

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: January 11, 2011
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 3A
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 July 28, 2010, Work Session, August 11, 2010, Work Session, September 8, 2010, Work Session, September 15, 2010, Work Session, September 22, 2010, Work Session, September 27, 2010, Work Session, September 29, 2010, Regular Meeting, October 11, 2010, Regular Meeting, October 13, 2010, Work Session, October 20, 2010, Work Session, October 25, 2010, Regular Meeting, and October 27, 2010, Work Session.

ATTACHMENTS

- A. July 28, 2010, Work Session
- B. August 11, 2010, Work Session
- C. September 8, 2010, Work Session
- D. September 15, 2010, Work Session
- E. September 22, 2010, Work Session
- F. September 27, 2010, Work Session
- G. September 29, 2010, Work Session
- H. October 11, 2010, Regular Meeting
- I. October 13, 2010, Work Session
- J. October 20, 2010, Work Session
- K. October 25, 2010, Regular Meeting
- L. October 27, 2010, Work Session

FOR MORE INFORMATION

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MINUTES

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

July 28, 2010
Noon

COUNCILORS PRESENT: Chris Pryor, George Brown, Andrea Ortiz, Betty Taylor, George Poling (via telephone), Jennifer Solomon, Alan Zelenka.

COUNCILORS ABSENT: Mike Clark.

Her Honor Kitty Piercy called the work session meeting of the Eugene City Council to order and noted that Councilor Mike Clark would not be in attendance.

A. WORK SESSION - Judicial Evaluation Committee Report

Assistant City Manager Sarah Medary introduced City Court Administrator Jeff Perry and Judge Kip Leonard to present the Judicial Evaluation Committee's report. She further noted that Municipal Judge Wayne Allen would join the conversation after the committee presentation.

Judge Leonard reported that the Judicial Evaluation committee had reviewed court statistics and customer surveys as part of its evaluation of Judge Allen. He further noted that the court had conducted two judicial surveys; one survey of defense attorneys, prosecutors, interpreters, court advocates, police traffic officers other judges and court staff, and one survey intended to collect information regarding human rights needs in the community. He reported that while the first judicial survey had enjoyed a 26 percent response rate, the second human rights community survey had had no responses.

Judge Leonard presented the survey results described in the committee's memorandum to Mayor Piercy and the City Council, which had been included as part of the agenda item summary materials. He commented that the questions in the survey had been developed in accordance with nationally recognized guidelines for court administration and judicial reviews.

Judge Leonard noted that the committee had spoken with Judge Allen at its most recent meeting to hear his observations on the past, present, and future of the Municipal Court.

Judge Leonard stated that the survey results had indicated very strong support among members of the community for the work of Judge Allen; 85 percent of respondents had agreed or strongly agreed that Judge Allen had performed his duties exceptionally.

Judge Leonard reported that Judge Allen had over the last four years retained the services of a number of associate judges to serve on the Municipal Court. He noted that Judge Allen would provide further information in that regard later in the work session.

Judge Leonard noted from the committee's recent conversation with Judge Allen that his primary areas of immediate concern for the Municipal Court included the need for additional jail beds and the effect of state and local budget reductions on the Municipal Court system.

Judge Leonard outlined Judge Allen's most recent accomplishments as Municipal Court Judge and noted that he had instituted an amnesty program for unpaid fines in collection that had resulted in approximately \$130,000.00 in additional revenue for the City of Eugene. He further noted that Judge Allen had also overseen the administration of the City's Downtown Public Safety Zone (DPSZ) as well as a concerted effort to increase the use of certain court administration information technologies with the ultimate goal of creating an entirely paperless process for the Municipal Court. Judge Leonard emphasized that the Municipal Court's efforts to increase the use of paperless technology strategies were light years ahead of similar State efforts.

Judge Leonard stated that after its four meetings to discuss relevant issues regarding Judge Allen's performance, the committee was unanimous in its determination that Judge Allen's performance had been excellent and that his contract with the City should be extended.

Mr. Perry referred to Judge Allen's concerns regarding State and local budget issues and recognized that it would be challenging to meet the future budget demands of the Municipal Court system.

Mr. Perry noted that Municipal Court staff had been in contact with representatives from Springfield to discuss the lease of a certain number of jail beds from the City of Springfield. Further discussions between Eugene and Springfield officials would be forthcoming.

Mayor Piercy appreciated Judge Leonard's efforts as a member of the Judicial Evaluation Committee and publicly thanked him and his colleagues for their time and efforts. She noted that she and the City Council were very pleased with the judicial survey results.

Mayor Piercy referred to the committee's judicial survey regarding the human rights needs of the community and asked if the committee had received any responses or input from local human rights advocates despite the lack of direct responses to the survey. Mr. Perry responded that the committee had wanted to expand the scope of the human right survey from previous efforts in 2002 and 2006. He said the committee had attempted to contact the City's Human Rights Commission (HRC) to request its feedback regarding the Municipal Court but had received no responses from any HRC members.

Mayor Piercy suggested that the current Human Rights Commission members might not have had any direct experience with the Municipal Court as the reason they had not responded to the committee's overtures. She suggested that the committee make additional attempts to directly contact the HRC.

Ms. Ortiz stated that the HRC had contributed to evaluations of certain Eugene Police Department areas in 2002 and 2006. She suggested that the HRC's Civilian Review Board might be a group that could provide feedback and input regarding Municipal Court areas. She also noted that Matt Beecher's had been attempting to resurrect the HRC's human rights advocates committee and suggested that such a group could also provide feedback on the Municipal Court processes.

Mr. Perry, responding to a question from Ms. Ortiz, noted that a number of the ordinance violations listed in the committee's evaluation memorandum were specific to the DPSZ.

Mr. Perry, responding to a question from Ms. Ortiz, stated that there would be significant cost savings to the City of Eugene from the lease of jail beds from the City of Springfield.

Mr. Perry stated that City staff had conducted an annual customer service satisfaction survey of approximately 2000 defendants regarding the Municipal Court. He further noted that staff planned to expand the scope of such efforts to provide survey and response information in Spanish.

Mr. Zelenka commended the thorough work of the committee.

Mr. Zelenka referred to Judge Allen's concerns regarding the number of jail beds available to the Municipal Court and asked what percentage of incarcerated individuals might be housed in Springfield's jail facilities. Mr. Perry responded that such information was currently unknown.

Mr. Poling thanked the committee for its work and asked how the associate judges to who Judge Leonard had referred to had been selected and appointed to their Municipal Court positions. Mr. Perry responded that Judge Allen had total discretion with regard to the selection of associate judges and would be able to provide more information later in the meeting.

Mr. Brown encouraged Judge Leonard and the committee to continue to attempt to contact members of the HRC for feedback and suggestions regarding Municipal Court processes.

Mr. Perry, responding to a question from Mr. Brown, stated that Eugene City staff was currently investigating the use of 25 additional jail beds from Springfield and Lane County facilities. He indicated that the costs of jail beds were \$27,000 annually in Springfield versus \$42,000 per year in Eugene.

Mr. Brown presumed that additional jail beds would be needed when additional Eugene police officers were deployed as part of the City's Downtown Safety Initiative. He was not happy that the urban renewal funds used for the initiative had not been used to provide additional jail beds. In response, Assistant City Manager Medary noted that the Downtown Safety Initiative adopted by the council included the use not only of additional police officers but also ten additional jail beds. She added that the Eugene Police Department (EPD) was repurposing some of its existing funds to accommodate both elements of the initiative.

Mr. Brown asked that the council be kept apprised of the account balances used by the EPD to provide for additional officers and jail beds.

Assistant City Manager Medary, responding to a comment from Mayor Piercy, briefly described how jail beds at Lane County jail facilities were funded.

Ms. Taylor suggested that City staff survey representatives from the American Civil Liberties Union and local advocates such as Carol Berg Caldwell for their feedback regarding the implementation and use of additional jail beds at City and County facilities. She also suggested that unused jail beds in City and County facilities be provided for use by homeless individuals in the community.

Mr. Pryor believed that the increased police presence provided by the Downtown Safety Initiative might lead to increased deterrence of criminal activity in the downtown area and might actually decrease the need for additional jail beds. He hoped that any public safety efforts that effectively deterred criminal activity could be extended outward from the downtown area.

Mr. Zelenka commented on the potential lease of jail beds from Springfield and Lane County and noted his preference for the continued use of Lane County facilities.

Mayor Piercy asked Judge Leonard if he had any suggestions for ways to improve the judicial evaluation process. Judge Leonard responded that the evaluation process appeared to be complete but recognized the importance of respecting the judicial branch of local government as an independent authority. He stated that a Municipal Court judge was not a City Councilor nor were they considered to be part of the executive branch of local government in any way.

Judge Leonard noted from his experience as a prosecutor and from his experiences with other Circuit Court judges that Judge Allen had performed exceptionally.

Mr. Zelenka thanked Judge Leonard for his presentation and his comments.

B. WORK SESSION – Discussion with Judge Allen

Judge Wayne Allen responded to comments. He said that while the Downtown Public Safety Zone had appeared to have been useful it was not his position to definitively make such a determination. He said that such a determination was ultimately the purview of the business owners and the community members who lived and worked in the downtown area.

Judge Allen said that the EPD had enforced the Downtown Public Safety Zone in a safe and responsible manner and had exercised careful discretion in the use of its authority.

Judge Allen briefly discussed the process by which the DPSZ had been implemented and then overviewed some Municipal Court cases involving the enforcement of the zone.

Judge Allen commented on the recent accomplishments previously referenced by Judge Leonard and noted that the amnesty program for overdue fines had been intended as a revenue-generating strategy and not an attempt to treat individuals with overdue fines disproportionately.

Judge Allen commended the efforts of the City Manager's office to address recent budget shortfalls and recognized that such a financial situation would continue to impact certain elements of the Municipal Court.

Judge Allen commented on recent staff losses in the Municipal Court and stated that it would be challenging to maintain the Court's effectiveness with fewer and less experienced employees.

Judge Allen commented on the need for improved Municipal Court facilities and stated that the size and condition of the current facilities were horrible and highly inadequate for the present and future needs of the Court.

Judge Allen responded to suggestions that Municipal Court fines be increased and advocated against such measures.

Judge Allen referred to Mr. Poling's earlier request for information regarding his selection of associate judges for the Municipal Court and stated that he chose the associate judges based on their experience, the court's availability, and advice from local prosecutors and defense attorneys. He briefly discussed the associate judges' contributions to the Municipal Court processes.

Judge Allen recognized a perception that one of the associate judges was prone to rule for the defense in Municipal Court cases and noted he could not speak to the veracity of such perceptions. He did note that the associate judge in question was diligent in providing all relevant parties their fair day in court.

Judge Allen believed that the judicial surveys of the committee had been somewhat unbalanced and that a disproportionate number of respondents had been EPD officers.

In response, Mayor Piercy expressed her hope that future surveys might have a more balanced respondent base. She noted that the survey results rated Judge Allen's performance quite highly. She thanked Judge Allen for the fines amnesty program he had initiated. She believed that it had been helpful to many members of the community. Judge Allen suggested that the amnesty program or a similar strategy might be re-established in the future.

Judge Allen, responding to a question from Ms. Ortiz, believed that the lower Municipal Court citation levels in Eugene made it more likely that people would pay their fines. He further maintained that the lower fines should be continued.

Judge Allen, responding to a question from Ms. Ortiz, briefly described the manner in which exclusions and variances to the DPSZ had been granted since the creation of the zone.

Ms. Ortiz believed that the cost savings from leasing jail beds from the City of Springfield might be a reasonable and productive financial strategy.

Mr. Zelenka believed that some of Judge Allen's comments regarding the associate Municipal Court judges were disconcerting and asked for further information as to how the associated judges were evaluated. Judge Allen replied that the Court did not perform full-scale evaluations of the two current associate judges but that he had considered implementing a self-evaluation in order to gauge the judges' own perceptions before implementing a more comprehensive evaluation process.

Judge Allen briefly discussed the perceptions of how the associate judges functioned within the current Municipal Court structure. He further discussed his plans for bringing in associate judges Don Dement and Don DeLoomis in the hopes that they would strengthen the current Court processes.

Mr. Zelenka commented on the staffing constraints within the City's current public safety system.

Judge Allen, responding to a request from Mr. Zelenka, listed information regarding requests for exclusions from the DPSZ. He reported that of the 66 requests for 90-day exclusions received by the Municipal Court, 42 had been granted and 24 had been denied. He noted that of the 16 hearings for exclusions before the court, 9 had been granted and 7 had been denied.

Mr. Zelenka asked Judge Allen if he believed that the DPSZ was an effective tool for improving the downtown area. Judge Allen repeated his earlier comment that it was not his position to definitively make such a determination and that such a determination was the purview of the business owners and the community members who lived and worked in the downtown area.

Judge Allen, responding to a question from Mr. Zelenka, briefly discussed the current and future facility needs for the Municipal Court. He stated that the current Court space in the Eugene City Hall was inadequate in that it had no dedicated space for attorneys to confer with their clients.

Mr. Zelenka commented that the customer and defendant survey results from the judicial surveys were excellent.

Mr. Perry briefly explained the financial revenue information that had been included in the Judicial Evaluation Committee's report.

Ms. Taylor agreed that the jury room for the Municipal Court was not suitable for the needs of the Court.

Judge Allen, responding to a question from Ms. Taylor, confirmed that he was highly invested in maintaining fairness and judicial objectivity with respect to Municipal Court defendants and prosecutors. He briefly discussed his perceptions of how such matters had been addressed during his tenure. He commented that he and the Court staff were very serious about maintaining the burden of proof in Municipal Court cases.

Ms. Taylor appreciated the overdue fine amnesty program that had been implemented. Judge Allen responded to Ms. Taylor's comment and noted that while Court fine increases were part of State laws, it was within his power to suspend a portion of the assessed fines on the condition that the fines were paid in a timely manner.

Judge Allen briefly discussed how he had encouraged the use of road crews and other community service hours as a manner in which people could satisfy their fines with the Municipal Court.

Judge Allen, responding to a question from Ms. Taylor, stated he often observed other judges in their courtrooms.

Judge Allen, responding to a question from Ms. Taylor, briefly discussed how Municipal Court cases involving animal control issues had been addressed.

Mr. Poling referred to earlier comments made regarding associate judges and appreciated that Judge Allen had vetted many of the applicants with members of the community.

Judge Allen, responding to a question from Mr. Poling, stated that the Municipal Court currently employed five associate judges, each with extensive education and legal experience in trial work and criminal law, who were compensated at a rate of \$100 per hour. He stated that the compensation for the associate judges came from the City's General Fund.

Mr. Pryor appreciated the work of Judge Allen and believed that it would be difficult to replace him once he chose to retire. He further appreciated that Judge Allen had chosen not to definitively state his beliefs regarding the effectiveness of the DPSZ. He stated that an examination of the statistical information regarding downtown public safety would be a much more reliable measurement than an opinion from Judge Allen.

Mr. Pryor and Judge Allen discussed how exclusion cases in the DPSZ had impacted the overall public safety of the community. Judge Allen commented that rather than being a "blank check" to sanitize the downtown area, the DPSZ had been an attempt on the part of the Courts and the Eugene Police Department to interpret the collective will of the Eugene city Council with regard to effective public safety in the community.

Judge Allen, responding to a question from Mr. Brown briefly discussed the manner in which hearings for exclusions and pre-hearing requests for exclusions from the DPSZ had been conducted.

Judge Allen, responding to a question from Mr. Brown, briefly discussed the Court's facility needs for the immediate future. He hoped that the Court might be able to expand into the City's Human Resources offices in order to better meeting the expanding needs of the Municipal Court.

Ms. Ortiz suggested that the Municipal Court might make use of the City Council's meeting rooms and office spaces as such areas often went unused.

Mayor Piercy commented that it was unlikely that the Municipal Court would be able to use any local federal building spaces as had previously been suggested.

Mayor Piercy stated she had received an email from a community member who had received a Municipal Summons but who also had noted that she had been treated very nicely by the Court staff.

Mayor Piercy noted that more involved conversations regarding the facility needs of both the Municipal Court and the rest of the offices in Eugene's City Hall building would begin soon.

Mayor Piercy adjourned the meeting at 1:29 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Wade Hicks)

MINUTES

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

August 11, 2010
Noon

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

Her Honor Mayor Kitty Piercy called the August 11, 2010, work session of the Eugene City Council to order. Mr. Zelenka joined the meeting via speaker phone.

A. WORK SESSION - Downtown Site Development

City Manager Jon Ruiz introduced Finance Director Sue Cutsogeorge and Senior Management Analyst Denny Braud to provide planning and financial information regarding downtown site development in Eugene.

City Manager Ruiz reminded the council that it had provided direction regarding a number of downtown economic development strategies approximately one year ago. He briefly reviewed the downtown development strategies for the benefit of the council, including the Centre Court building redevelopment project and the Lane Community College development project. He noted that the Bennett Management Company's (BMC) development proposal for the vacant parcel adjacent to the Centre Court building space would represent a significant advancement toward several downtown economic goals.

Mr. Braud provided the council with background information regarding the subject property as well as an overview of the BMC development proposal for the vacant parcel adjacent to the Centre Court building.

Mr. Braud reported that the construction on the Beam Development project for the Centre Court Building had appeared to generate enormous interest in the redevelopment of nearby downtown properties and had generally boosted confidence in the economic viability of the downtown area. He said the current proposal before the council would allow Beam Development to transfer the property and development rights for the vacant parcel adjacent to the Centre Court Building to BMC.

Mr. Braud briefly described BMC for the benefit of the council, reporting it was a local firm with over 40 years of experience in local property development. Mr. Braud further noted that BMC generally retained ownership and management of the properties it had developed.

Mr. Braud stated that BMC's proposal was very similar to the original Beam Development proposal for the vacant property. The total cost of the BMC project had been anticipated at approximately \$10 million, \$2 million of which BMC was immediately prepared to invest with the remaining funds to be financed as the project moved forward.

Mr. Zelenka joined the meeting via speaker phone at 12:05 p.m.

Mr. Braud noted that the City's suggested assistance to BMC to help it meet the financial underwriting criteria for the project was summarized in the staff memorandum to the council regarding the matter.

Mr. Braud elaborated on the use of recovery zone bonds to provide tax exempt status to elements of BMC's financing for its development project.

Mr. Braud reported that BMC would be responsible for the repayment of its bank loan for the project and would also assume all of the transaction costs with respect to the project financing. He stated that the City would assume no financial risk with regard to the proposed BMC project.

Mr. Braud recommended the council approve the use of approximately \$8 million of its \$11 million recovery zone facility bond authority. He noted that the bond authority allocation was required to be drawn down by the end of the calendar year. Mr. Braud said staff was seeking the council's general support for the proposed BMC project and that his recommendation was that the council direct staff to return in September with additional project details for the council's consideration.

Mr. Braud, responding to a question from Mayor Piercy, stated that in its initial planning stages for the vacant parcel Beam Development had considered the development of housing but that the lease rates for such purposes was too low to make such considerations economically viable.

Mayor Piercy pointed out that the City remained committed to the development of housing in the downtown area regardless of the BMC and Beam Development projects and would continue to seek opportunities for such development.

Mayor Piercy solicited council comments and questions.

Mr. Clark thanked Mr. Braud for his presentation and indicated his general support of the proposed BMC project.

Mr. Clark commented on the potential financing gaps Mr. Braud had referenced regarding the BMC project and asked what portion of the City's Downtown Revitalization Loan Program might be applied to such concerns. Mr. Braud responded that the amounts for any such assistance were currently unknown.

Ms. Cutsogeorge, responding to a question from Mr. Poling, stated that staff had been investigating possible uses for the remaining \$3 million from recovery zone facility bonds.

Mr. Poling reminded the council the staff memorandum provided to the council indicated that the State would seek to repurpose the remaining \$3 million from the recovery zone facility bonds in the event that such funds were not committed to local projects.

City Manager Ruiz and Mr. Braud, responding to a question from Mr. Poling, stated that the City's commitment for leased space under the current proposal for BMC was 20,000 square feet whereas the City's original commitment with Beam Development for the site had been 50,000 square feet.

Ms. Cutsogeorge, responding to a question from Mr. Brown, stated that although the recovery zone facility bond funds had become available in February 2009 they had not yet been committed as no viable projects had been identified since that time.

Mr. Brown noted his support of every element of the BMC redevelopment proposal with the exception of the provision that the City guarantee 20,000 square feet of leased space in the developed property.

Ms. Ortiz noted her support of the BMC redevelopment project but also noted her concern that members of the community would perceive the proposal as "good old boys just helping each other out." She asked if any other local property development firms had expressed interest in the vacant parcel adjacent to the Centre Court building. Mr. Braud noted that although representatives from Beam Development had conferred with other local property development firms, the BMC proposal had been determined as the only viable project that had met the redevelopment criteria.

Ms. Ortiz was pleased that BMC was a local development firm and further hoped that the project would ultimately be constructed by local construction firms.

Mr. Braud, responding to a comment from Mr. Zelenka, stated that no City money would be used for the BMC project with the exception of certain funds to be provided from the City's Downtown Revitalization Loan program. Mr. Braud further maintained that the amount from the loan program used for the BMC project would be less than \$1 million.

Mr. Braud reinforced the information in the agenda item summary memorandum that the underlying debt on the subject property of approximately \$404,000 might need to be restructured in some way.

Mr. Zelenka asked how the council and staff might consider additional allocations of the recovery zone facility bonds for other projects beyond the BMC proposal. Ms. Cutsogeorge responded that Congress had not yet made any determination as to whether the facility bond funds would be extended. She further noted that the State of Oregon was also currently seeking recovery zone facility bond funding for another large project. She stated that if the City of Eugene missed its opportunity to use the recovery zone facility bond funding there would not be a similar opportunity in the future.

