff if they would like to move forward with clear and objective scope and work on discretionary changes later; asked if the work done for tree preservation was an additional part of the clear and objective track; asked if the tree preservation was included as a

top priority of the community; noted concern about the available time to come back to review the discretionary track.

**VOTE: PASSED 8:0**

2. **WORK SESSION: Renters Protections Phase II – Draft Ordinance Feedback Part 4**

City Manager Sarah Medary provided a brief introduction to the topic. Mayor Vinis opened the floor regarding the existing motion on the table from the June 28, 2023 Work Session.

Councilor Discussion:

- Councilor Semple – requested that the motion be restated; asked to clarify that this exemption is regarding military service.

**MOTION RESTATED:** Councilor Keating, seconded by Councilor Zelenka, moved to direct the City Manager to revise the draft ordinance to remove relocation assistance exemption 6.

**VOTE: FAILED 0:8** (opposed by all)

**MOTION:** Councilor Groves, seconded by Councilor Keating, moved to direct the City Manager to revise the draft ordinance to remove exemption 7 from the requirements for relocation assistance.

Councilor Discussion:

- Councilor Keating – noted that he is in support of this motion and that it was a recommendation from the committee; does not support an exemption to remove renters in order to move in family.
- Councilor Semple – believes this exemption should be removed; questioned what constitutes an immediate family member.
- Councilor Zelenka – asked if there are any pre-notice requirements in the lease language that would notify renters about this scenario and how it would disallow relocation assistance; is in favor of removing this exemption; would support if it was required to be outlined the lease agreement.
- Councilor Clark – supports keeping the exemption as originally proposed; asked that any exemptions discussed be restated during the discussion.
- Mayor Vinis – noted that this scenario was retained as a trigger in a previously voted on motion; noted concern over having a scenario outlined as a trigger in one area and an exemption in another.
- Councilor Zelenka – asked Mayor Vinis to explain her concern in more detail.

**VOTE: PASSED 6:2** (opposed by Councilors Clark and Groves)

**MOTION:** Councilor Zelenka, seconded by Councilor Keating, move to direct the City Manager to revise relocation assistance trigger number 4, non-renewal of fixed-term lease, to provide that in a case of a lease with a fixed-term of less than one year, the landlord must at least 90 days prior to the end of the lease term, remind the tenant that in order for the tenant to be eligible for relocation assistance, the tenant must, at least 60 days prior to the end of the lease term, give the landlord notice of the tenant's desire to renew the fixed-term lease, within 30 days of the tenant's notice, the landlord must either decline the tenant's request to renew the lease and pay the relocation assistance to the tenant or the landlord must agree to renew the fixed-term lease.

Councilor Discussion:

- Councilor Zelenka – outlined that this motion would put obligations on both the landlord and the tenant to communicate; noted that it would close a loophole for the tenant to stay silent and get relocation assistance by default.
- Councilor Groves – supports placing the responsibility on both the landlord and tenant for communication; is not in favor of requiring the landlord to remind the tenant of their responsibility.
- Councilor Keating – noted concern about the requirement to remind the tenant and asked if phone, text, or written notice would be considered acceptable; asked for explanation on the loophole previously mentioned.
- Councilor Semple – asked if the time limits are required to be clear in the lease agreements; believes it is important that the timelines be clear at the beginning of the lease term and should be in the agreement; asked if there would be a length in which this would not apply; noted concern for how this would impact fixed-term leases of three or six months; asked if there is a short term lease in which this would not apply.
- Councilor Leech – would be in favor of removing this trigger to reduce complications of lease contract terms.
- Councilor Zelenka – noted that this would apply to any lease less than one year and would not apply to a month-to-month lease; asked staff to clarify if the motion provided is sufficient for staff to revise the ordinance.
- Councilor Keating – noted that leases of less than one year do exist; believes that leases of less than one year currently provide landlords more protection and flexibility than tenants; is concerned about adding additional requirements to tenants to qualify for relocation assistance.
- Councilor Semple – is concerned about six-to-eleven-month lease terms and how the trigger would impact those; asked staff to restate trigger four, previously voted on by Council.
- Councilor Clark – noted concern over renters not notifying the landlord of their intent to move and receiving relocation assistance by default; does not support requiring landlords to remind tenants of their responsibility to notify their landlord of intent to stay or move; believes leases should outline tenant obligations to notify the landlord of their intent to end or renew lease.
- Councilor Zelenka – stated that the landlord obligation in this motion aligns with other requirements in the proposed ordinance; noted that the motion is to

