

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

October 24, 2022
5:30 p.m.

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

Mayor Vinis opened the October 24, 2022, work session of the Eugene City Council in a hybrid format at 101 W 10th Avenue, Eugene OR 97401.

1. **WORK SESSION: Police Auditor Selection Process/Feedback**

People, Culture and Development Manager, Becky DeWitt introduced Executive Director of Lane Council of Governments, Brenda Wilson, who presented a summary of feedback from stakeholders about the Interim Police Auditor, Leia Pitcher.

Council Discussion:

- Mayor Vinis – stated her appreciation for the outreach effort; noted that some may not have filled out the survey because they did not have enough information to provide feedback on the Interim Police Auditor.
- Councilor Evans – spoke in support of Interim Police Auditor Leah Pitcher; stated he is prepared to make a motion for the direct appointment of Leia Pitcher and to negotiate her salary.
- Councilor Groves – stated his support for Councilor Evans’ motion; noted that prolonged Acting-In-Capacity employees are not in the best interest of the City; stated support for Interim Police Auditor Leia Pitcher.
- Councilor Semple – stated support for Interim Police Auditor Leia Pitcher; spoke in favor of the direct appointment of Leia Pitcher for Police Auditor.
- Councilor Zelenka – stated support for Interim Police Auditor Leia Pitcher; noted that some challenges discussed in the report were unfair; stated his support for a motion to directly appoint Leia Pitcher to be Police Auditor.
- Councilor Keating – stated support for Interim Police Auditor Leia Pitcher; stated his support for Councilor Evans’ motion.

MOTION AND VOTE: Councilor Evans, seconded by Councilor Keating, moved to fill the vacant Police Auditor position through direct appointment by extending an offer of employment to Deputy Police Auditor Leia Pitcher and to authorize Council Leadership to negotiate and execute an employment agreement with Leia with an annual salary falling within the range of \$119,038 - \$153,504. **VOTE: PASSED 7:0**

2. **WORK SESSION: Renter Protections, Phase II**

City Manager Sarah Medary introduced Affordable Housing Policy and Planning Manager, Genevieve Middleton, who presented the updated draft roadmap for Renter Protections, Phase II.

Council Discussion:

- Councilor Groves – requested information on the impacts of Phase I of renter protections; requested reporting on the impacts to Council; noted a desire for renter advocates and landlords to have a meeting with a third-party mediator about renter protections; noted concern about predatory rental practices and losing rental units; stated support for measures to protect low-income landlords; noted concern about unknown effects of renter protections.
- Councilor Clark – asked staff if a set of goals or metrics have been established for renter protections ordinances; asked if average rents are being tracked over time; noted concern over how renter protections could impact the affordability of rents and secure housing; noted he does not support the renter protections roadmap.
- Councilor Keating – stated support for the updated renter protections roadmap; asked why the City relies on landlords to provide eviction data; noted concern over the lack of renter representation on the Housing Policy Board and that board’s desire to delay displacement assistance; asked about the relationship between Eugene’s rental market, increased number of 11-month leases, and Senate Bill 608; spoke in favor of displacement assistance.
- Councilor Semple – requested information on the negative impacts of displacement protection on renters; noted concern that displacement money would cause landlords to sell or increase rent prices; noted concern about relying on landlords and renters to report evictions; noted concern over how to ensure that landlords process applications in the order received; requested clarification on fixed leases.
- Councilor Evans – stated support to move displacement prevention assistance to Phase III of renter protections; stated support for organizing a group of renters and landlords to discuss displacement assistance; spoke in favor of limiting deposits and processing applications in the order received as a part of Phase II.
- Councilor Yeh – spoke in favor of the recommendations for enforcement; requested clarification on the timeline for renter protections phases; stated support for prioritizing Phase II before Phase III of renter protections; stated desire to move renter protections forward and get feedback from the public.
- Mayor Vinis – stated concern over evictions and their contribution to the homelessness crisis; stated that pure market forces are not addressing housing issues; stated support for completing Phase II before working on Phase III of renter protections.
- Councilor Zelenka – spoke against delaying renters protections; stated support for moving Phase II to a public hearing and his interest in the public’s response; stated that Council can modify the Phase II proposals after getting input from the public; stated support for the proposed enforcement options.
- Councilor Keating – spoke in favor of bringing Phase II of renter protections to a public hearing and including displacement prevention assistance; shared an email from a local tenant rights association and noted concern over trends described in the email.
- Councilor Clark – stated the price of rentals has increased due to market changes; noted concern that adding more renter protections will cause small landlords to sell to large, outside companies; asked if it is legal for a 501(c)(3) organization to lobby the Council

on renter protections; stated concern that renter protections will increase costs for renters.

- Councilor Groves – stated his concern over the information shared an email from a local tenant rights association; asked if the City could facilitate a discussion with renter and landlord representatives; noted concern with losing rental units, especially single-family rental units; requested information on state-level renter protections; stated support for moving displacement prevention assistance to Phase III.
- Councilor Evans – stated support for bringing all three Phase II renter protections to a public hearing; noted he is open to an amendment or alternative to get public input on displacement prevention assistance.
- Councilor Zelenka – stated that 501(c)(3) nonprofits are not prevented from lobbying, they are limited in how much they can spend on lobbying; noted a net increase in multifamily rental units in Portland between 2017 and 2021; noted a decrease in single-family rental units before renter protections were in place in Portland; spoke in favor of bringing all of Phase II renter protections to a public hearing and having a work session afterward.
- Councilor Keating – stated that the email he read came from the Eugene Tenant Alliance; shared a statistic about no-cause evictions from Springfield-Eugene Tenant Association.
- Councilor Yeh –stated that she regularly meets with a variety of nonprofits in the community regarding various topics being considered by Council.
- Councilor Clark – stated that his previous question about 501(c)(3) nonprofit organizations was for clarity; stated he intends to make a motion to require data collection in this process.