Mr. Braud, responding to a question from Mr. Zelenka, confirmed that the recovery zone facility bonds were not eligible for the development of residential housing.

Mr. Braud, responding to a request for clarification from Mr. Zelenka, stated that the staff's reference to a subordination of the existing \$404,000 downtown revitalization loan program financing addressed the City's current lien on the subject property. He continued to describe the financing process whereby the City's lien would be subordinated to BMC's financial obligations regarding the development of the property.

Mr. Braud, responding to a question from Mr. Zelenka, described the distinctions between the City's 10,000 square foot occupation requirement versus the City's additional 10,000 square foot lease requirement. He further noted that the City's lease obligations would be reduced as private sector commitments for the leased space in the building were added and that in the best-possible scenario the City would never be made to make payments on the leased square footage once the building had been constructed.

Mr. Braud, responding to a question from Mr. Zelenka, stated it might be possible that the City would be released from its 20,000 square foot commitment in the event that other interested parties stepped in to take over the space.

Ms. Cutsogeorge, responding to a question from Mr. Poling, stated that the remainder of the recovery zone facility bonds could not be used in place of the City's facility reserves for the construction or development of a new police facility.

Ms. Taylor was supportive of the BMC proposal and was also pleased that BMC was a local firm.

Mr. Braud, responding to a question from Ms. Taylor, stated that the City of Eugene currently leased approximately 40,000 square feet of space in the downtown area. He noted that the most of the leases for that space were expected to expire within the next five years.

Ms. Taylor believed that the City might transfer some of its offices from the currently leased spaces into the building to be developed by BMC.

City Manager Ruiz, responding to Ms. Taylor's comments, noted that further discussions surrounding the City's use of leased space in the downtown area, including the use of the 20,000 square feet of space in the BMC development, would occur concurrent with the September discussions regarding the fate of the Eugene City Hall facility. City Manager Ruiz further noted that information regarding what agencies the City currently leased spaces from would also be provided.

Mr. Braud, responding to a question from Mr. Brown, stated that the downtown revitalization loan used to purchase the property would be transferred from Beam Development over to BMC but that the final terms of the transfer had not yet been finalized.

Mr. Braud, responding to a comment from Mr. Brown, stated that much of the administrative and legal fees associated with BMC's use of the recovery zone facility bonds would be the responsibility of BMC.

Mr. Brown suggested it would be useful to have information regarding the allotments of square footage in the current City Hall facility once the Eugene Police Department had relocated.

Mr. Pryor agreed with Ms. Taylor and Mr. Brown's comments indicating that additional information regarding the current and future use of the City Hall facility would be useful in discussions of the City's downtown development strategies.

Mr. Clark, seconded by Ms. Taylor, moved to support the Bennett Management Company proposal in concept, and direct the City Manager to bring back additional project details for consideration including a) the transfer of ownership of the Vacant Parcel from Beam to Bennett Management Company, along with the assignment of development rights under Beam's Purchase and Sale Agreement; b) a resolution designating a Recovery Zone which would provide Bennett Management Company the opportunity to utilize Recovery Zone Facility bonds to finance the project; and c) a resolution authorizing the City to issue Recovery Zone Facility Bonds in support of Bennett Management Company's project financing. The motion passed unanimously, 8:0.

B. WORK SESSION - Downtown Parking

City Manager Ruiz introduced the item. He suggested that a primary value of providing free parking in the downtown area was that it sent a strong message that the City was committed to a revitalization of downtown Eugene. He noted his concerns regarding the use of General Fund dollars to fund free parking strategies in the downtown area.

Parking Manager Jeff Petry provided an update on the City's parking program and noted that the program supported both existing and new development. He briefly elaborated on a number of elements that had contributed to the role of downtown parking in Eugene.

Mr. Petry noted that the City's parking program had been designed with the goal of reducing the number of parking tickets issued. He noted that parking tickets issued by the City were typically half the amount of parking tickets issued in the private sector.

Mr. Petry demonstrated how the number of parking citations issued since 1973 had steadily decreased.

Mr. Petry briefly described the primary elements of the parking strategy that had been presented to the council at its February 17, 2010, meeting.

Mr. Petry also described how an easy payments strategy had been incorporated into the City's existing parking system and noted that credit card compatible parking meters had been installed in the campus parking district near the University of Oregon after a successful pilot run in the downtown area. He further noted that "pay-by-cell" phone parking capabilities had also recently been implemented.

Mr. Petry noted that the previously described easy payment strategies had not resulted in the elimination of any of the previous payment options.

Mr. Petry briefly described efforts to market the City's downtown parking program.

Mr. Petry described additional projects designed to supplement the City's parking program including the use of mobile phone applications and on-street bike corrals.

Mr. Petry provided information regarding the City's Parking Enterprise Fund and noted that the fund was unfortunately projected to decline to a zero balance within the next two years. He stated that 70 percent of the overall decline had been attributed to increases and enhancements in the City's parking garage security. He briefly described the various strategies that had been planned to help balance the parking enterprise fund over the next year.

Mr. Petry shared graphic representations that delineated the jurisdiction of the City's Parking Services Program and both off-street and on-street parking availability in downtown Eugene.

Mr. Petry summarized the direction provided by the City Council at its February 17, 2010, meeting regarding the implementation of additional free parking strategies. He reviewed the three options prepared by staff.

Mayor Piercy called on the council for comments and questions.

Mr. Clark expressed appreciation for the staff presentation. He said he believed free parking strategies were an integral part of the City's comprehensive plans for the continued improvement of the downtown area.

Ms. Taylor noted that she had served on the City Council's Downtown Parking Subcommittee and in that context had suggested that the free parking areas be extended south as far as 16th Avenue and east as far as High Street. She believed that such a strategy would make downtown Eugene a more welcoming environment. She further suggested that any free parking areas have their time limits increased to three hours in order to be competitive with the free parking areas of certain local businesses.

Mr. Poling agreed with Mr. Clark's previous comments and appreciated the breadth of information provided by staff.

Mr. Zelenka commended the efforts of Mr. Petry and also noted his appreciation of the new pay options that had been implemented as part of the City's parking program.

Mr. Zelenka maintained that there was essentially no such thing as "free parking" and that the elimination of all of the City's parking meters would represent a loss of revenue to the General Fund of approximately \$650,000.

Mr. Zelenka commented that there appeared to be no clear linkages between the availability of free parking and increased economic activity. He believed that the City's recent free downtown parking pilot program had been a failure in that it had not definitively demonstrated any positive effects on economic activity in or around the downtown area.

Mr. Pryor expressed that the availability of free downtown parking would be a good outcome for the City but agreed with Mr. Zelenka's comments that doing so might come at significant expense to the City's General Fund. He hoped that any staff proposals regarding free downtown parking would come with information regarding what other City areas might be affected by such strategies.

In response to Mr. Pryor's comments, City Manager Ruiz said it would be important for the council and staff to discuss the long-term health of the City's Parking Fund again in six months. He said while the Parking Fund would be able to accommodate the staff-recommended options in the immediate future, there were several factors that might adversely impact the Parking Fund later on.

Mr. Pryor asked City Manager Ruiz if he was optimistic regarding the state of the Parking Fund after the next six months. City Manager Ruiz stated that he was optimistic regarding the nature of the future conversations regarding the City's Parking Fund.

Ms. Ortiz said that as a result of her conversations with several downtown constituents, she was unconvinced that the free parking strategy would measurably improve downtown economic activity. She said she would support staff's third option with a sunset provision of October 12, 2010. She believed that the use of a sunset provision would encourage productive staff and council conversations regarding the effectiveness of free downtown parking strategies.

Mr. Petry, responding to a question from Mr. Brown, stated that the City's parking meter revenue increased by approximately 2 percent annually. He further expressed that it was difficult to compare the circumstances surrounding the City's parking situation in the 1970s and 1980s with more recent factors that had resulted in a reduction in the number of parking citations that had been issued.

Mr. Brown compared elements of the City's parking system to those of Corvallis and suggested that the City of Corvallis had been able to strike an effective balance between the availability of free parking and the economic needs of the community. In response, Mr. Petry said that there were several important differences between the policies of the Cities of Eugene and Corvallis that prevented the application of similar parking strategies.

Mr. Brown stated he was inclined to support Mr. Clark's motion with a sunset provision applied to it.

Mr. Petry, responding to a question from Mr. Brown, briefly described how other free downtown parking strategies had been used in the past.

Mr. Brown feared that free downtown parking would be abused by employees of downtown businesses.

Mr. Brown suggested that staff might contact parking representatives from Corvallis to learn how they had prevented the abuse of free parking by downtown employees.

Mayor Piercy stated she was inclined to support the less expensive parking option presented by staff.

Mayor Piercy hoped that additional information could be provided regarding the expenses involved in removing and potentially re-installing downtown parking meters.

Mayor Piercy expressed that there were a great deal of unknown factors at work regarding the proposed free downtown parking options.

Mr. Clark, seconded by Ms. Taylor, moved to direct the City Manager to remove the on-street parking meters listed within the boundaries of "Option 1" on the Agenda Item Summary before October 1st of this year, to install limited time parking signs within the same boundaries and to hold a Council work session within six months to discuss the long term financial direction of the parking fund.

Mr. Clark noted that he had made his motion in the spirit of best outcomes and believed that it would create a more welcoming atmosphere for the downtown area. He suggested that the time limits for individual free parking spaces in the downtown area should be made rotational with precise limits and locations to be determined on input from staff. Mr. Clark agreed with Ms. Taylor's earlier comments referencing her suggestion that the free parking area needed to be extended south the 16th Avenue.

Mr. Clark hoped that the free downtown parking strategies would not include a sunset provision.

Mr. Poling hoped that employees and business owners in the downtown area would exercise a certain level of honesty with respect to the free parking strategies.

Mr. Poling suggested that a sunset provision of two years for a downtown free parking strategy would provide good opportunities for the City to review the effectiveness of free parking on the overall parking system.

Mr. Clark asked Mr. Poling if he wished to make a friendly amendment in accordance with his previous suggestion. Mr. Poling responded in the affirmative. Mr. Clark accepted Mr. Poling's friendly amendment. Ms. Taylor, the second to the motion, also accepted the friendly amendment.

City Manager Ruiz suggested that the determination on the time limits for the individual free parking spaces be made by Mr. Petry and his colleagues.

Mr. Poling noted he would be happy to support Mr. Clark's motion because he was tired of the City of Corvallis being able to publicize its free downtown parking.

Ms. Taylor believed that the City might save money by removing some of the enforcement tools currently used in the City's parking program.

Ms. Ortiz stated that she would not support the motion. She further hoped that staff would provide more detailed information regarding the staff or services that might be eliminated as part of a free downtown parking strategy.

Mr. Zelenka hoped that more detailed information regarding the metrics used to evaluate the effects of a free downtown parking program would be provided as the process moved forward. He worried that a free downtown parking program would be used primarily by employees of downtown businesses. He did not support the motion.

Mr. Pryor trusted that the City Manager could be creative enough to execute the provisions of a free downtown parking program in a careful and effective manner. He hoped that the meters would not be removed and that a sunset provision for the free parking program would be used.

Mr. Clark, responding to a request from Mayor Piercy regarding the previously stated motion, stated his preference for the physical removal of parking meters as part of the free parking strategy. He further that he would support whatever strategy the City Manager recommended to disable or otherwise remove the parking meters.

The motion passed, 6:2; Ms. Ortiz and Mr. Zelenka voting in opposition.

Mayor Piercy adjourned the meeting at 1:29 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Wade Hicks)

MINUTES

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

September 8, 2010
Noon

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

Her Honor Mayor Kitty Piercy called the September 8, 2010, work session of the Eugene City Council to order.

A. COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL, AND CITY MANAGER

Mayor Piercy noted the recent Eugene Celebration and thanked the councilors who participated in the event and commended the contributions of City staff and DEMI. She expressed relief that the explosion caused by a fire in an underground utility vault at 11th Avenue and Pearl Street had not occurred while people were present for the Celebration Parade.

Mayor Piercy acknowledged the recent celebration of Labor Day and recognized the contributions of organized labor in shortening the work week, stopping child labor, advocating for safe conditions in the work place, and advocating for the right to bargain.

Mayor Piercy reported that two efforts were underway to preserve the soon-to-be vacated United States Post Office on Willamette Street. The Lane County Historical Museum was interested in the property, and the organization POEM was interested in preserving the building for an art museum.

Mayor Piercy noted a recent newspaper article about the Envision Eugene process.

Mayor Piercy noted her receipt of e-mail messages regarding near misses between speeding vehicles, bicycles, and pedestrians. She reported that City of Eugene was recently recognized as the sixth safest city in the country in regard to traffic accidents.

Mayor Piercy also reported that she, Ms. Ortiz, and Mr. Clark had met with Oregon Representative Peter DeFazio and Representative James L. Oberstar, Chair of the House Transportation Committee. The congressmen had heard a presentation on the Franklin Boulevard project. She hoped that the needed federal funding for the project would be made available. Mayor Piercy said she would meet later that day with other Lane County mayors regarding the newly formed Area Commission on Transportation in preparation for a presentation to the Oregon Transportation Commission.

Mr. Clark said that he had attended the Lane County Workforce Partnership awards lunch on August 26 and reported that Glory Bee Foods and the SELCO Community Credit Union received recognition for their investment in the local workforce and for giving back to the community.

Mr. Clark said he had attended the graduation ceremony for Fire and Emergency Medical Services Class 13, which was the last class of Eugene-only employees; the next training would be merged with Springfield's training. He congratulated the new fire fighters.

Mr. Clark reported that he had attended the September 7 meeting of the Eugene Water & Electric Board (EWEB), which included discussion of the disposition of EWEB's 4th Avenue property.

Mr. Poling reported he also attended the graduation ceremony for Class 13 and the Lane Workforce partnership lunch, which had a good turnout.

Mr. Poling shared some e-mails he received regarding conditions on Sandy Drive. He said the street had been used to stage construction on Arcadia Drive, an activity which further broke down an already deteriorated road surface. Residents were interested in having the road surfaced in the same way as Arcadia Drive, and he was investigating that possibility.

Mr. Brown reported that he had attended the Police Commission's public forum on the Downtown Public Safety Zone (DPSZ) and had heard new information about the zone that buttressed some of his own thoughts on the topic.

Mr. Brown thanked past labor advocates who helped to "give us the weekend."

Ms. Ortiz reported she had met with members of the Downtown Neighborhood Association to discuss that group's concerns about seasonal changes in police staffing. She had invited several of her neighbors to a meeting at her house that was also attended by Police Chief Pete Kerns, Mayor Piercy, and Lieutenant Tom Eichhorn. Neighbors were happy that the chief was present to hear their concerns.

Ms. Ortiz said she had attended the Lane Regional Air Protection Agency (LRAPA) open house on the Baxter permit and announced that LRAPA would hold a public hearing on the permit. She reported that she and Mr. Pryor attended Representative Peter DeFazio's recent town hall meeting. She expressed appreciation for Representative DeFazio's remarks.

Ms. Ortiz also attended the Police Commission public hearing on the DPSZ hearing. She said many good questions had been asked.

Ms. Ortiz reported she was receiving many constituent calls about the West Eugene EmX route. She had also received calls about horses being kept on Roosevelt Boulevard. She reported that upon investigation, she found it was legal for residents to have horses, llamas, emus, sheep, goats, and cows if their property was of a certain size.

Ms. Ortiz said she attended the open house of the Volunteers in Medicine in Springfield, which had doubled its capacity to provide primary care. She had also attended the Portland Latina Empowerment Conference and found the event very inspiring because of the presence of many young women in their 30s.

Mr. Zelenka joined the meeting via speakerphone. He complimented staff on the way it managed and handled the parking permits for the Event Parking District.

Mr. Pryor had also attended the Lane Workforce awards and noted his participation in the Eugene Celebration Parade.

Mr. Pryor reported that 2-1-1 was in place as of September 1 and those with inquiries about community services could call that number from anywhere in the county.

Mr. Pryor reported that the University of Oregon Alumni Association and Springfield Chamber of Commerce annual tailgate auction had been held the previous week and it went well.

Mr. Pryor reported on the joint meeting that occurred on September 7 between the Lane Transit District Board of Directors and its EmX Steering Committee and West Eugene EmX Extension Corridor Committee to hear about the range of options for the West Eugene EmX route. He said residents would have time to comment on the options, which the council would consider sometime in 2011. Mr. Pryor urged councilors and the public to maintain an open mind with regard to what was being proposed.

Ms. Taylor reported that she was receiving many calls about the West Eugene EmX as well as calls about some cottages being constructed near Amazon Creek. People had suggested there were more structures than permitted and that they were too close to the creek. City Manager Jon Ruiz indicated he would follow up.

Ms. Taylor said she walked the Celebration Parade route with her dog Lucy. She had attended the Lane County Central Lane Labor Council's Labor Day Picnic. Ms. Taylor also had attended the most recent meeting of the Lane County Workforce Partnership's executive committee and reported that John Lively was the new president.

Ms. Taylor said she had seen the list of Community Resource Group members for the Envision Eugene process in *The Register-Guard* and questioned if the list was up to date because she thought many on the list had quit the process.

Speaking to the issue of pedestrian safety, Ms. Taylor reported she was personally acquainted with people who had been knocked down by cars downtown because of people making unsafe right turns. She believed the City could realize additional revenues from fines by placing police officers downtown to monitor intersections.

Speaking to Mr. Poling's remarks about the damage down to Sandy Drive from construction, Ms. Taylor recalled the Whitbeck Boulevard situation, where the City allowed a developer to break down that street but never remedied the damage for the residents.

City Manager Ruiz reported that the Envision Eugene Community Resource Group would meet on September 14. He said that on September 28, he would join the mayor and others in a "walkabout" around the West University Neighborhood. He noted the upcoming Library Foundation fundraiser on September 12.

City Manager Ruiz thanked Billie Moser and Isaac Marquez of Community Events for their work on "Summer in the City" Program, which brought many people to downtown. He also recognized Katherine

Stevens at the Eugene Airport for receiving the Excellence Award from the Northwest Chapter of the Association of Airport Executives.

Mayor Piercy reported there would be a block party downtown on Friday with games, food, entertainment, and vendors. The event was a fundraiser for the Lane Community College downtown project.

Mayor Piercy said the opening for the Maude Kerns Teen Art Show was scheduled for September 10.

Mayor Piercy noted the upcoming anniversary of the events of September 11, 2010, and said the Veterans Memorial at Skinner Butte Park had been enhanced and a rededication ceremony would occur on September 12 at 10 a.m. The dedication of the Delta Ponds Bridge would occur the same day at 11 a.m.

Mr. Poling noted the ribbon cutting ceremony for the new fire station at the Eugene Airport scheduled for September 10 at 10:30 a.m.

Mayor Piercy recognized Mr. Poling.

Mr. Poling reported that the Veterans Administration was still considering a Eugene property and he recalled the council's willingness to invest in such a project downtown. He said the council now had the opportunity to voice support for locating the project in Eugene in Crescent Village. He supported the project because it would put 200 people to work immediately. He also believed local veterans would need and deserved the support provided by such a facility.

Mr. Poling, seconded by Mr. Clark, moved to direct the City Manager to work with Arlie & Company in support of bringing the Veterans Administration Clinic to north Eugene.

Responding to a question from Mr. Brown about how he interpreted the motion, City Manager Ruiz envisioned that City staff would meet with Arlie & Company to learn more about the project. Any financial decisions would have to be made by the council.

Ms. Ortiz supported the motion and was glad to hear the City was still under consideration as a location for the clinic.

Ms. Taylor asked why the developer needed the City to do the project. City Manager Ruiz did not know if the developer needed the City. He suggested that a statement of support from the council sent a message of encouragement to the Veterans Administration.

Mr. Pryor supported the motion. He said the Veterans Administration wanted to locate someplace that was supportive of such a facility and he thought the council's vote of support was needed to demonstrate community support. He suggested the council would do the same for any other desirable development.

Mr. Clark said that the project would provide both construction jobs as well as support for local veterans. He thought it was critically important the council help people who had helped defend the country.

Mayor Piercy said the motion allowed the council to do its part to help returning veterans and also reflected the council's desire to have the Veterans Administration facility in the community.

Mr. Poling shared an anecdote about a person who had approached him for \$12 to reach the VA hospital in Roseburg, and said Eugene should not have to send its veterans to Roseburg and needed to do what it could to locate the hospital in Eugene. He commended the location in question and recommended the council send a statement to the Veterans Administration and community that it was prepared to support veterans.

The motion passed unanimously, 8:0.

B. WORK SESSION: Next Steps in City Space Planning

The council was joined by Central Services Director Kristi Hammitt and Facilities Manager Mike Penwell. Ms. Hammitt led the council through a PowerPoint presentation that laid out a long-term roadmap for City Hall space planning. She proposed to use the existing full block City Hall site to build a new 100,000 square foot facility. The building size was based on past master planning documents adjusted for the move of the police facility to Country Club Road. She estimated the structure could be built at a cost of \$40 million to \$50 million. Ms. Hammitt shared a draft timeline for the planning, transition, and construction phases and anticipated staff would return in spring 2011 with a concept plan and funding strategy. She invited questions.

Mayor Piercy believed that City Hall was an expression of the community and she did not find the current structure to be satisfactory in that regard. She liked the idea of a City Hall that was modest, functional, and architecturally interesting. She wanted City Hall to be “green.” She thought the council needed to think of the role the facility played in creating the downtown that the council desired to see. Mayor Piercy thought the council was at a pivotal moment. While she acknowledged the need to proceed cautiously, Mayor Piercy said the community needed to keep in mind the building was not safe.