encourage two-way communications and prevent tenants from getting relocation assistance by default.

- Councilor Yeh – asked to clarify the intent of the motion; does not believe that the scenario being addressed by this motion would be common.
- Councilor Clark – noted that this motion is meant to close a loophole that allows a tenant to withhold their intent to move to remain eligible for relocation assistance.
- Councilor Groves – agrees with the purpose of the motion; does not support putting the responsibility on the landlord alone; believes the tenant should be responsible for knowing their rights and responsibilities.
- Councilor Semple – believes that landlords would support this requirement.

**VOTE: PASSED 7:1** (opposed by Councilor Keating)

**MOTION:** Councilor Groves, seconded by Councilor Keating, move to direct the City Manager to revise the draft Ordinance to remove the small landlord compensation fund.

Councilor Discussion:

- Councilor Keating – noted that the relocation assistance exemptions in the proposed ordinance make the small landlord compensation fund unnecessary.
- Councilor Semple – supports removing this fund; expressed concerns over the time and cost of administering the fund.

**VOTE: PASSED 7:1** (opposed by Councilor Clark)

**MOTION:** Councilor Zelenka, seconded by Councilor Keating, move to direct the City Manager to document the implementation and impacts of the City's Phase I and II renter protection code provisions and to provide the Council with a report prior to a Council two-year review work session.

Councilor Discussion:

- Councilor Clark – would like metrics to track the success or failure of this ordinance and if it helped or hurt both tenants and landlords; proposed a friendly amendment to add the words “appropriate review of metrics” to the motion; asked City Attorney for input on the feasibility of developing metrics to track.
- Councilor Zelenka – clarified that the motion includes reporting the impacts of the ordinance; would not support adding metrics into the ordinance.
- Councilor Evans – noted that staff have the ability to put together assessment tools for Council review.
- Councilor Clark – stated that he would like a report on the overall impact on rental housing.
- Councilor Zelenka – clarified that the motion was intended to provide a report back on the overall impact to rental housing market to include tenants and landlords.

- Councilor Semple – believes that reviewing actions is important; would like information on how tenants and landlords feel they have been impacted by the ordinance in the future review.
- Councilor Groves – believes that it is important to understand how landlords perceive the ordinance; noted that the Portland rental housing market had 14 percent reduction in single occupancy rentals, the net increase reported was directly impacted by construction projects in progress prior to the renter protections adopted by the city; believes that impacts have to be assessed after the ordinance by new application data.
- Councilor Evans – believes the assessment needs to be a 360-degree assessment on the long-term rental market, tenants and landlords.
- Councilor Keating – would like quantitative and qualitative points of information in the two-year review; noted that there are local agencies that track rental housing data that could be used for future reports.

**MOTION REVISED AND VOTE:** Councilor Zelenka, seconded by Councilor Keating, move to direct the City Manager to document the implementation and impacts of the City’s Phase I and II renter protection code provisions and to provide the Council with a report prior to a Council two-year review work session. The report should include a qualitative and quantitative analysis of impacts to renters, landlords and the rental housing market. **VOTE: PASSED 8:0**

Mayor Vinis adjourned the meeting at 1:13 p.m.

Respectfully submitted,



Katie LaSala  
City Recorder

*(Recorded by Sara McKinney)*

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