MOTION: Councilor Evans, seconded by Councilor Keating, moved to direct the City Manager to prepare and schedule a public hearing on an ordinance limiting the amount of deposits a landlord may charge, requiring that applications be processed in the order they are received, providing for additional enforcement options for violations of the screening fee cap, and requiring eviction data reporting and providing for enforcement. Additionally, direct the City Manager to bring back more information on displacement prevention assistance as part of Phase III of renter protections.

MOTION TO AMEND: Councilor Yeh, seconded by Councilor Keating, moved to amend the motion to replace “additionally, direct the City Manager to bring back more information on displacement prevention assistance as part of Phase III of renter protections” with “requiring landlords provide displacement prevention assistance in an amount equal three times the current market rate rent published by the Department of Housing and Urban Development when either 1) a tenant is no-cause evicted, 2) a tenant’s rent is increased by five percent or more in a 12 month period and the tenant chooses to move rather than pay the increased rate, and create a small landlord compensation fund for landlords that earn less than 80 percent of area median income.”

Council Discussion:

- Councilor Yeh – clarified that the specific details of a displacement prevention assistance program can be adjusted after hearing public input.
- Councilor Zelenka – requested a friendly amendment to clarify that market rate rent refers to monthly market rate rent; requested a friendly amendment to direct the City Manager to bring back ideas for creating a small landlord compensation fund, including the sources of funding; stated support for keeping the small landlord compensation fund and displacement prevention assistance together; asked if Council would see the structure and funding for the landlord compensation fund prior to an ordinance being created; clarified intent to ensure the fund is created with details about its operation and funding source; stated that the ordinance should have direction on what the administrative rules would include.
- Councilor Groves – noted that he would support a small fund for low-income landlords; spoke in favor of holding another work session on the small landlord fund before bringing it to a public hearing; spoke in favor of moving deposit limitations and processing rental applications in the order received to a public hearing.

MOTION TO AMEND RESTATED (with friendly amendment) AND VOTE:

Councilor Yeh, seconded by Councilor Keating, moved to amend the motion to replace “additionally direct the City Manager to bring back information on displacement assistance as part of Phase III of renter protections” with “requiring landlords provide displacement prevention assistance in the amount equal to three times the current monthly market rate rent published by HUD when either 1) the tenant is no-cause evicted or 2) a tenant’s rent is increased by five percent or more in a twelve month period and the tenant chooses to move rather than pay the increased rent, and create a small landlord compensation fund for landlords that earn less than 80 percent of area median income.” **VOTE: PASSED 5:2**, opposed by Councilors Clark and Groves.

MOTION TO AMEND: Councilor Clark, seconded by Councilor Groves, moved to direct the City Manager to come back as part of this to a public hearing language that would outline a process for staff to collect metrics on our success or failure to achieve the goals of this particular program with the categories of information that will be collected.

Council Discussion:

- Councilor Clark – clarified the intent of this motion is to track and review goals previously stated by staff; clarified that the data requested should show if the goals in the renter protections roadmap were met; noted concern that the goals of renter protections may not match the data collected for the Housing Implementation Pipeline; requested that a data collection requirement be put into the ordinance and go to a public hearing; stated a desire to measure the effectiveness of Council actions.
- Councilor Zelenka – stated that success metrics are a good idea but difficult to track; noted collection of data may need to be put in place after the ordinance passes; stated interest in hearing public input on the five percent rent increase threshold, deposit limits and the first come first serve rule.

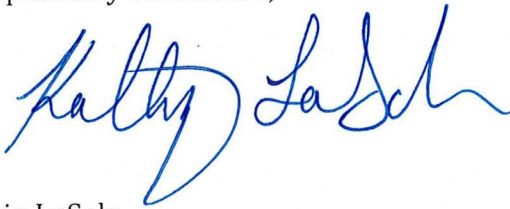
- Councilor Keating – noted that adding a data collection requirement to the ordinance is unnecessary.

VOTE ON MOTION TO AMEND: FAILED 3:4, opposed by Councilors Keating, Semple, Yeh and Zelenka.

MAIN MOTION AS AMENDED AND VOTE: Councilor Evans, seconded by Councilor Keating, moved to direct the City Manager to bring back an ordinance limiting the amount of deposits a landlord may charge, requiring that applications be processed in the order they are received, providing for additional enforcement options for violations of the screening fee cap, and requiring eviction data reporting and providing for enforcement. Additionally, requiring landlords provide displacement prevention assistance in the amount equal to three times the current market rate rent published by HUD when either 1) the tenant is no-cause evicted or 2) the tenant rent is increased by five percent or more in a twelve-month period and the tenant chooses to move rather than pay the increased rate, and create a small landlord compensation fund for landlords that earn less than 80 percent of area median income. **VOTE: PASSED 5:2** opposed by Councilors Clark and Groves.

Mayor Vinis adjourned the meeting at 7:10 p.m.

Respectfully submitted,



Katie LaSala
City Recorder

(Recorded by Olivia Clark)
Webcast of meeting available [here](#).