Mr. Clark agreed with the mayor’s remarks.

Mr. Clark did not think the council had an adequate discussion of locating City Hall at the EWEB site and said it had yet to hear a presentation on the details of that approach. He wanted to look at more options. He expressed concern about the timing of a bond measure given the competition it would have from other government initiatives. He suggested the council needed a “Plan B” and recommended that it explore other options before committing itself to a site.

Ms. Taylor acknowledged that the current City Hall was deteriorated but that deterioration was caused by neglect and could be fixed. She said if the building was not safe, she did not understand why the council had not acted to address that. Ms. Taylor pointed out the existing City Hall had unused space and more space would be available when the Police Department left. She thought the City would put the vacated Fire Department space to use, which had not happened.

Ms. Taylor said she had expected to see details about the cost of rehabilitating City Hall but that was not provided; she also asked for information on space the City was renting and had yet to see that information.

Mr. Brown also wanted to look at all the options, although he preferred the existing City Hall site over the EWEB site. He said the cost of buying and renovating the EWEB site was close to the cost of a new building. However, it was a credible option that the council needed to examine. He also thought that Ms. Taylor was correct, and he did not want to discard the option of remodeling City Hall. Mr. Brown asked Mr. Penwell if City Hall could be modified with additional stories. Mr. Penwell said the building was designed for the north wing to be added to, but the Building Code had changed and the structure was

considered a high risk seismically. While he liked the EWEB site, it was in the floodplain and was less centrally located than the current City Hall site, and he did not want to move additional City functions out of downtown.

Mr. Pryor was willing to support Mr. Clark's desire to explore the details of the EWEB site in the spirit of open mindedness. However, he believed that the current site was the best site given it was already owned by the City, was a full block, and was centrally located. He thought the City would have to spend an enormous amount to rehabilitate City Hall but that would result only in an old building with improved heating and air conditioning that would not fall down in an earthquake. He did not think that was a building to serve the community into the future. Mr. Pryor agreed it was important to get staff out of City Hall. He suggested that relocating staff would "start a clock running" on a new structure.

Mr. Pryor acknowledged Mr. Clark's point about competition on the ballot, and reiterated his support for renewing the City's street bond measure.

Ms. Ortiz did not think it was fiscally responsible to purchase the EWEB property and did not think EWEB was being responsible in considering a move of its administrative functions, which would increase rates. She said that now was not the time to ask the ratepayers and taxpayers to do more. Ms. Ortiz said that the City needed to fulfill its commitment to downtown redevelopment. She considered EWEB's riverfront property to be a pearl and prefer that it be retained as green space or redeveloped along the model of the Portland waterfront.

Responding to a question from Ms. Ortiz about the first rights of refusal for the EWEB property, Mr. Klein said that EWEB would first need to make a formal declaration of its interest in selling, and the City would have 30 days to indicate interest, followed by five years to negotiate an agreement. If the City did not express interest, EWEB could dispose of the property as it wished.

Mr. Poling concurred with Mr. Pryor about the importance of the street bond measure and feared that placing renewal of that measure as well as a bond measure for a new city hall would be "treading on thin ice."

Mr. Poling said he would not object to moving out all the employees now in City Hall to rented space right away because of the poor and unsafe working conditions, but that left the question of what to do with the structure.

Mr. Poling was willing to look at more information about the EWEB property to see which site was the better financial choice.

Mr. Zelenka tied the issue of a new city hall to whether it was a good business decision to invest in the current building, and he thought the question had already been answered. He was somewhat interested in the EWEB property but thought the costs of rehabilitating the site were understated. He also questioned whether EWEB would chose to build a new administrative facility. He suggested the EWEB property could still serve as a civic center under another scenario.

Mr. Zelenka requested a financial option included in the analysis that would allow the City to look at a privately built and financed building that it could then lease. That would avoid the need to bond, and the City could pay for it either out of existing operating revenues or through a new levy.

Mr. Zelenka said he would like to see the City move from the building sooner than later.

Mr. Zelenka did not favor staff spending much time analyzing the EWEB building. If Mr. Clark's proposal moved forward, he wanted staff to do a quick preliminary assessment to see what was feasible.

Ms. Solomon preferred to invest in the current site but was willing to examine the data as a way to rule out the EWEB site once and for all. She did not think the EWEB site was the better financial option.

Mayor Piercy said the council appeared to be interested in seeing additional information about the EWEB site. It did not appear to her that the councilors willing to support the proposal were suggesting the EWEB site was their preference.

City Manager Ruiz said staff had done a lot of analysis regarding remodeling of the current site and would be happy to share that. Regarding the EWEB site, he said the current building was about 80,000 square feet and any expansion would require a new building. He was concerned about the price of the property and believed that the location of the EWEB property was also a significant issue. He requested feedback on the level of detail desired.

Mr. Clark, seconded by Ms. Taylor, moved to direct the City Manager return to the council with a concept plans for City Hall and proposed financial strategies that include the options of the current City Hall site and EWEB site.

Mr. Clark agreed with Ms. Ortiz about the need for fiscal responsibility. However, he did not think the council knew which option was the most fiscally responsible. Based on what he knew now, it appeared the EWEB site was the most fiscally responsible thing. He thought the council needed more information.

Mr. Clark pointed out that EWEB would receive more money for the building from a government agency than a private entity, which would benefit the ratepayers. He also suggested that the purchase could expand the scope of downtown, and envisioned that the existing structure could be used as a farmers market.

Ms. Taylor did not want to spend staff time or money investigating the EWEB site. She believed the site was too far from the rest of downtown. She said that the current site was proximate to the County and public transit. It was easy for people to reach the current City Hall site by bicycle or bus. She also objected to moving EWEB administrative functions because it would take its employees and customers out of downtown. Ms. Taylor believed that there would be a big uproar when people realized that EWEB was considering a new building given how relatively new the building was.

Speaking to the concept of building a city hall to last 100 years, Ms. Taylor observed that the current building was not nearly that old, but staff was proposing to abandon it. She said any building would be deteriorated if neglected. She suggested the potential of incremental building rehabilitation, with a focus on safety-related improvements first. City Manager Ruiz pointed out the seismic improvements would impact the walls and ceilings of the structure and would be difficult to accomplish without rehabilitating the HVAC system or exterior building envelope. Mr. Penwell estimated it would cost at least \$40 million to rehabilitate the building, but the organization would still have a 46-year old structure.

Mr. Pryor did not think the current city hall was intended to be a 100-year building.

Speaking to the question of the level of detail desired in the analysis, Mr. Pryor suggested that the appraisals done by McKenzie-Willamette Hospital be employed. He suggested another factor for the council to consider was the time it would take to negotiate the sale of the EWEB site. However, he was willing to explore the EWEB site without going into a lot of detail. He said the council would depend on City and EWEB staffs being honest and candid with their assessment in making a final decision.

Mr. Brown believed that staff could review the reports already produced by EWEB. He did not think staff needed to spend a lot of time on the analysis.

Mayor Piercy thought the council could consider phasing no matter the site selected. She thought EWEB's openness to their site as a new city hall was a cooperative gesture and she thanked the board for making it.

Mayor Piercy observed that she did not hear anyone other than Ms. Taylor expressing interest in rehabilitating the current building.

The motion passed 5:3; Ms. Taylor, Ms. Ortiz, and Mr. Zelenka voting no.

Mayor Piercy summarized the instruction to the City Manager, which was to not go too deeply into the analysis but to provide some information about the fiscal ramifications of such a move. She reminded the council of the other goals staff would have to consider as well.

C. CONSENT CALENDAR

A. Approval of City Council Minutes

November 24, 2008, Work Session

November 24, 2008, Meeting

January 25, 2010, Meeting

April 28, 2010, Work Session

May 24, 2010, Meeting

June 14, 2010, Work Session

June 14, 2010, Meeting

July 14, 2010, Work Session

Mr. Clark, seconded by Ms. Taylor, moved to approve the Consent Calendar. The motion passed unanimously, 8:0.

Mayor Piercy adjourned the work session at 1:30 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

September 15, 2010
Noon

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

CITY COUNCIL WORK SESSION AND MEETING OF THE EUGENE URBAN RENEWAL AGENCY

Her Honor Mayor Kitty Piercy called the September 15, 2010, work session of the Eugene City Council to order.

**A. WORK SESSION:
Recovery Zone Bonds and Downtown Site**

City Manager Ruiz introduced the item, terming the proposal before the council a next step in revitalizing Eugene's downtown. Urban Services Manager Denny Braud of the Planning and Development Department (PDD) and Finance Director Sue Cutsogeorge of the Central Services Department were lead staff for the item. Mr. Braud introduced Rob Bennett Sr., Sara Bennett, and Rob Bennett, Jr. of Bennett Management Company, Gene Swann of Wells Fargo Bank, Kevin Sauser and Esther Anunciado of Ankrom Moisan Associated Architects. Interim PDD Director Scott Luell and Mike Sullivan and Nan Laurence of the Planning and Development Department were also present.

Mr. Braud provided a PowerPoint presentation on the project details and the requested City Council and Urban Renewal Agency (URA) actions.

Mayor Piercy termed the vision an exciting one for moving downtown forward and stressed the importance of downtown partnerships to revitalization and job creation.

Mayor Piercy solicited council comments and questions.

Mr. Clark thanked staff for its work on the proposal. He suggested the purpose of a recovery zone bond was to improve a blighted area. Mr. Braud indicated the community had latitude in how it defined economic hardship as the bond was an economic stimulus tool. The findings accompanying the resolution made reference to high unemployment and increased foreclosures. He confirmed, in response to a follow-up question from Mr. Clark, that the boundaries of the recovery zone were acceptable to the federal government and provided additional flexibility to the City. He added that most jurisdictions took a similar approach; he cited Lane County as an example, saying it designated a recovery zone that encompassed the entire county.

Mr. Clark asked about the impact of the recovery zone bond on the bank loan. Mr. Braud said that because the loan was tax exempt, the bank could offer a lower interest rate to a private company. The City was assuming no risk.

Mayor Piercy suggested that current economic conditions and the community's interest in downtown revitalization justified the establishment of the zone.

Ms. Taylor determined from Ms. Cutsogeorge that the bank did not have to pay income taxes on the loan, which Ms. Taylor concluded took money away from government. She asked how many housing units the Lane Community College (LCC) project would contain. Mr. Braud said LCC was discussing housing between 200 and 220 students with an array of unit types. LCC was in the design phase and would attempt to appeal to different students with its design. He did not know how much rent would be charged. He reported that initially, units would be targeted toward LCC students but he envisioned that they could be made available to students from other local colleges.

Ms. Taylor observed that community college students generally did not live on campus. Mr. Braud agreed, but noted that many students were starting their college careers at community colleges due to the higher cost of attending four-year universities. However, they were still looking for a college-like experience, and the market for those students was changing.

Ms. Taylor asked what happened if no one rented the housing and what risk the City bore. Mr. Braud reiterated that recovery zone bonds had no risk for the City. LCC would issue the bonds and assume all risks associated with the performance of the student housing. He noted that LCC was planning on debt financing for the facility, and that would be supported by rents.

Mr. Zelenka commended staff for its creative work on the proposal. He acknowledged the complexity of such financing arrangements. Speaking to the information presented on the recovery zone bonds, he asked what "used by" meant. Mr. Braud said that it meant a substantial draw, which in this case would be an amount of money drawn down to support soft costs, such as architectural costs, related to the project. The timing appeared to work for the Bennett Management Company and LCC project because LCC was already in design and Bennett Management Company could be in design quickly.

Mr. Zelenka asked if Bennett Management Company experienced difficulty in securing financing. Mr. Braud said the company was working with Wells Fargo Bank, which had examined the project and issued some initial terms. An appraisal would be required. Bennett Management Company had a long history of working with Wells Fargo, and every indication the City received from the bank was that the project was headed in the right direction.

Mr. Zelenka expressed enthusiasm for both the Bennett Management Company and LCC projects and indicated his intent to support a motion to that effect.

Responding to questions from Mr. Brown, Ms. Cutsogeorge confirmed the deadlines involved with the use of the funding source.

Mr. Brown reported that his research indicated the funding in question had been available for nearly two years but very little of it had been used because it had been difficult for people to understand how to use it. He was happy to see that Eugene was able to make use of the funds.

Ms. Ortiz supported the actions requested of the council. She said Bennett Management Company had a good track record. She wanted to ensure that the jobs created by the project were filled locally. Mr. Braud said Bennett Management had a history of working with local contractors. He anticipated that LCC would go out to bid for its project.

Mayor Piercy reported she had talked to LCC President Mary Spilde about the project and Ms. Spilde had assured her that LCC would pay the prevailing wage on the project.

Mr. Clark, seconded by Ms. Taylor, moved to approve Bennett Management Company's redevelopment of the Vacant Parcel and authorize the City Manager to enter into the necessary agreements consistent with terms of Attachment A. The motion passed unanimously, 8:0.

Mr. Clark, seconded by Ms. Taylor, moved to adopt Resolution 5014 designating the City of Eugene as an American Recovery and Reinvestment Act (ARRA) Recovery Zone, authorizing preliminary actions in connection with conduit bonds for Bennett Management Company, and authorizing suballocation or transfer of recovery zone economic development bond authority for Lane Community College. The motion passed 8:0.

Mayor Piercy adjourned the meeting of the Eugene City Council and convened a meeting of the URA.

Mr. Clark, seconded by Ms. Taylor, moved to approve the ownership transfer for the Vacant Parcel from Beam to Bennett Management Company, and authorize the Agency Director to enter into the agreements necessary to allow the property transfer and the transfer of Beam's development rights to Bennett Management Company. The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting of the URA and reconvened the meeting of the Eugene City Council.

**B. WORK SESSION:
Eugene Community Climate and Energy Action Plan—Update**

The council was joined by Climate and Energy Action Analyst Matt McRae, who presented a PowerPoint update regarding the Eugene Community Climate and Energy Action Plan. Sustainability Liaison Babe O'Sullivan and Sustainability Commissioners Howard Bonnett and Shawn Boles were also present for the item.

Mayor Piercy acknowledged all those who worked to put the plan together. She particularly thanked the Sustainability Commission and recognized Commissioner Shawn Boles for serving in several capacities. She noted that many of the things mentioned in the plan were also being discussed in the context of the Envision Eugene process.

Mayor Piercy said that the agenda item summary mentioned that staff would make periodic progress reports to the Sustainability Commission, but she also wanted the council to hear such reports.

Mr. Zelenka commended the report. He noted that Appendix 3 of the document listed all those who worked on the report and he thanked them. At Mr. Zelenka's request, Mr. McRae provided an overview of the public forum process.

Mr. Zelenka termed the report one of the best in the country and said the community could be very proud of it. He had shared the report with the Oregon Global Warming Commission's Transportation and Land Use Committee and it had been used by that group to develop the State plan.

Mr. Zelenka believed most of the actions in the plan were cost-effective and would reduce fuel consumption. He further averred that the plan would "make us healthier," reduced pollution, and "did a good job" in trying to get at the triple bottom line. He acknowledged that the social element of the TBL was the weakest element in the plan but it was the weakest in all such analyses and he anticipated more work would occur on it.

Mr. Zelenka asked City Manager Ruiz how the plan would be integrated into the everyday work of the City. City Manager Ruiz anticipated it would be used in many ways. Staff would assign the appropriate staff to implementation items, and he envisioned that the council would see many items implemented through the annual budget process. He pointed out that many of the items in the plan were already moving forward. Mr. Zelenka hoped the City tracked the savings realized by the plan.

Mr. Zelenka asked staff to discuss the health impact assessment (HIA), which he termed innovative and the first in the country. Mr. McRae said the advocacy organization "Upstream Public Health" had done the HIA on the plan and it was the first such HIA done of a climate and energy action plan.

Mr. Clark commended the staff presentation and acknowledged the work of all those who provided input into the plan. He was curious about the impact of the proposed motion on existing policy. He asked what Mr. McRae considered a "policy change." He said there were many recommendations in the document he agreed with but there were implications to other recommendations that caused him concern and led him to questions about the cost-benefit analysis that went into the recommendations. For example, there were several places in the plan where it mentioned diversifying Lane Transit District's source of operational funding. He asked what that meant. The plan also discussed setting aside rights-of-way for future EmX routes, which implied an endorsement of Lane Transit District long-term plans. Some of the capital costs involved with that concerned him a great deal.

Mr. Clark suggested that the community dodged a bullet when the downtown power outage occurred, which was attributed to aging infrastructure that could not handle the load. He noted that many people in the community supported increased residential density, which was also mentioned in the plan. He asked if the City had analyzed the infrastructure costs of serving higher density development so the City could be prepared and could avoid the dangerous situation that led to the power outage. Mr. Clark was concerned that the City would be pushing ahead with actions that required more analysis and information as well as a council decision. City Manager Ruiz anticipated that the council would discuss such actions explicitly. He said that the plan was very similar to other planning efforts in that staff would return with actions to implement the plan and the council would say yes or not to that action.

Ms. Solomon determined from Mr. McRae that existing staff would be assigned to deal with food-related actions discussed in the plan. Ms. Solomon asked if the plan was intended to be externally or internally focused. Mr. McRae said the plan was largely externally focused, although it contained a couple of policies aimed at internal City consumption. Ms. Solomon was more comfortable with a plan that was internally focused. She asked if the plan's recommendations were just that or if they represented mandates. She saw no incentives or rewards in the plan for the community's participation. Mr. McRae said the actions in the plan were recommendations. He acknowledged that more work needed to be done in regard to incentives.

Ms. Solomon said the plan covered six areas that were inclusive of most areas the council addressed. She asked if every future plan or decision would be filtered through the plan. City Manager Ruiz did not think so. He suggested that the City Council would want to go through the triple bottom line analysis for many decisions.

Mayor Piercy hoped the plan encouraged the community to work together to move in certain directions, but she pointed out the City could not force anyone to do something they did not want to do.

Ms. Ortiz thanked Mr. McRae and the commission for their work on the plan. She said the City could not demand that people do the things called for in the plan, but the actions represented best practices if the community wanted to do good things for the environment.

Ms. Ortiz suggested a tie between the plan and the fact that residents living along the Highway 99 corridor lacked a place to buy fresh food and vegetables. Mr. McRae said that “20 minute neighborhoods” was about that topic specifically, and was a topic of discussion through the Envision Eugene process.

Mr. Clark said he would support the proposed motion because it was worded to support the plan goals and called for specific items to come back to the council for later discussion. He believed the essence of the goals were around energy use and its costs and what the community should be prepared for. He said he thought the community needed to be prepared. He did not think that people would be driving cars that burned gas in 20 to 30 years because the cost of gas would be prohibitive and people would have alternatives. It was smart to help people to transition to change.

Ms. Taylor asked how the community would become aware of the plan. Mr. McRae anticipated that education campaigns would be prepared for actions calling for consumer behavioral changes. City Manager Ruiz anticipated that the City’s Web site would be employed to spread word of the plan and suggested that those who participated in the development of the plan, including the Sustainability Commission, would be ambassadors for the plan. He also thought the neighborhood associations could play a role in getting the word out. Ms. Taylor encouraged the neighborhood organizations to schedule general meetings devoted to the topic, and encouraged Sustainability Commissioners to attend those meetings.

Mayor Piercy observed that many neighborhood organizations already had sustainability committees and many association members participated in the plan’s creation. Ms. O’Sullivan reported that the Sustainability Commission’s work plan included a task specific to outreach and messaging, and the commission was actively seeking opportunities to network with the neighborhood associations and other community groups.

Mr. Clark, seconded by Ms. Taylor, moved to direct the City Manager to implement actions that support the Community Climate and Energy Action plan goals and objectives, subject to best practices, resources, collaboration with community partners, and approval by council of future policy changes.

Mr. Zelenka asked Ms. O’Sullivan about her perspective on the plan. Ms. O’Sullivan found the plan to be on the cutting edge. It tried to achieve several objectives that were related but frequently missing in other plans, such as the combined objectives of planning for climate change and adaptation and trying to reduce greenhouse gas impacts by tying those issues directly to fossil fuel use. She thought the connection to public health was another important innovation.

The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting at 1:20 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

September 22, 2010
 Noon

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

In the absence of Her Honor Mayor Kitty Piercy, Council President Mike Clark called the September 22, 2010, work session of the Eugene City Council to order.

A. WORK SESSION: Council Subcommittee on Street Assessment Policy

Assistant City Manager Sarah Medary introduced City Engineer Mark Schoening and Data Manager Fred McVey, who provided a PowerPoint presentation on the recommendations of the Council Subcommittee on Street Assessment Policy for future street assessments. The subcommittee members were councilors Taylor, Solomon, and Poling.

Mr. Schoening noted the charge adopted by the subcommittee, which was to examine the current code regarding street assessments for possible changes that would address inequities in the code identified by the council in its past discussions. Those inequities were related to financing, local improvement district (LID) boundaries, and how individual properties were assessed.

Mr. Schoening and Mr. McVey reviewed the subcommittee's consensus recommendations and shared slides of actual improvement projects to illustrate the impact of each recommendation.

