

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: November 8, 2010
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council meeting minutes.

SUGGESTED MOTION

Move to approve the minutes of the May 26, 2010, Work Session, July 12, 2010, City Council Meeting, October 18, 2010, Boards, Commissions, and Committees Interviews, and October 18, 2010, Public Hearing.

ATTACHMENTS

- A. May 26, 2010, Work Session
- B. July 12, 2010, City Council Meeting
- C. October 18, 2010, Boards, Commissions, and Committees Interviews
- D. October 18, 2010, Public Hearing

FOR MORE INFORMATION

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MINUTES

City Council
McNutt Room—Eugene City Hall
777 Pearl Street—Eugene, Oregon

May 26, 2010
Noon

COUNCILORS PRESENT: Mike Clark, Betty Taylor, Jennifer Solomon, George Poling, Andrea Ortiz, Chris Pryor, Alan Zelenka, George Brown.

CITY COUNCIL TOUR

The City Council was conducted on a tour of the University of Oregon's Lokey Laboratory.

The meeting adjourned at 1:30 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

City Council
Council Chamber—Eugene City Hall
777 Pearl Street—Eugene, Oregon

July 12, 2010
7:30 p.m.

COUNCILORS PRESENT: Alan Zelenka, Mike Clark, Betty Taylor, Jennifer Solomon, Andrea Ortiz, George Poling, Chris Pryor, George Brown.

Mayor Kitty Piercy called the regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Matt Denver, representing the Disciples of Dirt Mountain Bike Club, spoke in support of the City's purchase of a south Eugene property owned by Arlie & Company. He termed the purchase a rare opportunity for a good deal on park property that would be used as a regional park in the future. He envisioned uses that included mountain bicycling. He asked that the council consider using money from the 2006 parks bond to underwrite the acquisition.

Zachary Vishanoff, Ward 3, offered suggestions to Assistant City Manager Sarah Medary for better public hearings.

Steve Mertz, MTB Eugene, also supported the purchase of the south Eugene property owned by Arlie & Company. He suggested the acquisition would expand the parks program at a reasonable cost. He noted the many people in the community seeking recreation opportunities and suggested that many of them were interested in mountain biking.

Mary Salinas identified herself as a "spokesperson for the homeless." She spoke of the growing number of homeless people in the United States. She hoped the council would work to "deal with what's happening to us [the homeless]." She said if the community did not learn to integrate the homeless, "they would run you over." Ms. Salinas averred that a black resident who used the Eugene Mission was forced to take a shower before being allowed to enter the building, and was forced to "strip in front of them" and was given no towels, dirty pajamas, and a bed with dirty sheets. She asked the City to stop giving money to the Eugene Mission and to "deal with it."

Melissa Mona suggested that for the sake of fairness, all sidewalks should have the same delineations as the sidewalks at the Lane Transit District station or none at all. To do otherwise suggested that the City did not apply its laws in a fair and consistent manner.

Mayor Piercy closed the Public Forum.

Mayor Piercy encouraged those interested in the acquisition of the property owned by Arlie & Company to contact their councilors to voice their support.

Mr. Poling said City staff was looking into the purchase of the property owned by Arlie & Company but there were many issues to be addressed before the council would make a decision. He said if people supported the purchase, they should keep bringing it up.

Mayor Piercy observed that the Public Forum was an opportunity for the public to express their opinions, and those opinions were not always valid, but people had the right to have them. The council listened and then weighed the validity of what it heard.

Ms. Ortiz thanked those who offered comment. Speaking to Ms. Salinas' remarks, she said she was challenged by much of what Ms. Salinas said. The City was committed to helping the homeless. It did not contribute to the Eugene Mission, which was funded privately. The City directed its funding for the homeless through the Human Services Commission, and she encouraged Ms. Salinas to attend the commission's meetings.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- June 17, 2010, Meeting of the Joint Elected Officials
- May 10, 2010, Work Session

B. Approval of Tentative Working Agenda

Councilor Clark, seconded by Councilor Taylor, moved to approve the Consent Calendar as presented. Roll call vote; the motion passed unanimously, 8:0.

3. ACTION:

An Ordinance Concerning Walnut Street Mixed-Use Center

Assistant City Manager Sarah Medary reminded the council of its June 9 work session on the topic and the public hearing that occurred on June 23. She said staff was available to answer questions.

City Attorney Emily Jerome said the ordinance provided to the council included a title with the phrase "and providing an effective date." That phrase was a holdover from an earlier draft, and would be removed.

