

MINUTES

Eugene City Council Work Session Eugene, Oregon 97401

October 28, 2024
5:30 p.m.

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

Mayor Vinis opened the October 28, 2024, work session of the Eugene City Council in hybrid in-person and virtual format at 500 E. 4th Avenue, Eugene, OR 97401, North Building.

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

Interim Co-Director of the Employee Resource Center, Keri Beraldo, presented information on the Police Auditor recruitment process.

Councilor Discussion:

- Councilor Groves – asked if the Employee Resource Center will determine how many candidates will be interviewed; asked who served on the selection panel during the last Police Auditor recruitment; asked for a list of current Civilian Review Board and Police Commission members; asked for an overview of the process used for hiring the preceding Police Auditor.
- Councilor Evans – noted the job description states a juris doctorate is preferred; asked about education or experience equivalents to a juris doctorate; asked if a candidate without a degree would be considered.

MOTION: Councilor Keating, seconded by Councilor Groves moved to approve the timeline and plan presented in this work session. **VOTE: 8:0 PASSED**

MOTION: Councilor Keating, seconded by Councilor Groves moved to authorize Council leadership to develop a list of panelists and participants to be submitted to Council in a memo, with an opportunity for Council to schedule a work session to discuss the list, if desired. **VOTE: 8:0 PASSED**

2. **WORK SESSION: City Manager Update**

City Manager, Sarah Medary, provided an update on the USD Clean Fuels project, a proposed biofuel transfer station in the Trainsong area.

Councilor Discussion:

- Councilor Clark – asked which government agency would have primary regulatory authority over the facility; stated the need to learn from the regulatory failure of the J.H. Baxter site by ensuring regular communication with the regulatory authority over the proposed project.
- Councilor Groves – noted the facility will have thousands of gallons of highly volatile, low flash point fuel in close proximity to a neighborhood; noted the Federal Railroad

Administration has some jurisdiction over the site, but they are understaffed; asked what authority the City has over Bethel Drive; asked when the project will submit a site plan so their safety features can be evaluated; stated he shares the same concerns as local advocates and residents.

- Councilor Zelenka – asked for an explanation of the included charts; asked where the tanks would be located; asked about the possibility for the site to be moved north, further from the neighborhood; asked if it is a fuel or railroad facility; stated the difficulty in regulating railroads; noted it is probably a cross-jurisdictional regulatory scheme; stated City overlays and zones do not apply because it is railroad property; asked if the project would trigger the annexation of the property, given that it is located within the Urban Growth Boundary.
- Councilor Yeh – noted staff has a neutral role in zoning and permitting decisions; stated the proposed project is inappropriately close a neighborhood; asked about the City’s options to reduce the effects of the proposed project on local residents.
- Councilor Evans – noted his attendance at a recent community meeting about the proposed transfer station; spoke about the protection provided to the railroads by the 19th century Railroad Acts; asked if there is an evacuation plan for the neighborhood; stated concerns about the condition of Bethel Drive considering the increased heavy vehicle traffic; asked where the trucks will be travelling; asked what areas and businesses the trucks will be servicing.
- Councilor Keating – stated 40 trucks travelling from six p.m. to six a.m. is concerning from a livability standpoint; noted Union Pacific does not have a good track record when it comes to public safety; asked if Union Pacific has one public safety officer for the state; asked if Union Pacific would be responsible for public safety at the property; asked if the County Commissioners are responsible for the final approval of the project.
- Councilor Clark – asked if petroleum based fuels will be transferred at the site; asked if ORS 190 Agreements apply to this situation; asked if the intergovernmental agreement with the County allows Commissioners to overrule to change process once the City has engaged on a question; stated concern about a conflict between the City and the County because the project property falls under City jurisdiction, but nearby homes are under county jurisdiction.
- Councilor Zelenka – noted the only decision the City will make is whether the project follows permitting and code requirements; asked about allowable uses for the property; noted the property is unzoned; asked how the anticipated impacts of a potential disaster affects the City’s ability to impose regulations on the property; noted the transferred fuels will be renewable and will therefore reduce greenhouse gas emissions; asked if the fuels are flammable.
- Councilor Evans – asked if the company could be required to reinforce or rebuild Bethel Drive; noted the road is unimproved and is unlikely to withstand the increased traffic; asked if there will be an Environmental Impact Study done for the project.
- Councilor Groves – asked how Bethel Drive is designated; asked if changing the designation of the street would change the use; asked about the City’s ability to regulate streets; asked if Bethel Drive can be redesignated from a minor collector to residential; asked about the location of other industrial sites off Bethel Drive; stated his concern that the project property is closely located to a residential neighborhood.

- Councilor Leech – stated the project is not a good fit for the neighborhood; noted she has met with the company several times to talk about the historical and cultural context as well as the public safety aspects; noted the company is potentially willing to make some changes to the site plans based on her feedback; noted the company stated they had submitted a traffic study; asked if Council could see the traffic study; asked how the daily traffic for the site was determined; noted the company had stated they were allowed 40 trucks a day under their permit; noted the company had stated accountability for that number would be determined with an annual report; asked if the fuel would be for the local market.
- Councilor Clark – asked if the railroad tracks were built before the neighborhood; asked if the City had permitted the initial housing built near the tracks; stated the need to prevent housing being built near potentially dangerous sites in the future.
- Councilor Groves – noted the railroad tracks were likely initially one line but have continued to expand over the years; asked if the number of daily trucks is determined by the market or the capacity of the site.
- Mayor Vinis – noted her appreciation for the briefing and the efforts to ensure community safety and to possibly shift the project’s direction; noted the neighborhood is already located near several industrial sites and it is the City’s obligation not to compound the situation.

The meeting was adjourned at 6:40 p.m.

Respectfully submitted,



Katie LaSala
City Recorder

(Recorded by Cherish Bradshaw)

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