- *The subcommittee did not recommend changing the Eugene Code to extend the assessment payment period because the code currently allowed extension of the payment period through the ordinance levying the assessments for individual projects.*
- *The subcommittee recommended allowing deferral of street assessments until the sale or transfer of property, limited to owner-occupied single-family and duplex homes and contingent on the availability of funds.*
- *The subcommittee recommended including cul-de-sac and dead-end street properties within the local improvement district of the unimproved street to which they connect. The properties would be assessed at the same rate as abutting properties. Dead-end streets would be determined at the time of LID formation. Unimproved cul-de-sacs and dead-end streets should be improved at the time the unimproved street to which they connect was improved, with all of the improvement costs shared within the LID.*
- *The subcommittee did not recommend a "travel shed" approach to establishing the boundaries of an LID due to the complexity of identifying the benefitting properties.*

- *The subcommittee recommended the City develop a uniform assessment methodology for residential properties based upon a single-family residential assessment unit (RAU) with single-family and duplex homes being assigned one RAU.*

Mr. McVey noted the issues on which the subcommittee was unable to reach consensus, which included the RAU multiplier for multi-family properties. The subcommittee discussed RAU multipliers of 0.25 per dwelling unit and 0.35 per dwelling unit. Staff recommended a multiplier of 0.25 per dwelling unit because it moderated the cost shifts that staff anticipated for multi-family lots. The subcommittee could not concur on proportion of total lot area or proportion of total lot frontage as the method of apportionment to be used for the initial apportionment of assessable costs between residential and non-residential lots within an LID. Staff recommended the use of proportion of lot frontage.

Mr. Clark solicited comments from subcommittee members.

Ms. Taylor commended the work of the subcommittee and staff. She encouraged the council to support the subcommittee's recommendations and advocated for a separate vote on the consensus and non-consensus items.

Ms. Taylor wished that the City could stop assessing property owners altogether. She had long-time concerns about the injustice of the system. She thought the proposed code and policy changes were a step toward greater justice for those assessed.

Speaking to the recommendation that those who lived on dead end streets and cul-de-sacs be included in LIDS for unimproved roads to which they connected, Ms. Taylor believed the recommendation was justified by those residents need to use the unimproved road to reach other locations in the community. She said that if the City was to assess for such improvements, it should assess more than just the adjacent properties. She was pleased that the City had changed the term "benefiting property owner" to "abutting property owner."

Ms. Solomon also thanked staff. She said adding dead end streets and cul-de-sacs to an LID helped dilute the impact to property owners and would have made a significant difference to the residents living along Maple and Elmira streets as well as those living on Crest Drive. She thought the code changes increased fairness and would help mitigate the impact of street improvement projects on residents.

Mr. Poling also commended staff. He reminded the council that the revisions would go to a public hearing so the process was at the starting point. He looked forward to the council discussion. Mr. Poling agreed that the changes the subcommittee made spread out the costs of projects more evenly. He anticipated more streets would be improved as a result and there was a possibility projects could be larger, resulting in cost efficiencies.

Mr. Poling concurred with Ms. Taylor that the council should vote separately on the consensus and non-consensus recommendations.

Mr. Clark expressed concern that the inclusion of dead end streets and cul-de-sacs in an LID could potentially result in property owners living on those streets being assessed multiple times for road projects. He referred to the Crest Drive project as an example of his concern. He said those residents had to pay the cost of their own street when it was built and now the City was suggesting that they pay for improvements on roads that they could potentially use. He asked on what basis someone must participate in the LID, and if those living on cul-de-sacs and dead-end streets paid a different rate. Mr. Schoening said the properties of the cul-de-sac would have paid the costs of the cul-de-sac. The subdivision developer would have paid for the development and apportioned a cost to the lots. While the City could not codify the goal, the goal would be that when a project was developed, staff would examine the network of

streets and consciously develop a project so that one street was not assessed repeatedly. Mr. Clark thought that seemed fundamentally inequitable.

Mr. Clark did not favor bringing unimproved streets into the city without a plan to improve them. Mr. Poling noted that the streets the subcommittee examined were already inside the city. Mr. Clark continued to question how property owners living on cul-de-sacs and dead-end streets were not paying twice. Mr. Poling said the subcommittee's recommendation was based on the fact that the only way those residents could reach their homes was via the improved road, so they benefitted from the improvement. City Attorney Kathryn Brotherton clarified that such residents were not paying twice for the same thing; they had paid for the construction of their own cul-de-sac or dead-end road, and were now being asked to share in the costs of improving a street that their property's accessibility depended on. Mr. Clark suggested the approach was arbitrary based on the fact that staff could select the scope of the project. City Attorney Brotherton did not believe the approach was arbitrary; she said she was hearing from staff that when it scoped projects, it would attempt to be as equitable as possible.

Ms. Solomon reminded Mr. Clark that the City Council approved the parameters of the LID and could make adjustments to the LID boundaries. She suggested that removed any arbitrariness from the process. Mr. Poling did not think the City could create LIDs with overlapping boundaries. Mr. Schoening concurred.

Mr. Zelenka joined the meeting via speakerphone.

Responding to a question from Mr. Pryor, Mr. Schoening acknowledged the possibility that in the example given, someone living on the improved cul-de-sac would be included in the LID but would not witness any construction on the cul-de-sac. Mr. Pryor did not want to see someone have to pay twice. He suggested in such cases, the RAU be fractionalized to recognize that.

Mayor Piercy arrived.

Mr. Pryor observed that given the City paid half the cost of improving an unimproved collector, all properties in Eugene were sharing in the cost.

At the request of Mr. Brown, Mr. Schoening identified the properties that would be assessed in the Jeppeson Acres example.

Responding to a question from Mr. Zelenka, Mr. Schoening said that it would staff's intent that unimproved cul-de-sacs were improved at the same time as unimproved collectors. Mr. Zelenka asked if Mr. Schoening could imagine a situation where that would not be the case. Mr. Schoening said no.

Ms. Ortiz thanked the subcommittee for its work. She observed many cul-de-sacs were paved but lacked curbs, gutters, and sidewalks and asked if property owners living on such facilities who did not want those amenities would have to pay the same for their improvement as those living on the unimproved collector. Mr. Schoening indicated that the council would decide whether to accept the staff recommendation or exclude the cul-de-sac. He suggested the council would exclude the cul-de-sac from the improvement but not the assessment. Ms. Ortiz pointed out that generally, people did not walk around cul-de-sacs and she envisioned that the council could direct staff to modify the project to eliminate sidewalks. She asked if the level of assessment would be commensurate to the improvement enjoyed by the property owner or if all property owners in an LID would be assessed equally. Mr. Schoening said that if the facility was defined as fully improved so that no further modifications were envisioned, all would share equally in the cost. Mr. McVey indicated it was possible to have a variable assessment dependent on the types of improvements associated with individual lots; while all may share in the overall cost of the main street improvement,

there could be a separate assessment element for such things as additional sidewalks or other features. The council could direct staff to take that approach as part of the LID formation process.

Mr. Clark suggested that if one accepted the principle that if one lived on an improved street one had already paid for the street, someone living on an improved cul-de-sac landlocked by an unimproved road, that person on the improved cul-de-sac will be paying two full assessments. Mr. Schoening agreed. Mr. Clark said that merely because one had to drive on a road did not overcome the inequality of paying twice.

Ms. Taylor believed there was so much inequality in the system that it could not be entirely eliminated. She said a person who chose to purchase a property where they had to drive on an unimproved road benefited from the road improvement project and should help pay for it. She thought they benefited even more than the people who lived on the road, because they were getting a good way to get out of their home while people living on the road suffered from the construction impacts and the possible loss of trees and frontage. She believed that those individuals should have thought of such issues when they bought a house that took access onto an unimproved road.

Ms. Taylor, seconded by Mr. Poling, moved to approve the consensus recommendations of the sub-committee.

Mr. Poling reiterated that LIDs must have the approval of a majority of property owners.

Mr. Pryor supported the motion with the expectation of further conversation around the subjects of cul-de-sacs, dead end streets, and fractionalizing RAUs to recognize special circumstances.

Ms. Ortiz pointed out the council could modify LIDs to address specific issues raised by residents.

Mr. Clark supported the motion because the process was in the early stages, but would not support the final ordinance without alteration.

The motion passed 7:0; Mr. Zelenka did not vote.

Ms. Taylor, seconded by Mr. Poling, moved that the RAU be 0.35.

Ms. Solomon, seconded by Mr. Poling, moved to amend the motion to change the RAU to 0.25. The motion to amend passed 6:1; Ms. Taylor voting no.

The amended motion passed unanimously, 7:0.

Ms. Taylor, seconded by Mr. Poling, moved to use area rather than frontage for commercial assessments.

Mr. Brown indicated support for the motion. He said the council could wait for an actual example and might want to consider a combination of approaches. He did not think each LID had to be governed by ironclad rules and there might be some changes that could be made that were beneficial to everyone. He called for a commonsense approach.

Mr. Clark questioned the impact on the City share of project costs. Mr. Schoening said in some cases it would make no difference but in other cases it would make a big difference. Staff recommended frontage because frontage did not change but lots could be divided between the time the LID was formed and assessed.

Responding to a question from Ms. Solomon, Mr. Schoening said there was no maximum assessed frontage for residential properties. Ms. Solomon did not support the motion. She had reviewed a map of Bethel Drive and found that there were many large lots that drew no or little traffic and had little impact on the use of the road, while other, smaller lots attracted a lot of traffic.

Mr. Pryor wanted more time to think about the issue. He could see the arguments for both sides. His inclination was to vote no on the motion as a safeguard.

Mr. Poling pointed out the council's vote on the motion did not represent a final decision. He could see arguments for both sides and was willing to support Ms. Taylor's motion to start the public process. He could still change his mind after hearing from the public.

Mr. Clark could also see the arguments for both sides but supported the staff recommendation for frontage.

Ms. Solomon asked that staff ensure that it provided maps for the discussion of commercial nonresidential lots.

Ms. Taylor suggested the council could look maps of other neighborhoods and come to another conclusion. She pointed out that the council's actions would be in place for some time to come.

Mayor Piercy suggested the council consider a motion that stipulated that both options for nonresidential properties were being moved along for further discussion, which did not limit councilors to a yes or no. Ms. Taylor and Mr. Poling accepted Mayor Piercy's suggestion as a friendly amendment to the motion.

Ms. Taylor, seconded by Mr. Poling, moved to forward both the frontage and area options for non-residential properties for further discussion. The motion passed unanimously, 7:0.

Mayor Piercy reported she had just returned from a meeting of the Oregon Transportation Commission, which discussed the composition of the Lane County Area Commission on Transportation, in particular the number of citizen representatives and who they were appointed by. She said the commission returned the questions for resolution to Lane County.

Mr. Clark adjourned the meeting at 1:15 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

September 27, 2010
5:30 p.m.

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

Her Honor Mayor Kitty Piercy called the September 27, 2010, work session of the Eugene City Council to order.

Mayor Piercy proclaimed the week of October 1 - October 10 to be Oregon Days of Culture Week. She called on Eugene citizens to participate in Oregon's culture, to celebrate its vibrancy and depth, and to give to the arts to ensure their future vitality. She emphasized the importance of the Oregon Cultural Trust, which had invested \$502,000 in the City of Eugene since 2003 and which continued to contribute to the arts scene and economy.

A. COMMITTEE REPORTS AND ITEMS OF INTEREST FROM MAYOR, CITY COUNCIL, AND CITY MANAGER

Mayor Piercy reported that she had recently attended the "Rail Now" Conference in Salem, an effort pushing for action on high-speed rail. She had also attended, and she commended, the recent Bethel Talent Show put on by the Bethel Education Foundation to benefit the Bethel School District.

Mayor Piercy recalled the memorial held in September at the Hult Center to honor former Mayor Ruth Bascom.

Mayor Piercy reported that Eugene had hosted the League of Oregon Cities (LOC) Conference in September, and she commended City staff and Hilton Hotel staff for their work in support of the event. Mayor Piercy announced that Lane Independent Living Alliance (LILA) had opened a new peer support center downtown, and Fifth Street Market owner Brian Obie had unveiled his plans for a new hotel, "The Inn at Fifth." She also noted the recent ground-breaking ceremony at Alton Baker Park for the Nobel Peace Laureate Monument.

Mayor Piercy spoke about a gathering in the West University Neighborhood that occurred over the weekend and had turned into a situation that required a police response. She said the University of Oregon (UO) played an important role in the state and local economy. The City welcomed UO students and asked that they be law-abiding community members. She emphasized that many of those involved in the event were not students, and the students who participated represented a small percentage of UO students.

Mayor Piercy said the City took the event seriously and was working with a number of stakeholders, including the UO, property owners, landlords, students, and the Eugene Police Department to prevent future

such events from happening. She anticipated the event would have legal consequences for many individuals. She noted the outreach she planned to do to new and returning students about such issues.

Mr. Poling called attention to an error in the media calendar, saying the Harlow Neighborhood Association would have an Executive Committee meeting, not a general meeting on September 30.

Mr. Poling reported he had recently attended a meeting of the Board of Directors of Travel Lane County and heard a presentation about Kesey Enterprises' success in increasing ticket sales for events at the Cuthbert Amphitheater. He noted that Kesey Enterprises had just received another five-year contract to manage the amphitheater. Mr. Poling said the Travel Lane County's chief executive officer Kari Westlund was evaluated by the board and received high remarks. He commended the work of Ms. Westlund. Mr. Poling also reported that Eugene would host the Governor's Conference on Tourism scheduled for April 10-11, 2011.

Mr. Poling indicated he would meet September 30 with residents of Sandy Drive and Eric Jones of the Public Works Department regarding the condition of Sandy Drive at the Methodist Church at Oakway and Cal Young roads.

Mr. Poling called attention to some postcards the council had received regarding budget reductions potentially affecting St. Vincent de Paul and asked for more information, as he was unaware of the situation.

Mr. Poling thanked Eugene Police Department officers and officers from supporting police agencies for their response to the West University Neighborhood situation. He reported he had attended Food for Lane County's "Empty Bowls" charity auction with Ms. Ortiz. He regretted he had been unable to attend the LOC Conference because of the conflict created by other obligations.

Speaking to Mr. Poling's question about the postcards the council had received, Ms. Solomon reported the Human Services Commission (HSC) was rebalancing its priorities, and concern about that effort might be the source of the postcards.

Ms. Solomon reported that she recently attended a meeting of the Public Safety Coordinating Council. She had also chaperoned a third-grade field trip to Alton Baker Park where participants were able to view the Talking Stones.

Mr. Brown reported on the most recent Police Commission meeting, saying the Use of Force Subcommittee presented revisions to policies 306 and 308 and voted 5:4 to support the continuation of the Downtown Public Safety Zone (DPSZ) after considerable discussion.

Mr. Brown reported that he also attended the last Civilian Review Board (CRB) meeting and said Police Chief Pete Kerns, Police Auditor Mark Gissiner, and the CRB all agreed that the attack of a police dog on a homeowner rather than the burglar he was confronting was not within policy. He had also attended the recent Human Rights Commission meeting.

Mr. Brown noted that he had attended the United Day of Caring event and worked the mayor and other councilors to clean debris and clear blackberries at Alton Baker Park.

Mr. Brown recommended that people view the exhibit currently at the Jordan Schnitzer Museum on the UO campus, "Giuseppe Vasi's Rome."

Ms. Ortiz reported that the Lane Regional Air Protection Agency (LRAPA) Board of Directors had agreed to work with consultant Bob Chadwick on consensus building. She had also attended the Bethel Talent Show and reported all the seats were sold out and the show raised \$6,000, with all the entertainment provided by district staff.

Ms. Ortiz said she, Lane County Commissioner Rob Handy, and several residents had met with Fire Chief Randy Groves about residents' concerns regarding the helicopter landings at 2nd and Chambers. She believed residents' questions were answered.

Ms. Ortiz reported that she had attended the Food for Lane County dinner as well as Mr. Obie's open house about the new hotel.

Ms. Ortiz thanked Chief Kerns for attending a meeting of the Trainsong neighbors association to discuss the department's response to a shooting in the neighborhood.

Mr. Zelenka said he had been in Washington, DC, the previous week and took the opportunity to talk to staff of Oregon's Congressional delegation about some City-related work items and funding for the Metropolitan Policy Committee greenhouse gas scenario planning mandated through Senate Bill 2001 and high speed rail. He indicated he would work on those issues with the Council Committee on Intergovernmental Relations.

Mr. Zelenka said he had been on an Oregon Planning Institute panel to explain greenhouse gas scenario planning to Oregon planners.

Mr. Zelenka had been unable to attend Mayor Ruth Bascom's memorial but had fond memories of the mayor and commended what she had done for the community.

Mr. Zelenka commented on the weekend event that occurred in the West University Neighborhood UO riots and expressed disappointment and anger at the behavior manifested by participants. He planned to speak to UO President Richard Lariviere to discuss what could be done to prevent such a thing from happening again and to suggest more stringent consequences for UO students.

Mr. Zelenka had also attended the LOC conference as well as the "City Hall Week" forum held in Springfield on September 16. He had attended the Sustainability Commission meeting and reviewed the commission's agenda.

Mr. Pryor commended the recent memorial to Mayor Ruth Bascom. He had also attended the City Hall Week forum.

Mr. Pryor asked City Manager Jon Ruiz to follow-up on what the City could do to improve safety conditions at the corner of 13th Avenue and Kincaid Street near the UO.

Mr. Pryor noted the work crew that worked in Alton Baker Park as part of the recent Days of Caring event included elected officials and senior administrators from the two cities. He was pleased to see the joint effort. He suggested the two communities trade locations each year as a good will gesture.

Ms. Taylor reported that she had also attended the City Hall Day forum as well as the LOC Conference.

She had been struck by the lack of representation from Eugene on the LOC Board of Directors and suggested Eugene would benefit from being involved in running the organization. Ms. Taylor reviewed some of the sessions she had attended at the LOC conference.

City Manager Ruiz thanked the staff of the EPD for its effective response to the recent event in the West University Neighborhood, which prevented the incident from getting out of hand.

City Manager Ruiz reported he had recently attended the Climate Leadership Academy and commended the academy, which placed emphasis on resilience and adaptation as opposed to mitigation. He said Eugene was far ahead of other communities in thinking about such issues.

Speaking to Mr. Brown's report on the meeting of the Police Commission, Mr. Clark reported that two or the four commissioners who voted against extending the DPSZ had very specific and narrow concerns about the text of the ordinance, and those concerns might be addressed in the information presented later to the council.

Mayor Piercy hoped that Mr. Poling kept the council updated on the Sandy Drive proposal.

Ms. Ortiz thanked Public Works Department staff for repaving Bethel Drive and said the improvement was appreciated.

**B. WORK SESSION:
Animal Services**

The council was joined by Assistant City Manager Sarah Medary, Council and Intergovernmental Services Manager Keli Osborn, and Financial Services Analyst Larry Hill. Assistant City Manager Medary emphasized the subject's relationship to the council's goals related to sustainable financing, strong public partnerships, and community engagement. She recalled the initial reduction of \$100,000 proposed to the City's contract with Lane County Animal Services (LCAS) and reminded the council that recommendation occurred in the context of a much larger budget reduction discussion.

Mr. Hill reminded the council of the direction given to staff following the review of the fiscal year 2011 (FY2011) budget. The council directed staff to implement the \$100,000 reduction in the Animal Services contract with LCAS for FY2011, directed the Municipal Court judge to review currently license and enforcement fees, and directed staff to engage stakeholders in a comprehensive review of Animal Services over the next 12 months. The contract included a base cost of \$585,000 and Lane County would continue to retain 95 percent of revenues for licenses sold to Eugene residents. Mr. Hill reported that as a result of the \$100,000 reduction, there were now two instead of three full-time enforcement officers, and staff anticipated a reduction in responses by LCAS to some issues, such as barking dogs, which was the agency's lowest priority.

Mr. Hill said he had completed Phase 1 of the study, which was to gather a broad range of information on animal services. He referred the council to Attachment A, *Summary of Developments in Animal Services Affecting the City of Eugene*, which provided an overview of developments in animal services provided within the City of Eugene and historic developments in animal services generally. He also called the council's attention to Attachment B, *Survey of Animal Services of Oregon Cities with 15,000 or Greater Population*.

Mr. Hill anticipated the study would be completed by the end of the fiscal year but believed it could produce useful information prior to that for use in the budget process. He briefly noted the subjects that would be studied in Phase 2 and the stakeholders that would be involved. He invited questions.

Mayor Piercy said the council's discussion should not be interpreted as a reflection on Lane County, the current service provider. The council's focus was on the City's budgetary limitations. Speaking to the issue of barking dogs, Mayor Piercy asked what other options the City could its citizens if Lane County was not going to respond to barking dogs. She believed that currently barking must exceed a length of time and the barking must be recorded.

Ms. Taylor said it was untrue that people had to record a dog barking. Dogs were considered guilty of barking until proven innocent under current practice, and she thought there was something wrong with that and called for future discussion.

Responding to a question from Ms. Taylor, Mr. Hill indicated the City had a range of fines that would be reviewed by the judge. Ms. Taylor asked if the City was considering raising license fees. Mr. Hill indicated that was under discussion. He said that staff would compare the City's fines and fees with other jurisdictions in central Lane County and discuss whether they should be more consistent.

Responding to a question from Ms. Taylor about stakeholders in the study, Mr. Hill identified the key stakeholders as the organizations providing the service, City of Eugene and Lane County, and said the community had more than 50 animal advocacy organizations he anticipated would be involved. There were many residents interested in some aspect of animal welfare. He emphasized staff's intent to have a range of ways to gather input.

Assistant City Manager Medary pointed out that several stakeholders were present, including Karen Gaffney and Tom Howard from LCAS, Executive Director Cary Lieberman of Greenhill and Marilyn Waters, the City's supervising veterinarian.

Ms. Taylor asked if staff had discussed cat licensing. Mr. Hill said his research found no successful cat licensing program in Oregon, only voluntary approaches.

Ms. Taylor asked if staff had discussed the concept of offering residents free spay and neuter services. Mr. Hill said his research did not find any Oregon city that provided free services. Most cities provided far less funding for animal services than Eugene because they depended on counties for funding. In many areas, no animal services were provided by local government at all. In some areas, only nonprofit service providers existed. Ms. Taylor suggested that such services would be cost-effective because they would reduce the number of unwanted animals.

