

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

July 25, 2022
5:30 p.m.

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

Mayor Vinis opened the July 25, 2022, work session of the Eugene City Council in hybrid format at 101 W. 10th Avenue, Suite 114, Eugene, OR 97401.

1. **WORK SESSION: Building Electrification Follow-Up**

City Manager Sarah Medary introduced the topic and gave some background information on previous discussions and Council direction before introducing Building and Permit Services Director Lydia Bishop, and Building Official Mark Whitmill, who presented information regarding building electrification and reduction of fossil fuel usage in Eugene.

Council Discussion:

- Councilor Clark – asked staff to confirm if the proposed change were enacted it would cut emissions by 0.1 percent by 2037; stated that 0.1 percent is an insignificant amount of carbon reduction considering the impact on residents; asked the City Attorney why Council did not use Home Rule to resist implementing HB2001; asked if Council is within its right to enact the proposed electrification ordinance; asked if staff are concerned about an appeal of any potential legislation on this topic; noted that there has not been any public engagement on this topic so far; asked staff what will be required for public engagement moving forward; noted that he is concerned that Council is discussing taking action without public engagement and discussion; stated that there are good hybrid options for implementing changes over time as they naturally become expenses for homeowners.
- Councilor Zelenka – asked if the code would allow specific end uses; noted that climate change is an existential threat and Council needs to act and take the lead on this change; noted that residential hook-ups are a very small portion of the overall emissions that need to be dealt with by 2037; noted that transportation creates 33 times more emissions than residential hook-ups; stated that he would like to complete this small issue before moving on to larger targets.
- Councilor Groves – noted that this issue is relatively small compared to other contributors to emissions; noted a concern over how the proposed change will impact the community and jobs; stated that he is concerned about public process and input; stated that Council should consider referring this issue to the ballot due to the significant impact it will have; noted that the cost implications need to be considered; noted that EWEB has concerns about challenges and said he would like to hear from EWEB on what their concerns are.

- Councilor Yeh – asked if the Climate Action Plan includes building electrification as a plan or strategy; noted that there was extensive outreach and public engagement while creating the Climate Action Plan; stated that Council has an opportunity to make a difference and add to the momentum across the world in climate recovery efforts; noted that building electrification will create jobs; asked when it is appropriate to sacrifice health and safety in the name of choice; stated that the cost of doing nothing is enormous.
- Councilor Syrett – asked if the ordinance would need to specify that buildings need to be electric ready if that is what Council wanted; asked if Council would need to answer all of the questions in the slide presentation or if the City Manager could complete that; noted that Good Company analysis shows that residential only accounts for 11 percent of the carbon emissions and if Council does nothing, that amount will continue to impact the climate; stated that the Oregon Citizen Utility Board shows that building with all electric is less expensive than dual hook-up homes and is not a financial burden on future homeowners; noted that if transitioning transportation to be fossil free was an easy task, Council would be doing it now.
- Councilor Evans – asked staff to review how to limit the gas prohibition; asked what the end result would be a of a limited prohibition; asked if an environmental impact statement could be required as part of the evaluation process; asked what the average time period from adoption to implementation has been in other municipalities that have created similar ordinances; asked if local industry and builders will have time to make necessary adjustments for planning; asked if Council could choose a phased-in approach to this prohibition.
- Councilor Keating – noted that he would like to see Council enact measures for smog checks, increased electric vehicle incentives and consumption fees for new or used gas-powered vehicle purchases; noted that the proposed change would not impact existing hook-ups, only new builds; noted that not every resident has a choice about their energy source; said 83 percent of new buildings are being built with fracked gas hook-ups.
- Mayor Vinis – noted she thinks Council should move forward with this topic; stated that the world will not end if new residential construction is prohibited from using natural gas or fossil fuels for energy; noted that a fossil fuel free future is critical; stated that public engagement is important; stated that electrification aligns with the middle housing and densification goals.

MOTION: Councilor Syrett, seconded by Councilor Keating, moved to direct the City Manager to draft an ordinance prohibiting natural gas and other fossil fuel infrastructure in new residential buildings for which permits are submitted after June 30, 2023, and new commercial buildings for which permits are submitted after June 30, 2024, and schedule a public hearing in the fall on the ordinance.

Council Discussion:

- Councilor Syrett – stated appreciation for the discussion; stated that burning fossil fuels is killing thousands of people across the world; stated that this is the opportunity for

Eugene to do its part for a fossil free future; noted that she is open to discussion and amendments to her original motion but not open to inaction.