Mr. Clark, seconded by Ms. Taylor, moved to adopt an ordinance concerning the Walnut Station Mixed Use Center, included as Ordinance Version A with Exhibits A through I.

Mr. Zelenka, seconded by Ms. Ortiz, moved to amend the motion by adding the following new policy as Policy (r) of the Walnut Station Specific Area Plan on page 135 of the council's agenda packet, and to re-letter the existing Policy (r) to Policy (s).

"Due to the expected increase in residential density and lack of access to existing neighborhood parks, there is a goal of establishing a new neighborhood park for this area. Staff will work with landowners to find a suitable site of appropriate size and configuration for a new neighborhood park on the north side of Franklin Boulevard in the Walnut Station Specific Area Plan.

Roll call vote; the amendment to the motion passed unanimously, 8:0.

Mr. Zelenka, seconded by Mr. Clark, moved to amend the motion by revising Policy (h) of the Walnut Station Specific Plan on page 134 of the council's agenda packet to add the following sentence to the end of that policy:

“This report shall be completed by October 30, 2012.”

Roll call vote; the amendment to the motion passed unanimously, 8:0.

Ms. Taylor, seconded by Mr. Brown, moved to substitute Version D of the ordinance.

Ms. Taylor suggested the public would have more opportunity to be involved in decision-making if hearings were conducted by the Planning Commission rather than by the Hearings Official.

At the request of Mr. Zelenka, Planner Lydia McKinney explained the Type II Application process for hearings that took place before the Hearings Official. She said the process was typical for such applications. The process received the same type of notice as Planning Commission appeal hearings; the difference was the hearing body. Nothing changed in terms of appeal rights or fees.

Roll call vote; the amendment to the motion failed, 7:1; Ms. Taylor voting yes.

Mr. Zelenka envisioned that parking would be a big issue in such mixed use centers and suggested that the City “did not have it down yet,” which was the reason for the planned parking evaluation. He suggested the council employ part of the proceeds of the alley vacation to pay for the needed parking and traffic studies.

Mr. Zelenka expressed concern about the form-based code, in particular in regard to its potential impact on livability. He said the code was an experiment that he supported but wanted to go slow to make sure “we get it right.” He wanted to see how the code worked in this area before the concept as extended to other areas.

Ms. Taylor was also concerned about parking and the impact of the center on existing businesses, particularly the veterinarian business, and on nearby residents.

Roll call vote; the motion passed unanimously, 8:0.

**4. ACTION:
Human Rights Commission Membership**

Councilor Clark, seconded by Councilor Taylor, moved to concur in the Human Rights Commission's determination that the incumbent in Position 6 had failed to properly represent the commission due to attendance, and to direct that the position be filled from the non-commission members of the commission's standing committees per Eugene Code 2.270.

Mr. Poling reported that he had received more detailed information about the vacancy that allowed him to support the motion. He wished the departing commissioner well in her future endeavors.

Mayor Piercy indicated that the commissioner in question understood the situation. She hoped that the individual was able to serve in the future when circumstances permitted it.

Ms. Taylor objected to allowing a commission to decide on appointments and indicated she would oppose the motion.

Mayor Piercy pointed out to Ms. Taylor that the commission was following its protocols and the final decision lay with the council.

Ms. Ortiz expressed appreciation for the explanation the council received, and cautioned the commission that the attendance rules governed all commissioners.

Mr. Zelenka indicated his intent to support the motion but also expressed interest in having all commissions and board operate under the same ground rules. At Mr. Zelenka's request, Human Rights Analyst Holly LeMasurier reviewed the appointments process.

Speaking to Mr. Zelenka's comments, Mayor Piercy recalled that the issue was on the list to be discussed at a future process session. She agreed there was an issue regarding the uniformity of how the council addressed such items.

Roll call vote; the motion passed 6:2; councilor Taylor and Solomon voting no.

Mayor Piercy adjourned the meeting of the Eugene City Council at 8:15 p.m.

Respectfully submitted,

Beth Forrest,
City Recorder

(Recorded by Kimberly Young)

MINUTES

City Council
Council Chamber—Eugene City Hall
777 Pearl Street—Eugene, Oregon

October 18, 2010
6:15 p.m.

COUNCILORS PRESENT: Alan Zelenka, Betty Taylor, George Poling, Chris Pryor, George Brown.

ABSENT: Jennifer Solomon, Andrea Ortiz, Mike Clark.

City Council Vice President Betty Taylor called the meeting of the Eugene City Council to order.