Ms. Ortiz asked if the City had considered having its own staff work at LCAS, and if there would be cost savings involved. Mr. Hill responded the study would attempt to answer that question. There were many different models to consider. Some cities provided all services in-house and others contracted for services; currently, the City took a hybrid approach and contracted for some services and provided other services in-house. Staff would try to attempt to answer the question of what model best fit Eugene.

Ms. Ortiz expressed disappointment that the Budget Committee had chosen to fund Animal Services at the level it had when that action had precluded the option for a second CAHOOTS van, which she thought was vital to the City's public safety efforts in downtown.

Mr. Zelenka was supportive of the service but concerned about its costs. He noted that only 11 of 37 cities listed in the survey had a budgetary line item for animal services and suggested that was because most cities relied on counties for the service. Mr. Hill agreed. He said that some cities might have incidental funding for animal services because their police were responsible for responding to code violations. Those costs were often minor and buried in police personnel budgets and hard to discern.

Mr. Zelenka noted that Eugene spent more money, \$3.28 per capita, than any city on the survey. Eugene spent two times more than most cities, which he attributed to the different levels of services provided by different jurisdictions. He determined from Mr. Hill that Phase 2 would answer the question of what services those communities provided as well as the cost and outcomes.

At the request of Mr. Brown, Ms. Waters clarified some of the terms used in Attachment 1.

Responding to a question from Mr. Clark, Mr. Hill said the judge was looking only at fine levels in Phase 1 of the study and was not contemplating other penalties. Mr. Clark shared that he had been contacted by residents who shared stories about vicious dogs who harmed other animals when roaming at large and while their owners were fined their animals were returned to them. Mr. Hill indicated staff could look at the policy issues related to that in Phase 2. Mr. Clark endorsed that examination.

Mr. Clark also suggested that staff consider what it could do to increase the licensing revenues through incentives to Lane County.

Mr. Clark asked if the City had a “Plan B” if the County lost additional funding that affected LACS’ budget. Mr. Hill said additional revenue losses would impact the City and staff was keeping a close watch on the County budget. While the City did not yet have a plan to address that, Mr. Hill believed it increased the importance of having in-depth and honest discussions with the various stakeholders in the service. Mr. Clark asked if the State mandated the County provide the service. Mr. Hill did not think counties were required to provide the service because many counties did not.

Mr. Poling expressed support for the review of fines and fees and was also interested in other sanctions to address the subject of vicious dogs. He thanked LCAS staff for the work it did.

Ms. Solomon thanked Mr. Hill for his work. She determined that Mr. Hill was familiar with the work done in Calgary. Mr. Hill indicated he was also familiar with the work being done in King County, Washington, and Wasco County, Nevada, and would attempt to learn what he could from other areas of the country.

Responding to a question from Ms. Taylor, Mr. Hill indicated he would look into why senior citizens paid less for licensing their dogs.

**B. WORK SESSION:
City Manager Evaluation Follow-up**

The council was joined by Human Resources Director Alana Holmes and Performance Evaluation Manager Denise Smith. Ms. Holmes reminded the council of its evaluation of the City Manager in July 2010. As directed, staff had returned with a proposed compensation structure and new performance rating system for future evaluations. City Attorney Glenn Klein and Ms. Holmes reviewed the council-requested changes.

Mr. Clark said the council officers discussed the potential of creating a less arbitrary, more structured evaluation system for all council employees, including the auditor. He said given the manager had declined an increase this year, there was less urgency for the council to act, and he recommended that the council discuss further refinements to the system and postpone action at this time.

Responding to a question from Mayor Piercy, Mr. Klein said the more flexibility the council built into the evaluation process the more it moved away from an objective system.

Mr. Pryor supported Mr. Clark's recommendation. He appreciated efforts to take arbitrariness out of the system. He wanted to be able to strike a more effective balance and reach common definitions on the terms being used, and he did not object if that took more time. He spoke to the standards used, and said that in many cases evaluations were using the term "successful" as opposed to "fair." "Fair" implied below average to Mr. Pryor, and suggested one was not doing as well as one could. He suggested the council consider using "successful." He suggested the council consider how it could objectivity to flexibility to come up with an effective system. He commended the work done by staff.

Mr. Poling asked that the phrase "performance is at a level that it's a stretch" be discarded in favor of something more clear. He suggested the element in the "good" category reading "demonstrates very high level of performance in all areas" be moved to the "excellent" category.

Ms. Solomon referred to the weighted average ranges reflected in Attachment B and suggested there should be nine. Ms. Holmes agreed and said she would do more work on that section.

Responding to a question from Ms. Solomon about the apparent lack of a tie between deferred compensation and the manager's performance, Ms. Holmes suggested it was a one-time adjustment as opposed to an adjustment for good or excellent performance. Staff could consider a sliding approach but it added to the complexity of the system. City Manager Ruiz said that the benefit increased with longevity. Ms. Solomon suggested that the benefit represented a sort of bonus. Ms. Holmes did not see the benefit as a bonus but rather an increase to the current compensation package. She said that all City employees were eligible for deferred compensation. Ms. Holmes recalled council discussion of deferred compensation as an incentive for the manager to stay. She confirmed, in response to a follow-up question from Ms. Solomon, that the manager could chose to add to the deferred compensation.

Mr. Zelenka was comfortable with the changes made by staff in response to council direction. He said that deferred compensation was commonly used as a way to add to employee's retirement fund. He liked the idea that it was tied to longevity.

Mr. Clark agreed with Mr. Zelenka about the issue of deferred compensation. He said the manager was doing an excellent job and he did not want the public to think the council's questions reflected on City Manager Ruiz in any way.

Mr. Clark asked that in the future, staff provide the council with comparable information about the compensation for managers of similarly sized municipalities as well as executives of private organizations of similar size. Ms. Holmes recalled the remarks made by Ms. Ortiz about the need for market data, and said the City currently used public sector comparisons. Mayor Piercy was fine with confining the analysis to the public sector comparisons but wanted to ensure that the comparators used were similar to Eugene.

Mr. Klein asked how the council would use the information. If the council wanted to be able to take that information into account in deciding whether to give the manager a raise, staff needed to revise the process to give the council that flexibility. Mr. Clark suggested the council resolve that issue later.

Mr. Zelenka said the council already had comparables in the form of a market survey. He suggested that the council could just adjust that. He did not think the City should do a new market survey every year and suggested that five year intervals were appropriate.

Mayor Piercy suggested that the council needed to create a statement about what it was trying to achieve with the proposed compensation approach. She thought the council was trying to create an unbiased and more routine way to compensate the manager while encouraging excellence. She thought the council needed to be able to explain to the public in challenging economic times why it was doing what it was doing and why it was fair.

Mr. Pryor suggested the council could move forward to systematize the compensation element of the evaluation, and thought could be done quickly. He did not think the system needed to vary much between the manager and Police Auditor. Ms. Holmes anticipated that staff would also return with changes to the ratings.

Mayor Piercy adjourned the work session at 7:10 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

September 29, 2010
Noon

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

COUNCILORS ABSENT: Chris Pryor.

Her Honor Mayor Kitty Piercy called the September 29, 2010, work session of the Eugene City Council to order.

**A. WORK SESSION:
Triple Bottom Line Framework**

City Manager's Office Division Manager Keli Osborn presented an update on the City's use of the triple bottom line (TBL) framework and TBL analysis tools. She introduced Service Improvement Manager Terri Monroe, Sustainability Liaison Babe O'Sullivan, Recreation Division Manager Craig Smith, Parks Maintenance Manager Kevin Finney, Planner Lydia McKinney, and Library Customer Experience Manager LaVena Nohrenberg.

Ms. Monroe provided a PowerPoint presentation on the development of the City's TBL framework that touched on what the framework was and was not, how it worked, and what staff expected from the tool in the future. She emphasized that the tool was not a decision-making tool but rather a "thinking tool" that helped to supplement one's individual thought process and was designed to identify issues that otherwise might not surface in discussion.

Mr. Smith, Mr. Finney, Ms. McKinney, Ms. Nohrenberg, and Ms. O'Sullivan offered examples of how City staff had used the TBL tool.

Mayor Piercy suggested that in the future, the State of Oregon would be looking more carefully at the true costs of things, and the information provided by the TBL tool would for example help to provide accurate data for the purpose of grant applications.

Mayor Piercy solicited council questions and comments.

Ms. Ortiz thanked staff for the work it had done on the TBL framework and related tools, and suggested the City had something to celebrate. She commended staff's commitment to the TBL framework and looked forward to using the tool herself.

Responding to a question from Mr. Poling about the applicability of the TBL framework to the private sector, Ms. Osborn said the "triple bottom line" has been used in the private sector under different names.

She suggested the City could partner with the Eugene Area Chamber of Commerce and similar entities to share the TBL framework and tools with the business community and learn from one another.

Mr. Poling encouraged staff to reach out to the private sector to form such partnerships to help obtain the goals the council sought throughout the entire community, and not just the organization. He hoped the City's copyright was not a barrier to expanding the use of the tool.

Mr. Zelenka agreed with Mr. Poling about reaching out to the private sector and noted that such filters were used quite often by the private sector. He commended the examples offered by staff.

Mr. Zelenka acknowledged the many staff members who had worked on the tool and suggested it would lead to better decisions based on more well-rounded thinking. He reported that the Sustainability Commission had looked at several different TBL models and he thought the City's tool was one of the best. It struck a good balance between simplicity and complexity. Speaking to Mr. Poling's comment, Mr. Zelenka suggested the City had copyrighted use of the tool not to limit it, but to protect it and maintain its integrity.

Mr. Zelenka noted staff's application of the TBL tool to the next agenda item and reported that he found the resulting information to be valuable. He wanted to see the TBL tool regularly reflected in future council agenda item summaries.

Mr. Brown thought the TBL tool a good supplement to the analytic tools already in use by the City. He did not find it particularly revolutionary and suggested that depending on the project, half of the questions were unlikely to apply to most situations. He suggested they represented a useful checklist to remind the staff and council of things that they could have forgotten.

Responding to a question from Mr. Brown, Ms. Osborn said the Sustainability and Planning commissions had formed a joint committee that planned to analyze the West Eugene EmX route options using the TBL tool. Mr. Brown was skeptical about that as he did not see how it would be useful but looked forward to seeing the outcome and acknowledged he could be proven wrong.

Mayor Piercy suggested the TBL was a supplemental analysis tool that touched on three factors—environment, economics, and equity—that were associated with everything the City did. The tool was an attempt to keep all three factors at the forefront of the City's thinking all the time. Mayor Piercy believed the tool would help the community become more sustainable. She considered the TBL framework to be important work and hoped the City shared it with some of the national organizations it worked with as she thought they would be very interested.

Mr. Smith reported that he had presented the TBL framework to attendees at the Oregon Recreation and Park Association Conference and he hoped to take it to the national convention. He emphasized the interest of those in attendance, who had evaluated the conference using the TBL tool.

Ms. Taylor suggested the potential of the TBL tool would be ignored in the same way she thought the City's Growth Management Policies had been ignored. She tended to be skeptical of formulaic approaches as it was easy to fit anything into a formula. She hoped that when people talked about social equity they were thinking of long-term social equity rather than short-term social equity. There were things that might be good for the future but could appear to be hurting someone right now.

Ms. Taylor asked if staff considered social equity when the library instituted fees for reshelving reserved books patrons failed to pick up. She pointed out that was harder on poor people than the more affluent. She also asked if social equity was considered when the City closed Amazon Pool for swim meets at the expense of regular users, or when it closed the facility earlier. Ms. Nohrenberg emphasized that access to services was a high priority for the Library. She said that social equity was considered in the decision to increase fees, which was tied to the desire to provide public access to as many services as possible.

Mr. Zelenka believed the tool would receive national attention because it was so well done and because there were so few such tools.

Mr. Zelenka observed the most difficult element of the TBL was the social equity element. He asked those who had used the tool their experience in that regard. Mr. Finney agreed that element was challenging. However, he thought the TBL tool had resulted in much richer conversations and expanded the way that people thought about issues. He cited park lighting as an example, pointing out that such lighting had disparate impact on those with different levels of vulnerability, such as women and children. He anticipated that as staff had more such conversations, the tool would become more institutionalized in its application. Ms. McKinney agreed. She believed that the TBL had spurred more thinking on the part of staff. Ms. Nohrenberg said that some of the questions might not be relevant to an issue but got one thinking about things differently.

Responding to a question from Mr. Zelenka about how the framework would be integrated into City operations, Ms. Osborn discussed some of the steps staff was taking to ensure that would happen, including iterative discussions with the council, roundtable staff discussions, and a “stretch leadership” opportunity involving multiple staff from different departments who could serve as mentors to other staff. She had also presented to department management teams on how the tool could be applied. Mr. Zelenka thought including the TBL analysis in the council’s agenda item summaries would help integrate its use. He suggested that the proof of the tool’s utility would be its continued application.

Ms. Ortiz hoped that staff not only thought about affected groups when using the TBL tool, but also brought them into the conversation. She acknowledged that the social equity element was challenging for those members of the communities of color not involved with the City’s Human Rights Program. They considered it a catchphrase and questioned how it actually affected the work the City did and its hiring and retention of members of the communities of color. She thought the City needed to articulate how the TBL framework affected those individuals.

Ms. Taylor suggested staff make a similar presentation to the neighborhood groups for the purpose of additional review. She also suggested that staff ready a discussion group for the 2011 National League of Cities Convention.

**B. WORK SESSION:
Food Security Scoping and Resources Plan**

The council was joined by Ethan Nelson of the Waste Prevention and Green Building Program. Permit Review Manager Mike McKerrow, Senior Planner Alyssa Hansen, and Compost/Urban Agriculture Coordinator Anne Donahue were also present to follow up on the council’s direction from February 2009, that staff investigate the development of a food security plan in conjunction with City partners.

Mr. Nelson also recognized Shawn Boles and Dan Armstrong, members of the City's Project Advisory Team, and thanked them for their time. He provided a PowerPoint presentation on the City's *Food Security Scoping and Resources Plan*, including near-term and long-term recommendations. Those recommendations included:

Near-Term

- Dedicate City resources to increase the level of neighborhood-scale urban agricultural activities
- Completion of a local food market analysis by the University of Oregon (UO) in partnership with Lane County, the City of Eugene, and Eugene Water & Electric Board
- Align the recommendations from the Community Climate and Energy Action Plan with food security, urban agriculture, and related City services and planning efforts

Long-Term

- Complete a comprehensive community food security assessment and gap analysis
- Complete a disaster food access and distribution analysis and plan
- Revise the Eugene Code to address urban agriculture and homesteading opportunities

Mr. Nelson said he completed a triple bottom line (TBL) analysis of what it would take to accomplish the recommendations in the plan and found that there were positive effects for environmental and social equity, but neutral effects for economic development. He found that the plan recommendations scored high in terms of social equity if emphasis was placed in implementation on building community access to healthy, affordable, culturally affordable food; if emphasis was placed on boutique products that was not the case. The recommendations scored high in regard to the environment if emphasis was placed on organic and low-carbon farming methods rather than conventional farming methods. Based on the outcomes from the food market assessment, the economic element was marginal.

Mr. Nelson called the council's attention to two draft motions regarding a related topic, the keeping of chickens inside city limits. He recalled the May 24 public hearing and the oral and written testimony received. He said following that, the Building and Permit Services Manager had suspended enforcement of the code if a complaint was based solely on the number of hens. The City continued to enforce other elements of the code related to noise and odor. The first draft motion continued that suspension at no cost to the City; the second motion directed staff to initiate code revisions at a cost of \$10,000 to \$40,000.

Mayor Piercy solicited council questions and comments.

Ms. Taylor was pleased to see the City work with the UO and use student work, suggesting it helped to improve the municipal and university relationship. She noted the close connection between the topic and the City's sustainability goals. She said that eating food produced locally had benefits for health and carbon reduction, which was important.

In regard to chickens, Ms. Taylor questioned if the City would regulate the sale of eggs and if it would allow slaughterhouses on private lots. She also noted the potential of health hazards from eggs produced in unsanitary conditions. She asked if the City had heard from farmers who already produce and sell eggs. She anticipated all kinds of neighbor disputes arising. Ms. Taylor pointed out if there was no enforcement of the number of chickens that could be kept, a resident could have a whole flock of hens, which could be a problem. A constituent had pointed out to her that chicken food could attract rodents and manure both

smelled bad and attracted flies. Ms. Taylor also pointed out that chickens were hard to sex when young, and she asked what happened when a chick turned out to be a rooster.

Mr. Clark thanked staff and the project advisory committee. He acknowledged that a three-day food supply could be a problem in the case of emergency. He had a large garden and said he would like to see more people have gardens. He said that access to the City's community gardens was a high value for many residents, and reported that he had received a number of complaints about the recent fee increase, which he thought was a problem the City needed to address. Mr. Clark wanted to expand access to the community gardens to allow more people to participate.

Mr. Clark noted the lack of information in the presentation in regard to transportation and the storage and processing of food from both a food security standpoint as well as from the economic standpoint. He called for a richer discussion of what the community could do to enhance its infrastructure for food transportation, storage, and processing.

Speaking to the proposed motions, Mr. Clark indicated he would support continuing suspension of the ordinance governing the number of chickens that could be kept inside the city limits to permit further discussion.

Mr. Poling thought the proposed motions related to the keeping of chickens deserved a separate work session. He said the issues raised by Ms. Taylor were also of concern to him. He cited potential safety concerns about home-raised eggs and the fact chicken feed attracted rodents. He also questioned the cost estimate for the code revision process.

Ms. Hansen anticipated that most of the cost would be due to the cost of notice. It was possible notice of the process could be folded into the notice for the Envision Eugene process.

Mr. Poling preferred changing the code to continuing suspension of code enforcement. He asked if staff was monitoring complaints about chickens. Mr. McKerrow reported that the City averaged six to eight complaints each year and all regarded the noise roosters made.

Ms. Solomon agreed with Mr. Poling. She was willing to double the number of chickens allowed and perhaps even raise the number to five because otherwise she feared there would be abuse. She objected to the burden that fell on neighbors to have to be the complainant.

Ms. Solomon did not see the nexus between food security and the issue of how many chickens one could keep. She thought people were supposed to be growing eggs for personal consumption, and was concerned that if people sold eggs there could be cases of salmonella. She expressed disappointment about how the item was presented to the council and said people who were following the issue would not be able to discern from the agenda item title that the discussion was about chickens.

Mr. Brown indicated support for continuing the suspension. He requested a copy of the Lane County Local Food Market Analysis and a copy of the food security assessment. Mr. Nelson indicated he would provide that information to all councilors.

City Manager Ruiz clarified that staff did not intend for the agenda item title to be deceptive and he anticipated additional public conversation. He said the City was not actively enforcing the limit on the chickens a resident could keep, and the proposed motions recognized that and moved onto the next step of

revising the ordinance. He suggested there was a nexus between the issue of chicken keeping and the larger issue of food security.

Ms. Ortiz asked if the food security analysis would include discussion of a standard regarding how close one should live to a fresh food source. She suggested that staff take advantage of the information in the Obesity Prevention Toolkit funded by Health Policy Research Northwest (HPRN).

Mr. Zelenka asked what the City was doing to increase the amount of food available after a disaster. Mr. Nelson said that when staff consulted with emergency managers it found that in most emergency situations, food was readily available from outside sources after three days had passed. The issue was most pertinent in the case of the most prolonged disasters, like a Hurricane Katrina. Mr. Zelenka wanted the City to do more to extend the three days food availability to a longer period.

Mr. Zelenka determined from Mr. Nelson that the City would continue to regulate chickens for noise and odor, and determined from Mr. McKerrow that the City would work with residents keeping chickens above the limit on management options that allowed them to retain the chickens.

Mr. Clark, seconded by Ms. Taylor, moved to direct the City Manager to continue suspension of enforcement on the number of adult female fowl allowed on residential lots under 20,000 square feet, until the soonest time practicable where it may be revised, Eugene Code provision 9.5250(1) can be made.

Ms. Taylor, seconded by Mr. Zelenka, moved to extend the meeting for one minute. The motion passed unanimously.

Ms. Taylor agreed with Ms. Solomon that it was not fair to place the burden of enforcement on neighbors.

Mayor Piercy pointed out the council had not finished its discussion of the topic.

The motion passed, 4:3: Ms. Taylor, Ms. Solomon, and Mr. Poling voting no.

Mayor Piercy adjourned the meeting at 1:31 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 11, 2010
 7:30 p.m.

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

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

1. CEREMONIAL MATTERS

Mayor Piercy announced Willa Wright as the recipient of the Oregon Fitness Leadership Award. She commended Ms. Wright's long service to the community and noted the many committees and organizations she worked with. She read a proclamation from Governor Ted Kulongoski offering his sincere appreciation to Ms. Wright on behalf of the citizens of Oregon for promoting physical wellness and activity in Oregon.

2. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Emily Fox, 455 East 31st Avenue, submitted written testimony in opposition to the City's approval of permits allowing the construction of the Amazon Cottages. Her testimony was focused on concerns about decreased neighborhood livability from increased traffic, the impact of college student renters on neighborhood livability, and a lack of opportunity for the public to comment on the development proposal.

Carol Berg Caldwell, 2510 Augusta Street, commended the police's courteous and professional response to the riot near campus on October. She believed the response had kept many people safe. She thanked Sergeant Sam Kamkar and his team for their efforts during the event.

