



# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Mital, Schlossberg, Helgeson, Brown and Carlson  
FROM: Rod Price, Chief Operations Officer  
DATE: November 2, 2020  
SUBJECT: Updates to EWEB Property Use Board Policies  
OBJECTIVE: Approval of Resolution No. 2025

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## **Issue**

EWEB owns many properties that are accessible to the general public. To help EWEB staff manage these properties for safe and open use, staff is updating EWEB property use board polices.

## **Background**

Currently EWEB has one property use policy, SD5, that describes the method of requesting use of the Public Plaza at our headquarters building and partially addresses the expected behaviors and use of that area. However, EWEB has many other properties that are open to public use, including Lloyd Knox Park near the Leaburg dam. Both the Plaza and Lloyd Knox Park are available for community events excluding for profit commercial use. Use of EWEB's publicly accessible properties is increasing, as well as the increasing trespasses on all EWEB's properties. As a public agency, EWEB needs to have clear property use policies to guide safe and acceptable usage of the properties.

## **Discussion**

In order to help staff better manage EWEB properties, management proposes updates to our property use policies. SD4 is a new policy written to define acceptable behavior and restrictions for use of any EWEB property. EWEB has two properties that are available for specific community uses, including site specific details not found in other EWEB properties. The existing SD5 was revised to include Lloyd Knox Park, include site specific information, and to coordinate usage restrictions with the new SD4 policy.

## **Recommendation/Requested Board Action**

Management requests approval of Resolution No. 2025 authorizing the approval of SD4 and SD5.



Strategic Direction Policies (SD Policies)

SD4                                      Property Use Policy  
Effective Date                      New Policy Proposed November 2, 2020

EWEB is a public agency whose sole purpose is serving the utility needs of its customer-owners; EWEB owns real property to fulfill these utility purposes. The following restrictions apply to the use of any EWEB property, unless expressly permitted by EWEB.

- Certain properties are available for events, including the Public Plaza and Lloyd Knox Park. Organizations or groups wishing to use these areas must submit the required applications and agreements and follow all instructions and guidelines related to the respective property. Please see eweb.org and Board Policy SD5 for details.
- Defacement of EWEB property, no matter how temporary, is prohibited, including but not limited to paint, chalk, posters, flyers, images, or projections.
- Activities that pose a threat to public safety or damage to EWEB property are prohibited.
- Discharging of firearms or possession of weapons of any kind except as authorized by law is prohibited.
- Use of fireworks is prohibited.
- Use of motorized vehicles is not permitted on EWEB property except in designated areas.
- Consumption or possession of any alcoholic beverages, marijuana, or illegal substances is not permitted on EWEB property.
- Noise disturbances interfering with the working environment of EWEB personnel is prohibited.
- Engaging in any activity or conduct which is disruptive of or interferes with utility operations is prohibited.
- Users of EWEB properties are expected to clean up the site relating to their use.
- Use of any EWEB property is subject to additional rules or restrictions as posted by EWEB.

**Source:** Board Approved XX, Resolution No. 20XX.

## Strategic Direction Policies (SD Policies)

SD5                                      Public Plaza and Lloyd Knox Park Use Policy  
Effective Date                      Proposed November 2, 2020

The River Edge Public Plaza and Lloyd Knox Park are public places for the enjoyment of all. The Public Plaza cannot be reserved and must remain open to the public until 11 p.m. each day, except for closures related to public safety. Lloyd Knox Park is open dawn to dusk and portions of the Park are reservable. Any use by organized groups must not infringe upon public access.

### CONDITIONS OF USE:

- The River Edge Public Plaza and Lloyd Knox Park are available for community events excluding for profit commercial use.
- Organizations or groups using these areas must complete and submit the appropriate applications and agreements and abide by all conditions of use explicitly stated within said applications and agreements and Board Policies SD4 and 5.
  - To request use of the River Edge Public Plaza, organizations and groups must complete and submit the “[Hold Harmless Agreement](#)” at least five (5) business days prior to the event.
  - To reserve an area of Lloyd Knox Park, complete and submit the “[Application & Hold Harmless Agreement](#).” Reservations for the group picnic areas can be made for dates starting the third weekend in April through October 15. Reservations are accepted on a first-come, first-served basis. Reservations are not required outside of the aforementioned dates.
- EWEB parking spaces at 500 E. 4<sup>th</sup> Avenue are not available for use by Plaza users between 6 a.m. and 6 p.m., Monday through Friday, except recognized holidays.
- Users of the River Edge Public Plaza and Lloyd Knox Park must abide by the EWEB Property Use Policy found in Board Policy SD4.
- EWEB does not provide furniture or audiovisual equipment of any kind.
- Battery or vehicle-operated noise producing devices that disturb other Plaza or Park users are prohibited, as are other noise disturbances interfering with the working environment of EWEB personnel.
- Engaging in any activity or conduct which is disruptive or interferes with the enjoyment of the Plaza or Park by others is prohibited.
- The event organizers will be expected to clean up the site after use. If required, event organizers should arrange for garbage cans, trash removal and portable toilets.

- The event organizers shall ensure compliance with applicable permitting and/or health and safety regulations.