A. Boards and Commissions Interviews

The council interviewed Martha Fish, Ann-Marie Lemire, James Manning, Jr., and Elizabeth Andrade for positions on the City's Human Rights Commission. All candidates were asked the following questions:

1. *What is the City's role in addressing human rights?*
2. *What are the most important human rights issues facing the City of Eugene and what are your ideas for addressing those, or what are some models of success you have seen?*
3. *What do you think are the differences between volunteering for a community human rights group and volunteering for the municipal Human Rights Commission?*
4. *We recognize that many people apply to serve on the Human Rights Commission because they are passionate about a particular group or a specific issue. It's important that commissioners have the ability to work on a range of human rights issues. Assess your ability to work with others on issues that may not be your top concern.*
5. *Serving on the commission requires a significant time and energy commitment. Tell us about your ability to balance commission work with other demands in your life.*

Ms. Taylor thanked all the candidates and indicated that absent councilors would listen to the recording of the interview. She indicated that the council would make appointment recommendations in the next week.

Ms. Taylor adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

MINUTES

City Council
Council Chamber—Eugene City Hall
777 Pearl Street—Eugene, Oregon

October 18, 2010
7:30 p.m.

COUNCILORS PRESENT: Alan Zelenka, Mike Clark, Betty Taylor, Jennifer Solomon, George Poling, Chris Pryor, George Brown.

ABSENT: Andrea Ortiz.

Her Honor Mayor Kitty Piercy called the regular meeting of the Eugene City Council to order. She wished Councilor Mike Clark and City Manager Jon Ruiz a Happy Birthday.

**1. PUBLIC HEARING:
An Ordinance Concerning Personal Property Sale Procedures**

City Manager Ruiz introduced the topic. He said the proposed ordinance amendment was necessary to reflect changes to the Oregon Revised Statutes related to the posting and publishing of found property prior to sale. The ordinance would reduce the City's costs by 75 percent.

Mayor Piercy opened the public hearing. There being no requests to speak, she closed the public hearing.

**2. PUBLIC HEARING:
An Ordinance Concerning Citation Authority of University of Oregon Department of Public Safety**

City Manager Ruiz said the public hearing regarded amendments to Eugene Code Section 4.035 that provided citation authority to University of Oregon Department of Public Safety (UODPS) officers to enforce sections of the Eugene Code. The proposed amendment would allow UODPS officers to issue citations when the officer had a probable cause to believe that the person to be cited committed a violation on property owned or leased by the University of Oregon. The ordinance did not extend other new policing authority to UODPS officers.

Mayor Piercy opened the public hearing.

Carolyn McDermed, 2141 East 15th Avenue, asked the council to approve the ordinance as a “technical fix” that allowed UODPS officers to use the statutory authority they already possessed to issue citations under the Eugene Municipal Code. She said the authority granted by the City to the UODPS in November 2009 had reduced the duplication of workload between the Eugene Police Department (EPD) and UODPS and had streamlined law enforcement on campus. UODPS officers had more time to spend proactively patrolling the campus and developing trust-based policing practices with those who used the campus. The ordinance would allow UODPS officers to conduct investigations of lower level quality of life crimes,

develop a probable cause arrest, and issue a citation for the crime independent of the EPD.

Mayor Piercy closed the public hearing and called on the Eugene Police Department for its position.

Lieutenant Richard Stronach said the department supported the ordinance. It would result in time savings for both agencies. He described a typical arrest and noted the redundancies that currently existed in the system.

Mr. Brown asked why the City did not act in 2009 when it granted expanded authority to issue citations to the UODPS. Lt. Stronach said the proposed changes were identified later as an oversight. Mr. Brown determined from Lt. Stronach that an EPD officer would still be needed to respond to the campus if a person had to be lodged in jail.

Speaking to the example used by Lt. Stronach, which involved a laptop stolen off-campus, Mr. Brown said it appeared that under the ordinance, such thefts must occur on property in the control of the University of Oregon for the ordinance to be effective. Lt. Stronach acknowledged that his example might not have been the most appropriate one to illustrate the benefits of the ordinance. He anticipated that the department would partner with UODPS to work through ordinance implementation issues.

Responding to a question from Mr. Zelenka, Lt. Stronach described how the ordinance would work and distinguished violations from the probable cause situations related to crimes that could result in the issuance of a citation by a UODPS officer.

Mayor Piercy asked what recourse one had if one thought they were incorrectly cited by UODPS. Lt. Stronach said that person had recourse to the judgment of the court.

Mayor Piercy adjourned the meeting of the Eugene City Council at 7:47 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)