Julie Daniel, 2875 Harris Street, spoke in support of the West Eugene EmX extension. She did not think that businesses in west Eugene should be afraid of the proposed EmX line. She said that BRING Recycling, her business, was located near such an EmX line and it had grown since the line was installed. She believed the EmX line was an advantage and that more people were using it to reach her business. She noted that she had the EmX schedule on her business' Web site. Ms. Daniel believed EmX would efficiently reduce emissions and energy consumption. She acknowledged it was not easy to get people who owned cars to ride the bus, but suggested EmX had an advantage because of the frequency of service, which allowed people to make "spontaneous travel decisions" just like they could with a car.

Kimberly Gladen, 361 West Broadway, #4, discussed the Downtown Public Safety Zone (DPSZ). She said the crowd downtown had not subsided much because of the weather, and the reduced police presence downtown had not helped. Because of the lack of police on Mondays and Tuesdays and in spite of prohibitions on skateboarding, it was now "open season" on pedestrians by skateboarders, who rode too

close to pedestrians with the awareness there was no one to stop them. There was also a bad garbage problem on West Broadway. She reported that the crowd that hung out at 55 West Broadway left huge amounts of trash on the street and when asked to pick it up refused to do so. Ms. Gladen spoke of an incident where an individual had disturbed the food cart vendors on the Parks Block and said it took 15 minutes for the police to arrive. The vendors lost their customers for that afternoon. A vendor had mentioned to her that some youth were following an older lady and spitting her. She said no one should experience that. She observed that there was blood on the sidewalk at the 10th Avenue entrance of the Actors Cabaret, which was reported to the City but nothing was done. Ms. Gladen found that unacceptable.

Charles Hibberd, 5555 West 11th Avenue, business owner, congratulated the City for eliminating the parking meters downtown.

Mr. Hibberd was opposed to EmX on West 11th Avenue. He believed bus service could be provided much more efficiently. He said that most of the time buses that ran on West 11th Avenue were empty, and he recommended LTD run larger buses during peak hours for greater fuel savings. He did not think that carbon emissions would be reduced as a result of EmX because of the vehicles being used. While he understood EmX between the communities of Eugene and Springfield, Mr. Hibberd did not think it was needed on West 11th Avenue. The businesses on the road were not often used by bus users. He pointed out that LTD had budget problems now, and he questioned who would pay for the necessary infrastructure to support EmX. He asked if the City was going to pay, or were business owners going to pay. He pointed out that business owners already paid a payroll tax for the bus and none of his employees rode the bus. He encouraged the council to oppose the route, saying there were other alternatives. He said federal money referred to by LTD also taxpayer money.

Bob Machione, 288 West 6th Avenue, asked the council to consider small businesses when considering the West Eugene EmX route. He opposed EmX, saying it appeared to be based on faulty numbers. He said that LTD claimed that Our Money Our Transit was putting out false information but LTD was putting out vague misinformation. Two years ago LTD told him that it carried 6,000 people a day. When he questioned that number on the basis that LTD did not have sufficient seats to carry that many people, he was told it was actually 6,000 boardings a day, and that people were counted both when they got on and when they got off. A ride to work and a ride back home were counted as four boardings. LTD indicated it had 1.8 million boardings on the Springfield-Eugene EmX route. That number divided by four equaled 450,000 boardings for that line, which was LTD's busiest route by far. Extrapolating those numbers to actual passengers indicated that the route was carrying 1,000 to 1,200 people daily on average. He suggested the cost for the route was a lot to carry that number of people. He said the total cost of the system when built out would be \$1.5 billion in today's dollars.

Wendy Butler-Boyesen, 1265 City View, supported the West Eugene EmX extension because she thought it was important for the community to provide accessibility in transportation for both business and people. She cited MAX in Gresham as an example of transit development that she considered had been a "golden opportunity" for business. She said buses serving West 11th Avenue had been reduced and the remaining buses had standing room only at times. All the accessible spaces were taken. She said her disabled husband could ride the EmX buses more easily than typical buses. Ms. Butler-Boyesen asserted that EmX cost 30 percent less per boarding than regular buses. She acknowledged business on West 11th Avenue would be disrupted by route construction but she did not think the construction would necessary kill businesses. She said that she continued to consume after going carless.

Kevin Belanger, 2990 High Street, a University of Oregon student, expressed support for the West Eugene EmX project because West 11th Avenue was auto-dominated and the street was not living up to its potential. A strategic investment in EmX would improve connections and give other modes of travel a chance. He suggested that just because West 11th Avenue was auto-focused now did not mean it always had to be that way. Speaking to contentions that EmX would decrease livability and housing prices, Mr. Belanger suggested that was not true because of studies that showed people were willing to pay more for housing near “enhanced public transportation” because they could walk there to get places more conveniently. He believed there was a surprising amount of hidden density along the proposed route and a “captive ridership” that would love to have a better option than sitting in traffic or following a bus schedule. He maintained that EmX was an eco-friendly option because the low fuel mileage would be offset by the volume of people it would carry. He further maintained that that LTD was choosing to place EmX in strategic locations along the highest ridership areas and areas with potential for future ridership increases. He believed the system was perfect for a community of Eugene’s size.

Terra Smith, 951 East 19th Avenue, #10, a University of Oregon student, spoke of the challenge of reaching west Eugene by transit, and suggested that if EmX had been in place in the past she would have been able to travel to her destination in the west Eugene wetlands in a reasonable amount of time. As a student she had need to travel to West Eugene to reach stores such as Fred Meyer, but it was nearly impossible to do so using the current transit system. EmX would travel every 10 to 20 minutes and people would not have to worry about schedules. She supported EmX because it would promote environmental sustainability and help lower carbon emissions.

Andrew Serres, 1673 Olive Alley, a University of Oregon student, spoke of the difficulty of bicycling along West 11th Avenue and the congestion that currently existed. He favored the West Eugene EmX extension because it would bring about change. Constructing the line now would avoid the consequences of Seattle’s past decisions not to build more public transportation. The EmX extension would help the local economy by creating more opportunities for commerce on West 11th Avenue and by creating a space for Eugene to prosper and become a national leader to transportation and community livability. Mr. Serres believed that EmX had the potential to unite different visions and hopes for Eugene.

Karyn Smoot, 1897 Ferry Street, also a University of Oregon student, spoke of her experience using transit in her hometown, San Francisco. She said that in Eugene, transit and alternate modes use brought the community together more so than in her hometown. She supported the West 11th Avenue route as proposed by LTD because she believed it would be well-used.

Julia Pommert, 2740 Almaden Street, also supported the West Eugene EmX extension. She believed that many who lived on the south side of West 11th Avenue used the bus more than others and tended to be those who could not participate in the political process as easily as she could. Those individuals stood to benefit from the extension.

Claire Otwell, 2245 Arthur Street, a student at the University of Oregon, also supported the West Eugene EmX extension. She thought it would provide much needed service to the community. She pointed out if the City was serious about implementing its Climate and Energy Action Plan, big steps must be taken to meet the goal of reducing greenhouse gas emissions by 50 percent by 2030. One of the plan’s high-priority actions called for aligning LTD’s long-range transit plan to integrate bus routes into the larger transportation system. She thought the extension was a crucial step in implementing the plan.

Nicholas Garcia, 3725 Kincaid Street, represented a University of Oregon group called “Live Move.” He supported the extension of the West Eugene EmX route and suggested there were those who could benefit from the system who could not speak in support of it. An effective transit system was a key to Eugene’s future success. He asked the council to consider the public good in Eugene in general, not just the loudest voices.

Angela Bayliss, 255 Baxter Street, discussed her experience in rebuilding her house and the code violations committed by her contractor that had been passed by the City of Eugene Building and Permit Division.

Mayor Piercy closed the Public Forum and solicited council questions and comments.

Councilor Ortiz expressed appreciation for those offering testimony on the EmX system. She acknowledged Ms. Bayliss’ remarks and asked if there was litigation pending related to her situation. City Attorney Emily Jerome was not aware of pending litigation. Councilor Ortiz expressed sympathy for Ms. Bayliss’ situation and thanked her for bringing the information forward.

Councilor Solomon expressed concern about the information shared by Ms. Gladen and said it seemed there was a complete reversal in conditions from the summer. She wanted an explanation about what happened. Speaking to Ms. Bayliss’ remarks, she asked City Manager Jon Ruiz to send a memorandum to the council regarding the situation. City Manager Ruiz indicated he would do so.

Councilor Clark expressed appreciation for the testimony offered by the public. He agreed with the remarks of Ms. Gladden about changed conditions in downtown. When the officers dedicated to downtown during the summer were returned to their positions as school resource officers, the situation deteriorated. He did not think the police presence during the summer had been sufficient but at least conditions had been manageable. Councilor Clark wanted to find a way to effect a permanent change in the police staffing dedicated to downtown.

City Manager Ruiz said the issue was not one of resources, which had been appropriated by the City Council as part of the downtown public safety strategy, but rather that of hiring new officers, taking them through training, and getting them assigned.

Councilor Clark acknowledged City Manager Ruiz’ remarks and said he hoped the situation improved to the point where the council was no longer having such conversations.

Councilor Zelenka noted the time it took between the allocation of resources and the deployment of officers, and noted that currently, the department only had one or two vacancies and would be fully staffed soon. He thought the City had adequate tools in place to address the problems downtown.

Councilor Zelenka thanked those who spoke about EmX and encouraged them to encourage their friends to speak as well.

Mayor Piercy also thanked those who offered public comment. Speaking to Ms. Gladen’s remarks, she suggested that public safety solutions were only part of the solutions for downtown. She reported she had asked City Manager Ruiz about outreach strategies for dealing with those in need who spent time in downtown.

Speaking to Ms. Bayliss' comments, Mayor Piercy said she was not completely apprised of all the facts but wished to acknowledge that Ms. Bayliss had spent considerable time trying to make the council aware of the issues involved in her situation.

Councilor Ortiz asked City Manager Ruiz to discuss how the lack of parking revenues downtown would affect the downtown public safety strategy, and also asked the status of the second CAHOOTS van. City Manager Ruiz said in regard Councilor Ortiz' first question, the Urban Renewal District had \$20 million to pay off the parking garage debt, which would free the debt service for the garage to pay for police officers. The removal of the parking meters had no impact on the strategy.

Speaking to Councilor Ortiz' second question, Councilor Zelenka reported that Chief Kerns had indicated to him earlier that the second CAHOOTS van would be ready and in use by January 2011.

3. CONSENT CALENDAR

A. Approval of City Council Minutes

- June 7, 2010, Joint Meeting of the City Council and Eugene Water & Electric Board
- June 9, 2010, Work Session

B. Approval of Tentative Working Agenda

C. Resolution Annexing Land to City of Eugene (Eugene Airport)

D. Resolution Granting 20-Year Property Tax Exemption for Lamb Building

Councilor Clark, seconded by Councilor Taylor, moved to approve the Consent Calendar.

Councilor Brown pulled item C. Councilor Ortiz pulled item D.

Roll call vote: The motion to approve the Consent Calendar without items C and D passed unanimously, 8:0.

Referring to Item C, Councilor Brown clarified the details of the stormwater discharge with Planner Steve Ochs.

Councilor Clark asked if the annexation request contained unimproved roads. Mr. Ochs said no.

Roll call vote: The motion to approve Item C passed unanimously, 8:0.

Referring to Item D, Councilor Ortiz requested more detail about the project in question. Becky Wheeler of the Planning and Development Department described the project and said the grand opening for the Lane Building was November 8. All were invited to attend.

Councilor Zelenka did not generally vote in favor of property tax exemptions because he thought they were generally unnecessary but the program in question would not have been built otherwise without the exemption, and it was the type of housing the City needed to encourage to overcome some of the constraints the community had in regard to land supply. He applauded the proposal.

Mayor Piercy observed that the project was one of the things the City did to prevent people from becoming homeless.

Roll call vote: The motion to approve Item D passed unanimously, 8:0.

**4. WORK SESSION:
Lane Area Commission on Transportation (LACT) Bylaws**

Intergovernmental Relations Manager Brenda Wilson provided background on the item. She reviewed changes to the bylaws, in particular highlighting the appointment process for the citizen members of the commission.

Councilor Clark, seconded by Councilor Taylor, moved to support the May 18, 2010, FACT LC Bylaws for the Lane Area Commission on Transportation with the most current update and amendments.

Councilor Clark commended the work of Ms. Wilson as well as the work of the mayor in putting forward the council's unanimous position.

Roll call vote: The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting of the Eugene City Council at 8:43 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

October 13, 2010
 Noon

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

COUNCILORS ABSENT: Jennifer Solomon, Andrea Ortiz.

Her Honor Mayor Kitty Piercy called the October 13, 2010, work session of the Eugene City Council to order.

A. WORK SESSION: Envision Eugene

The council was joined by Planning Director Lisa Gardner, Metropolitan and Community Planning Manager Carolyn Weiss, and City Attorney Emily Jerome, who were present to provide an update on the Envision Eugene process. Ms. Gardner reminded the council that it heard an update on the process in June, and at that time the council had approved the concept of the Community Resource Group (CRG).

City Attorney Jerome spoke to concerns that had been expressed by some residents about the potential the State Legislature would intervene in Eugene's examination of its urban growth boundary (UGB). She explained each Oregon municipality must periodically demonstrate to the State that it had enough land inside its UGB to accommodate need for the next 20 years. Cities must accommodate growth within their UGBs before looking beyond current boundaries. City Attorney Jerome said the Department of Land Conservation and Development (DLCD) had authority to adopt rules that governed the process. The DLCD had indicated that once cities adopted a UGB, the DLCD or Land Conservation and Development Commission could approve or remand the products of that effort.

Continuing, City Attorney Jerome reported that in Eugene's case, the State Legislature had mandated through House Bill 3337 that Eugene and Springfield have separate UGBs and separate land supplies and complete the initial studies for that process by a date certain. The initial studies had been accomplished by the established deadline. That had been accomplished. The State did not mandate a deadline for the actual adoption of a final UGB for either Eugene or Springfield.

City Attorney Jerome said that the City was acting in complete accord with State law. She thought it unlikely that the upcoming legislative session would take action to preempt what Eugene was doing as long as it continued to move diligently toward the adoption of a Eugene-only UGB. She invited questions.

Ms. Gardner and Ms. Weiss shared a PowerPoint presentation that highlighted the project goals, the State framework and local principles guiding the process, public involvement activities, the work of the CRG to date, and project timing.

Mayor Piercy complimented staff on its commitment to the Envision Eugene process. She appreciated staff's outreach to the Board of County Commissioners, and asked that staff's outreach effort included the Housing Policy Board and Human Rights Commission.

Mr. Pryor was impressed with the breadth and diversity of those on the CRG. He acknowledged the subject of community growth was scary to some people. He appreciated the inclusive, accessible, non-technical approach taken by staff, which brought in many people who had not participated in the past. That informed his belief that it was better to do the process right than do it fast. Mr. Pryor believed that a holistic discussion was necessary and was the only way to reach a solution that connected all the different pieces of the solution.

Mr. Clark thanked staff for its work. He continued to be concerned about the process time line and the potential of legislative action related to that. He was happy to hear staff was checking in with the County and hoped that included new commissioners. Given Springfield's experience trying to work with the board, Mr. Clark was concerned that the Board of County Commissioners would delay the process. He hoped staff did more to engage the County board so it understood that it did not get to re-write the rules or the basis by which Eugene made its decisions. He called for further review of the rules governing the co-adoption process.

Mr. Poling also thanked staff, the members of the CRG, and the residents who were participating. He believed the plan constituted very important work.

Mr. Poling expressed concern that the depictions related to the work of the West Eugene Collaborative (WEC) could be misinterpreted and recommended that staff reinforce the hypothetical nature of the examples.

Mr. Poling also appreciated that staff was checking in with the Board of County Commissioners and asked that staff report back to the council about the type of issues the board was raising and the staff response to them.

Mr. Poling was not concerned that the State would intervene in the City's process but he did not want to go beyond the council-imposed deadline to demonstrate to the community the council could act in a timely way to reach a reasonable conclusion.

Mr. Zelenka acknowledged staff's hard work. He believed the City was on the right track. He agreed with Mr. Pryor that it was more important to get the work done right rather than fast but he also shared Mr. Poling's belief the council needed to stick to the timeline.

Mr. Zelenka expressed disappointment in the last CRB panel discussion, terming it one-dimensional, traditional, "rear-view mirror thinking." The discussion had not been forward-thinking enough for him, particularly as it regarded the "new green economy" and where the community wanted to position itself. He did not think Eugene could plan for tomorrow with yesterday's knowledge. He said traditional incentives often did not realize what they were intended and sometimes had a negative net impact. He wanted to think more broadly.

Speaking to Mr. Poling's concerns about the visual depictions created for the WEC, Mayor Piercy noted the time community members put into developing those depictions and said the WEC members represented a

sizeable commitment from a cross-section of the community that actually believed their vision could be realized. She believed the depictions helped spur discussion and allowed residents to find common ground that could be built upon. WEC members had expressed consistent support for transportation corridors with mixed-use development. She believed the community owed the WEC “a lot” and reported that WEC members had begun to meet again on issues related to food localization and the protection of farmland.

Speaking to Mr. Zelenka’s remarks about the CRG panel, Mayor Piercy believed there was considerable push-back by CRG members from both sides of the political spectrum to the traditional economic model discussed by the consultant and she recalled the outcome of the discussion was agreement the traditional model was not what was best for the community.

Mr. Clark endorsed Mr. Poling’s remarks about the timeline. He also agreed with a suggestion from resident Paul Conte that the City seek legislation that endorsed the outcome of the Envision Eugene process. He asked how that goal could be realized. City Attorney Jerome said she had not seen the legislature take such action, but it could do so. She anticipated that before the council approached the legislature it would want to discuss the political, policy, and public involvement aspects of the subject.

Mr. Clark anticipated that following the completion of the Envision Eugene process, staff would return to the council by the deadline with a decision package that provided the organization with direction about the necessary implementing amendments, but the large-scale decisions would have been made. He wanted legislative endorsement of those large-scale decisions. If the answer was, we cannot do that until the details are actually done,” he believed the City would not have finished by the deadline. City Manager Ruiz indicated staff would do more research into the issue and return with that information.

Mr. Zelenka endorsed Mr. Clark’s proposal and suggested that City Councilors update the Lane County legislation delegation as a group or as individuals about the progress of the process on a regular basis. He believed the City was on a path that demonstrated it was willing to move forward. He wanted the process to be done right so the City could avoid the years of appeals that had delayed the actions of other Oregon communities.

Mr. Zelenka noted that over 25 years, manufacturing employment in Lane County fell from 22 percent to 9 percent while the service sector grew from 17 percent to 41 percent. He suggested the council needed to be cognizant of future sector job growth projections and focus its thinking on best strategies to foster growth in those sectors. He emphasized the importance of redevelopment and suggested a slow economy gave the City the opportunity to get tools to foster redevelopment in place.

Mr. Pryor suggested that if the legislature was going to take action because it did not think Eugene was doing due diligence in accomplishing the goals set out in House Bill 3337 it would be because someone lobbied for that action. However, he agreed that the City Council needed to meet the deadlines it had set.

Speaking to Mr. Poling’s comments about the depictions prepared for the WEC, Mr. Pryor agreed that the City needed to be clear those depictions were hypothetical.

Speaking to Mr. Zelenka’s remarks about past economic development incentive approaches, Mr. Pryor pointed out that Hynix had not left the community because it no longer received a tax exemption. The company left because the bottom fell out of the chip market. While the company was in the community, it had more than 1,000 employees in family-wage jobs with benefits, and was the largest single property tax payer in Lane County. The company had been an enormous economic engine for Eugene, and he regretted

its loss. He said if such an opportunity came along again, he wanted to take advantage of it and thought the council needed to recognize the traded sector was a very good way to keep the community's economic engine running.

Ms. Taylor wanted to know which of the CRG members had dropped out. It appeared to her most CRB members were part of the development community. Ms. Gardner was unaware of anyone who had dropped out. Not all members were able to participate at every meeting. She pointed out that those involved in the group were considered opinion leaders who had busy, dynamic lives. She reviewed some of the groups represented on the CRG, which included 1,000 Friends of Oregon, Friends of Eugene, and neighborhood associations. People were still being added, and she invited Ms. Taylor to contact her with suggestions for other participants.

Ms. Taylor asked if there was a possibility that Eugene would retain the UGB in its current location. Ms. Gardner pointed out that State law first required Eugene to examine opportunities for increasing densities within the existing UGB. However, Eugene must also ensure that it was not assigning densities and capacities that would not work in the economic market or in the market of public opinion. She said staff would return with more information on the topic soon.

Ms. Taylor agreed with Mr. Zelenka that the community should not plan for tomorrow based on what happened yesterday. Things could change. She anticipated that Eugene could end up being a community dominated by multi-family housing and that people would change the way that they lived.

Ms. Taylor hoped that any decisions made by the CRG or the council would still be put out to the public for feedback. She did not think that many residents were aware of the process.

Mr. Clark wanted to see approaches that supported existing businesses and allowed for more economic independence. He was concerned that the City was not adequately planning for manufacturing based jobs, which he continued to believe would be important to the area, particularly as they related to agricultural products, secondary production of agricultural products, and green technology. He thought that would both help to employ residents and increase property tax revenues by creating more taxpayers. Ms. Gardner said that small-group discussions at the last CRG meeting had touched on that topic. There was agreement among participants that the community needed to be equally prepared for smaller industrial and to ensure there were opportunities to nourish existing businesses.

Mr. Zelenka agreed that the community needed to pursue manufacturing in a strategic and realistic way. He believed it was acceptable to pursue larger companies, but thought it needed to be proportional to the probability of securing one, and that Eugene wanted to avoid "giving away the store." He wanted a diverse strategy, or what he termed a "pie that had a lot of slices in it." He agreed with Mr. Clark that the City needed to support existing businesses to ensure they stayed here.