- Councilor Semple – noted that it is time to take action in any way that is possible and every little bit makes a difference; asked if the report from EWEB and NW Natural could be made available before or after the public hearing on the ordinance; noted that the amount of energy used is as important as the type of energy used; stated she would like to see a focus on weatherization to reduce energy usage.
- Councilor Zelenka – stated that there is a lot to do over time, and it is best to start with the easiest items first and move on to the more difficult items later; stated that electrification of residential buildings is the easiest place to start; noted that space and water heating is 80 percent of emissions from the residential sector; noted he would like to be more surgical in prohibiting specific end uses; stated that he would like to use the same surgical approach for commercial buildings to put prohibitions on certain types of buildings initially.

MOTION: Councilor Zelenka, seconded by Councilor Clark, moved to separate the motion into two motions to separate residential from commercial.

Council Discussion:

- Councilor Zelenka - stated that separating the two building types is important; noted that the blanket ban does not allow for an infeasibility waiver for commercial buildings; stated concern that business owners could choose to build in another city and just move their business and emissions to a new location, taking jobs with them; stated that there is a need to engage the commercial business industry about how this will work; stated he thinks the infeasibility waiver process is clunky and inefficient; stated he would prefer to start with a limited electrification process starting with building types and end uses.
- Councilor Clark – noted that he agrees that action is required but how Council moves forward is important; stated that the impact on the community will be negative if Council takes this action right now; noted that this could have a negative impact on housing development and increase the housing crisis; stated concern that an appeals process on this matter could set the climate goals back by a decade.
- Councilor Evans – asked Councilor Zelenka to state the two separate motions that he is proposing.
- Councilor Syrett – stated that it is important to note that they are not banning natural gas at this session; clarified that the motion she proposed was to have the City Manager bring back a draft ordinance for Council to consider and amend as desired.
- Councilor Keating – asked staff to confirm that the infeasibility waivers be would be discussed in the future.
- Councilor Groves – stated that he supports decarbonization and feels it should be done by incentive rather than force; noted that he has heard from many people who feel as if the public input has not been sufficient on this matter.
- Mayor Vinis – noted that new residential construction is the easy path to act on now and commercial will be more difficult to transition; noted that the purpose of separating the motion would be to allow more conversation, not to stop moving forward on commercial transition.

- Councilor Zelenka – noted that part two of Good Company’s report will address commercial structures and Council should wait for that report before taking action; noted that the motion calls for a very simple ordinance to ban and that separating residential and commercial would be more efficient; indicated he would request a friendly if the motion to separate fails; stated that he does not want to stop commercial transition, only to modify it.
- Councilor Evans – stated that he would like to propose a friendly amendment to the second part of the proposed separated motions.
- Councilor Syrett – stated she is open to amending the commercial portion of her motion to add detail to it.

VOTE ON MOTION TO SEPARATE: FAILED 3:5, opposed by councilors Clark, Keating, Semple, Syrett, and Yeh

Council Discussion:

- Councilor Syrett – asked if, as the maker of the motion, she can modify her motion; withdrew her original motion.

MOTION: Councilor Syrett, seconded by Councilor Keating, moved to direct the City Manager to draft an ordinance prohibiting natural gas and other fossil fuel infrastructure in new residential buildings for which permits are submitted after June 30, 2023, and new commercial buildings for which permits are submitted after June 30, 2024, for commercial buildings allowing for exceptions using an ‘in the public interest’ criterion and requiring buildings to be electric ready and schedule a public hearing in the fall on the ordinance.

Council Discussion:

- Councilor Zelenka – proposed an alternative amendment to the motion; provided more detail to explain that his amendment would direct the City Manager to bring back ordinance options that would include the outright ban as well as other limitations such as building types or end use prohibitions.
- Councilor Syrett – stated she would not accept a friendly motion as outlined as it would make the ordinance subject to State approval.
- Councilor Clark – stated that he would like to understand Councilor Syrett’s comment regarding State approval and what that means; asked staff to explain previous remarks about State approval; asked the City Attorney if it is problematic, legally or otherwise, to have legislative intent on the record; asked the City Attorney if there was any feedback from the State that disagreed with the assumptions made about the City of Eugene’s position on building electrification.
- Councilor Semple – stated she prefers the original motion and does not like the idea of making them too confusing; noted that Council may be getting ahead of itself by adding additional parameters to motions before getting more reports and having a public hearing.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Keating,
moved to postpone the vote to the Wednesday, July 27 work session.
VOTE: PASSED 8:0

Mayor Vinis adjourned the meeting at 7:01 p.m.

Respectfully submitted,



Katie LaSala
City Recorder

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