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back equal to the height of the facility in order to ensure public safety. The area where the Springfield Relief Nursery is located, however, is zoned as community commercial without that requirement. The location for the proposed cell tower is only 21 feet from the Relief Nursery's property line.

The Relief Nursery has two playgrounds and classrooms on the property, and board member Jennifer Ulum says she thinks the Relief Nursery should be treated as a school.

Sutherland says the Relief Nursery has not yet reached the owner of the property where the cell tower is to be located, but has talked to Smartlink, which is working on siting the tower for Verizon.

Sutherland says the city has embraced the Relief Nursery's efforts to be in Springfield and helped the organization at every turn, realizing the value of the help that the Relief Nursery provides. She says if the City Council approves the tower's location 21 feet from the property line and two playgrounds, "it would be really at odds with the investment the city has made."

She adds that the Relief Nursery is "very grateful" the City Council "has elevated this to their purview so we can voice our concerns."

Sutherland says the Relief Nursery is also worried about an access road that would accompany the tower, which runs next to a path children and parents use to get to the Relief Nursery as well as to nearby Mt. Vernon Elementary School.

Springfield City Planner Andy Limbird says that the City Council "could require the tower to be redesigned or relocated but it would need to be for substantive reasons, such as addressing a specific, valid concern raised at the public hearing."

Limbird says regarding concerns about not only the tower but about a diesel-fired backup generator, the tower would be about 60 feet from the outdoor children's activity areas along the south boundary of the Relief Nursery site. He says that because of the setback for residentially zoned properties, "the proposed cell tower could not be placed any closer than 90 feet from the west property line because it abuts residentially zoned land."

He adds that the city's "development code speaks to requiring a setback for the tower for 'safety reasons,' but doesn't elaborate on exactly what that means."

Sutherland says the Relief Nursery is not trying to impede the property owner's rights or to cause contention with the city of Springfield, but rather she would like them to pause and consider the possible implications and the impact of the tower's location and look into possible alternative locations on the property.

The Springfield City Council will discuss the proposed tower 5:30 pm Monday, July 6, at Springfield City Hall, 225 Fifth Street. — *Camilla Mortensen*

TRANSIENT ROOM TAX QUESTIONS RAISED FOR AIRBNB, VRBO

Short-term rental companies such as Airbnb have enjoyed popularity in the past few years, but they exist in a "legal gray area" when it comes to paying taxes for temporary lodging providers in Lane County. *EW* reported on this nebulous legal area last summer ("Airbnb Flies Under the Radar," 6/24/14). Until now, no action has been taken to clarify proper procedure.

Airbnb and the online vacation rental marketplace VRBO (Vacation Rentals by Owner) are considered transient lodging intermediaries, or "online travel companies." In Oregon, OTCs are required at the state level to collect and pay a 1 percent lodging tax for all transactions generated. Along the same lines, Lane County's transient room tax (TRT) varies from 7 to 9.5 percent, depending on the property's location.

Kevin Leinbach is a Eugene property owner who has listed part of a residence on both Airbnb and VRBO. Leinbach has received many inquiries through these services, but one in particular caught his attention — he received a notice issued on June 17 by a Eugene finance clerk, stating that individual property owners using VRBO are responsible for collecting and reporting the transient room tax.

Leinbach says that he knows a few other local VRBO users who got the same notice on the same day, but that nothing was mentioned about Airbnb — a company recently valued at \$25 billion. VRBO, unlike Airbnb, which is a private company, is a subsidiary of an already publicly held company with strong stock and a near \$3 billion market cap. A case could be made for passing tax accounting duties upward, and Leinbach says he is hoping for as much.

The transient room tax for Lane County, Springfield, Florence and Cottage Grove is managed by the city of Eugene. According to Eugene's website, "anyone who stays overnight in a temporary rental unit or space" must pay the tax, and "any owner, person and/or operator" must collect it. An OTC is neither an owner, nor an operator, but as a corporation, it may qualify as a person. OTCs are already paying the state, and in March 2014, Portland became the first city in the country to streamline accounting resources by allowing Airbnb to pay the lodging tax on behalf of hosts.

Despite the dissemination of the policy, neither the Eugene City Council nor the Lane Board of County Commissioners has listed discussing the room tax or online travel companies on upcoming agendas

City of Eugene Senior Accountant Doug Lauderbach did not respond to *EW*'s questions before deadline. — *Adrian Black*

SLANT

- **Civic Stadium's fiery destruction** this week is a shocking loss for our community and this disaster is particularly painful since so much money, time, energy and love went into saving the beloved grandstand from the bulldozer. We see on social media that the news of Civic's destruction went around the world and generated a collective "Oh, no!" from thousands of people who for generations have watched the games, played football or baseball on the field or worked in and around the property. Where do we go from here? A community-wide effort built Civic Stadium in 1938, in times that were much more economically challenging than today. There were many reasons to build Civic, there were many reasons to save Civic, and those reasons are still valid today as we look over the ashes. We can, as a community, rebuild Civic Stadium as a major regional sports center both for kids and adults with a distinctive new design that reflects the past — and looks to the future.

- Kudos to *The Register-Guard* staff photographers and writers this week for capturing the Civic Stadium scene swiftly and thoroughly, reminding us why daily newspapers still play an important role in community.

- Here's a takeaway from the June 26 City Club of Eugene meeting about the **future of collegiate athletics** at the UO: Economics professor Bill Harbaugh said, "We can make athletics work for the university better ... some universities do that." Retired business professor Dennis Howard did not disagree. Harbaugh will pull a big oar in such an effort. He's the new vice president and president-elect of the UO Senate, but better known as the muckraker behind UO Matters, the blog that fiercely takes on both the athletic program and the UO administration. Welcome to Eugene, new UO President Michael Schill.



- Bravo to Gov. Kate Brown for signing the bill to allow Oregon parents to **opt out of some standardized testing**. She's taking flak for signing, but she's right. We need to give Oregon kids more teacher time, not more tests. It will cost money, but our parents paid for it. Why can't we?

- **Hot weather** is particularly hazardous for people who are homeless and word is going out that donations of sun block, sun hats, bandanas, coolers, ice, water jugs and electrolyte products are needed. And of course cash donations can be used to purchase such items. Collection sites are White Bird Clinic at 341 E. 12th Ave., open 8 am to 10 pm weekdays; Occupy Medical, open from noon to 4 pm Sundays at the Park Blocks; or contact the Burrito Brigade through Facebook.

- We talk a lot about climate refugees heading our way (they will descend upon us like zombies in cargo shorts and tank tops), but what about **political refugees**? Oregon is gaining a reputation nationally as a solid blue state with Democrats in control of both state houses and the governorship, a rarity in the U.S. We've seen conservatives flock to Texas, and lefties have been migrating to our state of beavers since the 1960s. Or they come to visit and never leave. But here's a twist: We talked to some liberal Dems in Douglas County recently who are distinctly in the minority, but they don't seem to mind. They all know each other and feel a sense of camaraderie, and they like poking and harassing the conservative establishment. It's kind of like missionary work.

SLANT INCLUDES SHORT OPINION PIECES, OBSERVATIONS AND RUMOR-CHASING NOTES COMPILED BY THE *EW* STAFF. HEARD ANY GOOD RUMORS LATELY? CONTACT TED TAYLOR AT 484-0519, EDITOR@EUGENEWEEKLY.COM