Mr. Zelenka believed the pace of the process was too slow and said many CRG members shared that sentiment. He asked what the council would see in February and what decisions it would be asked to make at that time. City Manager Ruiz indicated he intended to present the council with a decision package that included what he termed "the deal points of a deal." What the council approved in February would move forward as the final product. He said that there would also be a formal adoption process, and that included public hearings that might prompt the council to make changes. City Manager Ruiz anticipated that in the future, the City would periodically revisit the plan to ensure that the assumptions behind it played out, and that effort would become a part of the regular work plan. Mr. Zelenka endorsed that approach.

Mr. Zelenka asked how the infill compatibility standards would be incorporated into the process. Ms. Gardner anticipated that the standards would be included in the implementation strategies and could require additional code language.

Responding to a question from Mr. Brown, Ms. Gardner confirmed that the plan would include a map.

Mayor Piercy adjourned the meeting at 1:30 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

MINUTES

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

October 20, 2010
Noon

COUNCILORS PRESENT: Mike Clark, Betty Taylor, Andrea Ortiz, Chris Pryor, George Brown.

COUNCILORS ABSENT: George Poling, Jennifer Solomon, Alan Zelenka.

In the absence of Her Honor Mayor Kitty Piercy, Council President Mike Clark called the October 20, 2010, work session of the Eugene City Council to order.

A. WORK SESSION: Boards and Commissions

Central Services Department Director Kristi Hammitt was present on behalf of City Manager Jon Ruiz. She introduced the topic, reporting that staff was seeking guidance about membership, communication, training and development, and work plans. City Manager's Office Division Manager Keli Osborn and Mayor and Council Support Manager Beth Forrest of the City Manager's Office were also present for the item.

Ms. Osborn reminded the council that some issues in the past gave rise to questions about how boards and commission members were appointed, how they were removed, and how vacancies were filled. She called attention to a matrix in the council meeting packet that provided information on the current processes for each of the different boards, committees, and commissions. Staff had also provided a matrix regarding the demographic composition of City boards and committees. Ms. Osborn noted that a corrected matrix separating the Fairmount and Far West neighborhood associations had been distributed to councilors at their places.

Ms. Osborn indicated that no action was requested of the council but she invited suggestions for code revisions or other feedback. She reminded the council it had revised the Eugene Code in 2009 to change the start date for terms for boards and commissions from November 1 to July 1, and anticipated that recruitment would begin shortly after January 1, 2011.

Ms. Forrest updated the council on the recruitment schedule and staff's efforts to recruit a diverse applicant pool.

Mr. Clark solicited council questions and comments.

Ms. Taylor commended the materials prepared for the agenda item and determined from Ms. Osborn that information about the recruitment process would be distributed to the neighborhood groups and published in neighborhood newsletters.

Responding to a question from Ms. Taylor about how long it had been since individual councilors appointed individual Budget Committee members and how difficult it would be to restart that system, Ms. Osborn indicated staff would follow-up with information on past practice.

Mr. Clark commended staff's work on the issue. He reported the Police Commission had recently completed a brochure about its work and suggested it could be used in the recruitment process.

Mr. Clark emphasized the importance of demographic diversity on boards and commissions but pointed out that 75 percent of all members of City boards and commissions were from four wards, and 58 percent were from wards 1, 2, and 3. He did not find that representative of the community. He pointed to the Budget Committee's composition as further evidence of his concerns, pointing out that five of eight Budget Committee members were from wards 2 and 3 and no members were from wards 4, 5, or 6. Mr. Clark thought that was inappropriate and could be attributed to past council decisions. He hoped for a proactive recruitment process focused on underrepresented wards.

Mr. Clark agreed with Ms. Taylor about changes to the Budget Committee appointment process. He suggested that the current distribution pattern "inevitably" led to decisions and recommendations to the council that were less than complete. He pointed out the council continually discussed the need for diversity in recruiting and he would like to see the City actively recruit in under-represented wards.

Speaking to Mr. Clark's comments, Ms. Taylor indicated her emphasis was on shared philosophies rather than geographic diversity. She suggested there were just some parts of the community where people wanted to be more involved and thought that, as long as they were informed, those people should be given preference in boards and commissions appointments. She did not think where one lived had anything to do with it.

Mr. Brown said he did not look at where applicants came from when he reviewed applications because he did not want that to affect his thinking during interviews. He said there were applicants from his ward he had not supported in the past with the thought that others were more qualified. Mr. Brown was looking both for experience and for those who were willing to study and learn.

Mr. Brown asked if the higher participation figures cited by Mr. Clark could be attributed to a ward's proximity to the University of Oregon or to better economic status. He found the figures striking but did not know what to do about it. Mr. Brown suggested that the City distribute the committee demographics at all public meetings no matter the subject when the City was in the recruitment process.

Ms. Ortiz thanked staff for its work on the issue. She had heard anecdotally that the council process made it hard for residents to participate. When she considered candidates for boards and commissions she did not look for people who were well-versed, better educated, or familiar with government language. She encouraged people to be involved in government, and that participation was important to her.

Ms. Ortiz pointed out the community's demographics were changing and the community needed new leaders. The City needed to encourage residents to step up even if they had several children and multiple jobs. She recalled that she had undergone three interviews to join the City's Human Rights Commission. She wanted to find a different way to make appointments as she believed the current process put off otherwise qualified people. She expressed curiosity about the large number of applicants who did not indicate their ethnicity. She thought the City's boards and commissions lacked representation from the

communities of color and wondered how those groups' demographics that compared against the county's demographics.

Mr. Pryor suggested the key issue was what was really constituted representation. He agreed one had to "show up for the game to play," but on the other hand, if the rules were too difficult and the game hard to get to, one could not show up. He thought the City made it hard for residents to get on boards and commission. He had applied early in his career, had to go through many hoops, and had not been successful.

Mr. Pryor said that people had different definitions of what constituted diversity and representation. He said he did not know the right definition but suggested it was important to find something representative of the community. He said many did not participate because they lost confidence that they would be listened to. He said representation was a key factor but it should be meaningful and accessible and should produce an outcome that people believed in.

Mr. Clark said many of his neighbors and friends, when solicited to become involved in City issues, said "people like me are not listened to." He suggested that divide could be addressed through geographic diversity. He agreed that the City's boards and commissions should be as representative as possible and the council should work hard to accomplish that. However, Mr. Clark pointed to the recent Budget Committee appointment process, where two qualified candidates, one from Ward 8 and one from Ward 4, had been under consideration, and the council chose to appoint the representative from Ward 4.

Mr. Clark was also concerned about non-residents who participated on City boards and commissions. He asked to what degree that was permissible. He asked if Oakridge and Springfield residents should participate in Eugene issues, and called for more discussion on that topic.

Ms. Ortiz determined from Ms. Forrest that the recruitment materials would also be in Spanish.

Speaking to Mr. Pryor's remarks, Ms. Taylor said that an advisory group was just that; the council should consider the advice given, but it did not have to take it. She said the council should be able to articulate why it was not accepting the group's recommendation. Ms. Taylor also believed the council needed to hear minority reports from its advisory groups and suggested that usually the opinions of the minority were often ignored.

Ms. Osborn recalled the three outcomes related to the topic adopted by the council in June 2010. The first called for increased diversity on boards and commissions over time. Staff was responsible for providing that applicant pool. Ms. Osborn invited input on additional outreach approaches. The second outcome was that the recruitment process would be fair, accessible, transparent, and civil, and Ms. Osborn said staff was committed to supporting the council in reaching that outcome. The third outcome regarded commission, committees, and board member development. Ms. Osborn noted the staff efforts to support that outcome, which included the Neighborhood Summit, best practices training, and outreach to potential boards and commissions members.

Ms. Taylor said she did not know the City had nonresidents on its boards and commissions.

Mr. Pryor agreed with Ms. Taylor that the City's committees were advisory in nature, but their input should be taken seriously. Speaking to the issue of representation, Mr. Pryor believed that applicants would always be self-selected and the council needed to keep that in mind when it considered how to maintain diversity on

its advisory groups. He said that he would like to see some new participants and hoped that outreach could help with that goal.

Ms. Ortiz referred to the matrix and asked if it could be made more uniform as it regarded the number of allowed absences.

Ms. Ortiz believed there was institutional racism in the City's existing processes. The City expected the community to come to it, which was intimidating for some people. She suggested that the council meet in various wards of the city when doing such interviews. She also asked why the candidates needed to be asked questions when they had already provided written answers to similar questions. She called for a more informal process that allowed the council to get to know candidates as people. She also suggested that all applicants could be asked to appear. Ms. Ortiz posited the idea of doing background checks on candidates.

Mr. Clark supported Ms. Ortiz's suggestion for more a more informal interview process where the council went to the community.

Ms. Taylor did not like Ms. Ortiz's suggestion because she thought it could be confusing to some. She recalled the former Citizen Involvement Committee had members selected randomly from the Voter Pool who had been excited to participate and happy to serve. She suggested a Citizens Academy could be a useful tool in encouraging people to apply. Ms. Taylor suggested the diversity of individual schedules was something for the council to consider.

Mr. Brown thought Ms. Ortiz' idea was interesting and worth a try. He recalled that the Police Commission had held a meeting at Sheldon High School, but not many additional people attended. He believed the current system worked well, although he acknowledged it might intimidate some.

Mr. Pryor liked the idea of more outreach and making the system more accessible. He believed the City could develop a more informal system, and suggested the City identify and list the barriers to citizen participation. The council could review the list and discuss how to overcome the barriers. He wanted to make it easier for people to participate.

Ms. Taylor liked Mr. Brown's suggestion that interested candidates should attend meetings. She said she was not in favor of moving council meetings to different locations, pointing out that City Hall was the recognized seat of City government and she believed that meetings should be held there.

Ms. Hammitt acknowledged it was hard to get residents to come to meetings but she believed that frequently, citizens were simply unaware of the opportunities for input. She noted that the next recruitment effort would begin in January 2010, and anticipated that staff would return to the council soon after that with additional recommendations.

Mr. Clark adjourned the meeting at 12:48 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

M I N U T E S

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

October 25, 2010
 7:30 p.m.

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

Her Honor Mayor Kitty Piercy called the October 25, 2010, regular meeting of the Eugene City Council to order.

1. PUBLIC FORUM

Mayor Piercy reviewed the rules of the Public Forum.

Boyd Iverson, 1872 Willamette Street, discussed the EmX project proposed by Lane Transit District (LTD) in West Eugene. He supported mass transit for those who needed it and thought a mass transit vision was a good thing. However, he believed that the West Eugene EmX route was less a vision and more of an agenda. He did not agree with the conclusion that traffic was a bad thing. He said that the businesses on 7th and 6th avenues existed because of the traffic that went past their locations and would not be in business otherwise. Mr. Iverson said for a business to be successful, it must have customers, high visibility, ease of access, and adequate parking. Limiting those factors meant that consumer-based businesses would fail. The proposed EmX system affected those businesses negatively. He did not consider the streets involved to be bad, although he acknowledged they were busy. He had seen nothing that suggested here was too much traffic on West 11th Avenue, which continued to function adequately. He believed that if LTD's proposal went forward, it would kill jobs and businesses.

Robert Rubin, 2836 West 11th Avenue, represented a family that owned property on West 11th Avenue. He acknowledged it was hard to turn down funds for a project but when the project was not in balance with the costs it made it easier. He said that West 11th Avenue had good bus service. It was not Franklin Boulevard, and there was no destination for the EmX route. He asked what problem LTD was trying to solve. He pointed out that LTD had a budget problem and planned to cut services. Mr. Rubin said the proposed service had fewer stops farther apart and it would be more inconvenient for riders. He noted the evolution of Aqua Serena, a business on West 11th Avenue, and said it was a multi-generational family business that could be lost because of the project. He did not think the project served the greater good of the community and said if the federal money had not been available the project would not even be under discussion.

Jim Thomas, 2296 Corinthian Street, representing the Eugene Faith Center, supported the EmX route as visionary for the community. He said that LTD had worked with the church on the route plans that would affect West 13th Avenue and as a result the church had lost curb cuts and access but LTD staff had identified other visionary ways to access the church. He thought the existing system worked well. He was proud of the City and said its future appearance was important to him.

Laurel Hayles, 1264 Delores Court, a bus commuter, had concerns about the proposed West Eugene EmX route. She said the project would require cuts to LTD bus service but a feeder bus route system was needed to get people to the line. LTD already was cutting and merging routes and buses were running with standing room only. People in wheel chairs could not get on to the bus, and things would only get worse if EmX was implemented. She said if LTD could not afford the bus system now in place, she questioned how it could operate the EmX system in the long-term. Ms. Hayles believed that until that question was addressed, no feasible system could be evaluated or implemented. Until that occurred, she was very opposed to the project and wanted LTD to look at alternatives that worked with the existing system. She said an EmX route on West 11th Avenue was not a viable option. She pointed out that if businesses along the road shut down it would affect LTD's payroll tax revenues.

Kim Sawyer, 2170 Greenview Street, said he owned a business on West 11th Avenue that would survive the construction of an EmX route but he was aware of other businesses that would not. He said that many of the project's opponents favored good public transportation, which they believed was in place now. He thought it was fiscally irresponsible for LTD to spend money on the project and questioned how LTD could operate an EmX vehicle six times an hour when it could not serve West 11th Avenue four times an hour now. He asked the council to be fiscally responsible and reject the federal money available for the project so it could be applied to the national deficit instead.

Roy Benson, 570 Fillmore Street, said he owned a business on West 6th Avenue. He was not anti-transit but supported the remarks of others speaking against the system. He said that hundreds of pieces of property were affected by the proposed route and he believed the extensive use of eminent domain that he envisioned necessary to realize the route to be an abuse of power. He asked the council to do the fiscally responsible thing and reject the route.

Brent Woodrich, 2700 West 11th Avenue, said that during his lifetime West 11th Avenue had been an industrial park that one went to for lumber and similar goods. He did not envision that anyone would use EmX to go to the grocery store or to pick up lumber. He felt the community was in a situation where everyone had to tighten their belts and pointed out that businesses had trouble making ends meet over the last five years. He suggested the City consider such a project in better economic times and not at a time when schools were having fund raisers. He understood that EmX was important and thought it was needed in other parts of town and should serve residential areas to get people to other parts of the community.

Bob Machione, 288 West 6th Avenue, thanked councilors Ortiz and Pryor for meeting with West Eugene businesses regarding their concerns about EmX. He expressed concern that LTD staff kept accusing West Eugene business owners of putting out misinformation. They were not, and he took exception to the accusation. He said that LTD was not explaining to business owners how it would operate the system if it were implemented. He said that LTD was facing budgetary shortfalls now and was cutting routes to implement EmX. The LTD Board of Directors did not appear to be aware the Gateway route would cost more than \$1 million annually to operate. They insisted there was no increased cost from EmX, which Mr. Machione asserted was misinformation.

Mr. Machione said the Transit Cooperative Research Program Report 90 listed 26 case studies for bus rapid transit (BRT) and all the communities listed had far more people than Eugene-Springfield. In many cases, the communities involved were major destinations. He asked who would run the system, and who would pay for it. No urban basis to support the system, which he termed it a pipe dream. He said that LTD did not have the funds to run the current bus service and would cut services again in the next year. He anticipated that with operating costs at \$1 million per route, LTD would soon run out of money.

Eli Meyer, 2542 Elysium Avenue, favored the EmX expansion. He perceived only benefits. He said LTD's data indicated that on a per rider basis, the EmX system was cheaper to operate than regular bus service. He said he had seen rapid transit corridors "build up business" and increase property values over the mid- and long-term, and averred there was considerable data "out there" showing those impacts. He rarely drove and took the bus or biked everywhere he went. He wanted to patronize businesses on West 11th Avenue but did not do so because of traffic and because the road was difficult to cycle.

Brook Edwards, 2542 Elysium Avenue, also supported the EmX extension. She did not know if there was concrete evidence supporting the points of those in opposition as it regarded to hurting businesses. She averred that instead, people avoided West 11th Avenue because of the traffic problems that existed there and "a lot of people I talk to" agreed that traffic was a problem and could be helped by EmX. She suggested that congestion on the road could be eased if more frequent bus service was available. She also thought the system was a key to Eugene's long-term sustainability and did not think the system would work well if implemented on a piece-meal basis.

Elise Downing, 1461 Mill Street, #2, a University of Oregon student, averred that a high functioning and accessible transit system could change the culture of a city, solve road congestion, and reduce CO2 emissions. She said the project allowed LTD to cut routes and costs while maintaining service to West Eugene. It was a step needed to change the car culture of American cities.

Kimberly Gladen, 361 West Broadway, #4, discussed her experiences over the course of the last two weeks traveling through downtown, where she had multiple encounters with drug dealers and panhandlers. She spoke of the difficulty the elderly and vulnerable had in traveling through downtown to reach vital services. She said conditions did not help business, which continued to leave downtown. Ms. Gladen named four businesses that recently left downtown. She asked how the City Council expected downtown to work without the presence of police.

Rachel Lytton, 1943 Onyx Street, #3, a University of Oregon student, noted her long-time use of alternative modes of travel. She supported the EmX system and said it made her life as a student easier. She hardly ever traveled to West 11th Avenue because of the sporadic bus service and she wanted to see EmX expanded down the street. However, she was concerned about the potential that wetlands might be affected by construction of the route, as well as concerned about some trees she believed were historically important to Eugene. She called for more information on those topics.

Andy Vobora, 1370 Vine Court, Junction City, LTD, provided information to demonstrate that the hybrid buses proposed for use along the West Eugene EmX route were "green." He said to suggest otherwise was to ignore the bus characteristics that created the differences. He compared the EmX vehicle to the district's 60-foot hybrid electric buses and anticipated fuel efficiency gains of 17 percent and fewer emissions. Operating costs would be reduced as more hybrid buses were added to the fleet. He cited reduced brake wear, increased oil life, and the potential of decreased transmission and engine wear as other benefits.

Joseph Sikiel-Zdzienicki, 1025 Taylor Street, suggested the West Eugene Collaborative, when developing its vision, failed to communicate with any business owners or residents to learn their historic perspective about West 11th Avenue or their plans for the future. The collaborative produced a grand vision without any input from the people affected. He said that LTD was doing the same thing. Rather than talking to residents and property owners, LTD developed a solution and did not explain the reason for the solution. Many of the business owners present who were opposed to the West Eugene EmX route were never

contacted about the work of the collaborative and were not even aware of it, but it developed a plan to redevelop the entire area and possibly displace businesses. He asked why no contact was made, and suggested the process was backward. He said if those businesses were to be displaced, where were they supposed to go? Where were the car-oriented businesses going to be? Where did the City want furniture stores, body repair shops, and home improvement centers? That issue had not been raised, and yet the City was discussing rezoning in its vision.

Charles Hibberd, 5555 West 11th Avenue, a business owner on West 11th Avenue, said governments were pleading poverty but now LTD wanted to spend \$100 million on the West EmX system. He said there was no residential population living within walking distance of West 11th Avenue. All other development was industrial. He said that people argued that the system was necessary for the future of children, but he saw no future for his children if government was going to spend money unnecessarily. Mr. Hibberd said that that people expressed support at the forum for bus service but they were not willing to pay the price. Instead, business owners paid the price through employee taxes. People suggested that EmX was more convenient, but he questioned how that could be true if there were fewer stops and people had to walk farther to reach them. Mr. Hibberd pointed out that federal money was also taxpayer money.

Theresa Bishow, 2911 Tennyson Avenue, Suite 400, representing Arlie & Company, spoke to a recent editorial in the *The Register-Guard* cautioning against purchase of Arlie-owned property near Lane Community College and suggesting that because of the company's Chapter 11 reorganization, the City had leverage to ask a lower acting price. She said that was not true; once the company filed for bankruptcy, it could only sell land with the approval of a federal judge. Ms. Bishow said that City staff prepared a letter of intent to purchase 315 acres at a discounted price, and parties affected by the bankruptcy and general public were given the right to tour the property and object to the sale. No objections were filed to sale in the 30-day comment period. She said the price of the land was already fifty percent below the appraised value and she said lowering the price would trigger another comment period and she believed the banks would object to a lower price. Ms. Bishow agreed with the editorial's conclusion that the agreement was the City's best hope of receiving the promised \$600,000 donation from Arlie & Company.

Speaking to the City's naming guidelines, Ms. Bishow pointed out the guidelines gave staff the ability to refer such decisions to the council, which is the course it choose. The decision met the intent of the guidelines.

Nick Garcia, 3725 Kincaid Street, a University of Oregon student, supported EmX extension. He thought it was critical for Eugene to invest heavily in public transit to remain a thriving community. He did not think that Eugene could meet its greenhouse gas reduction targets without the EmX system. Mr. Garcia agreed with concerns about operating costs and suggested that the City impose a gas tax increase or a vehicle miles traveled tax to both decrease the incentive to drive and increase the incentive for people to take transit.

Speaking to points raised against EmX, Mr. Garcia agreed that traffic in the form of people moving through an area was good, and he believed the EmX system would serve that function. He asked for "hard data" about fears that the system would kill businesses, and averred that data from other communities would show they were good for business. Speaking to arguments that Eugene already had good public transportation, he suggested the fact that at least 80 percent of people drove for most of their trips demonstrated that Eugene did not have good public transportation. Mr. Garcia averred that if Eugene had good public transportation, the majority of the population would use it. He did not think the status quo was the fiscally responsible option and noted the external costs related to the automobile.

Pat Farr, 1929 Praslin Street, said that many people in the community were hungry and homeless. He spoke of the work of Food for Lane County and its contribution toward alleviating hunger and said that homeless people did not have the same organized structure supporting them. He said a new group, the Eugene Shelter Coalition, was meeting around the topic, and its emphasis was on community education about the programs now available and on ensuring access to those services.