**Source:** Board Approved 11/27/89; Revised April 2004; Ratified 04/19/05; Revised 01/06/15; Revised 07/21/15, Resolution No. 1521; Revised 05/07/19, Resolution No. 1911. **Revision Proposed 11/02/20.**

## Strategic Direction Policies (SD Policies)

SD5                                      Public Plaza and Lloyd Knox Park Use Policy  
Effective Date                      ~~May 7, 2019~~ Proposed November 2, 2020

The River Edge Public Plaza ~~is and Lloyd Knox Park are~~ public ~~place~~ places for the enjoyment of all. ~~The Public Plaza~~ cannot be reserved and must remain open to the public until 11 p.m. each day, except for closures related to public safety. ~~Lloyd Knox Park is open dawn to dusk and portions of the Park are reservable.~~ Any use by organized groups must not infringe upon public access.

~~For purposes of this policy, an "event" refers to a gathering of 20 or more people for a common purpose.~~

### **CONDITIONS OF USE:**

- The River Edge Public Plaza ~~is and Lloyd Knox Park are~~ available for community events excluding for profit commercial use.
- ~~Organizations or groups using this area~~ these areas must complete a "Hold Harmless Agreement" and submit the appropriate applications and ~~review~~ agreements and sign the "Conditions of Use." ~~Event organizers are required to submit completed forms to EWEB abide by all conditions of use explicitly stated within said applications and agreements and Board Policies SD4 and 5.~~
  - To request use of the River Edge Public Plaza, organizations and groups must complete and submit the "Hold Harmless Agreement," at least five (5) business days prior to the event.
  - To reserve an area request use of Lloyd Knox Park, complete and submit the "Application & Hold Harmless Agreement." Reservations for the group picnic areas can be made for dates starting the third weekend in April through October 15. Reservations are accepted on a first-come, first-served basis. Reservations are not required outside of the aforementioned dates.
- EWEB parking spaces at 500 E. 4<sup>th</sup> Avenue the EWEB Headquarters building are not available for use by ~~event participants~~ Plaza users between 6 a.m. and 6 p.m., Monday through Friday, except recognized holidays. ~~unless the event falls on a recognized holiday.~~
- Users of the River Edge Public Plaza and Lloyd Knox Park must abide by the EWEB Property Use Policy found in Board Policy SD4.
- ~~EWEB does not provide furniture or audiovisual equipment of any kind.~~
- ~~Activities that pose a threat to public safety or damage the plaza are prohibited.~~
- ~~Discharging of firearms, possession of weapons of any kind and/or use of fireworks is prohibited.~~
- ~~Motorized vehicles are not permitted in the plaza, unless otherwise authorized.~~

- ~~Consumption of any alcoholic beverages or illegal substances is not permitted.~~
- Battery or vehicle-operated noise producing devices that disturb other [pPlaza or Park](#) users are prohibited, as are other noise disturbances interfering with the working environment of EWEB [personnelheadquarters](#).
- Engaging in any activity or conduct which is disruptive or interferes with the enjoyment of the [pPlaza or pPark](#) by others is prohibited.
- The event organizers will be expected to clean up the site after use. If required, event organizers should arrange for garbage cans, trash removal and portable toilets.
- The event organizers shall ensure compliance with applicable permitting and/or health and safety regulations.

**Source:** Board Approved 11/27/89; Revised April, 2004; Ratified 04/19/05; Revised 01/06/15; Revised 07/21/15, Resolution No. 1521; Revised 05/07/19, Resolution No. 1911. [Revision Proposed 11/02/20.](#)

**RESOLUTION NO. 2025  
November 2020**

**EUGENE WATER & ELECTRIC BOARD  
NEW/ADDITIONAL BOARD POLICY SD4 – Property Use Policy  
REVISED BOARD POLICY SD5 - Public Plaza and Lloyd Knox Park Use Policy**

**WHEREAS**, the Eugene Water & Electric Board (EWEB) maintains a Board Policy Manual that contains governing policies for the Board of Commissioners; and

**WHEREAS**, the Board of Commissioners periodically reviews said policies and identifies required modifications or amendments to those policies; and

**WHEREAS**, the Board of Commissioners periodically determines that new policy is required to adequately document the work or intention of the Board with regard to governance, Board-staff linkage, strategic direction or executive limitations; and

**WHEREAS**, the Board of Commissioners has reviewed a new Board Policy SD4, Property Use Policy as well as revisions to Board Policy SD5, Public Plaza and Lloyd Knox Park Use Policy, and has determined that the new policy SD4 and revisions to SD5 are appropriate and necessary.

**NOW, THEREFORE, BE IT RESOLVED** the Eugene Water & Electric Board hereby approves the addition of Board Policy SD4 – Property Use Policy.

**NOW, THEREFORE, BE IT RESOLVED** the Eugene Water & Electric Board hereby approves the Revision of Board Policy SD5 – Public Plaza and Lloyd Knox Park Use Policy.

DATED this 2nd day of November 2020.

THE CITY OF EUGENE, OREGON  
Acting by and through the  
Eugene Water & Electric Board

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President

I, ANNE M. KAH the duly appointed, qualified, and acting Assistant Secretary of the Eugene Water & Electric Board, do hereby certify that the above is a true and exact copy of the Resolution adopted by the Board at its November 2, 2020 Regular Board Meeting.

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Assistant Secretary