Annette Woodmark, 86378 Sanford Road, expressed support for the West Eugene EmX project. She avoided West 11th Avenue because of the congestion and instead used the park and ride on West 18th Avenue to reach the college. She had used transit frequently when she lived in San Francisco at less cost than driving and averred that Los Angeles was in gridlock because of a conspiracy on the part of auto manufacturers and oil companies to destroy mass transit in that community. Ms. Woodmark observed that many of those who objected to the West EmX extension were business owners who “profited from the automobile.” She said that the current bus made frequent stops and interfered with traffic flow, in contrast to the proposed EmX system, which would have its own designated traffic lane. It would bring new customers to the area, particularly when high-speed rail between Eugene and Portland was built. She advocated for the “same kind of modern transit” that other metropolitan areas had benefited from for decades.

George Cole, 2760 West 11th Avenue, owner of a business on West 11th Avenue, opposed the proposed West Eugene EmX extension. He suggested the community was facing an ideological divide. He believed there was good reason to not build the system at this time. Mr. Cole asked if Eugene had to have earned dollars to have appropriated dollars. If that was true, he asked if appropriated dollars could succeed without earning dollars. Mr. Cole questioned why people had such a negative view of West 11th Avenue. People criticized the street for being ugly and averred it needed to be beautiful. He also questioned the proposition that development would follow the EmX line. Mr. Cole wanted to know if the EmX route was about rezoning. If so, where were businesses such as those on West 11th Avenue intended to locate. He asked if the council was going to appropriate money for another bridge and create an exclusion zone around West 11th Avenue with a bridge to reach the river where other services had gone because they were regulated and taxed out of town.

Brianna Orr, 1790 Alder Street, a University of Oregon student, asked the council to support the community with diverse transportation options in keeping with the diversity of the community. She acknowledged many people wanted to drive and would continue to do so along West 11th Avenue. She said LTD was not closing down West 11th Avenue but merely creating another transportation option. Ms. Orr said that bus rapid transit carried more people than regular buses and provided more consistent time schedule, attracting more riders. It was more cost-effective than LTD buses and with a constrained budget, it was necessary for LTD to invest in cost-effective transit. She pointed out that if Eugene did not take the money from the federal government, another community would. She emphasized the importance of transit to students.

Pam Jongeward, 1574 Coburg Road, #877, was concerned about the impact of the West Eugene EmX route on properties her family owned in West 11th Avenue, one of which was directly affected by LTD’s construction plans. She was also concerned about the impact of LTD’s plans on her tenants, reporting that because of economic conditions she had already lost long-term tenants and was concerned about losing more. She pointed out the area was heavily dominated by auto-oriented industries and suggested there had to be a better way to serve the community. She envisioned that the cost would be a huge amount of money all would be obliged to pay.

Drew Serres, 1673 Olive Alley, a University of Oregon student, expressed his support for the proposed West Eugene EmX system. He said many people did not have access to cars or the ability to drive one. Mr. Serres asserted that if LTD did not respond to pressing transportation concerns on West 11th Avenue, the City would be putting West Eugene at risk. Costs for building would rise if decisions were put off to the future. He maintained the community had the chance to save millions if it built now instead of waiting.

Tom Schwetz, LTD Planning and Development Director, 3500 East 17th Avenue, said the Public Forum was becoming an important part of the community conversation about the West Eugene EmX extension. He said council work sessions allowed for more detail and interaction with the council but they were infrequent and not part of the community conversation as it happened. For that reason, LTD staff was present to answer questions and to provide information on issues it heard mentioned with the hope that its efforts will deepen the community's understanding of the topic. He announced the alternatives analysis report for the route had been released by the Federal Transit Administration and would be available by October 28. LTD was scheduling a series of public workshops to help familiarize the community with the report and had prepared a shorter executive summary of the analysis. He suggested the council should support the project because the community needed to be proactive in planning for the future; because it needed to continue to be innovative in addressing climate change, congestion, and air quality, and because the community deserved high-quality transit for those who chose transit and for those who relied on it.

Larry Reed, 4251 Scenic Drive, thanked the council and City Manager Jon Ruiz for the Envision Eugene process. He spoke of past planning efforts that initially met resistance but went on to success. He said the City must plan to accommodate future growth. He believed proper planning would allow Eugene to accommodate the population growth that would happen. He encouraged residents to take part in the process and help the City plan for future infrastructure and land use needs.

Mayor Piercy closed the Public Forum and called on the council for questions and comments.

Councilor Brown thanked those who spoke during the forum. He thought the business people on West 11th, 6th, and 7th avenues had made some good arguments and offered thoughtful criticisms. He was not convinced yet of the need for the West Eugene EmX Extension project and suggested that other transit improvements might be sufficient. However, Councilor Brown was trying to keep an open mind. He looked forward to the release of the analysis. He suggested that Mr. Schwetz and Mr. Vobora provide the council with the complete document, and advised them to distribute the summaries as widely as possible.

Councilor Brown said he had been doing some research on transit-oriented development and found that transit-oriented development and bus rapid transit were not the same thing; one could have transit-oriented development without bus rapid transit. He thought there was a way to make transit improvements without bus rapid transit.

Mayor Piercy also thanked those who spoke. She recalled that the community had started down the road of a bus rapid transit system ten years earlier. Mayor Piercy said that many of those who attended the "Railvolution" Conference in Portland had visited Eugene to view EmX. She termed it an innovative, long-term, forward thinking project that the community had already said it supported. Mayor Piercy said it was part of a full transportation system that included cars, bicycles, good pedestrian movement, transit, and rail. She wanted the transit system and cared deeply about the businesses that would be affected.

Councilor Ortiz thanked those who spoke. She suggested that a bus rapid transit system such as the proposed EmX system was cheaper than light rail or trolleys. She emphasized the need for investment in

public transportation. Councilor Ortiz reported that she recently met the mayor of Bogota, Columbia, which employed such a system very effectively. While she acknowledged that Eugene was not on the scale of Cleveland, she had been impressed by the Cleveland system in the 48 hours she had spent in that community. She said that many stakeholders had been involved and their issues were addressed. She perceived the value of the system and believed it contributed to that community's quality of life. She suggested that in the context of the "whole picture," a Eugene EmX system made sense. Councilor Ortiz pledged her personal support to helping business to remain viable if West 11th Avenue was chosen as the route.

Mr. Poling addressed comments made in testimony. He emphasized his belief that EmX was not a zoning issue. It was a build or no-build issue, and he wanted people to stop talking about rezoning. Councilor Poling said he had never described West 11th Avenue as a strip mall or ugly and urged those who accused the council of doing so to point to the person who made the comment and when it was made. He looked forward to the analysis and was keeping an open mind. Councilor Poling pointed out he was on the advisory group for the Coburg EmX route and had wanted that project to work, but had to vote against it in the end.

Councilor Taylor believed strongly in transit but did not think the issue was transit or no-transit. She believed in buses and was not convinced bus rapid transit was the solution. She said the community needed connecting bus routes and all should be able to reach a bus. She thought the extension should go down West 6th and 7th avenues but had not decided how she would vote. She acknowledged the potential that LTD could receive federal money for construction costs and wished that LTD could request federal money to expand bus service. She suggested it was an economic development issues. Poor people needed buses to reach work and services and if they did not have buses they were handicapped. Councilor Taylor emphasized her interest in ensuring that transit was available to everyone.

Mayor Piercy said the council had lobbied for operations dollars but the federal government does not provide that money.

Councilor Clark thanked those who spoke. He wanted to support the West Eugene EmX route but was troubled by its impact on businesses and an over-burdensome effect on individual businesses. He agreed with Councilor Ortiz that the council needed to consider the big picture but it was also charged to protect the rights of individuals. He suggested that individual property owners would be affected disproportionately for a service that will benefit the entire community. He did not think that that LTD should make those business owners pay for that shared benefit. He hoped to keep an open mind and be better educated on the subject.

Speaking to Councilor Polings's remarks objecting to statements about zoning, Councilor Brown pointed out that the subject of rezoning along West 11th Avenue had been discussed in the context of the Envision Eugene process by the Community Resource Group. He offered to share the group's comments with Councilor Poling.

2. **CONSENT CALENDAR**
 - A. **Approval of City Council Minutes**
 - June 16, 2010, Work Session
 - July 26, 2010, Council Meeting
 - August 9, 2010, Work Session
 - August 9, 2010, Council Meeting
 - B. **Approval of Tentative Working Agenda**

Councilor Clark, seconded by Councilor Taylor, moved to approve the items on the Consent Calendar. Roll call vote: The motion passed unanimously, 8:0.

**3. ACTION:
An Ordinance Concerning Personal Property Sales and Amending Section 2.835 of the Eugene Code**

City Manager Ruiz reviewed the action being requested of the council. He reported that the amendment would update the Eugene Code and would reflect changes to the Oregon Revised Statute.

Councilor Clark, seconded by Councilor Taylor, moved to approve Council Bill 5035, an ordinance amending Section 2.835 Personal Property Sale Procedures of the Eugene Code, 1971.

Councilor Brown did not object to reducing the number of newspaper advertisements but questioned if it was possible to post the advertisements on a consistent date instead for the benefit of those who might seek them. Sgt. Chuck Tilby responded that was a possibility and promised to look into it. He noted that the Eugene Police Department got few responses from the newspaper advertisements. The department also posted in three different locations around the city as well. That posting occurred after 60 days of doing due diligence in attempting to locate the owner of a personal piece of property.

Roll call vote: The motion passed unanimously, 8:0.

Mayor Piercy adjourned the meeting of the Eugene City Council at 8:58 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)

M I N U T E S

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

October 27, 2010
Noon

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

Her Honor Mayor Kitty Piercy called the October 27, 2010, work session of the Eugene City Council to order.

A. WORK SESSION: Update on Transportation System Plan and Bicycle and Pedestrian Plan

The council was joined by Transportation Planners Kurt Yeiter and David Roth. Public Works Kurt Corey, City Engineer Mark Schoening, and Transportation Division Manager Rob Inerfeld were also present for the item. Mr. Yeiter provided the council with an update on the Transportation System Plan (TSP), the City's long-range comprehensive transportation planning effort, highlighting that the plan would be a Eugene-only plan with co-adoption by Lane County; the plan would have local policies and project lists; and the plan would address automotive mobility and safety, pedestrian and bicycle needs, public transit, freight movement, passenger and freight rail, and air transportation.

Mr. Yeiter suggested that TransPlan could be considered a basis for the City's TSP and many of its policies had placed the City on good footing for the future, but there were emerging issues the plan did not address. Those issues included greenhouse gases and climate change, the availability and pricing of fuels, higher densities along transit corridors, and community acceptance of increased congestion along those corridors.

Mr. Yeiter noted that several related plans and projects were in the process of being updated or created and anticipated that those planning efforts would also inform the TSP. He reviewed the timeline for the two planned phases of the TSP.

Mr. Roth reported on the status of the update to the City's Bicycle and Pedestrian Plan, first noting the formation of a project advisory committee and a technical advisory committee. He reviewed the goal of the planning process, which was to increase mode share for walking and bicycling. That required expansion of the pedestrian bicycle network, increased mode safety, increased mode accessibility, and fostering a community culture that supported those modes.

Mr. Roth reviewed the five phases of the project. He described the scope of planned public outreach efforts. He invited questions.

Mayor Piercy said the planning period was a huge challenge as well as an opportunity to bring many community planning efforts together. She emphasized the need for an iterative conversation with the public so it understood what was happening and had the ability to participate. She expressed appreciation to the community members who had been involved with the planning processes to date.

Mayor Piercy reported that some members of the Bicycle and Pedestrian Advisory Committee were concerned both about their ability to provide advice to the City and their ability to bring other ideas to the table. She hoped Mr. Roth worked with that group to get both its advice and its ideas out.

Mr. Clark noted the draft alternatives and evaluation memorandum was released just as the council completed making the major decisions related to the Envision Eugene process. He said it seemed like the process was a sequential one rather than a parallel one and asked if that was intentional. Mr. Yeiter said the process was intended to be iterative. He said Transportation staff had been providing information to the Envision Eugene process and the Planning staff was learning that those areas with the most commercial activity and residential development were also those areas with the most congestion. The question would be whether to put more residents in those areas and what tradeoffs might be necessary for that to occur.

Mr. Clark was concerned that the City would use transportation planning to limit itself in accomplishing what was put forward in the Envision Eugene process. He did not expect a look at where congestion would be, but rather a plan for the capacity needed to accomplish the objectives of the Envision Eugene process. He confirmed with Mr. Yeiter that the process of developing evaluation criteria had just begun.

Mr. Clark noted that the City frequently used vehicle miles traveled (VMT) as a measure, but Oregon Department of Transportation (ODOT) staff had recently suggested that VMT was at best a crude instrument in regard to answering environmental questions. He said ODOT had indicated it would develop a new tool to accomplish that goal, and asked if the City would produce its own tool or wait for ODOT to give it one. Mr. Yeiter recalled that Eugene was the first jurisdiction in Oregon to propose an alternative mobility standard to the VMT standard and staff had learned a lot from that. He did not know if Eugene would meet the VMT standard under the old plan, saying it was possible it might under the new plan, or Eugene could propose a new or modified set of alternative mobility standards. The VMT standard continued to be a requirement mandated by the State Transportation Planning Rule (TPR). Mr. Yeiter did not think ODOT's new standard would be in place when the City adopted its TSP.

Mr. Brown determined from Mr. Yeiter that the final existing conditions memorandum did not yet exist. Mr. Yeiter indicated that staff had drafted a memorandum that lacked a traffic analysis; that traffic analysis was now in draft form and being reviewed by the City's engineers. It would be available soon and would be online. Mr. Brown requested a copy of the ODOT traffic count of 50 intersections. Mr. Yeiter said that would be part of the existing conditions memorandum. He would have it posted on the Web site eugenetsp.org and would let the council know when it was available.

Responding to a question from Mr. Zelenka, Mr. Yeiter said the City was not projected to meet the VMT reduction goals set by the State. Mr. Zelenka asked how that would change under the new plan. Mr. Yeiter said that generally, VMT had been dropping nationally. He acknowledged there had not yet been a measurement of that done in Eugene. A survey of Eugene-Springfield driving habits had recently occurred but he had not seen the results.

Mr. Zelenka asked if staff expected the State to retain the VMT standard since no jurisdiction had met it. Mr. Yeiter said City staff had suggested to State staff that Oregon drop the VMT measurement given the State was developing greenhouse gas targets and the relationship between the two was unclear. He believed the VMT standard would stay and there would be two different goals. State staff now seemed to believe that VMT was a rough but fair measurement of greenhouse gas reductions.

Mr. Zelenka asked for examples of the “tool box” mentioned by staff. Mr. Roth offered shared lane marking as an example of a tool communities used to complete system gaps in a bicycle network or to demonstrate more clearly to bicyclists where they should position themselves in a shared lane system. Another example was hawk signals for pedestrians, which remained dark unless activated by the pedestrian to alert motorists to stop. Springfield was exploring their use on Harlow and Gateway roads. Mr. Zelenka concluded that the tools in the tool box would be employed to help the City meet the standard it set. Mr. Roth concurred.

Mr. Zelenka asked if the City had a numeric metric for increases in bicycle and pedestrian use. Mr. Roth said the advisory committee had discussed assigning specific modal targets but concluded it made more sense to do so in conjunction with the TSP. The metric currently used was commute-to-work trips, and Eugene was the highest in the nation for bicycle use for a community of its size and consistently exceeded Portland levels as 10.8 percent of the population used a bicycle for their primary means of transportation.

Mr. Zelenka asked how numeric mode splits would be established in the TSP. Mr. Yeiter suggested that the council consider the purpose of having such targets. He said it was one thing to set such targets and tie achieving a percentage of the target to system improvements, but the approach ran into problems if the additional alternative mode increases came at the expense of another mode. If the goal was to increase bicycle, pedestrian, and transit use, the next question then became “will we do something to discourage auto use,” which was a huge policy question that he anticipated would require extensive community discussion.

Mayor Piercy suggested the story of the State gas tax was reflective of lower VMT, and reduced gas tax revenues were making it increasingly hard to fund the transportation system. She recalled that speaker Gordon Price had recommended to RailVolution attendees that they not position one mode against the other, but instead provide real choice for everyone, which would lead them to make more of the choices the City wanted to see. Mr. Yeiter said if the community provided great choice and a variety of choices, he questioned if it needed targets.

Ms. Ortiz determined from Mr. Roth that the technical advisory committee included representation from Lane County, but there were no Lane County residents on the advisory committee. Ms. Ortiz regretted the lack of such representation and hoped staff did not forget to involve the residents of River Road and Santa Clara.

Ms. Ortiz commended the crossings on Gateway and Harlow roads and encouraged the council to view them. She thought they could be used on Highway 99, where crossing was a challenge.

Ms. Solomon recalled that she had testified before the Bicycle and Pedestrian Advisory Committee about the need for improved passage for residents living west of the railroad tracks to better access downtown on foot and by bicycle. She asked the status of her suggestion. Mr. Yeiter said gaps in the system were being addressed through the Bicycle and Pedestrian Plan. He acknowledged that the railroad tracks and river worked against the establishment of a grid network. The TSP included a technical advisory committee with a representative from Union Pacific and ODOT Rail staff. He believed Ms. Solomon’s concerns would be addressed but had no idea of the solution or ultimate cost. Mr. Roth added that the BPAC heard Ms. Solomon’s input and the issue had also come up several times in outreach. Staff had taken some field trips to view the area and see what options were available. He recommended that Ms. Solomon stay plugged into the process through the Web site and interested parties list. He believed that there would eventually be a recommendation for such a crossing.

Ms. Taylor recalled the conference on “walkability” at Tsunami Bookstore and asked what happened to the recommendations from that event. Mr. Roth said the report from the event was used as background for the Bicycle and Pedestrian Plan. Mr. Yeiter said the City had unsuccessfully applied for a grant to implement some of the concepts in the report. The corridor discussed by participants at the event was being studied as a pilot project for opportunity siting, and there was a possibility of another grant application to take another look at the area in question.

Ms. Taylor thought it was important to give people choices, which made them more likely to do positive things. She thought more efforts should be made to combat bicycle theft. It was hard to feel good about riding one’s bicycle if one was worried it would disappear when one left it. She asked if staff had discussed widening the bicycle lanes on streets such as 11th and 18th avenues to avoid conflicts with large vehicles such as buses. Mr. Roth said staff was discussing different bicycle lane treatments to provide extra buffer space.

Ms. Taylor asked if anyone was contemplating expansion of the pedestrian flag system started by Ken Saxton. Mr. Roth said the pedestrian flag system was an example of a low-cost tool that was currently in use. He believed its use in Eugene could be expanded.

Ms. Taylor suggested if dogs were allowed on buses people would use the bus to take their dog to the vet. Mr. Yeiter said he would forward the suggestion to LTD staff.

Mr. Clark agreed with the mayor that the best outcome of the TSP was to provide people with multiple choices and allow them freedom to choose. His concern was that was not what was happening. He said his problem with using VMT as a metric was that it resulted in planning for less capacity in those choices and did not help in emissions reductions. While no one was forced into a different mode, the result was increased congestion. People drove the same number of miles, only more slowly, which increased emissions. He believed VMT was a terrible metric if the desired outcome was decreased greenhouse gas emissions.

Continuing, Mr. Clark said he was challenged by discussion of increased infill in areas such as those near the Beltline and Delta Highway because while he thought such infill was a good thing, he pointed out that Beltline was a failed facility in multiple places. To date, there was only one proposed plan for improving Beltline that came close to addressing the standards, and when he asked ODOT staff members how the State could chose any option but that, they suggested that they guessed the State would have to change the standard.

Mayor Piercy acknowledged differing points of view held by different councilors and said each councilor would have a different perspective on Mr. Clark’s points.

**B. WORK SESSION:
City Council Process Session**

The council held a work session on its processes for addressing Contingency Funds, for conducting work session polls as part of regular council business, and for providing time for more detailed council committee reports. Council and Intergovernmental Affairs Manager Keli Osborn and Council Coordinator Beth Forrest reviewed the staff recommendations related to each process.

Councilors accepted the staff recommendation related to contingency funds.

Speaking to the issue of council polls for work sessions, Mr. Clark asked that staff ensure that polls were sent to the council via e-mail. Councilors then discussed whether to include a neutral option on council polls.

Ms. Taylor, seconded by Mr. Brown, moved to have a yes, no, and neutral option for council work session polls. The motion failed, 6:2; Ms. Taylor and Ms. Ortiz voting yes.

Mr. Zelenka, seconded by Ms. Ortiz, moved to adopt the second bullet under item 3, “Time for more detailed committee reports” (“Schedule one 30-minute session for general rounds and one 60-minute round for specific updates, and set a rotation so all committees are covered each quarter.”)

Mr. Zelenka accepted a friendly amendment from Ms. Ortiz that councilors would either give an oral presentation or complete the report form and submit it as part of the record.

Ms. Ortiz asked that neighborhood groups be placed on a separate page.

The motion passed, 7:1; Mr. Poling voting no.

Mr. Clark raised an issue for future discussion, asking the council to consider beginning every formal meeting in the Council Chamber with the Pledge of Allegiance. Mr. Poling endorsed the idea.

Mr. Zelenka, seconded by Ms. Taylor, moved that when councilors requested an item be deferred due to an anticipated absence, that request be automatically granted unless action on the issue was time-sensitive. The motion failed, 5:3; Mr. Zelenka, Ms. Taylor, and Mr. Brown voting yes.

Mayor Piercy adjourned the work session at 1:25 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Kimberly Young)